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STATUTORY INSTRUMENTS

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**2023 No. 834**

**INFRASTRUCTURE PLANNING**

The A303 (Amesbury to Berwick Down)  
Development Consent Order 2023

*Made* - - - - - *14th July 2023*

*Coming into force* *4th August 2023*

THE A303 (AMESBURY TO BERWICK DOWN)  
DEVELOPMENT CONSENT ORDER 2023

PART 1

PRELIMINARY

1. Citation and commencement
2. Interpretation
3. Disapplication of legislative provisions

PART 2

WORKS PROVISIONS

*Principal Powers*

4. Development consent, etc. granted by the Order
5. Maintenance of the authorised development
6. Planning permission
7. Limits of deviation

*Streets*

8. Application of the 1991 Act
9. Construction and maintenance of new, altered or diverted streets and other structures
10. Permanent stopping up of streets and private means of access
11. Temporary stopping up and restriction of use of streets
12. Access to works

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### *Supplemental Powers*

13. Discharge of water
14. Protective works to buildings
15. Authority to survey and investigate land
16. Removal of human remains
17. Felling or lopping of trees and hedgerows
18. Maintenance of drainage works

## PART 3

### POWERS OF ACQUISITION AND POSSESSION OF LAND

#### *Powers of acquisition*

19. Compulsory acquisition of land
20. Compulsory acquisition of land – incorporation of the minerals code
21. Time limit for exercise of powers to possess land temporarily or to acquire land compulsorily
22. Compulsory acquisition of rights
23. Private rights over land
24. Power to override easements and other rights
25. Modification of Part 1 of the 1965 Act
26. Application of the 1981 Act
27. Acquisition of subsoil, etc., only
28. Rights over or under streets

#### *Temporary possession of land*

29. Temporary use of land for constructing the authorised development
30. Temporary use of land for maintaining the authorised development

#### *Supplementary*

31. Statutory undertakers
32. Apparatus and rights of statutory undertakers in stopped up streets
33. Recovery of costs of new connection
34. Special category land

#### *Compensation*

35. Disregard of certain interests and improvements
36. Set-off for enhancement in value of retained land
37. No double recovery

## PART 4

### OPERATIONAL PROVISIONS

38. Power to operate and use the tunnel
39. Closing the tunnel
40. No apparatus in the tunnel area without consent
41. Removal of vehicles
42. Removal of obstructions

43. Dangerous goods
44. Byelaws relating to the tunnel area
45. Fixed penalty notices
46. Classification of roads, etc.
47. Clearways
48. Traffic regulation measures

## PART 5

### MISCELLANEOUS AND GENERAL

49. Benefit of the Order
50. Consent to transfer benefit of Order
51. Application of landlord and tenant law
52. Operational land for purposes of the 1990 Act
53. Defence to proceedings in respect of statutory nuisance
54. Protective provisions
55. Certification of plans, etc.
56. Service of notices
57. Arbitration
58. Consents, agreements and approvals  
Signature

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## SCHEDULES

### SCHEDULE 1 — AUTHORISED DEVELOPMENT

In the administrative area of Wiltshire Council  
Ancillary Works

### SCHEDULE 2 — REQUIREMENTS

#### PART 1 — REQUIREMENTS

1. Interpretation
  2. Time limits
  3. Preparation of detailed design, etc.
  4. Outline Environmental Management Plan
  5. Archaeology
  6. Protected species
  7. Contaminated land and groundwater
  8. Implementation and maintenance of landscaping
  9. Traffic management
  10. Drainage
  11. Details of consultation
  12. Stone curlew breeding plots
- #### PART 2 — PROCEDURE FOR DISCHARGE OF REQUIREMENTS
13. Applications made under requirements
  14. Determination of applications by the planning authority
  15. Further information
  16. Register of requirements
  17. Anticipatory steps towards compliance with any requirement

### SCHEDULE 3 — PERMANENT STOPPING UP OF HIGHWAYS AND PRIVATE MEANS OF ACCESS AND PROVISION OF NEW HIGHWAYS AND PRIVATE MEANS OF ACCESS

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PART 1 — HIGHWAYS TO BE STOPPED UP FOR WHICH A SUBSTITUTE IS TO BE PROVIDED AND NEW HIGHWAYS WHICH ARE OTHERWISE TO BE PROVIDED

PART 2 — HIGHWAYS TO BE STOPPED UP FOR WHICH NO SUBSTITUTE IS TO BE PROVIDED

PART 3 — PRIVATE MEANS OF ACCESS TO BE STOPPED UP FOR WHICH A SUBSTITUTE IS TO BE PROVIDED AND NEW PRIVATE MEANS OF ACCESS WHICH ARE OTHERWISE TO BE PROVIDED

PART 4 — PRIVATE MEANS OF ACCESS TO BE STOPPED UP FOR WHICH NO SUBSTITUTE IS TO BE PROVIDED

SCHEDULE 4 — LAND IN WHICH ONLY NEW RIGHTS ETC., MAY BE ACQUIRED

SCHEDULE 5 — MODIFICATION OF COMPENSATION AND COMPULSORY PURCHASE ENACTMENTS FOR THE CREATION OF NEW RIGHTS

*Compensation enactments*

1. The enactments for the time being in force with respect...
2. (1) Without limitation on the scope of paragraph 1, the...
3. (1) Without limitation on the scope of paragraph 1, the...

*Application of the 1965 Act*

4. Part 1 (compulsory purchase under Acquisition of Land Act 1946)...
5. (1) The modifications referred to in paragraph 4(a) are as...

SCHEDULE 6 — LAND IN WHICH ONLY SUBSOIL OR NEW RIGHTS IN AND ABOVE SUBSOIL AND SURFACE MAY BE ACQUIRED

SCHEDULE 7 — LAND OF WHICH ONLY TEMPORARY POSSESSION MAY BE TAKEN

SCHEDULE 8 — BYELAWS

PART 1 — PRELIMINARY

1. These byelaws may be cited as the A303 (Amesbury to...
2. Interpretation

PART 2 — CONDUCT AND BEHAVIOUR

3. Smoking etc.
4. Unacceptable behaviour

PART 3 — EQUIPMENT AND SAFETY

5. General safety
- PART 4 — ACCESS AND TRAFFIC

6. Unauthorised access and loitering
7. Traffic regulation
8. Dangerous goods

PART 5 — ENFORCEMENT, ETC.

9. Name and address
10. Compliance with instructions and notices, etc.
11. Identification of authorised persons
12. Breaches by authorised persons

13. Attempted breach

SCHEDULE 9 — CLASSIFICATION OF ROADS ETC.

PART 1 — THE NEW AND IMPROVED A303 TRUNK ROAD

1. An 11.6 kilometre length of new road
- PART 2 — THE NEW LONGBARROW JUNCTION AND THE SLIP ROADS
2. A303 eastbound diverge slip road
  3. A303 eastbound merge slip road
  4. A303 westbound diverge slip road
  5. A303 westbound merge slip road
- PART 3 — THE NEW LONGBARROW JUNCTION AND LINK ROADS
6. A360 northern link to new Longbarrow junction
  7. Northbound and Southbound Link between the new northern and southern roundabouts at Longbarrow Junction
  8. A360 south-eastern link to new Longbarrow junction
  9. South-western link to new Longbarrow junction
- PART 4 — THE NEW ROLLESTONE CROSS
10. A 230 metre length of new road (B3086 northbound approach)
  11. A 135 metre length of new road (Unclassified westbound approach)
  12. A 140 metre length of new road (B3086 eastbound approach)
- PART 5 — THE NEW B3083
13. A 725 metre length of new road (realigned B3083)
- PART 6 — THE NEW COUNTESS JUNCTION SLIP ROADS
14. A303 eastbound diverge slip road
  15. A303 eastbound merge slip road
  16. A303 westbound diverge slip road
  17. A303 westbound merge slip road
- PART 7 — THE EXISTING A303
18. A 570 metre length of existing A303 trunk road
  19. A 350 metre length of existing A303 trunk road
  20. A 1.24 kilometre length of existing A303 trunk road
  21. A 345 metre length of existing A303 trunk road
- PART 8 — THE NEW ALLINGTON TRACK LINK ROAD
22. A 985 metre length of new road
- PART 9 — ROADS TO BE DE-TRUNKED
23. A 2.28 kilometre length of the existing A303 trunk road
  24. A 345 metre length of the existing A303 trunk road

SCHEDULE 10 — TRAFFIC REGULATION MEASURES

PART 1 — SPEED LIMITS

PART 2 — CLEARWAYS AND PROHIBITIONS

PART 3 — REVOCATIONS AND VARIATIONS OF EXISTING TRAFFIC REGULATION ORDERS

SCHEDULE 11 — PROTECTIVE PROVISIONS

PART 1 — FOR THE PROTECTION OF ELECTRICITY, GAS, WATER AND SEWERAGE UNDERTAKERS

1. The provisions of this Part of this Schedule have effect...
2. In this Part of this Schedule— “alternative apparatus” means alternative...
3. This Part of this Schedule does not apply to apparatus...
4. (1) Regardless of the temporary stopping up, alteration or diversion...
5. Despite any provision in this Order or anything shown on...
6. (1) If, in the exercise of the powers conferred by...

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7. (1) Where, in accordance with the provisions of this Part...
8. (1) Not less than 21 days before starting the carrying...
9. (1) Subject to the following provisions of this paragraph, the...
10. (1) Subject to sub-paragraphs (2) and (3), if by reason...  
PART 2 — FOR THE PROTECTION OF OPERATORS OF ELECTRONIC  
COMMUNICATIONS CODE NETWORKS
11. (1) For the protection of any operator, the following provisions...
12. The exercise of the powers of article 31 (statutory undertakers)...
13. (1) Subject to sub-paragraphs (2) to (4), if as the...
14. This Part of this Schedule does not apply to—
15. Nothing in this Part of this Schedule affects the provisions...  
PART 3 — FOR THE PROTECTION OF DRAINAGE AUTHORITIES
16. The provisions of this Part have effect for the protection...
17. In this Part of this Schedule— “construction” includes execution, placing,...
18. (1) Before commencing construction of a specified work, the undertaker...
19. Without limiting paragraph 18, the requirements which the drainage  
authority...
20. (1) Subject to sub-paragraph (2), any specified work, and all...
21. (1) Subject to sub-paragraph (5), the undertaker must from the...
22. Subject to paragraphs 24 and 25 and sub-paragraph 21(5)(b), if...
23. If by reason of the construction of the specified work...
24. The undertaker must make reasonable compensation for costs, charges  
and...
25. (1) The undertaker must make reasonable compensation for costs and...
26. The fact that any work or thing has been executed...
27. Any dispute arising between the undertaker and the drainage authority...  
PART 4 — FOR THE PROTECTION OF ESSO PETROLEUM COMPANY  
LIMITED
28. Application
29. Interpretation
30. Acquisition of apparatus
31. Removal of apparatus and rights for alternative apparatus
32. Facilities and rights for alternative apparatus
33. Retained apparatus: protection
34. Cathodic protection testing
35. Expenses
36. Damage to property and other losses
37. Co-operation and reasonableness
38. Miscellaneous  
PART 5 — FOR THE PROTECTION OF THE ENVIRONMENT AGENCY
39. (1) The following provisions apply for the protection of the...
40. (1) Before commencing construction of any specified work, the  
undertaker...
41. Without limiting paragraph 40, the requirements which the Agency may...
42. (1) Subject to sub-paragraph (2), any specified work, and all...
43. (1) Subject to sub-paragraph (5) the undertaker must from the...
44. Subject to paragraphs 47 and 43(5)(b), if by reason of...
45. If by reason of construction of the specified work the...
46. (1) The undertaker must take all such measures as may...
47. The undertaker must make reasonable compensation for costs, charges  
and...
48. (1) The undertaker must make reasonable compensation for costs and...
49. Any dispute arising between the undertaker and the Agency under...

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## SCHEDULE 12 — DOCUMENTS TO BE CERTIFIED

Explanatory Note