

## SCHEDULES

### SCHEDULE 3

#### PLANNING PERMISSION

##### *Certificates for construction or use of certain authorised development*

- 11 (1) Subject to sub-paragraph (2) below, the construction of the terminal area at Cheriton, Folkestone shall cease at the end of the period of six months beginning with the day it began unless the Secretary of State has, before the end of that period, certified either—
- (a) that, in his opinion, adequate facilities for and in connection with public viewing of the construction have been provided; or
  - (b) that, in his opinion, the Concessionaires have taken all reasonable steps to provide such facilities;
- and it shall not be begun again unless the Secretary of State has certified as mentioned either in paragraph (a) above or in paragraph (b) above.
- (2) If it is intended to provide facilities for or in connection with public viewing of the construction of the terminal area within that area, sub-paragraph (1) above shall not apply in relation to the construction of the terminal area so far as it consists of work in connection with the provision of the facilities.
- 12 The inland clearance depot to be constructed at Ashford, in Kent, shall not be brought into use until the Secretary of State has—
- (a) certified either—
    - (i) that, in his opinion, adequate refreshment and sleeping facilities for the use of drivers of vehicles using the depot have been provided within the limits of land to be acquired for the purposes of or in connection with the depot; or
    - (ii) that, in his opinion, the Concessionaires have taken all reasonable steps to provide such facilities; and
  - (b) certified, under paragraph 20(3) of Schedule 2 to this Act, completion of the construction of Work No. 17.
- 13 The tunnel system shall not be brought into use until the Secretary of State has certified either—
- (a) that, in his opinion, adequate facilities for and in connection with public viewing of the operation of the terminal area at Cheriton, Folkestone have been provided; or
  - (b) that, in his opinion, the Concessionaires have taken all reasonable steps to provide such facilities.
- 14 (1) The Secretary of State shall consult the county and district planning authorities before giving any certificate for the purposes of paragraph 11, 12(a) or 13 above.

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*Status: This is the original version (as it was originally enacted).*

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- (2) Where the Secretary of State gives any such certificate as is mentioned in sub-paragraph (1) above he shall give a copy of the certificate to each of the authorities whom he was required by that sub-paragraph to consult before giving it.
- (3) No failure on the part of the Secretary of State to comply with his obligations under sub-paragraph (1) or (2) above shall affect the validity of any certificate given by him for the purposes of paragraph 11, 12(a) or 13 above.