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STATUTORY INSTRUMENTS

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**1992 No. 2902**

**The Transport and Works (Applications and Objections Procedure) Rules 1992**

**Plans, sections and books of reference**

7.—(1) The plans referred to in rule 5(2)(a) above are—

- (a) a plan drawn to a suitable scale not smaller than 1:2500 showing clearly, in relation to existing features, the works described, or for which provision is made, in the draft order (but subject nevertheless to the provisions of paragraph (6) below);
- (b) if 3 or more sheets of the plan described in sub-paragraph (a) above are provided, a key plan drawn to a suitable scale showing clearly the relationship between such sheets; and
- (c) a plan drawn to a suitable scale not smaller than 1:50,000 (and which may be the plan described in sub-paragraph (b) above) showing clearly the general location of any works and, in particular—
  - (i) the general line of route of a transport system, inland waterway or other works of a linear nature overall (or any part thereof) which exceeds 3 kilometres in length between its termini, and
  - (ii) the general location, in relation to the coast or river bank, of works of a kind described in section 3(1)(b),

where provision is made for such works in the draft order; and all such plans shall contain a reference to the National Grid base or, where this is not practicable, to the latitude and longitude of the site of the proposed works.

(2) The sections referred to in rule 5(2)(a) above are sections having a suitable vertical scale not smaller than 1:500 and showing, by reference to Ordnance Survey or Chart datum (but subject to the provisions of paragraph (6) below)—

- (a) on the same horizontal scale as the plan described at paragraph (1)(a) above, the levels of the intended works, including in particular where relevant—
  - (i) ground levels;
  - (ii) the height of every intended bridge, viaduct, aqueduct, embankment and elevated guideway;
  - (iii) the depth of every intended cutting and tunnel;
  - (iv) the levels of the bed of any tidal waters or inland waterway in which any works are intended to be situated; and
  - (v) the height of every structure or device (including a cable) intended to be erected above, on or below the surface of, or on or beneath the bed of, tidal waters or an inland waterway;
- (b) on a horizontal scale not smaller than 1:500, the span and vertical clearance of every intended bridge, viaduct, aqueduct, gantry and other structure or device (including a cable) described, or for which provision is made, in the draft order; and
- (c) in cross-section, on a horizontal scale not smaller than 1:500—

- (i) the depths and water levels of every inland waterway;
- (ii) the profile of every tunnel; and
- (iii) the proposed gradient of the carriageway on either side of every level crossing, bridge, tunnel or underpass carrying the same;

described, or for which provision is made, in the draft order.

(3) The plan referred to in rule 5(4) above is a plan drawn to a suitable scale not smaller than 1:2500 (and which may be the plan described in paragraph (1)(a) above) showing clearly the land—

- (a) over which it is proposed to acquire powers of compulsory acquisition or rights of use;
- (b) over which it is proposed that easements and other private rights (including private rights of navigation over water) shall be extinguished;
- (c) of which the applicant is the sole owner and occupier;
- (d) in which there subsists a Crown or Duchy interest (within the meaning of section 25(2)) whether or not there are other interests in such land.

(4) Where it is proposed in the draft order to acquire the power to make lateral deviation from the line of any proposed works, the limits of such deviation shall be clearly shown upon the plan described at paragraph (1)(a) above and the plan described at paragraph (3) above shall show clearly all land within the said limits of deviation which it is proposed shall be subject to powers of compulsory acquisition or rights of use or over which it is proposed that easements or other private rights (including private rights of navigation over water) shall be extinguished.

(5) The book of reference referred to in rule 5(4) above is a book which refers to the plan described at paragraph (3) above and which (subject to the provisions of paragraph (7) below)—

- (a) contains the names of all the persons who were, at the beginning of a period of 28 days ending on the date of the application, the owners and occupiers of the land which it is proposed shall be subject to powers of compulsory acquisition or rights of use and of all the persons who were, at the beginning of the said period, entitled to enjoy easements and other private rights over land (including private rights of navigation over water) which it is proposed shall be extinguished; and
- (b) where there is a Crown interest in land, specifies the owner of that interest; and
- (c) specifies land—
  - (i) the acquisition of which is subject to special parliamentary procedure; or
  - (ii) which is Green belt land within the meaning of section 2 of the Green Belt (London and Home Counties) Act 1938(1); or
  - (iii) for which other land is to be given in exchange; or
  - (iv) which is such exchange land;

provided that, where the applicant has made all reasonable enquiries necessary to obtain the foregoing information, the application shall not be invalidated by reason only of an error in, or the omission of information from, the book of reference.

(6) Where provision is made in a draft order for any works which are—

- (a) proposed to be formed or constructed for the accommodation of an owner or occupier of land adjacent to an intended transport system or inland waterway, or
- (b) ancillary to an intended transport system, inland waterway or works of a kind described in section 3(1)(b),

and the applicant is unable to show the detailed form or the precise position of such works at the date of the application, he shall not be obliged to show them as required by paragraph (1) or (2) above but shall give such indication of them as is reasonably practicable.

(7) Where the name of an owner or occupier of land or a person enjoying rights over land cannot be ascertained after reasonable enquiry, the applicant shall not be obliged to specify such information in the book of reference but shall indicate clearly in the book of reference that this information has, or might have, been omitted therefrom.