
STATUTORY INSTRUMENTS

2020 No. 1075

INFRASTRUCTURE PLANNING

**The Great Yarmouth Third River Crossing
Development Consent Order 2020**

Made - - - - 24th September 2020

Coming into force 15th October 2020

**THE GREAT YARMOUTH THIRD RIVER CROSSING
DEVELOPMENT CONSENT ORDER 2020**

PART 1

PRELIMINARY

1. Citation and commencement
2. Interpretation
3. Disapplication of legislation, etc.

PART 2

PRINCIPAL POWERS

4. Development consent granted by the Order
5. Maintenance of authorised development
6. Limits of deviation
7. Benefit of the Order
8. Consent to transfer benefit of the Order

PART 3

STREETS

9. Power to alter layout, etc., of streets
10. Street works
11. Application of the 1991 Act
12. Construction and maintenance of new, altered or diverted streets and other structures
13. Classification of roads
14. Permanent stopping up of streets and private means of access
15. Temporary stopping up and restriction of use of streets

Status: This is the original version (as it was originally made).

16. Access to works
17. Agreements with street authorities
18. Traffic regulation measures
19. Disapplication of obligations where undertaker is the street authority

PART 4

SUPPLEMENTAL POWERS

20. Discharge of water
21. Protective works to buildings
22. Authority to survey and investigate land
23. Temporary suspension of navigation in connection with the authorised development
24. Removal of vessels

PART 5

POWERS OF ACQUISITION AND POSSESSION OF LAND

Powers of Acquisition

25. Compulsory acquisition of land
26. Compulsory acquisition of land – incorporation of the mineral code
27. Time limit for exercise of powers to possess land temporarily or to acquire land compulsorily
28. Compulsory acquisition of rights
29. Private rights over land
30. Power to override easements and other rights
31. Modification of Part 1 of the 1965 Act
32. Application of the 1981 Act
33. Acquisition of subsoil or airspace etc., only
34. Rights over or under streets

Temporary possession of land

35. Temporary use of land for constructing the authorised development
36. Temporary use of land for maintaining the authorised development

Supplementary

37. Statutory undertakers and utilities
38. Apparatus and rights of statutory undertakers in stopped up streets
39. Recovery of costs of new connection

Compensation

40. Disregard of certain interests and improvements
41. Set off for enhancement in value of retained land
42. No double recovery

PART 6

OPERATIONAL PROVISIONS

43. Operation of new bridge
44. Extinguishment of right of navigation within the river Yare in connection with authorised development

45. Closing the highway comprised in the new bridge and new bridge approaches
46. Removal of vehicles
47. Removal of falling loads and objects
48. No apparatus in the new bridge or new bridge approaches without consent
49. Subsidiary works and operations in the river Yare
50. Protection against dredging
51. Byelaws
52. Fixed penalty notices

PART 7

MISCELLANEOUS AND GENERAL

53. Felling or lopping of trees
54. Trees subject to tree preservation order or within conservation area
55. Removal of human remains
56. Deemed marine licence
57. Application of landlord and tenant law
58. Operational land for purposes of the 1990 Act
59. Planning permission
60. Undertaker's highway, road traffic and planning functions
61. Defence to proceedings in respect of statutory nuisance
62. Protective provisions
63. Saving for Trinity House
64. Certification of plans, etc.
65. Service of notices
66. Consents, agreements and approvals
67. Arbitration
Signature

SCHEDULES

SCHEDULE 1 — AUTHORISED DEVELOPMENT

SCHEDULE 2 — REQUIREMENTS

PART 1 — REQUIREMENTS

1. Interpretation
2. Time limits
3. Commencement of the authorised development
4. Design of the authorised development
5. Detailed design of specified structures
6. Code of construction practice
7. Landscaping and ecological management plan
8. Existing trees and hedgerows
9. Contamination
10. Emergency Preparedness and Response Plan
11. Surface water drainage
12. Lighting
13. Completion and availability of particular works
14. Archaeology
15. Preliminary navigation risk assessment
16. Signs at vessel waiting facilities

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

17. Amendments to approved details
18. Details of consultation
PART 2 — PROCEDURE FOR DISCHARGE OF REQUIREMENTS
19. Interpretation
20. Applications made under requirements
21. Further information relating to application
22. Appeals
PART 3 — SUPPLEMENTARY PROVISIONS
23. Publication of requirements
24. Service of documents
25. Anticipatory steps relevant to specified consent

SCHEDULE 3 — STREETS SUBJECT TO PERMANENT LAYOUT AND OTHER ALTERATIONS

SCHEDULE 4 — PERMANENT STOPPING UP OF STREETS AND PRIVATE MEANS OF ACCESS

PART 1 — STREETS FOR WHICH A SUBSTITUTE IS TO BE PROVIDED AND OTHER NEW STREETS TO BE PROVIDED

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

PART 3 — PRIVATE MEANS OF ACCESS FOR WHICH A SUBSTITUTE IS TO BE PROVIDED AND OTHER NEW PRIVATE MEANS OF ACCESS TO BE PROVIDED

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

SCHEDULE 5 — TRAFFIC REGULATION MEASURES

PART 1 — PROHIBITIONS AND RESTRICTIONS OF WAITING, LOADING, ETC.

PART 2 — DIRECTION OF TRAVEL, ENTRY, ETC.

PART 3 — VARIATION AND REVOCATION OF EXISTING ORDERS

SCHEDULE 6 — LAND IN WHICH ONLY NEW RIGHTS MAY BE ACQUIRED

SCHEDULE 7 — MODIFICATION OF COMPENSATION AND COMPULSORY PURCHASE ENACTMENTS FOR 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 93, the...
3. (1) Without limitation on the scope of paragraph 93, the...

Application of Part 1 of the 1965 Act

4. Part 1 (compulsory purchase under Acquisition of Land Act 1946)...
5. (1) The modifications referred to in paragraph 96(a) are as...

SCHEDULE 8 — LAND IN WHICH ONLY AIRSPACE AND NEW RIGHTS MAY BE ACQUIRED

SCHEDULE 9 — LAND OF WHICH ONLY TEMPORARY POSSESSION MAY BE TAKEN

SCHEDULE 10 — SCHEME OF OPERATION

PART 1 — PRELIMINARY

1. Interpretation
- PART 2 — OPERATIONAL PROVISIONS
2. Bridge operations
 3. Opening requests
 4. Opening request revisions
 5. Vessels inbound
 6. Vessels outbound
 7. Large vessels
 8. Recreational vessels
 9. Emergency vessels
 10. Exceptions to obligations of undertaker

SCHEDULE 11 — THE GREAT YARMOUTH THIRD RIVER CROSSING
BYELAWS 2020

PART 1 — PRELIMINARY

1. Citation and commencement
 2. Interpretation
- PART 2 — CONDUCT AND BEHAVIOUR
3. Smoking, etc.
 4. Unacceptable behaviour
- PART 3 — ACCESS AND TRAFFIC
5. Unauthorised access and loitering
 6. Traffic regulation
- PART 4 — GENERAL
7. Saving for authorised persons

SCHEDULE 12 — TREES SUBJECT TO TREE PRESERVATION ORDERS AND
WITHIN CONSERVATION AREAS

SCHEDULE 13 — DEEMED MARINE LICENCE

PART 1 — GENERAL

1. Interpretation
 2. (1) The main points of contact with the MMO and...
 3. Details of licensed marine activities
- PART 2 — CONDITIONS
4. Notification of commencement and completion of licensed activities
 5. Construction method statement
 6. Noise registry
 7. Cofferdam dewatering and excavation method statement
 8. Vessels
 9. Marine pollution contingency plan
 10. Piling techniques
 11. Concrete and cement
 12. Coatings and treatments
 13. Spills, etc.
 14. Dropped objects
 15. Post construction
- PART 3 — PROCEDURE FOR THE DISCHARGE OF CONDITIONS
16. Meaning of “return”
 17. Further information regarding application
 18. Determination of application

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

19. Notice of determination
20. No subsidiary dredging under the Order
21. Anticipatory steps towards the discharge of any condition

SCHEDULE 14 — 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...
7. (1) Where, in accordance with the provisions of this Part...
8. (1) Not less than 28 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...
11. If in consequence of the exercise of the powers conferred...

PART 2 — FOR THE PROTECTION OF OPERATORS OF ELECTRONIC COMMUNICATIONS CODE NETWORKS

12. (1) For the protection of any operator, the following provisions...
13. The exercise of the powers conferred by article 37 (statutory...
14. (1) Subject to sub-paragraph (2), if as the result of...
15. The operator must give the undertaker reasonable notice of any...
16. This Part of this Schedule does not apply to—

PART 3 — FOR THE PROTECTION OF ANGLIAN WATER

17. For the protection of Anglian Water, the provisions of this...
18. In this Part of this Schedule— “alternative apparatus” means alternative...
19. The undertaker must not interfere with, build over or near...
20. The alteration, extension, removal or re-location of any apparatus must...
21. In the situation, where in exercise of the powers conferred...
22. Regardless of any provision in this Order or anything shown...
23. If in consequence of the exercise of the powers conferred...
24. If in consequence of the exercise of the powers conferred...
25. If for any reason or in consequence of the construction...
26. Nothing in paragraph 25 above imposes any liability on the...
27. Any difference or dispute arising between the undertaker and Anglian...

PART 4 — FOR THE PROTECTION OF THE ENVIRONMENT AGENCY

28. (1) The following provisions of this Part of this Schedule...
29. (1) Before beginning to construct any specified work, the undertaker...
30. Without limiting paragraph 29, the requirements which the Agency may...
31. Subject to sub-paragraph (2), any specified work, and all protective...
32. (1) Subject to sub-paragraph (5) the undertaker must from the...
33. Subject to paragraphs 32(5) and 36, if by reason of...
34. If by reason of construction of the specified work the...
35. (1) The undertaker must take all such measures as may...
36. (1) The undertaker must indemnify the Agency in respect of...
37. (1) The undertaker is responsible for and must indemnify the...
38. Any dispute arising between the undertaker and the Agency under...

PART 5 — FOR THE PROTECTION OF THE WAVENEY, LOWER YARE AND LOTHINGLAND INTERNAL DRAINAGE BOARD

39. The provisions of this Part of this Schedule have effect...
40. In this Part of this Schedule— “the Board” means the...

41. (1) The undertaker must notify the Board of the intended...
42. The undertaker must permit any officer of the Board to...
43. In constructing and operating the outfall pipe, the undertaker must...
44. If a specified work requires a relevant water course to...
45. Where the undertaker culverts a relevant watercourse in carrying out...
46. (1) Where any damage is caused by the undertaker to...
47. (1) The undertaker must at its expense maintain all elements...
48. Any agreement or approval under this Part of this Schedule...
49. (1) Save as provided by sub-paragraph (2) or other provision...
50. Any difference or dispute arising between the undertaker and the...

PART 6 — FOR THE PROTECTION OF THE GREAT YARMOUTH PORT
AUTHORITY

51. For the protection of the GYPA the following provisions of...
52. In this Part of this Schedule the following definitions apply—...
53. (1) Subject to sub-paragraph (2), nothing in this Order authorises...
54. The undertaker must not commence the operation of any element...
55. Any navigation simulations required to be carried out by the...
56. The undertaker shall give the GYPA not less than 6...
57. (1) The undertaker must comply with any special direction given...
58. Any specified work must, when commenced be constructed—
59. (1) The undertaker must not in the course of constructing...
60. Where reasonably required to do so by the engineer or...
61. (1) Prior to commencement of the works, a baseline hydrographic...
62. (1) In the event that the further surveys or assessment...
63. (1) The undertaker must at all reasonable times on being...
64. The undertaker must provide and maintain at its own expense...
65. (1) The undertaker must, upon completion of any part of...
66. (1) The undertaker must, before placing any temporary structure or...
67. If at any time after the completion of a specified...
68. Within 3 months of completion of the specified works and...
69. The undertaker must keep such elements of the specified works...
70. The undertaker must, so far as practicable, keep the new...
71. The undertaker must publish and maintain in a prominent position...
72. Before providing any illumination or illuminated traffic sign on or...
73. The undertaker is responsible for the development, implementation and ongoing...
74. Any reasonable and proper additional expenses not otherwise provided for...
75. (1) Subject to the provisions of this paragraph, the undertaker...
76. Except as provided by this Order, nothing in this Order...

SCHEDULE 15 — DOCUMENTS TO BE CERTIFIED

Explanatory Note