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STATUTORY INSTRUMENTS

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**2022 No. 1070**

**INFRASTRUCTURE PLANNING**

The A47/A11 Thickthorn Junction  
Development Consent Order 2022

*Made - - - - 14th October 2022*

*Coming into force 4th November 2022*

**THE A47/A11 THICKTHORN JUNCTION  
DEVELOPMENT CONSENT ORDER 2022**

PART 1

PRELIMINARY

1. Citation and commencement
2. Interpretation
3. Disapplication of legislative provisions
4. Maintenance of drainage works

PART 2

PRINCIPAL POWERS

5. Development consent etc. granted by the Order
6. Maintenance of authorised development
7. Planning permission
8. Limits of deviation
9. Benefit of Order
10. Consent to transfer benefit of Order

PART 3

STREETS

11. Application of the 1991 Act
12. Construction and maintenance of new, altered or diverted streets and other structures
13. Classification of roads, etc.
14. Power to alter layout etc. of streets
15. Street works

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16. Temporary stopping and restriction of use of streets
17. Permanent stopping up and restriction of use of streets and private means of access
18. Access to works
19. Clearways
20. Traffic regulation

#### PART 4

#### SUPPLEMENTAL POWERS

21. Discharge of water
22. Protective work to buildings
23. Authority to survey and investigate the land

#### PART 5

#### POWERS OF ACQUISITION

24. Compulsory acquisition of land
25. Compulsory acquisition of land – incorporation of the mineral code
26. Time limit for exercise of authority to acquire land compulsorily
27. Compulsory acquisition of rights and imposition of restrictive covenants
28. Public rights of way
29. Private rights over land
30. Modification of Part 1 of the 1965 Act
31. Application of the 1981 Act
32. Acquisition of subsoil or airspace only
33. Rights under or over streets
34. Temporary use of land for carrying out the authorised development
35. Temporary use of land for maintaining the authorised development
36. Statutory undertakers
37. Apparatus and rights of statutory undertakers in stopped up streets
38. Recovery of costs of new connections

#### PART 6

#### OPERATIONS

39. Felling or lopping of trees and removal of hedgerows
40. Trees subject to tree preservation orders

#### PART 7

#### MISCELLANEOUS AND GENERAL

41. Removal of human remains
42. Application of landlord and tenant law
43. Operational land for purposes of the 1990 Act
44. Defence to proceedings in respect of statutory nuisance
45. No double recovery
46. Disregard of certain improvements etc.
47. Set off for enhancement in value of retained land
48. Protection of interests
49. Certification of documents, etc.
50. Service of notices
51. Arbitration

52. Crown Rights  
Signature

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## SCHEDULES

### SCHEDULE 1 — AUTHORISED DEVELOPMENT

#### SCHEDULE 2 — REQUIREMENTS

##### PART 1 — REQUIREMENTS

1. Interpretation
  2. Time limits
  3. Detailed design
  4. Environmental Management Plan
  5. Landscaping
  6. Contaminated land and groundwater
  7. Protected species
  8. Surface water drainage
  9. Archaeological remains
  10. Traffic management
  11. Fencing
  12. Approvals and amendments to approved details
- ##### PART 2 — PROCEDURE FOR DISCHARGE OF REQUIREMENTS
13. Applications made under requirements
  14. Further information
  15. Register of requirements
  16. Anticipatory steps towards compliance with any requirement
  17. Details of consultation

#### SCHEDULE 3 — CLASSIFICATIONS OF ROADS, ETC.

##### PART 1 — TRUNK ROADS

##### PART 2 — CLASSIFIED B ROADS

##### PART 3 — CLASSIFIED C ROADS

##### PART 4 — SPEED LIMITS

##### PART 5 — FOOTPATHS, CYCLE TRACKS, FOOTWAYS AND BRIDLEWAYS

##### PART 6 — TRAFFIC REGULATION MEASURES (CLEARWAYS AND PROHIBITIONS)

#### SCHEDULE 4 — PERMANENT STOPPING UP OF HIGHWAYS AND PRIVATE MEANS OF ACCESS AND PROVISION OF NEW HIGHWAYS AND PRIVATE MEANS OF ACCESS

##### PART 1 — HIGHWAYS TO BE STOPPED UP FOR WHICH NO SUBSTITUTE IS TO BE PROVIDED

##### PART 2 — HIGHWAYS TO BE STOPPED UP FOR WHICH A SUBSTITUTE IS TO BE PROVIDED AND NEW HIGHWAYS WHICH ARE OTHERWISE 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

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SCHEDULE 5 — LAND IN WHICH ONLY NEW RIGHTS ETC. MAY BE  
ACQUIRED

SCHEDULE 6 — 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 1, the...
3. (1) Without limitation on the scope of paragraph 1, 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 4(a) are as...

SCHEDULE 7 — LAND OF WHICH TEMPORARY POSSESSION MAY BE  
TAKEN

SCHEDULE 8 — REMOVAL OF HEDGEROWS  
PART 1 — REMOVAL OF HEDGEROWS  
PART 2 — REMOVAL OF IMPORTANT HEDGEROWS

SCHEDULE 9 — PROTECTIVE PROVISIONS  
PART 1 — FOR THE PROTECTION OF ELECTRICITY, GAS, WATER AND  
SEWERAGE UNDERTAKERS

1. For the protection of the utility undertakers referred to in...
2. In this Part of this Schedule— “alternative apparatus” means alternative...
3. On street apparatus
4. Apparatus in stopped up streets
5. Protective works to buildings
6. Acquisition of land
7. Removal of apparatus
8. Facilities and rights for alternative apparatus
9. Retained apparatus
10. Expenses and costs
11. (1) Subject to sub-paragraphs (2) and (3), if by reason...
12. Cooperation  
PART 2 — FOR THE PROTECTION OF OPERATORS OF ELECTRONIC  
COMMUNICATIONS CODE NETWORKS
13. For the protection of any operator, the following provisions have...
14. In this Part of this Schedule— “the 2003 Act” means...
15. The exercise of the powers conferred by article 36 (statutory...
16. (1) Subject to sub-paragraphs (2) to (4), if as the...  
PART 3 — FOR THE PROTECTION OF NATIONAL GRID AS  
ELECTRICITY UNDERTAKER
17. Application
18. Interpretation
19. Except for paragraphs 36 (apparatus in stopped up streets), 41...
20. Apparatus of National Grid in stopped up streets
21. Protective works to buildings
22. Acquisition of land
23. Removal of apparatus

24. Facilities and rights for alternative apparatus
25. Retained apparatus: protection of electricity undertaker
26. Expenses
27. Indemnity
28. Enactments and agreements
29. Co-operation
30. Access
31. Arbitration
32. Notices

PART 4 — FOR THE PROTECTION OF ANGLIAN WATER SERVICES  
LIMITED

33. Application
34. Interpretation
35. On street apparatus
36. Apparatus in stopped up streets
37. Protective works to buildings
38. Acquisition of land
39. Removal of apparatus
40. Facilities and rights for alternative apparatus
41. Retained apparatus
42. Expenses and costs
43. Indemnity
44. Cooperation
45. Where the undertaker identifies any apparatus which may belong to...
46. Nothing in this Part of this Schedule affects the provisions...
47. Any time period in which an action must be taken...

PART 5 — FOR THE PROTECTION OF CADENT AS GAS UNDERTAKER

48. Application
49. Interpretation
50. On Street apparatus
51. Apparatus of Cadent in stopped up streets
52. Protective works to buildings
53. Acquisition of land
54. Removal of apparatus
55. Facilities and rights for alternative apparatus
56. Retained apparatus: protection of Cadent
57. Expenses
58. Indemnity
59. Enactments and agreements
60. Co-operation
61. Access
62. Arbitration
63. Notices

PART 6 — FOR THE PROTECTION OF RAILWAY INTERESTS

64. The provisions of this Part of this Schedule have effect,...
65. In this Part of this Schedule— “asset protection agreement” means...
66. (1) Where under this Part of this Schedule Network Rail...
67. (1) The undertaker must not exercise the powers conferred by—...
68. (1) The undertaker must before commencing construction of any specified...
69. (1) Any specified work and any protective works to be...
70. The undertaker must— (a) at all times afford reasonable facilities...
71. Network Rail must at all times afford reasonable facilities to...

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72. (1) If any permanent or temporary alterations or additions to...
73. The undertaker must repay to Network Rail all reasonable fees,...
74. (1) This paragraph applies to EMI only to the extent...
75. If at any time after the completion of a specified...
76. The undertaker must not provide any illumination or illuminated sign...
77. Any additional expenses which Network Rail may reasonably incur in...
78. (1) The undertaker must pay to Network Rail all reasonable...
79. Network Rail must, on receipt of a request from the...
80. In the assessment of any sums payable to Network Rail...
81. The undertaker and Network Rail may, subject in the case...
82. Nothing in this Order, or in any enactment incorporated with...
83. The undertaker must give written notice to Network Rail if...
84. The undertaker must no later than 28 days from the...
85. In relation to any dispute arising under this part of...

#### SCHEDULE 10 — DOCUMENTS TO BE CERTIFIED

Explanatory Note