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STATUTORY INSTRUMENTS

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**2022 No. 573**

**INFRASTRUCTURE PLANNING**

**The M25 Junction 28 Development Consent Order 2022**

*Made* - - - - *16th May 2022*

*Coming into force* *6th June 2022*

**THE M25 JUNCTION 28 DEVELOPMENT CONSENT ORDER 2022**

PART 1

PRELIMINARY

1. Citation and commencement
2. Interpretation

PART 2

PRINCIPAL POWERS

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

PART 3

STREETS

10. Application of the 1991 Act
11. Construction and maintenance of new, altered or diverted streets and other structures
12. Access to works
13. Temporary stopping up and restriction of use of streets
14. Use of private roads
15. Permanent stopping up of streets
16. Classification of roads, etc.
17. Clearways
18. Traffic regulation

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## PART 4

### SUPPLEMENTAL POWERS

19. Discharge of water
20. Powers in relation to watercourses
21. Protective work to buildings
22. Authority to survey and investigate the land
23. Felling or lopping of trees and removal of hedgerows
24. Trees subject to tree preservation orders

## PART 5

### POWERS OF ACQUISITION AND POSSESSION OF LAND

25. Compulsory acquisition of land
26. Compulsory acquisition of land – incorporation of the mineral code
27. Time limit for exercise of authority to acquire land compulsorily
28. Compulsory acquisition of rights and imposition of restrictive covenants
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. Crown rights
37. Statutory undertakers
38. Apparatus and rights of statutory undertakers in stopped up streets
39. Recovery of costs of new connections
40. Special category land

## PART 6

### MISCELLANEOUS AND GENERAL

41. Application of landlord and tenant law
  42. Operational land for purposes of the 1990 Act
  43. Defence to proceedings in respect of statutory nuisance
  44. Protection of interests
  45. Certification of documents, etc.
  46. Service of notices
  47. Disapplication of legislative provisions
  48. Amendment of local legislation
  49. No double recovery
  50. Disregard of certain improvements etc.
  51. Set off for enhancement in value of retained land
  52. Appeals relating to the Control of Pollution Act 1974
  53. Arbitration
- 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. Construction Environmental Management Plan
  5. Landscaping
  6. Contaminated land and groundwater
  7. Protected species
  8. Surface and foul water drainage
  9. Archaeological remains
  10. Traffic management
  11. Trees
  12. Approvals and amendments to approved details
  13. Fencing
  14. Operation of M25 Junction 28 Roundabout
  15. Maylands Golf Course accommodation works
  16. Grove Farm
  17. Non-motorised users' route
  18. Code of construction practice
  19. Gardens of Peace Muslim Cemetery
- PART 2 — PROCEDURE FOR DISCHARGE OF REQUIREMENTS
20. Applications made under requirements
  21. Further information
  22. Register of requirements
  23. Anticipatory steps towards compliance with any requirement
  24. Details of consultation

SCHEDULE 3 — PERMANENT STOPPING UP OF STREETS

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

PART 2 — PRIVATE MEANS OF ACCESS TO BE STOPPED UP AND FOR WHICH A SUBSTITUTE IS TO BE PROVIDED

SCHEDULE 4 — CLASSIFICATION OF ROADS, ETC.

PART 1 — SPECIAL ROADS

PART 2 — TRANSPORT FOR LONDON ROAD NETWORK

PART 3 — TRUNK ROADS

PART 4 — SPEED LIMITS

PART 5 — TRAFFIC REGULATION MEASURES (CLEARWAYS)

PART 6 — OTHER PUBLIC RIGHTS OF WAY

SCHEDULE 5 — TREES SUBJECT TO TREE PRESERVATION ORDERS

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

SCHEDULE 7 — MODIFICATION OF COMPENSATION AND COMPULSORY PURCHASE ENACTMENTS FOR CREATION OF NEW RIGHTS AND IMPOSITION OF RESTRICTIVE COVENANTS

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*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 of the 1965 Act as applied by section...
5. (1) The modification referred to in paragraph 4(a) are as...

SCHEDULE 8 — LAND OF WHICH TEMPORARY POSSESSION ONLY MAY BE TAKEN

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

*Application*

1. For the protection of the utility undertakers referred to in...

*Interpretation*

2. In this Part of this Schedule— “alternative apparatus” means alternative...

*On street apparatus*

3. This Part of this Schedule does not apply to apparatus...

*Apparatus in stopped up streets*

4. (1) Where any street is stopped up under article 15...

*Protective works to buildings*

5. The undertaker, in the case of the powers conferred by...

*Acquisition of land*

6. Regardless of any provision in this Order or anything shown...

*Removal of apparatus*

7. (1) If, in the exercise of the powers conferred by...

*Facilities and rights for alternative apparatus*

8. (1) Where, in accordance with the provisions of this Part...

*Retained apparatus*

9. (1) Not less than 28 days before starting the execution...

*Expenses and costs*

10. (1) Subject to the following provisions of this paragraph, the...
11. (1) Subject to sub-paragraphs (2) and (3), if by reason...

### *Co-operation*

12. Where in consequence of the proposed construction of any of...
13. Nothing in this Part of this Schedule affects the provisions...  
PART 2 — FOR THE PROTECTION OF OPERATORS OF ELECTRONIC COMMUNICATIONS CODE NETWORKS
14. For the protection of any operator, the following provisions have...
15. In this Part of this Schedule— “the 2003 Act” means...
16. The exercise of the powers conferred by article 37 (statutory...
17. (1) Subject to sub-paragraphs (2) to (4), if as the...  
PART 3 — FOR THE PROTECTION OF THE ENVIRONMENT AGENCY
18. (1) The following provisions will apply for the protection of...
19. (1) Before beginning to construct any specified work, the undertaker...
20. Without limiting paragraph 19, the requirements which the Agency may...
21. (1) Subject to sub-paragraph (2), any specified work, and all...
22. (1) Subject to sub-paragraph (6) the undertaker must from the...
23. If by reason of the construction of any specified work...
24. If by reason of construction of the specified work the...
25. (1) The undertaker must take all such measures as may...
26. The undertaker must repay to the Agency all reasonable costs,...
27. (1) The undertaker must make reasonable compensation for costs and...
28. Any dispute arising between the undertaker and the Agency under...  
PART 4 — FOR THE PROTECTION OF DRAINAGE AUTHORITIES
29. The following provisions of this Part of this Schedule apply...
30. In this Part of this Schedule— “construction” includes execution, placing,...
31. (1) Before beginning to construct any specified work in relation...
32. The requirements or conditions which the drainage authority may make...
33. (1) Any specified work in relation to a key watercourse,...
34. (1) Subject to sub-paragraph (6), from the commencement of the...
35. (1) The undertaker must make reasonable compensation for costs, charges...
36. Any dispute arising between the undertaker and the drainage authority...  
PART 5 — FOR THE PROTECTION OF NATIONAL GRID AS ELECTRICITY AND GAS UNDERTAKER

### *Application*

37. (1) For the protection of National Grid as referred to...

### *Interpretation*

38. In this Part of this Schedule— “alternative apparatus” means appropriate...
39. Except for paragraphs 40 (apparatus of National Grid in stopped...

### *Apparatus of National Grid in stopped up streets*

40. (1) Where any street is stopped up under article 15...

### *Protective works to buildings*

41. The undertaker must exercise the powers conferred by article 21...

### *Acquisition of land*

42. (1) Regardless of any provision in this Order or anything...

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*Removal of apparatus*

43. (1) If, in the exercise of the powers conferred by...

*Facilities and rights for alternative apparatus*

44. (1) Where, in accordance with the provisions of this Part...

*Retained apparatus: protection of electricity undertaker*

45. (1) Not less than 56 days before the commencement of...

*Retained apparatus: protection of gas undertaker*

46. (1) Not less than 56 days before the commencement of...

*Expenses*

47. (1) Subject to the following provisions of this paragraph, the...

*Indemnity*

48. (1) Subject to sub-paragraphs (2) and (3), if by reason...

*Enactments and agreements*

49. Nothing in this Part of this Schedule affects the provisions...

*Co-operation*

50. (1) Where in consequence of the proposed construction of any...

*Access*

51. If in consequence of the agreement reached in accordance with...

*Arbitration*

52. Save for differences or disputes arising under paragraphs 43(2), 43(4)...

*Notices*

53. Notwithstanding article 46 (service of notices), any plans submitted to...  
PART 6 — FOR THE PROTECTION OF CADENT GAS LIMITED

*Application*

54. For the protection of Cadent the following provisions will, unless...

*Interpretation*

55. In this Part of this Schedule— “alternative apparatus” means appropriate...

*On Street apparatus*

56. (1) This Part of this Schedule does not apply to...

*Apparatus of Cadent in stopped up streets*

57. (1) Where any street is stopped up under article 15...

*Protective works to buildings*

58. The undertaker must exercise the powers conferred by article 21...

*Acquisition of land*

59. (1) Regardless of any provision in this Order or anything...

*Removal of apparatus*

60. (1) If, in the exercise of the powers conferred by...

*Facilities and rights for alternative apparatus*

61. (1) Where, in accordance with the provisions of this Part...

*Retained apparatus: protection of Cadent*

62. (1) Not less than 56 days before the commencement of...

*Expenses*

63. (1) Subject to the following provisions of this paragraph, the...

*Indemnity*

64. (1) Subject to sub-paragraphs (2) and (3), if by reason...

*Enactments and agreements*

65. Except where this Part of this Schedule provides otherwise, nothing...

*Co-operation*

66. (1) Where in consequence of the proposed construction of any...

*Access*

67. If in consequence of any agreement reached in accordance with...

*Arbitration*

68. Save for differences or disputes arising under sub-paragraphs 60(2) and...

*Notices*

69. Notwithstanding article 46 (service of notices) any plans submitted to...

PART 7 — FOR THE PROTECTION OF TRANSPORT FOR LONDON

*Application*

70. The provisions of this Part of this Schedule have effect...

*Interpretation*

71. In this Part of this Schedule— “Commutated Sum” means the...

*Costs*

72. The undertaker must pay to Transport for London in respect...

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*Commuted Sum*

73. (1) The undertaker must use reasonable endeavours to agree with...

*Disputes*

74. Any difference arising between the undertaker and Transport for London...

SCHEDULE 10 — DOCUMENTS TO BE CERTIFIED

Explanatory Note



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**Changes and effects yet to be applied to :**

- Sch. 2 para. 3(3) words inserted by [S.I. 2024/129 Sch.](#)
- Sch. 2 para. 1 words substituted by [S.I. 2024/129 Sch.](#)
- Sch. 9 para. 71 words inserted by [S.I. 2024/129 Sch.](#)
- Sch. 10 word substituted by [S.I. 2024/129 Sch.](#)
- Sch. 10 words omitted by [S.I. 2024/129 Sch.](#)
- art. 2 words substituted by [S.I. 2024/129 Sch.](#)
- art. 9(1) words substituted by [S.I. 2024/129 Sch.](#)
- art. 10(1) words inserted by [S.I. 2024/129 Sch.](#)
- art. 11(2) words substituted by [S.I. 2024/129 Sch.](#)
- art. 11(3) word substituted by [S.I. 2024/129 Sch.](#)