

The Infrastructure Planning (Compulsory Acquisition) Regulations 2010

A303 Sparkford to Ilchester Dualling project (TR010036) proposed provision for the compulsory acquisition of additional land

Regulation 6(1)			
Within 28 days (starting the day after receipt) the Secretary of State must decide whether or not to accept the proposed provision as part of the application.	Date received	28 day due date	Date of decision
	18 February 2019	18 March 2019	12 March 2019
Regulation 6(2)		Planning Inspectorate Comments	
Regulation 4 - Prescribed procedure for compulsory acquisition of land			
Regulations 5 to 19 prescribe the procedure for the purposes of the condition in subsection (4) of section 123 (land to which authorisation of compulsory acquisition can relate) and apply where—			
<p>(a) it is proposed to include in an order granting development consent a provision authorising the compulsory acquisition of additional land;</p>	<p>Paragraph 5.1 of the 'Application for a material change to an accepted Development Consent Order to include new land within the scope of compulsory acquisition and remove land from the Order Land' states:</p> <p><i>In accordance with the requirements of section 123 of the Planning Act 2008 the provisions of the Infrastructure Planning (Compulsory Acquisition) Regulations 2010 will apply to this request.</i></p>		
<p>(b) a person with an interest in the additional land does not consent to the inclusion of the provision</p>	<p>Paragraphs 2.4 and 2.8 of the 'Application for a material change to an accepted Development Consent Order to include new land within the scope of compulsory acquisition and remove land from the Order Land' states:</p> <p><i>Negotiations with the landowner to seek to acquire the land voluntarily are ongoing but have not yet concluded and inclusion of these plots with compulsory acquisition is therefore required.</i></p>		

Summary – Regulation 4	The proposed provision is one to which regulations 5 to 9 of the Infrastructure planning (Compulsory Acquisition) Regulations 2010 apply.
Regulation 5 - Proposed Provision	
The applicant must send to the Secretary of State details of the proposed provision which must—	
(a) be in the form of a book of reference or, where a book of reference has been submitted to the Secretary of State, a supplement to that book;	A Supplemental Book of Reference (Document 4.7) was submitted with the 'Application for a material change to an accepted Development Consent Order to include new land within the scope of compulsory acquisition and remove land from the Order Land'.
(b) be accompanied by— (i) land plan identifying the land required as additional land, or affected by the proposed provision; and (ii) a statement of reasons as to why the additional land is required and a statement to indicate how an order that contains the authorisation of the compulsory acquisition of the additional land is proposed to be funded.	The following documents were submitted with 'Application for a material change to an accepted Development Consent Order to include new land within the scope of compulsory acquisition and remove land from the Order Land': (i) Updated land plans showing the DCO boundary changes - Drawing Numbers DR-UU-6032 (Rev C01) and DR-UU-6063 (Rev C01) (ii) Statement of Reasons - Addendum (Document 4.5) & Funding Statement – Addendum (Document 4.4)
Summary – Regulation 5	The Book of Reference is, as permitted by Regulation, supplemental to that already submitted. However, the Land plans, Statement of Reasons and Funding Statement are also provided as supplemental to the DCO application. this is not strictly in accordance with Regulation 5(b), but is sufficient to explain the proposed provision.

Case Leader

Michele Gregory

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Signed

Date: 12 March 2019

**Lead member of the
Examining Authority**

Lesley Coffey

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Signed

Date: 12 March 2019
