

Great Yarmouth Third River Crossing Order 202[*]

Document NCC/GY3RC/EX/105: Explanation of Changes to Revision 7 of the Draft DCO

Planning Act 2008

Infrastructure Planning

The Infrastructure Planning (Examination Procedure) Rules 2010

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Foreword

This document relates to an application ('the Application') submitted by Norfolk County Council ('the Council' / 'the Applicant') to the Secretary of State for a Development Consent Order ('DCO') under the Planning Act 2008.

If made by the Secretary of State, the DCO would grant development consent for construction, operation and maintenance of a new bascule bridge highway crossing of the River Yare in Great Yarmouth, and which is referred to in the Application as the Great Yarmouth Third River Crossing (or 'the Scheme').



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1 Introduction

1.1 Introduction

- 1.1.1** This document provides a commentary on changes made to revision 7 of the draft Development Consent Order submitted on 24 March 2020 (DCO Revision 7) compared with revision 6 of the draft DCO (DCO Revision 6) (document reference NCC/GY3RC/EX/090, Planning Inspectorate reference REP7-007) submitted at Deadline 9 on 20 March 2020. An electronic .pdf comparison between the two versions has also been submitted.
- 1.1.2** In broad terms the changes made in the latest draft of the DCO have been made for the following reasons:
- typographical corrections and changes to reflect statutory instrument drafting practice.
- 1.1.3** Table 1.1 below includes a summary of the changes to this revision of the draft DCO.

Table 1.1: Summary of changes to the DCO

Provision in revised draft DCO and/or issue	Brief description and explanation
Article 2(3) Interpretation	The Applicant has included a new paragraph to clarify that where rights are to be acquired (under the Order) for the benefit of affected persons or statutory undertakers, this includes a power to require the party with an interest in that land to grant those rights to the affected person or statutory undertaker. The provision merely clarifies the existing provisions in the substantive articles in Part 5 of the draft DCO, which are necessary to ensure that rights for the benefit of persons other than the undertaker, for example in respect of replacement private rights of access or statutory undertaker's apparatus, can be granted through the Order.
Article 8 Consent to transfer benefit of the Order	The Applicant has made minor amendments to this article to refer to a "grantee" rather than a lessee. This is to more accurately reflect the sort of arrangements that might be made under this provision over its 120+ year operational lifetime. Further clarifications have been made to paragraph (2) to ensure that the transferee/grantee is also bound by any obligations contained in documents to be certified under the Order (such as the Outline Code of Construction Practice (Document Reference: NCC/GY3RC/EX/074, Planning Inspectorate Reference REP6-014).
General	The Applicant has made a number of typographical corrections throughout the Order. These include: <ul style="list-style-type: none"> • amending the format of provisions that define documents to be certified (e.g. land plans) in article 2(1) and Requirement 1; • Adding or deleting parenthetical references to provision headings e.g. "Part 1 (<u>determination of questions of disputed compensation</u>) of the 1961 Act, in accordance with SI drafting conventions; • various minor corrections, e.g. cross references, omitted "the" etc.