

# A12 Chelmsford to A120 widening scheme

**TR010060**

## **3.1 Draft DCO**

Rule 5(2)(b)

Planning Act 2008  
Infrastructure Planning (Applications: Prescribed  
Forms and Procedure) Regulations 2009

Volume 3

May 2023

## Infrastructure Planning

### Planning Act 2008

### The Infrastructure Planning (Examination Procedure) Rules 2010

## A12 Chelmsford to A120 widening scheme Development Consent Order 202[ ]

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### 3.1 Draft DCO

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**2022 No.**

**INFRASTRUCTURE PLANNING**

**A12 Chelmsford to A120 Widening Development Consent  
Order 202[X]**

*Made* - - - - - \*\*\*  
*Laid before Parliament* \*\*\*  
*Coming into force* \*\*\*

**CONTENTS**

**PART 1**

**PRELIMINARY**

1.	Citation and commencement	6
2.	Interpretation	6
3.	Disapplication of legislative provisions	10
4.	Maintenance of drainage works	11

**PART 2**

**PRINCIPAL POWERS**

5.	Development consent etc. granted by the Order	12
6.	Maintenance of authorised development	12
7.	Application of the 1990 Act	12
8.	Planning permission	12
9.	Existing powers and duties of the undertaker	12
10.	Limits of deviation	12
11.	Benefit of Order	13
12.	Consent to transfer benefit of Order	13

**PART 3**

**STREETS**

13.	Application of the 1991 Act	15
14.	Construction and maintenance of new, altered or diverted streets and other structures	17
15.	Classification of roads, etc.	18
16.	Speed limits	18
17.	Power to alter layout etc. of streets	19

18.	Street Works	20
19.	Temporary alteration, diversion, prohibition and restriction of the use of streets	20
20.	Permanent stopping up and restriction of use of streets and private means of access	21
21.	Access to works	22
22.	Clearways, prohibitions and restrictions	22
23.	Traffic Regulation	25

#### PART 4 SUPPLEMENTAL POWERS

24.	Discharge of water	27
25.	Protective work to buildings	27
26.	Authority to survey and investigate the land	29

#### PART 5 POWERS OF ACQUISITION

27.	Compulsory acquisition of land	30
28.	Compulsory acquisition of land – incorporation of the mineral code	30
29.	Time limit for exercise of authority to acquire land compulsorily	30
30.	Compulsory acquisition of rights and imposition of restrictive covenants	31
31.	Private rights over land	31
32.	Power to override easements and other rights	33
33.	Disregard of certain interests and improvements	34
34.	Set-off for enhancement in value of retained land	34
35.	No double recovery	34
36.	Modification of Part 1 of the 1965 Act	34
37.	Application of the 1981 Act	35
38.	Acquisition of subsoil or airspace only	36
39.	Rights under or over streets	36
40.	Temporary use of land for carrying out the authorised development	37
41.	Temporary use of land for maintaining the authorised development	38
42.	Statutory undertakers	39
43.	Apparatus and rights of statutory undertakers in stopped up streets	40
44.	Recovery of costs of new connections	41
45.	Special category land	41

#### PART 6 OPERATIONS

46.	Felling or lopping of trees and removal of hedgerows	42
47.	Trees subject to tree preservation orders, etc.	42

#### PART 7 MISCELLANEOUS AND GENERAL

48.	Application of landlord and tenant law	43
49.	Operational land for purposes of the 1990 Act	44
50.	Defence to proceedings in respect of statutory nuisance	44
51.	Appeals relating to the Control of Pollution Act 1974	44

52.	Removal of human remains	46
53.	Crown Rights	47
54.	Use of private roads for construction	48
55.	Disapplication of local legislation	48
56.	Disapplication and modification of local byelaws	48
57.	Use of land between Bury Lane and Station Road, Hatfield Peverel	49
58.	Use of Consecrated land	49
59.	Protective provisions	50
60.	Certification of documents, etc.	50
61.	Service of notices	50
62.	Arbitration	51

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## SCHEDULES

SCHEDULE 1	— AUTHORISED DEVELOPMENT	52
SCHEDULE 2	— REQUIREMENTS	89
PART 1	— REQUIREMENTS	89
PART 2	— PROCEDURE FOR DISCHARGE OF REQUIREMENTS	96
SCHEDULE 3	— CLASSIFICATIONS OF ROADS, ETC.	97
PART 1	— TRUNK ROADS	97
PART 2	— CLASSIFIED A ROADS	100
PART 3	— CLASSIFIED B ROADS	101
PART 4	— CLASSIFIED C ROADS	103
PART 5	— UNCLASSIFIED ROADS	103
PART 6	— SPEED LIMITS	105
PART 7	— VARIABLE SPEED LIMITS	117
PART 8	— TRAFFIC REGULATION MEASURES (CLEARWAYS)	120
PART 9	— TRAFFIC REGULATION MEASURES (PROHIBITIONS)	124
PART 10	— TRAFFIC REGULATION MEASURES (NO ENTRY)	126
PART 11	— TRAFFIC REGULATION MEASURES (WAITING RESTRICTIONS)	128
PART 12	— REVOCATIONS & VARIATIONS OF EXISTING TRAFFIC REGULATION ORDERS	129
PART 13	— FOOTPATHS, CYCLE TRACKS, FOOTWAYS AND BRIDLEWAYS	133
PART 14	— ROADS TO BE DE-TRUNKED	139
SCHEDULE 4	— PERMANENT STOPPING UP OF HIGHWAYS AND PRIVATE MEANS OF ACCESS & PROVISION OF NEW HIGHWAYS AND PRIVATE MEANS OF ACCESS	139
PART 1	— HIGHWAYS TO BE STOPPED UP FOR WHICH NO SUBSTITUTE IS TO BE PROVIDED	140
PART 2	— HIGHWAYS TO BE STOPPED UP FOR WHICH A SUBSTITUTE IS TO BE PROVIDED	141
PART 3	— NEW HIGHWAYS WHICH ARE OTHERWISE TO BE PROVIDED	155
PART 4	— PRIVATE MEANS OF ACCESS TO BE STOPPED UP FOR WHICH A SUBSTITUTE IS TO BE PROVIDED	167

PART 5 — NEW PRIVATE MEANS OF ACCESS WHICH ARE TO BE PROVIDED	171
PART 6 — PRIVATE MEANS OF ACCESS TO BE STOPPED UP FOR WHICH NO SUBSTITUTE IS TO BE PROVIDED	183
SCHEDULE 5 — LAND IN WHICH NEW RIGHTS ETC. MAY BE ACQUIRED	184
SCHEDULE 6 — MODIFICATION OF COMPENSATION AND COMPULSORY PURCHASE ENACTMENTS FOR CREATION OF NEW RIGHTS AND IMPOSITION OF RESTRICTIVE COVENANTS	236
SCHEDULE 7 — LAND OF WHICH TEMPORARY POSSESSION MAY BE TAKEN	240
SCHEDULE 8 — SPECIAL CATEGORY LAND	264
PART 1 — SPECIAL CATEGORY LAND FOR WHICH REPLACEMENT LAND IS PROVIDED	264
PART 2 — SPECIAL CATEGORY (RIGHTS) LAND FOR WHICH REPLACEMENT LAND IS PROVIDED	264
PART 3 — SPECIAL CATEGORY (RIGHTS) LAND FOR WHICH REPLACEMENT LAND IS NOT PROVIDED	264
PART 4 — REPLACEMENT LAND	265
SCHEDULE 9 — HEDGEROWS AND TREES	265
PART 1 — REMOVAL OF IMPORTANT HEDGEROWS	265
PART 2 — REMOVAL OF OTHER HEDGEROWS	269
PART 3 — REMOVAL OF POTENTIALLY IMPORTANT HEDGEROWS	270
PART 4 — TREES SUBJECT TO TREE PRESERVATION ORDERS	271
SCHEDULE 10 — DISAPPLICATION AND MODIFICATION OF BYELAWS	271
SCHEDULE 11 — PROTECTIVE PROVISIONS	272
PART 1 — FOR THE PROTECTION OF ELECTRICITY, GAS, WATER AND SEWERAGE UNDERTAKERS	272
PART 2 — FOR THE PROTECTION OF OPERATORS OF ELECTRONIC COMMUNICATIONS CODE NETWORKS	277
PART 3 — FOR THE PROTECTION OF ANGLIAN WATER	278
PART 4 — FOR THE PROTECTION OF NATIONAL GRID ELECTRICITY TRANSMISSION PLC	284
PART 5 — FOR THE PROTECTION OF CADENT AS GAS UNDERTAKER	292
PART 6 — FOR THE PROTECTION OF RAILWAY INTERESTS	300
PART 7 — FOR THE PROTECTION OF THE ENVIRONMENT AGENCY	307
SCHEDULE 12 — DOCUMENTS TO BE CERTIFIED	312

An application has been made to the Secretary of State under section 37 of the Planning Act 2008(a) (“the 2008 Act”) in accordance with the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009(b) for an Order granting development consent.

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(a) 2008 (c.29). Parts 1 to 7 were amended by Chapter 6 of Part 6 and Schedule 13, Para 5 of the Localism Act 2011 (c.20).

(b) S.I. 2009/2264 amended by S.I. 2010/439, S.I. 2010/602, S.I. 2012/635, S.I. 2012/2654, S.I. 2012/2732, S.I. 2013/522, S.I. 2013/755, S.I. 2014/469, S.I. 2014/2381, S.I. 2015/377, S.I. 2015/1682, S.I. 2017/524, S.I. 2017/572, S.I. 2018/378, S.I. 2019/734, S.I. 2020/764, S.I. 2020/1534 and S.I. 2021/978.

The application was examined by a panel appointed as an examining authority (appointed by the Secretary of State) in accordance with Chapter 4 of Part 6 of the 2008 Act and the Infrastructure Planning (Examination Procedure) Rules 2010(a).

The panel, having considered the representations made and not withdrawn and the application together with the accompanying documents, in accordance with section 74 of the 2008 Act has submitted a report and recommendation to the Secretary of State.

The Secretary of State, having considered the representations made and not withdrawn, and the report and recommendation of the panel, has decided to make an Order granting development consent for the development described in the application with modifications which in the opinion of the Secretary of State do not make any substantial changes to the proposals comprised in the application.

The Secretary of State is satisfied that replacement land (as that land is defined in section 131(12) of the 2008 Act) has been or will be given in exchange for the special category land (identified in Part 1 of Schedule 8 to this Order), and replacement land has been or will be vested in the person or persons in whom the special category land is vested and subject to the same rights, trusts and incidents as attach to the special category land, and that, accordingly, section 131(4) of the 2008 Act applies.

The Secretary of State, having considered the report and recommendation of the panel, is satisfied that special category (rights) land identified in Part 3 of Schedule 8 to this Order, when burdened with the new rights authorised for compulsory acquisition under the terms of this Order, will be no less advantageous than it was before such acquisition, to the persons in whom it is vested, other persons, if any, entitled to rights of common or other rights, and the public and that, accordingly, section 132(3) of the 2008 Act applies;

The Secretary of State is satisfied that replacement land (as that land is defined in section 132(12) of the 2008 Act) has been or will be given in exchange for order rights (as defined in that section) to be acquired over the special category (rights) land identified in Part 2 of Schedule 8 to this Order, and replacement land has been or will be vested in the persons or persons in whom the special category land is vested and subject to the same rights, trusts and incidents as attach to the special category land, and that, accordingly, section 132(4) of the 2008 Act applies.

The Secretary of State, in exercise of the powers conferred by sections 114(b), 115(c), 117(d), 120(e), 122(f) and 123(g) of, and paragraphs 1 to 3, 10 to 15, 17, 19 to 23, 26, 33, 36 and 37 of Part 1 of Schedule 5(h) to, the 2008 Act, makes the following Order—

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- (a) S.I. 2010/103, amended by S.I. 2012/635.
  - (b) Section 114 was amended by paragraph 55 of Part 1 of Schedule 11 to the Localism Act 2011.
  - (c) Section 115 was amended by paragraph 56 of Part 2 of Schedule 13 and Part 20 of Schedule 25 to the Localism Act 2011 and section 160 of the Housing and Planning Act 2016 (c.22) and section 43 of the Wales Act 2017 (c.4).
  - (d) Section 117 was amended by paragraph 58 of Part 1 of Schedule 13 and Part 20 of Schedule 25 to the Localism Act 2011.
  - (e) Section 120 was amended by section 140 and paragraph 60 of Part 1 of Schedule 13 to the Localism Act 2011.
  - (f) Section 122 was amended by paragraph 62 of Part 1 of Schedule 13 to the Localism Act 2011.
  - (g) Section 123 was amended by paragraph 62 of Part 1 of Schedule 13 to the Localism Act 2011.
  - (h) Part 1 of Schedule 5 was amended by paragraph 4 of Part 1 of Schedule 8 and Part 2 of Schedule 22 to the Marine and Coastal Access Act 2009, paragraph 71 of Part 1 of Schedule 13 to the Localism Act 2011 and paragraph 76 of Part 3 of Schedule 6 to the Wales Act 2017.

# PART 1

## PRELIMINARY

### Citation and commencement

1. This Order may be cited as the A12 Chelmsford to A120 Widening Development Consent Order 202[X] and comes into force on [XX].

### Interpretation

2.—(1) In this Order except where provided otherwise—

“the 1961 Act” means the Land Compensation Act 1961(a);

“the 1965 Act” means the Compulsory Purchase Act 1965(b);

“the 1980 Act” means the Highways Act 1980(c);

“the 1981 Act” means the Compulsory Purchase (Vesting Declarations) Act 1981(d);

“the 1984 Act” means the Road Traffic Regulation Act 1984(e);

“the 1986 Regulations” means the Road Vehicles (Construction and Use) Regulations 1986(f);

“the 1990 Act” means the Town and Country Planning Act 1990(g);

“the 1991 Act” means the New Roads and Street Works Act 1991(h);

“the 2004 Act” means the Traffic Management Act 2004(i);

“the 2008 Act” means the Planning Act 2008(j);

“the 2016 Regulations and Directions” means the Traffic Signs Regulations and General Directions 2016(k);

“address” includes any number or address for the purposes of electronic transmission;

“agricultural motor vehicle” has the meaning given in regulation 3(2) of the 1986 Regulations;

“Anglian Water” means Anglian Water Services Limited (company number 2366656) whose registered office is at Lancaster House, Lancaster Way, Ermine Business Park, Huntingdon, Cambridgeshire, PE29 6XU or a related or subsidiary company of Anglian Water;

“apparatus” has the same meaning as in Part 3 of the 1991 Act;

“authorised development” means the development and associated development described in Schedule 1 (authorised development) and any other development authorised by this Order, which is development within the meaning of section 32 (meaning of development) of the 2008 Act;

“book of reference” means the document of that description listed in Schedule 12 (documents to be certified) certified by the Secretary of State as the book of reference for the purposes of this Order;

“bridleway” has the same meaning as in section 329(1) (further provision as to interpretation) of the 1980 Act;

“BT” means British Telecommunications Plc (company number 1800000), whose registered office is 81 Newgate Street, London, EC1A 7AJ or a related or subsidiary company of BT;

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(a) 1961 c.33.

(b) 1965 c.56.

(c) 1980 c.66.

(d) 1981 c.66.

(e) 1984 c.27.

(f) S.I. 1986/1078. There are amendments to these regulations which are not relevant to this Order.

(g) 1990 c.8

(h) 1991 c.22

(i) 2004 c.18

(j) 2008 c.29

(k) S.I. 2016/362.



“building” includes any structure or erection or any part of a building, structure or erection;

“Cadent Gas” means Cadent Gas Limited (company number 10080864), whose registered address is Ashbrook Court, Prologis Park, Central Boulevard, Coventry, CV7 8PE or a related or subsidiary company of Cadent Gas;

“carriageway” has the same meaning as in section 329(1) (further provision as to interpretation) of the 1980 Act;

“classification of road plans” means the document of that description certified by the Secretary of State as the classification of roads plans for the purposes of this Order;

“cycle track” has the same meaning as in section 329(1) (further provisions as to interpretation) of the 1980 Act<sup>(a)</sup> and for the purposes of this Order includes parts of a cycle track and a right of way on foot;

“de-trunking and stopping up plans” means the plans certified by the Secretary of State as the de-trunking and stopping up plans for the purposes of this Order;

“electronic transmission” means a communication transmitted—

(a) by means of an electronic communications network; or

(b) by other means but while in electronic form;

and in this definition “electronic communications network” has the same meaning as in section 32(1) (meaning of electronic communications networks and services) of the Communications Act 2003<sup>(b)</sup>;

“engineering drawings and sections” means the highways engineering section drawings and the structures engineering drawings and sections;

“Environment Agency” means the body of that name created by the Environment Act 1995<sup>(c)</sup> or any successor in function to it;

“environmental masterplan” means the document of that description listed in Schedule 12 (documents to be certified) certified by the Secretary of State as the environmental masterplan for the purposes of this Order;

“environmental statement” means the document of that description listed in Schedule 12 (documents to be certified) certified as the environmental statement for the purposes of this Order;

“flood risk assessment” means the document of that description listed in Schedule 12 (documents to be certified) certified by the Secretary of State as the flood risk assessment for the purposes of this Order;

“footpath” and “footway” have the same meaning as in section 329(1) (further provision as to interpretation) of the 1980 Act;

“highway” has the same meaning as in section 329(1) (further provision as to interpretation) of the 1980 Act includes part of a highway;

“highway authority” means the undertaker;

“Highways engineering section drawings” means the document of that description listed in Schedule 12 (documents to be certified) certified as the highways engineering section drawings for the purposes of this Order;

“land plans” means the document of that description listed in Schedule 12 (documents to be certified) certified by the Secretary of State as the land plans for the purposes of this Order;

“limits of deviation” means the limits of deviation referred to in article 10 (limits of deviation);

“local highway authority” means Essex County Council;

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(a) The definition of “cycle track” was amended by section 1 of the Cycle Tracks Act 1984 (c.38) and paragraph 21(2) of Schedule 3 to the Road Traffic (Consequential Provisions) Act 1988 (c.54).

(b) 2003 (c.21). Section 32(1) was amended by S.I. 2011/1210.

(c) 1995 (c.25).

“maintain” in relation to the authorised development includes to inspect, repair, adjust, alter, improve, landscape, preserve, remove, reconstruct, refurbish or replace provided such works do not give rise to any materially new or materially different significant adverse effects in comparison with those reported in the environmental statement, and any derivative of “maintain” is to be construed accordingly;

“motor cycle” has the meaning given in regulation 3(2) of the 1986 Regulations;

“National Grid” means National Grid Electricity Transmission PLC (Company No. 2366977) whose registered office is at 1-3 Strand, London, WC2N 5EH;

“Network Rail” means Network Rail Infrastructure Limited (Company No. 02904587) whose registered office is at 1 Eversholt Street, London NW1 2DN;

“Northumbrian Water” means Northumbrian Water Limited (Company No. 02366703) whose registered office is at Northumbria House, Abbey Road, Pity Me, Durham, DH1 5FJ or a related or subsidiary company of Northumbrian Water;

“Order land” means the land shown on the land plans which is within the limits of land to be acquired or used permanently or temporarily and described in the book of reference;

“Order limits” means the limits of land to be acquired permanently or used temporarily as shown on the land plans, and the limits of land within which the authorised development as shown on the works plans may be carried out;

“owner”, in relation to land, has the same meaning as in section 7 (interpretation) of the Acquisition of Land Act 1981(a);

“permanent works” means those works shown on the permanent works plans and described as permanent works in Schedule 1;

“permanent works plans” means the document of that description listed in Schedule 12 (documents to be certified) certified by the Secretary of State as the permanent works plans for the purposes of this Order;

“permit scheme” means any scheme made under Part 3 of the Traffic Management Act 2004(b) in force at the date of which this Order is made;

“relevant highway authority” means the local highway authority for the land in question;

“relevant planning authority” means in any given provision of this Order, the local planning authority for the land to which the provision relates;

“retained and removed vegetation plans” means the document of that description listed in Schedule 12 (documents to be certified) certified by the Secretary of State as the retained and removed vegetation plans for the purposes of this Order;

“revocation of existing traffic orders plans” means the document of that description listed in Schedule 12 (documents to be certified) certified by the Secretary of State as the revocation of existing traffic orders plans for the purposes of this Order;

“road” has the same meaning as the 1984 Act;

“Secretary of State” means the Secretary of State for Transport;

“special category land plans” means the document of that description listed in Schedule 12 (documents to be certified) certified by the Secretary of State as the special category land plans for the purposes of this Order;

“statutory undertaker” means any statutory undertaker for the purposes of section 127(8) (statutory undertakers’ land) of the 2008 Act;

“street” means a street within the meaning of section 48(c) (streets, street works and undertakers) of the 1991 Act, together with land on the verge of a street or between two carriageways, and includes part of a street,

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(a) 1981 (c.67). The definition of “owner” was amended by paragraph 9 of Schedule 15 to the Planning and Compensation Act 1991 (c. 4). There are other amendments to section 7 which are not relevant to this Order.

(b) 2004 (c.18), as brought into force by Article 2 of S.I. 2004/2380 and Article 2 of S.I. 2009/1095 (W.55).

(c) Section 48 was amended by section 124 of the Local Transport Act 2008 (c.26)

“street authority”, in relation to a street, has the same meaning as in Part 3 of the 1991 Act;

“streets, rights of way and access plans” means the document of that description listed in Schedule 12 (documents to be certified) certified by the Secretary of State as the streets, rights of way and access plans for the purposes of this Order;

“structures engineering drawings and sections” means the document of that description listed in Schedule 12 (documents to be certified) certified by the Secretary of State as the structures engineering drawings and sections for the purposes of this Order;

“temporary works” means those works shown on the temporary works plans and described as temporary works in Schedule 1;

“temporary works plans” means the document of that description listed in Schedule 12 (documents to be certified) certified by the Secretary of State as the temporary works plans for the purposes of this Order;

“traffic authority” has the same meaning as in section 121A(a) (traffic authorities) of the 1984 Act;

“traffic regulation measures movement restrictions plan” means the document of that description listed in Schedule 12 (documents to be certified) certified by the Secretary of State as the traffic regulation measures movement restrictions plan for the purposes of this Order;

“traffic regulation measures speed limits plan” means the document of that description listed in Schedule 12 (documents to be certified) certified by the Secretary of State as the traffic regulation measures speed limits plan for the purposes of this Order;

“tribunal” means the Lands Chamber of the Upper Tribunal;

“trunk road” means a highway which is a trunk road by virtue of—

- (a) section 10(b) (general provision as to trunk roads) or section 19(1)(c) (certain special roads and other highways to become trunk roads) of the 1980 Act;
- (b) an order made or direction given under section 10 of that Act; or
- (c) an order granting development consent; or
- (d) any other enactment;

“UKPN” means UK Power Networks (Operations) Limited (company number 0387028), whose registered office is at Newington House 37 Southwark Bridge Road, London, SE1 6NP or a related or subsidiary company of UKPN;

“undertaker” means National Highways Limited, company number 09346363, whose registered office is at Bridge House, 1 Walnut Tree Close, Guildford, Surrey, GU1 4LZ;

“utilities works” means those works shown on the permanent works plans and described as utilities works in Schedule 1;

“utilities works plans” means the document of that description listed in Schedule 12 (documents to be certified) and labelled “Works Plans Utility Diversions”, certified by the Secretary of State as the utilities works plans for the purposes of this Order;

“variable speed limit sign” in relation to a vehicle, means a traffic sign of the type shown in diagram 670 or 671 in Part 2 of Schedule 10 to the 2016 Regulations and Directions which—

- (a) is placed on or near any part of a road which is specified in column (2) of Part 7 of Schedule 3;
- (b) is directed at traffic on the carriageway on which the vehicle is being driven; and
- (c) is displayed as a variable message sign by light-emitting characters and symbols;

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(a) Section 121A was inserted by section 168(1) of, and paragraph 70 of Schedule 8 to, the New Roads and Street Works Act 1992 (c.22), and amended by section 1(6) of, and paragraph 95(2) and (3) of Schedule 1 to, the Infrastructure Act 2015, and S.I. 2001/1400. There are other amendments to section 121A which are not relevant to this Order.

(b) Section 10 was amended by section 22(2) of the 1991 Act, by section 36 of, and paragraph 22 of Schedule 2 to the 2008 Act, and by section 1 of, and Schedule 1 to, the Infrastructure Act 2015 (c.7).

(c) Section 19 was amended by section 1 of, and Schedule 1 to, the Infrastructure Act 2015 (c.7). There are other amendments to section 19 that are not relevant to this Order.

“Verizon” means Verizon UK Limited (company number 02776038) whose registered office is at Reading International Business Park, Basingstoke Road, Reading, RG2 6DA or a related or subsidiary company of Verizon;

“Virgin Media” means Virgin Media Limited (company number 2591237) whose registered office is at 500 Brook Drive, Reading RG2 6UU or a related or subsidiary company of Virgin Media;

“Vodafone” means Vodafone Group Plc (company number 1833679) whose registered office is at Vodafone House, The Connection, Newbury, Berkshire RG14 2FN or a related or subsidiary company of Vodafone;

“watercourse” includes all rivers, streams, ditches, drains, canals, cuts, culverts, dykes, sluices, sewers and passages through which water flows except a public sewer or drain; and

“works plans” means the plans comprising the permanent works plans, the temporary works plans and the utilities works plans.

(2) References in this Order to rights over land include references to rights to do or to place and maintain, anything in, on or under land or in the airspace above its surface.

(3) References in this Order to the imposition of restrictive covenants are references to the creation of rights over land which interfere with the interests or rights of another and are for the benefit of land which is acquired under this Order or is otherwise comprised in the Order land.

(4) References in this Order to the creation and acquisition of rights over land include references to rights to oblige a party having an interest in land to grant those rights referenced in the Order, at the direction of the undertaker, either—

(a) to an affected person directly, where that affected person’s land or rights over land have been adversely affected by this Order, and, where that is the case, the rights referenced in the Order are to be granted for the benefit of the land in which that affected person has an interest at the time of the making of this Order; or

(b) to any statutory undertaker for the purposes of their undertaking.

(5) All distances, directions and lengths referred to in this Order are approximate and distances between points on a work comprised in the authorised development are taken to be measured along that work.

(6) For the purposes of this Order, all areas described in square metres in the book of reference are approximate.

(7) References in this Order to points identified by letters or numbers are to be construed as references to points so lettered or numbered on the relevant plans.

(8) References in this Order to numbered works are references to the works as numbered in Schedule 1 (authorised development).

(9) References in this Order to the expression “includes” may be construed without limitation.

(10) References to any statutory body includes that body’s successor or replacement body that may from time to time be primarily responsible for the functions, duties and responsibilities currently exercised by that statutory body over the authorised development.

### **Disapplication of legislative provisions**

**3.—**(1) The provisions of the Neighbourhood Planning Act 2017<sup>(a)</sup> insofar as they relate to temporary possession of land under articles 40 (temporary use of land for carrying out the authorised development) and 41 (temporary use of land for maintaining the authorised development) of this Order do not apply in relation to the construction of work or the carrying out of any operation required for the purpose of, or in connection with, the construction of the authorised development and, within the maintenance period defined in article 41, any maintenance of any part of the authorised development.

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(a) 2017 (c.20).

(2) Regulation 6 of the Hedgerows Regulations 1997<sup>(a)</sup> is modified so as to read for the purposes of this Order only as if there were inserted after paragraph (1)(j) the following—

“(k) or for carrying out or the maintenance of development which has been authorised by an order granting development consent pursuant to the Planning Act 2008.”

(3) The following provisions do not apply in relation to the construction of any work or the carrying out of any operation required for the purpose of, or in connection with, the construction of the authorised development—

- (a) the provisions of any byelaws made under, or having effect as if made under, paragraph 5, 6 or 6A of Schedule 25 (byelaw making powers of the appropriate agency) to the Water Resources Act 1991;
- (b) section 32 (variation of awards) of the Land Drainage Act 1991; and
- (c) the provisions of any byelaws made under section 66 (powers to make byelaws) of the Land Drainage Act 1991.

(4) The following provisions do not apply in relation to the construction of any activity required for the purpose of, or in connection with, the operation or maintenance of the authorised development—

- (a) regulation 12 (requirement for environmental permit) of the Environmental Permitting (England and Wales) Regulations 2016<sup>(b)</sup> in relation to the carrying on of a flood risk activity or a water discharge activity;
- (b) the provisions of any byelaws made under, or having effect as if made under, paragraph 5, 6 or 6A of Schedule 25 (byelaw making powers of the appropriate agency) to the Water Resources Act 1991;
- (c) section 32 (variation of awards) of the Land Drainage Act 1991; and
- (d) the provisions of any byelaws made under section 66 (powers to make byelaws) of the Land Drainage Act 1991.

(5) In paragraph (4)(a) “flood risk activity”<sup>(c)</sup> and “water discharge activity”<sup>(d)</sup> have the meaning given in the Environmental Permitting (England and Wales) Regulations 2016<sup>(e)</sup>.

### **Maintenance of drainage works**

4.—(1) Nothing in this Order, or the construction, maintenance or operation of the authorised development under it, affects any responsibility for the maintenance of any works connected with the drainage of land, whether that responsibility is imposed or allocated by or under any enactment, or otherwise, unless otherwise agreed in writing between the undertaker and the person responsible.

(2) In this article “drainage” has the same meaning as in section 72(1) (interpretation) of the Land Drainage Act 1991<sup>(f)</sup>.

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(a) S.I. 1997/1160, there are amendments to this regulation but none are relevant to this Order.

(b) S.I. 2016/1154, to which there are amendments not relevant to this Order.

(c) This term is defined in paragraph 3 of Part 1 of Schedule 25 to the Regulations.

(d) This term is defined in paragraph 3 of Schedule 21 to the Regulations.

(e) S.I. 2010/675 as amended by the Environmental Permitting (England and Wales) (Amendment) (No. 2) regulations 2016 (S.I. 2016/475)

(f) 1991 (c.59), the definition of “drainage” was substituted by section 100(2) of the Environment Act 1995 (c.25).

## PART 2

### PRINCIPAL POWERS

#### **Development consent etc. granted by the Order**

**5.**—(1) Subject to the provisions of this Order including the requirements in Schedule 2 (requirements), the undertaker is granted development consent for the authorised development to be carried out within the Order limits.

(2) Any enactment applying to land within or adjacent to the Order limits has effect subject to the provisions of this Order.

#### **Maintenance of authorised development**

**6.** The undertaker may at any time maintain the authorised development, except to the extent that this Order, or an agreement made under this Order, provides otherwise.

#### **Application of the 1990 Act**

**7.**—(1) This article applies where the Order land is used for the temporary works.

(2) Where this article applies, section 57(2) of the 1990 Act (planning permission required for development) applies as if the development consent granted by this Order were planning permission granted for a limited period.

#### **Planning permission**

**8.** If planning permission is issued pursuant to the 1990 Act for development any part of which is within the Order limits following the coming into force of this Order that is—

- (a) not itself a nationally significant infrastructure project under the 2008 Act<sup>(a)</sup> or part of such a project; or
- (b) required to complete or enable the construction, use or operation of any part of the authorised development

then the carrying out, use or operation of such development under the terms of the planning permission does not constitute a breach of the terms of this Order.

#### **Existing powers and duties of the undertaker**

**9.** Except as previously provided, nothing in this Order is to prejudice the operation of, and the powers and duties of the undertaker under, the 1980 Act, the 1991 Act and the Town and Country Planning (General Permitted Development) (England) Order 2015<sup>(b)</sup>.

#### **Limits of deviation**

**10.**—(1) The following provisions of this article have effect subject to the requirement that the undertaker must, save for any works or operations authorised under article 25 (protective work to buildings) or 26 (authority to survey and investigate land), construct the authorised development within the Order limits.

(2) Subject to paragraph (3), in constructing or maintaining the permanent works comprised in the authorised development and shown on the permanent works plans the undertaker may deviate laterally from the lines or situations shown on the permanent works plans, within the limits of deviation for permanent works.

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(a) 2008 (c.29).  
(b) S.I. 2015/596.

(3) In constructing and maintaining the—

- (a) flood mitigation works; and
- (b) borrow pits restoration works

shown on the permanent works plans, the undertaker may deviate laterally within the limits of deviation for those works shown on those plans.

(4) In constructing the footpaths, cycle tracks, footways and bridleways referred to in article 15(5) (classification of roads, etc.) or referred to in article 20(2)(a) (permanent stopping up and restriction of use of streets and private means of access) the undertaker may, so far as the undertaker considers it necessary or convenient, deviate laterally from the routes shown on the streets, rights of way and access plans to the extent of the limits of deviation shown on those plans.

(5) In constructing or maintaining the linear works, the undertaker may deviate vertically from the levels shown on the highways engineering section drawings—

- (a) Upwards to any extent not exceeding 1 metre, or, in relation to Work Nos. 45(b) and 74(a) upwards to any extent not exceeding 1.5 metres; and
- (b) Downwards to any extent not exceeding 1 metre.

(6) The maximum vertical limits of deviation referred to in paragraph (5) do not apply where it is demonstrated by the undertaker to the Secretary of State's satisfaction and the Secretary of State certifies accordingly, following consultation with the relevant planning authority, that a deviation in excess of these limits would not give rise to any materially new or materially different environmental effects in comparison with those reported in the environmental statement.

(7) Without limitation on the scope of paragraphs (2) to (6), in constructing or maintaining the authorised development the undertaker may deviate by up to 3 metres from the points of commencement and termination of any linear works shown on the works plans.

(8) In constructing and maintaining those works shown on the temporary works plans the undertaker may so far as the undertaker considers it necessary or convenient deviate laterally from the lines or situations of the authorised development shown on the works plans to the extent of the limits of deviation - temporary works shown on the temporary works plans.

(9) In constructing and maintaining those works shown on the utilities works plans the undertaker may so far as the undertaker considers it necessary or convenient deviate laterally from the lines or situations of the authorised development shown on the works plans to the extent of the limits of deviation - utilities shown on the utilities works plans.

(10) In this article, references to “linear works” are references to any works shown on the permanent works plans by way of a centreline.

### **Benefit of Order**

**11.**—(1) Subject to article 12 (consent to transfer benefit of Order) and paragraph (2), the provisions of this Order conferring powers on the undertaker have effect solely for the benefit of the undertaker.

(2) Paragraph (1) does not apply to the works for which the consent is granted by this Order for the express benefit of owners and occupiers of land, statutory undertakers and other persons affected by the authorised development.

### **Consent to transfer benefit of Order**

**12.**—(1) The undertaker may with the written consent of the Secretary of State—

- (a) transfer to another person (“the transferee”) any or all of the benefit of the provisions of this Order and such related statutory rights as may be agreed between the undertaker and the transferee;

- (b) grant to another person (“the grantee”) for a period agreed between the undertaker and the grantee any or all of the benefit of the provisions of this Order and such related statutory rights as may be so agreed.

(2) Where an agreement has been made in accordance with paragraph (1) references in this Order to the undertaker, except in paragraph (4), include references to the transferee or the grantee, or any other person who may exercise, enjoy or be responsible for any functions of the undertaker pursuant to that agreement, as the case may be.

(3) The exercise by a person of any benefits or rights conferred in accordance with any transfer or grant under paragraph (1) is subject to the same restrictions, liabilities and obligations as would apply under this Order if those benefits or rights were exercised by the undertaker, save where those benefits or rights are exercised by a statutory undertaker (which for the purposes of this article includes any entity listed in paragraph (5)), or by an owner or occupier of land pursuant to paragraph (2) of article 30 (compulsory acquisition of rights and imposition of restrictive covenants) of this Order, in which case liability for the payment of compensation remains with the undertaker.

(4) The consent of the Secretary of State under this article is not required where the powers of article 30 (compulsory acquisition of rights and imposition of restrictive covenants) are, with the consent of the undertaker given under article 30(2), proposed to be exercised by a statutory undertaker rather than by the undertaker, or are proposed to be exercised for the express benefit or accommodation of owners and occupiers of land, as identified in column (4) of the table in Part 4 and in column (2) of the table in Part 5 of Schedule 4 (permanent stopping up of highways and private means of access and provision of new highways and private means of access) to this Order.

(5) The consent of the Secretary of State is not required under this article, where the transfer or grant is made to—

- (a) Anglian Water for the purposes of undertaking any works relating to its apparatus set out in Work nos. U1, U2B, U3C, U12A, U13, U25, U26, U29A, U32, U33, U36, U39, U45, U46, U59, U62, U63A, U68, U72, U73, U73A, U74, U85, U85A, U85B, U102, U104A, U106A, U141, U141A, U142, U143, U145A, U146B, U146C, U147A, U147D, U148, U156, U165, U167A, U184A, U186A, U191, U192, U193A, U199, U200 and U208;
- (b) BT for the purposes of undertaking any works relating to its apparatus set out in Work nos. U5, U7, U8, U9, U11, U14, U15, U16, U17, U18, U19, U20, U22, U27, U28, U30, U37, U40, U41, U43, U48, U51, U53, U55, U56, U64, U75, U77, U79, U83, U86, U88, U91, U92, U93, U94, U96, U99, U100, U101, U105, U108, U109, U110, U111, U111A, U111B, U112, U114, U115, U116, U119, U122, U123, U124, U125, U126, U128A, U129, U133, U134, U138, U139, U145, U146, U147, U147B, U149, U150, U152, U153, U155, U161, U162, U167, U168, U169, U174, U175, U178, U179, U181, U182, U183, U184, U185, U186, U188, U189, U190, U193, U194, U195, U200A, U201, U203 and U206;
- (c) Cadent Gas for the purposes of undertaking any works relating to its apparatus set out in Work nos. U2, U3, U34, U42, U69, U76, U81, U89, U90, U98, U103, U104, U113, U157, U158, U166 and U170;
- (d) Northumbrian Water for the purposes of undertaking any works relating to its apparatus set out in Work nos. U3A, U10A, U10B, U10C, U57, U58, U60, U62A, U65, U67, U70, U82, U85A, U87, U95, U117 and U132;
- (e) UKPN for the purposes of undertaking any works relating to its apparatus set out in Works nos. U2A, U3B, U4, U10, U20A, U23, U24, U29, U31, U37A, U38, U38A, U47, U50, U52, U54, U61, U63, U66, U71, U78, U84, U84A, U97, U107, U118, U127, U128, U130, U131, U135, U136, U144, U146A, U147C, U159, U160, U163, U166A, U173, U180, U187, U196, U197, U198, U204 and U205;
- (f) Verizon for the purposes of undertaking any works relating to its apparatus set out in Work no. U12B;
- (g) Virgin Media for the purposes of undertaking any works relating to its apparatus set out in Work nos. U12, U21, U22A, U35, U44, U121, U124A, U137, U154, U172, U177 and U202; and



- (h) Vodafone for the purposes of undertaking any works relating to its apparatus set out in Work nos.. U6, U49, U80, U120, U140, U151, U164, U171, U176 and U207.

## PART 3

### STREETS

#### Application of the 1991 Act

**13.**—(1) Works executed under this Order in relation to a highway which consists of or includes a carriageway are to be treated for the purposes of Part 3 (street works in England and Wales) of the 1991 Act as major highway works if—

- (a) they are of a description mentioned in any of paragraphs (a), (c) to (e), (g) and (h) of section 86(3) (which defines what highway authority works are major highway works) of that Act(a); or
- (b) they are works which, had they been executed by the local highway authority, might have been carried out in exercise of the powers conferred by section 64(b) (dual carriageways and roundabouts) of the 1980 Act or section 184(c) (vehicle crossings over footways and verges) of that Act.

(2) In Part 3 of the 1991 Act references to the highway authority concerned are, in relation to works which are major highway works by virtue of paragraph (1), to be construed as references to the undertaker.

(3) The following provisions of the 1991 Act (including any equivalent or modified provisions in any permit scheme) do not apply in relation to any works executed under the powers of this Order—

- (a) section 56(d) (power to give directions as to timing of street works);
- (b) section 56A(e) (power to give directions as to placing of apparatus);
- (c) section 58(f) (restrictions on works following substantial road works);
- (d) section 58A(g) (restriction on works following substantial street works);
- (e) section 73A(h) (power to require undertaker to re-surface street);
- (f) section 73B(i) (power to specify timing etc. of re-surfacing);
- (g) section 73C(j) (materials, workmanship and standard of re-surfacing);
- (h) section 78A(k) (contributions to costs of re-surfacing by undertaker); and
- (i) Schedule 3A(l) (restriction on works following substantial street works).

(4) The provisions of the 1991 Act mentioned in paragraph (5) (which, together with other provisions of that Act, apply in relation to the execution of street works) and any regulations made, or code of practice issued or approved, under those provisions apply (with the necessary modifications) in relation to any stopping up, alteration or diversion of a street of a temporary nature by the undertaker under the powers conferred by article 19 (temporary alteration, diversion,

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- (a) 1991 (c.22), there are amendments to section 86 of the Act which are not relevant to this Order.
  - (b) As amended by section 102 of, and Schedule 17 to, the Local Government Act 1985 (c.51) and section 168(2) of, and Schedule 9 to, the New Roads and Street Works Act 1991 (c.22).
  - (c) As amended by section 4 of, and paragraph 45 of Schedule 2 to, the Planning (Consequential Provisions) Act 1990 (c.11); and section 18 of and Schedule 8 to, the New Roads and Street Works Act 1991 (c.22).
  - (d) As amended by sections 40 and 43 of the Traffic Management Act 2004 (c.18).
  - (e) Inserted by section 44 of the Traffic Management Act 2004 (c.18).
  - (f) As amended by section 51 of the Traffic Management Act 2004 (c.18).
  - (g) Inserted by section 52 of the Traffic Management Act 2004 (c.18).
  - (h) Section 73A was inserted by section 55 of the 2004 Act.
  - (i) Section 73B was inserted by section 55 of the 2004 Act.
  - (j) Section 73C was inserted by section 55 of the 2004 Act.
  - (k) Section 78A was inserted by section 57 of the 2004 Act.
  - (l) Schedule 3A was inserted by section 52 of, and Schedule 4 to, the 2004 Act.

prohibition and restriction of the use of streets) whether or not the stopping up, alteration or diversion constitutes street works within the meaning of that Act.

- (5) The provisions of the 1991 Act(a) referred to in paragraph (4) are—
- (a) section 54(b) (advance notice of certain works), subject to paragraph (6);
  - (b) section 55(c) (notice of starting date of works), subject to paragraph (6);
  - (c) section 57(d) (notice of emergency works);
  - (d) section 59(e) (general duty of street authority to co-ordinate works);
  - (e) section 60(f) (general duty of undertakers to co-operate);
  - (f) section 68(g) (facilities to be afforded to street authority);
  - (g) section 69(h) (works likely to affect other apparatus in the street);
  - (h) section 75(i) (inspection fees);
  - (i) section 76 (liability for cost of temporary traffic regulation); and
  - (j) section 77 (liability for cost of use of alternative route).

and all such other provisions as apply for the purposes of the provisions mentioned above.

(6) Sections 54(j) and 55(k) of the 1991 Act as applied by paragraph (4) have effect as if references in section 57 of that Act to emergency works were a reference to a restriction, alteration or diversion (as the case may be) required in a case of emergency.

(7) Nothing in article 14 (construction and maintenance of new, altered or diverted streets and other structures) affects the operation of section 87 (prospectively maintainable highways) of the 1991 Act, and

- (a) the undertaker is by reason of any duty under that article to maintain a street to be taken to be the street authority in relation to that street for the purposes of Part 3 of that Act; or
- (b) has effect in relation to maintenance works which are street works within the meaning of the 1991 Act to which the provisions of Part 3 of the 1991 Act apply.

(8) Subject to paragraphs (3), (10) and (11), permit schemes will apply to the construction and maintenance of the authorised development and will be used by the undertaker in connection with the exercise of any powers conferred by this Part.

(9) For the purposes of this Order a permit under a permit scheme may not be granted subject to conditions where compliance with those conditions would constitute a breach of this Order or where the undertaker would be unable to comply with those conditions pursuant to the powers conferred by this Order.

(10) Without restricting the undertaker's recourse to any appeal mechanism which may be available under a permit scheme the undertaker may alternatively refer the matter to arbitration under article 62 (arbitration).

(11) Any order made by the Secretary of State under section 74A(2)(a) (charge determined by reference to duration of works) of the 1991 Act for the purposes of the Street Works (Charges for

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(a) Sections 54, 55, 57, 60, 68 and 69 were amended by section 40(1) and (2) of, and Schedule 1 to, the Traffic Management Act 2004 (c.18).

(b) As also amended by section 49(1) of the Traffic Management Act 2004 (c.18).

(c) As also amended by section 49(2) and 51(9) of the Traffic Management Act 2004 (c.18).

(d) As also amended by section 52(3) of the Traffic Management Act 2004 (c.18).

(e) As amended by section 42 of the Traffic Management Act 2004 (c. 18).

(f) As amended by section 40 of, and Schedule 1 to, the Traffic Management Act 2004 (c.18).

(g) As amended by section 40 of, and Schedule 1 to, the Traffic Management Act 2004 (c.18).

(h) As amended by section 40 of, and Schedule 1 to, the Traffic Management Act 2004 (c.18).

(i) As amended by section 58 of the Traffic Management Act 2004 (c. 18).

(j) As amended by S.I. 1992/2984, article 3(1).

(k) As modified by S.I. 1992/2984, article 4; Local Government (Miscellaneous Provisions) Act 1976 (c. 57), s.15(4) (as substituted by New Roads and Street Works Act 1991 (c.22), section 168(1), Sch. 8 Pt. IV para. 106; S.I. 1992/2984, art. 2(2), Sch.2); section 55 modified by Local Government, Planning and Land Act 1980 (c.65), section 167(7) (as substituted by New Roads and Street Works Act 1991 (c.22), section 168(1), Sch. 8 Pt. IV para. 109; S.I. 1992/2984, art. 2(2), Sch.2).

Occupation of the Highway) (England) Regulations 2012(a) does not have effect in relation to the construction or maintenance of the authorised development.

### **Construction and maintenance of new, altered or diverted streets and other structures**

**14.**—(1) Any highway (other than a trunk road) to be constructed under this Order must be completed to the reasonable satisfaction of the local highway authority in whose area the highway lies and, unless otherwise agreed in writing with the local highway authority, the highway must be maintained by and at the expense of the local highway authority from its completion.

(2) Where a highway (other than a trunk road) is altered or diverted under this Order, the altered or diverted part of the highway must be completed to the reasonable satisfaction of the local highway authority and, unless otherwise agreed in writing with the local highway authority, that part of the highway must be maintained by and at the expense of the local highway authority from its completion.

(3) Where a highway is de-trunked under this Order—

- (a) section 265(b) (transfer of property and liabilities upon a highway becoming or ceasing to be a trunk road) of the 1980 Act applies in respect of that highway; and
- (b) any alterations to that highway undertaken under powers conferred by this Order prior to and in connection with that de-trunking must, unless otherwise agreed in writing with the local highway authority, be maintained by and at the expense of the local highway authority from the date of de-trunking.

(4) Where a footpath, cycle track (not comprised in a carriageway highway) or bridleway is constructed under this Order it must be completed to the reasonable satisfaction of the local highway authority and, unless otherwise agreed in writing with the local highway authority, must be maintained by and at the expense of the local highway authority from its completion.

(5) In the case of a bridge constructed under this Order to carry a highway (other than a trunk road) over a trunk road, the highway surface (being those elements over the waterproofing membrane) must be maintained by and at the expense of the local highway authority unless otherwise agreed in writing between the undertaker and the local highway authority, and the remainder of the bridge, including the waterproofing membrane, the structure below the waterproof membrane and the parapets must be maintained by and at the expense of the undertaker.

(6) In any action against the undertaker in respect of loss or damage resulting from any failure by it to maintain a street under this article, it is a defence (without prejudice to any other defence or the application of the law relating to contributory negligence) to prove that the undertaker had taken such care as in all the circumstances was reasonably required to secure that the part of the street to which the action relates was not dangerous to traffic.

(7) For the purposes of a defence under paragraph (6), the court must in particular have regard to the following matters—

- (a) the character of the street and the traffic which was reasonably to be expected to use it;
- (b) the standard of maintenance appropriate for a street of that character and used by such traffic;
- (c) the state of repair in which a reasonable person would have expected to find the street;
- (d) whether the undertaker knew, or could reasonably have been expected to know, that the condition of the part of the street to which the action relates was likely to cause danger to users of the street; and

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(a) S.I. 2012/425, as amended by S.I. 2015/377 and S.I. 2018/215.

(b) The following provisions have been inserted into the section by paragraph 52, Schedule 1 of the Infrastructure Act 2015 (c.7).

- (e) where the undertaker could not reasonably have been expected to repair that part of the street before the cause of action arose, what warning notices of its condition had been displayed,

but for the purposes of such a defence it is not relevant to prove that the undertaker had arranged for a competent person to carry out or supervise the maintenance of the part of the street to which the action relates unless it is also proved that the undertaker had given the competent person proper instructions with regard to the maintenance of the street and the competent person had carried out those instructions.

### **Classification of roads, etc.**

**15.**—(1) On and after the date on which the roads described in Part 1 (trunk roads) of Schedule 3 (classification of roads etc.) are completed and open for traffic, they are to become trunk roads as if they had become so by virtue of an order under section 10(2)(a) (general provision as to trunk roads) of the 1980 Act specifying that date as the date on which they were to become trunk roads.

(2) On the date on which the roads described in Part 2 (classified A roads), Part 3 (classified B roads) and Part 4 (classified C roads) of Schedule 3 are completed and open for traffic, they are to become classified roads for the purpose of any enactment or instrument which refers to highways classified as classified roads as if such classification had been made under section 12(3) (general provision as to principal and classified roads) of the 1980 Act.

(3) On and after the date on which the roads described in Part 5 (unclassified roads) of Schedule 3 are completed and open for traffic, they are to become unclassified roads for the purpose of any enactment or instrument which refers to roads which are not classified roads.

(4) On such day as the undertaker may determine, the orders specified in column (3) of Part 12 (revocations and variations of existing traffic regulation orders) of Schedule 3 are to be varied or revoked as specified in the corresponding row of column (4) of that Part in respect of the lengths of roads specified in the corresponding row of column (2) of that Part.

(5) Subject to 10(4) (limits of deviation) unless otherwise agreed in writing with the relevant highway authority, the footpaths, cycle tracks, footways and bridleways set out in Part 13 (footpaths, cycle tracks, footways and bridleways) of Schedule 3 and identified on the streets, rights of way and access plans are to be constructed by the undertaker in the specified locations and open for use from the date on which the authorised development is open for traffic.

(6) On such day as the undertaker may determine, the roads described in Part 14 (roads to be de-trunked) of Schedule 3 are to cease to be trunk roads as if they had ceased to be trunk roads by virtue of an order made under section 10(2) of the 1980 Act specifying that date as the date on which they were to cease to be trunk roads.

(7) The application of paragraphs (1) to (6) may be varied or revoked by any instrument made under any enactment which provides for the variation or revocation of such matters.

### **Speed limits**

**16.**—(1) On the date on which the roads specified in Part 6 (speed limits) of Schedule 3 (classification or roads etc) are open for traffic, no person is to drive any motor vehicle at a speed exceeding the limit in miles per hour specified in column (3) of that Part along the lengths of road identified in the corresponding row of column (2) of that Part.

(2) Except where a variable speed limit sign is displayed in accordance with paragraph (3), where the words “national speed limit” appear in column (3) of Part 6 (speed limits) or the words “variable speed limit” appear in Part 7 (variable speed limits) of Schedule 3 (classification or roads etc), on and after the date on which lengths of road identified in the corresponding row of column (2) of those Parts are open to traffic the national speed limit will apply to those roads.

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(a) As amended by section 22 of the 1991 Act, and by section 1 of, and Schedule 1 to, the Infrastructure Act 2015 (c.7).

(3) On and after the date on which the roads specified in Part 7 (variable speed limits) of Schedule 3 (classification or roads etc) are open for traffic no person is to drive any motor vehicle on the lengths of road identified in column (2) of that Part at a speed exceeding the limit in miles per hour indicated by a variable speed limit sign.

(4) On and after the date on which the roads specified in Parts 6 (speed limits) and 7 (variable speed limits) of Schedule 3 (classification or roads etc) are open for traffic, where the words “removal of restricted road status” appear in column (3) of those Parts, those lengths of road will cease to be restricted roads as if, on that date, a direction had been made under section 82(2)(a) (what roads are restricted roads) of the 1984 Act.

(5) For the purposes of paragraph (3):

- (a) the speed limit indicated by a variable speed limit sign is the speed shown at the time the vehicle passes the sign, or, if higher, the speed limit shown by the sign ten seconds before the vehicle passed the sign.
- (b) a variable speed limit sign is to be taken as not being displayed if, ten seconds before the vehicle passed it, the sign did not display a speed limit or indicated that the national speed limit applied.

(6) Nothing in paragraphs (1) to (4) applies to render it unlawful to a vehicle used for naval, military or air force purposes where it is being driven by a person for the time being subject to the orders of a member of the armed forces of the Crown on an occasion when—

- (a) the person driving the vehicle is a member of the special forces; and
- (b) the vehicle is being driven—
  - (i) in response, or for practice in responding, to a national security emergency by a person who has been trained in driving vehicles at high speeds; or
  - (ii) for the purpose of training a person in driving vehicles at high speeds.

(7) In this article—

“national speed limit” has the same meaning as in Schedule 1 to the 2016 Regulations and Directions and a traffic sign which indicates that the national speed limit applies means a traffic sign of the type shown in diagram 671 in Part 2 of Schedule 10 to the 2016 Regulations and Directions which is—

- (a) placed on or near a road; and
- (b) directed at traffic on the carriageway on which the vehicle is being driven; and

“road” includes the adjacent hard shoulder and verge and any lay by.

(8) The provisions of this article have effect as if made by order under the 1984 Act<sup>(a)</sup> and may be varied or revoked by any instrument under any enactment which provides for the variation or revocation of such matters.

### **Power to alter layout etc. of streets**

**17.**—(1) Subject to paragraph (3), the undertaker may, for the purposes of constructing and maintaining the authorised development, alter the layout of any street within the Order limits and the layout of any street having a junction with such a street; and, without limitation on the scope of this paragraph, the undertaker may—

- (a) increase the width of the carriageway of the street by reducing the width of any kerb, footpath, footway, cycle track or verge within the street;
- (b) alter the level or increase the width of any such kerb, footway, cycle track or verge;
- (c) reduce the width of the carriageway of the street; and
- (d) make and maintain passing places.

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(a) 1984 (c. 27).

(2) The undertaker must restore any street that has been temporarily altered under this article to the reasonable satisfaction of the street authority.

(3) The powers conferred by paragraph (1)—

- (a) are exercisable on the giving of not less than 42 days' notice to the street authority; and
- (b) are not to be exercised without the consent of the street authority where that authority is a public authority.

(4) If a street authority which receives an application for consent under paragraph (3) fails to notify the undertaker of its decision before the end of the period 28 days beginning with the date on which the application was made, it is deemed to have granted consent.

(5) Paragraphs (2), (3) and (4) do not apply where the undertaker is the street authority for a street in which the works are being carried out.

### **Street Works**

**18.**—(1) The undertaker may, for the purposes of the authorised development, enter on so much of any of the streets as are within the Order limits and may—

- (a) break up or open the street, or any sewer, drain or tunnel under it;
- (b) tunnel or bore under the street or carry out works to strengthen or repair the carriageway;
- (c) remove or use all earth and materials in or under the street;
- (d) place and keep apparatus in or under the street;
- (e) maintain, renew, alter apparatus in the street or change its position ;
- (f) demolish, remove, replace and relocate any street furniture;
- (g) execute any works to provide or improve sight lines;
- (h) execute and maintain any works to provide hard and soft landscaping;
- (i) carry out re-lining and placement of road markings;
- (j) remove and install temporary and permanent signage; and
- (k) execute any works required for, or incidental to, any works referred to in subparagraphs (a) to (j).

(2) The authority given by paragraph (1) is a statutory right for the purposes of sections 48(3) (streets, street works and undertakers) and 51(1)(a) (prohibition of unauthorised street works) of the 1991 Act.

### **Temporary alteration, diversion, prohibition and restriction of the use of streets**

**19.**—(1) The undertaker, during and for the purposes of carrying out the authorised development, may temporarily , alter, divert, prohibit or restrict the use of any street and may for any reasonable time—

- (a) divert the traffic from the street; and
- (b) subject to paragraph (3), prevent all persons from passing along the street.

(2) Without limitation on the scope of paragraph (1), the undertaker may use any street where the use has been temporarily prohibited or restricted under the powers conferred by this article, and which is within the Order limits, as a temporary working site.

(3) The undertaker must provide reasonable access for pedestrians going to or from premises abutting a street affected by the temporary, alteration, diversion, prohibition or restriction of a street under this article if there would otherwise be no such access.

(4) The undertaker must not temporarily alter, divert, prohibit or restrict the use of any street for which it is not the street authority without the consent of the street authority, which may attach

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(a) 1991 (c.21). There are amendments to section 48(3) and 51(1) which are not relevant to this Order.

reasonable conditions to any consent but such consent must not be unreasonably withheld or delayed.

(5) Any person who suffers loss by the temporary alteration, diversion, prohibition or restriction of any private right of way under this article is entitled to compensation to be determined, in case of dispute, under Part 1 of the 1961 Act(a).

(6) If a street authority which receives an application for consent under paragraph (4) fails to notify the undertaker of its decision before the end of the period of 28 days beginning with the date on which the application was made, it is deemed to have granted consent.

### **Permanent stopping up and restriction of use of streets and private means of access**

**20.**—(1) Subject to the provisions of this article, the undertaker may, in connection with the construction of the authorised development, stop up each of the streets and private means of access shown on the streets, rights of way and access plans and the de-trunking and stopping up plans and specified in columns (1) and (2) of Parts 1, 2, 4 and 6 of Schedule 4 (permanent stopping up of highways and private means of access and provision of new highways and private means of access) to the extent specified and described in column (3) of those Parts of that Schedule.

(2) No street or private means of access specified in columns (1) and (2) of Parts 2 and 4 of Schedule 4 (being a street or private means of access to be stopped up for which a substitute is to be provided) is to be wholly or partly stopped up under this article unless—

- (a) subject to article 10(4) (limits of deviation) the new street or private means of access to be constructed and substituted for it, which is specified in column (4) of those Parts of that Schedule, has been completed to the reasonable satisfaction of the street authority and is open for use; or
- (b) a temporary alternative route for the passage of such traffic as could have used the street or private means of access to be stopped up is first provided and subsequently maintained by the undertaker, to the reasonable satisfaction of the street authority, between the commencement and termination points for the stopping up of the street or private means of access until the completion and opening of the new street or private means of access in accordance with sub-paragraph (a).

(3) No street or private means of access specified in columns (1) and (2) of Parts 1 and 6 of Schedule 4 (being a highway or private means of access to be stopped up for which no substitute is to be provided) is to be wholly or partly stopped up under this article unless the condition specified in paragraph (4) is satisfied in relation to all the land which abuts on either side of the street or private means of access to be stopped up.

(4) The condition referred to in paragraph (3) is that—

- (a) the undertaker is in possession of the land; or
- (b) there is no right of access to the land from the street or private means of access concerned; or
- (c) there is a reasonably convenient access to the land otherwise than from the street or private means of access concerned; or
- (d) the owners and occupiers of the land have agreed to the stopping up.

(5) Where a public right of way is identified in columns (1) to (3) of Parts 1 and 2 of Schedule 4 (permanent stopping up of highways and private means of access and provision of new highways and private means of access) and shown identified on the streets, rights of way and access plans, that public right of way is permanently extinguished on the date of the expiry of the notice given under paragraph (6).

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(a) 1961 (c.33), Part 1 as amended by S.I. 1994/2716, 1998 (c.38), S.I. 1999/481, S.I. 2009/1307, S.I. 2010/490, S.I. 2017/1012 and 2016 (c.9).

(6) The undertaker must erect a site notice at each end of the rights of way to be extinguished no less than 28 days prior to the extinguishment of that right of way each of the public rights of way identified in columns (1) to (3) of Parts 1 and 2 of Schedule 4 and shown on the streets, rights of way and access plans.

(7) Where a street or private means of access has been stopped up under this article—

- (a) all rights of way over or along the street or private means of access so stopped up are extinguished; and
- (b) the undertaker may appropriate and use for the purposes of the authorised development so much of the site of the street or private means of access as is bounded on both sides by land owned by the undertaker.

(8) Any person who suffers loss by the suspension or extinguishment of any private right of way under this article is entitled to compensation to be determined, in case of dispute, as if it were a dispute under Part 1 (determination of questions of disputed compensation) of the 1961 Act<sup>(a)</sup>.

(9) This article is subject to article 43 (apparatus and rights of statutory undertakers in stopped up streets).

### **Access to works**

21. The undertaker may, for the purposes of the authorised development, form and lay out means of access, or improve existing means of access, at such locations within the Order limits as the undertaker reasonably requires for the purposes of the authorised development.

### **Clearways, prohibitions and restrictions**

22.—(1) Except as provided in paragraph (6), on an after such day as the undertaker may determine, no person is to cause or permit any vehicle to stop on any part of the lengths of road described in column (2) of Part 8 (traffic regulation measures (clearways)) of Schedule 3 (classification of roads, etc.) and identified on the traffic regulation measures movement restrictions plans where it is identified in the corresponding row of column (3) of that Part that such lengths of road are to become a clearway, or that the stopping of vehicles is otherwise prohibited, except upon the direction of, or with the permission of, a uniformed constable or uniformed traffic officer.

(2) Except as provided in paragraph (15), on and after such day as the undertaker may determine, no person is to cause or permit any vehicle to proceed on any part of the lengths of road described in column (2) of Part 9 (traffic regulation measures (prohibitions)) of Schedule 3 (classification of roads, etc.) and identified on the traffic regulation measures movement restrictions plans where it is identified in the corresponding row of column (3) of that Part that such lengths of road are to be subject to a width restriction, if the width of the vehicle exceeds the width specified in column (3) of that Part except upon the direction of, or with the permission of, a uniformed constable or uniformed traffic officer.

(3) Except as provided in paragraph (15), on and after such day as the undertaker may determine, no person is to proceed or cause or permit any vehicle to proceed on any part of the lengths of road described in column (2) of Part 9 (traffic regulation measures (prohibitions)) of Schedule 3 (classification of roads, etc.) and identified on the traffic regulation measures movement restrictions plans if they are, or the vehicle is of a type specified in the corresponding row of column (3) of that Part except upon the direction of, or with the permission of, a uniformed constable or uniformed traffic officer.

(4) Except as provided in paragraph (16) on and after such day as the undertaker may determine, no person is to proceed or cause or permit any vehicle to enter a road specified in column (2) of Part 10 (traffic regulation measures (no entry)) of Schedule 3 (classification of roads, etc.) and identified on the traffic regulation measures movement restrictions plans from the road which is

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(a) 1961 (c.33), Part 1 as amended by S.I. 1994/2716, 1998 (c.38), S.I. 1999/481, S.I. 2009/1307, S.I. 2010/490, S.I. 2017/1012 and 2016 (c.9).



identified in column (3) of that Part where it is identified in the corresponding row of column (4) of that Part that there is a prohibition on such entry except upon the direction of, or with the permission of, a uniformed constable or uniformed traffic officer.

(5) Except as provided in paragraphs (6) to (9), on and after such a day as the undertaker may determine, no person is to cause or permit any vehicle to wait on any part of the length of road described in column (2) of Part 11 (traffic regulation measures (waiting restrictions)) of Schedule 3 (classification of roads etc.) and identified on the traffic regulation measures movement restrictions plans during the periods specified in column (3) of that Part, except upon the direction of, or with the permission of, a uniformed constable or civil enforcement officer.

(6) Nothing in paragraphs and (5) applies—

- (a) to render it unlawful to cause or permit a vehicle to stop or wait on any part of a road, for so long as may be necessary to enable that vehicle to be used in connection with—
  - (i) the removal of any obstruction to traffic;
  - (ii) the maintenance, improvement, reconstruction or operation of the road;
  - (iii) the laying, erection, inspection, maintenance, alteration, repair, renewal or removal in or near the road of any sewer, main pipe, conduit, wire, cable, or other apparatus for the supply of gas, water, electricity or any electronic communications apparatus as defined in Schedule 3A (the electronic communications code) to the Communications Act 2003(a); or
  - (iv) any building operation or demolition;
- (b) in relation to a vehicle being used—
  - (i) for police, ambulance, fire and rescue authority or traffic officer purposes,
  - (ii) in the service of a local authority, safety camera partnership or Driver and Vehicle Standards Agency in pursuance of statutory powers or duties;
  - (iii) in the service of a water or sewerage undertaker within the meaning of the Water Industry Act 1991(b); or
  - (iv) by a universal service provider for the purposes of providing a universal postal service as defined by the Postal Service Act 2011(c); or
- (c) in relation to a vehicle stopping or waiting when the person in control of it is—
  - (i) required by law to stop;
  - (ii) obliged to stop in order to avoid an accident; or
  - (iii) prevented from proceeding by circumstances outside the person's control.

(7) Nothing in paragraph (5) applies in relation to a vehicle waiting —

- (a) to enable a person to board or alight from the vehicle;
- (b) while any gate or other barrier at the entrance to premises to or from which the vehicle requires access, or from which it has emerged, is opened or closed, if it is not reasonably practicable for the vehicle to wait otherwise;
- (c) to enable goods to be loaded or unloaded to or from the vehicle;
- (d) where the vehicle displays in the relevant position a disabled person's badge and a parking disc, on which the driver or the person in charge of the vehicle has marked the time at which the period of waiting began, for a period not exceeding three hours (not being a period separated by an interval of less than one hour from a previous period of waiting by the same vehicle in the same road) but only if that vehicle has been or is about to be driven or used by the person to whom the badge has been issued or, as the case may

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(a) 2017 (c.30) as brought into force by Regulation 2 of S.I. 2017/65, Regulation 2 of S.I. 2017/1136 and Regulation 2 of S.I. 2017/1286.

(b) 1991 (c.56).

(c) 2011 (c.5).

be, used for the carrying of a disabled person as a passenger (except where the prohibition of waiting does not relate to “no waiting except taxis, ambulances or police vehicles”);

- (e) where the traffic authority for the road has given permission by means of a dispensation to be displayed in the front or nearside of the vehicle and which includes information to enable the driver to be contacted in an emergency and providing the vehicle is not causing an obstruction by doing so, and that the vehicle can be moved if the driver is requested to do so by a uniformed constable or a civil enforcement officer;
- (f) where the vehicle is being used in connection with essential work at adjacent premises for the purpose of undertaking emergency glazing repair to those premises; or
- (g) where the vehicle is being loaded or unloaded while it is in actual use in connection with the removal of furniture from one office or dwelling house to another, or the removal of furniture from such premises to a depository, or such premises from a depository, if it is not practicable to be used for such purpose in any other road.

(8) Upon written application on a form issued by and obtainable from the traffic authority any person duly authorised by the traffic authority may issue a dispensation to exempt that vehicle from a prohibition of waiting on any part of the roads described in paragraph (5).

(9) No person is to cause or permit any vehicle to wait on any part of the roads described in paragraph (5) for the purposes of selling, or dispensing of, goods from that vehicle, unless the goods are immediately delivered at, or taken into, premises adjacent to the land on which the vehicle stood when the goods were sold or dispensed.

(10) If a vehicle is left on any part of the roads described in paragraph (5) in contravention of this Order then a contravention will have occurred and a penalty charge is payable for each period identified in column (4) at the location where the vehicle is parked.

(11) If a contravention has occurred, a penalty charge notice showing the information required under the 2004 Act may be issued by a civil enforcement officer.

(12) Notification of a penalty charge is to be given in respect of a stationary vehicle:

- (a) by a penalty charge notice affixed to the vehicle;
- (b) by a penalty charge notice given to the person appearing to be in charge of the vehicle;
- (c) where a civil enforcement officer attempted to serve a penalty charge notice but was prevented from doing so by any person, by sending a penalty charge notice by post in accordance with the 2004 Act; or
- (d) where the civil enforcement officer has begun to prepare a penalty charge notice, but the vehicle concerned was driven away before the civil enforcement officer has finished preparing the penalty charge notice, by sending a penalty charge notice by post in accordance with the 2004 Act.

(13) A penalty charge is payable not later than 4.00 p.m. on the applicable date, subject to the provisions of the penalty charge and the 2022 Regulations.

(14) A penalty charge is to be paid to the enforcement authority at such address as is detailed on the penalty charge notice in accordance with the instructions contained on the penalty charge notice.

(15) Nothing in paragraphs (2) and (3) applies to render it unlawful to cause or permit a vehicle to proceed on any part of a road, for so long as may be necessary to enable that vehicle to be used in connection with—

- (a) the removal of any obstruction to traffic;
- (b) the maintenance, improvement, reconstruction or operation of the road;
- (c) the laying, erection, inspection, maintenance, alteration, repair, renewal or removal in or near the road of any sewer, main pipe, conduit, wire, cable, or other apparatus for the supply of gas, water, electricity or any electronic communications apparatus as defined in

Schedule 3A (the electronic communications code) to the Communications Act 2003(a);  
or

(d) any building operation or demolition.

(16) Nothing in paragraph (4) applies to render it unlawful to cause or permit a vehicle to proceed on any part of a road, for so long as may be necessary to enable that vehicle to be used in connection with—

(a) the removal of any obstruction to traffic; or

(b) the maintenance, improvement, reconstruction or operation of the road.

(17) Paragraphs (1) to (16) have effect as if made by order under the 1984 Act(b), and their application may be varied or revoked by an order made under that Act or any other enactment which provides for the variation or revocation of such orders.

(18) In this article:

(a) “2022 Regulations” means the Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022(c);

(b) “applicable date” has the same meaning as in the 2002 Regulations;

(c) “contravention” means a failure to comply with the provisions of this order as they relate to any part of the roads described in paragraph (5) or the relevant provisions of the 2004 Act.

(d) “civil enforcement officer” has the same meaning as in section 76 (civil enforcement officers) of the 2004 Act;

(e) “disabled person’s badge” and “parking disc” have the same meaning as in the Local Authorities’ Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000(d);

(f) “enforcement authority” has the same meaning as in paragraph 8 (designation of civil enforcement areas for parking contraventions) of Schedule 8 of the 2004 Act,

(g) “penalty charge” has the same meaning as in Section 92 of the 2004 Act;

(h) “penalty charge notice” has the same meaning as in the 2022 Regulations;

(i) “traffic officer” means an individual designated under section 2 (designation of traffic officers) of the 2004 Act.

## **Traffic Regulation**

**23.**—(1) This article applies to roads in respect of which the undertaker is not the traffic authority.

(2) Subject to the provisions of this article, and the consent of the traffic authority in whose area the road concerned is situated, which consent must not be unreasonably withheld, the undertaker may, for the purposes of the authorised development—

(a) revoke, amend or suspend in whole or in part any order made, or having effect as if made, under the 1984 Act;

(b) permit, prohibit or restrict the stopping, waiting, loading or unloading of vehicles on any road;

(c) authorise the use as a parking place of any road;

(d) make provision as to the direction or priority of vehicular traffic on any road; and

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(a) 2017 (c.30) as brought into force by Regulation 2 of S.I. 2017/65, Regulation 2 of S.I. 2017/1136 and Regulation 2 of S.I. 2017/1286.

(b) 1984 (c.27).

(c) S.I. 2022/71

(d) S.I. 2000/683.

(e) permit or prohibit vehicles, or vehicles of any class, or pedestrians access to any road, either at all times or at times, on days or during such periods as may be specified by the undertaker.

(3) The power conferred by paragraph (2) may be exercised at any time prior to the expiry of 12 months from the opening of the authorised development for public use but subject to paragraph (7) any prohibition, restriction or other provision made under paragraph (2) may have effect both before and after the expiry of that period.

(4) The undertaker must consult the chief officer of police and the traffic authority in whose area the road is situated before complying with the provisions of paragraph (5).

(5) The undertaker must not exercise the powers conferred by paragraph (2) unless the undertaker has—

(a) given not less than—

- (i) 12 weeks' notice in writing of the undertaker's intention so to do in the case of a prohibition restriction or other provision intended to have effect permanently; or
- (ii) 4 weeks' notice in writing of the undertaker's intention so to do in the case of a prohibition, restriction or other provision intended to have effect temporarily, to the chief officer of police and to the traffic authority in whose area the road is situated; and

(b) advertised its intention in such manner as the traffic authority may specify in writing within 28 days of its receipt of notice of the undertaker's intention in the case of sub-paragraph (a)(i) or within 7 days of its receipt of notice of the undertaker's intention in the case of sub-paragraph (a)(ii).

(6) Any prohibition, restriction or other provision made by the undertaker under paragraph (2)—

(a) has effect as if duly made by, as the case may be—

- (i) the traffic authority in whose area the road is situated, as a traffic regulation order under the 1984 act; or
- (ii) the local authority in whose area the road is situated, as an order under section 32 (power of local authorities to provide parking spaces) of the 1984 Act(a)

and the instrument by which it is effected may specify savings and exemptions to which the prohibition restriction or other provision is subject; and

(b) is deemed to be a traffic order for the purposes of Schedule 7 (road traffic contraventions subject to civil enforcement) to the 2004 Act(b).

(7) Any prohibition, restriction or other provision made under this article may be suspended, varied or revoked by the undertaker from time to time by subsequent exercise of the powers conferred by paragraph (2) within a period of 24 months from the opening of the authorised development.

(8) Before exercising the powers conferred by paragraph (2) the undertaker must consult such persons as the undertaker considers necessary and appropriate and must take into consideration any representations made to the undertaker by any such person.

(9) Expressions used in this article and in the 1984 Act have the same meaning in this article as in that Act.

(10) The powers conferred on the undertaker by this article with respect to any road have effect subject to any agreement entered into by the undertaker with any person with an interest in (or who undertakes activities in relation to) premises served by the road.

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(a) 1984 c.27. Section 32 was amended by sections 1, 2, 8(1) and paragraph 4 of Schedule 5 to the Local Government Act 1985 (c.51) and by section 168(1) of, and paragraph 39 of Schedule 8 to the New Roads and Street Works Act 1991 (c.22).

(b) 2004 c.18 Schedule 7 was implemented by Article 2 of S.I. 2007/2053, Article 2 and Schedule of S.I. 2007/3174, as amended by Regulation 28 of S.I. 2013/362 and Regulation 2 and 3 of S.I. 2018/488.

(11) If the traffic authority fails to notify the undertaker of its decision within 28 days of receiving an application for consent under paragraph (2) the traffic authority is deemed to have granted consent.

(12) Any application to which this article applies must include a statement that the provisions of paragraph (1) apply to that application.

## PART 4 SUPPLEMENTAL POWERS

### **Discharge of water**

**24.**—(1) Subject to paragraphs (3) and (4), the undertaker may use any watercourse or any public sewer or drain for the drainage of water in connection with the carrying out, maintenance or use of the authorised development and for that purpose may lay down, take up and alter pipes and may, on any land within the Order limits, make openings into, and connections with, the watercourse, public sewer or drain.

(2) Any dispute arising from the making of connections to or use of a public sewer or drain by the undertaker under paragraph (1) is to be determined as if it were a dispute under section 106 (right to communicate with public sewers) of the Water Industry Act 1991(a).

(3) The undertaker must not discharge any water into any watercourse, public sewer or drain except with the consent of the person to whom it belongs; and such consent may be given subject to such terms and conditions as that person may reasonably impose, but must not be unreasonably withheld.

(4) The undertaker must not make any opening into any public sewer or drain except—

- (a) in accordance with plans approved by the person to whom the sewer or drain belongs, but such approval must not be unreasonably withheld; and
- (b) where that person has been given the opportunity to supervise the making of the opening.

(5) The undertaker must take such steps as are reasonably practicable to secure that any water discharged into a watercourse or public sewer or drain under this article is as free as may be practicable from gravel, soil or other solid substance, oil or matter in suspension.

(6) If a person who receives an application for consent under paragraph (3) or approval under paragraph (4)(a) fails to notify the undertaker of a decision within 28 days of receiving an application, that person is deemed to have granted consent or given approval, as the case may be.

(7) Any application to which this article applies must include a statement that the provisions of paragraph (6) apply to that application.

(8) In this article—

- (a) “public sewer or drain” means a sewer or drain which belongs to Homes England, the Environment Agency, an internal drainage board, a joint planning board, a local authority, a sewerage undertaker or an urban development corporation; and
- (b) other expressions used both in this article and in the Water Resources Act 1991 have the same meaning as in that Act.

### **Protective work to buildings**

**25.**—(1) Subject to the following provisions of this article, the undertaker may at its own expense carry out such protective works to any building which may be affected by the authorised development as the undertaker considers necessary or expedient.

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(a) 1991 (c.56). Section 106 was amended by section 35(1) and (8) of, and Schedule 2 to, the Competition and Service (Utilities) Act 1992 (c.43), sections 36(2) and 99 of the Water Act 2003 (c.37) and paragraph 16(1) of Schedule 3 to the Flood and Water Management Act 2010 (c.29).

(2) Protective works may be carried out—

- (a) at any time before or during the carrying out in the vicinity of the building of any part of the authorised development; or
- (b) after the completion of that part of the authorised development in the vicinity of the building at any time up to the end of the period of 5 years beginning with the day on which that part of the authorised development is first opened for use.

(3) For the purpose of determining how the functions under this article are to be exercised the undertaker may enter and survey any building falling within paragraph (1) and any land within its curtilage, and place on, leave on and remove from the land any apparatus and equipment for use in connection with the survey.

(4) For the purpose of carrying out protective works to a building under this article to a building the undertaker may (subject to paragraphs (5) and (6))—

- (a) enter the building and any land within its curtilage; and
- (b) where the works cannot be carried out reasonably conveniently without entering land which is adjacent to the building but outside its curtilage, enter the adjacent land (but not any building erected on it).

(5) Before exercising—

- (a) a right under paragraph (1) to carry out protective works to a building;
- (b) a right under paragraph (3) to enter a building and land within its curtilage;
- (c) a right under paragraph (4)(a) to enter a building and land within its curtilage; or
- (d) a right under paragraph (4)(b) to enter land,

the undertaker must, except in the case of emergency, serve on the owners and occupiers of the building or land not less than 14 days' notice of its intention to exercise that right and, in a case falling within sub-paragraph (a) or (c), specifying the protective works proposed to be carried out.

(6) Where a notice is served under paragraph (5)(a), (c) or (d), the owner or occupier of the building or land concerned may, by serving a counter-notice within the period of 10 days beginning with the day on which the notice was served, require the question whether it is necessary or expedient to carry out the protective works or to enter the building or land to be referred to arbitration under article 62 (arbitration).

(7) The undertaker must compensate the owners and occupiers of any building or land in relation to which rights under this article have been exercised for any loss or damage arising to them by reason of the exercise of those rights.

(8) Where—

- (a) protective works are carried out under this article to a building; and
- (b) within the period of 5 years beginning with the day on which the part of the authorised development carried out in the vicinity of the building is first opened for use it appears that the protective works are inadequate to protect the building against damage caused by the carrying out or use of that part of the authorised development,

the undertaker must compensate the owners and occupiers of the building for any loss or damage sustained by them.

(9) Without affecting article 35 (no double recovery) nothing in this article relieves the undertaker from any liability to pay compensation under section 152(a) (compensation in case where no right to claim in nuisance) of the 2008 Act.

(10) Section 13 (refusal to give possession to acquiring authority) of the 1965 Act applies to the entry onto land under this article to the same extent as it applies to the compulsory acquisition of land under this Order by virtue of section 125 (compulsory acquisition provisions) of the 2008 Act.

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(a) Section 152 was amended by S.I. 2009/1307.

(11) Any compensation payable under paragraph (7) or (8) is to be determined, in case of dispute, as if it were a dispute under Part 1 (determination of questions of disputed compensation) of the 1961 Act<sup>(a)</sup>.

(12) In this article “protective works” in relation to a building means —

- (a) underpinning, strengthening and any other works the purpose of which is to prevent damage which may be caused to the building by the carrying out, maintenance or use of the authorised development; and
- (b) any works the purpose of which is to remedy any damage which has been caused to the building by the carrying out, maintenance or use of the authorised development.

### **Authority to survey and investigate the land**

**26.**—(1) The undertaker may for the purposes of the construction, operation or maintenance of the authorised development enter on —

- (a) any land shown within the Order limits; and
- (b) where reasonably necessary, any land which is adjacent to, but outside the Order limits, and—
  - (i) survey or investigate the land (including any watercourses, groundwater, static water bodies or vegetation on the land);
  - (ii) without limitation on the scope of sub-paragraph (i), make any excavations or trial holes and boreholes and other investigations in such positions on the land as the undertaker thinks fit to investigate the nature of the surface layer, subsoil and groundwater and remove soil and water samples and discharge water from sampling operations on to the land;
  - (iii) without limitation on the scope of sub-paragraph (i), carry out ecological or archaeological investigations on such land, including making excavations or trial holes on the land for such purposes; and
  - (iv) place on, leave on and remove from the land apparatus for use in connection with the survey and investigation of land and making trial holes and boreholes.

(2) No land may be entered or equipment placed or left on or removed from the land under paragraph (1) unless at least 14 days’ notice has been served on every owner and occupier of the land.

(3) Any person entering land under this article on behalf of the undertaker—

- (a) must, if so required, before or after entering the land, produce written evidence of their authority to do so; and
- (b) may take into the land such vehicles and equipment as are necessary to carry out the survey or investigation or to make the trial holes and boreholes.

(4) No trial holes are to be made under this article—

- (a) in land located within the highway boundary without the consent of the local highway authority; or
- (b) in a private street without the consent of the street authority.

but such consent must not be unreasonably withheld.

(5) The undertaker must compensate the owners and occupiers of the land for any loss or damage arising by reason of the exercise of the powers conferred by this article, such compensation to be determined, in case of dispute, under Part 1 (determination of questions of disputed compensation) of the 1961 Act<sup>(b)</sup>.

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(a) 1961 (c.33).

(b) 1961 (c.33).

(6) The notice required under paragraph (2) must indicate the nature of the survey or investigation that the undertaker intends to carry out.

(7) Section 13 (refusal to give possession to acquiring authority) of the 1965 Act applies to the temporary use of land pursuant to this article to the same extent as it applies to the compulsory acquisition of land under this Order by virtue of section 125 (application of compulsory acquisition provisions) of the 2008 Act.

(8) If either a local highway authority or a street authority which receives an application for consent fails to notify the undertaker of its decision within 28 days of receiving the application for consent—

- (a) under paragraph (4)(a) in the case of the local highway authority; or
- (b) under paragraph (4)(b) in the case of a street authority,

that authority is deemed to have granted consent.

## PART 5

### POWERS OF ACQUISITION

#### **Compulsory acquisition of land**

**27.**—(1) The undertaker may acquire compulsorily so much of the Order land as is required for the authorised development, or to facilitate it, or is incidental to it, or is required as replacement land.

(2) This article is subject to paragraph (3) of article 30 (compulsory acquisition of rights and imposition of restrictive covenants) and paragraph (9) of article 40 (temporary use of land for carrying out the authorised development) and article 53 (crown rights).

#### **Compulsory acquisition of land – incorporation of the mineral code**

**28.** Parts 2 and 3 of Schedule 2 (minerals) to the Acquisition of Land Act 1981(a) are incorporated into this Order subject to the modifications that—

- (a) paragraph 8(3) is not incorporated;
- (b) for “the acquiring authority” substitute “the undertaker”; and
- (c) for “undertaking” substitute “authorised development”.

#### **Time limit for exercise of authority to acquire land compulsorily**

**29.**—(1) After the end of the period of 5 years beginning on the day on which this Order is made—

- (a) no notice to treat is to be served under Part 1 of the 1965 Act; and
- (b) no declaration is to be executed under section 4 (execution of declaration) of the 1981 Act(b) as applied by article 37 (application of the 1981 Act).

(2) The authority conferred by article 40 (temporary use of land for carrying out the authorised development) ceases at the end of the period referred to in paragraph (1), except that nothing in this paragraph prevents the undertaker from remaining in possession of land after the end of that period, if the land was entered and possession was taken before the end of that period.

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(a) 1981 c.67.

(b) 1981 (c.66), as amended by paragraph 150, Schedule 1, of S.I. 2009/1307.



## **Compulsory acquisition of rights and imposition of restrictive covenants**

**30.**—(1) Subject to the following paragraphs of this article, the undertaker may acquire such rights over the Order land or impose restrictive covenants affecting the land as may be required for any purpose for which that land may be acquired under article 27 (compulsory acquisition of land), by creating them as well as acquiring rights already in existence.

(2) The powers of paragraph (1) may be exercised by a statutory undertaker or by an owner or occupier of land identified in column (4) of the table in Part 4 of Schedule 4 (permanent stopping up of highways and private means of access and provision of new highways and private means of access) to this Order, instead of by the undertaker in any case where the undertaker has given its prior consent to that in writing, and that consent may be given subject to terms and conditions.

(3) Where in consequence of paragraph (2), a statutory undertaker or an owner or occupier of land exercises the powers in paragraph (1) in place of the undertaker, the statutory undertaker or the owner or occupier of land, as the case may be, is to be treated for the purposes of this Order, and by any person with an interest in the land affected, as being the undertaker in relation to the acquisition of the rights and the imposition of the restrictive covenants in question, except in relation to the payment of compensation the liability for which remains with the undertaker.

(4) In the case of the Order land specified in column (1) of Schedule 5 (land in which new rights etc. may be acquired) the undertaker's powers of compulsory acquisition are limited to the acquisition of such wayleaves, easements, new rights in the land or the imposition of restrictive covenants as may be required for the purpose specified in relation to that land in column (2) of that Schedule and relating to that part of the authorised development specified in column (3) of that Schedule.

(5) The power under paragraph (1) to acquire the rights and to impose the restrictive covenants described in Schedule 5 for the benefit of statutory undertakers or for the benefit of any other person—

- (a) does not preclude the acquisition of such other rights and the imposition of such other restrictive covenants in respect of the same land in accordance with Schedule 5 as may be required for the benefit of any other statutory undertaker or any other person; and
- (b) must not be exercised by the undertaker in a way that precludes the acquisition of such other rights and the imposition of such other restrictive covenants in respect of the same land in accordance with Schedule 5 as are required for the benefit of any other statutory undertaker or any other person.

(6) Subject to section 8(a) (other provisions as to divided land) of, and Schedule 2A (counter-notice requiring purchase of land not in notice to treat) to the 1965 Act (as substituted by paragraph 5(8) of Schedule 6 (modification of compensation and compulsory purchase enactments for creation of new rights)), where the undertaker acquires a right over land or the benefit of a restrictive covenant, affecting land under paragraph (1) or (2), the undertaker is not required to acquire a greater interest in that land.

(7) Schedule 6 has effect for the purpose of modifying the enactments relating to compensation and the provisions of the 1965 Act in their application in relation to the compulsory acquisition under this article of a right over land by the creation of a new right or the imposition of a restrictive covenant.

## **Private rights over land**

**31.**—(1) Subject to the provisions of this article, all private rights over land subject to compulsory acquisition under this Order are extinguished on—

- (a) the date of acquisition of the land by the undertaker whether compulsorily or by agreement; or

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(a) Section 8 was amended by paragraphs 1 and 2 of Schedule 17 to the Housing and Planning Act 2016 (c.22) and paragraph 62, Schedule 1, of S.I.2009/1307.

- (b) the date of entry on the land by the undertaker under section 11(1)(a) (power of entry) of the 1965 Act,-

whichever is the earlier.

(2) Subject to the provisions of this article, all private rights over land subject to the compulsory acquisition of rights or the imposition of restrictive covenants under this Order are extinguished in so far as their continuance would be inconsistent with the exercise of the right or the burden of the restrictive covenant—

- (a) from the date of the acquisition of the right or the benefit of the restrictive covenant by the undertaker, whether compulsorily or by agreement; or
- (b) on the date of entry on the land by the undertaker under section 11(1)(b) (power of entry) of the 1965 Act.

whichever is earlier.

(3) Subject to the provisions of this article, all private rights over land owned by the undertaker which, being within the limits of land which that are within the Order limits are extinguished when any material operation comprised in the authorised development interferes with or breaches those rights.

(4) Subject to the provisions of this article, all private rights over land of which the undertaker takes temporary possession under this Order are suspended and unenforceable for as long as the undertaker remains in lawful possession of the land.

(5) Any person who suffers loss by the extinguishment or suspension of any private right under this article is entitled to compensation in accordance with the terms of section 152(c) (compensation in case where no right to claim in nuisance) of the 2008 Act to be determined, in case of dispute, as if it were a dispute under Part 1(determination of questions of disputed compensation) of the 1961 Act(d).

(6) This article does not apply in relation to any right to which section 138(e) (extinguishment of rights, and removal of apparatus, of statutory undertakers etc.) of the 2008 Act or article 42 (statutory undertakers) applies.

(7) Paragraphs (1) to (4) have effect subject to—

- (a) any notice given by the undertaker before—
  - (i) the completion of the acquisition of the land or the acquisition of the rights or the imposition of the restrictive covenant over or affecting the land;
  - (ii) the undertaker's appropriation of it;
  - (iii) the undertaker's entry onto it; or
  - (iv) the undertaker's taking temporary possession of it,that any or all of those paragraphs do not apply to any right specified in the notice; and
- (b) any agreement made at any time between the undertaker and the person in or to whom the right in question is vested or belongs.

(8) If any such agreement is referred to in paragraph (7)(b)—

- (a) is made with a person in or to whom the right is vested or belongs; and

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(a) Section 11 was amended by section 34(1) of, and Schedule 4 to, the Acquisition of Land Act 1981 (c.67) , section 14 of, and paragraph 12(1) of Schedule 5 to, the Church of England (Miscellaneous Provisions) Measure (2006 No. 1); and sections 186(1) and (2), 187 of the Housing and Planning Act 2016.

(b) 1965 (c.56). Section 11 was amended by section 34(1) of, and Schedule 4 to, the Acquisition of Land Act 1981 (c.67) , section 3 of, and part 1 of Schedule 1 to, the Housing (Consequential Provisions) Act 1985 (c.71) , section 14 of, and paragraph 12(1) of Schedule 5 to, the Church of England (Miscellaneous Provisions) Measure 2006 (No.1), Section 103 of the Planning and Compulsory Purchase Act 2004 c.5 and S.I. 2009/1307.

(c) Section 152 as implemented by S.I. 2009/1307.

(d) 1961 (c.33), Part 1 as amended by S.I. 1994/2716, 1998 (c 38), S.I. 1999/481, S.I. 2009/1307, S.I. 2010/490, S.I. 2017/1012 and 2016 (c.9).

(e) Section 138 was amended by section 23 (1) and (4) of the Growth and Infrastructure Act 2013 (c.27 ) and S.I. 2017/1285.

- (b) is expressed to have effect also for the benefit of those deriving title from or under that person,

it is effective in respect of the persons so deriving title, whether the title was derived before or after the making of the agreement.

(9) References in this article to private rights over land include any trust, incident, easement, liberty, privilege, right or advantage annexed to land and adversely affecting other land, including any natural right to support and include restrictions as to the user of land arising by virtue of a contract, agreement or undertaking having that effect.

(10) From such date as the undertaker may determine, which may not be later than the date on which the private means of access listed in column 2 of Part 4 of Schedule 4 is stopped up, the owners and occupiers, their agents contractors and any person with the permission of the owner or occupier of the land to be accessed by the private means of access to be substituted or provided on the Order Land and listed in column 4 of Part 4 of Schedule 4, will be entitled to take access to their land at all times with or without vehicles across or along the private means of access to be substituted or provided on the Order Land listed in column 4 of Part 4 of Schedule 4.

### **Power to override easements and other rights**

**32.—**(1) Any authorised activity which takes place on land within the Order limits (whether the activity is undertaken by the undertaker or by any person deriving title from the undertaker or by any contractors, servants or agents of the undertaker) is authorised by this Order if it is done in accordance with the terms of this Order, notwithstanding that it involves—

- (a) an interference with an interest or right to which this article applies; or
- (b) a breach of a restriction as to the user of land arising by virtue of a contract.

(2) The interests and rights to which this article applies include any easement, liberty, privilege, right or advantage annexed to land and adversely affecting other land, including any natural right to support and include restrictions as to the user of land arising by the virtue of a contract.

(3) Where an interest, right or restriction is overridden by paragraph (1), compensation—

- (a) is payable under section 7 (measure of compensation in case of severance) or 10 (further provision as to compensation for injurious affection) of the 1965 Act; and
- (b) is to be assessed in the same manner and subject to the same rules as in the case of other compensation under those sections where—
  - (i) the compensation is to be estimated in connection with a purchase under that Act; or
  - (ii) the injury arises from the execution of works on or use of land acquired under that Act.

(4) Where a person deriving title under the undertaker by whom the land in question was acquired—

- (a) is liable to pay compensation by virtue of paragraph (3); and
- (b) fails to discharge that liability, the liability is enforceable against the undertaker.

(5) Nothing in this article is to be construed as authorising any act or omission on the part of any person which is actionable at the suit of any person on any grounds other than such an interference or breach as is mentioned in paragraph (1) of this article.

(6) In this article “authorised activity” means—

- (a) the erection, construction or maintenance of any part of the authorised development;
- (b) the exercise of any power authorised by this Order; or
- (c) the use of any land (including the temporary use of land).

### **Disregard of certain interests and improvements**

**33.**—(1) In assessing the compensation payable to any person on the acquisition from that person of any land or right over any land under this Order, the tribunal must not take into account—

- (a) any interest in land; or
- (b) any enhancement of the value of any interest in land by reason of any building erected, works carried out or improvement or alteration made on the relevant land,

if the tribunal is satisfied that the creation of the interest, the erection of the building, the carrying out of the works or the making of the improvement or alteration as part of the authorised development was not reasonably necessary and was undertaken with a view to obtaining compensation or increased compensation.

(2) In paragraph (1) “relevant land” means the land acquired from the person concerned or any other land with which that person is, or was at the time when the building was erected, the works constructed or the improvement or alteration made as part of the authorised development, directly or indirectly concerned.

### **Set-off for enhancement in value of retained land**

**34.**—(1) In assessing the compensation payable to any person in respect of the acquisition from that person under this Order of any land (including the subsoil) the tribunal must set off against the value of the land so acquired any increase in value of any contiguous or adjacent land belonging to that person in the same capacity which will accrue to that person by reason of the construction of the authorised development.

(2) In assessing the compensation payable to any person in respect of the acquisition from that person of any new rights over land (including the subsoil) under article 30 (compulsory acquisition of rights and imposition of restrictive covenants), the tribunal must set off against the value of the rights so acquired—

- (a) any increase in the value of the land over which the new rights are required; and
- (b) any increase in value of any contiguous or adjacent land belonging to that person in the same capacity,

which will accrue to that person by reason of the construction of the authorised development.

(3) The 1961 Act has effect, subject to paragraphs (1) and (2) as if this Order were a local enactment for the purposes of that Act.

### **No double recovery**

**35.** Compensation is not payable in respect of the same matter both under this Order and under any other enactment, any contract or any rule of law, or under two or more different provisions of this Order.

### **Modification of Part 1 of the 1965 Act**

**36.**—(1) Part 1 of the 1965 Act, as applied to this Order by section 125(a) (application of compulsory acquisition provisions) of the 2008 Act, is modified as follows.

(2) In section 4A(1)(b) (extension of time limit during challenge) for “section 23 of the Acquisition of Land Act 1981 (application to High Court in respect of compulsory purchase order), the three year period mentioned in section 4” substitute “section 118 of the Planning Act 2008 (legal challenges relating to applications for orders granting development consent(c)), the

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(a) Section 125 was amended by section 190 of, and paragraph 17, Schedule 16 to the Housing and Planning Act 2016.

(b) Section 4A(1) was inserted by section 202(1) of the Housing and Planning Act 2016.

(c) Section 118 was amended by paragraphs 1 and 59 of Schedule 13 and Part 20 of Schedule 25 to the Localism Act 2011 (c.20) and section 92(4) of the Criminal Justice and Courts Act 2015 (c.2)

five year period mentioned in article 29 (time limit for exercise of authority to acquire land compulsorily) of the A12 Chelmsford to A120 Widening Development Consent Order 202[X]”.

(3) In section 11A(a) (powers of entry: further notice of entry)—

(a) in subsection (1)(a), after “land” insert “under that provision”;

(b) in subsection (2), after “land” insert “under that provision”.

(4) In section 22(2) (expiry of time limit for exercise of compulsory purchase power not to affect acquisition of interests omitted from purchase), for “section 4 of this Act” substitute “article 29 (time limit for exercise of authority to acquire land compulsorily) of the A12 Chelmsford to A120 Widening Development Consent Order 202[X]”.

(5) In Schedule 2A (counter-notice requiring purchase of land not in notice to treat)—

(a) for paragraphs 1(2) and 14(2) substitute—

“(2) But see article 38 (acquisition of subsoil or airspace only) on the A12 Chelmsford to A120 Widening Development Consent Order 202[X], which excludes the acquisition of subsoil or airspace only from this schedule;”

(b) after paragraph 29, end insert—

## “PART 4

### INTERPRETATION

**30.** In this Schedule, references to entering on and taking possession of land do not include doing so under article 25 (protective work to buildings), 40 (temporary use of land for carrying out the authorised development) or 41 (temporary use of land for maintaining the authorised development) of the A12 Chelmsford to A120 Widening Development Consent Order [XX]”.

### **Application of the 1981 Act**

**37.**—(1) The 1981 Act applies as if this Order were a compulsory purchase order.

(2) The 1981 Act, as applied by paragraph (1), has effect with the following modifications.

(3) In section 1 (application of Act), for subsection 2 substitute—

“(2) This section applies to any Minister, any local or other public authority or any other body or person authorised to acquire land by means of a compulsory purchase order.”

(4) In section 5(b) (earliest date for execution of declaration) in subsection (2), omit the words from “, and this subsection” to the end.

(5) Omit section 5A(c) (time limit for general vesting declaration).

(6) In section 5B(d) (extension of time limit during challenge) for “section 23 of the Acquisition of Land Act 1981 (application to High Court in respect of compulsory purchase order), the three year period mentioned in section 5A” substitute “section 118 (legal challenges relating to applications for orders granting development consent) of the Planning Act 2008, the five year period mentioned in article 29 (time limit for exercise of authority to acquire land compulsorily) of the A12 Chelmsford to A120 Widening Development Consent Order 202[X]”.

(7) In section (6)(e) (notices after execution of declaration), in subsection (1)(b), for “section 15 of, or paragraph 6 of Schedule 2 to, the Acquisition of Land Act 1981” substitute “section 134(a) (notice of authorisation of compulsory acquisition) of the Planning Act 2008”.

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(a) Section 11A was inserted by section 186(3) Housing and Planning Act 2016..

(b) Section 5 was amended by Schedule 15 to the Housing and Planning Act 2016.

(c) Section 5A was inserted by section 186(2) of the Housing and Planning Act 2016.

(d) Section 5B was inserted by section 202(2) of the Housing and Planning Act 2016.

(e) Section 6 was amended by section 4 of, and paragraph 52(2) of Schedule 2 to, the Planning (Consequential Provisions) Act 1990 (C.22) and paragraph 7 of Schedule 15 to the Housing and Planning Act 2016.

(8) In section 7(b) (constructive notice to treat), in subsection (1)(a), omit “(as modified by section 4 of the Acquisition of Land Act 1981)”.

(9) In Section 11 (recovery of compensation overpaid) for subsection (1) substitute—

“(1) This section applies where after the execution of a general vesting declaration a person (“the claimant”) claims compensation in respect of the Acquisition of an interest in land by virtue of the declaration and the acquiring authority pay compensation in respect of that interest”.

(10) In Schedule A1(c) (counter-notice requiring purchase of and not in general vesting declaration) for paragraph 1(2) substitute—

“(2) But see article 38(3) (acquisition of subsoil or airspace only) of the A12 Chelmsford to A120 Widening Development Consent Order 202[X], which excludes the acquisition of subsoil or airspace only from this Schedule”.

(11) References to the 1965 Act in the 1981 Act are to be construed as references to the 1965 Act as applied by section 125 (application of compulsory acquisition provisions) of the 2008 Act (and as modified by article 36 (modification of Part 1 of the 1965 Act)) to the compulsory acquisition of land under this Order.

### **Acquisition of subsoil or airspace only**

**38.**—(1) The undertaker may acquire compulsorily so much of, or such rights in, the subsoil of or the airspace over the land referred to in paragraph (1) of article 27 (compulsory acquisition of land) as may be required for any purpose for which that land may be acquired under that provision instead of acquiring the whole of the land.

(2) Where the undertaker acquires any part of, or rights in, the subsoil of or the airspace over the land referred to in paragraph (1), the undertaker is not required to acquire an interest in any other part of the land.

(3) The following do not apply in connection with the exercise of the power under paragraph (1) in relation to subsoil or airspace only—

- (a) Schedule 2A (counter-notice requiring purchase of land not in notice to treat) to the 1965 Act (as modified by article 36 (modification of Part 1 of the 1965 Act)) of this Order;
- (b) Schedule A1 (counter-notice requiring purchase of land not in general vesting declaration) to the Compulsory Purchase (Vesting Declarations) Act 1981; and
- (c) section 153 (4A)(d) (blighted land: proposed acquisition of part interest; material detriment test) of the Town and Country Planning Act 1990.

(4) Paragraphs (2) and (3) are to be disregarded where the undertaker acquires a cellar, vault, arch or other construction forming part of a house, building or manufactory or airspace above a house, building or manufactory.

### **Rights under or over streets**

**39.**—(1) The undertaker may enter on and appropriate so much of the subsoil of, or airspace over, any street within the Order limits as may be required for the purposes of the authorised development and may use the subsoil or airspace for those purposes or any other purpose ancillary to the authorised development.

(2) Subject to paragraph (3), the undertaker may exercise any power conferred by paragraph (1) in relation to a street without being required to acquire any part of the street or any easement or right in the street.

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(a) As amended by paragraph 52(2) of Schedule 2 to the Planning (Consequential Provisions) Act 1990 (c.11) and paragraph 7 of Schedule 15 to the Housing and Planning Act 2016 (c.22).

(b) Section 7(1) was substituted by paragraphs 1 and 3 of Schedule 18 to the Housing and Planning Act 2016.

(c) Schedule A1 was inserted by paragraph 6 of Part 1 of Schedule 18 to the Housing and Planning Act 2016.

(d) Section 153(4A) was inserted by section 200(1) and (2) of the Housing and Planning Act 2016.

(3) Paragraph (2) does not apply in relation to—

- (a) any subway or underground building; or
- (b) any cellar, vault, arch or other construction in, on or under a street which forms part of a building fronting onto the street.

(4) Subject to paragraph (5), any person who is an owner or occupier of land in respect of which the power of appropriation conferred by paragraph (1) is exercised without the undertaker acquiring any part of that person's interest in the land, and who suffers loss as a result, is entitled to compensation to be determined, in case of dispute, under Part 1 of the 1961 Act.

(5) Compensation is not payable under paragraph (4) to any person who is a statutory undertaker to whom section 85 (sharing of cost of necessary measures) of the 1991 Act applies in respect of measures of which the allowable costs are to be borne in accordance with that section.

### **Temporary use of land for carrying out the authorised development**

**40.**—(1) The undertaker may, in connection with the carrying out of the authorised development, but subject to article 29 (time limit for exercise of authority to acquire land compulsorily)—

- (a) enter on and take possession of—
  - (i) the land specified in columns (1) and (2) of Schedule 7 (land of which temporary possession may be taken) for the purpose specified in relation to that land in column (3) of that Schedule relating to the part of the authorised development specified in column (4) of that Schedule; and
  - (ii) any other Order land in respect of which no notice of entry has been served under section 11 (powers of entry) of the 1965 Act (other than in connection with the acquisition of rights only) and no declaration has been made under section 4 (execution of declaration) of the 1981 Act;
- (b) remove any electric line, electrical plant, structures, apparatus, buildings and vegetation from that land,
- (c) construct temporary works (including the provision of means of access) and buildings or structures on that land; and
- (d) construct any works on that land as are mentioned in Schedule 1 (authorised development).

(2) Not less than 28 days before entering on and taking temporary possession of land under this article the undertaker must serve notice of the intended entry on the owners and occupiers of the land and explain the purpose for which entry is taken in respect of land specified under paragraph (1)(a)(ii).

(3) The undertaker may not, without the agreement of the owners of the land, remain in possession of any land under this article—

- (a) in the case of land specified in paragraph (1)(a)(i), after the end of the period of one year beginning with the date of completion of the part of the authorised development specified in relation to that land in column (4) of Schedule 7 (land of which temporary possession may be taken); or
- (b) in the case of any land referred to in paragraph (1)(a)(ii), after the end of the period of one year beginning with the date of completion of the work for which temporary possession of the land was taken unless the undertaker has, by the end of that period, served a notice of entry under section 11 of the 1965 Act or made a declaration under section 4 of the 1981 Act in relation to that land.

(4) Before giving up possession of land of which temporary possession has been taken under this article, the undertaker must remove all temporary works and restore the land to the reasonable satisfaction of the owners of the land; but the undertaker is not required to—

- (a) replace a building removed under this article;

- (b) restore the land on which any permanent works have been constructed under paragraph (1)(d);
- (c) remove any ground strengthening works which have been placed on the land to facilitate construction of the authorised development;
- (d) remove any measures installed over or around statutory undertakers' apparatus to protect that apparatus from the authorised development;
- (e) remove or reposition any apparatus installed for or belonging to statutory undertakers; or
- (f) remove or reposition any necessary mitigation or accommodation works.

(5) The undertaker must pay compensation to the owners and occupiers of land of which temporary possession is taken under this article for any loss or damage arising from the exercise in relation to the land of the provisions of this article.

(6) Any dispute as to a person's entitlement to compensation under paragraph (5), or as to the amount of the compensation, is to be determined as if it were a dispute under Part 1 (determination of questions of disputed compensation) of the 1961 Act.

(7) Any dispute as to the removal of temporary works and restoration of land under paragraph (4) does not prevent the undertaker giving up possession of the land.

(8) Subject to article 35 (no double recovery), nothing in this article affects any liability to pay compensation under section 152 (compensation in case where no right to claim in nuisance) of the 2008 Act or under any other enactment in respect of loss or damage arising from the carrying out of the authorised development, other than loss or damage for which compensation is payable under paragraph (5).

(9) The undertaker may not compulsorily acquire under this Order the land referred to in paragraph (1)(a)(i) except that the undertaker is not to be precluded from acquiring any part of the subsoil of or airspace over (or rights in the subsoil of or airspace over) that land under article 38 (acquisition of subsoil or airspace only).

(10) Where the undertaker takes possession of land under this article, the undertaker is not required to acquire the land or any interest in it.

(11) Section 13(a) (refusal to give possession to acquiring authority) of the 1965 Act applies to the temporary use of land under this article to the same extent as it applies to the compulsory acquisition of land under this Order by virtue of section 125 (application of compulsory acquisition provisions) of the 2008 Act.

(12) Paragraph (1)(a)(ii) does not authorise the undertaker to take temporary possession of any land which the undertaker is not authorised to acquire under article 27 (compulsory acquisition of land) or article 30 (compulsory acquisition of rights and imposition of restrictive covenants).

### **Temporary use of land for maintaining the authorised development**

**41.**—(1) Subject to paragraph (2), at any time during the maintenance period relating to any part of the authorised development, the undertaker may—

- (a) enter upon and take temporary possession of any land within the Order limits if such possession is reasonably required for the purpose of maintaining the authorised development;
- (b) enter on any land within the Order limits for the purpose of gaining such access as is reasonably required for the purpose of maintaining the authorised development; and
- (c) construct such temporary works (including the provision of means of access) and buildings on the land as may be reasonably necessary for that purpose.

(2) Paragraph (1) does not authorise the undertaker to take temporary possession of—

- (a) any house or garden belonging to a house; or

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(a) Section 13 was amended by sections 62(3) and 139 of, and paragraphs 27 and 28 of Schedule 13, and part of Schedule 23, to, the Tribunals, Courts and Enforcement Act 2007 (c.15).



(b) any building (other than a house) if it is for the time being occupied.

(3) Not less than 28 days before entering upon and taking temporary possession of land under this article the undertaker must serve notice of the intended entry on the owners and occupiers of the land and must explain the purpose for which entry is taken.

(4) The undertaker is not required to serve notice under paragraph (3) where the undertaker has identified a potential risk to the safety of—

- (a) the authorised development or any of its parts;
- (b) the public; or
- (c) the surrounding environment, and

in such circumstances, the undertaker may enter the land under paragraph (1) subject to giving such period of notice as is reasonably practical in the circumstances.

(5) The undertaker may only remain in possession of land under this article for so long as may be reasonably necessary to carry out the maintenance of the part of the authorised development for which possession of the land was taken.

(6) Before giving up possession of land of which temporary possession has been taken under this article, the undertaker must remove all temporary works and restore the land to the reasonable satisfaction of the owners of the land.

(7) Any dispute as to the removal of temporary works and restoration of land under paragraph (5) does not prevent the undertaker giving up possession of the land.

(8) The undertaker must pay compensation to the owners and occupiers of land of which temporary possession is taken under this article for any loss or damage arising from the exercise in relation to the land of the powers conferred by this article.

(9) Any dispute as to a person's entitlement to compensation under paragraph (8), or as to the amount of the compensation, is to be determined as if it were a dispute under Part 1 of the 1961 Act.

(10) Nothing in this article affects any liability to pay compensation under section 152 (compensation in case where no right claim in nuisance) of the 2008 Act or under any other enactment in respect of loss or damage arising from the execution of any works, other than loss or damage for which compensation is payable under paragraph (8).

(11) Where the undertaker takes possession of land under this article, the undertaker is not required to acquire the land or any interest in it.

(12) Section 13 (refusal to give possession to acquiring authority) of the 1965 Act applies to the temporary use of land under to this article to the same extent as it applies to the compulsory acquisition of land under this Order by virtue of section 125 (application of compulsory acquisition provisions) of the 2008 Act.

(13) In this article “the maintenance period”, in relation to any part of the authorised development, means the period of 5 years beginning with the date on which that part of the authorised development is first opened for use.

### **Statutory undertakers**

**42.**—(1) Subject to the provisions of article 30 (compulsory acquisition of rights and imposition of restrictive covenants), Schedule 11 (protective provisions) and paragraph (2), the undertaker may—

- (a) acquire compulsorily, or acquire new rights or impose restrictive covenants over, any Order land belonging to statutory undertakers; and
- (b) extinguish the rights of, or remove or reposition the apparatus belonging to, statutory undertakers over or within the Order land.

(2) Paragraph (1)(b) has no effect in relation to apparatus in respect of which the following provisions apply—

- (a) Part 3 (street works in England and Wales) of the 1991 Act; and

- (b) article 43(2) (apparatus and rights of statutory undertakers in stopped up streets).

### **Apparatus and rights of statutory undertakers in stopped up streets**

**43.**—(1) Where a street is stopped up under article 20 (permanent stopping up and restriction of use of streets and private means of access), any statutory utility whose apparatus is under, in, on, along or across the street has the same powers and rights in respect of that apparatus, subject to the provisions of this article, as if this Order had not been made.

(2) Where a street is stopped up under article 20 (permanent stopping up and restriction of use of streets and private means of access) any statutory utility whose apparatus is under, in, on, over, along or across the street may, and if reasonably requested to do so by the undertaker must—

- (a) remove the apparatus and place it or other apparatus provided in substitution for it in such other position as the utility may reasonably determine and have power to place it; or
- (b) provide other apparatus in substitution for the existing apparatus and place it in such position as described in sub-paragraph (a).

(3) Subject to the following provisions of this article, the undertaker must pay to any statutory utility an amount equal to the cost reasonably incurred by the utility in or in connection with—

- (a) the execution of the relocation works required in consequence of the stopping up of the street; and
- (b) the doing of any other work or thing rendered necessary by the execution of the relocation works.

(4) If in the course of the execution of relocation works under paragraph (2)—

- (a) apparatus of a better type, of greater capacity or of greater dimensions is placed in substitution for existing apparatus; or
- (b) apparatus (whether existing apparatus or apparatus substituted for existing apparatus) is placed at a depth greater than the depth at which the existing apparatus was,

and the placing of apparatus of that type or capacity or of those dimensions or the placing of apparatus at that depth, as the case may be, is not agreed by the undertaker, or, in default of agreement, is not determined by arbitration to be necessary, then, if it involves cost in the execution of the relocation works exceeding that which would have been involved if the apparatus placed had been of the existing type, capacity or dimensions, or at the existing depth, as the case may be, the amount which, apart from this paragraph, would be payable to the statutory utility by virtue of paragraph (3) is to be reduced by the amount of that excess.

(5) For the purposes of paragraph (4)—

- (a) an extension of apparatus to a length greater than the length of existing apparatus is not to be treated as a placing of apparatus of greater dimensions than those of the existing apparatus; and
- (b) where the provision of a joint in a cable is agreed, or is determined to be necessary, the consequential provision of a jointing chamber or of a manhole is to be treated as if it also had been agreed or had been so determined.

(6) An amount which, apart from this paragraph, would be payable to a statutory utility in respect of works by virtue of paragraph (3) (and having regard, where relevant, to paragraph (4)) must, if the works include the placing of apparatus provided in substitution for apparatus placed more than 7 years and 6 months earlier so as to confer on the utility any financial benefit by deferment of the time for renewal of the apparatus in the ordinary course, be reduced by the amount which represents that benefit.

(7) Paragraphs (3) to (6) do not apply where the authorised development constitutes major highway works, major bridge works or major transport works for the purposes of Part 3 of the 1991 Act, but instead—

- (a) the allowable costs of the relocation works are to be determined in accordance with section 85 (sharing of cost of necessary measures) of that Act and any regulations for the time being having effect under that section; and

(b) the allowable costs are to be borne by the undertaker and the statutory utility in such proportions as may be prescribed by any such regulations.

(8) In this article—

“apparatus” has the same meaning as in Part 3 of the 1991 Act;

“relocation works” means work executed, or apparatus provided, under paragraph (2); and

“statutory utility” means a statutory undertaker for the purposes of the 1980 Act or a public communications provider as defined in section 151(1) of the Communications Act 2003(a).

### **Recovery of costs of new connections**

**44.**—(1) Where any apparatus of a public utility undertaker or of a public communications provider is removed under article 42 (statutory undertakers) any person who is the owner or occupier of premises to which a supply was given from that apparatus is entitled to recover from the undertaker compensation in respect of expenditure reasonably incurred by that person, in consequence of the removal, for the purpose of effecting a connection between the premises and any other apparatus from which a supply is given.

(2) Paragraph (1) does not apply in the case of the removal of a public sewer but where such a sewer is removed under article 41 (temporary use of land for maintaining the authorised development), any person who is—

(a) the owner or occupier of premises the drains of which communicated with that sewer; or

(b) the owner of a private sewer which communicated with that sewer,

is entitled to recover from the undertaker compensation in respect of expenditure reasonably incurred by that person, in consequence of the removal, for the purpose of making the drain or sewer belonging to that person communicate with any other public sewer or with a private sewerage disposal plant.

(3) This article does not have effect in relation to apparatus to which article 43 (apparatus and rights of statutory undertakers in stopped up streets) or Part 3 of the 1991 Act applies.

(4) In this paragraph—

“public communications provider” has the same meaning as in section 151(1) (interpretation of Chapter 1) of the Communications Act 2003(b); and

“public utility undertaker” means a gas, water, electricity or sewerage undertaker.

### **Special category land**

**45.**—(1) On the exercise by the undertaker of the relevant Order powers, the special category land identified in Part 1 of Schedule 8 is not to vest in the undertaker, and the undertaker may not acquire any rights over the special category (rights) land identified in Part 2 of Schedule 8 until the undertaker has acquired the replacement land identified in Part 4 of Schedule 8 and the Secretary of State (in consultation with the relevant planning authority) has certified that a scheme for the provision of the replacement land as open space and a timetable for the implementation of the scheme has been received from the undertaker.

(2) On the requirements of paragraph (1) being satisfied, the special category land identified in Part 1 of Schedule 8 is to vest in the undertaker and be discharged from all rights, trusts and incidents to which it was previously subject.

(3) On the requirements of paragraph (1) being satisfied, the undertaker may acquire the rights over the special category (rights) land are to vest in the undertaker and the special category (rights) land is to be discharged from all private rights to which it was previously subject in accordance with article 31 (private rights over land) subject so far as their continuance would be inconsistent with the said rights that are to be acquired.

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(a) There are amendments to section 151 which are not relevant to this Order.

(b) There are amendments to section 151 which are not relevant to this Order.

(4) On the date on which the replacement land is laid out and provided in accordance with the scheme requirements at paragraph (1), the replacement land is to vest in the person(s) in whom the special category land was vested immediately before it was vested in the undertaker and is to be subject to the same rights, trusts and incidents as attached to the special category land.

(5) In this article “the relevant Order powers” means the powers exercisable over the special category land by the undertaker under article 27 (Compulsory acquisition of land) or article 30 (compulsory acquisition of rights and imposition of restrictive covenants).

## PART 6 OPERATIONS

### **Felling or lopping of trees and removal of hedgerows**

**46.**—(1) The undertaker may fell or lop any tree or shrub, or cut back its roots, within or overhanging land within the Order limits if it reasonably believes it to be necessary to do so to prevent the tree or shrub—

- (a) from obstructing or interfering with the construction, maintenance or operation of the authorised development or any apparatus used in connection with the authorised development; or
- (b) from constituting a danger to persons using the authorised development.

(2) In carrying out any activity authorised by paragraph (1) or (4) the undertaker must—

- (a) do no unnecessary damage to any tree or shrub; and
- (b) pay compensation to any person for any loss or damage arising from such activity.

(3) Any dispute as to a person’s entitlement to compensation under paragraph (2), or as to the amount of compensation, is to be determined and if it were a dispute under Part 1 of the 1961 Act.

(4) The undertaker may, for the purposes of carrying out the authorised development but subject to paragraph (2)—

- (a) remove any hedgerow described in Part 1, Part 2 or Part 3 of Schedule 9 (hedgerows and trees); and
- (b) subject to consultation with the relevant planning authority, remove any hedgerow within the Order limits that may be identified and that is not otherwise set out within Part 1, Part 2 or Part 3 of Schedule 9.

(5) In this article “hedgerow” has the same meaning as in the Hedgerows Regulations 1997<sup>(a)</sup> and includes important hedgerows.

### **Trees subject to tree preservation orders, etc.**

**47.**—(1) The undertaker may fell or lop any tree described in Part 4 of Schedule 9 (trees subject to tree preservation orders), cut back its roots or undertake such other works as the undertaker reasonably believes to be necessary to prevent the tree or shrub—

- (a) from obstructing or interfering with the construction, maintenance or operation of the authorised development or any apparatus used in connection with the authorised development; or
- (b) from constituting a danger to persons using the authorised development.

(2) In carrying out any activity authorised by paragraph (1)—

- (a) the undertaker must do no unnecessary damage to any tree or shrub and must pay compensation to any person for any loss or damage arising from such activity; and

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(a) S.I. 1997/1160 as amended by S.I. 2003/2155, S.I. 2015/1997, S.I. 2015/377, S.I. 2009/1307 and S.I. 2013/755.

(b) the duty contained in section 206(1) (replacement of trees) of the 1990 Act is not to apply although where possible the undertaker is to seek to replace any trees which are removed.

(3) The authority given in paragraph (1) constitutes a deemed consent under the relevant tree preservation order.

(4) The powers in paragraph (1) may be exercised in relation to any tree or shrub that is situated within a conservation area designated under Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

(5) Action may not be taken under paragraph (4) unless the undertaker has given written notice to the relevant planning authority of the intended action (with sufficient particulars to identify the tree), and either—

(a) the relevant planning authority has indicated in writing that it has no objection to the works or that they fall within an exemption in paragraph (6) or (7), or

(b) six weeks have elapsed from the date of the notice and a tree preservation order has not been made in respect of the tree or shrub.

(6) Paragraph (4) does not apply where consent would not be needed for the proposed action if the tree or shrub were subject to a tree preservation order.

(7) Paragraph (4) does not apply to any action which would be exempt in accordance with regulations under section 212 of the 1990 Act (disapplication of tree preservation offences).

(8) The duty contained in section 213(1) of the 1990 Act (replacement of trees) does not apply to the undertaker in carrying out any activity authorised by paragraphs (4) and (5).

(9) The authority given by paragraphs (4) and (5) constitutes an authorisation by an order granting development consent for the purposes of section 211(1A) of the 1990 Act.

(10) In carrying out any activity authorised by this article, the undertaker must not unnecessarily damage any tree or shrub and must pay compensation to any person for any loss or damage arising from such activity.

(11) Any dispute as to a person's entitlement to compensation under this article, or as to the amount of compensation, is to be determined as if it were a dispute under Part 1 (of the 1961 Act).

## PART 7

### MISCELLANEOUS AND GENERAL

#### **Application of landlord and tenant law**

**48.**—(1) This article applies to—

(a) any agreement for lease to any person the whole or any part of the authorised development or the right to operate the same; and

(b) any agreement entered into by the undertaker with any person for the construction, maintenance, use or operation of the authorised development, or any part of it,

so far as any such agreement relates to the terms on which any land which is the subject of a lease granted by or under that agreement is to be provided for that person's use.

(2) No enactment or rule of law regulating the rights and obligations of landlords and tenants prejudices the operation of any agreement to which this article applies.

(3) No such enactment or rule of law applies in relation to the rights and obligations of the parties to any lease granted by or under any such agreement so as to—

(a) exclude or in any respect modify any of the rights and obligations of those parties under the terms of the lease, whether with respect to the termination of the tenancy or any other matter;

- (b) confer or impose on any such party any right or obligation arising out of or connected with anything done or omitted on or in relation to land which is the subject of the lease, in addition to any such right or obligation provided for by the terms of the lease; or
- (c) restrict the enforcement (whether by action for damages or otherwise) by any party to the lease of any obligation of any other party under the lease.

### **Operational land for purposes of the 1990 Act**

**49.** Development consent granted by this Order is to be treated as specific planning permission for the purposes of section 264(3)(a) (cases in which land is to be treated as operational land for the purposes of that Act) of the 1990 Act.

### **Defence to proceedings in respect of statutory nuisance**

**50.**—(1) Where proceedings are brought under section 82(1) (summary proceedings by person aggrieved by statutory nuisance) of the Environmental Protection Act 1990(a) in relation to a nuisance falling within paragraph (g) of section 79(1) (b) (noise emitted from premises so as to be prejudicial to health or a nuisance) of that Act no order is to be made, and no fine may be imposed, under section 82(2) of that Act if—

- (a) the defendant shows that the nuisance—
  - (i) relates to premises used by the undertaker for the purposes of or in connection with the construction or maintenance of the authorised development and that the nuisance is attributable to the carrying out of the authorised development in accordance with a notice served under section 60 (control of noise on construction sites), or a consent given under section 61 (prior consent for work on construction sites), of the Control of Pollution Act 1974(c); or
  - (ii) is a consequence of the construction or maintenance of the authorised development and that it cannot reasonably be avoided; or
- (b) the defendant shows that the nuisance is a consequence of the use of the authorised development and that it cannot reasonably be avoided.

(2) Section 61(9) (consent for work on construction site to include statement that it does not of itself constitute a defence to proceedings under section 82 of the Environmental Protection Act 1990(d)) of the Control of Pollution Act 1974 does not apply where the consent relates to the use of premises by the undertaker for the purposes of or in connection with the construction or maintenance of the authorised development.

### **Appeals relating to the Control of Pollution Act 1974**

**51.**—(1) Except as otherwise provided for in this Order the undertaker may appeal in the event that a local authority issues a notice under section 60 (control of noise on construction sites), or does not give consent or grants consent but subject to conditions, under section 61 (prior consent for work on construction sites) of the Control of Pollution Act 1974(e).

- (2) The appeal process is as follows—
  - (a) any appeal by the undertaker must be made within 42 days of the date of the notice of the decision, or the date by which a decision was due to be made, as the case may be;

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(a) 1990 (c.43). There are amendments to this sub-section which are not relevant to this Order.  
 (b) There are amendments to section 79(1) which are not relevant to this Order.  
 (c) 1974 (c.40). Section 61 was amended by section 162 of, and paragraph 15(1) and (3) of Schedule 15 to, the Environmental Protection Act 1990 (c. 43), there are other amendments to section 61 of the Act but none are relevant to this Order  
 (d) Section 61(9) was amended by section 162 of, and paragraph 15 of Schedule 15 to, the Environmental Protection Act 1990. There are further amendments to section 61 which are not relevant to this Order.  
 (e) 1974 (c.40). Section 60 was amended by section 162 of, and paragraph 15(1) and (3) of Schedule 15 to, the Environmental Protection Act 1990 (c.43), there are other amendments to section which are not relevant to this Order.

- (b) the undertaker must submit the appeal documentation to the Secretary of State and must on the same day provide copies of the appeal documentation to the local authority and affix a notice to a conspicuous object on or near the site of the works which are the subject of such appeal, which must give details of the decision of the local authority and notice that an appeal has been made together with the address within the locality where the appeal documents may be inspected and details of the manner in which representations on the appeal may be made;
- (c) as soon as is practicable after receiving the appeal documentation, the Secretary of State must appoint a person to consider the appeal (“the appointed person”) and must notify the appeal parties of the identity of the appointed person, a start date and the address to which all correspondence for their attention should be sent;
- (d) the local authority must submit their written representations to the appointed person in respect of the appeal within 10 business days of the start date and must ensure that copies of their written representations and any other representations as sent to the appointed person are sent to each other and to the undertaker on the day on which they are submitted to the appointed person;
- (e) the appeal parties must make any counter-submissions to the appointed person within 10 business days of receipt of written representations under sub-paragraph (d); and
- (f) the appointed person must make a decision and notify it to the appeal parties, with reasons, as soon as reasonably practicable.

(3) The appointment of the person under sub-paragraph (2)(c) may be undertaken by a person appointed by the Secretary of State for this purpose instead of by the Secretary of State.

(4) In the event that the appointed person considers that further information is necessary to enable the appointed person to consider the appeal, the appointed person must as soon as practicable notify the appeal parties in writing specifying the further information required, the appeal party from whom the information is sought, and the date by which the information is to be submitted.

(5) Any further information required under paragraph (4) must be provided by the party from whom the information is sought to the appointed person and to other appeal parties by the date specified by the appointed person.

(6) The appointed person must notify the appeal parties of the revised timetable for the appeal on or before that day.

(7) The revised timetable for the appeal must require submission of written representations to the appointed person within 10 business days of the agreed date but must otherwise be in accordance with the process and time limits set out in sub-paragraphs (2)(c) to (e).

(8) On an appeal under this paragraph, the appointed person may—

- (a) allow or dismiss the appeal; or
- (b) reverse or vary any part of the decision of the local authority (whether the appeal relates to that part of it or not), and may deal with the application as if it had been made to the appointed person in the first instance.

(9) The appointed person may proceed to a decision on an appeal taking into account such written representations as have been sent within the relevant time limits and in the sole discretion of the appointed person such written representations as have been sent outside the relevant time limits.

(10) The appointed person may proceed to a decision even though no written representations have been made within the relevant time limits, if it appears to the appointed person that there is sufficient material to enable a decision to be made on the merits of the case.

(11) The decision of the appointed person on an appeal is final and binding on the parties, and a court may entertain proceedings for questioning the decision only if the proceedings are brought by a claim for judicial review.

(12) Except where a direction is given under paragraph (13) requiring some or all of the costs of the appointed person to be paid by the local authority, the reasonable costs of the appointed person must be met by the undertaker.

(13) The appointed person may give directions as to the costs of the appeal and as to the parties by whom such costs are to be paid.

(14) In considering whether to make any such direction and the terms on which it is to be made, the appointed person must have regard to the relevant Planning Practice Guidance published by the Department for Levelling Up, Housing and Communities or such guidance as may from time to time replace it.

### **Removal of human remains**

**52.**—(1) In this article, “the specified land” means any land within the Order limits.

(2) Before the undertaker carries out any development or works which will or may disturb any human remains in the specified land it must remove those human remains from the specified land, or cause them to be removed, in accordance with the following provisions of this article.

(3) Subject to paragraph (12), before any such remains are removed the undertaker must give notice of the intended removal describing the specified land and stating the general effect of the following provisions of this article by—

- (a) publishing a notice for two successive weeks in a newspaper circulating in the area of the authorised development; and
- (b) displaying a notice in a conspicuous place on or near to the specified land.

(4) As soon as reasonably practicable after the first publication of a notice under paragraph (3) the undertaker must send a copy of the notice to the relevant planning authority.

(5) At any time within 56 days after the first publication of a notice under paragraph (3) any person who is a personal representative or relative of any deceased person whose remains are interred in the specified land may give notice in writing to the undertaker of that person’s intention to undertake the removal of the remains.

(6) Where a person has given notice under paragraph (5), and the remains in question can be identified, that person may cause such remains to be—

- (a) removed and re-interred in any burial ground or cemetery in which burials may legally take place; or
- (b) removed to, and cremated in, any crematorium,

and that person is to, as soon as reasonably practicable after such re-interment or cremation, provide to the undertaker a certificate for the purpose of enabling compliance with paragraph (11).

(7) If the undertaker is not satisfied that any person giving notice under paragraph (5) is the personal representative or relative as that person claims to be, or that the remains in question can be identified, the question must be determined on the application of either party in a summary manner by the county court, and the court may make an order specifying who must remove the remains and as to the payment of the costs of the application.

(8) The undertaker must pay the reasonable expenses of removing and re-interring or cremating the remains of any deceased person under this article.

(9) If—

- (a) within the period of 56 days referred to in paragraph (5) no notice under that paragraph has been given to the undertaker in respect of any remains in the specified land; or
- (b) such notice is given and no application is made under paragraph (7) within 56 days after the giving of the notice but the person who gave the notice fails to remove the remains within a further period of 56 days; or
- (c) within 56 days after any order is made by the county court under paragraph (7) any person, other than the undertaker, specified in the order fails to remove the remains; or
- (d) it is determined that the remains to which any such notice relates cannot be identified



subject to paragraph (10) the undertaker must remove the remains and cause them to be reinterred in such burial ground or cemetery in which burials may legally take place as the undertaker thinks suitable for the purpose; and, so far as possible, remains from individual graves are to be reinterred in individual containers which are to be identifiable by a record prepared with reference to the original position of burial of the remains that they contain.

(10) If the undertaker is satisfied that any person giving notice under paragraph (5) is the personal representative or relative as that person claims to be and that the remains in question can be identified, but that person does not remove the remains, the undertaker must comply with any reasonable request that person may make in relation to the removal and re-interment or cremation of the remains.

(11) On the re-interment or cremation of any remains under this article—

- (a) a certificate of re-interment or cremation is to be sent to the Registrar General by the undertaker giving the date of re-interment or cremation and identifying the place from which the remains were removed and the place in which they were re-interred or cremated; and
- (b) a copy of the certificate of re-interment or cremation and the record mentioned in paragraph (9) must be sent by the undertaker to the relevant planning authority.

(12) No notice is required under paragraph (3) before the removal of any human remains where the undertaker is satisfied—

- (a) that the remains were interred more than 100 years ago; and
- (b) that no relative or personal representative of the deceased is likely to object to the remains being removed in accordance with this article.

(13) In the case of remains in relation to which paragraph (12) applies, the undertaker—

- (a) may remove the remains;
- (b) must apply for direction from the Secretary of State under paragraph (14) as to their subsequent treatment; and
- (c) must deal with the remains in such manner, and subject to such conditions, as the Secretary of State directs.

(14) The removal of the remains of any deceased person under this article must be carried out in accordance with any directions which may be given by the Secretary of State for Justice.

(15) Any jurisdiction or function conferred on the county court by this article may be exercised by the district judge of the court.

(16) Section 25 (offence of removal of body from burial ground) of the Burial Act 1857(a) does not apply to a removal carried out in accordance with this article.

## **Crown Rights**

**53.**—(1) Nothing in this Order affects prejudicially any estate, right, power, privilege, authority or exemption of the Crown and in particular, nothing in this Order authorises the undertaker

- (a) to take, use, enter upon or in any manner interfere with any land or rights of any description—
  - (i) belonging to His Majesty in right of the Crown and forming part of The Crown Estate without the consent in writing of the Crown Estate Commissioners;
  - (ii) belonging to His Majesty in right of the Crown and not forming part of The Crown Estate without the consent in writing of the government department having the management of that land; or

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(a) 1857 c. 81. Section 25 was substituted by section 2 of the Church of England (Miscellaneous Provisions) Measure 2014 (No. 1).

- (iii) belonging to a government department or held in trust for His Majesty for the purposes of a government department without the consent in writing of that government department.
  - (b) Paragraph (1) does not apply to the exercise of any right under this Order for the compulsory purchase of any interest in any Crown land (as defined in the 2008 Act) for the time being held otherwise than by or on behalf of the Crown.
- (2) A consent under paragraph (1) may be given unconditionally or subject to terms and conditions; and is deemed to have been given in writing where it is sent electronically.

#### **Use of private roads for construction**

**54.**—(1) The undertaker may use any private road within the Order limits for the passage of persons or vehicles (with or without materials, plant and machinery) for the purposes of, or in connection with, the construction of the authorised development.

(2) The undertaker must compensate the person liable for the repair of a road to which paragraph (1) applies for any loss or damage which that person may suffer by reason of the exercise of the power conferred by paragraph (1).

(3) Any dispute as to a person's entitlement to compensation under paragraph (2), or as to the amount of such compensation, is to be determined under Part 1 (determination of questions of disputed compensation) of the 1961 Act.

#### **Disapplication of local legislation**

**55.**—(1) The provisions of the Chelmer and Blackwater Navigation Act 1793 do not apply in relation to the construction of works carried out for the purpose of, or in connection with, the construction or maintenance of the authorised development and are made subject to the acquisition of new rights and covenants under article 30 (compulsory acquisition of new rights and imposition of restrictive covenants), or the exercise of temporary powers over land included in article 40 (temporary use of land for carrying out the authorised development) or article 41 (temporary use of land for maintaining the authorised development) of this Order.

(2) In this article “the Chelmer and Blackwater Navigation Act 1793” means the Public Act, 33 George III, C.93, being an ‘Act for making and maintaining a Navigable Communication between the Town of Chelmsford, or some Part of the Parish of Springfield in the County of Essex, and a Place called Collier’s Reach, in or near the River Blackwater in the said.

#### **Disapplication and modification of local byelaws**

**56.**—(1) The local byelaws specified in Schedule 10 (disapplication and modification of local byelaws) are hereby disappplied and do not apply insofar as inconsistent with a provision of, or a power conferred by, this Order.

(2) For the purpose of paragraph (1) a provision is inconsistent with the exercise of a power conferred by this Order if and insofar as (in particular)—

- (a) it would make it an offence to take action, or not to take action, in pursuance of the power;
- (b) action taken in pursuance of the power would cause the provision to apply so as to enable a person to require the taking of remedial or other action or so as to enable remedial or other action to be taken;
- (c) action taken in pursuance of a power or duty under the provision would or might interfere with the exercise of any work authorised by this Order.

(3) Where any person notifies the undertaker in writing that anything done or proposed to be done by the undertaker or by virtue of this Order would amount to a contravention of a statutory provision of local application, the undertaker must as soon as reasonably practicable, and at any rate within 14 days of receipt of the notice, respond in writing setting out—

- (a) whether the undertaker agrees that the action taken or proposed does or would contravene the provision of local application;
- (b) if the undertaker does agree, the grounds (if any) on which the undertaker believes that the provision is excluded is excluded by this article; and
- (c) the extent of that exclusion.

**Use of land between Bury Lane and Station Road, Hatfield Peverel**

**57.**—(1) The undertaker may—

- (a) use the relevant land; and
- (b) authorise the use of the relevant land by any qualifying person,

for the passage on foot or with vehicles (with or without materials, plant and machinery) for the purposes of, or in connection with access to specified land.

(2) Every part of the relevant land is deemed to form part of a road for the purposes of article 23 (traffic regulation) of this Order.

(3) The undertaker must compensate the person liable for the repair of the land to which paragraph (1) applies for any loss or damage which that person may suffer by reason of the exercise of the power conferred by paragraph (1).

(4) Any dispute as to a person’s entitlement to compensation under paragraph (3), or as to the amount of such compensation, is to be determined as if it were a dispute under Part 1 of the 1961 Act.

(5) In this article—

the “relevant land” means any part of the land within the plot 5/20a of the Order land as shown on the land plans and described in the book of reference;

“qualifying person” means any person authorised by the undertaker to use the relevant land; and

“specified land” means any land specified by the undertaker as being land to which qualifying persons require access over the relevant land.

**Use of Consecrated land**

**58.**—(1) Sections 238 (use and development of consecrated land) and 239 (use and development of burial grounds) of the 1990 Act apply—

- (a) in relation to land, other than a right over land, acquired for the purposes of the authorised development (whether or not by agreement) so as to permit use by the undertaker in accordance with the provisions of this Order; and
- (b) in relation to a right over land acquired for the purposes of the authorised development (whether or not by agreement) the temporary use of land pursuant to articles 40 (temporary use of land for constructing the authorised development) or 41 (temporary use of land for maintaining the authorised development) so as to permit the exercise of that right or the temporary use by the undertaker in accordance with the provisions of this Order, without prejudice to the status of the land over which the right is exercised as consecrated land,

and in section 238(1) of the 1990 Act reference to a “planning permission” includes this Order, in section 240(1) of the 1990 Act reference to “regulations made for the purposes of sections 238(3) and (4) and 239(2) means, so far as is applicable to land or a right over land acquired under this Order paragraphs (2) to (15) of article 52 and in section 240(3) of the 1990 Act reference to a “statutory undertaker” includes the undertaker and reference to “any other enactment” includes this Order.

(2) The Town and Country Planning (Churches, Places of Religious Worship and Burial Grounds) Regulations 1950(a) do not apply to the authorised development.

### **Protective provisions**

**59.** Schedule 11 (protective provisions) to the Order has effect.

### **Certification of documents, etc.**

**60.**—(1) As soon as practicable after the making of this Order, the undertaker must submit copies of each of the plans and documents set out in Schedule 12 (documents, etc to be certified) to the Secretary of State for certification as true copies of those plans and documents.

(2) Where any plan or document set out in Schedule 12 requires an amendment to reflect the terms of the Secretary of State’s decision to make this Order, that plan or document in the form amended to the Secretary of State’s satisfaction is the version of the plan or document required to be certified under paragraph (1).

(3) A plan or document so certified is admissible in any proceedings as evidence of the contents of the document of which it is a copy.

### **Service of notices**

**61.**—(1) A notice or other document required or authorised to be served for the purposes of this Order may be served—

- (a) by post;
- (b) by delivering it to the person on whom it is to be served or to whom it is to be given or supplied; or
- (c) with the consent of the recipient and subject to paragraphs (5) to (8) by electronic transmission.

(2) Where the person on whom a notice or other document to be served for the purposes of this Order is a body corporate, the notice or document is duly served if it is served on the secretary or clerk of that body.

(3) For the purposes of section 7 (references to service by post) of the Interpretation Act 1978(b) as it applies for the purposes of this article, the proper address of any person in relation to the service on that person of a notice or document under paragraph (1) is, if that person has given an address for service, that address, and otherwise—

- (a) in the case of the secretary or clerk of a body corporate, the registered or principal office of that body; and
- (b) in any other case, the last known address of that person at the time of service.

(4) Where for the purposes of this Order a notice or other document is required or authorised to be served on a person as having any interest in, or as the occupier of, land and the name or address of that person cannot be ascertained after reasonable enquiry, the notice may be served by—

- (a) addressing it to that person by name or by the description of “owner”, or as the case may be “occupier”, of the land (describing it); and
- (b) either leaving it in the hands of a person who is or appears to be resident or employed on the land or leaving it conspicuously affixed to some building or object on or near the land.

(5) Where a notice or other document required to be served or sent for the purposes of this Order is served or sent by electronic transmission the requirement is to be taken to be fulfilled only where—

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(a) 1950c.792, as amended by paragraph 7 of Schedule 3 to The local Government Reorganisation (Wales) (Consequential Amendments) Order 1996 c.525.

(b) 1978 (c. 30), as amended by section 17 of 1994 (c. 36). There are other amendments to the Act which are not relevant to this Order.

- (a) the recipient of the notice or other document to be transmitted has given consent to the use of electronic transmission in writing or by electronic transmission;
- (b) the notice or document is capable of being accessed by the recipient;
- (c) the notice or document is legible in all material respects; and
- (d) the notice or document is in a form sufficiently permanent to be used for subsequent reference.

(6) Where the recipient of a notice or other document served or sent by electronic transmission notifies the sender within 7 days of receipt that the recipient requires a paper copy of all or part of that notice or other document the sender must provide such a copy as soon as reasonably practicable.

(7) Any consent to the use of electronic communication given by a person may be revoked by that person in accordance with paragraph (8).

(8) Where a person is no longer willing to accept the use of electronic transmission for any of the purposes of this Order—

- (a) that person must give notice in writing or by electronic transmission revoking any consent given by that person for that purpose; and
- (b) such revocation is final and takes effect on a date specified by the person in the notice but that date must not be less than 7 days after the date on which the notice is given.

(9) This article does not exclude the employment of any method of service not expressly provided for by it.

(10) In this article “legible in all material respects” means that the information contained in the notice or document is available to that person to no lesser extent than it would be if served, given or supplied by means of a notice or document in printed form.

**Arbitration**

**62.—**(1) Except where otherwise expressly provided for in this Order and unless otherwise agreed between the parties, any difference under any provision of this Order (other than a difference which falls to be determined by the tribunal) must be referred to and settled by a single arbitrator to be agreed between the parties, or failing agreement, to be appointed on the application of either party (after giving notice in writing to the other) by the President of the Institution of Civil Engineers.

(2) This article does not apply where any difference under any provision of this Order is between any person and the Secretary of State.

Signed by authority of the Secretary of State for Transport

*Name*  
Head of the Transport and Works Act Orders Unit  
Department for Transport

Address  
Date

# SCHEDULES

## SCHEDULE 1

Articles 2, 5 and 6

### AUTHORISED DEVELOPMENT

**In the County of Essex, in the administration areas of Chelmsford City Council, Braintree District Council, Maldon District Council and Colchester City Council.**

The Works are situated as follows—

in respect of the whole of Work Nos. 1(a), 1(b), 1(c), 1(d), 1(e), 1(f), 1(g), 1(h), 1(i), 1(j), 1(k), 1(l), 2(a), 2(b), 3(a), 3(b), 4, 5, 6(a), 6(b), 7(a), 7(b), T1, T2, T3, T4, T5, T6, U1, U2, U3, U4, U5, U6, U7, U8, U9, U10, U11, U12, U13, U14, U15, U16, U17, U18, U19, U20, U20A, U2A, U3A, U3B, U10A, U10B, U10C, U12A, U3C, U2B, U1A, U14A, U12B and part of Work Nos. U21, U22 in the administrative area of Chelmsford City Council;

in respect of the whole of Work Nos. 8(a), 8(b), 9, 10, 11, 12(a), 12(b), 12(c), 13(a), 13(b), 14(a), 14(b), 15, 16, 17, 18(a), 18(b), 18(c), 18(d), 18(e), 18(f), 19, 20, 21, 22, 23(a), 23(b), 24(a), 24(b), 24(c), 24(d), 24(e), 24(g), 25, 26, 27, 28(a), 28(b), 29(a), 29(b), 30, 31, 32(a), 32(b), 32(c), 32(d), 33(a), 33(b), 34(a), 34(b), 35(a), 35(b), 36, 37(a), 37(b), 37(c), 37(d), 37(e), 38(a), 38(b), 39(a), 39(b), 39(c), 39(d), 40(a), 40(b), 41(a), 41(b), 41(c), 42(a), 42(b), 43(a), 43(b), 44(a), 44(b), 45(c), 45(d), 45(e), 46(a), 46(b), 47, 48, 49, 51(b), 52, 53, 56, 57, 58, 59, 60, 61(a), 61(d), 62(a), 62(b), 64, 66(b), 75, 76, 77, 78(a), 78(b), 79(a), 79(b), 79(c), 80(a), 80(b), 81, 82(a), 82(b), 82(c), 82(d), 82(e), 82(f), 82(g), 84, 85(a), 85(b), 86, 87(a), 87(b), 88(d), 91(a), 30A, 22A, 21A, 27A, 49A, 60A, 83, T7, T8, T9, T10, T11, T12, T13, T14, T15, T16, T17, T18, T19, T20, T21, T22, T23, T24, T25, T26, T27, T28, T29, T30, T31, T32, T33, T34, T35, T36, T38, T40, T47, U23, U24, U25, U26, U27, U28, U29, U30, U31, U32, U33, U34, U35, U36, U37, U38, U39, U40, U41, U42, U43, U57, U45, U46, U47, U55, U50, U51, U52, U53, U54, U48, U59, U49, U56, U44, U60, U61, U62, U63, U64, U65, U66, U68, U22A, U71, U72, U37A, U74, U75, U76, U77, U78, U79, U80, U81, U82, U83, U84, U86, U88, U89, U90, U91, U92, U93, U94, U95, U96, U97, U98, U99, U100, U101, U102, U103, U104, U105, U106, U107, U108, U109, U110, U111, U112, U113, U114, U115, U116, U117, U118, U119, U120, U121, U122, U123, U124, U125, U126, U127, U128, U129, U130, U131, U132, U135, U136, U151, U152, U153, U155, U156, U157, U158, U159, U160, U161, U162, U163, U164, U165, U166, U128A, U124A, U141A, U29A, U58, U62A, U63A, U70, U67, U73, U73A, U87, U85A, U85B, U85, U104A, U167A, U166A, U111B, U111A, U41A, U89A, U111C, U136A, U167B, U167C, U38A, U84A] and part of Work Nos. 45(a), 45(b), 50, 51(a), 54(a), 54(b), 55(a), 55(c), 61(b), 61(c), 65(b), 66(a), 68(a), 74(a), 88(a), 88(b), 88(c), 89(a), 91(b), 91(c), 76A, 50A, T37, T39, T41, T43, T45, T46, T48, T49, U21, U22, U69, U133, U134, U137, U138, U139, U140, U141, U149, U150, U154, U167, U168, U169, U170, U171, U172, U173 in the administrative area of Braintree District Council;

in respect of the whole of Work Nos. 55(b), 63(a), 63(b) and part of Work Nos. 45(a), 50, 51(a), 54(a), 54(b), 55(a), 55(c), 61(b), 61(c), 50A, T37, U69, U133, U134, U137, U138, U139, U140 in the administrative area of Maldon District Council; and

in respect of the whole of Work Nos. 45(f), 65(a), 67(a), 67(b), 68(b), 69(a), 69(b), 70, 71, 72(a), 72(b), 73, 74(b), 74(c), 89(b), 90, 92(a), 92(b), 93(a), 93(b), 94(a), 94(b), 94(c), 94(d), 95, 96(a), 96(b), 97, 98(a), 98(b), 99(a), 99(b), 100, 101, 102(a), 102(b), 102(c), 102(d), 103(a), 103(b), 104, 105(a), 105(b), 105(c), 106, 107, 108, 109(a), 109(b), 110(a), 110(b), 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 104A, T42, T44, T50, T51, T52, T53, T54, U142, U143, U144, U145, U146, U147, U148, U174, U175, U176, U177, U178, U179, U180, U181, U182, U183, U184, U185, U186, U187, U188, U189, U190, U191, U192, U193, U194, U195, U196, U197, U198, U199, U200, U201, U202, U203, U204, U205, U206, U207, U145A, U146B, U146C, U184A, U193A, U186A, U208, U200A, U147C, U147B, 147A, U147D, U173A, U173B, U174A,

U180A, U146A and part of Work Nos. 45a, 45b, 65b, 66a, 68a, 74a, 88a, 88b, 88c, 89a, 91b, 91c, 76A, T39, T41, T43, T45, T46, T48, T49, U137, U140, U141, U149, U150, U154, U167, U168, U169, U170, U171, U172, U173 in the administrative area of Colchester City Council.

The authorised development is a nationally significant infrastructure project as defined in sections 14, 20 and 22 of the 2008 Act<sup>(a)</sup> and associated development within the meaning of section 115(2) of the 2008 Act, comprising—

### **Permanent Works**

**Work No. 1** – As shown on sheets 1 and 2 of the permanent works plans improvement works to junction 19 (J19) of the A12 including:

- (a) Works to widen the carriageway of the existing A12 south and north of the existing J19, of approximately 1618 metres in length including works to tie in to the existing A12;
- (b) the widening of Boreham Bridge, alterations to Generals Lane Roundabout and Generals Farm roundabout;
- (c) the construction of the J19 slip roads (northbound on-slip, southbound off-slip and southbound merge). The southbound off-slip includes alterations to the throughabout at Generals Farm Roundabout, which consists of widening the existing throughabout, through the centre of the existing roundabout;
- (d) the widening of B1137 Main Road of approximately 236 metres in length northeast of the Generals Farm roundabout and the provision of means of access to adjoining land;
- (e) realigning the A138 south of the Generals Lane roundabout;
- (f) alteration to the Generals Lane roundabout link to the A12 northbound on-slip;
- (g) alterations to the realigned Beaulieu Park Radial Distributor Road to the A12 northbound on-slip.
- (h) alterations to the segregated left turn from Boreham Bridge to the A130;
- (i) alterations to the A130 to tie in with the Generals Lane Roundabout;
- (j) widening the Realigned Beaulieu Park Radial Distributor Road to tie in with the Generals Lane Roundabout;
- (k) alterations to the A138 link to the A12 northbound on-slip; and
- (l) construction of segregated left turn lane from the realigned Beaulieu Park Radial Distributor Road to Boreham Bridge.

**Work No. 2** – As shown on sheets 1 and 2 of the permanent works plans the construction of a new drainage facility to the east of the A12 south of J19, Springfield, including the construction of:

- (a) an attenuation pond including associated outfall to the River Chelmer; and
- (b) an access track of approximately 1287 metres in length from the Generals Farm roundabout to the pond (Work No. 2(a)) and the provision of mean of access to adjoining land.

**Work No. 3** – As shown on sheet 1 of the permanent works plans the construction of a drainage facility east of the A12 and south of J19 including:

- (a) an attenuation pond including associated outfall; and
- (b) an access track of approximately 310 metres in length connecting to Work No. 2(b).

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(a) 2008 (c. 29), section 14 as implemented by S.I. 2010/101, S.I. 2017/1078, S.I. 2011/705, S.I. 2011/2054 and as amended by S.I. 2019/12, S.I. 2012/1645, there are other amendments to the Act which are not relevant to this Order. Section 22 as implemented by S.I. 2010/101 and amended by Article 3 of S.I. 2013/1883 and paragraph 153(3) of Schedule 1(2) of the Infrastructure Act 2015 (c.7).

**Work No. 4** – As shown on sheet 2 of the permanent works plans resurfacing and extension of Paynes Lane of approximately 264 metres in total length from its junction with B1139 Main Road to the proposed Paynes Lane Bridge (Work No. 5), Boreham;

**Work No. 5** – As shown on sheet 2 of the permanent works plans the construction of the proposed Paynes Lane Bridge over the existing A12 and the Great Eastern Main Line Railway, north of J19;

**Work No. 6** – As shown on sheet 2 of the permanent works plans the construction of a drainage facility west of Boreham Brook and to the south of the A12, including the construction of:

- (a) an attenuation pond including associated outfall; and
- (b) an access track of approximately 151 metres in length from B1137 Main Road, Boreham.

**Work No. 7** – As shown on sheet 2 of the permanent works plans the construction of a drainage facility including the construction of east of Boreham Brook and to the south of the existing A12:

- (a) an attenuation pond including associated outfall in to the Boreham Brook; and
- (b) an access track of approximately 93 metres in length from B1137 Main Road.

**Work No. 8** – As shown on sheet 5 of the permanent works plans the construction of a drainage facility, north east of the River Ter Bridge, including the construction of:

- (a) an attenuation pond including associated outfall, and
- (b) an access track of approximately 531 metres in length from Bury Lane, Hatfield Peverel and the provision of means of access to adjoining land.

**Work No. 9** – As shown on sheet 5 of the permanent works plans the construction of a replacement overbridge to carry Bury Lane over the A12 including demolition of the existing bridge carrying the highway of Bury Lane over the A12, Hatfield Peverel and associated tie in works;

**Work No. 10** – As shown on sheet 5 of the permanent works plans the construction of a replacement overbridge to carry Station Road over the A12, including the demolition of the existing bridge carrying the highway of Station Road, Hatfield Peverel over the A12 and associated tie in works.

**Work No. 11** – As shown on sheets 4 and 5 of the permanent works plans the construction of the realigned B1137 known as Main Road and The Street, Hatfield Peverel.

**Work No. 12** – As shown on sheets 4, 5, 6, 7, 8 and 9 of the permanent works plans alterations to the existing A12 commencing 518 metres southwest of River Ter Bridge to a point to the west of Junction 22 (J22) west facing slip roads and including:

- (a) works to the existing A12 carriageways of approximately 3110 metres in length, including widening of the existing carriageways, new carriageways, widening of the carriageway over the River Ter Bridge, retaining earth structures and tie in works;
- (b) the construction of slip roads to and from Junction 21 roundabouts (Work No. 18(a)); and
- (c) the widening of the existing A12 carriageway of approximately 3754 metres in length, widening of the existing carriageways, new carriageways, including retaining earth structures, noise barriers, demolition of the existing Woodend Bridge and tie in works.

**Work No. 13** – As shown on sheet 5 of the permanent works plans the construction of a drainage facility to the south of the B1137 (The Street), Hatfield Peverel, including the construction of:

- (a) an attenuation pond including associated outfall to the River Ter; and
- (b) an access track of approximately 296 metres in length from The Street.

**Work No. 14** – As shown on sheet 6 of the permanent works plans the construction of a drainage facility including:

- (a) an attenuation pond and outfall to the north of the New Hatfield Peverel Link Road (Work No. 18(b)); and



- (b) an access track of approximately 96 metres in length from the new Hatfield Peverel Link Road (Work No. 18(b)).

**Work No. 15** – As shown on sheet 6 of the permanent works plans the construction of a flood mitigation area to the north and south of the New Hatfield Peverel Link Road (Work No. 18(b)).

**Work No. 16** – As shown on sheet 6 of the permanent works plans the construction of an attenuation pond including associated outfall, to the north of the New Hatfield Peverel Link Road (Work No. 18(b)).

**Work No. 17** – As shown on sheet 6 of the permanent works plans, a borrow pit (Borrow Pit-E) north of the new proposed northern roundabout forming part of the proposed Junction 21 (Work No. 18(a)) and south of the Great Eastern Mainline Railway.

**Work No. 18** – As shown on sheet 6 of the permanent works plans the construction of a new Junction 21 (J21) of the A12, north of Hatfield Peverel, including:

- (a) the construction of northern and southern roundabouts of J21 as well as a new bridge (Hatfield Road Overbridge) to carry Hatfield Road over the A12;
- (b) the construction of a new Hatfield Peverel Link Road of approximately 900 metres in length between the northern roundabout of J21 to Hatfield Peverel including the diversion of Footpath (90\_02), demolition of the existing Wellington Bridge over the A12, demolition of a barn at Witham Field Farm, construction of a replacement overbridge (Wellington Road Overbridge) and the provision of means of access to adjoining land;
- (c) realigned Witham Link Road of approximately 500 metres in length from the proposed northern roundabout of J21 to Witham;
- (d) the realigned access of approximately 548 metres in length between the southern roundabout of J21 to Latneys Kennels (Kennel Access) and the provision of means of access to adjoining land;
- (e) a cycle track of approximately 452 metres in length linking the cycle track along the New Hatfield Peverel Link Road to the cycle track along the realigned Witham Link Road to the north of the A12; and
- (f) the construction of a cycle track of approximately 914 metres in length from The Street, Hatfield Peverel to the south of J21.

**Work No. 19** – As shown on sheet 6 of the permanent works plans the construction of an attenuation pond including associated outfall and access from the realigned Witham Link Road (Work No. 18(c)), between Junction 21 northbound on-slip (Work No. 12(b)) and the new Hatfield Peverel Link Road (Work No. 18(c)), Witham.

**Work No. 20** – As shown on sheet 6 of the permanent works plans the construction of an attenuation pond including associated outfall and access from the realigned Witham Link Road (Work No. 18(c)), to the north of the new Hatfield Peverel Link Road (Work No. 18(c)), Witham.

**Work No. 21** – As shown on sheet 6 of the permanent works plans the construction of an attenuation pond including associated outfall and access from the existing B1389, between the A12 and the realigned Kennel Access (Work No. 18(d)), Witham.

**Work No. 21A** – As shown on sheets 6 and 7 of the permanent works plans a new public footpath adjacent to the realigned Kennel Access and the construction of a private means of access of 226 metres in length to the south of the altered A12 (Work No. 12(a) and Work No 12(c)), Witham, including the provision of means of access to the borrow pit restoration adjoining land (Work No. 26);

**Work No. 22** – As shown on sheets 6 and 7 of the permanent works plans the construction of an attenuation pond including associated outfall and access track from the realigned Kennel Access (Work No. 18(d)), south of the realigned Kennel Access (Work No. 18(d)), Witham.

**Work No. 22A** – As shown on sheet 6 of the permanent works plans the construction of a field access track to the southeast of the southern roundabout of J22 (Work No. 18(a));

**Work No. 23** – As shown on sheet 6 of the permanent works plans the construction of a drainage facility including:

- (a) an attenuation pond including associated outfall to the south of the A12; and
- (b) an access track of 462 metres in length from The Street and the provision of means of access to adjoining land.

**Work No. 24** – As shown on sheets 8, 9, 10,11 and 12 of the permanent works plans alterations to the A12 between the west facing slip roads to the west of the proposed Junction 22 (Work No. 32) and a point 40 metres to the west of Cranes Bridge (Work No. 45(d)) including:

- (a) the alteration of the A12 of 1857 metres in length by widening of the existing carriageways, provision of new carriageways, retaining earth structures, noise barriers and tie in works;
- (b) the construction of four slip roads to and from the proposed Junction 22 roundabouts (Work No. 32(a));
- (c) the widening of Olivers Bridge Witham;
- (d) the widening of Benton Bridge, Witham;
- (e) the widening of Brain Bridge, Witham;
- (f) not used; and
- (g) the alteration of the A12 of 1832 metres in length, widening of the existing carriageways, new carriageways, including retaining earth structures, noise barriers, noise and visual bunds, tie in works and demolition of the residential properties known as Badger (previously Erimyka) and Hair Lodge, Rivenhall End;

**Work No. 25** – As shown on sheet 7 of the permanent works plans the construction of private means of access of 322 metres in length to Dengie Farm, south of the altered A12 (Work No. 12(c)), Witham;

**Work No. 26** – As shown on sheet 7 of the permanent works plans, a borrow pit (Borrow Pit-F) to the south of the existing A12 and west of Dengie Farm, Witham;

**Work No. 27** – As shown on sheet 8 of the permanent works plans the construction of a new bridge (Gershwin Boulevard Bridge) over the A12 south of Olivers Drive, Witham, together with associated footpath connections to Olivers Drive and Gershwin Boulevard;

**Work No. 27A** – As shown on sheets 8 and 9 of the permanent works plans the construction of a private means of access of 392 metres in length from the existing Blackwater Lane, Witham to the Barrows Creep underpass, Whetmead;

**Work No. 28** – As shown on sheet 8 of the permanent works plans, construction of a drainage facility to the south of the A12 carriageway, Witham including:

- (a) an attenuation pond including associated outfall in to the River Brain; and
- (b) an access track from Blue Mill Hill of 819 metres in length including the diverted Footpath 121\_101;

**Work No. 29** – As shown on sheets 7 and 8 of the permanent works plans the construction of a drainage facility to the south of the A12, Witham, including:

- (a) an attenuation pond and associated outfall to Maldon Road: and
- (b) an access track of 596 metres in length from the realigned access to Dengie Farm (Work No. 25) including the provision of means of access to adjoining land;

**Work No. 30** – As shown on sheet 10 of the permanent works plans the demolition of the existing Colemans Bridge, the construction of a new bridge (Little Braxted Bridge) over the A12 including a new cycle track from Little Braxted Lane to the realigned Colchester Road (Work No. 32(c)), Witham.

**Work No. 30A** – As shown on sheets 9 and 10 of the permanent works plans the construction of new public footpath connecting the cycle track from Little Braxted Lane (Work No. 30) to Footpath (121\_103), Witham;

**Work No. 31** – As shown on sheet 10 of the permanent works plans the construction of an attenuation pond including associated outfall and access to the realigned Colchester Road, Witham, to the east of the new Junction 22 northbound off-slip (Work No. 24(b)).

**Work No. 32** – As shown on sheet 10 of the permanent works plans the construction of a new Junction 22 of the A12 (J22), Witham, including:

- (a) the northern and southern roundabouts of J22 and Little Braxted Lane Overbridge;
- (b) the northern connector road from the northern roundabout to the de-trunked A12 eastern connection;
- (c) improvements to Eastways Junction and the realignment and dualling of Colchester Road to connect to the northern roundabout of J22; and
- (d) the construction of the realigned Little Braxted Lane to connect with the southern roundabout of J22 including an access to the quarry to the east of the existing A12.

**Work No. 33** – As shown on sheet 10 of the permanent works plans the construction of a drainage facility northeast of the northern roundabout of Junction 22 (Work No. 32(a)) including the construction of:

- (a) an attenuation pond and associated outfall; and
- (b) an access track of 332 metres in length from the de-trunked A12 eastern connection.

**Work No. 34** – As shown on sheet 10 of the permanent works plans the construction of a drainage facility between the existing A12 and the northbound on-slip of J22 (Work No. 24(b)) including:

- (a) an attenuation pond and associated outfall; and
- (b) an access track of 166 metres in length from the existing A12.

**Work No. 35** – As shown on sheets 9 and 10 of the permanent works plans construction of drainage facility including:

- (a) an attenuation pond and associated outfall to the southeast of Little Braxted Lane, Witham; and
- (b) an access track of 298 metres in length from the diverted Little Braxted Lane (Work No. 32(d)).

**Work No. 36** – As shown on sheets 9 and 10 of the permanent works plans the construction of an attenuation pond and associated outfall to the southeast of Little Braxted Lane, Witham:

**Work No. 37** – As shown on sheets 10 and 11 of the permanent works plans the construction of:

- (a) the new Rivenhall End West Roundabout and its eastern and western connection to the de-trunked A12, the replacement of the Oak Road junction with the existing A12 with a turning head on Oak Road, and alterations to the realigned Rivenhall Access, including the provision of means of access to adjoining land;
- (b) the realigned Braxted Road to the south of the existing A12;
- (c) the realignment of Henry Dixon Road and the provision of means of access to adjoining land;
- (d) the new overbridge to carry Braxted Road over the altered A12 (Braxted Road Overbridge); and
- (e) a realigned access road to the south of the altered A12 (Work No. 24(a) and Work No 24(g)).

**Work No. 38** – As shown on sheet 11 of the permanent works plans the construction of a drainage facility south of Rivenhall End West Roundabout (Work No. 37(a)) including:

- (a) an attenuation pond and associated outfall; and

- (b) an access track of 165 metres in length from the existing A12.

**Work No. 39** – As shown on sheets 11 and 12 of the permanent works plans the construction of:

- (a) Rivenhall End East Roundabout;
- (b) the western connection to the de-trunked A12 from Rivenhall End East Roundabout, including the provision of means of access to adjoining land;
- (c) New B1024 Link Road from Rivenhall End East Roundabout to the existing B1024; and
- (d) the construction of a new public footpath linking Rivenhall End East Roundabout (Work No. 39(a)) to the public Footpath (105\_45), including the provision of means of access to adjoining land.

**Work No. 40** – As shown on sheet 11 of the permanent works plans the construction of a drainage facility to the west of the altered A12 carriageway (Work No. 24(g)) and north of Rivenhall End East Roundabout (Work No. 39(a)) including:

- (a) an attenuation pond and associated outfall; and
- (b) an access track of 143 metres in length from Rivenhall End East Roundabout (Work No. 39(a)).

**Work No. 41** – As shown on sheets 11 and 12 of the permanent works plans the construction of a drainage facility including:

- (a) an attenuation pond including associated outfall, to the Rivenhall Brook;
- (b) an access track of 421 metres in length from the new Essex Fire and Rescue Access Road (Work No. 52); and
- (c) diversion of public Footpath (105\_36).

**Work No. 42** – As shown on sheet 11 of the permanent works plans:

- (a) the construction of Rivenhall Brook Culvert under the altered A12 carriageway (Work No. 24(g)); and
- (b) the realignment of Rivenhall Brook.

**Work No. 43** – As shown on sheet 11 of the permanent works plans construction of a drainage facility to the east of the altered A12 carriageway (Work No. 24(g)) including:

- (a) an attenuation pond and associated outfall; and
- (b) an access track of 306 metres in length to connect with the realigned Access Road (Work No. 37(e)).

**Work No. 44** – As shown on sheet 11 of the permanent works plans the construction of a drainage facility to the south of the altered A12 carriageway (Work No. 24(a)) and east of the realigned Braxted Road (Work No. 37(b)) including:

- (a) an attenuation pond and associated outfall;
- (b) an access track of 77 metres in length from the realigned access road comprising Work No. 37(e).

**Work No. 45** – As shown on sheets 11, 12, 13 and 14 of the permanent works plans the alteration of the A12 between a point 40 metres to the west of Cranes Bridge (Work No. 45(d)) and the east facing slip roads east of the proposed Junction 24 (Work No. 74) including:

- (a) the alteration of the A12 of 2882 metres in length, widening of the existing carriageways, new carriageways, including the demolition of Brick Kiln Farm, retaining earth structures and tie in works;
- (b) the construction of four slip roads to and from Junction 24 roundabouts (Work No. 45(b)) and associated demolition works to the existing A12;
- (c) the construction of a bund to the southeast of Rivenhall Brook culvert (Work No. 42(a))
- (d) widening of Cranes Bridge including associated tie in works;

- (e) widening of Ashmans Bridge; and
- (f) widening of Park Bridge.

**Work No. 46** – As shown on sheet 11 of the permanent works plans the construction of drainage facility to the south of the altered A12 carriageway (Work No. 24(a)) and east of the realigned Braxted Road including:

- (a) an attenuation pond and associated outfall; and
- (b) an access track of 222 metres in length from the realigned Braxted Road (Work No. 37(b)).

**Work No. 47** – As shown on sheet 12 of the permanent works plans the construction of an attenuation pond associated outfall including an access track from the New B1024 Link Road (Work No. 39(c)), to the north of the altered A12 carriageway and east of Sniveller’s Lane Bridge (Work No. 53).

**Work No. 48** – As shown on sheets 11 and 12 of the permanent works plans a borrow pit (Borrow Pit-I) to the north of the existing A12, east of Rivenhall End.

**Work No. 49** – As shown on sheet 12 of the permanent works plans the construction of drainage facility including an attenuation pond and associated outfall to the north of the existing Junction 23 and north of the altered A12 carriageway (Work No. 45(a)).

**Work No. 49A** – As shown on sheet 12 of the permanent works plans a private means of access of 121 metres in length from the existing Cranes Lane, Kelvedon;

**Work No. 50** – As shown on sheets 12 and 13 of the permanent works plan a new public footpath from the existing Footpath (246\_19) to the footway adjacent to the B1024, including the provision of means of access to adjoining land and the relocation of Ashmans Farm Footbridge.

**Work No. 50A** – As shown on sheets 12 and 13 of the permanent works plans the construction of a proposed flood bund to the south of the altered A12 (Work No. 45(a)), Kelvedon;

**Work No. 51** – As shown on sheet 12 of the permanent works plans the construction of a drainage facility to the south of the new public footpath (Work No. 50) including:

- (a) an attenuation pond and associated outfall; and
- (b) an access track of 268 metres in length from the existing B1024 south of the altered A12 carriageway (Work No. 45(a)).

**Work No. 52** – As shown on sheet 12 of the permanent works plans the construction of the New Essex Fire and Rescue Access Road including the provision of means of access to adjoining land.

**Work No. 53** – As shown on sheet 12 of the permanent works plans construction of a new bridge (Sniveller’s Lane Bridge) to the east of the Essex County Fire and Rescue Service headquarters over the altered A12 (Work No. 45) and a new cycle track from the New Essex Fire and Rescue Access (Work No.52) to the New B1024 Link Road (Work No. 39(c)).

**Work No. 54** – As shown on sheet 13 of the permanent works plans the construction of a drainage facility to the west of the realigned Maldon Road, Kelvedon (Work No. 55(a)) and north of the altered A12 carriageway (Work No. 45(a)) including:

- (a) an attenuation pond and associated outfall; and
- (b) an access track of 174 metres in length from the realigned Maldon Road (Work No. 55(a)) including the provision of means of access to adjoining land.

**Work No. 55** – As shown on sheet 13 of the permanent works plans the construction of:

- (a) the realigned Maldon Road, Kelvedon;
- (b) a replacement overbridge (Highfields Overbridge) over the altered A12 carriageway (Work No. 45(a)) and the demolition of the existing Highfields Bridge; and

- (c) the realigned Highfields Lane and the construction of private means of access to adjoining land.

**Work No. 56** – As shown on sheet 13 of the permanent works plans the construction of an attenuation pond including associated outfall and access from the realigned Maldon Road (Work No. 55(a)), to the east of the realigned Maldon Road, Kelvedon (Work No. 55(a)) and north of the altered A12 carriageway (Work No. 45(a)).

**Work No. 57** – As shown on sheet 13 of the permanent works plans the construction of an attenuation pond including associated outfall and access track from Ewell Hall Chase, to the north of the altered A12 carriageway (Work No. 45(a)).

**Work No. 58** – As shown on sheets 13 and 14 of the permanent works plans the construction of an attenuation pond including associated outfall, northwest of realigned Ewell Road (Work No. 76) and a maintenance lay-by on Ewell Hall Chase;

**Work No. 59** – As shown on sheets 13 and 14 of the permanent works plans a borrow pit (Borrow Pit-J) to the south of the altered A12 carriageway (Work No. 45(a));

**Work No. 60** – As shown on sheets 13 and 14 of the permanent works plans a new public footpath between Highfields Lane (Work No. 55(c)) and the replacement Ewell Overbridge (Work No. 76), including the provision of means of access to the borrow pit restoration adjoining land (Work No. 59) and the ponds (Work No 77 and Work No. 58);

**Work No. 60A** – As shown on sheet 13 of the permanent works plans a private means of access of 226 metres in length to the south of the realigned Highfields Lane from the existing Highfields Lane, Kelvedon; and

**Work No. 61** – As shown on sheet 12 and 13 of the permanent works plans:

- (a) a flood mitigation area to the south of the realigned Highfields Lane (Work No. 55(c)) and a proposed flood bund;
- (b) new western culvert of 583 metres in length;
- (c) ditch connection from the new culvert to River Blackwater; and
- (d) the realignment of Footpath (92\_26).

**Work No. 62** – As shown on sheet 13 of the permanent works plans the construction of a drainage facility to the south of the realigned Highfields Lane (Work No. 55(c)) including:

- (a) an attenuation pond and associated outfall; and
- (b) an access track of 134 metres in length from the realigned Highfields Lane.

**Work No. 63** – As shown on sheet 13 of the permanent works plans the construction of a drainage facility to the east of the realigned Highfields Lane (Work No. 55(c)) including:

- (a) an attenuation pond including associated outfall; and
- (b) an access track of 149 metres in length from the realigned Highfields Lane.

**Work No. 64** – As shown on sheets 14 and 21 of the permanent works plans the construction of an attenuation pond including associated outfall, to the north of Ewell Hall Chase;

**Work No. 65** – As shown on sheets 14 and 21 of the permanent works plans the construction of a drainage facility south of B1023 Kelvedon Road, Kelvedon, including:

- (a) an attenuation pond including associated outfall; and
- (b) an access track of 639 metres in length from B1023 Kelvedon Road to Work No. 64 and provision of means of access to adjoining land.

**Work No. 66** – As shown on sheets 14 and 15 of the permanent works plans the construction of a drainage facility to the north of the realigned Domsey Brook (Work No. 67(b)) including:

- (a) an attenuation pond including associated outfall; and

- (b) an access track of 668 metres in length from the realigned Prested Hall Access Road and provision of means of access to adjoining land.

**Work No. 67** – As shown on sheet 14 of the permanent works plans:

- (a) the widening of Domsey Brook Bridge carrying the A12 over Domsey Brook; and
- (b) the realignment of Domsey Brook.

**Work No. 68** – As shown on sheets 14, 15, 16, 17, 18 and 19 of the permanent works plans the alteration of the A12 between the east facing slip roads east of the proposed Junction 24 (Work No. 74) and the east facing slip roads east of the proposed Junction 25 including:

- (a) the alteration of the A12 of 7898 metres in length, widening of the existing carriageways, new carriageways, noise and visual bunds and noise barriers; and
- (b) new four slip roads to and from Junction 25 including noise and visual bunds and associated demolition works to the existing A12.

**Work No. 69** – As shown on sheet 14 of the permanent works plans the construction of a drainage facility to the south of the realigned Domsey Brook (Work No. 67(b)) including:

- (a) an attenuation pond including associated outfall; and
- (b) an access track of 257 metres in length from the existing B1023 Kelvedon Road.

**Work No. 70** – As shown on sheet 14 of the permanent works plans the construction of an attenuation pond including associated outfall and an access track from the realigned B0123 Kelvedon Road, to the north of Inworth Roundabout (Work No. 74(c)).

**Work No. 71** – As shown on sheet 14 of the permanent works plans the construction of an attenuation pond including associated outfall to the west of B1023 Kelvedon Road including an access track from Inworth Roundabout (Work No. 74(c)) and access to adjoining land.

**Work No. 72** – As shown on sheet 14 of the permanent works plans the construction of a drainage facility south of B1023 Kelvedon Road including:

- (a) an attenuation pond and associated outfall; and
- (b) an access track of 217 metres in length from the New Inworth Link (Work No. 74(b)).

**Work No. 73** – As shown on sheet 14 of the permanent works plans flood mitigation area to the south of B1023 Kelvedon Road.

**Work No. 74** – As shown on sheet 14 of the permanent works plans the construction of the new Junction 24 of the A12 (J24), including:

- (a) northern and southern roundabouts of J24, and a connecting underbridge;
- (b) New link road (Inworth Link) from the southern roundabout of J24 to the new Inworth Roundabout (Work No. 74(c)); and
- (c) a new roundabout on B1023 Kelvedon Road (Inworth Roundabout) including the realigned Kelvedon Road, realigned B1023 Kelvedon Road and segregated left turn lane from B1023 Kelvedon Road to the Inworth Link (Work No. 74(b)).

**Work No. 75** – As shown on sheet 14 of the permanent works plans flood mitigation area to the south of J24 southbound on-slip (Work No. 45) and a proposed flood bund.

**Work No. 76** – As shown on sheet 14 of the permanent works plans the demolition of the existing Ewell Bridge and the construction of a new bridge (replacement Ewell Overbridge) over the altered A12 (Work No. 45(a)), including the construction of the realigned Ewell Road, a new public footpath connecting Footpath (92\_95) to Footpath (92\_15), the construction of private means of access to adjoining land and the provision of means of access to the ponds (Work No. 58).

**Work No. 76A** – As shown on sheet 14 of the permanent works plans the construction of new public footpath connecting Footpath (92\_20) to Footpath (92\_25), Kelvedon;

**Work No. 77** – As shown on sheet 14 of the permanent works plans the construction of an attenuation pond including associated outfall and an access track of 123 metres in length from the realigned Ewell Road, southeast of Ewell Overbridge replacement (Work No. 76).

**Work No. 78** – As shown on sheet 15 of the permanent works plans the construction of a drainage facility, to the north of the altered A12 carriageway (Work No. 68(a)), including:

- (a) an attenuation pond including associated outfall; and
- (b) an access track of 217 metres in length from the realigned Threshelfords Access Road.

**Work No. 79** – As shown on sheet 15 of the permanent works plans the construction of:

- (a) the realigned Prested Hall access, the demolition of the existing Nursery Bridge and provision of means of access to adjoining land and associated swales;
- (b) Prested Hall overbridge; and
- (c) the realigned Threshelfords Access Road and demolition of the existing Threshelfords Bridge.

**Work No. 80** – As shown on sheet 15 of the permanent works plans the construction of a drainage facility, west of the altered A12 carriageway (Work No. 68(a)) and north the realigned Prested Hall Access (Work No. 79(a)) including:

- (a) an attenuation pond including associated outfall; and
- (b) an access track of 390 metres in length from the realigned Prested Hall access (Work No. 79(a)).

**Work No. 81** – As shown on sheet 15 of the permanent works plans flood mitigation area north of the realigned Prested Hall Access (Work No. 79(a)); and west of the altered A12 carriageway (Work No. 68(a));

**Work No. 82** – As shown on sheet 15 of the permanent works plans the construction of:

- (a) Feering East roundabout;
- (b) eastern connection to the de-trunked A12;
- (c) the realigned London Road;
- (d) the realigned New Lane;
- (e) the realigned access track and provision of mean of access to adjoining land;
- (f) extension of the existing culvert east of realigned New Lane and a new ditch connecting to the extended culvert; and
- (g) access track north of the existing A12, from the new Feering East roundabout, extending east for 69 metres and private mean of access to adjoining land.

**Work No. 83** – As shown on sheet 15 of the permanent works plans the construction of new public footpath connecting Footpath (78\_12) to the realigned Prested Hall Access Road;

**Work No. 84** – As shown on sheet 15 of the permanent works plans the construction of an attenuation pond including associated outfall to the north of the altered A12 carriageway (Work No. 68(a)) including an access track of 192 metres in length from (Work No. 80b);

**Work No. 85** – As shown on sheet 15 of the permanent works plans the construction of a drainage facility between the de-trunked A12 and the altered A12 carriageway (Work No. 68(a)), east of the new Feering East roundabout (Work 82(a)), including:

- (a) an attenuation pond and outfall; and
- (b) an access track of 121 metres in length from the de-trunked A12.

**Work No. 86** – As shown on sheet 15 of the permanent works plans the construction of an attenuation pond including associated outfall, to the east of the altered A12 carriageway (Work No. 68(a)) and north the realigned Prested Hall Access Road (Work No. 79(a)) including access track from the existing Prested Hall access and provision of access to adjoining land.



**Work No. 87** – As shown on sheet 15 of the permanent works plans the construction of a drainage facility including the construction of:

- (a) an attenuation pond including associated outfall to the east of the altered A12 carriageway (Work No. 68(a)) and north of Prested Hall.
- (b) an access track (115 metres in length) from the existing access track serving Prested Hall.

**Work No. 88** – As shown on sheet 16 of the permanent works plans the construction of:

- (a) the realigned Easthorpe Road including provision of access to adjoining land;
- (b) the Easthorpe roundabout, realigned Domsey Chase, eastern and western connection to the de-trunked A12 and provision of means of access to adjoining land;
- (c) Easthorpe Road Overbridge; and
- (d) a new turning facility on Easthorpe Road south of the existing A12, and provision of means of access to adjoining land.

**Work No. 89** – As shown on sheet 16 of the permanent works plans the construction of a drainage facility east of Easthorpe Roundabout (Work No. 88(b)) and north of the altered A12 carriageway (Work No. 68(a)) including:

- (a) an attenuation pond including outfall; and
- (b) the construction of an access track of 97 metres in length from the de-trunked A12.

**Work No. 90** – As shown on sheet 16 of the permanent works plans the construction of an attenuation pond including outfall to the south of the new Easthorpe Road (Work No. 88(a)).

**Work No. 91** – As shown on sheets 15 and 16 of the permanent works plans of a drainage facility to the east of the altered A12 carriageway (Work No. 68(a)) including:

- (a) the construction of an attenuation pond including associated outfall
- (b) an access track (1206 metres in length) from the realigned Easthorpe Road (Work No. 88(a)) and associated swales; and
- (c) a new public footpath connecting with Footpath (78\_15), south of the altered A12 (Work No. 68(a)).

**Work No. 92** – As shown on sheet 17 of the permanent works plans:

- (a) the construction of Domsey Brook East culvert under the altered A12 carriageway (Work No. 68(a)), Easthorpe; and
- (b) the realignment of Domsey Brook.

**Work No. 93** – As shown on sheet 17 of the permanent works plans the construction of a drainage facility to the south of the new Wishingwell Farm Roundabout (Work No. 94(b)); including:

- (a) an attenuation pond including associated outfall; and
- (b) an access track of 204 metres in length east of the existing A12.

**Work No. 94** – As shown on sheets 17 and 18 of the permanent works plans the construction of:

- (a) the New Wishingwell Bridge Road including provision of access to adjoining land;
- (b) Wishingwell Farm roundabout and its eastern and western connection to the existing A12;
- (c) Wishingwell Overbridge; and
- (d) the realigned Easthorpe Green Access Road and the New Wishingwell Access Road, east of the altered A12 (Work No. 68(a)).

**Work No. 95** – As shown on sheet 17 of the permanent works plans the construction of an attenuation pond and associated outfall to the northeast of Wishingwell Farm Roundabout (Work No. 94(b)) between the existing A12 and the altered A12 (Work No. 68(a)) including an access track from the existing A12.

**Work No. 96** – As shown on sheets 17 and 18 of the permanent works plans the construction of a drainage facility to the south of the altered A12 carriageway (Work No. 68(a)) including:

- (a) an attenuation pond including associated outfall; and
- (b) an access track of 120 metres in length from New Wishingwell Access Road (Work No. 94(d)) including provision of access to adjoining land.

**Work No. 97** – As shown on sheet 17 of the permanent works plans the construction of an attenuation pond including associated outfall and access, to the south of the realigned Easthorpe Green Access Road (Work No. 94(d)).

**Work No. 98** – As shown on sheet 17 of the permanent works plans the construction of a drainage facility to the northeast of Domsey Brook to the east of the altered A12 carriageway (Work No. 68(a)), including:

- (a) an attenuation pond including associated outfall to the Domsey Brook; and
- (b) an access track of 558 metres in length from the Realigned Easthorpe Green Access Road (Work No. 94(d)).

**Work No. 99** – As shown on sheets 16 and 17 of the permanent works plans the construction of a drainage facility to the southwest of Domsey Brook to the south of the altered A12 carriageway (Work No. 68(a)) including:

- (a) an attenuation pond including associated outfall; and
- (b) an access track of 764 metres in length from the realigned Easthorpe Road (Work No. 88(a)) including provision of access to adjoining land.

**Work No. 100** – As shown on sheet 18 of the permanent works plans the construction of a new bridge (Potts Green Bridge) over the altered A12 (Work No. 68(a)) and a new public footpath connecting Footpath (144\_19) to the north and south of the altered A12, Marks Tey;

**Work No. 101** – As shown on sheet 18 of the permanent works plans the construction of two ponds including associated outfalls and access tracks to the south of the new London Road Roundabout (Work No. 102(b)), Marks Tey.

**Work No. 102** – As shown on sheet 18 of the permanent works plans the alteration of London Road, Marks Tey, including:

- (a) a connection from London Road Roundabout (Work No. 102(b)) to Old Rectory Junction (Work No. 104);
- (b) a new roundabout (London Road Roundabout);
- (c) western connection from London Road Roundabout to the existing A12; and
- (d) a realigned access to Old London Road.

**Work No. 103** – As shown on sheet 18 of the permanent works plans the construction of a drainage facility to the southwest of Old Rectory Junction (Work No. 104), Marks Tey and alterations to the realigned Old London Road including:

- (a) an attenuation pond including associated outfall; and
- (b) the realignment of Old London Road, to form an access to the new pond (work 103(a)) and access to the vehicle turning head.

**Work No. 104** - As shown on sheets 18 and 19 of the permanent works plans alterations to Old Rectory Junction and including the realignment of A120 Coggeshall Road, realigned Station Road and realigned A120 linking to Prince of Wales Roundabout, Marks Tey;.

**Work No. 104A** – As shown on sheet 18 of the permanent works plans the construction of a cycle track to connect the footway along Work No. 103(b) to the cycle track along the realigned Coggeshall Road, Marks Tey;

**Work No. 105** – As shown on sheet 18 of the permanent works plans the construction of Hall Chase roundabout, Marks Tey, including:

- (a) a new roundabout (Hall Chase Roundabout);
- (b) alterations to London Road; and
- (c) realignment of Hall Chase Road.

**Work No. 106** – As shown on sheet 18 of the permanent works plans the construction of an attenuation pond including associated outfall and access track from Hall Chase Roundabout (Work No. 105(a)), to the east of the altered A12 carriageway (Work No. 68(a)), Marks Tey;

**Work No. 107** – As shown on sheet 18 of the permanent works plans a flood mitigation area to the south of Footpath (144\_18) and east of Junction 25 southbound on-slip;

**Work No. 108** – As shown on sheet 18 of the permanent works plans a cycle track between Potts Green Bridge (Work No. 100) and the realigned Hall Chase (Work No. 105(c));

**Work No. 109** – As shown on sheet 19 of the permanent works plans:

- (a) the widening of the Roman River Culvert under the altered A12 carriageway (Work No. 68(a)), Marks Tey; and
- (b) the realignment of the Roman River.

**Work No. 110** – As shown on sheet 19 of the permanent works plans the construction of a drainage facility to the south of the altered A12 carriageway (Work No. 68(a)), Copford, including:

- (a) an attenuation pond including associated outfall to the Roman River; and
- (b) an access track of 336 metres in length from London Road.

**Work No. 111** – Not used.

**Work No. 112** – As shown on sheet 19 of the permanent works plans the demolition of the existing Marks Tey Footbridge, the construction of a new bridge (Marks Tey Bridge Replacement) over the altered A12 (Work No. 68(a)) and a new cycle track from London Road to Station Road, Marks Tey;

**Work No. 113** – As shown on sheet 20 of the permanent works plans a flood mitigation area including realigned ditch to the south of Windmill Hill, Inworth;

**Work No. 114** – As shown on sheet 20 of the permanent works plans a flood mitigation area including realigned ditch to the south of All Saints' Church, Inworth and east of B1023 Kelvedon Road;

**Work No. 115** – As shown on sheet 20 of the permanent works plans a flood mitigation area to the south of Footpath (145\_5) and east of B1023 Kelvedon Road;

**Work No. 116** – As shown on sheets 14 and 20 of the permanent works plans the construction of an attenuation pond including associated outfall to the east of B1023 Kelvedon Road and north of Inworth Hall;

**Work No. 117** – As shown on sheet 20 of the permanent works plans the construction of two flood mitigation areas including realigned ditch on either side of Footpath (145\_15) and east of B1023 Kelvedon Road;

**Work No. 118** – As shown on sheet 20 of the permanent works plans the construction of an attenuation pond including associated outfall to the south of Footpath (145\_15) and east of B1023 Kelvedon Road;

**Work No. 119** – As shown on sheet 20 of the permanent works plans the construction of an attenuation pond including associated outfall to the north of Windmill Hill and east of B1023 Kelvedon Road;

**Work No. 120** – As shown on sheet 20 of the permanent works plans two flood mitigation areas including realigned ditch to the north and to the south of Windmill Hill and east of B1023 Kelvedon Road;

**Work No. 121** – As shown on sheet 20 of the permanent works plans the construction of an attenuation pond including associated outfall to the south of Windmill Hill and east of B1023 Kelvedon Road; and

**Work No. 122** – As shown on sheets 14 and 20 of the permanent works plans improvements to B1023 Kelvedon Road including localised widening of the carriageway and provision of means of access to adjoining land.

### **Temporary Works**

**Work No. T1** – As shown on sheets 1 and 2 of the temporary works plans, a haul road of approximately 1200 metres in length, south of the existing junction 19 and to the east of the A12 southbound verge, Springfield;

**Work No. T2** – As shown on sheet 2 of the temporary works plans, a temporary carriageway of approximately 200 metres in length in the A12 northbound verge south of the Boreham Bridge at junction 19 of the A12;

**Work No. T3** – As shown on sheet 2 of the temporary works plans, a temporary carriageway of approximately 150 metres in length in the A12 southbound verge south of the Boreham Bridge at junction 19 of the A12;

**Work No. T4** – As shown on sheet 2 of the temporary works plans, a temporary carriageway of approximately 350 metres in length between the A12 junction 19 northbound on-slip road and the A12 northbound carriageway, Boreham;

**Work No. T5** – As shown on sheet 2 of the temporary works plans, a haul road of approximately 600 metres in length west of the northern abutment of the proposed Paynes Lane Bridge (Work No. 5), north of junction 19 of the A12;

**Work No. T6** – As shown on sheet 2 of the temporary works plans, a compound and traffic management and recovery yard of approximately 11000 square metres in area, between the B1137, Main Road and the A12 southbound carriageway, and including a temporary access of approximately 15 metres in length from the B1137, Main Road, Boreham;

**Work No. T7** – As shown on sheet 5 of the temporary works plans, a temporary access of approximately 25 metres in length from the A12 northbound carriageway to a field north of the A12, west of the River Ter Bridge; Hatfield Peverel;

**Work No. T8** – As shown on sheet 5 of the temporary works plans, a temporary road of approximately 600 metres in length between Bury Lane and Station Road, Hatfield Peverel, to the north of the A12;

**Work No. T9** – As shown on sheet 5 of the temporary works plans, a temporary bridge of approximately 60 metres in length spanning over the A12 together with a path of approximately 100 metres in length between Station Road and Swan Close, Hatfield Peverel;

**Work No. T10** – As shown on sheet 5 of the temporary works plans, a temporary private means of access to Stonelow and the Moorings from Bury Lane, Hatfield Peverel;

**Work No. T11** – As shown on sheet 5 of the temporary works plans, a temporary private means of access to the rear of Kinsby House from Swan Close, Hatfield Peverel.

**Work No. T12** – As shown on sheet 5 of the temporary works plans, a temporary private means of access to Acres Down and Primrose Cottage, from Station Road, Hatfield Peverel;

**Work No. T13** – As shown on sheets 5 and 6 of the temporary works plans, a temporary car park of approximately 31000 square metres in area between the Great Eastern Mainline Railway and The Vineyards, Hatfield Peverel;

**Work No. T14** – As shown on sheet 6 of the temporary works plans, temporary roads of approximately 1600 metres in length between the A12 junction 20b and the A12 junction 21 in the field to the north of the A12 northbound carriageway;

**Work No. T15** – As shown on sheet 6 of the temporary works plans, a temporary road of approximately 800 metres in length, north east of the junction of the B1137 and Glebefield Road, Hatfield Peverel and east of the existing A12;

**Work No. T16** – As shown on sheet 6 of the temporary works plans, a construction compound of approximately 80000 square metres in area between the Great Eastern Mainline Railway and the A12 northbound carriageway, and to the east of the A12 existing junction 20b, Hatfield Peverel;

**Work No. T17** – As shown on sheet 6 of the temporary works plans, temporary works associated with the proposed Borrow Pit E (Work No. 17) including, access routes, temporary diversion of private rights of way, water management, soil storage and material processing areas, between the Great Eastern Mainline Railway and the A12 northbound carriageway, and to the east of the A12 existing junction 20b, Hatfield Peverel;

**Work No. T18** – As shown on sheet 6 of the temporary works plans, a haul road of approximately 150 metres in length between the proposed Borrow Pit E (Work No. 17) and the temporary road to the north-east of the A12 existing junction 20b (Work No. T14), Hatfield Peverel;

**Work No. T19** – As shown on sheets 6 and 7 of the temporary works plans, a haul road of approximately 300 metres in length between Woodend Bridge and the A12 southbound carriageway, east of the existing A12, Witham;

**Work No. T20** – As shown on sheets 6 and 7 of the temporary works plans, a haul road of approximately 600 metres in length between the proposed A12 junction 21 southern roundabout (Work No. 18(a)) and Borrow Pit F (Work No. 26) east of the existing A12, Witham;

**Work No. T21** – As shown on sheet 7 of the temporary works plans, the temporary works associated with the proposed Borrow Pit F (Work No. 26) including access routes, utility protection slabs, controlled pedestrian crossing, water management, soil storage and material processing areas, east of the existing A12, Witham;

**Work No. T22** – As shown on sheet 7 of the temporary works plans, a temporary traffic management and recovery area of approximately 8000 square metres in area situated to the north of Gershwin Boulevard, between Owers Road and Hawkes Road, Witham;

**Work No. T23** – As shown on sheets 7 and 8 of the temporary works plans, a haul road of approximately 2400 metres in length between the proposed Borrow Pit F (Work No. 26) and Brain Bridge, south east of the A12 with a spur heading south to Blue Mill Hill, including the provision of utility protection slabs and a temporary bridge over the River Brain, Witham;

**Work No. T24** – As shown on sheets 7 and 8 of the temporary works plans, a haul road of approximately 100 metres in length between Gershwin Boulevard and the northern abutment of the proposed Gershwin Boulevard Bridge (Work No. 27), Witham;

**Work No. T25** – As shown on sheet 8 of the temporary works plans, a temporary bridge of approximately 75 square metres in area crossing over the River Brain to the north of Brain Bridge (Work No. 24(e)).

**Work No. T26** – As shown on sheets 8, 9, 10 and 11 of the temporary works plans, a haul road of approximately 3700 metres in length between Brain Bridge, Witham and the proposed Borrow Pit I (Work No. 48), including the provision of utility protection slabs and a temporary access and egress onto the A12 southbound carriageway at a point to the west of Barrows Creep Underpass;

**Work No. T27** – As shown on sheet 10 of the temporary works plans, a temporary carriageway of approximately 150 metres in length from the proposed northbound A12 carriageway to the existing northbound off-slip road at the existing junction 22 of the A12, Witham.

**Work No. T28** – As shown on sheet 10 of the temporary works plans, a temporary carriageway of approximately 300 metres in length from the existing southbound off-slip road at the proposed junction 22 to Colemans Bridge (Work No. 30), Witham.

**Work No. T29** – As shown on sheet 10 of the temporary works plans, a compound of approximately 78500 square metres in area together with access to the existing A12 northbound carriageway and the provision of utility protection slabs each of approximately 200 square metres, west of Whitelands, Witham;

**Work No. T30** – As shown on sheet 11 of the temporary works plans, a temporary road of approximately 150 metres in length from the existing A12 southbound carriageway to the proposed A12 northbound carriageway, through the service area at Rivenhall;

**Work No. T31** – As shown on sheet 11 of the temporary works plans, a temporary bridge to carry a haul road over the existing A12 at the proposed Rivenhall End East Roundabout (Work No. 39), Rivenhall End;

**Work No. T32** – As shown on sheets 11 and 12 of the temporary works plans, the temporary works associated with Borrow Pit I (Work No. 48) including access routes, temporary diversion of public and private rights of way, water management, soil storage and material processing areas, Rivenhall End;

**Work No. T33** – As shown on sheet 11 of the temporary works plans, a temporary carriageway of approximately 300 metres in length from the existing southbound A12 carriageway to the proposed A12 southbound carriageway west of the Essex County Fire and Rescue Service Headquarters, Rivenhall End;

**Work No. T34** – As shown on sheet 12 of the temporary works plans, a haul road of approximately 1200 metres in length between Borrow Pit I (Work No. 48) and Cranes Lane, Kelvedon;

**Work No. T35** – As shown on sheet 12 of the temporary works plans, a temporary carriageway of approximately of the A12 southbound carriageway of 500 metres in length, between Hole Farm and Cranes Bridge, Kelvedon;

**Work No. T36** – As shown on sheet 12 of the temporary works plans, a haul road of approximately 300 metres in length between Cranes Bridge and Ashmans Bridge, Kelvedon;

**Work No. T37** – As shown on sheets 12 and 13 of the temporary works plans, a haul road of approximately 1300 metres in length between Ashmans Bridge and the proposed Highfields Lane Overbridge replacement (Work No. 55(b)) and the proposed realigned Highfield Lane (Work No. 55(c)), Kelvedon, including a temporary access and egress onto the A12 southbound carriageway at a point to the west of the proposed realigned Highfield Lane, Kelvedon;

**Work No. T38** – As shown on sheets 13 and 14 of the temporary works plans, a haul road of approximately 950 metres in length between the proposed Highfields Overbridge Replacement (Work No. 55(b)) and the proposed Ewell Overbridge Replacement (Work No. 76), including a temporary access and egress onto the A12 northbound carriageway at a point to the east of the proposed realigned Highfield Lane (Work No. 55(c)), Kelvedon;

**Work No. T39** – As shown on sheets 13 and 14 of the temporary works plans, a haul road of approximately 2500 metres in length between Borrow Pit J (Work No. 59) and B1023 Kelvedon Road including a temporary access and egress onto the A12 southbound carriageway at a point to the east of the proposed realigned Highfield Lane (Work No. 55(c)), Kelvedon;

**Work No. T40** – As shown on sheets 13 and 14 of the temporary works plans, the temporary works associated with Borrow Pit J (Work No. 59) including, access routes, temporary diversion

of public and private rights of way, controlled pedestrian crossing, water management, soil storage and material processing areas, Kelvedon;

**Work No. T41** – As shown on sheet 14 of the temporary works plans, a temporary carriageway of approximately 250 metres in length the south of the existing A12, at the proposed junction 24 southern roundabout (Work No. 74(a)), Kelvedon;

**Work No. T42** – As shown on sheet 14 of the temporary works plans, a temporary carriageway of approximately 225 metres in length the south of the existing A12, at the proposed junction 24 northern roundabout (Work No. 74(a)), Kelvedon;

**Work No. T43** – As shown on sheet 14 of the temporary works plans, a haul road of approximately 900 metres in length between Ewell Overbridge Replacement (Work No. 76) and B1023 Kelvedon Road, Kelvedon including a temporary access and egress onto the A12 northbound carriageway at points to the east and west of the proposed Junction 24 Underbridge (Work No. 74(a)), Kelvedon;

**Work No. T44** – As shown on sheet 14 of the temporary works plans a temporary office of approximately 500 square metres in area to the south of Brick Kiln Farm;

**Work No. T45** – As shown on sheets 14 and 15 of the temporary works plans, a haul road of approximately 700 metres in length between B1023 Kelvedon Road, Kelvedon and to the north of the proposed Domsey Brook Bridge (Work No. 67(a)), Kelvedon, including the provision of a temporary bridge over Domsey Brook;

**Work No. T46** – As shown on sheets 14 and 15 of the temporary works plans, a haul road of approximately 1300 metres in length between the proposed Domsey Brook Bridge (Work No. 67(a)) and the private access track to Prested Hall;

**Work No. T47** – As shown on sheet 15 of the temporary works plans, a temporary road of approximately 350 metres in length between the proposed realigned Prested Hall access road (Work No. 79(a)) and the B1024, A12 southbound junction 24 off-slip road, Kelvedon;

**Work No. T48** – As shown on sheet 16 of the temporary works plans, a temporary road of approximately 600 metres in length along Easthorpe Road between the A12 southbound carriageway and the proposed satellite compound and traffic management recovery yard on Easthorpe Road (Work No. T49);

**Work No. T49** – As shown on sheet 16 of the temporary works plans, a compound and traffic management recovery yard of approximately 34000 square metres in area including access from Easthorpe Road, south of the A12 and east of the existing Easthorpe Road, Easthorpe;

**Work No. T50** – As shown on sheet 17 of the temporary works plans, a haul road of approximately 150 metres in length south of the A12 London Road and north of Easthorpe Green Farm;

**Work No. T51** – As shown on sheet 18 of the temporary works plans, a haul road of approximately 850 metres in length between Hall Chase Road and the proposed Potts Green Bridge (Work No. 100);

**Work No. T52** – As shown on sheet 18 of the temporary works plans, a compound of approximately 12000 square metres in area north-east of Hall Chase, Marks Tey including a temporary road of approximately 100 metres in length from London Road, Marks Tey;

**Work No. T53** – As shown on sheet 19 of the temporary works plans, a haul road of approximately 400 metres in length between B1408, London Road and the culverted Roman River under the A12, Copford; and

**Work No. T54** – As shown on sheet 19 (Inset C) of the temporary works plans, a traffic management recovery area of approximately 1200 square metres in area on the A12 southbound carriageway between junction 27 and junction 26 of the A12, Stanway.

## Utilities Works

**Work No. U1** – As shown on sheet 1 of the utilities works plans, the diversion of a buried water main of approximately 75 metres in length, south of the existing junction 19 and to the east of the A12 southbound verge, Springfield;

**Work No. U1A** – As shown on sheet 1 of the utilities works plans, the diversion of a buried water main of approximately 900 metres in length, south of the existing junction 19, and to the east of the A12, Springfield;

**Work No. U2** – As shown on sheet 1 of the utilities works plans, the diversion of a buried local high pressure gas pipeline of approximately 200 metres in length between the A12 northbound verge and the A12 southbound verge, south of the existing junction 19;

**Work No. U2A** – As shown on sheet 1 of the utilities works plans, the diversion of an overhead 11kV electricity cable of approximately 125 metres in length between Winsford Way, Springfield to the west of the A12 northbound verge and to a point to the east of the A12 southbound verge;

**Work No. U2B** – As shown on sheet 1 of the utilities works plans, the diversion of a buried foul sewer of approximately 150 metres in length, south of junction 19 to the east of the A12, Springfield;

**Work No. U3** – As shown on sheets 1 and 2 of the utilities works plans, the diversion of a buried medium pressure gas pipeline of approximately 275 metres in length between Winsford Way and the A12 junction 19 northbound off-slip road, with a crossing of the A12 to the south of junction 19, Boreham;

**Work No. U3A** – As shown on sheets 1 and 2 of the utilities works plans, the diversion of a buried water main of approximately 550 metres in length between the A12 junction 19 northbound off-slip road and the A12 junction 19 southbound on-slip road, with a crossing of the A12 to the south of the existing junction 19;

**Work No. U3B** – As shown on sheets 1 and 2 of the utilities works plans, the diversion of a buried 11kV electricity cable ducts of approximately 500 metres in length between the A12 junction 19 northbound off-slip road and Boreham House, with a crossing of the A12 to the south of the existing junction 19;

**Work No. U3C** – As shown on sheets 1 and 2 of the utilities works plans, the diversion of a buried water main of approximately 250 metres in length between the Generals Farm Roundabout (Work No. 1(b)) and the A12 junction 19 southbound on-slip road verge;

**Work No. U4** – As shown on sheets 1 and 2 of the utilities works plans, the diversion of buried 11kV electricity cable ducts of approximately 150 metres in length between Drovers Way Roundabout and Generals Lane Roundabout, along the A130 Main Road southbound verge, Boreham;

**Work No. U5** – As shown on sheet 2 of the utilities works plans, the diversion of buried communications cable ducts of approximately 200 metres in length between the A12 northbound verge and Generals Farm Roundabout crossing the A12, south of Boreham bridge;

**Work No. U6** – As shown on sheet 2 of the utilities works plans, the diversion of buried communications cable ducts of approximately 125 metres in length within Boreham Bridge westbound verge;

**Work No. U7** – As shown on sheet 2 of the utilities works plans, the diversion of buried communications cable ducts of approximately 225 metres in length between Generals Lane and B1137, Main Road via Boreham Bridge;

**Work No. U8** – As shown on sheet 2 of the utilities works plans, the diversion of buried communications cable ducts of approximately 100 metres in length within the A12 junction 19 southbound off-slip road verge;



**Work No. U9** – As shown on sheet 2 of the utilities works plans, the diversion of buried communications cable ducts of approximately 100 metres in length between B1137, Main Road northbound verge and the Premier Inn Chelmsford (Boreham);

**Work No. U10** – As shown on sheet 2 of the utilities works plans, the diversion of buried 11kV electricity cable ducts of approximately 250 metres in length between Generals Lane southbound verge and the Premier Inn Chelmsford (Boreham);

**Work No. U10A** – As shown on sheet 2 of the utilities works plans, the diversion of a buried water main at junction 19 of the A12 of approximately 50 metres in length between the verges of the A138 link road to the A12 junction 19 northbound on-slip road, to the north of Generals Lane Roundabout (Work No. 1(b));

**Work No. U10B** – As shown on sheet 2 of the utilities works plans, the diversion of a buried water main at junction 19 of the A12 of approximately 100 metres in length between the A12 junction 19 northbound verge and the A12 northbound verge crossing the proposed Realigned Beaulieu Park Radial Distributor Road (Work No. 1(g));

**Work No. U10C** – As shown on sheet 2 of the utilities works plans, the diversion of a buried water main at junction 19 of the A12 of approximately 500 metres in length between the A12 northbound verge and the B1137 Main Road northbound verge, via Paynes Lane;

**Work No. U11** – As shown on sheet 2 of the utilities works plans, the diversion of buried communications cable ducts of approximately 900 metres in length between B1137, Main Road northbound verge to a point east of Boreham Brook in the A12 northbound verge;

**Work No. U12** – As shown on sheet 2 of the utilities works plans, the diversion of buried communications cable ducts of approximately 900 metres in length between the A130 southbound verge and Boreham Brook in the A12 southbound verge via Boreham Bridge;

**Work No. U12A** – As shown on sheet 2 of the utilities works plans, the diversion of a buried water main of approximately 300 metres in length between the proposed Paynes Lane Bridge (Work No. 5) and the northbound verge of the B1137, Main Road at Generals Farm Roundabout (Work No. 1(b));

**Work No. U12B** – As shown on sheet 2 of the utilities works plans, the diversion of buried communication cable ducts of approximately 250 metres in length between the A12 junction 19 southbound off-slip road and the B1137, Main Road, along Paynes Lane, Boreham;

**Work No. U13** – As shown on sheet 2 of the utilities works plans, the diversion of a surface water drain of approximately 350 metres in length in the A12 southbound verge, extending northeast from Boreham Brook;

**Work No. U14** – As shown on sheet 2 of the utilities works plans, the diversion of buried communications cable ducts of approximately 200 metres in length along the B1137, Main Road southbound verge, between Boreham House and Paynes Lane;

**Work No. U14A** – As shown on sheet 2 of the utilities works plans, the protection or diversion of a buried foul sewer of approximately 50 metres in length at a point east of Millmead Cottages, to the north of the B1137, Main Road, Boreham;

**Work No. U15** – As shown on sheet 2 of the utilities works plans, the diversion of buried communications cable ducts of approximately 250 metres in length between the B1137, Main Road southbound verge and B1137, Main Road northbound verge to east of Paynes Lane, Boreham;

**Work No. U16** – As shown on sheet 2 of the utilities works plans, the diversion of buried communications cable ducts of approximately 50 metres in length between B1137, Main Road southbound verge and B1137, Main Road northbound verge at a point near to Boreham House;

**Work No. U17** – As shown on sheet 2 of the utilities works plans, the diversion of buried communications cable ducts of approximately 75 metres in length within the B1137, Main Road southbound verge to the west of Boreham House;

**Work No. U18** – As shown on sheet 2 of the utilities works plans, the diversion of buried communications cable ducts of approximately 450 metres in length between the A12 junction 19 southbound on-slip road and Paynes Lane, within the B1137, Main Road southbound verge;

**Work No. U19** – As shown on sheet 2 of the utilities works plans, the diversion of buried communications cable ducts of approximately 50 metres in length between B1137, Main Road southbound verge and B1137, Main Road northbound verge, at a point north of Cheese House;

**Work No. U20** – As shown on sheet 2 of the utilities works plans, the diversion of buried communications cable ducts of approximately 100 metres in length between Cheese House and the B1137, Main Road southbound verge, junction 19, Boreham;

**Work No. U20A** – As shown on sheet 2 of the utilities works plans, the diversion of buried 11kV electricity cable ducts of approximately 150 metres in length between Cheese House and the B1137, Main Road northbound verge;

**Work No. U21** – As shown on sheets 2, 3 and 4 of the utilities works plans, the diversion of buried communications cable ducts of approximately 2800 metres in length along the B1137, Main Road between Paynes Lane, Boreham and Crix Bridge, Hatfield Peverel;

**Work No. U22** – As shown on sheets 2, 3, 4, 5 and 6 of the utilities works plans, the diversion of buried communications cable ducts of approximately 5850 metres in length along the B1137, Main Road between Paynes Lane Boreham and the A12 junction 20b southbound off-slip road, Hatfield Peverel;

**Work No. U22A** – As shown on sheets 5, 6, 7, 8, 9 and 10 of the utilities works plans, the diversion of buried communications cable ducts of approximately 9000 metres length between the Crix Bridge, Hatfield Peverel and Burghey Brook Cottages, Witham;

**Work No. U23** – As shown on sheet 5 of the utilities works plans, the diversion of buried low voltage electricity cable ducts of approximately 100 metres in length from the B1137, The Street northbound verge to a point to the north of the A12, to the east of River Ter Bridge, Hatfield Peverel;

**Work No. U24** – As shown on sheet 5 of the utilities works plans, the diversion of buried 11kV electricity cable ducts and relocation of pole of approximately 75 metres in length between B1137, The Street northbound verge and the A12 junction 20a northbound off-slip road verge, with a crossing of the A12 to the east of River Ter Bridge, Hatfield Peverel;

**Work No. U25** – As shown on sheet 5 of the utilities works plans, the diversion of a foul sewer of approximately 300 metres in length between a point north of the A12 and east of the River Ter Bridge and Hatfield Bury Farm, Hatfield Peverel;

**Work No. U26** – As shown on sheet 5 of the utilities works plans, the diversion of a buried water main of approximately 100 metres in length between the A12 northbound verge and the B1137, The Street southbound verge, with a crossing of the A12 to the east of River Ter Bridge, Hatfield Peverel;

**Work No. U27** – As shown on sheet 5 of the utilities works plans, the diversion of buried communications cable ducts of approximately 550 metres in length between Sorrell's Cottages and Stonelaw on Bury Lane, Hatfield Peverel via the A12 northbound verge and crossing the A12 into B1137, The Street northbound verge;

**Work No. U28** – As shown on sheet 5 of the utilities works plans, the diversion of buried communications cable ducts of approximately 550 metres in length between Sorrell's Cottages and Stonelaw on Bury Lane, Hatfield Peverel, via the A12 northbound verge and crossing the A12 into B1137, The Street northbound verge;

**Work No. U29** – As shown on sheet 5 of the utilities works plans, the diversion of buried low voltage electricity cable ducts of approximately 100 metres in length across Bury Lane Bridge, within the west verge, Hatfield Peverel;

**Work No. U29A** – As shown on sheet 5 of the utilities works plans, the diversion of a buried water main of approximately 50 metres in length to the front of Sorrell's Cottages, Bury Lane, Hatfield Peverel;

**Work No. U30** – As shown on sheet 5 of the utilities works plans, the diversion of buried communications cable ducts of approximately 100 metres in length between Crofton, Station Road east verge, across Station Road Overbridge (Work No. 10), and Primrose Cottage, Station Road east verge, Hatfield Peverel;

**Work No. U31** – As shown on sheet 5 of the utilities works plans, the diversion of buried low voltage cable ducts of approximately 75 metres in length between High Clere, Station Road west verge, across Station Road Overbridge (Work No. 10), and Kinsby House, Station Road west verge, Hatfield Peverel;

**Work No. U32** – As shown on sheet 5 of the utilities works plans, the diversion of a buried water main of approximately 700 metres in length between Bury Lane Bridge and Wellington Bridge, in the A12 northbound verge, Hatfield Peverel;

**Work No. U33** – As shown on sheet 5 of the utilities works plans, the diversion of a buried water main of approximately 100 metres in length from the A12 northbound verge to the A12 southbound verge, Hatfield Peverel, with a crossing of the A12 to the east of Station Road Overbridge (Work No. 10);

**Work No. U34** – As shown on sheets 5 and 6 of the utilities works plans, the diversion of a buried medium pressure gas pipeline of approximately 175 metres in length between Woodland Close and The Vineyards, in the A12 northbound verge, Hatfield Peverel;

**Work No. U35** – As shown on sheets 5 and 6 of the utilities works plans, the diversion of buried communications cable ducts of approximately 1100 metres in length along the B1137, The Street, between River Ter Bridge and the A12 junction 20b southbound off-slip road;

**Work No. U36** – As shown on sheet 5 of the utilities works plans, the diversion of a buried water main of approximately 50 metres in length across Bury Lane, Hatfield Peverel;

**Work No. U37** – As shown on sheet 6 of the utilities works plans, the diversion of buried communications cable ducts of approximately 225 metres in length between the Duke of Wellington Public House and The Vineyards, Hatfield Peverel, within the B1137 northbound verge, via the new Wellington Road Overbridge (Work No. 18(b));

**Work No. U37A** – As shown on sheet 6 of the utilities works plans, the diversion of buried low voltage electricity cable ducts of approximately 50 metres in length at the access to The Vineyards, Hatfield Peverel;

**Work No. U38** – As shown on sheets 5 and 6 of the utilities works plans, the diversion of buried and overhead 11kV electricity cables of approximately 1800 metres in length between the A12 junction 20b southbound off-slip road, northeast of Hatfield Peverel, and the A12 junction 21 southbound on-slip road, together with a spur crossing the A12, to the north of The Vineyards, Hatfield Peverel;

**Work No. U38A** – As shown on sheets 6 and 7 of the utilities works plans, the installation of a buried 11kV electricity cable ducts of approximately 2800 metres in length from a point north of the Wellington overbridge, Hatfield Peverel to Howbridge Hall Road, Witham;

**Work No. U39** – As shown on sheet 6 of the utilities works plans, the diversion of buried water pipe of approximately 350 metres in length between The Vineyards, Hatfield Peverel, and a point west of the new junction 21 of the A12;

**Work No. U40** – As shown on sheet 6 of the utilities works plans, the diversion of buried communications cable ducts of approximately 1150 metres in length between the A12 junction 20b southbound off-slip road verge and Kingswood Gateway on the A12 junction 21 northbound off-slip road verge, Witham;

**Work No. U41** – As shown on sheet 6 of the utilities works plans, the diversion of buried communications cable ducts of approximately 900 metres in length between a point west of the new junction 21 of the A12, and Kingswood Gateway on the A12 junction 21 northbound off-slip road verge, Witham;

**Work No. U41A** – As shown on sheet 6 of the utilities works plans, the protection and diversion of a buried water main of approximately 850 metres in length south of the Great Eastern Mainline Railway, Hatfield Peverel;

**Work No. U42** – As shown on sheet 6 of the utilities works plans, the diversion of a buried medium pressure gas pipeline of approximately 1200 metres in length between The Vineyards, Hatfield Peverel, and Kingswood Gateway, Witham, to the north of the A12;

**Work No. U43** – As shown on sheet 6 of the utilities works plans, the diversion of buried communications cable ducts of approximately 100 metres in length along a private access track between B1389, Hatfield Road and Mayfield Cottage, Witham;

**Work No. U44** – As shown on sheets 6, 7, 8, 9 and 10 of the utilities works plans, the diversion of buried communications cable ducts of approximately 6400 metres in length between existing A12 junction 20b southbound off-slip road and Eastways Junction, B1389 Colchester Road, Witham;

**Work No. U45** – As shown on sheet 6 of the utilities works plans, the diversion of a foul sewer of approximately 275 metres in length between the A12 northbound verge and the A12 southbound verge, at a point to the east of junction 20b;

**Work No. U46** – As shown on sheet 6 of the utilities works plans, the diversion of a surface water sewer of approximately 100 metres in length to the south of the proposed A12 junction 21 southbound on-slip road (Work No. 18(a));

**Work No. U47** – As shown on sheet 6 of the utilities works plans, the diversion of buried low voltage electricity cable ducts of approximately 100 metres in length between the B1137, The Street southbound verge to the A12 southbound verge;

**Work No. U48** – As shown on sheets 6 and 7 of the utilities works plans, the diversion of buried communications cable ducts of approximately 1800 metres in length between the existing A12 junction 20b southbound off-slip road and Dengie Farm, Witham;

**Work No. U49** – As shown on sheets 6, 7, 8, 9 and 10 of the utilities works plans, the diversion of buried communications cable ducts of approximately 6000 metres in length between the A12 junction 20b southbound off-slip road, via Blue Mill Hill, and to the A12 northbound verge to the south of the existing junction 22, Witham;

**Work No. U50** – As shown on sheets 7 and 8 of the utilities works plans, the diversion of 11kV electricity cable ducts of approximately 600 metres in length between Howbridge Hall Road and B1018 Maldon Road, Witham in the A12 southbound verge, with a crossing of the A12 to Ashby Road, Witham;

**Work No. U51** – As shown on sheets 7, 8, 9 and 10 of the utilities works plans, the diversion of buried communications cable ducts of approximately 4650 metres in length between Dengie Farm and Burghey Brook Cottages, Witham;

**Work No. U52** – As shown on sheet 7 of the utilities works plans, the diversion of buried 11kV electricity cable ducts of approximately 475 metres in length between Dengie Farm and Howbridge Hall Road, Witham;

**Work No. U53** – As shown on sheet 7 of the utilities works plans, the diversion of buried communications cable ducts of approximately 650 metres in length between the proposed A12

junction 21 northbound on-slip road and Dengie Farm, with a crossing of the A12 to the east of Woodend Bridge, Witham;

**Work No. U54** – As shown on sheet 7 of the utilities works plans, the diversion of buried 11kV electricity cable ducts of approximately 600 metres in length between Latneys and Gershwin Boulevard, Witham with a crossing of the A12 to the east of Woodend Bridge;

**Work No. U55** – As shown on sheet 7 of the utilities works plans, the diversion of buried communications cable ducts of approximately 250 metres in length between the B1389, Hatfield Road and Latneys, with a crossing of the A12 to the east of Woodend Bridge, Witham;

**Work No. U56** – As shown on sheets 6, 7, 8, 9 and 10 of the utilities works plans, the diversion of buried communications cable ducts of approximately 5200 metres in length between the B1389, Hatfield Road and Eastways Junction, B1389 Colchester Road, Witham;

**Work No. U57** – As shown on sheet 7 of the utilities works plans, the diversion of a buried water main of approximately 150 metres in length crossing the A12 from the northbound verge to the southbound verge to the east of Woodend Bridge, Witham;

**Work No. U58** – As shown on sheet 7 of the utilities works plans, the diversion of a buried water main of approximately 100 metres in length between Gershwin Boulevard, Witham, and Dengie Farm, crossing under the A12;

**Work No. U59** – As shown on sheet 8 of the utilities works plans, the diversion of a surface water drain of approximately 100 metres in length between the A12 northbound verge and Olivers Drive, Witham;

**Work No. U60** – As shown on sheet 8 of the utilities works plans, the diversion of a buried water main of approximately 200 metres in length along B1018 Maldon Road verge, beneath Olivers Bridge, Witham;

**Work No. U61** – As shown on sheet 8 of the utilities works plans, the diversion of buried low voltage electricity cable ducts of approximately 100 metres in length along B1018 Maldon Road verge, beneath Olivers Bridge, Witham;

**Work No. U62** – As shown on sheet 8 of the utilities works plans, the diversion of a foul water main of approximately 150 metres in length along B1018 Maldon Road verge, beneath Olivers Bridge, Witham;

**Work No. U62A** – As shown on sheet 8 of the utilities works plans, the diversion of a buried water main of approximately 150 metres in length between the A12 and Blue Mill Hill, south of Benton Bridge, Witham;

**Work No. U63** – As shown on sheet 8 of the utilities works plans, the diversion of buried low voltage and 11kV electricity cable ducts of approximately 150 metres in length beneath Benton Bridge, Witham;

**Work No. U63A** – As shown on sheet 8 of the utilities works plans, the diversion or protection of a buried foul sewer pipe of approximately 125 metres in length underneath Benton Bridge, Witham;

**Work No. U64** – As shown on sheets 8 and 9 of the utilities works plans, the diversion of buried communications cable ducts of approximately 1450 metres in length between Howbridge Hall Road and Witham Sewage works, Witham, within the A12 southbound verge;

**Work No. U65** – As shown on sheet 8 of the utilities works plans, the diversion of buried water mains of approximately 150 metres in length between Blackwater Lane, Witham to the west of the A12 and Whetmead Nature Reserve to the east of the A12;

**Work No. U66** – As shown on sheet 8 of the utilities works plans, the diversion of buried 11kV electricity cable ducts and relocation of pole from verge of approximately 150 metres in length

between Blackwater Lane, to the west of the A12 and Whetmead Nature Reserve to the east of the A12, Witham;

**Work No. U67** – As shown on sheets 8 and 9 of the utilities works plans, the diversion of a buried water main of approximately 400 metres in length between Blackwater Lane and a point south of, Freebournes Road, Witham, within the A12 northbound verge;

**Work No. U68** – As shown on sheet 8 of the utilities works plans, the diversion of a surface water drain of approximately 225 metres in length between Pantile Close, Witham and a point north of Benton Bridge, south of the A12;

**Work No. U69** – As shown on sheets 7, 8 and 9 of the utilities works plans, the diversion of a buried local high pressure gas pipeline of approximately 3200 metres in length between Dengie Farm, via Blue Mill Hill and to a point east of the A12, north of Barrows Creep Underpass, Witham;

**Work No. U70** – As shown on sheet 8 of the utilities works plans, the diversion of a buried water main of approximately 125 metres in length between Blackwater Lane, Witham and Whetmead Nature Reserve, north of Brain Bridge Witham;

**Work No. U71** – As shown on sheet 8 of the utilities works plans, the diversion of buried 11kV electricity cable ducts of approximately 175 metres in length between Olivers Bridge and Benton Bridge to the south of the A12, Witham;

**Work No. U72** – As shown on sheet 8 of the utilities works plans, the diversion of a buried water main of approximately 200 metres in length between Howbridge Hall Road and B1018 Maldon Road, Witham to the south of the A12;

**Work No. U73** – As shown on sheet 8 of the utilities works plans, the diversion or protection of a buried sewer pipe of approximately 75 metres in length within the Whetmead Nature Reserve, east of the A12, Witham;

**Work No. U73A** – As shown on sheet 9 of the utilities works plans, the diversion or protection of a buried water main of approximately 75 metres in length east of the A12 within Whetmead Nature Reserve, Witham;

**Work No. U74** – As shown on sheet 9 of the utilities works plans, the diversion of a storm drain of approximately 100 metres in length between Freebournes Road, north of Moss Road, Witham and the A12 southbound verge, with a crossing of the A12 to the south of the existing junction 22;

**Work No. U75** – As shown on sheets 9 and 10 of the utilities works plans, the diversion of buried communications cable ducts of approximately 2300 metres in length between Barrows Creep Underpass within the A12 southbound verge to Burghey Brook Cottages, Witham;

**Work No. U76** – As shown on sheet 10 of the utilities works plans, the diversion of a buried intermediate pressure gas pipeline of approximately 180 metres in length between Freebournes Road to the west of the A12 and Colemans Fishery, to the east of the A12, Witham;

**Work No. U77** – As shown on sheets 9 and 10 of the utilities works plans, the diversion of buried communications cable ducts of approximately 1300 metres in length between Freebournes Road and Eastways Junction, B1389 Colchester Road, Witham;

**Work No. U78** – As shown on sheet 10 of the utilities works plans, the diversion and undergrounding of overhead 11kV electricity cable ducts of approximately 450 metres in length between Rosewood Business Park and a point north of Little Braxted Lane, to the east of the existing junction 22;

**Work No. U79** – As shown on sheet 10 of the utilities works plans, the diversion of buried communications cable ducts of approximately 700 metres in length between Eastways Junction, B1389 Colchester Road, and Burghey Brook Cottages, Witham;

**Work No. U80** – As shown on sheet 10 of the utilities works plans, the diversion of buried communications cable ducts of approximately 450 metres in length between Colemans Bridge and Burghey Brook Cottages, Witham;

**Work No. U81** – As shown on sheet 10 of the utilities works plans, the diversion of an underground medium pressure gas pipeline of approximately 1000 metres in length between Eastways Junction, B1389 Colchester Road and Whitelands, Rivenhall End;

**Work No. U82** – As shown on sheets 10 and 11 of the utilities works plans, the diversion of a buried water main of approximately 250 metres in length between Whitelands and Oak Road, Rivenhall End;

**Work No. U83** – As shown on sheet 10 of the utilities works plans, the diversion of buried communications cable ducts of approximately 400 metres in length between Eastways Junction, B1389 Colchester Road, and Burghey Brook Cottages, Witham;

**Work No. U84** – As shown on sheet 10 of the utilities works plans, the diversion of buried low voltage electricity cable ducts of approximately 400 metres in length between Eastways Junction, B1389 Colchester Road, and Burghey Brook Cottages, Witham;

**Work No. U84A** – As shown on sheet 10 of the utilities works plans, the installation of buried 11kV electricity cable ducts of approximately 800 metres in length between the Eastways Junction, Witham, and a point on the existing A12 northeast of the proposed junction 22 of the A12;

**Work No. U85** – As shown on sheet 10 of the utilities works plans, the diversion or protection of buried water main of approximately 25 metres in length crossing the Eastways junction and the B1389, Colchester Road, Witham;

**Work No. U85A** – As shown on sheet 10 of the utilities works plans, the diversion or protection of buried water main of approximately 100 metres in length crossing the Eastways junction and the B1389, Colchester Road, Witham;

**Work No. U85B** – As shown on sheet 10 of the utilities works plans, the diversion or protection of buried foul sewer of approximately 50 metres in length crossing the Eastways junction, Witham;

**Work No. U86** – As shown on sheet 10 of the utilities works plans, the diversion of buried communications cable ducts of approximately 250 metres in length between Eastways Junction, B1389 Colchester Road, and Burghey Brook Cottages, Witham;

**Work No. U87** – As shown on sheets 9 and 10 of the utilities works plans, the diversion of a buried water main of approximately 225 metres in length between the A12 and Little Braxted Lane, south of the proposed junction 22 of the A12;

**Work No. U88** – As shown on sheet 10 of the utilities works plans, the diversion of buried communications cable ducts of approximately 450 metres in length between Little Braxted Lane and northeast of the proposed Little Braxted Lane Overbridge (Work No. 32(a));

**Work No. U89** – As shown on sheet 10 of the utilities works plans, the diversion of an underground local high pressure gas pipeline of approximately 970 metres in length between Little Braxted Lane and Whitelands, Rivenhall End;

**Work No. U89A** – As shown on sheet 10 of the utilities works plans, the diversion of a buried water main of approximately 600 metres in length between Burghey Brook Cottages and a point to the west of Coleman's Reservoir, Witham;

**Work No. U90** – As shown on sheet 10 of the utilities works plans, the diversion of an underground local high pressure gas pipeline of approximately 400 metres in length between Little Braxted Lane and Rosewood Business Park, Witham;

**Work No. U91** – As shown on sheet 10 of the utilities works plans, the diversion of buried communications cable ducts of approximately 900 metres in length between Little Braxted Lane and Eastways Junction, B1389 Colchester Road, Witham;

**Work No. U92** – As shown on sheet 10 of the utilities works plans, the diversion of buried communications cable ducts of approximately 900 metres in length between Little Braxted Lane and Eastways Junction, B1389 Colchester Road, Witham;

**Work No. U93** – As shown on sheet 10 of the utilities works plans, the diversion of buried communications cable ducts of approximately 1250 metres in length between Little Braxted Lane and Eastways Junction, B1389 Colchester Road, Witham;

**Work No. U94** – As shown on sheet 10 of the utilities works plans, the diversion of buried communications cable ducts of approximately 100 metres in length, east of the realigned Little Braxted Lane (Work No. 32(d)), Witham;

**Work No. U95** – As shown on sheet 10 of the utilities works plans, the diversion of an underground water main of approximately 250 metres in length between Freebournes Road and Little Braxted Lane, Witham;

**Work No. U96** – As shown on sheet 11 of the utilities works plans, the diversion of buried communications cable ducts of approximately 300 metres in length between a point north of Whitelands and Henry Dixon Road, Rivenhall End;

**Work No. U97** – As shown on sheet 11 of the utilities works plans, the diversion of buried low voltage electricity cable ducts of approximately 200 metres in length between Oak Road, Rivenhall End, and a point to the north of Whitelands;

**Work No. U98** – As shown on sheet 11 of the utilities works plans, the diversion of an underground medium pressure gas pipeline of approximately 125 metres in length between Henry Dixon Road, Rivenhall End, and a point to the north of Whitelands;

**Work No. U99** – As shown on sheet 11 of the utilities works plans, the diversion of buried communications cable ducts of 100 metres in length between Oak Road, Rivenhall End, and a point to the north of Whitelands;

**Work No. U100** – As shown on sheet 11 of the utilities works plans, the diversion of buried communications cable ducts of approximately 150 metres in length between Oak Road, Rivenhall End, and a point to the north of Whitelands;

**Work No. U101** – As shown on sheet 11 of the utilities works plans, the diversion of buried communications cable ducts of approximately 250 metres in length between Henry Dixon Road, Rivenhall End, and a point to the north of Whitelands;

**Work No. U102** – As shown on sheet 11 of the utilities works plans, the diversion of a buried foul sewer of approximately 125 metres in length between Oak Road, Rivenhall End, and a point to the north of Whitelands;

**Work No. U103** – As shown on sheet 11 of the utilities works plans, the diversion of a buried low pressure gas pipeline of approximately 100 metres in length between The Matchyns and Henry Dixon Road, Rivenhall End;

**Work No. U104** – As shown on sheet 11 of the utilities works plans, the diversion of a buried medium pressure gas pipeline of approximately 150 metres in length between The Matchyns and Henry Dixon Road, Rivenhall End;

**Work No. U104A** – As shown on sheet 11 of the utilities works plans, the diversion or protection of buried foul sewer of approximately 75 metres in length between Oak Road and The Matchyns, Rivenhall End, with a crossing of the existing A12 to the north of The Matchyns;



**Work No. U105** – As shown on sheet 11 of the utilities works plans, the diversion of buried communications cable ducts of approximately 50 metres in length between Oak Road and The Matchyns, Rivenhall End;

**Work No. U106** – As shown on sheet 11 of the utilities works plans, the diversion of a buried foul sewer of approximately 250 metres in length south from a point east of Henry Dixon Road to a point east of Fair Rest, Rivenhall;

**Work No. U107** – As shown on sheet 11 of the utilities works plans, the diversion and undergrounding of overhead 11kV electricity cable ducts of approximately 250 metres in length between Rivenhall Bridge and a point east of Fair Rest, Rivenhall;

**Work No. U108** – As shown on sheet 11 of the utilities works plans, the diversion of buried communications cable ducts of approximately 350 metres in length between Rivenhall Bridge and Essex County Fire and Rescue Service Headquarters, with a crossing of the existing A12 to the north of Rivenhall Bridge;

**Work No. U109** – As shown on sheet 11 of the utilities works plans, the diversion of buried communications cable ducts of approximately 375 metres in length between Rivenhall Bridge and Essex County Fire and Rescue Service Headquarters, with a crossing of the existing A12 to the north of Rivenhall Bridge;

**Work No. U110** – As shown on sheets 11 and 12 of the utilities works plans, the diversion of buried communications cable ducts of approximately 250 metres in length between the proposed Rivenhall End East Roundabout (Work No. 39(a)) and Essex County Fire and Rescue Service Headquarters;

**Work No. U111** – As shown on sheet 11 of the utilities works plans, the diversion of buried communications cable ducts of approximately 350 metres in length between Rivenhall Bridge and Essex County Fire and Rescue Service Headquarters;

**Work No. U111A** – As shown on sheets 11 and 12 of the utilities works plans, the diversion of buried communication cable ducts of approximately 300 metres in length between the existing A12 and the Essex County Fire and Rescue Service Headquarters;

**Work No. U111B** – As shown on sheets 11 and 12 of the utilities works plans, the diversion of buried communication cable ducts of approximately 300 metres in length between the existing A12 and the Essex County Fire and Rescue Service Headquarters;

**Work No. U111C** – As shown on sheet 11 of the utilities works plans, the diversion of a buried water main of approximately 250 metres in length south of the Essex County Fire and Rescue Service Headquarters, east of the existing A12;

**Work No. U112** – As shown on sheet 11 of the utilities works plans, the diversion of buried communications cable ducts of approximately 325 metres in length between Rivenhall Bridge and Essex County Fire and Rescue Service Headquarters;

**Work No. U113** – As shown on sheet 11 of the utilities works plans, the diversion of a buried medium pressure gas pipeline of approximately 550 metres in length between Rivenhall Bridge and Essex County Fire and Rescue Service Headquarters;

**Work No. U114** – As shown on sheet 11 of the utilities works plans, the diversion of buried communications cable ducts of approximately 75 metres in length between The Matchyns and Henry Dixon Road, Rivenhall End;

**Work No. U115** – As shown on sheet 11 of the utilities works plans, the diversion of buried communications cable ducts of approximately 50 metres in length between Oak Road and The Matchyns, Rivenhall End;

**Work No. U116** – As shown on sheet 11 of the utilities works plans, the diversion of buried communications cable ducts of approximately 75 metres in length between The Matchyns and Henry Dixon Road, Rivenhall End;

**Work No. U117** – As shown on sheet 11 of the utilities works plans, the diversion of a buried water main of approximately 250 metres in length between Henry Dixon Road and Fair Rest, Rivenhall End;

**Work No. U118** – As shown on sheet 11 of the utilities works plans, the diversion of buried low voltage electricity cable ducts of approximately 200 metres in length between Henry Dixon Road and Fair Rest, Rivenhall End;

**Work No. U119** – As shown on sheet 11 of the utilities works plans, the diversion of buried communications cable ducts of approximately 600 metres in length between Braxted Road and Henry Dixon Road, Rivenhall End via Braxted Road Overbridge (Work No. 37(d));

**Work No. U120** – As shown on sheet 11 of the utilities works plans, the diversion of buried communications cable ducts of approximately 200 metres in length between Henry Dixon Road, Rivenhall End, and a point to the north of Whitelands;

**Work No. U121** – As shown on sheet 11 of the utilities works plans, the diversion of buried communications cable ducts of approximately 200 metres in length between Henry Dixon Road, Rivenhall End, and a point to the north of Whitelands;

**Work No. U122** – As shown on sheet 11 of the utilities works plans, the diversion of buried communications cable ducts of approximately 250 metres in length between Henry Dixon Road, Rivenhall End, and a point to the north of Whitelands;

**Work No. U123** – As shown on sheet 12 of the utilities works plans, the diversion of buried communications cable ducts of approximately 1050 metres in length between Essex County Fire and Rescue Service Headquarters and Cranes Lane, Kelvedon;

**Work No. U124** – As shown on sheet 12 of the utilities works plans, the diversion of buried communications cable ducts of approximately 900 metres in length between Hole Farm and a point east of the B1024 junction with Essex Fire and Rescue Access, Kelvedon;

**Work No. U124A** – As shown on sheets 12, 13, 15 and 21 of the utilities works plans, the diversion of buried communications cable ducts of approximately 4050 metres in length between Hole Farm, Kelvedon, and the proposed Feering East roundabout (Work No. 82(a)), Feering;

**Work No. U125** – As shown on sheet 12 of the utilities works plans, the diversion of buried communications cable ducts of approximately 100 metres in length between Cranes Lane and a point north of Cranes Bridge, Kelvedon;

**Work No. U126** – As shown on sheet 12 of the utilities works plans, the diversion of buried communications cable ducts of approximately 50 metres in length between Cranes Lane and a point north of Cranes Bridge, Kelvedon;

**Work No. U127** – As shown on sheet 12 of the utilities works plans, the diversion of buried low voltage electricity cable ducts of approximately 100 metres in length between a point east of the B1024 junction with Essex Fire and Rescue Access, Kelvedon and a point to the north of Cranes Bridge, Kelvedon;

**Work No. U128** – As shown on sheet 12 of the utilities works plans, the diversion of 11kV electricity cable ducts of approximately 50 metres in length between B1024 northbound verge and Stanwick House on the B1024 southbound verge, at a point northeast of Cranes Bridge, Kelvedon;

**Work No. U128A** – As shown on sheets 12, 13, 15 and 21 of the utilities works plans, the diversion of buried communications cable ducts of approximately 3150 metres in length between a point northeast of the junction of Cranes Lane and the B1024, Kelvedon and the proposed Feering East roundabout (Work No. 82(a)), Feering;

**Work No. U129** – As shown on sheet 12 of the utilities works plans, the diversion of buried communications cable ducts of approximately 500 metres in length between Hole Farm and a point northeast of the junction of Cranes Lane and the B1024, Kelvedon;

**Work No. U130** – As shown on sheet 12 of the utilities works plans, the diversion of buried low voltage electricity cable ducts of approximately 25 metres in length across the access to Essex County Fire and Rescue Service Headquarters;

**Work No. U131** – As shown on sheet 12 of the utilities works plans, the diversion and undergrounding of overhead 11kV electricity cable ducts of 250 metres in length between Snivellers Lane and Essex County Fire and Rescue Service Headquarters;

**Work No. U132** – As shown on sheets 11 and 12 of the utilities works plans, the diversion of a buried water main of approximately 850 metres in length between Rivenhall Bridge and Hole Farm, Kelvedon;

**Work No. U133** – As shown on sheets 12 and 13 of the utilities works plans, the diversion of buried communications cable ducts of approximately 450 metres in length between Ashmans Bridge and Highfields Bridge, Kelvedon along the A12 northbound verge;

**Work No. U134** – As shown on sheet 13 of the utilities works plans, the diversion of buried communications cable ducts of approximately 700 metres in length between Highfields Lane, Kelvedon and Maldon Road, Kelvedon, over the proposed Highfields Overbridge Replacement (Work No. 55(b));

**Work No. U135** – As shown on sheet 13 of the utilities works plans, the diversion and undergrounding of overhead 11kV electricity cable ducts and relocation of poles of approximately 100 metres in length from Maldon Road, Kelvedon northbound verge to Bridgefoot Farm, Kelvedon;

**Work No. U136** – As shown on sheet 13 of the utilities works plans, the diversion of buried and overhead 11kV electricity cable ducts of approximately 400 metres in length between Koorbaes Cottages, off Highfields Lane to the south of the A12, and Bridgefoot Farm, Kelvedon;

**Work No. U136A** – As shown on sheet 13 of the utilities works plans, the diversion of a buried water main of approximately 350 metres in length north-east of Maldon Road, Kelvedon and crossing under the A12;

**Work No. U137** – As shown on sheets 11, 12, 13 and 14 of the utilities works plans, the diversion of buried communications cable ducts of approximately 5400 metres in length between Rivenhall Bridge and a point to the north of Domsey Brook Bridge, Kelvedon;

**Work No. U138** – As shown on sheet 13 of the utilities works plans, the diversion of buried communications cable ducts of approximately 400 metres in length between Braxted Road, Kelvedon and Highfields Lane, Kelvedon;

**Work No. U139** – As shown on sheet 13 of the utilities works plans, the diversion of buried communications cable ducts of approximately 650 metres in length between Braxted Road, Kelvedon and Highfields Lane, Kelvedon;

**Work No. U140** – As shown on sheets 11, 12, 13 and 14 of the utilities works plans, the diversion of buried communications cable ducts of approximately 5200 metres in length between Rivenhall Bridge and a point to the north of Domsey Brook Bridge, Kelvedon;

**Work No. U141** – As shown on sheet 14 of the utilities works plans, the diversion of a buried water main of approximately 400 metres in length from the A12 northbound verge to the A12 southbound verge, between the proposed Ewell Overbridge Replacement (Work No. 76) and the proposed Junction 24 Underbridge, (Work No. 74(a)) Kelvedon;

**Work No. U141A** – As shown on sheets 14 and 21 of the utilities works plans, the diversion of a foul sewer of approximately 125 metres in length north of the A12, between the proposed Junction 24 Northern Roundabout (Work No. 74(a)) and the B1023 Kelvedon Road, Kelvedon, adjacent to Domsey Brook;

**Work No. U142** – As shown on sheet 14 of the utilities works plans, the diversion of a foul sewer of approximately 150 metres in length along Domsey Brook to the north of the A12, between the proposed Junction 24 Underbridge (Work No. 74(a)) and B1023 Kelvedon Road, Kelvedon;

**Work No. U143** – As shown on sheet 14 of the utilities works plans, the diversion of a buried water main of approximately 200 metres in length between Brick Kiln Farm, B1023 Kelvedon Road, Kelvedon and a point north of Park Bridge;

**Work No. U144** – As shown on sheet 14 of the utilities works plans, the diversion of buried low voltage electricity cable ducts of approximately 100 metres in length Brick Kiln Farm, B1023 Kelvedon Road, Kelvedon and a point north of Park Bridge;

**Work No. U145** – As shown on sheet 14 of the utilities works plans, the diversion of buried communications cable ducts of approximately 100 metres in length between Brick Kiln Farm, B1023 Kelvedon Road, Kelvedon and a point north of Park Bridge;

**Work No. U145A** – As shown on sheet 14 of the utilities works plans, the diversion of a buried raw water main of approximately 100 metres in length beneath Park Bridge on B1023 Kelvedon Road, Kelvedon;

**Work No. U146** – As shown on sheet 14 of the utilities works plans, the diversion of buried communications cable ducts of approximately 100 metres in length along the realigned Kelvedon Road;

**Work No. U146A** – As shown on sheet 14 of the utilities works plans, the diversion and undergrounding of low voltage electricity cable ducts of approximately 250 metres in length east from B1023 Kelvedon Road along Kelvedon Road, Messing;

**Work No. U146B** – As shown on sheet 14 of the utilities works plans, the diversion of a buried water main of approximately 225 metres in length between The Laurels and Park Farm on the B1023 Kelvedon Road, Kelvedon;

**Work No. U146C** – As shown on sheets 14 and 20 of the utilities works plans, the diversion of a buried sewer of approximately 525 metres in length between Inworth Hall and Park Farm on the B1023 Kelvedon Road, Kelvedon;

**Work No. U147** – As shown on sheet 14 of the utilities works plans, the diversion of buried communications cable ducts of approximately 350 metres in length between The Laurels, B1023 Kelvedon Road, Kelvedon and Rowan Lodge, B1023 Kelvedon Road, Kelvedon;

**Work No. U147A** – As shown on sheets 14 and 20 of the utilities works plans, the diversion of a buried water main of approximately 1000 metres in length along the B1023 Kelvedon Road, between Happy Gardens and Inworth Hall, including spurs off Kelvedon Road, Inworth;

**Work No. U147B** – As shown on sheets 14 and 20 of the utilities works plans, the diversion of buried and overhead communication cables and ducts of approximately 1000 metres in length along the B1023 Kelvedon Road, between Happy Gardens and Inworth Hall, including spurs off Kelvedon Road, Inworth;

**Work No. U147C** – As shown on sheets 14 and 20 of the utilities works plans, the diversion of a buried and overhead low voltage electricity cables and ducts of approximately 1000 metres in length along the B1023 Kelvedon Road, between Happy Gardens and Inworth Hall, including spurs off B1023 Kelvedon Road, Inworth;

**Work No. U147D** – As shown on sheet 20 of the utilities works plans, the diversion of a buried foul sewer of approximately 600 metres in length along the B1023 Kelvedon Road, between Happy Gardens and Inworth Hall, including spurs off Kelvedon Road;

**Work No. U148** – As shown on sheet 14 of the utilities works plans, the diversion of a buried water main of approximately 100 metres in length crossing the proposed New Inworth Link (Work No. 74(b));

**Work No. U149** – As shown on sheets 14 and 15 of the utilities works plans, the diversion of buried communications cable ducts of approximately 1400 metres in length between a point north of Park Bridge on the B1023 Kelvedon Road, Kelvedon and B1024 London Road, Feering;

**Work No. U150** – As shown on sheets 14 and 15 of the utilities works plans, the diversion of buried communications cable ducts of approximately 1900 metres in length between Brick Kiln Farm B1023 Kelvedon Road, Kelvedon and the A12 junction 24 southbound off-slip road, Feering;

**Work No. U151** – As shown on sheet 15 of the utilities works plans, the diversion of buried communications cable ducts of approximately 250 metres in length between the realigned Threshelfords access road and the realigned Prested Hall access road, Feering;

**Work No. U152** – As shown on sheet 15 of the utilities works plans, the diversion of buried communications cable ducts of approximately 450 metres in length between B1024 London Road, Feering and the proposed Feering East Roundabout western connection to New Lane (Work No. 82(d));

**Work No. U153** – As shown on sheet 15 of the utilities works plans, the diversion of buried communications cable ducts of approximately 300 metres in length between B1024 London Road, Feering and the proposed Feering East Roundabout western connection to New Lane (Work No. 82(d));

**Work No. U154** – As shown on sheets 14 and 15 of the utilities works plans, the diversion of buried communications cable ducts of approximately 1900 metres in length between Brick Kiln Farm, B1023 Kelvedon Road, Kelvedon and the proposed Feering East Roundabout (Work No. 82(a));

**Work No. U155** – As shown on sheet 15 of the utilities works plans, the diversion of buried communications cable ducts of approximately 450 metres in length between B1024 London Road, Feering and the proposed Feering East Roundabout (Work No. 82(a));

**Work No. U156** – As shown on sheet 15 of the utilities works plans, the diversion of a buried water main of approximately 450 metres in length between B1024 London Road, Feering and the proposed Feering East Roundabout western connection to New Lane (Work No. 82(d));

**Work No. U157** – As shown on sheet 15 of the utilities works plans, the diversion of a buried medium pressure gas pipeline of approximately 350 metres in length between B1024 London Road, Feering and Prested Hall Cottages on the A12 junction 24 southbound off-slip road;

**Work No. U158** – As shown on sheet 15 of the utilities works plans, the diversion of a buried low pressure gas pipeline of approximately 25 metres in length between the proposed Feering East Roundabout western connection to New Lane (Work No. 82(d)) and A12 junction 24 northbound on-slip road verge;

**Work No. U159** – As shown on sheet 15 of the utilities works plans, the diversion of buried low voltage electricity cable ducts of approximately 175 metres in length between the proposed Feering East Roundabout western connection to New Lane (Work No. 82(d)) to a point north of the A12 junction 24 northbound on-slip road;

**Work No. U160** – As shown on sheet 15 of the utilities works plans, the diversion of buried 11kV electricity cable ducts of approximately 150 metres in length between the field to the north of the A12 junction 24 northbound on-slip road and the A12 junction 24 southbound off-slip road;

**Work No. U161** – As shown on sheet 15 of the utilities works plans, the diversion of buried communications cable ducts of approximately 150 metres in length along the existing private access road to Prested Hall, Feering;

**Work No. U162** – As shown on sheet 15 of the utilities works plans, the diversion of buried communications cable ducts of approximately 250 metres in length along the existing private access road to Prested Hall, Feering;

**Work No. U163** – As shown on sheet 15 of the utilities works plans, the diversion of overhead 11kV electricity cable ducts of approximately 500 metres in length along the existing private access road to Prested Hall, Feering;

**Work No. U164** – As shown on sheet 15 of the utilities works plans, the diversion of buried communications cable ducts of approximately 150 metres in length around the eastern side of the proposed Feering East Roundabout (Work No. 82(a)) within the A12 southbound verge;

**Work No. U165** – As shown on sheet 15 of the utilities works plans, the diversion of buried water mains of approximately 900 metres in length between B1024 London Road, Feering and Prested Hall;

**Work No. U166** – As shown on sheet 16 of the utilities works plans, the diversion of a buried medium pressure gas pipeline of approximately 125 metres in length between Prested Hall Farm and Sherwood Cottage;

**Work No. U166A** – As shown on sheet 16 of the utilities works plans, the diversion and undergrounding of overhead 33kV electricity cable ducts of approximately 450 metres in length south-east of the existing A12, and south of the proposed Easthorpe Road Roundabout (Work No. 88(b));

**Work No. U167** – As shown on sheet 16 of the utilities works plans, the diversion of buried communications cable ducts of approximately 175 metres in length around the proposed Easthorpe Road Roundabout (Work No. 88(b)) within the existing A12 northbound verge;

**Work No. U167A** – As shown on sheet 16 of the utilities works plans, the diversion of a buried water main of approximately 600 metres in length south of Domsey Chase, within the existing A12 northbound verge;

**Work No. U167B** – As shown on sheet 16 of the utilities works plans, the diversion of a buried water main of approximately 350 metres in length, south of the realigned Easthorpe Road;

**Work No. U167C** – As shown on sheet 16 of the utilities works plans, the diversion of a buried water main of approximately 150 metres in length between Little Domsey Cottages, Easthorpe and the existing Easthorpe Road;

**Work No. U168** – As shown on sheet 16 of the utilities works plans, the diversion of buried communications cable ducts of approximately 125 metres in length between the existing A12 northbound verge and the realigned Domsey Chase from the northern spur of the proposed Easthorpe Road Roundabout (Work No. 88(b));

**Work No. U169** – As shown on sheet 16 of the utilities works plans, the diversion of buried communications cable ducts of approximately 350 metres in length from the existing A12 central reservation around the proposed Easthorpe Road Roundabout (Work No. 88(b)) within the existing A12 southbound verge and returning to the existing A12 central reservation;

**Work No. U170** – As shown on sheet 16 of the utilities works plans, the diversion of a buried medium pressure gas pipeline of approximately 125 metres in length around the proposed Easthorpe Road Roundabout (Work No. 88(b)) within the de-trunked A12 southbound verge;

**Work No. U171** – As shown on sheet 16 of the utilities works plans, the diversion of buried communications cable ducts of approximately 150 metres in length around the proposed Easthorpe Road Roundabout (Work No. 88(b)) within the A12 southbound verge;

**Work No. U172** – As shown on sheet 16 of the utilities works plans, the diversion of buried communications cable ducts of approximately 150 metres in length around the proposed Easthorpe Road Roundabout (Work No. 88(b)) within the A12 southbound verge;

**Work No. U173** – As shown on sheet 16 of the utilities works plans, the diversion and undergrounding of overhead 11kV electricity cable ducts of approximately 550 metres in length between Easthorpe Road and a point north of the existing A12 and west of Domsey Chase;

**Work No. U173A** – As shown on sheet 16 of the utilities works plans, the diversion of a buried water main of approximately 350 metres in length south of the realigned Easthorpe Road;

**Work No. U173B** – As shown on sheet 16 of the utilities works plans, the diversion of a buried water main of approximately 100 metres in length across the eastern end of the proposed realigned Easthorpe Road (Work No. 88(a));

**Work No. U174** – As shown on sheet 17 of the utilities works plans, the diversion of buried communications cable ducts of approximately 350 metres in length around the proposed Wishingwell Farm Roundabout (Work No. 94(b)) within the existing A12 northbound verge;

**Work No. U174A** – As shown on sheet 17 of the utilities works plans, the diversion of a buried water main of approximately 800 metres in length between Easthorpe Green Farm and to the north of the proposed Wishingwell Farm Roundabout (Work No. 94(b)), within the existing A12 southbound verge;

**Work No. U175** – As shown on sheet 17 of the utilities works plans, the diversion of buried communications cable ducts of approximately 350 metres in length from the existing A12 central reservation around the proposed Wishingwell Farm Roundabout (Work No. 94(b)) within the existing A12 southbound verge and returning to the existing A12 central reservation;

**Work No. U176** – As shown on sheet 17 of the utilities works plans, the diversion of buried communications cable ducts of approximately 225 metres in length around the proposed Wishingwell Farm Roundabout (Work No. 94(b)) within the A12 southbound verge;

**Work No. U177** – As shown on sheet 17 of the utilities works plans, the diversion of buried communications cable ducts of approximately 175 metres in length around the proposed Wishingwell Farm Roundabout (Work No. 94(b)) within the existing A12 southbound verge;

**Work No. U178** – As shown on sheets 17 and 18 of the utilities works plans, the diversion of buried communications cable ducts of approximately 1100 metres in length between the existing A12 southbound verge and Wishingwell Farm, via the proposed Wishingwell Overbridge (Work No. 94(c));

**Work No. U179** – As shown on sheet 17 of the utilities works plans, the diversion of buried communications cable ducts of approximately 400 metres in length between Easthorpe Green Farm and the proposed Wishingwell Overbridge (Work No. 94(c));

**Work No. U180** – As shown on sheet 18 of the utilities works plans, the diversion and undergrounding overhead 11kV electricity cable ducts and relocation of pole of approximately 175 metres in length, south of the proposed Potts Green Bridge, Marks Tey;

**Work No. U180A** – As shown on sheet 18 of the utilities works plans, the diversion of a buried water main of approximately 150 metres in length to the south of the existing access track to Wishingwell Farm;

**Work No. U181** – As shown on sheet 18 of the utilities works plans, the diversion of buried communications cable ducts of approximately 25 metres in length to the west of the proposed London Road Roundabout, de-trunked A12 western connection (Work No. 102(c)), southbound verge, Marks Tey;

**Work No. U182** – As shown on sheet 18 of the utilities works plans, the diversion of buried communications cable ducts of approximately 700 metres in length between the existing A12 central reservation and the northbound verge of London Road, Marks Tey;

**Work No. U183** – As shown on sheet 18 of the utilities works plans, the diversion of buried communications cable ducts of approximately 100 metres in length between Old London Road and the proposed London Road Roundabout, de-trunked A12 western connection (Work No. 102(c)), southbound verge, Marks Tey;

**Work No. U184** – As shown on sheet 18 of the utilities works plans, the diversion of buried communications cable ducts of approximately 350 metres in length between Old London Road verge and the proposed A12 (Work No. 68(b)) southbound verge, Marks Tey;

**Work No. U184A** – As shown on sheet 18 of the utilities works plans, the diversion or protection of a buried water main of approximately 50 metres in length along Old London Road at the realigned Old London Road access, Marks Tey (Work No. 102(e));

**Work No. U185** – As shown on sheet 18 of the utilities works plans, the diversion of buried communications cable ducts of approximately 725 metres in length between Old London Road verge and A120 Coggeshall Road verge, via the New London Road (Work No. 102(a)), Marks Tey;

**Work No. U186** – As shown on sheet 18 of the utilities works plans, the diversion of buried communications cable ducts of approximately 700 metres in length between Old London Road and A120 Coggeshall Road, via the New London Road (Work No. 102(a)), Marks Tey;

**Work No. U186A** – As shown on sheets 18 and 19 of the utilities works plans, the diversion or protection of a buried foul sewer of approximately 150 metres in length along the A120 Coggeshall Road, Marks Tey;

**Work No. U187** – As shown on sheets 18 and 19 of the utilities works plans, the diversion of buried low voltage electricity cable ducts of approximately 700 metres in length between A120 Coggeshall Road northern verge and London Road westbound verge, via Old London Road, Marks Tey;

**Work No. U188** – As shown on sheets 18 and 19 of the utilities works plans, the diversion of buried communications cable ducts of approximately 150 metres in length between A120 Coggeshall Road and Station Road, Marks Tey;

**Work No. U189** – As shown on sheets 18 and 19 of the utilities works plans, the diversion of buried communications cable ducts of approximately 150 metres in length between A120 Coggeshall Road and Station Road, Marks Tey;

**Work No. U190** – As shown on sheets 18 and 19 of the utilities works plans, the diversion of buried communications cable ducts of approximately 150 metres in length between A120 Coggeshall Road and Station Road, Marks Tey;

**Work No. U191** – As shown on sheet 18 of the utilities works plans, the diversion of a buried sewer of approximately 550 metres in length between Old London Road and London Road, Marks Tey;

**Work No. U192** – As shown on sheet 18 of the utilities works plans, the diversion of buried water main of approximately 375 metres in length between London Road and Old London Road, Marks Tey;

**Work No. U193** – As shown on sheet 18 of the utilities works plans, the diversion of buried communications cable ducts of approximately 100 metres in length between Hall Chase and the proposed Hall Chase Roundabout (Work No. 105(a)), Marks Tey;

**Work No. U193A** – As shown on sheet 18 of the utilities works plans, the diversion or protection of a buried foul sewer of approximately 200 metres in length between Hall Chase and Old London Road, Marks Tey;

**Work No. U194** – As shown on sheet 18 of the utilities works plans, the diversion of buried communications cable ducts of approximately 200 metres in length between Hall Chase and the proposed Junction 25 southbound on-slip road (Work No. 68), Marks Tey;

**Work No. U195** – As shown on sheet 18 of the utilities works plans, the diversion of buried communications cable ducts of approximately 450 metres in length between the proposed Junction 25 southbound on-slip road (Work No. 68) verge and London Road, Marks Tey;



**Work No. U196** – As shown on sheet 18 of the utilities works plans, the diversion of buried 11kV electricity cable ducts of approximately 650 metres in length between Old London Road and London Road, Marks Tey;

**Work No. U197** – As shown on sheet 18 of the utilities works plans, the diversion and undergrounding of overhead 11kV electricity cable ducts of approximately 125 metres in length between the proposed Potts Green Bridge (Work No. 100) and the proposed London Road Roundabout (Work No. 102(b)), at a point to the south of the A12;

**Work No. U198** – As shown on sheet 19 of the utilities works plans, the diversion of buried 11kV electricity cable ducts of approximately 200 metres in length between Station Road, Marks Tey southbound verge to London Road, Marks Tey northbound verge;

**Work No. U199** – As shown on sheet 19 of the utilities works plans, the diversion of a buried water main of approximately 150 metres in length between the A12 and London Road, Marks Tey;

**Work No. U200** – As shown on sheet 19 of the utilities works plans, the diversion of a buried water main of approximately 100 metres in length between the A12 northbound verge and the A12 southbound verge, Marks Tey;

**Work No. U200A** – As shown on sheet 19 of the utilities works plans, the diversion of buried communications cable ducts of approximately 100 metres in length south of Marks Tey Station;

**Work No. U201** – As shown on sheet 19 of the utilities works plans, the diversion of buried communications cable ducts of approximately 1150 metres in length between the Prince of Wales Roundabout and the A12 southbound verge, east of the culverted Roman River, Marks Tey;

**Work No. U202** – As shown on sheets 18 and 19 of the utilities works plans, the diversion of buried communications cable ducts of approximately 2700 metres in length between the existing A12 southbound west of the proposed London Road Roundabout, de-trunked A12 western connection (Work No. 102(c)) and the A12 southbound verge east of the culverted Roman River, via London Road and B1408 London Road, Marks Tey;

**Work No. U203** – As shown on sheet 19 of the utilities works plans, the diversion of buried communications cable ducts of approximately 50 metres in length along the B1408 London Road, Marks Tey;

**Work No. U204** – As shown on sheet 19 of the utilities works plans, the diversion of buried 11kV electricity cable ducts of approximately 50 metres in length between B1408 London Rd, Marks Tey westbound verge and B1408 London Rd, Marks Tey eastbound verge;

**Work No. U205** – As shown on sheet 19 of the utilities works plans, the diversion of a buried low voltage electricity cable ducts of approximately 25 metres in length between B1408 London Rd, Marks Tey westbound verge and B1408 London Rd, Marks Tey eastbound verge;

**Work No. U206** – As shown on sheet 19 of the utilities works plans, the diversion of buried communications cable ducts of approximately 175 metres in length between B1408 London Rd, Marks Tey westbound verge and B1408 London Road, Marks Tey eastbound verge;

**Work No. U207** – As shown on sheets 18 and 19 of the utilities works plans, the diversion of buried communications cable ducts of approximately 2500 metres in length between the existing A12 west of the proposed London Road Roundabout, (Work No. 102(c)) and the A12, east of the culverted Roman River, via London Road, Marks Tey and B1408 London Road, Marks Tey; and

**Work No. U208** – As shown on sheet 19 of the utilities works plans, the diversion of a buried surface water pipe of approximately 25 metres in length south of the A12 and the Roman River Culvert, Copford.

## Other associated development

For the purposes of or in connection with the construction of any of the works and other development mentioned above, ancillary or related development within the Order limits which does not give rise to any materially new or materially different environmental effects to those assessed in the environmental statement, consisting of —

- (a) alteration to the layout of any street permanently or temporarily, including but not limited to increasing or reducing the width of the carriageway of the street by reducing or increasing the width of any kerb, footpath, footway, cycle track or verge within the street; and altering the level of any such kerb, footpath, footway, cycle track or verge;
- (b) works required for the strengthening, improvement, maintenance or reconstruction of any street;
- (c) parking laybys and emergency laybys;
- (d) refurbishment works to any existing bridge;
- (e) the strengthening, alteration or demolition of any building or highway bridge or structure;
- (f) ramps, means of access, non-motorised links, footpaths, cycle tracks and crossing facilities;
- (g) embankments, viaducts, aprons, abutments, shafts, foundations, retaining walls, barriers, pumping stations, parapets, drainage, attenuation tanks, outfalls, ditches, wing walls, highway lighting, gantries, fencing and culverts;
- (h) street works, including breaking up or opening up a street, or any sewer, drain or tunnel under it; tunnelling or boring under a street;
- (i) works to place, alter, maintain, decommission or remove street furniture, traffic signals and apparatus in a street, or apparatus in other land, including mains, sewers, drains, tanks, pipes, cables, connections, ducts, conduits and lights;
- (j) works to alter the course of or otherwise interfere with a watercourse;
- (k) landscaping, noise and visual bunds and barriers, works associated with the provision of ecological mitigation (including artificial badger setts) and other works to mitigate any adverse effects of the construction, maintenance or operation of the authorised development;
- (l) works for the benefit or protection of land and apparatus affected by the authorised development;
- (m) site preparation works, site clearance (including fencing, vegetation removal, demolition of existing structures and the creation of alternative footpaths); earthworks (including soil stripping and storage, site levelling); remediation of contamination;
- (n) the felling of trees;
- (o) the establishment of construction compounds and working sites, storage areas, temporary vehicle parking, construction fencing, perimeter enclosure, security fencing, construction-related buildings, temporary worker accommodation facilities, welfare facilities, construction lighting, haulage roads, protective works to apparatus, and other buildings, machinery, apparatus, works and conveniences;
- (p) the provision of other works including pavement works, kerbing and paved areas works, signing, signals, gantries, road markings works, traffic management measures, temporary roads, temporary widening of carriageways and such other works as are associated with the construction of the authorised development;
- (q) temporary crossings of footpaths, bridleways, footways, cycle tracks, carriageways and watercourses with associated plant crossings or bridging structures (at grade or grade separated);
- (r) pumping for the purposes of dewatering excavations (including borrow pits) and the management of surface water flows and temporary storage, settlement and treatment of surface water flows;

- (s) removal of surfaces for closed or redundant carriageways, accesses or streets; and
- (t) such other works, working sites, storage areas and works of demolition, as may be necessary or expedient for the purposes of, or for purposes ancillary to, the construction of the authorised development.

## SCHEDULE 2 REQUIREMENTS

Article 5

### PART 1 REQUIREMENTS

#### **Interpretation**

**1.** In this Schedule—

“commence” in relation to any part of the authorised development referred to in the provisions of this schedule means beginning to carry out any material operation (as defined in section 56(4) of the 1990 Act) in respect of that part of the authorised development other than operations consisting of pre-commencement works, and “commencement” is to be construed accordingly;

“contaminated land” has the same meaning as that given in section 78A(a) of the Environmental Protection Act 1990;

“County Archaeologist” means the individual appointed as such by the relevant planning authority;

“DMRB” means the Design Manual for Roads and Bridges, which accommodates all current standards, advice and other documents relating to the design, assessment and operation of trunk roads and motorways, or any equivalent replacement to the DMRB published;

“Ecological Clerk of Works” means the individual appointed as such by the undertaker;

“European protected species” has the same meaning as in regulations 40 (European protected species of animals) and 44 (European protected species of plants) of the Conservation of Habitats and Species Regulations 2017(b);

“First Iteration EMP” means the first iteration of the environmental management plan produced in accordance with the DMRB during the preliminary design stage and certified as the EMP (First Iteration) by the Secretary of State for the purposes of this Order under article 60 (certification of documents, etc) which includes an outline plan for the following:

- (a) archaeological management plan
- (b) construction compound management plan;
- (c) contaminated land management plan;
- (d) dust management plan;
- (e) emergency procedures and record of any environmental incidents;
- (f) energy and resource use management plan ;
- (g) invasive species management plan
- (h) landscape and ecology management plan
- (i) materials management plan

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(a) 1990 (c. 43). Section 78A was inserted by section 57 of the Environment Act 1995 (c. 25) and as amended by section 86(2) of the Water Act 2003 (c. 37).

(b) S.I. 2017/1012.

- (j) noise and vibration management plan
- (k) site waste management plan
- (l) soil handling management plan; and
- (m) water management plan;

“outline construction traffic management plan” means the outline construction traffic management plan certified as the outline construction traffic management plan by the Secretary of State for the purposes of this Order under article 60.

“pre-commencement plan” means the document of that description listed in Schedule 12 (documents to be certified) and certified by the Secretary of State as the pre-commencement plan for the purposes of this Order;

“pre-commencement works” means;

- (a) archaeological investigations and mitigation works;
- (b) ecological surveys and mitigation works;
- (c) investigations for the purpose of assessing ground conditions;
- (d) remedial work in respect of any contamination or other adverse ground conditions;
- (e) erection of any temporary means of enclosure;
- (f) receipt and erection of construction plant and equipment;
- (g) treatment and removal of any invasive species;
- (h) construction compound establishment works;
- (i) site clearance works;
- (j) temporary haul roads, temporary hard standing and temporary access works;
- (k) installation of temporary drainage;
- (l) engineering surveys; and
- (m) temporary display of site notices or advertisements.

“protected species” means species which are subject to protection under the laws of England or which are European protected species;

“Second Iteration EMP” means the second iteration of the environmental management plan produced in accordance with the DMRB containing detailed plans relating to the construction phase of the authorised development substantially in accordance with the First Iteration EMP;

“Third Iteration EMP” means the third iteration of the environmental management plan produced in accordance with the DMRB containing detailed plans relating to the operational and maintenance phase of the authorised development substantially in accordance with the First Iteration EMP; and

“Traffic Signs Manual” means the Traffic Signs Manual published by the Department for Transport, which contains guidance to traffic authorities on the use of traffic signs and road markings on the highway network, or any equivalent replacement to be published.

### **Time limits**

2. The authorised development must not begin later than the expiration of 5 years beginning with the date on which this Order comes into force.

### **Second Iteration EMP**

3.—(1) Not to commence a part of the authorised development until the Second Iteration EMP in relation to that part has been submitted to and approved in writing by the Secretary of State, following consultation with the relevant planning authority and the Environment Agency on matters related to its functions.

(2) The authorised development must be constructed in accordance with the Second Iteration EMP.

### **Third Iteration EMP**

**4.**—(1) Following completion of construction of the authorised development the Third Iteration EMP must be submitted to and approved in writing by the Secretary of State, following consultation with the relevant planning authority and the Environment Agency on matters related to its functions.

(2) The authorised development must be operated and maintained in accordance with the Third Iteration EMP.

### **Landscaping**

**5.**—(1) A part of the authorised development must not commence until a landscaping scheme for that part has been submitted to and approved in writing by the Secretary of State following consultation with the relevant planning authority on matters related to its functions.

(2) The landscaping scheme for each part must reflect the applicable mitigation measures set out in the First Iteration EMP and the landscaping principles set out in the environmental masterplan.

(3) The authorised development must be landscaped in accordance with the approved landscaping scheme for that part.

(4) A landscaping scheme prepared under sub-paragraph (1) must include details of landscaping works, including—

- (a) location, number, species, mix, size and planting density of any proposed planting;
- (b) cultivation, importing of materials and other operations to ensure plant establishment;
- (c) proposed finished ground levels;
- (d) existing trees to be retained, with measures for their protection during the construction period; and
- (e) implementation timetables for all landscaping works.

(5) All landscaping works must be carried out to a reasonable standard in accordance with the relevant recommendations of appropriate British Standards or other recognised codes of good practice.

(6) Any tree or shrub planted as part of the landscaping scheme that, within a period of 5 years after planting, is removed, dies or becomes, in the opinion of the relevant planning authority, seriously damaged or diseased, must be replaced in the first available planting season with a specimen of the same species and size as that originally planted, unless the Secretary of State, following consultation with the relevant planning authority, gives consent to a variation.

### **Contaminated Land and groundwater**

**6.**—(1) In the event that contaminated land, including groundwater, is found at any time when carrying out the authorised development, which was not previously identified in the environmental statement, it must be reported as soon as reasonably practicable to the Secretary of State, the Environment Agency and relevant planning authority, and the undertaker must complete a risk assessment of the contamination in consultation with the relevant planning authority and the Environment Agency on matters related to their functions.

(2) Where the risk assessment prepared in accordance with sub-paragraph (1) determines that remediation of the contaminated land is necessary, a written scheme and programme for the remedial measures to be taken to render the land fit for its intended purpose and to prevent any impacts on controlled waters must be submitted to and approved in writing by the Secretary of State, following consultation by the undertaker with the relevant planning authority and the Environment Agency on matters related to their functions.

(3) Remediation must be carried out in accordance with the approved scheme.

## **Archaeology**

7.—(1) A part of the authorised development must not commence until for that part a written scheme of investigation for the investigation and mitigation of areas of archaeological interest, reflecting the mitigation measures included in chapter 7 of the environmental statement and the archaeological mitigation strategy, has been prepared in consultation with the relevant planning authority, agreed with the County Archaeologist and submitted to and approved in writing by the Secretary of State.

(2) The authorised development must be carried out in accordance with the archaeological mitigation strategy and written scheme of investigation referred to in paragraph (1) unless otherwise agreed in writing by the Secretary of State.

(3) A programme of archaeological reporting, post excavation and publication required as part of the archaeological mitigation strategy and written scheme of investigation referred to in sub-paragraph (1) must be agreed with the County Archaeologist and implemented within a timescale agreed with the County Archaeologist and deposited with the Historic Environment Record of the relevant planning authority within two years of the date of completion of the authorised development or such other period as may be agreed in writing by the relevant planning authority.

(4) Any archaeological remains not previously identified which are revealed when carrying out the authorised development must be subject to appropriate mitigation as set out in the archaeological mitigation strategy and agreed with the County Archaeologist.

(5) No construction operations are to take place within 10 metres of the remains referred to in sub-paragraph (4) for a period of 14 days from the date they are identified unless otherwise agreed in writing by the Secretary of State.

## **Protected species**

8.—(1) In the event that any protected species which were not previously identified in the environmental statement or nesting birds are found at any time when carrying out the authorised development the undertaker must:

- (a) cease the relevant parts of the relevant works and report it immediately to the Ecological Clerk of Works; and
- (b) prepare a written scheme for the protection and mitigation measures of such protected species or nesting birds when carrying out the authorised development.

(2) The undertaker must implement the written scheme prepared under paragraph (b) immediately and construction in the area specified in the written scheme must not recommence until any necessary licences are obtained to enable mitigation measures to be implemented.

## **Traffic management**

9.—(1) A part of the authorised development must not commence until a traffic management plan for the construction of the authorised development, substantially in accordance with the outline construction traffic management plan, has been submitted to and approved in writing by the Secretary of State following consultation with the local highway authority.

(2) The authorised development must be constructed in accordance with the approved traffic management plan.

## **Detailed design**

10.—(1) Subject to the provisions of this Orde, the detailed design for the authorised development must accord with:

- (a) the preliminary scheme design shown on the works plans and the engineering drawings and sections; and
- (b) the principles set out in the environmental masterplan,

unless otherwise agreed in writing by the Secretary of State following consultation with the relevant local planning authority and relevant local highway authority on matters related to their functions, provided that the Secretary of State is satisfied that any amendments would not give rise to any materially new or materially different environmental effects in comparison with those reported in the environmental statement.

(2) Where amended details are approved by the Secretary of State under paragraph (1), those details are deemed to be substituted for the corresponding plans sections and the undertaker must make those amended details available in electronic form for inspection by members of the public.

### **Surface and foul water drainage**

**11.**—(1) A part of the authorised development must not commence until for that part written details of the surface and foul water drainage system, reflecting the mitigation measures in chapter 14 of the environmental statement and including means of pollution control, have been submitted to and approved in writing by the Secretary of State following consultation with the relevant local authority on matters relating to its function and the Environment Agency on matters relating to its function.

(2) The surface and foul water drainage system must be constructed in accordance with the approved details referred to in paragraph (1) unless otherwise agreed in writing by the Secretary of State following consultation with the relevant local authority on matters relating to its function and the Environment Agency on matters relating to its function, provided that the Secretary of State is satisfied that any amendments to the approved details would not give rise to any materially new or materially different environmental effects in comparison with those reported in the environmental statement.

### **Flood risk assessment**

**12.**—(1) Subject to paragraph (2), the authorised development must be carried out in accordance with the flood risk assessment, including the mitigation measures detailed in it, so that no part of the authorised development is predicted to result in any exceedance of the flood levels to properties and land shown in the flood risk assessment.

(2) Paragraph (1) does not apply in any circumstance where the undertaker proposes to carry out a part of the authorised development otherwise than in accordance with the flood risk assessment but either demonstrates to the Environment Agency's satisfaction that the part of the authorised development concerned would not result in a material exceedance of the flood levels shown in the flood risk assessment or that all affected landowners accept the predicted exceedance of the flood levels shown in the flood risk assessment.

### **Noise mitigation**

**13.**—(1) A part of the authorised development must not commence until written details of the proposed noise mitigation for the use and operation of the relevant part of the authorised development, including:

- (a) noise barriers, and
- (b) noise bunds

has been submitted to and approved in writing by the Secretary of State, following consultation with the relevant planning authority.

(2) The locations for the mitigation measures referred to in paragraph (1) must reflect the locations and extents shown on the environmental masterplan.

(3) The written details referred to in paragraph (1) must:

- (a) reflect the mitigation measures for operation included in Chapter 12, Noise and Vibration, of the environmental statement; or

- (b) where it materially differs from these measures, must demonstrate that the mitigation proposed would not give rise to any materially new or materially different environmental effects in comparison with those reported in the environmental statement.
- (4) The noise mitigation measures must be provided in accordance with the approved details.
- (5) The noise mitigation measures referred to in paragraphs (1)(a) and (1)(b) must be retained and maintained following their being provided.

### **Walking, cycling and horse-riding bridges**

**14.—(1)**—Requirement 10 (detailed design) is to be read subject to the provisions of this requirement.

(2) The detailed design for the works listed in this paragraph (“the relevant WCH bridge Works”) must accord with the following design specifications (the “WCH bridge specifications”)—

- (a) Work No. 5 (Paynes Lane Bridge) must be designed with minimum internal radii of 4 metres for any change in direction on its northern and southern ramps and no more than one switchback on its southern ramp;
- (b) Work No. 30 (Little Braxted Bridge) must be designed with a straightened northern ramp including provision for intermediate platforms and its southern ramp must be designed with a minimum external radius of 5 metres;
- (c) Work No. 53 (Snivellers Lane Bridge) must be designed with a minimum external radius of 5 metres for any change in direction on both its northern and southern approaches;
- (d) Work No. 100 (Potts Green bridge) must be designed with a minimum external radius of 5 metres for any change in direction on both its northern and southern approaches; and
- (e) Work No. 112 (Marks Tey footbridge) must be designed with a 4 metre minimum internal radius for any change in direction on each ramp and on the single switchback.

(3) The relevant WCH bridge Works must accord with the WCH bridge specifications when constructed.

### **Boreham operation phase traffic mitigation measures**

**15.—(1)** No part of the authorised development is to open to traffic until a scheme of operation phase traffic mitigation for the B1137 in Boreham has been submitted to and approved by the Secretary of State, following consultation with the relevant highway authority, provided that the Secretary of State is satisfied that any amendments would not give rise to any materially new or materially different environmental effects in comparison with those reported in the environmental statement.

(2) The operation phase traffic mitigation scheme for Boreham must include provision for the following operational phase traffic mitigation –

- (a) a new controlled pedestrian crossing on the B1137 in the vicinity of Boreham Co-op (grid reference 575330, 210021);
- (b) road safety posters in the vicinity of Orchard Cottages (grid reference 576394, 210658), Boreham Recreation Ground (grid reference 575848, 2103190) and outside of the Little Hedgehogs Day nursery (grid reference 575444, 210081);
- (c) installation of average speed cameras on the B1137 (excluding ongoing operation, maintenance/calibration and enforcement) within Boreham as defined by the extent of 30mph speed limit shown between reference A.010 and A.011 on the traffic regulation measures speed limit plans; and
- (d) installation of average speed cameras (but not including provision for their ongoing operation, maintenance /calibration and enforcement) on the B1137 between Boreham and Hatfield Peverel defined by the extent of 40mph speed limit shown between reference A.011 and A.012 on the traffic regulation measures speed limit plans.



(3) The scheme of operation phase traffic mitigation for the B1137 in Boreham must be provided in accordance with the approved details.

### **Messing operation phase traffic mitigation measures**

**16.**—(1) No part of the authorised development is to open to traffic until a scheme of operation phase traffic mitigation for Messing has been submitted to and approved by the Secretary of State, following consultation with the relevant highway authority, provided that the Secretary of State is satisfied that any amendments would not give rise to any materially new or materially different environmental effects in comparison with those reported in the environmental statement.

(2) The operation phase traffic mitigation scheme must include provision for the following operational phase traffic mitigation –

- (a) gateway features for signage in accordance with Traffic Signs Manual Chapter 3: Figure 8-21, and speed limit roundels in accordance with the 2016 Regulations and Directions diagram 1065 at Lodge Rd (grid reference 589938, 219356), Kelvedon Rd (grid reference 589511, 218861) and Harborough Hall Road (grid reference 590233, 218566) marking the extents of the existing 30mph speed limit; and
- (b) “Unsuitable for heavy goods vehicles” signage in accordance with the 2016 Regulations and Directions diagram 820 at the junction of the B1023 and Yewtree Farm Road (grid reference 587881, 218631), the junction of Harborough Hall Road and B1022 (grid reference 590573, 218228), the junction of the B1023 and Oak Road (grid reference 588820, 217131), and the junction of the B1022 and Oak Road (grid reference 589505, 217275).

(3) The scheme of operation phase traffic mitigation for the B1137 for Messing must be provided in accordance with the approved details.

### **Operation phase local traffic monitoring**

**17.**—(1) No part of the authorised development is to commence until a survey to assess baseline traffic levels has been undertaken at the following locations—

- (a) B1137 Main Road, Boreham
- (b) The Street/Maldon Road (Duke of Wellington) junction, Hatfield Peverel;
- (c) Little Braxted Lane, Little Braxted;
- (d) Braxted Road/Braxted Park Road;
- (e) B1023 Kelvedon Road, Inworth;
- (f) Kelvedon Road, Messing; and
- (g) B1023 Church Road, Tiptree

(2) No part of the authorised development is to open to traffic until details of an operation phase local traffic monitoring scheme has been submitted to and approved by the Secretary of State, following consultation with the relevant highway authority, for the locations listed in sub-paragraph (1).

(3) The operation phase local traffic monitoring scheme to be provided under sub-paragraph (2) must include—

- (a) a survey to assess baseline traffic levels at the locations listed in sub-paragraph (1), or confirmation that such survey has already been undertaken;
- (b) proposals for an operation traffic survey at the locations listed in sub-paragraph (1) to assess the changes in traffic from the baseline carried out —
  - (i) within the first year; and
  - (ii) prior to the expiry of the third year

following the date on which the authorised development is fully completed and open for traffic;

- (c) details of the methodology to be used to collect the required data;

- (d) details of the periods over which operation traffic is to be monitored; and
- (e) proposals for the submission of the survey data collected and an interpretative report to be provided to the relevant local highway authority.

(4) The scheme approved under sub-paragraph (2) must be implemented by the undertaker unless otherwise agreed in writing with the Secretary of State following consultation with the relevant highway authority.

#### **Pre-commencement works**

18. Any pre-commencement works must be carried out in accordance with the pre-commencement plan.

#### **Approvals and amendments to approved details**

19. With respect to any requirement which requires the authorised development to be carried out in accordance with the details approved under this Schedule, the approved details are taken to include any amendments that may subsequently be approved or agreed in writing by the Secretary of State.

## **PART 2**

### **PROCEDURE FOR DISCHARGE OF REQUIREMENTS**

#### **Applications made under requirements**

20.—(1) Where an application has been made to the Secretary of State for any consent, agreement or approval required by a requirement (including agreement or approval in respect of part of a requirement) included in this Order, the Secretary of State must give notice to the undertaker of the decision on the application within a period of 8 weeks beginning with—

- (a) the day immediately following that on which the application is received by the Secretary of State;
- (b) the day immediately following that on which further information has been supplied by the undertaker under paragraph 21 (further information); or
- (c) such longer period as may be agreed between the parties.

(2) Subject to paragraph (3), in the event that the Secretary of State does not determine an application within the period set out in paragraph (1), the Secretary of State is taken to have granted all parts of the application (without any condition or qualification) at the end of that period.

(3) Where—

- (a) an application has been made to the Secretary of State for any consent, agreement or approval required by a requirement included in this Order;
- (b) the Secretary of State does not determine such application within the period set out in sub-paragraph (1); and
- (c) the application is accompanied by a report from a body required to be consulted under that requirement that considers it likely that the subject matter of the application is to give rise to any materially new or materially different environmental effects in comparison with those reported in the environmental statement ,

the application is taken to have been refused by the Secretary of State at the end of that period.

### Further information

21.—(1) In relation to any part of an application made under this Schedule, the Secretary of State has the right to request such further information from the undertaker as is necessary to enable the Secretary of State to consider the application.

(2) In the event that the Secretary of State considers such further information to be necessary, the Secretary of State must, within 21 business days of receipt of the application, notify the undertaker in writing specifying the further information required and (if applicable) to which part of the application it relates. In the event that the Secretary of State does not give such notification within this 21 business day period the Secretary of State is deemed to have sufficient information to consider the application and is not subsequently entitled to request further information without the prior agreement of the undertaker.

(3) Where further information is requested under this paragraph in relation to part only of an application, that part is treated as separate from the remainder of the application for the purposes of calculating the time periods referred to in paragraph 20 (applications made under requirements) and in this paragraph.

(4) In this paragraph, “business day” means a day other than Saturday or Sunday which is not Christmas Day, Good Friday or a bank holiday under section 1 (bank holidays) of the Banking and Financial Dealings Act 1971(a).

### Register of requirements

22.—(1) The undertaker must, as soon as practicable following the making of this Order, establish and maintain in an electronic form suitable for inspection by members of the public a register of those requirements contained in Part 1 of this Schedule that provide for further approvals to be given by the Secretary of State.

(2) The register must set out in relation to each such requirement the status of the requirement, in terms of whether any approval to be given by the Secretary of State has been applied for or given, providing an electronic link to any document containing any approved details.

(3) The register must be maintained by the undertaker for a period of 3 years following completion of the authorised development.

### Anticipatory steps towards compliance with any requirement

23. If before the coming into force of this Order the undertaker or any other person has taken any steps that were intended to be steps towards compliance with any provision of Part 1 of this Schedule, those steps may be taken into account for the purpose of determining compliance with that provision if they would have been valid steps for that purpose had they been taken after this Order came into force.

## SCHEDULE 3

Articles 15 and 22

### CLASSIFICATIONS OF ROADS, ETC.

#### PART 1

#### TRUNK ROADS

<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Length of road</i>
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(a) 1971 (c. 80) to which there are amendments not relevant to this Order.

<b>Classification of roads plans – Sheet No. 1</b>	
Springfield CP, Boreham CP	The widened A12 dual carriageway (southbound) between point 1/1 and 1/8, a distance of 875 metres.
Springfield CP, Boreham CP	The widened A12 dual carriageway (northbound) between point 1/2 and 1/9, a distance of 875 metres.
Springfield CP, Boreham CP	The junction 19 existing northbound off-slip road between points 1/4 and 1/7, a distance of 514 metres.
Springfield CP, Boreham CP	The junction 19 southbound on-slip road between points 1/3 and 2/21 (sheet 2), a distance of 1,113 metres.
<b>Classification of roads plans – Sheet No. 2</b>	
Boreham CP	The junction 19 southbound off-slip road between points 2/17 and 2/28, a distance of 666 metres.
Boreham CP	The junction 19 northbound on-slip road between points 2/4 and 2/33, a distance of 119 metres.
Boreham CP	The junction 19 northbound on-slip link from the Beaulieu Park radial distributor road left turn between points 2/6 and 2/27, a distance of 719 metres.
Boreham CP	The junction 19 northbound on-slip link from A138 between points 2/32 and 2/29, a distance of 1,225 metres.
Boreham CP	The widened A12 dual carriageway (southbound) between point 2/24 and 2/31, a distance of 568 metres.
Boreham CP	The widened A12 dual carriageway (northbound) between point 2/25 and 2/30, a distance of 435 metres.
<b>Classification of roads plans – Sheet No. 4</b>	
Hatfield Peverel CP, Witham CP, Rivenhall CP, Kelvedon CP, Great Braxted CP, Messingcum-Inworth CP, Feering CP, Copford CP, Marks Tey CP	The A12 dual carriageway (northbound) between point 4/1 and 19/12 (sheet 19), a distance of 20,787 metres.
Hatfield Peverel CP, Witham CP, Rivenhall CP, Kelvedon CP, Great Braxted CP, Messingcum-Inworth CP, Feering CP, Copford CP, Marks Tey CP	The A12 dual carriageway (southbound) between point 4/2 and 19/13 (sheet 19), a distance of 21,332 metres.
<b>Classification of roads plans – Sheet No. 5</b>	
Hatfield Peverel CP	The junction 21 northbound off-slip road between points 5/6 and 6/2 (sheet 6), a distance of 823 metres.
<b>Classification of roads plans – Sheet No. 6</b>	
Hatfield Peverel CP	The junction 21 northbound on-slip road between points 6/5 and 6/16, a distance of 560 metres.
Hatfield Peverel CP	The junction 21 southbound off-slip road between points 6/11 and 6/17, a distance of 511 metres.
Hatfield Peverel CP	The junction 21 southbound on-slip road

	between points 6/1 and 6/13, a distance of 617 metres.
<b>Classification of roads plans – Sheet No. 9</b>	
Witham CP	The junction 22 northbound off-slip road between points 9/1 and 10/14 (sheet 10), a distance of 956 metres.
Rivenhall CP	The junction 22 southbound on-slip road between points 9/2 and 10/20 (sheet 10), a distance of 706 metres.
<b>Classification of roads plans – Sheet No. 10</b>	
Rivenhall CP	The junction 22 northbound on-slip road between points 10/11 and 11/1 (sheet 11), a distance of 871 metres.
Rivenhall CP	The junction 22 southbound off-slip road between points 10/18 and 11/2 (sheet 11), a distance of 696 metres.
<b>Classification of roads plans – Sheet No. 13</b>	
Kelvedon CP, Messing-cum-Inworth CP	The junction 24 northbound off-slip road between points 13/5 and 14/1 (sheet 14), a distance of 701 metres.
Kelvedon CP, Messing-cum-Inworth CP	The junction 24 southbound on-slip road between points 13/6 and 14/11 (sheet 14) a distance of 768 metres.
<b>Classification of roads plans – Sheet No. 14</b>	
Messing-cum-Inworth CP	The junction 24 northbound on-slip road between points 14/2 and 14/12, a distance of 565 metres.
Messing-cum-Inworth CP	The junction 24 southbound off-slip road between points 14/8 and 14/13, a distance of 555 metres.
Messing-cum-Inworth CP	The new Inworth link between points 14/9 and 14/14, a distance of 412 metres.
Messing-cum-Inworth CP	The junction 24 northern roundabout, with reference 14/3, a distance of 226 metres.
Kelvedon CP, Messing-cum-Inworth CP	The junction 24 southern roundabout, with reference 14/10, a distance of 226 metres.
Messing-cum-Inworth CP	The new junction 24 overbridge road (westbound) between points 14/4 and 14/6, a distance of 166 metres.
Messing-cum-Inworth CP	The new junction 24 overbridge road (eastbound) between points 14/5 and 14/7, a distance of 166 metres.
Messing-cum-Inworth CP	The left turn lane from B1023 Kelvedon Road to the new Inworth link between points 14/21 and 14/22, a distance of 217 metres.
<b>Classification of roads plans – Sheet No. 18</b>	
Marks Tey CP	The junction 25 northbound off-slip road between points 18/2 and 18/10, a distance of 525 metres.
Marks Tey CP	The junction 25 southbound on-slip road between points 18/3 and 18/19, a distance of 588 metres.
Marks Tey CP	The new London Road between points 18/9 and 18/15, a distance of 442 metres.

Marks Tey CP	The realigned A120 Coggeshall Road (northbound) between points 18/12 and 19/5 (sheet 19), a distance of 576 metres.
Marks Tey CP	The realigned A120 Coggeshall Road (southbound) between points 18/13 and 19/4 (sheet 19), a distance of 578 metres.
Marks Tey CP	The new London Road roundabout, with reference 18/8, a distance of 156 metres.
<b>Classification of roads plans – Sheet No. 19</b>	
Marks Tey CP	The realigned Prince of Wales roundabout, with reference 19/9, a distance of 190 metres.
Marks Tey CP, Copford CP	The junction 25 northbound on-slip road between points 19/3 and 19/11, a distance of 715 metres.
Marks Tey CP, Copford CP	The junction 25 southbound off-slip road between points 19/7 and 19/14, a distance of 1,106 metres.

**PART 2**  
**CLASSIFIED A ROADS**

<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Length of road</i>
<b>Classification of roads plans – Sheet No. 1</b>	
Boreham CP	The existing Drovers Way roundabout, with reference 1/5, a distance of 207 metres.
Boreham CP	The realigned A130 (southbound) road between points 1/6 and 2/9 (sheet 2), a distance of 306 metres.
<b>Classification of roads plans – Sheet No. 2</b>	
Boreham CP	The realigned A130 (northbound) road between points 2/36 and 2/10, a distance of 293 metres.
Boreham CP	The left turn lane from Boreham bridge to A130 between points 2/14 and 2/13, a distance of 100 metres.
Boreham CP	The realigned A138 Road Link (northbound) between points 2/2 and 2/3, a distance of 124 metres.
Boreham CP	The realigned A138 Road Link (southbound) between points 2/1 and 2/11, a distance of 124 metres.
Boreham CP	The realigned Generals Lane roundabout, with reference 2/12, a distance of 184 metres.
Boreham CP	The realigned Beaulieu Park radial distributor road between points 2/5 and 2/26, a distance of 147 metres.
Boreham CP	The realigned junction 19 Boreham Road Bridge (westbound) between points 2/8 and 2/15, a distance of 173 metres.
Boreham CP	The realigned junction 19 Boreham Road Bridge (eastbound) between points 2/7 and

	2/16, a distance of 178 metres.
Boreham CP	The realigned Generals Farm roundabout, with reference 2/19, a distance of 184 metres.
Boreham CP	The existing Generals Farm Junction Link between points 2/22 and 2/23, a distance of 43 metres.

**PART 3**  
**CLASSIFIED B ROADS**

<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Length of road</i>
<b>Classification of roads plans – Sheet No. 2</b>	
Boreham CP	The realigned B1137 Main Road between points 2/18 and 2/20, a distance of 235 metres.
<b>Classification of roads plans – Sheet No. 4</b>	
Hatfield Peverel CP	The realigned B1137 Main Road between points 4/3 and 5/1 (sheet 5), a distance of 365 metres.
<b>Classification of roads plans – Sheet No. 5</b>	
Hatfield Peverel CP	The realigned Hatfield Peverel link road between points 5/7 and 6/3 (sheet 6), a distance of 894 metres.
<b>Classification of roads plans – Sheet No. 6</b>	
Hatfield Peverel, Witham CP	The realigned Witham Link Road between points 6/4 and 6/15, a distance of 496 metres.
Hatfield Peverel CP	The new junction 21 northern roundabout, with reference 6/8, a distance of 218 metres.
Hatfield Peverel CP	The new junction 21 southern roundabout, with reference 6/14, a distance of 218 metres.
Hatfield Peverel CP	The Hatfield Road overbridge (westbound) between points 6/7 and 6/9, a distance of 90 metres.
Hatfield Peverel CP	The Hatfield Road overbridge (eastbound) between points 6/6 and 6/10, a distance of 91 metres.
<b>Classification of roads plans – Sheet No. 10</b>	
Witham CP, Rivenhall CP	The realigned Colchester Road (northbound) between points 10/2 and 10/7, a distance of 612 metres.
Witham CP, Rivenhall CP	The realigned Colchester Road (southbound) between points 10/1 and 10/8, a distance of 605 metres.
Rivenhall CP	The new junction 22 northern roundabout, with reference 10/15, a distance of 224 metres.
Rivenhall CP	The new junction 22 southern roundabout, with reference 10/21, a distance of 219 metres.
Rivenhall CP	The Little Braxted Lane overbridge (westbound) between points 10/13 and 10/16, a distance of 104 metres.
Rivenhall CP	The Little Braxted Lane overbridge (eastbound) between points 10/12 and 10/17, a

	distance of 106 metres.
Rivenhall CP	Existing A12 (northbound) between points 10/9 and 11/3 (sheet 11), a distance of 692 metres.
Rivenhall CP	Existing A12 (southbound) between points 10/10 and 11/8 (sheet 11), a distance of 685 metres.
<b>Classification of roads plans – Sheet No. 11</b>	
Rivenhall CP	The Rivenhall End West roundabout, with reference 11/4, a distance of 138 metres.
Rivenhall CP	Existing A12 (northbound) between points 11/5 and 11/18, a distance of 647 metres.
Rivenhall CP	Existing A12 (southbound) between points 11/6 and 11/21, a distance of 650 metres.
Rivenhall CP	The Rivenhall End East roundabout, with reference 11/19, a distance of 157 metres.
Rivenhall CP, Kelvedon CP	The B1024 Road between points 11/20 and 12/5 (sheet 12), a distance of 1,438 metres.
<b>Classification of roads plans – Sheet No. 14</b>	
Messing-cum-Inworth CP	The new Inworth roundabout, with reference 14/15, a distance of 117 metres.
Messing-cum-Inworth CP	The widened B1023 Kelvedon Road between points 14/19 and 20/1, sheet 20), a distance of 1,080 metres.
Messing-cum-Inworth CP	The realigned north B1023 Kelvedon Road between points 14/17 and 14/16, a distance of 81 metres.
<b>Classification of roads plans – Sheet No. 15</b>	
Feering CP	The realigned London Road between points 15/5 and 15/6, a distance of 353 metres.
Feering CP	The Feering East roundabout, with reference 15/7, a distance of 162 metres.
Feering CP	Existing A12 (northbound) between points 15/1 and 16/1 (sheet 16), a distance of 1,784 metres.
Feering CP	Existing A12 (southbound) between points 15/2 and 16/6 (sheet 16), a distance of 1,780 metres.
<b>Classification of roads plans – Sheet No. 16</b>	
Feering CP, Copford CP	The Easthorpe Road roundabout, with reference 16/4, a distance of 126 metres.
Copford CP, Marks Tey CP	Existing A12 (northbound) between points 16/2 and 17/1 (sheet 17), a distance of 1,444 metres.
Copford CP, Marks Tey CP	Existing A12 (southbound) between points 16/3 and 17/2 (sheet 17), a distance of 1,443 metres.
<b>Classification of roads plans – Sheet No. 17</b>	
Copford CP, Marks Tey CP	The Wishingwell Farm roundabout, point 17/3, a distance of 126 metres.
Copford CP, Marks Tey CP	Existing A12 (northbound) between points 17/4 and 18/4 (sheet 18), a distance of 1,234 metres.
Copford CP, Marks Tey CP	Existing A12 (southbound) between points



	17/5 and 18/5 (sheet 18), a distance of 1,229 metres.
<b>Classification of roads plans – Sheet No. 18</b>	
Marks Tey CP	The realigned Hall Chase roundabout, with reference 18/20, a distance of 62 metres.
Marks Tey CP	The realigned Hall Chase Link between points 18/18 and 19/8 (sheet 19), a distance of 512 metres.

**PART 4**  
**CLASSIFIED C ROADS**

<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Length of road</i>
<b>Classification of roads plans – Sheet No. 5</b>	
Hatfield Peverel CP	The realigned Bury Lane between points 5/2 and 5/3, a distance of 87 metres.
Hatfield Peverel CP	The realigned Station Road between points 5/4 and 5/5, a distance of 106 metres.
<b>Classification of roads plans – Sheet No. 10</b>	
Rivenhall CP	The realigned Little Braxted Lane between points 10/22 and 10/19, a distance of 546 metres.
<b>Classification of roads plans – Sheet No. 11</b>	
Rivenhall CP	The realigned Henry Dixon Road between points 11/9 and 11/10, a distance of 252 metres.
Rivenhall CP	The realigned Braxted Road between points 11/7 and 11/15, a distance of 519 metres.
<b>Classification of roads plans – Sheet No. 13</b>	
Great Braxted CP, Kelvedon CP	The realigned Braxted Road and realigned Highfields Lane between points 13/1 and 13/2, a distance of 597 metres.
Great Braxted CP, Kelvedon CP	The realigned Maldon Road between points 13/3 and 13/4, a distance of 318 metres.
<b>Classification of roads plans – Sheet No. 14</b>	
Messing-cum-Inworth CP	The realigned Kelvedon Road between points 14/18 and 14/20, a distance of 89 metres.
<b>Classification of roads plans – Sheet No. 19</b>	
Marks Tey CP	The realigned Station Road between points 19/1 and 19/2, a distance of 61 metres.

**PART 5**  
**UNCLASSIFIED ROADS**

<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Length of road</i>
<b>Classification of roads plans – Sheet No. 6</b>	
Hatfield Peverel CP	The cul-de-sac extension of B1137 between

	points 6/19 and 6/20, a distance of 137 metres.
Hatfield Peverel CP, Witham CP	The realigned kennel access between points 6/12 and 6/18, a distance of 597 metres.
<b>Classification of roads plans – Sheet No. 7</b>	
Witham CP	The realigned Howbridge Hall Road between points 7/1 and 7/2, a distance of 26 metres.
Witham CP	The realigned Howbridge Hall Road link between points 7/3 and 7/4, a distance of 13 metres.
<b>Classification of roads plans – Sheet No. 10</b>	
Witham CP	The realigned Coleman’s Bridge Trade Park access road between points 10/5 and 10/6, a distance of 23 metres.
Witham CP	The realigned Eastways junction between points 10/3 and 10/4, a distance of 35 metres.
<b>Classification of roads plans – Sheet No. 11</b>	
Rivenhall CP	The realigned Oak Road between points 11/11 and 11/12, a distance of 24 metres.
Rivenhall CP	The realigned access road between points 11/16 and 11/17, a distance of 267 metres.
Rivenhall CP	The realigned Rivenhall access between points 11/13 and 11/14, a distance of 155 metres.
<b>Classification of roads plans – Sheet No. 12</b>	
Kelvedon CP	The realigned Sniveller’s Lane between points 12/6 and 12/7, a distance of 50 metres.
Kelvedon CP	The realigned Essex Fire & Rescue access road between points 12/1 and 12/2, a distance of 704 metres.
Kelvedon CP	The realigned Essex Fire & Rescue access road between points 12/3 and 12/4, a distance of 50 metres.
<b>Classification of roads plans – Sheet No. 15</b>	
Feering CP	The realigned Prested Hall access road between points 15/3 and 15/4, a distance of 771 metres.
Feering CP	The realigned New Lane between points 15/8 and 15/9, a distance of 28 metres.
<b>Classification of roads plans – Sheet No. 16</b>	
Feering CP, Copford CP	The realigned Easthorpe Road between points 16/5 and 16/7, a distance of 537 metres.
<b>Classification of roads plans – Sheet No. 17</b>	
Marks Tey CP, Copford CP	The realigned Easthorpe Green access road between points 17/7 and 18/1 (sheet 18), a distance of 800 metres.
Marks Tey CP, Copford CP	The new Wishingwell Bridge Road between points 17/6 and 17/8, a distance of 256 metres.
<b>Classification of roads plans – Sheet No. 18</b>	
Marks Tey CP	The realigned Old London Road between points 18/11 and 18/14, a distance of 1139 metres.
Marks Tey CP	The realigned Old London Road access between points 18/6 and 18/7, a distance of 26 metres.

Marks Tey CP	The cul-de-sac extension of Old London Road between points 18/16 and 18/17, a distance of 12 metres.
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## PART 6

### SPEED LIMITS

Note: where speed limits are indicated on the plans relating to this Part (the traffic regulation measures speed limits plan) but are not referenced in this Schedule, they indicate that national speed limits apply in accordance with either:

- (a) the national speed limit set out in—
- (i) section 86 (speed limits for particular classes of vehicles)(a) of and Schedule 6 (speed limits for particular classes of vehicles)(b) to the 1984 Act; and
  - (ii) the 70 miles per hour, 60 miles per hour and 50 miles per hour (Temporary Speed Limit) Order 1977 as varied by the 70 miles per hour, 60 miles per hour and 50 miles per hour (Temporary Speed Limit) (Variation) Order 1978 and continued indefinitely by Regulation 2 of the 70 Miles Per Hour, 60 Miles Per Hour and 50 Miles Per Hour (Temporary Speed Limit) (Continuation) Order 1978(c); or
- (b) sections 81 and 82 of the Road Traffic Regulation Act 1984 (which defines speed limits on ‘restricted roads’ by reference to street lighting), and are not subject to this order. For details of the scheme lighting design, refer to the general arrangement plans.

<i>(1)</i> <i>Parish(es)</i>	<i>(2)</i> <i>Road name, number and length</i>	<i>(3)</i> <i>Speed limit</i>
<b>Traffic regulation measures speed limits plans – Sheet No. 2</b>		
Boreham CP	B1137 Main Road (both sides) starting at point A.009, 6 metres east of the centre point of the circulatory of Generals Farm roundabout, to point A.111, at Paynes Lane, a distance of 277 metres.	Removal of restricted road status 40 miles per hour
Boreham CP	B1137 Main Road (both sides) starting at point A.111, opposite Paynes Lane, to point A.010, 19 metres southwest of the same point), a distance of 554 metres.	40 miles per hour
<b>Traffic regulation measures speed limits plans – Sheet No. 4</b>		
Boreham CP, Hatfield Peverel CP	B1137 Main Road/The Street (both sides) starting at point A.011, 131 metres northwest of the common boundary of property Nos. 15 and 16 Main Road to point A.012 (sheet 5), 72 metres south west of the	40 miles per hour

- (a) There are amendments to section 86 which are not relevant to this Order.
- (b) There are amendments to Schedule 6 which are not relevant to this Order.
- (c) S.I. 1978/1548. The 70 miles per hour, 60 miles per hour and 50 miles per hour (Temporary Speed Limit) Order 1977 and the 70 miles per hour, 60 miles per hour and 50 miles per hour (Temporary Speed Limit) (Variation) Order 1978 were not statutory instruments.

	common boundary of property Nos. 14 and 12 The Street, a distance of 2,307 metres.	
<b>Traffic regulation measures speed limits plans – Sheet No. 6</b>		
Hatfield Peverel CP	The New Hatfield Peverel link road (both sides) starting at point A.013, 156 metres north east of the centre point of the junction between The Street and Maldon Road to point A.014, 95 metres northwest of the centre point of the circulatory of the Junction 21 northern roundabout, a distance of 660 metres.	30 miles per hour
Hatfield Peverel CP	Realigned Kennel access (both sides) starting at point A.015, 62 metres southeast of the centre point of the circulatory of the Junction 21 southern roundabout to point A.016, 604 metres northeast of the same point, a distance of 542 metres.	30 miles per hour
Hatfield Peverel CP	Realigned Witham link road (both sides) starting at point A.017, 19 metres northwest of the centre point of the circulatory of the Junction 21 northern roundabout to point A.112, 71 metres north west of the same point, a distance of 52 metres.	Removal of restricted road status 40 miles per hour
Hatfield Peverel CP	The A12 Junction 21 northeastbound off-slip road from point A.083, 157 metres southwest from its merge with the Junction 21 northern roundabout to point A.086, 8 metres southwest of the same point, a distance of 149 metres.	Removal of restricted road status National Speed Limit
Hatfield Peverel CP	The A12 Junction 21 northeastbound off-slip road from point A.083, 157 metres southwest from its merge with the Junction 21 northern roundabout to point A.086, 8 metres southwest of the same point, a distance of 149 metres.	Removal of restricted road status National Speed Limit
Hatfield Peverel CP	The A12 Junction 21 northeastbound on-slip road from Point A.087, the merge with the A12 mainline to point A.084, 70 metres east of its	National Speed Limit

	diverge with the Junction 21 northern roundabout, a distance of 492 metres.	
Hatfield Peverel CP	The A12 Junction 21 southwestbound on-slip road from point A.107 at the merge to the A12 mainline to point A.128, 75 metres west from its diverge from the Junction 21 southern roundabout, a distance of 547 metres.	National Speed Limit
Hatfield Peverel CP, Witham CP	Realigned Witham link road (both sides) starting at point A.112, 71 metres northwest of the centre point of the circulatory of the Junction 21 northern roundabout to point A.018, 501 metres north west of the same point, a distance of 431 metres.	40 miles per hour
Hatfield Peverel CP	The A12 Junction 21 southwestbound on-slip road from point A.128, 75 metres west from its diverge from the Junction 21 southern roundabout to point A.108, 17 metres west, a distance of 58 metres.	Removal of restricted road status National Speed Limit
<b>Traffic regulation measures speed limits plans – Sheet No. 10</b>		
Rivenhall CP	The realigned Little Braxted Lane (both sides) starting at point A.019, 5 metres south of the centre point of the circulatory of the Junction 22 southern roundabout, to point A.113, 201 metres southwest of the same point, a distance of 196 metres.	Removal of restricted road status 40 miles per hour
Rivenhall CP	Little Braxted Lane (both sides) starting at point A.113, 201 metres west of the centre point of the circulatory of the Junction 22 southern roundabout to point A.020, 550 metres southwest of the same point, a distance of 349 metres.	40 miles per hour
Rivenhall CP	The whole of the A12 Junction 22 southern roundabout, from point A.021 round to point A.021, a distance of 244 metres.	Removal of restricted road status 40 miles per hour
Rivenhall CP	The whole of the A12 Junction 22 northern roundabout, from point A.022 round to point A.022, a	Removal of restricted road status 40 miles per hour

	distance of 244 metres.	
Rivenhall CP	A12 Little Braxted Lane Overbridge (southeastbound side), from point A.021, 6 metres north west of the centre point of the junction 22 southern roundabout to point A.022, 6 metres south east of the centre point of the junction 22 northern roundabout, a distance of 111 metres.	Removal of restricted road status 40 miles per hour
Rivenhall CP	A12 Junction 22 southwestbound on-slip road from point A.023 at its diverge from the Junction 22 southern roundabout to point A.024, 37 metres northwest of the same point, a distance of 37 metres.	Removal of restricted road status 40 miles per hour
Rivenhall CP	A12 Junction 22 southwestbound off slip road from point A.025 at its merge with the Junction 22 southern roundabout, to point A.026, 35 metres northeast of the same point, a distance of 35 metres.	Removal of restricted road status 40 miles per hour
Rivenhall CP	A12 Junction 22 northeastbound on slip road from point A.027 at its diverge from the Junction 22 northern roundabout to point A.028, 39 metres east of the same point, a distance of 39 metres.	Removal of restricted road status 40 miles per hour
Rivenhall CP	A12 Junction 22 northeastbound off slip road from point A.030 at its merge with the Junction 22 northern roundabout to point A.029, 13 metres southwest of the same point, a distance of 13 metres	Removal of restricted road status 40 miles per hour
Rivenhall CP	Colchester Road (northeastbound side) from point A.032, 6 metres northwest of the centre point of the Junction 22 northern roundabout to point A.031, 477 metres southwest of the same point, a distance of 471 metres.	Removal of restricted road status 40 miles per hour
Rivenhall CP, Witham CP	Existing A12 (northeastbound side) starting at point A.033, 7.5 metres northeast of the centre point of the circulatory of the Junction 22 northern	Removal of restricted road status 40 miles per hour

	roundabout to point A.034 (sheet 11), 5 metres west of the centre point of the circulatory of the Rivenhall End west roundabout, a distance of 699 metres.	
Rivenhall CP	A12 Little Braxted Lane Overbridge (northwestbound side), from point A.129, 6 metres south east of the centre point of the junction 22 northern roundabout to point A.130, 6 metres north west of the centre point of the junction 22 southern roundabout, a distance of 111 metres	Removal of restricted road status 40 miles per hour
Rivenhall CP	Colchester Road (southwestbound side) from point A.131, 6 metres west of the centre point of the junction 22 northern roundabout to point A.132, 471 metres southwest of the same point, a distance of 465 metres.	Removal of restricted road status 40 miles per hour
Rivenhall CP, Witham CP	Existing A12 (southwestbound both sides) starting at point A.133, 7.5 metres northeast of the centre point of the Junction 22 northern roundabout to point A.134 (sheet 11), 5 metres west of the centre point of the Rivenhall End west roundabout, a distance of 692 metres.	Removal of restricted road status 40 miles per hour
<b>Traffic regulation measures speed limits plans – Sheet No. 11</b>		
Rivenhall CP	The whole of the Rivenhall End west roundabout, from point A.034 round to point A.034, a distance of 149 metres.	Removal of restricted road status 40 miles per hour
Rivenhall CP	Realigned Braxted Road (both sides) from point A.036, 300 metres south of the centre point of the junction of Braxted Road and Henry Dixon Road, to point A.037, 411 metres south of the same point, a distance of 111 metres.	Removal of restricted road status 40 miles per hour
Rivenhall CP	Existing A12 (northeastbound sides) starting at point A.040, 6 metres east of the centre point of the Rivenhall End west roundabout to point A.041, 6 metres west of the	Removal of restricted road status 40 miles per hour

	centre point of the Rivenhall End east roundabout, a distance of 650 metres.	
Rivenhall CP	The whole of the Rivenhall End east roundabout, from point A.041 round to point A.041, a distance of 168 metres.	Removal of restricted road status 40 miles per hour
Rivenhall CP	Existing A12 (both sides) starting at point A.042, 6 metres east of the centre point of the Rivenhall End east roundabout to point A.035, 101 metres northeast of the same point, a distance of 95 metres.	Removal of restricted road status 40 miles per hour
Rivenhall CP, Kelvedon CP	Existing A12 (both sides) starting at point A.035, 101 metres northeast of the centre point of the Rivenhall End east roundabout to point A.043 (sheet 12), 38 metres southwest of the centre point of the southern arm of the realigned Cranes Lane (Essex Fire and Rescue Access), a distance of 1,195 metres.	40 miles per hour
Rivenhall CP	Realigned Rivenhall Access (both sides) from point A.109 at its junction with the existing A12 to point A.110, 11 metres south of the same point, a distance of 11 metres .	Removal of restricted road status 40 miles per hour
Rivenhall CP	Existing A12 (southwestbound side) starting at point A.135, 6 metres east of the centre point of the Rivenhall End west roundabout to point A.136, 6 metres west of the centre point of the Rivenhall End east roundabout, a distance of 655 metres.	Removal of restricted road status 40 miles per hour
<b>Traffic regulation measures speed limits plans – Sheet No. 14</b>		
Messing-cum-Inworth CP	A12 Junction 24 northeastbound off slip road from point A.047 at its merge with the Junction 24 northern roundabout to point A.046, 25 metres southwest of the same point, total distance of 25 metres	Removal of restricted road status 40 miles per hour
Messing-cum-Inworth CP	A12 Junction 24 northeastbound on slip road from point A.048 at its diverge with the Junction 24	Removal of restricted road status 40 miles per hour



	northern roundabout to point A.049, 31 metres east of the same point, a distance of 31 metres.	
Messing-cum-Inworth CP	The whole of the A12 Junction 24 northern roundabout, from point A.050 round to point A.050, a distance of 278 metres.	Removal of restricted road status 40 miles per hour
Messing-cum-Inworth CP	A12 Junction 24 underbridge (northwestbound side), from point A.050, 6 metres south east of the centre point of the junction 24 northern roundabout to point A.051, 6 metres north west of the centre point of the junction 24 southern roundabout, a distance of 165 metres.	Removal of restricted road status 40 miles per hour
Wickham Bishops CP, Messing-cum-Inworth CP	The whole of the A12 Junction 24 southern roundabout, from point A.051 round to point A.051, a distance of 278 metres.	Removal of restricted road status 40 miles per hour
Messing-cum-Inworth CP	A12 Junction 24 southwestbound on-slip road from point A.052, 6 metres northwest the centre point of the Junction 24 southern roundabout to point A.053, 39 metres west of the same point, a distance of 33 metres.	Removal of restricted road status 40 miles per hour
Messing-cum-Inworth CP	A12 Junction 24 southwestbound off-slip road from point A.054, 6 metres northeast of the centre point of the Junction 24 southern roundabout to point A.055, 35 metres northeast of the same point, a distance of 29 metres.	Removal of restricted road status 40 miles per hour
Messing-cum-Inworth CP	New Inworth Link (both sides) from point A.056, 6 metres southeast of the centre point of the Junction 24 southern roundabout to point A.057, 8 metres west of the Inworth roundabout, a distance of 408 metres.	Removal of restricted road status 40 miles per hour
Messing-cum-Inworth CP	Segregated left turn lane from the B1023 Kelvedon Road to the new Inworth link from point A.064, 6 metres southeast of the centre point of the Junction 24 southern roundabout to point A.065 at its diverge from the new	Removal of restricted road status 40 miles per hour

	Inworth link, a distance of 93 metres.	
Messing-cum-Inworth CP	B1023 Kelvedon Road (both sides) from point A.058, 134 metres southwest of the centre point of the Inworth roundabout, to point A.059, 249 metres southeast of the same point, a distance of 115 metres.	30 miles per hour
Messing-cum-Inworth CP	A12 Junction 24 underbridge (southeastbound side), from point A.137, 6 metres north west of the centre point of the junction 24 southern roundabout to point A.138, 6 metres south east of the centre point of the junction 24 northern roundabout, , a distance of 165 metres.	Removal of restricted road status
<b>Traffic regulation measures speed limits plans – Sheet No. 15</b>		
Feering CP	Realigned London Road (both sides) from point A.062, 190 metres northwest of the centre point of the Feering east roundabout to point A.063, 386 metres northwest of the same point, a distance of 196 metres.	30 miles per hour
Feering CP	Existing A12 (northeastbound side) from point A.068, 30 metres east of the centre point of the Feering east roundabout to point A.060, 105 metres east of the same point, a distance of 75 metres.	Removal of restricted road status 40 miles per hour
Feering CP	Existing A12 (northeastbound side) from point A.060, 105 metres east of the centre point of the Feering east roundabout to point A.069 (sheet 16) 920 metres east of the same point, a distance of 815 metres.	40 miles per hour
Feering CP	Existing A12 (southwestbound side) from point A.139, 30 metres east of the centre point of the Feering east roundabout to point A.140, 105 metres east of the same point, a distance of 75 metres..	Removal of restricted road status 40 miles per hour
Feering CP	Existing A12 (southwestbound side) from point A.140, 105 metres east of the centre point of the Feering east roundabout to	40 miles per hour

	point A.141 (sheet 16), 920 metres east of the same point, a distance of 815 metres.	
<b>Traffic regulation measures speed limits plans – Sheet No. 16</b>		
Feering CP	Existing A12 (northeastbound side) from point A.069, 920 metres east of the centre point of the Feering east roundabout to point A.061, 103 metres west of the centre point of the Easthorpe Road roundabout, a distance of 767 metres.	50 miles per hour
Feering CP, Copford CP	Existing A12 (northeastbound side) from point A.061, 103 metres west of the centre point of the Feering east roundabout to point A.070, 5 metres west of the same point, a distance of 98 metres.	Removal of restricted road status 50 miles per hour
Feering CP, Copford CP	The whole of the Easthorpe Road roundabout from point A.070 round to point A.070, a distance of 164 metres.	Removal of restricted road status 50 miles per hour
Feering CP	Realigned Domsey Chase (both sides) from point A.071, 5 metres north of the centre point of the Easthorpe Road roundabout to point A.072, 23 metres north of the same point, a distance of 18 metres.	Removal of restricted road status 50 miles per hour
Feering CP	Realigned Easthorpe Road (both sides) from point A.073, 5 metres south of the centre point of the Easthorpe Road roundabout to point A.074, 18 metres south of the same point, a distance of 13 metres.	Removal of restricted road status 50 miles per hour
Feering CP	Realigned Easthorpe Road (both sides) from point A.074, 18 metres south of the centre point of the Easthorpe Road roundabout to point A.075, 143 metres south of the same point, a distance of 125 metres.	Removal of restricted road status National Speed Limit
Feering CP	De-trunked A12 (southwestbound side) from point A.141, 920 metres east of the centre point of the Feering east roundabout to point A.142, 103 metres west of the centre point of the Easthorpe Road roundabout, a distance of 767 metres.	50 miles per hour
Copford CP	De-trunked A12 (northeastbound side) from	Removal of restricted road status

	point A.076, 5 metres east of the centre point of the Easthorpe Road roundabout to point A.066, 139 metres east of the same point, a distance of 134 metres.	50 miles per hour
Copford CP	Existing A12 (southwestbound side) from point A.144, 5 metres east of the centre point of the Easthorpe Road roundabout to point A.145, 139 metres east of the same point, a distance of 134 metres.	Removal of restricted road status 50 miles per hour
Marks Tey CP, Copford CP	Existing A12 (northeastbound side) from point A.066, 139 metres east of the centre point of the Easthorpe Road roundabout to point A.067 (sheet 17), 107 metres west of the centre point of the Wishingwell Farm roundabout, a distance of 1,205 metres.	50 miles per hour
Marks Tey CP, Copford CP	Existing A12 (southwestbound side) from point A.145, 139 metres east of the centre point of the Easthorpe Road roundabout to point A.146 (sheet 17), 107 metres west of the centre point of the Wishingwell Farm roundabout, a distance of 1,205 metres.	50 miles per hour
Feering CP, Copford CP	Existing A12 (southwestbound side) from point A.142, 103 metres west of the centre point of the Feering east roundabout to point A.143, 5 metres west of the same point, a distance of 98 metres.	Removal of restricted road status 50 miles per hour
<b>Traffic regulation measures speed limits plans – Sheet No. 17</b>		
Marks Tey CP, Copford CP	Existing A12 (northeastbound side) from point A.067, 107 metres west of the centre point of the Wishingwell Farm roundabout to point A.077, 5 metres west of the same point, a distance of 102 metres.	Removal of restricted road status 50 miles per hour
Marks Tey CP, Copford CP	The whole of the Wishingwell Farm roundabout from point A.077 round to point A.077, a distance of 158 metres.	Removal of restricted road status 50 miles per hour
Marks Tey CP, Copford CP	Existing A12 (southwestbound side) from	Removal of restricted road status

	point A.146, 107 metres west of the centre point of the Wishingwell Farm roundabout to point A.147, 5 metres west of the same point, a distance of 102 metres.	50 miles per hour
Copford CP	New Wishingwell Bridge Road (both sides) from point A/078, 5 metres southeast of the centre point of the Wishing Well Farm roundabout to point A.079, 16 metres southeast of the same point, a distance of 10 metres.	Removal of restricted road status 50 miles per hour
Copford CP	New Wishingwell Bridge Road (both sides) from point A.079, 16 metres south of the centre point of the Wishingwell Farm roundabout to point A.080, 83 metres south of the same point, a distance of 67 metres.	Removal of restricted road status
Marks Tey CP	Existing A12 (northeastbound side) from point A081, 5 metres northeast of the centre point of the Wishingwell Farm roundabout to point A.114, 111 metres northeast of the same point, a distance of 1,006 metres.	Removal of restricted road status 50 miles per hour
Marks Tey CP	Existing A12 (northeastbound side) from point A.114, 111 metres northeast of the centre point of the Wishingwell Farm roundabout to point A.082 (sheet 18), 153 metres north west of the centre point of the London Road roundabout, a distance of 978 metres.	50 miles per hour
Marks Tey CP	Existing A12 (southwestbound side) from point A.148, 5 metres east of the centre point of the Wishingwell Farm roundabout to point A.149, 111 metres northeast of the same point, a distance of 1,06 metres.	Removal of restricted road status 50 miles per hour
Marks Tey CP	Existing A12 (southwestbound side) from point A.149, 111 metres northeast of the centre point of the Wishingwell Farm roundabout to point A.150 (sheet 18), 153 metres north west of the centre point of the London Road roundabout, a	50 miles per hour

	distance of 978 metres.	
<b>Traffic regulation measures speed limits plans – Sheet No. 18</b>		
Marks Tey CP	The A12 Junction 25 southwestbound on-slip road from point A.099, the merge with the A12 mainline to point A.122, 99 metres southwest from its diverge from the Hall Chase roundabout, a distance of 492 metres.	National Speed Limit
Marks Tey CP	The A12 Junction 25 southwestbound on-slip road from point A.122, 99 metres southwest from its diverge from the Hall Chase roundabout to point A.100, 12 metres west of the same point, a distance of 87 metres.	Removal of restricted road status
<b>Traffic regulation measures speed limits plans – Sheet No. 19</b>		
Marks Tey CP, Copford CP	The A12 Junction 25 northeastbound on-slip road from point A.095 at the merge of the A12 mainline to point A.120, 60 metres northeast from the diverge from the A120, a distance of 656 metres.	National Speed Limit
Marks Tey CP	The A12 Junction 25 northeastbound on-slip road from point A.096, the diverge from the A120 to point A.120, 60 metres northeast of the same point, a distance of 60 metres.	Removal of restricted road status National Speed Limit
Copford CP, Marks Tey CP	The A12 Junction 25 southwestbound off-slip road from point A.097 (inset B) , the diverge from the A12 mainline to point A.121, 104 metres east from its merge with the Prince of Wales roundabout, total distance of 999 metres.	National Speed Limit
Marks Tey CP	The A12 Junction 25 southwestbound off-slip road from point A.098, its merge with the Prince of Wales roundabout to point A.121, 104 metres east of the same point, a distance of 104 metres.	Removal of restricted road status National Speed Limit

**PART 7**  
**VARIABLE SPEED LIMITS**

Note: see the note to Part 6.

<i>(1)</i> <i>Parish(es)</i>	<i>(2)</i> <i>Road name, number and length</i>	<i>(3)</i> <i>Speed limit</i>
<b>Traffic regulation measures speed limits plans – Sheet No. 6</b>		
Marks Tey CP, Copford CP, Feering CP, Messing-cum-Inworth CP, Kelvedon CP, Wickham Bishops CP, Great Braxted CP, Rivenhall CP, Witham CP, Hatfield Peverel CP	A12 dual carriageway (southwestbound) starting at point A.007, 81 metres south of Hatfield Road Overbridge to point A.006 (sheet 18), 1,208 metres southwest of the centre point of the Marks Tey Bridge a distance of 16,509 metres.	Variable speed limit
Hatfield Peverel CP	The A12 Junction 21 southwestbound off-slip road from point A.127, 65 metres northeast from its merge with the Junction 21 southern roundabout to point A.106, 28 metres northeast of the same point, a distance of 37 metres.	Removal of restricted road status Variable speed limit
Hatfield Peverel CP	The A12 Junction 21 southwestbound off-slip road from point A.105 at the diverge from the A12 mainline to point A.127, 65 metres northeast from its merge with the Junction 21 southern roundabout, a distance of 449 metres.	Variable speed limit
<b>Traffic regulation measures speed limits plans – Sheet No. 7</b>		
Witham CP, Hatfield Peverel CP Rivenhall CP, Kelvedon CP, Wickham Bishops CP, Great Braxted CP, Messing-cum-Inworth CP, Feering CP, Copford CP, Marks Tey CP	A12 dual carriageway (northeastbound) starting at point A.002, 695 metres northeast of the centre line of Hatfield Road Overbridge to point A.003 (sheet 18), 446 metres southwest of the centre point of Marks Tey Bridge, a distance of 16,473 metres.	Variable speed limit
<b>Traffic regulation measures speed limits plans – Sheet No. 9</b>		
Rivenhall CP, Witham CP	The A12 Junction 22 northeastbound off-slip road from point A.089 at the diverge from the A12 mainline to point A.115 (sheet 10, 105 metres southwest from its merge with the Junction 22 northern roundabout, a distance of 854 metres.	Variable speed limit
<b>Traffic regulation measures speed limits plans – Sheet No. 10</b>		
Rivenhall CP	The A12 Junction 22 southwestbound on-slip road	Removal of restricted road status

	from point A.024, 129 metres west from its diverge from the Junction 22 southern roundabout to point A.126, 37 metres west of the same point, a distance of 82 metres.	Variable speed limit
Rivenhall CP	The A12 Junction 22 northeastbound off-slip road from point A.028, 39 metres east from its merge with the Junction 22 northern roundabout to point A.116, 104 metres southeast of the same point, a distance of 75 metres.	Removal of restricted road status Variable speed limit
Rivenhall CP	The A12 Junction 22 northeastbound off-slip road from point A.115, 105 metres southwest from its merge with the Junction 22 northern roundabout to point A.029, 13 metres southwest of the same point, a distance of 92 metres.	Removal of restricted road status Variable speed limit
Rivenhall CP	The A12 Junction 22 northeastbound on-slip road from point A.116, 104 metres southeast from its diverge from the Junction 22 northern roundabout to point A.090 (sheet 11), at the merge with the A12 mainline , a distance of 492 metres.	Variable speed limit
Rivenhall CP	The A12 Junction 22 southwestbound off-slip road from point A.125, 100 metres east from its merge with the Junction 22 southern roundabout to point A.025, 35 metres east of the same point, a distance of 65 metres.	Removal of restricted road status Variable speed limit
Rivenhall CP	The A12 Junction 22 southwestbound on-slip road from point A.126 at the merge with the A12 mainline to point A.104 (sheet 9), 129 metres southwest from its diverge from the Junction 22 southern roundabout, a distance of 594 metres.	Variable speed limit
<b>Traffic regulation measures speed limits plans – Sheet No 11</b>		
Rivenhall CP	The A12 Junction 22 southwestbound off-slip road from point A.103 at the diverge from the A12 mainline to point A.125 (sheet 10), 65 metres northeast from its merge with the Junction 22 southern	Variable speed limit



	roundabout, a distance of 595 metres.	
<b>Traffic regulation measures speed limits plans – Sheet No. 13</b>		
Messing-cum-Inworth CP, Kelvedon CP	The A12 Junction 24 at northeastbound off-slip road from point A.091 the diverge from the A12 mainline to point A.117 (sheet 14), 103 metres west from its merge with the Junction 24 northern roundabout, a distance of 601 metres.	Variable speed limit
Kelvedon CP	The A12 Junction 24 southwestbound on-slip road from point A.102, the merge with the A12 mainline to point A.124 (sheet 14), 151 metres northwest from its diverge from the Junction 24 southern roundabout, a distance of 640 metres.	Variable speed limit
<b>Traffic regulation measures speed limits plans – Sheet No. 14</b>		
Messing-cum-Inworth CP	The A12 Junction 24 northeastbound on-slip road from point A.049, 31 metres southeast from its diverge from the Junction 24 northern roundabout to point A.118, 106 metres east of the same point, a distance of 75 metres.	Removal of restricted road status Variable speed limit
Messing-cum-Inworth CP	The A12 Junction 24 northeastbound on-slip road from point A.092 at the merge with the A12 mainline to point A.118, 106 metres east from its diverge from the Junction 24 northern roundabout, a distance of 458 metres.	Variable speed limit
Messing-cum-Inworth CP	The A12 Junction 24 southwestbound off-slip road from Point A.101, the diverge from the A12 mainline to point A.123, 99 metres northeast from its merge with the Junction 24 southern roundabout, a distance of 455 metres. as shown between point A.101 and A.123 on sheet 14 of the traffic regulation measures speed limits plans	Variable speed limit
Messing-cum-Inworth CP	The A12 Junction 24 northeastbound off-slip road from point A.117, 103 metres west from its merge with the Junction 24 northern roundabout. to point A.046, 25 metres west of the same point, a	Removal of restricted road status Variable speed limit

	distance of 78 metres..	
Messing-cum-Inworth CP	The A12 Junction 24 southwestbound off-slip road from point A.123 99 metres northeast from its merge with the Junction 24 southern roundabout to point A.054, 29 metres northeast of the same point, a distance of 70 metres.	Removal of restricted road status Variable speed limit
Messing-cum-Inworth CP, Kelvedon CP	The A12 Junction 24 southwestbound on-slip road from point A.052, 53 metres northwest from its diverge from the Junction 24 southern roundabout to point A.124, 151 metres northwest of the same point, a distance of 98 metres.	Removal of restricted road status Variable speed limit
<b>Traffic regulation measures speed limits plans – Sheet No. 18</b>		
Marks Tey CP	The A12 Junction 25 northeastbound off-slip road from point A.093 at the diverge of the A12 mainline to point A.119, 113 metres southwest of its merge with the London Road roundabout, a distance of 410 metres.	Variable speed limit
Marks Tey CP	The A12 Junction 25 northeastbound off-slip road from point A.094, 25 metres south of its merge with the London Road roundabout to point A.119, 113 metres southwest of the same point, a distance of 88 metres.	Removal of restricted road status Variable speed limit

## PART 8

### TRAFFIC REGULATION MEASURES (CLEARWAYS)

<i>(1)</i> <i>Parish(es)</i>	<i>(2)</i> <i>Road name, number and length</i>	<i>(3)</i> <i>Measures</i>
<b>Traffic regulation measures movement restrictions plans – Sheet No. 1</b>		
Springfield CP, Boreham CP, Hatfield Peverel CP, Witham CP, Rivenhall CP, Kelvedon CP, Great Braxted CP, Messing-cum-Inworth CP, Feering CP, Copford CP, Marks Tey CP, Stanway CP	A12 dual carriageway (northeastbound) from point C.001 to point C.002 (sheet 19 inset B), a distance of 28,390 metres.	Clearway (including verges and hard strip but excluding lay-bys).
Stanway CP, Marks Tey CP, Copford CP, Feering CP, Messing-cum-Inworth CP, Kelvedon CP, Great Braxted CP, Rivenhall CP, Witham	A12 dual carriageway (southwestbound) from point C.004 to point C.003 (sheet 19, inset B), a distance of 28,382 metres.	Clearway (including verges and hard strip but excluding lay-bys).

CP, Hatfield Peverel CP, Boreham CP, Springfield CP		
<b>Traffic regulation measures movement restrictions plans – Sheet No. 5</b>		
Hatfield Peverel CP	The A12 Junction 21 (northeastbound) off-slip road from point C.005 to point C.006 (sheet 6), a distance of 832 metres.	Clearway (including verges and hard strip but excluding lay-bys).
<b>Traffic regulation measures movement restrictions plans – Sheet No. 6</b>		
Hatfield Peverel CP	The A12 Junction 21 (northeastbound) on-slip road from point C.008 to point C.007, a distance of 560 metres.	Clearway (including verges and hard strip but excluding lay-bys).
Hatfield Peverel CP	The A12 Junction 21 (southwestbound) off-slip road from point C.033 to point C.034, a distance of 514 metres.	Clearway (including verges and hard strip but excluding lay-bys).
Hatfield Peverel CP	The A12 Junction 21 (southwestbound) on-slip road from point C.035 to point C.036, a distance of 615 metres.	Clearway (including verges and hard strip but excluding lay-bys).
<b>Traffic regulation measures movement restrictions plans – Sheet No. 7</b>		
Witham CP	A12 dual carriageway (northeastbound) from point B.003 to point B.004, a distance of 100 metres.	Stopping of vehicles in a lay-by prohibited.
<b>Traffic regulation measures movement restrictions plans – Sheet No. 8</b>		
Witham CP	A12 dual carriageway (northeastbound) from point B.005 to point B.006, a distance of 87 metres.	Stopping of vehicles in a lay-by prohibited.
Witham CP	A12 dual carriageway (southwestbound) from point B.045 to point B.046, a distance of 78 metres.	Stopping of vehicles in a lay-by prohibited.
Witham CP	A12 dual carriageway (southwestbound) from point B.047 to point B.048, a distance of 80 metres.	Stopping of vehicles in a lay-by prohibited.
<b>Traffic regulation measures movement restrictions plans – Sheet No. 9</b>		
Rivenhall CP, Witham CP	The A12 Junction 22 (northeastbound) off-slip road from point C.009 to point C.010 (sheet 10), a distance of 955 metres.	Clearway (including verges and hard strip but excluding lay-bys).
Rivenhall CP	The A12 Junction 22 (southwestbound) on-slip road from point C.031 to point C.032 (sheet 10), a distance of 710 metres.	Clearway (including verges and hard strip but excluding lay-bys).
Witham CP	A12 dual carriageway (northeastbound) from point	Stopping of vehicles in a lay-by prohibited.

	B.007 to point B.008, a distance of 85 metres.	
Witham CP	A12 dual carriageway (southwestbound) from point B.043 to point B.044, a distance of 85 metres.	Stopping of vehicles in a lay-by prohibited.
<b>Traffic regulation measures movement restrictions plans – Sheet No. 10</b>		
Rivenhall CP	A12 dual carriageway (northeastbound) from point B.009 to point B.010, a distance of 96 metres.	Stopping of vehicles in a lay-by prohibited.
Rivenhall CP	A12 dual carriageway (southwestbound) from point B.041 to point B.042, a distance of 85 metres.	Stopping of vehicles in a lay-by prohibited.
Rivenhall CP	The A12 Junction 22 (northeastbound) on-slip road from point C.012 to point C.011 (sheet 11), a distance of 870 metres.	Clearway (including verges and hard strip but excluding lay-bys).
Rivenhall CP	The A12 Junction 22 (southwestbound) off slip road from point C.030 point C.029 (sheet 11), a distance of 696 metres.	Clearway (including verges and hard strip but excluding lay-bys).
<b>Traffic regulation measures movement restrictions plans – Sheet No. 11</b>		
Rivenhall CP	A12 dual carriageway (northeastbound) from point B.011 to point B.012, a distance of 84 metres.	Stopping of vehicles in a lay-by prohibited.
Rivenhall CP	A12 dual carriageway (southwestbound) from point B.039 to point B.040, a distance of 83 metres.	Stopping of vehicles in a lay-by prohibited.
<b>Traffic regulation measures movement restrictions plans – Sheet No. 12</b>		
Kelvedon CP	A12 dual carriageway (northeastbound) from point B.013 to point B.014, a distance of 84 metres.	Stopping of vehicles in a lay-by prohibited.
Kelvedon CP	A12 dual carriageway (southwestbound) from point B.037 to point B.038, a distance of 83 metres.	Stopping of vehicles in a lay-by prohibited.
<b>Traffic regulation measures movement restrictions plans – Sheet No. 13</b>		
Wickham Bishops CP	A12 dual carriageway (southwestbound) from point B.035 to point B.036, a distance of 84 metres.	Stopping of vehicles in a lay-by prohibited.
Great Braxted CP	A12 dual carriageway (northeastbound) from point B.015 to point B.016, a distance of 87 metres.	Stopping of vehicles in a lay-by prohibited.
Messing-cum-Inworth CP, Kelvedon CP	The A12 Junction 24 (northeastbound) off-slip road from point C.013 to point	Clearway (including verges and hard strip but excluding lay-bys).

	C.014, (sheet 14) a distance of 703 metres.	
Messing-cum-Inworth CP, Kelvedon CP	The A12 Junction 24 (southwestbound) on-slip road from point C.027 to point C.028 (sheet 14), a distance of 769 metres.	Clearway (including verges and hard strip but excluding lay-bys).
<b>Traffic regulation measures movement restrictions plans – Sheet No. 14</b>		
Messing-cum-Inworth CP	The A12 Junction 24 (northeastbound) on-slip road from point C.016 to point C.015, a distance of 565 metres.	Clearway (including verges and hard strip but excluding lay-bys).
Messing-cum-Inworth CP	The A12 Junction 24 (southwestbound) off-slip road from point C.025 to point C.026, a distance of 556 metres.	Clearway (including verges and hard strip but excluding lay-bys).
Messing-cum-Inworth CP	A12 dual carriageway (southwestbound) from point B.033 to point B.034, a distance of 84 metres.	Stopping of vehicles in a lay-by prohibited.
<b>Traffic regulation measures movement restrictions plans – Sheet No. 15</b>		
Feering CP	A12 dual carriageway (northeastbound) from point B.017 to point B.018, a distance of 85 metres.	Stopping of vehicles in a lay-by prohibited.
Feering CP	A12 dual carriageway (northeastbound) from point B.019 to point B.020, a distance of 84 metres.	Stopping of vehicles in a lay-by prohibited.
Feering CP	A12 dual carriageway (southwestbound) from point B.031 to point B.032, a distance of 86 metres.	Stopping of vehicles in a lay-by prohibited.
<b>Traffic regulation measures movement restrictions plans – Sheet No. 16</b>		
Copford CP	A12 dual carriageway (northeastbound) from point B.021 to point B.022, a distance of 83 metres.	Stopping of vehicles in a lay-by prohibited.
Copford CP	A12 dual carriageway (southwestbound) from point B.027 to point B.028, a distance of 84 metres.	Stopping of vehicles in a lay-by prohibited.
Feering CP	A12 dual carriageway (southwestbound) from point B.029 to point B.030, a distance of 84 metres.	Stopping of vehicles in a lay-by prohibited.
<b>Traffic regulation measures movement restrictions plans – Sheet No. 17</b>		
Copford CP	A12 dual carriageway (northeastbound) from point B.023 to point B.024, a distance of 86 metres.	Stopping of vehicles in a lay-by prohibited.
Copford CP	A12 dual carriageway (southwestbound) from point	Stopping of vehicles in a lay-by prohibited.

	B.025 to point B.026, a distance of 85 metres.	
<b>Traffic regulation measures movement restrictions plans – Sheet No. 18</b>		
Marks Tey CP	The A12 Junction 25 (northeastbound) off-slip road from point C.017 to point C.018, a distance of 524 metres.	Clearway (including verges and hard strip but excluding lay-bys).
Marks Tey CP	The A12 Junction 25 (southwestbound) on-slip road from point C.023 to point C.024, a distance of 591 metres.	Clearway (including verges and hard strip but excluding lay-bys).
<b>Traffic regulation measures movement restrictions plans – Sheet No. 19</b>		
Marks Tey CP, Copford CP	The A12 Junction 25 (northeastbound) on-slip road from point C.019 to point C.020, a distance of 715 metres.	Clearway (including verges and hard strip but excluding lay-bys).
Copford CP, Marks Tey CP	The A12 Junction 25 (southwestbound) off slip road from point C.022 to point C.021 (sheet 19 inset B), a distance of 1,093 metres.	Clearway (including verges and hard strip but excluding lay-bys).

## PART 9

### TRAFFIC REGULATION MEASURES (PROHIBITIONS)

<i>(1)</i> <i>Parish(es)</i>	<i>(2)</i> <i>Road name, number and length</i>	<i>(3)</i> <i>Measures</i>
<b>Traffic regulation measures movement restrictions plans – Sheet No. 6</b>		
Hatfield Peverel CP, Witham CP, Rivenhall CP, Kelvedon CP, Great Braxted CP, Messing-cum-Inworth CP, Feering CP, Copford CP, Marks Tey CP.	The A12 dual carriageway (northeastbound) from point B.057 to point B.058 (sheet 19), a distance of 18,450 metres.	Prohibition of pedestrians, riding of pedal cycles, ridden or accompanied horses, horse drawn vehicles, agricultural motor vehicles and any motor cycle with an engine capacity of under 50cc.
Copford CP, Marks Tey CP, Feering CP, Messing-cum-Inworth CP, Kelvedon CP, Great Braxted CP, Rivenhall CP, Witham CP, Hatfield Peverel CP	The A12 dual carriageway (southwestbound) from point B.060 to point B.059 (sheet 19), a distance of 18,784 metres.	Prohibition of pedestrians, riding of pedal cycles, ridden or accompanied horses, horse drawn vehicles, agricultural motor vehicles and any motor cycle with an engine capacity of under 50cc.
Hatfield Peverel CP	The A12 Junction 21 (northeastbound) on-slip road from point B.061 to point B.062, a distance of 560 metres.	Prohibition of pedestrians, riding of pedal cycles, ridden or accompanied horses, horse drawn vehicles, agricultural motor vehicles and any motor cycle with an engine capacity of under 50cc.

Hatfield Peverel CP	The A12 Junction 21 (southwestbound) off-slip road from point B.083 to point B.084, a distance of 514 metres.	Prohibition of pedestrians, riding of pedal cycles, ridden or accompanied horses, horse drawn vehicles, agricultural motor vehicles and any motor cycle with an engine capacity of under 50cc.
<b>Traffic regulation measures movement restrictions plans – Sheet No. 9</b>		
Rivenhall CP, Witham CP	The A12 Junction 22 (northeastbound) off-slip road from point B.073 to point B.074 (sheet 10), a distance of 955 metres.	Prohibition of pedestrians, riding of pedal cycles, ridden or accompanied horses, horse drawn vehicles, agricultural motor vehicles and any motor cycle with an engine capacity of under 50cc.
Rivenhall CP, Witham CP	The A12 Junction 22 (southwestbound) on-slip road from point B.071 to point B.072 (sheet 10), a distance of 710 metres.	Prohibition of pedestrians, riding of pedal cycles, ridden or accompanied horses, horse drawn vehicles, agricultural motor vehicles and any motor cycle with an engine capacity of under 50cc.
<b>Traffic regulation measures movement restrictions plans – Sheet No. 10</b>		
Rivenhall CP	Little Braxted Lane (both sides) from point B.053 to point B.054, a distance of 326 metres.	Width Restriction (6' 6")
Rivenhall CP	The A12 Junction 22 (southwestbound) off-slip road from point B.082 to point B.081 (sheet 11), a distance of 696 metres.	Prohibition of pedestrians, riding of pedal cycles, ridden or accompanied horses, horse drawn vehicles, agricultural motor vehicles and any motor cycle with an engine capacity of under 50cc.
Rivenhall CP	The A12 Junction 22 (northeastbound) on slip road from point B.064 to point B.063 (sheet 11), a distance of 870 metres.	Prohibition of pedestrians, riding of pedal cycles, ridden or accompanied horses, horse drawn vehicles, agricultural motor vehicles and any motor cycle with an engine capacity of under 50cc.
<b>Traffic regulation measures movement restrictions plans – Sheet No. 13</b>		
Messing-cum-Inworth CP, Kelvedon CP	The A12 Junction 24 (southwestbound) on-slip road from point B.069 point B.070 (sheet 14), a distance of 769 metres.	Prohibition of pedestrians, riding of pedal cycles, ridden or accompanied horses, horse drawn vehicles, agricultural motor vehicles and any motor cycle with an engine capacity of under 50cc.
Messing-cum-Inworth CP, Kelvedon CP	The A12 Junction 24 (northeastbound) off-slip road from point B.075 to point B.076 (sheet 14), a distance of 703 metres.	Prohibition of pedestrians, riding of pedal cycles, ridden or accompanied horses, horse drawn vehicles, agricultural motor vehicles and any motor cycle with an engine capacity of under 50cc.

<b>Traffic regulation measures movement restrictions plans – Sheet No. 14</b>		
Messing-cum-Inworth CP	The A12 Junction 24 (northeastbound) on-slip road from point B.065 to point B.066, a distance of 565 metres.	Prohibition of pedestrians, riding of pedal cycles, ridden or accompanied horses, horse drawn vehicles, agricultural motor vehicles and any motor cycle with an engine capacity of under 50cc.
Messing-cum-Inworth CP	The A12 Junction 24 (southwestbound) off-slip road from point B.079 to point B.080, a distance of 556 metres.	Prohibition of pedestrians, riding of pedal cycles, ridden or accompanied horses, horse drawn vehicles, agricultural motor vehicles and any motor cycle with an engine capacity of under 50cc.
<b>Traffic regulation measures movement restrictions plans – Sheet No. 16</b>		
Feering CP. Copford CP	Realigned Easthorpe Road from point B.055 to point B.056, a distance of 343 metres.	Prohibition of Motor Vehicles (except for access).
<b>Traffic regulation measures movement restrictions plans – Sheet No. 18</b>		
Marks Tey CP	The A12 Junction 25 (southwestbound) on-slip road from point B.067 to point B.068, a distance of 591 metres.	Prohibition of pedestrians, riding of pedal cycles, ridden or accompanied horses, horse drawn vehicles, agricultural motor vehicles and any motor cycle with an engine capacity of under 50cc.
Marks Tey CP	The A12 Junction 25 (northeastbound) off-slip road from point B.077 to point B.078 a distance of 524 metres.	Prohibition of pedestrians, riding of pedal cycles, ridden or accompanied horses, horse drawn vehicles, agricultural motor vehicles and any motor cycle with an engine capacity of under 50cc.

## PART 10

### TRAFFIC REGULATION MEASURES (NO ENTRY)

<i>(1)</i> <i>Parish(es)</i>	<i>(2)</i> <i>Road name, number and length to which entry is prohibited</i>	<i>(3)</i> <i>Road name, number and length from which entry is prohibited</i>	<i>(4)</i> <i>Measures</i>
<b>Traffic regulation measures movement restrictions plans – Sheet No. 6</b>			
Hatfield Peverel CP	Ref A The A12 Junction 21 (northeastbound) off-slip road.	Junction 21 northern roundabout.	No Entry.
Hatfield Peverel CP	Ref B The A12 Junction 21 (southwestbound) off-slip road.	Access from Junction 21 southern roundabout.	No Entry.



<b>Traffic regulation measures movement restrictions plans – Sheet No. 10</b>			
Rivenhall CP	Ref C The A12 Junction 22 (northeastbound) off-slip road.	Access from Junction 22 northern roundabout.	No Entry.
Rivenhall CP	Ref D The A12 Junction 22 (southwestbound) off-lip road.	Access from Junction 22 southern roundabout.	No Entry.
Witham CP	Ref I Colchester Road (northeastbound) approach to the Eastways junction.	Access from: (1) Colchester Road (southwestbound); (2) Colemans Bridge Trade Park access; and (3) Eastways.	No Entry.
Witham CP	Ref J Colchester Road (southwestbound) approach to the Eastways junction.	Access from: (1) Colchester Road (northeastbound); (2) Colemans Bridge Trade Park access; and (3) Eastways.	No Entry.
<b>Traffic regulation measures movement restrictions plans – Sheet No. 14</b>			
Messing-cum-Inworth CP	Ref E The A12 Junction 24 (northeastbound) off-slip road.	Access from Junction 24 northern roundabout.	No Entry.
Messing-cum-Inworth CP	Ref F The A12 Junction 24 (southwestbound) off-slip road.	Access from the Junction 24 southern roundabout.	No Entry.
<b>Traffic regulation measures movement restrictions plans – Sheet No. 18</b>			
Marks Tey CP	Ref G The A12 Junction 25 (northeastbound) off-slip road.	Access from London Road roundabout.	No Entry.
Marks Tey CP	Ref K A120 Coggeshall Road (eastbound) approach to the Old Rectory junction.	Access from: (1) Station Road; (2) A120 Road westbound; and (3) New London Road.	No Entry.
<b>Traffic regulation measures movement restrictions plans – Sheet No. 19</b>			
Marks Tey CP	Ref H The A12 Junction 25 (southwestbound) off-slip road.	Access from Prince of Wales roundabout.	No Entry.
Marks Tey CP	Ref L A120 Road (westbound) approach to the Old Rectory junction.	Access from: (1) Station Road; (2) A120 westbound; and (3) New London	No Entry.

		Road.	
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## PART 11

### TRAFFIC REGULATION MEASURES (WAITING RESTRICTIONS)

<i>(1)</i> <i>Parish(es)</i>	<i>(2)</i> <i>Road name, number and length</i>	<i>(3)</i> <i>Measures</i>
<b>Traffic regulation measures movement restrictions plans – Sheet No. 5</b>		
Hatfield Peverel CP	Station Road (western side) from point B.001 to point B.002, a distance of 80 metres.	No Waiting (Monday - Friday 2.00pm to 3.00pm).
Hatfield Peverel CP	Station Road (eastern side) from point B.001 to point B.002, a distance of 80 metres.	No waiting (Monday to Saturday 11.00am to 3.00pm).
Hatfield Peverel CP	New Hatfield Peverel link Road (both sides) from point B.049 to point B.050 (sheet 6), a distance of 896 metres.	No waiting at any time.
<b>Traffic regulation measures movement restrictions plans – Sheet No. 6</b>		
Hatfield Peverel CP, Witham CP	Realigned Witham Link Road (both sides) from point B.051 to point B.052, a distance of 496 metres.	No waiting at any time.
Hatfield Peverel CP	Realigned Kennel access (both sides) from point B.104 to B.105, a distance of 548 metres.	No waiting at any time.
<b>Traffic regulation measures movement restrictions plans – Sheet No. 18</b>		
Marks Tey CP	Realigned Old London Road access (both sides) from point B.085 to point B.086, a distance of 25 metres.	No waiting at any time.
Marks Tey CP	Old London Road (both sides) from point B.087 to point B.088, a distance of 50 metres.	No waiting at any time.
Marks Tey CP	Realigned Old London Road (northern side) from point B.101 to point B.102, a distance of 28 metres.	No waiting (Monday to Friday 10.00am-11.00am).
Marks Tey CP	Realigned Old London Road (southern side) from point B.101 to point B.102, a distance of 28 metres.	No waiting at any time.
Marks Tey CP	Realigned Kennel Access (both sides) (including turning head) from point B.102 to point B.103, a distance of 223 metres.	No waiting at any time.
Marks Tey CP	Realigned A120 Coggeshall Road (both sides) from point B.093 to point B.094, a distance of 69 metres.	No waiting at any time.

Marks Tey CP	Realigned Station Road (both sides) from point B.095 to point B.096 (sheet 19), a distance of 102 metres.	No waiting at any time.
<b>Traffic regulation measures movement restrictions plans – Sheet No. 19</b>		
Marks Tey CP	A120 (both sides) from point B.097 to point B.098, a distance of 104 metres.	No waiting at any time.

## PART 12

### REVOCATIONS & VARIATIONS OF EXISTING TRAFFIC REGULATION ORDERS

<i>(1)</i> <i>Parishes</i>	<i>(2)</i> <i>Road name, number and length</i>	<i>(3)</i> <i>Title of Order</i>	<i>(4)</i> <i>Revocations or Variations</i>
<b>Revocation of existing traffic orders plans – Sheet No. 1</b>			
Springfield CP, Boreham CP, Hatfield Peverel CP, Witham CP, Rivenhall CP, Kelvedon CP, Great Braxted CP, Messing-Cum-Inworth CP, Feering CP, Marks Tey CP, Copford CP and Stanway CP	A12 mainline from a point from point D.001 to point D.002 (sheet 19), a total distance of 28,385 metres.	The A12 Trunk Road (M25 Brentwood, Essex - Ipswich, Suffolk) (24 Hours Clearway) Order 2005(a)	In the definition of trunk road in article 2, the exclusion of the length of road described in column (2) of this row.
<b>Revocation of existing traffic orders plans – Sheet No. 2</b>			
Boreham CP	B1137 Main Road (both side) from point D.053 to point D.054 (sheet 4), a distance of 1846 metres.	The Trunk Roads (Boreham) (40 M.P.H. Speed Limit) Order 1961(b)	In Schedule 3, the exclusion of the length of road described in column (2) of this row.
<b>Revocation of existing traffic orders plans – Sheet No. 4</b>			
Hatfield Peverel CP	B1137 Main Road (both sides) from point D.006 to point D.007 (sheet 5), a distance of 838 metres.	The Essex County Council (B1137 The Street/Main Road, Hatfield Peverel) (50mph Speed Limit) Order 2013	In article 1, the exclusion from that part of The Street/Main Road of the length of road described in column (2) of this row.
<b>Revocation of existing traffic orders plans – Sheet No. 5</b>			
Hatfield Peverel CP	B1137 Main Road (eastbound) at point D.010.	The Essex County Council (Boreham Road (B.1137), Hatfield Peverel) (Prohibition of Left Turn) Order 1981.	The revocation of the order described in column (3) of this row.
Hatfield Peverel CP	Station Road (eastern	The Essex County	In Schedule 2, Tile

(a) S.I. 2005/1841.

(b) S.I. 1961/1970.

	side) from point D.091 to point D.092, a distance of 80 metres.	Council (Braintree District) (Prohibition of Waiting, Loading and Stopping) and (On-Street Parking Places) (Civil Enforcement Area) Consolidation Order 2019	Ref. TL 790 117, the deletion of the length of road described in column (2) of this row.
Hatfield Peverel CP	Station Road (western side) from point D.091 to point D.092, a distance of metres.	The Essex County Council (Braintree District) (Prohibition of Waiting, Loading and Stopping) and (On-Street Parking Places) (Civil Enforcement Area) Consolidation Order 2019	In Schedule 2, Tile Ref. TL 790 117, the deletion of waiting restrictions from the length of road described in column (2) of this row.
Hatfield Peverel CP	B1137 (Wellington Road overbridge) (both sides) from point D.093 to point D.094 (sheet 6), a distance of 204 metres.	The Essex County Council (Braintree District) (Prohibition of Waiting, Loading and Stopping) and (On-Street Parking Places) (Civil Enforcement Area) Consolidation Order 2019	In Schedule 2, Tile Ref. TL 790 117 and TL790 120, the deletion of waiting restrictions from the length of road described in column (2) of this row.
<b>Revocation of existing traffic orders plans – Sheet No. 10</b>			
Rivenhall CP	Little Braxted Lane (both sides) from point D.033 to point D.035, a distance of 404 metres.	The Essex County Council (Little Braxted Lane, Little Braxted (Width Restriction) Order 1983.	The revocation of the order described in column (3) of this row.
<b>Revocation of existing traffic orders plans – Sheet No. 11</b>			
Rivenhall CP	Braxted Road and unnamed road (both sides) from point D.036 to point D.039, a distance of 211 metres.	The Essex County Council (Rivenhall, Rivenhall End, Witham) (Restricted Roads and 40 mph Speed Limit) Order 2005.	In Schedule 2 of that order the deletion of the row relating to Braxted Road, Rivenhall End.
Rivenhall CP	Henry Dixon Road from point D.038 to point D.037, a distance of 69 metres.	The Essex County Council (Rivenhall, Rivenhall End, Witham) (Restricted Roads and 40 mph Speed Limit) Order 2005.	In Schedule 2 of that order the row relating to Henry Dixon Road, Rivenhall End the exclusion of the length of road described in column (2) of this row.
<b>Revocation of existing traffic orders plans – Sheet No. 14</b>			
Messing-cum-Inworth CP	B1023 Kelvedon Road (both sides) from point D.051 to	The Essex County Council (Various Speed Limits) (No. 1)	In Paragraph (1) of Schedule 3 relating to the B1023 Feering-

	point D.052, a distance of 544 metres.	Order 1983.	Tiptree Road, the exclusion of the length of road described in column (2) of this row.
<b>Revocation of existing traffic orders plans – Sheet No. 18</b>			
Marks Tey CP	London Road (both sides including Service Roads) from point D.087 to point D.088, a distance of 132 metres.	The Essex County Council (Colchester Borough) (Prohibition of Waiting, Loading and Stopping) and (On-street Parking Places) (Civil Enforcement Area) Consolidation Order 2019.	In Schedule 2, Tile Ref. TL 910 232 and TL910 235, the deletion of waiting restrictions from the length of road described in column (2) of this row.
Marks Tey CP	London Road (Service Road) at point D.072.	The Essex County Council (London Road Marks Tey) (Prohibition of Entry) Order 2008	The revocation of the order described in column (3) of this row.
Marks Tey CP	Old London Road (northern side) from point D.095 to point D.096, a distance of 9 metres.	The Essex County Council (Colchester Borough) (Prohibition of Waiting, Loading and Stopping) and (On-street Parking Places) (Civil Enforcement Area) Consolidation Order 2019	In Schedule 2, Tile Ref. TL 910 232, the variation of permit parking restrictions to remove the length of road described in column (2) of this row.
Marks Tey CP	Old London Road (northern side) from point D.097 to point D.098, a distance of 6 metres.	The Essex County Council (Colchester Borough) (Prohibition of Waiting, Loading and Stopping) and (On-street Parking Places) (Civil Enforcement Area) Consolidation Order 2019	(1) In Schedule 2, Tile Ref. TL 910 232, the deletion of waiting restrictions from the length of road described in column (2) of this row and the replacement of those restrictions with residents parking places (Zone OLR) applying at all times.
Marks Tey CP	Old London Road (northern side) from point D.099 to point D.100 a distance of 13 metres.	The Essex County Council (Colchester Borough) (Prohibition of Waiting, Loading and Stopping) and (On-street Parking Places) (Civil Enforcement Area) Consolidation Order 2019	In Schedule 2, Tile Ref. TL 910 232, the deletion of waiting restrictions from the length of road described in column (2) of this row and the replacement of those restrictions with residents parking places (Zone OLR) applying at all times.
Marks Tey CP	Old London Road	The Essex County	(1) At the end of the

	(northern side) from point D.097 to point D.098, a distance of 6 metres.	Council (Colchester Borough) (Prohibition of Waiting, Loading and Stopping) and (On-street Parking Places) (Civil Enforcement Area) Consolidation Order 2019	table in Schedule 3 add a new row as follows: (a) In column 1, “OLR”; (b) In column 2, “Permit Parking or Permit Parking Area”; (c) In column 3, “Zone OLR”; (d) In column 4, “As Zone A1”; and (e) In column 5, “As Zone A1”; and (2) At the end of the table in Schedule 5 add a new row as follows; (a) In column 1, “Zone OLR”; (b) In column 2, “Old London Road”; (c) In column 3, “numbers 180, 182 and 188”; and (d) In column 4, “See Schedule 5 notes below”.
Marks Tey CP	Old London Road (both sides) from point D.110 to point D.111, a distance of 253 metres.	The Essex County Council (Colchester Borough) (Prohibition of Waiting, Loading and Stopping) and (On-street Parking Places) (Civil Enforcement Area) Consolidation Order 2019	In Schedule 2, Tile Ref. TL 910 232 and TL 910 235, the deletion of waiting restrictions from the length of road described in column (2) of this row.
Marks Tey CP	The A120 Coggeshall Road (both sides) from point D.078 to point D.079 on Sheet 18, a distance of 111 metres.	Colchester Borough (Speed Limits in Villages) Order 2001	In Schedule 2, in the entry relating to the A120 Marks Tey, the deletion of the length of road described in column (2) of this row.
<b>Revocation of existing traffic orders plans – Sheet No. 19</b>			
Marks Tey CP	Station Road (both sides) from point D.101 to point D.102, a distance of 62 metres.	The Essex County Council (Colchester Borough) (Prohibition of Waiting, Loading and Stopping) and (On-street Parking Places) (Civil Enforcement Area) Consolidation Order 2019	In Schedule 2, Tile Ref. TL 910 235, TL915 235 and TL915 237, the deletion of waiting restrictions from the length of road described in column (2) of this row.

Marks Tey CP	Station Road (northeastern side) from point D.103 to point D.104, a distance of 28 metres.	The Essex County Council (Colchester Borough) (Prohibition of Waiting, Loading and Stopping) and (On-street Parking Places) (Civil Enforcement Area) Consolidation Order 2019	In Schedule 2, Tile Ref. TL 915 237, the variation of parking restrictions to add Station Road (northeastern side) to add the length of road described in column (2) of this row as a limited waiting parking place during the period Monday to Saturday between 8.00am and 6.00pm, with a maximum period of waiting of 1 hour and no return period of 1 hour.
Marks Tey CP	The A120 (both sides) from to the from point D.081, the Old Rectory junction to point D.082, the Prince of Wales roundabout, a distance of 399 metres.	Colchester Borough (Speed Limits in Villages) Order 2001	In Schedule 2, in the entry relating to the A120 Marks Tey, the deletion of the length of road described in column (2) of this row.

## PART 13

### FOOTPATHS, CYCLE TRACKS, FOOTWAYS AND BRIDLEWAYS

(1) Area	(2) Length of Footpath/Cycle track/Footway/Bridleway
<b>Streets, rights of way and access plans – Sheet No. 2</b>	
Boreham CP	A cycle track comprised in a highway from point 2/1 to 2/3 for a distance of 224 metres.
Boreham CP	A cycle track comprised in a highway from point 2/2 to 2/10 for a distance of 36 metres
Boreham CP	A cycle track comprised in a highway from point 2/4 to 2/5 for a distance of 136 metres.
Boreham CP	A cycle track comprised in a highway from point 2/6 to 2/13 for a distance of 99 metres.
Boreham CP	A footway from point 2/7 to 2/8 for a distance of 225.
Boreham CP	A footway from point 2/9 to 2/10 for a distance of 15 metres.
Boreham CP	A bridleway from point 2/11 to 2/12 for a distance of 578metres.
Boreham CP	A cycle track comprised in a highway from point 2/14 to 2/15 for a distance of 130 metres.
Boreham CP	A cycle track comprised in a highway from point 2/16 to 2/17 for a distance of 39 metres.
Boreham CP	A cycle track comprised in a highway from point 2/18 to 2/19 for a distance of 63 metres.
Boreham CP	A footway from point 2/20 to 2/21 for a distance of 15 metres.
Boreham CP	A cycle track comprised in a highway from point 2/22 to 2/23 for a

	distance of 44 metres.
Boreham CP	A cycle track comprised in a highway from point 2/24 to 2/25 for a distance of 6 metres.
Boreham CP	A cycle track comprised in a highway from point 2/26 to 2/27 for a distance of 31 metres.
Boreham CP	A cycle track comprised in a highway from point 2/28 to 2/29 for a distance of 14 metres.
Boreham CP	A cycle track comprised in a highway from point 2/30 to 2/31 for a distance of 17 metres.
<b>Streets, rights of way and access plans – Sheet No. 4</b>	
Hatfield Peverel CP	A cycle track comprised in a highway from point 4/1 to 5/1 (sheet 5) for a distance of 365 metres.
<b>Streets, rights of way and access plans – Sheet No. 5</b>	
Hatfield Peverel CP	A cycle track comprised in a highway from point 5/2 to 5/4 for a distance of 85 metres.
Hatfield Peverel CP	A footway from point 5/3 to 5/5 for a distance of 10 metres.
Hatfield Peverel CP	A footway from point 5/6 to 5/10 for a distance of 5 metres.
Hatfield Peverel CP	A footway from point 5/7 to 5/11 for a distance of 4 metres
Hatfield Peverel CP	A footway from point 5/8 to 5/12 for a distance of 72 metres.
Hatfield Peverel CP	A cycle track comprised in a highway from point 5/9 to 6/5 (sheet 6) for a distance of 192 metres (except between point 10/1 and point 10/6 where it constitutes a highway).
Hatfield Peverel CP	A footway from point 5/13 to 5/14 for a distance of 7 metres.
Hatfield Peverel CP	A footway from point 5/15 to 5/16 for a distance of 79 metres.
<b>Streets, rights of way and access plans – Sheet No. 6</b>	
Hatfield Peverel CP	A cycle track comprised in a highway from point 6/1 to 6/16 for a distance of 25 metres.
Hatfield Peverel CP	A footpath from point 6/2 to 6/3 for a distance of 66 metres.
Hatfield Peverel CP	A cycle track comprised in a highway from point 6/4 to 6/20 for a distance of 1,058 metres (except between point 6/4 and point 6/35 where it constitutes a highway).
Hatfield Peverel CP	A footway from point 6/6 to 6/7 for a distance of 449 metres.
Hatfield Peverel CP	A footway from point 6/8 to 6/9 for a distance of 33 metres.
Hatfield Peverel CP	A footway from point 6/10 to 6/11 for a distance of 124 metres.
Hatfield Peverel CP	A footway from point 6/12 to 6/13 for a distance of 52 metres.
Hatfield Peverel CP	A footway from point 6/14 to 6/15 for a distance of 40 metres.
Hatfield Peverel CP	A cycle track comprised in a highway from point 6/17 to 6/36 for a distance of 39 metres.
Witham CP	A cycle track comprised in a highway from point 6/18 to 6/19 for a distance of 54 metres.
Hatfield Peverel CP	A cycle track comprised in a highway from point 6/21 to 6/31 for a distance of 216 metres.
Hatfield Peverel CP	A cycle track comprised in a highway from point 6/22 to 6/23 for a distance of 228 metres.
Hatfield Peverel CP	A cycle track comprised in a highway from point 6/24 to 6/25 for a distance of 142 metres.
Hatfield Peverel CP	A cycle track comprised in a highway from point 6/26 to 6/27 for a distance of 771 metres (except between point 6/6 and point 6/7 where it constitutes a highway).
Hatfield Peverel CP	A footway from point 6/28 to 6/29 for a distance of 9 metres.
Hatfield Peverel CP; Witham CP	A footpath from point 6/30 to 7/1 (sheet 7) for a distance of 125 metres.
Hatfield Peverel CP	A footway from point 6/32 to 6/33 for a distance of 5 metres.



Hatfield Peverel CP	A footway from point 6/34 to 6/35 for a distance of 164 metres.
<b>Streets, rights of way and access plans – Sheet No. 8</b>	
Witham CP	A footpath from point 8/1 to 8/4 for a distance of 579 metres.
Witham CP	A footpath from point 8/2 to 8/3 for a distance of 158 metres.
<b>Streets, rights of way and access plans – Sheet No. 9</b>	
Rivenhall CP	A footpath from point 9/1 to 10/27 (sheet 10) for a distance of 587 metres.
<b>Streets, rights of way and access plans – Sheet No. 10</b>	
Witham CP, Rivenhall CP	A cycle track comprised in a highway from point 10/1 to 10/2 for a distance of 818 metres (except between point 10/1 and point 10/6 where it constitutes a highway).
Rivenhall CP	A cycle track comprised in a highway from point 10/3 to 10/4 for a distance of 141 metres
Rivenhall CP	A cycle track comprised in a highway from point 10/5 to 10/8 for a distance of 28 metres.
Rivenhall CP	A cycle track comprised in a highway from point 10/6 to 10/7 for a distance of 15 metres.
Rivenhall CP	A cycle track comprised in a highway from point 10/9 to 10/10 for a distance of 727 metres (except between point 10/15 and point 10/16 where it constitutes a highway).
Rivenhall CP	A footway from point 10/11 to 10/12 for a distance of 199 metres.
Rivenhall CP	A footway from point 10/13 to 10/14 for a distance of 19 metres.
Rivenhall CP	A footway from point 10/15 to 10/16 for a distance of 262 metres.
Rivenhall CP	A cycle track comprised in a highway from point 10/17 to 10/24 for a distance of 103 metres.
Rivenhall CP	A footway from point 10/18 to 10/19 for a distance of 5 metres.
Rivenhall CP	A footway from point 10/20 to 10/21 for a distance of 130 metres.
Rivenhall CP	A cycle track comprised in a highway from point 10/22 to 10/23 for a distance of 17 metres.
Rivenhall CP	A cycle track comprised in a highway from point 10/25 to 10/26 for a distance of 6 metres.
Rivenhall CP	A cycle track constituting a highway from point 10/28 to 10/29 for a distance of 11 metres.
Rivenhall CP	A footway from point 10/30 to 10/31 for a distance of 8 metres.
<b>Streets, rights of way and access plans – Sheet No. 11</b>	
Rivenhall CP	A cycle track comprised in a highway from point 11/1 to 11/9 for a distance of 141 metres.
Rivenhall CP	A cycle track comprised in a highway from point 11/2 to 11/29 for a distance of 137 metres.
Rivenhall CP	A cycle track comprised in a highway from point 11/3 to 11/4 for a distance of 27 metres.
Rivenhall CP	A cycle track comprised in a highway from point 11/5 to 11/6 for a distance of 40 metres.
Rivenhall CP	A cycle track comprised in a highway from point 11/7 to 11/8 for a distance of 44 metres.
Rivenhall CP	A footway from point 11/7 to 11/30 for a distance of 52 metres.
Rivenhall CP	A cycle track comprised in a highway from point 11/10 to 11/11 for a distance of 155 metres, as shown on sheet 11 of the streets, rights of way and access plans.
Rivenhall CP	A footway from point 11/10 to 11/31 for a distance of 162 metres.
Rivenhall CP	A cycle track comprised in a highway from point 11/12 to 11/25 for a distance of 57 metres.
Rivenhall CP	A footway from point 11/13 to 11/32 for a distance of 84 metres.

Rivenhall CP	A footway from point 11/14 to 11/26 for a distance of 138 metres.
Rivenhall CP	A footway from point 11/15 to 11/27 for a distance of 91 metres.
Rivenhall CP	A cycle track comprised in a highway from point 11/15 to 11/18 for a distance of 329 metres.
Rivenhall CP	A cycle track comprised in a highway from point 11/16 to 11/17 for a distance of 8 metres.
Rivenhall CP	A footway from point 11/18 to 11/19 for a distance of 58 metres.
Rivenhall CP	A cycle track comprised in a highway from point 11/20 to 11/33 for a distance of 108 metres.
Rivenhall CP	A footpath from point 11/21 to 11/22 for a distance of 92 metres.
Rivenhall CP; Kelvedon CP	A footpath from point 11/23 to 12/1 (sheet 12) for a distance of 563 metres.
Rivenhall CP	A cycle track comprised in a highway from point 11/24 to 11/28 for a distance of 77 metres.
Rivenhall CP	A cycle track comprised in a highway from point 11/34, 158 metres west of point k/c to 12/25, to 12/25 for a distance of 533 metres.
<b>Streets, rights of way and access plans – Sheet No. 12</b>	
Kelvedon CP	A footway from point 12/1 to 12/2 for a distance of 17 metres.
Kelvedon CP	A footway from point 12/3 to 12/4 for a distance of 49 metres.
Kelvedon CP	A footpath from point 12/5 to 12/6 for a distance of 31 metres.
Kelvedon CP	A cycle track comprised in a highway from point 12/5 to 12/7 for a distance of 52 metres.
Kelvedon CP	A footway from point 12/8 to 12/9 for a distance of 104 metres.
Kelvedon CP	A cycle track comprised in a highway from point 12/9 to 12/10 for a distance of 38 metres.
Kelvedon CP	A cycle track constituting a highway from point 12/10 to 12/11 for a distance of 453 metres.
Kelvedon CP	A footway from point 12/10 to 12/16 for a distance of 567 metres.
Kelvedon CP	A footway from point 12/11 to 12/15 for a distance of 153 metres.
Kelvedon CP	A cycle track comprised in a highway from point 12/12 to 12/19 for a distance of 135 metres.
Kelvedon CP	A cycle track comprised in a highway from point 12/13 to 12/23 for a distance of 740 metres.
Kelvedon CP	A cycle track comprised in a highway from point 12/14 to 12/24 for a distance of 67 metres.
Kelvedon CP	A footway from point 12/17 to 12/18 for a distance of 53 metres.
Kelvedon CP	A cycle track comprised in a highway from point 12/18 to 12/21 for a distance of 58 metres.
Kelvedon CP	A footway from point 12/20 to 12/22 for a distance of 96 metres.
Kelvedon CP	A footpath from point 12/22 to 13/1 (sheet 13) for a distance of 437 metres.
<b>Streets, rights of way and access plans – Sheet No. 13</b>	
Great Braxted CP	A cycle track comprised in a highway from point 13/2 to 13/4 for a distance of 150 metres.
Great Braxted CP; Kelvedon CP	A cycle track comprised in a highway from point 13/3 to 13/5 for a distance of 324 metres .
Great Braxted CP; Kelvedon CP	A cycle track comprised in a highway from point 13/6 to 13/7 for a distance of 324 metres.
Kelvedon CP	A footpath from point 13/8 to 13/9 for a distance of 226 metres.
Kelvedon CP	A footpath from point 13/10 to 14/1 (sheet 14) for a distance of 689 metres.
Kelvedon CP	A footpath from point 13/11 to 14/13 (sheet 14) for a distance of 109 metres.

Kelvedon CP	A cycle track comprised in a highway from point 13/12 to 13/13 for a distance of 101 metres.
<b>Streets, rights of way and access plans – Sheet No. 14</b>	
Kelvedon CP	A footpath from point 14/2 to 14/3 for a distance of 333 metres.
Kelvedon CP	A footpath from point 14/4 to 14/5 for a distance of 477 metres.
Messing-Cum-Inworth CP	A cycle track constituting a highway from point 14/6 to 14/7 for a distance of 69 metres.
Messing-Cum-Inworth CP	A cycle track constituting a highway from point 14/8 to 14/9 for a distance of 71 metres.
Messing-Cum-Inworth CP	A cycle track constituting a highway from point 14/10 to 14/11 for a distance of 25 metres.
Messing-cum-Inworth CP Feering CP	A footpath from point 14/12 to 21/1 (sheet 21) for a distance of 771 metres.
<b>Streets, rights of way and access plans – Sheet No. 15</b>	
Feering CP	A footpath from point 15/1 to 15/2 for a distance of 429 metres.
Feering CP	A footway from point 15/3 to 15/4 for a distance of 14 metres.
Feering CP	A cycle track comprised in a highway from point 15/5 to 15/16 for a distance of 825 metres (except between point 15/15 and point 15/16 where it constitutes a highway).
Feering CP	A footway from point 15/6 to 15/8 for a distance of 92 metres.
Feering CP	A cycle track comprised in a highway from point 15/7 to 15/21 for a distance of 100 metres.
Feering CP	A cycle track comprised in a highway from point 15/9 to 15/22 for a distance of 7 metres.
Feering CP	A footway from point 15/10 to 15/15 for a distance of 220 metres.
Feering CP	A footway from point 15/11 to 15/12 for a distance of 89 metres.
Feering CP	A footway from point 15/13 to 15/31 for a distance of 15 metres.
Feering CP	A cycle track comprised in a highway from point 15/14 to 15/31 for a distance of 183 metres.
Feering CP	A cycle track comprised in a highway from point 15/17 to 15/30 for a distance of 37 metres.
Feering CP	A footway from point 15/18 to 15/30 for a distance of 121 metres.
Feering CP	A cycle track comprised in a highway from point 15/19 to 15/20 for a distance of 64 metres.
Feering CP	A cycle track comprised in a highway from point 15/23 to 15/24 for a distance of 387 metres.
Feering CP	A footpath from point 15/25 to 15/28 for a distance of 139 metres.
Feering CP	A footpath from point 15/26 to 15/27 for a distance of 69 metres.
Feering CP; Copford CP	A footpath from point 15/29 to 16/2 (sheet 16) for a distance of 1,646 metres.
Feering CP	A footpath from point 15/32 to 15/33 for a distance of 204 metres.
Feering CP	A cycle track comprised in a highway from point 15/34 to 15/35 for a distance of 37 metres.
<b>Streets, rights of way and access plans – Sheet No. 16</b>	
Copford CP	A footway from point 16/1 to 16/14 for a distance of 39 metres.
Copford CP	A footway from point 16/3 to 16/9 for a distance of 126 metres.
Copford CP; Feering CP	A footway from point 16/4 to 16/10 for a distance of 387 metres.
Feering CP; Copford CP	A cycle track comprised in a highway from point 16/5 to 16/6 for a distance of 105 metres.
Feering CP; Copford CP	A cycle track comprised in a highway from point 16/7 to 16/8 for a distance of 203 metres.

Feering CP	A footway from point 16/11 to 16/12 for a distance of 2 metres.
<b>Streets, rights of way and access plans – Sheet No. 17</b>	
Copford CP; Marks Tey CP	A footway from point 17/1 to 18/1 (sheet 18) for a distance of 617 metres.
Copford CP; Marks Tey CP	A footway from point 17/2 to 17/3 for a distance of 97 metres.
Marks Tey CP	A cycle track comprised in a highway from point 17/4 to 17/5 for a distance of 202 metres.
Marks Tey CP	A cycle track comprised in a highway from point 17/6 to 17/7 for a distance of 126 metres.
Marks Tey CP	A footway from point 17/8 to 17/9 for a distance of 5 metres.
Marks Tey CP	A footway from point 17/10 to 17/11 for a distance of 114 metres.
Copford CP; Marks Tey CP	A footway from point 17/12 to 17/13 for a distance of 204 metres.
<b>Streets, rights of way and access plans – Sheet No. 18</b>	
Marks Tey CP	A footpath from point 18/2 to 18/8 for a distance of 16 metres.
Marks Tey CP; Copford CP	A cycle track constituting a highway from point 18/3 to 18/13 for a distance of 1,270 metres.
Marks Tey CP	A cycle track comprised in a highway from point 18/4 to 19/8 (sheet 19) for a distance of 400 metres.
Marks Tey CP	A cycle track comprised in a highway from point 18/5 to 19/7 (sheet 19) for a distance of 75 metres.
Marks Tey CP	A cycle track comprised in a highway from point 18/6 to 18/15 for a distance of 54 metres.
Marks Tey CP	A footpath from point 18/7 to 18/9 for a distance of 424 metres.
Marks Tey CP	A cycle track comprised in a highway from point 18/10 to 18/11 for a distance of 12 metres.
Marks Tey CP	A footway from point 18/12 to 18/17 for a distance of 135 metres.
Marks Tey CP	A footway from point 18/14 to 18/19 for a distance of 6 metres.
Marks Tey CP	A cycle track constituting a highway from point 18/16 to 18/33 for a distance of 93 metres.
Marks Tey CP	A cycle track comprised in a highway from point 18/18 to 18/21 for a distance of 34 metres.
Marks Tey CP	A footway from point 18/20 to 18/32 for a distance of 66 metres.
Marks Tey CP	A footway from point 18/22 to 18/23 for a distance of 5 metres.
Marks Tey CP	A footway from point 18/24 to 18/25 for a distance of 58 metres.
Marks Tey CP	A cycle track comprised in a highway from point 18/26 to 18/27 for a distance of 22 metres.
Marks Tey CP	A footway from point 18/28 to 18/29 for a distance of 51 metres.
Marks Tey CP	A footway from point 18/30 to 18/31 for a distance of 57 metres.
Marks Tey CP	A cycle track comprised in a highway from point 18/34 to 18/35 for a distance of 187 metres.
Marks Tey CP	A cycle track comprised in a highway from point 18/36 to 18/37 for a distance of 33 metres.
Marks Tey CP	A footway from point 18/38 to 18/39 for a distance of 56 metres.
<b>Streets, rights of way and access plans – Sheet No. 19</b>	
Marks Tey CP	A cycle track comprised in a highway from point 19/1 to 19/2 for a distance of 22 metres.
Marks Tey CP	A footway from point 19/3 to 19/9 for a distance of 126 metres.
Marks Tey CP	A cycle track comprised in a highway from point 19/4 to 19/9 for a distance of 79 metres.
Marks Tey CP	A cycle track comprised in a highway from point 19/5 to 19/6 for a distance of 13 metres.

<b>Streets, rights of way and access plans – Sheet No. 20</b>	
Messing-cum-Inworth CP	A footway from point 20/1 to 20/2 for a distance of 97 metres.
Messing-cum-Inworth CP	A footway from point 20/3 to 20/4 for a distance of 41 metres.

## PART 14

### ROADS TO BE DE-TRUNKED

<i>(1)</i> <i>Area Parish</i>	<i>(2)</i> <i>Length of road</i>
<b>De-trunking and stopping up plans – Sheet No. 10</b>	
Rivenhall CP	Existing A12 between point 10/1 and point 11/1 (sheet 11), a distance of 265 metres.
<b>De-trunking and stopping up plans – Sheet No. 11</b>	
Rivenhall CP	Existing A12 between point 11/2 and 11/3, a distance of 367 metres.
<b>De-trunking and stopping up plans – Sheet No. 15</b>	
Feering CP	Existing A12 between point 15/1 and point 16/1 (sheet 16) a distance of 1,576 metres.
<b>De-trunking and stopping up plans – Sheet No. 16</b>	
Copford CP, Marks Tey CP	Existing A12 between point 16/2 and point 17/1 (sheet 17), a distance of 1,154 metres.
<b>De-trunking and stopping up plans – Sheet No. 17</b>	
Marks Tey CP	Existing A12 between point 17/2 and point 18/1 (sheet 18) a distance of 925 metres.
<b>De-trunking and stopping up plans – Sheet No. 18</b>	
Marks Tey CP	Existing A12 between point 18/2 and point 18/3, a distance of 375 metres.

## SCHEDULE 4

Article 19

### PERMANENT STOPPING UP OF HIGHWAYS AND PRIVATE MEANS OF ACCESS & PROVISION OF NEW HIGHWAYS AND PRIVATE MEANS OF ACCESS

In relating this Schedule to the streets, rights of way and access plans, the provisions described in this Schedule are shown on the rights of way and access plans in the following manner—

- (a) Existing highways are to be stopped up, as described in column (2) of Part 1 and Part 2 of this Schedule, are shown:
  - (i) in respect of carriageway highways by thick black diagonal hatching on the de-trunking and stopping up plans (as shown in the key on those plans) over the extent of the area to be stopped up; and
  - (ii) in respect of public rights of way by a black dashed line on the streets, rights of way and access plans, with the letter “X” in the intervals (as shown in the key on those plans),

which are described in column (3) of Part 1 and Part 2 of this Schedule.
- (b) New highways which are to be substituted for a highway to be stopped up (or which are otherwise to be provided), as are included in column (4) of Part 2 and column (2) of Part

3 of this Schedule, are shown by red cross-hatching (for motorways and trunk roads), blue cross-hatching (for other classified roads and highways) and solid blue shading (for footpaths, footways and cycle tracks) (as shown in the key on the streets, rights of way and access plans) and are given a reference label (a capital letter in a circle) and will be a road unless the word 'footpath', 'bridleway', 'footway' or 'cycle track' appears beneath its reference letter in column (4) of Part 2 or column (2) of Part 3 of this Schedule.

- (c) Private means of access to be stopped up, as described in column (2) of Parts 4 and 6 of this Schedule, are shown by solid black shading (as shown in the key on the streets, rights of way and access plans) over the extent of stopping up described in column (3) of Parts 4 and 6 of this Schedule, and are given a reference label (a lower case letter in a circle).
- (d) New private means of access to be submitted for a private means of access to be stopped up (or which are otherwise to be provided), as are included in column (4) of Part 4 and column (2) of Part 5 of this Schedule, are shown by black line hatching (as shown in the key on the streets, rights of way and access plans) and are given a reference label (a number in a circle).

## PART 1

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

(1) <i>Area</i>	(2) <i>Highway to be stopped up</i>	(3) <i>Extent of stopping up</i>
<b>De-trunking and stopping up plan – Sheet No. 6</b>		
Hatfield Peverel CP	Existing A12 southbound on-slip road.	Reference F/d (sheets 6 and 7) Existing A12 southbound on-slip road, for a distance of 134 metres to sheet 7.
<b>De-trunking and stopping up plan – Sheet No. 7</b>		
Hatfield Peverel CP	A12 northbound on-slip road.	Reference G/a Existing A12 northbound on-slip road, for a distance of 78 metres..
<b>De-trunking and stopping up plan – Sheet No. 12</b>		
Kelvedon CP	A12 junction 23 northbound off-slip road.	Reference L/b Existing A12 northbound off-slip road, for a distance of 367 metres.
Kelvedon CP	A12 junction 23 southbound on-slip road.	Reference L/e Existing A12 southbound on-slip road, for a distance of 143 metres.
Kelvedon CP	A12 junction 23 southbound on-slip road.	Reference L/g Existing A12 southbound on-slip road, for a distance of 210 metres.
<b>Streets, rights of way and access plans – Sheet No. 13</b>		
Great Braxted CP	Footpath No. 246_2.	From point m/b to point m/c, a distance of 32 metres.
<b>De-trunking and stopping up plan – Sheet No. 18</b>		
Marks Tey CP	London Road	Reference R/e Existing London Road, for a distance of 63 metres.
Marks Tey CP	Hall Chase Road	Reference R/f For a distance of 77 metres.
<b>Streets, rights of way and access plans – Sheet No. 18</b>		
Marks Tey CP	Footpath No. 144_18.	From point r/c to r/d for a distance of 150

		metres.
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## PART 2

### HIGHWAYS TO BE STOPPED UP FOR WHICH A SUBSTITUTE IS TO BE PROVIDED

<i>(1)</i> Area	<i>(2)</i> Highway to be stopped up	<i>(3)</i> Extent of stopping up	<i>(4)</i> New highway to be substituted/provided
<b>Sheet No. 2</b>	<b>De-trunking and stopping up plans</b>		<b>Streets, rights of way and access plans</b>
Boreham CP	Generals Lane	Reference B/a For a distance of 201metres, as shown on sheet 2 of the de-trunking and stopping up plans.	Reference B/10 The realigned Beaulieu Park Radial Distributor Road from the north eastern side of the Generals Lane Roundabout, tying into Beaulieu Park radial distributor road, for a distance of 225 metres.
Boreham CP	Existing J19 Southbound on-slip road	Reference B/i For a distance of 128 metres.	Reference B/1 (sheets 1 and 2) The junction 19 southbound on-slip road, from the Generals Farm Roundabout, in a southerly direction for a distance of 474 metres.
<b>Streets, rights of way and access plans – Sheet No. 2</b>			
Boreham CP	Bridleway 213_45	From point b/a to point b/b, a distance of 17 metres.	578 metres of bridleway from point 2/11 to 2/12.
Boreham CP	Bridleway 213_23	From point b/c to point b/d, a distance of 40 metres.	578 metres of bridleway from point 2/11 to 2/12.
<b>Sheet No. 4</b>	<b>De-trunking and stopping up plans</b>		<b>Streets, rights of way and access plans</b>
Hatfield Peverel CP	A12 southbound on-slip road (Junction 20a)	Reference D/a For a distance of 281 metres.	Reference F/5 (sheet 5) The new junction 21 southbound on-slip road, from the junction 21 southern roundabout, in a southerly direction for a distance of 410 metres.
<b>Sheet No. 5</b>	<b>De-trunking and stopping up plans</b>		<b>Streets, rights of way and access plans</b>

Hatfield Peverel CP	A12 northbound off-slip road (Junction 20A)	Reference E/a For a distance of 314 metres.	Reference F/4 The new junction 21 northbound off-slip road, from the diverge from the realigned A12 (northbound) to the point where it meets the junction 21 northern roundabout, a distance of 370 metres.
Hatfield Peverel CP	Bury Lane	Reference E/b For a distance of 135 metres (excluding the A12 mainline running under the overbridge).	Reference E/2 The Bury Lane overbridge replacement, in the same location, a distance of 87 metres.
Hatfield Peverel CP	Station Road	Reference E/c For a distance of 106 metres (excluding the A12 mainline running under the overbridge).	Reference E/3 The Station Road overbridge replacement, in the same location, a distance of 106 metres.
Hatfield Peverel CP	Vineyards slip road and Wellington Overbridge	Reference E/d For a distance of 178 metres (excluding the A12 mainline running under the Wellington Road overbridge).	Reference E/4 The new Hatfield Peverel Link Road, including the Wellington Road Overbridge Replacement, from the B1137 and Maldon Road junction, crossing the new A12 mainline and extending east to join the new J12 northern roundabout, a distance of 895 metres.
<b>Sheet No. 6</b>	<b>De-trunking and stopping up plans</b>		<b>Streets, rights of way and access plans</b>
Hatfield Peverel CP	A12 Hatfield Road (B1389) northbound off-slip road	Reference F/b For a distance of 135 metres.	Reference F/2 The new junction 21 southbound off-slip road, from the diverge from the realigned A12 (southbound) to the point where it meets the junction 21 southern roundabout, a distance of 56 metres.
Hatfield Peverel CP	A12 Hatfield Road (B1389) northbound off-slip road	Reference F/c For a distance of 60 metres.	Reference F/2 The new junction 21 southbound off-slip



			road, from the diverge from the realigned A12 (southbound) to the point where it meets the junction 21 southern roundabout, a distance of 56 metres.
Hatfield Peverel CP	A12 Southbound on-slip road	Reference F/e For a distance of 29 metres (excluding mainline running over underbridge).	Reference F/5 (sheet 5) The new junction 21 southbound on-slip road, from the junction 21 southern roundabout, in a southerly direction for a distance of 410 metres.
Hatfield Peverel CP	A12 southbound off-slip road (Junction 20B)	Reference F/f For a distance of 325 metres.	Reference F/2 The new junction 21 southbound off-slip road, from the diverge from the realigned A12 (southbound) to the point where it meets the junction 21 southern roundabout, a distance of 56 metres.
<b>Streets, rights of way and access plans – Sheet No. 6</b>			
Hatfield Peverel CP	Footpath 90_02	From point f/a to point f/b, a distance of 19 metres.	66 metres of footpath from point 6/2 to 6/3.
Hatfield Peverel CP	Footpath 90_40	From point f/c to point f/d, a distance of 32 metres.	1,058 metres of cycle track comprised in a highway from point 6/4 to 6/20 (except between point 6/4 and point 6/35 where it constitutes a highway).
Hatfield Peverel CP; Witham CP	Footpath 90_29	From point f/e (inset B) to point g/a (sheet 7), a distance of 125 metres.	125 metres of footpath from point 6/30 to 7/1 (sheet 7).
<b>Sheet No. 7</b>	<b>De-trunking and stopping up plans</b>		<b>Streets, rights of way and access plans</b>
Witham CP	Howbridge Hall Road	Reference G/b For a distance of 23 metres.	Reference G/1 The new Howbridge Hall Road, from a point 357 metres north of the start of the existing Howbridge Hall Road in a westerly direction, for a

			distance of 39 metres.
<b>Streets, rights of way and access plans – Sheet No. 8</b>			
Witham CP	Footpath 121_95	From point h/c to point h/d, a distance of 112 metres.	579 metres of footpath from point 8/1 to 8/4.
Witham CP	Footpath 121_101	From point h/a to point h/b, a distance of 165 metres.	158 metres of footpath from point 8/2 to 8/3.
<b>Streets, rights of way and access plans – Sheet No. 9</b>			
Witham CP	Footpath 121_103	From point i/a to point i/b, a distance of 74 metres.	(a) 587 metres of footpath from point 9/1 to 10/27 (sheet 10); and (b) 818 metres of cycle track comprised in a highway from point 10/1 (sheet 10) to 10/2 (sheet 10) (except between point 10/1 and point 10/6 where it constitutes a highway).
<b>Sheet No. 10</b>	<b>De-trunking and stopping up plans</b>		<b>Streets, rights of way and access plans</b>
Rivenhall CP	Junction 22 northbound off-slip road	Reference J/a For a distance of 82 metres.	Reference J/5 The new junction 22 northbound off-slip road, from the A12 mainline northbound diverge, in an easterly direction to the new junction 22 northern roundabout, a distance of 492 metres.
Rivenhall CP	Junction 22 northbound on-slip road	Reference J/b For a distance of 259 metres.	Reference J/11 The new junction 22 northbound on-slip road, from the junction 22 northern roundabout, in an easterly direction to merge with the new A12 northbound carriageway, a distance of 444 metres.
Rivenhall CP	A12 northbound	Reference J/c For a distance of 1,040 metres (excluding the Colemans Bridge overbridge running over the A12 mainline).	Reference J/4 The new road between the Eastways junction and the junction 22 northern roundabout, a distance of 508 metres.

Rivenhall CP	A12 northbound (reference J/3); existing A12 southbound (reference J/4)	Reference J/d For a distance of 960 metres (excluding the Colemans Bridge overbridge running over the A12 mainline).	Reference J/4 The new road between the Eastways junction and the junction 22 northern roundabout, a distance of 508 metres.
Rivenhall CP	Junction 22 southbound on-slip road	Reference J/e For a distance of 90 metres.	Reference J/6 The new junction 22 southbound on-slip road, from the new junction 22 southern roundabout, in a westerly direction to its merge with the new A12 mainline southbound carriageway, a distance of 466 metres.
Rivenhall CP	Junction 22 southbound off-slip road	Reference J/f For a distance of 266 metres.	Reference J/12 The new junction 22 southbound off-slip road, from the A12 mainline southbound diverge, in a westerly direction to the new junction 22 southern roundabout, a distance of 544 metres.
Rivenhall CP	Little Braxted Lane	Reference J/g For a distance of 269 metres.	Reference J/3 The realigned Little Braxted Lane, including access to Colemans Quarry, from the new junction 22 southern roundabout, in a westerly direction for a distance of 544 metres.
Rivenhall CP	Coleman's Bridge	Reference J/h For a distance of 200 metres (excluding the A12 mainline running under Coleman's bridge).	Reference J/8 The new Little Braxted Lane overbridge, connecting the junction 22 northern roundabout and the junction 22 southern roundabout, a distance of 103 metres.
<b>Sheet No. 11</b>	<b>De-trunking and stopping up plans</b>		<b>Streets, rights of way and access plans</b>

Rivenhall CP	A12 northbound	Reference K/a For a distance of 372 metres.	Reference K/4 The existing A12 from the Rivenhall End west roundabout, in a westerly direction, for a distance of 117 metres.
Rivenhall CP	A12 southbound	Reference K/b For a distance of 366 metres.	Reference K/4 The existing A12 from the Rivenhall End west roundabout, in a westerly direction, for a distance of 117 metres.
Rivenhall CP	Oak Road South	Reference K/c For a distance of 48 metres.	Reference K/9 The northern realigned Henry Dixon Road, from the realigned Braxted Road, 109 metres south of the new Rivenhall End west roundabout, in an easterly direction, for a distance of 252 metres.
Rivenhall CP	Henry Dixon Road	Reference K/d For a distance of 232 metres.	Reference K/6 The realigned Braxted Road, from the Rivenhall End west roundabout, in a southerly direction for a distance of 519 metres.
Rivenhall CP	Braxted Road	Reference K/e For a distance of 147 metres.	Reference K/10 The southern realigned Henry Dixon Road, from the realigned Braxted Road, 447 metres south of the new Rivenhall End west roundabout, in a northerly direction, for a distance of 81 metres.
Rivenhall CP; Kelvedon CP	A12 northbound	Reference K/f (sheets 11 and 12) For a distance of 1,298 metres.	Reference K/1 (sheets 11 and 12) The new B1024 Link Road, from the new Rivenhall End east roundabout, in an easterly direction to the B1024 Junction

			with Essex Fire and Rescue access, a distance of 1,297 metres.
Rivenhall CP; Kelvedon CP	A12 southbound	Reference K/g (sheets 11 and 12) For a distance of 1,295 metres.	Reference K/1 (sheets 11 and 12) The new B1024 Link Road, from the new Rivenhall End east roundabout, in an easterly direction to the B1024 Junction with Essex Fire and Rescue access, a distance of 1,297 metres.
<b>Streets, rights of way and access plans – Sheet No. 11</b>			
Rivenhall CP; Kelvedon CP	Footpath 105_46	From point k/a to point k/b, a distance of 170 metres.	563 metres of footpath from point 11/23 to 12/1 (sheet 12).
Rivenhall CP	Footpath 105_36	From point k/c to point k/d, a distance of 612 metres.	(a) 92 metres of footpath from point 11/21 to 11/22; and (b) 533 metres of cycle track comprised in a highway from point 11/34, 158 metres west of point k/c, to 12/25 (sheet 12).
<b>Sheet No. 12</b>	<b>De-trunking and stopping up plans</b>		<b>Streets, rights of way and access plans</b>
Kelvedon CP	Sniveller's Lane	Reference L/a For a distance of 157 metres.	Reference L/5 The realigned Sniveller's Lane, from the new B1024 link road, 570 metres east of the Rivenhall End east roundabout, in a northerly direction, for a distance of 52 metres.
Kelvedon CP	Essex Fire and Rescue Service access	Reference L/f For a distance of 27 metres.	Reference L/3 Essex Fire and Rescue Service access, from the B1024 link road in a southerly direction for a distance of 48 metres.
Kelvedon CP	Existing B1024 (London Road)	Reference L/d For a distance of 125 metres.	Reference L/2 The B1024 link road, from the B1024 Junction with Essex Fire and Rescue

			access, in an easterly direction for a distance of 141 metres
Kelvedon CP	Crane's Lane	Reference L/c For a distance of 19 metres.	Reference L/1 The realigned Cranes Lane access from the B1024 link road in a northerly direction, for a distance of 21 metres.
<b>Streets, rights of way and access plans – Sheet No. 12</b>			
Kelvedon CP	Footpath 92_30	From point l/a to point m/a (sheet 13), a distance of 435 metres.	437 metres of footpath from point 12/22 to 13/1 (sheet 13).
<b>Sheet No. 13</b>	<b>De-trunking and stopping up plans</b>		<b>Streets, rights of way and access plans</b>
Great Braxted CP; Kelvedon CP	Maldon Road and Highfields Overbridge	Reference M/a For a distance of 183 metres (excluding the A12 mainline running under the Highfields Overbridge).	Reference M/1 The Highfields overbridge replacement and the realigned Maldon Road, for a distance of 318 metres.
Great Braxted CP; Kelvedon CP	Highfields Lane	Reference M/b For a distance of 475 metres.	Reference M/2 The realigned Highfields Lane, at the southern end of the Highfields overbridge replacement, for a distance of 597 metres.
<b>Streets, rights of way and access plans – Sheet No. 13</b>			
Kelvedon CP	Footpath 92_26	From point m/d to point m/e, a distance of 186 metres as shown on sheet 13.	226 metres of footpath from point 13/8 to 13/9.
Kelvedon CP	Footpath 92_15	From point m/f (inset B) to point n/f (sheet 14), a distance of 109 metres.	109 metres of footpath from point 13/11 to 14/13 (sheet 14).
<b>Sheet No. 14</b>	<b>De-trunking and stopping up plans</b>		<b>Streets, rights of way and access plans</b>
Messing-Cum-Inworth CP	Kelvedon Road	Reference N/a For a distance of 215 metres.	Reference N/2 The realigned Kelvedon Road, starting at the eastern side of the Inworth roundabout, in an easterly direction for a distance of 90 metres.
Messing-Cum-	Existing Inworth	Reference N/b	Reference N/11

Inworth CP	Road	For a distance of 215 metres.	The realigned south B1023 Kelvedon Road, from the Inworth Roundabout, in a southerly direction for a distance of 304 metres.
Hatfield Peverel CP; Witham CP; Rivenhall CP; Wickham Bishops CP; Great Braxted CP; Messing-Cum-Inworth CP; Feering CP; Marks Tey CP; Copford CP	A12 Northbound	Reference N/c For a distance of 1,355 metres.	Reference D/1 (sheets 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 and 19) The new A12 mainline northbound carriageway, from at a point 36 metres east of Crix Bridge, in an easterly direction to a point 575 metres east of the Prince of Wales roundabout, a distance of 20,792 metres.
Hatfield Peverel CP; Witham CP; Rivenhall CP; Wickham Bishops CP; Great Braxted CP; Messing-Cum-Inworth CP; Feering CP; Marks Tey CP; Copford CP	A12 Southbound	Reference N/d For a distance of 1,262 metres.	Reference D/2 (sheets 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, and 19) The new A12 mainline southbound carriageway, from a point 36 metres east of Crix Bridge, in an easterly direction to a point 1,141 metres east of the Prince of Wales roundabout, a distance of 29,103 metres.
<b>Streets, rights of way and access plans – Sheet No. 14</b>			
Kelvedon CP	Footpath 92_25	From point n/a to point n/b, a distance of 353 metres.	333 metres of footpath from point 14/2 to 14/3.
Kelvedon CP	Footpath 92_41	From point n/c to point n/d, a distance of 429 metres.	477 metres of footpath from point 14/4 to 14/5.
Kelvedon CP	Footpath 145_7	From point n/d to point n/e, a distance of 143 metres.	477 metres of footpath from point 14/4 to 14/5.
<b>Sheet No. 15</b>	<b>De-trunking and stopping up plans</b>		<b>Streets, rights of way and access plans</b>
Feering CP	Existing A12	Reference O/a For a distance of 35 metres.	Reference O/5 The realigned London Road, starting at the Feering East roundabout, in a westerly direction, for

			a distance of 354 metres.
Feering CP	Existing A12	Reference O/b For a distance of 505 metres.	Reference O/5 The realigned London Road, starting at the Feering East roundabout, in a westerly direction, for a distance of 354 metres.
Feering CP	New Lane	Reference O/c For a distance of 33 metres.	Reference O/3 The realigned New Lane, from the Feering East roundabout, in a northerly direction, for a distance of 46 metres.
Feering CP	London Road	Reference O/d For a distance of 92 metres.	Reference O/3 The realigned New Lane, from the Feering East roundabout, in a northerly direction, for a distance of 46 metres.
Messing-Cum-Inworth CP	London Road	Reference O/e For a distance of 500 metres (excluding the Nursery Bridge overbridge running over the mainline).	Reference N/10 (sheet 14) The junction 24 southbound off-slip road, from the southbound diverge, in a westerly direction to the new junction 24 southern roundabout, a distance of 403 metres.
Feering CP	London Road	Reference O/f For a distance of 500 metres, as shown on sheet 15 of the de-trunking and stopping up plans.	Reference O/3 The realigned New Lane, from the Feering East roundabout, in a northerly direction, for a distance of 46 metres, as shown on sheet 15 of the streets, rights of way and access plans.
<b>Streets, rights of way and access plans – Sheet No. 15</b>			
Feering CP	Footpath 78_18	From point o/a to point o/b, a distance of 408 metres.	(a) 435 metres of footpath from point 15/1 to 15/2; (b) 825 metres of cycle track comprised in a highway from point 15/5 to 15/16



			(except between point 15/15 and point 15/16 where it constitutes a highway); and (c)139 metres of footpath from point 15/25 to 15/28.
Feering CP; Copford CP	Footpath 78_15	From point o/c to point o/d, a distance of 194 metres.	1,646 metres of footpath from point 15/29 to 16/2 (sheet 16).
<b>Sheet No. 16</b>	<b>De-trunking and stopping up plans</b>		<b>Streets, rights of way and access plans</b>
Feering CP	A12 northbound	Reference P/a For a distance of 288 metres.	Reference P/2 The existing A12 from the realigned Easthorpe Road roundabout, in a westerly direction for a distance of 67 metres; Reference P/1 Easthorpe Road Roundabout, for a distance of 141 metres; and Reference P/4 The existing A12 from the realigned Easthorpe Road roundabout, in an easterly direction for a distance of 168 metres.
Feering CP	A12 southbound	Reference P/b For a distance of 288 metres.	Reference P/2 The existing A12 from the realigned Easthorpe Road roundabout, in a westerly direction for a distance of 67 metres; Reference P/1 Easthorpe Road Roundabout, for a distance of 141 metres; and Reference P/4 The existing A12 from the realigned Easthorpe Road roundabout, in an easterly direction for a distance of 168 metres.
Feering CP; Copford	Easthorpe Road	Reference P/c	Reference P/3

CP		For a distance of 828 metres.	The realigned Easthorpe Road, starting at the Easthorpe Road roundabout, in a southerly direction, for a distance of 537 metres.
<b>Sheet No. 17</b>	<b>De-trunking and stopping up plans</b>		<b>Streets, rights of way and access plans</b>
Copford CP; Marks Tey CP	Existing A12	Reference Q/a The existing A12 east of Wishingwell Farm, for a distance of 29 metres.	Reference Q/2 The existing A12 from the Wishingwell Farm roundabout, extending in a westerly direction for a distance of 119 metres; Reference Q/1 The new Wishingwell Farm roundabout, for a distance of 135 metres; and Reference Q/5 The existing A12 from the Wishingwell Farm Roundabout, in an easterly direction, for a distance of 161 metres.
Copford CP; Marks Tey CP	Existing A12	Reference Q/b For a distance of 329 metres.	Reference Q/2 The existing A12 from the Wishingwell Farm roundabout, in a westerly direction for a distance of 119 metres; Reference Q/1 The new Wishingwell Farm roundabout, for a distance of 135 metres; Reference Q/5 The existing A12 from the Wishingwell Farm Roundabout, in an easterly direction, for a distance of 161 metres.
Copford CP; Marks Tey CP	Existing Easthorpe Green Farm Access	Reference Q/c For a distance of 107 metres.	Reference Q/2 The existing A12 from the Wishingwell Farm roundabout, in a westerly direction for a distance of 119 metres;

			Reference Q/1 The new Wishingwell Farm roundabout, for a distance of 135 metres; and Reference Q/5 The existing A12 from the Wishingwell Farm Roundabout, in an easterly direction, for a distance of 161 metres.
<b>Sheet No. 18</b>	<b>De-trunking and stopping up plans</b>		<b>Streets, rights of way and access plans</b>
Marks Tey CP	Existing A12	Reference R/a For a distance of 477 metres.	Reference R/4 The existing A12 from the new London Road roundabout in a westerly direction, for a distance of 145 metres; Reference R/6 The London Road Roundabout for a distance of 160 metres; Reference R/8 New London Road, from the London Road roundabout, in an easterly direction to the Old Rectory Junction, a distance of 437 metres.
Marks Tey CP	Existing A12	Reference R/b For a distance of 228 metres.	Reference R/9 The realigned Old London Road, from 158 Old London Road, in an easterly direction for a distance of 295 metres.
Marks Tey CP	Coggeshall Road	Reference R/c For a distance of 114 metres.	Reference R/1 The realigned A120 Coggeshall Road, from the Old Rectory Junction in a westerly direction, for a distance of 119 metres.
Marks Tey CP	A12 Northbound off-slip road	Reference R/d For a distance of 173 metres.	Reference R/3 The new junction 25 northbound off-slip road, from the northbound diverge, in an easterly

			direction to the London Road roundabout, a distance of 376 metres.
Marks Tey CP	Existing A12	Reference R/g For a distance of 342 metres.	Reference R/4 The existing A12 from the new London Road roundabout in a westerly direction, for a distance of 145 metres; Reference R/6 The London Road Roundabout for a distance of 160 metres; Reference R/8 New London Road, from the London Road roundabout, in an easterly direction to the Old Rectory Junction, a distance of 437 metres.
Marks Tey CP	London Road and Coggleshall Road roundabout	Reference R/h The whole of the roundabout, for a distance of 173 metres, as shown on sheet 17 of the de-trunking and stopping up plans.	Reference R/11 (sheets 18 and 19) Old Rectory Junction, linking the realigned Old London Road and the realigned A120 Coggleshall Road, for a distance of 41 metres.
<b>Streets, rights of way and access plans – Sheet No. 15</b>			
Marks Tey CP	Footpath 114_19	From point r/a to point r/b for a distance of 169 metres.	424 metres of footpath from point 18/7 to 18/9.
<b>Sheet No. 19</b>	<b>De-trunking and stopping up plans</b>		<b>Streets, rights of way and access plans</b>
Marks Tey CP	Station Road	Reference S/a For a distance of 65 metres.	Reference S/3 The realigned Station Road, from Old Rectory junction, in a northerly direction, for a distance of 57 metres.
Marks Tey CP	Existing A120	Reference S/b For a distance of 40 metres.	Reference S/4 The realigned A120 road, starting at Old Rectory junction, in a north easterly direction for a distance of 116 metres.

Marks Tey CP	Existing A120	Reference S/c For a distance of 40 metres.	Reference S/4 The realigned A120 road, starting at Old Rectory junction, in a north easterly direction for a distance of 116 metres.
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### PART 3

#### NEW HIGHWAYS WHICH ARE OTHERWISE TO BE PROVIDED

(1) <i>Area</i>	(2) <i>New highway to be provided</i>
<b>Streets, rights of way and access plans – Sheet No. 1</b>	
Springfield CP, Boreham CP	Reference A/1 The northbound A12, south of junction 19, from a point 123 metres south of the northbound junction 19 diverge for a distance of 875 metres .
<b>Streets, rights of way and access plans – Sheet No. 2</b>	
Boreham CP	Reference B/1 (sheets 1 and 2) The junction 19 southbound on-slip road, from the Generals Farm roundabout, in a southerly direction for a distance of 474 metres.
Boreham CP	Reference B/2 Generals Farm roundabout, including the internal “hamburger” lanes, for a distance of 252 metres.
Boreham CP	Reference B/3 Boreham Bridge crossing the A12 mainline, linking the Generals Lane roundabout and Generals Farm roundabout, for a distance of 176 metres.
Boreham CP	Reference B/4 The realigned A138 road approach to the Generals Lane roundabout, for a distance of 74 metres.
Boreham CP	Reference B/5 The realigned A138, starting at the Generals Lane roundabout, in a south westerly direction for a distance of 126 metres.
Boreham CP	Reference B/6 A new left turn only lane, linking Boreham Bridge to the realigned A130, from a point 81 metres north west of the Generals Farm roundabout, for a distance of 82 metres.
Boreham CP	Reference B/7 Generals Lane roundabout, 65 metres north west of the existing junction 19 northern roundabout, for a distance of 192 metres.
Boreham CP	Reference B/8 A new merge-only lane, bypassing the Generals Lane roundabout, from a point 126 metres south west of the Generals Lane roundabout in a northerly direction to where it merges with the A12 northbound carriageway, for a distance of 924 metres.
Boreham CP	Reference B/9 A new merge-only lane, from the north side of Generals Lane to where it merges with the A12 northbound on-slip road, for a distance of 112 metres.

Boreham CP	Reference B/10 The realigned Beaulieu Park Radial Distributor Road from the north eastern side of the Generals Lane Roundabout, tying into Beaulieu Park radial distributor road, for a distance of 225 metres.
Boreham CP	Reference B/11 The upgraded A12 northbound carriageway, from a point 653 metres north east of the Generals Lane Roundabout, for a distance of 435 metres.
Boreham CP	Reference B/12 A new merge lane for Beaulieu Park Radial Distributor Road traffic joining the A12 northbound carriageway, from the eastern side of the Generals Lane Roundabout and merging with the A12 junction 19 northbound on-slip road, a distance of 559 metres.
Boreham CP	Reference B/13 The junction 19 southbound off-slip road, starting at the Generals Farm Roundabout, in a northerly direction for a distance of 363 metres.
Boreham CP	Reference B/14 The A12 southbound carriageway, starting 270 metres north of the Generals Farm Roundabout, in a northerly direction for a distance of 569 metres.
Boreham CP	Reference B/15 The realigned B1137 Main Road, from the eastern side of the Generals Farm roundabout in an easterly direction for distance of 236 metres.
Boreham CP	Reference B/16 A new left turn only lane from the realigned Beaulieu Park Radial Distributor Road to the new merge lane joining the A12 northbound carriageway and the widened Boreham Bridge, a distance of 245 metres.
Boreham CP	224 metres of cycle track comprised in a highway from point 2/1 to 2/3.
Boreham CP	36 metres of cycle track comprised in a highway from point 2/2 to 2/10.
Boreham CP	136 metres of cycle track comprised in a highway from point 2/4 to 2/5.
Boreham CP	99 metres of cycle track comprised in a highway from point 2/6 to 2/13.
Boreham CP	225 metres of footway from point 2/7 to 2/8
Boreham CP	15 metres of footway from point 2/9 to 2/10
Boreham CP	578 metres of bridleway from point 2/11 to 2/12 .
Boreham CP	130 metres of cycle track comprised in a highway from point 2/14 to 2/15.
Boreham CP	39 metres of cycle track comprised in a highway from point 2/16 to 2/17.
Boreham CP	63 metres of cycle track comprised in a highway from point 2/18 to 2/19.
Boreham CP	15 metres of footway from point 2/20 to 2/21.
Boreham CP	44 metres of cycle track comprised in a highway from point 2/22 to 2/23.
Boreham CP	6 metres of cycle track comprised in a highway from point 2/24 to 2/25.
Boreham CP	31 metres of cycle track comprised in a highway from point 2/26 to 2/27.
Boreham CP	14 metres of cycle track comprised in a highway from point 2/28 to 2/29.
Boreham CP	17 metres of cycle track comprised in a highway from point 2/30 to 2/31.
<b>Streets, rights of way and access plans – Sheet No. 4</b>	
Hatfield Peverel CP; Witham CP;	Reference D/1 (sheets 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 and 19)

Rivenhall CP; Wickham Bishops CP; Great Braxted CP; Messing-Cum-Inworth CP; Feering CP; Marks Tey CP; Copford CP	The new A12 mainline northbound carriageway, from at a point 575 metres east of Crix Bridge, in an easterly direction to a point 575 metres east of the Prince of Wales roundabout, a distance of 20,792 metres.
Hatfield Peverel CP; Witham CP; Rivenhall CP; Wickham Bishops CP; Great Braxted CP; Messing-Cum-Inworth CP; Feering CP; Marks Tey CP; Copford CP	Reference D/2 The new A12 mainline southbound carriageway, from a point 36 metres east of Crix Bridge in an easterly direction to a point 1,141 metres east of the Prince of Wales roundabout, a distance of 29,103 metres.
Hatfield Peverel CP	365 metres of cycle track comprised in a highway from point 4/1 to 5/1 (sheet 5).
<b>Streets, rights of way and access plans – Sheet No. 5</b>	
Hatfield Peverel CP	Reference E/1 The realigned B1137 Main Road, from the River Ter Bridge, in a westerly direction for a distance of 365 metres.
Hatfield Peverel CP	Reference E/2 The Bury Lane overbridge replacement, in the same location, for a distance of 87 metres, as shown on sheet 5 of the streets, rights of way and access plans.
Hatfield Peverel CP	Reference E/3 The Station Road overbridge replacement, in the same location, for a distance of 106 metres.
Hatfield Peverel CP	Reference E4 The Hatfield Peverel Link Road, including the Wellington Road Overbridge Replacement, from the B1137 and Maldon Road junction, crossing the new A12 mainline and extending east to join the new J12 northern roundabout, a distance of 895 metres as shown on sheet 6 of the streets, rights of way and access plans.
Hatfield Peverel CP	10 metres of footway from point 5/3 to 5/5.
Hatfield Peverel CP	5 metres of footway from point 5/6 to 5/10.
Hatfield Peverel CP	4 metres of footway from point 5/7 to 5/11.
Hatfield Peverel CP	72 metres of footway from point 5/8 to 5/12.
Hatfield Peverel CP	85 metres of cycle track comprised in a highway from point 5/2 to 5/4 (except between point 10/1 and point 10/6 where it constitutes a highway).
Hatfield Peverel CP	192 metres of cycle track comprised in a highway from point 5/9 to 6/5 (sheet 6).
Hatfield Peverel CP	7 metres of footway from point 5/13 to 5/14.
Hatfield Peverel CP	79 metres of footway from point 5/15 to 5/16.
<b>Streets, rights of way and access plans – Sheet No. 6</b>	
Hatfield Peverel CP	Reference F/2 The junction 21 southbound off-slip road, from the diverge from the realigned A12 (southbound) to the point where it meets the junction 21 southern roundabout, a distance of 56 metres.
Hatfield Peverel CP	Reference F/3 The realigned Kennel access, from the new junction 21 southern roundabout, in an easterly direction for a distance of 646 metres.

Hatfield Peverel CP	Reference F/4 The junction 21 northbound off-slip road, from the diverge from the realigned A12 (northbound) to the point where it meets the junction 21 northern roundabout, a distance of 370 metres.
Hatfield Peverel CP	Reference F/5 The junction 21 southbound on-slip road, from the junction 21 southern roundabout, in a southerly direction for a distance of 410 metres.
Hatfield Peverel CP	Reference F/6 The junction 21 northern roundabout for a distance of 201 metres.
Hatfield Peverel CP	Reference F/7 The Hatfield Road overbridge for a distance of 97 metres.
Hatfield Peverel CP	Reference F/8 The junction 21 southern roundabout for a distance of 170 metres.
Hatfield Peverel CP	Reference F/9 The junction 21 northbound on-slip road, from the junction 21 northern roundabout in an easterly direction to the point where it merges with the realigned A12 (northbound), a distance of 435 metres.
Hatfield Peverel CP	Reference F/10 The realigned Witham Link Road, starting from the new junction 21 northern roundabout, in an easterly direction for a distance of 499 metres.
Hatfield Peverel CP	Reference F/11 The realigned B1137, from the south side of the Wellington Road overbridge replacement, in an easterly direction for a distance of 31 metres.
Hatfield Peverel CP	25 metres of cycle track comprised in a highway from point 6/1 to 6/16.
Hatfield Peverel CP	66 metres of footpath from point 6/2 to 6/3.
Hatfield Peverel CP	1,058 metres of cycle track comprised in a highway from point 6/4 to 6/20 (except between point 6/4 and point 6/35 where it constitutes a highway).
Hatfield Peverel CP	449 metres of footway from point 6/6 to 6/7.
Hatfield Peverel CP	33 metres of footway from point 6/8 to 6/9.
Hatfield Peverel CP	124 metres of footway from point 6/10 to 6/11.
Hatfield Peverel CP	52 metres of footway from point 6/12 to 6/13.
Hatfield Peverel CP	40 metres of footway from point 6/14 to 6/15.
Hatfield Peverel CP	39 metres of cycle track comprised in a highway from point 6/17 to 6/36.
Witham CP	54 metres of cycle track comprised in a highway from point 6/18 to 6/19.
Hatfield Peverel CP	216 metres of cycle track comprised in a highway from point 6/21 to 6/31.
Hatfield Peverel CP	228 metres of cycle track comprised in a highway from point 6/22 to 6/23.
Hatfield Peverel CP	142 metres of cycle track comprised in a highway from point 6/24 to 6/25.
Hatfield Peverel CP	771 metres of cycle track comprised in a highway from point 6/26 to 6/27 (except between point 6/6 and point 6/7 where it constitutes a highway).
Hatfield Peverel CP	9 metres of footway from point 6/28 to 6/29.
Hatfield Peverel CP; Witham CP	125 metres of footpath from point 6/30 to 7/1 (sheet 7).
Hatfield Peverel CP	5 metres of footway from point 6/32 to 6/33.
Hatfield Peverel CP	164 metres of footway from point 6/34 to 6/35.



<b>Streets, rights of way and access plans – Sheet No. 7</b>	
Witham CP	Reference G/1 The new Howbridge Hall Road, from a point 357 metres north of the start of the existing Howbridge Hall Road in a westerly direction, for a distance of 39 metres, as shown on sheet 7 of the streets, rights of way and access plans.
<b>Streets, rights of way and access plans – Sheet No. 8</b>	
Witham CP	579 metres of footpath from point 8/1 to 8/4
Witham CP	158 metres of footpath from point 8/2 to 8/3
<b>Streets, rights of way and access plans – Sheet No. 9</b>	
Rivenhall CP	587 metres of footpath from point 9/1 to 10/27 (sheet 10).
<b>Streets, rights of way and access plans – Sheet No. 10</b>	
Witham CP	Reference J/1 The realigned Eastways, from the north side of the Eastways Junction, for a distance of 31 metres.
Rivenhall CP	Reference J/2 The upgraded Eastways Junction, at the same location as the existing junction, for a distance of 35 metres.
Rivenhall CP	Reference J/3 The realigned Little Braxted Lane, including access to Colemans Quarry, from the junction 22 southern roundabout, in a westerly and then southerly direction for a distance of 544 metres.
Rivenhall CP	Reference J/4 The road between the Eastways junction and the junction 22 northern roundabout, a distance of 508 metres.
Rivenhall CP	Reference J/5 The junction 22 northbound off-slip road, from the A12 mainline northbound diverge, in an easterly direction to the new junction 22 northern roundabout, a distance of 492 metres.
Rivenhall CP	Reference J/6 The junction 22 southbound on-slip road, from the junction 22 southern roundabout, in a westerly direction to its merge with the A12 mainline southbound, a distance of 466 metres.
Rivenhall CP	Reference J/7 The junction 22 northern roundabout for a distance of 207 metres.
Rivenhall CP	Reference J/8 The Little Braxted Lane overbridge, connecting the junction 22 northern roundabout and the junction 22 southern roundabout, a distance of 103 metres.
Witham CP	Reference J/9 The realigned Colchester Road, from the Eastways Junction, in a westerly direction for a distance of 87 metres.
Rivenhall CP	Reference J/10 The junction 22 southern roundabout for a distance of 207 metres.
Rivenhall CP	Reference J/11 The junction 22 northbound on-slip road, from the junction 22 northern roundabout, in an easterly direction to merge with the new A12 northbound carriageway, a distance of 444 metres.
Rivenhall CP	Reference J/12 The junction 22 southbound off-slip road, from the A12 mainline southbound diverge, in a westerly direction to the new junction 22 southern roundabout, a distance of 544 metres.
Rivenhall CP	Reference J/13

	The existing A12 , from the new junction 22 northern roundabout, in an easterly direction for a distance of 311 metres.
Rivenhall CP	Reference J/14 The realigned Coleman's Bridge Trade Park access road, from the Eastways Junction in a southerly direction for a distance of 22 metres.
Witham CP, Rivenhall CP	818 metres of cycle track comprised in a highway from point 10/1 to 10/2 (except between point 10/1 and point 10/6 where it constitutes a highway).
Rivenhall CP	141 metres of cycle track comprised in a highway from point 10/3 to 10/4.
Rivenhall CP	28 metres of cycle track comprised in a highway from point 10/5 to 10/8.
Rivenhall CP	15 metres of cycle track comprised in a highway from point 10/6 to 10/7.
Rivenhall CP	727 metres of cycle track comprised in a highway from point 10/9 to 10/10 (except between point 10/15 and point 10/16 where it constitutes a highway).
Rivenhall CP	199 metres of footway from point 10/11 to 10/12.
Rivenhall CP	19 metres of footway from point 10/13 to 10/14.
Rivenhall CP	262 metres of footway from point 10/15 to 10/16.
Rivenhall CP	103 metres of cycle track comprised in a highway from point 10/17 to 10/24.
Rivenhall CP	5 metres of footway from point 10/18 to 10/19.
Rivenhall CP	130 metres of footway from point 10/20 to 10/21.
Rivenhall CP	17 metres of cycle track comprised in a highway from point 10/22 to 10/23.
Rivenhall CP	6 metres of cycle track comprised in a highway from point 10/25 to 10/26.
Rivenhall CP	11 metres of cycle track constituting a highway from point 10/28 to 10/29.
Rivenhall CP	8 metres of footway from point 10/30 to 10/31.
<b>Streets, rights of way and access plans – Sheet No. 11</b>	
Rivenhall CP; Kelvedon CP	Reference K/1 (sheets 11 and 12) The new B1024 Link Road, from the new Rivenhall End east roundabout, in an easterly direction to the B1024 junction with Essex Fire and Rescue access, a distance of 1,297 metres.
Rivenhall CP	Reference K/2 The new Rivenhall End east roundabout for a distance of 148 metres.
Rivenhall CP	Reference K/3 The existing A12 from the new Rivenhall End east roundabout, in a westerly direction for a distance of 73 metres.
Rivenhall CP	Reference K/4 The existing A12 from the Rivenhall End west roundabout, in a westerly direction for a distance of 117 metres.
Rivenhall CP	Reference K/5 The new Rivenhall End west roundabout for a distance of 119 metres.
Rivenhall CP	Reference K/6 The realigned Braxted Road, from the Rivenhall End west roundabout, in a southerly direction for a distance of 519 metres.
Rivenhall CP	Reference K/7 The southern realigned Rivenhall access, from the existing A12 , 123 metres east of the new Rivenhall End west roundabout, in a southerly direction for a distance of 39 metres.

Rivenhall CP	Reference K/8 The realigned Oak Road, from the existing A12 , 116 metres east of the new Rivenhall End west roundabout, in a northerly direction for a distance of 16 metres.
Rivenhall CP	Reference K/9 The northern realigned Henry Dixon Road, from the realigned Braxted Road, 109 metres south of the Rivenhall End west roundabout, in an easterly direction for a distance of 252 metres.
Rivenhall CP	Reference K/10 The southern realigned Henry Dixon Road, from the realigned Braxted Road, 447 metres south of the new Rivenhall End west roundabout, in a northerly direction, for a distance of 81 metres.
Rivenhall CP	Reference K/11 The realigned access road, from the existing Henry Dixon Road south of the A12 mainline, for a distance of 136 metres.
Rivenhall CP	Reference K/12 The existing A12 , from the new Rivenhall End west roundabout, in an easterly direction for a distance of 206 metres.
Rivenhall CP	141 metres of cycle track comprised in a highway from point 11/1 to 11/9.
Rivenhall	137 metres of cycle track comprised in a highway from point 11/2 to 11/29
Rivenhall CP	27 metres of cycle track comprised in a highway from point 11/3 to 11/4.
Rivenhall CP	40 metres of cycle track comprised in a highway from point 11/5 to 11/6.
Rivenhall CP	44 metres of cycle track comprised in a highway from point 11/7 to 11/8.
Rivenhall CP	52 metres of footway from point 11/7 to 11/30.
Rivenhall CP	155 metres of cycle track comprised in a highway from point 11/10 to 11/11.
Rivenhall CP	162 metres of footway from point 11/10 to 11/31.
Rivenhall CP	57 metres of cycle track comprised in a highway from point 11/12 to 11/25.
Rivenhall CP	84 metres of footway from point 11/13 to 11/32.
Rivenhall CP	138 metres of footway from point 11/14 to 11/26.
Rivenhall CP	91 metres of footway from point 11/15 to 11/27.
Rivenhall CP	8 metres of cycle track comprised in a highway from point 11/16 to 11/17.
Rivenhall CP	58 metres of footway from point 11/18 to 11/19.
Rivenhall CP	108 metres of cycle track comprised in a highway from point 11/20 to 11/33.
Rivenhall CP	92 metres of footpath from point 11/21 to 11/22.
Rivenhall CP; Kelvedon CP	563 metres of footpath from point 11/23 to 12/1 (sheet 12).
Rivenhall CP	77 metres of cycle track comprised in a highway from point 11/24 to 11/28
Rivenhall CP	533 metres of cycle track comprised in a highway from point 11/34, 158 metres west of point k/c to 12/25, to 12/25 (sheet 12).
<b>Streets, rights of way and access plans – Sheet No. 12</b>	
Kelvedon CP	Reference L/1 The realigned Cranes Lane access from the B1024 link road in a northerly direction, for a distance of 21 metres.

Kelvedon CP	Reference L/2 The B1024 link road, from the B1024 Junction with Essex Fire and Rescue access, in an easterly direction for a distance of 141 metres.
Kelvedon CP	Reference L/3 Essex Fire and Rescue Service access, from the B1024 link road in a southerly direction for a distance of 48 metres.
Kelvedon CP	Reference L/4 Essex Fire and Rescue Access Road, adjacent to the A12 southbound carriageway, for a distance of 720 metres.
Kelvedon CP	Reference L/5 The realigned Sniveller's Lane, from the new B1024 link road, 570 metres east of the Rivenhall End east roundabout, in a northerly direction, for a distance of 52 metres.
Kelvedon CP	17 metres of footway from point 12/1 to 12/2.
Kelvedon CP	49 metres of footway from point 12/3 to 12/4.
Kelvedon CP	31 metres of footpath from point 12/5 to 12/6.
Kelvedon CP	52 metres of cycle track comprised in a highway from point 12/5 to 12/7.
Kelvedon CP	104 metres of footway from point 12/8 to 12/9.
Kelvedon CP	38 metres of cycle track comprised in a highway from point 12/9 to 12/10.
Kelvedon CP	453 metres of cycle track constituting a highway from point 12/10 to 12/11.
Kelvedon CP	567 metres of footway from point 12/10 to 12/16.
Kelvedon CP	153 metres of footway from point 12/11 to 12/15.
Kelvedon CP	135 metres of cycle track comprised in a highway from point 12/12 to 12/19.
Kelvedon CP	740 metres of cycle track comprised in a highway from point 12/13 to 12/23.
Kelvedon CP	67 metres of cycle track comprised in a highway from point 12/14 to 12/24.
Kelvedon CP	53 metres of footway from point 12/17 to 12/18.
Kelvedon CP	58 metres of cycle track comprised in a highway from point 12/18 to 12/21.
Kelvedon CP	96 metres of footway from point 12/20 to 12/22
Kelvedon CP	437 metres of footpath from point 12/22 to 13/1 (sheet 13).
<b>Streets, rights of way and access plans – Sheet No. 13</b>	
Great Braxted CP; Kelvedon CP	Reference M/1 The Highfields overbridge replacement and the realigned Maldon Road, for a distance of 318 metres.
Great Braxted CP; Kelvedon CP	Reference M/2 The realigned Highfields Lane, at the southern end of the Highfields overbridge replacement, for a distance of 597 metres.
Great Braxted CP	150 metres of cycle track comprised in a highway from point 13/2 to 13/4.
Great Braxted CP; Kelvedon CP	324 metres of cycle track comprised in a highway from point 13/3 to 13/5.
Great Braxted, Kelvedon CP	324 metres of cycle track comprised in a highway from point 13/6 to 13/7
Kelvedon CP	226 metres of footpath from point 13/8 to 13/9.
Kelvedon CP	101 metres of cycle track comprised in a highway from point 13/12 to 13/13.
Kelvedon	109 metres of footpath from point 13/11 to 14/13 (sheet 14).

Kelvedon	689 metres of footpath from point 13/10 to 14/1 (sheet 14)
<b>Streets, rights of way and access plans – Sheet No. 14</b>	
Messing-Cum-Inworth CP	Reference N/1 A new left-only lane, linking the realigned B1023 Kelvedon Road and the new Inworth link road, bypassing the new Inworth Roundabout, for a distance of 184 metres.
Messing-Cum-Inworth CP	Reference N/2 The realigned Kelvedon Road, starting at the eastern side of the Inworth roundabout, in an easterly direction for a distance of 90 metres.
Kelvedon CP; Messing-Cum-Inworth CP	Reference N/3 (sheet 13 and 14) The new junction 24 northbound off-slip road, from the northbound diverge from the A12 mainline, in an easterly direction to the junction 24 northern roundabout, for a distance of 553 metres.
Kelvedon CP; Messing-Cum-Inworth CP	Reference N/4 The new junction 24 southbound on-slip road, starting at the junction 24 southern roundabout, in a westerly direction to the point where it merges with the A12 mainline, a distance of 522 metres.
Messing-Cum-Inworth CP	Reference N/5 The new junction 24 northern roundabout for a distance of 254 metres.
Messing-Cum-Inworth CP	Reference N/6 The new junction 24 underbridge, connecting the junction 24 northern roundabout and the junction 24 southern roundabout, a distance of 165 metres.
Messing-Cum-Inworth CP	Reference N/7 The realigned north B1023 Kelvedon Road, from the Inworth Roundabout, in a northerly direction for a distance of 80 metres.
Kelvedon CP; Messing-Cum-Inworth CP	Reference N/8 The new junction 24 southern roundabout for a distance of 254 metres.
Messing-Cum-Inworth CP	Reference N/9 The new junction 24 northbound on-slip road, from the junction 24 northern roundabout, in an easterly direction to the point where it merges with the A12 mainline, a distance of 414 metres.,.
Messing-Cum-Inworth CP	Reference N/10 The junction 24 southbound off-slip road, from the southbound diverge, in a westerly direction to the new junction 24 southern roundabout, a distance of 403 metres.
Messing-Cum-Inworth CP	Reference N/11 The realigned south B1023 Kelvedon Road, from the Inworth roundabout, in a southerly direction for a distance of 304 metres.
Messing-Cum-Inworth CP	Reference N/12 The Inworth roundabout for a distance of 126 metres.
Messing-Cum-Inworth CP	Reference N/13 The new Inworth link, starting at the junction 24 southern roundabout, in an easterly direction for a distance of 474 metres.
Kelvedon CP	333 metres of footpath from point 14/2 to 14/3.
Kelvedon CP	477 metres of footpath from point 14/4 to 14/5.
Messing-Cum-Inworth CP	69 metres of cycle track constituting a highway from point 14/6 to 14/7.
Messing-Cum-Inworth CP	71 metres of cycle track constituting a highway from point 14/8 to 14/9.
Messing-Cum-Inworth CP	25 metres of cycle track constituting a highway from point 14/10 to 14/11.
Messing-Cum-	771 metres of footpath from point 14/12 to 21/1 (sheet 21)

Inworth CP Feering CP	
<b>Streets, rights of way and access plans – Sheet No. 15</b>	
Feering CP	Reference O/1 The existing A12 , from the Feering east roundabout, in an easterly direction for a distance of 126 metres.
Feering CP	Reference O/2 The Feering East roundabout for a distance of 173 metres.
Feering CP	Reference O/3 The realigned New Lane, from the Feering East roundabout, in a northerly direction, for a distance of 46 metres.
Feering CP	Reference O/4 The realigned Prested Hall access road, from the realigned London Road, in a south easterly direction for a distance of 772 metres.
Feering CP	Reference O/5 The realigned London Road, starting at the Feering East roundabout, in a south westerly direction, for a distance of 354 metres.
Feering CP	Reference O/6 A new road providing access to properties north of the A12, from the new Feering east roundabout, in an easterly direction for a distance of 69 metres.
Feering CP	435 metres of footpath from point 15/1 to 15/2.
Feering CP	14 metres of footway from point 15/3 to 15/4.
Feering CP	825 metres of cycle track comprised in a highway from point 15/5 to 15/16 (except between point 15/15 and point 15/16 where it constitutes a highway).
Feering CP	92 metres of footway from point 15/6 to 15/8.
Feering CP	100 metres of cycle track comprised in a highway from point 15/7 to 15/21.
Feering CP	7 metres of cycle track comprised in a highway from point 15/9 to 15/22.
Feering CP	220 metres of footway from point 15/10 to 15/15.
Feering CP	89 metres of footway from point 15/11 to 15/12.
Feering CP	15 metres of footway from point 15/13 to 15/31.
Feering CP	183 metres of cycle track comprised in a highway from point 15/14 to 15/31.
Feering CP	37 metres of cycle track comprised in a highway from point 15/17 to 15/30.
Feering CP	121 metres of footway from point 15/18 to 15/30.
Feering CP	64 metres of cycle track comprised in a highway from point 15/19 to 15/20.
Feering CP	387 metres of cycle track comprised in a highway from point 15/23 to 15/24.
Feering CP	139 metres of footpath from point 15/25 to 15/28.
Feering CP	69 metres of footpath from point 15/26 to 15/27.
Feering CP; Copford CP	1,646 metres of footpath from point 15/29 to 16/2 (sheet 16).
Feering CP	204 metres of footpath from point 15/32 to 15/33
Feering CP	37 metres of cycle track comprised in a highway from point 15/34 to 15/35.
<b>Streets, rights of way and access plans – Sheet No. 16</b>	
Feering CP	Reference P/1 Easthorpe Road roundabout, for a distance of 141 metres.

Feering CP	Reference P/2 The existing A12 from the realigned Easthorpe Road roundabout, in a westerly direction for a distance of 67 metres.
Feering CP; Copford CP	Reference P/3 The realigned Easthorpe Road, starting at the Easthorpe Road roundabout, in a southerly direction, for a distance of 537 metres.
Feering CP; Copford CP	Reference P/4 The existing A12 from the realigned Easthorpe Road roundabout, in an easterly direction for a distance of 168 metres.
Feering CP	Reference P/5 The realigned New Lane from the new Feering east roundabout, in a northerly direction for a distance of 17 metres.
Copford CP	39 metres of footway from point 16/1 to 16/14.
Copford CP	126 metres of footway from point 16/3 to 16/9.
Copford CP; Feering CP	387 metres of footway from point 16/4 to 16/10.
Feering CP; Copford CP	105 metres of cycle track comprised in a highway from point 16/5 to 16/6.
Feering CP; Copford CP	203 metres of cycle track comprised in a highway from point 16/7 to 16/8.
Feering CP	2 metres of footway from point 16/11 to 16/12.
<b>Streets, rights of way and access plans – Sheet No. 17</b>	
Copford CP; Marks Tey CP	Reference Q/1 The new Wishingwell Farm roundabout, for a distance of 135 metres.
Copford CP; Marks Tey CP	Reference Q/2 The existing A12 from the Wishingwell Farm roundabout, in a westerly direction for a distance of 119 metres.
Copford CP; Marks Tey CP	Reference Q/3 (sheet 17 and 18) The realigned Easthorpe Green access road, from the southern end of the Wishingwell Bridge road, for a distance of 800 metres.
Copford CP; Marks Tey CP	Reference Q/4 The new Wishingwell Bridge road, from the new Wishingwell Farm Roundabout in a southerly direction to the realigned Easthorpe Green access road, a distance of 256 metres, as shown on sheet 17 and 18 of the streets, rights of way and access plans.
Copford CP; Marks Tey CP	Reference Q/5 The existing A12 from the Wishingwell Farm Roundabout, in an easterly direction, for a distance of 161 metres.
Copford CP; Marks Tey CP	617 metres of footway from point 17/1 to 18/1 (sheet 18).
Copford CP; Marks Tey CP	97 metres of footway from point 17/2 to 17/3.
Marks Tey CP	202 metres of cycle track comprised in a highway from point 17/4 to 17/5.
Marks Tey CP	126 metres of cycle track comprised in a highway from point 17/6 to 17/7.
Marks Tey CP	5 metres of footway from point 17/8 to 17/9.
Copford CP	114 metres of footway from point 17/10 to 17/11.
Copford CP; Marks Tey CP	204 metres of footway from point 17/12 to 17/13.
<b>Streets, rights of way and access plans – Sheet No. 18</b>	
Marks Tey CP	Reference R/1 The realigned A120 Coggeshall Road, from the Old Rectory Junction

	in a westerly direction, for a distance of 119 metres,.
Marks Tey CP	Reference R/2 The realigned London Road, from the Hall Chase roundabout in an easterly direction, for a distance of 102 metres.
Marks Tey CP	Reference R/3 The new junction 25 northbound off-slip road, from the northbound diverge, in an easterly direction to the London Road roundabout, a distance of 376 metres.
Marks Tey CP	Reference R/4 The existing A12 from the new London Road roundabout in a westerly direction, for a distance of 145 metres.
Marks Tey CP	Reference R/5 The new Hall Chase Roundabout, a distance of 66 metres.
Marks Tey CP	Reference R/6 The London Road Roundabout for a distance of 160 metres.
Marks Tey CP	Reference R/7 The realigned Old London Road access from the London Road roundabout, in a northerly direction for a distance of 25 metres.
Marks Tey CP	Reference R/8 New London Road, from the London Road roundabout, in an easterly direction to the Old Rectory Junction, a distance of 437 metres.
Marks Tey CP	Reference R/9 The realigned Old London Road, from 158 Old London Road, in an easterly direction for a distance of 295 metres.
Marks Tey CP	Reference R/10 The junction 25 southbound on-slip road, from the Hall Chase roundabout, in a southerly direction to the point where it merges with the A12, a distance of 438 metres.
Marks Tey CP	Reference R/11 Old Rectory Junction, linking the realigned Old London Road and the realigned A120 Coggeshall Road, for a distance of 41 metres, as shown on sheets 18 and 19 of the streets, rights of way and access plans.
Marks Tey CP	16 metres of footpath from point 18/2 to 18/8
Copford CP; Marks Tey CP	1,270 metres of cycle track constituting a highway from point 18/3 to 18/13
Marks Tey CP	400 metres of cycle track comprised in a highway from point 18/4 to 19/8 (sheet 19).
Marks Tey CP	75 metres of cycle track comprised in a highway from point 18/5 to 19/7 (sheet 19).
Marks Tey CP	54 metres of cycle track comprised in a highway from point 18/6 to 18/15.
Marks Tey CP	424 metres of footpath from point 18/7 to 18/9.
Marks Tey CP	12 metres of cycle track comprised in a highway from point 18/10 to 18/11.
Marks Tey CP	135 metres of footway from point 18/12 to 18/17.
Marks Tey CP	6 metres of footway from point 18/14 to 18/19.
Marks Tey CP	93 metres of cycle track constituting a highway from point 18/16 to 18/33
Marks Tey CP	34 metres of cycle track comprised in a highway from point 18/18 to 18/21.
Marks Tey CP	66 metres of footway from point 18/20 to 18/32.
Marks Tey CP	5 metres of footway from point 18/22 to 18/23.
Marks Tey CP	58 metres of footway from point 18/24 to 18/25.



Marks Tey CP	22 metres of cycle track comprised in a highway from point 18/26 to 18/27.
Marks Tey CP	51 metres of footway from point 18/28 to 18/29.
Marks Tey CP	57 metres of footway from point 18/30 to 18/31.
Marks Tey CP	187 metres of cycle track comprised in a highway from point 18/34 to 18/35.
Marks Tey CP	33 metres of cycle track comprised in a highway from point 18/36 to 18/37.
Marks Tey CP	56 metres of footway from point 18/38 to 18/39.
<b>Streets, rights of way and access plans – Sheet No. 19</b>	
Marks Tey CP	Reference S/1 The junction 25 northbound on-slip road, from a point 82 metres east of Marks Tey Station, in an easterly direction to the point where it merges with the A12, a distance of 470 metres.
Marks Tey CP	Reference S/2 The junction 25 southbound off-slip road, from its diverge from the A12, in an easterly direction to the Prince of Wales roundabout, a distance of 647 metres.
Marks Tey CP	Reference S/3 The realigned Station Road, from Old Rectory junction, in a northerly direction, for a distance of 57 metres.
Marks Tey CP	Reference S/4 The realigned A120 road, starting at Old Rectory junction, in a north easterly direction for a distance of 116 metres, as shown on sheet 19 of the streets, rights of way and access plans.
Marks Tey CP	22 metres of cycle track comprised in a highway from point 19/1 to 19/2.
Marks Tey CP	126 metres of footway from point 19/3 to 19/9.
Marks Tey CP	79 metres of cycle track comprised in a highway from point 19/4 to 19/9.
Marks Tey CP	13 metres of cycle track comprised in a highway from point 19/5 to 19/6.
<b>Streets, rights of way and access plans – Sheet No. 20</b>	
Messing-Cum-Inworth CP	Reference T/1 The widened B1023 Kelvedon Road, from a point 330 metres south of the Inworth Road roundabout, in a southerly direction for a distance of 218 metres.
Messing-Cum-Inworth CP	Reference T/3 The widened B1023 Kelvedon Road, from a point 736 metres south of the Inworth Road roundabout, in a southerly direction for a distance of 201 metres.
Messing-cum-Inworth CP	97 metres of footway from point 20/1 to 20/2.
Messing-cum-Inworth CP	41 metres of footway from point 20/3 to 20/4.

## PART 4

### PRIVATE MEANS OF ACCESS TO BE STOPPED UP FOR WHICH A SUBSTITUTE IS TO BE PROVIDED

(1) <i>Area</i>	(2) <i>Private means of</i>	(3) <i>Extent of stopping up</i>	(4) <i>New private means of</i>
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	<i>access to be stopped</i>		<i>access to be substituted or provided</i>
<b>Streets, Rights of Way and Access Plans – Sheet 5</b>			
Hatfield Peverel CP	Reference 5/a The private means of access to land between the A12 northbound and the junction 20A northbound off-slip road.	For a distance of 9 metres.	Reference 5/F New private means of access to attenuation pond and fields north and south of the existing junction 20A northbound off-slip road, starting at Bury Lane, for a distance of 591 metres.
<b>Streets, Rights of Way and Access Plans – Sheet 6</b>			
Hatfield Peverel CP	Reference 6/f The private means of access to the telecommunications mast from the existing junction 20B northbound on-slip road	For a distance of 9 metres.	Reference 6/D New private means of access to the telecommunications mast from the south side of the new Hatfield Peverel link road, north east of the Wellington Road overbridge replacement, for a distance of 55 metres
Hatfield Peverel CP	Reference 6/a The private means of access to land from the northbound carriageway of the A12.	For a distance of 9 metres	Reference 6/G (inset A) New private means of access to attenuation pond and other land, from the north side of the new Hatfield Peverel link road, 308 metres west of the new junction 21 northern roundabout, for a distance of 98 metres.
Hatfield Peverel CP	Reference 6/b The private means of access to land from the northbound carriageway of the A12.	For a distance of 7 metres	Reference 6/G (inset A) New private means of access to attenuation pond and other land, from the north side of the new Hatfield Peverel link road, 308 metres west of the new junction 21 northern roundabout, for a distance of 98 metres.
Hatfield Peverel CP	Reference 6/e The private means of access to land to the	For a distance of 2 metres.	Reference 6/K New private means of access to attenuation

	west of Mayfield Cottages from the realigned Witham link road.		pond and land to the west of Mayfield Cottages from the realigned Witham link road, 420 metres east of the new junction 21 northern roundabout, for a distance of 57 metres.
<b>Streets, Rights of Way and Access Plans – Sheet 7</b>			
Witham CP	Reference 7/a The private means of access to Dengie Farm from Howbridge Hall Road.	For a distance of 302 metres.	Reference 7/B New private means of access to Dengie Farm from Howbridge Hall Road, for a distance of 815 metres.
<b>Streets, Rights of Way and Access Plans – Sheet 10</b>			
Rivenhall CP	Reference 10/a (partly shown on inset A) The private means of access to land north of the existing A12 northbound carriageway.	For a distance of 3 metres each.	Reference 10/E New private means of access to land north of the existing A12 from northern side of the existing A12, 140 metres east of the new junction 22 northern roundabout, for a distance of 8 metres.
Rivenhall CP	Reference 10/b The private means of access to land north of the existing A12 from the existing A12 northbound carriageway.	For a distance of 3 metres each.	Reference 10/E New private means of access to land north of the existing A12 from northern side of the existing A12, 140 metres east of the new junction 22 northern roundabout, for a distance of 8 metres.
<b>Streets, Rights of Way and Access Plans – Sheet 13</b>			
Great Braxted CP	Reference 13/a The private means of access to land north of Highfields Lane.	For a distance of 8 metres.	Reference 13/B New private means of access Lane, 211 metres west of the new Highfields overbridge replacement, for a distance of 23 metres.
<b>Streets, Rights of Way and Access Plans – Sheet 14</b>			
Kelvedon CP, Feering CP	Reference 14/b (Inset A) The private means of access across the existing Ewell Hall Chase Bridge.	For a distance of 258 metres.	Reference 14/M (inset B) New private means of access to attenuation pond north of the A12 mainline and other land, from the

			existing Ewell Hall Chase, for a distance of 776 metres.
<b>Streets, Rights of Way and Access Plans – Sheet 15</b>			
Feering CP	Reference 15/a (inset A) The private means of access to Threshelfords Farm across the existing Threshelfords Bridge.	For a distance of 219 metre.	Reference 15/A New private means of access to Threshelfords Farm from the realigned Threshelfords access road, for a distance of 449 metres.
Feering CP	Reference 15/b The private means of access to Prested Hall from the south side of the B1024.	For a distance of 204 metres, as shown on sheet 15.	Reference 15/D New private means of access to Prested Hall ecological mitigation area and other land south of the A12, from the east side of new Prested Hall Overbridge, for a distance of 328 metres
<b>Streets, Rights of Way and Access Plans – Sheet 16</b>			
Feering CP	Reference 16/a The Gypsy Lane private means of access from the existing Easthorpe Road.	For a distance of 36 metres.	Reference 16/A (insets A and B) New private means of access to attenuation pond south of the A12 and Gypsy Lane from the realigned Easthorpe Road, for a distance of 637 metres.
Copford CP	Reference 16/b The private means of access to Colchester Model Car Club and other land from the existing Easthorpe Road.	For a distance of 20 metres.	Reference 16/C New private means of access to Colchester Model Car Club and the attenuation pond between the existing A12 and the new A12, 81 metres east of the Easthorpe Road roundabout, for a distance of 113 metres.
Copford CP	Reference 16/b The private means of access to Colchester Model Car Club and other land from the existing Easthorpe Road.	For a distance of 20 metres.	Reference 16/E New private means of access to Colchester Model Car Club and other land from the realigned Easthorpe Road, for a distance of 27 metres
<b>Streets, Rights of Way and Access Plans – Sheet 18</b>			

Marks Tey CP	Reference 18/a The Wishingwell Farm private means of access, running under the new A12 mainline.	For a distance of 84 metres.	Reference 17/G (sheets 17 and 18) New private means of access to attenuation pond and land south of the new A12 from the eastern end of the new Wishingwell access road, 398 metres south east of the new Wishingwell overbridge, for a distance of 164 metres.
Marks Tey CP	Reference 18/b The Hall Chase private means of access.	For a distance of 76 metres.	Reference 18/D New private means of access to Hall Chase from the Hall Chase Roundabout, for a distance of 146 metres

## PART 5

### NEW PRIVATE MEANS OF ACCESS WHICH ARE TO BE PROVIDED

<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>New private means of access to be substituted or provided</i>
<b>Streets, Rights of Way and Access Plans – Sheet 1</b>	
Springfield CP, Boreham CP	Reference 1/A New private means of access to Cheese House, Chelmsford Car Boot Sale land, attenuation pond and other land, from the south side of Generals Farm roundabout (sheet 2) in a westerly direction for a distance of 1,505 metres.
Boreham CP	Reference 1/B New private means of access to attenuation pond from reference 1/A, in an easterly direction for a distance of 308 metres..
Boreham CP	Reference 1/C New private means of access linking land to reference 1/B, for a distance of 85 metres..
<b>Streets, Rights of Way and Access Plans – Sheet 2</b>	
Boreham CP	Reference 2/A New private means of access to Boreham House from the south side of Main Road, 120 metres north-east of Generals Farm roundabout, for a distance of 13 metres.
Boreham CP	Reference 2/B New private means of access to Boreham House from the south side of Main Road, 170 metres north-east of Generals Farm roundabout, for a distance of 19 metres.
Boreham CP	Reference 2/C New private means of access to Premier Inn Chelmsford (Boreham) from the north side of Main Road, 230 metres north-east of Generals Farm roundabout, for a distance of 28 metres.
Boreham CP	Reference 2/D

	New private means of access to land from the south side of Main Road, 250 metres north-east of Generals Farm roundabout, for a distance of 33 metres.
Boreham CP	Reference 2/E (inset A) New private means of access to properties along Paynes Lane and other land from the north side of Main Road, 234 metres north-east of Generals Farm roundabout, for a distance of 244 metres.
Boreham CP	Reference 2/F New private means of access to the attenuation pond from the north side of Main Road, 348 metres north-east of Generals Farm roundabout, for a distance of 159 metres.
Boreham CP	Reference 2/G New private means of access to the attenuation pond from the north side of Main Road, 618 metres north-east of Generals Farm Roundabout, for a distance of 112 metres.
Boreham CP	Reference 2/H New private means of access to land north of Main Road, 712 metres north-east of Generals Farm roundabout, for a distance of 2 metres.
Boreham CP	Reference 2/I New private means of access to the environmental mitigation area between the junction 19 northbound on-slip road and the new A12 mainline, 368 metres north-east of Generals Lane roundabout, for a distance of 10 metres
<b>Streets, Rights of Way and Access Plans – Sheet 5</b>	
Hatfield Peverel CP	Reference 5/A New private means of access to land west of Millfield Cottages from the south side of realigned B1137 Main Road, opposite the existing junction 20A southbound on-slip road, for a distance of 6 metres.
Hatfield Peverel CP	Reference 5/B New private means of access to attenuation pond from the south side of the realigned B1137 Main Road, 25 metres east of the existing junction 20A southbound on-slip road, for a distance of 284 metres.
Hatfield Peverel CP	Reference 5/C New private means of access to land north west of Millfield Cottages from the south side of realigned B1137 Main Road, 138 metres east of the existing junction 20A southbound on-slip road, for a distance of 8 metres.
Hatfield Peverel CP	Reference 5/D New private means of access to Millfield Cottages from the south side of realigned B1137 Main Road, , 145 metres east of the existing junction 20A southbound on-slip road, for a distance of 8 metres.
Hatfield Peverel CP	Reference 5/E (inset B) New private means of access to Primrose Cottage, from the east side of Station Road, south of the Station Road bridge, for a distance of 6 metres.
Hatfield Peverel CP	Reference 5/F New private means of access to attenuation pond and fields north and south of the existing junction 20A northbound off-slip road, starting at Bury Lane, for a distance of 591 metres.
Hatfield Peverel CP	Reference 5/G New private means of access to The Bungalow from the west side of Bury Lane, south of the Bury Lane overbridge replacement, for a distance of 9 metres.
Hatfield Peverel CP	Reference 5/H

	New private means of access to Moorings from the east side of Bury Lane, south of the Bury Lane overbridge replacement, for a distance of 4 metres.
Hatfield Peverel CP	Reference 5/I (inset B) New private means of access to Kinsby House, from the west side of Station Road, south of the Station Road overbridge replacement, for a distance of 2 metres..
Hatfield Peverel CP	Reference 5/J (inset B) New private means of access to White Gables, from the west side of Station Road, north of the Station Road overbridge replacement, for a distance of 3 metres.
Hatfield Peverel CP	Reference 5/K (inset B) New private means of access to Springfield Lodge, from the east side of Station Road, north of the Station Road overbridge replacement, for a distance of 2 metres.
Hatfield Peverel CP	Reference 5/L (inset B) New private means of access to High Clere, from the west side of Station Road, north of the Station Road overbridge replacement, for a distance of 2 metres.
Hatfield Peverel CP	Reference 5/M (inset B) New private means of access to Crofton, from the east side of Station Road, north of the Station Road overbridge replacement, for a distance of 6 metres,.
<b>Streets, Rights of Way and Access Plans – Sheet 6</b>	
Hatfield Peverel CP	Reference 6/A (sheets 5 and 6) New private means of access to Ruslings from the B1137, south west of the Wellington Road overbridge replacement, for a distance of 2 metres.
Hatfield Peverel CP	Reference 6/B New private means of access to Tudor Lodge from the B1137, south of the Wellington Road overbridge replacement, for a distance of 2 metres.
Hatfield Peverel CP	Reference 6/C New private means of access to Rock Cottage, the Vineyards and Vineyard Cottage from the north side of the new Hatfield Peverel link road, north east of the Wellington Road overbridge replacement, for a distance of 8 metres.
Hatfield Peverel CP	Reference 6/D New private means of access to the telecommunications mast from the south side of the new Hatfield Peverel link road, north east of the Wellington Road overbridge replacement, for a distance of 55 metres
Hatfield Peverel CP	Reference 6/F New private means of access to attenuation pond and Witham Farm fields north of the new Hatfield Peverel link road, 511 metres west of the new junction 21 northern roundabout, for a distance of 86 metres.
Hatfield Peverel CP	Reference 6/G (partly shown on inset A) New private means of access to attenuation pond, and adjacent land to the west, from the existing junction 20B southbound off-slip road, 139 metres east of the Wellington Road overbridge replacement, for a distance of 533 metres.
Hatfield Peverel CP	Reference 6/H New private means of access to Witham Farm fields, and attenuation pond access, from the north side of the new Hatfield Peverel link road, 308 metres west of the new junction 21 northern roundabout, for a distance of 98 metres.
Hatfield Peverel CP	Reference 6/I

	New private means of access to attenuation pond between the realigned Witham link road and the new junction 21 northbound on-slip road, 270 metres east of the new junction 21 northern roundabout, for a distance of 56 metres.
Hatfield Peverel CP	Reference 6/J New private means of access to field south of Latneys Kennels from the realigned kennel access, 540 metres east of the new junction 21 southern roundabout, for a distance of 68 metres, as shown on sheet 6.
Hatfield Peverel CP	Reference 6/K New private means of access to attenuation pond and land to the west of Mayfield Cottages from the realigned Witham link road, 420 metres east of the new junction 21 northern roundabout, for a distance of 57 metres.
Witham CP	Reference 6/L New private means of access to the Bethel Witham and Mayfield Cottages, from the realigned Witham link road, 460 metres east of the new junction 21 northern roundabout, for a distance of 24 metres..
Hatfield Peverel CP	Reference 6/M (inset C) New private means of access to the attenuation pond between the A12 southbound carriageway and the realigned Kennel access road, for a distance of 23 metres.
Hatfield Peverel CP; Witham CP	Reference 6/N (inset C) New private means of access to Latneys Kennels from the south side of the realigned Kennel access road, for a distance of 130 metres.
Hatfield Peverel CP	Reference 6/O (inset C) New private means of access to the attenuation pond from the south side of the realigned kennels access, 540 metres east of the new junction 21 southern roundabout, for a distance of 115 metres. and
Hatfield Peverel CP	Reference 6/P New private means of access to provide link between fields south west of Latneys Kennels, for a distance of 177 metres.
Hatfield Peverel CP	Reference 6/Q New private means of access to the Greyhounds from the B1137, south of the Wellington Road overbridge replacement, for a distance of 2 metres.
Witham CP	Reference 6/R (inset C) New private means of access to ecological mitigation area from reference 6/N, for a distance of 102 metres.
<b>Streets, Rights of Way and Access Plans – Sheet 7</b>	
Hatfield Peverel CP; Witham CP	Reference 7/A New private means of access to the Co-op, Witham, from the B1389 Hatfield Road, for a distance of 77 metres.
Witham CP	Reference 7/B New private means of access to Dengie Farm from Howbridge Hall Road, for a distance of 815 metres.
Witham CP	Reference 7/C (sheets 7 and 8) New private means of access to attenuation pond from the north-east of Howbridge Hall Road, for a distance of 723 metres.
<b>Streets, Rights of Way and Access Plans – Sheet 8</b>	
Witham CP	Reference 8/A (partly shown on inset B) New private means of access to the attenuation pond from Blue Mills Hill, for a distance of 812 metres, .
Witham CP	Reference 8/B (inset B) New private means of access to land south of the A12 southbound carriageway from Blackwater Lane, for a distance of 164 metres.



Witham CP	Reference 8/C (sheets 8 and 9) New private means of access to the Anglian Water land and Witham Town Council land adjacent to the new southbound A12 from Blackwater Lane, for a distance of 392 metres.
Witham CP	Reference 8/D New private means of access to land east of footpath 121_95 from reference 7/C, for a distance of 83 metres.
Witham CP	Reference 8/E New private means of access to land east of footpath 121_95 from reference 7/C, for a distance of 52 metres.
Witham CP	Reference 8/F New private means of access to land east of footpath 121_95 from reference 7/C, for a distance of 29 metres.
<b>Streets, Rights of Way and Access Plans – Sheet 9</b>	
Rivenhall CP	Reference 9/A (inset A) New private means of access to Colemans Fishing Lake, following the existing access track, for a distance of 146 metres.
Witham CP	Reference 9/B New private means of access to northern Witham Town Council land, parallel to the east of the A12 southbound, for a distance of 540 metres.
Rivenhall CP	Reference 9/C (inset A) New private means of access to Colemans Fishing Lake, following the existing access track, for a distance of 27 metres.
<b>Streets, Rights of Way and Access Plans – Sheet 10</b>	
Rivenhall CP	Reference 10/A (partly shown on inset A) New private means of access to attenuation pond from the realigned Little Braxted Lane, for a distance of 286 metres.
Rivenhall CP	Reference 10/B New private means of access to properties south-east of the realigned Little Braxted Lane, for a distance of 63 metres.
Rivenhall CP	Reference 10/C New private means of access to attenuation pond between the realigned Colchester Road and the new junction 22 northbound off-slip road, 197 metres west of the new junction 22 northern roundabout, for a distance 58 metres.
Rivenhall CP	Reference 10/D New private means of access to Burghey Brook Cottages from the southern side of the existing A12, 158 metres east of the new junction 22 northern roundabout, for a distance of 12 metres..
Rivenhall CP	Reference 10/E New private means of access to land north of the existing A12 from northern side of the existing A12, 140 metres east of the new junction 22 northern roundabout, for a distance of 8 metres.
Witham CP; Rivenhall CP	Reference 10/F New private means of access to Burghey Brook Poultry Farm from the northern side of the existing A12, 173 metres east of the new junction 22 northern roundabout, for a distance of 35 metres.
Rivenhall CP	Reference 10/G New private means of access to the attenuation pond south of the existing A12, 193 metres east of the new junction 22 northern roundabout, for a distance of 327 metres.
Rivenhall CP	Reference 10/H New private means of access to the attenuation pond south of the existing A12, 481 metres east of the new junction 22 northern

	roundabout, for a distance of 161 metres.
Rivenhall CP	Reference 10/I New private means of access to Burghey Brook Cottages from the southern side of the existing A12, 174 metres east of the new junction 22 northern roundabout, for a distance of 9 metres.
<b>Streets, Rights of Way and Access Plans – Sheet 11</b>	
Rivenhall CP	Reference 11/A New private means of access to attenuation pond south of the existing A12, 56 metres south-west of the new Rivenhall End west roundabout, for a distance of 156 metres.
Rivenhall CP	Reference 11/B New private means of access to attenuation pond south of the realigned Braxted Road, 430 metres south-east of the new Rivenhall End west roundabout, for a distance of 214 metres.
Rivenhall CP	Reference 11/C New private means of access to attenuation pond west of the realigned access road, for a distance of 75 metres.
Rivenhall CP	Reference 11/D New private means of access to Fair Rest, from the east side of the realigned access road, for a distance of 4 metres.
Rivenhall CP	Reference 11/E New private means of access to the fields north of the existing A12, from the north-west side of the Rivenhall End west roundabout, for a distance of 18 metres.
Rivenhall CP	Reference 11/F New private means of access to property behind the Fox Inn, from the north-west side of the existing A12, 50 metres east of the new Rivenhall End west roundabout, for a distance of 17 metres.
Rivenhall CP	Reference 11/G New private means of access to attenuation pond from the realigned access road adjacent to the A12 southbound carriageway, for a distance of 363 metres.
Rivenhall CP	Reference 11/H New private means of access to the ecological mitigation area between the realigned Henry Dixon Road and the A12 northbound carriageway, for a distance of 10 metres.
Rivenhall CP	Reference 11/I New private means of access to ecological mitigation area north of the A12 northbound carriageway from Henry Dixon Road, for a distance of 17 metres.
Rivenhall CP	Reference 11/J New private means of access to the ecological mitigation area south-east of the existing A12, 27 metres east of the Rivenhall End west roundabout, for a distance of 24 metres.
Rivenhall CP; Kelvedon CP	Reference 11/K (sheet 11 (inset B) and sheet 12) New private means of access to attenuation pond south-east of the A12 mainline, 462 metres west of the new Essex Fire and Rescue access road, for a distance of 417 metres.
Rivenhall CP	Reference 11/L (inset A) New private means of access to attenuation pond north of the existing A12, from the Rivenhall End east roundabout, for a distance of 123 metres.
Rivenhall CP	Reference 11/M New private means of access to field north-west of the existing A12

	northbound carriageway, 100 metres south-west of the Rivenhall End east roundabout, for a distance of 27 metres.
Rivenhall CP	Reference 11/N (partly shown on Inset A) New private means of access to ecological mitigation area north-of the existing A12, from private means of access reference 11/L, for a distance of 123 metres.
<b>Streets, Rights of Way and Access Plans – Sheet 12</b>	
Kelvedon CP	Reference 12/A (inset A) New private means of access to the Essex County Fire and Rescue Services Headquarters, south of the new Essex Fire and Rescue access road, for a distance of 74 metres.
Kelvedon CP	Reference 12/B (inset A) New private means of access to land south of Hole Farm from the new Essex Fire and Rescue access road, for a distance of 20 metres.
Kelvedon CP	Reference 12/C New private means of access to the attenuation pond north of the new B1024 link road, 518 metres east of the Rivenhall End east roundabout, for a distance of 96 metres.
Kelvedon CP	Reference 12/D (inset A) New private means of access to Hole Farm, south of the new Essex Fire and Rescue access road, for a distance of 29 metres.
Kelvedon CP	Reference 12/E (partly shown on inset B) New private means of access to attenuation pond and other land south of the existing junction 23 southbound on-slip road, for a distance of 261 metres.
Kelvedon CP	Reference 12/F New private means of access to Hole Farm Road, from the new Essex Fire and Rescue access road, for a distance of 138 metres.
Kelvedon CP	Reference 12/G New private means of access to field south-east of Hole Farm, from the new Essex Fire and Rescue access road, for a distance of 16 metres.
Kelvedon CP	Reference 12/H New private means of access from Sniveller's Lane, in an easterly direction for a distance of 17 metres.
Kelvedon CP	Reference 12/I New private means of access to the attenuation pond from Cranes Lane, in a westerly direction for a distance of 118 metres.
Kelvedon CP	Reference 12/J(inset B) New private means of access to land south of the A12 mainline from reference 12/E, for a distance of 132 metres.
<b>Streets, Rights of Way and Access Plans – Sheet 13</b>	
Great Braxted CP	Reference 13/A New private means of access to the attenuation pond north of the realigned Highfields Lane, 293 metres west of the new Highfields overbridge replacement, for a distance of 144 metres.
Great Braxted CP	Reference 13/B New private means of access to field south of Highfields Lane, 211 metres west of the new Highfields overbridge replacement, for a distance of 23 metres.
Great Braxted CP; Kelvedon CP	Reference 13/C New private means of access to attenuation pond and other land north of the A12 mainline, from the western side of the realigned Maldon Road, 170 metres north of the Highfields overbridge replacement, for a distance of 207 metres.

Kelvedon CP	Reference 13/D New private means of access to attenuation pond north of the A12 mainline, from the eastern side of the realigned Maldon Road, 244 metres north of the s Highfields overbridge replacement, for a distance of 51 metres.
Kelvedon CP	Reference 13/E (inset A) New private means of access to attenuation pond south of the realigned Highfields Lane, 112 metres east of the new Highfields overbridge replacement, for a distance of 129 metres.
Kelvedon CP	Reference 13/F New private means of access to attenuation pond north of the new A12 mainline from Ewell Hall Chase, for a distance of 92 metres.
Kelvedon CP	Reference 13/G (inset A) New private means of land from the south side of the existing Highfields Lane, crossing reference 13/E for a distance of 218 metres.
Kelvedon CP	Reference 13/H (sheet 13 inset A and sheet 14) New private means of access to the Ewell Road overbridge replacement, from Highfields Lane in an north easterly direction, for a distance of 691 metres.
<b>Streets, Rights of Way and Access Plans – Sheet 14</b>	
Messing-Cum-Inworth CP	Reference 14/A New private means of access to the Laurels from the west side of the B1023 Kelvedon Road, for a distance of 2 metres.
Feering CP; Messing-Cum-Inworth CP	Reference 14/B (inset C) New private means of access to attenuation ponds north of the new A12 mainline,, and other land from the B1023 Kelvedon Road, 53 metres north of the widened Park Bridge, for a distance of 947 metres.
Messing-Cum-Inworth CP	Reference 14/C New private means of access to the pond adjacent to Brick Kiln Farm, and properties behind Brick Kiln Farm, from the eastern side of the B1023 Kelvedon Road, 44 metres south of the widened Park Bridge, for a distance of 63 metres.
Messing-Cum-Inworth CP	Reference 14/D New private means of access to the attenuation pond and land north-east of Brick Kiln Farm, from the eastern side of the B1023 Kelvedon Road, 171 metres south of the widened Park Bridge.
Messing-Cum-Inworth CP	Reference 14/E New private means of access to Westacre from the widened B1023 Kelvedon Road, 89 metres south-east of the Inworth roundabout, for a distance of 8 metres.
Messing-Cum-Inworth CP	Reference 14/F New private means of access to the attenuation pond south of the Inworth roundabout, from the southern side of the new Inworth link, 226 metres east of the junction 24 southern roundabout, for a distance of 209 metres.
Messing-Cum-Inworth CP	Reference 14/G New private means of access to attenuation pond and land on the north-west side of the Inworth roundabout, for a distance of 94 metres.
Messing-Cum-Inworth CP	Reference 14/H New private means of access to Stonefields Farm and Stonefields Farm Shop from the realigned north B1023 Kelvedon Road, 32 metres north-east of the new Inworth Roundabout, for a distance of 10 metres.
Messing-Cum-Inworth CP	Reference 14/I New private means of access to attenuation pond north of the Inworth

	Roundabout, from the realigned north Inworth Road, for a distance of 47 metres.
Feering CP	Reference 14/J (sheets 14 and 15 (inset B)) New private means of access to attenuation ponds south of the new A12 mainline from the realigned Prested Hall access road, for a distance of 717 metres.
Messing-Cum-Inworth CP	Reference 14/K New private means of access to Rowan Lodge from the realigned north B1023 Kelvedon Road, 75 metres north of the Inworth roundabout, for a distance of 3 metres.
Messing-Cum-Inworth CP	Reference 14/L New private means of access to Hillside from the realigned north B1023 Kelvedon Road, 69 metres north of the Inworth roundabout, for a distance of 3 metres.
Kelvedon CP	Reference 14/M (inset B) New private means of access to attenuation pond north of the A12 mainline and other land, from the existing Ewell Hall Chase, for a distance of 776 metres.
Kelvedon CP	Reference 14/N (partly shown on inset A) New private means of access to attenuation pond south of the A12 mainline from reference 14/M, for a distance of 115 metres.
<b>Streets, Rights of Way and Access Plans – Sheet 15</b>	
Feering CP	Reference 15/A New private means of access to Threshelfords Farm from the realigned Threshelfords access road, for a distance of 449 metres
Feering CP	Reference 15/B New private means of access to attenuation pond between the realigned Threshelfords access road (reference 15/A) and the new A12 northbound carriageway, for a distance of 216 metres.
Feering CP	Reference 15/C New private means of access to land west of Prested Hall from the realigned Prested Hall access road, for a distance of 32 metres
Feering CP	Reference 15/D New private means of access to Prested Hall ecological mitigation area and other land south of the A12, from the east side of new Prested Hall Overbridge, for a distance of 328 metres
Feering CP	Reference 15/E New private means of access to attenuation pond between the existing junction 24 and the A12 northbound carriageway, from the realigned Prested Hall access road, for a distance of 137 metres.
Feering CP	Reference 15/F New private means of access to western land between the existing A12 and the realigned London Road, 222 metres west of Feering East roundabout, for a distance of 10 metres.
Feering CP	Reference 15/G New private means of access to land between the A12 and the realigned London Road, for a distance of 9 metres.
Feering CP	Reference 15/H New private means of access to field east of New Lane, from the existing A12 northbound slip road, for a distance of 8 metres..
Feering CP	Reference 15/J New private means of access to attenuation pond between the existing A12 and the new A12 northbound carriageway, 508 metres east of the Feering East roundabout, for a distance of 116 metres.

Feering CP	Reference 15/K New private means of access to Prested Hall Cottages and Heathfield from the eastern side of the Feering east roundabout, for a distance of 98 metres.
Feering CP	Reference 15/L New private means of access to attenuation pond from reference 15/D, for a distance of 66 metres.
Feering CP	Reference 15/M New private means of access to the attenuation pond between the Feering East roundabout and the A12 northbound carriageway, from reference 15/E, for a distance of 197 metres.
<b>Streets, Rights of Way and Access Plans – Sheet 16</b>	
Feering CP	Reference 16/A (insets A and B) New private means of access to attenuation pond south of the A12 and Gypsy Lane from the realigned Easthorpe Road, for a distance of 637 metres.
Feering CP	Reference 16/B New private means of access to Little Domsey Cottages from the northern end of Easthorpe Road, for a distance of 3 metres
Copford CP	Reference 16/C New private means of access to Colchester Model Car Club and the attenuation pond between the existing A12 and the new A12, 81 metres east of the Easthorpe Road roundabout, for a distance of 113 metres.
Copford CP	Reference 16/D (sheet 16 and 17) New private means of access to attenuation pond and land south of the new A12, from the realigned Easthorpe Road, for a distance of 774 metres.
Copford CP	Reference 16/E New private means of access to Colchester Model Car Club from the realigned Easthorpe Road, for a distance of 27 metres
Feering CP	Reference 16/F New private means of access to ecological mitigation area east of Easthorpe Road, for a distance of 2 metres.
Feering CP	Reference 16/G New private means of access to land west of Easthorpe Road, for a distance of 2 metres
Feering CP	Reference 16/H New private means of access to field north of the existing A12 from the western side of Domsey Chase, 27 metres north of the Easthorpe Road roundabout, for a distance of 34 metres
Feering CP	Reference 16/I New private means of access to field north of the existing A12 from the eastern side of Domsey Chase, 27 metres north of the Easthorpe Road roundabout, for a distance of 23 metres.
Feering CP	Reference 16/J (inset A) New private means of access to Gypsy Lane from the existing Easthorpe Road, for a distance of 33 metres
<b>Streets, Rights of Way and Access Plans – Sheet 17</b>	
Copford CP	Reference 17/A New private means of access to the attenuation pond south of the A12 mainline from the western end of the realigned Easthorpe Green access road, for a distance of 538 metres.
Copford CP	Reference 17/B New private means of access to the attenuation pond between the

	existing A12 and the new A12 mainline, west of the Wishingwell overbridge, from the north of the existing Easthorpe Green Farm access road, for a distance of 186 metres.
Copford CP	Reference 17/C New private means of access to the attenuation pond on the south west side of the realigned Easthorpe Green access road, 223 metres west of Wishing Well Overbridge.
Marks Tey CP	Reference 17/D New private means of access to the attenuation pond between the existing A12 and the new A12 mainline, 179 metres east of the Wishingwell Farm roundabout, for a distance of 58 metres
Copford CP	Reference 17/E New private means of access to ecological mitigation area between the Existing A12 and the A12 mainline, 1,039 metres west of the Wishingwell Farm roundabout, for a distance of 9 metres.
Marks Tey CP	Reference 17/F New private means of access to field north of the existing A12, 34 metres east of the new Wishingwell Farm roundabout, for a distance of 18 metres.
Marks Tey CP	Reference 17/G (sheets 17 and 18) New private means of access to attenuation pond and land south of the new A12 from the eastern end of the new Wishingwell access road, 398 metres east of the new Wishingwell overbridge, for a distance of 164 metres.
<b>Streets, Rights of Way and Access Plans – Sheet 18</b>	
Marks Tey CP	Reference 18/A New private means of access to Flyover Nurseries from the realigned A120 Coggeshall Road, 50 metres west of the Old Rectory junction, for a distance of 4 metres..
Marks Tey CP; Copford CP	Reference 18/B (inset A) New private means of access to ecological mitigation areas and other land south of the new A12 and east of Wishingwell Farm, for a distance of 1,043 metres.
Marks Tey CP	Reference 18/C New private means of access to the attenuation ponds between the Existing A12 and the new A12 mainline from the new London Road roundabout, for a distance of 43 metres.
Marks Tey CP	Reference 18/D New private means of access to Hall Chase from the Hall Chase Roundabout, for a distance of 146 metres
Marks Tey CP	Reference 18/E New private means of access to Marks Tey playground from the realigned Old London Road, 229 metres north of the London Road roundabout, for a distance of 13 metres.
Marks Tey CP	Reference 18/F New private means of access to the attenuation pond east of the realigned Hall Chase Road from the new Hall Chase roundabout, for a distance of 60 metres.
Marks Tey CP	Reference 18/G New private means of access to land between the Existing A12 and the junction 25 northbound off-slip road, 68 metres west of the London Road roundabout, for a distance of 58 metres.
Marks Tey CP	Reference 18/H New private means of access to field between Old London Road and the

	A120 Coggeshall Road from Old London Road, for a distance of 8 metres.
Marks Tey CP	Reference 18/I New private means of access to 141 and 139 London Road, 59 metres north of Hall Chase roundabout, for a distance of 2 metres.
Marks Tey CP	Reference 18/J New private means of access to 137 London Road, 66 metres north of Hall Chase roundabout, for a distance of 2 metres.
Marks Tey CP	Reference 18/K New private means of access to 135 London Road, 75 metres north of Hall Chase roundabout, for a distance of 3 metres.
Marks Tey CP	Reference 18/L New private means of access to Flyover Nurseries from the realigned A120 Coggeshall Road, 87 metres west of the Old Rectory junction, for a distance of 3 metres.
Marks Tey CP	Reference 18/M New private means of access to 166 and 164 London Road, 145 metres east of the realigned Old London Road access, for a distance of 2 metres.
Marks Tey CP	Reference 18/N New private means of access to 162 and 160 London Road, for a distance of 3 metres..
Marks Tey CP	Reference 18/O New private means of access to 158 London Road, 180 metres east of the realigned Old London Road access, for a distance of 3 metres.
Marks Tey CP	Reference 18/P New private means of access to land south of the existing A12, for a distance of 12 metres.
<b>Streets, Rights of Way and Access Plans – Sheet 19</b>	
Copford CP	Reference 19/A New private means of access to the attenuation pond and ecological mitigation area from the B1408 London Road, 645 metres east of the Prince of Wales roundabout, for a distance of 356 metres.
Marks Tey CP	Reference 19/B New private means of access to Old Rectory Court, from the realigned Station Road for a distance of 2 metres.
Marks Tey CP	Reference 19/C New private means of access to Old Rectory Court, from the realigned Station Road for a distance of 4 metres.
<b>Streets, Rights of Way and Access Plans – Sheet 20</b>	
Messing-Cum-Inworth CP	Reference 20/A New private means of access to land east of the widened B1023 Kelvedon Road, for a distance of 19 metres.
Messing-Cum-Inworth CP	Reference 20/B New private means of access to All Saints Church from the west side of the widened B1023 Kelvedon Road, for a distance of 7 metres.
Messing-Cum-Inworth CP	Reference 20/C New private means of access to land east of the widened B1023 Kelvedon Road, for a distance of 102 metres.
Messing-Cum-Inworth CP	Reference 20/D New private means of access to land west of the B1023 Kelvedon Road, for a distance of 34 metres..
Messing-Cum-Inworth CP	Reference 20/E New private means of access to land west of the B1023 Kelvedon Road, for a distance of 42 metres.



Messing-Cum-Inworth CP	Reference 20/F New private means of access to land east of the widened B1023 Kelvedon Road, from the widened B1023 Kelvedon Road for a distance of 49 metres.
Messing-Cum-Inworth CP	Reference 20/G New private means of access to land east of the widened B1023 Kelvedon Road, from reference 20/F, for a distance of 54 metres.
Messing-Cum-Inworth CP	Reference 20/H New private means of access to land east of the widened B1023 Kelvedon Road, from reference 20/F, for a distance of 59 metres.
Messing-Cum-Inworth CP	Reference 20/I New private means of access to land from the B1023 Kelvedon Road, for a distance of 3 metres
Messing-Cum-Inworth CP	Reference 20/J New private means of access between fields east of the B1023 Kelvedon Road and of reference 20/C, for a distance of 64 metres.
<b>Streets, Rights of Way and Access Plans – Sheet 21</b>	
Feering CP; Messing-Cum-Inworth CP	Reference 21/A (sheets 21 and 14) New private means of access to woodland area north of the new junction 24 from reference 14/B, for a distance of 299 metres.

## PART 6

### PRIVATE MEANS OF ACCESS TO BE STOPPED UP FOR WHICH NO SUBSTITUTE IS TO BE PROVIDED

<i>(1)</i> Area	<i>(2)</i> Private means of access to be stopped up	<i>(3)</i> Extent of stopping up
<b>Streets, Rights of Way and Access Plans – Sheet 6</b>		
Hatfield Peverel CP	Reference 6/c The private means of access to land north of the existing A12 northbound carriageway.	The whole access.
Hatfield Peverel CP	Reference 6/d The private means of access to land north of the existing A12 northbound carriageway.	The whole access..
<b>Streets, Rights of Way and Access Plans – Sheet 9</b>		
Witham CP	Reference 9/a The Barrows Creep Underpass	The whole length of the underpass.
<b>Streets, Rights of Way and Access Plans – Sheet 10</b>		
Rivenhall CP	Reference 10/c The private means of access to Colemans Quarry	For a distance of 85 metres.
<b>Streets, Rights of Way and Access Plans – Sheet 11</b>		
Rivenhall CP	Reference 11/a The private means of access to the field north of the existing A12 northbound carriageway.	The whole access.
<b>Streets, Rights of Way and Access Plans – Sheet 12</b>		
Kelvedon CP	Reference 12/a	The whole access.

	The private means of access to Hare Lodge and Erimyka, north of the existing A12 northbound carriageway.	
Kelvedon CP	Reference 12/c The private means of access from Crane's Lane to fields of the existing A12.	The whole access.
<b>Streets, Rights of Way and Access Plans – Sheet 14</b>		
Messing-Cum-Inworth CP	Reference 14/a The Inworth Subway private means of access.	Whole length of subway.
Messing-Cum-Inworth CP	Reference 14/c The private means of access to property on west side of the B1023 Kelvedon Road	The whole access.
Messing-Cum-Inworth CP	Reference 14/d The private means of access to the properties behind Brick Kiln Farm.	The whole access.
Messing-Cum-Inworth CP	Reference 14/e The private means of access to the properties behind the Brick Kiln Farm.	The whole access.

## SCHEDULE 5

Article 30

### LAND IN WHICH NEW RIGHTS ETC. MAY BE ACQUIRED

<i>(1)</i> <i>Plot reference number shown on land plans</i>	<i>(2)</i> <i>Purpose for which rights over land may be acquired</i>	<i>(3)</i> <i>Relevant part of the authorised development</i>
1/3a	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable a pipeline for the distribution or storage of gas or other ancillary materials, together with rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting installed pipelines or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed pipeline or apparatus; and to prevent access to installed pipelines or apparatus being made materially more difficult.</p> <p>To install, construct, retain, inspect, maintain, protect, use, replace, renew or remove overhead electricity cables and supports, together with rights to pass and repass and to remain on the land with or without vehicles, plant or machinery.</p>	<p>Work No. U2 Work No. U2A</p>
1/10a	Access for inspection, maintenance, repair and	Work No. 1(a)

	clearing of culvert and retaining structures.	
1/10b	Access for inspection, maintenance, repair and clearing of culvert and retaining structures.	Work No. 1(a)
1/10c	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable a pipeline for the distribution or storage of gas or other ancillary materials, together with rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting installed pipelines or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed pipeline or apparatus; and to prevent access to installed pipelines or apparatus being made materially more difficult.</p> <p>To install, construct, retain, inspect, maintain, protect, use, replace, renew or remove overhead electricity cables and supports, together with rights to pass and repass and to remain on the land with or without vehicles, plant or machinery.</p>	<p>Work No. U2</p> <p>Work No. U2A</p>
1/11c	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable a pipeline for the distribution or storage of gas or other ancillary materials, together with rights to pass and repass and to remain on the land, with or without vehicles plant or machinery.</p> <p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable a buried water main, together with rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting installed pipelines, mains or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed pipeline, main or apparatus; and to prevent access to installed pipelines, mains or apparatus being made materially more difficult.</p>	<p>Work No. U3</p> <p>Work No. U3C</p>
1/11d	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable a pipeline for the distribution or storage of gas or other ancillary materials, together with rights to pass and repass and to remain on the land, with or without vehicles plant or machinery.</p> <p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable a buried water main.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p>	<p>Work No. U3</p> <p>Work No. U3C</p>

	To include restrictive covenants for protecting installed pipelines, mains or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed pipeline, main or apparatus; and to prevent access to installed pipelines, mains or apparatus being made materially more difficult.	
1/11f	To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable a buried water main together with rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.  To include restrictive covenants for protecting the installed main or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed main or apparatus; and to prevent access to the installed main or apparatus being made materially more difficult.	Work No. U1A
1/11g	To lay, install, construct, retain, inspect, maintain, protect, retain use, enlarge, replace, renew, remove or render unusable buried water drains together with rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.  To include restrictive covenants for protecting the installed drains or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above installed drains or apparatus; and to prevent access to installed drains or apparatus being made materially more difficult.	Work No. 2(a)
1/12a	To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable a pipeline for the distribution or storage of gas or other ancillary materials, together with rights to pass and repass and to remain on the land, with or without vehicles plant or machinery.  To include restrictive covenants for protecting installed pipelines or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed pipeline or apparatus; and to prevent access to installed pipelines or apparatus being made materially more difficult.  To install, construct, retain, inspect, maintain, protect, use, replace, renew or remove overhead electricity cables and supports, together with rights to pass and repass and to remain on the land with or without vehicles, plant or machinery.	Work No. U2 Work No. U2A
1/13a	To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable a pipeline for the distribution or storage of gas or other ancillary materials, together with rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.	Work No. U2 Work No. U2A

	<p>To include restrictive covenants for protecting installed pipelines or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed pipeline or apparatus; and to prevent access to installed pipelines or apparatus being made materially more difficult.</p> <p>To install, construct, retain, inspect, maintain, protect, use, replace, renew or remove overhead electricity cables and supports, together with rights to pass and repass and to remain on the land with or without vehicles, plant or machinery.</p>	
1/13c	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable a pipeline for the distribution or storage of gas or other ancillary materials, together with rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting installed pipelines or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed pipeline or apparatus; and to prevent access to installed pipelines or apparatus being made materially more difficult.</p> <p>To install, construct, retain, inspect, maintain, protect, use, replace, renew or remove overhead electricity cables and supports, together with rights to pass and repass and to remain on the land with or without vehicles, plant or machinery.</p>	<p>Work No. U2 Work No. U2A</p>
1/13e	<p>To lay, install, construct, retain, inspect, maintain, protect, use, replace, renew or remove buried electricity cables and ducts, together with rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting the installed apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed apparatus; and to prevent access to the installed apparatus being made materially more difficult.</p>	<p>Work No. U4</p>
1/14a	<p>To install, lay, construct, inspect, maintain, protect, retain, use, enlarge, replace, renew, cleanse, remove or render unusable a water drainage pipe and head wall together with a right to access, with or without vehicles, plant or machinery including cofferdams, boats, barges or platforms.</p> <p>The right to drain into and add to the flow of the River Chelmer.</p>	<p>Work No. 2(a)</p>
1/18a	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable a pipeline for the distribution or storage of</p>	<p>Work No. U2 Work No. U2A</p>

	<p>gas or other ancillary materials, together with rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting installed pipelines or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed pipeline or apparatus; and to prevent access to installed pipelines or apparatus being made materially more difficult.</p> <p>To install, construct, retain, inspect, maintain, protect, use, replace, renew or remove overhead electricity cables and supports, together with rights to pass and repass and to remain on the land with or without vehicles, plant or machinery.</p>	
2/12b	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable a pipeline for the distribution or storage of gas or other ancillary materials, together with rights to pass and repass and to remain on the land, with or without vehicles plant or machinery.</p> <p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable a buried water main.</p> <p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried communications cables and ducts.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting installed pipelines, mains, cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed pipeline, main, cables, ducts or apparatus; and to prevent access to installed pipelines, mains, cables, ducts or apparatus being made materially more difficult.</p>	<p>Work No. U3 Work No. U3C Work No. U5</p>
2/12c	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried communications cables and ducts.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting the installed cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed cables, ducts or apparatus; and to prevent access to the installed cables, ducts or apparatus being made materially more difficult.</p>	<p>Work No. U11 Work No. U20</p>
2/12d	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render</p>	<p>Work No. U10C Work No. U12A</p>

	<p>unusable buried water mains.</p> <p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried communications cables and ducts.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting the installed mains, cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed mains, cables, ducts or apparatus; and to prevent access to the installed mains, cables, ducts or apparatus being made materially more difficult.</p>	Work No. U15
2/12f	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried water mains.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting the installed mains or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed mains or apparatus; and to prevent access to the installed mains or apparatus being made materially more difficult.</p>	Work No. U10C Work No. U12A
2/12h	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried water mains.</p> <p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried communications cables and ducts.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting the installed mains, cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed mains, cables, ducts or apparatus; and to prevent access to the installed mains, cables, ducts or apparatus being made materially more difficult.</p>	Work No. U3C Work No. U12B
2/12j	<p>To lay, install, construct, retain, inspect, maintain, protect, retain use, enlarge, replace, renew, remove or render unusable a buried water drain together with rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting the installed drain or apparatus from excavation, damage or injury; to not materially reduce the depth of soil</p>	Work No. U13

	above the installed drain or apparatus; and to prevent access to the installed drain or apparatus being made materially more difficult.	
2/12l	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried communications cables and ducts.</p> <p>To lay, install, construct, retain, inspect, maintain, protect, use, replace, renew or remove buried electricity cables and ducts.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting the installed cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed cables, ducts or apparatus; and to prevent access to the installed cables, ducts or apparatus being made materially more difficult.</p>	<p>Work No. U20 Work No. U20A</p>
2/13c	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried communications cables and ducts.</p> <p>To lay, install, construct, retain, inspect, maintain, protect, use, replace, renew or remove buried electricity cables and ducts.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting the installed cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed cables, ducts or apparatus; and to prevent access to the installed cables, ducts or apparatus being made materially more difficult.</p>	<p>Work No. U10 Work No. U11 Work No. U12</p>
2/13d	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried communications cables and ducts.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting the installed cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed cables, ducts or apparatus; and to prevent access to the installed cables, ducts or apparatus being made materially more difficult.</p>	<p>Work No. U9</p>
2/13e	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried communications cables and ducts.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p>	<p>Work No. U9</p>



	To include restrictive covenants for protecting the installed cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed cables, ducts or apparatus; and to prevent access to the installed cables, ducts or apparatus being made materially more difficult.	
2/15c	Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery for the purposes of inspecting, repairing and maintaining retaining structures on adjoining land.	Work No. 1(a) Work No. 1(c)
2/17j	Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery for the purposes of inspecting, repairing and maintaining retaining structures on adjoining land.	Work No. 1(a) Work No. 1(c)
2/18d	Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery for the purposes of inspecting, repairing and maintaining bridges and retaining structures on adjoining land.	Work No. 1(a) Work No. 1(c)
4/9c	Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery for the purposes of access to adjoining land.	Ecological mitigation area east of Terling Hall Road.
5/12d	To lay, install, construct, retain, inspect, maintain, protect, retain use, enlarge, replace, renew, remove or render unusable a buried sewer together with rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.  To include restrictive covenants for protecting the installed sewer or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above the installed sewer or apparatus; and to prevent access to the installed sewer or apparatus being made materially more difficult.	Work No. U25
5/12h	To install, lay, construct, inspect, maintain, protect, retain, use, enlarge, replace, renew, cleanse, remove or render unusable a drainage pipe and head wall together with a right to access, with or without vehicles, plant or machinery.  The right to drain into and add to the flow of the watercourse.	Work No. 8(a)
5/21b	To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable a buried water main, including include rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.  To include restrictive covenants for protecting the installed main or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed main or apparatus; and to prevent access to the installed main or apparatus being made materially more difficult.  A right of access land for the purposes of inspecting and maintaining structures on adjoining land including	Work No. U29A Work No. 9

	rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.	
5/22b	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable a buried water main, including include rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting the installed main or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed main or apparatus; and to prevent access to the installed main or apparatus being made materially more difficult.</p> <p>A right of access land for the purposes of inspecting and maintaining structures on adjoining land including rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p>	Work No. U29A
5/24a	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried water mains.</p> <p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried communications cables and ducts.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting the installed mains, cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed mains, cables, ducts or apparatus; and to prevent access to the installed mains, cables, ducts or apparatus being made materially more difficult.</p>	Work No. U29 Work No. U36
5/35c	<p>To lay, install, construct, retain, inspect, maintain, protect, use, replace, renew or remove buried electricity cables and ducts, together with rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting the installed apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed apparatus; and to prevent access to the installed apparatus being made materially more difficult.</p> <p>To install, construct, retain, inspect, maintain, protect, use, replace, renew or remove overhead electricity cables and supports, together with rights to pass and repass and to remain on the land with or without vehicles, plant or machinery.</p>	Work No. U38
6/11c	To lay, install, construct, retain, inspect, maintain,	Work No. U38

	<p>protect, use, replace, renew or remove buried electricity cables and ducts, together with rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting the installed apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed apparatus; and to prevent access to the installed apparatus being made materially more difficult.</p> <p>To install, construct, retain, inspect, maintain, protect, use, replace, renew or remove overhead electricity cables and supports, together with rights to pass and repass and to remain on the land with or without vehicles, plant or machinery.</p>	
6/12c	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable pipelines for the distribution or storage of gas or other ancillary materials.</p> <p>To lay, install, construct, retain, inspect, maintain, protect, use, replace, renew or remove buried electricity cables and ducts.</p> <p>To lay, install, construct, retain, inspect, maintain, protect, use, replace, renew or remove buried communications cables and ducts.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting the installed pipelines, cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed pipelines, cables, ducts or apparatus; and to prevent access to the installed pipelines, cables, ducts or apparatus being made materially more difficult.</p> <p>A right to access adjoining land for all purposes with or without vehicles, plant or machinery.</p>	<p>Work No. U38A  Work No. U40  Work No. U41  Work No. U42  Work No. U49  Work No. 17</p>
6/12g	<p>To lay, install, construct, retain, inspect, maintain, protect, use, replace, renew or remove buried electricity cables and ducts.</p> <p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable pipelines for the distribution or storage of gas or other ancillary materials.</p> <p>To include restrictive covenants for protecting the installed pipelines, cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed pipelines, cables,</p>	<p>Work No. U38  Work No. U38A</p>

	<p>ducts or apparatus; and to prevent access to the installed pipelines, cables, ducts or apparatus being made materially more difficult.</p> <p>To install, construct, retain, inspect, maintain, protect, use, replace, renew or remove overhead electricity cables and supports, together with rights to pass and repass and to remain on the land with or without vehicles, plant or machinery.</p>	
6/14b	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable a buried water main, together with rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting the installed main or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed main or apparatus; and to prevent access to the installed main or apparatus being made materially more difficult.</p>	Work No. U39
6/15c	<p>To lay, install, construct, retain, inspect, maintain, protect, use, replace, renew or remove buried electricity cables and ducts.</p> <p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable pipelines for the distribution or storage of gas or other ancillary materials.</p> <p>To include restrictive covenants for protecting the installed pipelines, cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed pipelines, cables, ducts or apparatus; and to prevent access to the installed pipelines, cables, ducts or apparatus being made materially more difficult.</p> <p>To install, construct, retain, inspect, maintain, protect, use, replace, renew or remove overhead electricity cables and supports, together with rights to pass and repass and to remain on the land with or without vehicles, plant or machinery.</p>	Work No. U38 Work No. U38A Work No. U42
6/16a	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried communications cables and ducts.</p> <p>To lay, install, construct, retain, inspect, maintain, protect, use, replace, renew or remove buried electricity cables and ducts.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting the installed cables, ducts or apparatus from excavation,</p>	Work No. U22 Work No. U22A Work No. U35 Work No. U38

	<p>damage or injury; to not materially reduce the depth of soil above any installed cables, ducts or apparatus; and to prevent access to the installed cables, ducts or apparatus being made materially more difficult.</p> <p>To install, construct, retain, inspect, maintain, protect, use, replace, renew or remove overhead electricity cables and supports, together with rights to pass and repass and to remain on the land with or without vehicles, plant or machinery.</p>	
6/18a	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried communications cables and ducts.</p> <p>To lay, install, construct, retain, inspect, maintain, protect, use, replace, renew or remove buried electricity cables and ducts.</p> <p>To lay, install, construct, retain, inspect, maintain, protect, retain use, enlarge, replace, renew, remove or render unusable a buried sewer.</p> <p>To lay, install, construct, retain, inspect, maintain, protect, retain use, enlarge, replace, renew, remove or render unusable a buried water main.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting the installed cables, ducts, sewers, mains or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed cables, ducts, sewers, mains or apparatus ; and to prevent access to the installed cables, ducts, sewers, mains or apparatus being made materially more difficult.</p>	<p>Work No. U38 Work No. U39 Work No. U45 Work No. U49</p>
6/18e	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried communications cables and ducts.</p> <p>To lay, install, construct, retain, inspect, maintain, protect, use, replace, renew or remove buried electricity cables and ducts.</p> <p>To include restrictive covenants for protecting the installed cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed cables, ducts or apparatus; and to prevent access to the installed cables, ducts or apparatus being made materially more difficult.</p> <p>To install, construct, retain, inspect, maintain, protect, use, replace, renew or remove overhead electricity cables and supports.</p> <p>Rights to pass and repass and to remain on the land,</p>	<p>Work No. U22A Work No. U35 Work No. U38 Work No. U49</p>

	with or without vehicles, plant or machinery.	
6/19b	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried communications cables and ducts.</p> <p>To lay, install, construct, retain, inspect, maintain, protect, use, replace, renew or remove buried electricity cables and ducts.</p> <p>To lay, install, construct, retain, inspect, maintain, protect, retain use, enlarge, replace, renew, remove or render unusable a buried sewer.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting the installed cables, ducts, sewers or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed cables, ducts, sewers or apparatus ; and to prevent access to the installed cables, ducts, sewers or apparatus being made materially more difficult.</p> <p>To install, construct, retain, inspect, maintain, protect, use, replace, renew or remove overhead electricity cables and supports, together with rights to pass and repass and to remain on the land with or without vehicles, plant or machinery.</p>	<p>Work No. U22  Work No. U22A  Work No. U35  Work No. U38  Work No. U45  Work No. U49</p>
6/31a	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried communications cables and ducts.</p> <p>To lay, install, construct, retain, inspect, maintain, protect, use, replace, renew or remove buried electricity cables and ducts.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting the installed cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed cables, ducts or apparatus ; and to prevent access to the installed cables, ducts or apparatus being made materially more difficult.</p>	<p>Work No. U37  Work No. U37A</p>
7/4a	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable a pipeline for the distribution or storage of gas or other ancillary materials, together with rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting installed pipelines or apparatus from excavation, damage or injury; to not materially reduce the depth of</p>	<p>Work No. U69</p>

	soil above any installed pipeline or apparatus; and to prevent access to installed pipelines or apparatus being made materially more difficult.	
7/10c	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable a pipeline for the distribution or storage of gas or other ancillary materials.</p> <p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried communications cables and ducts.</p> <p>To lay, install, construct, retain, inspect, maintain, protect, use, replace, renew or remove buried electricity cables and ducts.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting installed pipelines, cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed pipeline, cables, ducts or apparatus; and to prevent access to installed pipelines, cables, ducts or apparatus being made materially more difficult.</p>	<p>Work No. U22A  Work No. U38A  Work No. U49  Work No. U52  Work No. U69</p>
7/10f	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable a pipeline for the distribution or storage of gas or other ancillary materials.</p> <p>To lay, install, construct, retain, inspect, maintain, protect, use, replace, renew or remove buried electricity cables and ducts.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting installed pipelines, cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed pipeline, cables, ducts or apparatus; and to prevent access to installed pipelines, cables, ducts or apparatus being made materially more difficult.</p>	<p>Work No. U38A  Work No. U69</p>
7/10k	Rights to pass and repass, with or without vehicles, plant or machinery to access adjoining land.	Access to ecological mitigation area west of B1018 Maldon Road
7/16e	<p>To lay, install, construct, retain, inspect, maintain, protect, use, replace, renew or remove buried electricity cables and ducts.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p>	Work No. U54

	To include restrictive covenants for protecting the installed cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed cables, ducts or apparatus; and to prevent access to the installed cables, ducts or apparatus being made materially more difficult.	
7/21c	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried communications cables and ducts.</p> <p>To lay, install, construct, retain, inspect, maintain, protect, use, replace, renew or remove buried electricity cables and ducts.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants to protect the installed cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed cables, ducts or apparatus; and to prevent access to the installed cables, ducts or apparatus being made materially more difficult.</p>	<p>Work No. U22A Work No. U38A Work No. U49 Work No. U52</p>
8/1j	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried water mains.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting the installed mains or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed mains or apparatus; and to prevent access to the installed mains or apparatus being made materially more difficult.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery to maintain structures on adjoining land.</p>	<p>Work No. U65 Work No. 24(e)</p>
8/3a	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried communications cables and ducts.</p> <p>To lay, install, construct, retain, inspect, maintain, protect, use, replace, renew or remove buried electricity cables and ducts.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery to maintain structures on adjoining land and in the airspace above the land.</p>	<p>Work No. U22A Work No. U49 Work No. U51 Work No. U63 Work No. U64 Work No. U71 Work No. 12(c) Work No. 24(d)</p>
8/6b	To lay, install, construct, retain, inspect, maintain,	Work No. 12(c)



	<p>protect, retain use, enlarge, replace, renew, remove or render unusable buried drains and to drain in to and add to the flow of a watercourse.</p> <p>To lay, install, construct, retain, inspect, maintain, protect, use, replace, renew or remove buried electricity cables and ducts.</p> <p>To lay, install, construct, retain, inspect, maintain, protect, retain use, enlarge, replace, renew, remove or render unusable buried sewers.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery to maintain structures on adjoining land</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p>	<p>Work No. U63 Work No. U63A</p>
8/6d	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried communications cables and ducts.</p> <p>To lay, install, construct, retain, inspect, maintain, protect, use, replace, renew or remove buried electricity cables and ducts.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery to maintain structures on adjoining land.</p> <p>To install, construct, retain, inspect, maintain, protect, use, replace, renew or remove overhead electricity cables and supports.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p>	<p>Work No. U22A Work No. U49 Work No. U51 Work No. U63 Work No. U63A Work No. U64 Work No. U71 Work No. 12(c) Work No. 24(d)</p>
8/6e	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried communications cables and ducts.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants to protect the installed cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed cables, ducts or apparatus; and to prevent access to the installed cables, ducts or apparatus being made materially more difficult.</p>	<p>Work No. U22A Work No. U49 Work No. U51 Work No. U64</p>
8/6g	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable a pipeline for the distribution or storage of gas or other ancillary materials.</p> <p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render</p>	<p>Work No. U22A Work No. U49 Work No. U51 Work No. U62A Work No. U64 Work No. U69</p>

	<p>unusable buried communications cables and ducts.</p> <p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable a buried water main.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting installed pipelines, mains, cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed pipeline, mains, cables, ducts or apparatus; and to prevent access to installed pipelines, mains, cables, ducts or apparatus being made materially more difficult.</p>	
8/6j	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried communications cables and ducts.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p>	<p>Work No. U22A Work No. U49</p>
8/6k	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried communications cables and ducts.</p> <p>To lay, install, construct, retain, inspect, maintain, protect, use, replace, renew or remove buried electricity cables and ducts.</p> <p>To lay, install, construct, retain, inspect, maintain, protect, retain use, enlarge, replace, renew, remove or render unusable a buried water drain.</p> <p>To lay, install, construct, retain, inspect, maintain, protect, retain use, enlarge, replace, renew, remove or render unusable a buried sewer.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p>	<p>Work No. U22A Work No. U49 Work No. U63 Work No. U63A Work No. U68 Work No. U71</p>
8/6l	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable a buried water main.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery for the purposes of access to inspect, maintain and repair bridges and structures.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery for the purposes of access to adjoining land.</p>	<p>Work No. U65 Work No. 24(e)</p> <p>Access to ecological mitigation areas and open space south of the A12.</p> <p>Access to land</p>
8/6m	<p>To lay, install, construct, retain, inspect, maintain,</p>	<p>Work No. U69</p>

	<p>protect, use, enlarge, replace, renew, remove or render unusable a pipeline for the distribution or storage of gas or other ancillary materials, together with rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting installed pipelines or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed pipeline or apparatus; and to prevent access to installed pipelines or apparatus being made materially more difficult.</p>	
8/10d	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried communications cables and ducts.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants to protect the installed cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed cables, ducts or apparatus; and to prevent access to the installed cables, ducts or apparatus being made materially more difficult.</p>	<p>Work No. U22A Work No. U49</p>
8/11f	<p>To lay, install, construct, retain, inspect, maintain, protect, retain use, enlarge, replace, renew, remove or render unusable a buried water drainage pipe.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery for the purposes of access to maintain a bridge on adjoining land.</p>	<p>Work No. U59 Work No. 27</p>
8/11g	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried electricity cables and ducts.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p>	<p>Work No. U50</p>
8/11u	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried water mains.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery for the purposes of access to inspect, maintain and repair bridges and structures.</p>	<p>Work No. U65 Work No. 12(c) Work No. 24(e)</p>
8/11al	<p>To lay, install, construct, retain, inspect, maintain, protect, retain use, enlarge, replace, renew, remove or render unusable a buried water drain together with</p>	<p>Work No. U59</p>

	rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.	
8/21e	To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried communications cables and ducts.  Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.	Work No. U22A Work No. U49
8/21f	To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable drainage pipes, together with rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.  To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable a pipeline for the distribution or storage of gas or other ancillary materials, together with rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.	Work No. 29(a) Work No. U69
8/21g	To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried communications cables and ducts together with rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.  To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable a pipeline for the distribution or storage of gas or other ancillary materials, together with rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.	Work No. U22A Work No. U49 Work No. U51 Work No. U64 Work No. U69
8/23b	To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried communications cables and ducts together with rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.  To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable a pipeline for the distribution or storage of gas or other ancillary materials, together with rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.  To include restrictive covenants for protecting installed pipelines, cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed pipeline, cables, ducts or apparatus; and to prevent access to installed pipelines, cables, ducts or apparatus being made materially more difficult.  Rights to pass and repass, with or without vehicles,	Work No. U22A Work No. U49 Work No. U51 Work No. U69 Work No. 12(c) Work No. 24(d)

	plant or machinery for the purposes of access to inspect, maintain and repair bridges and structures.	
8/27a	To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried communications cables and ducts.  Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.	Work No. U44 Work No. U56
8/32a	To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried water mains.  To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried electricity cables and ducts.  Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.  To include restrictive covenants for protecting the installed mains, cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed mains, cables, ducts or apparatus; and to prevent access to the installed mains, cables, ducts or apparatus being made materially more difficult.  Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery for the purposes of inspecting, repairing and maintaining retaining structures on adjoining land.	Work No. U66 Work No. U67 Work No. U70 Work No. 12(c) Work No. 24(d)
8/33b	To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried drainage pipes.  To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried electricity cables and ducts.  To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried communications cables and ducts.  Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.  To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable a pipeline for the distribution or storage of gas or other ancillary materials, together with rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.  To include restrictive covenants for protecting installed pipelines, drains, cables, ducts or apparatus from excavation, damage or injury; to not materially	Work No. 29(a) Work No. U22A Work No. U49 Work No. U50 Work No. U51 Work No. U64 Work No. U69

	reduce the depth of soil above any installed pipelines, drains, cables, ducts or apparatus; and to prevent access to installed pipelines, drains, cables, ducts or apparatus being made materially more difficult.	
8/33e	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable a pipeline for the distribution or storage of gas or other ancillary materials, together with rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting installed pipelines or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed pipeline or apparatus; and to prevent access to installed pipelines or apparatus being made materially more difficult.</p>	Work No. U69
8/33k	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried drainage pipes.</p> <p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable a pipeline for the distribution or storage of gas or other ancillary materials, together with rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting installed pipelines, drains or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed pipeline, drain or apparatus; and to prevent access to installed pipelines, drains or apparatus being made materially more difficult.</p>	Work No. 29(a) Work No. U69
8/33l	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried communications cables and ducts.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants to protect the installed cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed cables, ducts or apparatus; and to prevent access to the installed cables, ducts or apparatus being made materially more difficult.</p>	Work No. U22A Work No. U49 Work No. U51 Work No. U64
8/35a	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable a pipeline for the distribution or storage of gas or other ancillary materials, together with rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting</p>	Work No. U69

	installed pipelines or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed pipeline or apparatus; and to prevent access to installed pipelines or apparatus being made materially more difficult.	
8/38a	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable a pipeline for the distribution or storage of gas or other ancillary materials, together with rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting installed pipelines or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed pipeline or apparatus; and to prevent access to installed pipelines or apparatus being made materially more difficult.</p>	Work No. U69
8/39a	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable a pipeline for the distribution or storage of gas or other ancillary materials, together with rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting installed pipelines or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed pipeline or apparatus; and to prevent access to installed pipelines or apparatus being made materially more difficult.</p>	Work No. U69
8/43b	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried communications cables and ducts.</p> <p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried water mains.</p> <p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable surface water drains.</p> <p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable a pipeline for the distribution or storage of gas or other ancillary materials.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting installed pipelines, drains, mains, cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed pipelines, drains, mains, cables, ducts or apparatus;</p>	<p>Work No. U22A</p> <p>Work No. U49</p> <p>Work No. U51</p> <p>Work No. U62A</p> <p>Work No. U64</p> <p>Work No. U68</p> <p>Work No. U69</p>

	and to prevent access to installed pipelines, drains, mains, cables, ducts or apparatus being made materially more difficult.	
8/43c	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried communications cables and ducts.</p> <p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable a pipeline for the distribution or storage of gas or other ancillary materials.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting installed pipelines, cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed pipelines, cables, ducts or apparatus; and to prevent access to installed pipelines, cables, ducts or apparatus being made materially more difficult.</p>	<p>Work No. U22A  Work No. U49  Work No. U51  Work No. U64  Work No. U69</p>
8/44b	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried communications cables and ducts.</p> <p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable a pipeline for the distribution or storage of gas or other ancillary materials.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting installed pipelines, cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed pipelines, cables, ducts or apparatus; and to prevent access to installed pipelines, cables, ducts or apparatus being made materially more difficult.</p>	<p>Work No. U22A  Work No. U49  Work No. U51  Work No. U64  Work No. U69</p>
8/45d	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable a pipeline for the distribution or storage of gas or other ancillary materials, together with rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting installed pipelines or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed pipeline or apparatus; and to prevent access to installed pipelines or apparatus being made materially more difficult.</p>	<p>Work No. U69</p>
8/47b	To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render	<p>Work No. U22A  Work No. U49</p>



	<p>unusable buried communications cables and ducts.</p> <p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried electricity cables and ducts.</p> <p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried water mains.</p> <p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried sewers.</p> <p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable surface water drains.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p>	<p>Work No. U51 Work No. U64 Work No. U65 Work No. U66 Work No. U70 Work No. U73</p>
8/47c	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried communications cables and ducts.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants to protect the installed cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed cables, ducts or apparatus; and to prevent access to the installed cables, ducts or apparatus being made materially more difficult.</p>	<p>Work No. U44 Work No. U56</p>
8/47d	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried communications cables and ducts.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants to protect the installed cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed cables, ducts or apparatus; and to prevent access to the installed cables, ducts or apparatus being made materially more difficult.</p>	<p>Work No. U44 Work No. U56</p>
8/47e	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried water mains.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery for the purposes of access to inspect, maintain and repair</p>	<p>Work No. U65 Work No. 12(c) Work No. 24(e)</p>

	bridges and structures on adjoining land.	
8/47g	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried water mains.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery for the purposes of access to inspect, maintain and repair bridges and structures on adjoining land.</p>	<p>Work No. U65 Work No. 12(c) Work No. 24(e)</p>
8/47h	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried water mains.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery to provide access to land and apparatus.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery for the purposes of access to inspect, maintain and repair bridges and structures on adjoining land.</p>	<p>Work No. 12(c) Work No. 24(e) Work No. U65 Access to ecological mitigation areas and open space south of the A12 Access to land</p>
8/47j	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried water mains.</p> <p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried electricity cables and ducts.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p>	<p>Work No. U65 Work No. U66 Work No. U67 Work No. U70</p>
8/47l	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried water mains.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p>	<p>Work No. U65 Work No. U67 Work No. U70</p>
8/47n	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried water mains.</p> <p>To lay, install, construct, retain, inspect, maintain, protect, use, replace, renew or remove buried electricity cables and ducts.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p>	<p>Work No. U65 Work No. U66 Work No. U67 Work No. U70</p>
8/47q	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried water mains.</p> <p>To lay, install, construct, retain, inspect, maintain, protect, use, replace, renew or remove buried</p>	<p>Work No. 12(c) Work No. U65 Work No. U70</p>

	<p>electricity cables and ducts.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>Rights to pass and repass, with or without vehicles, plant or machinery for the purposes of access to inspect, maintain and repair bridges and structures.</p>	
8/48a	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable a pipeline for the distribution or storage of gas or other ancillary materials, together with rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting installed pipelines or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed pipeline or apparatus; and to prevent access to installed pipelines or apparatus being made materially more difficult.</p>	Work No. U69
8/48e	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable a pipeline for the distribution or storage of gas or other ancillary materials, together with rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting installed pipelines or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed pipeline or apparatus; and to prevent access to installed pipelines or apparatus being made materially more difficult.</p>	Work No. U69
8/49a	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable a pipeline for the distribution or storage of gas or other ancillary materials, together with rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting installed pipelines or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed pipeline or apparatus; and to prevent access to installed pipelines or apparatus being made materially more difficult.</p>	Work No. U69
8/49b	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable a pipeline for the distribution or storage of gas or other ancillary materials, together with rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting installed pipelines or apparatus from excavation,</p>	Work No. U69

	damage or injury; to not materially reduce the depth of soil above any installed pipeline or apparatus; and to prevent access to installed pipelines or apparatus being made materially more difficult.	
8/52c	To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable a pipeline for the distribution or storage of gas or other ancillary materials, together with rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.  To include restrictive covenants for protecting installed pipelines or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed pipeline or apparatus; and to prevent access to installed pipelines or apparatus being made materially more difficult.	Work No. U69
8/53a	To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable a pipeline for the distribution or storage of gas or other ancillary materials, together with rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.	Work No. U69
8/54c	To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable a pipeline for the distribution or storage of gas or other ancillary materials, together with rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.  To include restrictive covenants for protecting installed pipelines or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed pipeline or apparatus; and to prevent access to installed pipelines or apparatus being made materially more difficult.	Work No. U69
8/54d	To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable a pipeline for the distribution or storage of gas or other ancillary materials, together with rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.  To include restrictive covenants for protecting installed pipelines or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed pipeline or apparatus; and to prevent access to installed pipelines or apparatus being made materially more difficult.	Work No. U69
8/68c	Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery for the purposes of inspecting and maintaining ecological mitigation, bridges and retaining structures.	Work No. 12(c) Work No. 24(c)
8/68e	To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried communications cables and ducts.	Work No. U44 Work No. U56 Work No. 12(c)

	<p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery to provide access to land and apparatus.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery for the purposes of access to inspect, maintain and repair bridges and structures.</p>	<p>Work No. 24(e) Access to ecological mitigation areas and open space south of the A12 Access to land</p>
8/68f	<p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery to provide access to land and apparatus.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery for the purposes of access to inspect, maintain and repair bridges and structures.</p>	<p>Work No. 12(c) Work No. 24(e) Access to ecological mitigation areas and open space south of the A12 Access to land</p>
8/68g	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable a pipeline for the distribution or storage of gas or other ancillary materials, together with rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting installed pipelines or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed pipeline or apparatus; and to prevent access to installed pipelines or apparatus being made materially more difficult.</p>	<p>Work No. U69</p>
8/68k	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable a pipeline for the distribution or storage of gas or other ancillary materials, together with rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting installed pipelines or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed pipeline or apparatus; and to prevent access to installed pipelines or apparatus being made materially more difficult.</p>	<p>Work No. U69</p>
8/68m	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable a pipeline for the distribution or storage of gas or other ancillary materials, together with rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting installed pipelines or apparatus from excavation, damage or injury; to not materially reduce the depth of</p>	<p>Work No. U69</p>

	soil above any installed pipeline or apparatus; and to prevent access to installed pipelines or apparatus being made materially more difficult.	
8/68n	To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable a pipeline for the distribution or storage of gas or other ancillary materials, together with rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.  To include restrictive covenants for protecting installed pipelines or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed pipeline or apparatus; and to prevent access to installed pipelines or apparatus being made materially more difficult.	Work No. U69
9/1f	To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried communications cables and ducts.  Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.	Work No. U22A Work No. U49
9/1n	To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried communications cables and ducts.  Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.	Work No. U22A Work No. U49 Work No. U51 Work No. U75
9/10a	To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable a buried water main, together with rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.  To include restrictive covenants for protecting installed mains or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed main or apparatus; and to prevent access to installed mains or apparatus being made materially more difficult.	Work No. U67
9/10e	To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried communications cables and ducts.  Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.	Work No. U22A Work No. U49
9/11b	To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried communications cables and ducts.  Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.	Work No. U22A Work No. U49
9/12b	To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable a buried water main, together with rights to pass and repass and to remain on the land, with or	Work No. U67

	<p>without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting installed mains or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed main or apparatus; and to prevent access to installed mains or apparatus being made materially more difficult.</p>	
9/13b	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried communications cables and ducts.</p> <p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable a pipeline for the distribution or storage of gas or other ancillary materials.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting installed pipelines cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed pipelines cables, ducts or apparatus; and to prevent access to installed pipelines cables, ducts or apparatus being made materially more difficult.</p>	<p>Work No. U22A Work No. U49 Work No. U69</p>
9/14a	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable a pipeline for the distribution or storage of gas or other ancillary materials, together with rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting the installed pipeline or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed pipeline or apparatus; and to prevent access to the installed pipeline or apparatus being made materially more difficult.</p>	<p>Work No. U69</p>
9/14b	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable a pipeline for the distribution or storage of gas or other ancillary materials, together with rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting the installed pipeline or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed pipeline or apparatus; and to prevent access to the installed pipeline or apparatus being made materially more difficult.</p>	<p>Work No. U69</p>
9/19a	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable a pipeline for the distribution or storage of</p>	<p>Work No. U69</p>

	<p>gas or other ancillary materials, together with rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting the installed pipeline or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed pipeline or apparatus; and to prevent access to the installed pipeline or apparatus being made materially more difficult.</p>	
9/19b	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable a pipeline for the distribution or storage of gas or other ancillary materials, together with rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting the installed pipeline or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed pipeline or apparatus; and to prevent access to the installed pipeline or apparatus being made materially more difficult.</p>	Work No. U69
10/8a	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried electricity cables and ducts.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p>	Work No. 24(a)
10/8b	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried electricity cables and ducts.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting the installed cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed cables, ducts or apparatus; and to prevent access to the installed cables, ducts or apparatus being made materially more difficult.</p>	Work No. 32(c)
10/11c	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable a pipeline for the distribution or storage of gas or other ancillary materials.</p> <p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried electricity cables and ducts.</p> <p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried communications cables and ducts.</p> <p>Rights to pass and repass and to remain on the land,</p>	<p>Work No. U81  Work No. U84  Work No. U84A  Work No. U86</p>



	<p>with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting installed pipelines, cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed pipeline, cables, ducts or apparatus; and to prevent access to installed pipelines, cables, ducts or apparatus being made materially more difficult.</p>	
10/11d	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable a pipeline for the distribution or storage of gas or other ancillary materials.</p> <p>To include restrictive covenants for protecting installed pipelines or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed pipeline or apparatus; and to prevent access to installed pipelines or apparatus being made materially more difficult.</p>	Work No. U81
10/14b	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable a pipeline for the distribution or storage of gas or other ancillary materials.</p> <p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried electricity cables and ducts.</p> <p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried communications cables and ducts.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting installed pipelines, cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed pipeline, cables, ducts or apparatus; and to prevent access to installed pipelines, cables, ducts or apparatus being made materially more difficult.</p>	<p>Work No. U84</p> <p>Work No. U86</p> <p>Work No. U90</p>
10/14c	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable a pipeline for the distribution or storage of gas or other ancillary materials.</p> <p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried electricity cables and ducts.</p> <p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried communications cables and ducts.</p>	<p>Work No. U81</p> <p>Work No. U84</p> <p>Work No. U86</p>

	<p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting installed pipelines, cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed pipeline, cables, ducts or apparatus; and to prevent access to installed pipelines, cables, ducts or apparatus being made materially more difficult.</p>	
10/15b	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried electricity cables and ducts.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting installed cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed cables, ducts or apparatus; and to prevent access to installed cables, ducts or apparatus being made materially more difficult.</p> <p>To install, construct, retain, inspect, maintain, protect, use, replace, renew or remove overhead electricity cables and supports, together with rights to pass and repass and to remain on the land with or without vehicles, plant or machinery.</p>	<p>Work No. U78 Work No. U84</p>
10/16a	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried electricity cables and ducts.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting installed cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed cables, ducts or apparatus; and to prevent access to installed cables, ducts or apparatus being made materially more difficult.</p> <p>To install, construct, retain, inspect, maintain, protect, use, replace, renew or remove overhead electricity cables and supports, together with rights to pass and repass and to remain on the land with or without vehicles, plant or machinery.</p> <p>Access to land for inspecting, repairing, maintaining and clearing drains, with or without vehicles, plant or machinery.</p>	<p>Work No. U78 Work No. U84 Work No. 32(c)</p>
10/17a	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried electricity cables and ducts.</p>	<p>Work No. U84A</p>

	<p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting installed cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed cables, ducts or apparatus; and to prevent access to installed cables, ducts or apparatus being made materially more difficult.</p>	
10/18b	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable a pipeline for the distribution or storage of gas or other ancillary materials.</p> <p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried electricity cables and ducts.</p> <p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried communications cables and ducts.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting installed pipelines, cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed pipeline, cables, ducts or apparatus; and to prevent access to installed pipelines, cables, ducts or apparatus being made materially more difficult.</p>	<p>Work No. U81 Work No. U84 Work No. U84A Work No. U86</p>
10/19b	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable a pipeline for the distribution or storage of gas or other ancillary materials.</p> <p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried electricity cables and ducts.</p> <p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried communications cables and ducts.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting installed pipelines, cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed pipeline, cables, ducts or apparatus; and to prevent access to installed pipelines, cables, ducts or apparatus being made materially more difficult.</p>	<p>Work No. U81 Work No. U83 Work No. U84 Work No. U84A Work No. U86 Work No. U90</p>
10/20f	<p>To lay, install, construct, retain, inspect, maintain,</p>	<p>Work No. U89</p>

	<p>protect, use, enlarge, replace, renew, remove or render unusable a pipeline for the distribution or storage of gas or other ancillary materials.</p> <p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried communications cables and ducts.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting installed pipelines, cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed pipeline, cables, ducts or apparatus; and to prevent access to installed pipelines, cables, ducts or apparatus being made materially more difficult.</p>	<p>Work No. U91 Work No. U92</p>
10/20h	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable a pipeline for the distribution or storage of gas or other ancillary materials.</p> <p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried electricity cables and ducts.</p> <p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried communications cables and ducts.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting installed pipelines, cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed pipeline, cables, ducts or apparatus; and to prevent access to installed pipelines, cables, ducts or apparatus being made materially more difficult.</p> <p>To install, construct, retain, inspect, maintain, protect, use, replace, renew or remove overhead electricity cables and supports, together with rights to pass and repass and to remain on the land with or without vehicles, plant or machinery.</p>	<p>Work No. U22A Work No. U78 Work No. U89</p>
10/20i	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable a pipeline for the distribution or storage of gas or other ancillary materials, together with rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting installed pipelines or apparatus from excavation,</p>	<p>Work No. U89</p>

	<p>damage or injury; to not materially reduce the depth of soil above any installed pipeline or apparatus; and to prevent access to installed pipelines or apparatus being made materially more difficult.</p>	
10/22a	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried communications cables and ducts.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting installed cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed cables, ducts or apparatus; and to prevent access to installed cables, ducts or apparatus being made materially more difficult.</p>	<p>Work No. U91 Work No. U92</p>
10/24a	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable pipelines for the distribution or storage of gas or other ancillary materials, together with rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting installed pipelines or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed pipeline or apparatus; and to prevent access to installed pipelines or apparatus being made materially more difficult.</p>	<p>Work No. U81 Work No. U89</p>
10/25a	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable pipelines for the distribution or storage of gas or other ancillary materials, together with rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting installed pipelines or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed pipeline or apparatus; and to prevent access to installed pipelines or apparatus being made materially more difficult.</p>	<p>Work No. U81 Work No. U89</p>
10/26a	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried electricity cables and ducts.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting the installed cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed cables, ducts or apparatus; and to prevent access to the installed cables, ducts or apparatus being made materially more difficult.</p>	<p>Work No. 32(c)</p>

10/30a	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried electricity cables and ducts.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting installed cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed cables, ducts or apparatus; and to prevent access to installed cables, ducts or apparatus being made materially more difficult.</p>	Work No. U84A
10/30b	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable a pipeline for the distribution or storage of gas or other ancillary materials.</p> <p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried electricity cables and ducts.</p> <p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried communications cables and ducts.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting installed pipelines, cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed pipeline, cables, ducts or apparatus; and to prevent access to installed pipelines, cables, ducts or apparatus being made materially more difficult.</p>	<p>Work No. U81  Work No. U84  Work No. U84A  Work No. U86</p>
11/4n	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried communications cables and ducts.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting installed cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed cables, ducts or apparatus; and to prevent access to installed cables, ducts or apparatus being made materially more difficult.</p>	<p>Work No. U108  Work No. U109</p>
11/6a	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable pipelines for the distribution or storage of gas or other ancillary materials, together with rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p>	<p>Work No. U103  Work No. U104</p>

	To include restrictive covenants for protecting installed pipelines or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed pipeline or apparatus; and to prevent access to installed pipelines or apparatus being made materially more difficult.	
11/9a	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried water mains.</p> <p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried electricity cables and ducts.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting the installed mains, cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed mains, cables, ducts or apparatus; and to prevent access to the installed mains, cables, ducts or apparatus being made materially more difficult.</p>	<p>Work No. U117</p> <p>Work No. U118</p>
11/14c	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried communications cables and ducts.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting installed cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed cables, ducts or apparatus; and to prevent access to installed cables, ducts or apparatus being made materially more difficult.</p>	<p>Work No. U111A</p> <p>Work No. U111B</p>
12/5d	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried communications cables and ducts.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting installed cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed cables, ducts or apparatus; and to prevent access to installed cables, ducts or apparatus being made materially more difficult.</p>	<p>Work No. U125</p>
12/6f	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried communications cables and ducts.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p>	<p>Work No. U111A</p> <p>Work No. U111B</p>

	<p>To include restrictive covenants for protecting installed cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed cables, ducts or apparatus; and to prevent access to installed cables, ducts or apparatus being made materially more difficult.</p>	
13/11a	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried electricity cables and ducts.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting installed cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed cables, ducts or apparatus; and to prevent access to installed cables, ducts or apparatus being made materially more difficult.</p> <p>To install, construct, retain, inspect, maintain, protect, use, replace, renew or remove overhead electricity cables and supports, together with rights to pass and repass and to remain on the land with or without vehicles, plant or machinery.</p>	Work No. U135
13/14c	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried electricity cables and ducts.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting installed cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed cables, ducts or apparatus; and to prevent access to installed cables, ducts or apparatus being made materially more difficult.</p> <p>To install, construct, retain, inspect, maintain, protect, use, replace, renew or remove overhead electricity cables and supports, together with rights to pass and repass and to remain on the land with or without vehicles, plant or machinery.</p>	Work No. U136
13/14g	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried electricity cables and ducts.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting installed cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed cables, ducts or apparatus; and</p>	Work No. U136



	<p>to prevent access to installed cables, ducts or apparatus being made materially more difficult.</p> <p>To install, construct, retain, inspect, maintain, protect, use, replace, renew or remove overhead electricity cables and supports, together with rights to pass and repass and to remain on the land with or without vehicles, plant or machinery.</p>	
13/14j	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried electricity cables and ducts.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting installed cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed cables, ducts or apparatus; and to prevent access to installed cables, ducts or apparatus being made materially more difficult.</p>	Work No. 45(a)
13/15b	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried electricity cables and ducts.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting installed cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed cables, ducts or apparatus; and to prevent access to installed cables, ducts or apparatus being made materially more difficult.</p> <p>To install, construct, retain, inspect, maintain, protect, use, replace, renew or remove overhead electricity cables and supports, together with rights to pass and repass and to remain on the land with or without vehicles, plant or machinery.</p>	Work No. U136
14/1e	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried water mains.</p> <p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried sewers.</p> <p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried communications cables and ducts.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting the</p>	<p>Work No. U146</p> <p>Work No. U146B</p> <p>Work No. U146C</p> <p>Work No. U147</p>

	installed mains, sewers, cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed mains, sewers, cables, ducts or apparatus; and to prevent access to the installed mains, sewers, cables, ducts or apparatus being made materially more difficult.	
14/1f	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried electricity cables and ducts.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting installed cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed cables, ducts or apparatus; and to prevent access to installed cables, ducts or apparatus being made materially more difficult.</p>	Work No. U146A
14/li	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried electricity cables and ducts.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting installed cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed cables, ducts or apparatus; and to prevent access to installed cables, ducts or apparatus being made materially more difficult.</p>	Work No. U146A
14/3g	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable a buried water main, together with rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting installed mains or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed main or apparatus; and to prevent access to installed mains or apparatus being made materially more difficult.</p>	Work No. U148
14/3j	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried communications cables and ducts.</p> <p>To lay, install, construct, retain, inspect, maintain, protect, retain use, enlarge, replace, renew, remove or render unusable buried sewers.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting the</p>	<p>Work No. U146C</p> <p>Work No. U147</p>

	installed cables, ducts, sewers or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed cables, ducts, sewers or apparatus ; and to prevent access to the installed cables, ducts, sewers or apparatus being made materially more difficult.	
14/3n	To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried communications cables and ducts.  Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.  To include restrictive covenants for protecting installed cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed cables, ducts or apparatus; and to prevent access to installed cables, ducts or apparatus being made materially more difficult.	Work No. U147
14/7a	To install, lay, construct, inspect, maintain, protect, retain, use, enlarge, replace, renew, cleanse, remove or render unusable a water drainage pipe and head wall together with a right to access, with or without vehicles, plant or machinery and to drain into and add to the flow of the adjacent watercourse.	Work No. 65(a)
14/8c	To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried electricity cables and ducts.  Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.  To include restrictive covenants for protecting installed cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed cables, ducts or apparatus; and to prevent access to installed cables, ducts or apparatus being made materially more difficult.  Installation and maintenance of traffic signage.	Work No. U146A Work No. 74(c)
14/18b	To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried electricity cables and ducts.  Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.  To include restrictive covenants for protecting installed cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed cables, ducts or apparatus; and to prevent access to installed cables, ducts or apparatus being made materially more difficult.	Work No. U146A
14/21b	To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried electricity cables and ducts.	Work No. U146A

	<p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting installed cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed cables, ducts or apparatus; and to prevent access to installed cables, ducts or apparatus being made materially more difficult.</p>	
15/8h	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried water mains.</p> <p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried communications cables and ducts.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting the installed mains, cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed mains, cables, ducts or apparatus; and to prevent access to the installed mains, cables, ducts or apparatus being made materially more difficult.</p>	<p>Work No. U124A Work No. U128A Work No. U156</p>
15/9a	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable a buried water main, together with rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable a drainage culvert, together with rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting installed pipes, culverts, mains or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed pipe, culvert, main or apparatus; and to prevent access to installed pipes, culverts, mains or apparatus being made materially more difficult.</p>	<p>Work No. U156 Work No.82(c) Work No.82(d)</p>
15/10a	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried electricity cables and ducts.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting installed cables, ducts or apparatus from excavation,</p>	<p>Work No. U160</p>

	<p>damage or injury; to not materially reduce the depth of soil above any installed cables, ducts or apparatus; and to prevent access to installed cables, ducts or apparatus being made materially more difficult.</p>	
15/12b	<p>To install, lay, construct, inspect, maintain, protect, retain, use, enlarge, replace, renew, cleanse, remove or render unusable drainage pipes together with a right to access, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting installed pipes or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed pipes or apparatus; and to prevent access to installed pipes or apparatus being made materially more difficult.</p>	Work No. 87(a)
15/13b	<p>To install, lay, construct, inspect, maintain, protect, retain, use, enlarge, replace, renew, cleanse, remove or render unusable drainage pipes and headwalls together with a right to access, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting installed pipes or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed pipes or apparatus; and to prevent access to installed pipes, headwall or apparatus being made materially more difficult.</p>	Work No. 87(a)
15/13d	<p>To install, lay, construct, inspect, maintain, protect, retain, use, enlarge, replace, renew, cleanse, remove or render unusable drainage pipes and headwalls together with a right to access, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting installed pipes or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed pipes or apparatus; and to prevent access to installed pipes, headwalls or apparatus being made materially more difficult.</p>	Work No. 87(a)
16/5b	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried water mains.</p> <p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried electricity cables and ducts.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting the installed mains, cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed mains, cables, ducts or apparatus; and to prevent access to the installed mains, cables, ducts or apparatus being made</p>	<p>Work No. U166A</p> <p>Work No. U167B</p>

	<p>materially more difficult.</p> <p>To install, construct, retain, inspect, maintain, protect, use, replace, renew or remove overhead electricity cables and supports, together with rights to pass and repass and to remain on the land with or without vehicles, plant or machinery.</p>	
16/5n	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried electricity cables and ducts.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting the installed mains, cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed mains, cables, ducts or apparatus; and to prevent access to the installed mains, cables, ducts or apparatus being made materially more difficult.</p> <p>To install, construct, retain, inspect, maintain, protect, use, replace, renew or remove overhead electricity cables and supports, together with rights to pass and repass and to remain on the land with or without vehicles, plant or machinery.</p>	Work No. U166A
16/5o	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried electricity cables and ducts.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting the installed mains, cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed mains, cables, ducts or apparatus; and to prevent access to the installed mains, cables, ducts or apparatus being made materially more difficult.</p> <p>To install, construct, retain, inspect, maintain, protect, use, replace, renew or remove overhead electricity cables and supports, together with rights to pass and repass and to remain on the land with or without vehicles, plant or machinery.</p>	Work No. U166A
16/5p	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried electricity cables and ducts.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting the installed mains, cables, ducts or apparatus from</p>	Work No. U166A

	<p>excavation, damage or injury; to not materially reduce the depth of soil above any installed mains, cables, ducts or apparatus; and to prevent access to the installed mains, cables, ducts or apparatus being made materially more difficult.</p> <p>To install, construct, retain, inspect, maintain, protect, use, replace, renew or remove overhead electricity cables and supports, together with rights to pass and repass and to remain on the land with or without vehicles, plant or machinery.</p>	
16/5r	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried water mains.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting the installed mains, cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed mains, cables, ducts or apparatus; and to prevent access to the installed mains, cables, ducts or apparatus being made materially more difficult.</p>	Work No. U167B
16/6b	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried electricity cables and ducts.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting installed cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed cables, ducts or apparatus; and to prevent access to installed cables, ducts or apparatus being made materially more difficult.</p> <p>To install, construct, retain, inspect, maintain, protect, use, replace, renew or remove overhead electricity cables and supports, together with rights to pass and repass and to remain on the land with or without vehicles, plant or machinery.</p>	Work No. U173
17/3f	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried electricity cables and ducts.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting the installed cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed cables, ducts or apparatus; and to prevent access to the installed cables, ducts or</p>	Work No. 68(a) Work No. 94(d)

	apparatus being made materially more difficult.	
18/1x	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried communications cables and ducts.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting installed cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed cables, ducts or apparatus; and to prevent access to installed cables, ducts or apparatus being made materially more difficult.</p>	Work No. U194
18/6c	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried electricity cables and ducts.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting installed cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed cables, ducts or apparatus; and to prevent access to installed cables, ducts or apparatus being made materially more difficult.</p> <p>To install, construct, retain, inspect, maintain, protect, use, replace, renew or remove overhead electricity cables and supports, together with rights to pass and repass and to remain on the land with or without vehicles, plant or machinery.</p>	Work No. U197
18/6f	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried electricity cables and ducts.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting installed cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed cables, ducts or apparatus; and to prevent access to installed cables, ducts or apparatus being made materially more difficult.</p> <p>To install, construct, retain, inspect, maintain, protect, use, replace, renew or remove overhead electricity cables and supports, together with rights to pass and repass and to remain on the land with or without vehicles, plant or machinery.</p>	Work No. U197
18/6g	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried electricity cables and ducts.</p>	Work No. U180



	<p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting installed cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed cables, ducts or apparatus; and to prevent access to installed cables, ducts or apparatus being made materially more difficult.</p> <p>To install, construct, retain, inspect, maintain, protect, use, replace, renew or remove overhead electricity cables and supports, together with rights to pass and repass and to remain on the land with or without vehicles, plant or machinery.</p>	
18/6h	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried communications cables and ducts.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting installed cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed cables, ducts or apparatus; and to prevent access to installed cables, ducts or apparatus being made materially more difficult.</p>	Work No. U194
18/9a	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried water mains.</p> <p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried communications cables and ducts.</p> <p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried electricity cables and ducts.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting the installed mains, cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed mains, cables, ducts or apparatus; and to prevent access to the installed mains, cables, ducts or apparatus being made materially more difficult.</p> <p>To install, construct, retain, inspect, maintain, protect, use, replace, renew or remove overhead electricity cables and supports, together with rights to pass and repass and to remain on the land with or without vehicles, plant or machinery.</p>	<p>Work No. U178</p> <p>Work No. U180</p> <p>Work No. U180A</p>

18/10a	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried electricity cables and ducts.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting installed cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed cables, ducts or apparatus; and to prevent access to installed cables, ducts or apparatus being made materially more difficult.</p> <p>To install, construct, retain, inspect, maintain, protect, use, replace, renew or remove overhead electricity cables and supports, together with rights to pass and repass and to remain on the land with or without vehicles, plant or machinery.</p>	Work No. U197
18/12a	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried electricity cables and ducts.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting installed cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed cables, ducts or apparatus; and to prevent access to installed cables, ducts or apparatus being made materially more difficult.</p> <p>To install, construct, retain, inspect, maintain, protect, use, replace, renew or remove overhead electricity cables and supports, together with rights to pass and repass and to remain on the land with or without vehicles, plant or machinery.</p>	Work No. U197
18/13a	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried electricity cables and ducts.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting installed cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed cables, ducts or apparatus; and to prevent access to installed cables, ducts or apparatus being made materially more difficult.</p> <p>To install, construct, retain, inspect, maintain, protect, use, replace, renew or remove overhead electricity cables and supports, together with rights to pass and repass and to remain on the land with or without</p>	Work No. U197

	vehicles, plant or machinery.	
19/2c	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried communications cables and ducts.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting installed cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed cables, ducts or apparatus; and to prevent access to installed cables, ducts or apparatus being made materially more difficult.</p>	Work No. U200A
19/3a	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried communications cables and ducts.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting installed cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed cables, ducts or apparatus; and to prevent access to installed cables, ducts or apparatus being made materially more difficult.</p>	Work No. U200A
19/6a	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried communications cables and ducts.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting installed cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed cables, ducts or apparatus; and to prevent access to installed cables, ducts or apparatus being made materially more difficult.</p>	Work No. U200A
19/10a	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried communications cables and ducts.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting installed cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed cables, ducts or apparatus; and to prevent access to installed cables, ducts or apparatus being made materially more difficult.</p>	Work No. U200A
19/11a	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried communications cables and ducts.</p>	Work No. U200A

	<p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting installed cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed cables, ducts or apparatus; and to prevent access to installed cables, ducts or apparatus being made materially more difficult.</p>	
19/11b	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried communications cables and ducts.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting installed cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed cables, ducts or apparatus; and to prevent access to installed cables, ducts or apparatus being made materially more difficult.</p>	Work No. U200A
19/12a	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried communications cables and ducts.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting installed cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed cables, ducts or apparatus; and to prevent access to installed cables, ducts or apparatus being made materially more difficult.</p>	Work No. U200A
19/12b	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried communications cables and ducts.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting installed cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed cables, ducts or apparatus; and to prevent access to installed cables, ducts or apparatus being made materially more difficult.</p>	Work No. U200A
19/12c	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried communications cables and ducts.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p>	Work No. U200A

	To include restrictive covenants for protecting installed cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed cables, ducts or apparatus; and to prevent access to installed cables, ducts or apparatus being made materially more difficult.	
19/13a	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried water mains.</p> <p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried electricity cables and ducts.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting the installed mains, cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed mains, cables, ducts or apparatus; and to prevent access to the installed mains, cables, ducts or apparatus being made materially more difficult.</p>	<p>Work No. U198 Work No. U199 Work No. U200</p>
19/23a	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried water mains.</p> <p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried electricity cables and ducts.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting the installed mains, cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed mains, cables, ducts or apparatus; and to prevent access to the installed mains, cables, ducts or apparatus being made materially more difficult.</p>	<p>Work No. U198 Work No. U199 Work No. U200</p>
21/5a	<p>To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried electricity cables and ducts.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting the installed cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed cables, ducts or apparatus; and to prevent access to the installed cables, ducts or apparatus being made materially more difficult.</p>	<p>Work No.45(a) Work No.45(b) Work No.74(a)</p>
21/5b	To lay, install, construct, retain, inspect, maintain,	Work No.45(a)

	<p>protect, use, enlarge, replace, renew, remove or render unusable buried electricity cables and ducts.</p> <p>Rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery.</p> <p>To include restrictive covenants for protecting the installed cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed cables, ducts or apparatus; and to prevent access to the installed cables, ducts or apparatus being made materially more difficult.</p>	<p>Work No.45(b) Work No.74(a)</p>
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## SCHEDULE 6

Article 30

### MODIFICATION OF COMPENSATION AND COMPULSORY PURCHASE ENACTMENTS FOR CREATION OF NEW RIGHTS AND IMPOSITION OF RESTRICTIVE COVENANTS

#### Compensation enactments

**1.** The enactments for the time being in force with respect to compensation for the compulsory purchase of land apply, with the necessary modifications as respects compensation, in the case of a compulsory acquisition under this Order of a right by the creation of a new right or imposition of a restrictive covenant as they apply in respect of compensation on the compulsory purchase of land and interests in land.

**2.—(1)** Without limitation on the scope of paragraph 1, the 1961 Act has effect subject to the modification set out in sub-paragraph (2).

(2) For section 5(1) (5A) (relevant valuation date) of the 1961 Act substitute—

“(5A) If—

- (a) the acquiring authority enters on land for the purposes of exercising a right in pursuance of a notice of entry under section 11(1) of the 1965 Act (as modified by paragraph 5(5) of Schedule 6 (Modification of compensation and compulsory purchase enactments for creation of new rights and imposition of restrictive covenants) to the A12 Chelmsford to A120 Widening Development Consent Order 202[X] (“the A12 Chelmsford to A120 Widening Order”));
- (b) the acquiring authority is subsequently required by a determination under paragraph 12 of Schedule 2A to the 1965 Act (as substituted by paragraph 5(8) of Schedule 6 to the A12 Chelmsford to A120 Widening Order 202[X]) to acquire an interest in the land; and
- (c) the acquiring authority enter on and take possession of that land,

the authority is deemed for the purposes of subsection (3)(a) to have entered on that land when it entered on that land for the purpose of exercising that right.”

**3.—(1)** Without limitation on the scope of paragraph 1, the Land Compensation Act 1973(a) has effect subject to the modifications set out in sub-paragraph (2).

(2) In section 44(1) (compensation for injurious affection), as it applies to compensation for injurious affection under section 7 (measure of compensation in case of severance) of the 1965 Act as substituted by paragraph 5(3)—

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(a) 1973 (c. 26).

- (a) for “land is acquired or taken from” substitute “a right or restrictive covenant over land is purchased from or imposed on”; and
- (b) for “acquired or taken from him” substitute “over which the right is exercisable or the restrictive covenant enforceable”.

### **Application of Part 1 of the 1965 Act**

**4.** Part 1 (compulsory purchase under Acquisition of Land Act 1946) of the 1965 Act, as applied by section 125 (application of compulsory acquisition provisions) of the 2008 Act (and modified by article 36 (modification of Part 1 of the 1965 Act)) to the acquisition of land under article 27 (compulsory acquisition of land), applies to the compulsory acquisition of a right by the creation of a new right, or to the imposition of a restrictive covenant under article 30(1) (compulsory acquisition of rights and imposition of restrictive covenants)—

- (a) with the modifications specified in paragraph 5; and
- (b) with such other modifications as may be necessary.

**5.—**(1) The modifications referred to in paragraph 4(a) are as follows.

(2) References in the 1965 Act to land are, in the appropriate contexts, to be read (according to the requirements of the particular context) as referring to, or as including references to—

- (a) the right acquired or to be acquired, or the restrictive covenant imposed or to be imposed; or
- (b) the land over which the right is or is to be exercisable, or the restriction is or is to be enforceable.

(3) For Section 7 (measure of compensation in case of severance) of the 1965 Act substitute—

“**7.** In assessing the compensation to be paid by the acquiring authority under this Act, regard must be had not only to the extent (if any) to which the value of the land over which the right is to be acquired or the restrictive covenant is to be imposed is depreciated by the acquisition of the right or the imposition of the restrictive covenant but also to the damage (if any) to be sustained by the owner of the land by reason of its severance from other land of the owner, or injuriously affecting that other land by the exercise of the powers conferred by this or the Special Act”.

(4) The following provisions of the 1965 Act which state the effect of a deed poll executed in various circumstances where there is no conveyance by persons with interests in the land), that is to say—

- (a) section 9(4) (failure by owners to convey);
- (b) paragraph 10(3) of Schedule 1 (owners under incapacity);
- (c) paragraph 2(3) of Schedule 2 (absent and untraced owners); and
- (d) paragraphs 2(3) and 7(2) of Schedule 4 (common land),

are modified so as to secure that, as against persons with interests in the land which are expressed to be overridden by the deed, the right which is to be compulsorily acquired or the restrictive covenant which is to be imposed is vested absolutely in the acquiring authority.

(5) Section 11(a) (powers of entry) of the 1965 Act is modified so as to secure that, where the acquiring authority has served notice to treat in respect of any right or restrictive covenant, as well as the notice of entry required by subsection (1) of that section (as it applies to a compulsory acquisition under article 27 (compulsory acquisition of land)), it has power, exercisable in equivalent circumstances and subject to equivalent conditions, to enter for the purpose of

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(a) Section 11 was amended by section 34(1) of, and Schedule 4 to, the Acquisition of Land Act 1981 (c. 67), section 3 of, and part 1 of Schedule 1 to, the Housing (Consequential Provisions) Act 1985 (c. 71), section 14 of, and paragraph 12(1) of Schedule 5 to, the Church of England (Miscellaneous Provisions) Measure 2006 (No. 1), Section 103 of the Planning and Compulsory Purchase Act 2004 c. 5 and S.I. 2009/1307.

exercising that right or enforcing that restrictive covenant; and sections 11A(a) (powers of entry: further notices of entry), 11B(b) (counter-notice requiring possession to be taken on specified date), 12(c) (unauthorised entry) and 13(d) (refusal to give possession to acquiring authority) of the 1965 Act are modified correspondingly.

(6) Section 20(e) (tenants at will, etc.) of the 1965 Act applies with the modifications necessary to secure that persons with such interests in land as are mentioned in that section are compensated in a manner corresponding to that in which they would be compensated on a compulsory acquisition under this Order of that land, but taking into account only the extent (if any) of such interference with such an interest as is actually caused, or likely to be caused, by the exercise of the right or the enforcement of the restrictive covenant in question.

(7) Section 22 (interests omitted from purchase) of the 1965 Act as modified by article 36(4) (modification of Part 1 of the 1965 Act) is also modified so as to enable the acquiring authority in circumstances corresponding to those referred to in that section, to continue to be entitled to exercise the right acquired, subject to compliance with that section as respects compensation.

(8) For Schedule 2A of the 1965 Act substitute—

## “SCHEDULE 2A COUNTER-NOTICE REQUIRING PURCHASE OF LAND NOT IN NOTICE TO TREAT

### **Introduction**

**1.**—(1) This Schedule applies where an undertaker serves a notice to treat in respect of a right over, or a restrictive covenant affecting, the whole or part of a house, building or factory and has not executed a general vesting declaration under section 4 of the Compulsory Purchase (Vesting Declarations) Act 1981 as applied by article 37(5) (application of the 1981 Act) of the A12 Chelmsford to A120 Widening Development Consent Order 202[X] in respect of the land to which the notice to treat relates.

(2) But see article 38(3) (acquisition of subsoil or airspace only) of the A12 Chelmsford to A120 Widening Development Consent Order 202[X] which excludes the acquisition of subsoil or airspace only from this Schedule.

**2.** In this Schedule, “house” includes any park or garden belonging to a house.

### **Counter-notice requiring purchase of land**

**3.** A person who is able to sell the house, building or factory (“the owner”) may serve a counter-notice requiring the acquiring authority to purchase the owner’s interest in the house, building or factory.

**4.** A counter-notice under paragraph 3 must be served within the period of 28 days beginning with the day on which the notice to treat was served.

### **Response to counter-notice**

**5.** On receiving a counter-notice, the acquiring authority must decide whether to—

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- (a) Section 11A was inserted by section 186(3) of the Housing and Planning Act 2016 (c. 22).
  - (b) Section 11B was inserted by section 187(2) of the Housing and Planning Act 2016 (c. 22).
  - (c) Section 12 was amended by section 56(2) of, and part 1 of Schedule 9 to, the Courts Act 1971 (c. 23).
  - (d) Section 13 was amended by sections 62(3), 139(4) to (9) and 146 of, and paragraphs 27 and 28 of Schedule 13 and part 3 of Schedule 23 to, the Tribunals, Courts and Enforcement Act 2007 (c. 15).
  - (e) Section 20 was amended by paragraph 4 of Schedule 15 to the Planning and Compensation Act 1991 (c. 34) and S.I. 2009/1307.



- (a) withdraw the notice to treat,
- (b) accept the counter-notice, or
- (c) refer the counter-notice to the Upper Tribunal.

**6.** The acquiring authority must serve notice of their decision on the owner within the period of 3 months beginning with the day on which the counter-notice is served (“the decision period”).

**7.** If the acquiring authority decides to refer the counter-notice to the Upper Tribunal it must do so within the decision period.

**8.** If the acquiring authority does not serve notice of a decision within the decision period it is to be treated as if it had served notice of a decision to withdraw the notice to treat at the end of that period.

**9.** If the acquiring authority serves notice of a decision to accept the counter-notice, the compulsory purchase order and the notice to treat are to have effect as if they are included the owner’s interest in the house, building or factory.

### **Determination by the upper Tribunal**

**10.** On a referral under paragraph 7, the Upper Tribunal must determine whether the acquisition of the right or the imposition of the restrictive covenant would—

- (a) in the case of a house, building or factory, cause material detriment to the house, building or factory, or
- (b) in the case of a park or garden, seriously affect the amenity or convenience of the house to which the park or garden belongs.

**11.** In making the determination, the Upper Tribunal must take into account—

- (a) the effect of the acquisition of the right or the imposition of the covenant,
- (b) the use to be made of the right or covenant proposed to be acquired or imposed, and
- (c) if the right or covenant is proposed to be acquired or imposed for works or other purposes extending to other land, the effect of the whole of the works and the use of the other land.

**12.** If the Upper Tribunal determines that the acquisition of the right or the imposition of the covenant would have either of the consequences described in paragraph 10, it must determine how much of the house, building or factory the acquiring authority ought to be required to take.

**13.** If the Upper Tribunal determines that the acquiring authority ought to be required to take some or all of the house, building or factory, the compulsory purchase order and the notice to treat are to have effect as if they included the owner’s interest in that land.

**14.—**(1) If the Upper Tribunal determines that the acquiring authority ought to be required to take some or all of the house, building or factory, the acquiring authority may at any time within the period of 6 weeks beginning with the day on which the Upper Tribunal makes its determination withdraw the notice to treat in relation to that land.

(2) If the acquiring authority withdraws the notice to treat under this paragraph it must pay the person on whom the notice was served compensation for any loss or expense caused by the giving and withdrawing of the notice.

**15.** Any dispute as to the compensation is to be determined by the Upper Tribunal.”

SCHEDULE 7

Article 40

LAND OF WHICH TEMPORARY POSSESSION MAY BE TAKEN

<i>(1)</i> <i>Plot reference number shown on land plans</i>	<i>(2)</i> <i>Purpose for which temporary possession may be taken</i>	<i>(3)</i> <i>Relevant part of the authorised development</i>
1/5a	Construction material storage, construction access, laydown areas, welfare facilities, working area and storage of plant.	Work No. 1(i) All works
1/10f	Access for utility diversion works.	Work No. U2
1/10g	Access for utility diversion works.	Work No. U2
1/11e	Temporary haul road Access and working area for construction of temporary soil storage bunds. Soil storage area during construction works. Access and working area for repositioning private irrigation pipe	Work No. U1A Work No. T1 All works in respect of bunds, storage and haul road
1/12c	Access and working area for utility diversion works.	Work No. U2
1/13f	Access and working area for utility diversion works.	Work No. U2A Work No. 1(a)
1/16a	Access and working area for utility diversion works.	Work No. U2
2/1d	Improvements to existing highway and installation of signage and associated works.	All works
2/2a	Construction material storage, construction access, laydown areas, welfare facilities, working area and storage of plant. Temporary traffic management.	All works
2/2i	Access and working area for utility diversion works.	Work No. U21 Work No. U22
2/2j	Access and working area for utility diversion works.	Work No. U21 Work No. U22
2/7b	Access and working area for utility diversion works.	Work No. U21 Work No. U22
2/10a	Access and working area for utility diversion works.	Work No. U21 Work No. U22
2/12i	Compound and traffic management and recovery yard.	Work No. T6 All works
2/15b	Temporary haul road. Temporary storage, laydown areas, access and working space to facilitate the construction of Work No. 5.	Work No. T5 Work No. 5
2/15f	Temporary haul road. Temporary storage, laydown areas, access and working space to facilitate the construction of Work No. 5.	Work No. T5 Work No. 5

<i>(1)</i> <i>Plot reference number shown on land plans</i>	<i>(2)</i> <i>Purpose for which temporary possession may be taken</i>	<i>(3)</i> <i>Relevant part of the authorised development</i>
2/15g	Temporary haul road. Temporary storage, laydown areas, access and working space to facilitate the construction of Work No. 5.	Work No. T5 Work No. 5
2/17b	Construction material storage, construction access, laydown areas, welfare facilities, working area and storage of plant.	Work No. 1(c) Work No. 5 All works
2/17h	Construction material storage, construction access, laydown areas, welfare facilities, working area and storage of plant.	Work No. 1(a) Work No. 1(c) Work No. 5 All works
2/17k	Construction material storage, construction access, laydown areas, welfare facilities, working area and storage of plant.	Work No. 1(a) Work No. 1(c) All works
2/17n	Construction material storage, construction access, laydown areas, welfare facilities, working area and storage of plant.	Work No. 1(a) Work No. 1(c)
2/17o	Construction material storage, construction access, laydown areas, welfare facilities, working area and storage of plant.	Work No. 1(c) All works
2/18a	Construction material storage, construction access, laydown areas, welfare facilities, working area and storage of plant.	Work No. 1(a) Work No. 1(c) Work No. 2(b) All works
2/18c	Construction material storage, construction access, laydown areas, welfare facilities, working area and storage of plant.	Work No. 1(a) Work No. 1(c) All works
3/1a	Temporary traffic management. Improvements to existing highway and installation of signage and associated works.	All works
3/1b	Construction material storage, construction access, laydown areas, welfare facilities, working area and storage of plant. Improvements to existing highway and installation of signage and associated works.	All works
3/1c	Temporary traffic management. Improvements to existing highway and installation of signage and associated works.	All works
3/2a	Construction material storage, construction access, laydown areas, welfare facilities, working area and storage of plant. Improvements to existing highway and installation of signage and associated works.	All works
3/3a	Temporary traffic management. Improvements to existing highway and installation of signage and associated works.	All works

<i>(1)</i> <i>Plot reference number shown on land plans</i>	<i>(2)</i> <i>Purpose for which temporary possession may be taken</i>	<i>(3)</i> <i>Relevant part of the authorised development</i>
3/3b	Construction material storage, construction access, laydown areas, welfare facilities, working area and storage of plant. Improvements to existing highway and installation of signage and associated works.	All works
3/3c	Construction material storage, construction access, laydown areas, welfare facilities, working area and storage of plant. Improvements to existing highway and installation of signage and associated works.	All works
3/3d	Temporary traffic management. Improvements to existing highway and installation of signage and associated works.	All works
3/3e	Temporary traffic management. Improvements to existing highway and installation of signage and associated works.	All works
3/3f	Temporary traffic management. Improvements to existing highway and installation of signage and associated works.	All works
3/4a	Construction material storage, construction access, laydown areas, welfare facilities, working area and storage of plant. Improvements to existing highway and installation of signage and associated works.	All works
3/5a	Improvements to existing highway and installation of signage and associated works. Access and working area for utility diversion works.	Work No. U21 Work No. U22 All works
3/5b	Construction material storage, construction access, laydown areas, welfare facilities, working area and storage of plant. Improvements to existing highway and installation of signage and associated works.	All works
3/7a	Construction material storage, construction access, laydown areas, welfare facilities, working area and storage of plant. Improvements to existing highway and installation of signage and associated works.	All works
4/1a	Temporary traffic management. Improvements to existing highway and installation of signage and associated works.	All works
4/1b	Temporary traffic management. Improvements to existing highway and installation of signage and associated works.	All works

<i>(1)</i> <i>Plot reference number shown on land plans</i>	<i>(2)</i> <i>Purpose for which temporary possession may be taken</i>	<i>(3)</i> <i>Relevant part of the authorised development</i>
4/1c	Improvements to existing highway and installation of signage and associated works.	Work No. 12
4/1d	Temporary traffic management. Improvements to existing highway and installation of signage and associated works.	Work No. 12
4/2a	Access and working area for utility diversion works.	Work No. U22
4/2b	Access and working area for utility diversion works.	Work No. U22
4/3a	Temporary traffic management. Improvements to existing highway and installation of signage and associated works.	Work No. 12
4/3b	Access and working area for utility diversion works.	Work No. U22
4/3c	Temporary traffic management. Improvements to existing highway and installation of signage and associated works.	All works
4/4a	Access and working area. Improvements to existing highway and installation of signage and associated works.	Work No. 9 Work No. 10 Work No. 12 Work No. 18(b)
4/5a	Improvements to existing highway and installation of signage and associated works. Access and working area for utility diversion works.	Work No. U21 Work No. U22 Work No. 12
4/5b	Ecology Mitigation. Access and working area. Improvements to existing highway and installation of signage and associated works.	Work No. 9 Work No. 10 Work No. 12 Work No. 18(b)
4/9b	Access and working area. Ecology Mitigation.	Work No. 9 Work No. 10 Work No. 18(b)
5/2b	Access and working area for utility diversion works.	Work No. U22 Work No. U22A Work No. U35
5/2c	Access and working area for utility diversion works.	Work No. U22 Work No. U22A Work No. U35
5/2f	Access and working area for utility diversion works.	Work No. U22 Work No. U27 Work No. U28 Work No. U35 Work No. U36

<i>(1)</i> <i>Plot reference number shown on land plans</i>	<i>(2)</i> <i>Purpose for which temporary possession may be taken</i>	<i>(3)</i> <i>Relevant part of the authorised development</i>
5/2h	Access and working area for utility diversion works	Work No. U22 Work No. U27 Work No. U28 Work No. U35 Work No. U36
5/2j	To maintain access to properties (Moorings) during demolition and construction of Bury Lane bridge structure. Access and working area for utility diversion works.	Work No. 9 Work No. U27 Work No. U28 Work No. U29 Work No. U36
5/2k	Access and working area for utility diversion works.	Work No. U22 Work No. U35
5/2l	Access and working area for utility diversion works.	Work No. U22 Work No. U35
5/2m	Access and working area for utility diversion works.	Work No. U22 Work No. U35
5/2n	Access and working area for utility diversion works.	Work No. U22 Work No. U35
5/2o	Access and working area for utility diversion works.	Work No. U22 Work No. U30 Work No. U31 Work No. U33 Work No. U35
5/2r	Access and working area for utility diversion works.	Work No. U22 Work No. U35
5/2s	Access and working area for utility diversion works.	Work No. U22 Work No. U35
5/2t	Access and working area for utility diversion works.	Work No. U22 Work No. U35 Work No. U37
5/6a	Access and working area for utility diversion works. Temporary access to property.	Work No. 9 Work No. 10 Work No. U22 Work No. U22A Work No. U23 Work No. U24 Work No. U26 Work No. U27 Work No. U28 Work No. U29 Work No. U35 Work No. U36 Work No. T10

<i>(1)</i> <i>Plot reference number shown on land plans</i>	<i>(2)</i> <i>Purpose for which temporary possession may be taken</i>	<i>(3)</i> <i>Relevant part of the authorised development</i>
		Work No. T12
5/6c	Access and working area for utility diversion works.	Work No. U22 Work No. U30 Work No. U31 Work No. U33 Work No. U35 Work No. T9
5/6d	Access to temporary car park. Access for bus shuttle service. To maintain access to properties adjoining Station Road. Access and working area for utility diversion works.	Work No. 10 Work No. T9
5/6e	Installation of traffic signs Access and working area.	Work No. 18(a)
5/12f	Access to temporary car park. Access for bus shuttle service.	Work No. 9 Work No. 10
5/12g	Access to properties adjoining Station Road. Access to temporary car park. Access for bus shuttle service.	Work No. T13 Work No. 9 Work No. 10
5/12i	Laydown areas, storage, access and working space.	Work No. 8(b) Work No. 9
5/16a	Construction compound including material storage, laydown areas, temporary buildings, welfare facilities storage of plant and construction access. Access and working area for utility diversion works.	Work No. U23 Work No. U25 Work No. 12(a) All Works
5/20a	Temporary road. Access and diversion route for properties to the north of the A12 in Hatfield Peverel	Work No. T8 Work No. 9 Work No. 10

<i>(1)</i> <i>Plot reference number shown on land plans</i>	<i>(2)</i> <i>Purpose for which temporary possession may be taken</i>	<i>(3)</i> <i>Relevant part of the authorised development</i>
5/21a	Construction compound including material storage, laydown areas, temporary buildings, welfare facilities storage of plant and construction access. Temporary access to adjoining land. Working area for the construction of retaining structure works.	Work No. 9 All Works
5/25a	Temporary access to adjoining land.	Work No. T10 Work No. 9
5/27a	Access and working area to construct temporary footbridge. Temporary path. Access and working area for utility diversion works.	Work No. T9 Work No. 10 Work No. U30 Work No. U31 Work No. U33
5/27b	Access and working area to construct temporary footbridge. Temporary path. Access and working area for utility diversion works.	Work No. T11 Work No. 10
5/28a	Access and working area to construct temporary footbridge. Temporary path. Access and working area for utility diversion works.	Work No. U22A Work No. U30 Work No. U31 Work No. U33 Work No. T9 Work No. T11
5/29a	Access and working area to construct temporary footbridge. Temporary path. Access and working area for utility diversion works.	Work No. U22 Work No. U22A Work No. U30 Work No. U31 Work No. U33 Work No. T9
5/30a	Access and working area for construction of retaining structures on adjoining land.	Work No. 10
5/34a	Temporary access to adjoining land. Access and working area for construction of retaining structures on adjoining land.	Work No. T12 Work No. 10
5/35a	Temporary car park. Access to temporary car park. Access for bus shuttle service.	Work No. T13 Work No. 9 Work No. 10 Work No. 18
5/35d	Temporary car park.	Work No. T13 Work No. 9 Work No. 10 Work No. 18



<i>(1)</i> <i>Plot reference number shown on land plans</i>	<i>(2)</i> <i>Purpose for which temporary possession may be taken</i>	<i>(3)</i> <i>Relevant part of the authorised development</i>
5/36b	Temporary access. Access and working area for construction of temporary soil storage bunds and soil storage area. Temporary construction area for off-line construction of Hatfield Peverel bridge superstructures.	Work No. T7 Work No. 9 Work No. 10 Work No. 18(b) All works in respect of bunds
5/38a	Construction compound including material storage, laydown areas, temporary buildings, welfare facilities, storage of plant and construction access.	Work No. 10 Work No. 12(a) All works
5/38b	Access and working area for construction of retaining structures on adjoining land.	Work No. 10
6/11a	Temporary car park. Temporary roads. Temporary path and footway diversion routes. Construction compound including material storage, laydown areas, temporary buildings, welfare facilities, storage of plant and construction access. Access and working area for construction of temporary soil storage bunds and soil storage area during construction works.	Work No. T13 Work No. T14 Work No. 18 All works
6/12a	Temporary roads. Temporary path and footway diversion routes. Construction compound including material storage, laydown areas, temporary buildings, welfare facilities, storage of plant and construction access. Construction of temporary soil storage bunds and soil storage area during construction works. Access and working area for repositioning private irrigation pipe.	Work No. U41A Work No. T13 Work No. T14 Work No. T16 All works.
6/12e	Temporary works and associated with the excavation of a borrow pit including, access routes, temporary diversion of private rights of way, water management, soil storage and material processing. Maintenance of access to adjoining land.	Work No. T17 Work No. 17 All works
6/12f	Temporary roads. Temporary path and footway diversion routes. Construction compound including material storage, laydown areas, temporary buildings, welfare facilities, storage of plant and construction access. Construction of temporary soil storage bunds and soil storage area during construction works.	Work No. T14 Work No. T18 All works

<i>(1)</i> <i>Plot reference number shown on land plans</i>	<i>(2)</i> <i>Purpose for which temporary possession may be taken</i>	<i>(3)</i> <i>Relevant part of the authorised development</i>
6/12h	Temporary roads. Temporary path and footway diversion routes. Construction compound including material storage, laydown areas, temporary buildings, welfare facilities, storage of plant and construction access. Construction of temporary soil storage bunds and soil storage area during construction works.	Work No. T14 Work No. T16 All works
6/15a	Temporary roads. Temporary path and footway diversion routes.	Work No. T14 All works
6/15d	Temporary roads. Temporary path and footway diversion routes.	Work No. T14 All works
6/18b	Temporary roads. Construction of temporary soil storage bunds and soil storage area during construction works.	Work No. T15 Work No. 23(a)
6/18d	Access and working area for construction of drainage infrastructure. Access and working area for construction of a maintenance access track to drainage infrastructure.	Work No. 23(a) Work No. 23(b)
6/18f	Construction compound including material storage, laydown areas, temporary buildings, welfare facilities, temporary pond, storage of plant and construction access.	Work No. 12(b) Work No. 18(a) All works
6/20c	Construction compound including material storage, laydown areas, temporary buildings, welfare facilities, storage of plant and construction access. Haul road and construction access. Access and working area for construction of temporary soil storage bunds and soil storage area during construction works.	Work No. T20 All works
7/4b	Access and working area.	Work No. 25 Work No. 29(a) Work No. 29(b)
7/4c	Access and working area for utility diversion works.	Work No. U44 Work No. U56
7/8a	Access and working area for utility diversion works.	Work No. U44 Work No. U56
7/8b	Access and working area for utility diversion works.	Work No. U44 Work No. U54 Work No. U56
7/8c	Access and working area for utility diversion works.	Work No. U44 Work No. U56

<i>(1)</i> <i>Plot reference number shown on land plans</i>	<i>(2)</i> <i>Purpose for which temporary possession may be taken</i>	<i>(3)</i> <i>Relevant part of the authorised development</i>
7/10b	Haul road and construction access. Temporary works and associated with the excavation of a borrow pit including, access routes, temporary diversion of private rights of way, water management, soil storage and material processing. Access and working area for construction of temporary soil storage bunds and soil storage area during construction works.	Work No. T20 Work No. T21 All works
7/10g	Construction compound including material storage, laydown areas, temporary buildings, welfare facilities, storage of plant and construction access. Haul road and construction access.	Work No. T23 All works
7/10h	Access and working area for works on adjoining land.	Work No. 25 Work No. 29(a) Work No. 29(b)
7/10l	Haul road and construction access.	Work No. T23 All works
7/12a	Access and working area for utility diversion works.	Work No. U44 Work No. U54 Work No. U56
7/13a	Construction material storage, construction access, laydown areas, welfare facilities, working area and storage of plant. Access and working area for construction of drainage infrastructure. Access and working area for the construction of a retaining structure.	Work No. 12(c) All works
7/16a	Construction material storage, construction access, laydown areas, welfare facilities, working area and storage of plant. Access and working area for utility diversion works. Access and working area for the construction of a retaining structure.	Work No. U54 Work No. U56 Work No. 12(c) All works
7/16b	Temporary traffic management and recovery area.	Work No. T22 All works
7/16c	Temporary traffic management and recovery area.	Work No. T22 All works
7/16g	Construction material storage, construction access, laydown areas, welfare facilities, working area and storage of plant. Access and working area for utility diversion works. Access and working area for construction of drainage infrastructure.	Work No. U54 Work No. U56 Work No. 12(c) All works

<i>(1)</i> <i>Plot reference number shown on land plans</i>	<i>(2)</i> <i>Purpose for which temporary possession may be taken</i>	<i>(3)</i> <i>Relevant part of the authorised development</i>
7/17a	Construction material storage, construction access, laydown areas, welfare facilities, working area and storage of plant. Access and working area for utility diversion works. Access and working area for construction of drainage infrastructure.	Work No. U54 Work No. U56 Work No. 12(c) All works
7/17b	Temporary traffic management and recovery area.	Work No. T22 All works
7/17c	Access and working area for utility diversion works.	Work No. U44 Work No. U56 Work No. 27
7/18a	Access and working area for utility diversion works.	Work No. U44 Work No. U56
7/19b	Temporary traffic management and recovery area	Work No. T22 All works
7/19c	Construction material storage, construction access, laydown areas, welfare facilities, working area and storage of plant.	Work No. 12(c) All works
7/19d	Temporary haul road. Access for construction of northern abutment, northern ramps and approach for Gershwin Boulevard Bridge.	Work No. T24 Work No. 27
7/21a	Ecology Mitigation	All works
7/21d	Temporary haul road.	Work No. T23 All works
8/11	Access and working area for construction of drainage infrastructure. Access and working area for construction of a retaining structure.	Work No. 12(c)
8/1o	Construction material storage, construction access, laydown areas, welfare facilities, working area and storage of plant. Temporary haul road.	Work No. T23 Work No. 12(c) All works
8/2a	Access, storage and working area for the construction of a retaining structure. Access and working area for utility diversion works.	Work No. U60 Work No. U61 Work No. U62 Work No. 24

<i>(1)</i> <i>Plot reference number shown on land plans</i>	<i>(2)</i> <i>Purpose for which temporary possession may be taken</i>	<i>(3)</i> <i>Relevant part of the authorised development</i>
8/2d	Access, storage and working area for the construction of a retaining structure. Access and working area for utility diversion works. Temporary haul road.	Work No. U22A Work No. U49 Work No. U51 Work No. U60 Work No. U62 Work No. U64 Work No. U71 Work No. T23 All works
8/7a	Access and working area for utility diversion works.	Work No. U44 Work No. U56
8/8a	Access and working area for utility diversion works.	Work No. U44 Work No. U56
8/9a	Access and working area for utility diversion works.	Work No. U44 Work No. U56
8/9b	Access and working area for utility diversion works.	Work No. U44 Work No. U56
8/10a	Access and working area for utility diversion works.	Work No. U44 Work No. U56
8/10b	Access and working area for utility diversion works.	Work No. U44 Work No. U56
8/10c	Access and working area for utility diversion works.	Work No. U44 Work No. U56
8/11a	Temporary haul road. Access for construction of northern abutment, approaches and northern ramps for Gershwin Boulevard Bridge. Temporary storage, laydown areas, access and working space to facilitate the construction of Gershwin Boulevard Bridge.	Work No. T24 Work No. 27
8/11c	Temporary haul road. Access for construction of northern abutment, approaches and northern ramps for Gershwin Boulevard Bridge. Temporary storage, laydown areas, access and working space to facilitate the construction of Gershwin Boulevard Bridge.	Work No. T24 Work No. 12 Work No. 27
8/11v	Temporary haul road and bridge over the River Brain. Access and working area for construction activities at Brain Bridge structure. Temporary storage, laydown areas, access and working space.	Work No. T25 Work No. 24(e) All works

<i>(1)</i> <i>Plot reference number shown on land plans</i>	<i>(2)</i> <i>Purpose for which temporary possession may be taken</i>	<i>(3)</i> <i>Relevant part of the authorised development</i>
8/11aj	Temporary haul road.	Work No. T24 Work No. 27
8/11am	Access for construction of northern abutment, approaches and northern ramps for Gershwin Boulevard Bridge. Temporary storage, laydown areas, access and working area to facilitate the construction of Gershwin Boulevard Bridge.	Work No. 12(c) Work No. 27
8/12a	Access and working area for utility diversion works.	Work No. U59
8/12b	Temporary haul road. Access for construction of northern abutment approaches and northern ramps for Gershwin Boulevard Bridge.	Work No.27 Work No. T24
8/13a	Access for construction of northern abutment approaches and northern ramps for Gershwin Boulevard Bridge. Temporary haul road.	Work No. 27 Work No. T24
8/13c	Access, storage and working area for the construction of a retaining structure. Access and working area for construction activities at Brain Bridge structure. Temporary haul road including temporary bridge over the River Brain.	Work No. 12(c) Work No. 24(e) Work No. T25
8/15a	Access and working area for utility diversion works.	Work No. U44 Work No. U56
8/16a	Access and working area for utility diversion works.	Work No. U44 Work No. U56
8/19d	Construction material storage, construction access, laydown areas, welfare facilities, working area and storage of plant. Temporary haul road.	Work No. T23 Work No. 12(c) All works
8/21a	Access and working area for utility diversion works.	Work No. U60 Work No. U61 Work No. U62
8/21c	Access and working area for utility diversion works.	Work No. U44 Work No. U56

<i>(1)</i> <i>Plot reference number shown on land plans</i>	<i>(2)</i> <i>Purpose for which temporary possession may be taken</i>	<i>(3)</i> <i>Relevant part of the authorised development</i>
8/21d	Access, storage and working area for the construction of a retaining structure. Access and working area for utility diversion works. Temporary haul road. Temporary path and footway diversion routes.	Work No. U22A Work No. U49 Work No. U51 Work No. U60 Work No. U62 Work No. U64 Work No. U71 Work No. T23 All works
8/23c	Temporary haul road. Access, storage and working area for the construction of a retaining structure. Temporary storage, laydown areas, access and working space to facilitate the construction of Oliver's Bridge.	Work No. T23 Work No. 12(c) Work No. 24(c) All works
8/25d	Access and working area for utility diversion works.	Work No. U44 Work No. U56
8/28a	Access and working area for utility diversion works.	Work No. U44 Work No. U56
8/29a	Access, storage and working area for the construction of a retaining structure. Access storage and working area for construction activities at Brain Bridge structure. Temporary haul road including a temporary bridge over the River Brain.	Work No. 12(c) Work No. 24(e) Work No. T25 All works
8/30a	Temporary haul road including a temporary bridge over the River Brain. Access, storage and working area for the construction of a retaining structure. Access, storage and working area for the reconstruction of Brain Bridge.	Work No. T25 Work No. 12(c) Work No. 24(e)
8/30b	Access, storage and working area for the construction of a retaining structure.	Work No. 12(c)
8/31b	Access, storage and working area for the construction of a retaining structure.	Work No. 12(c)
8/41d	Construction material storage, construction access, laydown areas, welfare facilities, working area and storage of plant. Temporary haul road.	Work No. T23 Work No. 12(c) All works
8/42a	Access, storage and working area for the construction of a retaining structure. Temporary storage, laydown areas, access and working space to facilitate the construction of Oliver's Bridge.	Work No. 12(c) Work No. 24(c)

<i>(1) Plot reference number shown on land plans</i>	<i>(2) Purpose for which temporary possession may be taken</i>	<i>(3) Relevant part of the authorised development</i>
8/47i	Temporary haul road and bridge over the River Brain. Access and working area for construction activities at Brain Bridge structure. Temporary storage, laydown areas, access and working space. Access, storage and working area for the construction of a retaining structure.	Work No. T25 Work No. 24(e) All works
8/68a	Access and working area for construction of drainage infrastructure. Access, storage and working area for the construction of a retaining structure.	Work No. 12(c)
8/68b	Access and working area for construction of drainage infrastructure. Access, storage and working area for the construction of a retaining structure.	Work No. 12(c)
8/68d	Access and working area for construction of drainage infrastructure. Access, storage and working area for the construction of a retaining structure. Access and working area for utility diversion works.	Work No. U60 Work No. U61 Work No. U62
9/4a	Access and working area for utility diversion works.	Work No. U44 Work No. U56
9/5a	Access and working area for utility diversion works.	Work No. U44 Work No. U56
9/6a	Access and working area for utility diversion works.	Work No. U44 Work No. U56
9/6b	Access and working area for utility diversion works.	Work No. U44 Work No. U56
9/6c	Access and working area for utility diversion works.	Work No. U44 Work No. U56
9/7a	Access and working area for utility diversion works.	Work No. U44 Work No. U56
9/8b	Access and working area for utility diversion works.	Work No. U44 Work No. U56
9/8d	Access and working area for utility diversion works.	Work No. U44 Work No. U56
9/13c	Temporary haul road.	Work No. T26 All works



<i>(1)</i> <i>Plot reference number shown on land plans</i>	<i>(2)</i> <i>Purpose for which temporary possession may be taken</i>	<i>(3)</i> <i>Relevant part of the authorised development</i>
10/5a	Access and working area for utility diversion works.	Work No. U22A Work No. U44 Work No. U49 Work No. U56 Work No. U76 Work No. U77
10/8c	Construction material storage, construction access, laydown areas, welfare facilities, working area and storage of plant. Access and working area for utility diversion works.	Work No. U22A Work No. U44 Work No. U49 Work No. U56 Work No. 24(a) Work No. 24(b) Work No. 32(c) All works
10/8e	Construction material storage, construction access, laydown areas, welfare facilities, working area and storage of plant. Access and working area for utility diversion works.	Work No. U22A Work No. U44 Work No. U49 Work No. U56 Work No. U76 Work No. U95 Work No. 24(a) Work No. 24(b) All works
10/11b	Construction material storage, construction access, laydown areas, welfare facilities, working area and storage of plant. Access and working area for utility diversion works. Temporary path and footway diversion routes.	Work No. U81 Work No. U84A All works
10/12c	Temporary path and footway diversion routes. Access and working area for utility diversion works.	Work No. U85 Work No. U85A Work No. 32(c)
10/12d	Temporary path and footway diversion routes. Access and working area for utility diversion works.	Work No. U85 Work No. U85B Work No. 32(c)
10/12e	Temporary path and footway diversion routes. Access and working area for utility diversion works.	Work No. U85A Work No. 32(c)
10/20b	Construction compound including material storage, laydown areas, temporary buildings, welfare facilities storage of plant and construction access.	Work No. T29 All works

<i>(1)</i> <i>Plot reference number shown on land plans</i>	<i>(2)</i> <i>Purpose for which temporary possession may be taken</i>	<i>(3)</i> <i>Relevant part of the authorised development</i>
10/20d	Temporary path and footway diversion routes. Access and working area for construction of drainage infrastructure. Access and working area for the construction of a new roundabout. Access and working area for the construction of Farm access. Access and working area for construction of temporary soil storage bunds and soil storage area during construction works.	Work No. 37(a)
10/21a	Access and working area for construction of modifications to existing bell mouth.	Work No. 32(c)
11/2a	Installation of traffic signs. Access and working area for installation of traffic signs.	Work No. 37(a)
11/4a	Ecology Mitigation Temporary path and footway diversion routes. Access and working area for construction of drainage infrastructure. Access and working area for the construction of a new roundabout. Access and working area for the construction of farm access. Access and working area for construction of temporary soil storage bunds and soil storage area during construction works.	Work No. 37(a) All works
11/4e	Temporary works associated with Borrow Pit excavation, maintenance and decommissioning.	Work No. 48 All works
11/4l	Access and working area for construction of drainage infrastructure.	Work No. 46(a)
11/5a	Temporary path and footway diversion routes.	Work No. 37(a)
11/5b	Ecology Mitigation	All works
11/7a	Temporary road.	Work No. T30 All works
11/12a	Temporary road.	Work No. T30 All works
11/24a	Installation of traffic signs	All works
11/24b	Installation of traffic signs	All works
12/1j	Construction material storage, construction access, laydown areas, welfare facilities, working area and storage of plant.	Work No. 45(a)
12/2c	Access and working area for utility diversion works.	Work No. U124A Work No. U128 Work No. U128A

<i>(1)</i> <i>Plot reference number shown on land plans</i>	<i>(2)</i> <i>Purpose for which temporary possession may be taken</i>	<i>(3)</i> <i>Relevant part of the authorised development</i>
12/5b	<p>Temporary haul road.</p> <p>Access and working area for construction of drainage infrastructure.</p> <p>Access and working area for construction of local access road into Kelvedon.</p> <p>Temporary storage, laydown areas, access and working space to facilitate the construction of Sniveller's Lane Bridge.</p> <p>Access and working area for construction of temporary soil storage bunds and soil storage area during construction works.</p>	<p>Work No. T34</p> <p>All works</p>
12/6b	<p>Construction material storage, construction access, laydown areas, welfare facilities, working area and storage of plant.</p> <p>Access and working area for utility diversion works.</p> <p>Access and working are for the construction of an upgraded access into Essex County Fire &amp; Rescue Centre.</p>	<p>Work No. U111A</p> <p>Work No. U111B</p> <p>Work No. 52</p> <p>All works</p>
12/6e	<p>Construction material storage, construction access, laydown areas, welfare facilities, working area and storage of plant.</p> <p>Access and working area for utility diversion works.</p> <p>Access and working are for the construction of an upgraded access into Essex County Fire &amp; Rescue Centre.</p>	<p>Work No. U111A</p> <p>Work No. U111B</p> <p>Work No. 52</p> <p>All works</p>
12/9b	<p>Construction material storage, construction access, laydown areas, welfare facilities, working area and storage of plant.</p> <p>Access and working area for construction of temporary soil storage bunds and soil storage area during construction works.</p>	<p>Work No. 52</p> <p>All works</p>
12/13a	<p>Access and working area for construction of drainage infrastructure.</p>	<p>Work No. 45(a)</p>
12/14a	<p>Construction material storage, construction access, laydown areas, welfare facilities, working area and storage of plant.</p> <p>Access and working area for construction of drainage infrastructure.</p>	<p>Work No. 45(a)</p> <p>All works</p>

<i>(1)</i> <i>Plot reference number shown on land plans</i>	<i>(2)</i> <i>Purpose for which temporary possession may be taken</i>	<i>(3)</i> <i>Relevant part of the authorised development</i>
12/19b	Access and working area for construction of drainage infrastructure. Access and working area for construction of local access road. Temporary storage, laydown areas, access and working space to facilitate the construction of Sniveller's Lane Bridge. Access and working area for utility diversion works. Temporary works and associated with the excavation of a borrow pit including, access routes, temporary diversion of private rights of way, water management, soil storage and material processing. Temporary haul road.	Work No. U123 Work No. U124 Work No. T32 Work No. T34 All works
12/19c	Access and working area for utility diversion works.	Work No. U124A Work No. U128 Work No. U128A
12/28a	Construction material storage, construction access, laydown areas, welfare facilities, working area and storage of plant.	Work No. 45(a)
13/1f	Construction material storage, construction access, laydown areas, welfare facilities, working area and storage of plant.	Work No. 45(a)
13/1h	Construction material storage, construction access, laydown areas, welfare facilities, working area and storage of plant.	Work No. 54(b) Work No. 55(a) All works
13/5b	Temporary haul road. Access and working area for the construction of the realigned Highfield Lane.	Work No. T37 All works
13/8b	Access and working area for utility diversion works.	Work No. U124A Work No. U128A
13/8c	Access and working area for the construction of the realigned Highfield Lane. Access and working area for utility diversion works. Temporary haul road.	Work No. U134 Work No. U139 Work No. T37 All works
13/11c	Construction material storage, construction access, laydown areas, welfare facilities, working area and storage of plant. Temporary haul road. Access and working area for construction of temporary soil storage bunds and soil storage area during construction works.	Work No. T38 All works
13/13b	Temporary haul road. Access and working area for the construction of the realigned Highfield Lane.	Work No. T37

<i>(1) Plot reference number shown on land plans</i>	<i>(2) Purpose for which temporary possession may be taken</i>	<i>(3) Relevant part of the authorised development</i>
13/14l	Temporary path and footway diversion routes. Access and working area for construction of temporary soil storage bunds and soil storage area during construction works.	Work No. 60A Work No. 61(d) Work No. 62(a) All works
14/3b	Temporary haul road. Access and working area for construction of a maintenance access track to drainage infrastructure. Access and working area for utility diversion works.	Work No. U142 Work No. T43 All works
14/3d	Construction material storage, construction access, laydown areas, welfare facilities, working area and storage of plant. Temporary haul road. Temporary path and footway diversion routes.	Work No. T39 Work No. 59 All works
14/3f	Temporary haul road. Access and working area for construction of drainage infrastructure. Access and working area for construction of temporary soil storage bunds and soil storage area during construction works.	Work No. T39 All works
14/3l	Construction material storage, construction access, laydown areas, welfare facilities, working area and storage of plant. Access and working area for construction of temporary soil storage bunds and soil storage area during construction works. Access and working area for construction of a maintenance access track to drainage infrastructure.	Work No. 69(a) Work No. 69(b) All works
14/5a	Access and working area for maintenance of existing watercourse.	Work No. 67(b) Work No. 68(a)
14/5c	Access and working area for construction of access track.	Work No. 79(c)
14/5e	Access and working area for construction of drainage infrastructure. Access and working area for construction of temporary soil storage bunds and soil storage area during construction works.	Work No. 66(a) Work No. 66(b)
14/5f	Access and working area for construction of drainage infrastructure. Access and working area for construction of temporary soil storage bunds and soil storage area during construction works.	Work No. 66(a) Work No. 66(b)

<i>(1)</i> <i>Plot reference number shown on land plans</i>	<i>(2)</i> <i>Purpose for which temporary possession may be taken</i>	<i>(3)</i> <i>Relevant part of the authorised development</i>
14/6a	Construction material storage, construction access, laydown areas, welfare facilities, working area and storage of plant. Access and working area for maintenance of existing watercourse.	Work No. 67(b) Work No. 68(a) All works
14/8a	Access and working area for maintenance of existing watercourse.	Work No. 67(b) Work No. 68(a)
14/9a	Construction material storage, construction access, laydown areas, welfare facilities, working area and storage of plant. Access, storage and working area for the construction of a retaining structure. Temporary storage, laydown areas, access and working space to facilitate the construction of Park Bridge.	Work No. 45(a) Work No. 45(b) All works
14/12a	Construction material storage, construction access, laydown areas, welfare facilities, working area and storage of plant. Access and working area for construction of access track.	Work No. 79(c) All works
14/24a	Access, storage and working area for the construction of a retaining structure. Temporary storage, laydown areas, access and working space to facilitate the construction of Park Bridge.	Work No. 45(a) Work No. 45(f) Work No. 65(b)
15/4a	Installation of traffic signs. Access and working area for utility diversion works.	Work No. 74(c) Work No. U124A Work No. U128A
15/4b	Installation of traffic signs. Access and working area for the construction works at traffic sign locations.	Work No. 82(a)
15/7a	Construction material storage, construction access, laydown areas, welfare facilities, working area and storage of plant. Access and working area for construction of access track.	Work No. 79(c) All works
15/8a	Construction material storage, construction access, laydown areas, welfare facilities, working area and storage of plant. Access and working area for construction of access track.	Work No. 79(c) All works
15/8c	Construction material storage, construction access, laydown areas, welfare facilities, working area and storage of plant. Access and working area for construction of temporary soil storage bunds and soil storage area during construction works. Access and working area for construction of access track.	Work No. 79(c)

<i>(1)</i> <i>Plot reference number shown on land plans</i>	<i>(2)</i> <i>Purpose for which temporary possession may be taken</i>	<i>(3)</i> <i>Relevant part of the authorised development</i>
15/8e	Access and working area for construction of drainage infrastructure. Access and working area for construction of temporary soil storage bunds and soil storage area during construction works.	Work No. 66(a) Work No. 66(b)
16/5c	Access and working area for construction of temporary soil storage bunds and soil storage area during construction works.	Work No. 68(a)
16/5d	Construction material storage, construction access, laydown areas, welfare facilities, working area and storage of plant. Access to properties.	Work No. 68(a) All works
16/5f	Access and working area for construction of temporary soil storage bunds and soil storage area during construction works.	Work No. 68(a) Work No. 88(b) All works
16/5g	Temporary road. Compound and traffic management and recovery yard. Access and working area for repositioning private irrigation pipe. Access and working area for utility diversion works.	Work No. U167B Work No. U167C Work No. T48 Work No. T49 All works
16/5h	Access and working area for construction of temporary soil storage bunds and soil storage area during construction works. Temporary storage, laydown areas, access and working space to facilitate construction of Easthorpe Road Bridge.	Work No. 68(a) Work No. 88(a) Work No. 88(c) Work No. 99(b) All works
16/5k	Access and working area for construction of temporary soil storage bunds and soil storage area during construction works. Temporary storage, laydown areas, access and working space to facilitate construction of Easthorpe Road Bridge.	Work No. 68(a) Work No. 88(a) Work No. 88(c) Work No. 99(b) All works
17/3a	Access and working area for construction of temporary soil storage bunds and soil storage area during construction works.	Work No. 68(a)
17/3b	Access and working area for construction of temporary soil storage bunds and soil storage area during construction works. Temporary storage, laydown areas, access and working space to facilitate construction of Easthorpe Road Bridge.	Work No. 68(a) Work No. 88(c) Work No. 99(a) Work No. 99(b) All works
18/11	Access and working area for utility diversion works.	Work No. U185 Work No. U186 Work No. U187 Work No. U191 Work No. U192

<i>(1)</i> <i>Plot reference number shown on land plans</i>	<i>(2)</i> <i>Purpose for which temporary possession may be taken</i>	<i>(3)</i> <i>Relevant part of the authorised development</i>
18/2a	Access and working area for utility diversion works.	Work No. U185 Work No. U186 Work No. U187 Work No. U191 Work No. U192
18/3e	Construction material storage, construction access, laydown areas, welfare facilities, working area and storage of plant.	Work No. 104 All works
18/6a	Construction material storage, construction access, laydown areas, welfare facilities, working area and storage of plant. Access and working area for construction of temporary soil storage bunds and soil storage area during construction works. Temporary storage, laydown areas, access and working space to facilitate the construction of Potts Green Bridge.	Work No. 68(a) Work No. 100 All works
18/6d	Access and working area for construction of temporary soil storage bunds and soil storage area during construction works.	Work No. 68(a) Work No. 68(b) Work No. 101
18/6e	Construction material storage, construction access, laydown areas, welfare facilities, working area and storage of plant. Access and working area for construction of drainage infrastructure.	Work No. 101 Work No. 102(c) All works
18/6i	Temporary path and footway diversion routes. Temporary storage, laydown areas, access and working space to facilitate the construction of Potts Green Bridge.	Work No. 100
18/8a	Temporary storage, laydown areas, access and working space to facilitate the construction of Potts Green Bridge.	Work No. 100
18/13c	Access and working area for construction of temporary soil storage bunds and soil storage area during construction works.	Work No. 68(a) Work No. 68(b)
18/13e	Construction material storage, construction access, laydown areas, welfare facilities, working area and storage of plant.	Work No. 68(b) All works
18/18b	Construction compound including material storage, laydown areas, temporary buildings, welfare facilities storage of plant and construction access.	Work No. T52 All works
18/20c	Construction material storage, construction access, laydown areas, welfare facilities, working area and storage of plant.	Work No. 104 All works
19/1g	Compound and traffic management and recovery yard.	Work No. T54 All works



<i>(1)</i> <i>Plot reference number shown on land plans</i>	<i>(2)</i> <i>Purpose for which temporary possession may be taken</i>	<i>(3)</i> <i>Relevant part of the authorised development</i>
19/2f	Construction material storage, construction access, laydown areas, welfare facilities, working area and storage of plant.	Work No. 104 All works
19/6b	Access and working area for utility diversion works.	Work No. U202 Work No. U203 Work No. U206 Work No. U207
19/6c	Construction material storage, construction access, laydown areas, welfare facilities, working area and storage of plant.	Work No. 112 All works
19/17a	Ecology Mitigation. Access to works.	All works
20/2a	Construction material storage, construction access, laydown areas, welfare facilities, working area and storage of plant. Access and working area for utility diversion works.	Work No. U147A Work No. U147B Work No. U147C Work No. 122 All works
20/7a	Access and working area for widening B1023 Kelvedon Road. Access and working area to allow for vegetation clearance to enable the construction of the permanent works.	Work No. 122
20/8a	Access and working area for widening B1023 Kelvedon Road. Access and working area to allow for vegetation clearance to enable the construction of the permanent works.	Work No. 122
20/13a	Access and working area for widening B1023 Kelvedon Road. Access and working area to allow for vegetation clearance to enable the construction of the permanent works.	Work No. 122
21/1a	Access and working area for utility diversion works.	Work No. U124A Work No. U128A

SCHEDULE 8

Article 45

SPECIAL CATEGORY LAND

PART 1

SPECIAL CATEGORY LAND FOR WHICH REPLACEMENT LAND IS PROVIDED

<i>Sheet of Special Category Land Plan</i>	<i>Plot reference number shown on Special Category Land Plans and in the book of reference</i>
7	7/16d, 7/16f, 7/17d, 7,19g, 7/19h
8	8/6h, 8/6i, 8/11b, 8/11d, 8/11r, 8/11s 8/12d, 8/13b, 8/14a, 8/47a, 8/47f, 8/47k, 8/47m, 8/47o, 8/47p
9	9/8c, 9/8e, 9/10d, 9/11a
10	10/8d
19	19/2g, 19/2h, 19/4d, 19/4e, 19/7a, 19/7c 19/17b

PART 2

SPECIAL CATEGORY (RIGHTS) LAND FOR WHICH REPLACEMENT LAND IS PROVIDED

<i>Sheet of Special Category Land Plan</i>	<i>Plot reference number shown on Special Category Land Plans and in the book of reference</i>
8	8/6j, 8/6m, 8/27a, 8/47c, 8/47d

PART 3

SPECIAL CATEGORY (RIGHTS) LAND FOR WHICH REPLACEMENT LAND IS NOT PROVIDED

<i>Sheet of Special Category Land Plan</i>	<i>Plot reference number shown on Special Category Land Plans and in the book of reference</i>
1	1/11g, 1/14a
7	7/16e
8	8/3a, 8/6b, 8/6d, 8/6k 8/11f, 8/11g, 8/11u 8/11al 8/47b, 8/47e, 8/47j, 8/47i, 8/47n
9	9/10e, 9/11b
10	10/8a

**PART 4**  
**REPLACEMENT LAND**

<i>Sheet of Special Category Land Plan</i>	<i>Plot reference number shown on Special Category Land Plans and in the book of reference</i>
8	8/1d, 8/1n, 8/17b, 8/19b, 8/33f, 8/33g, 8/33i, 8/33m, 8/41b 8/43d, 8/43e, 8/44c, 8/45e
9	9/1a, 9/1h, 9/1o, 9/1q
10	10/1b, 10/1k, 10/1l, 10/1n, 10/1o, 10/1s, 10/2c, 10/2f, 10/3b, 10/3d, 10/4b, 10/20g
18	18/1u, 18/1v
19	19/1h, 19/1i, 19/18d

**SCHEDULE 9**

Article 46

**HEDGEROWS AND TREES**

The hedgerow reference numbers in the table below are taken from the Hedgerow Survey Report at Appendix 9.7 of Chapter 9: Biodiversity of the Environmental Statement.

The location of the hedgerows is shown on the Retained and Removed Vegetation Plans and on the Figures at Annex A of the Hedgerow Survey Report (Sheets 1 to 27).

**PART 1**

**REMOVAL OF IMPORTANT HEDGEROWS**

<i>(1)</i> <i>Reference No. (Location of hedgerow)</i>	<i>(2)</i> <i>Work to be carried out</i>	<i>(3)</i> <i>Relevant part of the authorised development</i>
<b>Hedgerow Survey Report – Sheet 2, Retained and Removed Vegetation Plans – Sheet 1</b>		
335 (West of Boreham House)	Partial removal	Work Nos. 2(b) and 3(b)
<b>Hedgerow Survey Report – Sheets 9, 10, 11, 12 and 13 Retained and Removed Vegetation Plans – Sheet 6</b>		
8275 (South-east of The Vineyards)	Partial removal	Work No. 18(b)
263 (East of hedgerow 2963)	Partial removal	Work Nos. 12(a), 12(b), 16, 18(b), and 18(e)
9263 (Parallel to hedgerow 8265)	Partial removal	Work Nos. 12(a), 12(b), 14(a), and 18(b)
271 (South of hedgerow 264)	Partial removal	Work Nos. 12(b) and 18(f)
259 (South-west of Kingswood Gateway)	Partial removal	Work Nos. 18(e) and 20
257 (Along length of A12)	Full removal	Work Nos. 12(a), 12(b), and 18(a)
<b>Hedgerow Survey Report – Sheet 11, Retained and Removed Vegetation Plans – Sheets 6 and 7</b>		
247 (North of Latneys)	Full removal	Work No. 12(c)
<b>Hedgerow Survey Report – Sheets 12 and 13, Retained and Removed Vegetation Plans – Sheet 7</b>		

244 (North of Latneys)	Partial removal	Work Nos. 12(c) and 21(a)
230 (South-west of Dengie Farm)	Partial removal	Work No. 26
219 (South-east of Dengie Farm)	Partial removal	Work No. 26
256 (South-west of Kingswood Gateway)	Partial removal	Work Nos. 18(c) and 18(e)
23001 (South-west of Dengie Farm)	Partial removal	Work No. 26
211 (Along Howbridge Hall Road)	Partial removal	Work Nos. 25 and 29(b)
<b>Hedgerow Survey Report – Sheet 16, Retained and Removed Vegetation Plans – Sheet 8</b>		
209 (North-west of Benton Hall)	Partial removal	Work Nos. 12(c), 24(f), and 28(b)
206 (North-west of Benton Hall)	Partial removal	Work No. U96
205 (North of Benton Hall)	Full removal	Work No. U96
<b>Hedgerow Survey Report – Sheet 17, Retained and Removed Vegetation Plans – Sheets 10 and 11</b>		
200 (Along Gas Governor, north-west of Coleman’s Cottage)	Partial removal	Work Nos. 24(b) and 32(d)
199 (Along hedgerow 200)	Partial removal	Work No. 32(d)
195 (North of Little Braxted Lane)	Partial removal	Work Nos. 24(b) and 32(d)
194 (North of hedgerow 195)	Partial removal	Work Nos. 24(a), 24(b), and 32(d)
192 (North of hedgerow 194)	Partial removal	Work Nos. 24(a), 24(b), and 32(d)
187 (South of Burghey Brook Cottages)	Full removal	Work Nos. 24(a) and 24(b)
186 (South of hedgerow 187)	Partial removal	Work Nos. 24(b) and 32(a)
185 (East of hedgerow 187)	Full removal	Work Nos. 24(a) and 24(b)
<b>Hedgerow Survey Report – Sheets 17 and 18, Retained and Removed Vegetation Plans – Sheet 11</b>		
175 (West of Garden Cottage)	Full removal	Work No. 37(e)
168 (South of Rivenhall Bridge)	Partial removal	Work Nos. 24(g), 42(a), and 42(b)
167 (East of Rivenhall Bridge)	Partial removal	Work No. 24(g)
171 (North-east of hedgerow 166)	Partial removal	Work No. 48
170 (East of Rivenhall End)	Full removal	Work No. 24(g)
163 (East of hedgerow 164)	Partial removal	Work No. 41(b)
<b>Hedgerow Survey Report – Sheet 18, Retained and Removed Vegetation Plans – Sheet 12</b>		
158 (Along Sniveller’s Lane)	Partial removal	Work Nos. 24(g), 39(c), and 47
157 (Along Sniveller’s Lane)	Partial removal	Work Nos. 24(g), 39(c), and 47
8161 (East of hedgerow 9166)	Full removal	Work Nos. 24(g) and 39(c)

9166 (North of Essex County Fire and Rescue Service Headquarters)	Full removal	Work No. 39(c)
160 (West of Sniveller's Lane)	Full removal	Work Nos. 24(g) and 39(c)
159 (Along Sniveller's Lane)	Full removal	Work Nos. 24(g), 39(c), and 53
156 (East of Sniveller's Lane)	Partial removal	Work Nos. 39(c) and 47
9161 (North of hedgerow 8161)	Full removal	Work Nos. 39(c) and 48
<b>Hedgerow Survey Report – Sheets 19 and 20, Retained and Removed Vegetation Plans – Sheet 13</b>		
103 (North-east of Ewell Hall)	Partial removal	Work No. 58
133 (South-west of Bridgefoot House)	Partial removal	Work No. 55(a)
134 (West of Maldon Road)	Partial removal	Work No. 45(a)
135 (East of hedgerow 136)	Partial removal	Work No. 55(c)
<b>Hedgerow Survey Report – Sheet 20, Retained and Removed Vegetation Plans – Sheet 13</b>		
130 (South-west of Koorbaes Cottages)	Partial removal	Work No. 61(a)
<b>Hedgerow Survey Report – Sheets 20 and 21, Retained and Removed Vegetation Plans – Sheet 14</b>		
86 (Along B1023)	Full removal	Work No. 122
94 (West of Inworth Hall)	Full removal	Work No. 59
88 (West of Inworth Hall)	Partial removal	Work Nos. 74(a) and 59
84 (Along B1023) (Unable to be surveyed)	Partial removal	Work Nos. 74(c) and 122
83 (Along B1023) (Unable to be surveyed)	Partial removal	Work Nos. 74(c) and 122
85 (Along B1023)	Partial removal	Work No. 116
95 (Opposite hedgerow 994)	Partial removal	Work No. 45(b)
78 (South of Domsey Brook)	Partial removal	Work No. 67(b)
994 (West of Inworth Hall)	Partial removal	Work Nos. 45(b), 75, and 76(a)
<b>Hedgerow Survey Report – Sheet 22 and 23, Retained and Removed Vegetation Plans – Sheet 15</b>		
71 (North-west of Prested Hall)	Partial removal	Work Nos. 68(a) and 78(a)
67 (Along the western side of the driveway to Prested Hall)	Partial removal	Work No. 68(a)
64 (Along the eastern side of the driveway to Prested Hall)	Partial removal	Work No. 68(a)
63 (South of Prested Hall Farm)	Partial removal	Work No. 68(a)
68 (Along the western side of the driveway to Prested Hall)	Partial removal	Work No. 79(a)
66 (Along the eastern side of the driveway to Prested Hall)	Partial removal	Work No. 87(b)
59 (East of Prested Hall Farm)	Partial removal	Work Nos. 68(a) and 91(c)
57 (South-east of Travelodge Colchester Feering)	Partial removal	Work No. 68(a)
70 (Along London Road east of Feering)	Partial removal	Work No. 82(c)
69 (Along New Lane)	Partial removal	Work No. 82(d)

<b>Hedgerow Survey Report – Sheet 24, Retained and Removed Vegetation Plans – Sheet 16</b>		
51 (Along the southern side of Easthorpe Road, south-east of Little Domsey)	Partial removal	Work Nos. 68(a) and 91(b)
54 (Along the southern side of Easthorpe Road, south-west of Little Domsey)	Partial removal	Work Nos. 68(a), 88(d), and 91(b)
52 (Along the northern side of Easthorpe Road)	Partial removal	Work Nos. 68(a), 88(d), and 91(b)
46 (Along the southern side of Easthorpe Road, north-west of Badcock’s Farm)	Partial removal	Work Nos. 88(c) and 91(b)
48 (Along the northern side of Easthorpe Road, north-west of Badcock’s Farm)	Partial removal	Work Nos. 88(c) and 91(b)
<b>Hedgerow Survey Report – Sheets 24 and 25, Retained and Removed Vegetation Plans – Sheet 17</b>		
45 (South of Domsey Brook, east of the A12)	Partial removal	Work Nos. 68(a) and 99(b)
941 (Along the southern branch of Domsey Brook south of the A12)	Partial removal	Work No. 68(a)
942 (Along Domsey Brook, south of the A12)	Partial removal	Work No. 68(a)
32 (North-east of Easthorpegreen Farm)	Partial removal	Work No. 94(d)
35 (Along southern side of the A12, north-east of Easthorpegreen Farm)	Partial removal	Work No. 94(b)
38 (Along the western side of the access track to Easthorpegreen Farm)	Partial removal	Work No. 68(a)
39 (Along the eastern side of the access track to Easthorpegreen Farm)	Partial removal	Work No. 68(a)
37 (North-east of Easthorpegreen Farm)	Partial removal	Work No. 97
36 (North-east of Easthorpegreen Farm)	Partial removal	Work Nos. 68(a), 93(a), 93(b), 94(d), and 97
34 (North-east of Easthorpegreen Farm)	Partial removal	Work Nos. 94(c), 94(d), and 97
33 (North-east of Easthorpegreen Farm)	Partial removal	Work No. 94(d)
30 (North-east of Easthorpegreen Farm)	Partial removal	Work Nos. 68(a) and 95
27 (South-west of Wishingwell Farm)	Partial removal	Work No. 96(a)
<b>Hedgerow Survey Report – Sheet 26, Retained and Removed Vegetation Plans – Sheet 18</b>		
24 (North of Damyon’s Farm)	Partial removal	Work No. 68(a)
9 (North-west of Marks Tey Hall)	Partial removal	Work No. 105(c)
23 (North-east of Damyon’s Farm)	Partial removal	Work Nos. 68(a) and 100
20 (South of Potts Green)	Partial removal	Work Nos. 68(a) and 100

16 (East of Shell petrol station)	Partial removal	Work No. 68(a)
26 (West of Damyon's Farm)	Partial removal	Work Nos. 68(a) and 94(d)
<b>Hedgerow Survey Report – Sheet 27, Retained and Removed Vegetation Plans – Sheet 19</b>		
5 (North side of London Road, Copford)	Partial Removal	Works Nos. 110(b), U202 and U203

## PART 2

### REMOVAL OF OTHER HEDGEROWS

<i>(1)</i> <i>Reference No. (Location of hedgerow)</i>	<i>(2)</i> <i>Work to be carried out</i>	<i>(3)</i> <i>Relevant part of the authorised development</i>
<b>Hedgerow Survey Report – Sheet 2, Retained and Removed Vegetation Plans – Sheet 1</b>		
337 (East of the A12)	Full removal	Work No. 2(b)
<b>Hedgerow Survey Report – Sheet 3, Retained and Removed Vegetation Plans – Sheet 2</b>		
327 (North-east of Police House)	Partial removal	Work No. 6(b)
<b>Hedgerow Survey Report – Sheets 9, 10 and 11, Retained and Removed Vegetation Plans – Sheet 6</b>		
9265 (North-east of Lawrence Court)	Full removal	Work Nos. 12(a) and 12(b)
8265 (Perpendicular to hedgerow 9265)	Full removal	Work Nos. 12(b), 14(a), and 18(b)
264 (Along length of A12)	Full removal	Work No. 12(a)
9259 (South-west of Kingswood Gateway)	Full removal	Work Nos. 12(b) and 18(c)
270 (South of hedgerow 264)	Full removal	Work Nos. 12(a), 12(b), and 18(a)
9270 (South of hedgerow 9265)	Full removal	Work No. 18(f)
8270 (North of hedgerow 9270)	Full removal	Work No. 18(f)
<b>Hedgerow Survey Report – Sheet 13, Retained and Removed Vegetation Plans – Sheet 7</b>		
226 (South of Gershwin Boulevard)	Full removal	Work No. 12(c)
<b>Hedgerow Survey Report – Sheet 17, Retained and Removed Vegetation Plans – Sheet 10</b>		
193 (South-east of Rosewood Business Park)	Partial removal	Work Nos. 32(a), 32(b), and 32(c)
188 (North of hedgerow 193)	Full removal	Work No. 32(c)
180 (South of Pond Farm)	Full removal	Work No. T29
<b>Hedgerow Survey Report – Sheets 17 and 18, Retained and Removed Vegetation Plans – Sheet 11</b>		
9167 (North-east of Rivenhall Bridge)	Partial removal	Work No. 39(b)
166 (North of hedgerow 9167)	Full removal	Work Nos. 39(a) and 39(b)
164 (West of Essex County Fire and Rescue Service Headquarters)	Full removal	Work Nos. 24(g), 39(a), and 39(c)
176 (South of hedgerow 178)	Full removal	Work Nos. 37(a), 37(b), and 38(b)
<b>Hedgerow Survey Report – Sheet 18 and 19, Retained and Removed Vegetation Plans – Sheet 12</b>		
139 (East of hedgerow 144)	Full removal	Work Nos. 45(a) and 50(a)

144 (North-east of Crabbs Lane)	Partial removal	Work Nos. 39(c) and 49
<b>Hedgerow Survey Report – Sheets 19 and 20, Retained and Removed Vegetation Plans – Sheet 13</b>		
129 (South-west of Koorbaes Cottages) (Unable to be surveyed)	Partial removal	Work No. 60(a)
<b>Hedgerow Survey Report – Sheet 24, Retained and Removed Vegetation Plans – Sheet 16</b>		
47 (Between the A12 and Easthorpe Road)	Partial removal	Work Nos. 68(a), 89(b), and 99(b)
53 (Along the A12, west and east of Domsey Chase)	Partial removal	Work No. 88(b)
<b>Hedgerow Survey Report – Sheet 26, Retained and Removed Vegetation Plans – Sheet 18</b>		
11 (Along the southern side of the A12 west of Marks Tey Hall)	Partial removal	Work Nos. 102(b) and 102(c)

The location of the trees subject to Tree Preservation Orders is shown on the Retained and Removed Vegetation Plans.

### PART 3

#### REMOVAL OF POTENTIALLY IMPORTANT HEDGEROWS

<i>(1)</i> <i>Reference No. (Location of hedgerow)</i>	<i>(2)</i> <i>Work to be carried out</i>	<i>(3)</i> <i>Relevant part of the authorised development</i>
<b>Hedgerow Survey Report – not shown, Retained and Removed Vegetation Plans – Sheet 20</b>		
I2 (East of B1023, north-east of Inworth)	Partial removal	Work No. 117
I3 (East of B1023, north-east of Inworth)	Partial removal	Work No. 122
I4 (East of B1023, north-east of Inworth)	Partial removal	Work Nos. 117, 118 and 122
I6 (East of B1023, north-east of Inworth)	Full removal	Work No. 122
I7 (East of B1023, north of Well Cottage, Inworth)	Partial removal	Work Nos. 117, 118 and 122
I8 (West of B1023, south of All Saints Church)	Full removal	Work Nos. 122 and 114
I10 (West of B1023, north of Windmill Hill)	Partial removal	Work No. 114
I12 (East of B1023 and Marlborough Lodge)	Partial removal	Work No. 122
I13 (East of B1023, south-east of Marlborough Lodge)	Full removal	Work No. 120
I14 (West of B1023, south of Marlborough Lodge)	Partial removal	Work No. 113
I15 (West of B1023, south-west of Marlborough Lodge)	Partial removal	Work No. 113
I16 (West of B1023, south of Marlborough Lodge)	Partial removal	Work No. 113
I17 (East of B1023, south-east of Marlborough Lodge)	Partial removal	Work Nos. 121 and 122
I18 (West of B1023, south of Marlborough Lodge)	Partial removal	Work No. 113



Marlborough Lodge)		
I19 (East of B1023, south-east of Marlborough Lodge)	Partial removal	Work No. 120
I20 (East of B1023, south-east of Marlborough Lodge)	Partial removal	Work No. 120

## PART 4

### TREES SUBJECT TO TREE PRESERVATION ORDERS

(1) <i>Reference and description from confirmed Tree Preservation Order</i>	(2) <i>Work to be carried out</i>	(3) <i>Relevant part of the authorised development</i>
<b>Retained and Removed Vegetation Plans – Sheet 1</b>		
Trees within Chelmer and Blackwater Navigation Conservation Area including damson, blackthorn and willow	Potential pruning and lopping of branches and roots, and/or felling adjacent to Chelmer and Blackwater Navigation	Work No. 2a
<b>Retained and Removed Vegetation Plans – Sheet 2</b>		
TPO/2002/080 Boreham House Main Road Boreham Chelmsford Essex, CM3 3HY T26 – 1 no. Horse Chestnut	Potential pruning and lopping of branches and roots, and/or felling	Work No. 1d
TPO/2014/001 Land North West of Milmead Cottages, Paynes Lane Boreham, Chelmsford, Essex, CM3 3HH A1 – Trees of whatever species on land east of The Generals, Main Road, Boreham* <i>*Verified location. Species include Lime, Elm, Horse Chestnut, Oak and Ash</i>	Potential pruning and lopping of branches and roots, and/or felling adjacent to Main Road (B1137)	Work No. 1d
<b>Retained and Removed Vegetation Plans – Sheet 8</b>		
Maldon District Council TPO 07/22 Blue Mills, Blue Mills Hill, Wickham Bishops, CM8 3LH	Felling, pruning and lopping of branches	Work U69

## SCHEDULE 10

Article 56

### DISAPPLICATION AND MODIFICATION OF BYELAWS

#### Byelaws

(1) <i>Title</i>	(2) <i>Byelaw to be disappplied or altered</i>
Byelaws made by Essex County Council under Section 41 of the Countryside Act 1968, with respect to country parks	Byelaw 2 (Climbing) Byelaw 3 (Removal of Structures) Byelaw 4 (Erection of Structures) Byelaw 5 (Walking on Grass) Byelaw 6(1) Protection of Wildlife -the words “take or disturb any animal” in Byelaw 6(1)

	are disapplied Byelaw 7 (Removal of Substances) – the council’s consent is required to Byelaw 10 (Vehicles) Byelaw 11 (Overnight Parking) Byelaw 17 (Watercourses) Byelaw 21 (Noise)
Chelmer and Blackwater Navigation Byelaws 1994	Byelaw 3 (Damage etc); Byelaw 13 (Harassment); Byelaw 27 (Obstruction of Officers); Byelaw 28 (Enforcement); and Byelaw 29 (Penalty and Defence)

## SCHEDULE 11

Articles 42 and 59

### 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 this Part of this Schedule the following provisions have effect, unless otherwise agreed in writing between the undertaker and the utility undertaker concerned.

2. In this Part of this Schedule—

“alternative apparatus” means alternative apparatus adequate to enable the utility undertaker in question to fulfil its statutory functions in a manner no less efficient than previously;

“apparatus” means—

- (a) in the case of an electricity undertaker, electric lines or electrical plant (as defined in the Electricity Act 1989(a), belonging to or maintained by that utility undertaker;
- (b) in that case of a gas undertaker, any mains, pipes or other apparatus belonging to or maintained by a gas transporter within the meaning of Part 1 of the Gas Act 1986(b) for the purposes of gas supply;
- (c) in the case of water undertaker, mains, pipes or other apparatus belonging to or maintained by that utility undertaker for the purposes of water supply; and
- (d) in the case of a sewerage undertaker—
  - (i) any drain or works vested in the utility undertaker under the Water Industry Act 1991(c); and
  - (ii) any sewer which is so vested or is the subject of a notice of intention to adopt given under section 102(4)(d) (adoption of sewers and disposal works) of that Act or an

(a) 1989 c. 29. The definition of “electrical plant” (in section 64) was amended by section 108 of, and paragraphs 24 and 38(1) and (3) of Schedule 6 to, the Utilities Act 2000 (c. 27).

(b) 1986 c. 44. A new section 7 was substituted by section 5 of the Gas Act 1995 (c. 45), and was further amended by sections 3(2) and 76 of, and paragraphs 1 and 4 of Schedule 6, and Schedule 8 to, the Utilities Act 2000 (c. 27), sections 149(1) and (5) and 197(9) of, and part 1 of Schedule 23 to, the Energy Act 2004 (c. 20) and S.I. 2011/2704.

(c) 1991 c. 56.

(d) 1991 c. 56. Section 102(4) was amended by section 96(1)(c) of the Water Act 2003 (c. 37) and section 56 of, and paragraph 90 of Schedule 7 to, the Water Act 2014 (c. 21).

agreement to adopt made under section 104 (agreement to adopt sewers, drains or sewage disposal works at future date) of that Act<sup>(a)</sup>,

and includes a sludge main, disposal main (within the meaning of section 219<sup>(b)</sup> (general interpretation) of that Act or sewer outfall and any manholes, ventilating shafts, pumps or other accessories forming part of any such sewer, drain or works,

and includes any structure in which apparatus is or is to be lodged or which gives or will give access to apparatus;

“functions” includes powers and duties;

“in” in a context referring to apparatus or alternative apparatus in land includes a reference to apparatus or alternative apparatus under, over or upon land;

“plan” include all designs, drawings, specifications, method statements, soil reports, programmes, calculations, risk assessments and other documents that are reasonably necessary properly and sufficiently to describe the works to be executed; and

“utility undertaker” means—

- (a) any licence holder within the meaning of Part 1 (electricity supply) of the Electricity Act 1989;
- (b) a gas transporter within the meaning of Part 1 (gas supply) of the Gas Act 1986;
- (c) a water undertaker within the meaning of the Water Industry Act 1991; and
- (d) a sewerage undertaker within the meaning of Part 1 (preliminary) of the Water Industry Act 1991,

for the area of the authorised development, and in relation to any apparatus, means the utility undertaker to whom it belongs or by whom it is maintained.

### **On street apparatus**

3. This Part of this Schedule does not apply to apparatus in respect of which the relations between the undertaker and the utility undertaker are regulated by the provisions of Part 3 (street works in England and Wales) of the 1991 Act.

### **Apparatus in stopped up streets**

4.—(1) Where any street is stopped up under article 20 (permanent stopping up and restriction of use of streets and private means of access), any utility undertaker whose apparatus is in the street has the same powers and rights in respect of that apparatus as it enjoyed immediately before the stopping up and the undertaker must grant to the utility undertaker legal easements reasonably satisfactory to the utility undertaker in respect of such apparatus and access to it, but nothing in this paragraph affects any right of the undertaker or of the utility undertaker to require the removal of that apparatus under paragraph 7 or the power of the undertaker to carry out works under paragraph 9.

(2) Regardless of the temporary alteration, diversion, prohibition and restriction of the use of streets under the powers conferred by article 19 (temporary alteration, diversion, prohibition and restriction of the use of streets), a utility undertaker is at liberty at all times to take all necessary access across any such stopped up highway and to execute and do all such works and things in, upon or under any such highway as may be reasonably necessary or desirable to enable it to maintain any apparatus which at the time of the stopping up or diversion was in that highway.

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(a) Section 104 was amended by sections 96(4) and 101(2) of, and Part 3 of Schedule 9 to, the Water Act 2003; section 42(3) of the Flood and Water Management Act 2010 (c. 29); and sections 11(1) and (2) and 56 of, and paragraphs 2 and 91 of Schedule 7 to, the Water Act 2014.

(b) There are amendments to section 219 which are not relevant to this Order.

### **Protective works to buildings**

5. The undertaker, in the case of the powers conferred by article 25 (protective work to buildings), must exercise those powers so as not to obstruct or render less convenient the access to any apparatus.

### **Acquisition of land**

6. Regardless of any provision in this Order or anything shown on the land plans, the undertaker must not acquire any apparatus otherwise than by agreement.

### **Removal of apparatus**

7.—(1) If, in the exercise of the powers conferred by this Order, the undertaker acquires any interest in any land in which any apparatus is placed or requires that the utility undertaker's apparatus is relocated or diverted, that apparatus must not be removed under this Part of this Schedule, and any right of a utility undertaker to maintain that apparatus in that land must not be extinguished until alternative apparatus has been constructed and is in operation to the reasonable satisfaction of the utility undertaker in question in accordance with sub-paragraphs (2) to (7).

(2) If, for the purpose of executing any works in, on or under any land purchased, held, appropriated or used under this Order, the undertaker requires the removal of any apparatus placed in that land, the undertaker must give to the utility undertaker in question 28 days' written notice of that requirement, together with a plan of the work proposed, and of the proposed position of the alternative apparatus to be provided or constructed and in that case (or if in consequence of the exercise of any of the powers conferred by this Order a utility undertaker reasonably needs to remove any of its apparatus) the undertaker must, subject to sub-paragraph (3) afford to the utility undertaker the necessary facilities and rights for the construction of alternative apparatus in other land of the undertaker and subsequently for the maintenance of that apparatus.

(3) If alternative apparatus or any part of such apparatus is to be constructed elsewhere than in other land of the undertaker, or the undertaker is unable to afford such facilities and rights as are mentioned in sub-paragraph (2) in the land in which the alternative apparatus or part of such apparatus is to be constructed, the utility undertaker in question must, on receipt of a written notice to that effect from the undertaker, as soon as reasonably possible use its best endeavours to obtain the necessary facilities and rights in the land in which the alternative apparatus is to be constructed.

(4) Any alternative apparatus to be constructed in land of the undertaker under this Part of this Schedule must be constructed in such manner and in such line or situation as may be agreed between the utility undertaker in question and the undertaker or in default of agreement settled by arbitration in accordance with article 62 (arbitration).

(5) The utility undertaker in question must, after the alternative apparatus to be provided or constructed has been agreed or settled by arbitration in accordance with article 62 (arbitration), and after the grant to the utility undertaker of any such facilities and rights as are referred to in sub-paragraph (2) or (3), proceed without unnecessary delay to construct and bring into operation the alternative apparatus and subsequently to remove any apparatus required by the undertaker to be removed under the provisions of this Part of this Schedule.

(6) Regardless of anything in sub-paragraph (5), if the undertaker gives notice in writing to the utility undertaker in question that the undertaker desires itself to execute any work, or part of any work in connection with the construction or removal of apparatus in any land of the undertaker, that work, instead of being executed by the utility undertaker, must be executed by the undertaker without unnecessary delay under the superintendence, if given, and to the reasonable satisfaction of the utility undertaker.

(7) Nothing in sub-paragraph (6) authorises the undertaker to execute the placing, installation, bedding, packing, removal, connection or disconnection of any apparatus, or execute any filling around the apparatus (where the apparatus is laid in a trench) within 300 millimetres of the apparatus.

### **Facilities and rights for alternative apparatus**

8.—(1) Where, in accordance with the provisions of this Part of this Schedule, the undertaker affords to a utility undertaker facilities and rights for the construction and maintenance in land of the undertaker of alternative apparatus in substitution for apparatus to be removed, those facilities and rights are to be granted upon such terms and conditions as may be agreed between the undertaker and the utility undertaker in question or in default of agreement settled by arbitration in accordance with article 62 (arbitration).

(2) If the facilities and rights to be afforded by the undertaker in respect of any alternative apparatus, and the terms and conditions subject to which those facilities and rights are to be granted, are in the opinion of the arbitrator less favourable on the whole to the utility undertaker in question than the facilities and rights enjoyed by it in respect of the apparatus to be removed and the terms and conditions to which those facilities and rights are subject, the arbitrator must make such provision for the payment of compensation by the undertaker to that utility undertaker as appears to the arbitrator to be reasonable having regard to all the circumstances of the particular case.

### **Retained apparatus**

9.—(1) Not less than 28 days before starting the execution of any works in, on or under any land purchased, held, appropriated or used under this Order that are near to, or will or may affect, any apparatus the removal of which has not been required by the undertaker under paragraph 7(2), the undertaker must submit to the utility undertaker in question a plan of the works to be executed.

(2) Those works must be executed only in accordance with the plan submitted under sub-paragraph (1) and in accordance with such reasonable requirements as may be made in accordance with sub-paragraph (3) by the utility undertaker for the alteration or otherwise for the protection of the apparatus, or for securing access to it, and the utility undertaker is entitled to watch and inspect the execution of those works.

(3) Any requirements made by a utility undertaker under sub-paragraph (2) are to be made within a period of 21 days beginning with the date on which a plan under sub-paragraph (1) is submitted to it.

(4) If a utility undertaker, in accordance with sub-paragraph (3) and in consequence of the works proposed by the undertaker, reasonably requires the removal of any apparatus and gives written notice to the undertaker of that requirement, paragraphs 1 to 3 and 6 to 8 apply as if the removal of the apparatus had been required by the undertaker under paragraph 7(2).

(5) Nothing in this paragraph precludes the undertaker from submitting at any time or from time to time, but in no case less than 28 days before commencing the execution of any works, a new plan instead of the plan previously submitted, and having done so the provisions of this paragraph apply to and in respect of the new plan.

(6) The undertaker is not required to comply with sub-paragraph (1) in a case of emergency but in that case it must give to the utility undertaker in question notice as soon as is reasonably practicable and a plan of those works as soon as reasonably practicable subsequently and must comply with sub-paragraph (3) in so far as is reasonably practicable in the circumstances.

(7) In relation to works which will or may be situated on, over, under or within 10 metres measured in any direction of any electricity apparatus, or involve embankment works within 10 metres of any electricity apparatus, the plan to be submitted to the utility undertaker under sub-paragraph (1) must be detailed, include a method statement and describe—

- (a) the exact position of the works;
- (b) the level at which they are proposed to be constructed or renewed;
- (c) the manner of their construction or renewal;
- (d) the position of all electricity apparatus; and
- (e) by way of detailed drawings, every alteration proposed to be made to such apparatus.

## Expenses and costs

**10.**—(1) Subject to the following provisions of this paragraph, the undertaker must repay to a utility undertaker all expenses reasonably incurred by that utility undertaker in, or in connection with, the inspection, removal, alteration or protection of any apparatus or the construction of any new apparatus which may be required in consequence of the execution of any such works as are referred to in paragraph 7(2).

(2) The value of any apparatus removed under the provisions of this Part of this Schedule must be deducted from any sum payable under sub-paragraph (1), that value being calculated after removal.

(3) If in accordance with the provisions of this Part of this Schedule—

- (a) apparatus of better type, of greater capacity or of greater dimensions is placed in substitution for existing apparatus of worse type, of smaller capacity or of smaller dimensions; or
- (b) apparatus (whether existing apparatus or apparatus substituted for existing apparatus) is placed at a depth greater than the depth at which the existing apparatus was situated,

and the placing of apparatus of that type or capacity or of those dimensions or the placing of apparatus at that depth, as the case may be, is not agreed by the undertaker or, in default of agreement, is not determined by arbitration in accordance with article 62 (arbitration) to be necessary, then, if such placing involves cost in the construction of works under this Part of this Schedule exceeding that which would have been involved if the apparatus placed had been of the existing type, capacity or dimensions, or at the existing depth, as the case may be, the amount which apart from this sub-paragraph would be payable to the utility undertaker in question by virtue of sub-paragraph (1) must be reduced by the amount of that excess.

(4) For the purposes of sub-paragraph (3)—

- (a) an extension of apparatus to a length greater than the length of existing apparatus must not be treated as a placing of apparatus of greater dimensions than those of the existing apparatus; and
- (b) where the provision of a joint in a pipe or cable is agreed, or is determined to be necessary, the consequential provision of a jointing chamber or of a manhole must be treated as if it also had been agreed or had been so determined.

(5) An amount which apart from this sub-paragraph would be payable to a utility undertaker in respect of works by virtue of sub-paragraph (1), if the works include the placing of apparatus provided in substitution for apparatus placed more than 7 years and 6 months earlier so as to confer on the utility undertaker any financial benefit by deferment of the time for renewal of the apparatus in the ordinary course, is to be reduced by the amount which represents that benefit.

**11.**—(1) Subject to sub-paragraphs (2) and (3), if by reason or in consequence of the construction of any such works referred to in paragraphs 5 or 7(2) any damage is caused to any apparatus or alternative apparatus (other than apparatus the repair of which is not reasonably necessary in view of its intended removal for the purposes of those works) or property of a utility undertaker, or there is any interruption in any service provided, or in the supply of any goods, by any utility undertaker, the undertaker must—

- (a) bear and pay the cost reasonably incurred by that utility undertaker in making good such damage or restoring the supply; and
- (b) make reasonable compensation to that utility undertaker for any other expenses, loss, damages, penalty or costs incurred by the utility undertaker,

by reason or in consequence of any such damage or interruption.

(2) The fact that any act or thing may have been done by a utility undertaker on behalf of the undertaker or in accordance with a plan approved by a utility undertaker or in accordance with any requirement of a utility undertaker or under its supervision does not, subject to subparagraph (3), excuse the undertaker from liability under the provisions of sub-paragraph (1).

(3) Nothing in sub-paragraph (1) imposes any liability on the undertaker with respect to any damage or interruption to the extent that it is attributable to the act, neglect or default of a utility undertaker, its officers, servants, contractors or agents.

(4) A utility undertaker must give the undertaker reasonable notice of any such claim or demand and no settlement or compromise is to be made without the consent of the undertaker and, if such consent is withheld, has the sole conduct of any settlement or compromise of any proceedings necessary to resist the claim or demand.

### **Cooperation**

**12.** Where in consequence of the proposed construction of any part of the authorised development, the undertaker or a utility undertaker requires the removal of apparatus under paragraph 7(2) or a utility undertaker makes requirements for the protection or alteration of apparatus under paragraph 9, the undertaker must use its best endeavours to co-ordinate the execution of the works in the interests of safety and the efficient and economic execution of the authorised development and taking into account the need to ensure the safe and efficient operation of the utility undertaker's undertaking and each utility undertaker must use its best endeavours to co-operate with the undertaker for that purpose.

**13.** Nothing in this Part of this Schedule affects the provisions of any enactment or agreement regulating the relations between the undertaker and a utility undertaker in respect of any apparatus laid or erected in land belonging to the undertaker on the date on which this Order is made.

## **PART 2**

### **FOR THE PROTECTION OF OPERATORS OF ELECTRONIC COMMUNICATIONS CODE NETWORKS**

**14.** For the protection of any operator, the following provisions have effect, unless otherwise agreed in writing between the undertaker and the operator.

**15.** In this Part of this Schedule—

“the 2003 Act” means the Communications Act 2003(a);

“conduit system” has the same meaning as in the electronic communications code and references to providing a conduit system are to be construed in accordance with paragraph 1(3A)(b) (interpretation of code) of that code;

“electronic communications apparatus” has the same meaning as in the electronic communications code;

“the electronic communications code” has the same meaning as in Chapter 1 (electronic communications, networks and services) of Part 2 (networks, services and the radio spectrum) of the 2003 Act(c);

“electronic communications code network” means—

- (a) so much of an electronic communications network or conduit system provided by an electronic communications code operator as is not excluded from the application of the electronic communications code by a direction under section 106 (application of the electronic communications code) of the 2003 Act; and
- (b) an electronic communications network which the undertaker is providing or proposing to provide;

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(a) 2003 c. 21.

(b) Paragraph 1(3A) was inserted by section 106(2) of, and paragraphs 1 and 4 of Schedule 3 to, the Communications Act 2003.

(c) See section 106 of the 2003 Act, which was amended by section 4(3) to (9) of the Digital Economy Act 2017 (c. 30). See also Schedule 3A to the 2003 Act, which was inserted by section 4 of, and Schedule 1 to, the Digital Economy Act 2017.

“electronic communications code operator” means a person in whose case the electronic communications code is applied by a direction under section 106 of the 2003 Act; and

“operator” means the operator of an electronic communications code network.

**16.** The exercise of the powers conferred by article 42 (statutory undertakers) is subject to Part 10 (undertakers’ works affecting electronic communications apparatus) of the electronic communications code.

**17.—**(1) Subject to sub-paragraphs (2) to (4), if as the result of the authorised development or its construction, or of any subsidence resulting from the authorised development—

(a) any damage is caused to any electronic communications apparatus belonging to an operator (other than apparatus the repair of which is not reasonably necessary in view of its intended removal for the purposes of the authorised development), or other property of an operator; or

(b) there is any interruption in the supply of the service provided by an operator, the undertaker must bear and pay the cost reasonably incurred by the operator in making good such damage or restoring the supply and make reasonable compensation to that operator for any other expenses, loss, damages, penalty or costs incurred by it, by reason, or in consequence of, any such damage or interruption.

(2) Nothing in sub-paragraph (1) imposes any liability on the undertaker with respect to any damage or interruption to the extent that it is attributable to the act, neglect or default of an operator, its officers, servants, contractors or agents.

(3) The operator must give the undertaker reasonable notice of any such claim or demand and no settlement or compromise of the claim or demand is to be made without the consent of the undertaker which, if it withholds such consent, has the sole conduct of any settlement or compromise or of any proceedings necessary to resist the claim or demand.

(4) Any difference arising between the undertaker and the operator under this Part of this Schedule must be referred to and settled by arbitration under article 62 (arbitration).

(5) This Part of this Schedule does not apply to—

(a) any apparatus in respect of which the relations between the undertaker and an operator are regulated by the provisions of Part 3 (street works in England and Wales) of the 1991 Act; or

(b) any damages, or any interruptions, caused by electro-magnetic interference arising from the construction or use of the authorised development.

(6) Nothing in this Part of this Schedule affects the provisions of any enactment or agreement regulating the relations between the undertaker and an operator in respect of any apparatus laid or erected in land belonging to the undertaker on the date on which this Order is made.

## PART 3

### FOR THE PROTECTION OF ANGLIAN WATER

#### **Application**

**18.** For the protection of Anglian Water, the following provisions have effect, unless otherwise agreed in writing between the undertaker and Anglian Water.

#### **Interpretation**

**19.** In this part of this Schedule –

“1991 Act” means the New Roads and Street Works Act 1991;

“alternative apparatus” means alternative apparatus adequate to enable Anglian Water to fulfil its statutory functions in a manner no less efficient than previously;



“Anglian Water” means Anglian Water Services Limited (company number 02366656), whose registered office is Lancaster House, Lancaster Way, Ermine Business Park, Huntingdon, Cambridgeshire, PE29 6YJ;

“apparatus” means—

- (a) any works, mains, pipes or other apparatus belonging to or maintained by Anglian Water for the purposes of water supply and sewerage;
- (b) any drain or works vested in Anglian Water under The Water Industry Act 1991,
- (c) any sewer which is so vested or is the subject of a notice of intention to adopt given under section 102(4) (adoption of sewers and disposal works) of that Act or an agreement to adopt made under section 104 (agreements to adopt sewer, drain or sewage disposal works, at future date) of that Act; and
- (d) includes a sludge main, disposal main or sewer outfall and any manholes, ventilating shafts, pumps or other accessories forming part of any such sewer, drain or works, and includes any structure in which apparatus is or is to be lodged or which gives or will give access to apparatus

and for the purpose of this definition, where words are defined by section 219 (general interpretation) of the Water Industry Act 1991 they shall be taken to have the same meaning.

“functions” includes powers and duties

“in” in a context referring to apparatus or alternative apparatus in land, includes a reference to apparatus or alternative apparatus under, over or upon land;

“plan” includes all designs, drawings, specifications, method statements, soil reports, programmes, calculations, risk assessments and other documents that are reasonably necessary properly and sufficiently to describe the works to be executed.

### **On street apparatus**

**20.** This Part of this Schedule does not apply to apparatus in respect of which the relations between the undertaker and Anglian Water are regulated by the provisions of Part 3 of the 1991 Act.

### **Schedule of apparatus**

**21.—**(1) Before commencement of any work set out in Schedule 1 to divert any apparatus the undertaker will provide Anglian Water with a schedule of apparatus which will be diverted as part of the authorised development setting out for each piece of apparatus whether those works are to be undertaken under this Schedule or under the 1991 Act and, where a diversion is to be carried out partly under this Schedule and partly under the 1991 Act, details of which part of the diversion is to be carried out under which power.

(2) The undertaker may from time to time provide to Anglian Water amendments to the schedule referred to in sub-paragraph (1).

(3) No amendment may be submitted under sub-paragraph (2) in respect of apparatus which is to be diverted as part of a work set out in Schedule 1, or which comprises such a work, after that work has commenced.

### **Apparatus in stopped up streets**

**22.—**(1) Where any street is stopped up under article 20 (permanent stopping up and restriction of use of streets and private means of access), where Anglian Water has apparatus in the street or accessed by virtue of that street, it has the same powers and rights in respect of that apparatus as it enjoyed immediately before the stopping up and the undertaker must grant to Anglian Water legal easements reasonably satisfactory to Anglian Water in respect of such apparatus and access to it, but nothing in this paragraph affects any right of the undertaker or of Anglian Water to require the removal of that apparatus under paragraph 25 or the power of the undertaker to carry out works under paragraph 27.

(2) Regardless of the temporary alteration, diversion or prohibition of the use of or restriction of the use of any highway under the powers conferred by article 19 (temporary alteration, diversion, prohibition and restriction of the use of streets), Anglian Water is at liberty at all times to take all necessary access across any such altered, diverted, prohibited or restricted highway and to execute and do all such works and things in, upon or under any such highway as may be reasonably necessary or desirable to enable it to maintain any apparatus which at the time of the alteration, diversion or prohibition of use of or restriction of use was in that highway.

### **Protective works to buildings**

23. The undertaker, in the case of the powers conferred by article 25 (protective work to buildings), must exercise those powers so as not to obstruct or render less convenient the access to any apparatus.

### **Acquisition of land**

24. Regardless of any provision in this Order or anything shown on the land plans, the undertaker must not acquire any apparatus otherwise than by agreement.

### **Removal of apparatus**

25.—(1) If, in the exercise of the powers conferred by this Order, the undertaker acquires any interest in any land in which any apparatus is placed or requires that Anglian Water's apparatus is relocated or diverted, that apparatus must not be removed under this Part of this Schedule, and any right of Anglian Water to maintain that apparatus in that land must not (without the prior written consent of Anglian Water) be extinguished, until—

- (a) alternative apparatus has been constructed and is in operation to the reasonable satisfaction of Anglian Water in accordance with sub-paragraphs (2) to (8); and
- (b) facilities and rights have been secured for that alternative apparatus in accordance with paragraph 26.

(2) If, for the purpose of executing any works in, on or under any land purchased, held, appropriated or used under this Order, the undertaker requires the removal of any apparatus placed in that land, the undertaker must give to Anglian Water 28 days' written notice of that requirement, together with a plan of the work proposed, and of the proposed position of the alternative apparatus to be provided or constructed and in that case (or if in consequence of the exercise of any of the powers conferred by this Order an undertaker reasonably needs to remove any of its apparatus) the undertaker must, subject to sub-paragraph (3), afford to Anglian Water the necessary facilities and rights for the construction of alternative apparatus in other land of the undertaker and subsequently for the maintenance of that apparatus.

(3) If alternative apparatus or any part of such apparatus is to be constructed elsewhere than in other land of the undertaker, or the undertaker is unable to afford such facilities and rights as are mentioned in sub-paragraph (2) in the land in which the alternative apparatus or part of such apparatus is to be constructed Anglian Water must, on receipt of a written notice to that effect from the undertaker, as soon as reasonably possible use its best endeavours to obtain the necessary facilities and rights in the land in which the alternative apparatus is to be constructed.

(4) Any alternative apparatus to be constructed in land of the undertaker under this Part of this Schedule must be constructed in such manner and in such line or situation as may be agreed between Anglian Water and the undertaker or in default of agreement settled by arbitration in accordance with article 62 (arbitration).

(5) Anglian Water must, after the alternative apparatus to be provided or constructed has been agreed or settled by arbitration in accordance with article 62 (arbitration), and after the grant to Anglian Water of any such facilities and rights as are referred to in sub-paragraphs (2) or (3), proceed without unnecessary delay to construct and bring into operation the alternative apparatus and subsequently to remove any apparatus required by the undertaker to be removed under the provisions of this Part of this Schedule.

(6) Regardless of anything in sub-paragraph (5), if Anglian Water gives notice in writing to the undertaker that it desires the undertaker to execute any work, or part of any work in connection with the construction or removal of apparatus in any land of the undertaker, or to the extent that Anglian Water fails to proceed with that work in accordance with sub-paragraph (5) or the undertaker and Anglian Water otherwise agree, that work, instead of being executed by Anglian Water, must be executed by the undertaker without unnecessary delay under the superintendence, if given, and to the reasonable satisfaction of Anglian Water.

(7) Notice under sub-paragraph (6) that Anglian Water desires the undertaker to execute any work, or part of any work, must be given within 14 days of agreement under sub-paragraph (4) or, in default of agreement, within 14 days of the date of settlement by arbitration under sub-paragraph (4).

(8) If Anglian Water fails either reasonably to approve, or to provide reasons for its failure to approve along with an indication of what would be required to make acceptable, any proposed details relating to required removal works under sub-paragraph (2) within 28 days of receiving a notice of the required works from the undertaker, then such details are deemed to have been approved. For the avoidance of doubt, any such “deemed consent” does not extend to the actual undertaking of the removal works, which shall remain the sole responsibility of Anglian Water or its contractors.

(9) Whenever alternative apparatus is to be or is being substituted for existing apparatus, the undertaker shall, before taking or requiring any further step in such substitution works, use best endeavours to comply with Anglian Water’s reasonable requests for a reasonable period of time to enable Anglian Water to—

- (a) make network contingency arrangements; or
- (b) bring such matters as it may consider reasonably necessary to the attention of end users of the utility in question.

### **Facilities and rights for alternative apparatus**

**26.**—(1) Where, in accordance with the provisions of this Part of this Schedule, the undertaker affords to Anglian Water facilities and rights for the construction and maintenance in land of the undertaker of alternative apparatus in substitution for apparatus to be removed, those facilities and rights are to be granted upon such terms and conditions as may be agreed between the undertaker and Anglian Water or in default of agreement settled by arbitration in accordance with article 62 (arbitration).

(2) If the facilities and rights to be afforded by the undertaker in respect of any alternative apparatus, and the terms and conditions subject to which those facilities and rights are to be granted, are in the opinion of the arbitrator less favourable on the whole to Anglian Water than the facilities and rights enjoyed by it in respect of the apparatus to be removed and the terms and conditions to which those facilities and rights are subject, the arbitrator must make such provision for the payment of compensation by the undertaker to Anglian Water as appears to the arbitrator to be reasonable having regard to all the circumstances of the particular case.

(3) Such facilities and rights as are set out in this paragraph are deemed to include any statutory permits granted to the undertaker in respect of the apparatus in question, whether under the Environmental Permitting Regulations 2010(a) or other legislation.

### **Retained apparatus**

**27.**—(1) Not less than 28 days before starting the execution of any works in, on or under any land purchased, held, appropriated or used under this Order that are near to, or will or may affect, any apparatus (or any means of access to it) the removal of which has not been required by the undertaker under paragraph 25(2), the undertaker must submit to Anglian Water a plan of the works to be executed.

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(a) S.I. 2010/675.

(2) Those works must be executed only in accordance with the plan submitted under sub-paragraph (1) and in accordance with such reasonable requirements as may be made in accordance with sub-paragraph (3) by Anglian Water for the alteration or otherwise for the protection of the apparatus, or for securing access to it, and Anglian Water is entitled to watch and inspect the execution of those works.

(3) Any requirements made by Anglian Water under sub-paragraph (2) must be made within a period of 21 days beginning with the date on which a plan under sub-paragraph (1) is submitted to it.

(4) If Anglian Water, in accordance with sub-paragraph (3) and in consequence of the works proposed by the undertaker, reasonably requires the removal of any apparatus and gives written notice to the undertaker of that requirement, sub-paragraphs (1) to (3) and (6) to (7) apply as if the removal of the apparatus had been required by the undertaker under paragraph 25(2).

(5) Nothing in this paragraph precludes the undertaker from submitting at any time or from time to time, but in no case less than 28 days before commencing the execution of any works, a new plan instead of the plan previously submitted, and having done so the provisions of this paragraph apply to and in respect of the new plan.

(6) The undertaker is not required to comply with sub-paragraph (1) in a case of emergency but in that case must give to Anglian Water notice as soon as is reasonably practicable and a plan of those works as soon as reasonably practicable subsequently and must comply with sub-paragraph (3) in so far as is reasonably practicable in the circumstances and will keep the impact of those emergency works on Anglian Water's apparatus, on the operation of its water and sewerage network and on end-users of the services Anglian Water provides to a minimum.

(7) For the purposes of sub-paragraph (1), works are deemed to be in land near Anglian Water's apparatus (where it is a pipe) if those works fall within the following distances measured from the medial line of such apparatus:

- (a) 2.25 metres where the diameter of the pipe is less than 150 millimetres;
- (b) 3 metres where the diameter of the pipe is between 150 and 450 millimetres;
- (c) 4.5 metres where the diameter of the pipe is between 451 and 750 millimetres; and
- (d) 6 metres where the diameter of the pipe exceeds 750 millimetres.

### **Expenses and costs**

**28.**—(1) Subject to the following provisions of this paragraph, the undertaker must repay to Anglian Water all expenses reasonably incurred by Anglian Water in, or in connection with, the inspection, removal, alteration or protection of any apparatus or the construction of any new apparatus which may be required in consequence of the execution of any such works as are referred to in this Part of the Schedule.

(2) There must be deducted from any sum payable under sub-paragraph (1) the value of any apparatus removed under the provisions of this Part of this Schedule that value being calculated after removal.

(3) If in accordance with the provisions of this Part of this Schedule—

- (a) apparatus of better type, of greater capacity or of greater dimensions is placed in substitution for existing apparatus of worse type, of smaller capacity or of smaller dimensions; or
- (b) apparatus (whether existing apparatus or apparatus substituted for existing apparatus) is placed at a depth greater than the depth at which the existing apparatus was situated, and the placing of apparatus of that type or capacity or of those dimensions or the placing of apparatus at that depth, as the case may be, is not agreed by the undertaker or, in default of agreement, is not determined by arbitration in accordance with article 62 (arbitration) to be necessary, then, if such placing involves cost in the construction of works under this Part of this Schedule exceeding that which would have been involved if the apparatus placed had been of the existing type, capacity or dimensions, or at the existing depth, as the case may be, the amount which apart from this sub-paragraph would be payable to

Anglian Water by virtue of sub-paragraph (1) must be reduced by the amount of that excess.

(4) For the purposes of sub-paragraph (3)—

- (a) an extension of apparatus to a length greater than the length of existing apparatus is not to be treated as a placing of apparatus of greater dimensions than those of the existing apparatus; and
- (b) where the provision of a joint in a pipe or cable is agreed, or is determined to be necessary, the consequential provision of a jointing chamber or of a manhole is to be treated as if it also had been agreed or had been so determined.

(5) An amount which apart from this sub-paragraph would be payable to Anglian Water in respect of works by virtue of sub-paragraph (1), if the works include the placing of apparatus provided in substitution for apparatus placed more than 7 years and 6 months earlier so as to confer on Anglian Water any financial benefit by deferment of the time for renewal of the apparatus in the ordinary course, is to be reduced by the amount which represents that benefit.

**29.—**(1) Subject to sub-paragraphs (2) and (3), if by reason or in consequence of the construction of any such works referred to in paragraphs 23 or 25(2), or by reason of any subsidence resulting from such development or works, any damage is caused to any apparatus or alternative apparatus (other than apparatus the repair of which is not reasonably necessary in view of its intended removal for the purposes of those works) or property of Anglian Water, or there is any interruption in any service provided, or in the supply of any goods, by Anglian Water, the undertaker must—

- (a) bear and pay the cost reasonably incurred by Anglian Water in making good such damage or restoring the supply; and
- (b) make reasonable compensation to Anglian Water for any other expenses, loss, damages, penalty or costs incurred by the undertaker, by reason or in consequence of any such damage or interruption.

(2) The fact that any act or thing may have been done by Anglian Water on behalf of the undertaker or in accordance with a plan approved by Anglian Water or in accordance with any requirement of Anglian Water or under its supervision does not, subject to sub-paragraph (3), excuse the undertaker from liability under the provisions of sub-paragraph (1) unless Anglian Water fails to carry out and execute the works properly with due care and attention and in a skilful and professional like manner or in a manner that does not accord with the approved plan.

(3) Nothing in sub-paragraph (1) imposes any liability on the undertaker with respect to any damage or interruption to the extent that it is attributable to the act, neglect or default of Anglian Water, its officers, servants, contractors or agents.

(4) Anglian Water must give the undertaker reasonable notice of any such claim or demand and no settlement or compromise is to be made, without the consent of the undertaker (such consent not to be unreasonably withheld or delayed) who, if withholding such consent, has the sole conduct of any settlement or compromise or of any proceedings necessary to resist the claim or demand.

## **Cooperation**

**30.** Where in consequence of the proposed construction of any of the authorised development, the undertaker or Anglian Water requires the removal of apparatus under paragraph 25(2) or Anglian Water makes requirements for the protection or alteration of apparatus under paragraph 27, the undertaker must use all reasonable endeavours to co-ordinate the execution of the works in the interests of safety and the efficient and economic execution of the authorised development and taking into account the need to ensure the safe and efficient operation of Anglian Water's undertaking and Anglian Water must use all reasonable endeavours to co-operate with the undertaker for that purpose.

**31.** Where the undertaker identifies any apparatus which may belong to or be maintainable by Anglian Water but which does not appear on any statutory map kept for the purpose by Anglian

Water, it shall inform Anglian Water of the existence and location of the apparatus as soon as reasonably practicable.

**32.** Nothing in this Part of this Schedule affects the provisions of any enactment or agreement regulating the relations between the undertaker and Anglian Water in respect of any apparatus laid or erected in land belonging to the undertaker on the date on which this Order is made.

**33.** Any time period in which an action must be taken in this part of the Schedule may be amended by written agreement between the undertaker and Anglian Water.

## PART 4

### FOR THE PROTECTION OF NATIONAL GRID ELECTRICITY TRANSMISSION PLC

#### Application

**34.**—(1) For the protection of National Grid as referred to in this Part of this Schedule the following provisions have effect, unless otherwise agreed in writing between the undertaker and National Grid.

(2) Subject to sub-paragraph (3) or to the extent otherwise agreed in writing between the undertaker and National Grid, where the benefit of this Order is transferred or granted to another person under article 12 (consent to transfer benefit of Order)—

- (a) any agreement of the type mentioned in sub-paragraph (1) has effect as if it had been made between National Grid and the transferee or grantee (as the case may be); and
- (b) written notice of the transfer or grant must be given to National Grid on or before the date of that transfer or grant.

(3) Sub-paragraph (2) does not apply where the benefit of the Order is transferred or granted to National Grid (but see paragraph 44(3)(b)).

#### Interpretation

**35.** In this Part of this Schedule—

“1991 Act” means the New Roads and Street Works Act 1991;

“alternative apparatus” means appropriate alternative apparatus to the reasonable satisfaction of National Grid to enable National Grid to fulfil its statutory functions in a manner no less efficient than previously;

“apparatus” means any electric lines or electrical plant as defined in the Electricity Act 1989, belonging to or maintained by National Grid together with any replacement apparatus and such other apparatus constructed pursuant to the Order that becomes operational apparatus of National Grid for the purposes of transmission, distribution or supply and includes any structure in which apparatus is or will be lodged or which gives or will give access to apparatus;

- (a) “authorised works” has the same meaning as is given to the term “authorised development” in article 2(1) of this Order and for the purposes of this Part of this Schedule includes the use and maintenance of the authorised works and construction of any works authorised by this Schedule;
- (b) “commence” and “commencement” in paragraph 43 and 44 of this Part of this Schedule includes any below ground surveys, monitoring, ground work operations or the receipt and erection of construction plant and equipment,

“deed of consent” means a deed of consent, crossing agreement, deed of variation or new deed of grant agreed between the parties acting reasonably in order to vary or replace existing easements, agreements, and other such interests so as to secure land rights and interests as are

necessary to carry out, maintain, operate and use the apparatus in a manner consistent with the terms of this Part of this Schedule;

“functions” includes powers and duties;

“ground mitigation scheme” means a scheme approved by National Grid (such approval not to be unreasonably withheld or delayed) setting out the necessary measures (if any) for a ground subsidence event;

“in” in a context referring to apparatus or alternative apparatus in land includes a reference to apparatus or alternative apparatus under, over, across, along or upon such land;

“maintain” and “maintenance” includes the ability and right to do any of the following in relation to any apparatus or alternative apparatus of National Grid including construct, use, repair, alter, inspect, renew or remove the apparatus;

“National Grid” means National Grid Electricity Transmission Plc (company number 02366977), whose registered office is 1-3 Strand, London, WC2N 5EH or any successor as a licence holder within the meaning of Part 1 of the Electricity Act ;

“plan” or “plans” include all designs, drawings, specifications, method statements, soil reports, programmes, calculations, risk assessments and other documents that are reasonably necessary properly and sufficiently to describe and assess the works to be executed;

“specified works” means any of the authorised works or activities undertaken in association with the authorised works which:

- (a) will or may be situated over, or within 15 metres measured in any direction of any apparatus the removal of which has not been required by the undertaker under paragraph 40(2) or otherwise; or
- (b) may in any way adversely affect any apparatus the removal of which has not been required by the undertaker under paragraph 40(2) or otherwise.

**36.** Except for paragraphs 37 (apparatus in stopped up streets), 42 (retained apparatus: protection), 43 (expenses) and 44 (indemnity) of this Schedule which will apply in respect of the exercise of all or any powers under the Order affecting the rights and apparatus of National Grid, the other provisions of this Schedule do not apply to apparatus in respect of which the relations between the undertaker and National Grid are regulated by the provisions of Part 3 of the 1991 Act.

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

**37.—**(1) Where any street is stopped up under article 20 (permanent stopping up and restriction of use of streets and private means of access), if National Grid has any apparatus in the street or accessed via that street National Grid has the same rights in respect of that apparatus as it enjoyed immediately before the stopping up and the undertaker must grant to National Grid, or procure the granting to National Grid of, legal easements reasonably satisfactory to National Grid in respect of such apparatus and access to it prior to the stopping up of any such street but nothing in this paragraph affects any right of the undertaker or National Grid to require the removal of that apparatus under paragraph 40 or the power of the undertaker, subject to compliance with this subparagraph, to carry out works under paragraph 42.

(2) Notwithstanding the temporary alteration, diversion or restriction of any highway under the powers of article 19 (temporary alteration, diversion, prohibition and restriction of use of streets), National Grid will be at liberty at all times to take all necessary access across any such stopped up street and to execute and do all such works and things in, upon or under any such street as may be reasonably necessary or desirable to enable it to maintain any apparatus which at the time of the alteration, diversion or restriction was in that street.

### **Protective works to buildings**

**38.** The undertaker must exercise the powers conferred by article 25 (protective work to buildings) so as not to obstruct or render less convenient the access to any apparatus without the written consent of National Grid (such consent not to be unreasonably withheld)

### **Acquisition of land**

**39.**—(1) Regardless of any provision in this Order or anything shown on the land plans, the undertaker may not acquire any interest in land or apparatus or override any easement or other interest of National Grid otherwise than by agreement.

(2) As a condition of an agreement between the parties in sub-paragraph (1), prior to the carrying out of any part of the authorised works (or in such other timeframe as may be agreed between National Grid and the undertaker) that is subject to the requirements of this Part of this Schedule that will cause any conflict with or breach the terms of any easement or other legal or land interest of National Grid or affect the provisions of any enactment or agreement regulating the relations between National Grid and the undertaker in respect of any apparatus laid or erected in land belonging to or secured by the undertaker, the undertaker must as National Grid reasonably requires enter into such deeds of consent upon such terms and conditions as may be agreed between National Grid and the undertaker acting reasonably and which must be no less favourable on the whole to National Grid unless otherwise agreed by National Grid, and it will be the responsibility of the undertaker to procure and secure the consent and entering into of such deeds and variations by all other third parties with an interest in the land at that time who are affected by such authorised works.

(3) The undertaker and National Grid agree that where there is any inconsistency or duplication between the provisions set out in this Part of this Schedule relating to the relocation or removal of apparatus (including but not limited to the payment of costs and expenses relating to such relocation or removal of apparatus) and the provisions of any existing easement, rights, agreements and licences granted, used, enjoyed or exercised by National Grid or other enactments relied upon by National Grid as of right or other use in relation to the apparatus, then the provisions in this Schedule prevail.

(4) Any agreement or consent granted by National Grid under paragraph 42 or any other paragraph of this Part of this Schedule, is not to be taken to constitute agreement under sub-paragraph (1).

### **Removal of apparatus**

**40.**—(1) If, in the exercise of the powers conferred by this Order, the undertaker acquires any interest in or possesses temporarily any land in which any apparatus is placed, that apparatus must not be removed under this Part of this Schedule and any right of National Grid to maintain that apparatus in that land must not be extinguished until alternative apparatus has been constructed, and is in operation to the reasonable satisfaction of National Grid in accordance with sub-paragraph (2) to (5).

(2) If, for the purpose of executing any works in, on, under or over any land purchased, held, appropriated or used under this Order, the undertaker requires the removal of any apparatus placed in that land, it must give to National Grid advance written notice of that requirement, together with a plan of the work proposed, and of the proposed position of the alternative apparatus to be provided or constructed and in that case (or if in consequence of the exercise of any of the powers conferred by this Order National Grid reasonably needs to remove any of its apparatus) the undertaker must, subject to sub-paragraph (3), afford to National Grid to its reasonable satisfaction (taking into account paragraph 41(1)) the necessary facilities and rights—

- (a) for the construction of alternative apparatus in other land of, or secured by, the undertaker; and
- (b) subsequently for the maintenance of that apparatus.



(3) If alternative apparatus or any part of such apparatus is to be constructed elsewhere than in other land of or land secured by the undertaker, or the undertaker is unable to afford such facilities and rights as are mentioned in sub-paragraph (2) in the land in which the alternative apparatus or part of such apparatus is to be constructed, National Grid must, on receipt of a written notice to that effect from the undertaker, take such steps as are reasonable in the circumstances in an endeavour to obtain the necessary facilities and rights in the land in which the alternative apparatus is to be constructed save that this obligation does not extend to the requirement for National Grid to use its compulsory purchase powers to this end unless it elects to so do.

(4) Any alternative apparatus to be constructed in land of or land secured by the undertaker under this Part of this Schedule must be constructed in such manner and in such line or situation as may be agreed between National Grid and the undertaker.

(5) National Grid must, after the alternative apparatus to be provided or constructed has been agreed, and subject to the grant to National Grid of any such facilities and rights as are referred to in sub-paragraph (2) or (3), proceed without unnecessary delay to construct and bring into operation the alternative apparatus and subsequently to remove any apparatus required by the undertaker to be removed under the provisions of this Part of this Schedule.

### **Facilities and rights for alternative apparatus**

**41.**—(1) Where, in accordance with the provisions of this Part of this Schedule, the undertaker affords to or secures for National Grid facilities and rights in land for the construction, use, maintenance and protection of alternative apparatus in substitution for apparatus to be removed, those facilities and rights must be granted upon such terms and conditions as may be agreed between the undertaker and National Grid and must be no less favourable on the whole to National Grid than the facilities and rights enjoyed by it in respect of the apparatus to be removed unless otherwise agreed by National Grid.

(2) If the facilities and rights to be afforded by the undertaker under paragraph (1) above in respect of any alternative apparatus, and the terms and conditions subject to which those facilities and rights are to be granted, are less favourable on the whole to National Grid than the facilities and rights enjoyed by it in respect of the apparatus to be removed and the terms and conditions to which those facilities and rights are subject, the matter may be referred to arbitration in accordance with paragraph 48 (Arbitration) of this Part of this Schedule and the arbitrator must make such provision for the payment of compensation by the undertaker to National Grid as appears to the arbitrator to be reasonable having regard to all the circumstances of the particular case.

### **Retained apparatus: protection of electricity undertaker**

**42.**—(1) Not less than 56 days before the commencement of any specified works the undertaker must submit to National Grid a plan of the works to be executed and seek from National Grid details of the underground extent of their electricity tower foundations.

(2) In relation to works which will or may be situated on, over, under or within (i) 15 metres measured in any direction of any apparatus, or (ii) involve embankment works within 15 metres of any apparatus, the plan to be submitted to National Grid under sub-paragraph (1) must include a method statement and describe—

- (a) the exact position of the works;
- (b) the level at which these are proposed to be constructed or renewed;
- (c) the manner of their construction or renewal including details of excavation, positioning of plant;
- (d) the position of all apparatus;
- (e) by way of detailed drawings, every alteration proposed to be made to or close to any such apparatus;
- (f) any intended maintenance regimes; and
- (g) an assessment of risks of rise of earth issues.

(3) In relation to any works which will or may be situated on, over, under or within 10 metres of any part of the foundations of an electricity tower or between any two or more electricity towers, the plan to be submitted under sub-paragraph (1) must, in addition to the matters set out in sub-paragraph (2), include a method statement describing—

- (a) details of any cable trench design including route, dimensions, clearance to pylon foundations;
- (b) demonstration that pylon foundations will not be affected prior to, during and post construction;
- (c) details of load bearing capacities of trenches;
- (d) details of any cable installation methodology including access arrangements, jointing bays and backfill methodology;
- (e) a written management plan for high voltage hazard during construction and ongoing maintenance of any cable route;
- (f) written details of the operations and maintenance regime for any cable, including frequency and method of access;
- (g) assessment of earth rise potential if reasonably required by National Grid's engineers; and
- (h) evidence that trench bearing capacity is to be designed to support overhead line construction traffic of up to 26 tonnes in weight.

(4) The undertaker must not commence any works to which sub-paragraphs (2) or (3) apply until National Grid has given written approval of the plan so submitted.

(5) Any approval of National Grid required under sub-paragraphs (4)—

- (a) may be given subject to reasonable conditions for any purpose mentioned in sub-paragraphs (6) or (8); and,
- (b) must not be unreasonably withheld.

(6) In relation to any work to which sub-paragraphs (2) or (3) apply, National Grid may require such modifications to be made to the plans as may be reasonably necessary for the purpose of securing its apparatus against interference or risk of damage, for the provision of protective works or for the purpose of providing or securing proper and convenient means of access to any apparatus.

(7) Works executed under sub-paragraphs (2) or (3) must be executed in accordance with the plan, submitted under sub-paragraph (1) or as relevant sub-paragraph (6), as approved or as amended from time to time by agreement between the undertaker and National Grid and in accordance with such reasonable requirements as may be made in accordance with sub-paragraphs (6) or (8) by National Grid for the alteration or otherwise for the protection of the apparatus, or for securing access to it, and National Grid will be entitled to watch and inspect the execution of those works.

(8) Where under sub-paragraph (6) National Grid requires any protective works to be carried out by itself or by the undertaker (whether of a temporary or permanent nature) such protective works, inclusive of any measures or schemes required and approved as part of the plan approved pursuant to this paragraph, must be carried out to National Grid's satisfaction prior to the commencement of any specified works for which protective works are required and National Grid must give notice of its requirement for such works within 42 days of the date of submission of a plan pursuant to this paragraph (except in an emergency).

(9) If National Grid in accordance with sub-paragraphs (6) or (8) and in consequence of the works proposed by the undertaker, reasonably requires the removal of any apparatus and gives written notice to the undertaker of that requirement, paragraphs 34 to 36 and 39 to 41 apply as if the removal of the apparatus had been required by the undertaker under paragraph 40(2).

(10) Nothing in this paragraph precludes the undertaker from submitting at any time or from time to time, but in no case less than 56 days before commencing the execution of the specified works, a new plan, instead of the plan previously submitted, and having done so the provisions of this paragraph apply to and in respect of the new plan.

(11) The undertaker will not be required to comply with sub-paragraph (1) where it needs to carry out emergency works but in that case it must give to National Grid notice as soon as is reasonably practicable and a plan of those works and must comply with sub-paragraphs (6), (7) and (8) insofar as is reasonably practicable in the circumstances.

(12) In sub-paragraph (11) “emergency works” means works whose execution at the time when they are executed is required in order to put an end to or to prevent the occurrence of circumstances then existing or imminent (or which the person responsible for the works believes on reasonable grounds to be existing or imminent) which are likely to cause danger to persons or property.

## **Expenses**

**43.**—(1) Subject to the following provisions of this paragraph, the undertaker must pay to National Grid within 30 days of receipt of an itemised invoice or claim from National Grid all charges, costs and expenses reasonably anticipated within the following three months or reasonably and properly incurred by National Grid in, or in connection with, the inspection, removal, relaying or replacing, alteration or protection of any apparatus or the construction of any new or alternative apparatus which may be required in consequence of the execution of any authorised works including without limitation—

- (a) any costs reasonably incurred by or compensation properly paid by National Grid in connection with the acquisition of rights or the exercise of statutory powers for such apparatus including without limitation all costs incurred by National Grid as a consequence of National Grid;
  - (i) using its own compulsory purchase powers to acquire any necessary rights under paragraph 40(3); or
  - (ii) exercising any compulsory purchase powers in the Order transferred to or benefitting National Grid;
- (b) in connection with the cost of the carrying out of any diversion work or the provision of any alternative apparatus, where no written diversion agreement is otherwise in place;
- (c) the cutting off of any apparatus from any other apparatus or the making safe of redundant apparatus;
- (d) the approval of plans;
- (e) the carrying out of protective works, plus a capitalised sum to cover the cost of maintaining and renewing permanent protective works;
- (f) the survey of any land, apparatus or works, the inspection and monitoring of works or the installation or removal of any temporary works reasonably necessary in consequence of the execution of any such works referred to in this Part of this Schedule.

(2) There will be deducted from any sum payable under sub-paragraph (1) the value of any apparatus removed under the provisions of this Part of this Schedule and which is not re-used as part of the alternative apparatus, that value being calculated after removal.

(3) If in accordance with the provisions of this Part of this Schedule—

- (a) apparatus of better type, of greater capacity or of greater dimensions is placed in substitution for existing apparatus of worse type, of smaller capacity or of smaller dimensions; or
- (b) apparatus (whether existing apparatus or apparatus substituted for existing apparatus) is placed at a depth greater than the depth at which the existing apparatus was situated,

and the placing of apparatus of that type or capacity or of those dimensions or the placing of apparatus at that depth, as the case may be, is not agreed by the undertaker or, in default of agreement, is not determined by arbitration in accordance with paragraph 48 (arbitration) to be necessary, then, if such placing involves cost in the construction of works under this Part of this Schedule exceeding that which would have been involved if the apparatus placed had been of the existing type, capacity or dimensions, or at the existing depth, as the case may be, the amount

which apart from this sub-paragraph would be payable to National Grid by virtue of sub-paragraph (1) will be reduced by the amount of that excess save to the extent that it is not possible in the circumstances to obtain the existing type of apparatus at the same capacity and dimensions or place at the existing depth in which case full costs will be borne by the undertaker.

(4) For the purposes of sub-paragraph (3)—

- (a) an extension of apparatus to a length greater than the length of existing apparatus will not be treated as a placing of apparatus of greater dimensions than those of the existing apparatus; and
- (b) where the provision of a joint in a pipe or cable is agreed, or is determined to be necessary, the consequential provision of a jointing chamber or of a manhole will be treated as if it also had been agreed or had been so determined.

(5) Any amount which apart from this sub-paragraph would be payable to National Grid in respect of works by virtue of sub-paragraph (1) will, if the works include the placing of apparatus provided in substitution for apparatus placed more than 7 years and 6 months earlier so as to confer on National Grid any financial benefit by deferment of the time for renewal of the apparatus in the ordinary course, be reduced by the amount which represents that benefit.

### **Indemnity**

**44.**—(1) Subject to sub-paragraphs (2) and (3), if by reason or in consequence of the construction of any works authorised by this Part of this Schedule or in consequence of the construction, use, maintenance or failure of any of the authorised works by or on behalf of the undertaker or in consequence of any act or default of the undertaker (or any person employed or authorised by him) in the course of carrying out such works, including without limitation works carried out by the undertaker under this Part of this Schedule or any subsidence resulting from any of these works, any damage is caused to any apparatus or alternative apparatus (other than apparatus the repair of which is not reasonably necessary in view of its intended removal for the purposes of the authorised works) or property of National Grid, or there is any interruption in any service provided, or in the supply of any goods, by National Grid, or National Grid becomes liable to pay any amount to any third party, the undertaker will—

- (a) bear and pay on demand accompanied by an invoice or claim from National Grid the cost reasonably and properly incurred by National Grid in making good such damage or restoring the supply; and
- (b) indemnify National Grid for any other expenses, loss, demands, proceedings, damages, claims, penalty or costs incurred by or recovered from National Grid, by reason or in consequence of any such damage or interruption or National Grid becoming liable to any third party as aforesaid other than arising from any default of National Grid.

(2) The fact that any act or thing may have been done by National Grid on behalf of the undertaker or in accordance with a plan approved by National Grid or in accordance with any requirement of National Grid or under its supervision will not (unless sub-paragraph (3) applies), excuse the undertaker from liability under the provisions of this sub-paragraph (1) unless National Grid fails to carry out and execute the works properly with due care and attention and in a skilful and workman like manner or in a manner that does not accord with the approved plan.

(3) Nothing in sub-paragraph (1) imposes any liability on the undertaker in respect of-

- (a) any damage or interruption to the extent that it is attributable to the neglect or default of National Grid, its officers, servants, contractors or agents;
- (b) any part of the authorised works carried out by National Grid in the exercise of any functions conferred by this Order pursuant to a grant or transfer under article 12 (consent to transfer benefit of Order).

(4) National Grid must give the undertaker reasonable notice of any such third party claim or demand and no settlement, admission of liability or compromise must, unless payment is required in connection with a statutory compensation scheme, be made without first consulting the undertaker and considering their representations.

(5) National Grid must, in respect of any matter covered by the indemnity given by the undertaker in this paragraph, at all times act reasonably and in the same manner as it would as if settling third party claims on its own behalf from its own funds.

(6) National Grid must use its reasonable endeavours to mitigate and to minimise any costs, expenses, loss, demands, and penalties to which the indemnity under this paragraph applies where it is within National Grid's reasonable ability and control to do so and which expressly excludes any obligation to mitigate liability arising from third parties which is outside of National Grid's control and if reasonably requested to do so by the undertaker National Grid must provide an explanation of how the claim has been minimised, where relevant.

### **Enactments and agreements**

**45.** Nothing in this Part of this Schedule affects the provisions of any enactment or agreement regulating the relations between the undertaker and National Grid in respect of any apparatus laid or erected in land belonging to the undertaker on the date on which this Order is made.

### **Co-operation**

**46.—**(1) Where in consequence of the proposed construction of any part of the authorised works, the undertaker or National Grid requires the removal of apparatus under paragraph 40(2) or National Grid makes requirements for the protection or alteration of apparatus under paragraph 42(9), the undertaker must use its best endeavours to co-ordinate the execution of the works in the interests of safety and the efficient and economic execution of the authorised works and taking into account the need to ensure the safe and efficient operation of National Grid's undertaking and National Grid must use its best endeavours to co-operate with the undertaker for that purpose.

(2) For the avoidance of doubt whenever the undertaker's or National Grid's consent, agreement or approval is required in relation to plans, documents or other information submitted under this schedule, or agreement is required to be reached between the parties under this schedule, it must not be unreasonably withheld or delayed.

### **Access**

**47.** If in consequence of the agreement reached in accordance with paragraph 39(1) or the powers granted under this Order the access to any apparatus is materially obstructed, the undertaker must provide such alternative means of access to such apparatus as will enable National Grid to maintain or use the apparatus no less effectively than was possible before such obstruction.

### **Arbitration**

**48.** Save for differences or disputes arising under paragraph 40(2), 40(4) and 41(1), any difference or dispute arising between the undertaker and National Grid under this Part of this Schedule must, unless otherwise agreed in writing between the undertaker and National Grid, be determined by arbitration in accordance with article 62 (arbitration).

### **Notices**

**49.** Notwithstanding article 61 (service of notices), any plans submitted to National Grid by the undertaker pursuant to paragraph 42 must be sent to [REDACTED] and National Grid Plant Protection at [plantprotection@nationalgrid.com](mailto:plantprotection@nationalgrid.com) or such other address as National Grid may from time to time appoint instead for that purpose and notify to the undertaker in writing.

## PART 5

### FOR THE PROTECTION OF CADENT AS GAS UNDERTAKER

#### **Application**

**50.** For the protection of Cadent the following provisions will, unless otherwise agreed in writing between the undertaker and Cadent, have effect.

#### **Interpretation**

**51.** In this Part of this Schedule—

“alternative apparatus” means appropriate alternative apparatus to the reasonable satisfaction of Cadent to enable Cadent to fulfil its statutory functions in a manner no less efficient than previously;

“apparatus” means any gas mains, pipes, pressure governors, ventilators, cathodic protections, cables or other apparatus belonging to or maintained by Cadent for the purposes of Cadent’s undertaking together with any replacement apparatus and such other apparatus constructed pursuant to this Order that becomes operational apparatus of Cadent for the purposes of Cadent’s undertaking and includes any structure in which apparatus is or will be lodged or which gives or will give access to apparatus;

“Cadent” means Cadent Gas Limited (company number 10080864), whose registered office is at Pilot Way, Ansty, Coventry, CV7 9JU, and includes its successors in title or any successor as a gas transporter within the meaning of Part 1 (introductory) of the Gas Act 1986;

“Cadent’s undertaking” means the rights, duties and obligations of Cadent Gas Limited as a public gas transporter within the meaning of Section 7 (licensing of public gas transporters)(a) of the Gas Act 1986 (as amended by the Gas Act 1995);

“commence” has the same meaning as in Paragraph 1 of Part 1 of Schedule 2 (Requirements) of this Order and “commencement” shall be construed to have the same meaning save that for the purposes of this Part of this Schedule the terms “commence” and “commencement” include any below ground surveys, monitoring, work operations, remedial work in respect of any contamination or other adverse ground conditions, the receipt and erection of construction plant and equipment, and non-intrusive investigations for the purpose of assessing ground conditions;

“deed of consent” means a deed of consent, crossing agreement, deed of variation or new deed of grant agreed between the undertaker and Cadent acting reasonably in order to vary or replace existing easements, agreements, enactments and other such interests so as to secure land rights and interests as are necessary to carry out, maintain, operate and use the apparatus in a manner consistent with the terms of this Part of this Schedule;

“facilities and rights” for construction and for maintenance include any appropriate working areas required to reasonably and safely undertake that construction or maintenance, and any necessary rights of access;

“functions” includes powers and duties;

“ground mitigation scheme” means a scheme approved by Cadent (such approval not to be unreasonably withheld or delayed) setting out the necessary measures (if any) for a ground subsidence event;

“ground monitoring scheme” means a scheme for monitoring ground subsidence which sets out the apparatus which is to be subject to such monitoring, the extent of land to be monitored, the manner in which ground levels are to be monitored, the timescales of any monitoring activities and the extent of ground subsidence which, if exceeded, requires the undertaker to submit for Cadent’s approval a ground mitigation scheme;

“ground subsidence event” means any ground subsidence identified by the monitoring activities set out in the ground monitoring scheme that has exceeded the level described in the ground monitoring scheme as requiring a ground mitigation scheme;

“in” in a context referring to apparatus or alternative apparatus in land includes a reference to apparatus or alternative apparatus under, over, across, along or upon such land;

“maintain” and “maintenance” for the purposes of this Part of this Schedule have effect as if Cadent’s existing apparatus was authorised development and as if the term maintain includes protect and use, improve, landscape, preserve, decommission, refurbish or replace;

“plan” or “plans” include all designs, drawings, specifications, method statements, soil reports, programmes, calculations, risk assessments and other documents that are reasonably necessary properly and sufficiently to describe and assess the works to be executed;

“rights” includes restrictive covenants and, in relation to decommissioned apparatus, the surrender of rights, release of liabilities and transfer of decommissioned apparatus; and

“specified works” means any of the authorised development or activities (including maintenance) undertaken in association with the authorised development which—

- (a) will or may be situated over, or within 15 metres measured in any direction of any apparatus the removal of which has not been required by the undertaker under sub-paragraph 40(2) (removal of apparatus) or otherwise; or
- (b) may in any way adversely affect any apparatus the removal of which has not been required by the undertaker under sub-paragraph 56(2) (removal of apparatus) or otherwise.

### **On Street apparatus**

**52.**—(1) This Part of this Schedule does not apply to apparatus in respect of which the relations between the undertaker and Cadent are regulated by the provisions of Part 3 (street works in England and Wales) of the 1991 Act, except for—

- (a) Paragraphs 53 (apparatus of Cadent in stopped up streets), 58(2) (retained apparatus: protection of Cadent), 59 (expenses) and 60 (indemnity); and
- (b) where sub-paragraph (2) applies, paragraphs 56 (removal of apparatus) and 57 (facilities and rights for alternative apparatus).

(2) This sub-paragraph applies where any apparatus is diverted from an alignment within the existing adopted public highway but not wholly replaced within the existing adopted public highway, notwithstanding that any diversion may be carried out under the provisions of Part 3 of the 1991 Act.

(3) Paragraph 59 (expenses) does not apply where the authorised development constitutes major highway works, major bridge works or major transport works for the purposes of Part 3 of the 1991 Act, but instead—

- (a) the allowable costs of the relocation works are to be determined in accordance with section 85 (sharing of cost of necessary measures) of that Act and any regulations for the time being having effect under that section; and
- (b) the allowable costs are to be borne by the undertaker and Cadent in such proportions as may be prescribed by any such regulations.

### **Apparatus of Cadent in stopped up streets**

**53.**—(1) Where any street is stopped up under article 20 (permanent stopping up and restriction of use of streets and private means of access), if Cadent has any apparatus in the street or accessed via that street Cadent is entitled to the same rights in respect of such apparatus as it enjoyed immediately before the stopping up and the undertaker must grant to Cadent, or procure the granting to Cadent of, legal easements reasonably satisfactory to Cadent in respect of such apparatus and access to it prior to the stopping up of any such street or highway, but nothing in this paragraph shall affect any right of the undertaker or of Cadent to require the removal of that apparatus under paragraph 56 (removal of apparatus).

(2) Notwithstanding the temporary alteration, diversion or restriction of use of any street under the powers of article 19 (temporary alteration, diversion, prohibition and restriction of use of

streets), Cadent will be at liberty at all times to take all necessary access across any such street and to execute and do all such works and things in, upon or under any such street as it would have been entitled to do immediately before such temporary alteration, diversion or restriction of use in respect of any apparatus which at the time of the stopping up or diversion was in that street.

### **Protective works to buildings**

54. The undertaker must exercise the powers conferred by article 25 (protective work to buildings) so as not to obstruct or render less convenient the access to any apparatus without the written consent of Cadent (such consent not to be unreasonably withheld or delayed).

### **Acquisition of land**

55.—(1) Regardless of any provision in this Order or anything shown on the land plans or contained in the book of reference to the Order, the undertaker may not appropriate or acquire any interest in land or appropriate, acquire, extinguish, interfere with or override any easement or other interest in land of Cadent otherwise than by agreement.

(2) As a condition of agreement between the parties in sub-paragraph (1), prior to the carrying out or maintenance of any part of the authorised development (or in such other timeframe as may be agreed between Cadent and the undertaker) that is subject to the requirements of this Part of this Schedule that will cause any conflict with or breach the terms of any easement or other legal or land interest of Cadent or affect the provisions of any enactment or agreement regulating the relations between Cadent and the undertaker in respect of any apparatus laid or erected in land belonging to or secured by the undertaker, the undertaker must as Cadent reasonably requires enter into such deeds of consent upon such terms and conditions as may be agreed between Cadent and the undertaker acting reasonably and which must be no less favourable on the whole to Cadent unless otherwise agreed by Cadent, and it will be the responsibility of the undertaker to procure or secure the consent to and entering into of such deeds and variations by all other third parties with an interest in the land at that time who are affected by such authorised development or maintenance thereof.

(3) Where there is any inconsistency or duplication between the provisions set out in this Part of this Schedule relating to the relocation or removal of apparatus, including but not limited to the payment of costs and expenses relating to such relocation or removal of apparatus and the provisions of any existing easement, rights, agreements and licences granted, used, enjoyed or exercised by Cadent and other enactments relied upon by Cadent as of right or other use in relation to the apparatus, then the provisions in this Schedule prevail.

(4) Any agreement or consent granted by Cadent under paragraph 58 (retained apparatus: protection of Cadent) or any other paragraph of this Part of this Schedule, is not to be taken to constitute agreement under sub-paragraph (1).

(5) As a condition of an agreement under sub-paragraph (1) that involves de-commissioned apparatus being left in situ the undertaker must accept a surrender of any existing easement or other interest of Cadent in such decommissioned apparatus and release Cadent from all liabilities in respect of such de-commissioned apparatus from the date of such surrender.

(6) Where an undertaker acquires land which is subject to any Cadent right or interest (including, without limitation, easements and agreements relating to rights or other interests) and the provisions of paragraph 56 (removal of apparatus) do not apply, the undertaker must, unless Cadent agrees otherwise—

- (a) retain any notice of Cadent's easement, right or other interest on the title to the relevant land when registering the undertaker's title to such acquired land; and
- (b) (where no such notice of Cadent's easement, right or other interest exists in relation to such acquired land or any such notice is registered only on the Land Charges Register) include (with its application to register title to the undertaker's interest in such acquired land at the Land Registry) a notice of Cadent's easement, right or other interest in relation to such acquired land.



## **Removal of apparatus**

**56.**—(1) If, in the exercise of the powers conferred by this Order, including pursuant to any agreement reached in accordance with paragraph 55 (acquisition of land), the undertaker acquires any interest in any land in which any apparatus is placed, that apparatus must not be decommissioned or removed under this Part of this Schedule and any right of Cadent to maintain that apparatus in that land must not be extinguished until alternative apparatus has been constructed, is in operation, and the facilities and rights referred to in sub-paragraph (2) have been provided, to the reasonable satisfaction of Cadent and in accordance with sub-paragraphs (2) to (5) inclusive.

(2) If, for the purpose of executing any works in, on, under or over any land purchased, held, appropriated or used under this Order, the undertaker requires the removal of any apparatus placed in that land, it must give to Cadent advance written notice of that requirement, together with a plan and section of the work proposed, and of the proposed position of the alternative apparatus to be provided or constructed and in that case (or if in consequence of the exercise of any of the powers conferred by this Order Cadent reasonably needs to move or remove any of its apparatus) the undertaker must afford to Cadent to its satisfaction (taking into account paragraph 57(1) (facilities and rights for alternative apparatus)) the necessary facilities and rights—

- (a) for the construction of alternative apparatus; and
- (b) subsequently for the maintenance of that apparatus.

(3) If the undertaker is unable to afford such facilities and rights as are mentioned in sub-paragraph (2), in the land in which the alternative apparatus or part of such apparatus is to be constructed, Cadent must, on receipt of a written notice to that effect from the undertaker, take such steps as are reasonable in the circumstances in an endeavour to assist the undertaker in obtaining the necessary facilities and rights in the land in which the alternative apparatus is to be constructed save that this obligation does not extend to the requirement for Cadent to use its compulsory purchase powers to this end unless it (in its absolute discretion) elects to so do.

(4) Any alternative apparatus to be constructed in land of or land secured by the undertaker under this Part of this Schedule must be constructed in such manner and in such line or situation as may be agreed between Cadent and the undertaker.

(5) Cadent must, after the alternative apparatus to be provided or constructed has been agreed, and subject to the prior grant to Cadent of such facilities and rights as are referred to in sub-paragraph (2) or (3), then proceed without unnecessary delay to construct and bring into operation the alternative apparatus and subsequently to decommission or remove any apparatus required by the undertaker to be decommissioned or removed under the provisions of this Part of this Schedule.

## **Facilities and rights for alternative apparatus**

**57.**—(1) Where, in accordance with the provisions of this Part of this Schedule, the undertaker affords to or secures for Cadent facilities and rights in land for the access to, construction and maintenance of alternative apparatus in substitution for apparatus to be decommissioned or removed, those facilities and rights must be granted upon such terms and conditions as may be agreed between the undertaker and Cadent and must be no less favourable on the whole to Cadent than the facilities and rights enjoyed by it in respect of the apparatus to be decommissioned or removed unless otherwise agreed by Cadent.

(2) If the facilities and rights to be afforded by the undertaker and agreed with Cadent under sub-paragraph (1) in respect of any alternative apparatus, and the terms and conditions subject to which those facilities and rights are to be granted, are less favourable on the whole to Cadent than the facilities and rights enjoyed by it in respect of the apparatus to be decommissioned or removed, then the terms and conditions to which those facilities and rights are subject in the matter may be referred to arbitration in accordance with paragraph 64 (arbitration) of this Part of this Schedule and the arbitrator must make such provision for the payment of compensation by the undertaker to Cadent as appears to the arbitrator to be reasonable having regard to all the circumstances of the particular case.

## **Retained apparatus: protection of Cadent**

**58.**—(1) Not less than 56 days before the commencement of any specified works the undertaker must submit to Cadent a plan and, if reasonably required by Cadent, a ground monitoring scheme in respect of those works.

(2) The plan to be submitted to Cadent under sub-paragraph (1) must include a method statement and describe—

- (a) the exact position of the works;
- (b) the level at which these are proposed to be constructed or renewed;
- (c) the manner of their construction or renewal including details of excavation, positioning of plant etc.;
- (d) the position of all apparatus;
- (e) by way of detailed drawings, every alteration proposed to be made to or close to any such apparatus; and
- (f) any intended maintenance regimes.

(3) The undertaker must not commence any specified works until Cadent has given written approval of the plan so submitted (and the ground monitoring scheme if required).

(4) Any approval of Cadent given under sub-paragraph (3)—

- (a) may be given subject to reasonable conditions for any purpose mentioned in sub-paragraph (5); and
- (b) must not be unreasonably withheld or delayed and Cadent must meaningfully engage with the undertaker within 28 days of the date of submission of the plan under sub-paragraph (1).

(5) Cadent may require such modifications to be made to the plan as may be reasonably necessary for the purpose of securing its apparatus against interference or risk of damage or for the purpose of providing or securing proper and convenient means of access to any apparatus.

(6) Specified works must only be executed in accordance with—

- (a) the plan submitted under sub-paragraph (1) (and ground monitoring scheme if required), as approved or as amended from time to time by agreement between the undertaker and Cadent; and
- (b) all conditions imposed under sub-paragraph (4)(a), and Cadent will be entitled to watch and inspect the execution of those works.

(7) Where Cadent requires any protective works to be carried out by itself or by the undertaker (whether of a temporary or permanent nature) such protective works, inclusive of any measures or schemes required and approved as part of the plan approved pursuant to this paragraph, must be carried out to Cadent's satisfaction prior to the commencement of any specified works (or any relevant part thereof) for which protective works are required prior to commencement.

(8) If Cadent, in consequence of the works proposed by the undertaker, reasonably requires the removal of any apparatus and gives written notice to the undertaker of that requirement, paragraphs 50 to 52 and 55 to 57 apply as if the removal of the apparatus had been required by the undertaker under sub-paragraph 56(1) (removal of apparatus).

(9) Nothing in this paragraph precludes the undertaker from submitting at any time or from time to time, but in no case less than 56 days before commencing the execution of the specified works, a new plan (and ground monitoring scheme if required), instead of the plan previously submitted, and having done so the provisions of this paragraph will apply to and in respect of the new plan (and ground monitoring scheme if required).

(10) As soon as reasonably practicable after any ground subsidence event attributable to the authorised development (including such an event attributable to its maintenance)—

- (a) the undertaker must implement an appropriate ground mitigation scheme; and

- (b) Cadent retains the right to carry out any further necessary protective works for the safeguarding of its apparatus and can recover any such costs in line with paragraph 59 (expenses).

(11) The undertaker is not required to comply with sub-paragraph (1) where it needs to carry out emergency works but in that case it must give to Cadent notice as soon as is reasonably practicable and a plan of those works and must comply with the conditions imposed under sub-paragraph (4)(a) insofar as is reasonably practicable in the circumstances.

(12) In this paragraph, “emergency works” means works whose execution at the time when they are executed is required in order to put an end to, or to prevent the occurrence of, circumstances then existing or imminent (or which the person responsible for the works believes on reasonable grounds to be existing or imminent) which are likely to cause danger to persons or property.

## **Expenses**

**59.**—(1) Subject to the following provisions of this paragraph, the undertaker must pay to Cadent on demand, all charges, costs and expenses reasonably anticipated or reasonably incurred by Cadent in, or in connection with, the inspection, removal, relaying or replacing, alteration or protection of any apparatus or the construction of any new or alternative apparatus which may be required in consequence of the execution of any authorised development including without limitation—

- (a) any costs reasonably incurred by or compensation properly paid by Cadent in connection with the acquisition of rights or the exercise of statutory powers for such apparatus including without limitation all costs (including professional fees) incurred by Cadent as a consequence of Cadent—
  - (i) using its own compulsory purchase powers to acquire any necessary rights under paragraph 56(1) (removal of apparatus) if it elects to do so; or
  - (ii) exercising any compulsory purchase powers under this Order transferred to or benefitting Cadent;
- (b) in connection with the cost of the carrying out of any diversion work or the provision of any alternative apparatus;
- (c) the cutting off of any apparatus from any other apparatus or the making safe of redundant apparatus;
- (d) the approval of plans;
- (e) the carrying out of protective works, plus a capitalised sum to cover the cost of maintaining and renewing permanent protective works;
- (f) the survey of any land, apparatus or works, the inspection and monitoring of works or the installation or removal of any temporary works reasonably necessary in consequence of the execution of any such works referred to in this Part of this Schedule;
- (g) any watching brief pursuant to sub-paragraph 58(6) (retained apparatus: protection of Cadent).

(2) There will be deducted from any sum payable under sub-paragraph (1) the value of any apparatus removed under the provisions of this Part of this Schedule and which is not re-used as part of the alternative apparatus, that value being calculated after removal.

(3) If in accordance with the provisions of this Part of this Schedule—

- (a) apparatus of better type, of greater capacity or of greater dimensions is placed in substitution for existing apparatus of worse type, of smaller capacity or of smaller dimensions; or
- (b) apparatus (whether existing apparatus or apparatus substituted for existing apparatus) is placed at a depth greater than the depth at which the existing apparatus was situated,

and the placing of apparatus of that type or capacity or of those dimensions or the placing of apparatus at that depth, as the case may be, is not agreed by the undertaker or, in default of agreement, is not determined by arbitration in accordance with paragraph 64 (arbitration) to be

necessary, then, if such placing involves cost in the construction of works under this Part of this Schedule exceeding that which would have been involved if the apparatus placed had been of the existing type, capacity or dimensions, or at the existing depth, as the case may be, the amount which apart from this sub-paragraph would be payable to Cadent by virtue of sub-paragraph (1) will be reduced by the amount of that excess save to the extent that it is not possible in the circumstances (or it would be unlawful due to a statutory or regulatory change) to obtain the existing type of apparatus at the same capacity and dimensions or place at the existing depth in which case full costs will be borne by the undertaker.

(4) For the purposes of sub-paragraph (3)—

- (a) an extension of apparatus to a length greater than the length of existing apparatus will not be treated as a placing of apparatus of greater dimensions than those of the existing apparatus; and
- (b) where the provision of a joint in a pipe or cable is agreed, or is determined to be necessary, the consequential provision of a jointing chamber or of a manhole will be treated as if it also had been agreed or had been so determined.

(5) An amount which apart from this sub-paragraph would be payable to Cadent in respect of works by virtue of sub-paragraph (1) will, if the works include the placing of apparatus provided in substitution for apparatus placed more than 7 years and 6 months earlier so as to confer on Cadent any financial benefit by deferment of the time for renewal of the apparatus in the ordinary course, be reduced by the amount which represents that benefit.

## **Indemnity**

**60.—**(1) Subject to sub-paragraphs (2) and (3), if by reason or in consequence of the construction of any such works authorised by this Part of this Schedule (including without limitation relocation, diversion, decommissioning, construction and maintenance of apparatus or alternative apparatus) or in consequence of the construction, use, maintenance or failure of any of the authorised development (including works carried out under article 25 (protective work to buildings)) by or on behalf of the undertaker or in consequence of any act or default of the undertaker (or any person employed or authorised by the undertaker) in the course of carrying out such works, including without limitation works carried out by the undertaker under this Part of this Schedule or any subsidence resulting from any of these works, any damage is caused to any apparatus or alternative apparatus (other than apparatus the repair of which is not reasonably necessary in view of its intended removal for the purposes of the authorised development) or property of Cadent, or there is any interruption in any service provided, or in the supply of any goods, by Cadent, or Cadent becomes liable to pay any amount to any third party, the undertaker will—

- (a) bear and pay on demand accompanied by an invoice or claim from Cadent, the cost reasonably incurred by Cadent in making good such damage or restoring the supply; and
- (b) indemnify Cadent for any other expenses, loss, demands, proceedings, damages, claims, penalty, compensation or costs properly incurred by, paid by or recovered from Cadent, by reason or in consequence of any such damage or interruption or Cadent becoming liable to any third party as aforesaid other than arising from any default of Cadent.

(2) The fact that any act or thing may have been done by Cadent on behalf of the undertaker or in accordance with a plan approved by Cadent or in accordance with any requirement of Cadent or under its supervision including under any watching brief will not (unless sub-paragraph (3) applies) excuse the undertaker from liability under the provisions of this sub-paragraph (1) unless Cadent fails to carry out and execute the works properly with due care and attention and in a skilful and workman like manner or in a manner that does not accord with the approved plan.

(3) Nothing in sub-paragraph (1) imposes any liability on the undertaker in respect of—

- (a) any damage or interruption to the extent that it is attributable to the neglect or default of Cadent, its officers, servants, contractors or agents; and

- (b) any part of the authorised development carried out by Cadent in the exercise of any functions conferred by this Order pursuant to a grant or transfer under article 12 (consent to transfer benefit of the Order).
- (c) any indirect or consequential loss of any third party (including but not limited to loss of use, revenue, profit, contract, production, increased cost of working or business interruption) arising from any such damage or interruption, which is not reasonably foreseeable at the commencement of the relevant works referred to in sub-paragraph (1).

(4) Cadent must give the undertaker reasonable notice of any such third party claim or demand and no settlement, admission of liability or compromise must, unless payment is required in connection with a statutory compensation scheme, be made without first consulting the undertaker and considering their representations.

### **Enactments and agreements**

**61.** Except where this Part of this Schedule provides otherwise or by agreement in writing between Cadent and the undertaker, nothing in this Part of this Schedule affects the provisions of any enactment or agreement regulating the relations between the undertaker and Cadent in respect of any apparatus laid or erected in land belonging to the undertaker on the date on which this Order is made.

### **Co-operation**

**62.—**(1) Where in consequence of the proposed construction of any part of the authorised development, the undertaker or Cadent requires the removal of apparatus under paragraph 56(2) (removal of apparatus) or Cadent makes requirements for the protection or alteration of apparatus under paragraph 58 (retained apparatus: protection of Cadent), the undertaker must use its best endeavours to co-ordinate the execution of the works in the interests of safety and the efficient and economic execution of the authorised development and taking into account the need to ensure the safe and efficient operation of Cadent's undertaking and Cadent must use its best endeavours to co-operate with the undertaker for that purpose.

(2) For the avoidance of doubt whenever Cadent's consent, agreement or approval is required in relation to plans, documents or other information submitted by Cadent or the taking of action by Cadent, it must not be unreasonably withheld or delayed.

### **Access**

**63.** If in consequence of any agreement reached in accordance with paragraph 55(1) (acquisition of land) or the powers conferred by this Order the access to any apparatus is materially obstructed, the undertaker must provide such alternative rights and means of access to such apparatus as will enable Cadent to maintain or use the apparatus no less effectively than was possible before such obstruction.

### **Arbitration**

**64.** Save for differences or disputes arising under paragraph 56(2) and 56(4) (removal of apparatus) and 58(11) (retained apparatus: protection of Cadent) any difference or dispute arising between the undertaker and Cadent under this Part of this Schedule must, unless otherwise agreed in writing between the undertaker and Cadent, be determined by arbitration in accordance with article 62 (arbitration).

### **Notices**

**65.** Notwithstanding article 61 (service of notices) any plans submitted to Cadent by the undertaker pursuant to paragraph 58(1) (retained apparatus: protection of Cadent) must be sent by email to Cadent Gas Limited Plant Protection at [plantprotection@cadentgas.com](mailto:plantprotection@cadentgas.com) as well as by post to Plant Protection, Cadent Gas Limited, Brick Kiln Street, Hinckley, Leicestershire, LE10

ONA, or such other address as Cadent may from time to time appoint instead for that purpose and notify to the undertaker in writing.

## PART 6

### FOR THE PROTECTION OF RAILWAY INTERESTS

**66.** The provisions of this Part of this Schedule have effect, unless otherwise agreed in writing between the undertaker and Network Rail and, in the case of paragraph 80 of this Part of this Schedule any other person on whom rights or obligations are conferred by that paragraph.

**67.** In this Part of this Schedule—

“asset protection agreement” means an agreement to regulate the construction and maintenance of the specified work in a form prescribed from time to time by Network Rail;

“construction” includes execution, placing, alteration and reconstruction and “construct” and “constructed” have corresponding meanings;

“the engineer” means an engineer appointed by Network Rail for the purposes of this Order;

“network licence” means the network licence, as the same is amended from time to time, granted to Network Rail Infrastructure Limited by the Secretary of State in exercise of their powers under section 8 (licences) of the Railways Act 1993;

“Network Rail” means Network Rail Infrastructure Limited (company number 02904587, whose registered office is at 1 Eversholt Street, London NW1 2DN) and any associated company of Network Rail Infrastructure Limited which holds property for railway purposes, and for the purpose of this definition “associated company” means any company which is (within the meaning of section 1159 of the Companies Act 2006) the holding company of Network Rail Infrastructure Limited, a subsidiary of Network Rail Infrastructure Limited or another subsidiary of the holding company of Network Rail Infrastructure Limited and any successor to Network Rail Infrastructure Limited’s railway undertaking;

“plans” includes sections, designs, design data, software, drawings, specifications, soil reports, calculations, descriptions (including descriptions of methods of construction), staging proposals, programmes and details of the extent, timing and duration of any proposed occupation of railway property;

“railway operational procedures” means procedures specified under any access agreement (as defined in the Railways Act 1993) or station lease;

“railway property” means any railway belonging to Network Rail and-

- (a) any station, land, works, apparatus and equipment belonging to Network Rail or connected with any such railway; and
- (b) any easement or other property interest held or used by Network Rail or a tenant or licensee of Network Rail for the purposes of such railway or works, apparatus or equipment;

“regulatory consents” means any consent or approval required under:

- (a) the Railways Act 1993;
- (b) the network licence; and/or
- (c) any other relevant statutory or regulatory provisions;

by either the Office of Rail and Road or the Secretary of State for Transport or any other competent body including change procedures and any other consents, approvals of any access or beneficiary that may be required in relation to the authorised development;

“specified work” means so much of any of the authorised development as is situated upon, across, under, over or within 15 metres of, or may in any way adversely affect, railway property and, for the avoidance of doubt, includes the maintenance of such works under the

powers conferred by article 6 (construction and maintenance of authorised development) in respect of such works.

**68.**—(1) Where under this Part of this Schedule Network Rail is required to give its consent or approval in respect of any matter, that consent or approval is subject to the condition that Network Rail complies with any relevant railway operational procedures and any obligations under its network licence or under statute.

(2) In so far as any specified work or the acquisition or use of railway property is or may be subject to railway operational procedures, Network Rail must—

- (a) co-operate with the undertaker with a view to avoiding undue delay and securing conformity as between any plans approved by the engineer and requirements emanating from those procedures; and
- (b) use their reasonable endeavours to avoid any conflict arising between the application of those procedures and the proper implementation of the authorised development pursuant to this Order.

**69.**—(1) The undertaker must not exercise the powers conferred by—

- (a) article 5 (development consent etc. granted by the Order);
- (b) article 6 (maintenance of authorised development);
- (c) article 24 (discharge of water);
- (d) article 26 (authority to survey and investigate the land);
- (e) article 27 (compulsory acquisition of land);
- (f) article 30 (compulsory acquisition of rights and imposition of restrictive covenants);
- (g) article 31 (private rights over land);
- (h) article 38 (acquisition of subsoil or airspace only);
- (i) article 40 (temporary use of land for carrying out the authorised development);
- (j) article 41 (temporary use of land for maintaining the authorised development);
- (k) article 42 (statutory undertakers);
- (l) article 46 (felling or lopping of trees and removal of hedgerows);
- (m) article 47 (trees subject to tree preservation orders);
- (n) the powers conferred by section 11(3) (power of entry) of the 1965 Act;
- (o) the powers conferred by section 203 (power to override easements and rights) of the Housing and Planning Act 2016;
- (p) the powers conferred by section 172 (right to enter and survey land) of the Housing and Planning Act 2016;
- (q) any powers under in respect of the temporary possession of land under the Neighbourhood Planning Act 2017,

in respect of any railway property unless the exercise of such powers is with the consent of Network Rail.

(2) The undertaker must not in the exercise of the powers conferred by this Order prevent pedestrian or vehicular access to any railway property, unless preventing such access is with the consent of Network Rail.

(3) The undertaker must not exercise the powers conferred by sections 271 or 272 of the 1990 Act, article 42 (statutory undertakers), or article 31 (private rights over land), in relation to any right of access of Network Rail to railway property, but such right of access may be diverted with the consent of Network Rail.

(4) The undertaker must not under the powers of this Order acquire or use or acquire new rights over, or seek to impose any restrictive covenants over, any railway property, or extinguish any existing rights of Network Rail in respect of any third party property, except with the consent of Network Rail.

(5) The undertaker must not under the powers of this Order do anything which would result in railway property being incapable of being used or maintained or which would affect the safe running of trains on the railway.

(6) Where Network Rail is asked to give its consent pursuant to this paragraph, such consent must not be unreasonably withheld but may be given subject to reasonable conditions, but it is not unreasonable to withhold consent for reasons of operational or railway safety (such matters to be in Network Rail's absolute discretion).

(7) The undertaker must enter into an asset protection agreement prior to the carrying out of any specified work.

**70.**—(1) The undertaker must before commencing construction of any specified work supply to Network Rail proper and sufficient plans of that work for the reasonable approval of the engineer and the specified work must not be commenced except in accordance with such plans as have been approved in writing by the engineer or settled by arbitration.

(2) The approval of the engineer under sub-paragraph (1) must not be unreasonably withheld, and if by the end of the period of 28 days beginning with the date on which such plans have been supplied to Network Rail the engineer has not intimated their disapproval of those plans and the grounds of such disapproval the undertaker may serve upon the engineer written notice requiring the engineer to intimate approval or disapproval within a further period of 28 days beginning with the date upon which the engineer receives written notice from the undertaker. If by the expiry of the further 14 days the engineer has not intimated approval or disapproval, the engineer shall be deemed to have approved the plans as submitted.

(3) If by the end of the period of 28 days beginning with the date on which written notice was served upon the engineer under sub-paragraph (2), Network Rail gives notice to the undertaker that Network Rail desires itself to construct any part of a specified work which in the opinion of the engineer will or may affect the stability of railway property or the safe operation of traffic on the railways of Network Rail then, if the undertaker desires such part of the specified work to be constructed, Network Rail must construct it without unnecessary delay on behalf of and to the reasonable satisfaction of the undertaker in accordance with the plans approved or deemed to be approved or settled under this paragraph, and under the supervision (where appropriate and if given) of the undertaker PROVIDED THAT this paragraph shall not apply to any works that require temporary traffic management on the Strategic Road Network.

(4) When signifying their approval of the plans the engineer may specify any protective works (whether temporary or permanent) which in the engineer's opinion should be carried out before the commencement of the construction of a specified work to ensure the safety or stability of railway property or the continuation of safe and efficient operation of the railways of Network Rail or the services of operators using the same (including any relocation de-commissioning and removal of works, apparatus and equipment necessitated by a specified work and the comfort and safety of passengers who may be affected by the specified works), and such protective works as may be reasonably necessary for those purposes must be constructed by Network Rail or by the undertaker, if Network Rail so desires, and such protective works must be carried out at the expense of the undertaker in either case without unnecessary delay and the undertaker must not commence the construction of the specified works until the engineer has notified the undertaker that the protective works have been completed to their reasonable satisfaction.

**71.**—(1) Any specified work and any protective works to be constructed by virtue of paragraph 70(3) must, when commenced, be constructed—

- (a) without unnecessary delay in accordance with the plans approved or deemed to have been approved or settled under paragraph 70(1);
- (b) under the supervision (where appropriate and if given) and to the reasonable satisfaction of the engineer;
- (c) in such manner as to cause as little damage as is possible to railway property; and
- (d) so far as is reasonably practicable, so as not to interfere with or obstruct the free, uninterrupted and safe use of any railway of Network Rail or the traffic thereon and the use by passengers of railway property.



(2) If any damage to railway property or any such interference or obstruction shall be caused by the carrying out of, or in consequence of the construction of a specified work, the undertaker must, notwithstanding any such approval, make good such damage and must pay to Network Rail all reasonable expenses to which Network Rail may be put and compensation for any loss which it may sustain by reason of any such damage, interference or obstruction.

(3) Nothing in this Part of this Schedule imposes any liability on the undertaker with respect to any damage, costs, expenses or loss attributable to the negligence of Network Rail or its servants, contractors or agents or any liability on Network Rail with respect of any damage, costs, expenses or loss attributable to the negligence of the undertaker or its servants, contractors or agents.

**72.** The undertaker must—

- (a) at all times afford reasonable facilities to the engineer for access to a specified work during its construction; and
- (b) supply the engineer with all such information as they may reasonably require with regard to a specified work or the method of constructing it.

**73.** Network Rail must at all times afford reasonable facilities to the undertaker and its agents for access to any works carried out by Network Rail under this Part of this Schedule during their construction and must supply the undertaker with such information as it may reasonably require with regard to such works or the method of constructing them.

**74.—(1)** If any permanent or temporary alterations or additions to railway property are reasonably necessary in consequence of the construction or completion of a specified work in order to ensure the safety of railway property or the continued safe operation of the railway of Network Rail, such alterations and additions may be carried out by Network Rail and if Network Rail gives to the undertaker 56 days' notice (or in the event of an emergency or safety critical issue such notice as is reasonable in the circumstances) of its intention to carry out such alterations or additions (which must be specified in the notice), the undertaker must pay to Network Rail the reasonable cost of those alterations or additions including, in respect of any such alterations and additions as are to be permanent, a capitalised sum representing the increase of the costs which may be expected to be reasonably incurred by Network Rail in maintaining, working and, when necessary, renewing any such alterations or additions.

(2) If during the construction of a specified work by the undertaker, Network Rail gives notice to the undertaker that Network Rail desires itself to construct that part of the specified work which in the opinion of the engineer is endangering the stability of railway property or the safe operation of traffic on the railways of Network Rail then, if the undertaker decides that part of the specified work is to be constructed, Network Rail must assume construction of that part of the specified work and the undertaker must, notwithstanding any such approval of a specified work under paragraph 5(3), pay to Network Rail all reasonable expenses to which Network Rail may be put and compensation for any loss which it may suffer by reason of the execution by Network Rail of that specified work.

(3) The engineer must, in respect of the capitalised sums referred to in this paragraph and paragraph 75(a) provide such details of the formula by which those sums have been calculated as the undertaker may reasonably require.

(4) If the cost of maintaining, working or renewing railway property is reduced in consequence of any such alterations or additions a capitalised sum representing such saving must be set off against any sum payable by the undertaker to Network Rail under this paragraph.

**75.** The undertaker must repay to Network Rail all reasonable fees, costs, charges and expenses reasonably incurred by Network Rail—

- (a) in constructing any protective works under the provisions of paragraph 70(3) or in constructing any protective works under the provisions of paragraph 70(4) including, in respect of any permanent protective works, a capitalised sum representing the cost of maintaining and renewing those works;
- (b) in respect of the approval by the engineer of plans submitted by the undertaker and the supervision by the engineer of the construction of a specified work;

- (c) in respect of the employment or procurement of the services of any inspectors, signallers, watch-persons and other persons whom it shall be reasonably necessary to appoint for inspecting, signalling, watching and lighting railway property and for preventing, so far as may be reasonably practicable, interference, obstruction, danger or accident arising from the construction or failure of a specified work;
- (d) in respect of any special traffic working resulting from any speed restrictions which may in the opinion of the engineer, require to be imposed by reason or in consequence of the construction or failure of a specified work or from the substitution or diversion of services which may be reasonably necessary for the same reason; and
- (e) in respect of any additional temporary lighting of railway property in the vicinity of the specified works, being lighting made reasonably necessary by reason or in consequence of the construction or failure of a specified work.

**76.—(1)** In this paragraph-

“EMI” means, subject to sub-paragraph (2), electromagnetic interference with Network Rail apparatus generated by the operation of the authorised development where such interference is of a level which adversely affects the safe operation of Network Rail’s apparatus; and

“Network Rail’s apparatus” means any lines, circuits, wires, apparatus or equipment (whether or not modified or installed as part of the authorised development) which are owned or used by Network Rail for the purpose of transmitting or receiving electrical energy or of radio, telegraphic, telephonic, electric, electronic or other like means of signalling or other communications.

(2) This paragraph applies to EMI only to the extent that such EMI is not attributable to any change to Network Rail’s apparatus carried out after approval of plans under paragraph 70(1) for the relevant part of the authorised development giving rise to EMI (unless the undertaker has been given notice in writing before the approval of those plans of the intention to make such change).

(3) Subject to sub-paragraph (5), the undertaker must in the design and construction of the authorised development take all measures necessary to prevent EMI and must establish with Network Rail (both parties acting reasonably) appropriate arrangements to verify their effectiveness.

(4) In order to facilitate the undertaker’s compliance with sub-paragraph (3)—

- (a) the undertaker must consult with Network Rail as early as reasonably practicable to identify all Network Rail’s apparatus which may be at risk of EMI, and thereafter must continue to consult with Network Rail (both before and after formal submission of plans under paragraph 70(1)) in order to identify all potential causes of EMI and the measures required to eliminate them;
- (b) Network Rail must make available to the undertaker all information in the possession of Network Rail reasonably requested by the undertaker in respect of Network Rail’s apparatus identified pursuant to sub-paragraph (a); and
- (c) Network Rail must allow the undertaker reasonable facilities for the inspection of Network Rail’s apparatus identified pursuant to sub-paragraph (a).

(5) In any case where it is established that EMI can only reasonably be prevented by modifications to Network Rail’s apparatus, Network Rail must not withhold its consent unreasonably to modifications of Network Rail’s apparatus, but the means of prevention and the method of their execution must be selected in the reasonable discretion of Network Rail, and in relation to such modifications paragraph 70(1) has effect subject to the sub-paragraph.

(6) Prior to the commencement of operation of the authorised development the undertaker shall test the use of the authorised development in a manner that shall first have been agreed with Network Rail and if, notwithstanding any measures adopted pursuant to sub-paragraph (3), the testing of the authorised development causes EMI then the undertaker must immediately upon receipt of notification by Network Rail of such EMI either in writing or communicated orally (such oral communication to be confirmed in writing as soon as reasonably practicable after it has been issued) forthwith cease to use (or procure the cessation of use of) the undertaker’s apparatus causing such EMI until all measures necessary have been taken to remedy such EMI by way of

modification to the source of such EMI or (in the circumstances, and subject to the consent, specified in sub-paragraph (5)) to Network Rail's apparatus.

(7) In the event of EMI having occurred –

- (a) the undertaker must afford reasonable facilities to Network Rail for access to the undertaker's apparatus in the investigation of such EMI;
- (b) Network Rail must afford reasonable facilities to the undertaker for access to Network Rail's apparatus in the investigation of such EMI;
- (c) Network Rail must make available to the undertaker any additional material information in its possession reasonably requested by the undertaker in respect of Network Rail's apparatus or such EMI; and

(8) Where Network Rail approves modifications to Network Rail's apparatus pursuant to subparagraphs (5) or (6)—

- (a) Network Rail must allow the undertaker reasonable facilities for the inspection of the relevant part of Network Rail's apparatus;
- (b) any modifications to Network Rail's apparatus approved pursuant to those subparagraphs must be carried out and completed by the undertaker in accordance with paragraph 71.

(9) To the extent that it would not otherwise do so, the indemnity in paragraph 80(1) applies to the costs and expenses reasonably incurred or losses suffered by Network Rail through the implementation of the provisions of this paragraph (including costs incurred in connection with the consideration of proposals, approval of plans, supervision and inspection of works and facilitating access to Network Rail's apparatus) or in consequence of any EMI to which subparagraph (6) applies.

(10) For the purpose of paragraph 75(a) any modifications to Network Rail's apparatus under this paragraph shall be deemed to be protective works referred to in that paragraph.

(11) In relation to any dispute arising under this paragraph the reference in article 62 (Arbitration) to the Institution of Civil Engineers shall be read as a reference to the Institution of Engineering and Technology.

**77.** If at any time after the completion of a specified work, not being a work vested in Network Rail, Network Rail gives notice to the undertaker informing it that the state of maintenance of any part of the specified work appears to be such as adversely affects the operation of railway property, the undertaker must, on receipt of such notice, take such steps as may be reasonably necessary to put that specified work in such state of maintenance as not adversely to affect railway property.

**78.** The undertaker must not provide any illumination or illuminated sign or signal on or in connection with a specified work in the vicinity of any railway belonging to Network Rail unless it has first consulted Network Rail and it must comply with Network Rail's reasonable requirements for preventing confusion between such illumination or illuminated sign or signal and any railway signal or other light used for controlling, directing or securing the safety of traffic on the railway.

**79.** Any additional expenses which Network Rail may reasonably incur in altering, reconstructing or maintaining railway property under any powers existing at the making of this Order by reason of the existence of a specified work must, provided that not less than 56 days' previous notice of the commencement of such alteration, reconstruction or maintenance has been given to the undertaker, be repaid by the undertaker to Network Rail.

**80.—(1)** The undertaker must pay to Network Rail all reasonable costs, charges, damages and expenses not otherwise provided for in this Part of this Schedule (but subject always to the remaining provisions of this paragraph and to article 35 (no double recovery)) which may be occasioned to or reasonably incurred by Network Rail—

- (a) by reason of the construction, maintenance or operation of a specified work or the failure thereof; or

- (b) by reason of any act or omission of the undertaker or of any person in its employ or of its contractors or others whilst engaged upon a specified work;
- (c) by reason of any act or omission of the undertaker or any person in its employ or of its contractors or others whilst accessing to or egressing from the authorised development;
- (d) in respect of any damage caused to or additional maintenance required to, railway property or any such interference or obstruction or delay to the operation of the railway as a result of access to or egress from the authorised development by the undertaker or any person in its employ or of its contractors or others;
- (e) in respect of costs incurred by Network Rail in complying with any railway operational procedures or obtaining any regulatory consents which procedures are required to be followed or consents obtained to facilitate the carrying out or operation of the authorised development;

and the undertaker must indemnify and keep indemnified Network Rail from and against all claims and demands arising out of or in connection with a specified work or any such failure, act or omission: and the fact that any act or thing may have been done by Network Rail on behalf of the undertaker or in accordance with plans approved by the engineer or in accordance with any requirement of the engineer or under the engineer's supervision shall not (if it was done without negligence on the part of Network Rail or of any person in its employ or of its contractors or agents) excuse the undertaker from any liability under the provisions of this sub-paragraph.

(2) Network Rail must –

- (a) give the undertaker reasonable written notice (and in any event not less than 7 days) of any such claims or demands
- (b) not admit any liability or make any offer to settle or any settlement or compromise of such a claim or demand without the prior consent of the undertaker (which, if it withholds such consent, has the sole conduct of any settlement or compromise or of any proceedings necessary to resist the claim or demand);
- (c) take such steps as are within its control and are reasonable in the circumstances to mitigate any liabilities relating to such claims or demands; and
- (d) keep the undertaker informed in relation to the progress of any such claims and demands and pay due regard to the undertaker's reasonable representations in relation to them.

(3) The undertaker is not liable under sub paragraph (1) for any indirect or consequential loss or loss of profits except that the sums payable by the undertaker under that sub paragraph include a sum equivalent to the relevant costs in circumstances where;

- (a) Network Rail is liable to make payment of the relevant costs pursuant to the terms of an agreement between Network Rail and a train operator; and
- (b) the existence of that agreement and the extent of Network Rail's liability to make payment of the relevant costs pursuant to its terms previously disclosed in writing to the undertaker,

but not otherwise.

(4) Subject to the terms of any agreement between Network Rail and a train operator regarding the timing or method of payment of the relevant costs in respect of that train operator, Network Rail must promptly pay to each train operator the amount of any sums which Network Rail receives under sub-paragraph (3) which relates to the relevant costs of that train operator.

(5) The obligation under sub-paragraph (3) to pay Network Rail the relevant costs shall, in the event of default, be enforceable directly by any train operator concerned to the extent that such sums would be payable to that operator pursuant to sub paragraph (4).

(6) In this paragraph—

“the relevant costs” means the costs, direct losses and expenses (including loss of revenue) reasonably incurred by each train operator as a consequence of any specified work including but not limited to any restriction of the use of Network Rail's railway network as a result of

the construction, maintenance or failure of a specified work or any such act or omission as mentioned in subparagraph (1); and

“train operator” means any person who is authorised to act as the operator of a train by a licence under section 8 of the Railways Act 1993.

**81.** Network Rail must, on receipt of a request from the undertaker, from time to time provide the undertaker free of charge with written estimates of the costs, charges, expenses and other liabilities for which the undertaker is or will become liable under this Part of this Schedule (including the amount of the relevant costs mentioned in paragraph 80) and with such information as may reasonably enable the undertaker to assess the reasonableness of any such estimate or claim made or to be made pursuant to this Part of this Schedule (including any claim relating to those relevant costs).

**82.** In the assessment of any sums payable to Network Rail under this Part of this Schedule there must not be taken into account any increase in the sums claimed that is attributable to any action taken by or any agreement entered into by Network Rail if that action or agreement was not reasonably necessary and was taken or entered into with a view to obtaining the payment of those sums by the undertaker under this Part of this Schedule or increasing the sums so payable.

**83.** The undertaker and Network Rail may, subject in the case of Network Rail to compliance with the terms of its network licence, enter into, and carry into effect, agreements for the transfer to the undertaker of—

- (a) any railway property shown on the works and land plans and described in the book of reference;
- (b) any lands, works or other property held in connection with any such railway property; and
- (c) any rights and obligations (whether or not statutory) of Network Rail relating to any railway property or any lands, works or other property referred to in this paragraph.

**84.** Nothing in this Order, or in any enactment incorporated with or applied by this Order, prejudices or affects the operation of Part I of the Railways Act 1993.

**85.** The undertaker must give written notice to Network Rail if any application is proposed to be made by the undertaker for the Secretary of State’s consent, under article 12 (consent to transfer benefit of Order) of this Order and any such notice must be given no later than 28 days before any such application is made and must describe or give (as appropriate)—

- (a) the nature of the application to be made;
- (b) the extent of the geographical area to which the application relates; and
- (c) the name and address of the person acting for the Secretary of State to whom the application is to be made.

**86.** The undertaker must no later than 28 days from the date that the plans submitted to and certified by the Secretary of State in accordance with article 60 (certification of documents, etc.) , provide a set of those plans to Network Rail in a format specified by Network Rail.

**87.** In relation to any dispute arising under this part of this Schedule (except for those disputes referred to in paragraph 76(11)) the provisions of article 62 (Arbitration) shall not apply and any such dispute, unless otherwise provided for, must be referred to and settled by a single arbitrator to be agreed between the parties or, failing agreement, to be appointed on the application of either party (after giving notice in writing to the other) to the President of the Institution of Civil Engineers.

## PART 7

### FOR THE PROTECTION OF THE ENVIRONMENT AGENCY

**88.**—(1) For the protection of the Agency the following provisions have effect unless otherwise agreed in writing between the undertaker and the Agency.

(2) In this part of this Schedule—

“Agency” means the Environment Agency;

“construction” includes execution, placing, altering, replacing, relaying and removal and excavation and “construct” and “constructed” is construed accordingly;

“drainage work” means any main river and includes any land which provides or is expected to provide flood storage capacity for any main river and any bank, wall, embankment or other structure, or any appliance, constructed or used for land drainage, flood defence or tidal monitoring;

“fishery” means any waters containing fish and fish in, or migrating to or from, such waters and the spawn, spawning ground, habitat or food of such fish;

“main river” has the same meaning given in section 113 of the Water Resources Act 1991;

“plans” includes sections, drawings, specifications, calculations and method statements;

“specified work” means so much of any work or operation authorised by this Order as is in, on, under, over or within—

(a) 8 metres of a drainage work or is otherwise likely to—

(i) affect any drainage work or the volumetric rate of flow of water in or flowing to or from any drainage work;

(ii) affect the flow, purity or quality of water in any watercourse or other surface waters

(iii) cause obstruction to the free passage of fish or damage to any fishery;

(iv) affect the conservation, distribution or use of water resources; or

(v) affect the conservation value of the main river and habitats in its immediate vicinity, and which, but for article 3(4)(a), would require an environmental permit.

“watercourse” includes all rivers, streams, ditches, drains, cuts, culverts, dykes, sluices, basins, sewers and passages through which water flows except a public sewer.

### **Submission and approval of plans**

**89.**—(1) Before beginning to construct any specified work, the undertaker must submit to the Agency plans of the specified work and such further particulars available to it as the Agency may within 28 days of the receipt of the plans reasonably request.

(2) Any such specified work must not be constructed except in accordance with such plans as may be approved in writing by the Agency, or determined under paragraph 99.

(3) Any approval of the Agency required under this paragraph—

(a) must not be unreasonably withheld or delayed;

(b) is deemed to have been refused if it is neither given nor refused within 2 months of the submission of the plans or receipt of further particulars if such particulars have been requested by the Agency for approval and

(c) may be given subject to such reasonable requirements as the Agency may have for the protection of any drainage work or the fishery or for the protection of water resources, or for the prevention of flooding or pollution or for nature conservation or in the discharge of its environmental duties.

(4) The Agency must use its reasonable endeavours to respond to the submission of any plans before the expiration of the period mentioned in sub-paragraph (3)(b)

(5) In the case of a refusal, if requested to do so the Agency must provide reasons for the grounds of that refusal.

### **Construction of protective works**

**90.** Without limiting paragraph 89, the requirements which the Agency may have under that paragraph include conditions requiring the undertaker, at its own expense, to construct such

protective works, whether temporary or permanent, before or during the construction of the specified works (including the provision of flood banks, walls or embankments or other new works and the strengthening, repair or renewal of existing banks, walls or embankments) as are reasonably necessary—

- (a) to safeguard any drainage work against damage; or
- (b) to secure that its efficiency for flood defence purposes is not impaired and that the risk of flooding is not otherwise increased,

by reason of any specified work.

### **Timing of works and service of notices**

**91.**—(1) Subject to sub-paragraph (2), any specified work, and all protective works required by the Agency under paragraph 3, must be constructed—

- (a) without unreasonable delay in accordance with the plans approved under this Schedule; and
- (b) to the reasonable satisfaction of the Agency,

and the Agency is entitled by its officer to watch and inspect the construction of such works.

(2) The undertaker must give to the Agency not less than 14 days' notice in writing of its intention to commence construction of any specified work and notice in writing of its completion not later than 7 days after the date on which it is completed.

(3) If the Agency reasonably requires, the undertaker must construct all or part of the protective works so that they are in place prior to the construction of any specified work to which the protective works relate.

### **Works not in accordance with this Schedule**

**92.**—(1) If any part of a specified work or any protective work required by the Agency is constructed otherwise than in accordance with the requirements of this Schedule, the Agency may by notice in writing require the undertaker at the undertaker's own expense to comply with the requirements of this part of this Schedule or (if the undertaker so elects and the Agency in writing consents, such consent not to be unreasonably withheld or delayed) to remove, alter or pull down the work and, where removal is required, to restore the site to its former condition to such extent and within such limits as the Agency reasonably requires.

(2) Subject to sub-paragraph (3) and paragraph 98, if, within a reasonable period, being not less than 28 days beginning with the date when a notice under sub-paragraph (1) is served upon the undertaker, the undertaker has failed to begin taking steps to comply with the requirements of the notice and has not subsequently made reasonably expeditious progress towards their implementation, the Agency may execute the works specified in the notice and any reasonable expenditure incurred by the Agency in so doing is recoverable from the undertaker.

(3) In the event of any dispute as to whether sub-paragraph (1) is properly applicable to any work in respect of which notice has been served under that sub-paragraph, or as to the reasonableness of any requirement of such a notice, the Agency must not, except in the case of an emergency, exercise the powers conferred by sub-paragraph (2) until the dispute has been finally determined in accordance with paragraph 99.

### **Maintenance of works**

**93.**—(1) Subject to sub-paragraph (6) the undertaker must from the commencement of the construction of the specified works maintain in good repair and condition and free from obstruction any drainage work which is situated within the limits of deviation and on land held by the undertaker for the purposes of or in connection with the specified works, whether or not the drainage work is constructed under the powers conferred by this Order or is already in existence.

(2) If any such drainage work which the undertaker is liable to maintain is not maintained to the reasonable satisfaction of the Agency, the Agency may by notice in writing require the undertaker to repair and restore the work, or any part of such work, or (if the undertaker so elects and the Agency in writing consents, such consent not to be unreasonably withheld or delayed), to remove the work and restore the site to its former condition, to such extent and within such limits as the Agency reasonably requires.

(3) Subject to sub-paragraph (5) and paragraph 98, if, within a reasonable period, being not less than 28 days beginning with the date on which a notice in respect of any drainage work is served under sub-paragraph (2) on the undertaker, the undertaker has failed to begin taking steps to comply with the requirements of the notice and has not subsequently made reasonably expeditious progress towards their implementation, the Agency may do what is necessary for such compliance and any expenditure incurred by the Agency in so doing is recoverable from the undertaker.

(4) If there is any failure by the undertaker to obtain consent or comply with conditions imposed by the Agency in accordance with these protective provisions the Agency may serve written notice requiring the undertaker to cease all or part of the specified works and the undertaker must cease the specified works or part thereof until it has obtained the consent or complied with the condition unless the cessation of the specified works or part thereof would cause greater damage than compliance with the written notice.

(5) In the event of any dispute as to the reasonableness of any requirement of a notice served under sub-paragraph (2), the Agency must not, except in the case of an emergency, exercise the powers conferred by sub-paragraph (3) until the dispute has been finally determined in accordance with paragraph 99.

(6) This paragraph does not apply to—

- (a) drainage works which are vested in the Agency, or which the Agency or another person is liable to maintain and is not proscribed by the powers of the Order from doing so; and
- (b) or any obstruction of a drainage work for the purpose of a work or operation authorised by this Order and carried out in accordance with the provisions of this Part of this Schedule.

### **Remediating impaired drainage work**

**94.** Subject to paragraph 98, if by reason of the construction of any specified work or of the failure of any such work, the efficiency of any drainage work for flood defence purposes is impaired, or that drainage work is otherwise damaged, such impairment or damage must be made good by the undertaker to the reasonable satisfaction of the Agency and if the undertaker fails to do so, the Agency may make good the impairment or damage and recover any expenditure incurred by the Agency in so doing from the undertaker.

### **Agency access**

**95.** If by reason of construction of the specified work the Agency's access to flood defences or equipment maintained for flood defence purposes is materially obstructed, the undertaker must provide such alternative means of access that will allow the Agency to maintain the flood defence or use the equipment no less effectively than was possible before the obstruction within 24 hours of the undertaker becoming aware of such obstruction.

### **Free passage of fish**

**96.—**(1) The undertaker must take all such measures as may be reasonably practicable to prevent any interruption of the free passage of fish in the fishery during the construction of any specified work.

(2) If by reason of—

- (a) the construction of any specified work; or
- (b) the failure of any such work,



damage to the fishery is caused, or the Agency has reason to expect that such damage may be caused, the Agency may serve notice on the undertaker requiring it to take such steps as may be reasonably practicable to make good the damage, or, as the case may be, to protect the fishery against such damage.

(3) Subject to paragraph 98, if within such time as may be reasonably practicable for that purpose after the receipt of written notice from the Agency of any damage or expected damage to a fishery, the undertaker fails to take such steps as are described in sub-paragraph (2), the Agency may take those steps and any expenditure incurred by the Agency in so doing is recoverable from the undertaker.

(4) Subject to paragraph 98, in any case where immediate action by the Agency is reasonably required in order to secure that the risk of damage to the fishery is avoided or reduced, the Agency may take such steps as are reasonable for the purpose, and may recover from the undertaker any reasonable expenditure incurred in so doing provided that notice specifying those steps is served on the undertaker as soon as reasonably practicable after the Agency has taken, or commenced to take, the steps specified in the notice.

## **Indemnity**

**97.** The undertaker must repay to the Agency all reasonable costs, charges and expenses which the Agency may incur—

- (a) in the examination or approval of plans under this Schedule;
- (b) in the inspection of the construction of the specified works or any protective works required by the Agency under this Schedule; and
- (c) in the carrying out of any surveys or tests by the Agency which are reasonably required in connection with the construction of the specified works.

**98.—(1)** The undertaker must make reasonable compensation to the Agency against all costs and losses not otherwise provided for in this Schedule which may be incurred or suffered by the Agency by reason of—

- (a) the construction of any specified works comprised within the authorised works; or
- (b) any act or omission of the undertaker, its employees, contractors or agents or others whilst engaged upon the construction of the authorised works.

(2) For the avoidance of doubt, in sub-paragraph (1)—

“costs” includes—

- (a) expenses and charges;
- (b) staff costs and overheads;
- (c) legal costs.

“losses” includes physical damage.

(3) The undertaker must make reasonable compensation for liabilities, claims and demands arising out of or in connection with the authorised works or otherwise out of the matters referred to in sub-paragraph (1)(a) and (1)(b).

(4) In sub-paragraph (3)—

“claims” and “demands” include as applicable—

- (a) costs (within the meaning of sub-paragraph (2)) incurred in connection with any claim or demand;
- (b) any interest element of sums claimed or demanded.

“liabilities” includes—

- (a) contractual liabilities;
- (b) tortious liabilities (including liabilities for negligence or nuisance);
- (c) liabilities to pay statutory compensation or for breach of statutory duty;

(d) liabilities to pay statutory penalties imposed on the basis of strict liability (but does not include liabilities to pay other statutory penalties).

(5) The Agency must give to the undertaker reasonable notice of any such claim or demand and must not settle or compromise a claim without the agreement of the undertaker and that agreement must not be unreasonably withheld or delayed.

(6) The undertaker may at its own expense conduct all negotiations for the settlement of the same and any litigation that may arise therefrom.

(7) The Agency must not compromise or settle any such claim or make any admission which might be prejudicial to the claim without the agreement of the undertaker which agreement must not be unreasonably withheld or delayed.

(8) The Agency must, at all times, take reasonable steps to prevent and mitigate any such claims, demands, proceedings, costs, damages, expenses or loss.

(9) The Agency must, at the request of the undertaker, afford all reasonable assistance for the purpose of contesting any such claim or action, and is entitled to be repaid its reasonable expenses reasonably incurred in so doing.

(10) The fact that any work or thing has been executed or done by the undertaker in accordance with a plan approved by the Agency, or to its satisfaction, or in accordance with any directions or award of an arbitrator, must not relieve the undertaker from any liability under the provisions of this Schedule.

### Disputes

99. Any dispute arising between the undertaker and the Agency under this part of this Schedule must, if the parties agree, be determined by arbitration under article 62 (arbitration), but failing agreement be determined by the Secretary of State for Environment, Food and Rural Affairs or its successor and the Secretary of State for Transport or its successor acting jointly on a reference to them by the undertaker or the Agency, after notice in writing by one to the other.

## SCHEDULE 12

Articles 2 and 60

### DOCUMENTS TO BE CERTIFIED

<i>(1)</i> <i>Document</i>	<i>(2)</i> <i>Reference number</i>
Book of Reference	TRO010060/APP/4.3
Classification of roads plans	TRO010060/APP/2.4
De-trunking and stopping up plans	TRO010060/APP/2.10
Environmental masterplan	TRO010060/APP/6.2
Environmental Statement	TRO010060/APP/6.1
First Iteration EMP	TRO010060/APP/6.5
Flood Risk Assessment	TRO010060/APP/6.3
Highway engineering sections drawings	TRO010060/APP/2.11
Land plans	TRO010060/APP/2.7
Outline construction traffic management plan	TRO010060/APP/7.7
Permanent works plans	TRO010060/APP/2.2.1
Pre-commencement plan	TR010060/EXAM/9.57
Revocation of existing traffic orders plans	TRO010060/APP/2.3.3
Retained and removed vegetation plans	TRO010060/APP/2.14
Special category land plans	TRO010060/APP/2.5
Streets, rights of way and access plans	TRO010060/APP/2.6
Structures engineering drawings and sections	TRO010060/APP/2.12
Temporary works plans	TRO010060/APP/2.2.3

Traffic regulation measures movement restrictions plans	TRO010060/APP/2.3.2
Traffic regulation measures speed limits plans	TRO010060/APP/2.3.1
Utilities works plans	TRO010060/APP/2.2.2

**EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order authorises National Highways to undertake works to alter the A12 trunk road between junction 19 (Boreham) and junction 25 (Marks Tey) in Essex and carry out all associated works.

The Order permits National Highways to acquire, compulsorily or by agreement, land and rights in land and to use land for this purpose.

The Order also makes provision in connection with the maintenance of the authorised development.

A copy of the plans, engineering drawings and sections, book of reference and environmental statement mentioned in this Order and certified in accordance with article 60 (certification of plans, etc.) may be inspected free of charge during working hours at National Highways, Bridge House, 1 Walnut Tree Close, Guildford, Surrey GU1 4LZ.