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STATUTORY INSTRUMENTS

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**2013 No. 675**

**INFRASTRUCTURE PLANNING**

The Lancashire County Council (Torrisholme to the M6 Link  
(A683 Completion of Heysham to M6 Link Road)) Order 2013

*Made* - - - - - *19th March 2013*

*Coming into force* *9th April 2013*

THE LANCASHIRE COUNTY COUNCIL (TORRISHOLME  
TO THE M6 LINK (A683 COMPLETION OF  
HEYSHAM TO M6 LINK ROAD)) ORDER 2013

PART 1

1. Citation and commencement
2. Interpretation

PART 2

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

PART 3

8. Power to alter layout etc. of streets
9. Street works
10. Construction and maintenance of new or altered streets
11. Classification of roads
12. Stopping up of streets
13. Temporary prohibition or restriction of use of streets
14. Access to and from works
15. Agreements with street authorities

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#### PART 4

16. Discharge of water
17. Protective work to buildings
18. Temporary closure of, and works in, the canal
19. Authority to survey and investigate land

#### PART 5

20. Compulsory acquisition of land
21. Time limit for exercise of authority to acquire land compulsorily
22. Compulsory acquisition of rights
23. Private rights
24. Application of the Compulsory Purchase (Vesting Declarations) Act 1981
25. Acquisition of subsoil or air-space only
26. Acquisition of part of certain properties
27. Rights under or over streets
28. Temporary use of land for carrying out the authorised development
29. Temporary use of land for maintaining authorised development
30. Special category land
31. Statutory undertakers
32. Apparatus and rights of statutory undertakers in stopped up streets
33. Recovery of costs of new connections

#### PART 6

34. Felling or lopping trees
35. Trees subject to tree preservation order

#### PART 7

36. Application of landlord and tenant law
  37. Operational land for purposes of the 1990 Act
  38. Defence to proceedings in respect of statutory nuisance
  39. Protection of interests
  40. Certification of plans, etc.
  41. Service of notices
  42. Arbitration
- Signature

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### SCHEDULES

#### SCHEDULE 1 — AUTHORISED DEVELOPMENT In the City of Lancaster—

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1. Interpretation
2. Time limits
3. Commencement
4. Implementation
5. Landscape and ecology

6. Contaminated land
7. Construction environmental management plan
8. Noise and vibration
9. Access by construction traffic
10. Highway approvals and complementary measures
11. Building and construction materials - highways
12. Building and construction materials - structures
13. Street lighting
14. Soil
15. Hours of working
16. Dust and mud during construction
17. Safeguarding of watercourses and drainage
18. Archaeology
19. Cultural heritage
20. Landscaping and management of tree and hedge planting
21. Requirements relating to Lancaster and Morecambe College
22. Highway safety measures
23. Gas Main Diversion

SCHEDULE 3 — STREETS SUBJECT TO ALTERATION OF LAYOUT  
PART 1 — STREETS SUBJECT TO TEMPORARY ALTERATION OF LAYOUT  
PART 2 — STREETS SUBJECT TO PERMANENT ALTERATION OF LAYOUT

SCHEDULE 4 — STREETS SUBJECT TO STREET WORKS

SCHEDULE 5 — SPECIAL ROADS

1. In the City of Lancaster—
2. A road constructed on a route 532 metres in length,...
3. A road constructed on a route 484 metres in length,...
4. A road constructed on a route 640 metres in length,...

SCHEDULE 6 — STREETS TO BE STOPPED UP  
PART 1 — STREETS FOR WHICH A SUBSTITUTE IS TO BE PROVIDED  
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SCHEDULE 7 — TEMPORARY PROHIBITION OR RESTRICTION OF USE OF STREETS

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SCHEDULE 10 — MODIFICATION OF COMPENSATION AND COMPULSORY PURCHASE ENACTMENTS FOR CREATION OF NEW RIGHTS

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*Compensation enactments*

1. The enactments for the time being in force with respect...
2. (1) Without limitation on the scope of paragraph 1, the...

*Application of the 1965 Act*

3. (1) The 1965 Act has effect with the modifications necessary...
4. For section 7 of the 1965 Act (measure of compensation...
5. For section 8 of the 1965 Act (provisions as to...
6. The following provisions of the 1965 Act (which state the...
7. Section 11 of the 1965 Act (powers of entry) is...
8. Section 20 of the 1965 Act (protection for interests of...
9. Section 22 of the 1965 Act (interests omitted from purchase)...

SCHEDULE 11 — LAND OF WHICH TEMPORARY POSSESSION MAY BE TAKEN

SCHEDULE 12 — TREES SUBJECT TO TREE PRESERVATION ORDERS

SCHEDULE 13 — FOR THE PROTECTION OF THE CANAL & RIVER TRUST

*Interpretation*

1. (1) For the protection of the Trust the following provisions...

*Powers requiring Canal & River Trust consent*

2. (1) The undertaker must not under the powers conferred by...

*Vehicles, plant and machinery*

3. The undertaker must not use any land or property of...

*Fencing*

4. Where so required by the engineer the undertaker must to...

*Survey of waterway*

5. (1) Before the commencement of the initial construction of any...

*Approval of plans, protective works etc.*

6. (1) The undertaker must before commencing construction of any specified...

*Design of works*

7. Without affecting its obligations under the provisions of this Schedule...

*Notice of works*

8. The undertaker must give to the engineer 28 days' notice...

*Lighting*

9. The undertaker must provide and maintain at its own expense...

*Construction of specified works*

10. (1) Any specified or protective works must, when commenced, be...

*Prevention of pollution*

11. The undertaker must not in the course of constructing a...

*Access to work: provision of information*

12. (1) The undertaker on being given reasonable notice must—

*Alterations to waterway*

13. (1) If during the construction of a specified work or...

*Maintenance of works*

14. If at any time after the completion of a specified...

*Repayment of Canal & River Trust fees, etc.*

15. The undertaker must repay to the Trust all fees, costs,...

*Costs of alterations, etc.*

16. Any additional expenses which the Trust may reasonably incur in...

*Making good of detriment; compensation and indemnity, etc.*

17. (1) If any detriment is caused by the construction or...

*Details of capitalised sums to be provided*

18. If the Trust or the undertaker cannot jointly agree the...

*Arbitration*

19. Any difference arising between the undertaker and the Trust under...

Explanatory Note