
STATUTORY INSTRUMENTS

2022 No. 1248

INFRASTRUCTURE PLANNING

The A417 Missing Link Development Consent Order 2022

Made - - - - 16th November 2022

Coming into force 7th December 2022

**THE A417 MISSING LINK
DEVELOPMENT CONSENT ORDER 2022**

PART 1

PRELIMINARY

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

PART 2

PRINCIPAL POWERS

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

PART 3

STREETS

11. Street works
12. Application of the 1991 Act
13. Construction and maintenance of new, altered or diverted streets and other structures
14. Classification of roads, etc.
15. Temporary stopping up and restriction of use of streets
16. Permanent stopping up and restriction of use of streets and private means of access

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17. Access to works
18. Clearways
19. Traffic regulation
20. Cotswold Way national trail

PART 4

SUPPLEMENTAL POWERS

21. Discharge of water
22. Protective works to buildings
23. Authority to survey and investigate the land

PART 5

POWERS OF ACQUISITION

24. Compulsory acquisition of land
25. Compulsory acquisition of land – incorporation of the mineral code
26. Time limit for exercise of authority to acquire land compulsorily
27. Compulsory acquisition of rights and restrictive covenants
28. Public rights of way
29. Private rights over land
30. Modification of Part 1 of the 1965 Act
31. Application of the 1981 Act
32. Acquisition of subsoil or airspace only
33. Rights under or over streets
34. Temporary use of land for carrying out the authorised development
35. Temporary use of land for maintaining the authorised development
36. Statutory undertakers
37. Apparatus and rights of statutory undertakers in stopped up streets
38. Recovery of costs of new connections
39. Special category land

PART 6

OPERATIONS

40. Felling or lopping of trees and removal of hedgerows
41. Removal of human remains

PART 7

MISCELLANEOUS AND GENERAL

42. Application of landlord and tenant law
43. Operational land for purposes of the 1990 Act
44. Defence to proceedings in respect of statutory nuisance
45. Protective provisions
46. Certification of plans etc.
47. Service of notices
48. Arbitration
- Signature

SCHEDULES

SCHEDULE 1 — AUTHORISED DEVELOPMENT

In the administrative areas of Gloucestershire County Council, Cotswold District Council and Tewkesbury Borough Council.

SCHEDULE 2 — REQUIREMENTS

PART 1 — REQUIREMENTS

1. Interpretation
 2. Time limits
 3. Environmental Management Plan (Construction Stage)
 4. Details of consultation
 5. Landscaping
 6. Implementation and maintenance of landscaping
 7. Fencing
 8. Land and groundwater contamination
 9. Archaeology
 10. Protected species
 11. Detailed design
 12. Surface and foul water drainage
 13. Noise Mitigation
 14. Approvals and amendments to approved details
- #### PART 2 — PROCEDURE FOR DISCHARGE OF REQUIREMENTS
15. Applications made under requirements
 16. Further information
 17. Register of requirements
 18. Anticipatory steps towards compliance with any requirement

SCHEDULE 3 — CLASSIFICATION OF ROADS, ETC.

PART 1 — TRUNK ROADS

PART 2 — ROADS TO BE DE-TRUNKED

PART 3 — CLASSIFIED ROADS

PART 4 — UNCLASSIFIED ROADS

PART 5 — SPEED LIMITS

PART 6 — TRAFFIC REGULATION MEASURES (CLEARWAYS AND PROHIBITIONS)

PART 7 — REVOCATIONS & VARIATIONS OF EXISTING TRAFFIC REGULATION ORDERS

PART 8 — PUBLIC RIGHTS OF WAY

SCHEDULE 4 — PERMANENT STOPPING UP OF HIGHWAYS AND PRIVATE MEANS OF ACCESS & PROVISION OF NEW HIGHWAYS AND PRIVATE MEANS OF ACCESS

PART 1 — HIGHWAYS TO BE STOPPED UP FOR WHICH NO SUBSTITUTE IS TO BE PROVIDED

PART 2 — HIGHWAYS TO BE STOPPED UP FOR WHICH A SUBSTITUTE IS TO BE PROVIDED AND NEW HIGHWAYS WHICH ARE OTHERWISE TO BE PROVIDED

PART 3 — PRIVATE MEANS OF ACCESS TO BE STOPPED UP FOR WHICH NO SUBSTITUTE IS TO BE PROVIDED

PART 4 — PRIVATE MEANS OF ACCESS TO BE STOPPED UP FOR WHICH A SUBSTITUTE IS TO BE PROVIDED AND NEW

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PRIVATE MEANS OF ACCESS WHICH ARE OTHERWISE TO BE PROVIDED

SCHEDULE 5 — LAND IN WHICH ONLY NEW RIGHTS ETC. MAY BE ACQUIRED

SCHEDULE 6 — 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...
2. (1) Without limitation on the scope of paragraph 1, the...
3. (1) Without limitation on the scope of paragraph 1, the...

Application of Part 1 of the 1965 Act

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

SCHEDULE 7 — LAND OF WHICH TEMPORARY POSSESSION MAY BE TAKEN

SCHEDULE 8 — 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...
2. In this Part of this Schedule— “alternative apparatus” means— in...
3. On street apparatus
4. Apparatus in stopped up streets
5. Protective works to buildings
6. Acquisition of land
7. Removal of apparatus
8. Facilities and rights for alternative apparatus
9. Retained apparatus
10. Expenses and costs
11. (1) Subject to sub-paragraphs (2) and (3), if by reason...
12. Cooperation
13. Nothing in this Part of this Schedule affects the provisions...

PART 2 — FOR THE PROTECTION OF OPERATORS OF ELECTRONIC COMMUNICATIONS CODE NETWORKS

14. For the protection of any operator, the following provisions have...
15. In this Part of this Schedule— “the 2003 Act” means...
16. The exercise of the powers conferred by article 36 (statutory...
17. (1) Subject to sub-paragraphs (2) to (4), if as a...
18. This Part of this Schedule does not apply to—
19. Nothing in this Part of this Schedule affects the provisions...

SCHEDULE 9 — DOCUMENTS TO BE CERTIFIED

Explanatory Note