STATUTORY INSTRUMENTS

2020 No. 1158

INFRASTRUCTURE PLANNING

The Lake Lothing (Lowestoft) Third Crossing (Correction) Order 2020

Made - - - -	*21st October 2020*
Coming into force - -	*22nd October 2020*

The Lake Lothing (Lowestoft) Third Crossing Order 2020(**a**) ("the Lake Lothing Order"), which granted development consent within the meaning of the Planning Act 2008(**b**) ("the Act") contains correctable errors within the meaning of paragraph 1 of Schedule 4 to the Act.

In accordance with paragraph 1(5)(a) of Schedule 4 to the Act, before the end of the relevant period, the Secretary of State received a written request from the applicant(**c**) for the correction of errors and omissions in the Lake Lothing Order.

In accordance with paragraph 1(7) of Schedule 4 to the Act, the Secretary of State has informed each relevant local planning authority for the area in which the land to which the Lake Lothing Order relates is situated that the request has been received.

The Secretary of State, in exercise of the powers conferred by sections 119 of, and paragraphs 1(4) and (8) of Schedule 4 to, the Act, makes the following Order:

Citation and commencement

1. This Order may be cited as the Lake Lothing (Lowestoft) Third Crossing (Correction) Order 2020 and comes into force on 22nd October 2020.

Correction of original order

2.—(1) The Lake Lothing Order is corrected as follows—

(2) For article 41(8) (operation of the new bridge) substitute—

> "(8) The harbour authority must give a general direction imposing the requirements of the Scheme of Operation relating to the masters of vessels on the masters of vessels not less than 21 days prior to the new bridge opening for public use and, in relation to any variation to or replacement of the Scheme of Operation under paragraph (2), with such prior notice as the harbour authority considers appropriate in consultation with the undertaker or, in the

(**a**) S.I. 2020/474.
(**b**) 2008 c. 29. Paragraph 1 of Schedule 4 was amended by paragraph 70 of Schedule 13 to the Localism Act 2011 (c. 20). There are other amendments to paragraph 1 that are not relevant to this Order.
(**c**) The term "applicant" is defined in paragraph 4 of Schedule 4 to the Act.

event that prior notice cannot be given, as soon as practicable following any variation or replacement.".

(a) After article 41(9) (operation of the new bridge), insert—

"(10) In paragraph (8) "general direction" means a harbour direction given by the harbour authority under section 40A of the Harbours Act 1964(**a**) that applies generally to Lowestoft Harbour.".

(3) In article 46 (byelaws) at the beginning of article 46(4), insert "From the opening of the new bridge for public use,".

(4) At the beginning of article 46(5) (byelaws), insert—

"(5) On a date appointed by the undertaker, which must follow—

(za) the undertaker having first sought the harbour authority's written consent to the proposed date not less than 35 days before the date intended to be appointed; and

(zb) the harbour authority having consented in writing to the date intended to be appointed (such consent not to be unreasonably withheld) not less than 28 days before that date,

the Lowestoft Harbour Byelaws 1993 are amended as follows—".

(5) After article 46(5) (byelaws), insert—

"(5A) The harbour authority must issue a notice to mariners setting out the changes to the Lowestoft Harbour Byelaws 1993 contained in paragraph (5) and the date on which those changes will have effect, not less than 21 days before the date appointed by the undertaker under paragraph (5).".

(6) In article 49(1)(a) (transfer of benefit of order, etc), for "under" substitute "undertaker".

(7) In Part 1 of Schedule 4 (permanent stopping up of highways and private means of access and provision of new highways and private means of access), at the end of the table, insert a new row, and in column (4) of that row, insert—

	"Reference F A length of new highway from a point on the existing Canning Road 10 metres east of the Registry Office Access for a length of 6 metres in a generally northerly direction and being the length of highway comprising the new Canning Road turning head."

(8) In Part 2 of Schedule 11 (traffic regulation measures), in the thirteenth row (the entry relating to the second reference to "Canning Road") below sub-heading 'The traffic regulation measures plans (clearways and prohibitions – sheet 2"), in column (2) of that row—

(a) for "8" substitute "10";

(b) for "9" substitute "7"; and

(**a**) 1964 c. 40. Section 40A was inserted by section 5(1) of the Marine Navigation Act 2013 (c. 23). The harbour authority is able to make such harbour directions pursuant to the Harbour Directions (Designation of Harbours Authorities) (No. 2) Order 2015 (S.I. 2015/1656.

(c) for "being" substitute "including".

(9) In Schedule 14 (documents to be certified), in column (2) of the table—

(a) in row 2 (book of reference), for "116" substitute "183";

(b) in row 5 (engineering section drawings and plans)—

(i) in paragraph (i), for "Sheet 2 revision number P01 contained in document reference [SCC/LLTC/EX/131]" substitute "not used"; and

(ii) in subsection (j), for "149" substitute "148";

(c) In row 6 (environmental statement), paragraph (k), for "69" substitute "70";

(d) In row 7 (general arrangement plans), in paragraph (x), for "[SCC/LLTC/123]" substitute "[SCC/LLTC/EX/123]";

(e) In row 14 (landscaping plans), in paragraph (dd), for "[SCC/LLTC/123]" substitute "[SCC/LLTC/EX/139]";

(f) in row 21 (rights of way and access plans), in paragraphs (gg) and (ii), for "P01" substitute "P02";

(g) in row 24 (traffic regulation measures plans), in paragraph (jj), for "version" substitute "revision"; and

(h) in row 26 (works plans)—

(i) in paragraph (oo), for "version" substitute "revision"; and

(ii) in paragraphs (oo) and (pp), for "P01" substitute "P02".

Signed by authority of the Secretary of State for Transport

Natasha Kopala
Head of the Transport and Works Act Orders Unit
Department for Transport

21st October 2020

EXPLANATORY NOTE

(This note is not part of the Order)

This Order corrects errors in the Lake Lothing (Lowestoft) Third Crossing Order 2020 (S.I. 2020/474), a development consent order made under the Planning Act 2008, following a request made under paragraph 1(5)(a) of Schedule 4 to that Act.

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