STATUTORY INSTRUMENTS

2022 No.

Comment [ERR1]:

Warning only Low impact [e00017] The SI number is invalid. Expecting 'No. ' followed by between 1 and 4 diaits

INFRASTRUCTURE PLANNING

The M4 Motorway (Junctions 3 to 12) (Smart Motorway) (Amendment) Order 2022

Made -	-	-	-	-	***	The offending te
1						warning is: '***'
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An application has been made under paragraph 2 to Schedule 6 of the Planning Act 2008(a) to the Secretary of State in accordance with the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011(b) for a non-material change to the M4 Motorway (Junctions 3 to 12) (Smart Motorway) Development Consent Order 2016(c).

The Secretary of State having considered the application and the responses to the publicity and consultation carried out in accordance with regulations 6 and 7 of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011 has decided to make this Order amending the M4 Motorway (Junctions 3 to 12) (Smart Motorway) Development Consent Order 2016.

The Secretary of State in exercise of the powers conferred by paragraph 2 of Schedule 6 to the Planning Act 2008, makes the following Order-

Citation, commencement and interpretation.

1.-(1) This Order may be cited as the M4 Motorway (Junctions 3 to 12) (Smart Motorway) (Amendment) Order 2022 and comes into force on ***.

(2) In this Order, the "2016 Order" means the M4 Motorway (Junctions 3 to 12) (Smart Motorway) Development Consent Order 2016.

Amendment of the 2016 Order

2. The 2016 Order is amended in accordance with this Order.

Amendments to article 40 (certification of plans, etc.)

3.—(1) Article 40 (certification of plans, etc.) is amended as follows.

(2) In article 40(1)(b) delete "(Document Reference No. 2.3, dated February 2016)" and add "(documents subject to certification)" after "Schedule 10".

(3) In article 40(1)(d) delete "(Document Reference Nos. 2.5-2.9, dated March 2015)".

(b)

S.I. 2016/863. (c)

R21:

ext for the following igh impact [e00096] Please ensure the asterisks are replaced by text / dates Warning only High impact [e00023] The format of the Made date paragraph is incorrect

Comment [ERR3]: The offending text for the following warning is: '***' Warning only High impact [e00096] Please ensure the asterisks are replaced by text / dates

Warning only High impact [e00026] The format of the Coming into Force date is incorrect

Comment [ERR4]: The offending text for the following warning is: '***' Warning only High impact [e00096] Please ensure the asterisks are replaced by text / dates

²⁰⁰⁸ c.29. Parts 1 to 7 were amended by Chapter 6 of Part 6 of the Localism Act 2011 (c.20). **(a)** S.I. 2011/2055, amended by S.I. 2012/635, 2013/522, 2015/760 and 2020/1534.

(4) In article 40(1)(i) substitute "(Document Reference No. 7.3, dated March 2015)" with "(Document Reference No. 7.3, dated April 2022)".

(5) In article 40(1)(j) substitute "being Annex A to the engineering and design report (Document Reference No. 7.4, dated February 2016)" with "which is listed in full in Schedule 12 (engineering drawings, sections and other information)".

Amendments to Schedule 1 (authorised development)

4.—(1) Schedule 1 (authorised development) to the 2016 Order is amended as follows.

(2) In the heading substitute "Buckinghamshire Council" with "Buckinghamshire Council" and delete ", South Bucks District Council".

- (3) In Work No. 1b-
 - (a) paragraph (c) substitute "18 no." with "17 no.";
 - (b) paragraph (d) substitute "5 no." with "4 no.";
 - (c) paragraph (e) substitute "24 no." with "41 no.";
 - (d) paragraph (f) substitute "25 no." with "12 no.";
 - (e) paragraph (g) substitute "51 no." with "50 no.";
 - (f) paragraph (h) substitute "7 no." with "6 no.";
 - (g) paragraph (i) substitute "7 no." with "5 no.";
 - (h) paragraph (j) substitute "20 no." with "19 no.";
 - (i) paragraph (k) substitute "41 no." with "44 no.";
 - (j) paragraph (l)-
 - (i) substitute "17 no." with "18 no.";
 - (ii) delete "refuge"; and
 - (iii) add "or "EA"" after the word "ERA";
 - (k) paragraph (m) delete "refuge" and add "or "EA"" after the word "ERA"; and
 - (l) paragraph (p)-
 - (i) substitute "139 no." with "130 no.";
 - (ii) delete the words "by a camera icon"; and
 - (iii) delete the final full stop and add "by a camera icon; where such icon is not accompanied by the words 'CCTV mounted on gantry'." at the end of the paragraph.

(4) In Work No. 7b substitute "new" with "reinforced" before "retaining" and add the words "and an outer sheet pile wall" after the words "retaining wall".

(5) In Work No. 8c delete "and the extension of 2 no. flood channel culverts under Monkey Island Lane at the locations shown on the works plans".

(6) In the headings to Work Nos. 9, 10 and 12 substitute "Buckinghamshire County Council" with "Buckinghamshire Council" and delete ", South Bucks District Council".

(7) In Work No. 12e-

- (a) add the words "single online single span" before the word "bridge";
- (b) add the words "northbound and" before "southbound";
- (c) delete "to the east of the existing Huntercombe Spur overbridge"; and
- (d) delete "construction of a new bridge for the northbound carriageway of the Junction 7 Link Road (Huntercombe Spur) over the M4".
- (8) Delete Work No. 12f.

(9) In Work No. 13c substitute "retaining walls, raising of earthworks" with "embankments" before "demolition".

(10) Delete Work No. 17.

(11) After Work No. 16d, insert "Work No. 17a – the reconstruction of Windsor Branch Railway underbridge existing central reserve to the south side of the existing bridge, at the location shown on the works plans, including widening of foundations, substructure and bridge deck to accommodate Work Nos. 16b and 16c.".

(12) After Work No. 17a, insert "Work No. 17b – the widening of a railway culvert, at the location shown on the works plans, on the north side of the M4.".

(13) In Work No. 21 substitute "extension" with "widening" before "of the water main subway".

- (14) Delete Work Nos. 24e to 24i.
- (15) In Work No. 25—
 - (a) in the heading substitute "Buckinghamshire County Council" with "Buckinghamshire Council" and delete ", South Bucks District Council";
 - (b) add the word "online" before "bridge"; and
 - (c) delete ", including construction of retaining walls" from the text of the paragraph.

(16) In Work No. 28 substitute "south" with "north" before "at the location".

(17) In Work No. 29d delete "and such works including—" and paragraphs (a) and (b).

Amendments to Schedule 2 (requirements)

5.—(1) Schedule 2 (requirements) to the 2016 Order is amended as follows.

(2) In paragraph 6(1) substitute "(Application Document Reference No. 7.3)" with "(Document Reference No. 7.3, dated April 2022)".

(3) In paragraph 9(2) substitute "annexed to the engineering and design report (Application Document Reference No. 7.3)" with "(as listed in Schedule 12 (engineering drawings, sections and other information))".

(4) In paragraph 11 substitute "(Application Document Reference No. 7.4, Annex A)" with "(as listed in Schedule 12 (engineering drawings, sections and other information))".

(5) In paragraph 22(1) substitute "(Application Document Reference No. 7.4, Annex A)" with "(as listed in Schedule 12 (engineering drawings, sections and other information))".

(6) In paragraph 24(2)(b) substitute "(Application Document Reference No. 7.4, Annex A)" with "(as listed in Schedule 12 (engineering drawings, sections and other information))".

Amendments to Schedule 10 (documents subject to certification)

6. Schedule 10 to the 2016 Order is substituted by Schedule 1 to this Order.

Amendments to Schedule 12 (engineering drawings, sections and other information)

7. Schedule 12 to the 2016 Order is substituted by Schedule 2 to this Order.

Signed by authority of the Secretary of State for Transport

	Name
Address	Parliamentary Under Secretary of State
Date	Department Co
	10/-

Comment [ERR5]: Warning only Low impact [e00120] The signature date has not yet been completed

SCHEDULE 1

Article 6

DOCUMENTS SUBJECT TO CERTIFICATION

The land plans (Document Reference No. 2.2, dated January 2016)

		(2)	(4)	
(1)	(2)	(3)	(4) • -	Formatted Table
Document	Drawing No.	Revision No.	Document Reference	
Volume 2.0: plans, drawing and sections - 2.2 Land Plans including Crown Land, Regulations 5(2)(i) and 5 (2)(n), Key Plan	TR010019-2.2	5F	514451-MUH-ML- ZZ-SK-LR-301410	
Volume 2.0: plans, drawing and sections - 2.2 Land Plans including Crown Land, Regulations 5(2)(i) and 5 (2)(n), Sheet 1 of 31, Theale	TR010019-2.2	5F	514451-MUH-ML- ZZ-SK-LR-301379	
Volume 2.0: plans, drawing and sections - 2.2 Land Plans including Crown Land, Regulations 5(2)(i) and 5 (2)(n), Sheet 2 of 31, Calcot	TR010019-2.2	5F	514451-MUH-ML- ZZ-SK-LR-301380	
Volume 2.0: plans, drawing and sections - 2.2 Land Plans including Crown Land, Regulations 5(2)(i) and 5 (2)(n), Sheet 3 of 31, Reading Motorway Service Area	TR010019-2.2	5F	514451-MUH-ML- ZZ-SK-LR-301381	
Volume 2.0: plans, drawing and sections - 2.2 Land Plans including Crown Land, Regulations 5(2)(i) and 5 (2)(n), Sheet 4 of 31, Pingewood	TR010019-2.2	5F	514451-MUH-ML- ZZ-SK-LR-301382	
Volume 2.0: plans, drawing and sections - 2.2 Land Plans including Crown Land, Regulations 5(2)(i) and 5 (2)(n), Sheet 5 of 31, Reading International Business Park	TR010019-2.2	5F	514451-MUH-ML- ZZ-SK-LR-301383	
Volume 2.0: plans, drawing and sections - 2.2 Land Plans including Crown Land, Regulations 5(2)(i) and 5 (2)(n), Sheet 6 of 31, Whitley	TR010019-2.2	5F	514451-MUH-ML- ZZ-SK-LR-301384	
Volume 2.0: plans, drawing and sections - 2.2 Land Plans including Crown Land, Regulations 5(2)(i) and 5 (2)(n), Sheet 7 of 31, Lower Earley	TR010019-2.2	5F	514451-MUH-ML- ZZ-SK-LR-301385	
Volume 2.0: plans, drawing and sections - 2.2 Land Plans including Crown Land, Regulations 5(2)(i) and 5 (2)(n), Sheet 8 of 31, River Loddon	TR010019-2.2	5F	514451-MUH-ML- ZZ-SK-LR-301386	
Volume 2.0: plans, drawing and sections - 2.2 Land Plans including Crown Land, Regulations 5(2)(i) and 5 (2)(n), Sheet 9 of 31, Winnersh	TR010019-2.2	5F	514451-MUH-ML- ZZ-SK-LR-301387	
Volume 2.0: plans, drawing and sections - 2.2 Land Plans including Crown Land,	TR010019-2.2	5F	514451-MUH-ML- ZZ-SK-LR-301388	

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ļ		514451-	3R	Proposed Drainage J12 -
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.]		300891		Reserve, Sheet 7 of 32
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EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the 2016 Order, a development consent order under the Planning Act 2008, following an application made in accordance with the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011 for a non-material change under paragraph 2 of Schedule 6 to the Planning Act 2008. This Order amends the description of the authorised development (see article 4), the documents certified by the 2016 Order and the documents referred to by the requirements of the 2016 Order (see articles 3, 5 to 7 and Schedules 1 and 2).