

2020 No. 000

INFRASTRUCTURE PLANNING

**The M42 Junction 6 Development Consent (Correction) Order
2020**

Made - - - - *20th October 2020*

Coming into force - - *21st October 2020*

The M42 Junction 6 Development Consent Order 2020 (“the Order”)(a), which granted development consent within the meaning of the Planning Act 2008 (“the Act”), contains correctable errors within the meaning of paragraph 1 of Schedule 4 to the Act(b).

In accordance with paragraph 1(5)(a) of Schedule 4 to the Act, before the end of the relevant period, as defined in paragraph 1(6)(a) of Schedule 4 to the Act, the Secretary of State received a written request from the applicant(c) for the correction of errors and omissions in the Order.

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

The Secretary of State, in exercise of the powers conferred by section 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 M42 Junction 6 Development Consent (Correction) Order 2020 and comes into force on 21st October 2020.

Corrections

2. The M42 Junction 6 Development Consent Order 2020 is corrected as set out in the table in the Schedule to this Order, in which—

- (a) column (1) sets out where the correction is to be made;
- (b) column (2) sets out how the correction is to be made; and

(a) S.I. 2020/528.

(b) 2008 c. 29. Paragraph 1 of Schedule 4 was amended by paragraphs 1 and 70 of Schedule 13 and Part 20 of Schedule 25 to the Localism Act 2011 (c. 20). There are other amendments to paragraph 1 of Schedule 4 that are not relevant to this Order.

(c) The term “applicant” is defined in paragraph 4 of Schedule 4 to the Act.

(c) column (3) sets out the text to be substituted, inserted or omitted.

Signed by authority of the Secretary of State for Transport

Natasha Kopala

Head of the Transport and Works Act Orders Unit

20th October 2020

Department for Transport

SCHEDULE

Article 2

Corrections

<i>(1)</i>	<i>(2)</i>	<i>(3)</i>
<i>Where the correction is to be made</i>	<i>How the correction is to be made</i>	<i>Text to be substituted, inserted or omitted</i>
Article 2(1), in the definitions of— “book of reference” “classification of road plans” “crown land plans” “engineering drawings and sections” “environmental statement” “the land plans” “streets, rights of way and access plans” “works plans”	In each place where it occurs, for “(documents to be certified)” substitute	“(certification of plans and documents, etc.)”
Article 2(3)(a)	For “whether” substitute	“where”
Article 39(1)	For “Subject to paragraph (4)” substitute	“Subject to paragraphs (4) and (5)”
Article 39(1)	After “any tree or shrub” omit	“with the exception of ancient woodland”
Article 39(3)	For “paragraph (4)”, substitute	“paragraph (5)”
Article 39(3)	At the end of article 39(3) insert new paragraph	“(4) The undertaker may remove fell or lop, or cut back the roots of, any tree or shrub comprised in ancient woodland within or overhanging the limits of deviation of Work No. 3, Work No. 4 or Work No.5, 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

<i>(1)</i>	<i>(2)</i>	<i>(3)</i>
<i>Where the correction is to be made</i>	<i>How the correction is to be made</i>	<i>Text to be substituted, inserted or omitted</i>
		authorised development; or (b) from constituting a danger to persons using the authorised development.”
Article 39(4)	For paragraph “(4)” renumber as paragraph	“(5)”
Article 39(4)	For “paragraphs (1), (2) or (3),” substitute	“paragraphs (1), (2), (3) or (4)”
Article 39(5)	For paragraph “(5)” renumber as paragraph	“(6)”
Article 39(5)	For “paragraph (4)” substitute	“paragraph (5)”
Article 39(6)	For paragraph “(6)” renumber as paragraph	“(7)”
Article 44(1)	For “(documents to be certified)” substitute	“(certification of plans and documents, etc.)”
In Schedule 2 (requirements)		
Part 1 (requirements), Requirement 10(1) – Traffic management	After “consultation with the relevant planning authority on matters related to its function” omit	“and the Royal Mail”
In Schedule 11 (felling or lopping of trees and removal of hedgerows)		
Part 1	After row “G6 Bickenhill” omit	Blank row

EXPLANATORY NOTE

(This note is not part of the Order)

This Order corrects errors in the M42 Junction 6 Development Consent Order 2020 (S.I. 2020 No. 528), a development consent order made under the Planning Act 2008 (c. 29), following a request under paragraph 1(5)(a) of Schedule 4 to that Act.