

M60/M62/M66 Simister Island Interchange

TR010064

7.9 SCHEDULE OF CHANGES TO THE DRAFT DEVELOPMENT CONSENT ORDER

APFP Regulation 5(2)(q)

Planning Act 2008

Infrastructure Planning (Applications: Prescribed
Forms and Procedure) Regulations 2009

VOLUME 7

November 2024

Infrastructure Planning

Planning Act 2008

**The Infrastructure Planning
(Applications: Prescribed Forms and
Procedure) Regulations 2009**

**M60/M62/M66 Simister Island Interchange
Development Consent Order 202[]**

**SCHEDULE OF CHANGES TO DRAFT DEVELOPMENT CONSENT
ORDER**

Regulation Reference	APFP Regulation 5(2)(q)
Planning Inspectorate Scheme Reference	TR010064
Application Document Reference	TR010064/APP/7.9
Author	M60/M62/M66 Simister Island Interchange Project Team & National Highways

Version	Date	Status of Version
P01	August 2024	Procedural Deadline A
P02	September 2024	Deadline 1

P03	November 2024	Deadline 3
-----	---------------	------------

CONTENTS

Table 1.1 Changes to draft Development Consent Order 5

Table 1.1 Changes to draft Development Consent Order

Provision	Changes made to the draft Development Consent Order	Explanation of Change:
Deadline A – 28 August 2024		
Schedule 2 Requirement 4(4)	Insertion of ' and, to the extent that it relates to a matter relevant to their function, the Environment Agency '	At the request of the Environment Agency, to provide for the Environment Agency to be consulted in the preparation of the second iteration EMP
Schedule 4 Part 1	In the second line, changing the text to read 'Existing section of 252 metres of public road, to be stopped up between points 2/5 to 2/G shown on Sheet 2 of the streets, rights of way and access plans'	To correct typographical errors
Schedule 10	The document reference for the Crown Land Plans has been amended to 'TR010064/APP/2.10'	Insertion of missing document reference number.
Deadline 1 – 24 September 2024		
Contents	Article 15, changing the text to read 'Permanent stopping up, restriction of use of streets and public rights of way and private means of access '	Stopping up/restriction of private means of access is not proposed as part of the Order.
Contents	Article 36, changing the text to read 'Felling or lopping of trees and removal or management of hedgerows'	Article 36 of the Order also relates to management of hedgerows.
Contents	Article 45, changing the text to read ' Application, d Disapplication and modification of legislative provisions'	Article 45 of the Order only seeks to disapply or modify legislative provisions.

Provision	Changes made to the draft Development Consent Order	Explanation of Change:
Contents	Schedule 3, Part 2, 'UNCLASSIFIED ROADS' has been deleted and Part 3 has been renumbered Part 2, and Part 3 renumbered Part 4	To be consistent with the descriptions in Schedule 3.
Contents	Schedule 4, Part 1 has been amended to read 'PUBLIC RIGHTS OF WAY TO BE STOPPED UP AND FOR WHICH A SUBSTITUTE IS TO BE PROVIDED'	To be consistent with the descriptions in Schedule 4.
Contents	Schedule 9, Part 1, changing the text to read 'FOR THE PROTECTION OF ELECTRICITY, GAS, WATER AND SEW E ARAGE UNDERTAK E R S '	To correct typographical errors.
Page 5, second para	In the first line, changing the text to read 'panel of two members ("the Panel") (appointed by the Secretary of State pursuant to section 61 and 65 of Part 6 of the 2008 Act and carried out)'	To improve precision.
Part 1 - Preliminary		
Article 2 – Interpretation	"book of reference" – changing the text to read 'Schedule 10 (certification of plans and documents, etc. to be certified) and certified by the Secretary of State as the book of reference for the purposes of this Order under article 41 (certification of plans and documents, etc.) '	To correct a typographical error and improve precision.
Article 2 – Interpretation	"classification of road plans" – changing the text to read 'Schedule 10 (certification of plans and documents, etc. to be certified) and certified by the Secretary of State as the classification of road plans for the purposes of this Order under article 41 (certification of plans and documents, etc.) '	To correct a typographical error and improve precision.

Provision	Changes made to the draft Development Consent Order	Explanation of Change:
Article 2 – Interpretation	"crown land plans" – changing the text to read 'Schedule 10 (certification of plans and documents, etc. to be certified) and certified as the crown land plans by the Secretary of State for the purposes of this Order under article 41 (certification of plans and documents, etc.)'	To correct a typographical error and improve precision.
Article 2 – Interpretation	"electronic transmission" – insertion of the following text after sub-paragraph (b) ' and in this definition “electronic communications network” has the same meaning as in section 32(1) (meaning of electronic communications networks and services)(a) of the Communications Act 2003; '. Insertion of the following footnote '(a) 2003 c.21, Section 32(1) was amended by S.I. 2011/1210'	Insertion of missing definition.
Article 2 – Interpretation	"engineering drawings and sections" – changing the text to read 'Schedule 10 (certification of plans and documents, etc. to be certified) and certified as the engineering drawings and sections by the Secretary of State for the purposes of this Order under article 41 (certification of plans and documents, etc.)'	To correct a typographical error and improve precision.
Article 2 – Interpretation	"environmental statement" – changing the text to read 'Schedule 10 (certification of plans and documents, etc. to be certified) and certified as the environmental statement by the Secretary of State for the purposes of this Order under article 41 (certification of plans and documents, etc.)'	To correct a typographical error and improve precision.
Article 2 – Interpretation	"important hedgerow plans" – changing the text to read 'Schedule 10 (certification of plans and documents, etc. to be certified)'	To correct a typographical error and improve precision.

Provision	Changes made to the draft Development Consent Order	Explanation of Change:
	be certified) and certified as the important hedgerow plans by the Secretary of State for the purposes of this Order under article 41 (certification of plans and documents, etc.)'	
Article 2 – Interpretation	"land plans" – changing the text to read 'Schedule 10 (certification of plans and documents, etc. to be certified) and certified as the land plans by the Secretary of State for the purposes of this Order under article 41 (certification of plans and documents, etc.)'	To correct a typographical error and improve precision.
Article 2 – Interpretation	Insertion of new definition of "main river" means watercourses as defined under section 113(1) of the Water Resources Act 1991 and shown as such on the statutory main river maps held by the Environment Agency and the Department for Environment, Food and Rural Affairs;	Insertion of missing definition.
Article 2 – Interpretation	Insertion of new definition of "Secretary of State" means the Secretary of State for Transport;	Insertion of missing definition.
Article 2 – Interpretation	"statutory undertaker" – changing the text to read 'sections 127(8) (statutory undertakers' land) and 138(4A) (extinguishment of rights, and removal of apparatus, of statutory undertakers etc.)'	To improve precision.
Article 2 – Interpretation	"streets, rights of way and access plans" – changing the text to read 'Schedule 10 (certification of plans and documents, etc. to be certified) and certified as the streets, rights of way and access plans by the Secretary of State for the purposes of this Order under article 41 (certification of plans and documents, etc.)'	To correct a typographical error and improve precision.

Provision	Changes made to the draft Development Consent Order	Explanation of Change:
Article 2 – Interpretation	"trunk road" – insertion of the following footnotes: '(d) Section 10 was amended by section 22(2) of the 1991 Act, by section 36 of, and paragraph 22 of Schedule 2 to, the 2008 Act, and by section 1 of, and Schedule 1 to, the Infrastructure Act 2015 (c.7). (e) Section 19 was amended by section 1 of, and Schedule 1 to, the Infrastructure Act 2015. There are other amendments to section 19 that are not relevant to this Order.'	Insertion of missing footnotes.
Article 2 – Interpretation	"works plans" – changing the text to read 'Schedule 10 (certification of plans and documents, etc. to be certified) and certified as the works plans by the Secretary of State for the purposes of this Order under article 41 (certification of plans and documents, etc.)'	To correct a typographical error and improve precision.
Article 2, paragraph (6)	Insertion of 'body or' after 'successor' and before 'bodies'	To improve precision.
Part 2 – Principal Powers		
Article 6 – Limits of deviation	Insertion of 'and' between sub-paragraphs (1)(a) and (b)	To correct a typographical error.
Part 3 - Streets		
Article 10 – Street Works, sub-paragraph (1)(a)	Insertion of 'within or' after 'tunnel' and before 'under it'	To correct a typographical error.

Provision	Changes made to the draft Development Consent Order	Explanation of Change:
Article 10, paragraph (3)	Changing the text to cross-refer to 'article 11'	To correct a typographical error.
Article 11, sub-paragraph 1(b)	Changing the text to footnote(a) to read ' Section 64 was amended by section 102 of, and Schedule 17 to, the Local Government Act 1985 (c.51) and section 168(2) of, and Schedule 9 to, the 1991 Act. '	To reference the correct section of the Highways Act 1980.
Article 11, paragraph (3)	Deletion of 'and' before 'Schedule 3A(j) (restriction on works following substantial street works)' and inserting ' and ' to follow immediately after 'section 78(A)(i) (contributions to costs of re-surfacing by undertaker);'	To correct a typographical error.
Article 11, sub-paragraph (7)(c)	Changing the text to read ' to, as respects which the provisions of Part 3 of the 1991 Act apply.'	To improve precision.
Article 12 (construction and maintenance of new, altered or diverted streets and other structures), sub-paragraph 4(d)	On the last line, changing the text to read 'cause dangers'	To correct a typographical error.
Article 13 – Classification of roads, etc., sub-paragraph (1)(b)	Changing the text to refer to Schedule 4(a) (classes of traffic for purposes of special roads) to the 1980 Act and adding the following footnote:	To correct the reference to the relevant part of the Highways Act 1980 and insertion of missing footnote.

Provision	Changes made to the draft Development Consent Order	Explanation of Change:
	(a) Schedule 4 was amended by section 4 of, and paragraph 21(3) of Schedule 3 to, the Road Traffic (Consequential Provisions) Act 1988 (c.54).	
Article 13, paragraph (2)	Changing the text to read 'Part 1 (special roads) of Schedule 3 (classification of roads, etc.)'	To improve precision and consistency
Article 13, paragraph (3)	Deletion of the text at paragraph (3). Consequential amendments to the numbering of paragraphs (4), (5) and (6) to read (3), (4) and (5)	No unclassified roads are proposed pursuant to the Order.
Article 13, sub-paragraph (3)(b)	Changing the text to read 'practicable after following completion of the construction of the public right of way as may be agreed by between'	To improve precision.
Article 14 – Temporary closure and restriction of use of streets, sub-paragraph (1)(a)	Insertion of ',or a class of traffic' after 'traffic' and before 'from the street'	To improve precision.
Article 14, paragraph (4)	Deletion of 'Save as to streets in respect of which the undertaker is the street authority, t' and replacement with 'T'	Deletion of unnecessary text. The relevant paragraph covers streets in which the undertaker is not the street authority.
Article 14, paragraph (6)	After paragraph (6), insertion of a new paragraph (7) as follows: '(7) An application for consent under paragraph (4) must be accompanied by a letter informing the street authority— (a) of the period mentioned in paragraph (6); and	At the request of the Examining Authority, to reflect the wording of the M3 Junction 9 Development Consent Order and to put the street authority on notice of the deeming provisions as regards its consent to the undertaker's proposals for temporary closures, alterations, diversion or restrictions of streets for which it is the authority.

Provision	Changes made to the draft Development Consent Order	Explanation of Change:
	(b) that if they do not respond before the end of that period, consent will be deemed to have been granted.'	
Article 15 - Permanent stopping up, restriction of use of streets, public rights of way and private means of access	Changing Article 15 to read 'Permanent stopping up, restriction of use of streets and , public rights of way and provide means of access '	Stopping up/restriction of private means of access is not proposed as part of the Order.
Article 15, paragraph (2)	Changing the text to read 'columns (1) of Part 2 of Schedule 4 (being a public right of way to be stopped up and for which a substitute is to be provided) '	To improve precision.
Article 15, paragraph (3)	Insertion of ' specified in column 1 of Part 1 of Schedule 4 ' after 'street' and before 'has been stopped up'	To improve precision.
Article 17 – Traffic Regulation, paragraph (2)	In the third line, changing the text to read 'sections 1(1)(d)'	To correct a typographical error.
Article 17, paragraph (12)	Changing the text to read 'Any application for consent under to which this article applies must include a statement that the provisions of paragraph (11) must be accompanied by a letter informing the traffic authority— (a) of the period mentioned in paragraph (11); and	At the request of the Examining Authority, to reflect the wording of the M3 Junction 9 Development Consent Order and to put the traffic authority on notice of the deeming provisions as regards its consent to the undertaker's proposals under paragraph (2) of Article 17 of the Order.

Provision	Changes made to the draft Development Consent Order	Explanation of Change:
	<p>(b) that if they do not respond before the end of that period, consent will be deemed to have been granted.</p> <p>apply to that application</p>	
Part 4 – Supplemental Powers		
Article 18 – Discharge of water, paragraph (4)	Insertion of 'pursuant to paragraph (1)' after 'drain' and before 'except'	To improve precision.
Article 18, paragraph (10)	<p>Changing the text to read 'Any application to which this article applies must include a statement that the provisions of paragraph (9) must be accompanied by a letter informing the person who receives the application—</p> <p>(a) of the period mentioned in paragraph (9); and</p> <p>(b) that if they do not respond before the end of that period, consent will be deemed to have been granted.</p> <p>apply to that application.</p>	At the request of the Examining Authority, to reflect the wording of the M3 Junction 9 Development Consent Order and to put the owner of the relevant watercourse, public sewer or drain on notice of the deeming provisions as regards its consent to the undertaker's proposals under paragraph (3) of Article 18 of the Order to discharge water into such watercourse, public sewer or drain.
Article 19 – Protective work to buildings, paragraph (3)	Adding '(subject to paragraph (5))' after 'may' and before 'enter and survey'	To improve precision.
Article 19, paragraph (9)	Changing the text to read 'Subject to Without affecting '	To improve precision.

Provision	Changes made to the draft Development Consent Order	Explanation of Change:
Article 20 – Authority to survey and investigate the land, paragraph (2)	In the second line, changing the text to read 'unless at least no less than 14 days' notice has been served on every owner and occupier of the land giving details of the nature of the surveys and investigations to be undertaken on the land. '	To improve precision and to ensure that owner and occupiers of the relevant land are provided with sufficient details of the nature of the survey or investigation that the undertaker intends to carry out.
Article 20, paragraph (7)	Changing the text to read 'Any application for consent under to which this article applies must include a statement that the provisions of paragraph (6) must be accompanied by a letter informing the local highway authority or street authority— (a) of the period mentioned in paragraph (6); and (b) that if they do not respond before the end of that period, consent will be deemed to have been granted apply to that application. '	At the request of the Examining Authority, to reflect the wording of the M3 Junction 9 Development Consent Order and to put the local highway authority or street authority on notice of the deeming provisions as regards their consent to the undertaker's proposals under paragraph (4) of Article 20 of the Order to make trial holes or boreholes in land within the highway boundary or a private street (as the case may be).
Part 5 – Powers of Acquisition and possession of land		
Article 21 – Compulsory acquisition of land, paragraph (2)	Changing the text to read 'This article is subject to article 22 (compulsory acquisition of land – incorporation of the mineral code), article 23 (time limit for exercise of authority to acquire land compulsorily), paragraph (2) of article 24 (compulsory acquisition of rights and imposition of restrictive covenants), paragraph (9) of article 30 (temporary use of land for carrying out the authorised development), paragraph (1)(a) of article 32 (statutory undertakers) and article 34 (crown rights).	To improve precision.

Provision	Changes made to the draft Development Consent Order	Explanation of Change:
Article 23 – Time limit for exercise of authority to acquire land compulsorily, sub-paragraph (1)(a)	Insertion of 'the' after 'under' and before 'Acquisition'	To correct a typographical error.
Article 24 – Compulsory acquisition of rights and imposition of restrictive covenants, paragraph (1)	In the second line, insertion of 'such' after 'impose' and before 'restrictive covenants'	To improve precision.
Article 24, paragraph (3)	In the fifth line, changing the text to read 'paragraphs (1) or (2)'	To correct a typographical error.
Article 25 – Private rights over land, paragraph (5)	In the second line, insertion of new footnote '(a)' after 'section 152'. New footnote (a) to read 'Section 152 was amended by S.I. 2009/1307.'	To improve precision.
Article 25, sub-paragraphs (7)(a)(ii), (iii) and (iv)	In each case, deletion of 'it' and replacement with 'the land'	To improve precision.
Article 25, paragraph (8)	After sub-paragraph (8)(b), changing the text to read 'the agreement # is effective'	To improve precision.

Provision	Changes made to the draft Development Consent Order	Explanation of Change:
Article 26 – Modification of Part 1 of the 1965 Act, paragraph (1)	Insertion of '(compulsory purchase under Acquisition of Land Act of 1946)' after 'Part 1' and before 'of the 1965 Act'	To improve precision and for consistency.
Article 26, sub-paragraph 5(b)	Insertion of '20 (authority to survey and investigate land),' after 'buildings)' and before '30'	To improve precision.
Article 27 – Application of the 1981 Act, paragraph (3)	Changing the text to read '(application of aAct)'	To correct a typographical error.
Article 30 – Temporary use of land for carrying out the authorised development, sub-paragraph 1(d)	Changing the text to read 'construct any works on that land as are identified mentioned in Schedule 1 (authorised development) construct any permanent works specified in relation to that land as are listed in column (3) of Schedule 7 or undertake any other mitigation works in connection with the authorised development.'	To improve precision and remove reference to column (3) of Schedule 7 as such works are included in the works in Schedule 1 (authorised development).
Article 30, paragraph (3)	Deletion of 'may' and replacement with 'must'	To improve precision.
Article 30, sub-paragraph (9)(a)	Insertion of 'imposition of' after 'and' and before 'restrictive covenants'	To correct a typographical error.
Article 31 – Temporary use of land for maintaining the	Changing the text to read 'paragraph (68)'	To correct a typographical error.

Provision	Changes made to the draft Development Consent Order	Explanation of Change:
authorised development, paragraph (9)		
Article 31, paragraph (10)	Changing the text to read ' Subject to article 43 (no double recovery), nothing Nothing ' and on the last line 'paragraph (68)'	To improve precision and correct a typographical error.
Article 32 – Statutory Undertakers, paragraph (1)	Insertion of ' imposition of ' after 'and' and before 'restrictive covenants'	To correct a typographical error.
Article 31, sub-paragraph 2(b)	Deletion of 'of this Order'	To ensure consistency.
Article 33 – Apparatus and rights of statutory undertakers in stopped up streets, paragraph (2)	In the first line, changing the text to read ' undertakertility '	To improve precision.
Article 34 – Crown Rights, paragraph (2)	Insertion of ' which is ' after 'Act)' and before 'for the time being'	To improve precision.
Article 34, paragraph (3)	Deletion of the semi-colon (;) after 'conditions'	To correct a typographical error.
Article 35 – Recovery of costs	Insertion of ' (street works in England and Wales) ' after 'Part 3' and before 'of the 1991 Act'	To improve precision and for consistency.

Provision	Changes made to the draft Development Consent Order	Explanation of Change:
of new connections, paragraph (3)		
Article 35, paragraph (4)	Deletion of the reference to 'paragraph' and replacement with 'article'	To correct a typographical error.
Part 6 - Operations		
Article 36 – Felling or lopping of trees and removal of hedgerows	Changing Article 36 to read 'Felling or lopping of trees and removal or management of hedgerows'	To correct a typographical error and ensure consistency with Schedule 8.
Article 36, paragraph (3)	Adding a full stop (.) to the end of the paragraph, after 'activity'	To correct a typographical error.
Part 7 – Miscellaneous and general		
Page 31, footnote (c)	Changing the text to read 'Section s 61'	To correct a typographical error.
Article 41 – Certification of plans and documents, etc., paragraph (1)	In the second line, after 'Schedule 10' amending the text to read '(certification of plans and documents, etc. to be certified)'	To correct a typographical error and improve precision.
Article 41, paragraph (2)	In the first line, deletion of 'reflect' and replacement with ' accord with '	To improve precision.

Provision	Changes made to the draft Development Consent Order	Explanation of Change:
Article 42 – Service of notices, paragraph (2)	In the first line, insertion of 'is' after 'document' and before 'to be served'	To correct a typographical error.
Article 45 – Application, disapplication and modification of legislative provisions	Changing Article 45 to read ' Application, d Disapplication and modification of legislative provisions'	To improve precision. Article 45 of the Order only seeks to disapply or modify legislative provisions.
Schedule 1 – Authorised development		
Work No. 01	In the second line, insertion of ' comprising 1 lane ' after 'length)' and before 'that merges'	To improve precision and further particularise the Works.
Work No. 02	In the first line, deletion of 'improvement' and replacement with ' widening from 4 lanes to 5 lanes '	To improve precision and further particularise the Works
Work No. 03	In the first line, deletion of 'improvement' and replacement with ' widening from 4 lanes to 5 lanes '	To improve precision and further particularise the Works.
Work No. 04	In the second line, insertion of ' comprising 1 lane that widens to 2 lanes and ' after 'length)' and before 'that diverges'	To improve precision and further particularise the Works.
Work No. 05	(a) In the second line, insertion of ' comprising 2 lanes ' after 'length)' and before 'that diverges'; (b) In the third line, insertion of ' the construction of a new 3-span viaduct structure (Pike Fold Viaduct) ' after '(Work No. 02)' and on the fourth line, insertion of	To improve precision and further particularise the Works.

Provision	Changes made to the draft Development Consent Order	Explanation of Change:
	<p>'the' after 'and' and before 'construction of a re-aligned M60';</p> <p>(c) The addition of the following text on the last line 'Works include removal of Important Hedgerow (HG_08) as described in Schedule 8 of this Order.'</p>	
Work No. 06	In the first line, changes to the text to read 'sheets 1 and 2'	To correct typographical errors and ensure consistency with the works plans.
Work No. 07	In the second line, insertion of 'comprising 2 lanes' after 'length)' and before 'that diverges'	To improve precision and further particularise the Works.
Work No. 09	In the second line, insertion of 'comprising 1 lane' after 'length)' and before 'that diverges' and in the third line, insertion of 'comprising 1 lane' after 'cutting' and before 'that connects'	To improve precision and further particularise the Works.
Work No. 10	Addition of the following text to the work description 'Works include removal of Important Hedgerow (HG_08) as described in Schedule 8 of this Order.'	To improve precision and further particularise the Works.
Work No. 12	In the second line, insertion of 'comprising 2 lanes' after 'length)' and before 'that merges'	To improve precision and further particularise the Works.
Work No. 13	In the second line, after 'Junction 18' insertion of the following text ', including excavations, embankments, cuttings, environmental mitigation, and fencing necessary for its construction and operation. Work No. 13 is adjacent to the re-aligned M60 northbound to M60	To improve precision and further particularise the Works.

Provision	Changes made to the draft Development Consent Order	Explanation of Change:
	westbound link (Work No. 07) and is accessed via a new maintenance access track (Work No. 14).'	
Work No. 17	In the second line, insertion of 'comprising 1 lane that widens to 2 lanes and' after 'length)' and before 'that diverges'	To improve precision and further particularise the Works.
Work No. 18	In the second line, insertion of 'comprising 5 lanes' after 'M60' and before 'commencing'	To improve precision and further particularise the Works.
Work No. 19	Addition of the following text to the work description 'Works could include the management of Important Hedgerow (HG_80) as described in Schedule 8 of this Order.'	To improve precision and further particularise the Works.
Work No. 20	Addition of the following text to the work description 'Works could include the management of Important Hedgerow (HG_80) as described in Schedule 8 of this Order.'	To improve precision and further particularise the Works.
Work No. 21	In the second line, after 'Junction 18' insertion of the following text ', including excavations, embankments, cuttings, environmental mitigation, and fencing necessary for its construction and operation. Work No. 21 is adjacent to the improved M60 northbound carriageway (Work No. 18) and is accessed via a new maintenance access track (Work No. 19).'	To improve precision and further particularise the Works.

Provision	Changes made to the draft Development Consent Order	Explanation of Change:
Work No. 22	In the first line, deletion of 'improvement' and replacement with ' widening from 2 lanes to 4 lanes '	To improve precision and further particularise the Works.
Work No. 23	In the second line, insertion of ' comprising 1 lane ' after 'length)' and before 'that diverges'	To improve precision and further particularise the Works.
Work No. 25	<p>In the first line, deletion of 'improvement' and replacement with 'modification'.</p> <p>In the second line, insertion of 'including the provision of new wearing course to the pavement, amendment of the road markings and replacement of traffic signals and associated infrastructure.' after 'length)'</p>	To improve precision and further particularise the Works.
Work No. 27	<p>In the second line, insertion of ', including excavations, embankments, cuttings, environmental mitigation, and fencing necessary for its construction and operation.' after 'No. 05)'</p> <p>On the last line, insertion of '(Work No. 05)' after 'carriageway' and before 'and is'</p>	To improve precision and further particularise the Works.
Work No. 29	Addition of the following text to the work description ' Works include the removal of Important Hedgerow (HG_80) as described in Schedule 8 of this Order. '	To improve precision and further particularise the Works.

Provision	Changes made to the draft Development Consent Order	Explanation of Change:
Work No. 30	<p>In the first line, deletion of 'improvement' and replacement with 'widening'.</p> <p>In the second line, insertion of 'comprising 2 lanes' after 'length)' and before 'commencing'</p>	To improve precision and further particularise the Works.
Work No. 37	<p>Addition of the following text to the work description 'Work No. 37 is adjacent to the new M60 eastbound to M60 southbound link (Work No. 05) and is accessed via a new maintenance access track (Work No. 35).'</p>	To improve precision and further particularise the Works.
Work No. 38	<p>Addition of the following text to the work description 'Works could include the management of Important Hedgerow (HG_80) as described in Schedule 8 of this Order.'</p>	To improve precision and further particularise the Works.
Work No. 39	<p>In the second line, insertion of 'comprising 2 lanes, and the construction of a new single span bridge structure (Pike Fold Bridge)' after 'length)' and before 'connecting'</p>	To improve precision and further particularise the Works.
Work No. 40	<p>In the sixth line, insertion of 'up to a maximum height of 25 metres' after 'netting' and before 'on'</p>	To improve precision and further particularise the Works.
Work No. 44	<p>Addition of the following text to the work description 'Works could include the management of Important Hedgerows (HG_21, HG_22 and HG_39) as described in Schedule 8 of this Order.'</p>	To improve precision and further particularise the Works.

Provision	Changes made to the draft Development Consent Order	Explanation of Change:
Schedule 2 - Requirements		
Schedule 2, Part 1 – Interpretation	"commence" – in the fifth line, deletion of 'remedial work in respect of any contamination or other adverse ground conditions'	Removal of the wording as agreed with the Environment Agency.
Schedule 2, Part 1 – Interpretation	After the definition of "contaminated land", insertion of a new definition as follows: "drainage strategy report" means the report at Appendix 13.7 of the environmental statement appendices listed in Schedule 10 (certification of plans and documents, etc.) and certified by the Secretary of State as the environmental statement appendices for the purposes of this Order under article 41 (certification of plans and documents, etc.);'	Insertion of missing definition.
Schedule 2, Part 1 – Interpretation	Deletion of the definition of "Ecological Clerk of Works" and replacement with the following definition: "ECoW" means the ecological clerk of the works appointed to ensure competence and quality in ecological matters whose responsibilities are defined in the first iteration EMP;'	The previous definition was by reference to the first iteration EMP which did not adequately define the ECoW. The definition has been amended at the request of the Examining Authority. The use of "ECoW" rather than "Ecological Clerk of Works" ensures consistency with requirement 7.
Schedule 2, Part 1 – Interpretation	After the definition of "ECoW", insertion of a new definition as follows: "environmental masterplan" means the environmental masterplan at figure 2.3 of the environmental statement	Insertion of missing definition.

Provision	Changes made to the draft Development Consent Order	Explanation of Change:
	<p>figures listed in Schedule 10 (certification of plans and documents, etc.) and certified by the Secretary of State as the environmental statement figures for the purposes of this Order under article 41 (certification of plans and documents, etc.);'</p>	
<p>Schedule 2, Part 1 – Interpretation</p>	<p>"first iteration EMP" – changing the text to read 'Schedule 10 (certification of plans and documents, etc. to be certified) and certified by the Secretary of State as the first iteration environmental management plan for the purposes of this Order under article 41 (certification of plans and documents, etc.)'</p>	<p>To correct a typographical error and improve precision.</p>
<p>Schedule 2, Part 1 – Interpretation</p>	<p>After the definition of "first iteration EMP", insertion of new definitions as follows:</p> <p>"general arrangement plans" means the plans listed in Schedule 10 (certification of plans and documents, etc.) and certified by the Secretary of State as the general arrangement plans for the purposes of this Order under article 41 (certification of plans and documents, etc.);'</p> <p>"ISO 14001" means the international standards on designing and implementing environmental management systems published by the International Standards Organisation;'</p>	<p>Insertion of missing definitions.</p>
<p>Schedule 2, Part 1 – Interpretation</p>	<p>"outline traffic management plan" – changing the text to read 'Schedule 10 (certification of plans and documents, etc. to be certified) and certified by the</p>	<p>To correct a typographical error and improve precision.</p>

Provision	Changes made to the draft Development Consent Order	Explanation of Change:
	Secretary of State as the outline traffic management plan for the purposes of this Order under article 41 (certification of plans and documents, etc.)	
Requirement 4 (Environmental Management Plan), paragraph (2)	Changes to the text to read ' , in each case-produced '	To improve precision.
Requirement 4, sub-paragraph 3(a)	Deletion of 'reflect' and replacement with ' be in accordance with '	To improve precision.
Requirement 4, sub-paragraph (3)(c)(xiv)	Insertion of ' in writing ' after 'in advance'	To improve precision and as agreed with Bury Metropolitan Borough Council.
Requirement 4, sub-paragraph (3)(d)(iv), (v), (ix) and (xii)	The name of certain management plans has been amended.	To improve precision.
Requirement 5 (Landscaping)	<p>(a) Paragraph (2) has been moved and is now paragraph (4). What were previously paragraphs (3) and (4) have been re-numbered as paragraphs (2) and (3).</p> <p>(b) The text of re-numbered paragraph (2) is amended to read '(2) The landscaping scheme prepared under sub-paragraph (1) must be in</p>	<p>(a) To improve the structure of the requirement.</p> <p>(b) To improve precision.</p> <p>(c) To improve precision.</p>

Provision	Changes made to the draft Development Consent Order	Explanation of Change:
	<p style="color: red;">accordance with the mitigation measures set out in the REAC and the environmental masterplan.'</p> <p>(c) In the third line, deletion of 'Landscape and Ecological Management and Monitoring Plan for the authorised development' and replacement with 'third iteration EMP'</p>	
Requirement 6 (Contaminated land and groundwater)	<p>(a) Requirement 6 has been re-named as 'Previously unidentified Ccontaminated land and groundwater'</p> <p>(b) Paragraph (3), deletion of 'approved' and replacement with 'written scheme approved under sub-paragraph (2)'</p>	<p>(a) To more accurately reflect the subject matter of the requirement.</p> <p>(b) To tie the remediation more specifically to the scheme approved under the relevant sub-paragraph of the requirement.</p>
Requirement 7 (Protected species)	<p>(a) In paragraph 1, reference to 'Ecological Clerk of Works' has been changed to 'ECoW'</p> <p>(b) In the last line of paragraph (2), 'after' is to be deleted and replaced with 'following'</p> <p>(c) In the first line of paragraph (4), 'prepared' is to be deleted and replaced with 'approved'</p>	<p>(a) To ensure consistency with definitions.</p> <p>(b) To improve precision.</p> <p>(c) To ensure that the written scheme implemented is that approved under the requirement.</p>
Requirement 8 (Surface and foul water drainage)	<p>(a) In the second line of paragraph (1), 'reflecting' has been deleted and replaced with 'in accordance with'</p>	<p>(a) To improve precision.</p> <p>(b) For precision and consistency with requirements 5, 9 and 10.</p>

Provision	Changes made to the draft Development Consent Order	Explanation of Change:
	(b) In the first line of paragraph (2), 'must be constructed' has been deleted and replaced with ' must be carried out '	
Requirement 9 (Archaeological remains)	(a) In the second line of paragraph (1) 'potential' has been deleted and ' incorporating the mitigation measures set out in the environmental statement and the REAC ' inserted after 'interest' and before 'has been submitted' (b) In paragraph (2), deletion of 'referred to in' and replacement with ' approved under '	(a) To remove ambiguity in the drafting and in the interests of precision. (b) To ensure the development is carried out in accordance with the scheme approved under the requirement.
Requirement 10 (Traffic management)	(a) In the first line of paragraph (1), insertion of ' for that part ' after 'until' and before 'a traffic' and insertion of ' , which is ' after 'management plan' and before 'substantially' (b) In paragraph (2), deletion of 'referred to in' and replacement with ' approved under '	(a) For precision and consistency with the drafting of requirements 5 and 8; (b) To ensure the development is carried out in accordance with the scheme approved under the requirement.
Part 2 – Procedure for discharge of requirements		
Paragraph 12 (Applications made under requirements)	(a) Sub-paragraph 12(1)(b), changes to the text to refer to paragraph ' 14 ', rather than paragraph 13; (b) Sub-paragraph 12(1)(c), deletion of parties and replacement with ' undertaker and the Secretary of State '	(a) To correct a typographical error; (b) To improve precision.

Provision	Changes made to the draft Development Consent Order	Explanation of Change:
Paragraph 13	Insertion of new paragraph 13 as follows: Consultation 13.—(1) In relation to any provision of this Schedule requiring details to be submitted to the Secretary of State for approval following consultation by the undertaker with another party, the undertaker must provide such other party with not less than 14 days for any response to the consultation and thereafter the details submitted to the Secretary of State for approval must be accompanied by a summary report setting out the consultation undertaken by the undertaker to inform the details submitted including copies of any representations made by a consultee about the proposed application and the undertaker's response to those representations.' What were previously paragraphs (13), (14) and (15) have been re-numbered (14), (15) and (16).	To provide clarity on the process for consultation.
Paragraph 14 (Further information), paragraph (3)	Reference to paragraph 15 (anticipatory steps towards compliance with any requirement) deleted and replaced with 'paragraph 12 (applications made under requirements)'	To correct a typographical error.
Paragraph 16 (Anticipatory steps towards	In the first line, insertion of a comma (,) after 'If' and before 'before'	To correct a typographical error.

Provision	Changes made to the draft Development Consent Order	Explanation of Change:
compliance with any requirement)		
Schedule 3 – Classification of roads, etc		
Part 1 – Special roads	Column (2), in the second line, changes to text to read 'sSheet'	To correct a typographical error.
Part 2	Deletion of all text concerning unclassified roads. What was Part 3 (Public rights of way) is now re-named as Part 2 and what was Part 4 (Private means of access) is now re-named as Part 3. Part 4 is deleted.	No unclassified roads are proposed as part of the Order.
Part 3	In the fourth row, second column, changes to the text to say: 'As shown between points 2/6 to 2/H on Sheet 2 of the streets, rights of way and access plans for a distance of 184 metres'	To accord with the streets, rights of way and access plans.
Schedule 4 – Permanent stopping up of streets and public rights of way		
Part 2	Insertion of 'TO BE' between 'IS' and 'PROVIDED' in the heading	To improve precision and consistency with Part 1.
Schedule 6 – Modification of compensation and compulsory purchase enactments for creation of new rights and imposition of restrictive covenants		
Paragraph (2)(2)	Insertion of '(powers of entry)' after 'section 11(1)' and before 'of the 1965 Act'	To improve precision and consistency.
Paragraph (4)	Insertion of ' <i>Part 1 of</i> ' after 'Application of' and before 'the 1965 Act' in the title above paragraph 4	To improve precision.

Provision	Changes made to the draft Development Consent Order	Explanation of Change:
	In the last line, insertion of 'imposition of' after 'and' and before 'restrictive covenants'	
Paragraph (8)	Insertion of ' NOT IN NOTICE TO TREAT ' after 'SCHEDULE 2A COUNTER-NOTICE REQUIRING PURCHASE OF LAND'	To accord with the wording of Schedule 2A of the 1965 Act.
Schedule 7 – Land of which temporary possession may be taken		
Schedule 7	Deletion of all references to 'improving' and replacement with ' widening '	To improve precision and objectivity.
Schedule 9 – Protective provisions		
Schedule 9	Deletion of reference to 'Articles 32 and 46' in the top right-hand corner and replacement with 'Articles 32 and 40 '	To correct a referencing error.
Schedule 9, Part 1 (for the protection of electricity, gas, water and sewerage undertakers)	Paragraph (4)(1), in the second line, deletion of 'private means of access' and replacement with ' public rights of way '	To accurately reflect the scope of article 15.
Part 3 (for the protection of Cadent Gas Ltd as gas undertaker)	(a) Paragraph 19 (interpretation), in the definition of "commence", deletion of 'article 2(1) of the Order' and replacement with ' paragraph 1, Part 1 of Schedule 2 (requirements) to the Order '	(a) To correct a referencing error. (b) To accurately reflect the scope of article 15.

Provision	Changes made to the draft Development Consent Order	Explanation of Change:
	(b) Paragraph 21 (Apparatus of Cadent in stopped up streets), in the first line, changes to the text to read 'article 15 (permanent stopping up, restriction of use of streets and public rights of way)'	
Schedule 10 – Certification of plans and documents, etc.		
Schedule 10	All references to version 'P01' amended to 'P02'	To reflect updates to the documents listed.
Deadline 3 – 5 November 2024		
Article 2 – Interpretation	"bridleway" – adding the words " within the meaning of section 30(1) of the Countryside Act 1968 "	To improve precision
Article 2 – Interpretation	"engineering drawings and sections" amended to read " engineering section drawings "	For consistency
Article 6(1)(b) – Limits of deviation	"engineering drawings and sections" amended to read " engineering section drawings "	For consistency
Article 8 – Consent to transfer benefit of Order	(a) Amend (1) to refer to paragraph (5) not (4) (b) Insert new paragraph (4) to read " If the benefit of the provisions of this Order relating to compulsory acquisition is transferred or granted to a transferee or grantee pursuant to this article and the transferee or grantee exercises those powers then the undertaker alone is liable for any compensation that is payable to another party as a consequence of the exercise of those powers by the transferee or grantee "	At the suggestion of the Examining Authority and for consistency with other made DCOs

Provision	Changes made to the draft Development Consent Order	Explanation of Change:
Article 13 – Classification of roads etc.	(a) Amend reference to Part 2 in paragraph (3) to Part 2 (b) Amend reference to Part 4 in paragraph (4) to Part 3	To correct an error
Article 33 – Apparatus and rights of statutory undertakers in stopped up streets	Amend paragraph (2) to refer to "statutory utility" not "statutory undertaker"	To correct an error
Schedule 1 tailpiece (c)	Insert the word "byways" before open to all traffic	To correct an error
Schedule 2 Requirement 3	"engineering drawings and sections" amended to read "engineering section drawings"	For consistency
Schedule 2 Requirement 6	Paragraph (2) amended to read "Where the completed risk assessment" rather than "Where the undertaker"	To provide clarity on when a written scheme and programme for remedial measures is required
Schedule 8 Hedgerows to be removed or managed	New column (5) inserted detailing the works to be undertaken to each hedgerow	As requested by the Examining Authority and to provide clarity on the scope of the works
Schedule 10 Certification of plans and documents etc.	"engineering drawings and sections" amended to read "engineering section drawings"	For consistency
Explanatory note	"engineering drawings and sections" amended to read "engineering section drawings"	For consistency

