

2020 No. 862

INFRASTRUCTURE PLANNING

**The Thames Water Utilities Limited (Thames Tideway Tunnel)
(Amendment) (No. 2) Order 2020**

Made - - - - - *13th August 2020*

Coming into force - - - - - *14th August 2020*

The Secretary of State for Housing, Communities and Local Government in whom the power conferred by paragraph 2(1) of Schedule 6 to the Planning Act 2008(a) (“the 2008 Act”) is now vested(b) together with the Secretary of State for Environment, Food and Rural Affairs (together referred to as the “Secretary of State”)(c) make this Order in exercise of that power.

An application has been made under paragraph 2 of Schedule 6 to the 2008 Act, and in accordance with Part 1 of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011(d) for a non-material change to the Thames Water Utilities Limited (Thames Tideway Tunnel) Order 2014(e) (“the 2014 Order”).

In accordance with paragraph 2 of Schedule 6 to the 2008 Act, the Secretary of State has had regard to the effect of the change, together with the previous changes made under that paragraph, on the 2014 Order as originally made, and is satisfied that the change to the 2014 Order is not material.

Citation and Commencement

1.—(1) This Order may be cited as the Thames Water Utilities Limited (Thames Tideway Tunnel) (Amendment) (No. 2) Order 2020 and comes into force on the day after the day on which it is made.

(2) In this Order, “the 2014 Order” means the Thames Water Utilities Limited (Thames Tideway Tunnel) Order 2014.

Amendment of the 2014 Order

2.—(1) The 2014 Order is amended as follows.

(a) 2008 c. 29; paragraph 2 of Schedule 6 was amended by paragraph 4(6)(a) of Schedule 8 to the Marine and Coastal Access Act 2009 (c. 23), by paragraph 72(3) to (7) of Schedule 13, and by Part 20 of Schedule 25, to the Localism Act 2011 (c. 20), and by section 28(2) of the Infrastructure Act 2015 (c. 7).

(b) S.I. 2018/378 makes provision for, and in connection with, the transfer of functions from the Secretary of State for Communities and Local Government to the Secretary of State for Housing, Communities and Local Government.

(c) Article 62 of the 2014 Order provides insofar as relevant to this Order that “the Secretary of State shall mean the Secretary of State for Communities and Local Government and the Secretary of State for Environment, Food and Rural Affairs”.

(d) S.I. 2011/2055; relevant amending instruments are S.I. 2012/635 and 2015/760.

(e) S.I. 2014/2384, amended by S.I. 2015/723, 2017/659, 2018/1262 and 2020/268.

(2) Schedules 2 and 3 (Plans and Requirements) are amended as set out in the tables in Schedules 1 and 2 to this Order, where—

- (a) column 1 sets out the provision to be amended;
- (b) column 2 sets out the current text; and
- (c) column 3 sets out the text to be substituted for the current text.

Certification of substituted plans, etc.

3.—(1) The undertaker must, as soon as practicable after the making of this Order, submit copies of the substituted plans referred to in—

- (a) the third column of the table in Schedule 1, and
- (b) the third column of the table in Schedule 2

to the Secretary of State for certification in accordance with paragraph (2).

(2) The Secretary of State may certify copies submitted under paragraph (1) as true copies of the plan or document.

(3) A plan or document so certified by the Secretary of State is admissible in any proceedings as evidence of the contents of the document of which it is a copy.

(4) In paragraph (1), the “undertaker” has the same meaning as in article 2(1) of the 2014 Order.

For and on behalf of the Secretary of State

12th August 2020

Kirstin Green
Deputy Director, Water Quality
Department for Environment, Food and Rural Affairs

For and on behalf of the Secretary of State

13th August 2020

Pedro Wrobel
Director, Planning
Ministry of Housing, Communities and Local Government

SCHEDULE 1

Article 2(2)

Amendments to Schedule 2 to the 2014 Order

<i>Provision to be amended</i>	<i>Current text</i>	<i>Text to be substituted for the current text</i>
Part 4 (“Approved Plans”) Table 1, column 3	“DCO-PP-16X-VCTEF-180008 – rev 3”	“DCO-PP-16X-VCTEF-180008 – rev 4”
Part 4 (“Approved Plans”) Table 1, column 3	“DCO-PP-17X-BLABF-190006 – rev 1”	“DCO-PP-17X-BLABF-190006 – rev 2”
Part 4 (“Approved Plans”) Table 1, column 3	“DCO-PP-17X-BLABF-190007 – rev 2”	“DCO-PP-17X-BLABF-190007 – rev 3”
Part 4 (“Approved Plans”) Table 1, column 3	“DCO-PP-17X-BLABF-190010 – rev 2”	“DCO-PP-17X-BLABF-190010 – rev 3”
Part 4 (“Approved Plans”) Table 1, column 3	“DCO-PP-17X-BLABF-190022 – rev 1”	“DCO-PP-17X-BLABF-190022 – rev 2”
Part 4 (“Approved Plans”) Table 1, column 3	“DCO-PP-17X-BLABF-190023”	“DCO-PP-17X-BLABF-190023 – rev 1”

SCHEDULE 2

Article 2(2)

Amendments to Schedule 3 to the 2014 Order

<i>Provision to be amended</i>	<i>Current text</i>	<i>Text to be substituted for the current text</i>
Table in paragraph 17 (Blackfriars Bridge Foreshore), Details of works to listed buildings, Ref BLABF11 – third column, sub-paragraph (1)	“(1) Works to the listed embankment wall and Blackfriars Bridge shall not commence until details of those works, which shall accord with the design principles for this site, the maximum temporary and permanent extent of loss of listed buildings/structures (Drawing No. DCO-PP-17X-BLABF-190022 – rev 1, DCO-PP-17X-BLABF-190023), As existing listed structure interface – Bridge stairs (west) (Drawing Nos. DCO-PP-17X-BLABF-190041 and DCO-PP-17X-BLABF-190042) and As existing listed structure interface – bridge stairs (east) (Drawing Nos. DCO-PP-17X-BLABF-190043 and DCO-PP-17X-BLABF-190044), are submitted to and approved by the relevant planning authority in consultation with the	“(1) Works to the listed embankment wall and Blackfriars Bridge shall not commence until details of those works, which shall accord with the design principles for this site, the maximum temporary and permanent extent of loss of listed buildings/structures (Drawing No. DCO-PP-17X-BLABF-190022 – rev 2, DCO-PP-17X-BLABF-190023 – rev 1), As existing listed structure interface – Bridge stairs (west) (Drawing Nos. DCO-PP-17X-BLABF-190041 and DCO-PP-17X-BLABF-190042) and As existing listed structure interface – bridge stairs (east) (Drawing Nos. DCO-PP-17X-BLABF-190043 and DCO-PP-17X-BLABF-190044), are submitted to and approved by the relevant planning authority in consultation with the

<i>Provision to be amended</i>	<i>Current text</i>	<i>Text to be substituted for the current text</i>
	HBMCE.”	HBMCE.”

EXPLANATORY NOTE

(This note is not part of the Order)

The Thames Water Utilities Limited (Thames Tideway Tunnel) Order 2014 (S.I 2014/2384) (“the 2014 Order”) granted development consent within the meaning of the Planning Act 2008 (c. 29).

Following an application made under paragraph 2 of Schedule 6 to the Planning Act 2008, this Order makes the following non-material changes to the 2014 Order—

- (a) Part 4 of Schedule 2 is amended so as to—
 - (i) revise the areas within which certain permanent works can take place under two of the Site Works Parameters Plans;
 - (ii) revise two of the Extent of Loss of Listed River Wall plans in order to show a change in the area and extent of loss; and
 - (iii) make consequential changes consistent with the other revised plans to two of the Demolition and Site Clearance plans, and to include an additional area for potential ground strengthening works.
- (b) Schedule 3 is amended so as to make consequential changes to Ref BLABF11 in light of the revised plans.

Following certification under article 3 of this Order (certification of plans, etc.), a copy of the substituted plans mentioned in this Order may be inspected free of charge during working hours at the offices of Westminster City Council, 64 Victoria Street, London, SW1E 6QP or The City of London Corporation, Guildhall, Aldermanbury, London, EC2V 7HH (as relevant).

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

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