

2019 No. 1271

INFRASTRUCTURE PLANNING

**The M20 Junction 10a Development Consent (Amendment)
Order 2019**

Made - - - - 20th September 2019

Coming into force - - 21st September 2019

An application has been made under paragraph 2 of Schedule 6 to 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 M20 Junction 10a Development Consent Order 2017(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 M20 Junction 10a Development Consent Order 2017.

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 and commencement

1. This Order may be cited as the M20 Junction 10a Development Consent (Amendment) Order 2019 and comes into force on 21st September 2019.

Amendment of Order

2.—(1) The M20 Junction 10a Development Consent Order 2017 is amended as follows.

(2) In paragraph 3(2) of Schedule 2 (requirements)—

(a) in paragraph (e)—

(i) before “require” insert “subject to paragraph (ea),”;

(ii) for “18:00” substitute “19:00”; and

(iii) for “13:00” substitute “18:00”; and

(b) after paragraph (e) insert—

“(ea) not permit any works to be carried out on Sundays or Bank Holidays except for—

(a) 2008 c. 29; paragraph 2 of Schedule 6 was amended by section 128(2) of, and paragraphs 1 and 72(3) to (7) of Part 1 of Schedule 13 to, the Localism Act 2011 (c. 20) and by section 28(1) and (2)(a) and (b) of the Infrastructure Act 2015 (c. 7).

(b) S.I. 2011/2055, amended by S.I. 2012/635, 2013/522, 2015/760.

(c) S.I. 2017/1202.

- (i) works which are exclusively earthworks (including soil stripping and storage, site levelling) provided that adherence is required to working hours of 08:00 to 17:00; or
- (ii) works specified in sub-paragraphs (i) to (vii) of paragraph (e);”.

(3) After paragraph 3(5) insert—

“(6) In this paragraph “Bank Holiday” means a day that is a Bank Holiday in England and Wales under section 1 of the Banking and Financial Dealings Act 1971(a).”.

Signed by authority of the Secretary of State for Transport

Nicola Rudkin
Senior Civil Servant, Department for Transport Legal Advisers
Government Legal Department

20th September 2019

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the M20 Junction 10a Development Consent Order 2017 (S.I. 2017/1202).

This Order is made 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 6 of Schedule 2 to the Planning Act 2008 in relation to the specified days and hours of work which the construction environmental management plan must require adherence to.

This Order makes provision to permit works which are exclusively earthworks to be carried out on Sundays and Bank Holidays between the hours of 08:00 and 17:00 and the extension of working hours on other days by one hour (to 19:00) on Mondays to Fridays and by five hours (to 18:00) on Saturdays.

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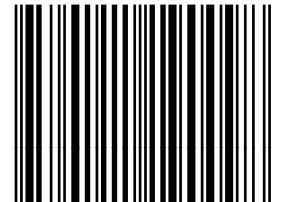
(a) 1971 c. 80.

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