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STATUTORY INSTRUMENTS

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**2017 No. 659**

**INFRASTRUCTURE PLANNING**

**The Thames Water Utilities Limited (Thames Tideway Tunnel)  
(Amendment) Order 2017**

*Made* - - - -

*16th May 2017*

*Coming into force in accordance with article 1(1)*

An application has been made to the Secretary of State for Communities and Local Government and the Secretary of State for Environment, Food and Rural Affairs (together referred to as “the Secretary of State”)(a) under paragraph 2 of Schedule 6 to the Planning Act 2008 (the 2008 Act”)(b), and in accordance with Part 1 of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011(c), for non-material changes to the Thames Water Utilities Limited (Thames Tideway Tunnel) Order 2014 (“the 2014 Order”)(d).

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of Schedule 6 to the 2008 Act, the Secretary of State has had regard to the effect of the changes on the 2014 Order as originally made, and is satisfied that the changes to the 2014 Order are not material.

The Secretary of State makes this Order in exercise of the power conferred by paragraph 2(1) of Schedule 6 to the 2008 Act.

**Citation, commencement and interpretation**

**1.**—(1) This Order may be cited as the Thames Water Utilities Limited (Thames Tideway Tunnel) (Amendment) Order 2017 and comes in 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.** The 2014 Order is amended as set out in the table in the Schedule to this Order, where—

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

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(a) 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”.

(b) 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 to the Localism Act 2011 (c. 20), and by section 28(2) of the Infrastructure Act 2015 (c. 7).

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

(d) S.I. 2014/2384, amended by S.I. 2015/723; there are other amending instruments but none is relevant.

**Certification of substituted plans**

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

(3) A plan 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), “undertaker” has the meaning given by article 2(1) of the 2014 Order<sup>(a)</sup>.

Signed by authority of the Secretary of State

16th May 2017

*Steve Quartermain*  
Chief Planner (Director)  
Department for Communities and Local Government

Signed by authority of the Secretary of State

16th May 2017

*Shaun Gallagher*  
Director, Environmental Quality  
Department for Environment, Food and Rural Affairs

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(a) Article 2(1) defines “undertaker” as the person who has the benefit of the 2014 Order in accordance with article 8 or 9 of that Order.

## SCHEDULE

Article 2

## Amendments to the 2014 Order

| <i>Provision to be amended</i>  | <i>Text to be omitted</i>  | <i>Text to be substituted</i>  |
|---|--|--|
| Article 6(1), in the words before sub-paragraph (a)   | “16b and 20”   | “16b, 20 and the tunnel comprised in Work No.27(v)”  |
| Schedule 1, Part 1, under the heading “BECKTON SEWAGE TREATMENT WORKS”, “Work No.27”, paragraph (iii) | “9 metres and which has a depth (to invert level) of 32 metres”  | “up to 10.5 metres and which has a depth (to invert level) of up to 24 metres”   |
| Schedule 1, Part 1, under the heading “BECKTON SEWAGE TREATMENT WORKS”, “Work No.27”, paragraph (iv)  | “7 metres (which extends 3 metres above the proposed ground level) and which has a depth (to invert level) of 31 metres” | “up to 7 metres (which extends 3 metres above the proposed ground level) and which has a depth (to invert level) of up to 23 metres” |
| Schedule 2, Part 1 (works plans), Table 1, column 3 (drawing number)                                  | “DCO-WP-000-ZZZZZ-010057 – rev 1”  | “DCO-WP-000-ZZZZZ-010057 – rev 2”  |
|   | “DCO-WP-000-ZZZZZ-010058”  | “DCO-WP-000-ZZZZZ-010058 – rev 1”  |
|   | “DCO-WP-000-ZZZZZ-010059 – rev 1”  | “DCO-WP-000-ZZZZZ-010059 – rev 2”  |
|   | “DCO-WP-000-ZZZZZ-010060 – rev 1”  | “DCO-WP-000-ZZZZZ-010060 – rev 2”  |
| Schedule 2, Part 4 (approved plans), Table 1, column 3 (drawing number)                               | “DCO-PP-27X- BESTW-280003 – rev 1”   | “DCO-PP-27X-BESTW-280003 – rev 2”(a)   |

## EXPLANATORY NOTE

*(This note is not part of the Order)*

Following an application made under paragraph 2 of Schedule 6 to the Planning Act 2008 (c. 29), this Order makes the following non-material changes to the Thames Water Utilities Limited (Thames Tideway Tunnel) Order 2014:

- (a) article 6(1)(a) of that Order is amended so that the limits of deviation apply to the construction of the siphon tunnel at Beckton Sewage Treatment Works;
- (b) the internal diameter of the siphon tunnel inlet shaft is increased by up to 1.5 metres;
- (c) the depth of the inlet and outlet shafts, and the siphon tunnel at Beckton Sewage Treatment Works, are reduced by 8 metres or more;
- (d) minor changes are made to the location of the inlet and outlet shafts, one of which is located at either end of the siphon tunnel).

(a) This plan and those referred to above may be inspected free of charge during working hours at the offices of London Borough of Newham, Newham Dockside, 1000 Dockside Road, London, E16 2QU.