

## SCHEDULES

### SCHEDULE 1

Section 1.

#### SCHEDULED WORKS

#### PART I

##### THE SCHEDULED WORKS

In the Borough of Monmouth (Community of Magor with Undy) in the County of Gwent—

Work No. 1 – A widening (1,400 metres in length) of the M4 commencing at a point 40 metres east of the edge of the eastern overbridge of Magor Interchange and terminating at a point 300 metres east of the edge of Undy/Knollbury overbridge.

Work No. 1A – Realignment (320 metres in length) of the eastbound on slip road of Magor Interchange commencing at a point 65 metres north-east of the edge of the eastern overbridge of the Interchange and terminating at a point 110 metres west of St. Bride's Brook culvert.

Work No. 1B – Realignment (340 metres in length) of the westbound off slip road of Magor Interchange commencing at a point 65 metres south-east of the edge of the eastern overbridge of the Interchange and terminating at a point 100 metres west of St. Bride's Brook culvert.

In the Borough of Monmouth (Communities of Magor with Undy, Rogiet and Caldicot) in the County of Gwent—

Work No. 2 – A new road comprising dual carriageways (6,010 metres in length) commencing at the termination of Work No. 1 and terminating at a point 230 metres east of the point at which Nedern Brook passes through the Severn Estuary sea defences, including a new bridge over the westbound slip road onto the M4 (Work No. 2B), a bridge over the B4245 Caldicot Road, a bridge over the railway tracks of the British Railways Board, the provision of a toll plaza, the realignment of the sea defences and maintenance accesses.

In the Borough of Monmouth (Communities of Magor with Undy and Rogiet) in the County of Gwent—

Work No. 2A – A diversion (620 metres in length) of the M4 eastbound carriageway commencing at a point 15 metres east of Rockfield underbridge and terminating at a point 280 metres west of Bencroft Lane underbridge.

Work No. 2B – A diversion (1,355 metres in length) of the M4 westbound carriageway commencing at a point 190 metres west of Rockfield underbridge and terminating at a point 230 metres east of Bencroft Lane underbridge, including a bridge carrying that diversion over Bencroft Lane.

In the Borough of Monmouth (Communities of Caldicot and Portskewett) in the County of Gwent and in the District of Northavon (Parish of Pilning and Severn Beach) in the County of Avon—

Work No. 3 – A fixed bridge with approach viaducts carrying a new road (5,190 metres in length) comprising dual carriageways, commencing at the termination of Work No. 2 and

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terminating at a point 60 metres east of the Binn Wall and 140 metres north of the Severn Tunnel Air Shaft, including supporting piers and protection for shipping in the Severn Estuary and reconstruction of the sea defences.

In the District of Northavon (Parishes of Pilning and Severn Beach and Olveston) in the County of Avon—

Work No. 4 – A new road comprising dual carriageways (6,690 metres in length) commencing at the termination of Work No. 3 and terminating at a point on the M4, 160 metres south-east of Moor Lane, including bridges carrying the road over the interchange (Work No. 4A) and the Pill, an extension of the Tockington Mill Rhine culvert and Moor Lane underbridge and emergency accesses.

In the District of Northavon (Parish of Pilning and Severn Beach) in the County of Avon—

Work No. 4A – An interchange (1,030 metres in length) commencing at a point 140 metres west of the termination of Work No. 3 and terminating at a point 80 metres west of Redwick Road comprising a roundabout and slip roads connecting with Works Nos. 4 and 5.

In the District of Northavon (Parish of Olveston) in the County of Avon—

Work No. 4B – Realignment (300 metres in length) of the M4 eastbound carriageway, commencing at a point 210 metres north-west of Hardy Lane overbridge and terminating at a point 80 metres south-east of that overbridge, including emergency access.

Work No. 4C – A diversion (1,300 metres in length) of the M4 westbound carriageway commencing at a point 85 metres north-west of Catherine Hill overbridge and terminating at a point 15 metres north-west of Moor Lane underbridge, including emergency access and a bridge carrying that diversion over Work No. 4.

In the District of Northavon (Parishes of Pilning and Severn Beach and Almondsbury) and City of Bristol in the County of Avon—

Work No. 5 – A new road comprising dual carriageways (8,020 metres in length) commencing by a junction with Work No. 4A at a point 500 metres east of the commencement of that work and terminating at a point 450 metres south-west of Lawrence Weston Road, including a bridge under the railway track of the British Railways Board at Hallen.

In the City of Bristol in the County of Avon—

Work No. 6 – A new link road (1,930 metres in length) commencing at the termination of Work No. 5 and terminating on the M5 at a point 450 metres south-west of the M5 spur overbridge, including bridges carrying the road over the M5, the diversion of the northbound on slip road (Work No. 6E) and an access track.

Work No. 6A – A new slip road (430 metres in length) commencing by a junction with Work No. 6 at a point 950 metres from the commencement of that work and terminating on the M5 Spur at a point 110 metres east of the M5 spur overbridge.

Work No. 6B – A new link road (870 metres in length) commencing at the termination of Work No. 5 and terminating on the M5 at a point 340 metres north-east of the M5 spur overbridge, including bridges carrying the road over the diversion of the northbound on slip road (Work No. 6E) and an access track.

Work No. 6C – A new link road (1,800 metres in length) commencing by a junction with Work No. 5 at a point 100 metres south of Lawrence Weston Road and terminating at a point on the M5 spur 280 metres west of the M5 spur overbridge, including a bridge over an access track.

Work No. 6D – A diversion (850 metres in length) of the M5 southbound off slip road of Lawrence Weston interchange commencing by a junction with the M5 at a point 100 metres south-west of Lawrence Weston Road overbridge and terminating by a junction

with Work No. 6 at a point 600 metres south of the commencement of that work, including a bridge over an access track.

Work No. 6E – A diversion (960 metres in length) of the M5 northbound on slip road of Lawrence Weston interchange commencing by a junction with the M5 at a point 180 metres south of Lawrence Weston Road overbridge and terminating by a junction with Work No. 6C at a point 1,000 metres south of the commencement of that work, including a bridge over an access track.

In the Borough of Monmouth (Community of Rogiet) in the County of Gwent—

Work No. 7 – A diversion (500 metres in length) of Station Road and track CRF16 commencing at a point 480 metres north of the junction of that track and track CRF15 and terminating at a point 5 metres north of that junction, including a bridge over Work No. 2 and accesses to the toll plaza (part of Work No. 2).

Work No. 7A – A diversion (680 metres in length) of track CRF15 commencing at a point 400 metres north of the junction of that track and track CRF16 and terminating at a point 530 metres north-east of that junction.

In the Borough of Monmouth (Community of Caldicot) in the County of Gwent—

Work No. 8 – A diversion (870 metres in length) of footpath FP19 commencing at the junction of footpath FP19 and the sewage works access track and terminating by a junction with footpath FP6 at a point 370 metres east of the junction of Back Ditch and Summerway Reen, including a footbridge carrying the diversion over Work No. 2.

Work No. 9 – A new road (350 metres in length) commencing at the junction of Symondscliff Way and Pill Row and terminating at the Severn Estuary sea defences at a point 150 metres east of the point at which Nedern Brook passes through those defences, including the realignment of the junction of Symondscliff Way and Pill Row and a level crossing over the tracks of the British Railways Board.

In the Borough of Monmouth (Communities of Mathern and Portskewett) in the County of Gwent—

Work No. 9A – A diversion (330 metres in length) of the A48 commencing at a point 390 metres west of the junction of that road and the B4245 and terminating at a point 80 metres west of that junction, including a roundabout.

In the Borough of Monmouth (Community of Portskewett) in the County of Gwent—

Work No. 9B – A diversion (370 metres in length) of the B4245 commencing by a junction with Work No. 9A at a point 170 metres west of the junction of that road and the A48 and terminating at a point 410 metres south-west of that junction.

In the Borough of Monmouth (Communities of Mathern and Portskewett) in the County of Gwent—

Work No. 9C – A diversion (200 metres in length) of the R140 commencing by a junction with Work No. 9B at a point 165 metres south-west of the junction of that road and the B4245 and terminating at a point 45 metres south-east of that junction.

In the Borough of Monmouth (Community of Portskewett) in the County of Gwent—

Work No. 9D – An improvement (130 metres in length) of the B4245 commencing at a point 240 metres west of the access to Severn Farm and terminating at a point 110 metres west of that access.

Work No. 9E – An improvement (320 metres in length) of the B4245 commencing at a point 160 metres north-east of Mount Ballan crossroad and terminating at a point 160 metres south-west of that crossroad.

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Work No. 9F – A diversion (100 metres in length) of the R139 commencing at a point 110 metres north-west of the junction of that road with the B4245 and terminating by a junction with Work No. 9E at a point 140 metres from the commencement of that work.

Work No. 9G – A diversion (120 metres in length) of the R139 commencing at a point 130 metres south-east of the junction of that road with the B4245 and terminating by a junction with Work No. 9E at a point 190 metres from the commencement of that work.

Work No. 9H – An improvement (280 metres in length) of Caldicot Road commencing at a point 200 metres west of the junction of that road and Symondscliff Way and terminating at a point 80 metres east of that junction, including an improvement of that junction.

In the District of Northavon (Parish of Pilning and Severn Beach) in the County of Avon—

Work No. 10 – A new access track (130 metres in length) commencing at the Binn Wall at a point 130 metres north of the junction of Shaft Road and the Binn Wall and terminating at that junction.

Work No. 11 – A diversion (420 metres in length) of the B4064 New Passage Road/Redwick Road commencing at a point 50 metres south-east of the sewage works entrance and terminating at a point 390 metres south-east of that entrance by a junction with Work No. 18, including a bridge carrying the diversion over Work No. 4.

Work No. 12 – A diversion (1,070 metres in length) of the A403 Severn Road commencing at a point 450 metres north of the access to Southworthy Farm and terminating at a point 610 metres south-west of that access, including a bridge carrying the diversion over Work No. 4.

In the District of Northavon (Parishes of Pilning and Severn Beach and Olveston) in the County of Avon—

Work No. 13 – A diversion (520 metres in length) of the B4055 Northwick Road and Redham Lane commencing at a point 35 metres south-west of the entrance to Laurel Farm and terminating in Redham Lane at a point 140 metres north-west of the junction of footpath FP30 and bridleway BW31.

Work No. 13A – A diversion (300 metres in length) of the B4055 Northwick Road commencing at a point 170 metres north-east of the junction of Northwick Road and Redham Lane and terminating by a junction with Work No. 13 at a point 230 metres from the commencement of that work, including a bridge carrying the diversion over Work No. 4.

Work No. 14 – A diversion (370 metres in length) of bridleway BW8 commencing at a point 290 metres north of its junction with Redham Lane and terminating at that junction, including a bridge carrying the diversion over Work No. 4.

In the District of Northavon (Parish of Olveston) in the County of Avon—

Work No. 15 – A diversion (440 metres in length) of Holm Lane commencing at a point 590 metres north-west of its junction with Redham Lane and terminating at a point 160 metres north-west of that junction, including a bridge carrying the diversion over Work No. 4.

Work No. 16 – A diversion (600 metres in length) of Greenditch Street and Awkley Lane commencing in Greenditch Street at a point 360 metres west of its junction with Awkley Lane and terminating in Awkley Lane at a point 370 metres south of that junction.

Work No. 16A – A diversion (260 metres in length) of Greenditch Street commencing at a point 30 metres east of the junction of Greenditch Street and Awkley Lane and terminating by a junction with Work No. 16 at a point 220 metres from the commencement of that work, including a bridge carrying the diversion over Work No. 4.

Work No. 17 – A diversion (620 metres in length) of Hardy Lane commencing at a point 240 metres north-east of the north abutment of the M4 overbridge in Hardy Lane and

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terminating at a point 320 metres south-west of the south abutment of that overbridge, including a replacement bridge carrying the diversion over Works Nos. 4 and 4B and a bridge carrying the diversion over Work No. 4C.

In the District of Northavon (Parish of Pilning and Severn Beach) in the County of Avon—

Work No. 18 – A diversion (1,070 metres in length) of Green Lane commencing at a point 50 metres east of the junction of Beach Road and Beach Avenue and terminating on Redwick Road at a point 540 metres south-east of the sewage works entrance, including a bridge carrying the diversion over Work No. 5.

Work No. 18A – A diversion (180 metres in length) of Shaft Road commencing at a point 110 metres north-west of its junction with Green Lane and terminating by a junction with Work No. 18 at a point 60 metres from the commencement of that work.

Work No. 19 – A footpath (350 metres in length) commencing in Church Road at a point 140 metres west of its junction with the A403 Severn Road and terminating in Church Road at a point 150 metres east of its junction with Little Green Lane, including a footbridge carrying the footpath over Work No. 5.

Work No. 20 – A diversion (750 metres in length) of the A403 Severn Road commencing at a point 30 metres north-east of its junction with Church Road and terminating at a point 720 metres south-west of that junction, including a bridge carrying the diversion over Work No. 5.

Work No. 21 – A new track (430 metres in length) commencing at a point 365 metres north-west of the junction of footpath FP61 and footpath FP59 and terminating on footpath FP58 at a point 420 metres south-west of the junction of that footpath and footpath FP59, including a bridge carrying the track over Work No. 5.

In the District of Northavon (Parishes of Pilning and Severn Beach and Almondsbury) in the County of Avon—

Work No. 22 – A diversion of Farm Lane and a new road (980 metres in length) commencing at a point 240 metres south-east of its junction with Impool Rhine and terminating by a junction with Central Avenue at a point 190 metres west of the east end of that road, including a bridge carrying the diversion over Work No. 5.

In the District of Northavon (Parish of Pilning and Severn Beach) in the County of Avon—

Work No. 22A – A diversion (200 metres in length) of Farm Lane commencing at a point 330 metres north-west of its junction with Impool Rhine and terminating by a junction with Work No. 22 at a point 420 metres from the commencement of that work.

In the District of Northavon (Parish of Almondsbury) and City of Bristol in the County of Avon—

Work No. 23 – A diversion (750 metres in length) of Severn Road, Hallen commencing at a point 320 metres south-east of the junction of that road and the access road to the gas works and terminating at a point 430 metres north-west of that junction, including a diversion (part) of bridleway BW101 (Minor's Lane) and a bridge carrying the diversions over Work No. 5.

Work No. 23A – A diversion (part) (340 metres in length) of bridleway BW101 (Minor's Lane) commencing at a point 160 metres south-east of its junction with the access road to the gas works and terminating at the junction of Severn Road, Hallen and that access road.

Work No. 23B – A diversion (part) (360 metres in length) of bridleway BW101 (Minor's Lane) commencing at its junction with the access road to the gas works and terminating at a point 120 metres north-west of the junction of Severn Road, Hallen and that access road.

In the City of Bristol in the County of Avon—

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Work No. 24 – A diversion (370 metres in length) of Moorhouse Lane commencing at a point 360 metres south-east of the bridge carrying the railway over Moorhouse Lane and terminating at a point 10 metres east of that bridge, including a bridge carrying the diversion over Work No. 5.

Work No. 25 – A footpath and cycle track (110 metres in length) commencing in Lawrence Weston Road at a point 130 metres south-east of the entrance to Poplar Farm and terminating at a point 20 metres south-east of that entrance, including a subway carrying the footpath and cycle track under Work No. 5.

Work No. 26 – A diversion (1,060 metres in length) of Kings Weston Lane commencing at a point 65 metres south-east of its junction with Campbell Farm Drive and terminating at a point 65 metres south-east of its junction with Ballast Lane, including bridges carrying the diversion over the M5 and Works Nos. 6, 6B, 6C and 6E.

In the Borough of Monmouth (Communities of Caldicot and Portskewett) in the County of Gwent—

Work No. 27 – A cofferdam (1,205 metres in length) commencing at the Severn Estuary sea defences at a point 60 metres east of the point at which Nedern Brook passes through those defences and terminating in the Severn Estuary at a point 1,205 metres east of its commencement, including modifications to a drainage outfall.

In the District of Northavon (Parish of Pilning and Severn Beach) in the County of Avon—

Work No. 28 – An access causeway (2,380 metres in length) commencing in the Severn Estuary at a point on the eastern edge of The Shoots navigation channel 510 metres south-west of the Severn Tunnel and terminating on the Binn Wall at a point 190 metres north of the Severn Tunnel Air Shaft.

Work No. 29 – A jetty (185 metres in length) commencing on the Binn Wall at a point 200 metres north of the Severn Tunnel Air Shaft and terminating in the Severn Estuary at a point 185 metres west of its commencement.

Work No. 30 – A jetty (155 metres in length) commencing on the Binn Wall at a point 300 metres north of the Severn Tunnel Air Shaft and terminating in the Severn Estuary at a point 155 metres west of its commencement.

Work No. 31 – A surface water drain and outfall (210 metres in length) commencing 15 metres south-west of New Passage Road at a point 340 metres north-west of the sewage works entrance and terminating in The Pill at a point 20 metres south-east of the tide lock.

## PART II

### SUPPLEMENTARY

- 1 (1) The Secretary of State may carry out such works as may be necessary or expedient for the purposes of, in connection with or in consequence of the construction of the scheduled works including, in particular—
  - (a) landscaping and drainage works,
  - (b) works involving the alteration of the position of mains and cables, and
  - (c) works consisting of the provision of new means of access to premises affected by the scheduled works.
- (2) Sub-paragraph (1) above—
  - (a) shall not authorise the carrying out of works outside the limits of land to be acquired, and

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- (b) shall authorise the carrying out of works outside the limits of deviation for the scheduled works only if the works are carried out on land specified in columns (1) and (2) in Part I of Schedule 2 to this Act for the purpose specified in relation to the land in column (3) in that Part of that Schedule.
- 2 In constructing the scheduled works the Secretary of State may—
- (a) deviate laterally from the lines or situations shown on the deposited plans within the limits of deviation for those works, and
- (b) deviate vertically from the levels shown on the deposited sections—
- (i) to any extent not exceeding three metres upwards, or
- (ii) subject to paragraph 3 below, to any extent downwards.
- 3 (1) In constructing the new bridge the Secretary of State shall provide headway of not less than 377 metres above the prescribed level over a clear central span of at least 415 metres.
- (2) In sub-paragraph (1) above “the prescribed level” means 68 metres above ordnance datum (Newlyn).
- 4 The British Railways Board may, subject to such requirements as the Secretary of State may from time to time lay down, provide, maintain and operate at or near the level crossing forming part of Work No. 9 such barriers, lights, traffic signs and automatic or other devices and appliances as may be approved by the Secretary of State.

## SCHEDULE 2

Section 2.

### ACQUISITION AND OCCUPATION OF LAND

#### PART I

##### ACQUISITION OF LAND OUTSIDE LIMITS OF DEVIATION

<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Number of land shown on deposited plans</i>	<i>(3)</i> <i>Purpose for which land may be acquired</i>
Borough of Monmouth Community of Rogiet	16a, 17a, 18a and 19a	Access (including a temporary bridge over the railway), provision of services and drainage
	26a, 27a, 30a, 51, 52, 53, 54 and 58	Access for drainage work along West Pill Reen and at West Pill
	34a	Access to severed land
Borough of Monmouth Community of Caldicot	2a, 3a and 15a	Drainage outfall and access to Back Ditch and Severn Estuary sea defences

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<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Number of land shown on deposited plans</i>	<i>(3)</i> <i>Purpose for which land may be acquired</i>
	38a, 39a and 44a	Marine operations, construction and access
	42	Preservation of woodlands for landscaping
Borough of Monmouth Community of Portskewett	1	Preservation of woodlands for landscaping
	2a	Marine operations, construction and access
District of Northavon Parish of Pilning and Severn Beach	1a, 2a, 39a and 40a	Marine operations, construction and access
	21	Footpath
	58 and 59	Footpath
	68a	Service diversion
	98 and 100	Access to severed land
District of Northavon Parish of Almondsbury	1a	Access to severed land
	3a, 4a, 5a, 7a and 8a	Service diversions
	13a	Footpath
City of Bristol	2a and 5	Footpath
	13a and 43	Footpath and cycle track
	27, 28 and 29	Footpath
	31	Playing field

## PART II

### ACQUISITION: SUPPLEMENTARY

#### *Acquisition of rights*

- 1 (1) The Secretary of State may under section 2 of this Act acquire easements or other rights in or over land by creating them as well as acquiring easements or other rights already in existence.
- (2) In relation to the compulsory acquisition of a right by virtue of sub-paragraph (1) above the provisions of the Highways Act 1980 specified in sub-paragraph (3) below shall apply—
- (a) as if references to such a compulsory acquisition were included in references to the compulsory acquisition of a right by virtue of section 250 of that Act, and

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- (b) as if such an acquisition were made by a compulsory purchase order made in the exercise of highway land acquisition powers.
- (3) The provisions of the Highways Act 1980 referred to in sub-paragraph (2) above are—
  - (a) section 250(4) and (5) and Part II of Schedule 19 (adaptations of Compulsory Purchase Act 1965 and the enactments relating to compensation for compulsory purchase),
  - (b) section 251 (rights acquired to be binding on successive owners of the land), and
  - (c) section 252 (power of landowners affected by rights acquisition to compel acquisition of whole interest).

#### *Subsoil and under-surface*

- 2 The Secretary of State may under section 2 of this Act acquire so much of the subsoil and under-surface of land as is required as mentioned in that section without being required to acquire an interest in any other part of it.

#### *Mines and minerals*

- 3 (1) Parts II and III of Schedule 2 to the Acquisition of Land Act 1981 (exception of mines and minerals from compulsory purchase and regulation of the working of mines and minerals underlying an authorised undertaking) shall apply in relation to land within the limits of land to be acquired as if it were comprised in a compulsory purchase order providing for the incorporation with the order of those Parts of that Schedule.
- (2) For the purposes of Part III of that Schedule as it applies by virtue of sub-paragraph (1) above, paragraph 1(3) of that Schedule (meaning of underlying) shall have effect as if the prescribed distance in relation to any mines or minerals lying under land near any of the works authorised by this Act were the greater of—
- (a) such lateral distance from those works on every side as is equal at every point along those works to one-half of the depth of the mines or minerals below the natural surface of the ground at that point, and
  - (b) 40 metres.

#### *Private rights of way*

- 4 (1) All private rights of way over land which may be acquired compulsorily under section 2 of this Act shall be extinguished on the acquisition of the land, whether compulsorily or by agreement, or on the entry on the land in pursuance of section 11(1) of the Compulsory Purchase Act 1965, as applied by section 2 of this Act, whichever is the sooner.
- (2) A person who suffers loss by the extinguishment of a right under this paragraph shall be entitled to compensation to be determined, in case of dispute, under and in accordance with Part I of the Land Compensation Act 1961.

#### *Compensation*

- 5 Section 4 of the Acquisition of Land Act 1981 (assessment of compensation where unnecessary work undertaken to obtain compensation) shall have effect in relation

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to a compulsory acquisition under section 2 of this Act as if it were a compulsory purchase to which that Act applies.

- 6 Where land is or rights in or over land are compulsorily acquired under section 2 of this Act, section 261 of the Highways Act 1980 (benefit to be taken into account in assessing compensation) shall have effect as if the acquisition were one in relation to which that section has effect.

### PART III

#### TEMPORARY OCCUPATION OF LAND

- 7 (1) Subject to the provisions of this paragraph, the Secretary of State may, in connection with the construction of—
- (a) the scheduled works specified in column (1) of the following table, or
  - (b) any works which are necessary or expedient for the purposes of, in connection with or in consequence of those works,
- enter upon and take temporary possession of the land in the areas specified in columns (2) and (3) of that table for such purposes as are specified in column (4) of that table and may, for such purposes, remove buildings on that land and provide means of access to that land.

TABLE

<i>(1)</i> <i>Works Nos.</i>	<i>(2)</i> <i>Area</i>	<i>(3)</i> <i>Number of land shown on deposited plans</i>	<i>(4)</i> <i>Purpose for which temporary possession may be taken</i>
1, 1A and 1B	Borough of Monmouth Community of Magor with Undy	4t, 5t, 6t, 7t and 10t	Construction access
1, 1B, 2, 2A, 2B, 7, 7A and 8	Borough of Monmouth Community of Rogiet	3t, 6 and 10	Construction access
2, 2A, 2B, 7, 7A and 8	Borough of Monmouth Community of Rogiet	11, 12, 13 and 14	Construction access and regrading of land prior to return to agriculture
2, 2A, 2B, 7, 7A and 8	Borough of Monmouth Community of Rogiet	21 and 22	Construction access
2	Borough of Monmouth	35, 36, 37, 38, 39 and 40	Temporary service diversions

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<i>(1)</i> <i>Works Nos.</i>	<i>(2)</i> <i>Area</i>	<i>(3)</i> <i>Number of land shown on deposited plans</i>	<i>(4)</i> <i>Purpose for which temporary possession may be taken</i>
	Community of Rogiet		
2, 3, 9 and 27	Borough of Monmouth Community of Caldicot	14, 15, 16, 17, 18, 19, 20, 21 and 31t	Construction and manufacturing site and access and surface water drainage outfalls
3, 10, 28, 29, 30 and 31	District of Northavon Parish of Pilning and Severn Beach	2t and 76	Construction and manufacturing site and access
4, 4B, 4C, 13, 13A, 14, 15, 16, 16A and 17	District of Northavon Parish of Olveston	43t	Construction access
5	District of Northavon Parish of Almondsbury	1t, 12, 19 and 20	Temporary service diversions

- (2) Not less than 28 days before entering upon and taking temporary possession of land under this paragraph the Secretary of State shall give notice to the owners and occupiers of the land.
- (3) The Secretary of State shall not, without the agreement of the owners and occupiers of the land, remain in possession of land under this paragraph after a period of one year from the completion of the work specified in relation to that land in column (1) of the table in sub-paragraph (1) above.
- (4) All private rights of way over land of which the Secretary of State takes temporary possession under this paragraph shall be suspended and unenforceable for so long as the Secretary of State remains in lawful possession of the land.
- (5) Before giving up possession of land of which temporary possession has been taken under this paragraph, the Secretary of State shall remove all temporary works and restore the land to the reasonable satisfaction of the owners and occupiers of the land; but the Secretary of State shall not be required to replace a building removed by him under this paragraph.
- (6) The Secretary of State shall pay compensation to—
- (a) the owners and occupiers of land of which temporary possession is taken under this paragraph for loss or damage resulting from the exercise of the powers conferred by this paragraph in relation to that land, and
  - (b) a person who suffers loss or damage by reason of the suspension of a right under this paragraph.
- (7) Nothing in this paragraph shall affect any liability to pay compensation under section 10(2) of the Compulsory Purchase Act 1965, as applied by section 2 of this

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Act, or under any other enactment, in respect of loss or damage arising from the execution of any works, other than loss or damage for which compensation is payable under sub-paragraph (6) above.

- (8) A dispute as to a person's entitlement to compensation under sub-paragraph (6) above, or as to the amount of the compensation, shall be determined under and in accordance with Part I of the Land Compensation Act 1961.

## PART IV

### CORRECTION OF DEPOSITED PLANS

- 8 (1) If the deposited plans or the book of reference to those plans are inaccurate in their description of any land, or in their statement or description of the ownership or occupation of any land, the Secretary of State, after giving not less than ten days' notice to the owner and occupier of the land in question, may apply to two justices having jurisdiction in the place where the land is situated for the correction of the plans or book of reference.
- (2) If on such an application it appears to the justices that the misstatement or wrong description arose from mistake or inadvertence, the justices shall certify accordingly and shall in their certificate state in what respect a matter is misstated or wrongly described.
- (3) The certificate shall be deposited in the office of the Clerk of the Parliaments and a copy of it in the Private Bill Office of the House of Commons and at the principal offices of Avon County Council, Gwent County Council, Bristol City Council, Northavon District Council and Monmouth Borough Council; and the deposited plans or the book of reference shall be deemed to be corrected according to the certificate and it shall be lawful for the Secretary of State, in accordance with the certificate, to proceed under this Act as if the deposited plans or the book of reference had always been in the corrected form.
- (4) A person with whom a copy of the certificate is deposited under this paragraph shall keep it with the documents to which it relates.
- (5) In this paragraph "book of reference" means the book deposited in November 1990 in connection with the Severn Bridges Bill in the office of the Clerk of the Parliaments and the Private Bill Office of the House of Commons.

## SCHEDULE 3

Section 3.

### AUTHORISED WORKS: SUPPLEMENTARY

#### *Stopping up of highways*

- 1 (1) Subject to the provisions of this paragraph, the Secretary of State may, in connection with the construction of the works authorised by this Act, stop up—
- (a) each of the highways or parts of highways specified, by reference to the letters and numbers shown on the deposited plans, in columns (1) and (2) of the following table, and

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- (b) any other bridleways or footpaths within the limits of deviation for the scheduled works.
- (2) On his doing so, all rights of way over or along the highway or part so stopped up shall be extinguished.
- (3) An existing highway or part of a highway specified in columns (1) and (2) of Part II of the following table shall not be stopped up under this paragraph until the Secretary of State is satisfied that the new highway to be substituted for it, which is specified in relation to it by reference to the letters shown on the deposited plans or by reference to scheduled works in column (3) of that Part of the table, has been completed and is open for public use.

Table

PART I

Highways to be Stopped Up

<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Length of highway to be stopped up</i>
County of Gwent	
Borough of Monmouth	
Community of Caldicot	Footpath FP5 from B2 to B5
County of Avon	
District of Northavon	
Parish of Olveston	Bridleway BW11 from K1 to K2 Footpath FP9 from L1 to L2 Footpath FP12 from M1 to M2 Awkley Lane from P1 to P2
Parish of Pilning and Severn Beach	Footpath FP46 from N1 to N2
Parish of Almondsbury	Vimpennys Lane from A1 to A2

PART II

Highways to be Stopped Up and New Highways Substituted for Them

<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Length of highway to be stopped up</i>	<i>(3)</i> <i>New highway to be substituted for it</i>
County of Gwent		
Borough of Monmouth		
Community of Magor with Undy	Track CRF30 from A1 to A2	Track from A1 to A3

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<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Length of highway to be stopped up</i>	<i>(3)</i> <i>New highway to be substituted for it</i>
Communities of Magor with Undy and Rogiet	M4 eastbound carriageway from B1 to B2	Work No. 2A
	M4 westbound carriageway from C1 to C2	Work No. 2B
Community of Rogiet	Station Road and Track CRF16 from A1 to A2	Work No. 7
	Track CRF15 from B1 to B2	Works Nos. 7 and 7A
Community of Caldicot	Footpath FP19 from A1 to A2	Work No. 8
	Footpath FP6 from B1 to B2 and footpath FP3 from B2 to B3	Footpath from B1 to B4
	Footpath FP2 from B3 to B6	Work No. 9
Communities of Mathern and Portskewett	A48 from A1 to A2	Work No. 9A
	B4245 from B1 to B2 to B3 and R140 from B2 to B4	Works Nos. 9A, 9B and 9C
Community of Portskewett	R139 from C1 to C2	Works Nos. 9E, 9F and 9G
County of Avon		
District of Northavon		
Parish of Pilning and Severn Beach	B4064 New Passage Road/Redwick Road from A1 to A2	Works Nos. 11 and 18
	Footpath FP9 from B3 to B4	Work No. 11
	Footpath FP10 from B1 to B2	Footpath from B1 to B3 and Work No. 11
	Footpath FP13 from C1 to C2 and from C3 to C4	Footpath from C1 to C5 to C6 to C7 to C8, Work No. 12 and footpath from C9 to C4
	A403 Severn Road from D1 to D2	Work No. 12

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<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Length of highway to be stopped up</i>	<i>(3)</i> <i>New highway to be substituted for it</i>
Parishes of Pilning and Severn Beach and Olveston	B4055 Northwick Road from E1 to E2	Works Nos. 13 and 13A
	Redham Lane from F1 to F2	Works Nos. 13 and 13A
Parish of Olveston	Footpath FP10 from A1 to A2	Footpath from A1 to A3 and Work No. 14.
	Bridleway BW8 from B1 to B2	Work No. 14
	Holm Lane from C1 to C2	Work No. 15
	Footpath FP19 from D1 to D2 and footpath FP20 from D1 to D3	Footpath from D2 to D3
	Greenditch Street from E1 to E2	Works Nos. 16 and 16A
	Awkley Lane from F1 to F2	Works Nos. 16 and 16A
	Footpath FP21 from G1 to G2	Footpath from G1 to G3 to G4 and Works Nos. 16 and 16A
	Footpath FP28 from O1 to O2 and footpath FP62 from O2 to O3	Footpath from O1 to O3
	Bridleway (unnumbered) from R1 to R2	Bridleway from R1 to R3
	Hardy Lane from H1 to H2	Work No. 17
Parish of Pilning and Severn Beach	M4 westbound carriageway from J1 to J2	Work No. 4C
	Shaft Road from G1 to G2	Works Nos. 18 and 18A
	Green Lane from H1 to H2	Works Nos. 11 and 18
	Footpath FP15 from V1 to V2	Works Nos. 11 and 18
	Footpath FP28 from J1 to J2	Footpath from J1 to J3 to J4
	Church Road from K1 to K2	Footpath from K1 to K3 and Work No. 19

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<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Length of highway to be stopped up</i>	<i>(3)</i> <i>New highway to be substituted for it</i>
	A403 Severn Road from L1 to L2	Work No. 20
	Footpath FP49 from M1 to M2	Footpath from M1 to M3, Work No. 20 and footpath from M4 to M2
	Footpath FP48 from P1 to P2	Footpath from N1 to P1
	Footpath FP58 from Q1 to Q2	Work No. 21
Parishes of Pilning and Severn Beach and Almondsbury	Footpath FP61 from R1 to R2 to R3 to R4 to R5, footpath FP60 from R3 to R6 and footpath FP62 from R2 to R7	Footpath from R1 to R7 to R8 to R9 and Works Nos. 22 and 22A
	Farm Lane from S1 to S2	Works Nos. 22 and 22A
Parish of Almondsbury and City of Bristol	Bridleway BW101 Minor's Lane from B1 to B2	Works Nos. 23A, 23 and 23B
City of Bristol	Severn Road Hallen from A1 to A2	Work No. 23
	Footpath FP556 from B1 to B2	Footpath from B2 to B3
	Footpath FP555 from C1 to C2	Footpath from C1 to C3, Work No. 23 and footpath from B3 to B2 to C4
	Footpath FP553 from D1 to D2	Footpath from D1 to C1 to C3, Work No. 23, footpath from B3 to B2 to C4, footpath FP555 and footpath from C2 to D2
	Moorhouse Lane from E1 to E2	Work No. 24
	Footpath FP4 from F1 to F2	Footpath from F2 to F3
	Lawrence Weston Road from G1 to G2	Footpath and cycle track from G1 to G3 and Work No. 25
	Kings Weston Lane from H1 to H2	Work No. 26

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<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Length of highway to be stopped up</i>	<i>(3)</i> <i>New highway to be substituted for it</i>
	M5 southbound off slip road of Lawrence Weston interchange from J1 to J2	Works Nos. 6, 6A and 6D
	M5 northbound on slip road of Lawrence Weston interchange from K1 to K2	Works Nos. 6C and 6E

- (4) No part of a highway shall be stopped up under this paragraph unless the condition specified in sub-paragraph (5) below is satisfied in relation to all land abutting on any side of that part of the highway.
- (5) The condition referred to in sub-paragraph (4) above is that—
- the Secretary of State is in possession of the land, or
  - there is no right of access to the land from the part of the highway concerned, or
  - the Secretary of State is satisfied that there is reasonably convenient access to the land otherwise than from the part of the highway concerned, or
  - the owners and occupiers of the land have agreed to the stopping up.
- (6) A person who suffers loss by the extinguishment of a private right under this paragraph shall be entitled to compensation to be determined, in case of dispute, under and in accordance with Part I of the Land Compensation Act 1961.

*Temporary interference with highways*

- 2 (1) The Secretary of State may, for the purpose of constructing the works authorised by this Act, temporarily stop up, open, break up or interfere with, or alter or divert, the whole or a part of a highway within—
- the limits of deviation for the scheduled works,
  - the limits of land to be acquired, or
  - the limits of land for temporary occupation,
- and may carry out all necessary works for, or in connection with, doing so.
- (2) The Secretary of State shall provide reasonable access for all persons, with or without vehicles, going to or returning from premises abutting on a highway affected by the exercise of the powers conferred by this paragraph if there would otherwise be no such access.

*Provision of new trunk and special roads*

- 3 (1) On the day on which this Act is passed the new highways forming or forming part of Works Nos. 2, 2A, 2B, 3, 4, 4A, 4C, 5, 6, 6A, 6B, 6C, 6D and 6E shall become trunk roads and special roads for the exclusive use of traffic of Classes I and II of the classes of traffic specified in Schedule 4 to the Highways Act 1980.
- (2) The highways which become special roads by virtue of sub-paragraph (1) above shall be treated as provided by the Secretary of State (by means of the construction of new

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highways under section 24(1) of the Highways Act 1980) under a scheme made by him under section 16 of that Act—

- (a) prescribing the route of those roads as the route for the special roads to be provided under the scheme,
- (b) prescribing both the classes of traffic specified in that sub-paragraph, and
- (c) specifying the day on which this Act is passed as the date on which the roads become trunk roads.

*Trunk and special road improvements*

- 4 Works Nos. 1, 1A, 1B and 4B shall be treated as improvements of the M4 and its slip roads carried out under Part V of the Highways Act 1980.

*Other highway works*

- 5 (1) Works Nos. 7, 7A, 8, 9, 9A, 9B, 9C, 9D, 9E, 9F, 9G, 9H, 11, 12, 13, 13A, 14, 15, 16, 16A, 17, 18, 18A, 19, 20, 21, 22, 22A, 23, 23A, 23B, 24, 25 and 26 and the stopping up of highways in pursuance of this Schedule shall be treated as authorised by an order made by the Secretary of State under section 18 of the Highways Act 1980 in relation to the roads to which paragraphs 3 and 4 above apply.
- (2) The new highways forming or forming part of the works referred to in sub-paragraph (1) above shall be treated as new highways authorised to be constructed by the order so referred to.
- (3) The provisions of Schedule 1 to this Act and this Schedule relating to a work or operation which is treated by this paragraph as authorised by the order referred to in sub-paragraph (1) above shall be treated for the purposes of the Highways Act 1980 as provisions of the order.
- (4) The order referred to in sub-paragraph (1) above shall be deemed to include provision preserving (subject to section 21 of the Highways Act 1980) the rights of any persons who are statutory undertakers for the purposes of that Act in respect of any apparatus of theirs which is under, in, on, over, along or across a highway immediately before it is stopped up in pursuance of this Schedule.
- 6 (1) The Secretary of State may determine in the case of a highway to which paragraph 5(2) above applies that the highway is to be a footpath, a cycle track, a bridleway or an all purpose road.
- (2) In sub-paragraph (1) above “all purpose road” means a highway (other than a cycle track) over which the public right of way includes a right of way for the passage of vehicles.
- (3) The Secretary of State may classify a highway to which paragraph 5(2) above applies in any manner in which, and for any purposes for which, he can classify highways under subsection (3) of section 12 of the Highways Act 1980; and on the date of its transfer under sub-paragraph (4) below a highway classified under this sub-paragraph shall become a highway classified in the manner and for the purposes in question as if so classified under that subsection.
- (4) On the date certified by the Secretary of State as the date on which a highway to which paragraph 5(2) above applies is open for public use—
- (a) if it is in England, it shall be transferred to Avon County Council, and

- (b) if it is in Wales, it shall be transferred to Gwent County Council.

## SCHEDULE 4

Section 7.

### EARLY END OF TOLLING BY SECRETARY OF STATE

#### *Receipts*

- 1 (1) The receipts referred to in section 7 of this Act are relevant receipts and assumed interest receipts.
- (2) In this Schedule “relevant receipts” means—
- (a) tolls collected by or on behalf of the Secretary of State,
  - (b) other sums received by the Secretary of State—
    - (i) under or by virtue of this Act, or
    - (ii) in connection with the exercise of relevant functions by him or on his behalf,
  - (c) capital sums and interest paid to the Secretary of State by the concessionaire in accordance with the concession agreement in respect of the existing deficit,
  - (d) any sums received by the Secretary of State in consequence of or in connection with the termination of the concession agreement or in pursuance of a right transferred to him under or by virtue of section 19 of this Act on the termination, and
  - (e) any other receipts of the Secretary of State which he may specify as relevant receipts.
- (3) In this Schedule “assumed interest receipts” means interest assumed to accrue on any daily surplus of relevant receipts over the amounts treated as applied for the purposes mentioned in paragraph 2 below.

#### *Purposes*

- 2 The purposes referred to in section 7 of this Act and this Schedule are—
- (a) meeting with interest the existing deficit,
  - (b) reimbursement with interest of any expenditure properly chargeable to capital account and incurred by the Secretary of State in respect of—
    - (i) the construction of the new bridge or the toll plaza forming part of Work No. 2, or
    - (ii) the making safe, dismantling or reconstruction of that bridge or toll plaza if partly constructed otherwise than at the expense of the Secretary of State,
  - (c) reimbursement with interest of all expenditure (not falling within subparagraph (b) above) properly chargeable to capital account and incurred by the Secretary of State in making (whether to the concessionaire or to any other person) any payment in consequence of or in connection with the termination of, or otherwise under, the concession agreement,
  - (d) reimbursement with interest of any expenditure properly chargeable to capital account and incurred by the Secretary of State—

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- (i) under or by virtue of this Act, or
  - (ii) in connection with the exercise of relevant functions by him or on his behalf,
- before the end of the period during which tolls may be levied,
- (e) meeting all expenditure (including administrative expenses) properly chargeable to revenue account and so incurred,
  - (f) making any provision which the Secretary of State may consider appropriate for defraying the expenditure properly chargeable to revenue account and likely to be incurred by the Secretary of State as mentioned in sub-paragraph (d)(i) and (ii) above after the end of the period during which tolls may be levied,
  - (g) making such provision as in the opinion of the Secretary of State is required for making payments to or in respect of persons employed by him or by a person appointed to collect tolls as his agent whose contracts of employment are terminated in consequence of tolls ceasing to be leviable,
  - (h) making such provision as in the opinion of the Secretary of State is equivalent to that which would be required—
    - (i) for keeping the bridges and toll plaza areas insured against damage not amounting to complete destruction throughout the period during which tolls may be levied,
    - (ii) for insuring against liabilities arising in that period from the Secretary of State's ownership or occupation of the bridges and toll plaza areas, or from anything done or omitted in the course of the exercise by or on behalf of the Secretary of State of relevant functions or the power to levy tolls,
 if the bridges and toll plaza areas were owned and maintained, and those functions were exercisable, by a commercial undertaking,
  - (i) meeting any other expenditure (not falling within any of the preceding sub-paragraphs) which is incurred by the Secretary of State in consequence of this Act and which is specified by him as falling within this paragraph,
  - (j) making provision for interest assumed to be due on any daily deficiency of relevant receipts as against the amounts treated as applied for the purposes mentioned in this paragraph, and
  - (k) meeting with interest the aggregate of any annual deficiencies of relevant receipts and assumed interest receipts as against the amounts treated as applied for any of the purposes mentioned in the preceding sub-paragraphs.

### *Supplementary*

- 3 For the purpose of determining the amount of relevant receipts and assumed interest receipts or the amounts from time to time required for the purposes mentioned in paragraph 2 above, such assumptions shall be followed by the Secretary of State as to—
- (a) the manner in which those receipts are to be treated as applied for those purposes,
  - (b) the times at which payments would be made in respect of expenditure, interest and other amounts referred to in any sub-paragraph of that paragraph, and
  - (c) the amounts of such payments,

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as the Treasury may direct; and such a direction may require different assumptions to be followed in relation to different times and in relation to, or to interest on, different expenditure or other amounts referred to in any sub-paragraph of that paragraph.

- 4 A reference in this Schedule to interest is a reference to interest at such rate as may be determined to be appropriate in accordance with directions given by the Treasury; and different rates may be so determined in relation to—
- (a) different times,
  - (b) different descriptions of relevant receipts, and
  - (c) different sub-paragraphs of paragraph 2 above, and different expenditure or other amounts referred to in any of those sub-paragraphs.
- 5 In this Schedule “the existing deficit” means the amount shown in the statement of accounts prepared under section 28(1)(a) of this Act as the amount of the debt to the Consolidated Fund immediately before the appointed day, adjusted if necessary to take account of any amounts so shown as stores or owed by debtors, or as due to creditors.

## SCHEDULE 5

Section 40.

### REPEALS

<i>Chapter</i>	<i>Short title</i>	<i>Extent of repeal</i>
1965 c. 24.	The Severn Bridge Tolls Act 1965.	The whole Act.
1980 c. 66.	The Highways Act 1980.	In Schedule 24, paragraph 14.