



The Sizewell C Project

3.1 Fourth Draft Development Consent Order Addendum - Proposed Changes to the Draft Development Consent Order (DCO)

June 2021

Planning Act 2008
Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

Revision: 1.0
Applicable Regulation: Regulation 5(2)(q)
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HERBERT
SMITH
FREEHILLS

**SIZEWELL C (NUCLEAR GENERATING STATION) ORDER
SCHEDULE OF CHANGES TO THE DRAFT DEVELOPMENT CONSENT ORDER (Deadline 2)
FROM REV 3.0 TO REV 4.0**

Abbreviations

ESC – East Suffolk Council

ExA – Examining Authority

MMO – Marine Management Organisation

SCC – Suffolk County Council

WSC – West Suffolk Council

1. Some of the points raised by the Examining Authority in its first written questions ("**ExQ1s**") had been previously discussed with the relevant stakeholders. Rev 4 of the dDCO (Doc Ref. 3.1(C)) reflects the changes to the dDCO arising from, among other things, both the ExQ1s and the ongoing discussions with the relevant stakeholders. We have only included the relevant stakeholder's name to explain changes beyond those raised by the Examining Authority in the ExQ1s.

DCO Ref (Art/Sched)	Stakeholder/ Applicant	Change made	Comment from stakeholder/rationale	DCO Version
Art 2(1)	ExA	Definition of '3G Pitch' added	In response to ExQ1 DCO 1.152	4

DCO Ref (Art/Sched)	Stakeholder/ Applicant	Change made	Comment from stakeholder/rationale	DCO Version
Art 2(1)	ExA	The carve out of '(a) site preparation and clearance works' from the definition of 'commence' is narrowed by excluding the removal of important hedgerows from the carve out.	In response to ExQ1 DCO 1.2	4
Art 2(1)	ExA	The carve out of '(g) remedial work in respect of any contamination or adverse ground conditions' from the definition of 'commence' is narrowed by excluding dewatering activities carried out as part of Work No.1A (l),(t) and (u), being the creation of the SSI crossing, realignment of Sizewell Drain and creation of the perimeter below-ground cut-off wall.	Inserted to address comments of the ExA	4
Art 2(1)	Applicant	Definition of 'Deed of Obligation' added	This is the term for the document the Applicant proposes to commit to in place of a s106 agreement. Transferees and lessees must be bound by it in accordance with article 9 and it is therefore defined.	4
Art 2(1)	Applicant	Definition of 'EDF Nuclear Generation Limited' added	This party is the owner of Sizewell B and is now referred to in article 8 (Benefit of the Order), for the reasons set out in DCO Drafting Note 1 (Appendix 14A of the ExQ1 Responses) and the DCO Explanatory Memorandum (Doc Ref. 3.2(B)).	4

DCO Ref (Art/Sched)	Stakeholder/ Applicant	Change made	Comment from stakeholder/rationale	DCO Version
Art 2(1)	ExA	Revised definition of 'environmental information'	Responds to ExQ1 DCO 1.73, as explained in DCO Drafting Note 5 (Appendix 14E of the ExQ1 Responses).	4
Art 2(1)	SCC	Revised definition of 'footpath implementation plan', which is now defined as the plan approved by SCC pursuant to Requirement 5A	Response to the ongoing engagement with SCC, on control of public rights of way.	4
Art 2(1)	Applicant	Definition of "landscape restoration area" added	Added as this term is used in Requirement 14.	4
Art 2(1)	Applicant	Definition of 'Lead Local Flood Authority' added	Added as this term is used in the Requirements.	4
Art 2(1)	Applicant	Definition of 'Main Development Site Design and Access Statement' added.	Replaces the definition of 'Sizewell C Main Development Site Design and Access Statement', as this term was not used. The term used throughout the dDCO is 'Main Development Site Design and Access Statement'.	4
Art 2(1)	Applicant	Definition of 'Main Development Site Operational Siting and Height Parameters' extended to cross-refer to this document as certified under article 80.	Consistency with other definitions of certified documents.	4
Art 2(1)	ExA	Definition of 'maintain' has been amended	Responds to ExQ1 DCO 1.102, 1.108 and 1.135 insofar as they relate to the definition of 'maintain'. See DCO Drafting Note 4 (Appendix 14D of the ExQ1 Responses), DCO Drafting Note 6 (Appendix 14F of the ExQ1 Responses) and DCO	4

DCO Ref (Art/Sched)	Stakeholder/ Applicant	Change made	Comment from stakeholder/rationale	DCO Version
			Drafting Note 8 (Appendix 14H of the ExQ1 Responses).	
Art 2(1)	Applicant	Definition of 'marine works' – reference to '1(bb) corrected to '1(A)(bb)'	Correction.	4
Art 2(1)	Applicant	Definition of 'mean high water springs' – words 'unless otherwise agreed with the Marine Management Organisation' removed	Definition here and in the DML (Schedule 20) are now aligned in response to ExQ1 DCO 1.101. We have not seen any precedent for the deleted words, except in the draft Wylfa DCO, and see no justification for them.	4
Art 2(1)	Applicant	Definition of 'National Grid' revised	Responds to ExQ1 DCO 1.10. See DCO Drafting Note 1 (Appendix 14A of the ExQ1 Responses).	4
Art 2(1)	Applicant	Definitions of 'Network Rail' and 'railway property' added	Responds to ExQ1 DCO 1.10. See DCO Drafting Note 1 (Appendix 14A of the ExQ1 Responses).	4
Art 2(1)	Applicant	Word 'Archaeological' deleted from definition of 'Overarching Archaeological Written Scheme of Investigation'	To match the term used throughout the dDCO.	4
Art 2(1)	ExA	Definition of ' Rail Noise Mitigation Strategy' added	Responds to ExQ1 DCO 1.155 request to ensure all terms used in the Requirements are defined.	4
Art 2(1)	ExA	Definition of 'Secretary of State' deleted	Responds to ExQ1 DCO 1.12.	4
Art 2(1)	Applicant	Date of grant of planning permission added to definition of 'Sizewell B relocated facilities permission 2'	To reflect the fact that this permission has now been granted.	4

DCO Ref (Art/Sched)	Stakeholder/ Applicant	Change made	Comment from stakeholder/rationale	DCO Version
Art 2(1)	ExA	Typo corrected in definition of 'Sizewell B relocation works 1'	Responds to ExQ1 DCO 1.14.	4
Art 2(1)	ExA	Definition of "SZC construction works" amended	Responds to ExQ1 DCO 1.16.	4
Art 2(1)	ExA	Reference to article 65 corrected to refer to article 67	Responds to ExQ1 DCO 1.15.	4
Art 2(1)	ExA	Definition of 'Statutory Nature Conservation Body' added	Responds to ExQ1 DCO 1.155 request to ensure all terms used in the Requirements are defined.	4
Art 2(1)	Applicant	Definition of 'terrestrial works' added	Used in Requirement 3.	4
Art 2(1)	Applicant	Definition of 'Wet Woodland Strategy' added	Used in Requirement 14B.	4
Art 2(5)	ExA	Change from 'References to any statutory body include that body's successor bodies from time to time that have jurisdiction over the authorised development' to "References to any statutory body include that body's successor in respect of functions which are relevant to this Order"	Responds to ExQ1 questions concerning reference to 'successors'. See DCO Drafting Note 1 (Appendix 14A of the ExQ1 Responses).	4
Art 2(5A)	ExA	New provision stating that: 'Unless otherwise stated, references to East Suffolk Council refer to this body in its capacity as a local planning authority, and references to Suffolk County	Responds to ExQ1 DCO 1.6 and 1.56. See DCO Drafting Note 1 (Appendix 14A of the ExQ1 Responses).	4

DCO Ref (Art/Sched)	Stakeholder/ Applicant	Change made	Comment from stakeholder/rationale	DCO Version
		Council refer to this body in its capacity as a local highway authority'		
Art 2(6)	ESC	The word 'includes' replaced with 'means' in relation to reference to numbered Works	Request from ESC.	4
Art 5	Applicant	Term 'local planning authority' replaced with 'East Suffolk Council'	To ensure consistency throughout, and to respect the preference of this Council and Suffolk County Council to be referred to by name for clarity. DCO Drafting Note 1 (Appendix 14A of the ExQ1 Responses) explains how the drafting of the dDCO nevertheless deals with potential local government reorganisations in future.	4
Art 5(3)	ExA	Term 'implemented' replaced with 'commenced'	Responds to ExQ1 DCO 1.142(ii). See DCO Drafting Note 3 (Appendix 14C of the ExQ1 Responses).	4
Art 8	Applicant	Revised to give the benefit of the Order to three other parties (National Grid, EDF Nuclear Generation Limited and Network Rail) alongside NNB Generation Company (SZC) Limited in respect of infrastructure which they may carry out and own.	See DCO Drafting Note 1 (Appendix 14A of the ExQ1 Responses).	4
Art 9	Applicant	Makes a number of changes to provisions relating to transferring the benefit of the DCO	See DCO Drafting Note 1 (Appendix 14A of the ExQ1 Responses).	4

DCO Ref (Art/Sched)	Stakeholder/ Applicant	Change made	Comment from stakeholder/rationale	DCO Version
Art 10(1)(b)	ESC	Reference to 'to the reasonable satisfaction of East Suffolk Council' added	Added in response to request by ESC.	4
Art 10(2)	ExA	Word 'will' replaced with 'does'	Responds to ExQ1 DCO 1.29.	4
Art 12(1)	ExA	'(Streets subject to works)' added after reference to Schedule 9	Picks up the equivalent point made by the ExA in their report in respect of the Wylfa DCO examination, which the Applicant has reviewed in response to ExQ1 DCO 1.135.	4
Art 13(3)	Applicant	Bracket removed at the start of this paragraph	Correction.	4
Art 14(2)(a)	ExA	Punctuation corrected	Picks up the equivalent point made by the ExA in their report in respect of the Wylfa DCO examination, which the Applicant has reviewed in response to ExQ1 DCO 1.135.	4
Art 14(3)(a)	ExA	Word 'and' added	Correction, responding to ExQ1 DCO 1.144.	4
Art 14(5) and 14(6)	ExA	Cross-references to other paragraphs corrected	Correction, responding to ExQ1 DCO 1.144.	4
Art 16(1)	Applicant	Title of article 14 cross-referred to has been corrected to include reference to 'change of status'	Correction.	4
Art 17	ExA	Reference to temporary 'stopping up' replaced throughout with reference to 'closure'	Responds to ExQ1 DCO 1.146.	4

DCO Ref (Art/Sched)	Stakeholder/ Applicant	Change made	Comment from stakeholder/rationale	DCO Version
Art 17	Applicant	Duplicate word 'alternative' deleted from art 17(6)(b), and reference to Schedule corrected from '14' to '13' in art 17(7).	Corrections.	4
Art 23	Applicant	Term 'carrying out' replaced with 'construction'	To ensure consistency with usage elsewhere in the dDCO.	4
Art 23	Applicant	The term 'watercourse' added to art 23(3)(b),	On the basis that art 23(2) applies to watercourses and therefore the deemed consent in 23(3)(b) should apply to it.	4
Art 24(6)	Applicant	Cross-ref to article 80 replaced with cross-ref to article 82.	Correction.	4
Art 24(10)	ExA	Insertion of the title of the statutory provision cross-referred to after reference to 'Part 1 of the 1961 Act'	Picks up the equivalent point made by the ExA in their report in respect of the Wylfa DCO examination, which the Applicant has reviewed in response to ExQ1 DCO 1.135.	4
Art 26(1)(b)	EDF Nuclear Generation Limited (ENGL)	Reference inserted to article 30 (compulsory acquisition of rights' in the context of prohibiting compulsory acquisition of land, rights and interests held by parties including ENGL in the plots listed in Schedule 15	ENGL sought comfort that the prohibitions on acquisition covered rights in land (dealt with in article 30) as well as outright acquisition of all land interests under article 26.	4
Art 30(3)	Applicant	Cross-reference to article 33 corrected to reference to article 34	Correction.	4

DCO Ref (Art/Sched)	Stakeholder/ Applicant	Change made	Comment from stakeholder/rationale	DCO Version
Art 37(1)(d)	Applicant	Cross-reference to Schedule 18 corrected to refer to Schedule 17	Correction.	4
Article 39(1)(b)	Applicant	'and' added	Correction.	4
Art 42(2)	ExA	Deletion of '(Statutory undertakers)'	Picks up the equivalent point made by the ExA in their report in respect of the Wylfa DCO examination, which the Applicant has reviewed in response to ExQ1 DCO 1.135.	4
Art 46(2) to (8)	ExA	References to 'must have' replaced with 'has'	Responds to ExQ1 DCO 1.41.	4
Art 46(7)	ExA	Section 63 of the Harbours, Docks and Piers Clauses Act 1847, which is incorporated by this provision, is amended to refer solely to vessels within the harbour limits.	Responds to ExQ1 DCO 1.42.	4
Art 46(10)	ExA	Section 84 of the Harbours, Docks and Piers Clauses Act 1847, which is incorporated by this provision, is amended to refer to summary conviction.	Responds to DCO 1.42.	4
Art 46	Applicant	Cross-reference to 46(9) corrected to 46(10)	Correction.	4
Art 46	MMO	Reference to 'All fines and forfeitures recoverable under the provisions of the 1847 Act as incorporated within this	In response to MMO request.	4

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		Order may be recoverable summarily' deleted		
Art 52(1)	Applicant	Cross-reference to article 69 corrected to cross-reference to article 74	Correction.	4
Art 53	MMO	'is guilty' replaced with 'shall be guilty'	In response to MMO request.	4
Art 54	MMO	Changes made to ensure the article is gender neutral	In response to MMO request.	4
Art 55	MMO	Power to dredge deleted	In response to MMO request. MMO considered that this right was potentially too extensive, and the Applicant believes that it has the necessary powers to dredge required for the project pursuant to the deemed marine licence.	4
Art 57 to 61	MMO	Art 57 to 61 deleted.	These powers and duties in relation to lighting on marine works, and navigational safety matters have been deleted on the basis that these matters are more appropriately controlled via the deemed marine licence.	4
Art 63(3)(b)	ESC	Revised drafting restricts the area over which byelaws can be made to the harbour limits as described in Schedule 19 and land controlled or used by the harbour authority	Requested by ESC, in order to give clarity to the area over which byelaws may be made.	4
Art 64(2)	MMO	'month' replaced with '28 days'	For clarity.	4

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Art 66(4) and (6)	MMO	Deletion of 'or the harbour authority' given that it is the same entity as the 'undertaker' 'month' replaced with '28 days'	For clarity.	4
Art 66(9)	ExA	Provision made for publication of byelaws on a website managed by the undertaker	Responds to ExQ1 DCO 1.46.	4
Art 65 – title and art 65(1)(a), and art 65(3)	MMO	Title changed. Deletion of 'route or channels in the harbour and the approaches to the harbour' Reference to need ' have regard to any written representations received from them' (being the Royal Yachting Association and the Chamber of Shipping)	All in response to MMO request. MMO wishes to ensure regard is had to Royal Yachting Association and the Chamber of Shipping.	4
Art 66	MMO	Changes provided to align with article 64	In response to MMO request.	4
Art 67	MMO	Title changed Deletion of 'route or channels in the harbour and the approaches to the harbour'	In response to MMO request.	4
Art 68	MMO	Title changed	In response to MMO request.	4

DCO Ref (Art/Sched)	Stakeholder/ Applicant	Change made	Comment from stakeholder/rationale	DCO Version
Art 69	ESC	'The master of the vessel' changed to 'Any person'	In response to ESC request. To achieve gender neutrality.	4
Art 70(1)	MMO	Addition of the words ' and, except in an emergency, reasonable notice has been given to the owner or person appearing to have charge of the vessel'	Requested by MMO to clarify compliance with code of practice. https://www.gov.uk/guidance/powers-of-entry	4
Art 70(3)	MMO	Addition of the word 'Reasonable' in front of the word 'expenses'	In response to MMO request.	4
Art 71	MMO	'reasonable' added to qualify reference to 'notice'	Requested by MMO in reference to government guidance. https://www.gov.uk/guidance/powers-of-entry	4
Art 73	ExA	Text revised to split out the authorised usage of the temporary beach landing facility from the permanent beach landing facility	Responds to ExQ1 DCO 1.148.	4
Art 75	MMO	Word 'licensed' replaced by 'licensable'	Correction.	
Art 76	Applicant	'local planning authority' defined as 'has the meaning given in the 1990 Act'	See DCO Drafting Note 1 (Appendix 14A of the ExQ1 Responses).	4
Art 78(b)	ESC	Deletion of 'Work No. 1A(n), Work No. 1A(u), Work No.1B, Work No.1C and'; and addition of 'Work No. 1E'	The purpose of this 'operational development' article is to ensure that all the land used as part of the operational power station(s) (SZC or SZB) will get the benefit of permitted development rights in future under the Town and Country Planning Act 1990. The changes are at the request of ESC,	4

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			who wished to limit the geographic scope to the main development site.	
Art 79	Applicant	Words 'within or overhanging' added.	This is preceded by The Great Yarmouth Third River Crossing Development Consent Order 2020. See response to ExQ1 1.50.	4
Art 82	Applicant	Ability to seek arbitration against the Secretary of State removed.	See DCO Drafting Note 1 (Appendix 14A of the ExQ1 Responses).	4
Art 85	ExA	Minor changes to better reflect the restriction in the Planning Act 2008 on ability to compulsorily acquire or override Crown interests in Crown land or third party interests in Crown land	Responds to EXQ1 DCO 1.5.	4
Art 86	MMO	Revised to simply state that: " For the purposes of section 173 of the 2008 Act, the Marine Management Organisation will be the relevant local planning authority in respect of land seaward of the mean high water springs". The drafting no longer gives jurisdiction to the MMO in respect of the land-side elements of the soft coastal defence feature and beach landing facilities.	Responds to ongoing engagement over jurisdiction with ESC and MMO.	4
Schedule 1	WSC	WSC has been added to districts referred to.	Added because the Fen Meadow site in Pakenham is in WSC's district.	4

DCO Ref (Art/Sched)	Stakeholder/ Applicant	Change made	Comment from stakeholder/rationale	DCO Version
Schedule 1 Part 1 Work No. 1A(h) and (i)	Applicant	'Emergency equipment store' moved to be within 1A(h) and reference to 'associated structures, back-up power generator and other plant' deleted.	Amendment made in connection with responses to ExQ1s A 1.25, A 1.27, A 1.28, A 1.31, A 1.32.	4
Schedule 1 Part 1 Work No. 1A (cc), (dd) and (ee)	ExA	Amendments to specify number of additional parking spaces, serviced pitches for caravans and temporary car parking spaces.	Drafting added in response to ExA's further DCO/Environmental Statement clarifications [REP1-015].	4
Schedule 1 Part 1 Work No. 1D (g) and (h) and Work No. 1E (f)	Applicant	Amendments to amend where 'office accommodation' and 'storage' are referred to.	Updates made to align the Work 1D and 1E descriptions to make them the same for consistency purposes save for the car parking provision.	4
Schedule 1 Part 1 Work No. 3 (c)(iii) and (iv)	ExA	Amendments to specify number of parking spaces.	Drafting added in response to ExA's further DCO/Environmental Statement clarifications [REP1-015].	4
Schedule 1 Part 1	Applicant	Addition of the following words to (viii) 'plant or alternative form of generation	Drafting added to align Work. No 3(c)(vii) more closely with the Environmental Statement.	4

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Work No. 3 (c)(vii)		including ground or heat source heat pumps'.		
Schedule 1 Part 1 Work No. 4A	Applicant	Deletion of words 'main development site' from work description.	Amendment made for clarity as rail infrastructure forms part of separate Works.	4
Schedule 1 Part 1 Work No. 5	ExA	3G Pitch made a defined term.	In response to ExQ1 DCO 1.152	4
Schedule 1 Part 1 Work No. 12D	ExA	The following words moved to the end of Work No. 12D: 'The location of the above works is shown on sheet nos 18, 19, 20, 21 and 22 of the Works Plans.'	In response to ExQ1 DCO.1.67.	4
Schedule 1 Part 1 Work No. 13	ExA	Wording has been added to specify number of HGV parking spaces.	Drafting added in response to ExA's further DCO/Environmental Statement clarifications [REP1-015].	4
Schedule 1 Part 2	Applicant	Reference added to Work No. 18.	Wording added to reflect addition of Work No. 18.	4
Schedule 1 Part 2(p) and (q)	MMO	Amendment to add 'rock protection (anti-scour protection) and consequential numbering updates.	In response to MMO request.	4
Schedule 2	ExA	Addition of 'Article 3' to header.	Correction in respect of ExQ1 DCO 1.71.	4

DCO Ref (Art/Sched)	Stakeholder/ Applicant	Change made	Comment from stakeholder/rationale	DCO Version
Schedule 2 1(2)(a)	Applicant	Word 'drawing' added.	Correction made for consistency.	4
Schedule 2 1(2)(a)	ExA	Reference to Article 76 updated to reference to Article 80.	Correction, responds to ExQ1 DCO 1.72.	4
Schedule 2 1(3)	Applicant	Word 'agreed' amended to 'approved'.	Correction made for consistency.	4
Schedule 2 1(4)	ExA	Paragraph 4 deleted.	Removed in response to ExQ1 DCO 1.74.	
Schedule 2 1(5)	ExA	Amendment so that 'commencement' is defined rather than 'commencement of development'.	Updated in connection with the Applicant's response to ExQ1 DCO 1.75. The phrase 'commencement of development' does not appear in the Requirements.	4
Schedule 2 1(6)	SCC	Amendment to refer to details and to delete reference to submitting notices.	Amended in response to request from SCC for clarity that the intention is to allow the partial discharge of requirements.	4
Schedule 2 1(7)	SCC, ESC	Amendment to refer to Schedule 23 procedure for appeals.	Added in response to SCC and ESC.	4
Schedule 2 Requirement 2 (Project wide: Code of Construction Practice)	ExA	Requirement amended to specify that removal and reinstatement applies to temporary works.	Updated in response to ExQ1 DCO 1.76 to clarify that removal and reinstatement is just of temporary works not the whole power station.	4

DCO Ref (Art/Sched)	Stakeholder/ Applicant	Change made	Comment from stakeholder/rationale	DCO Version
Schedule 2 Requirement 3 (Project wide: Archaeology and Peat)	ExA, Historic England, SCC	Amendments made to the project wide archaeology and peat requirement.	Updated in response to comments from Historic England and SCC. Paragraph 5 responds to ExQ1 DCO 1.6 and 1.156. See DCO Drafting Note 1 (Appendix 14A of the ExQ1 Responses).	4
Schedule 2 Requirement 4 (Terrestrial ecology monitoring and mitigation plan)	Applicant, ExA, SCC and other stakeholders	Revised following further work with stakeholders to reflect that ecological monitoring and management will now be secured through the Terrestrial Ecology Monitoring and Mitigation Plan (TEMMP). -	Amendment made for consistency in response to SCC and other stakeholder comments.	4
Schedule 2 Requirement 5 (Project wide: Surface and foul water drainage)	Applicant, SCC	Revised to: <ul style="list-style-type: none"> - Amend the 'relevant Internal Drainage Board' to 'East Suffolk Drainage Board'. - Add that details of pollution control 'for that part' have been endorsed. 	Amendment to drainage board requested by SCC for clarity. 'For that part' added as a drafting correction.	4
Schedule 2 Requirement 5A (Project wide: Emergency planning)	Applicant, SCC	Requirement for emergency planning added.	Added at request of SCC. For wording referring to SCC 'in its capacity as fire and rescue authority', see DCO Drafting Note 1 (Appendix 14A of the ExQ1 Responses), responding to ExQ1 DCO 1.6 and 1.156.	4

DCO Ref (Art/Sched)	Stakeholder/ Applicant	Change made	Comment from stakeholder/rationale	DCO Version
Schedule 2 Requirement 5B (Navigation lighting)	Ministry of Defence	Requirement for navigation lighting added.	Added at request of Ministry of Defence	4
Schedule 2 Requirement 6A (Main development site: Public Rights of Way)	Applicant, SCC	Amendments to refer to footpath implementation plan and to refer to Associated Development Design Principles and the Code of Construction Practice.	Amended for clarity of the submission and to provide approval by SCC of footpath implementation plans across the authorised development.	4
Schedule 2 Requirement 7 (Main development site: Water Monitoring and Response Strategy)	Applicant, SCC	Revised to: <ul style="list-style-type: none"> - Provide for water monitoring plan to be submitted to and approved by ESC in consultation with bodies specified. - Amend RSPB to read 'Royal Society for the Protection of Birds (RSPB)'. - Amend the 'relevant Internal Drainage Board' to 'East Suffolk Drainage Board'. 	Amended to include a water monitoring plan for future approval. Amendment to drainage board requested by SCC for clarity. RSPB amendment in response to ExQ1 DCO 1.155.	4

DCO Ref (Art/Sched)	Stakeholder/ Applicant	Change made	Comment from stakeholder/rationale	DCO Version
Schedule 2 Requirement 7A (Main development site: Coastal Processes Monitoring and Mitigation Plan)	ESC, SCC, MMO	Amendments to note that a coastal processing and mitigation plan is required to be approved by ESC in consultation with bodies specified, as opposed to approved by the MMO in consultation with bodies specified. Drafting amendments (amending 'or' to 'and', adding the word 'the' and amending 'shall' to 'must'.)	Amended for clarity and consistency in response to comments raised by SCC. Amended for ESC to be approver and consult others.	4
Schedule 2 Requirement 10 (Main development site: Outage car park)	ExA	Following wording added: 'The scheme of security measures must be implemented as approved.'	In response to ExQ1 DCO 1.82.	4
Schedule 2 Requirement 11 (Main development site: Approved buildings, structures and plant)	ExA	Deletion of wording: '(Sizewell B relocated facilities)'.	In response to ExQ1 DCO 1.83.	4
Schedule 2 Requirement 12 (Main	Applicant	Addition of following words: 'and Work No. 1D(g) or Work No. 1E (f) (administrative buildings to include	Amendment for details of these buildings to be submitted for approval by ESC.	4

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development site: Reserved matters)		workshops, civils store and general store)'. 		
Schedule 2 Requirement 12B (Main development site: Marine infrastructure)	Applicant	Amendments to require that in addition to Work No. 1A(o), Work No. 1A(m) (permanent beach landing facility), Work No. 1A(n) (soft coastal defence feature), Work No. 1A and Work No 1A(bb) (temporary beach landing facility) must not commence until details specified are approved. Amendments to specify which details are to be approved by ESC and the MMO.	Amendments for details of beach landing facilities and SCDF to be approved under the DCO. Amendments made so that MMO would approve all works below mean high water springs under the DCO and ESC would approve all works above mean high water springs under this Requirement.	4
Schedule 2 Requirement 12B(2)(iii)	ExA	Revised to include the following as part of the details required to be submitted to the MMO: (1) "a monitoring and adaptive sea defence plan that sets out the periodic monitoring proposals for the sea defence features and the trigger point for when the crest height of the sea defence would need to be increased to 16.9m (AOD)"	In response to ExQ1 FR1.2.	4
Schedule 2	ExA	New Requirement added to secure approval by ESC of the design of the	In response to ExQ1 G1.37.	4

DCO Ref (Art/Sched)	Stakeholder/ Applicant	Change made	Comment from stakeholder/rationale	DCO Version
Requirement 12C		permanent SSSI Crossing (Work No. 1A(I))		
Schedule 2 Requirement 13A (Main development site: Highway works)	SCC	Amendments to paragraph 2 to note that plans 'submitted in accordance with' paragraph 1 'are subject to' the limits of deviation shown on the relevant plans.	Updated for consistency with paragraph (1) of Requirement 13A and for clarity as raised by SCC.	4
Schedule 2 Requirement 14 (Main development site: Landscape works)	ExA	Revised to: <ul style="list-style-type: none"> (1) Amended so the landscape and ecology scheme must be submitted to ESC within 6 months of Unit 1 commissioning. (2) Amend to refer to landscape restoration area. (3) Amend "to and approved" to "for approval" (4) Add reference to 'ecology' works and requirement that works are 'maintained'. 	<ul style="list-style-type: none"> (1) In response to ExQ1 DCO 1.87. (2) Amended to note that landscape and ecology scheme is to be submitted for the landscape restoration area. (3) In response to ExQ1 DCO 1.87. (4) In response to ExQ1 DCO 1.88. 	4
Schedule 2 Requirement 14A (Main development	Applicant, ExA, SCC	Revised to: <ul style="list-style-type: none"> - (1) Amend 'pursuant to' to 'in connection with'. 	<ul style="list-style-type: none"> (1) – Amendment for consistency as raised by SCC. (2) – 'Commenced' replaced with 'carried out' to avoid this Requirement being caught by the 	4

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site: Fen meadow)		<ul style="list-style-type: none"> - (2) Amend 'commenced' to 'carried out'. - (3) Add references to a fen meadow plan for Work No. 6 and 7, and a fen meadow plan for Work No. 18. - (4) SCC to approve plan 'in its capacity as Lead Local Flood Authority and drainage authority. 	<p>definition of 'commencement' (see response to ExQ1 DCO 1.2).</p> <p>(3) Amendments to specify which works fen meadow plan relates to and which bodies are required to approve the plans.</p> <p>(4) See DCO Drafting Note 1 (Appendix 14A of the ExQ1 Responses), responding to ExQ1 DCO 1.6 and 1.156.</p>	
Schedule 2 Requirement 14B (Main development site: Wet Woodland)	Applicant, ExA, SCC	<p>Revised to:</p> <ul style="list-style-type: none"> - (1) Remove reference to "in connection with Work No. 1A". - (2) Amend 'commenced' to 'carried out'. - (3) Add reference to wet woodland plan to be developed in accordance with the Wet Woodland Strategy. 	<ul style="list-style-type: none"> - (1) – Amendment responds to ExQ1 DCO 1.57 as there are no SSSI clearance works outside Work No. 1A so the drafting is not needed. - (2) – 'Commenced' replaced with 'carried out' to avoid this Requirement being caught by the definition of 'commencement' (see response to ExQ1 DCO 1.2). - (3) Updated to reflect the production of wet woodland strategy for examination. 	4
Schedule 2 Requirement 18 (Rail infrastructure)	Applicant, ExA	<p>Revised to:</p> <ul style="list-style-type: none"> - (1) Amend title to 'Rail infrastructure'. - (2) Updates to add reference to the specific Associated Development Design Principles 	<ul style="list-style-type: none"> - (1) Title updated for clarity to match Work No. - (2) Amendments made in response to ExQ1 DCO 1.91. 	4

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		tables and to how plans are referenced.		
Schedule 2 Requirement 19 (Associated development sites: Site clearance)	SCC	Addition of word 'infrastructure' so Work No. 4 specifies it relates to 'rail infrastructure.'	Amendment made for consistency in response to comment raised by SCC.	4
Schedule 2 Requirement 20 (Associated development sites: Buildings and structures)	ExA	References added to the specific Associated Development Design Principles tables and to how plans are referenced.	In response to ExQ1 DCO 1.93.	4
Schedule 2 Requirement 22 (Highway works)	ExA	References added to the specific Associated Development Design Principles tables and to how plans are referenced.	In response to ExQ1 DCO 1.96.	4
Schedule 2 Requirement 22A (Associated developments:	Applicant	Amendment to require that Work No. 11 must be carried out in accordance with the Two Village Bypass Ecology Management Plan and Work No. 12 must be carried out in accordance with	Added to secure plans more clearly – they were previously appended to the associated development design principles but as they only apply to certain works, the applicant considers it clearer to include them in this Requirement.	4

DCO Ref (Art/Sched)	Stakeholder/ Applicant	Change made	Comment from stakeholder/rationale	DCO Version
Landscape works)		the Sizewell Link Road Ecology Management Plan.		
Schedule 2 Requirement 24 (Associated development sites: Removal and reinstatement)	Applicant, ExA	'Site' deleted and replaced with 'Work'.	Updated to avoid the interpretation rule at Article 2(7) applying to this requirement. This was flagged by the ExA in ExQ1 DCO 1.19.	4
Schedule 2 Requirement 25 (Rail noise)	Applicant, ExA	Reference to noise mitigation scheme deleted and paragraph reference corrected.	Removed reference to noise implementation scheme and typo in (3) corrected in response to ExQ1 DCO 1.98	4
Schedule 4	Applicant, ExA	Certain plans revised to respond to ExQ1s	Responds to ExQ1s.	4
Schedule 6	Applicant, ExA	Certain plans revised to respond to ExQ1s	Responds to ExQ1s.	4
Schedule 7	Applicant, ExA	Certain plans revised to respond to ExQ1s	Responds to ExQ1s.	4
Schedule 7 Generally	ExA	Plans split into 9 parts.	Plans split into parts in response to ExQ1 DCO 1.96, 1.93 and 1.91.	4
Schedule 7 Part 9	Applicant	Works No. added and ordering changed.	Amendments made to refer to relevant Work No. and so plans are in order which correspond to Work No.	4

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Schedule 8 Part 1 – Sizewell relocated facilities permission 1	Applicant	Additional condition references added to Order requirements 2 and 5.	Added to reflect Sizewell relocated facilities permission 1.	4
Schedule 8 Part 2 – Sizewell relocated facilities permission 2	Applicant	Conditions and order requirement references added.	Updated with relevant conditions attached to Sizewell relocated facilities permission 2.	4
Schedule 10 Part 1	Applicant	Column updated from 'relevant site' to 'reference'.	Update to column heading.	4
Schedule 10 Part 1	SCC, Applicant	Amendments to Sizewell link road rows: (1) "19" to "20" (2) "NMUs" to "footpath"	(1) Correction. Responds to SCC comments on Rights of Way Plans. (2) Correction. Responds to SCC comments on Rights of Way Plans.	4
Schedule 11	SCC, Applicant	Removal of duplicate Sizewell link road row.	Correction. Responds to SCC comments on Rights of Way Plans.	4
Schedule 11	SCC, Applicant	Add new Sizewell link road row	Correction. Responds to SCC comments on Rights of Way Plans.	4

DCO Ref (Art/Sched)	Stakeholder/ Applicant	Change made	Comment from stakeholder/rationale	DCO Version
Schedule 13 General	ExA, Applicant	Amendment to delete 'stopped up and extinguished' and replace with 'closed.'	Responds to DCO 1.146.	4
Schedule 13 Part 2	SCC, the Applicant	Add new Main development site and rail row regarding Highway (footpath) E-363/019/0	Correction. Responds to SCC comments on Rights of Way Plans.	
Schedule 14 Permanent traffic regulation measures	Applicant	In relation to two village bypass on existing A12 to be declassified, '70m' to '885m' in extent.	Correction.	4
Schedule 18 Protective Provisions	Applicant and relevant utility providers	Protective provisions added for Essex and Suffolk Water and updated for Anglian Water and National Grid	The Applicant is engaging with these statutory undertakers. Negotiations are ongoing and they are not yet fully agreed with all parties.	4
Schedule 19 Limits of Harbour	ExA	Schedule description amended from 'Limits of the Harbour' to 'Limits of Harbour'.	In response to ExQ1 DCO 1.100.	4
Schedule 20 Part 1	Applicant, ExA, MMO	<ul style="list-style-type: none"> (1) Definition of 'authorised development' deleted. (2) Definition of 'commence' amended. (3) Definitions added for 'environmental information', 'Environmental Statement' and 'mean high water springs'. 	<ul style="list-style-type: none"> (1) In response to ExQ1 DCO 1.107. (2) In response to request from MMO. (3) In response to DCO ExQ1 1.101. (4) Responds to ExQ1 DCO 1.102, 1.108 and 1.135 insofar as they relate to the definition of 'maintain'. See DCO Drafting Note 4 (Appendix 14D of the ExQ1 Responses), DCO Drafting Note 6 (Appendix 14F of the ExQ1 	4

DCO Ref (Art/Sched)	Stakeholder/ Applicant	Change made	Comment from stakeholder/rationale	DCO Version
		<ul style="list-style-type: none"> (4) Definition of maintain amended. (5) Definitions added for 'Marine Case Management System', 'marine works', 'Maritime and Coastguard Agency', 'LVSE', 'Order land', 'TBM'. (6) 'Undertaker' definition amended. (7) Definitions of various works amended to refer to Schedule 1 of the DCO. (8) Amendments to MMO correspondence details. 	<ul style="list-style-type: none"> Responses),and DCO Drafting Note 8 (Appendix 14H of the ExQ1 Responses). (5) Drafting amendments and amendments in response to MMO. (6) In response to ExQ1 DCO 1.103. (7) Drafting amendments and amendments in response to MMO. (8) In response to ExQ1 DCO 1.161 and comments from MMO. 	
Schedule 20 Part 2	Applicant, ExA, MMO	<ul style="list-style-type: none"> (1) Paragraph 3 - amended so it reads 'The provisions of section 72 of the 2009 Act apply to this licence'. (2) Paragraph 4(1)(a) - replacement of 'authorised development' with 'marine works'. (3) Paragraph 4(2) - reference to paragraph 4(1) added. (4) Paragraph 6 – references amended to refer to paragraphs 4(2)(a) and 4(2)(m). (5) Paragraph 7A and 7B deleted. 	<ul style="list-style-type: none"> (1) In response to ExQ1 DCO 1.106. (2) In response to ExQ1 DCO 1.120. (3) In response to ExQ1 DCO 1.107. (4) In response to ExQ1 DCO 1.109. (5) 7A deleted because it repeats paragraph 3. 7B moved to paragraph 9B in response to comments from MMO. (6) Updates in response to comments from MMO and minor drafting corrections. 	4

DCO Ref (Art/Sched)	Stakeholder/ Applicant	Change made	Comment from stakeholder/rationale	DCO Version
		(6) Various drafting amendments in paragraphs 4, 5 and 6.		
Schedule 20 Part 3	Applicant, ExA, MMO	<ul style="list-style-type: none"> (1) Paragraph 8 deleted. (2) Paragraphs 9 and 11 - 'Unless otherwise advised in writing by the MMO' added. (3) Paragraph 7B moved to be Paragraph 9B, and drafting amendments made. (4) Paragraph 10(a) – reference to 'paragraph 4 and 5' added. (5) Paragraph 12(2) – requirement to notify local MMO officer of completion of any activity. (6) Paragraph 22 – Deleted. (7) Paragraph 38 – Aids to navigation. (8) Paragraph 44(1) – Addition of references to details of combined drainage outfall head, vertical shaft and combined drainage outfall tunnel. (9) Reference to 'NE' amended to 'Natural England. 	<ul style="list-style-type: none"> (1) In response to MMO request. (2) In response to ExQ1 DCO 1.161. (3) In response to MMO request and drafting updates to align with Schedule 2 paragraph 1(4). (4) In response to ExQ1 DCO 1.166. (5) Condition was previously deleted in error. (6) Deleted as duplicate of paragraph 25. (7) Added in response to MMO request. (8) In response to ExQ1 DCO 1.61. (9) In response to request from Natural England. (10) Updates in response to comments from MMO and minor drafting corrections. 	4

DCO Ref (Art/Sched)	Stakeholder/ Applicant	Change made	Comment from stakeholder/rationale	DCO Version
		(10) Various drafting amendments to conditions at paragraphs 9 – 50.		
Schedule 22 Certified Documents generally	Applicant, ExA	<p>(1) Deed of Obligation added to certified documents.</p> <p>(2) Amendments to the following document names so they read: 'Main Development Site Operational Siting and Height Parameters' and 'Overarching Written Scheme of Investigation'.</p> <p>(3) 'Rail Noise Mitigation Strategy' added to certified documents.</p> <p>(4) 'Wet Woodland Strategy' added to certified documents.</p>	<p>(1) Updated in response to ExA's comments on section 106 agreement and Applicant's new 'Evolving Approach' as set out in 'Explanation of the Applicant's Evolving Approach to Contractual Commitments to Mitigation' (Appendix 26A of the ExQ1 Responses).</p> <p>(2) Corrections.</p> <p>(3) Updated in response to ExQ1 DCO 1.155.</p> <p>(4) Document to be added.</p>	4
Schedule 23	Applicant, ExA, ESC, SCC	<p>Revised to:</p> <ul style="list-style-type: none"> - Applications made under requirement – paragraph 1(b) – amends decisions period from 5 weeks to 6 weeks. - Further information – paragraph 2(2) – notification period amended from 7 working days to 10 working days. - Further information – paragraph 2(3) – (i) references to 	Amendments made to align with Advice Note 15, in response to ExQ1 DCO 1.54 and in response to comments from Councils.	4

DCO Ref (Art/Sched)	Stakeholder/ Applicant	Change made	Comment from stakeholder/rationale	DCO Version
		<p>discharging authority updated to undertaker and (ii) update to period undertaker has to issue consultation to the requirement consultee.</p> <ul style="list-style-type: none"> - Appeals – paragraph 3 – updated to appeal provide and updates to periods for submitting written representations and any counter submissions from 10 working days to 20 working days. - Paragraph 13 – paragraph reference updated. 		
Schedule 24 5(2)	Applicant, ExA	Paragraph 2 deleted.	Deleted as no longer necessary given new approach 'Evolving Approach' to contractual commitment to mitigation as set out in 'Explanation of the Applicant's Evolving Approach to Contractual Commitments to Mitigation' (Appendix 26A of the ExQ1 Responses).	4