

Riverside Energy Park

Draft DCO Schedule of Changes

VOLUME NUMBER:

03

PLANNING INSPECTORATE REFERENCE NUMBER:

EN010093

DOCUMENT REFERENCE:

3.3

September 2019 | Revision 2 (Deadline 8A) | APFP Regulation 5(2)(c)

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

RIVERSIDE ENERGY PARK

SCHEDULE OF CHANGES MADE TO THE DRAFT DEVELOPMENT CONSENT ORDER – REVISION 4 (DEADLINE 8a)

In this document, where reference is made to an Article or Requirement, that reference is to the corresponding Article or Reference in the dDCO (3.1, Rev 4) submitted at Deadline 8a.

This document does not set out amendments that have been made to the dDCO (including any amendments to footnotes) in line with drafting guidance published by the Office of Parliamentary Counsel and general drafting in other consented DCOs.

Reference to “LBB” is a reference to the London Borough of Bexley and reference to “GLA” is a reference to the Greater London Authority.

Article / Requirement number	Change in the Development Consent Order (Revision 4)	Reason for the change
Article 2 Definition of “Defra biodiversity off-setting metric”	Insertion of <i>“published by the Department for Environment, Food and Rural Affairs in 2012”</i>	For clarity on which mechanism is used to quantify impacts on biodiversity. This clarification is made following a request by the ExA at the dDCO Issue Specific Hearing held on 19 September 2019.
Article 2 Definition of “Environment Bank”	Insertion of definition of “Environment Bank”	For clarity, as reference to the Environment Bank has been inserted in Requirement 5(1)(e) (described further below).
Article 2 Definition of “Greater London Authority”	Insertion of definition of “Greater London Authority”	For clarity, as reference to Greater London Authority has been inserted in Requirement 24(2) (described further below).
Article 2	Deletion of <i>“or the equivalent condition on any varied RRRF planning permission whether granted by the</i>	This change was requested by LBB in its Deadline 7 submission. The Applicant is content with this

Article / Requirement number	Change in the Development Consent Order (Revision 4)	Reason for the change
Definition of "RRRF condition"	<i>Secretary of State or the relevant planning authority</i>	amendment.
Article 2 Definition of "undertaker"	Insertion of <i>"as notified to the relevant planning authority pursuant to requirement 33"</i>	To clarify who the undertaker will be for the purpose of the DCO.
Article 6(4) Disapplication of legislative provisions and modifications to section 36 consent and RRRF planning permission	Insertion of reference to Condition 32 of the RRRF planning permission	Given the overlap between the RRRF planning permission redline boundary and the DCO Application Order limits, it is necessary to include condition 32 of the RRRF planning permission (which relates to restoration and aftercare of the site) within Article 6(4) to make it clear that the scheme should not apply to the land covered by main REP development (i.e. the land coloured brown on the REP and RRRF Application Boundaries Plan).
Article 6(4) Disapplication of legislative provisions and modifications to s36 consent and RRRF planning permission	Amendments to limit the inconsistency to the area shown on the REP and RRRF Application Boundaries Plan. This Article now reads: <i>"To the extent that there is an inconsistency on the land coloured brown identified on the REP and RRRF Applications Boundaries Plan between any provision of this Order and all or any of RRRF condition 1, RRRF condition 22 or RRRF condition 32 then, in respect of such inconsistency only, there is deemed to be no breach of all or any of RRRF condition 1, RRRF condition 22 or RRRF condition 32 (as applicable) and no</i>	LBB raised a concern at Deadline 7 regarding the breadth of this Article. The Applicant has amended this to address these concerns by: a. not removing land from the section 36 consent and RRRF planning permission; and b. limiting Article 6(4) to the area of land coloured brown on the REP and RRRF Application Boundaries Plan. This Article is agreed between the Applicant and the LBB.

Article / Requirement number	Change in the Development Consent Order (Revision 4)	Reason for the change
	<i>enforcement action can be taken following the carrying out of the pre-commencement works, commencement or operation of the authorised development."</i>	
Article 13(6) Temporary prohibition or restriction of use of streets and public rights of way	Insertion of Article 13(6). This reads: <i>"Any person who suffers loss by the suspension of any private right of way under this article is entitled to compensation to be determined, in case of dispute, under Part 1 (determination of questions of disputed compensation) of the 1961 Act."</i>	To clarify that where there has been a loss by the suspension of any private rights of way under this Article, the person who suffered the loss is entitled to compensation. This aligns with the drafting in other DCOs, such as The Port of Tilbury (Expansion) Order 2019.
Article 16(1) Agreements with street authorities	Clarification for the agreements that the street authority and the undertaker can enter in to.	To clarify how the agreements relate to the authorised development and that agreements may be entered into for any works as the parties may agree.
Article 24 Compulsory acquisition of rights	References to "restrictions" have been replaced with "restrictive covenants".	Article 2(2) originally referred to <i>"references in this Order to the imposition of restrictions are references to restrictive covenants..."</i> . Reference to "restrictions" was superfluous and did not add anything and so has been deleted. The amendments to Article 24 are as a consequence of that change – this provides clarity on the face of the order.
Article 26 Private rights	References to "restrictions" have been replaced with "restrictive covenants".	Article 2(2) originally referred to <i>"references in this Order to the imposition of restrictions are references to restrictive covenants..."</i> . Reference to "restrictions" was superfluous and did not add

Article / Requirement number	Change in the Development Consent Order (Revision 4)	Reason for the change
		anything and so has been deleted. The amendments to Article 26 are as a consequence of that change – this provides clarity on the face of the order.
Article 26(9) Private rights	Insertion of Article 26(9)	To clarify what references to private rights over land include. This aligns with the drafting in other DCOs, such as The Port of Tilbury (Expansion) Order 2019.
Article 28(3) Application of the 1981 Act	Insertion of Article 28(3)	To clarify that the section applies to any Minister, local or public authority or any other body authorised to acquire land by a compulsory purchase order. This aligns with the drafting in other DCOs, such as The Port of Tilbury (Expansion) Order 2019.
Article 33(c) Statutory undertakers	Deletion of " (c) create and acquire compulsorily the rights, or impose restrictions, over any Order land belonging to statutory undertakers."	This is covered by Articles 33(a) and (b) and therefore has been deleted to avoid duplication.
Article 36 Application of landlord and tenant law	Amendment to (1) to read <i>"This article applies to any agreement entered into by the undertaker under article 9 so far as it relates to the terms on which any land is subject to a lease granted by or under that agreement."</i>	This text has already been included but has now been simplified on the face of the Order. This aligns with the drafting in other DCOs, such as The Port of Tilbury (Expansion) Order 2019.
Article 42 Procedures in relation to certain approvals etc.	Deletion of reference to the "arbitration rules" in Schedule 13.	Schedule 13 has been deleted on the basis that it is for the parties to agree how the arbitration process will operate in the particular circumstances. This aligns with the drafting in other DCOs, such as The Port of Tilbury (Expansion) Order 2019 and The Abergelli Power Gas Fired Generating Station Order

Article / Requirement number	Change in the Development Consent Order (Revision 4)	Reason for the change
		2019.
Schedule 1 (Authorised Development)		
Work No. 1(a)(v)	Insertion of the wording <i>"incorporating at least 30 megawatts heat off-take for district heating"</i>	This change was requested by the GLA in its Deadline 7 submission. The Applicant is content with this amendment.
Work No. 2(b)	Insertion of the wording <i>"incorporating at least 30 megawatts heat off-take for district heating"</i>	This change was requested by the GLA in its Deadline 7 submission. The Applicant is content with this amendment.
Schedule 2 (Requirements)		
Requirement 2(2) and 2(3) Detailed design approval	Insertion of a requirement for the Applicant to submit to LBB, along with the detailed design, a plan demonstrating that within Work No. 1A and Work No. 3 there is sufficient space to support a heat export system capable of providing at least 30 megawatts heat off-take for district heating.	The GLA has requested that the Applicant provide details showing the space within Work No. 1A and Work No. 3 for the heat export system. In the Applicant's response to GLA's Deadline 5 and 6 Submissions (8.02.67, REP7-015) , the Applicant stated that it was content to provide this detail when it submitted the detailed design plans under Requirement 2.
Requirement 4 Pre-commencement biodiversity mitigation strategy	Insertion of <i>"non-statutory designated sites and other habitats and species of principal importance"</i>	This change was requested by LBB in its Deadline 7 submission. The Applicant is content with this amendment.
Requirement 5(1)(a) and	Insertion of <i>"non-statutory designated sites and other habitats and species of principal importance"</i>	This change was requested by LBB in its Deadline 7 submission. The Applicant is content with this

Article / Requirement number	Change in the Development Consent Order (Revision 4)	Reason for the change
5(1)(b) Biodiversity and landscape mitigation strategy		amendment.
Requirement 5(1)(c) Biodiversity and landscape mitigation strategy	Insertion of <i>"and evidence that the off-setting value provides for the required biodiversity compensation, risk factors including temporal lag, long term management and monitoring (25 years) and a minimum of 10% net gain"</i>	This change was made to address LBB's comments at Deadline 7 to ensure that the off-setting value presented in the final Biodiversity and landscape mitigation strategy clearly sets out how it has been calculated. LBB is in agreement with this wording.
Requirement 5(1)(d) Biodiversity and landscape mitigation strategy	Insertion of requirement 5(d). This article reads: <i>"the site or sites on which the compensation off-setting required pursuant to (c) will be provided together with evidence demonstrating that the site or sites has/have been chosen in accordance with the prioritisation set out in the outline biodiversity and landscape mitigation strategy"</i>	This change was made to address LBB's comments at Deadline 7 for the final Biodiversity and landscape mitigation strategy to set out how the final site or sites has/have been chosen. LBB is in agreement with this wording.
Requirement 5(1)(e) Biodiversity and landscape mitigation strategy	Insertion of requirement 5(e). This article reads: <i>"certified copies of the completed legal agreements with the Environment Bank securing the site or sites identified in (d) and which demonstrate that the off-setting value will be paid to the Environment Bank within 10 days of approval of the biodiversity and landscape mitigation strategy to enable enactment of the biodiversity off-</i>	This change was requested by LBB at Deadline 7 to ensure that there is no significant time-lag between biodiversity losses being actualised and the biodiversity off-setting management and monitoring commencing. LBB is in agreement with this wording.

Article / Requirement number	Change in the Development Consent Order (Revision 4)	Reason for the change
	<i>setting management and monitoring plan as approved in the biodiversity and landscape mitigation strategy</i>	
Requirement 11(f) and (g)	Amendment of Requirement 11(f) and (g) to refer to a 95% target for re-use / recycling rates and delivering circular economy outcomes respectively.	This change was requested by GLA in its Deadline 7a submission. The Applicant is content with these amendments.
Requirement 13(1) Construction traffic management plan(s)	Deletion of <i>“for streets within the London Borough of Bexley”</i>	This change was requested by GLA in its Deadline 7a submission. The Applicant is content with this deletion.
Requirement 13(h) and 13(4) Construction traffic management plan(s)	Insertion of <i>“a procedure for reviewing and updating the construction traffic management plan(s)”</i> This also has a knock-on effect on Requirement 13(4) referring to the updated construction traffic management plan(s) submitted following any review.	This change was requested by GLA in its Deadline 7a submission. The Applicant is content with these amendments.
Requirement 13(j) Construction traffic management plan(s)	Insertion of <i>“appropriate procedures to provide for a vehicle booking management system”</i>	The outline construction traffic management plan already refers to a booking system, so the Applicant has included express reference to the booking management system in Requirement 13 (which was requested by the LBB and the GLA).
Requirement 13(2) Construction traffic management plan(s)	Insertion of <i>“and associated junction appraisals (as defined in the outline construction management plan) demonstrating...”</i>	Reference to junction appraisals was requested by LBB in its Deadline 7 submission. The Applicant is content with this amendment and LBB is in agreement with the wording.

Article / Requirement number	Change in the Development Consent Order (Revision 4)	Reason for the change
Requirement 13(3) Construction traffic management plan(s)	Insertion of Requirement 13(3) requiring a highways base condition survey for Norman Road (the base condition survey is defined in the outline construction management plan).	This change was requested by LBB in its Deadline 7 submission. The Applicant is content with this insertion.
Requirement 14(1) Heavy commercial vehicle movements delivering waste	Amendment of the maximum vehicle movements per day from 90 to 75 (75 in / 75 out) during commissioning and the operational period of Work No. 1A and Work No. 1B.	This change was agreed between the Applicant and LBB. GLA confirmed at the dDCO Issue Specific Hearing held on 19 September 2019 that this number is accepted.
Requirement 14(2) Heavy commercial vehicle movements delivering waste	Amendment of the maximum volume of waste to be delivered by road to 130,000 tonnes per calendar year for Work No. 1A.	This change was agreed between the Applicant and LBB.
Requirement 14(3) Heavy commercial vehicle movements delivering waste	Insertion of a requirement that the maximum volume of waste to be delivered by road is 40,000 tonnes per calendar year for Work No. 1B.	This change was agreed between the Applicant and LBB.
Requirement 14(5) Heavy commercial vehicle movements delivering waste	Insertion of Requirement 14(5). This reads: <i>“Save in the event of a jetty outage, 100% of incinerator bottom ash produced by the operation of Work No. 1A must be transported from it by river to a riparian facility.”</i>	This change was requested by LBB in its Deadline 7 submission. The Applicant is content with this insertion.

Article / Requirement number	Change in the Development Consent Order (Revision 4)	Reason for the change
Requirement 14(6) Heavy commercial vehicle movements delivering waste	Amendment of the records being provided to the relevant planning authority on a quarterly basis during commissioning and the operational period.	The Applicant suggested quarterly, rather than monthly as requested by LBB in its Deadline 7 submission. LBB confirmed at the dDCO Issue Specific Hearing held on 19 September 2019 that a quarterly basis is accepted. The Applicant is content with this requirement being during commissioning and operation.
Requirement 14(6)(b) Heavy commercial vehicle movements delivering waste	Insertion of “...as well as the tonnages of waste delivered both to Work No. 1A and Work No. 1B...” and “...and waste tonnages to the authorised development....”	This change was requested by LBB in its Deadline 7 submission. The Applicant is content with this insertion.
Previously Requirement 15 Emission limits - Work No. 1A	Deletion of Requirement 15	This has been deleted following the insertion of an overall tonnage cap (805,920 tonnes per calendar year for Work No. 1A). LBB confirmed at the dDCO Issue Specific Hearing held on 19 September 2019 that this deletion is accepted.
Requirement 15(1) (previously requirement 16(1)) Emission limits – Work No. 1B	Amendment of “biogas” to “gas” and reference to “oxides of nitrogen (nitric oxide and nitrogen dioxide expressed as nitrogen dioxide)”	This change was requested by GLA in its Deadline 7a submission. The Applicant is content with this amendment. However, the Applicant has adopted the terminology that will be used in the Environmental Permit for REP to avoid any inconsistencies between the dDCO and the Environmental Permit during the operational phase of REP.

Article / Requirement number	Change in the Development Consent Order (Revision 4)	Reason for the change
Requirement 15(2) (previously requirement 16(2)) Emission limits – Work No. 1B	Amendment of “ <i>biogas</i> ” to “ <i>gas</i> ”	To align with the GLA' amendment in 15(1).
Requirement 15(2) (previously requirement 16(2)) Emission limits – Work No. 1B	Amendment from “ <i>annual emission limit value</i> ” to “ <i>annual mass emissions</i> ”	This change was requested by LBB in its Deadline 7 submission. The Applicant is content with this amendment.
Previously requirement 17 Ambient air quality monitoring	Deletion of requirement 17	This Requirement has been deleted following the agreement between the Applicant and LBB over a section 106 obligation securing an annual contribution for ambient air quality monitoring and annual reporting of the results.
Requirement 16(b) (previously Requirement 18) Waste hierarchy scheme	Insertion of “ <i>including contractual measures to encourage as much reusable and recyclable waste being removed as far as possible;</i> ”	This change was requested by LBB and the wording is in agreed form between the Applicant and LBB.

Article / Requirement number	Change in the Development Consent Order (Revision 4)	Reason for the change
Requirement 16(e) (previously Requirement 18) Waste hierarchy scheme	Insertion of new (e) as follows: <i>“the provision of an annual waste composition analysis undertaken by the undertaker, with the findings submitted to the relevant planning authority within one month of the sampling being undertaken;”</i>	This change was requested by LBB and the wording is in agreed form between the Applicant and LBB.
Requirement 19(1) (previously Requirement 21) Control of operational noise	Insertion of a “written” noise monitoring scheme	This change was requested by LBB in its Deadline 7 submission. The Applicant is content with this amendment.
Requirement 19(1)(c) (previously Requirement 21) Control of operational noise	Insertion of <i>“not exceeding 5dB below the background LA90”</i>	This change was requested by LBB and the wording is agreed form between the Applicant and LBB.
Requirement 19(2)(a) (previously Requirement 21) Control of operational	Insertion of <i>“(as defined in the noise monitoring scheme)”</i>	This change was requested by LBB in its Deadline 7 submission. The Applicant is content with this amendment.

Article / Requirement number	Change in the Development Consent Order (Revision 4)	Reason for the change
noise		
Requirement 22 (previously requirement 24) Notice of start of commissioning	Splitting out the notice so that a notice is given for the start of commissioning in respect of Work No. 1A and also in respect of Work No. 1B.	Amended following discussions with LBB.
Requirement 23(1) (previously requirement 25) Phasing of construction and commissioning of Work No. 1	Insertion of reference to Work No. 2(b) and for the programme to provide for the anticipated date of final commissioning of Work No. 1C and Work No. 1D as soon as reasonably practicable.	This change was requested by GLA in its Deadline 7a submission. The Applicant is content with this amendment. Reference to Work No. 2(b) is only "where applicable" as Work No. 2(b) is an option in the event that the steam turbine is not constructed within Work No. 1A.
Requirement 23(3) (previously requirement 25) Phasing of construction and commissioning of Work No. 1	Insertion of Requirement 23(3). This reads: <i>"The steam turbine incorporating at least 30 megawatts heat off-take for district heating forming part of the authorised development must be completed at the anticipated date of final commissioning of Work No. 1A and, if applicable, Work No. 2(b)"</i>	This change was requested by GLA in its Deadline 7a submission (although the Applicant has updated the wording to reflect Schedule 1). The Applicant is content with this insertion.
Requirement 24(1)	Amendment of Requirement 24(1) to include the words, "Work No. 1A and, if applicable, Work No.2(b) must be	This change was requested by GLA in its Deadline 7a submission. The Applicant is content with this

Article / Requirement number	Change in the Development Consent Order (Revision 4)	Reason for the change
<p>(previously requirement 26)</p> <p>Combined heat and power</p>	<p><i>constructed to produce combined heat and power through the provision of steam pass-outs and the preservation of space for the future provision of water pressurisation, heating and pumping systems. Prior to the date of final commissioning of the authorised development the undertaker must submit to the relevant planning authority for its approval a report ("the CHP review") updating the CHP statement"</i></p>	<p>insertion but has also added in reference to Work Number 2(b).</p>
<p>Requirement 24(2)</p> <p>(previously requirement 26)</p> <p>Combined heat and power</p>	<p>Amendment of Requirement 24(2) to require the terms of reference for the working group to be submitted for approval to the relevant planning authority and includes GLA as one of the organisations to be listed to attend the working group.</p>	<p>This change was requested by GLA in its Deadline 7a submission. The Applicant is content expressly including GLA. The establishment of the working group is required under Requirement 24(3) (formally under Requirement 24(1)).</p>
<p>Requirement 24(2)(b) – (g)</p> <p>(previously requirement 26)</p> <p>Combined heat and power</p>	<p>Addition of:</p> <ul style="list-style-type: none"> • Requirement 24(2)(b) - working group to agree a list of CHP consultants put forward by the undertaker; • Requirement 24(2)(e) – working group to identify the likely connection point at the site boundary for any district heating; • Requirement 24(2)(f) -working group to identify the working practices of the working group; and • Requirement 24(2)(g) – confirming that any approvals and agreements of the working group must not be unreasonably withheld or delayed. 	<p>This has been amended to address comments raised by LBB and GLA in their Deadline 7 and Deadline 7a submissions (respectively).</p>

Article / Requirement number	Change in the Development Consent Order (Revision 4)	Reason for the change
Requirement 24(4) (previously requirement 26) Combined heat and power	Insertion of <i>“from the approved list agreed by the working group in sub-paragraph (2)(e)”</i>	This has been amended to address comments raised by GLA in its Deadline 7a submission.
Requirement 24(4)(a) (previously requirement 26) Combined heat and power	Insertion of a 10 kilometre radius for the export of heat from Work No. 1.	The GLA raised this in its comments in its Deadline 5 (Schedule 1) submission. The Applicant is content to make this inclusion.
Requirement 24(4)(b) (previously requirement 26) Combined heat and power	Insertion of <i>“assess how the opportunities in (a) meet the Combined Heat and Power Quality Assurance requirements”</i>	The GLA raised this in its comments in its Deadline 5 (Schedule 3) submission. The Applicant is content to make this inclusion.
Requirement 24(4)(d) (previously requirement 26) Combined heat and power	Deletion of <i>“(without material additional cost to the undertaker)”</i>	This change was requested by GLA in its Deadline 7a submission. The Applicant is content with this deletion.

Article / Requirement number	Change in the Development Consent Order (Revision 4)	Reason for the change
Requirement 24(5) (previously requirement 26) Combined heat and power	Insertion of <i>“and where the working group identifies the likely connection point at the site boundary for any district heating to safeguard a pipework route from Work No. 3 to that point.”</i>	This change was requested by GLA in its Deadline 7a submission. The Applicant is content with this amendment.
Requirement 24(6) (previously requirement 26) Combined heat and power	Amendment of a submission of a revised CHP review to the local planning authority to be every three years rather than four years	This change was requested by LBB in its Deadline 7 submission. The Applicant is content with this amendment.
Requirement 24(8) (previously requirement 26) Combined heat and power	Amendment to require further CHP reviews every five years where the export of heat is provided.	Amendment made to address comments received by LBB.
Requirement 24 (previously requirement 26) Combined heat and power	Deletion of <i>“feasible”</i> so the phrase reads <i>“technically and commercially viable”</i> . This applies throughout Requirement 24.	Deleted at request of GLA. The Applicant is content with this deletion.
Requirement 25(1) (previously requirement	Amendment to state <i>“prior to the date of final commissioning”</i>	This change was requested by GLA in its Deadline 7a submission. The Applicant is content with this

Article / Requirement number	Change in the Development Consent Order (Revision 4)	Reason for the change
27) Use of compost material and gas from Work No. 1B		amendment.
Requirement 25(2)(a) and (b) (previously requirement 27) Use of compost material and gas from Work No. 1B	Deletion of “ <i>technically feasible and commercially viable</i> ”	Deleted at request of LBB and GLA. The Applicant is content with this deletion.
Requirement 25(2)(c) (previously requirement 27) Use of compost material and gas from Work No. 1B	Insertion of “ <i>including measures to ensure that the quality of the compost material and gas is optimised to the prevailing technical standards to allow beneficial use.</i> ”	This change was requested by GLA in its Deadline 7a submission. The Applicant is content with this insertion.
Requirement 25(2)(c), 25(3) and 25(6) (previously requirement 27) Use of compost material	Deletion of “ <i>feasible</i> ” so the phrase reads “ <i>technically and commercially viable</i> ”	Deleted at request of GLA. The Applicant is content with this deletion.

Article / Requirement number	Change in the Development Consent Order (Revision 4)	Reason for the change
and gas from Work No. 1B		
Requirement 25(7) (previously requirement 27) Use of compost material and gas from Work No. 1B	The Requirement has been amended from previously allowing the Anaerobic Digestion reviews to stop in the event that the export of compost is provided to: <i>"In the event that the export of compost material produced from Work No. 1B is provided pursuant to any Anaerobic Digestion review or any revised Anaerobic Digestion review undertaker to carry out, the undertaker is not only required to carry out and submit any further Anaerobic Digestion reviews every three years."</i>	The undertaker is required to carry out a review on compost opportunities every two years (Requirement 25(4)). In the event that export of compost material is provided, then the review continues, but every three years. This is agreed with LBB and GLA.
Requirement 25(8) and (9) (previously requirement 27) Use of compost material and gas from Work No. 1B	Insertion of Requirement 25(8) and 25(9) to require compost material to be used and gas produced to be used where they both meet the necessary quality standards and where a technically and commercially viable market exists.	This change was requested by GLA in its Deadline 7a submission. The Applicant is content with this insertion.
New Requirement 31 Delivery and Servicing Plan	Insertion of Requirement 31	The insertion of a requirement for the delivery and servicing plan was requested by LBB in its Deadline 7 submission. The Applicant is content with the insertion of this requirement and the wording of the Requirement is agreed with LBB.
New Requirement 32	Insertion of Requirement 32	The insertion of an overall tonnage cap was requested by LBB and GLA. The Applicant is content

Article / Requirement number	Change in the Development Consent Order (Revision 4)	Reason for the change
Tonnage cap		with the insertion of this requirement, with the tonnage of 805,920 for Work No 1A and the tonnage of 40,000 for Work No. 1B agreed with LBB.
New Requirement 33 Notification from the undertaker	Insertion of Requirement 33	To clarify the procedure for notification from the undertaker to the relevant planning authority of who will be the undertaker for the purpose of the DCO.
Schedule 10 (Protective Provisions)		
Part 1 RRRL	Amendments to reflect the final agreed protective provisions.	Part 1 has been amended to reflect the agreed protective provisions.
Part 2, paragraph 17 Electricity, gas, water and sewerage undertaker	Removal of paragraph 17(6) and the insertion of works being carried out in accordance with plans approved by the utility undertaker, subject to such reasonable conditions.	Given the location of the authorised development, it is likely that works will take place within 300 millimetres of apparatus, and therefore such work should be allowed but in accordance with plans approved by the utility undertaker, subject to such reasonable conditions.
Part 4 Environment Agency	Amendments to reflect the final agreed protective provisions.	Part 4 has been amended to reflect the agreed protective provisions.
Part 5 Railway interests	Amendments to reflect the final agreed protective provisions.	Part 5 has been amended to reflect the agreed protective provisions.

Article / Requirement number	Change in the Development Consent Order (Revision 4)	Reason for the change
Part 6 National Grid Electricity Transmission	Amendments to reflect the final agreed protective provisions.	Part 6 has been amended to reflect the agreed protective provisions.
Part 7 UK Power Networks, London Power Networks and South Eastern Power Networks	Amendments to reflect the final agreed protective provisions.	Part 7 has been amended to reflect the agreed protective provisions.
Part 8 Thames Water Utilities Limited	Amendments to reflect the final agreed protective provisions.	Part 8 has been amended to reflect the agreed protective provisions.
Part 9 Southern Gas Networks	Amendments to reflect the Applicant's latest position.	Part 9 has been amended to reflect the Applicant's latest position on the protective provisions.
Part 10 ES Pipelines	Deletion of Part 10 of Schedule 10	Following the amendment of the Application Boundary at Deadline 2, ES Pipelines no longer have any assets within the Order limits of the Proposed Development, or that could be affected by the proposed works. The Applicant also checked this against the plans supplied by ES Pipelines in the returned Request for Information form, which confirmed our understanding.

Article / Requirement number	Change in the Development Consent Order (Revision 4)	Reason for the change
		On the basis that ES Pipelines hold no assets within the Order limits of the Proposed Development, or that could be affected by the proposed works, there is no requirement for protective provisions to be agreed with ES Pipelines, as there will be no interface with its apparatus.
Schedule 11 (Documents and Plans to be Certified)		
Schedule 11 (Documents and plans to be certified)	Updated to reflect additional submission documents.	To reflect submissions at Deadline 6, 7 and 8.
Schedule 13 (Modifications to the Section 36 Consent and RRRF Planning Permission)		
Paragraph 1	Deletion of <i>"The land shaded brown on the REP and RRRF Application Boundaries Plan is removed from all drawings and plans referred to in the section 36 consent and the RRRF planning permission."</i>	This change was requested by LBB in its Deadline 7 submission. The Applicant is content with this amendment (as explained above in relation to Article 6(4)).