



EAST PARK ENERGY

East Park Energy

EN010141

Schedule of Changes to the Draft Development Consent Order

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EAST PARK ENERGY

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Forms and Procedure) Regulations 2009

Schedule of Changes to the Draft Development Consent Order

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1.0 SCHEDULE OF CHANGES TO THE DRAFT DEVELOPMENT CONSENT ORDER

1.1 Section 51 Response – Post Submission

Table 1: Table of amendments submitted to the draft Development Consent Order (Revision P02) following Section 51 Advice dated 30 October 2025

Article / Paragraph / Schedule	Amendment	Reason
Articles		
Part 1, Article 2(1), Interpretation	Sub-paragraph (1) has been amended as follows: <i>“outline battery safety management plan BSMP” means the plan certified by the Secretary of State as the outline battery safety management plan for the purposes of this Order in accordance with article 39;</i> <i>“outline construction environmental management plan CEMP” means the document certified by the Secretary of State as the outline construction environmental management plan for the purposes of this Order in accordance with article 39;</i> <i>“outline construction traffic management plan CTMP” means the document certified by the Secretary of State as the outline construction traffic management plan for the purposes of the Order in accordance with article 39;</i> <i>“outline landscape and ecological management plan OLEMP” means the document certified by the Secretary of State as the outline landscape and ecological management plan for the purposes of this Order in accordance with article 39;</i> <i>“outline operational environmental management plan OEMP” means the document certified by the Secretary of State as the outline operational environmental management plan for the purposes of this Order in accordance with article 39;</i>	Updated at the request of the Planning Inspectorate Section 51 advice dated 30 October 2025.

Article / Paragraph / Schedule	Amendment	Reason
Part 1, Article 9(2), Defence to proceedings in respect of statutory nuisance	Sub-paragraph (2) has been amended as follows: <i>(2) Section 61(9)(1) (prior consent for work on construction sites) of of the Control of Pollution Act 1974 does not apply where the consent relates to the use of premises by the undertaker for the purposes of or in connection with the construction, maintenance or decommissioning of the authorised development.</i>	Updated to correct typographical error identified by the Planning Inspectorate Section 51 advice dated 30 October 2025.
Part 2, Article 11(3), Application of the 1991 Act	Sub-paragraph (3) has been amended as follows: <i>(3) The provisions of the 1991 Act mentioned in paragraph (43) that apply in relation to the carrying out of street works under that Act and any regulations made or code of practice issued or approved under those provisions apply (with all necessary modifications) in relation to—</i> <i>a) the carrying out of works under article 10 (street works); and</i> <i>b) the temporary stopping up, temporary alteration or temporary diversion of a street by the undertaker under article 15 (temporary stopping up of streets and public rights of way);</i> whether or not the carrying out of the works or the <u>temporary stopping up</u> closure , alteration or diversion constitutes street works within the meaning of that Act.	Updated to correct cross-referencing error and to ensure consistency of terminology used in the draft DCO (i.e. “temporary stopping up” as opposed to “closure”).
Part 5, Article 33, Apparatus and rights of statutory undertakers in temporarily closed streets	The title of Article 33 has been amended as follows: <i>Apparatus and rights of statutory undertakers in temporarily <u>stopped up</u> closed streets</i>	Updated to ensure consistency of terminology used in the draft DCO (i.e. “temporary stopping up” as opposed to “closure”).

Article / Paragraph / Schedule	Amendment	Reason
Schedules		
Schedule 1, Authorised development	Schedule 1 has been updated to include a new line between Work No. 10 and the start of the text detailing further associated development (which begins “ <i>In connection with the construction of Work Nos. 1-10 above [...]</i> ”.	This format change is intended to make it clear that Work No. 10 is associated development, not further associated development.
Schedule 2, Part 1, Requirements, Requirement 4	Requirement 4 has been updated as follows: <i>4.—(1) No phase of the authorised development may commence until a landscape and ecological management plan (LEMP) covering that phase which is in substantial accordance with the outline landscape and ecological management plan LEMP to the extent that it is applicable to that phase has been submitted to and approved by the local planning authority.</i> <i>(3) No site preparation works comprising site clearance (including vegetation removal, demolition of existing structures or buildings) are to be commenced until a LEMP covering the site preparation works which is in substantial accordance with the outline landscape and ecological management plan LEMP has been submitted to and approved by the local planning authority. Such LEMP must be implemented as approved.</i>	Updated for consistency with updated definitions at Article 2(1) of the draft DCO.
Schedule 2, Part 1, Requirements, Requirement 5	Requirement 5 has been updated as follows: <i>5.—(1) No phase of the authorised development may commence until a construction environmental management plan (CEMP) for that phase has been submitted to and approved by the local planning authority in consultation with the Environment Agency. Any CEMP submitted for approval must be in substantial accordance with the outline construction environmental management plan CEMP to the extent that it is applicable to that phase.</i> <i>(3) Pre-commencement establishment of construction compounds, preparation of land for construction, construction area fencing and installation of site drainage must only take place in</i>	Updated for consistency with updated definitions at Article 2(1) of the draft DCO.

Article / Paragraph / Schedule	Amendment	Reason
	accordance with a specific plan for such works which substantially accords with the outline construction environmental management plan CEMP to the extent that it is applicable to that phase and which has been submitted to and approved by the local planning authority in consultation with the Environment Agency.	
Schedule 2, Part 1, Requirements, Requirement 8	Requirement 8 has been updated as follows: 8.—(1) No phase of the authorised development may commence until a construction traffic management plan (CTMP) covering that phase and in substantial accordance with the outline construction traffic management plan CTMP to the extent that it is applicable to that phase has been submitted to and approved by the local planning authority in consultation with the relevant highway authority for the highway(s) to which the CTMP for that phase relates.	Updated for consistency with updated definitions at Article 2(1) of the draft DCO.
Schedule 2, Part 1, Requirements, Requirement 9	Requirement 9 has been updated as follows: 9.—(1) Prior to the date of final commissioning for any phase of the authorised development, an operational environmental management plan (OEMP) (which must be in substantial accordance with the outline operational environmental management plan OEMP) for that phase to the extent that it is applicable to that phase has been submitted to and approved by the local planning authority.	Updated for consistency with updated definitions at Article 2(1) of the draft DCO.
Schedule 2, Part 1, Requirements, Requirement 10	Requirement 10 has been updated as follows: 10.—(1) Prior to the commencement of Work No. 2 a battery safety management plan (BSMP) (which must be in substantial accordance with the outline battery safety management plan BSMP to the extent that it is applicable to that phase) must be submitted to and approved by the local planning authority in consultation with Cambridgeshire Fire and Rescue Service. (2) The submitted BSMP must either be in substantial accordance with the outline battery safety management plan BSMP to the extent that it is applicable to that phase or detail such changes as the undertaker considers are required.	Updated for consistency with updated definitions at Article 2(1) of the draft DCO.

Article / Paragraph / Schedule	Amendment	Reason
	<i>(3) In the event that the submitted BSMP proposes changes to the outline battery safety management plan BSMP the local planning authority must not approve the BSMP until it has consulted with Cambridgeshire Fire and Rescue Service.</i>	
Schedule 2, Part 1, Requirements, Requirement 17	Requirement 17 has been updated as follows: <i>17.—(1) Unless otherwise agreed with the local planning authority and subject to sub-paragraph (2), no construction works are to take place except between the hours of—</i> <i>(a) 08:00 to 18:00 Monday to Friday; and</i> <i>(b) 08:00 to 13:00 on Saturday,</i> <i>with no construction works to take place on public holidays or bank holidays.</i>	Updated at the request of the Planning Inspectorate Section 51 advice dated 30 October 2025 to incorporate a restriction on construction works on public holidays and bank holidays.
Schedule 2, Part 1, Requirements, Requirement 18	Requirement 18 has been updated as follows: <i>(4) The undertaker must provide notice to the local planning authority once any part of Work No. 1 the authorised development stops generating electricity for more than 6 months. If, by expiry of the period of 12 continuous months beginning with the date of the notice, and unless otherwise agreed in writing by the undertaker and the relevant local planning authority, that part of the authorised development does not re-generate electricity, then within 3 months the undertaker must submit to the local planning authority for that part (or both local planning authorities where that part falls within both the administrative areas of Bedford Borough Council and Huntingdonshire District Council) for approval a decommissioning environmental management plan and a decommissioning traffic management plan for that part.</i>	Updated to reflect that to reflect that Work No. 10 may not generate electricity with the same consistency as Work No. 1.

Article / Paragraph / Schedule	Amendment	Reason															
Schedule 11, Land of which temporary possession may be taken	The schedule header has been updated as follows: <i>SCHEDULE 1 Article 3029</i>	Updated to correct typographical error identified by the Planning Inspectorate Section 51 advice dated 30 October 2025.															
Schedule 15, Documents to be certified	The schedule header has been updated as follows: <i>SCHEDULE 2 Article 3938</i>	Updated to correct typographical error identified by the Planning Inspectorate Section 51 advice dated 30 October 2025.															
Schedule 15, Documents to be certified	The table at Schedule 15 has been updated as follows: <table> <tr> <td><i>outline battery safety management plan BSMP</i></td><td><i>EN010141/DR/7.10</i></td><td><i>P01</i></td></tr> <tr> <td><i>outline construction environmental management plan CEMP</i></td><td><i>EN010141/DR/7.3</i></td><td><i>P01</i></td></tr> <tr> <td><i>outline construction traffic management plan CTMP</i></td><td><i>EN010141/DR/7.4</i></td><td><i>P01</i></td></tr> <tr> <td><i>outline landscape and ecological management plan LEMP</i></td><td><i>EN010141/DR/7.7</i></td><td><i>P01</i></td></tr> <tr> <td><i>outline operational environmental management plan OEMP</i></td><td><i>EN010141/DR/7.5</i></td><td><i>P01</i></td></tr> </table>	<i>outline battery safety management plan BSMP</i>	<i>EN010141/DR/7.10</i>	<i>P01</i>	<i>outline construction environmental management plan CEMP</i>	<i>EN010141/DR/7.3</i>	<i>P01</i>	<i>outline construction traffic management plan CTMP</i>	<i>EN010141/DR/7.4</i>	<i>P01</i>	<i>outline landscape and ecological management plan LEMP</i>	<i>EN010141/DR/7.7</i>	<i>P01</i>	<i>outline operational environmental management plan OEMP</i>	<i>EN010141/DR/7.5</i>	<i>P01</i>	Updated for consistency with updated definitions at Article 2(1) of the draft DCO.
<i>outline battery safety management plan BSMP</i>	<i>EN010141/DR/7.10</i>	<i>P01</i>															
<i>outline construction environmental management plan CEMP</i>	<i>EN010141/DR/7.3</i>	<i>P01</i>															
<i>outline construction traffic management plan CTMP</i>	<i>EN010141/DR/7.4</i>	<i>P01</i>															
<i>outline landscape and ecological management plan LEMP</i>	<i>EN010141/DR/7.7</i>	<i>P01</i>															
<i>outline operational environmental management plan OEMP</i>	<i>EN010141/DR/7.5</i>	<i>P01</i>															

1.2 Procedural Deadline A

Table 2: Table of amendments to the draft Development Consent Order (Revision P03) for Procedural Deadline A

Article / Paragraph / Schedule	Amendment	Reason
Schedules		
Schedule 9, Land in which only new rights etc. may be acquired	The following plots have been removed from Row 1 of the table: 11-2, 11-6, 11-7, 12-1, 12-2, 12-3, 12-4, 12-5, 12-6, 12-7, 12-8, 12-9, 13-1, 13-2, 13-6, 13-7, 13-8, 13-9, 13-10, 14-8, 14-9, 14-10, 14-11, 14-12, 14-13, 14-15, 14-18, 14-20	These plots have been removed to reflect that voluntary agreements have been progressed. As a result, the Applicant no longer seeks compulsory acquisition powers in respect of these plots.

1.3 Deadline 1

Table 3: table of amendments to the draft Development Consent Order (Revision P04) for Deadline 1

Article / Paragraph / Schedule	Amendment	Reason
Preamble		
Preamble	The third paragraph of the preamble has been updated as follows: <i>The Examining Authority having considered the representations made and not withdrawn and the application together with the accompanying documents, in accordance with section 83(1) H of the 2008 Act, has submitted a report and recommendation to the Secretary of State.</i>	Updated at the request of the Examining Authority at Issue Specified Hearing 1 (“ISH1”) to reflect that the application is being examined by a single appointed person.
Articles		
Part 1, Article 2(1), Interpretation	A new definition for “National Highways” has been added as follows: <i>““National Highways” means National Highways Limited (Company No. 09346363) whose registered office is at Three Snowhill, Snow Hill Queensway, Birmingham, England B4 6GA;”</i>	The updated draft Development Consent Order makes reference to National Highways in requirements 8 and 18. This definition has been added to ensure clarity and to address National Highway’s relevant representation [RR-904].

Article / Paragraph / Schedule	Amendment	Reason
Part 1, Article 2(1), Interpretation	A new definition of “statutory nature conservation body” has been added as follows: <i>““statutory nature conservation body” means the appropriate nature conservation body as defined in regulation 5 of the Conservation of Habitats and Species Regulations 2017);”</i>	The updated draft Development Consent Order makes reference to the statutory nature conservation body in requirements 5, 9 and 18. This definition has been added to ensure clarity as to the relevant body. This definition is consistent with the definition used in the Stonestreet Green Solar Order 2025.
Part 3, Article 16(1), Agreements with street authorities	<i>Sub-paragraph (1)(c) has been amended as follows:</i> <i>“the carrying out in the street of any of the works referred to in article 10(1) (street works), article 12(2) (power to alter layout, etc., of streets) and article 14 (access to works); or”</i>	This amendment has been made to ensure that the undertaker and street authority may enter into agreements relating to article 12(2) (power to alter layout, etc., of streets) of the draft Development Consent Order.

Article / Paragraph / Schedule	Amendment	Reason
Part 3, Article 17(1), Traffic regulation measures	<i>Paragraph (1) has been amended as follows:</i> <i>“Subject to the provisions of this article the undertaker may at any time, in the interests of safety and for the purposes of, or in connection with, the construction of the authorised development—</i> <i>(a) make provision in respect of those lengths of road specified in column 2 of Part 1 of Schedule 8 (traffic regulation measures) imposing the temporary speed limit mentioned in column 3 of that Part of that Schedule; and</i> <i>(b) make provision in respect of those lengths of road specified in column 2 of Part 2 of Schedule 8 (traffic regulation measures) temporarily suspending the weight restriction mentioned in column 3 of that Part of that Schedule; and</i> <i>(c) (b) temporarily place traffic signs and signals in the extents of the road specified in column 2 of Part 2 3 of Schedule 8 (traffic regulation measures) and the placing of those traffic signs and signals is deemed to have been permitted by the traffic authority for the purposes of section 65 of the 1984 Act and the Traffic Signs Regulations and General Directions 2016.”</i>	Cambridgeshire County Council set out in their Relevant Representation (refer to CCC-RR-42 in Table 3 of the Applicant Responses to Relevant Representations [EN010141/DR/8.8]) that the temporary weight restriction is not required, as access to a property or development for access is allowed. The Council requested the weight restriction is removed to avoid the area being opened up to non-construction related heavy vehicles. The Applicant has updated the Traffic Regulation Measures Plan [EN010141/DR/2.5] to reflect this change.
Part 4, Supplemental Powers, Article 18	<i>Article 18 has been updated to include new paragraphs (10) and (11) as follows:</i> <i>“(10) Any application for consent under paragraph (3) or approval under sub-paragraph (4)(a) must include a statement that the provisions of paragraph (9) apply to that application.</i>	To ensure that owners are fully aware of the deemed consent provision at Article 18(9), the Applicant has included additional wording to confirm that

Article / Paragraph / Schedule	Amendment	Reason
	<i>(11) If an application for consent under paragraph (3) or approval under sub-paragraph (4)(a) does not include the statement required under paragraph (10), then the provisions of paragraph (9) will not apply to that application.</i>	Article 18(9) will only apply where the application for consent or approval includes a statement to confirm that this provision applies. The wording added at Article 18(10) and 18(11) is consistent with wording added by the Secretary of State in the Byers Gill Solar Order 2025.
Schedules		
Schedule 2, Part 1, Requirements, Requirement 5	<i>Paragraph (1) of Requirement 5 has been updated as follows:</i> <i>“(1) No phase of the authorised development may commence until a construction environmental management plan (CEMP) for that phase has been submitted to and approved by the local planning authority in consultation with the relevant statutory nature conservation body and Environment Agency. Any CEMP submitted for approval must be in substantial accordance with the outline construction environmental management plan to the extent that it is applicable to that phase.”</i>	The Applicant has updated this requirement to ensure that the relevant statutory nature conservation body is consulted on the final CEMP for each phase of the development. This amendment was prompted by the Examining Authority’s questions at ISH1.

Article / Paragraph / Schedule	Amendment	Reason
Schedule 2, Part 1, Requirements, Requirement 7	<i>Paragraph (1) of Requirement 7 has been updated as follows:</i> <i>“(1) No phase of the authorised development may commence until a soil management plan for that phase has been submitted to and approved by the local planning authority in consultation with Environment Agency and Natural England.”</i>	The Applicant has updated this requirement to ensure that Natural England is consulted on the final soil management plan for each phase in accordance with Natural England’s written submission [AS-023] .
Schedule 2, Part 1, Requirements, Requirement 8	<i>Paragraph (1) of Requirement 8 has been updated as follows:</i> <i>“(1) No phase of the authorised development may commence until a construction traffic management plan (CTMP) covering that phase and in substantial accordance with the outline construction traffic management plan to the extent that it is applicable to that phase has been submitted to and approved by the local planning authority in consultation with the relevant highway authority or authorities for the highway(s) to which the CTMP for that phase relates.”</i>	The Applicant has updated this requirement to ensure that National Highways is consulted on the final CTMP for each phase where relevant in accordance with National Highways’ relevant representation [RR-904] .
Schedule 2, Part 1, Requirements, Requirement 9	<i>Paragraph (1) of Requirement 9 has been updated as follows:</i> <i>“(1) Prior to the date of final commissioning for any phase of the authorised development, an operational environmental management plan (OEMP) (which must be in substantial accordance with the outline operational environmental management plan) for that phase to the extent that it is applicable to that phase has been submitted to and approved by the local planning authority in consultation with the relevant statutory nature conservation body and Environment Agency.”</i>	The Applicant has updated this requirement to ensure that the relevant statutory nature conservation body is consulted on the final OEMP for each phase of the development. This amendment was prompted by the

Article / Paragraph / Schedule	Amendment	Reason
		Examining Authority's questions at ISH1. The Applicant has also added the Environment Agency as a consultee in accordance with the Environment Agency's relevant representation [RR-367].
Schedule 2, Part 1, Requirements, Requirement 10	<i>Paragraph (1) of Requirement 10 has been updated as follows:</i> <i>"(1) Prior to the commencement of Work No. 2 a battery safety management plan (BSMP) (which must be in substantial accordance with the outline battery safety management plan to the extent that it is applicable to that phase) must be submitted to and approved by the local planning authority in consultation with Cambridgeshire Fire and Rescue Service and the Environment Agency."</i>	The Applicant has updated this requirement to ensure that the Environment Agency is consulted on the final BSMP in accordance with the Environment Agency's relevant representation [RR-367].
Schedule 2, Part 1, Requirements, Requirement 14	<i>Paragraph (1) of Requirement 14 has been updated as follows:</i> <i>"(1) No phase of the authorised development may commence until a surface water management plan management plan for that phase has been submitted to and approved by the local planning authority for that phase in consultation with the relevant lead local flood authority and the Environment Agency."</i>	The Applicant has updated this requirement to ensure that the Environment Agency is consulted on the final surface water

Article / Paragraph / Schedule	Amendment	Reason
		management plan for each phase in accordance with the Environment Agency's relevant representation [RR-367].
Schedule 2, Part 1, Requirements, Requirement 18	<i>Paragraph (6) of Requirement 14 has been updated as follows:</i> <i>(6) No decommissioning works may be carried out until the local planning authority or both local planning authorities (as applicable) has/have approved the decommissioning environmental management plan and a decommissioning traffic management plan submitted in relation to such works in consultation with the relevant statutory nature conservation body, Environment Agency and, in respect of the decommissioning traffic management plan only, National Highways.</i>	The Applicant has updated this requirement to ensure that the relevant statutory nature conservation body is consulted on the final decommissioning environmental management plan and decommissioning construction traffic management plan for each phase of the development. This amendment was prompted by the Examining Authority's questions at ISH1. The Applicant has also added National Highways as a consultee in respect of the decommissioning

Article / Paragraph / Schedule	Amendment	Reason			
		traffic management plan in accordance with National Highways' relevant representation [RR-904] .			
Schedule 4, Streets subject to street works	A new column (4) has been added listing the relevant highway authority / authorities in relation to each of the streets referenced in the Schedule.	This amendment has been made at the request of Cambridgeshire County Council in their relevant representation [RR-150] .			
Schedule 6, Part 1, Temporary alteration, prohibition, diversion or restriction of the use of streets and public rights of way	Column (2) of the table has been amended as follows: <table border="1"> <tr> <td><i>Pertenhall</i></td><td><i>Public Right of Way – Pertenhall 29 Bridleway Footpath</i></td><td><i>Temporary management including temporary stopping up over the public right of way comprising a length of 455m between the point marked 1 on sheet 1, and the point marked 2 on sheets 1 and 3 of the streets, public rights of way and access plans.</i></td></tr> </table> "Public Right of Way – Pertenhall 29 Bridleway Footpath"	<i>Pertenhall</i>	<i>Public Right of Way – Pertenhall 29 Bridleway Footpath</i>	<i>Temporary management including temporary stopping up over the public right of way comprising a length of 455m between the point marked 1 on sheet 1, and the point marked 2 on sheets 1 and 3 of the streets, public rights of way and access plans.</i>	Correction of typographic error.
<i>Pertenhall</i>	<i>Public Right of Way – Pertenhall 29 Bridleway Footpath</i>	<i>Temporary management including temporary stopping up over the public right of way comprising a length of 455m between the point marked 1 on sheet 1, and the point marked 2 on sheets 1 and 3 of the streets, public rights of way and access plans.</i>			
Schedule 6, Part 2, Authorising permanent use of	A new row has been added to the table as follows: <table border="1"> <tr> <td><i>Pertenhall</i></td><td><i>Public Right of Way – Pertenhall 2 Footpath</i></td><td><i>Motor vehicles authorised by the undertaker may pass along or cross the length of the public right of</i></td></tr> </table>	<i>Pertenhall</i>	<i>Public Right of Way – Pertenhall 2 Footpath</i>	<i>Motor vehicles authorised by the undertaker may pass along or cross the length of the public right of</i>	This public right of way was incorrectly omitted from the draft
<i>Pertenhall</i>	<i>Public Right of Way – Pertenhall 2 Footpath</i>	<i>Motor vehicles authorised by the undertaker may pass along or cross the length of the public right of</i>			

Article / Paragraph / Schedule	Amendment			Reason
motor vehicles on public rights of way			way between the point marked PMV-1 on sheet 1 and the point marked PMV-2 on sheets 1 and 3 of the streets, public rights of way and access plans shown shaded blue.	Development Consent Order.
Schedule 8, Part 2, Temporary Suspension of Weight Restriction	Part 2 of Schedule 8 has been deleted in its entirety. This means that what was Part 3 of Schedule 2 is now Part 2.			This Schedule has been removed as the temporary suspension of the weight restriction is no longer required. Please see comments above in relation to Article 17 (traffic regulation measures).
Schedule 13, Part 3, Paragraph 18, For the protection of the drainage authorities	The definition of “specified works” at paragraph 18 has been updated as follows: ““specified work” means so much of any work or operation authorised by this Order as is in, on, under, over or within the watercourse 16 metres of a drainage work or is otherwise likely to— (a) affect any drainage work or the volumetric rate of flow of water in or flowing to or from any drainage work; (b) affect the flow, purity, or quality of water in any watercourse; or (c) affect the conservation, distribution or use of water resources.”			This amendment has been made at the request of Cambridgeshire County Council in their relevant representation [RR-150].
Other amendments				

Article / Paragraph / Schedule	Amendment	Reason
Footnotes	The footnotes have been updated throughout the DCO to reflect newly referenced documents, provisions and sources and to remove old ones.	

1.4 Deadline 3

Table 4: table of amendments to the draft Development Consent Order (Revision P05) for Deadline 3

Article / Paragraph / Schedule	Amendment	Reason
Articles		
Part 2, Article 8(1)(a), Disapplication and modification of legislative provisions	Paragraph (1)(a) has been amended as follows: <i>(1) The following provisions do not apply in relation to the construction of any work or the carrying out of any operation required for the purpose of, or in connection with, the construction, operation, maintenance or decommissioning of any part of the authorised development—</i> (a) — regulation 12 (requirement for environmental permit) of the Environmental Permitting (England and Wales) Regulations 2016() in respect of a flood risk activity only; (b)(a) <i>section 23 (prohibition on obstructions etc. in watercourses) of the Land Drainage Act 1991(b);</i> (c)(b) <i>section 32(c) (variation of awards) of the Land Drainage Act 1991;</i> (d)(c) <i>the provisions of any byelaws made under section 66(d) (powers to make byelaws) of the Land Drainage Act 1991;</i> (e)(d) <i>the provisions of any byelaws made under, or having effect as if made under, paragraphs 5, 6 or 6A of Schedule 25 (byelaw-making powers of the authority) to the Water Resources Act 1991(e); and</i> (f)(e) <i>the legislation listed in Schedule 3 (legislation to be disapplied) in so far as the provisions still in force are incompatible with the powers contained within this Order; and</i> (g)(f) <i>in so far as they relate to the temporary possession of land, the provisions of the Neighbourhood Planning Act 2017(a).</i>	As a result of further discussions between the Applicant and the Environment Agency, the Applicant has agreed to remove the disapplication of Regulation 12 (requirement for an environmental permit) of the Environmental Permitting (England and Wales) Regulations 2016 from the draft DCO. Please see the Environment Agency's comments on responses to RRs [REP2-053] for reference.

Article / Paragraph / Schedule	Amendment	Reason
Part 3, Article 12(4), Power to alter layout, etc., of streets;	Paragraph (4) has been amended as follows: <i>(4) The powers conferred by paragraph (2) may not be exercised without the consent of the street authority, but such consent is not to be unreasonably withheld or delayed.</i>	The Applicant has made this amendment to avoid duplication as there is already a blanket provision to the same effect under Article 44 of the draft DCO. This amendment was prompted by the Examining Authority's first written questions.
Part 2, Article 14(2), Access to works	Paragraph (2) has been amended as follows: (1) (2) If a local planning authority fails to notify the undertaker of its decision within 28 days of receiving an application under paragraph (1)(c) or refuses approval without giving any grounds for its refusal that highway local planning authority is deemed to have granted approval.	Article 14(2) has been updated to refer to the highway authority rather than the local planning authority, given that it is the local planning authority that would be subject to the deemed approval mechanism.
Part 3, Article 17(4)(b), Traffic regulation measures	Paragraph (4)(b) has been amended as follows: <i>(4) Before exercising the power conferred by paragraph (2) the undertaker must—</i> <i>(a) consult with the chief officer of police in whose area the road is situated; and</i> <i>(b) obtain the written consent of the traffic authority, which consent must not be unreasonably withheld.</i>	The Applicant has made this amendment to avoid duplication as there is already a blanket provision to the same effect under Article 44 of the draft DCO. This amendment was prompted by the

Article / Paragraph / Schedule	Amendment	Reason
		Examining Authority's first written questions.
Part 4, Articles 18(3) and 18(4)(a), Supplemental Powers	Paragraphs (3) and (4)(a) have been amended as follows: <i>(3) The undertaker must not discharge any water into any watercourse, public sewer or drain except with the consent of the person to whom it belongs; and such consent may be given subject to such terms and conditions as that person may reasonably impose, but must not be unreasonably withheld.</i> <i>(4) The undertaker must not carry out any works to or make any opening into any public sewer or drain pursuant to paragraph (1) except—</i> <i>(a) in accordance with plans approved by the person to whom the sewer or drain belongs, but such approval must not be unreasonably withheld or delayed; and</i>	The Applicant has made this amendment to avoid duplication as there is already a blanket provision to the same effect under Article 44 of the draft DCO. This amendment was prompted by the Examining Authority's first written questions.
Part 4, Article 20(4)(c), Authority to survey and investigate the land	Paragraph (4)(c) has been amended as follows: <i>(4) No trial holes are to be made under this article—</i> <i>(a) in land held by or in right of the Crown without the consent of the Crown;</i> <i>(b) in land located within the highway boundary without the consent of the relevant highway authority; or</i> <i>(c) in a private street without the consent of the street authority, but such consent must not be unreasonably withheld.</i>	The Applicant has made this amendment to avoid duplication as there is already a blanket provision to the same effect under Article 44 of the draft DCO. This amendment was prompted by the Examining Authority's first written questions.

Article / Paragraph / Schedule	Amendment	Reason
Part 5, Article 23(3), Compulsory acquisition of Rights	Paragraph (3) has been amended as follows: <i>(3) Subject to section 8 (other provisions as to divided land) and Schedule 2A (counter-notice requiring purchase of land) of the 1965 Act (as substituted by paragraph 11 of Schedule 7 10 (modification of compensation and compulsory purchase enactments for the creation of new rights and imposition of new restrictive covenants), where the undertaker creates or acquires an existing right over land or the benefit of a restrictive covenant under paragraph (1) or (2), the undertaker is not required to acquire a greater interest in that land.</i>	Correction of error in referencing.
Part 3, Article 30(4), Temporary use of land for carrying out the authorised development	Paragraph (4) has been amended as follows: <i>(1) The undertaker must not remain in possession of any land under this article for longer than reasonably necessary and in any event must may not, without the agreement of the owners of the land, remain in possession of any land under this article after the end of the period of one year beginning with the date of final commissioning completion of the part of the authorised development for which temporary possession of the land was taken unless the undertaker has, before by the end of that period, served a notice of entry under section 11 (powers of entry) of the 1965 Act or made a declaration under section 4 (execution of declaration) of the 1981 Act in relation to that land.</i>	Updated Article 30(4) to include the wording of Stonestreet Green Solar as requested by the Planning Inspectorate.
Schedules		
Schedule 2, Part 1, Requirements, Requirement 3	Requirement 3 has been amended as follows: <i>3.—(1) No phase of the authorised development may commence until details of—</i> <i>(a) the layout;</i> <i>(b) scale;</i>	Requirement 3 has been updated to include lighting in the list of details that must be approved by the local planning authority prior to commencement of

Article / Paragraph / Schedule	Amendment	Reason
	(c) <i>proposed finished ground levels;</i> (d) <i>fencing;</i> (e) <i>external appearance; and</i> (f) <i>vehicular access, parking and circulation areas; and</i> (g) <i>lighting,</i> <i>relating to that phase have been submitted to and approved in writing by the local planning authority.</i>	each phase of the authorised development.
Schedule 2, Part 1, Requirements, Requirement 14	Requirement 14 has been amended as follows: <i>(1) No phase of the authorised development may commence until a surface water management plan management plan for that phase has been submitted to and approved by the local planning authority for that phase in consultation with the relevant lead local flood authority and the Environment Agency.</i> <i>(2) The surface water management plan management plan must be in substantial accordance with the outline surface water management plan management plan to the extent that it is applicable to that phase.</i> <i>(3) The surface water management plan management plan must be implemented as approved for each phase unless otherwise agreed with the local planning authority in consultation with the relevant lead local flood authority.</i>	Correction of typographical errors.
Schedule 2, Part 1, Requirements, Requirement 15(1)	Requirement 15(1) has been amended as follows:	Requirement 15(1) has been updated to ensure that Historic England is

Article / Paragraph / Schedule	Amendment	Reason
	<i>(1) No phase within the authorised development, and no part of the site preparation works for that phase, may commence until an archaeological written scheme of investigation (WSI) for that phase has been submitted to and approved by the local planning authority in consultation with the county archaeologist and Historic England.</i>	consulted in relation to the archaeological written scheme of investigation.
Schedule 2, Part 1, Requirements, Requirement 16(1)	Requirement 16(1) has been amended as follows: <i>(1) No phase within the authorised development may commence operation until a heritage enhancement strategy for that phase has been submitted to and approved by the local planning authority in consultation with the county archaeologist and Historic England. The heritage enhancement strategy must be in substantial accordance with the outline heritage enhancement strategy to the extent that it is applicable to that phase.</i>	Requirement 16(1) has been updated to ensure that Historic England is consulted in relation to the heritage enhancement strategy.
Schedule 2, Part 1, Requirements, Requirement 18	Requirement 18(3) has been amended as follows: <i>(3) Decommissioning must commence no later than 40 years following the date of final commissioning that is the subject of the last notice given by the undertaker pursuant to requirement 2(34).</i>	Correction of cross-referencing error.
Schedule 2, Part 1, Requirements, Requirement 18	Requirement 18(6) has been amended as follows: <i>(6) No decommissioning works may be carried out until the local planning authority or both local planning authorities (as applicable) has/have approved the decommissioning environmental</i>	Requirement 18(6) has been updated to ensure that the relevant highway authority (or authorities as appropriate) are consulted

Article / Paragraph / Schedule	Amendment	Reason				
	<i>management plan and a decommissioning traffic management plan submitted in relation to such works in consultation with the relevant statutory nature conservation body, Environment Agency and, in respect of the decommissioning traffic management plan only, the relevant highway authority (or authorities as appropriate) and National Highways.</i>	on the decommissioning traffic management plan.				
Schedule 4, Streets subject to street works	The table at Schedule 4 has been updated as follows: <table><tr><td><i>Little Staughton</i></td><td><i>Public Right of Way – Little Staughton 8 Footpath</i></td><td><i>Cable works beneath the width of the street as shown with reference SW14 on sheets 4, 5 and sheet 6 of the street works, public rights of way and access plans</i></td><td><i>Bedford Borough Council</i></td></tr></table>	<i>Little Staughton</i>	<i>Public Right of Way – Little Staughton 8 Footpath</i>	<i>Cable works beneath the width of the street as shown with reference SW14 on sheets 4, 5 and sheet 6 of the street works, public rights of way and access plans</i>	<i>Bedford Borough Council</i>	Updated to ensure alignment with the street works, public rights of way and access plans.
<i>Little Staughton</i>	<i>Public Right of Way – Little Staughton 8 Footpath</i>	<i>Cable works beneath the width of the street as shown with reference SW14 on sheets 4, 5 and sheet 6 of the street works, public rights of way and access plans</i>	<i>Bedford Borough Council</i>			
Schedule 5, Part 1, Permanent alteration of layout	The table at Part 1 of Schedule 5 has been updated as follows: <table><tr><td><i>Little Staughton</i></td><td><i>Green End</i></td><td><i>Works for the provision of a permanent means of access shown shaded orange on sheets 5 and 6 of the street works, public rights of</i></td></tr></table>	<i>Little Staughton</i>	<i>Green End</i>	<i>Works for the provision of a permanent means of access shown shaded orange on sheets 5 and 6 of the street works, public rights of</i>	Updated to ensure alignment with the street works, public rights of way and access plans.	
<i>Little Staughton</i>	<i>Green End</i>	<i>Works for the provision of a permanent means of access shown shaded orange on sheets 5 and 6 of the street works, public rights of</i>				

Article / Paragraph / Schedule	Amendment			Reason			
			way and access plans, reference AS-4				
Schedule 6, Part 2, Authorising permanent use of motor vehicles on public rights of way	The table at Part 2 of Schedule 6 has been updated as follows: <table><tr><td>Bolnhurst and Keysoe</td><td>Public Right of Way – Bolnhurst and Keysoe 37 Bridleway</td><td>Motor vehicles authorised by the undertaker may pass along or cross the length of the public right of way between the point marked PMV-4 on sheet 3, and the point marked PMV-54 on sheet 2 of the streets, public rights of way and access plans shown shaded blue.</td></tr></table>			Bolnhurst and Keysoe	Public Right of Way – Bolnhurst and Keysoe 37 Bridleway	Motor vehicles authorised by the undertaker may pass along or cross the length of the public right of way between the point marked PMV-4 on sheet 3, and the point marked PMV-54 on sheet 2 of the streets, public rights of way and access plans shown shaded blue.	Updated to ensure alignment with the street works, public rights of way and access plans.
Bolnhurst and Keysoe	Public Right of Way – Bolnhurst and Keysoe 37 Bridleway	Motor vehicles authorised by the undertaker may pass along or cross the length of the public right of way between the point marked PMV-4 on sheet 3, and the point marked PMV-54 on sheet 2 of the streets, public rights of way and access plans shown shaded blue.					
Schedule 7, Part 1, Provision of permanent means of access	The table at Part 1 of Schedule 7 has been replaced with the following: <table><tr><td>(1) Area</td><td>(2) Street</td><td>(3) Description of means of access</td></tr></table>			(1) Area	(2) Street	(3) Description of means of access	This table has been replaced as the original table incorrectly duplicated Part 2 of Schedule 6. The updated table is in
(1) Area	(2) Street	(3) Description of means of access					

Article / Paragraph / Schedule	Amendment			Reason
	<i>Pertenhall</i>	<i>B660 Kimbolton Road</i>	<i>Provision of a permanent means of access to the authorised development between points marked A2-1 and A2-2 on sheet 3 of the street works, public rights of way and access plans</i>	alignment with the street works, public rights of way and access plans.
	<i>Little Staughton</i>	<i>Great Staughton Road</i>	<i>Provision of a permanent means of access to the authorised development between points marked A3-1 and A3-2, A4-1 and A4-2, A5-1 and A5-2, and A6-1 and A6-2 on sheet 5 of the street works, public rights of way and access plans</i>	
	<i>Little Staughton</i>	<i>Green End</i>	<i>Provision of a permanent means of access to the authorised development between points marked A7-1 and A7-2, and A8-1 and A8-2 on sheets 5 and 6 of the street works, public rights of way and access plans</i>	
	<i>Little Staughton</i>	<i>Green End</i>	<i>Provision of a permanent means of access to the authorised development between points marked A9-1 and A9-2 on sheet 6 of the street works, public rights of way and access plans</i>	
	<i>Little Staughton</i>	<i>Spring Hill Road</i>	<i>Provision of a permanent means of access to the authorised development between points marked A10-1 and A10-2 on sheets 5 and 7 of the street works, public rights of way and access plans</i>	
	<i>Hail Weston</i>	<i>B645</i>	<i>Provision of a permanent means of access to the authorised development between points marked A16-1 and A16-2 on sheet 10 of the street works, public rights of way and access plans</i>	
Schedule 8, Part 1, Temporary speed limits	The table at Part 1 of Schedule 8 has been updated as follows:			Updated to ensure alignment with the street

Article / Paragraph / Schedule	Amendment			Reason
	Great Staughton	Moor Road From its junction with the access road leading to Roman Field Cottage (reference TSL5-A) for a distance of 145 metres in a generally northerly direction (to reference TSL5-B) and coloured green on sheets 8, and 9 and 10 of the traffic regulations plans	30 miles per hour	works, public rights of way and access plans.
Schedule 9, Land in which only new rights etc may be acquired	The table at Schedule 9 has been updated to remove reference to plots 7,8, 7-9, 7-10 and 7-11.			These plots have been removed to reflect that voluntary agreements have been progressed. As a result, the Applicant no longer seeks compulsory acquisition powers in respect of these plots.
Schedule 13, Part 4, For the Protection of the Environment Agency	Part 4 of Schedule 13 has been deleted in its entirety. Cross-references in Part 5 of Schedule 13 have been updated accordingly.			As a result of further discussions between the Applicant and the Environment Agency, the Applicant has agreed to remove the protective

Article / Paragraph / Schedule	Amendment	Reason
		provisions at Part 4 of Schedule 13 from the draft DCO. Please see the Environment Agency's comments on responses to RRs [REP2-053] for reference.
Other amendments		
Amendment made throughout the DCO	The phrase “temporary stopping up” and similar phrases have been replaced with “temporary closure” and similar phrases throughout the draft DCO.	Updated to align with Secretary of State preference as to terminology. This amendment was prompted by the Examining Authority’s first written questions.
Amendment made throughout the DCO	The term “land and crown land plans” has been replaced with the term “land plan” throughout the draft DCO.	The legal representative for the Secretary of State for Transport has confirmed there is no need for Crown Consent with references to Crown land being removed from the land plans. The draft DCO has been updated to

Article / Paragraph / Schedule	Amendment	Reason
		reflect the changed to the name of the document.

1.5 Deadline 5

Table 5: table of amendments to the draft Development Consent Order (Revision P06) for Deadline 5

Article / Paragraph / Schedule	Amendment	Reason
Articles		
Part 1, Article 2(1), Interpretation	The definition of “local planning authority” has been updated as follows: <i>“local planning authority” means the local planning authority (as defined in section 336 of the 1990 Act) for the area to which the provision relates or, where the provision relates to a part that falls within the administrative areas of multiple local planning authorities, each of the relevant local planning authorities”</i>	This update has been made based on discussions between the Applicant and the Host Authorities. The amendment is intended to clarify that the term “local planning authority” may refer to more than one local planning authority where appropriate.
Part 1, Article 2(1), Interpretation	The definition of “outline archaeological mitigation strategy” has been updated as follows: <i>“outline archaeological mitigation strategy” means the plan document of that name identified in the table at Schedule 15 and certified by the Secretary of State as the outline archaeological mitigation strategy for the purposes of this Order in accordance with article 39”</i>	This update has been made based on discussions between the Applicant and the Host Authorities. The amendment is intended to clarify that the management plan is named in Schedule 15 of the draft Order.

Article / Paragraph / Schedule	Amendment	Reason
		The term “plan” has also been replaced with the word “document” for consistency between the various outline management plan definitions.
Part 1, Article 2(1), Interpretation	The definition of “outline battery safety management plan” has been updated as follows: <i>“outline battery safety management plan” means the plan document of that name identified in the table at Schedule 15 and certified by the Secretary of State as the outline battery safety management plan for the purposes of this Order in accordance with article 39”</i>	As above.
Part 1, Article 2(1), Interpretation	The definition of “outline construction environmental management plan” has been updated as follows: <i>“outline construction environmental management plan” means the document of that name identified in the table at Schedule 15 and certified by the Secretary of State as the outline construction environmental management plan for the purposes of this Order in accordance with article 39”</i>	As above.
Part 1, Article 2(1), Interpretation	The definition of “outline construction traffic management plan” has been updated as follows: <i>“outline construction traffic management plan” means the document of that name identified in the table at Schedule 15 and certified by the Secretary of State as the outline construction traffic management plan for the purposes of the Order in accordance with article 39”</i>	As above.

Article / Paragraph / Schedule	Amendment	Reason
Part 1, Article 2(1), Interpretation	The definition of “outline decommissioning environmental management plan” has been updated as follows: <i>“outline decommissioning environmental management plan” means the document of that name identified in the table at Schedule 15 and certified by the Secretary of State as the decommissioning environmental management plan for the purposes of this Order in accordance with article 39”</i>	As above.
Part 1, Article 2(1), Interpretation	The definition of “outline heritage enhancement strategy” has been updated as follows: <i>“outline heritage enhancement strategy” means the document of that name identified in the table at Schedule 15 and certified by the Secretary of State as the outline heritage enhancement strategy for the purposes of the Order in accordance with article 39”</i>	As above.
Part 1, Article 2(1), Interpretation	The definition of “outline landscape and ecological management plan” has been updated as follows: <i>“outline landscape and ecological management plan” means the document of that name identified in the table at Schedule 15 and certified by the Secretary of State as the outline landscape and ecological management plan for the purposes of this Order in accordance with article 39”</i>	As above.
Part 1, Article 2(1), Interpretation	The definition of “outline operational environmental management plan” has been updated as follows:	As above.

Article / Paragraph / Schedule	Amendment	Reason
	<i>“outline operational environmental management plan” means the document of that name identified in the table at Schedule 15 and certified by the Secretary of State as the outline operational environmental management plan for the purposes of this Order in accordance with article 39”</i>	
Part 1, Article 2(1), Interpretation	The definition of “outline public rights of way management plan” has been updated as follows: <i>“outline public rights of way management plan” means the plan document of that name identified in the table at Schedule 15 and certified by the Secretary of State as the outline public rights of way management plan for the purposes of this Order in accordance with article 39”</i>	As above.
Part 1, Article 2(1), Interpretation	The definition of “outline skills, supply chain and employment” has been updated as follows: <i>“outline skills, supply chain and employment plan” means the document of that name identified in the table at Schedule 15 and certified by the Secretary of State as the outline skills, supply chain and employment plan for the purposes of this Order in accordance with article 39”</i>	As above.
Part 1, Article 2(1), Interpretation	The definition of “outline soil management plan” has been updated as follows: <i>“outline soil management plan” means the plan document of that name identified in the table at Schedule 15 and certified by the Secretary of State as the outline soil management plan for the purposes of this Order in accordance with article 39”</i>	As above.
Part 1, Article 2(1), Interpretation	The definition of “outline surface water management plan” has been updated as follows:	As above.

Article / Paragraph / Schedule	Amendment	Reason
	<i>“outline surface water management plan” means the plan document of that name identified in the table at Schedule 15 and certified by the Secretary of State as the outline surface water management plan for the purposes of this Order in accordance with article 39”</i>	
Part 1, Article 2(1), Interpretation	The definition of “outline waste management plan” has been updated as follows: <i>“outline waste management plan” means the plan document of that name identified in the table at Schedule 15 and certified by the Secretary of State as the outline waste management plan for the purposes of this Order in accordance with article 39”</i>	As above.
Part 2, Article 3(2) and (3), Development consent etc. granted by this Order	Article 3 has been updated to include new paragraph (3) as follows: <i>(2) Any enactment applying to land within or adjacent to the Order limits has effect subject to the provisions of this Order.</i> <i>(2)(3) Each numbered work must be situated within the corresponding numbered area shown on the works plan.</i>	This update has been made based on discussions between the Applicant and the Host Authorities. The amendment was requested by the Host Authorities and creates an express requirement that works are carried out within the corresponding numbered areas shown in the works plan.
Schedules		

Article / Paragraph / Schedule	Amendment	Reason
Schedule 1, Authorised development	Schedule 1 has been updated as follows: Work No. 4 - a 400 kV electrical cable connection from the East Park Substation Work No. 3 to the Eaton Socon Substation comprising— (a) a 400 kV electrical circuit; (b) fibre optic cables; (c) protective plates; (d) cable jointing chambers; and (e) temporary access and laydown areas.	This update has been made based on discussions between the Applicant and the Host Authorities. The amendment is intended to clarify that Work No. 4 will connect Work No. 3 to the Eaton Socon national grid Substation.
Schedule 2, Part 1, Requirements, Requirement 3	Requirement 3(1) and (2) has been amended as follows: 3.—(1) No phase of the authorised development may commence until details of— (a) the layout; (b) scale; (c) proposed finished ground levels; (e)(d) hard surface materials; (d)(e) fencing; (e)(f) external appearance; (f)(g) vehicular access, parking and circulation areas; and (h) lighting; (i) drainage, water, power and communications cables and pipelines; and (g)(j) how the design of that phase has taken account of predicted noise and vibration effects and mitigation proposed,	These updates have been made based on discussions between the Applicant and the Host Authorities. The amendment to sub-paragraph (1) expands the number of details that must be submitted to and approved by the local planning authorities at detailed design under requirement 3. In respect of paragraph (2), the term “substantial” has been deleted to require that the details

Article / Paragraph / Schedule	Amendment	Reason
	relating to that phase have been submitted to and approved in writing by the local planning authority. (2) The details submitted must be in substantial accordance with the design parameters and principles statement unless it can be demonstrated to the satisfaction of the local planning authority that the subject matter of the approval sought would not give rise to any materially new or materially different environmental effects in comparison with those reported in the environmental statement.	submitted to the local planning authorities accord with the design parameters and principles statement unless ter of the approval sought would not give rise to any materially new or materially different environmental effects in comparison with those reported in the environmental statement.
Schedule 2, Part 1, Requirements, Requirement 6	Requirement 6(3) has been amended as follows: (3) Each phase of the authorised development must be carried out in accordance with the approved waste management plan for that phase and maintained in accordance with the approved plan throughout the relevant phase of the authorised development to which the plan relates.	This amendment has been made based on Q2.5.0.1 of the Examining Authority's Second Written Questions [PD-009] and is intended to clarify that the authorised development must be maintained in accordance with the approved waste management plan throughout any phases covered by the plan. While Q2.5.0.1 related to requirement 7 specifically, the Applicant considers that the same logic would apply to requirement 6 and

Article / Paragraph / Schedule	Amendment	Reason
		has made this amendment accordingly.
Schedule 2, Part 1, Requirements, Requirement 7	Requirement 7(3) has been amended as follows: (3) Each phase of the authorised development must be carried out in accordance with the approved soil management plan for that phase and maintained in accordance with the approved plan throughout the relevant phase of the authorised development to which the plan relates.	This amendment has been made based on Q2.5.0.1 of the Examining Authority's Second Written Questions [PD-009] and is intended to clarify that the authorised development must be maintained in accordance with the approved soil management plan throughout any phases covered by the plan.
Schedule 2, Part 1, Requirements, Requirement 11	Requirement 11(2) has been amended as follows: (2) The public rights of way management plan must be implemented as approved and maintained throughout the relevant phase of the authorised development to which the plan relates unless otherwise agreed with the local planning authority in consultation with the relevant highway authority.	This amendment has been made based on Q2.5.0.2 of the Examining Authority's Second Written Questions [PD-009] and is intended to clarify that the public rights of way management plan should be maintained throughout any phases covered by the plan.

Article / Paragraph / Schedule	Amendment	Reason
		While Q2.5.0.2 related to requirement 14 specifically, the Applicant considers that the same logic would apply to requirement 11 and has made this amendment accordingly.
Schedule 2, Part 1, Requirements, Requirement 14	Requirement 14(3) has been amended as follows: (3) The surface water management plan must be implemented as approved for each phase and maintained for each phase of the authorised development to which the plan relates unless otherwise agreed with the local planning authority in consultation with the relevant lead local flood authority.	This amendment has been made based on Q2.5.0.2 of the Examining Authority's Second Written Questions [PD-009] and is intended to clarify that the surface water management plan should be maintained throughout any phases covered by the plan.
Schedule 3, Legislation to be disapplied	Schedule 3 has been amended as follows: 1. The following provisions do not apply in so far as they relate to the construction of any numbered work or the carrying out of any operation required for the purpose of, or in connection with, the construction, operation, maintenance or decommissioning of the authorised development and so far as the provisions still in force are incompatible with the powers contained within this Order— (a) — Bedford Level Act 1663(-);	The Applicant, following further investigation and analysis, has refined the list of legislation included in Schedule 3, which are to be disapplied under Article 8(1)(e) of the draft Order.

Article / Paragraph / Schedule	Amendment	Reason
	(b) — Hundred Foot River and Ouse: Bedford Level Act 1756(-); (c) — Bedford Level: Drainage Act 1757(-); (d) — Isle of Ely, Suffolk, Norfolk Drainage Act 1759(-); (e) — Bedford Level Act 1789(-); (f) — Bedford Level (Cam, Ouse and Mildenhall Rivers) Drainage Act 1800(-); (g) — Bedford Level (Mildenhall River) Drainage Act 1807(-); (h) — Isle of Ely (Mildenhall River) Drainage Act 1807(-); (i) — Bedford Level Drainage and Ouse Navigation Act 1819(-); (j) — Fen Drainage Act 1823(-); (k) — Bedford Level Drainage Act 1827(-); (l) — Norfolk Drainage Act 1834(-); (m) — Burwell Drainage and Lodes Navigation Act 1841(-); (n) — Fen Lands Drainage Act 1843(-); (o) — South Level and Eau Brink Act 1893(-); (p) — Canal Tolls and Charges (Burwell Fen &c.) Order Confirmation Act 1896(-); (a) River Great Ouse (Flood Protection) Act 1949(a); (q) (b) Great Ouse Water Act 1961(b); (r) (c) Ely Ouse-Essex Water Act 1968(c); and (s) Anglian Water Authority Act 1977(d); and (t) (d) Swaffham Internal Drainage Board Byelaws.	The Applicant has removed a range of local legislation, which is not considered to be likely to impact the Scheme due to the geographical extent of this legislation. The Applicant has added the Great Ouse Water Act 1961 (the “Act”) to the list of legislation at Schedule 3 following further investigation. The Act authorises works to be carried out relating to Grafham Water and in the surrounding areas. This includes the construction of a pumping station and other water infrastructure around St Neots, Great Staughton and the rural area in the vicinity of the authorised development. The Applicant has therefore sought to disapply the Act to avoid the risk that it interferes with the implementation of the Order.

Article / Paragraph / Schedule	Amendment	Reason						
Schedule 9, Land in which only new rights etc. may be required	Schedule 9 has been amended as follows: (b) install, use, support, protect, inspect, alter, remove, replace, refurbish, reconstruct, retain, renew, improve and maintain security fencing, gates, boundary treatment, public rights of way and any other ancillary apparatus and any other works as necessary;	This update has been made based on discussions between the Applicant and the Host Authorities. The amendment is intended to clarify that the Applicant will not be granted the power to install new public rights of way.						
Schedule 9, Land in which only new rights etc. may be required	The following plot in Column (1) of the table has been removed: <table border="1"> <thead> <tr> <th><i>(1) Plot number(s)</i></th><th><i>(2) Work No.</i></th><th><i>(3) Purpose for which rights may be acquired and restrictive covenants imposed</i></th></tr> </thead> <tbody> <tr> <td>11-2, 12-5, 12-6, 12-7, 12-8, 12-9, 13-1, 13-2, 13-6, 13-7, 13-8, 13-9, 13-10, 14-8, 14-9, 14-10, 14-11, 14-12, 14-13, 14-15, 14-18, 14-20</td><td>4</td><td>cable rights</td></tr> </tbody> </table>	<i>(1) Plot number(s)</i>	<i>(2) Work No.</i>	<i>(3) Purpose for which rights may be acquired and restrictive covenants imposed</i>	11-2, 12-5, 12-6, 12-7, 12-8, 12-9, 13-1, 13-2, 13-6, 13-7, 13-8, 13-9, 13-10, 14-8 , 14-9, 14-10, 14-11, 14-12, 14-13, 14-15, 14-18, 14-20	4	cable rights	The Applicant has completed an option agreement with the landowner of plot 14-8 and as a result the compulsory acquisition of this plot is no longer sought.
<i>(1) Plot number(s)</i>	<i>(2) Work No.</i>	<i>(3) Purpose for which rights may be acquired and restrictive covenants imposed</i>						
11-2, 12-5, 12-6, 12-7, 12-8, 12-9, 13-1, 13-2, 13-6, 13-7, 13-8, 13-9, 13-10, 14-8 , 14-9, 14-10, 14-11, 14-12, 14-13, 14-15, 14-18, 14-20	4	cable rights						
Schedule 13, Part 4, For the protection of national gas transmission PLC as gas undertaker	The Protection Provisions for National Gas have been replaced with the Applicant's updated preferred protective provisions.	The Applicant has updated the protective provisions at Part 4 of Schedule 13 to reflect the Applicants preferred protective						

Article / Paragraph / Schedule	Amendment	Reason
		provisions as appended to the Applicant's response to the Deadline 3 submission made by National Gas Transmission [REP4-115]. The paragraph numbering in the preferred protective provisions has been updated where appropriate.
Other amendments		
Footnotes	The footnotes have been updated throughout the DCO to reflect newly referenced provisions where appropriate.	

1.6 Deadline 6

Table 6: table of amendments to the draft Development Consent Order (Revision P07) for Deadline 6

Article / Paragraph / Schedule	Amendment	Reason
Articles		
Part 1, Article 2(1), Interpretation	A new definition of “Anglian Water” has been added as follows: <i>“Anglian Water” means Anglian Water Services Limited (company registration number 02366656) whose registered office is at Lancaster House Lancaster Way, Ermine Business Park, Huntingdon, Cambridgeshire, United Kingdom, PE29 6XU”</i>	This update has been made following the addition of protective provisions for Anglian Water Services Limited at Part 5 of Schedule 13 (protective provisions) to reduce duplication and ensure a consistent definition is used throughout the Order.
Part 1, Article 2(1), Interpretation	A new definition of “National Grid Electricity Transmission PLC” has been added as follows: <i>“National Grid Electricity Transmission Plc” means National Grid Electricity Transmission Plc (Company Number. 2366977) whose registered office is at 1-3 Strand, London, WC2N 5EH or any successor as a licence holder within the meaning of Part 1 of the 1989 Act;”</i>	This update has been made to reduce duplication in anticipation of the addition of protective provisions for National Grid Electricity Transmission PLC in Schedule 13 (protective provisions), which are expected to be included at Deadline 7.

Article / Paragraph / Schedule	Amendment	Reason
Part 2, Article 5(3)(c) and (d), Consent to transfer benefit of Order	Article 5(3)(c) and (d) have been updated as follows: <i>“(c) the transfer or grant is made to National Grid Electricity Transmission PLC (company registration number 02366977) whose registered office is at 1–3 Strand, London, WC2N 5EH for the purposes of undertaking Work No. 4 and/or 5;</i> <i>(d) the transfer or grant is made to Anglian Water Services Limited (company registration number 02366656) whose registered office is at Lancaster House Lancaster Way, Ermine Business Park, Huntingdon, Cambridgeshire, United Kingdom, PE29 6XU for the purposes of undertaking Work No. 6; or”</i>	This update has been made to make use of the new definitions of “National Grid Electricity Transmission PLC” and “Anglian Water” included in Article 2(1) to reduce duplication.
Article 15 (Temporary closure of streets and public rights of way)	Article 15(3)(b) has been updated as follows: <i>“(b) the streets or public rights of way specified in column 2 of the table in Part 2 (authorising permanent use of motor vehicles on public rights of way) of Schedule 6 to the extent specified in column 3 of that table.”</i>	The word “permanent” has been removed to better reflect that the authorisation of the use of motor vehicles on PRoW is limited to the duration of the Scheme.
Schedules		
Schedule 1, Authorised development	Part (c) of the list of further associated development at the end of Schedule 1 has been updated as follows: <i>“(c) such other works as may be necessary or expedient for the purposes of or in connection with the relevant part of the authorised development insofar as they will not are unlikely to give</i>	This update has been made based on discussions between the Applicant and the Host Authorities. The amendment is intended to ensure that further

Article / Paragraph / Schedule	Amendment	Reason
	rise to any materially new or materially different environmental effects from those assessed in the environmental statement.”	associated development does not result in any materially new or materially different environmental effects from those assessed in the environmental statement.
Schedule 2, Part 1, Requirements, Requirement 10	Requirement 10 has been updated as follows. “10.—(1) Prior to the commencement of Work No. 2 a battery safety management plan (BSMP) (which must be in substantial accordance with the outline battery safety management plan to the extent that it is applicable to that phase) must be submitted to and approved by the local planning authority in consultation with Cambridgeshire Fire and Rescue Service and the Environment Agency. (2) The submitted BSMP must either be in substantial accordance with the outline battery safety management plan to the extent that it is applicable to that phase or detail such changes as the undertaker considers are required. (3) In the event that the submitted BSMP proposes changes to the outline battery safety management plan the local planning authority must not approve the BSMP until it has consulted with Cambridgeshire Fire and Rescue Service. (4) (3) The BSMP must be implemented as approved and maintained throughout the construction, maintenance, operation and decommissioning of the authorised development.”	This update has been made to make the requirement more clear and avoid duplication. The text in brackets in requirement 10(1) has been removed as this is substantively covered in paragraph (2). Paragraph (3) has been deleted in its entirety as the requirement to consult Cambridgeshire Fire and Rescue Service and the Environment Agency on the final BSMP is covered by Requirement 10(1).
Schedule 2, Part 1, Requirements, Requirement 14	Requirement 14(1) has been updated as follows:	This update has been made to accommodate the request made by Anglian Water Services Limited in

Article / Paragraph / Schedule	Amendment	Reason
	<i>“14.—(1) No phase of the authorised development may commence until a surface water management plan for that phase has been submitted to and approved by the local planning authority for that phase in consultation with the relevant lead local flood authority, Anglian Water and the Environment Agency.”</i>	their Deadline 5 representation [REP5-029] which requested that Anglian Water is consulted on the final surface water management plan.
Schedule 2, Part 1, Requirements, Requirement 18	Requirement 18 has been updated as follows: <i>“(1) Unless otherwise agreed with the local planning authority, no later than 12 months prior to the date the undertaker intends to decommission any part of the authorised development, the undertaker must notify the local planning authority of the intended date of decommissioning for that part of the authorised development and Within 3 months of the date that the undertaker decides to decommission any part of the solar farm works and grid connection works before the 40th anniversary of the date of final commissioning of the each phase of Work No. 1 as notified by the undertaker pursuant to requirement 2 (phases of authorised development and date of final commissioning), the undertaker must submit a decommissioning environmental management plan and a decommissioning traffic management plan for that part to the local planning authority for approval.</i> (2) The plans must be submitted to the local planning authority for that part (or both local planning authorities where that part falls within both administrative areas of Bedford Borough Council and Huntingdonshire District Council) for approval. <i>(2) Decommissioning of each phase must commence no later than 40 years following the date of final commissioning of that phase as notified that is the subject of the last notice given by the undertaker pursuant to requirement 2(4).</i> (4) The undertaker must provide notice to the local planning authority once any part of Work No. 1 stops generating electricity for more than 6 months. If, by expiry of the period of 12 continuous months beginning with the date of the notice, and unless otherwise agreed in writing by the undertaker and the relevant local planning authority, that part of the authorised development does not re-generate electricity, then within 3 months the undertaker must submit to the local planning	The update to the timescales listed in sub-paragraph (1) have been made based on discussions between the Applicant and the Host Authorities. The need to submit plans to the local planning authority has been incorporated into sub-paragraph (1) to provide more efficient drafting, allowing the removal of what was sub-paragraph (2). This change can be made as the definition of “local planning authority” can include both local planning authorities where appropriate. The amendments to what is now sub-paragraph (2) have been made based on

Article / Paragraph / Schedule	Amendment	Reason
	authority for that part (or both local planning authorities where that part falls within both the administrative areas of Bedford Borough Council and Huntingdonshire District Council) for approval a decommissioning environmental management plan and a decommissioning traffic management plan for that part. (3) (5) The decommissioning environmental management plan submitted and approved must be in substantial accordance with the relevant part of the outline decommissioning environmental management plan. (4) (6) No decommissioning works may be carried out until the local planning authority or both local planning authorities (as applicable) has/have approved the decommissioning environmental management plan and a decommissioning traffic management plan submitted in relation to such works in consultation with the relevant statutory nature conservation body, the Environment Agency and, in respect of the decommissioning traffic management plan only, the relevant highway authority (or authorities as appropriate) and National Highways. (5) (7) The decommissioning environmental management plan and decommissioning traffic management plan must be implemented as approved. (6) (8) This requirement is without prejudice to any other consents or permissions which may be required to decommission any part of the authorised development.	discussions between the Applicant and the Host Authorities. The amendments to sub-paragraph (2) are intended to ensure that each phase of the development is decommissioning 40 years after that specific phase completed final commissioning. The Applicant had originally included what was previously sub-paragraph (4) of its own volition. On review of the draft DCO the Applicant considers that this provision would not be appropriate for critical national priority infrastructure such as the Scheme, which could otherwise be unnecessarily curtailed by the provision, which does not take account of a potential force majeure situation.

Article / Paragraph / Schedule	Amendment	Reason
Schedule 6, Part 2, Authorising Use of Motor Vehicles on Public Rights of Way	The title to Part 2 of Schedule 6 has been updated as follows: <i>"AUTHORISING PERMANENT USE OF MOTOR VEHICLES ON PUBLIC RIGHTS OF WAY"</i> Each entry in column (3) (measures) of the table at Part 2 of Schedule 6 has been updated to as follows: <i>"Motor vehicles authorised by the undertaker for the purposes of constructing or maintaining the authorised development may [...]"</i>	The word "permanent" has been removed to better reflect that the authorisation of the use of motor vehicles on PRow is limited to the duration of the Scheme. The additional text in column (3) (measures) of each entry has been added to provide certainty that the authorisation of the use of motor vehicles on PRow must be linked to the purposes of constructing or maintaining the authorised development.
Schedule 13, Part 4, For the protection of National Gas Transmission PLC as gas undertaker	Minor amendments to correct grammatical errors / cross-referencing errors.	Minor amendments to correct grammatical errors / cross-referencing errors.
Schedule 13, Part 5, For the protection of Anglian Water Services Limited	The Applicant's preferred protective provision for Anglian Water Services Limited have been incorporated at Part 5 of Schedule 13.	The Applicant has incorporated bespoke protective provisions for Anglian Water Services Limited, which are

Article / Paragraph / Schedule	Amendment	Reason
		understood by the Applicant to be agreed.
Other amendments		
Multiple provisions across the draft DCO	Minor amendments to correct typographical errors or inconsistencies in the defined terms used across Articles 2 and 5 and Requirements 7 (soil management plan), 9 (operational environmental management plan), Parts 1 and 2 of Schedule 6, Part 2 of Schedule 7 and Parts 1 and 2 of Schedule 8.	Minor amendments to correct typographical errors or inconsistencies in the defined terms used.

1.7 Deadline 8

Table 7: table of amendments to the draft Development Consent Order (Revision P08) for Deadline 8

Article / Paragraph / Schedule	Amendment	Reason
Articles		
Part 1, Article 2(1), Interpretation	New definitions have been added for the terms “bridleway”, “carriageway” and “footpath” and “footway” have been added as follows: <i>““bridleway” has the same meaning as in section 329(1) of the 1980 Act”</i> <i>““carriageway” has the same meaning as in section 329(1) of the 1980 Act”</i> <i>““footpath” and “footway” have the same meaning as in section 329(1) of the 1980 Act”</i>	This update has been made based on discussions between the Applicant and Bedford Borough Council and ensure that terms used in the Order are clearly linked to the appropriate definitions in the Highways Act 1980.
Part 1, Article 2(1), Interpretation	The defined term “hedgerows plan” has been amended to “hedgerow plan” to ensure that the definition aligns with the title of the certified document. The updated term has been implemented throughout the Order.	Amended to ensure consistency between the Order and the relevant certified document.
Part 1, Article 2(1), Interpretation	The defined term “street works, public rights of way and access plans” has been amended to “street works, rights of way and access plan” to ensure that the definition aligns with the title of the certified document. The updated term has been implemented throughout the Order.	Amended to ensure consistency between the Order and the relevant certified document.

Article / Paragraph / Schedule	Amendment	Reason
Part 1, Article 2(1), Interpretation	The definition of ‘subsidiary’ was removed from Article 2(1), interpretation: “‘subsidiary’ has the same meaning as in section 1159 (meaning of “subsidiary” etc) of the Companies Act 2006(d)”	This definition has been removed as the term is not used in the Order.
Part 1, Article 2(1), Interpretation	The definition of “undertaker” has been updated as follows: <i>“means BSSL Cambsbed 1 Ltd (company number 13941201) whose registered office is at Lamplighter Works - Third Floor, 49 - 51 Farringdon Road, London, United Kingdom, EC1M 3JB 16 Stratford Place, London, England, W1C 1BF,”</i>	This definition has been updated to reflect the undertaker’s registered office as recorded at Companies House since this has changed.
Part 2, Article 5(3)(a), Consent to transfer benefit of Order	Article 5(3)(a) has been amended as follows: <i>“(a) the transferee or lessee is the holder of a licence under section 6 (licences authorising supply etc.) of the 1989 Act; or”</i>	Updated to correct typographical error.
Part 2, Article 9(1), Defence to proceedings in respect of statutory nuisance	Article 9(1) has been amended as follows: <i>“Where proceedings are brought under section 82(1) (summary proceedings by a person aggrieved by statutory nuisance) of the Environmental Protection Act 1990(a) in relation to a nuisance falling within paragraph (a), (d), (e), (fb)(b), (g) and (ga)(c) of section 79(1) of that Act (statutory nuisances and inspections therefor noise emitted from premises so as to be prejudicial to health or a nuisance) no order is to be made, and no fine is to be imposed, under section 82(2)(d) of that Act if the defendant shows that the nuisance”</i>	This update has been made to reflect that the defence at Article 9(1) applies to a wider array of statutory nuisances than noise alone. The new reference reflects the title of section 79 of the Environmental

Article / Paragraph / Schedule	Amendment	Reason
		protection Act 1990 and does not alter the effect of the Article. Minor changes to the punctuation have also been made.
Part 3, Article 11(4), Application of the 1991 Act	Article 11 (4)(a) and (b) has been amended as follows: <i>“(4) The provisions of the 1991 Act(b) are—</i> <i>(a) subject to paragraph (5), section 54 (advance notice of certain works);</i> <i>(b) subject to paragraph (54), section 55 (notice of starting date of works);</i> <i>...</i> <i>(m) section 77 (liability for cost of use of alternative route); and</i> <i>(n) all provisions of that Act that apply for the purposes of the provisions referred to in sub-paragraphs (a) to (gm).”</i>	This clause has been updated to reflect that it is Article 11(5) that alters the interpretation of both section 54 and section 55 of the 1991 Act. This corrects a typographical error and is intended to provide further clarity. The update to Article 11(5)(n) is intended to correct a typographical error and ensure that all sections referenced in Article 11(4) (i.e. paragraphs 4(a) to 4(m) are captured by the provision. Minor changes to the punctuation have also been made.

Article / Paragraph / Schedule	Amendment	Reason
Part 4, Article 20(6), Authority to survey and investigate the land	Article 20(6) has been updated as follows: “(6) If either a highway authority or a street authority which receives an application for consent fails to notify the undertaker of its decision within 28 days of receiving the application for consent— (a) under paragraph (4)(ba) in the case of a highway authority; or (b) under paragraph (4)(cb) in the case of a street authority”	Updated to correct cross-referencing error.
Part 4, Article 22(1)(b), Time limit for exercise of authority to acquire land compulsorily	Article 22 (1)(b): has been updated as follows: “(b) no declaration is to be executed under section 4 (execution of declaration) of the 1981 Act as applied by article 24 25 (application of the 1981 Act).”	Updated to correct cross-referencing error.
Part 4, Article 26(1), Acquisition of subsoil only	Article 26(1) has been amended as follows: “26.—(1) The undertaker may acquire compulsorily so much of, or such rights in, the subsoil of the land referred to in paragraph (1) of article 21 (compulsory acquisition of land) or article 23 (compulsory acquisition of rights) as may be required for any purpose for which that land may be acquired under that provision instead of acquiring the whole of the land”	Amended to correct typographical error as Article 21 is not divided into paragraphs.
Part 7, Article 42(1), Tress subject to tree preservation orders	Article 26(1) has been amended as follows: “42.—(1) The undertaker may fell or lop any tree within or overhanging land within the Order limits which is subject to a tree preservation order or cut back its roots, if it reasonably believes it to be necessary to do so in order to prevent the tree from obstructing or interfering with the construction, operation, or maintenance or decommissioning of the authorised development or any apparatus used in connection with the authorised development.”	This update has been made to ensure that Article 42 applies to decommissioning. This brings the power in line with that of Article 41 (felling or lopping of trees or removal of hedgerows).

Article / Paragraph / Schedule	Amendment	Reason
Part 7, Article 47(2), Crown Rights	Article 47(2) has been amended as follows: <i>“(2) Paragraph (1) does not apply to the exercise of any right under this Order for the compulsory acquisition of an interest in any Crown land (as defined in the 2008 Act) which is for the time being held otherwise than by or on behalf of the Crown.”</i>	Amended to correct typographical error.
Schedules		
Schedule 1, Authorised Development	The definition of ‘solar PV module’ has been amended as follows: <i>“solar PV module” means a solar photovoltaic panel or module designed to convert solar irradiance to electrical energy fitted to a mounted mounting structure”</i>	Correction of a typographical error to reflect that the defined term is “mounting structure”.
Schedule 1, Authorised Development, Work No. 1	Paragraph (d) of Work No. 1 has been updated as follows: <i>“(d) switchgears”</i>	Correction of a typographical error to reflect that the defined term is “switchgear”.
Schedule 1, Authorised Development, Work No. 2	Paragraph (b) of Work No. 2 has been updated as follows: <i>“(b) battery transformers and switchgears”</i>	Correction of a typographical error to reflect that the defined term is “switchgear”.
Schedule 1, Authorised Development, Work No. 8	Paragraph (f) of Work No. 8 has been updated as follows: <i>“(f) improvement, maintenance, repair and use of existing streets and private tracks;”</i>	Correction of a minor grammatical error with the addition of a comma.

Article / Paragraph / Schedule	Amendment	Reason
Schedule 1, Authorised Development, Further Associated Development	Paragraph (b)(xii) of the list of further associated development has been updated as follows: <i>“(xii) site establishments and preparation works including site clearance (including vegetation removal, demolition of existing buildings and structures), earthworks (including soil stripping and storage and site levelling) and excavations, the alteration of the position of services and utilities and works for the protection of buildings and land;”</i>	Correction of a minor typographical error to ensure reference to “structures”.
Schedule 2, Part 1, Requirements, Requirement 2	Requirement 2(4) has been updated as follows: <i>“(4) Notice of the date of final commissioning for each phase of Work No. 1 that completes commissioning must be given to the local planning authority within 15 working days of the date of final commissioning for that phase.”</i>	This update has been made to avoid inconsistency with, and duplication of, the defined term “date of final commissioning” (see Article 2(1)). The defined term “date of final commissioning” makes it clear that the date will not be triggered until the relevant element of Work No. 1 has commenced operation by commencing electricity on a commercial basis and would not include the generation of electricity during commissioning and testing.

Article / Paragraph / Schedule	Amendment	Reason
		It is not considered that this amendment would materially change the interpretation of Requirement 2.
Schedule 2, Part 1, Requirements, Requirement 9	Requirement 9(1) has been updated as follows: <i>“9.—(1) Prior to the date of final commissioning for any phase of the authorised development, an operational environmental management plan (OEMP) (which must be in substantial accordance with the outline operational environmental management plan) for that phase to the extent that it is applicable to that phase must be has been submitted to and approved by the local planning authority in consultation with the relevant statutory nature conservation body and the Environment Agency.”</i>	This update has been made to express the obligation to submit the OEMP in positive terms and avoid any doubt.
Schedule 2, Part 1, Requirements, Requirement 14	Requirement 14(1) has been updated as follows: <i>“14.—(1) No phase of the authorised development may commence until a surface water management plan for that phase has been submitted to and approved by the local planning authority for that phase in consultation with the relevant lead local flood authority, Anglian Water and the Environment Agency.”</i>	This update has been made as the term “for that phase” had been incorrectly duplicated. The definition of “local planning authority” ensures that the relevant local planning authority (or authorities if appropriate) would be consulted on the plan.
Schedule 2, Part 1, Requirements, Requirements 15(1)	Requirement 15(1) has been updated as follows: <i>“No phase within of the authorised development [...]</i>”	This update has been made to ensure consistent terminology across the requirements

Article / Paragraph / Schedule	Amendment	Reason
		of the DCO, where the phrase “No phase of” is more commonly used.
Schedule 2, Part 1, Requirements, Requirements 16(1)	Requirement 16(1) has been updated as follows: “No phase within of the authorised development [...]”	This update has been made to ensure consistent terminology across the requirements of the DCO, where the phrase “No phase of” is more commonly used.
Schedule 2, Part 1, Requirements, Requirements 17(4)	Requirement 17(4) has been updated as follows: “(4) Save for emergency works, works under sub-paragraph (2) must be carried out in accordance with the approved scheme CTMP for that phase”	This update has been made to provide clarification as the term “scheme” is otherwise undefined. Reference has been made to the CTMP (as secured by Requirement 8) given that the oCTMP prevents out of hours HGV movements unless in an emergency or with prior LHA consent (see paragraph 4.1.5 of the oCTMP).

Article / Paragraph / Schedule	Amendment	Reason
Schedule 2, Part 1, Requirements, Requirement 25	Requirement 25(2) and (3) has been updated as follows: “(2) If the relevant authority considers that further information is necessary and the requirement concerned does not specify that consultation with a consultee is required, the relevant authority must, within ten business working days of receipt of the application, notify the undertaker in writing specifying the further information required. (3) If the requirement concerned specifies that consultation with a consultee is required, the relevant authority must issue the application to the consultee within five working business days of receipt of the application, and notify the undertaker in writing specifying any further information requested by the consultee within five working business days of receipt of such a request.”	This update has been made to use the defined term “working days” rather than the undefined “business days”, which is not used elsewhere in the Order.
Schedule 2, Part 1, Requirements, Requirement 26	Requirement 26(2)(d) and (e) and (5) has been updated as follows: “(d) the relevant authority and any consultee (if applicable) must submit their written representations together with any other representations to the appointed person in respect of the appeal within ten working business days of the start date specified by the appointed person and must ensure that copies of their written representations and any other representations as sent to the appointed person are sent to each other and to the applicant on the day on which they are submitted to the appointed person; (e) the applicant must make any counter-submissions to the appointed person within ten working business days of receipt of written representations pursuant to sub-paragraph (d) above; and ... (5) Any further information required pursuant to sub-paragraph (4) must be provided by the party from whom the information is sought to the appointed person and to the other appeal parties by the date specified by the appointed person. The appointed person must notify the appeal parties of the revised timetable for the appeal on or before that day. The revised timetable for the appeal must require submission of written representations to the appointed person within ten working	As above. This amendment ensures consistency in the terminology used throughout the Order.

Article / Paragraph / Schedule	Amendment	Reason
	business days of the date specified by the appointed person, but must otherwise be in accordance with the process and time limits set out in sub-paragraphs (2)(d) to (f)."	
Schedule 9, Land in which only new rights etc. may be acquired	The definition of 'solar PV rights' in paragraph 1 has been amended as follows: "solar PV rights" means rights over land to install, use, support, protect, inspect, alter, remove, replace, retain, renew, improve and maintain a ground mounted solar photovoltaic generating station including solar PV modules and mounting structures, inverters, transformers, switchgears, electrical and communication cables, and all associated infrastructure, services and works."	This update has been made to correct a typographical error and make it clear that the rights apply over land, which ensures consistency with the other rights detailed in Schedule 9.
Schedule 10, Modification of compensation and compulsory purchase enactments for the creation of new rights and imposition of new restrictive covenants	Paragraph 2(2) and 3(2) has been updated as follows: "(2) In section 44(1) (compensation for injurious affection), as it applies to compensation for injurious affection under section 7 (measure of compensation in case of severance) of the 1965 Act as substituted by paragraph 56— ... 3.—(1) Without limitation on the scope of paragraph 1, the 1961 Act has effect subject to the modifications set out in sub-paragraph (2). (2) For section 5A(5A) (relevant valuation date) of the 1961 Act, substitute— "(5A) If— (a) the acquiring authority enters on land for the purpose of exercising a right in pursuance of a notice of entry under section 11(1) of the 1965 Act (as modified by paragraph 40-8 of Schedule 10 to the East Park Energy Order 202[●]);	Updated to correct cross-referencing errors.

Article / Paragraph / Schedule	Amendment	Reason
	(b) the acquiring authority is subsequently required by a determination under paragraph 12 of Schedule 2A to the 1965 Act (as substituted by paragraph 11 of Schedule 10 to the East Park Energy Order 202[●]) to acquire an interest in the land; and"	
Schedule 10, Modification of compensation and compulsory purchase enactments for the creation of new rights and imposition of new restrictive covenants	Paragraph 11 has been amended as follows: “(2) But see article 26(3) (acquisition of subsoil only) of the East Park Energy Order 202[●] which excludes the acquisition of subsoil only from this Schedule”	Amended to correct typographical error.
Schedule 13, Part 5, For the protection of National Gas Transmission Plc as Gas Undertaker	Paragraph 33(3) has been updated as follows: (3) Save where otherwise agreed in writing between National Gas and the undertaker the undertaker and National Gas agree that where there is any inconsistency or duplication between the provisions set out in this Part of this Schedule relating to the relocation and/or removal of apparatus /(including but not limited to the payment of costs and expenses relating to such relocation and/or removal of apparatus) and the provisions of any existing easement, rights, agreements and licences granted, used, enjoyed or exercised by National Gas and/or other enactments relied upon by National Gas as of right or other use in relation to the apparatus, then the provisions in this Schedule shall prevail.	Amended to correct typographical error.
Schedule 13, Part 6, For the protection of National Grid Electricity	The Applicant has inserted bespoke protective provision for National Grid Electricity Transmission PLC as electricity undertaker at Part 6 of Schedule 13.	The Applicant has incorporated bespoke protective provisions for National Grid Electricity

Article / Paragraph / Schedule	Amendment	Reason
Transmission PLC as Electricity Undertaker		Transmission PLC, which have been agreed between the parties.
Schedule 15, Documents to be certified	The table at Schedule 15 has been updated to include the latest revisions of all documents to be certified.	Updated to ensure that the latest certified documents will be certified by the Secretary of State.
Other amendments		
Footnotes	The footnotes have been updated throughout the DCO as required by National Archives Statutory Instrument drafting guidelines.	
Multiple amendments across the draft DCO	Other minor amendments to correct issues such as typographical errors, grammatical errors, formatting, cross-referencing errors, ensure consistency and use of defined terms and other amendments to reflect National Archives Statutory Instrument drafting guidelines where these amendments are not set out separately above. These amendments have not been detailed in full in this document as it is not considered proportionate to do so.	