



Fosse Green Energy

EN010154

9.7 Schedule of Changes to the Draft DCO (Clean)

VOLUME

9

Planning Act 2008 (as amended)

Regulation 5(2)(q)

Infrastructure Planning (Examination Procedure)

Rules 2010

09 June 2026

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The Infrastructure Planning (Examination Procedure) Rules 2010

Fosse Green Energy Development Consent Order 202[]

9.7 Schedule of Changes to the Draft DCO

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Rev 1	24 March 2026	Deadline 1
Rev 2	06 February 2026	Deadline 2
Rev 3	24 March 2026	Deadline 3A
Rev 4	12 May 2026	Deadline 5A
Rev 5	09 June 2026	Deadline 7

1. Schedule of Changes to the draft Development Consent Order [EN010154/APP/3.1]

- 1.1 The following table has been prepared by Fosse Green Energy Limited (the Applicant) to set out the changes made to the draft Development Consent Order from that submitted with the application to the Planning Inspectorate on 18 July 2025. The table below does not detail minor changes in relation to typographical errors and updates in cross-referencing.

Table 1.1. Schedule of Changes to the draft Development Consent Order

Reference	Change	Reason for Change	Deadline
Article 2 (Interpretation)	Article 2(1) "date of final commissioning" means in respect of each part of the authorised development the date on which each part of the authorised development commences operation by generating electricity on a commercial basis but excluding the generation of electricity during commissioning and testing;	Amendment made to provide clarity with regards to the date of decommissioning in relation to Requirement 20 (Decommissioning) of Schedule 2. Consequential amendments have also been made to Articles 29 and 30, Requirements 5, 9, 13 and 17 and paragraph 18 of Part 3 of Schedule 14.	Deadline 2

Article 2 (Interpretation)	"holding company" has the same meaning as in section 1159 of the Companies Act 2006(b); "subsidiary" has the same meaning as in section 1159 of the Companies Act 2006(d);	The Applicant reviewed the draft Order and noted that neither "holding company" nor "subsidiary" are used. The Applicant has therefore deleted these definitions from Article 2.	Deadline 3A
Article 2 (Interpretation)	"Permitted preliminary works" means all or any of— (a) environmental surveys, geotechnical surveys, intrusive archaeological surveys and other investigations for the purpose of assessing ground conditions; (b) removal of plant and machinery; (c) above ground site preparation for temporary facilities for the use of contractors; (d) <u>the temporary display of site notices or advertisements;</u> (e) <u>site clearance (including vegetation removal, demolition of existing buildings and structures);</u> (f) <u>geotechnical surveys and other investigations for the purpose of assessing ground conditions;</u> (d)(g) remedial work in respect of any contamination or other adverse ground conditions; (e)(h) diversion of existing apparatus and laying of temporary apparatus; (f)(i) the provision of temporary means of enclosure and site security for construction; <u>or</u> (g)—the temporary display of site notices or advertisements; (h)—site clearance (including vegetation removal, demolition of existing buildings and structures); or (i)(j) advanced planting to allow for early establishment of protective screening;	Amendment to re-order the definition of permitted preliminary works so they are grouped into non-intrusive ((a)-(e)) and intrusive ((f)-(j)) works. This is to make cross referencing in the requirements easier.	Deadline 3A

Article 2 (Interpretation)	Insert a new definition <u>"permitted preliminary works environmental management plan" means the document of that name identified in the table at Schedule 12 (documents and plans to be certified) and which is certified by the Secretary of State as the permitted preliminary works environmental management plan for the purposes of this Order;</u>	The Applicant has inserted a new definition for "permitted preliminary works environmental management plan" in line with updates proposed at Deadline 3.	Deadline 3A
Article 2 (Interpretation)	"commissioning" means the process of testing all systems and components of Work No. 1, <u>Work No. 4, Work No. 5A, Work No. 5B and Work No. 6</u> in order to ensure that they, and the authorised development as a whole, function in accordance with plant design specifications and the undertaker's operational and safety requirements;	Amendment made to address the Examining Authority's written question DCO.3.02 [PD-021].	Deadline 5A
Article 2 (Interpretation)	Insert a new definition <u>"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;</u>	The Applicant has inserted a new definition for "National Grid Electricity Transmission Plc" and subsequently removed the same definition from Part 8 of Schedule 14 in line with the Examining Authority's Schedule of Proposed Changes to the draft DCO [PD-022].	Deadline 5A
Article 2 (Interpretation)	"permitted preliminary works" means all or any of— (a) environmental surveys; (b) removal of plant and machinery; (c) above ground site preparation for temporary facilities for the use of contractors;	The definition of "permitted preliminary works" has been amended to ensure that the undertaker	Deadline 5A

	(d) the temporary display of site notices or advertisements; (e) site clearance (including vegetation removal, demolition of existing buildings and structures); (f) geotechnical surveys and other investigations for the purpose of assessing ground conditions; (g) remedial work in respect of any contamination or other adverse ground conditions; (h) diversion of existing apparatus and laying of temporary apparatus; (i) the provision of temporary means of enclosure and site security for construction; or (j) advanced planting to allow for early establishment of protective screening; <u>and</u> <u>(k) restoration works in accordance with paragraph 3.14.1 of the permitted preliminary works environmental management plan;</u>	has the necessary powers to carry out restoration works should the permitted preliminary works be undertaken on an abortive basis, as set out in the Permitted Preliminary Works Environmental Management Plan [REP5-026].
Article 2 (Interpretation)	Insert a new definition <u>"index" means the Consumer Price Index published by the Office for National Statistics or any official publication substituted for it or any replacement or modification of such index in force from time to time;</u>	Insertion of additional definitions required as a result of the insertion of Article 48. Deadline 7
Article 2 (Interpretation)	Insert a new definition <u>"index linked" means increased in accordance with the following formula:</u> <u>Amount payable = the amount specified in Article 48(1) multiplied by (A/B) where:</u> <u>A = the figure for the Index that applied when it was last published prior to the date the payment is due; and</u> <u>B = the figure for the Index that applied when it was last published prior to the date of this Order coming into force;</u>	Insertion of additional definitions required as a result of the insertion of Article 48. Deadline 7
Article 6 (Application and modification of statutory provisions)	Article 6(1)"(e) regulation 12 (requirement for environmental permit) of the Environmental Permitting (England and Wales) Regulations 2016(e) in respect of a flood risk activity only;"	This wording has been removed as the Applicant has now agreed with the Environment Agency Deadline 1

		that it will not be seeking to disapply the requirement to obtain an environmental permit under Regulation 12 of the Environmental Permitting (England and Wales) Regulations 2016.
Article 17 (Discharge of water)	Article 17(8) "If a person who receives an application for consent or approval fails to notify the undertaker of a decision within 28 days of receiving an application for consent under paragraph (3) or approval under paragraph (4)(a) that person is deemed to have granted consent <u>or</u> given approval, as the case may be."	Correction of a minor typographical error. Deadline 2
Article 40 (Trees subject to tree preservation orders)	Article 40(1) "The undertaker may fell or lop any tree within or overhanging land within the Order limits subject to a tree preservation order which was made after the <u>30 June 2025</u> if the undertaker reasonably believes it to be necessary to do so to prevent the tree or shrub—"	The placeholder in this Article has been removed and the 30 June 2025 inserted. The provision is intended to deal with any TPOs which have been made since the submission of the application for development consent. This approach mirrors that of the Springwell Solar Farm (EN010149). Deadline 2

Article 40 (Trees subject to tree preservation orders)	Article 40(1) "The undertaker may fell or lop any tree within or overhanging land within the Order limits subject to a tree preservation order which was made after 10 April 30 June 2025 if the undertaker reasonably believes it to be necessary to do so to prevent the tree or shrub—"	Amendment of the date to refer to 10 April 2025 which is the date when the statutory designation searches were undertaken, as set out in Section 5.2.1 of the Arboricultural Impact Assessment Report [APP-155] .	Deadline 3A
Article 40 (Trees subject to tree preservation orders)	Article 40(1) "The undertaker may fell or lop any tree within or overhanging land within the Order limits subject to a tree preservation order which was made after 18 July 10 April 2025 if the undertaker reasonably believes it to be necessary to do so to prevent the tree or shrub—"	Amendment made in line with the Examining Authority's Schedule of Proposed Changes to the draft DCO [PD-022] .	Deadline 5A
Article 40 (Trees subject to tree preservation orders)	Article 40(1)(c) "the undertaker must give consult the relevant planning authority <u>14 days' notice</u> prior to that activity taking place <u>except in relation to dead or dangerous trees, where only 5 days' notice is required.</u> "	Amendment made in response to submissions from North Kesteven District Council.	Deadline 2
Article 47 (Guarantees in respect of payment of compensation)	Article 47(2) "(2) The provisions are— (a) article 19 (compulsory acquisition of land); (b) article 22 (compulsory acquisition of rights); (c) article 23 (private rights); (c) (d) <u>article 26 (power to override easements and other rights);</u> ."	Amendment made to address a comment from NKDC as compensation is payable under Article 26(4).	Deadline 2
Article 48 (Funding contribution)	Insert a new article <u>Funding Contribution</u>	Insertion of a new article to secure the provision of funding as agreed with NKDC in	Deadline 7

	<u>48.—(1) Prior to the date of final commissioning of the authorised development, the undertaker must make a funding contribution to North Kesteven District Council in the sum of £12,586.73.</u> <u>(2) North Kesteven District Council is to allocate the funding contribution referred to in paragraph (1) to officer time, materials or other measures including the provision of PDF maps and the installation of wayfinding signage in relation to the alteration of its existing Stepping Out Walks in Thorpe on the Hill and Morton and Tunman Wood and the provision of new Stepping Out Walks from Witham St Hughs to Aubourn and from Hykeham to Aubourn.</u> <u>(3) The amount payable to North Kesteven District Council under paragraph (1) is exclusive of VAT.</u> <u>(4) If any VAT is chargeable on any supply made by North Kesteven District Council under paragraph (2), the undertaker shall pay the amount equal to that VAT to North Kesteven District Council as additional consideration on receipt of a valid VAT invoice.</u> <u>(5) The amount payable to North Kesteven District Council under paragraph (1) is to be Index Linked.</u>	respect of the Stepping Out Walks.
Schedule 1 (Authorised development) paragraph 2 (Authorised development)	" Work No. 5A — works to lay <u>underground</u> high voltage electrical cables, access and temporary construction compound laydown areas for the electrical cables, to connect to the National Grid Navenby substation including—"	Amendment made to address the Examining Authority's written question DCO.1.13 [PD-011].
Schedule 1 (Authorised development) paragraph 2 (Authorised development)	" Work No. 6 — works to lay <u>underground</u> electrical cables up to 33 kV connecting Work No. 1 to Work No. 2 or Work No. 3 and Work No. 4 <u>including—</u> "	Amendment made to address the Examining Authority's written question DCO.1.13 [PD-011].

Schedule 1 (Authorised development) paragraph 2 (Authorised development)	Paragraph 2, "In connection with and in addition to Work Nos. 1 to 9 further associated development within the Order limits comprising such other works or operations as may be necessary or expedient for the purposes of or in connection with the authorised development and insofar as they do not give rise to any materially new or materially different environmental effects from those assessed in the environmental statement, including— (a) fencing, gates, boundary treatments and other means of enclosure; (b) bunds, embankments, trenching and swales; (c) works, improvements or extensions to the existing drainage and irrigation system and works to alter the position and extent of such irrigation system; (d) irrigation infrastructure, surface water drainage systems, runoff outfalls, SuDs Ponds, storm water attenuation systems including storage basins, oil water separators, including channelling and culverting and works to existing drainage networks; (e) electrical, gas, water, foul water drainage and telecommunications infrastructure connections, diversions and works to, and works to alter the position of, such services and utilities connections; (f) works to alter the course of, or otherwise interfere with, non-navigable rivers, streams or watercourses; (g) works for the provision of security and monitoring measures such as CCTV columns, lighting columns and lighting, cameras, lightning protection masts, weather stations, storage containers, communication infrastructure, and perimeter fencing; (h) improvement, maintenance, repair and use of existing streets, private tracks and access roads; (i) laying down, maintenance and repair of new internal access tracks, ramps, means of access, footpaths, permissive paths, cycle routes and roads, signage and information boards; (j) temporary footpath diversions and closures; (k) landscaping; (l) temporary storage of materials prior to installation;	This text has been removed as it duplicates the provision at the start of the list of associated development.	Deadline 2
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	(m) 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; and (n) tunnelling, boring and drilling works. and further associated development comprising such other works or operations as may be necessary or expedient for the purposes of or in connection with the construction, operation and maintenance of the authorised development which are within the Order limits and fall within the scope of work assessed in the environmental statement."	
Schedule 1 (Authorised development) paragraph 2 (Authorised development)	"In connection with and in addition to Work Nos. 1 to 9 further associated development within the Order limits comprising such other works or operations as may be necessary or expedient for the purposes of or in connection with the authorised development and insofar as they do not give rise to any materially new or materially different environmental effects from those assessed in the environmental statement, including— ... (f) works to alter the course of, or otherwise interfere with, non-navigable rivers, streams or watercourses;"	Amended to remove a Deadline 3A work type not required for the purposes of the Proposed Development.
Schedule 1 (Authorised development) paragraph 2 (Authorised development)	"In connection with and in addition to Work Nos. 1 to 9 further associated development within the Order limits comprising such other works or operations as may be necessary or expedient for the purposes of or in connection with the authorised development and insofar as they do not give rise to any materially new or materially different environmental effects from those assessed in the environmental statement, including— ... (m) 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; <u>and restoration works in accordance</u>	This wording has been amended in line with the amended definition of "permitted preliminary works" to ensure that the undertaker has the necessary powers to carry out restoration works should the permitted preliminary works be undertaken

	with paragraph 3.14.1 of the permitted preliminary works environmental management plan; and...	on an abortive basis, as set out in the Permitted Preliminary Works Environmental Management Plan [REP5-026] .	
Schedule 2 (Requirements), 1 (Interpretation)	"date of final commissioning" means in respect of each part of the authorised development the date on which each part of the authorised development commences operation by generating electricity on a commercial basis but excluding the generation of electricity during commissioning and testing."	This wording has been removed as it duplicates the definition at Article 2.	Deadline 2
Schedule 2 (Requirements), 1 (Interpretation)	Insert a new definition "part" means a part of the authorised development as set out in the written scheme submitted to the relevant planning authority and Lincolnshire County Council pursuant to requirement 6(7)	In line with discussions during ISH3, the Applicant has inserted a new definition for "part" for the purposes of Schedule 2 to provide clarity in the interpretation of the requirements.	Deadline 3A
Schedule 2 (Requirements), 1 (Interpretation)	Insert a new definition "National Highways Consultation Zone" means the area shown cross hatched in purple on the plan included at Appendix B of the framework landscape and ecological management plan;	The Applicant has inserted a new definition for the "National Highways Consultation Zone" to provide clarity as to the extent to which National Highways will be consulted on the LEMP.	Deadline 5A

Schedule 2 (Requirements), 1 (Interpretation)	“relevant planning authority” means North Kesteven District Council (or any successor authority to its statutory functions as local planning authority) except that for the following requirements where it shall mean Lincolnshire County Council (or any successor authority to its statutory functions) —	Amended to ensure that the provisions for the discharge of Requirements remain valid in the event of local government restructuring.	Deadline 7
Schedule 2 (Requirements), 4 (Approved details and amendments to them)	Insert a new paragraph (2) " (2) In determining whether to approve any amendments to any of the approved Documents, Plans, Details or Schemes, the relevant planning authority must re-consult all consultees that were required to be consulted on those Documents, Plans, Details or Schemes when those Documents, Plans, Details or Schemes were originally approved. "	Included in response to National Highways' relevant representation [RR-201] .	Deadline 1
Schedule 2 (Requirements), 5 (Community Liaison Group)	Insert a new paragraph (4) " (4) For the purposes of sub-paragraph (1), “commence” includes the permitted preliminary works. "	Amendment made in line with the Examining Authority's Schedule of Proposed Changes to the draft DCO [PD-022] .	Deadline 5A
Schedule 2 (Requirements), 5 (Community Liaison Group)	" (3) The community liaison group is to continue to meet until the date of commencement of any decommissioning works final-commissioning-of for the authorised development pursuant to requirement 20 (decommissioning) unless otherwise agreed with the relevant planning authority."	Amendment made to secure the provision of the community liaison group until the end of the operational lifetime of the Proposed Development.	Deadline 7
Schedule 2 (Requirements), 6 (Detailed design approval)	(1) "No part of the authorised development may is to be commenced until details of— (a) the layout; (b) scale; (c) proposed finished ground levels; (d) external appearance;	Amended in response to ExQ2 DCO.2.11(a) [PD-016] .	Deadline 3A

	(e) hard surfacing materials; (f) drainage, water, electrical, power and communication cables and pipelines; (g) vehicular and pedestrian access, parking and circulation areas, junction improvements and passing places; and (h) refuse or other storage units, signs and lighting, relating to that part have been submitted to and approved in writing by the relevant planning authority such approval to be in consultation with Lincolnshire County Council as local highway authority in relation to sub-paragraph (1)(g)."		
Schedule 2 (Requirements), 6 (Detailed design approval)	(1) "No part of the authorised development is to be commenced until details of— (a) the layout; (b) scale; (c) proposed finished ground levels; (d) external appearance; (e) hard surfacing materials; (f) drainage, water, electrical, power and communication cables and pipelines; (g) vehicular and pedestrian access, parking and circulation areas, junction improvements and passing places; and (h) refuse or other storage units, signs and lighting, relating to that part have been submitted to and approved in-writing by the relevant planning authority such approval to be in consultation with Lincolnshire County Council as local highway authority in relation to sub-paragraph (1)(g)."	Amendment made in line with the Examining Authority's Schedule of Proposed Changes to the draft DCO [PD-022] .	Deadline 5A
Schedule 2 (Requirements), 6 (Detailed design approval)	(6) "The Battery and Energy Storage System works in either Work No. 2 or Work No. 3 must not commence <u>until written notification</u> explanation-of-the choice-of-a Centralised Battery and Energy Storage System or a Distributed Battery and Energy Storage System has been provided in writing to the relevant planning authority <u>that the authorised development is to be implemented with either Work No. 2 or Work No. 3,</u> either before, or at the same time as, the details referred to in sub-paragraph (1)."	Amended in response to ExQ2 DCO.2.11(b) [PD-016] .	Deadline 3A

Schedule 2 (Requirements), 6 (Detailed design approval)	(6) "The Battery and Energy Storage System works authorised by in either Work No. 2 or Work No. 3 must not be commenced until written notification has been provided to the relevant planning authority that the authorised development is to be implemented with either Work No. 2 or Work No. 3."	Amendment made in line with the Examining Authority's Schedule of Proposed Changes to the draft DCO [PD-022] .	Deadline 5A
Schedule 2 (Requirements), 6 (Detailed design approval)	Insert new paragraph (7): "(7) The authorised development must not be commenced until a written scheme setting out the parts in which the authorised development is to be constructed has been submitted to the relevant planning authority and Lincolnshire County Council."	Inserted to provide a mechanism for North Kesteven District Council and Lincolnshire County Council to be provided with written notification of the parts in which the Proposed Development is to be constructed.	Deadline 3A
Schedule 2 (Requirements), 6 (Detailed design approval)	Insert new paragraph (8): "(8) The permitted preliminary works must be carried out in accordance with the provisions of the permitted preliminary works environmental management plan."	Inserted to ensure the permitted preliminary works are undertaken in accordance with the permitted preliminary works environmental management plan.	Deadline 3A
Schedule 2 (Requirements), 7 (Battery safety management)	(1) "Work No. 2 or Work No. 3 must not be commenced until a battery safety management plan has been submitted to and approved by the relevant planning authority." (5) "The battery safety management plan must be implemented as approved throughout the operation of Work No. 2 or Work No. 3. "	Amendment made in line with the Examining Authority's Schedule of Proposed Changes to the draft DCO [PD-022] .	Deadline 5A

Schedule 2 (Requirements), 8 (Landscape and ecological management plan)	(1) "No part of the authorised development, <u>including any preliminary vegetation clearance works for that part, is to be commenced</u> may commence, and no part of the permitted preliminary works for that part comprising vegetation removal, may start until a landscape and ecological management plan has been submitted to and approved by the relevant planning authority, following consultation with Lincolnshire County Council, Natural England, and the Environment Agency <u>and, in respect of landscaping and ecological mitigation within 15 metres of the A46, with National Highways.</u> "	Amended in response to ExQ2 DCO.2.12 and DCO.2.13 [PD-016] and in response to National Highways [REP2-052] . Deadline 3A
Schedule 2 (Requirements), 8 (Landscape and ecological management plan)	(1) "No part of the authorised development, including any preliminary vegetation clearance works for that part, is to be commenced until a landscape and ecological management plan has been submitted to and approved by the relevant planning authority, following consultation with Lincolnshire County Council, Natural England, the Environment Agency and, in respect of landscaping and ecological mitigation within <u>the National Highways Consultation Zone, 15 metres of the A46,</u> with National Highways."	Amendment made to provide clarity as to the extent to which National Highways will be consulted on the LEMP. Deadline 5A
Schedule 2 (Requirements), 8 (Landscape and ecological management plan)	(2) "The landscape and ecological management plan must be substantially in accordance with the framework landscape and ecological management plan and for that part of the authorised development to which it relates must include details of how the plan proposals will contribute to the achievement of a minimum of 30% biodiversity net gain in habitat units, 50% biodiversity net gain in hedgerow units and 10% biodiversity net gain in watercourse units for all of the authorised development during the operation of the authorised development based on the metric used to calculate those percentages specified in the Biodiversity Net Gain Report, <u>being the Department for Environment, Food and Rural Affairs' Statutory Biodiversity Metric (Version 1.0.4).</u>	Amendment made in line with the Examining Authority's Request for further information under Rule 17 of the Infrastructure Planning (Examination Procedure) Rules 2010 [PD-028] . Deadline 7
Schedule 2 (Requirements), 9 (Fencing and other means of enclosure)	(1) "No part of the authorised development, may commence, and no part of the permitted <u>including any</u> preliminary works for that part comprising the provision of temporary means of enclosure, <u>is to be commenced</u> may begin until written details of all proposed temporary fences, walls or other means of enclosure, including those set out in the construction environmental management plan, for that part have been submitted to and approved by the relevant planning authority."	Amended in response to ExQ2 DCO.2.14 [PD-016] . Deadline 3A

	(2) "No part of the authorised development may <u>is to be</u> commenced until written details of all permanent fences, walls or other means of enclosure for that part have been submitted to and approved by the relevant planning authority."		
Schedule 2 (Requirements), 9 (Fencing and other means of enclosure)	(4) " All Any construction sites must remain securely fenced in accordance with the approved details under sub-paragraph (1) at all times during the <u>period they are being used for the purposes of constructing</u> construction of the authorised development." (7) "Any permanent fencing, walls or other means of enclosure must be properly <u>retained and</u> maintained for the operational lifetime of the part of the authorised development to which it relates."	Amendment made in line with the Examining Authority's Schedule of Proposed Changes to the draft DCO [PD-022] .	Deadline 5A
Schedule 2 (Requirements), 10 (Surface and foul water drainage)	(1) "No part of the authorised development may commence until written details of the surface water drainage scheme and (if any) foul water drainage system has been submitted to and approved by the lead local flood authority and the relevant planning authority, <u>in consultation with Anglian Water and the Environment Agency</u> ."	In response to a request from the Environment Agency in [RR-089] and Anglian Water in [RR-024] .	Deadline 1
Schedule 2 (Requirements), 10 (Surface and foul water drainage)	(1) "No part of the authorised development may <u>is to be</u> commenced until written details of the surface water drainage scheme and (if any) foul water drainage system have been submitted to and approved by the lead local flood authority and the relevant planning authority, in consultation with Anglian Water and the Environment Agency."	Amended in response to ExQ2 DCO.2.16 [PD-016] .	Deadline 3A
Schedule 2 (Requirements), 10 (Surface and foul water drainage)	(3) "Any scheme approved under sub-paragraph (1) must be implemented as approved <u>for the operational lifetime of the authorised development</u> ."	Amendment made in line with the Examining Authority's Schedule of Proposed Changes to the draft DCO [PD-022] .	Deadline 5A

Schedule 2 (Requirements), 11 (Archaeology)	(1) "The <u>No part of the</u> authorised development may not <u>is to be</u> commenced <u>until—</u> (a) a scheme for additional trial trenching <u>for that part</u> has been submitted to and approved by the relevant planning authority, in consultation with Historic England; (b) additional trial trenching has been carried out <u>for that part</u> in accordance with the scheme approved under sub-paragraph (a); and (c) updates are made to the framework written scheme of investigation to account for the results of the additional trial trenching carried out and the updated framework written scheme of investigation is submitted to and approved in writing by the relevant planning authority in consultation with Historic England." (2) "The <u>relevant part of the</u> authorised development must be carried out in accordance with the written scheme of investigation approved under sub-paragraph 1(c)." (3) "For the purposes of sub-paragraph (1), "commence" includes any <u>activities within paragraphs (f) to (j) of the</u> permitted preliminary works <u>unless otherwise agreed with the relevant planning authority.</u>"	Amended in response to ExQ2 DCO.2.17 Deadline 3A [PD-016] and consequential amendments following the amendments to the definition of "permitted preliminary works".
Schedule 2 (Requirements), 11 (Archaeology)	(1) "No part of the authorised development is to be commenced until— (a) a scheme for additional trial trenching for that part has been submitted to and approved by the relevant planning authority, in consultation with Historic England; (b) additional trial trenching has been carried out for that part in accordance with the scheme approved under sub-paragraph (a); and (c) updates <u>have been</u> are made to the framework written scheme of investigation to account for the results of the additional trial trenching carried out and the updated framework written scheme of investigation is submitted to and approved in writing by the relevant planning authority in consultation with Historic England."	Amendment made in line with the Examining Authority's Schedule of Proposed Changes to the draft DCO [PD-022]. Deadline 5A

Schedule 2 (Requirements), 12 (Construction environmental management plan)	(1) "No part of the authorised development may commence until a construction environmental management plan for that part has been submitted to and approved by the relevant planning authority such approval to be in consultation with Lincolnshire County Council (as the local highway authority and waste planning authority), National Highways and the Environment Agency."	Amendment made in response to request from National Highways in [RR-201] .	Deadline 1
	"(4) for the purposes of sub-paragraph (1), "commence" includes remedial work in respect of any contamination."	Amendment made in response to a request from the Environment Agency at [RR-089] .	Deadline 1
Schedule 2 (Requirements), 12 (Construction environmental management plan)	(1) "No part of the authorised development may is to be commenced until a construction environmental management plan for that part has been submitted to and approved by the relevant planning authority such approval to be in consultation with Lincolnshire County Council (as the local highway authority and waste planning authority), National Highways and the Environment Agency."	Amended in response to ExQ2 DCO.2.18 [PD-016] .	Deadline 3A
Schedule 2, (Requirements), 13 (Operational environmental management plan)	(1) "Prior to the date of final commissioning for any part of the authorised development, an operational environmental management plan for that part must be submitted to and approved by the relevant planning authority such approval to be in consultation with Lincolnshire County Council (as the local highway authority and waste planning authority), National Highways and the Environment Agency."	Amendment made in response to request from National Highways in [RR-201] .	Deadline 1
Schedule 2, (Requirements), 13 (Operational environmental management plan)	(3) "The operation of the authorised development must be carried out operated and maintained in accordance with the approved operational environmental management plan."	Amendment made in line with the Examining Authority's Schedule of Proposed Changes to the draft DCO [PD-022] .	Deadline 5A

Schedule 2, (Requirements), 14 (Construction traffic management plan)	(1) "No part of the authorised development may commence until a construction traffic management plan for that part has been submitted to and approved by the relevant planning authority <u>in consultation with National Highways</u> ."	Amendment made in response to request from National Highways in [RR-201] .	Deadline 1
Schedule 2 (Requirements), 14 (Construction traffic management plan)	(1) "No part of the authorised development may <u>is to be commenced</u> until a construction traffic management plan for that part has been submitted to and approved by the relevant planning authority in consultation with National Highways."	Amended in response to ExQ2 DCO.2.20 [PD-016] .	Deadline 3A
Schedule 2, (Requirements), 15 (Soil management plan)	(1) "No part of the authorised development may commence until a soil management plan for that part has been submitted to and approved by the relevant planning authority, in consultation with Lincolnshire County Council <u>and Natural England</u> ."	Amendment made in response to request from Natural England in [RR-202] .	Deadline 1
Schedule 2 (Requirements), 15 (Soil management plan)	(1) "No part of the authorised development may <u>is to be commenced</u> until a soil management plan for that part has been submitted to and approved by the relevant planning authority, in consultation with Lincolnshire County Council and Natural England."	Amended in response to ExQ2 DCO.2.22 [PD-016] .	Deadline 3A
Schedule 2 (Requirements), 16 (Operational noise)	(1) "No part of the authorised development <u>which emits operational noise is to be brought into</u> may be operational <u>use</u> until an operational noise assessment <u>for that part has been submitted to and approved by the relevant planning authority. The operational noise assessment(s) to be submitted for the approval of the relevant planning authority must demonstrate</u> containing details of how the design of the <u>relevant part of the</u> authorised development for that part has incorporated mitigation to ensure that the <u>relevant</u> operational noise rating levels set out in Table 11-21 of Chapter 11 of the environmental statement <u>have been</u> are to be compiled with for that part has been submitted to and approved by the relevant planning authority. "	Amended in response to ExQ2 DCO.2.23 [PD-016] .	Deadline 3A

Schedule 2, (Requirements), 17 (Permissive paths)	"(1) Prior to the construction of a permissive path, the undertaker must submit details of that permissive path to the relevant planning authority for approval in consultation with North Kesteven District Council ."	To reflect agreement with North Kesteven District Council.	Deadline 2
Schedule 2, (Requirements), 17 (Permissive paths)	"(1) No part of the authorised development is to be commenced until details of— (a) Prior to the construction of a permissive path, the undertaker must submit details of that permissive path to the relevant planning authority for approval in consultation with North Kesteven District Council. (4) The details to be submitted for approval under sub-paragraph (1) must include— (a) the final routing of the permissive path(s) to be provided, such routing to be substantially in accordance with the routing as shown on the streets, rights of way and access plans; (b) the specification of the permissive path(s); and (c) the maintenance regime for the permissive path(s), relating to that part have been submitted to and approved in writing by the relevant planning authority in consultation with North Kesteven District Council. (2) On the day following The permissive paths must be provided and open to the public prior to the date of final commissioning of the authorised development, the permissive paths approved under sub-paragraph (1) must be made open to the public. (3) Until the commencement of any decommissioning works for the authorised development pursuant to requirement 20 (decommissioning), the approved permissive paths must be— The permissive paths must be provided and (a) maintained in accordance with the details approved under sub-paragraph (1); and (b) kept open to the public in accordance with the details approved under section 6 'Permissive Paths' of the landscape and ecological management plan in accordance with requirement 8 (landscape and ecological management	Amended for clarification in line with Deadline 3 responses and in response to ExQ2 DCO.2.24 [PD-016].	Deadline 3A

plan). ~~retained until the authorised development is decommissioned pursuant to requirement 20 (decommissioning)~~

Schedule 2, (Requirements), 17 (Permissive paths)	"(1) No part of the authorised development is to be commenced until details of— (a) the final routing of the permissive path(s) to be provided, such routing to be substantially in accordance with the routing as shown on the streets, rights of way and access plans; (b) the specification of the permissive path(s); and (c) the maintenance regime for the permissive path(s), relating to that part have been submitted to and approved in writing by the relevant planning authority in consultation with North Kesteven District Council. (2) On <u>No later than</u> the day following the date of final commissioning of the authorised development, <u>all of</u> the permissive paths approved under sub-paragraph (1) must be made open to <u>for use by</u> the public." (3) Until the commencement of any decommissioning works for the authorised development pursuant to requirement 20 (decommissioning), the approved permissive paths must be— (a) maintained in accordance with the details approved under sub-paragraph (1); and (b) kept open to the public in accordance with the details approved under section 6 <u>the</u> 'Permissive Paths' <u>section</u> of the landscape and ecological management plan)."	Amended in line with the Examining Authority's Schedule of Proposed Changes to the draft DCO [PD-022] and for clarity.	Deadline 5A
Schedule 2, (Requirements), 18 Public rights of way)	"(1) No part of the authorised development may commence until a public rights of way management plan for any sections of public rights of way shown to be <u>permanently or</u> temporarily closed on the streets, rights of way and access plans for that part has been submitted to and approved by the relevant planning authority <u>in consultation with North Kesteven District Council</u>."	To reflect agreement with North Kesteven District Council.	Deadline 2

Schedule 2 (Requirements), 18 Public rights of way)	(1) "No part of the authorised development may <u>is to be</u> commenced until a public rights of way management plan for any sections of public rights of way shown to be permanently or temporarily closed on the streets, rights of way and access plans for that part has been submitted to and approved by the relevant planning authority in consultation with North Kesteven District Council."	Amended in response to ExQ2 DCO.2.25 Deadline 3A [PD-016].
Schedule 2 (Requirements), 19 (Employment, skills and supply chain)	(1) " The No part of the authorised development may <u>must not be</u> commenced until an employment, skills and supply chain plan in relation to that part has been submitted to and approved by the relevant planning authority in consultation with Lincolnshire County Council." (4) " The Any employment, skills and supply chain plan approved under subparagraph (1) must be implemented as approved."	Amended in response to ExQ2 DCO.2.26 Deadline 3A [PD-016] and to provide for the delivery of a single employment, skills and supply chain plan for the Proposed Development.
Schedule 2 (Requirements), 19 (Employment, skills and supply chain)	(4) "The employment, skills and supply chain plan approved under subparagraph (1) must be implemented as approved <u>throughout the construction and operation of the authorised development</u> ."	Amended in line with the Examining Authority's Schedule of Proposed Changes to the draft DCO Deadline 5A [PD-022].
Schedule 2, (Requirements), 20 (Decommissioning)	(2) "(2) Prior to the commencement of any decommissioning works for any part of the authorised development, the undertaker must submit to the relevant planning authority for approval, in consultation with Lincolnshire County Council (in its capacity as the local highway authority and waste planning authority), <u>National Highways</u> and the Environment Agency, a decommissioning environmental management plan for that part."	Amendment made in response to request from National Highways in Deadline 1 [RR-201].
Schedule 2 (Requirements), 20 (Decommissioning)	" (2) Prior to the commencement of any decommissioning works for any part of the authorised development, the undertaker must submit to the relevant planning authority for approval, in consultation with Lincolnshire County Council (in its capacity as the local highway authority and waste planning	Consequential amendments following the amendments to the definition of "date of final Deadline 2

	authority), National Highways and the Environment Agency, a decommissioning environmental management plan for that part. (3) The decommissioning environmental management plan submitted and approved under sub-paragraph (2) must be substantially in accordance with the relevant part of the framework decommissioning environmental management plan. (4) No decommissioning works must be carried out until the relevant planning authority has approved the plan submitted in relation to such works. (5) The plan submitted and approved pursuant to sub-paragraph (2) must be implemented as approved for the works required to decommission that part of the authorised development. (6) This requirement is without prejudice to any other consents or permissions which may be required to decommission any part of the authorised development. "	commissioning" at Deadline 2 to provide clarity that there will be one date for the commencement of decommissioning works.
Schedule 2 (Requirements), 20 (Decommissioning)	(3) The decommissioning environmental management plan submitted and approved under sub-paragraph (2) must be substantially in accordance with the framework decommissioning environmental management plan <u>and must include a timetable for the completion of decommissioning</u>.	Amended in line with the Examining Authority's Schedule of Proposed Changes to the draft DCO [PD-022].
Schedule 3 (Legislation to be disapplied)	1. The following provisions do not apply in so far as they relate to activities or development carried out for the purposes of the authorised development, or in connection with the authorised development— (a) Anglian Water Authority Act 1977; (b) Lincoln Waterworks Act 1846; (c) Great Northern Railway (Junctions) Act 1865; (d) Great Northern Railway (Spalding to Lincoln) Act 1878; (e) Great Northern and Great Eastern Railway Companies Act 1879; (f) — The Land Drainage Supplemental Act 1871;	Amendment made following review of the legislation sought for disapplication to address the Examining Authority's written question DCO.3.06 [PD-021].

~~(g) Lincolnshire Courthouse Act 1809;~~
~~(h)(f)~~ Lincolnshire Drainage Act 1840;
~~(i)(g)~~ Trent and Lincolnshire Water Authority Act 1971;
~~(j)(h)~~ River Witham Drainage and Navigation Act 1808; and
~~(k)(i)~~ Witham Drainage Act 1762.;
~~(l) Upper Witham Internal Drainage Board byelaws; and~~
~~(m) Trent Valley Internal Drainage Board byelaws.~~

Schedule 4 (Streets subject to street works)	<u>Lincolnshire County Council</u>	<u>Those parts of the A46 that are within the limits of deviation of Work No. 6</u>	<u>Street works to facilitate underground cable installation works for the length of the A46 shown in green patterned hatching on Sheet 4 of the streets, rights of way and access plans.</u>	The inclusion of this new row has been agreed with National Highways. The Streets, Rights of Way and Access Plans [EN010154/APP/2.3] have been updated accordingly.	Deadline 1
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Schedule 6 (Streets and public rights of way)	"Articles 12-and-13"			The reference to Article 13 has been removed as Schedule 6 does not relate to this article.	Deadline 2
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Schedule 6 Deletion of "LL " for all references to Public Rights of Way in column (2) (Streets and public "PRoW Reference". rights of way), Part 2 (Temporary closure of public rights of way with diversions), Part 3 (Permanent use of motor vehicles on public rights of way), Part 4 (Temporary management of public rights of way), and Part 5 (Temporary use of motor vehicles on public rights of way)				Amended in line with the Examining Authority's Schedule of Proposed Changes to the draft DCO [PD-022] .	Deadline 5A
Schedule 6 (Streets and public rights of way), Part 3 (Permanent use of motor vehicles on public rights of way)	Lincolnshire County Council	LL NoDi 4/1	Permanent use of motor vehicles under the direction of the undertaker between PRoW 09/02 and PRoW 09/04 as shown on Sheet 9 of the streets, rights	Updated to address discrepancies identified in ExQ1 DCO.1.09 [EN010154/PD/0.11] and reflect amendments to updated plans.	Deadline 2

			of way and access plans to facilitate the construction of the authorised development."	
Schedule 6 (Streets and public rights of way), Part 4 (Temporary management of public rights of way)	Lincolnshire County Council	LL ThuN 1/1	Public Right of Way between points P RoW 07/07 and P RoW 07/08 as shown on Sheet 7 of the streets, rights of way and access plans to be managed during construction of the authorised development.	Updated to address discrepancies identified in ExQ1 DCO.1.09 [EN010154/PD/0.11] and reflect amendments to updated plans. Deadline 2
	Lincolnshire County Council	LL ThuN 5/1	Public Right of Way between points P RoW 07/09 and P RoW 09/01	

			as shown on Sheets 7 and 9 of the streets, rights of way and access plans to be managed during construction of the authorised development.	
	Lincolnshire County Council	LL NoDi 4/1	Public Right of Way between points PRow 09/02 and PRow 09/04 as shown on Sheet 9 of the streets, rights of way and access plans to be managed during construction of the authorised development.	

Lincolnshire County Council	LL NoDi 1/2	Public Right of Way between points PRoW 09/01 ³ and PRoW 09/02 ⁴ as shown on Sheet 9 of the streets, rights of way and access plans to be managed during construction of the authorised development.	
Lincolnshire County Council	LL NoDi 1/1	Public Right of Way between points PRoW 09/04 and PRoW 09/05 as shown on Sheet 9 of the streets, rights of way and access plans to be managed during construction	

			of the authorised development.	
Schedule 6 (Streets and public rights of way), Part 5 (Temporary use of motor vehicles on public rights of way)	Lincolnshire County Council	LL TOTH 6A/2	Temporary use of motor vehicles under the direction of the undertaker between PRow 02/09 and PRow 02/11 as shown on Sheet 2 of the streets, rights of way and access plans to facilitate the construction of the authorised development.	Updated to address discrepancies identified in ExQ1 DCO.1.09 [EN010154/PD/0.11] and reflect amendments to updated plans. Deadline 2
	Lincolnshire County Council	LL ThuN 1/1	Temporary use of motor vehicles under the direction of the	

			undertaker between PRow 07/07 and PRow 07/08 as shown on Sheets 7 and 9 of the streets, rights of way and access plans to facilitate the construction of the authorised development.
	Lincolnshire County Council	LL ThuN 5/1	Temporary use of motor vehicles under the direction of the undertaker between PRow 07/09 and PRow 09/01 as shown on Sheets 7 and 9 of the streets, rights of way and

			access plans to facilitate the construction of the authorised development.		
Schedule 11 (Hedgerows to be removed), Part 4 (Hedgerows which require removal)	North Kesteven District Council	Removal of up to 15m of Hedgerow No.1a within the Order Limits as shown approximately edged in pink within Sheet 2 of 16 of Vol 2.9 Hedgerow Plans [EN010154/APP/2.9].	To facilitate the construction of the authorised development		To reflect amendments to the Hedgerow Plans. Deadline 5A
	North Kesteven District Council	Removal of up to 19m of Hedgerow No.8 within the Order Limits as shown approximately edged in pink within Sheet 2 of 16 of Vol 2.9 Hedgerow Plans [EN010154/APP/2.9].	To facilitate the construction of the authorised development		
Schedule 12 (Documents and plans to be certified)	(1) Document name	(2) Document reference	(3) Revision number	(4) Date	Amended to reflect theDeadline 3A insertion of a new definition at Article 2(1).
	Permitted preliminary works environmental	EN010154/EXAM/9.[**]	1	[**]	

	management plan				
Schedule 12 (Documents and plans to be certified)	(1) <i>Document name</i>	(2) <i>Document reference</i>	(3) <i>Revision number</i>	(4) <i>Date</i>	Amended to reflect the Deadline 5A insertion of a new definition in Part 9 of Schedule 15.
	P66 outline specification	EN010154/EXAM/9.[**]	1	[**]	
Schedule 12 (Documents and plans to be certified)	(1) <i>Document name</i>	(2) <i>Document reference</i>	(3) <i>Revision number</i>	(4) <i>Date</i>	Updated to reflect the Deadline 7 final revisions of the various documents as at Deadline 7.
	biodiversity net gain report	EN010154/APP/7.12	54	June 2026 July 2025	
	book of reference	EN010154/APP/4.3	74	June 2026 July 2025	
	design commitments	EN010154/ APP/7.3 EXAM/9.35	34	June 2026 July 2025	
	environmental statement chapters (other than those listed below)	EN010154/APP/6.1	1	July 2025	
	environmental statement (chapter 10)	EN010154/APP/6.1	2	December 2025	
	environmental statement (chapters 3 and 8)	EN010154/APP/6.1	2	January 2026	
	environmental statement (chapters 6 and 9)	EN010154/APP/6.1	3	March 2026	

environmental statement (chapters 12 and 13)	EN010154/APP/6.1	3	June 2026
environmental statement figures (other than those listed below)	EN010154/APP/6.2	1	July 2025
environmental statement figures (figures 1-1, 1-2, 2-1, 3-1, 3-8, 3-9, 3-10, 3-12, 3-17, 4-1, 4-2, 4-3, 4-4, 4-5, 4-6, 7-1, 7-2, 7-3, 7-4, 7-5, 7-6, 8-1, 8-2, 8-3, 8-4, 8-5, 9-1, 9-2, 9-3, 9-4, 10-1, 10-2, 10-3, 10-4A, 10-4B, 10-4C, 10-5, 10-6, 10-7, 10-9, 11-1, 11-2, 11-3, 12-1, 12-2, 12-3, 12-4, 12-5, 13-1, 13-2, 13-3, 13-4, 13-5, 13-6, 14-1, 15-1, 15-2, 15-3, 15-4)	EN010154/APP/6.2	2	September 2025
environmental statement figures (figure 10-10 (Part 2))	EN010154/APP/6.2	2	December 2025
environmental statement figures (figures 3-2A and 3-2B)	EN010154/APP/6.2	4	April 2026

environmental statement figures (figure 2-2)	EN010154/APP/6.2	2	May 2026
environmental statement figures (figure 3-3)	EN010154/APP/6.2	4	May 2026
environmental statement appendices (other than those listed below)	EN010154/APP/6.3	1	July 2025
environmental statement appendices (appendices 8-B, 8-C, 8-D, 8-E, 8-F, 8-G, 8-H, 8-I, 8-J, 8-K, 12-C and 14-D (Parts 2 – 5))	EN010154/APP/6.3	2	September 2025
environmental statement appendices (appendix 10-F)	EN010154/APP/6.3	2	December 2025
environmental statement appendices (appendix 14-D (Part 1))	EN010154/APP/6.3	3	January 2026
environmental statement appendices (appendices 9-C and 9-D)	EN010154/APP/6.3	3	March 2026
framework battery safety management plan	EN010154/APP/7.17	5 4	June 2026 July 2025

framework construction environmental management plan	EN010154/APP/7.7	<u>8</u> 4	June 2026 July 2025
framework construction traffic management plan	EN010154/APP/7.18	<u>5</u> 4	May 2026 July 2025
framework decommissioning environmental management plan	EN010154/APP/7.9	<u>6</u> 4	June 2026 July 2025
framework employment, skills and supply chain plan	EN010154/APP/7.16	1	July 2025
framework landscape and ecological management plan	EN010154/APP/7.15	<u>10</u>	June 2026 July 2025
framework operational environmental management plan	EN010154/APP/7.8	<u>7</u> 4	June 2026 July 2025
framework public rights of way management plan	EN010154/APP/7.14	<u>4</u> 4	May 2026 July 2025
framework soil management plan	EN010154/APP/7.10	<u>8</u> 4	June 2026 July 2025

	framework surface water drainage strategy	EN010154/APP/6.3	<u>4</u> 4	June 2026 July 2025	
	framework written scheme of investigation	EN010154/ AS-001 APP/7.1	<u>2</u> 4	March 2026 [**]	
	hedgerow plans	EN010154/APP/2.9	<u>4</u> 4	May 2026 July 2025	
	land plans	EN010154/APP/2.1	<u>3</u> 4	December July 2025	
	P66 outline specification	EN010154/EXAM/9.34 [**]	<u>2</u> 4	June 2026 [**]	
	permitted preliminary works environmental management plan	EN010154/EXAM/9.27 [**]	<u>3</u> 4	June 2026 [**]	
	proposed development parameters	EN010154/APP/7.4	<u>4</u> 4	May 2026 July 2025	
	streets, rights of way and access plans	EN010154/APP/2.3	<u>7</u> 4	May 2026 July 2025	
	traffic regulation measures plans	EN010154/APP/2.4	<u>4</u> 4	April 2026 July 2025	
	waterbodies in a river basin management plan	EN010154/APP/2.7	<u>3</u> 4	December July 2025	
	works plans	EN010154/APP/2.2	<u>3</u> 4	December July 2025	
Schedule 14 (Protective Provisions)	Protective provisions included for Lincolnshire Fire and Rescue at Part 3 of Schedule 14.			The Applicant has included protective provisions for	Deadline 1

		Lincolnshire Fire and Rescue.	
Schedule 14 (Protective Provisions)	Protective provisions included for Cadent Gas Limited at Part 4 of Schedule 14.	The Applicant has included agreed protective provisions for Cadent Gas Limited. The latest status of negotiations between the Applicant and statutory undertakers can be found in the Schedule of Negotiations and Powers Sought [EN010154/EXAM/9.6]	Deadline 2
Schedule 14 (Protective Provisions)	Protective provisions included for National Highways Limited at Part 5 of Schedule 14.	The Applicant has included agreed protective provisions for National Highways Limited.	Deadline 3A
Schedule 14 (Protective Provisions)	Protective provisions included for Anglian Water Services Limited at Part 6 of Schedule 14.	The Applicant has included partially agreed protective provisions for Anglian Water Services Limited. The areas of ongoing negotiation are set out in the cover letter submitted at Deadline 3A.	Deadline 3A

Schedule 14 (Protective Provisions)	Protective provisions included for National Grid Electricity Distribution (East Midlands) plc at Part 7 of Schedule 14.	The Applicant has included agreed protective provisions for National Grid Electricity Distribution (East Midlands) plc.	Deadline 3A
Schedule 14 (Protective Provisions)	Protective provisions included for National Grid Electricity Transmission plc at Part 8 of Schedule 14.	The Applicant has included partially agreed protective provisions for National Grid Electricity Transmission plc. The areas of ongoing negotiation are set out in the cover letter submitted at Deadline 3A.	Deadline 3A
Schedule 14 (Protective Provisions)	Protective provisions included for Prax Lindsey Oil Refinery Limited (in liquidation) and Prax Downstream UK Limited (in liquidation) at Part 9 of Schedule 14.	The Applicant has included protective provisions for Prax Lindsey Oil Refinery Limited (in liquidation) and Prax Downstream UK Limited (in liquidation). These reflect the Applicant's preferred position and negotiations are ongoing as set out in the cover letter submitted at Deadline 3A.	Deadline 3A

Schedule 14 (Protective Provisions), Part 5 (For the protection of National Highways Limited)	37(3) – Insert a new definition <u>"road space" refers to space on the strategic road network made available to the undertaker to undertake activities on, in, under, or over the strategic road network. Activities may include, but are not limited to, excavations, installation of utility apparatus, construction or maintenance works, and the implementation of temporary traffic management measures</u>	Amendment made to address the Examining Authority's written question DCO.3.10 [PD-021].	Deadline 5A
Schedule 14 (Protective Provisions), Part 5 (For the protection of National Highways Limited)	37(3) "References to any standards, manuals, contracts, regulations and directives including to specific standards forming part of the DMRB are, for the purposes of this Part of this Schedule, to be construed as a reference to the same as amended, substituted or replaced, and with such modifications as are required in those circumstances."	Amendment made to remove duplication in line with the Examining Authority's Schedule of Proposed Changes to the draft DCO [PD-022].	Deadline 5A
Schedule 14 (Protective Provisions), Part 5 (For the protection of National Highways Limited)	42(1)(f) " (f) National Highways has approved the audit brief and <u>Curriculum Vitae CVs</u> for all road safety audits and exceptions to items raised in accordance with the road safety audit standard;"	Amended for clarity in line with the Examining Authority's Schedule of Proposed Changes to the draft DCO [PD-022].	Deadline 5A
Schedule 14 (Protective Provisions), Part 5 (For the protection of National Highways Limited)	42(2)(d) "article <u>12 (temporary prohibition or restriction of the use of streets and public rights of way)</u> 13 (stopping up of public rights of way)" 42(2)(e) "article <u>13 (stopping up of public rights of way)</u> 12 (temporary prohibition or restriction of the use of streets and public rights of way)"	Amended for clarity in line with the Examining Authority's Schedule of Proposed Changes to the draft DCO [PD-022].	Deadline 5A
Schedule 14 (Protective Provisions), Part 5 (For the protection of National Highways Limited)	49(4) "When National Highways is satisfied that: (a) any defects or damage arising from defects during the defects period and any defects notified to the undertaker pursuant to sub-paragraph 49(2) and any remedial works required as a result of the stage 4 road safety audit have been made good to the reasonable satisfaction of National Highways; and	Amended for clarity in line with the Examining Authority's Schedule of Proposed Changes to the draft DCO [PD-022].	Deadline 5A

	(b) the <u>National Highways</u> costs have been paid to National Highways in full; (c) National Highways must issue the final certificate after which the bond sum and cash surety shall be released in full provided that in the event any claim or claims have been made against the undertaker or liability on its part has arisen under the bond sum and/or cash surety (which here shall also include any claim or claims to which National Highways are joined howsoever they arise) National Highways will be at liberty to retain a sufficient sum to ensure it does not have to meet any costs for and/or arising from and/or in connection with the specified works."		
Schedule 14 (Protective Provisions), Part 5 (For the protection of National Highways Limited)	50(b) "the undertaker has provided the cash surety which may be utilised by National Highways in the event of the undertaker failing to meet its obligations to make payments under paragraph 44 41 or to carry out works the need for which arises from a breach of one or more of the obligations of the undertaker under the provisions of this Part of this Schedule."	Amendment made to address the Examining Authority's written question DCO.3.10 [PD-021].	Deadline 5A
Schedule 14 (Protective Provisions), Part 5 (For the protection of National Highways Limited)	51(1) "National Highways must provide to the undertaker an estimate of the commuted sum, calculated in accordance with <u>Financial Services</u> Guidance S278 Commuted Lump Sum Calculation Method dated 18 January 2010 or any successor guidance, prior to the commencement of the specified works."	Amendment made to address the Examining Authority's written question DCO.3.10 [PD-021].	Deadline 5A
Schedule 14 (Protective Provisions), Part 5 (For the protection of National Highways Limited)	54(3) "The undertaker must comply with any requirements that National Highways may notify to the undertaker, such requirements to be notified to the undertaker not less than 7 days' in advance of the planned commencement date of the maintenance works <u>of the specified works</u> ."	Amended for clarity in line with the Examining Authority's Schedule of Proposed Changes to the draft DCO [PD-022].	Deadline 5A

Schedule 14 (Protective Provisions), Part 6 (For the protection of Anglian Water Services Limited)	"1991 Act" means the New Roads and Street Works Act 1991;	This wording has been removed as it duplicates the definition at Article 2.
Schedule 14 (Protective Provisions), Part 6 (For the protection of Anglian Water Services Limited)	"apparatus" means: (a) works, mains, pipes or other apparatus belonging to or maintained by Anglian Water for the purposes of water supply and sewerage; (b) any drain or works vested in Anglian Water under the Water Industry Act 1991; (c) any sewer which is so vested or is the subject of a notice of intention to adopt given under section 102(4) of that the Water Industry Act 1991 or an agreement to adopt made under section 104 of that Act, (d) any drainage system constructed for the purpose of reducing the volume of surface water entering any public sewer belonging to Anglian Water; and (e) includes a sludge main, disposal main or sewer outfall and any manholes, ventilating shafts, pumps or other accessories forming part of any such sewer, drain or works, and includes any structure in which apparatus is or is to be lodged or which gives or will give access to apparatus; and for the purpose of this definition, where words are defined by section 219 of that the Water Industry Act 1991, they shall be taken to have the same meaning;	Amended for clarity in line with the Examining Authority's Schedule of Proposed Changes to the draft DCO [PD-022] . Deadline 5A
Schedule 14 (Protective Provisions), Part 7 (For the protection of National Grid Electricity Distribution (East Midlands) Plc)	77(5) "If the undertaker or NGED require the diversion or removal of requires to remove or divert any apparatus placed within the Order land and alternative apparatus is to be constructed in land not owned or controlled by the undertaker as a consequence of the removal or diversion of apparatus then NGED shall use its reasonable endeavours to obtain alternative rights in the land in which the alternative apparatus is to be constructed."	Amended for clarity in line with the Examining Authority's Schedule of Proposed Changes to the draft DCO [PD-022] . Deadline 5A

Schedule 14 (Protective Provisions), Part 7 (For the protection of National Grid Electricity Distribution (East Midlands) Plc)	79(8) "The undertaker is not required to comply with sub-paragraph (1) in a case of emergency but in that case it must give to NGED notice as soon as is reasonably practicable and a plan of those works as soon as reasonably practicable subsequently and must comply with any reasonable requirements stipulated by NGED under sub-paragraph (2) and with sub-paragraphs (5) and (6) in so far as is reasonably practicable in the circumstances. Nothing in this sub-paragraph prevents NGED from exercising its rights under paragraph 78 sub-paragraph (7) ."	Amended to rectify a typographical error with regards to cross-referencing.	Deadline 5A
Schedule 14 (Protective Provisions), Part 8 (For the protection of National Grid Electricity Transmission Plc)	(3) Sub-paragraph (2) does not apply where the benefit of the Order is transferred or granted to National Grid Electricity Transmission Plc (but without prejudice to sub-paragraph 95(4)(b) 11(3)(b)).	Amendment made to address the Examining Authority's written question DCO.3.13 [PD-021] .	Deadline 5A
Schedule 14 (Protective Provisions), Part 8 (For the protection of National Grid Electricity Transmission Plc)	86 "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;	Deletion of this definition subsequent to the insertion of the same definition for "National Grid Electricity Transmission Plc" at Article 2 in line with the Examining Authority's Schedule of Proposed Changes to the draft DCO [PD-022] .	Deadline 5A
Schedule 14 (Protective Provisions), Part 8 (For the protection of National Grid Electricity Transmission Plc)	86 "Navenby Project" means the proposed construction of the Navenby substation and associated overhead electricity lines to be undertaken by National Grid Electricity Transmission Plc the subject of a planning application submitted on [**] by North Kesteven District Council with planning application reference [**] ;	Amended to provide further clarity following the submission of the planning application	Deadline 5A

Electricity Transmission Plc)		for the Navenby substation.
Schedule 14 (Protective Provisions), Part 8 (For the protection of National Grid Electricity Transmission Plc)	86 "Navenby Site" <u>means the land shown edged red and purple on drawing reference [**] in connection with planning application reference [**] in respect of the Navenby Project; includes—</u> (a) — land on which any Navenby Project apparatus is situated; (b) — land on which Navenby Project apparatus is anticipated to be situated (in so far as the same has been notified by National Grid Electricity Transmission Plc in writing to the undertaker); and (c) — land on which any rights associated with the Navenby Project are anticipated (in so far as the same has been notified by National Grid Electricity Transmission Plc in writing to the undertaker);	Amended to provide further clarity as to the extent of the Navenby Site following the submission of the planning application for the Navenby substation. Deadline 5A
Schedule 14 (Protective Provisions), Part 8 (For the protection of National Grid Electricity Transmission Plc)	86 "NGESO" means <u>National Energy System Operator</u> as defined in the STC;	Amendment made to address the Examining Authority's written question DCO.3.13 [PD-021] . Deadline 5A
Schedule 14 (Protective Provisions), Part 8 (For the protection of National Grid Electricity Transmission Plc)	88 "Except for paragraphs 89 (apparatus of National Grid Electricity Transmission Plc in affected streets), 93 (retained apparatus: protection), 94 (expenses) and 95 (indemnity) of this <u>Part of this</u> Schedule which will apply in respect of the exercise of all or any powers under the Order affecting the rights and apparatus of National Grid Electricity Transmission Plc, the other provisions of this Schedule do not apply to apparatus in respect of which the relations between the undertaker and National Grid Electricity Transmission Plc are regulated by the provisions of Part 3 of the 1991 Act."	Amended for clarity in line with the Examining Authority's Schedule of Proposed Changes to the draft DCO [PD-022] . Deadline 5A

Schedule 14 (Protective Provisions), Part 8 (For the protection of National Grid Electricity Transmission Plc)	90(2) " Regardless of any provision in this Order or anything shown on the land plans, the undertaker must not unless otherwise agreed in writing acquire any land forming part of the Navenby Site. "	Deletion as this wording was included in error and reflects the preferred position of NGET and has not been agreed between the parties.	Deadline 5A
Schedule 14 (Protective Provisions), Part 8 (For the protection of National Grid Electricity Transmission Plc)	95(2) "If as a result of the authorised development National Grid Electricity Transmission Plc's access to the Navenby Project or to any Navenby Site is materially obstructed, the undertaker must provide such alternative means of access that will allow National Grid Electricity Transmission Plc to maintain apparatus or use apparatus no less efficiently than was possible before the obstruction."	Amendment to reflect the recent submission of the planning application for the Navenby substation by NGET.	Deadline 5A
Schedule 14 (Protective Provisions), Part 8 (For the protection of National Grid Electricity Transmission Plc)	95(3) "The fact that any act or thing may have been done by National Grid Electricity Transmission Plc on behalf of the undertaker or in accordance with a plan approved by National Grid Electricity Transmission Plc or in accordance with any requirement of National Grid Electricity Transmission Plc or under its supervision will not (unless sub-paragraph (3) (4) applies), excuse the undertaker from liability under the provisions of this sub-paragraph (1) unless National Grid Electricity Transmission Plc fails to carry out and execute the works properly with due care and attention and in a skilful and workmanlike manner or in a manner that does not accord with the approved plan."	Amendment made to address the Examining Authority's written question DCO.3.13 [PD-021].	Deadline 5A
Schedule 14 (Protective Provisions), Part 8 (For the protection of National Grid Electricity Transmission Plc)	95(4)(b) "any authorised works and/or any other works authorised by this Part of this Schedule carried out by National Grid Electricity Transmission Plc as an assignee, transferee or lessee of the undertaker with the benefit of the Order pursuant to section 156 of the Planning Act 2008 or article 34 35 (consent to transfer the benefit of the Order) subject to the proviso that once such works become apparatus ("new apparatus"), any authorised works yet to be executed and not falling within this sub-section 34 (b) will be subject to the full terms of this Part of this Schedule including this paragraph 95; and/or"	Amendment made to address the Examining Authority's written question DCO.3.13 [PD-021].	Deadline 5A

Schedule 14 (Protective Provisions), Part 8 (For the protection of National Grid Electricity Transmission Plc)	95(8) " The undertaker shall not Not to commence construction (and not to permit the commencement of such construction) of the authorised works on any land owned by National Grid Electricity Transmission Plc or in respect of which National Grid Electricity Transmission Plc has an easement or wayleave for its apparatus or any other interest or to carry out any works within 15 metres of National Grid Electricity Transmission Plc's apparatus until the following conditions are satisfied—"	Amended for clarity in line with the Examining Authority's Schedule of Proposed Changes to the draft DCO [PD-022] .	Deadline 5A
Schedule 14 (Protective Provisions), Part 9 (For the protection of Phillips 66 Limited)	Protective provisions included for Prax Lindsey Oil Refinery Limited (in liquidation) and Prax Downstream UK Limited (in liquidation) at Part 9 of Schedule 14 replaced by protective provisions for the protection of Phillips 66 Limited.	The Applicant has inserted revised protective provisions following Phillips 66 Limited's acquisition of the assets formerly owned by Prax Lindsey Oil Refinery Limited (in liquidation) and Prax Downstream UK Limited (in liquidation). These are partially agreed.	Deadline 5A
Schedule 14 (Protective Provisions), Part 9 (For the protection of Phillips 66 Limited), paragraph 102	Insert new definitions "AC interference modelling" means an alternating current (AC) corrosion study carried out for the proposed 400 kV underground cable circuit forming part of Work No. 5A, using the baseline AC data to identify the likely level of AC interference on the P66 operations as a result of the authorised development; "baseline AC data" means the P66 Baseline AC Data Report at Appendix A to the P66 outline specification containing survey data of single AC voltage measurements recorded during routine cathodic protection surveys at the CP test posts, as updated from time, but no less frequently than once every six months. P66 shall use reasonable endeavours to provide the updated baseline AC data to the undertaker within 28 days of any update;	Amendments made to reflect that the revisions to the protective provisions agreed between the Applicant and Phillips 66 Limited.	Deadline 7

“CP test posts” means the FINA Cathodic Protection Test Posts with ID numbers 3650, 3700, 3750 and 3850 as shown on Figure 1 of the baseline AC data;

Schedule 14 (Protective Provisions), Part 9 (For the protection of Phillips 66 Limited), paragraph 102	“British Safety Standards” means all relevant standards, codes of practice and technical specifications issued by the British Standards Institution or any successor body, including BS <u>EN ISO 18086:2020 standards</u>, BS EN and BS EN ISO standards, as amended or replaced from time to time, to the extent applicable to the authorised development <u>including in respect of AC interference over the safe levels set by British Safety Standards (currently 30Am-2) or any successor threshold recognised by applicable British Safety Standards;</u> “restricted works” means— <u>(a) works forming part of the authorised development within 15 metres of the P66 operations that will or may affect the P66 operations or access to them including—</u> <u>(i) any enabling works, site preparation, ground investigation, haul road installation, temporary works or energisation; or</u> <u>(ii) any crossing of the P66 operations (including crossings which result in an exceedance of the level of AC interference deemed acceptable by British Safety Standards at the CP test posts) or rights relating thereto; or</u> <u>(iii) any works which may result in any interference with the P66 operations;</u> (b) the use of explosives within 400 metres of the P66 operations; or (c) piling, undertaking of a 3D seismic survey or the sinking of boreholes within 20 metres of the P66 operations; or and <u>(d) works forming part of the authorised development that will or may add load to the overhead National Grid electricity cable (Ref: NGET OHL 4ZM) such that AC interference at the CP test posts exceeds the levels deemed safe</u>	Amendments made to Deadline 7 reflect that the revisions to the protective provisions agreed between the Applicant and Phillips 66 Limited.
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	<u>by British Safety Standards and would affect the safe and efficient operation of the P66 operations.</u> (c) — any works forming any part of the authorised development within 15 metres of the P66 operations that will or may affect the P66 operations or access to them including— (i) — any enabling works, site preparation, ground investigation, haul road installation, temporary works or energisation; (ii) — any crossing of the P66 operations or rights relating thereto; and (iii) — any works which may result in any material interference with the P66 operations, whether carried out by the undertaker or any third party in connection with the authorised development;	
Schedule 14 (Protective Provisions), Part 9 (For the protection of Phillips 66 Limited), paragraph 103	Insert a new sub-paragraph <u>(1) Unless otherwise agreed in writing, prior to the undertaker submitting the works details for the restricted works, the undertaker must carry out the AC interference modelling in accordance with the reasonable requirements and to the reasonable satisfaction of P66 and provide the results of such modelling in accordance with the reasonable requirements and to the reasonable satisfaction of P66 with the works detailed to be submitted pursuant to sub-paragraph (2).</u>	Amendments made to Deadline 7 reflect that the revisions to the protective provisions agreed between the Applicant and Phillips 66 Limited.
Schedule 14 (Protective Provisions), Part 9 (For the protection of Phillips 66 Limited), paragraph 103	(4) Any approval of P66 required under this paragraph 103 must not be unreasonably withheld or delayed but may be given subject to such reasonable requirements as P66 may require for the protection of the P66 operations, including but not limited to in respect of the following matters— (a) the continuing safety and operational viability of the P66 operations; and (b) the installation connection and energisation of any mitigation works and infrastructure reasonably necessary to protect the P66 operations as a result of the construction, energisation or operation of the authorised development; and	Amendments made to Deadline 7 reflect that the revisions to the protective provisions agreed between the Applicant and Phillips 66 Limited.

- (c) the requirement for P66 to have reasonable access with or without vehicles to inspect, repair, replace and maintain and ensure the continuing safety and operation or viability of the P66 operations (and at all times in the case of an emergency); and
- (d) compliance with the P66 requirements; and
- (e) compliance with ~~relevant the~~ British Safety Standards ~~(including but not limited to in respect of AC interference issues).~~

(5) Any ~~approval~~ decision of P66 required under this paragraph 103 including any reasonable requirements ~~required by P66~~ under sub-paragraph (4), must be notified to the undertaker in writing within a period of 28 days (unless a shorter period is otherwise agreed in writing between the undertaker and P66) beginning with the date on which the works details were submitted to P66 under sub-paragraph (2) or the date on which any further particulars requested by P66 under subparagraph (4) were submitted to P66 (whichever is the later). ~~Where no written approval is given by P66 within these timescales, P66's approval is deemed to be given.~~ Where no decision is notified to the undertaker by P66 within these timescales, the undertaker must notify P66 that it has a further period of ten days beginning with receipt of that notice within which to notify the undertaker of its written decision. Where no written decision is notified to the undertaken within the further ten days, P66's approval is deemed to be given. For the purposes of this sub-paragraph (5) notification shall be interpreted in line with article 45 (service of notices).

(6) The restricted works must be executed in accordance with the works details approved (or deemed to be approved) by P66 under this paragraph 103 including any reasonable requirements notified to the undertaker in accordance with sub-paragraph (4) and P66 shall be entitled to watch and inspect the execution of those works provided that for the avoidance of doubt the authorised development may not be energised (or if previously energised must be deenergised immediately) if British Safety Standards are exceeded at the CP test posts as a result of the authorised development at any point the ~~authorised development will or has or is likely to cause AC interference on the~~

~~P66 operations in excess of levels deemed safe pursuant to British Safety Standards.~~

Schedule 14 (Protective Provisions), Part 9 (For the protection of Phillips 66 Limited), paragraph 104	(1) Regardless of any provision in this Order or anything shown on the land plans or if the Order applies to any interest in any land in which the P66 operations are placed or over which access to the P66 operations is enjoyed— (a) the undertaker must not, otherwise than in accordance with the terms of this Order including any approval given under this Part of this Schedule— (i) obstruct or render less convenient the access to the P66 operations; (ii) interfere with or affect the P66 operations or P66's ability to carry out its functions including operating its pipeline and/or its terminal by way of the creation of restrictive covenants or otherwise; (iii) require that the P66 operations are relocated or diverted; (iv) remove or require to be removed any P66 operations (unless requested by P66 under paragraph 103(12) above); (v) interfere with or affect the anti-corrosion protections in place relating to the P66 operations and/or <u>exceed British Safety Standards at the CP test posts as a result of the authorised development</u> cause the P66 operations to exceed levels of AC interference deemed safe by British Safety Standards; or (vi) energise (including testing commissioning, pre-energisation voltage checks) (or if energised keep energised) any part of the authorised development that causes the P66 operations to exceed levels of AC interference deemed safe by British Safety Standards <u>to be exceeded at the CP test posts</u>; (b) any right of P66 or its authorised agents to access, repair, replace or renew the P66 operations shall not be extinguished until any	Amendments made to Deadline 7 reflect that the revisions to the protective provisions agreed between the Applicant and Phillips 66 Limited.
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	necessary alternative access has been provided to the reasonable satisfaction of P66; and (c) if <u>the level of</u> AC interference on the P66 operations due to installation and/or operation of the authorised development exceeds <u>that deemed safe by</u> British Safety Standards limits <u>at the CP test posts</u> when measured in isolation and not cumulatively with other projects (and but for the avoidance of doubt, any load added to the overhead National Grid electricity cable (Ref: NGET OHL 4ZM) will be excluded <u>included</u>), the undertaker must immediately de-energise the authorised development and must not re-energise until those failures have been addressed to P66's reasonable satisfaction.	
Schedule 14 (Protective Provisions), Part 9 (For the protection of Phillips 66 Limited), paragraph 105	[...] P66 and the undertaker must co-operate in undertaking such tests <u>and analysing such data</u> as they consider reasonably necessary <u>(including but not limited to the data collected at the CP test posts and non-routine pipeline pigging inspections)</u> for ascertaining the nature and extent of such interference and implement measures for providing or preserving cathodic protection and/or reducing levels of alternate current interference on the P66 operations so as to comply with the British Safety Standards and the P66 requirements and ensure that P66 is granted all necessary proprietary rights to use, repair replace, renew and access said measures for the lifetime of the authorised development, or the P66 operations (whichever occurs first)	Amendments made to Deadline 7 reflect that the revisions to the protective provisions agreed between the Applicant and Phillips 66 Limited.
Schedule 14 (Protective Provisions), Part 9 (For the protection of Phillips 66 Limited), paragraph 106	(1) Subject to the following provisions of this paragraph 106, the undertaker must pay to P66 within a reasonable timeframe the reasonable and properly incurred costs (excluding legal and professional costs) and expenses (excluding staffing costs) incurred by P66 (for the avoidance of doubt excluding those incurred by its agents) in, or <u>its reasonable and proper costs</u> connection with undertaking its obligations under this Part of this Schedule <u>from the date this Order comes into force</u> including— (a) the execution of any works under this Part of this Schedule including for the protection of the P66 operations; (b) the review, assessment and approval of works details in accordance with paragraph 103;	Amendments made to Deadline 7 reflect that the revisions to the protective provisions agreed between the Applicant and Phillips 66 Limited.

- (c) any actions relating to pre-construction, construction, commissioning, monitoring, inspection (excluding [routine](#) pipeline pigging inspections), technical consultancy, surveys and emergency response costs;
- (d) the watching of and inspecting the execution of the restricted works; ~~and~~
- (e) imposing reasonable requirements in accordance with paragraph 103(4);
- (f) [any costs reasonably and properly incurred by or on behalf of P66 in respect of the authorised development and this Order and any action carried out pursuant thereto including any post-construction monitoring costs \(excluding routine pipeline pigging inspections\) and any action undertaken pursuant to paragraph 105; and](#)
- (g) [legal and professional costs.](#)

(2) Prior to incurring any costs or expenses associated with the activities in sub-paragraph (1), ~~P66 must give prior written notice to the undertaker of the activities to be undertaken and an estimate of the costs or expenses to be incurred.~~ [the amount of such costs or expenses must be agreed in writing between the undertaker and P66 acting reasonably, save in the case of emergency or operational expediency following which the costs and expenses incurred and nature of the emergency or operational expediency must be notified to the undertaker as soon as reasonably practicable.](#)

Schedule 14 (Protective Provisions), Part 9 (For the protection of Phillips 66 Limited), paragraph 107	107.—(1) Subject to sub-paragraphs (2) and (3), if by reason or in consequence of the construction of any of the works referred to in paragraph 103 pursuant to this Order , any damage is caused to the P66 operations, or there is any interruption in any service provided, or in the supply of any goods, by P66, the undertaker must— (a) bear and pay the cost reasonably incurred by P66 in making good such damage or restoring the supply; and (b) make proper compensation to P66 for any other expenses, loss, claims, demands, actions, proceedings, damages, or costs reasonably	Amendments made to Deadline 7 reflect that the revisions to the protective provisions agreed between the Applicant and Phillips 66 Limited.
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incurred by P66, by reason or in consequence of any such damage or interruption.

Schedule 14 (Protective Provisions), Part 9 (For the protection of Phillips 66 Limited), paragraph 107	(5) The liability of the undertaker under this paragraph 107 is limited to £50,000,000 million (fifty million pounds) <u>£20,000,000 (twenty million pounds) for each claim and £100,000,000 (one hundred million pounds) in the aggregate.</u>	Amendments made to Deadline 7 reflect that the revisions to the protective provisions agreed between the Applicant and Phillips 66 Limited.
Schedule 15 (Procedure for discharge of requirements), 2 (Application made under requirement)	(5) "Where an application has been made to the relevant planning authority for any discharge, the undertaker will also submit a copy of that application to any requirement consultee <u>and the requirement consultee will be given no less than 15 working days in which to respond to the relevant planning authority.</u> "	Additional wording included in response to a request from the Environment Agency [RR-089].
Schedule 15 (Procedure for discharge of requirements), 2 (Applications made under requirement)	"(1) Where an application has been made to the relevant planning authority for any discharge, the relevant planning authority must give notice to the undertaker of its decision on the application within a period of ten weeks beginning with the later of— (a) The <u>working</u> day immediately following <u>the day</u> that on which the application is received by the authority; (b) the <u>working</u> day immediately following <u>the day</u> that on which further information has been supplied by the undertaker under paragraph (3); or (c) such longer period that is agreed in writing by the undertaker and the relevant planning authority."	Amended in line with the Examining Authority's Schedule of Proposed Changes to the draft DCO [PD-022].
Schedule 15 (Procedure for discharge of requirements), 2	"(3) Any application made to the relevant planning authority pursuant to subparagraph (1) must <u>provide the following information to the relevant planning authority electronically via email (unless otherwise agreed between the parties)</u> —	Amended to address comments from NKDC and LCC at Deadline 6.

(Applications made (a) a covering letter which includes confirmation of the requirement to which under requirement) the submission relates:

~~(a)~~(b) include a statement to confirm whether it is likely that the subject matter of the application will give rise to any materially new or materially different environmental effects compared to those in the environmental statement and if it will then it must be accompanied by information setting out what those effects are; and

~~(b)~~(c) include confirmation that the application has been notified and provided to the requirement consultees in accordance with sub-paragraph (5), if the provision governing or requiring the application specifies that consultation with a requirement consultee is required. Such confirmation to include contact details for the requirement consultees;

(d) the respective detailed management plan, drawing or other written information to discharge the requirement as required by the requirement; and

(e) payment of the relevant fee in accordance with paragraph 5."

Schedule 15
(Procedure for
discharge of
requirements), 2
(Applications made
under requirement)

"(5) At the same time as submitting ~~Where~~ an application has been made to the relevant planning authority for any discharge, the undertaker must also give notification of such application, and provide a copy of the application electronically via email (unless otherwise agreed between the parties), will also submit a copy of that application to any requirement consultee, ~~and the requirement consultee will be given no less than 15 working days in which to respond to the relevant planning authority if the provision governing or requiring the application specifies that consultation with a requirement consultee is required. As part of the notification to any requirement consultee, the undertaker must include a statement that refers to—~~

(a) the timeframes in which the requirement consultee can request any further information from the undertaker (via the relevant planning authority) as prescribed in paragraph 3(7)(a) and the consequences of the failure to meet those timescales as prescribed in paragraph 3(7)(b); and

(b) the timeframes in which the requirement consultee must give notice to the relevant planning authority of its comments on the application as prescribed in

Amended in response Deadline 5A
to the Examining
Authority's Schedule
of Proposed Changes
to the draft DCO [PD-
022].

paragraph 3(7)(d) and the consequences of the failure to meet those timescales as prescribed in paragraph 3(7)(e)."

Schedule 15 (Procedure for discharge of requirements), 3 (Further information and consultation)	(3) "If the provision governing or requiring the application specifies that consultation with a requirement consultee is required, the relevant planning authority must issue the consultation to the requirement consultee within 10 working days of receipt of the application, and must notify the undertaker in writing specifying any further information the relevant planning authority considers necessary or that is requested by the requirement consultee within 10 working days of receipt of such a request and in any event within 20 25 working days of receipt of the application (or such other period as is agreed in writing between the undertaker and the relevant planning authority)."	Amended to align with Deadline 3A the timescale in paragraph 2(5).
Schedule 15 (Procedure for discharge of requirements), 3 (Further information and consultation)	(1) In relation to any application to which this Schedule applies, the relevant planning authority may request such reasonable further information from the undertaker as is necessary to enable it to consider the application. (2) In the event that the relevant planning authority considers such further information to be necessary and the provision governing or requiring the application does not specify that consultation with a requirement consultee is required, the relevant planning authority must, within 20 working days of receipt of the application, notify the undertaker in writing specifying the further information required. (3) If the provision governing or requiring the application specifies that consultation with a requirement consultee is required, the relevant planning authority must issue the consultation to the requirement consultee within 10 working days of receipt of the application, and must notify the undertaker in writing specifying any further information the relevant planning authority considers necessary or <u>of</u> that is requested by the requirement consultee within 10 working days of receipt of such a request and in any event within <u>20</u>	Amended in response Deadline 5A to the Examining Authority's Schedule of Proposed Changes to the draft DCO [PD-022] .

~~25~~ working days of receipt of the application (or such other period as is agreed in writing between the undertaker and the relevant planning authority).

(4) In the event that the relevant planning authority does not give notification as specified in sub-paragraph (2) or (3) it is deemed to have sufficient information to consider the application and is not thereafter entitled to request further information without the prior agreement of the undertaker.

(5) Where further information is requested under this paragraph in relation to part only of an application, that part is to be treated as separate from the remainder of the application for the purposes of calculating time periods in paragraph (2)(1) and (3).

(6) Where further information is requested under this paragraph and provided by the undertaker, any notification reasonably given by the relevant planning authority that the information provided is inadequate and requesting additional information must be received by the undertaker within five working days, or such longer period as is agreed (including where the quantity of information is substantial or requirement consultees are involved) of the day on which the undertaker has provided the further information in response to the original request, and where no such notification is received the relevant planning authority is deemed to have sufficient information to consider the application and is not thereafter entitled to request further information without the prior agreement of the undertaker.

(7) If the provision governing or requiring the application specifies that consultation with a requirement consultee is required—

(a) a requirement consultee is required to notify the relevant planning authority in writing specifying any reasonable further information it considers necessary in order to comment on the application within 15 working days of receipt of the application pursuant to paragraph 2(5);

(b) If a requirement consultee does not give notification as specified in sub-paragraph (a) it is deemed to have sufficient information to comment on the application and is not thereafter entitled to request further information without the prior agreement of the undertaker and relevant planning authority;

(c) At the same time as providing any further information to the relevant planning authority pursuant to a request under paragraph 2, if the undertaker has been notified of further information requested by a requirement consultee, the undertaker must also give any further information to the requirement consultee;

(d) A requirement consultee is required to notify the relevant planning authority in writing of any comments on the application within 15 working days of receipt of the application from the undertaker pursuant to paragraph 2(5), or the receipt of any further information pursuant to sub-paragraph (c) (where further information has been requested); and

(e) If a requirement consultee does not give notification as specified in sub-paragraph (d) it is deemed to have no comments on the application.

Schedule 15 (Procedure for discharge of requirements), 3 (Further information and consultation)	"(3) If the provision governing or requiring the application specifies that consultation with a requirement consultee is required, the relevant planning authority must notify the undertaker in writing specifying any further information the relevant planning authority considers necessary or that is requested by the requirement consultee within 25 ²⁰ working days of receipt of the application (or such other period as is agreed in writing between the undertaker and the relevant planning authority)."	Amended to address comments from NKDC and LCC at Deadline 6.	Deadline 7
Schedule 15 (Procedure for discharge of requirements), 4 (Appeals)	(11) "On application by the relevant planning authority or the undertaker, the appointed person may give directions as to the costs of the appeal parties and as to the parties by whom the costs of the appeal are to be paid. In considering whether to make any such direction and the terms on which it is to be made, the appointed person must have regard to advice on planning appeals and award costs published in Planning Practice Guidance: Appeals	To refer to the latest Planning Practice Guidance.	Deadline 2

(~~April 2024~~~~March 2014~~) or any circular or guidance which may from time to time replace it."

Schedule 15 (Procedure for discharge of requirements), 4 (Appeals)	(3) "In the event that the appointed person considers that further information is necessary to enable the appointed person to consider <u>determine</u> the appeal, the appointed person <u>they</u> must within 10 working days of the appointed person's <u>their</u> appointment, notify the appeal parties in writing specifying the further information required."	Amended for clarity in line with the Examining Authority's Schedule of Proposed Changes to the draft DCO [PD-022] . Deadline 5A
Schedule 15 (Procedure for discharge of requirements), 5 (Fees)	"(2) The fee payable for each application under sub-paragraph (1) is as follows— (a) a fee of £2,676 £2,535 for the first application for the discharge of each of the requirements 6, 7, 8, 9, 10, 11, 12, 13, <u>14</u>, <u>15</u> and 20; (b) a fee of £610 £578 for each subsequent application for the discharge of each of the requirements listed in paragraph (a) and any application under requirement 4 in respect of the requirements listed in paragraph (a); and (c) a fee of £309 £145 for any application for the discharge of— (i) any other requirements not listed in paragraph (a); (ii) any application under requirement 4 in respect of requirements not listed in paragraph (a); and (iii) any approval required by a document referred to by any requirement or a document approved pursuant to any requirement."	Amended in line with the planning fee schedule which came into force on 1 April 2026. Deadline 5A