

Sea Link

Volume 9: Examination Submissions

Document 9.7 Applicant's Schedule of Changes to the Draft Development Consent Order (Clean)

Planning Inspectorate Reference: EN020026

Version CD (~~Version 2 – Change Request Version~~ Deadline 3)

~~November 2025~~ January 2026



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Contents

1.	Introduction	4 3
1.1	Purpose of this document	4 3
1.2	Overview of changes made at Pre-Examination stage	4 3
1.3	Overview of changes made at Examination Stage	2 4
2.	Schedule of Changes at Pre-Examination	3 5
3.	Schedule of Changes made during Examination	20 22
	Table 2.1 – Schedule of Changes to Version A of the draft DCO [APP-007]	3 5
	Table 2.2 – Schedule of Changes to Version B of the draft DCO [AS-012]	40 12
	Table 2.3 – Schedule of Changes to Version C of the draft DCO [APP-043]	45 17
	Table 3.1 – Schedule of Changes to Version D of the draft DCO [APP-087]	20
	Table 3.2 – Schedule of Changes to Version E of the draft DCO [REP1-036] for the change request	29
	<u>Table 3.3 - Schedule of Changes to Version F of the draft DCO</u>	<u>37</u>

Version History

Date	Issue	Status	Description / Changes
July 2025	A	Final	Produced following s89 letter
Aug 2025	B	Final	Produced following 2 nd s89 letter
November 2025	C	Final	Deadline 1 updates
November 2025	C (Version 2 - Change Request)	Final	Produced to account for changes made as part of the Applicant's change request.
<u>January 2026</u>	<u>D</u>	<u>Final</u>	<u>Deadline 3 updates</u>

1. Introduction

1.1 Purpose of this document

- 1.1.1 This document has been prepared by the Applicant to set out the principal changes¹ made to the draft Development Consent Order (DCO) from the version submitted to the Planning Inspectorate on 27 March 2025 as part of the application for development consent (**Document 3.1(A)**) [APP-007].
- 1.1.2 This document is therefore submitted together with:
- (a) A revised draft DCO showing the changes proposed for ~~the change request~~Deadline 3 (**Document 3.1(E)(Change Request F)**) (clean); and
 - (b) A tracked version of the draft DCO showing all changes as between ~~Revision E (Document 3.1(D)) [REP1-036] and the new~~ Revision E (Version 2 – Change Request Version) for the change request (**Document 3.1(E)(Change Request)** and the new Revision F (Document 3.1(F)).
- 1.1.3 This document is a ‘live’ document and will be updated (on a consolidated basis) by the Applicant throughout the Examination.

1.2 Overview of changes made at Pre-Examination stage

- 1.2.1 Revision B of the draft DCO (**Document 3.1(B)**) was submitted at Pre-Examination stage in May 2025 following the Section 51 advice issued by the Planning Inspectorate. A further Revision C of the draft DCO (**Document 3.1(C)**) was submitted to update the draft DCO to include amendments requested by the Section 89 letter received from the Planning Inspectorate on 8 July 2025.
- 1.2.2 Revision D was submitted to update the draft DCO to include amendments requested by the Section 89 letter received from the Planning Inspectorate on 5 August 2025.
- 1.2.3 Table 2.1 lists the principal changes made by the Applicant within Revision B of the draft DCO, Table 2.2 lists the changes made by the Applicant within Revision C of the draft DCO, and Table 2.3 lists the changes made by the Applicant within Revision D (**Document 3.1(D)**) of the draft DCO.
- 1.2.4 The changes made for the purpose of Pre-Examination fall into the following principal categories:
- (a) Amendments made in response to Section 51 Advice received from the Planning Inspectorate on 23 April 2025;
 - (b) Correction of certain typographical and other errors identified as part of the Applicant’s own consistency checks;

¹ This schedule does not include details of minor formatting changes or amendments relating to very minor typographical updates which do not affect the text of the draft DCO. All changes are shown in the tracked version of the draft DCO.

- (c) Amendments requested by the Section 89 letter received from the Planning Inspectorate on 8 July 2025; and
- (d) Amendments requested by the further Section 89 letter received from the Planning Inspectorate on 5 August 2025.

1.3 Overview of changes made at Examination Stage

1.3.1 Revision E of the draft DCO (**Document 3.1(E) [REP1-036]**) was submitted to update the draft DCO for Deadline 1 of the Examination. The changes made for Deadline 1 include amendments made in response to submissions made in relevant representations from Interest Parties and following the Preliminary Meeting, Issue Specific Hearing 1 and Open Floor Hearings.

1.3.2 Table 3.1 lists the principal changes made by the Applicant within Revision E of the draft DCO.

1.3.3 A further version of Revision E of the draft DCO ~~is~~was submitted ~~to~~ as a new Version 2 – Change Request Version (**Document 3.1(E)(Change Request) [CR1-027]**) to accompany the change request submitted by the Applicant. Table 3.2 lists the principal changes to the draft DCO made by the Applicant due to the change request.

1.3.4 Table 3.3 lists the principal changes made by the Applicant within Revision F of the draft DCO (**Document 3.1(F)** submitted at Deadline 3 of the Examination. Where reference is made in table 3.3 to **the Examining Authority's written questions (ExQ1) [PD-017]**, the question reference referred to is to the unique reference number which starts with 1 (indicating that it is from ExQ1) and the issue code and a question number. Detailed responses to the Examining Authority's written questions are provided in **Document 9.73 the Applicant's Responses to First Written Questions** submitted at Deadline 3.

2. Schedule of Changes at Pre-Examination

Table 2.1 – Schedule of Changes to Version A of the draft DCO [APP-007]

Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
1.	Article 2, Interpretation	A minor amendment has been made to correct the reference to the title of Schedule 1.	<p>(3) All distances, directions, levels and lengths referred to in this Order, are approximate. Distances between points on a work comprised in the authorised project are taken to be measured along that work. All distances for scheduled linear works referred to in this Order are measured along the centre line of the limits of deviation for that work. All pylon identification numbers set out in this Order are identified by reference to the work plans, and are subject to the limits of deviation for that work, such that the tower numbering and location of towers may adjust in accordance with the limits of deviation identified in article 5 (limits of deviation). Unless otherwise specified in Articlearticle 5 (limits of deviation) or Schedule 1 (authorised developmentproject), heights and depths in this Order or on the work plans are measured from the proposed final ground level.</p> <p>(6) References in this Order to numbered Works are references to the Works as numbered in Schedule 1 (authorised developmentproject).</p>	B
2.	Article 5, Limits of deviation	A minor amendment has been made to update the paragraph cross-reference in Article 5(1).	<p>5. —(1) Subject to paragraph 044, in respect of the onshore and offshore electric line forming part of the authorised project for which it is granted development consent by paragraph (1) of article 3 (development consent etc. granted by the Order), the undertaker may—</p>	B
3.	Article 8, Application of 1990 Act	A minor amendment has been made in Article 8(3) to keep the formatting of cross-referencing to relevant Acts consistent throughout the draft DCO.	<p>(3) In the exercise of the power under paragraphs (1) and (2) of article 11 (2)-(street works) the undertaker is to be deemed to be the highway authority for the purposes of section 55(2)(b) (meaning of “development” and “new development”)(meaning of “development” and “new development”) of the 1990 Act.</p>	B
4.	Article 10, Planning Permission	Correction of a minor typographical error in Article 10(3) to reflect that the provision is making reference to Article 10(1) and 10(3).	<p>(3) Any development or any part of a development within the Order limits which is constructed or used under the authority of a planning permission granted under section 57 of the 1990 Act, including permissions falling under sub-paragraphparagraph (1) or (3) or otherwise, is deemed not to be a breach of, or inconsistent with, this Order and will not prevent the authorised project being carried out or used or any other power or right under this Order being exercised.</p>	B

Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
5.	Article 12, Application of the Permit Scheme	Correction of a minor typographical error in Article 12(2) to ensure the correct cross reference is to the sub-paragraph, rather than paragraph.	(c) a permit may not be refused where the proposed reason for refusal is the inability to impose a condition which will not comply with paragraph <u>sub-paragraph</u> (b); and	B
6.	Article 13, Application of 1991 Act	Minor typographical corrections in Article 13(4) and 13(5) to ensure that article and section titles are accurately referenced, and to avoid unnecessary repetition in paragraph 4(a).	<p>(4) The following provisions of the 1991 Act do not apply in relation to any works executed under article 12 (application of the Permit Schemes <u>Scheme</u>) of this Order—</p> <p>(a) Article 12 (application of the Permit Schemes) of this Order—</p> <p><u>(a)</u> (b)-section 53 (the street works register);</p> <p><u>(b)</u> (c)-section 54 (advance notice of certain works);</p> <p><u>(c)</u> (d)-section 55 (notice of starting date of certain works);</p> <p><u>(d)</u> (e)-section 57 (notice of emergency works); and</p> <p><u>(e)</u> (f)-section 66 (avoidance of unnecessary delay or obstruction).</p> <p>(5) The provisions of the 1991 Act mentioned in paragraph (6) (which, together with other provisions of that Act, apply in relation to the carrying out of street works) and any regulations made, or code of practice issued or approved under those provisions, apply (with necessary modifications) in relation to any stopping up, alteration or diversion of a street of a temporary nature by the undertaker under the powers conferred by article 15 (temporary stopping-up <u>closure</u> of streets and public rights of way <u>and permissive paths</u>) whether or not the stopping up, alteration or diversion constitutes street works within the meaning of that Act.</p>	B
7.	Article 15, Temporary closure of streets and public rights of way and permissive paths	Minor typographical corrections in Article 15(1) and 15(4) to ensure that the plans are correctly and fully named.	<p>15.—(1) During and for the purposes of carrying out the authorised project, the undertaker may temporarily close, alter or divert any street, public right of way or permissive path shown on the Access-and <u>and</u> Rights of Way <u>and Public Rights of Navigation</u> Plans or within the Order limits and may for any reasonable time—</p> <p>(a) divert the traffic from the street or public right of way; and</p> <p>(b) subject to paragraph (3), prevent all persons from passing along the street, public right of way or permissive path.</p>	B

Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
			<p>(4) Without limitation on the scope of paragraph (1), the undertaker may temporarily close, alter or divert the streets, public rights of way or permissive path specified in columns (1) and (2) of Parts 1 and 2 of Schedule 8 (streets or public rights of way <u>and permissive paths</u> to be temporarily closed) to the extent specified, by reference to the letters and numbers shown on the Access-and Rights of Way Plans and Public Rights of Navigation, in column (3) of that Schedule, and, if it does so in respect of a street, public right of way or permissive path specified in Part 1 of Schedule 8, must provide the temporary diversion as specified in column (4) of that Part.</p> <p>(5) The undertaker must not temporarily close, alter or divert—</p> <ul style="list-style-type: none"> (a) any street, public right of way or permissive path specified as mentioned in paragraph (4) without first consulting the street authority; or (b) any other street, public right of way or permissive path without the consent of the street authority (such consent not to be unreasonably withheld or delayed) which may attach reasonable conditions to any consent. <p>(6) Where the undertaker provides a temporary diversion under paragraph (4), the temporary alternative route is not required to be of a higher standard than the temporarily closed street or public right of way in columns (1) and (2) of Parts 1 and 2 of Schedule 8 (streets or public rights of way <u>and permissive paths</u> to be temporarily closed).</p>	
8.	Article 16, Permanent stopping up of streets and public rights of way	Minor typographical amendment in Article 16(1) to ensure that the cross-reference wording is consistent with the title of Schedule 7.	<p>16.—(1) Subject to the provisions of this article, the undertaker may, in connection with the carrying out of the authorised project, stop up each of the streets and public rights of way specified and described in column (1) and (2) of Schedule 7 (permanent stopping up of streets and public rights of way <u>to be permanently stopped up</u>) to the extent specified in column (3) of that Schedule.</p>	B
9.	Article 17, Access to works	Minor amendment to correct the cross-referencing to the schedule as Schedule 9 does not list the purposes in column (3).	<p>17.—(1) The undertaker may, for the purposes of the authorised project—</p> <ul style="list-style-type: none"> (a) form and lay out means of access, or improve existing means of access, in the location specified in column (2) of Schedule 9 (access to works) for the purposes specified in column (3) of Schedule 9; and (b) with the consent of the relevant planning authority (such consent not to be unreasonably withheld or delayed) after consultation with the relevant highway authority, form and lay out such other means of access or improve existing means of access, at such locations within the Order limits as the undertaker reasonably requires for the purposes of the authorised project. 	B
10.	Article 20, Discharge of water	Two minor amendments have been made in Article 20(10) and (11) to ensure that the cross-references are correct.	<p>(10) Any application for consent under paragraph (3) or approval under sub-paragraph (4)(a) must include a statement that the provisions of paragraph (9) apply to that application.</p> <p>(11) If an application for consent under paragraph (3) or approval under sub-paragraph (4)(a) does not include the statement required under paragraph (10) then the provisions of paragraph (9) will not apply to that application.</p>	B

Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
11.	Article 21, Protective works	A minor correction in Article 21(3) to reflect that the Bramford to Twinstead Correction Order.	(3) For the purpose of determining how the functions under this article are to be exercised, the undertaker may enter and for survey—	B
12.	Article 25, Compulsory acquisition of rights	Correction of two minor cross-referencing errors in Article 25(3) and 25(4).	<p>(3) Subject to section 8 (other provisions as to divided land) of the 1965 Act as substituted by Schedule 9<u>10</u> (modification of compensation and compulsory purchase enactments for creation of new rights) to this Order, where the undertaker acquires a right over land or imposes a restriction under paragraph (1), the undertaker is not required to acquire a greater interest in that land.</p> <p>(4) Schedule 9<u>10</u> to this Order has effect for the purpose of modifying the enactments relating to compensation and the provisions of the 1965 Act in their application in relation to the compulsory acquisition under this article of a right over land by the creation of a new right or the imposition of a restriction.</p>	B
13.	Article 27, Temporary use of land for carrying out the authorised project	Correction of minor typographical errors including two schedule cross-referencing errors in Article 27(3)(a) and 27(5)(c).	<p>(3) The undertaker may not, without the agreement of the owners of the land, remain in possession of any land under this article—</p> <p>(a) in the case of land referred to in sub-paragraph (1)(a)(i), after the end of the period of one year beginning with the date of completion of the part of the authorised project specified in relation to that land in column (3) of Schedule 10<u>11</u>, or</p> <p>(b) in the case of land referred to in sub-paragraph (1)(a)<u>(ii)</u>, after the end of the period of one year beginning with the date of completion of the work for which temporary possession of the land was taken unless the undertaker has, by the end of that period, served a notice of entry under section 11 of the 1965 Act or made a declaration under section 4 of the 1981 Act in relation to that land.</p> <p>(c) restore the land on which any works have been carried out under paragraph (1) insofar as the element of works shown in column (4) of Schedule 10<u>11</u> is concerned;</p>	B
14.	Article 40, Extinguishment of private rights and restrictive covenants relating to apparatus belonging to National Grid removed from land subject to temporary possession	Correction of minor typographical errors in Article 40(3) to ensure that the cross-referencing format is consistent, as well as the inclusion of the article title to ensure naming conventions are followed throughout the draft DCO.	(3) The extinguishment of rights by paragraph (2) does not give rise to any cause of action relating to the presence on or in the land of any foundations (save for those which lie less than 1.5 metres underground) referred to in article 27 <u>sub-paragraph 5</u> (d) and 27(6)(c) or of article 27 (3)(d) or 27(6) <u>temporary use of land by for carrying out the authorised project</u> (National Grid is not required to remove foundations when giving up temporary possession).	B

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15.	Article 50, Traffic regulation	Correction of minor typographical errors in Article 50(a), (b) and (c) to ensure the correct columns are cross-referenced.	<p>50.—(1) Subject to the provisions of this article, the undertaker may at any time for the purposes of the authorised project or for purposes ancillary to the construction or maintenance of the authorised project —</p> <ul style="list-style-type: none"> (a) prohibit waiting of vehicles and regulate vehicular speed by imposing a speed restriction on vehicles in the manner specified in Part 1 of Schedule 13 (traffic regulation orders) on a road specified in column (42) and along the lengths and between the points specified in column (23) in the manner specified in column (34) of that Part of that Schedule; (b) prohibit use of roads by through traffic in the manner specified in Part 42 of Schedule 13 (traffic regulation orders) on the roads specified in column (42) and along the lengths and between the points specified in column (23) in the manner specified in column (34) of that Part of that Schedule; (c) regulate the direction of vehicular movements in the manner specified in Part 53 of Schedule 13 (traffic regulation orders) on the roads specified in column (42) and along the lengths and between the points specified in column (23) in the manner specified in column (34) of that Part of that Schedule; 	B
16.	Article 55, Procedure regarding certain approvals etc.	This amendment reflects that the appeals process in Schedule 4 applies to any documents referred to under other provisions of the Order, in addition to the Requirements.	(2) Schedule 4 (discharge of Requirements) has effect in relation to all consents, agreements or approvals granted, refused or withheld in relation to the Requirements, and any document referred to in any Requirement requirement , and any other provisions of this Order .	B
17.	Article 60, Certification of documents	Correction of a minor typographical errors in Article (3) to update the schedule cross-reference.	(3) Where any plan or document identified in Schedule 18 (amendment of local legislation) is required to be amended to reflect the terms of the Secretary of State's decision to make this Order, that plan or document in the form amended to the Secretary of State's satisfaction is the version of the plan or document required to be certified under paragraph (1).	B
18.	Article 61, Services of notices	Correction of a minor typographical error in Article 61(3) to reflect that the cross-reference is referring to Article 61(1).	<p>(3) For the purposes of section 7 of the Interpretation Act 1978(a) as it applies for the purposes of this article, the proper address of any person in relation to the service on that person of a notice or document under paragraph 60(1) is, if that person has given an address for service, that address, and otherwise—</p> <ul style="list-style-type: none"> (a) in the case of the secretary or clerk of a body corporate, the registered or principal office of that body; and (b) in any other case, the last known address of that person at the time of service. 	B
19.	Schedule 2, Plans	Minor updates made to Schedule 2 to correct certain typographical errors.		B

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			<table><tr><td>The National Grid (Sea Link) Order PINS application number: EN020026 Works Plans – Suffolk Regulation 5(2)(j) Sheet 1 of 6 In the districts<u>district</u> of East Suffolk District Council</td><td>DCO/S/WK/PS/0401</td><td>A</td></tr></table>	The National Grid (Sea Link) Order PINS application number: EN020026 Works Plans – Suffolk Regulation 5(2)(j) Sheet 1 of 6 In the districts <u>district</u> of East Suffolk District Council	DCO/S/WK/PS/0401	A				
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			<div> <div> The National Grid (Sea Link) Order PINS application number: EN020026 Works Plans – Offshore Regulation 5(2)(j) Sheet 3 of 3 In the districts of Dover District Council and Thanet District Council </div> <div>DCO/M/WK/PS/0416</div> <div>A</div> </div>	
20.	Schedule 3, Requirements (Paragraph 2(3))	Correction of a minor typographical error to reflect that sub-paragraph 2(2) is not a subsection.	<p>2. —(1) The authorised development must be commenced within five years of the date of this Order.</p> <p>(2) If any proceedings are begun to challenge that validity of this Order, the period specified in sub-paragraph (1) is extended by a period equivalent to the period beginning with the day the application to challenge is made and ending on the day it is withdrawn or finally determined.</p> <p>(3) An application is not finally determined for the purposes of subsectionsub-paragraph (2) if any appeal in respect of the application—</p>	B
21.	Schedule 3, Requirements (Paragraphs 4(3) and 4(5))	Correction of minor typographical errors in sub-paragraph (3) and (5) to ensure cross-references are accurate.	<p>(3) Any revisions to the written scheme referred to in paragraph 4sub-paragraph (2) above must be submitted to the relevant planning authority in advance of the commencement of the stage of the authorised development to which the revisions relate.</p> <p>(5) The authorised development must be carried out in accordance with the written scheme submitted further to sub-paragraphsub-paragraphs (2) or (3).</p>	B
22.	Schedule 3, Requirements (Paragraph 5(1))	Correction of a minor typographical error in sub-paragraph (1) to ensure cross-references are accurate.	<p>5. —(1) All construction works forming part of the authorised development must be carried out in accordance with the construction management plans, schemes and strategies listed in paragraphsub-paragraph (2) below, unless otherwise agreed with the relevant planning authority or other discharging authority as may be appropriate to the relevant plan, scheme or strategy concerned.</p>	B
23.	Schedule 3, Requirements (Paragraphs 7(4), 7(4)(l), 7(4)(m) and 7(4)(n))	Correction of a minor typographical error ensure cross-references are accurate. The removal of item (n) reflects the Section 51 Advice provided to the Applicant and removes duplication.	<p>(4) The following operations may take place outside the core working hours referred to in paragraphsub-paragraph (1)—</p> <p>(l) mechanical and electrical installation works within buildings once erected and enclosed; and</p> <p>(m) any highway works requested by the highway authority to be undertaken on a Saturday or Sunday or outside the core working hours; and</p> <p>(n) activity necessary in the instance of an emergency where there is a risk to persons or property.</p>	B
24.	Schedule 3, Requirements	Correction of a minor typographical error to ensure that the title of	<p>(3) The requirement to reinstate the land to a condition suitable for its former use is subject to the provisions of article 27 (temporary use of land for carrying out the authorised project).</p>	B

Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
	(Paragraph 9)	Article 27 is accurately referred to.		
25.	Schedule 4, discharge of Requirements (Paragraph 5(9))	An amendment to reflect that the appointed person must have regard to the most updated version of the Planning Practice Guidance published by the Department for Communities and Local Government.	(9) In considering whether to make any such direction as to the costs of the appeal parties and the terms on which it is made, the appointed person must have regard to the Planning Practice Guidance published by the Department for Communities and Local Government (6th March 2014) or any circular or guidance which may from time to time replace it.	B
26.	Schedule 4, discharge of Requirements (Paragraph 6)	Correction of a minor typographical error in the definition of “relevant authority”.	“relevant authority” means the body responsible for giving and <u>any</u> consent, agreement or approval under this schedule or relevant owner of a watercourse, sewer or drain as may be appropriate to the consent, agreement or approval sought; and	B
27.	Schedule 2A, Counter-notice requiring purchase of land (Paragraph 1)	A minor amendment to reflect that the “1981 Act” is already a defined term which refers to the Compulsory Purchase (Vesting Declarations) Act 1981.	1. This Schedule applies where an acquiring authority serves a notice to treat in respect of a right over, or restrictive covenant affecting, the whole or part of a house, building or factory and have not executed a general vesting declaration under section 4 of the 1981 Act as applied by article 35 (application of the Compulsory Purchase (Vesting Declarations) 1981 Act 1981) of the National Grid (Sea Link) Order 20[xx] in respect of the land to which the notice to treat relates.	B

Table 2.2 – Schedule of Changes to Version B of the draft DCO [AS-012]

Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
1.	Article 2, Interpretation	An amendment to reflect typographical changes made in the Bramford to Twinstead Correction Order dated 8 April 2025.	“authorised development” means the development described in Part 1 of Schedule 1 (authorised development), including <u>and</u> any related <u>other</u> development authorised by this Order, which is development within the meaning of section 32 of the 2008 Act;	C
2.	Article 2, Interpretation	An amendment to reflect typographical changes made in the Bramford to Twinstead Correction Order dated 8 April 2025.	“electric line” has the meaning set out in section 64(1) <u>(</u> interpretation etc. of Part 1) of the 1989 <u>Electricity</u> Act 1989 which includes but is not limited to new pylons, foundations and steelwork, conductors, insulators and fittings, fibre optic earth wire conductors, joint boxes, joint pits, joint bays, cables, cable ducts, link pillars and offshore cables; “electronic transmission” means a communication transmitted— (c) by means of an electronic communications network; or (d) by other means but while in electronic form;	C
3.	Article 3, Development consent etc. granted by the Order	An amendment to reflect typographical changes made in the Bramford to Twinstead Correction Order dated 8 April 2025.	(4) The authorised project must be constructed and installed in the lines and situations shown on the Works Plans listed in Schedule 2 subject to article 5 (limits of deviation) and to Schedule 3 (requirements <u>Requirements</u>). (5) Schedule 3 (requirements <u>Requirements</u>) has effect.	C
4.	Article 10 (Planning Permission and Other Consents)	The amendment to this article is intended to ensure that the article applies to both planning permissions granted under the 1990 Act and development consent orders made under the 2008 Act.		C

Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
			<p>Planning Permission <u>and other consents</u></p> <p>10.—(1) If planning permission is issued pursuant to the 1990 Act for development any part of which is within the Order limits following publication of this Order that is—</p> <p>(a) not itself a nationally significant infrastructure project under the 2008 Act or part of such a project; and</p> <p>(b) required to complete or enable the construction, use or operation of any part of the development authorised by this Order,</p> <p>then the carrying out, use or operation of such development pursuant to the terms of the planning permission is not to constitute a breach of the terms of this Order.</p> <p>(2) To the extent any development carried out or used pursuant to a planning permission granted under section 57 (planning permission required for development) of the 1990 Act <u>or development consent granted under the 2008 Act</u> or compliance with any conditions of that permission <u>or requirements of that development consent</u> is inconsistent with the exercise of any power or right under this Order or the authorised project—</p> <p>(a) That inconsistency is to be disregarded for the purposes of establishing whether any development which is the subject matter of that planning permission <u>or development consent</u> is capable of physical implementation; and</p> <p>(b) In respect of that inconsistency, no enforcement action under the 1990 Act may be taken in relation to development carried out or used pursuant to that planning permission <u>or development consent</u> whether inside or outside the Order limits.</p> <p>(3) Any development or any part of a development within the Order limits which is constructed or used under the authority of a planning permission granted under section 57 of the 1990 Act <u>or of a development consent granted under the 2008 Act</u>, including permissions falling under paragraph (1) or (32) or otherwise, is deemed not to be a breach of, or inconsistent with, this Order and will not prevent the authorised project being carried out or used or any other power or right under this Order being exercised.</p>	
5.	Article 12, Application of the Permit Scheme	An amendment to reflect typographical changes made in the Bramford to Twinstead Correction Order dated 8 April 2025.	(6) References to moratoria in paragraph (2) mean restrictions imposed under section 58 (restrictions on works following substantial road works) or section 58A (restrictions <u>restriction</u> on works following substantial street works) of the 1991 Act.	C
6.	Article 14 (Power to alter layout, etc. of streets)	An amendment to reflect cross referencing updates made in the Bramford to Twinstead Correction Order dated 8 April 2025.	<p>(6) Any application for consent under paragraph (24) must include a statement that the provisions of paragraph (5) apply to that application.</p> <p>(7) If an application for consent under paragraph (24) does not include the statement required under paragraph (6) then the provisions of paragraph (5) will not apply to that application.</p>	C
7.	Article 21 (Protective Works)	An amendment to reflect typographical changes made in the Bramford to Twinstead Correction		C

Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
		Order dated 8 April 2025.	(3) For the purpose of determining how the functions under this article are to be exercised, the undertaker may enter and survey— (a) any land, building, structure, apparatus or equipment, falling within paragraph (1) and any land within its curtilage; and (b) where reasonably necessary, any land which is adjacent to the land, building, structure, apparatus or equipment, whether or not within <u>the</u> Order limits,	
8.	Article 36 (Application of Part 1 of the 1965 Act)	An amendment to reflect typographical changes made in the Bramford to Twinstead Correction Order dated 8 April 2025.	(4) In section 11A (powers of entry: further notice <u>notices</u> of entry)— (a) in subsection (1)(a), after “land” insert “under that provision”; and (b) in subsection (2), after “land” insert “under that provision”.	C
9.	Article 37 (Extinguishment and suspension of private rights)	An amendment to reflect typographical changes made in the Bramford to Twinstead Correction Order dated 8 April 2025.	37.— (1) Subject to the provisions of this article, all private rights and restrictive covenants over land subject to compulsory acquisition under this Order are extinguished or suspended— (a) as from the date of acquisition of the land by the undertaker, whether compulsorily or by agreement; or (b) on the date of entry on the land by the undertaker under section 11(1) (power <u>powers</u> of entry)(a) of the 1965 Act, whichever is the earlier.	C
10.	Article 40 (Extinguishment of private rights and restrictive covenants relating to apparatus belonging to National Grid removed from land subject to temporary possession)	An amendment to reflect typographical changes made in the Bramford to Twinstead Correction Order dated 8 April 2025.	(3) The extinguishment of rights by paragraph (2) does not give rise to any cause of action relating to the presence on or in the land of any foundations (save for those which lie less than 1.5 metres underground) referred to in sub-paragraph 5(d) and 6(c) of article 27 (temporary use of land by for carrying out the authorised project) (National Grid is not required to remove foundations when giving up temporary possession).	C
11.	Article 49 (Defence in proceedings in respect of statutory nuisance)	An amendment to reflect changes made in the Bramford to Twinstead Correction Order dated 8 April 2025.		C

Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
			<p>Defence to proceedings in respect of statutory nuisance</p> <p>49.—(1) Where proceedings are brought under section 82(1) (summary proceedings by person<ins>persons</ins> aggrieved by statutory nuisance) of the Environmental Protection Act 1990(a) in relation to a nuisance falling within paragraphs (g) (noise emitted from premises so as to be prejudicial to health or a nuisance) and (ga) (noise from vehicles, machinery or equipment in a street) of section 79(1) of that Act no order must be made, and no fine must be imposed, under section 82(2) of that Act if—</p> <p>(a) the defendant shows that the nuisance—</p> <p>(i) relates to premises used by the undertaker for the purposes of or in connection with the construction or maintenance of the authorised project and that the nuisance is attributable to the carrying out of the authorised project in accordance with a notice served under section 60 (control of noise on construction site<ins>sites</ins>) or a consent given under section 61 (prior consent for work on construction site<ins>sites</ins>) of the Control of Pollution Act 1974(b); or</p> <p>(ii) relates to premises used by the undertaker for the purposes of or in connection with the construction of the authorised project and that the nuisance is attributable to the carrying out of the authorised project in accordance with the controls and measures relating to noise as described in the relevant Construction Environmental Management Plan or the relevant Construction Noise and Vibration Management Plan; or</p> <p>(iii) is a consequence of the construction or maintenance of the authorised project and that it cannot reasonably be avoided; or</p> <p>(iv) is a consequence of complying with a requirement of this Order and that it cannot reasonably be avoided; or</p>	
12.	Article 51 (Felling or lopping)	An amendment to reflect typographical changes made in the Bramford to Twinstead Correction Order dated 8 April 2025.	<p>(a) the tree to be felled, lopped, pruned, cut, trimmed, coppiced, pollarded, or reduced in height or width is described or shown on the Trees and Hedgerows to be Removed or Managed Plans; and</p> <p>(b) the undertaker giving<ins>has given</ins> 5 days notice to the relevant highway authority of its intention to carry out any of the operations described in sub-paragraph (a).</p>	C
13.	Article 62 (Arbitration)	An amendment to reflect typographical changes made in the Bramford to Twinstead Correction Order dated 8 April 2025.	<p>Arbitration</p> <p>62. Subject to article 55 (procedures<ins>procedure</ins> regarding certain approvals, etc.) and except where otherwise expressly provided for in this Order or unless otherwise agreed between the parties, any difference under any provision of this Order must be referred to and settled by a single arbitrator to be agreed between the parties or, failing agreement, to be appointed on the application of either party (after giving notice in writing to the other) by the Secretary of State.</p>	C
14.	Schedule 1	There are two tables of grid coordinates included within Schedule 16 (Deemed Marine Licence under the 2009 Act) which show the grid coordinates for that	Inclusion in Schedule 1 of a table of grid coordinates showing the limits of deviation for an access bridge and overhead cables over the River Stour.	C

Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
		part of the authorised development which is seaward of MHWS. Table 2, which shows the limits of deviation for an access bridge and overhead cables over the River Stour, was not previously included in Schedule 1. Therefore, this amendment has been made to also include the second table in Schedule 1 to ensure consistency across the draft DCO.		
15.	Schedule 3 (Requirements)	An amendment to ensure consistency in the use of defined terms throughout the draft Order.	Change from requirement to 'Requirement' throughout, where appropriate.	C
16.	Schedule 4 (Discharge of Requirements)	An amendment to ensure consistency in the use of defined terms throughout the draft Order.	Change from requirement to 'Requirement' throughout, where appropriate.	C

Table 2.3 – Schedule of Changes to Version C of the draft DCO [APP-043]

Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
1.	Article 1(5) (Interpretation)	This amendment widens the reference to the relevant plans to reflect that there are other plans (such as the Traffic Regulation Orders Plans [APP-024]) also include points identified by letters or numbers.	(5) References in this Order to points identified by letters or numbers are to be construed as references to points so lettered or numbered on the Access, Rights-of-Way and Public Rights-of-Navigation Plans <u>plans to which the reference relates</u> .	D
2.	Article 10(2) (Planning permission and other consents)	The amendment to this article adds an additional reference to the 2008 Act which is intended to ensure consistency with the references to both the 1990 Act and the 2008 Act throughout the article.	(b) In <u>In</u> respect of that inconsistency, no enforcement action under the 1990 Act <u>or the 2008 Act</u> may be taken in relation to development carried out or used pursuant to that planning permission or development consent whether inside or outside the Order limits.	D
3.	Article 13(7) (Application of the 1991 Act)	This amendment updates the cross-reference to the earlier paragraph.	(7) Sections 54 and 55 of the 1991 Act as applied by paragraph (2) 5 have effect as if references in section 57 of that Act to emergency works were references to a stopping up, alteration or diversion (as the case may be) required in a case of emergency.	D
4.	Article 15(10) (Temporary closure of streets and public rights of way and permissive paths)	This amendment updates the cross-reference to the earlier paragraph.	(10) Any application for consent under paragraph (2) or (5)(b) must include a statement that the provisions of paragraph (8) 9 apply to that application.	D
5.	Article 17(3) & (4) (Access to works)	Correction of minor typographical errors in paragraph (3) and (4) to		D

Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
		ensure cross-references reflect SI drafting conventions.	<p>(3) Any application for consent under sub-paragraphparagraph (1)(b) must include a statement that the provisions of paragraph (2) apply to that application.</p> <p>(4) If an application for consent under sub-paragraphparagraph (2)(b) does not include the statement required under paragraph (3), then the provisions of paragraph (2) will not apply to that application.</p>	
6.	Article 21(5) (protective works)	Correction of minor typographical errors in paragraph 5(c) and (d) to ensure cross-references reflect SI drafting conventions.	<p>(5) Before exercising—</p> <p>(a) a right under paragraph (1) to carry out protective works to any land, building, structure, apparatus or equipment;</p> <p>(b) a right under paragraph (3) to enter and/or survey any land, building, structure, apparatus or equipment, and land within its curtilage or any adjacent land;</p> <p>(c) a right under sub-paragraphparagraph (4)(a) to enter the land, building or structure and land within its curtilage; or</p> <p>(d) a right under sub-paragraphparagraph (4)(b) to enter land,</p>	D
7.	Article 22(9) &(10) (Authority to survey and investigate the land)	Correction of minor typographical errors in paragraph 9 and 10 to ensure cross-references reflect SI drafting conventions.	<p>(9) Any application for consent under either sub-paragraphparagraph (5)(a) or sub-paragraphparagraph (5)(b) must include a statement that the provisions of paragraph (8) apply to that application.</p> <p>(10) If an application for consent under either sub-paragraphparagraph (5)(a) or sub-paragraphparagraph (5)(b) does not include the statement required under paragraph (9), then the provisions of paragraph (8) will not apply to that application.</p>	D
8.	Article 26(3) (Acquisition of subsoil or airspace only)	Update made to the cross-reference to Article 36 and other minor typographical errors to ensure consistency across the draft DCO.	<p>(3) The following do not apply in connection with the exercise of the power under paragraph (1) in relation to subsoil or airspace only—</p> <p>(a) Schedule 2A (counter-notice requiring purchase of land not in notice to treat) to the 1965 Act (as modified by article 265 (modification)36 (application) of Part 1 of the 1965 Act));</p> <p>(b) Schedule A1 (counter-notice requiring purchase of land not in general vesting declaration) to the 1981 Act; and</p> <p>(c) section 153(4A)(e) (blighted land: proposed acquisition of part interest; material detriment test) of the Town and Country Planning1990 Act-1990.</p>	D
9.	Article 27(3) (Temporary use of land for carrying out the authorised project)	Correction of minor typographical errors in paragraph 3(a) and (b) to ensure cross-references reflect SI drafting conventions.	<p>(3) The undertaker may not, without the agreement of the owners of the land, remain in possession of any land under this article—</p> <p>(a) in the case of land referred to in sub-paragraphparagraph (1)(a)(i), after the end of the period of one year beginning with the date of completion of the part of the authorised project specified in relation to that land in column (3) of Schedule 11, or</p> <p>(b) in the case of land referred to in sub-paragraphparagraph (1)(a)(ii), after the end of the period of one year beginning with the date of completion of the work for which temporary possession of the land was taken unless the undertaker has, by the end of that period, served a notice of entry under section 11 of the 1965 Act or made a declaration under section 4 of the 1981 Act in relation to that land.</p>	D
10.	Article 27(5) (Temporary use of land)	Correction of minor typographical errors in paragraph 5 to ensure		D

Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
	for carrying out the authorised project)	cross-references reflect SI drafting conventions.	<p>(5) Before giving up possession of land of which only temporary possession has been taken under sub-paragraphparagraph (1)(a)(i), unless otherwise agreed with the owners of the land, the undertaker must remove all temporary works and restore the land to the reasonable satisfaction of the owners of the land, but the undertaker is not required to—</p> <p>(a) replace a building, structure, apparatus, equipment, electric line, electrical plant or pylon removed under this article;</p> <p>(b) restore the land on which any mitigation works have been carried out under sub-paragraphparagraph (1)(d);</p>	
11.	Article 27(6) (Temporary use of land for carrying out the authorised project)	Correction of minor typographical errors in paragraph 6 to ensure cross-references reflect SI drafting conventions.	<p>(6) Before giving up possession of land of which temporary possession has been taken under sub-paragraphparagraph (1)(a)(ii), unless otherwise agreed by the owners of the land, the undertaker must either acquire the land or the interest on, over, or in the land in accordance with the provisions of sub-paragraphparagraph (3)(b) or remove all temporary works and restore the land to the reasonable satisfaction of the owners of the land; but the undertaker is not required to—</p> <p>(a) replace a building, structure, apparatus, equipment, electric line, electrical plant or pylon removed under this article;</p> <p>(b) restore the land on which any mitigation works have been carried out under sub-paragraphparagraph (1)(d);</p>	D
12.	Article 27(12) (Temporary use of land for carrying out the authorised project)	Correction of minor typographical errors in paragraph 12 to ensure cross-references reflect SI drafting conventions.	<p>(12) Nothing in this article prevents the undertaker from taking temporary possession more than once in relation to any land specified in sub-paragraphparagraph (1)(a).</p>	D
13.	Article 40(3) (Extinguishment of private rights and restrictive covenants relating to apparatus belonging to National Grid removed from land subject to temporary possession)	Correction of minor typographical errors in paragraph 3 to ensure cross-references reflect SI drafting conventions.	<p>(3) The extinguishment of rights by paragraph (2) does not give rise to any cause of action relating to the presence on or in the land of any foundations (save for those which lie less than 1.5 metres underground) referred to in sub-paragraphparagraph 5(d) and 6(c) of article 27 (temporary use of land for carrying out the authorised project) (National Grid is not required to remove foundations when giving up temporary possession).</p>	D
14.	Schedule 1, Part 1, paragraph 2	This amendment clarifies the list of works which comprise associated development to make clear that		D

Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
		drainage works are intended to be included as associated development.	(x) <u>drainage works; and</u> (y) (x) —such other works, including scaffolding, working sites storage areas, and works of demolition (which includes but is not limited to demolition of residential properties), as may be necessary or expedient for the purposes of or in connection with the construction of the authorised development and which do not give rise to any materially different environmental effects from those assessed in the Environmental Statement	
15.	Schedule 3, Requirement 7(1)	This amendment relates to the addition of a new definition of ‘HGV’ to the definitions in Schedule 3 (Requirements).	<u>“HGV” means lorries over 3.5 tonnes maximum gross weight but excluding abnormal indivisible loads;</u>	D
16.	Schedule 3, Requirement 7(6)	This amendment relates to the addition of a new paragraph 7(6) to Requirement 7 (construction hours). This specifies the severe weather conditions referred to in sub-paragraph 4(g).	<u>(6) The severe weather conditions referred to in sub-paragraph (4)(g) means any weather which prevents work from taking place during the core working hours referred to in sub-paragraph (1) and, as the case may be, the hours referred to in sub-paragraph (3) by reason of physical incapacity (whether for reasons of visibility, ground conditions, power availability, site access, wind or otherwise) or being contrary to safe working practices.</u>	D
17.	Schedule 3, Requirement 10(3)	Addition of a footnote to reflect SI drafting conventions.	(3) In this Requirement, “controlled waters” has the same meaning as in Part 3 of the Water Resources Act 1991 (a) .	D
18.	Schedule 3, Requirement 14(1)(c)	Addition of a full stop to ensure grammatical consistency.	(c) Outline Offshore Overarching Written Scheme of Investigation and the Marine Archaeological Method Statement as appropriate.	D
19.	Schedule 4, paragraph 3	Addition of a heading to paragraph 3 of Schedule 4 to ensure consistency with other made orders.	<u>Fees</u> 3. —(1) Where an application is made to a relevant authority for any consent, agreement or approval required by a Requirement (including consent, agreement or approval in respect of part of a Requirement), a fee must be paid to the relevant authority as follows—	D
20.	Schedule 15, Part 2, paragraph 9	An amendment to update the reference to the electronic communications code to reflect that the Telecommunications Act 1984 is no longer in force.	9. The exercise of the powers of article 44 (statutory undertakers) are subject to paragraph 23 of Schedule 2 to the Telecommunications Act 1984(a) <u>Part 10 (undertaker’s works affecting electronic communications apparatus) of the electronic communications code.</u>	D

Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO						
21.	Schedule 16, Part 2, Condition 1	An amendment to update the design parameters in Schedule 16 to reflect the correct length of cable proposed.	<div>Table 2. Design parameters</div> <table><tr><th>Length of cable (km)</th><th>Area of cable protection (m2)</th><th>Volume of cable protection (m3)</th></tr><tr><td>122196,100122</td><td>196,100</td><td>582,200</td></tr></table>	Length of cable (km)	Area of cable protection (m2)	Volume of cable protection (m3)	122 196,100122	196,100	582,200	D
Length of cable (km)	Area of cable protection (m2)	Volume of cable protection (m3)								
122 196,100122	196,100	582,200								
22.	Schedule 16, Part 2, Condition 10	An amendment to correct a typographical error.	(3) No exit to trenchless landfall techniques must occur within 50m of MLWS at Leiston to Aldeburgh Aldeburgh SSSI.	D						

3. Schedule of Changes made during Examination

Table 3.1: Schedule of Changes to Version D of the draft DCO [APP- 087] at Deadline 1

Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
1.	Article (1) Interpretation.	Natural England's Relevant Representation advised that the definition of 'commence' within article 1 of the draft DCO should be updated to include the definition of offshore commencement. Article 1 of the draft Order has therefore been updated to reflect both definitions of 'commence' currently used within the draft DCO and in the Schedule 16 deemed marine licence for consistency purposes. An associated definition of Mean High Water Springs is also added to Article 1.	<p><u>"commence" means</u></p> <p>(a) <u>In relation to works seaward of MHWS, the first carrying out of any licensed marine activities authorised by the deemed marine licence, save for operations consisting of offshore preparation works or pre-construction surveys and monitoring approved under the deemed marine licence and the words "commencement" and "commenced" must be construed accordingly;</u></p> <p>(b) <u>"commence" means</u> <u>In respect of any other works comprised in the authorised project, the carrying out of any material operation (as defined in section 155(2) (when development begins) of the 2008 Act) forming part of the authorised project other than the pre-commencement operations and "commencement" and "commenced" are to be construed accordingly;</u></p>	E
2.	Article 5 (Limits of Deviation)	This change is made to alter the secured height of pylons in Suffolk to 53.2m. This means that, with the 6m limit of deviation in Article 5, the total maximum height for pylons in Suffolk would		E

Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO															
		be 59.2m to match the East Anglia One North and East Anglia Two Windfarm Orders 2022. Detailed design has progressed against the parameters of these consents and the Applicant is therefore confident the lower height is deliverable.	<p>Limits of deviation</p> <p>5. —(1) Subject to paragraph 4, in respect of the onshore and offshore electric line forming part of the authorised project for which it is granted development consent by paragraph (1) of article 3 (development consent etc. granted by the Order), the undertaker may—</p> <p>(a) deviate from the lines or situations of the authorised project shown on the Works Plans within the limits of deviation relating to a Work shown on those plans and carry out construction activities for the purpose of the authorised project anywhere within the Order limits; and</p> <p>(b) in respect of the pylons deviate vertically from the levels of the authorised project (being 54m<u>53.2m</u> above finished ground level in Suffolk and 51m above finished ground level in Kent)—</p> <p>(i) to any extent upwards not exceeding 6 metres;</p> <p>(ii) to such extent downwards as the undertaker considers necessary or convenient;</p>																
3.	Article 5 (Limits of Deviation)	The height of Friston substation assessed in the Sea Link application is 2m higher than the height assessed in the East Anglia One North and East Anglia Two Windfarm Orders 2022. The Environmental Statement for the Sea Link application assessed a height of 18m above finished ground level, and this is the height shown in the photomontages in the application. However, National Grid (working with SPR as part of the delivery of the East Anglia TWO Windfarm Order 2022) has now progressed the design to the 16m maximum height specified in the SPR consents. Therefore, this update is made to secure this lower height in the draft DCO.	<p>Table of Parameters</p> <table><tr><th>Work</th><th>Type of structure</th><th>Height</th></tr><tr><td>1B</td><td>Substation – Suffolk</td><td>+8m<u>+6m</u> above finished ground level (not including roof mounted equipment)</td></tr><tr><td>3B</td><td>Converter Station – Suffolk</td><td>26m above finished ground level (not including roof mounted equipment)</td></tr><tr><td>9B, 11</td><td>Substation and Converter Station – Kent</td><td>28m above existing ground level (not including roof mounted equipment) and in respect of Work No. 11, not above 20m above existing ground level.</td></tr><tr><td>2, 5, 7</td><td>Link pillars</td><td>2m above finished ground level.</td></tr></table>	Work	Type of structure	Height	1B	Substation – Suffolk	+8m <u>+6m</u> above finished ground level (not including roof mounted equipment)	3B	Converter Station – Suffolk	26m above finished ground level (not including roof mounted equipment)	9B, 11	Substation and Converter Station – Kent	28m above existing ground level (not including roof mounted equipment) and in respect of Work No. 11, not above 20m above existing ground level.	2, 5, 7	Link pillars	2m above finished ground level.	E
Work	Type of structure	Height																	
1B	Substation – Suffolk	+8m <u>+6m</u> above finished ground level (not including roof mounted equipment)																	
3B	Converter Station – Suffolk	26m above finished ground level (not including roof mounted equipment)																	
9B, 11	Substation and Converter Station – Kent	28m above existing ground level (not including roof mounted equipment) and in respect of Work No. 11, not above 20m above existing ground level.																	
2, 5, 7	Link pillars	2m above finished ground level.																	
4.	Article 7 (Consent to	In its Relevant Representation,		E															

Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
	transfer benefit of Order)	the MMO noted concerns around the provisions relating to the process of transferring or granting the deemed marine licence. Therefore, the Applicant has included additional wording which is based on the East Anglia One North and East Anglia Two Windfarm Orders 2022 and other DCOs which consented offshore wind farms to include wording requiring the Secretary of State to consult with the MMO before giving consent to the transfer or grant of the benefit of the provisions of the DML. The MMO will be consulted on any decision by the SoS and it is well preceded across other Orders.	<p><u>(4) Subject to paragraph (5) the undertaker may with the written consent of the Secretary of State</u></p> <p><u>(a) Where an agreement has been made in accordance with paragraph 2(a), transfer to the transferee the whole of any of the deemed marine licences and such related statutory rights as may be agreed between the undertaker and the transferee; or</u></p> <p><u>(b) Where an agreement has been made in accordance with paragraph 2(b), transfer to the lessee for the duration of the period mentioned in paragraph 2(b), the whole of any of the deemed marine licences and such related statutory rights as may be so agreed.</u></p> <p><u>(5) The Secretary of State must consult the MMO before giving consent to the transfer or grant to another person of the benefit of the provisions of the deemed marine licence.</u></p> <p><u>(6) Sections 72(7) and (8) of the 2009 Act (variation, suspension, revocation and transfer) do not apply to a transfer or grant of the whole of the benefit of the provisions of the deemed marine licences to another person by the undertaker pursuant to an agreement under paragraph (3) save that the MMO may amend any deemed marine licence granted under Schedule 16 (Deemed marine licence) of the Order to correct the name of the undertaker to the name of a transferee or lessee under this article 7 (consent to transfer benefit of the Order).</u></p>	
5.	Article 62 (Arbitration)	In their Relevant Representations, the MMO and Natural England highlighted that the MMO should not be subject to the arbitration provisions in the draft DCO. The Applicant notes the arguments made in relation to arbitration provisions on other development consent orders. Therefore, this change updates the wording as requested by the MMO and	<p>Arbitration</p> <p>62. <u>(1) Subject to article 55 (procedure regarding certain approvals, etc.) and except where otherwise expressly provided for in this Order or unless otherwise agreed between the parties, any difference under any provision of this Order must be referred to and settled by a single arbitrator to be agreed between the parties or, failing agreement, to be appointed on the application of either party (after giving notice in writing to the other) by the Secretary of State.</u></p> <p><u>(2) For the avoidance of doubt, any matter for which the consent or approval of the Secretary of State or the MMO is required under any provision of this Order is not subject to arbitration.</u></p>	E

Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
		Natural England.		
6.	Schedule 1 (Authorised Project)	The Applicant has agreed to provide a new version of the Works Plans to help the Examining Authority and Interested Parties understand the proposed use of land outside the previous principal numbered works. The approach taken to the Works Plans previously was to show all principal works on the Works Plans but generally not Associated Development such as PRow diversions, landscaping, ecological mitigation areas, utility diversions etc. The numbered works are mostly the permanent electrical assets and their accesses, and temporary works compounds. The Applicant will be providing a version of the Works Plans which more closely mirrors the approach taken by SPR and to provide additional detail available on other plans, in the Works Plans (e.g. where land is required for environmental mitigation). Therefore, Schedule 1 has been updated to include further works numbers (but no	<p><i><u>In all Districts within the Order Limits</u></i></p> <p><u>Works 13-17 as shown within the areas indicated on the Works Plans.</u></p> <p><u>Work No. 13 – Principal Drainage Works</u></p> <p><u>Work No. 14 – Principal Accesses</u></p> <p><u>Work No. 15 – Principal Environmental Mitigation and Landscaping</u></p> <p><u>Environmental mitigation includes works identified in the Environmental Statement and/or the management plans listed in Schedule 3, Requirement 16, which may include —</u></p> <p>(a) <u>ecological mitigation and enhancement; and</u></p> <p>(b) <u>landscaping mitigation and enhancement.</u></p> <p><u>Work No. 16 – Principal Utility Diversions</u></p> <p><u>Work No. 17 – Principal Public Right of Way Diversions</u></p>	E

Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO									
		new works) which reflect the updated Works Plans.											
7.	Schedule 2 (Plans) Part 2	This change reflects the updates to the version numbers of the Land Plans and Works Plans submitted at Deadline 1.	<div>PART 2 LAND PLANS</div> <table><tr><th>Drawing Title</th><th>Drawing Number</th><th>Revision</th></tr><tr><td>The National Grid (Sea Link) Order PINS application number: EN020026 Land Plans Regulation 5(2)(i)-(iii) Key Plan In the district of East Suffolk District Council</td><td>DCO/S/KPA/SS/0100</td><td>AC</td></tr><tr><td>The National Grid (Sea Link) Order PINS application number: EN020026 Land Plans Regulation 5(2)(i)-(iii) Sheet 1 of 6 In the district of East Suffolk District Council</td><td>DCO/S/LP/PS/0101</td><td>AC</td></tr></table>	Drawing Title	Drawing Number	Revision	The National Grid (Sea Link) Order PINS application number: EN020026 Land Plans Regulation 5(2)(i)-(iii) Key Plan In the district of East Suffolk District Council	DCO/S/KPA/SS/0100	AC	The National Grid (Sea Link) Order PINS application number: EN020026 Land Plans Regulation 5(2)(i)-(iii) Sheet 1 of 6 In the district of East Suffolk District Council	DCO/S/LP/PS/0101	AC	E
Drawing Title	Drawing Number	Revision											
The National Grid (Sea Link) Order PINS application number: EN020026 Land Plans Regulation 5(2)(i)-(iii) Key Plan In the district of East Suffolk District Council	DCO/S/KPA/SS/0100	AC											
The National Grid (Sea Link) Order PINS application number: EN020026 Land Plans Regulation 5(2)(i)-(iii) Sheet 1 of 6 In the district of East Suffolk District Council	DCO/S/LP/PS/0101	AC											
8.	Schedule 2 (Plans)Part 6	This change reflects the updates to the version numbers of the Works Plans submitted at Deadline 1.											

Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
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PART 6
WORKS PLANS

Drawing Title	Drawing Number	Revision
The National Grid (Sea Link) Order PINS application number: EN020026 Works Plans – Suffolk Regulation 5(2)(j) Key Plan 1 of 1 In the district of East Suffolk District Council	DCO/S/KP/SS/0400	A <u>B</u>
The National Grid (Sea Link) Order PINS application number: EN020026 Works Plans – Suffolk Regulation 5(2)(j) Sheet 1 of 6 In the district of East Suffolk District Council	DCO/S/WK/PS/0401	A <u>B</u>

9.	Schedule 3, Requirement 3	This update is made for clarity as to which documents contain the Converter Station Design Principles.	3. No stage of development of the above ground elements of the authorised development comprised in Works Nos. 3B and 9B (Suffolk and Kent converter stations) may commence until details of the layout, scale and external appearance have been submitted to the relevant planning authority, and the relevant planning authority has confirmed, in consultation with the relevant county council, that the details are in general accordance with the Key Design Principles set out in the Converter Station Design Principles <u>as presented in Document 7.12.1 Design Principles – Suffolk and Document 7.12.2 Design Principles – Kent.</u>	E
10.	Schedule 3, Requirement 7 (construction hours)	The construction working hours have been amended in respect of Work No.1A and Work No.1B to reflect the construction working hours secured in the East Anglia One North and East Anglia Two Windfarm Orders 2022 to ensure consistency across the projects.		E

Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
			<p><u>(7) In respect of Work No.1A and Work No. 1B, construction work may only take place between 0700 hours and 1900 hours Monday to Friday and 0700 hours and 1300 hours on Saturdays, with no activity on Sundays or bank holidays, except as specified in sub-paragraph (8).</u></p> <p><u>(8) Outside the hours specified in sub-paragraph (7), construction work may be undertaken for essential activities including but not limited to—</u></p> <ul style="list-style-type: none"> <u>(a) continuous periods of operation that are required as assessed in the environmental statement, such as concrete pouring and the installation and removal of conductors, pilot wires and associated protective netting across highways or public footpaths;</u> <u>(b) internal fitting out works associated with the substation;</u> <u>(c) the completion of construction activities commenced during the approved working hours which cannot safely be stopped;</u> <u>(d) the testing or commissioning of any electrical plant installed as part of the authorised development; and</u> <u>(e) activity necessary in the instance of an emergency where there is a risk to persons or property.</u> <p><u>(9) With the exception of activities undertaken in accordance with sub-paragraph (2)(e), the timing and duration of construction work undertaken in accordance with sub-paragraph (8) and, where works do not fall within sub-paragraphs (2)(a) to (2)(e), whether such works are essential, must be approved by the relevant planning authority in writing in advance, and must be carried out within the approved time.</u></p>	
11.	Schedule 3, New Requirement 15	This new requirement has been included to clarify that if part of Work No. 1B has been completed pursuant to the East Anglia One North and East Anglia Two Windfarm Orders 2022, it will not be constructed pursuant to the draft DCO save where amendments to those works are required for the Purposes of the Authorised Project, to ensure consistency between the projects.	<p><u><i>Restriction on carrying out works when consented in another order</i></u></p> <p><u>15. Where any part of Work No.1B has been completed pursuant to another development consent order, those works must not be constructed under this Order, save where amendments to those works are required for the purposes of the Authorised Project.</u></p>	E
12.	Schedule 3, Requirement 6 and Schedule 16, Deemed Marine Licence.	Further to Natural England's Relevant Representation, certain management plans listed in Requirement 6 related exclusively		E

Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
		<p>to impacts and works in the marine environment. Therefore, to avoid potential unnecessary duplication, the relevant plans have been removed from the requirement and are instead secured through the deemed marine licence.</p> <p>The list of management plans is also updated to reflect that an 'Operational Drainage Management Plan' will be submitted.</p>	<p><i>Construction Management Plans to be Approved</i></p> <p>6. —(1) No stage of the authorised development may commence until, for that stage, the following plans as relevant to that stage have been submitted to and approved by the relevant planning authority or other discharging authority as may be appropriate to the relevant plan, scheme or strategy concerned—</p> <p>(a) Onshore Construction Environmental Management Plan (which must be substantially in accordance with the Onshore Outline Construction Environmental Management Plan);</p> <p>(b) Offshore Construction Environmental Management Plan (which must be substantially in accordance with the Outline Offshore Construction Environmental Management Plan);</p> <p><u>(b)</u> (e) Construction Traffic Management and Travel Plan – Suffolk (which must be substantially in accordance with the Outline Construction Traffic Management and Travel Plan – Suffolk);</p> <p>(e) Marine Mammal Mitigation Plan (which must be substantially in accordance with the Outline Marine Mammal Mitigation Plan);</p> <p>(p) Offshore Invasive Non-Native Species Management Plan (which must be substantially in accordance with the Outline Offshore Invasive Non-Native Species Management Plan);</p> <p><u>(n)</u> (q) Material and Waste Management Plan;</p> <p><u>(o)</u> (r) Construction Drainage Management Plan;</p> <p><u>(p)</u> (s) Flood Management Plan (FMP); and</p> <p>(t) Detailed Marine Biosecurity Plan (which must be substantially in accordance with the Marine Biosecurity Plan);</p> <p><u>(q)</u> Operational Drainage Management Plan.</p>	
13.	Schedule 11 (Land of which temporary possession may be taken)	These changes reflect amendments made to the land of which only temporary possession may be taken due to the change in approach to the Works Plans.	Various amendments to the column (1) <i>plot number of land shown on Land Plan</i> and column (3) <i>relevant part of the authorised development</i> .	E
14.	Schedule 16 (Deemed Marine Licence)	In its Relevant Representation, the MMO suggested a number of changes to the wording of the draft deemed marine licence at Schedule 16. These submissions have been reflected in the updated drafting where appropriate.	Various amendments throughout the deemed marine licence to reflect ongoing engagement with the MMO.	E

Table 3.2: Schedule of Changes to Version E of the draft DCO [REP1-036] for the Change Request

Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
1.	Article 11 (Street Works)	This amendment is made to clarify that the power in Article		E (Change

Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO Request
		11(1)(d) to place and keep apparatus in the street includes placing and keeping structures in the street. This amendment aims to give sufficient flexibility for the options relating to Change 4 (Benhall Railway Bridge).	<p>Street works</p> <p>11.—(1) The undertaker may, for the purposes of the authorised project, or for purposes ancillary to it, enter upon so much of any of the streets specified in column (2) of Schedule 5 (streets subject to street works) as is within the Order limits and may without the consent of the street authority—</p> <ul style="list-style-type: none"> (a) break up or open the street, or any sewer, drain or tunnel within or under it; (b) tunnel or bore under the street, or carry out any works to strengthen or repair the carriageway; (c) remove or use all earth and materials in or under the street; (d) place and keep <u>structures and</u> apparatus in the street (including signage); (e) maintain, renew or alter apparatus in or on the street or change its position; (f) execute any works to provide or improve sight lines required by the highway authority; (g) execute and maintain any works to provide hard and soft landscaping; (h) carry out re-lining and placement of new temporary markings; (i) execute any works required for or incidental to any works referred to in sub-paragraphs (a) to (h). 	
2.	Schedule 1, Part 1, Work No.14	This amendment is made to clarify that Work No. 14 includes accesses and associated works, which may include structural repairs or the installation of structures or apparatus associated with the access. This amendment aims to give sufficient flexibility for the options relating to Change 4 (Benhall Railway Bridge).	<p>Work No. 14 – Principal Accesses</p> <p><u>Accesses and associated works to facilitate access, including structural repairs and the installation of structures or apparatus associated with the access.</u></p>	E (Change Request)
3.	Schedule 1, Part 1, Associated Development	This amendment is made to clarify that the list of associated development includes works required for the strengthening, improvement, maintenance or reconstruction of both streets and any supporting structures. This amendment aims to give		E (Change Request)

Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO		
		sufficient flexibility for the options relating to Change 4 (Benhall Railway Bridge).	<p>2. Such associated development not listed above, within the Order limits, as may be necessary or expedient for the purposes of or in connection with the construction or maintenance of the above Work Nos. or any of them, which may include —</p> <ul style="list-style-type: none">(a) ramps, means of access, footpaths, bridleways, trackways and pontoons;(b) embankment, bridge, aprons, abutments, foundations, retaining walls, drainage, wing walls, fencing and culverts;(c) works to alter the position of apparatus, including construction and installation, decommissioning and partial removal and alteration of mains, sewers, drains, conductors and cables;(d) works to alter the course of, or otherwise interfere with a watercourse, drainage works, attenuation ponds, and temporary culverts;(e) landscaping, acoustic mitigation and other works to mitigate any adverse effects of the construction, maintenance, operation or use of the authorised development, together with means of access;(f) tree and hedgerow planting and maintenance works;(g) works for the benefit or protection of the environment including crop planting;(h) works for the benefit or protection of land, structures, apparatus or equipment affected by the authorised development (including arcing horns, earthing and works for monitoring);(i) works required for the strengthening, improvement, maintenance, or reconstruction of any streets <u>and supporting structures</u>;			
4.	Schedule 2 (Plans)	The changes reflect the updates to the relevant plans and drawings listed in Schedule 2 (Plans) due to the change request.	Various amendments to the list of drawing titles, drawing numbers and revision number.	E (Change Request)		
5.	Schedule 5 (Streets subject to street works)	This amendment reflects an update to the plans due to the change request.	<table><tr><td>Main Road (B1121)</td><td>Sheet 1 of <u>and sheet 7 of</u> the Access, Rights of Way and Public Rights of Navigation Plans – Suffolk</td></tr></table>	Main Road (B1121)	Sheet 1 of <u>and sheet 7 of</u> the Access, Rights of Way and Public Rights of Navigation Plans – Suffolk	E (Change Request)
Main Road (B1121)	Sheet 1 of <u>and sheet 7 of</u> the Access, Rights of Way and Public Rights of Navigation Plans – Suffolk					
6.	Schedule 8, Part 1, (Streets or Public Rights of Navigation to be temporarily closed for which a diversion is to be	This amendment is a minor update to the reference point on the plan.				

Ref.	dDCO Ref.	Rationale for the Change	Change Made				Version of dDCO
		provided)	B1121 Main Road	Between points S/RO/0090/a and S/ PR RO/0090/b as shown on Plan A	From S/RO/0090/a, north along A12 to S/RO/D/01, east to S/RO/D/02, south to S/RO/0090/a via diversion line as shown on Plan A		
7.	Schedule 8, Part 2, (Streets and Public Rights of Navigation to be temporarily closed for which no diversion is to be provided)	This amendment reflects an additional PRow which is added to Schedule 8, Part 2 (Streets and Public Rights of Navigation to be temporarily closed for which no diversion is to be provided) due to the change request.	(1) Area Suffolk County Council	(2) Street or public right of way or public right of navigation to be temporarily stopped up PRow – Route 26 E-137/026/0	(3) Extent of temporary stopping up as shown on the Access, Rights of Way and Public Rights of Navigation Plans Access and egress point at S/PR/0091/a as shown on Suffolk Sheet 7	E (Change Request)	
8.	Schedule 11 (Land of which only temporary possession may be taken)	These changes reflect amendments made to plots listed in Schedule 11 (Land of which only temporary possession may be taken) due to the change request.	(1) Plot number of land shown on Land Plan 1/10, 1/12, 1/14, 1/16, 1/17, 1/18, 1/22, 1/26, 1/29, 1/30, 1/33, 1/34, 1/35, 1/36, 1/37, 1/38, 1/39, 1/40, 1/42, 1/44, 1/45, 1/46, 1/48, 1/52, 1/53, 1/54 , 1/56, 1/67, 1/68 , 1/70, 1/73, 1/74, 1/75, 1/78, 1/83, 1/85, 1/88, 1/98	(2) Purpose for which temporary possession may be taken Construction of the authorised development and mitigation works	(3) Relevant part of the authorised development Work No. 2 Work No. 4 Work No. 5 Work No. 13 Work No. 14 Work No. 15 Work No. 17	(4) Element of Work in respect of which land is not required to be re-instated Landscaping	E (Change Request)

Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO	
		2/37, 2/41, 2/52, 2/59, 2/61, 2/63, 2/64, 2/66, 2/79, 2/80, 2/81, 2/91 , 2/93 , 2/96 , 2/96 , 2/105 , 2/107 , 2/108	Construction of the authorised development and mitigation works	Work No. 1A Work No. 4 Work No. 5 Work No. 13	
		2/107 , 2/108		Work No. 15 Work No. 16 Work No. 17	
		3/23, 3/26 , 3/28, 3/29, 3/38, 3/39, 3/43 , 3/47	Construction of the authorised development and mitigation works	Work No. 4 Work No. 5 Work No. 13 Work No. 16 Work No. 17	
		4/1, 4/2, 4/3, 4/4, 4/10, 4/11, 4/14, 4/22	Construction of the authorised development and mitigation works	Work No. 4 Work No. 5 Work No. 13 Work No. 14 Work No. 17	Highway improvements
		5/6, 5/7, 5/10, 5/20, 5/23, 5/29, 5/30	Construction of the authorised development and mitigation works	Work No. 5 Work No. 6 Work No. 14 Work No. 16	
		7/1 , 7/4 , 7/13 , 7/15 , 7/16 , 7/17 , 7/21 , 7/22 , 7/23 , 7/24 , 7/25 , 7/26 , 7/27 , 7/28 , 7/29 , 7/30 , 7/31	Construction of the authorised development and mitigation works	Work No. 14	
		3/29, 3/31, 3/37, 3/39, 3/41, 3/42, 3/45, 3/61, 3/63, 3/73 , 3/75, 3/77, 3/81, 3/83, 3/110	Construction of the authorised development and mitigation works	Work No. 6 Work No. 7 Work No. 8 Work No. 9A Work No. 13 Work No. 14 Work No. 16	

Ref.	dDCO Ref.	Rationale for the Change	Change Made				Version of dDCO
			5/1, 5/4 , 5/6, 5/8, 5/9, 5/10, 5/11, 5/15, 5/17, 5/18, 5/19 , 5/20 26 , 5/21 28 , 5/22 29 , 5/23 30 , 5/31, 5/36, 5/37, 5/38, 5/39, 5/40, 5/41, 5/42, 5/43, 5/44	Construction of the authorised development and mitigation works	Work No. 6 Work No. 7		
9.	Schedule 13 (Traffic Regulation Orders), Part 1, (Temporary restriction of waiting and restriction of speed)	This amendment reflects an additional entry into the Schedule due to the change request.	Suffolk County Council	B1121 (Main Road)	Between points TRO-S-13 and TRO-S-14 as shown on Suffolk Sheet 7	No waiting restriction between 7:00am to 7:00pm Monday to Sunday. Speed limit to be restricted to 30mph.	E (Change Request)
10.	Schedule 13 (Traffic Regulation Orders), Part 2, (Temporary Restriction of access)	This amendment reflects an update to the plans due to the change request.	Suffolk County Council	B1121 (Main Road)	Between points TRO-S-13 and TRO-S-14 as shown on Suffolk Plan A Sheet 7	Prohibition of vehicular access.	E (Change Request)
11.	Schedule 13 (Traffic Regulation Orders), Part 3, (Temporary Restriction of Movement)	This amendment reflects an additional entry into the Schedule due to the change request.					E (Change Request)

Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
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(1) Area	(2) Road	(3) Extent as shown on the Traffic Regulation Order Plans	(4) Note
	B1121 (Main Road)	Between points TRO-S-13 and TRO-S-14 as shown on Suffolk Sheet 7	One way movement restriction, to be either northbound or southbound dependent on preferred Traffic Management arrangements at the time of implementation. To be implemented as required.

12. Schedule 1 and Schedule 16 Deemed Marine Licence

This amendment incorporates ten additional grid co-ordinates into table 1 of the grid co-ordinates for the limits of deviation for the marine cable area which is contained in Schedule 1 and Schedule 16. These amendments reflect the change to the Order Limits in relation to Change 1 (change to access at the hoverport). Due to the additional rows added to the tables in the SI formatting, this causes the existing co-ordinates to be shifted down in the table.

320	51°19' 26.409"	1°22' 55.404"	701 70	52° 32' 45.442 56.146"	1°40' 11.902 7.509"
321	51°19' 30.327"	1°22' 41.426"	702 70 6	52°3' 46.491 19.680"	1°40' 13.489 7.680"
322	51°19' 31.196"	1°22' 38.329"	703 70 7	52°3' 47.702 35.762"	1°40' 15.403 8.210"
323	51°19'32.3"N	1°22'34.6"E	708	52°3' 44.620"	1°40' 11.357"
324	51°19'37.1"N	1°22'28.8"E	709	52°3' 45.442"	1°40' 11.902"
325	51°19'37.2"N	1°22'28.0"E	710	52°3' 46.491"	1°40' 13.489"

E
(Change Request)

Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO																																										
			<table><tr><td>326</td><td>51°19'38.3"N</td><td>1°22'27.2"E</td><td>711</td><td>52°3' 47.702"</td><td>1°40' 15.403"</td></tr><tr><td>323 <u>7</u></td><td>51°19'- 32.59438.7"N</td><td>1°22'- 33.33926.9"E</td><td>704 <u>2</u></td><td>52°3' 48.441"</td><td>1°40' 16.329"</td></tr><tr><td>324 <u>8</u></td><td>51°19'- 34.24639.1"N</td><td>1°22'- 27.44827.0"E</td><td>705 <u>3</u></td><td>52°3' 49.181"</td><td>1°40' 17.255"</td></tr><tr><td>325 <u>9</u></td><td>51°19'- 34.82938.5"N</td><td>1°22'- 24.87726.7"E</td><td>706 <u>4</u></td><td>52°3' 50.490"</td><td>1°40' 18.532"</td></tr><tr><td>326 <u>0</u></td><td>51°19'- 34.80237.9"N</td><td>1°22'- 24.79326.9"E</td><td>707 <u>5</u></td><td>52°3' 53.685"</td><td>1°40' 20.313"</td></tr><tr><td>327 <u>1</u></td><td>51°19'- 33.48237.1"N</td><td>1°22'- 21.37027.7"E</td><td>708 <u>6</u></td><td>52°3' 57.051"</td><td>1°40' 20.975"</td></tr><tr><td>328 <u>2</u></td><td>51°19'- 33.19135.8"N</td><td>1°22'- 20.38826.8"E</td><td>709 <u>7</u></td><td>52°3' 59.607"</td><td>1°40' 20.817"</td></tr></table>	326	51°19'38.3"N	1°22'27.2"E	711	52°3' 47.702"	1°40' 15.403"	323 <u>7</u>	51°19'- 32.594 38.7"N	1°22'- 33.339 26.9"E	704 <u>2</u>	52°3' 48.441"	1°40' 16.329"	324 <u>8</u>	51°19'- 34.246 39.1"N	1°22'- 27.448 27.0"E	705 <u>3</u>	52°3' 49.181"	1°40' 17.255"	325 <u>9</u>	51°19'- 34.829 38.5"N	1°22'- 24.877 26.7"E	706 <u>4</u>	52°3' 50.490"	1°40' 18.532"	326 <u>0</u>	51°19'- 34.802 37.9"N	1°22'- 24.793 26.9"E	707 <u>5</u>	52°3' 53.685"	1°40' 20.313"	327 <u>1</u>	51°19'- 33.482 37.1"N	1°22'- 21.370 27.7"E	708 <u>6</u>	52°3' 57.051"	1°40' 20.975"	328 <u>2</u>	51°19'- 33.191 35.8"N	1°22'- 20.388 26.8"E	709 <u>7</u>	52°3' 59.607"	1°40' 20.817"	
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Table 3.3: Schedule of Changes to Version F of the draft DCO for Deadline 3

<u>Ref</u>	<u>dDCO Ref.</u>	<u>Rationale for the Change</u>	<u>Change Made</u>	<u>Version of dDCO</u>
<u>1.</u>	<u>Article 2</u> <u>(Interpretation)</u>	<u>In response to question</u> <u>1GEN12, the Applicant has</u> <u>reviewed the definitions and</u>	<u>Various definitions have been re-aligned to be in alphabetical order.</u>	<u>F</u>

<u>Ref</u>	<u>dDCO Ref.</u>	<u>Rationale for the Change</u>	<u>Change Made</u>	<u>Version of dDCO</u>
		ensured that the definitions are in alphabetical order.		
<u>2.</u>	<u>Article 2 (Interpretation)</u>	The Applicant has reviewed and reflected on the definitions in Article 2 to ensure that certification is only referred to in respect of the documents listed at Schedule 19.	Various updates have been made to the definitions listed in article 2 where a document was previously referred to as being certified but was not listed in Schedule 19.	<u>F</u>
<u>3.</u>	<u>Article 2 (Interpretation)</u>	This Applicant has amended this definition in response to comments made by Suffolk County Council in its Deadline 2 Responses and the change seeks to streamline the wording in the definition to avoid duplication.	<div style="border: 2px solid blue; padding: 5px;"> <p>“commence” means</p> <p>(a) In<u>in</u> relation to works seaward of MHWS, the first carrying out of any licensed marine activities authorised by the deemed marine licence, save for operations consisting of offshore preparation works or pre-construction surveys and monitoring approved under the deemed marine licence and the words “commencement” and “commenced” must be construed accordingly;</p> <p>(b) In<u>in</u> respect of any other works comprised in the authorised project, the carrying out of any material operation (as defined in section 155(2) (when development begins) of the 2008 Act) forming part of the authorised project other than the pre-commencement operations and “commencement” and “commenced” are to be construed accordingly;</p> <p><u>and the words “commencement” and “commenced” are to be construed accordingly</u></p> </div>	<u>F</u>
<u>4.</u>	<u>Article 2 (Interpretation)</u>	This update amends a minor formatting point. The formatting in the definition of “electronic transmission” has been amended to read (a) and (b) rather than (c) and (d).	<div style="border: 2px solid blue; padding: 5px;"> <p>“electric line” has the meaning set out in section 64(1) (interpretation etc. of Part 1) of the Electricity Act 1989 which includes but is not limited to new pylons, foundations and steelwork, conductors, insulators and fittings, fibre optic earth wire conductors, joint boxes, joint pits, joint bays, cables, cable ducts, link pillars and offshore cables;</p> <p>“electronic transmission” means a communication transmitted—</p> <p><u>(a)</u> (e) by means of an electronic communications network; or</p> <p><u>(b)</u> (d) by other means but while in electronic form;</p> </div>	<u>F</u>
<u>5.</u>	<u>Article 2 (Interpretation)</u>	The definition of the Construction Environmental Management Plan has been		<u>F</u>

<u>Ref</u>	<u>dDCO Ref.</u>	<u>Rationale for the Change</u>	<u>Change Made</u>	<u>Version of dDCO</u>
		<u>updated to reflect that there is an onshore and offshore version of the Construction Environmental Management Plan.</u>	<u>"Onshore Construction Environmental Management Plan" means the document of that description (together with its appendices) certified by the Secretary of State as the Onshore Construction Environmental Management Plan for the purposes of this Order under article 60 (certification of documents);</u>	
<u>6.</u>	<u>Article 2 (Interpretation)</u>	<u>The Applicant has updated the definition of maintain as per the response to question 1GEN15 of the Examining Authority's First Written Questions to make the clear that the definition of maintain does not permit the whole of the authorised development to be reconstructed or replaced using maintenance powers.</u>	<u>"maintain" includes inspect, repair, adjust, alter, dismantle, remove, clear, refurbish, paint, surface treat, decommission, improve, reconstruct or replace any or all part but not remove, reconstruct or replace the whole of the authorised project including through the use of robots, helicopters, drones, gadgets or similar devices either remote controlled or autonomous, provided such works do not give rise to any materially new or materially different environmental effects to those identified in the Environmental Statement, and any derivative of "maintain" must be construed accordingly;</u>	<u>F</u>
<u>7.</u>	<u>Article 2 (Interpretation)</u>	<u>This update amends a minor formatting point. The article 2 definition of "pre-commencement operations" should read (a), (b), (c) onwards rather than (e), (f), (g) onwards</u>		<u>F</u>

<u>Ref</u>	<u>dDCO Ref.</u>	<u>Rationale for the Change</u>	<u>Change Made</u>	<u>Version of dDCO</u>
			<ul style="list-style-type: none"> (a) (e) operations consisting of engineering investigations and surveys; (b) (f) environmental (including archaeological) investigations and monitoring; (c) (g) surveys and monitoring investigations for the purpose of assessing ground conditions; (d) (h) diversion and laying of services; (e) (i) demolition of existing buildings; (f) (j) site clearance; (g) (k) environmental mitigation measures; (h) (l) remediation in respect of any contamination or other adverse ground conditions; (i) (m) set up works associated with the establishment of construction compounds; (j) (n) temporary accesses; (k) (o) erection of any temporary means of enclosure or temporary demarcation fencing marking out site boundaries; and (l) (p) the temporary display of site notices or advertisements; 	
<u>8.</u>	<u>Article 2 (Interpretation)</u>	<u>This update amends a minor formatting point. Article 2 definition of “traffic regulation order plans” should read “and references to a particular traffic regulation order plan are to be construed accordingly”</u>	<u>“Traffic Regulation Order Plans” mean the plans listed in Part 4 of Schedule 2 (plans) and certified under article 60 (certification of documents), and references to a particular Traffic Regulation Plan isare to be construed accordingly;</u>	<u>F</u>
<u>9.</u>	<u>Article 5 (Limits of Deviation)</u>	<u>The Applicant has amended the formatting of Article 5 at the suggestion of Suffolk County Council to clarify the wording in the article.</u>		<u>F</u>

<u>Ref</u>	<u>dDCO Ref.</u>	<u>Rationale for the Change</u>	<u>Change Made</u>	<u>Version of dDCO</u>
			<p>Limits of deviation</p> <p><u>5. —(1) Subject to paragraph 4, the undertaker may—</u></p> <p>(a) 5. —(d) Subject to paragraph 4, in respect of the onshore and offshore electric line forming part of the authorised project for which it is granted development consent by paragraph (1) of article 3 (development consent etc. granted by the Order), the undertaker may—</p> <p>(a) deviate from the lines or situations of the authorised project shown on the Works Plans within the limits of deviation relating to a Work shown on those plans and carry out construction activities for the purpose of the authorised project anywhere within the Order limits; and</p> <p>(b) in respect of the pylons deviate vertically from the levels of the authorised project (being 53.2m above finished ground level in Suffolk and 51m above finished ground level in Kent)—</p> <p>(i) to any extent upwards not exceeding 6 metres;</p> <p>(ii) to such extent downwards as the undertaker considers necessary or convenient;</p> <p>(c) in respect of the overhead conductors and fibre-optic earth wires deviate vertically from the lines or situations of the authorised project shown on the Works Plans to such extent as the undertaker considers necessary or convenient; <u>and</u></p> <p>(d) in respect of the onshore underground electric line (excluding link pillars, chambers and where within substations and converter stations), deviate vertically—</p> <p>(i) upwards such that the minimum distance that will be kept between the top of the cable and the top of the protective tiles is 0.75 metres; and</p> <p>(ii) downwards to such extent as the undertaker considers necessary or convenient.</p>	
<u>10.</u>	<u>Article 5 (Limits of Deviation)</u>	<u>In response to question 1GEN24, the Applicant has amended the wording to align with the wording in the Bramford to Twinstead DCO 2024 for consistency in the drafting approaches.</u>	<p>(4) The maximum limits of vertical deviation specified in paragraphs (1)(b), (1)(d) and 3(b) do not apply where it is demonstrated by the undertaker to the Secretary of State's satisfaction and the Secretary of State, following consultation with the relevant planning authority and any other person the Secretary of State considers appropriate having regard to the proposed deviation in question and the statutory roles and responsibilities of such person, certifies accordingly that a deviation in excess of these limits would not give rise to any materially new or materially different environmental effects in comparison with <u>to</u> those reported <u>identified</u> in the Environmental Statement.</p>	
<u>11.</u>	<u>Article 7 (Consent to transfer benefit of the Order)</u>	<u>In response to question 1GEN68, the Applicant has amended this minor formatting point.</u>		<u>F</u>

<u>Ref</u>	<u>dDCO Ref.</u>	<u>Rationale for the Change</u>	<u>Change Made</u>	<u>Version of dDCO</u>
			<p>(2) Where a transfer or grant has been made in accordance with paragraph (1) references in this Order to the undertaker, except in paragraphs paragraph (3), are to include references to the transferee or the lessee.</p> <p>(3) The exercise by a person of any benefits or rights transferred or granted in accordance with any transfer or grant under paragraph (1) is subject to the same restrictions, liabilities and obligations as would apply under this Order if those benefits or rights were exercised by the undertaker.</p>	
<u>12.</u>	<u>Article 9</u> <u>(Application of</u> <u>the Community</u> <u>Infrastructure</u> <u>Levy Regulations</u> <u>2010</u>	<u>In response to question</u> <u>1GEN68, the Applicant has</u> <u>amended this minor</u> <u>formatting point.</u>	<p>9. Notwithstanding the provisions of section 208 (liability) of the 2008 Act, for the purposes of regulation 6 of the Community Infrastructure Levy Regulations 2010 (a) any building comprised in the authorised project is deemed to be—</p> <p>(a) a building into which people do not normally go; or</p> <p>(b) <u>a</u> building into which people go only intermittently for the purpose of inspecting or maintaining fixed plant or machinery.</p>	<u>F</u>
<u>13.</u>	<u>Article 12(2)(d)</u>	<u>The Applicant has amended</u> <u>this wording to ensure</u> <u>consistency across the</u> <u>definitions used in relation to</u> <u>'highway authority'</u> <u>throughout the article and in</u> <u>response to Suffolk County</u> <u>Council's comments in</u> <u>relation to the highways</u> <u>provisions.</u>	<p>d) where a provisional advance authorisation has been granted to the undertaker in advance of the grant of a permit in relation to the construction of the authorised project, the relevant street authority may not grant a permit for any other works in the location during the time period to which that provisional advance authorisation relates save that nothing will restrict the ability of the local relevant highway authority to grant a permit for immediate works.</p>	<u>F</u>
<u>14.</u>	<u>Article 13</u> <u>(Application of</u> <u>the 1991 Act)</u>	<u>In response to question</u> <u>1GEN68, the Applicant has</u> <u>amended this minor</u> <u>formatting point.</u>	<p>(4) The following provisions of the 1991 Act do not apply in relation to any works executed under article 12 (application of the Permit Scheme permit scheme) of this Order—</p> <p>(a) section 53 (the street works register);</p> <p>(b) section 54 (advance notice of certain works);</p> <p>(c) section 55 (notice of starting date of works);</p> <p>(d) section 57 (notice of emergency works); and</p> <p>(e) section 66 (avoidance of unnecessary delay or obstruction).</p>	<u>F</u>

<u>Ref</u>	<u>dDCO Ref.</u>	<u>Rationale for the Change</u>	<u>Change Made</u>	<u>Version of dDCO</u>
<u>15.</u>	<u>Article 14 (Power to alter layout, etc. of streets)</u> <u>Article 15 (Temporary Closure of streets and public rights of way and permissive paths)</u> <u>Article 17 (Access to Works)</u>	<u>In response to question 1GEN29, the Applicant has amended the wording in article 14(5), article 15(9) and article 17(2) to read 'beginning with the date on which the application was received' in order to ensure consistency across the draft DCO. This reflects the position agreed in the National Grid (Bramford to Twinstead Reinforcement) Order 2024.</u>	<div>(5) If a street authority which receives an application for consent under paragraph (4) fails to notify the undertaker of its decision before the end of the period of 35 days (or such other period as agreed by the street authority and the undertaker) beginning with the date on which the application was made<u>received</u>, it is deemed to have granted consent.</div>	<u>F</u>
<u>16.</u>	<u>Article 18 (Construction, alteration and maintenance of streets)</u>	<u>In response to question 1GEN68, the Applicant has made this amendment to align with the position agreed in the National Grid (Bramford to Twinstead Reinforcement) Order 2024.</u>	<div>(2) Where a street is altered or diverted under this Order, the altered or diverted part of the street must be completed to the reasonable satisfaction of the street authority and must, unless otherwise agreed with the street authority, be maintained <u>to the same condition</u> (including any culverts or other</div>	<u>F</u>
<u>17.</u>	<u>Article 34 (Acquisition of part of certain properties)</u>	<u>In response to question 1GEN68, the Applicant has amended this minor formatting point.</u>	<div>34.—(1) This article applies where— (a) a notice to treat is served on a person ("the owner") under the 1965 Act (as so applied) in respect of land forming only part of a house, building or manufactory<u>factory</u> or of land consisting of a house with a park or garden ("the land subject to the notice to treat"); and (b) a copy of this article is served on the owner with the notice to treat.</div>	<u>F</u>
<u>18.</u>	<u>Article 43 (Special Category Land)</u>	<u>In response to question 1GEN68, the Applicant has amended this minor</u>	<div>43.—(1) So much of the special category land that is required for the purposes of the exercising by the undertaker of the Order right<u>rights</u> will be discharged from all rights, trusts and incidents to which it was previously subject so far as their continuance would be inconsistent with the exercise of the Order rights.</div>	<u>F</u>

<u>Ref</u>	<u>dDCO Ref.</u>	<u>Rationale for the Change</u>	<u>Change Made</u>	<u>Version of dDCO</u>
		<u>formatting point.</u>		
<u>19.</u>	<u>Article 44 (Statutory Undertakers)</u>	<u>In response to question 1GEN39, the Applicant has reflected on the notification provisions provided for by the previous paragraphs (2) – (4) of Article 44 and has amended the article to align with the position agreed in the National Grid (Bramford to Twinstead Reinforcement) Order 2024.</u>	<p>Statutory undertakers</p> <p>44.—(1) Subject to the provisions of Schedule 15 (protective provisions) the undertaker may—</p> <ul style="list-style-type: none"> (a) further to the power in article 24 (compulsory acquisition of land), acquire compulsorily the Order land belonging to statutory undertakers, and described in the Book of Reference; (b) extinguish or suspend the rights of, remove or reposition apparatus belonging to statutory undertakers where such apparatus is anywhere over or within the Order limits notwithstanding that repositioning may be outside of the Order limits; (c) further to the power in article 25 (compulsory acquisition of rights), acquire compulsorily existing rights, create and acquire the new rights and impose restrictive covenants over land belonging to statutory undertakers described in the Book of Reference and indicated on the Land Plans; (d) construct the authorised project in such a way as to cross underneath or over apparatus belonging to statutory undertakers and other like bodies within the Order limits; and (e) construct over existing apparatus belonging to statutory undertakers any necessary track or roadway (whether temporary or permanent) together with the right to maintain or remove the same, and install such service media under or over the existing apparatus needed in connection with the authorised project. <p>(2) Without prejudice to paragraph (1)(b) paragraphs (3) and (4) will apply Paragraph 1(b) has no effect in relation to apparatus of statutory undertakers not falling within paragraph (1)(b) in respect of which Part 3 (street works in England and Wales) of the 1991 Act applies.</p> <p>(3) Subject to the following provisions of this paragraph, sections 271 to 274 of the 1990 Act power to extinguish rights of statutory undertakers, etc and power of statutory undertakers etc to remove or re-site apparatus will apply in relation to land falling outside of the Order limits where it is necessary for the purposes of the authorised project to extinguish the rights of statutory undertakers or to remove or reposition apparatus belonging to the statutory undertakers, and all such other provisions of that Act as apply for the purposes of those provisions (including sections 275 to 278, which contain provisions</p>	<u>F</u>
<u>20.</u>	<u>Article 49 (Defence to proceedings in respect of statutory nuisance)</u>	<u>In response to question 1GEN41, the Applicant has amended the draft DCO to include ‘relevant’ in article 45(2) and (3) to reflect the same updates made in the Bramford</u>		<u>F</u>

<u>Ref</u>	<u>dDCO Ref.</u>	<u>Rationale for the Change</u>	<u>Change Made</u>	<u>Version of dDCO</u>
		to Twinstead Correction Order. The reference to the CEMP has also been amended to refer to the onshore CEMP.	<p>49.—(1) Where proceedings are brought under section 82(1) (summary proceedings by persons aggrieved by statutory nuisance) of the Environmental Protection Act 1990(a) in relation to a nuisance falling within paragraphs (g) (noise emitted from premises so as to be prejudicial to health or a nuisance) and (ga) (noise from vehicles, machinery or equipment in a street) of section 79(1) of that Act no order must be made, and no fine must be imposed, under section 82(2) of that Act if—</p> <p>(a) the defendant shows that the nuisance—</p> <ul style="list-style-type: none"> (i) relates to premises used by the undertaker for the purposes of or in connection with the construction or maintenance of the authorised project and that the nuisance is attributable to the carrying out of the authorised project in accordance with a notice served under section 60 (control of noise on construction sites) or a consent given under section 61 (prior consent for work on construction sites) of the Control of Pollution Act 1974(b); or (ii) relates to premises used by the undertaker for the purposes of or in connection with the construction of the authorised project and that the nuisance is attributable to the carrying out of the authorised project in accordance with the controls and measures relating to noise as described in the relevant <u>Onshore</u> Construction Environmental Management Plan or the relevant Construction Noise and Vibration Management Plan; or (iii) is a consequence of the construction or maintenance of the authorised project and that it cannot reasonably be avoided; or (iv) is a consequence of complying with a requirement of this Order and that it cannot reasonably be avoided; or <p>(b) the defendant shows that the nuisance—</p> <ul style="list-style-type: none"> (i) relates to premises used by the undertaker for the purposes of or in connection with the use of the authorised project and that the nuisance is attributable to the use of the authorised project which is being used in accordance with the Construction Noise and Vibration Management Plan; or (ii) is a consequence of the use of the authorised project and that it cannot reasonably be avoided. <p>(2) For the purposes of paragraph (1) above, compliance with the controls and measures relating to noise described in the <u>relevant</u> code of construction practice, the CEMP and the Construction Noise and Vibration Management Plan will be sufficient, but not necessary, to show that an alleged nuisance could not reasonably be avoided.</p> <p>(3) Where a relevant planning authority is acting in accordance with section 60(4) and section 61(4) of the Control of Pollution Act 1974 in relation to the construction of the authorised project then the local authority must also have regard to the controls and measures relating to noise referred to in the <u>relevant</u> code of construction practice, the CEMP or the Construction Noise and Vibration Management Plan approved under Schedule 3 (Requirements).</p>	

<u>Ref</u>	<u>dDCO Ref.</u>	<u>Rationale for the Change</u>	<u>Change Made</u>	<u>Version of dDCO</u>
<u>21.</u>	<u>Schedule 1, Work No.15</u>	<u>The reference to “requirement 16” has been amended to refer to the correct requirement 6 (construction management plans to be approved).</u>	Work No. 15 – Principal Environmental Mitigation and Landscaping Environmental mitigation includes works identified in the Environmental Statement and/or the management plans listed in Schedule 3, Requirement 16 <u>6</u> , which may include — (a) ecological mitigation and enhancement; and (b) landscaping mitigation and enhancement.	<u>F</u>
<u>22.</u>	<u>Schedule 1, paragraph 2</u>	<u>The Applicant has updated the list of associated development in Schedule 1 to make it clearer that surveys may also form part of those works.</u>	(k) site preparation works, <u>surveys</u> , site clearance (including fencing, vegetation removal, demolition of existing buildings or structures and the creation of alternative footpaths), earthworks (including soilstripping and storage, site levelling, ground improvement);	<u>F</u>
<u>23.</u>	<u>Schedule 2 (Plans)</u>	<u>The changes reflect the updates to the revision number of various of the plans listed in Schedule 2 (Plans) due to the updates made at Deadline 3.</u>	<u>Various amendments to the revision number.</u>	<u>F</u>
<u>24.</u>	<u>Schedule 3, Requirement 1(2) (Interpretation)</u>	<u>The Applicant has made this amendment at the request of Suffolk County Council to reflect that certain requirements provide for the approval or agreement of the relevant highway authority.</u>	(2) Where under any of the Requirements the approval or agreement of the relevant planning authority <u>or the relevant highway authority</u> is required, that approval or agreement must be given in writing.	<u>F</u>
<u>25.</u>	<u>Schedule 3, Requirement 3 (Converter Station Design)</u>	<u>The Applicant has included a new paragraph (2) to provide a definition of the Converter Station Design Principles and</u>		<u>F</u>

<u>Ref</u>	<u>dDCO Ref.</u>	<u>Rationale for the Change</u>	<u>Change Made</u>	<u>Version of dDCO</u>
		<p>reference to Schedule 19.</p> <p><u>This reflects comments made by Suffolk County Council in its LIR. Further to comments made by Historic England, the Applicant has also added a provision for Historic England to be consulted in relation to the Kent Converter Station given the reference to heritage key views in the Key Design Principles. The updated requirement also seeks to clarify that the authorised development will be carried out in accordance with the details submitted to the relevant planning authority.</u></p>	<p><i>Converter Station Design</i></p> <p>3. <u>(1) No stage of development of the above ground elements of the authorised development comprised in Works Nos. 3B and 9B (Suffolk and Kent converter stations) may commence until details of the layout, scale and external appearance have been submitted to the relevant planning authority, and the relevant planning authority has confirmed, in consultation with the relevant county council and Historic England in relation to the Kent converter station only, that the details are in general accordance with the Key Design Principles set out in the Converter Station Design Principles as presented in Document 7.12.1 Design Principles – Suffolk and Document 7.12.2 Design Principles – Kent.</u></p> <p><u>(2) In paragraph (1), the Converter Station Design Principles means Design Principles – Suffolk and Design Principles – Kent, certified under article 60 (certification of documents) by the Secretary of State as Design Principles – Suffolk and Design Principles – Kent for the purposes of this Order.</u></p> <p><u>(3) The authorised development must be carried out in accordance with the details submitted to the relevant planning authority further to sub-paragraph (1).</u></p>	
<u>26.</u>	<u>Schedule 3, Requirement 5 (Construction Management Plans)</u>	<p><u>This amendment is made to requirement 5(3) to clarify that the outline overarching written schemes of investigation listed in requirement 5 also apply to the pre-commencement operations in the same manner as the other outline management plans listed in Requirement 6.</u></p>	<p><u>(3) For the avoidance of doubt, all pre-commencement operations must be carried out in accordance with the plans listed in paragraph (2) above and the outline management plans listed in paragraph 6(1) below, and the outline overarching written schemes of investigation listed in paragraph 14(1) below unless otherwise agreed with the relevant planning authority or other discharging authority as may be appropriate to the relevant plan concerned.</u></p>	<u>F</u>

<u>Ref</u>	<u>dDCO Ref.</u>	<u>Rationale for the Change</u>	<u>Change Made</u>	<u>Version of dDCO</u>
<u>27.</u>	<u>Schedule 3, Requirement 6 (Construction Management Plans to be approved)</u>	<u>Further to the request made by the Environment Agency, the Applicant has added provision for the Environment Agency to be consulted on the Material and Waste Management Plan that is produced.</u>	<u>(n) Material and Waste Management Plan (such approval to be given in consultation with the Environment Agency);</u>	
<u>28.</u>	<u>Schedule 3, Requirement 6 (Construction Management Plans to be approved)</u>	<u>The Applicant has updated the list of management plans to reflect that the Code of Construction Practice and the Register of Environmental Actions and Commitments are now intended to be standalone documents rather than being an appendix to the Onshore CEMP.</u>	<u>(r) Code of Construction Practice (which must be substantially in accordance with the outline Code of Construction Practice); and</u> <u>(s) Register of Environmental Actions and Commitments.</u>	<u>F</u>
<u>29.</u>	<u>Schedule 3, Requirement 7(2) (Construction hours)</u>	<u>The Applicant has amended this requirement pursuant to question 1GEN50 to clarify that percussive piling works may not take place on Sundays.</u>	<u>(2) Percussive piling works are limited to 0700 to 1900 Monday to Friday and 0700 to 1700 on Saturdays and may not occur on <u>Sundays or</u> Bank Holidays, unless otherwise approved by the relevant planning authority.</u>	
<u>30.</u>	<u>Schedule 3, Requirement 9 (Reinstatement Schemes)</u>	<u>This amendment has been made to requirement 9 to reflect that although the requirement to reinstate the land to a condition suitable</u>		

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
		for its former use does not apply to land above or within 10 metres of underground cables installed as part of the authorised development, this will not apply in respect of the reinstatement of hedgerows.	<p>9.—(1) Subject to sub-paragraphs (2) and (3), any land within the Order limits which is used temporarily for construction is to be reinstated to a condition suitable for its former use, or such condition as the relevant planning authority may approve, within 12 months of completion of the construction of the stage of authorised development for which it was required, or such further time as may be approved by the relevant planning authority.</p> <p>(2) The requirement to reinstate the land to a condition suitable for its former use does not apply to land above or within 10 metres of underground cables installed as part of the authorised development, <u>except in respect of the reinstatement of hedgerows.</u></p> <p>(3) The requirement to reinstate the land to a condition suitable for its former use is subject to the provisions of article 27 (temporary use of land for carrying out the authorised project).</p>	
31.	Schedule 3, Requirement 10 (Unsuspected Contamination)	This amendment has been made at the request of the Environment Agency to include their preferred wording in relation to unsuspected contamination.	<p><u>Unsuspected contamination</u></p> <p>10.—(1) If during any stage of the <u>In the event that</u> contaminated land, including groundwater, is found at any time when carrying out the authorised development, contamination within the order limits is identified as a result of the confirmatory ground investigations, and this contamination is considered likely to cause a significant possibility of significant harm to persons or pollution of controlled waters or the environment then, except in the case of emergency which was not previously identified in the environmental statement, then no further development in the vicinity of the contamination may be carried out until a written scheme to identify the extent of the contamination and identify mitigation and remedial measures to be taken to render the land fit for its intended purpose has been submitted to and (unless otherwise approved in writing by the relevant authorities) shall be carried out within the identifiable perimeters of the area in which the suspected contamination is located. It must be reported as soon as reasonably practicable to the local planning authority, following and where necessary, the Environment Agency, and the undertaker must complete a risk assessment of the contamination in consultation with the local planning authority, and where necessary, the Environment Agency.</p> <p>(2) Should mitigation or <u>Where the undertaker determines that remediation of the contaminated land is necessary, a written scheme and programme for the remedial measures be required then they must be carried out in accordance with the approved scheme referred to in sub-paragraph (1) and, if remedial measures are required, their implementation and validation documented in a verification report submitted to the relevant</u> <u>to be taken to render the land fit for its intended purpose must be submitted to and approved in writing by the local planning authority, following consultation with the Environment Agency.</u></p> <p>(3) In this Requirement, “controlled waters” has the same meaning as in Part 3 of the Water Resources Act 1991 (a) <u>Remediation must be carried out in accordance with the approved scheme under sub paragraph (2).</u></p> <p>(4) <u>Following the implementation of the remediation strategy approved under sub-paragraph (2), a verification report, based on the data collected as part of the remediation strategy and demonstrating the completion of the remediation measures must be produced and supplied to the relevant planning authority and the Environment Agency.</u></p>	F

<u>Ref</u>	<u>dDCO Ref.</u>	<u>Rationale for the Change</u>	<u>Change Made</u>	<u>Version of dDCO</u>
<u>32.</u>	<u>Schedule 3, Requirement 13 (Decommissioning)</u>	<u>The Applicant has updated the requirement on decommissioning to reflect that Requirement 13 does not apply to the Offshore elements of the Proposed Project as these are covered in the condition 14(4) of the draft Deemed Marine Licence at Schedule 16 to the Draft Development Consent Order. The Applicant has also included provision for the Environment Agency to be consulted on any future decommissioning.</u>	<u>13.—(1) Excluding for substations and that part of the authorised development comprised in the Licensed Marine Activities authorised pursuant to Schedule 16 (deemed marine licence), in the event that, at some future date, the authorised development, or part of it, is to be decommissioned, a written scheme of decommissioning must be submitted for approval by the relevant planning authority, in consultation with the Environment Agency, at least six months prior to any decommissioning works.</u>	<u>F</u>
<u>33.</u>	<u>Schedule 3 (requirements) (requirement 12(1) (highway works))</u>	<u>Schedule 3 (requirements) (requirement 12(1) (highway works)) This provision refers to the “local highway authority,” an undefined term. SCC assumes the term should be the “relevant highway authority,” which is defined in article 2(1) (interpretation). (“Relevant highway authority” is also the term used in requirements 1(4) (interpretation) and 12(3)</u>	<u>Highway works</u> <u>12.—(1) No work to construct, alter or temporarily alter any new or existing means of access to a highway to be used by vehicular traffic may commence until written details of design, layout and reinstatement of that means of access has been submitted to and approved by the local relevant highway authority.</u>	<u>F</u>

<u>Ref</u>	<u>dDCO Ref.</u>	<u>Rationale for the Change</u>	<u>Change Made</u>	<u>Version of dDCO</u>
		(highway works).		
<u>34.</u>	<u>Schedule 3, Requirement 14</u>	<u>This requirement has been updated to reflect the wording suggested by Suffolk County Council Archaeological Service in Suffolk County Council's LIR.</u>	<p>14.—(1) The proposed development must be undertaken in accordance with the following plans<u>documents</u> as relevant to the location of the works unless otherwise agreed with the relevant planning authority:</p> <ul style="list-style-type: none"> (a) Outline Onshore Overarching Written Scheme of Investigation – Suffolk for onshore works within the county of Suffolk; (b) Outline Onshore Overarching Written Scheme of Investigation – Kent for onshore works within the county of Kent; and (c) Outline Offshore Overarching Written Scheme of Investigation and the Marine Archaeological Method Statement as appropriate. <p>(2) No stage of the authorised development may commence until <u>for that stage</u> either a preservation in situ management plan, or a detailed<u>Historic Environment Management Plan or a site-specific</u> written scheme of investigation of areas of archaeological interest<u>(which accords with the relevant to that stage</u> (if any), as identified within the OutlineOverarching<u>Written Schemes</u>Scheme of Investigation or the Marine Archaeological Method Statement or identified through evaluation work as set out in the Outline Written Schemes of Investigation<u>and is informed by the pre-commencement archaeological</u></p>	<u>F</u>

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
			<p><u>surveys</u>) has been submitted to and approved by the relevant planning authority, <u>in consultation with Historic England</u>.</p> <p>(3) Any detailed archaeological works must be carried out in accordance with the approved detailed written scheme of investigation for that stage.</p> <p>(3) (4) The detailed <u>Site-specific</u> written schemes <u>schemes</u> of investigation must be in accordance with the outline written scheme of investigation and must identify areas where archaeological works are required and the measures to be taken to protect, record or preserve any significant archaeological remains that may be found and must include—:</p> <ul style="list-style-type: none"> (a) an assessment of significance and research questions; (b) the programme of methodology of site investigation and reporting; (c) the programme for post-investigation assessment; (d) proposals for providing for the analysis of site investigation and recording; (e) proposals for providing archive deposition of the analysis and records of the site investigation; (f) nomination of a competent person or persons/organisation to undertake the works set out within the detailed written scheme of investigation; and (g) an implementation timetable. <p>(4) All archaeological works must be carried out in accordance with the approved site-specific written scheme of investigation for that stage.</p> <p>(5) Unless otherwise agreed with the relevant planning authority:</p> <ul style="list-style-type: none"> (a) No later than two years following the completion of the fieldwork specified in each site-specific written scheme of investigation, a site-specific post excavation assessment for that site must be completed in accordance with the Overarching Archaeological Written Scheme of Investigation and submitted to the relevant planning authority for approval; (b) No later than one year following the approval of the final site-specific post excavation assessment, an archaeological updated project design for all sites, must be submitted to the relevant planning authority for approval. The archaeological updated project design must be produced in general accordance with the Overarching Archaeological Written Scheme of Investigation, include details of the scope of post-excavation analysis and publication and have regard to the site-specific research agendas set out in the site-specific written schemes of investigation; (c) Post-excavation analysis and publication must be carried out in accordance with the approved archaeological updated project design; (d) The full archaeological archive must be submitted to the relevant planning authority in accordance with the archaeological updated project design. 	
35.	Schedule 11	These changes reflect		

<u>Ref</u>	<u>dDCO Ref.</u>	<u>Rationale for the Change</u>	<u>Change Made</u>	<u>Version of dDCO</u>																				
		<u>(Land of which temporary possession may be taken)</u>	<u>amendments made to the land of which only temporary possession may be taken.</u>																					
			<table><tr><th colspan="4">Suffolk</th></tr><tr><th>(1) <i>Plot number of land shown on Land Plan</i></th><th>(2) <i>Purpose for which temporary possession may be taken</i></th><th>(3) <i>Relevant part of the authorised development</i></th><th>(4) <i>Element of Work in respect of which land is not required to be re-instated</i></th></tr><tr><td>1/10, 1/12, 1/14, 1/16, 1/17, 1/18, 1/22, 1/26, 1/29, 1/30, 1/33, 1/34, 1/35, 1/36, 1/37, 1/38, 1/39, 1/40, 1/42, 1/43, 1/44, 1/45, 1/46, 1/48, 1/52, 1/53, 1/56, 1/57, 1/67, 1/70, 1/73, 1/74, 1/75, 1/78, 1/83, 1/85, 1/88, 1/98</td><td>Construction of the authorised development and mitigation works</td><td>Work No. 2 Work No. 4 Work No. 5 Work No. 13 Work No. 14 Work No. 15 <u>Work No. 16</u> Work No. 17</td><td>Landscaping</td></tr><tr><td>2/6, 2/9, 2/10, 2/12, 2/14, 2/16, 2/18</td><td>Construction of the authorised development and mitigation works</td><td>Work No. 1B Work No. 2 Work No. 5 Work No. 13 Work No. 14 Work No. 15 <u>Work No. 16</u> Work No. 17</td><td>2/18 - Landscaping</td></tr><tr><td>2/21, 2/22, <u>2/22a</u></td><td>Access to land for the purpose of carrying out the authorised development including the power to carry out any ancillary works necessary to facilitate that access</td><td>Work No. 1A Work No. 14</td><td></td></tr></table>	Suffolk				(1) <i>Plot number of land shown on Land Plan</i>	(2) <i>Purpose for which temporary possession may be taken</i>	(3) <i>Relevant part of the authorised development</i>	(4) <i>Element of Work in respect of which land is not required to be re-instated</i>	1/10, 1/12, 1/14, 1/16, 1/17, 1/18, 1/22, 1/26, 1/29, 1/30, 1/33, 1/34, 1/35, 1/36, 1/37, 1/38, 1/39, 1/40, 1/42, 1/43, 1/44, 1/45, 1/46, 1/48, 1/52, 1/53, 1/56, 1/57, 1/67, 1/70, 1/73, 1/74, 1/75, 1/78, 1/83, 1/85, 1/88, 1/98	Construction of the authorised development and mitigation works	Work No. 2 Work No. 4 Work No. 5 Work No. 13 Work No. 14 Work No. 15 <u>Work No. 16</u> Work No. 17	Landscaping	2/6, 2/9, 2/10, 2/12, 2/14, 2/16, 2/18	Construction of the authorised development and mitigation works	Work No. 1B Work No. 2 Work No. 5 Work No. 13 Work No. 14 Work No. 15 <u>Work No. 16</u> Work No. 17	2/18 - Landscaping	2/21, 2/22, <u>2/22a</u>	Access to land for the purpose of carrying out the authorised development including the power to carry out any ancillary works necessary to facilitate that access	Work No. 1A Work No. 14		
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2/6, 2/9, 2/10, 2/12, 2/14, 2/16, 2/18	Construction of the authorised development and mitigation works	Work No. 1B Work No. 2 Work No. 5 Work No. 13 Work No. 14 Work No. 15 <u>Work No. 16</u> Work No. 17	2/18 - Landscaping																					
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<u>Ref</u>	<u>dDCO Ref.</u>	<u>Rationale for the Change</u>	<u>Change Made</u>	<u>Version of dDCO</u>
		2/37, 2/41, 2/52, 2/59, 2/61, 2/63, 2/64, 2/66, 2/79,	Construction of the authorised development and	Work No. 1A Work No. 4 Work No. 5
		2/79a, 2/80, 2/81, 2/96 , 2/105, 2/107, 2/108	mitigation works	Work No. 13 Work No. 15 Work No. 16 Work No. 17
		3/1, 3/6, 3/10, 3/15, 3/16	Construction of the authorised development and mitigation works	Work No. 1A Work No. 5 Work No. 13 Work No. 14 Work No. 15 Work No. 16 Work No. 17
		3/23, 3/28 , 3/29 , 3/38, 3/39, 3/43, 3/4748	Construction of the authorised development and mitigation works	Work No. 4 Work No. 5 Work No. 13 Work No. 16 Work No. 17
		<u>Kent:</u>		
		2/14, 2/15, 2/16, 2/20, 2/21, 2/22, 2/27, 2/29, 2/31, 2/32, 2/35, 2/38, 2/39, 2/41, 2/45, 2/46, 2/49, 2/50, 2/52, 2/54, 2/55, 2/56, 2/60, 2/61, 2/62, 2/63, 2/64, 2/65, 2/66, 2/68, 2/69, 2/70, 2/71, 2/72, 2/74, 2/75	development and mitigation works	<u>Work No. 15</u> Work No. 16 Work No. 17 2/66, 2/68 - Landscaping

<u>Ref</u>	<u>dDCO Ref.</u>	<u>Rationale for the Change</u>	<u>Change Made</u>	<u>Version of dDCO</u>
		2/78, 2/79, 2/80, 2/84, 2/85, 2/86, 2/87, 2/88, 2/89, 2/90, 2/91, 2/92, 2/93, 2/94, 2/97, 2/98, 2/99, 2/100, 2/101, 2/102, 2/103, 2/107, 2/109, 2/112, 2/115, 2/116, 2/119, 2/121, 2/125, 2/140, 2/139, 2/151, 2/153, 2/159, 2/173, 2/176, 2/177, 2/180, 2/182	Construction of the authorised development and mitigation works	Work No. 12 Work No. 7 Work No. 8 Work No. 12 Work No. 13 Work No. 14 Work No. 15 Work No. 16 Work No. 17
		2/181, 2/184, 2/185	Access to land for the purpose of carrying out the authorised development including the power to carry out any ancillary works necessary to facilitate that access	Work No. 14 Work No. 16
		2/188	Construction of the authorised development and mitigation works	Work No. 12 Work No. 14
		3/5, 3/6, 3/8	Construction of the authorised development and mitigation works	Work No. 7 Work No. 14 Work No. 16
		3/10	Access to land for the purpose of carrying out	Work No. 7 Work No. 14
				2/85, 2/86, 2/89, 2/90, 2/91, 2/92, 2/93, 2/97, 2/98, 2/99, 2/100, 2/101, 2/102, 2/103 - Landscaping

<u>Ref</u>	<u>dDCO Ref.</u>	<u>Rationale for the Change</u>	<u>Change Made</u>	<u>Version of dDCO</u>		
			3/29, 3/31, 3/37, 3/39, 3/41, 3/42, 3/45, 3/61, 3/63, 3/75 , 3/77, 3/81, 3/83, 3/110	Construction of the authorised development and mitigation works	Work No. 6 Work No. 7 Work No. 8 Work No. 9A Work No. 13 Work No. 14 Work No. 16	
			3/91, 3/92, 3/93, 3/96	Access to land for the purpose of carrying out the authorised development including the power to carry out any ancillary works necessary to facilitate that access	Work No. 6 Work No. 8 Work No. 14	
			3/94, <u>3/110</u>	Construction of the authorised development and mitigation works	<u>Work No. 7</u> Work No. 8	
			4/18, 4/19, 4/19a 4/20	Construction of the authorised development and mitigation works	Work No. 15 Work No. 16	
			5/1 , 5/6, 5/8, 5/9, 5/10, 5/11, 5/15, 5/17, 5/18, 5/26 , 5/28, 5/29, 5/30, <u>5/30a</u> , 5/31, 5/36, 5/37, 5/38, 5/39, 5/40, 5/41, 5/42,	Construction of the authorised development and mitigation works	Work No. 6 Work No. 7	
<u>36.</u>	<u>Schedule 16, Deemed Marine Licence</u>	<u>The Applicant has included additional definitions within the deemed marine licence to reflect that an outline Cable Specification and</u>				<u>F</u>

<u>Ref</u>	<u>dDCO Ref.</u>	<u>Rationale for the Change</u>	<u>Change Made</u>	<u>Version of dDCO</u>
		Installation Plan is required and to reflect that the Offshore CEMP will apply in relation to the deemed marine licence at Schedule 16	<p><u>"outline cable specification and installation plan"</u> means the document certified as the outline cable specification and installation plan by the Secretary of State for the purposes of this Order under article 60;</p> <p><u>"outline marine mammal mitigation plan"</u> means the document certified as the outline marine mammal mitigation plan by the Secretary of State for the purposes of this Order under article 60;</p> <p><u>"outline invasive non-native species offshore construction and environmental management plan"</u> means the document certified as the outline invasive non-native species offshore construction and environmental management plan by the Secretary of State for the purposes of this Order under article 60;</p> <p><u>"outline invasive non-native species management plan"</u> means the document certified as the outline invasive non-native species management plan by the Secretary of State for the purposes of this Order under article 60;</p>	
<u>37.</u>	<u>Schedule 16, Deemed Marine Licence</u>	<u>This amendment has been made at the request of the Port of London Authority and seeks to provide clarity over the definition, address and contact details of the Port of London Authority.</u>	<p><u>"PLA" means the Port of London Authority;</u></p> <p>(i) <u>Port of London Authority</u> <u>London River House</u> <u>Royal Pier Road</u> <u>Gravesend</u> <u>Kent</u> <u>DA12 2BG</u> <u>Tel: 01474 562200</u></p>	<u>F</u>
<u>38.</u>	<u>Schedule 16, Deemed Marine Licence</u>	<u>In response to question 1GEN55, the Applicant has amended the wording to reflect that there is a 'fibre optic cable' rather than multiple at the request of the ExA.</u>	<p>(b) <u>works to lay marine electric cables and a fibre optic cable</u> seaward within the Order limits seaward of MHWS between Work No. 5 and Work No.7 within the area shown on Sheet 6 of the Works Plans – Suffolk, Sheets 1, 2 and 3 of the Works Plans – Offshore and Sheets 3, 4 and 5 of the Works Plans, Kent;</p>	<u>F</u>
<u>39.</u>	<u>Schedule 16, Deemed Marine Licence</u>	<u>The Applicant has updated the terminology in relation to</u>		<u>F</u>

<u>Ref</u>	<u>dDCO Ref.</u>	<u>Rationale for the Change</u>	<u>Change Made</u>	<u>Version of dDCO</u>
	<u>Licence, Work No.12</u>	<u>Work No.12 to clarify that the overhead line works oversail MHWS, rather than falling 'below' MHWS. There is no change to the work, but rather the change seeks to provide clarity over the precise interaction with MHWS in relation to the overhead line works.</u>	<p><i>Work No. 12- Kent Overhead Line Works</i>—</p> <p>4. Works below <u>oversailing</u> MHWS comprising removal and modification works to existing overhead electric line, and the construction and installation of new overhead electric line from Work No.11 near Minster and the existing Richborough to Canterbury overhead electric line, which may include—</p> <ul style="list-style-type: none"> (a) temporary culverts and/or bridges over other water courses; (b) drainage works; (c) removal of and modification works to the existing overhead electric line; and (d) installation of overhead electric line between Work No. 11 and the existing Richborough to Canterbury overhead electric line. <p>4. 5.— In connection with such Work No. 6 and Work No.12 and to the extent that they do not otherwise form part of any such work, further associated development comprising such other works below seaward or oversailing MHWS as may be necessary or expedient for the purposes of or in connection with the relevant part of the authorised scheme and which fall within the scope of the work assessed by the environmental statement, including but not limited to —</p> <ul style="list-style-type: none"> (a) cable protection measures such as rock placement, including rock bags, and the placement of concrete mattresses and frond mattresses; (b) temporary diversion of existing overhead electric line and associated works; (c) the removal of material from the seabed required for the construction of Work No. 6 and the disposal of seabed sediments produced during construction drilling and seabed preparation for cable laying; and (d) temporary landing places, moorings or other means of accommodating vessels in the construction and/or maintenance of the authorised development. 	
<u>40.</u>	<u>Schedule 16, Deemed Marine Licence, Condition 1 (Design Parameters)</u>	<u>In response to question 1GEN57, the Applicant has updated the condition to clarify that the design parameters do include parameters relating to cable crossings.</u>	<p>Design parameters</p> <p>1. —(1) The total length of the marine cables, volume and area of cable protection areas <u>(including cable crossings)</u> between the respective MHWS at each of the Suffolk and Kent landfall for Work No. 6 must not exceed the following—</p>	<u>F</u>
<u>41.</u>	<u>Schedule 16, Deemed Marine Licence, Condition 3</u>	<u>The Applicant has made this change to reflect that it is standard practice to provide copies of the notice to</u>		<u>F</u>

<u>Ref</u>	<u>dDCO Ref.</u>	<u>Rationale for the Change</u>	<u>Change Made</u>	<u>Version of dDCO</u>
	<u>(Notification and inspections)</u>	<u>mariners to the MCA and the UKHO, in addition to the MMO.</u>	<div>(8) The undertaker must issue a notice to mariners at least seven days prior to the commencement of the licensed activities or any part of them, such notice is to include a description of the project, a description of the activity the notification relates to, start date and anticipated completion date of the activity and the expected vessel routes from the local construction ports to the relevant location(s). Copies of all notices must be provided to the MMO, <u>MCA and UKHO</u> within 24 hours of such notification.</div>	
<u>42.</u>	<u>Schedule 16, Deemed Marine Licence, Condition 3 (Notification and inspections)</u>	<u>This amendment reflects the amendment sought by the PLA in its written representation provided by the PLA seeking to be notified, and also adds reference to the MCA.</u>	<div>(10) The undertaker must notify The Source Data Receipt team at the UK Hydrographic Office of commencement of the licensed activities at least seven days prior to commencement of each licensed activity, such notice is to include the start data and end date, a description of the works, the positions of the work area (WGS84) and details of any marking arrangements and the undertaker must send a copy to the MMO, <u>MCA and PLA</u> within seven days of the issue of such notification.</div>	<u>F</u>
<u>43.</u>	<u>Schedule 16, Deemed Marine Licence, Condition 4 (pre-construction plans and documentation)</u>	<u>In response to 1GEN62, the Applicant has updated the list of management plans to clarify that the plans outlined within this condition will be submitted separately as standalone documents. The Applicant has added wording pursuant to 1GEN61 which confirms that the pre-constructions plans and documentation should be substantially in accordance with the outline versions of those plans. This replicates the approach taken in relation to the various management plans listed in</u>	<div>4. —(1) The licensed activities or any part of those activities under Works No. 6 must not commence until a cable specification and installation plan document in respect of those licensed activities, has the following plans have been submitted to and approved in writing by the MMO, such approval to be within sixteen weeks of submission (in consultation with Natural England, the Joint Nature Conservation Committee, NCC, MCA, the EA and Cefas), which shall include details of—; <div> <div>(a) <u>a Cable Specification and Installation Plan document in respect of those licensed activities, which is in general accordance with the principles set out in the outline Cable Specification and Installation Plan which shall include details of—</u></div> <div> <div>(i) <u>a sediment disposal management plan;</u></div> <div>(ii) (a) technical specification of offshore cables below MHWS, including a desk-based assessment of attenuation of electromagnetic deviation of the high voltage cable route, shielding and cable burial depth in accordance with industry good practice;</div> <div>(iii) (b) location and timings;</div> <div>(iv) (c) timings and duration of intertidal works;</div> <div>(v) (d) a detailed cable laying and burial plan, incorporating a burial risk assessment to ascertain suitable burial depths and cable laying techniques;</div> <div>(vi) (e) a detailed cable protection plan;</div> <div>(vii) (f) details of intended boulder removal;</div> <div>(viii) (g) a marine pollution contingency plan;</div> <div>(ix) (h) a waste management plan;</div> </div> </div> </div>	<u>F</u>

<u>Ref</u>	<u>dDCO Ref.</u>	<u>Rationale for the Change</u>	<u>Change Made</u>	<u>Version of dDCO</u>
		<u>Schedule 3, Requirement 6.</u>	<div> <p>(c) (i) An offshore construction environment management plan (CEMP) including a Marine Mammal Mitigation Plan, a Marine Non-Native Species (MNNS) which is in general accordance with the principles set out in the outline Marine Mammal Mitigation Plan,</p> <p>(d) <u>a Marine Non-Native Species (MNNS) Plan which is in general accordance with the principles set out in the outline Marine Non-Native Species Plan;</u></p> <p>(e) <u>a marine bio-security plan;</u></p> <p>(f) (i) <u>a Fisheries Liaison and Co-existence Plan (FLCP) which is in general accordance with the principles set out in the outline Fisheries Liaison and Co-existence Plan;</u></p> <p>(g) (i) <u>a navigation installation plan for the relevant stage which is in general accordance with the principles set out in the outline navigation installation plan; and</u></p> <p>(h) (i) <u>details of cable protection, any obstructions in the intertidal area and any clumping of disused cables for the updating of charts. Licensed activities must not commence until written approval of the cable specification and installation plan document is provided by the MMO.</u></p> </div>	
<u>44.</u>	<u>Schedule 16, Deemed Marine Licence, Condition 4 (pre-construction plans and documentation)</u>	<u>This wording relating to the 5% reduction in water depth is currently included at condition 12 (maintenance) and applies to maintenance activities. The Applicant has included the same wording in condition 4 here to clarify that the condition also applies to construction activities rather than solely maintenance activities, which the Applicant considers was the intention behind the inclusion of the text.</u>	<div> <p><u>(6) In undertaking the licensed activities, the undertaker must not reduce water depth by more than 5% unless agreed with the MMO in writing.</u></p> </div>	<u>F</u>
<u>45.</u>	<u>Schedule 16, Deemed Marine Licence,</u>	<u>This amendment has been included at the request of the MMO.</u>		<u>F</u>

<u>Ref</u>	<u>dDCO Ref.</u>	<u>Rationale for the Change</u>	<u>Change Made</u>	<u>Version of dDCO</u>
	<u>Condition 8 (Chemicals, drilling and debris)</u>		<p>8.—(1) Unless otherwise agreed in writing by the MMO, the carriage and use of chemicals <u>all chemicals used</u> in the construction of the authorised scheme must comply with the International Convention for the Prevention of Pollution from Ships as amended <u>development must be selected from the List of Notified Chemicals approved for use by the offshore oil and gas industry under the Offshore Chemicals Regulations 2002 (as amended) as maintained by Cefas.</u></p>	
<u>46.</u>	<u>Schedule 16, Deemed Marine Licence, Condition 11 (Red Throated Diver)</u>	<u>The Applicant has updated this condition to align with the suggested approach in question 1GEN59 so that provision is made for the MMO approval to be undertaken in consultation with Natural England or the JNCC.</u>	<p>11.—(1) Unless otherwise agreed in writing with the MMO, <u>in consultation with Natural England and the JNCC as the relevant statutory nature conservation body (SNCB)</u>, none of the following activities relating to cable laying are permitted to take place on the seabed within the Outer Thames Estuary SPA between 1 November and 31 March inclusive—</p> <ul style="list-style-type: none"> (a) Pre-sweeping dredging; (b) Boulder clearance, out-of-service cable removal, and cable crossing preparation; (c) Cable installation (specifically mechanical ploughing or cutting and/or water jetting and post lay burial operation); (d) Cable protection (specifically rock placement); 	<u>F</u>
<u>47.</u>	<u>Schedule 19 (Certified Documents)</u>	<u>The Applicant has reviewed and reflected on the definitions in Article 2 to ensure that certification is only referred to in respect of the documents listed at Schedule 19.</u>	<p><u>Outline Code of Construction Practice</u> <u>Register of Environmental Actions and Commitments</u> <u>Outline Cable Specification and Installation Plan</u> <u>Outline Marine Mammal Mitigation Plan</u> <u>Greenhouse Gas Reduction Strategy</u> <u>Design Principles – Suffolk</u> <u>Design Principles – Kent</u> <u>Outline Onshore Overarching Written Scheme of Investigation – Suffolk</u> <u>Outline Onshore Overarching Written Scheme of Investigation – Kent</u> <u>Outline Offshore Overarching Written Scheme of</u></p>	

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Summary report: Litera Compare for Word 11.11.0.158 Document comparison done on 09/01/2026 20:44:56	
Style name: Firm	
Intelligent Table Comparison: Active	
Original DMS: iw://bclp.cloudimanage.com/legal/238257379/1 - 9.7 (C) (Version 2, Change Request) Applicant's Schedule of Changes to the Draft Development Consent Order (Clean).docx	
Modified DMS: iw://bclp.cloudimanage.com/legal/238593371/3 - 9.7 (D) (Deadline 3) Applicant's Schedule of Changes to the Draft Development Consent Order (Clean).docx	
Changes:	
Add	32
Delete	26
Move From	1
Move To	1
Table Insert	2
Table Delete	0
Table moves to	0
Table moves from	0
Embedded Graphics (Visio, ChemDraw, Images etc.)	0
Embedded Excel	0
Format changes	0
Total Changes:	62