The Great Grid Upgrade

Sea Link

Sea Link

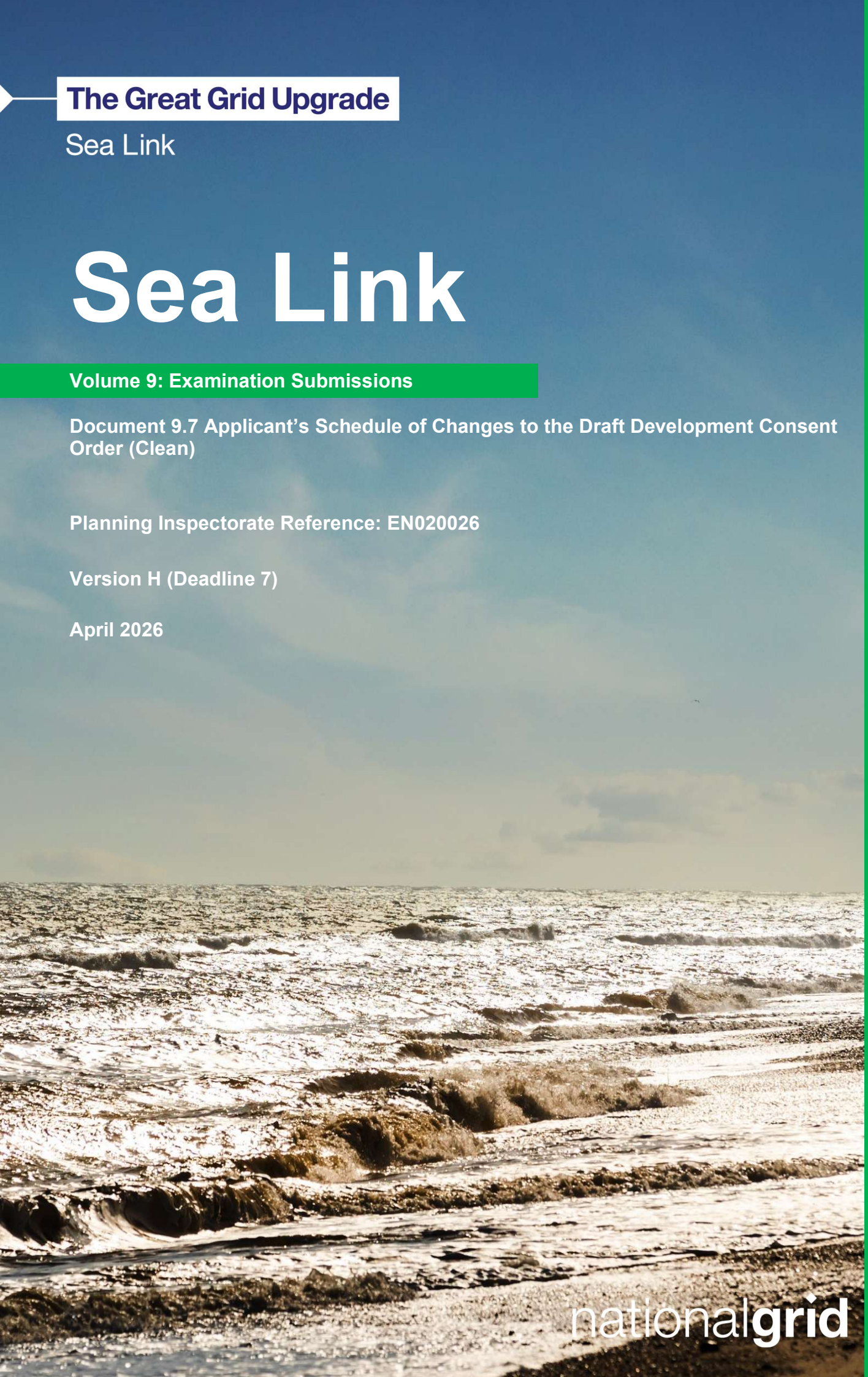
Volume 9: Examination Submissions

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

Planning Inspectorate Reference: EN020026

Version H (Deadline 7)

April 2026



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Version History

Date	Issue	Status	Description / Changes
July 2025	A	Final	Produced following s89 letter
Aug 2025	B	Final	Produced following 2nd 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.
January 2026	D	Final	Deadline 3 updates
February 2026	E	Final	Deadline 4A updates
March 2026	F	Final	Deadline 5 Updates
April 2026	G	Final	Deadline 6 Updates
April 2026	H	Final	Deadline 7 Updates

1. Introduction

1.1 Purpose of this document

1.1.1 This document has been prepared by the Applicant to set out the principal changes[1] 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 Deadline 6 (**Document 3.1(J**) (clean); and

(b) A tracked version of the draft DCO showing all changes as between Revision H (**Document 3.1(I) [REP6-005]** and the new Revision J (**Document 3.1(J)**.

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;

(c) Amendments requested by the Section 89 letter received from the Planning Inspectorate on 8 July 2025; and

[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.

(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

Deadline 1

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 Interested 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 was submitted 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.

Deadline 3

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)[REP3-006]** 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 [REP3-069]** which were submitted at Deadline 3.

Deadline 4A

1.3.5 Table 3.4 lists the principal changes made by the Applicant within Revision G of the draft DCO (**Document 3.1(G)** submitted at Deadline 4A of the Examination. The genesis of the majority of these amendments are driven by points raised by the Examining Authority, the local authorities and key stakeholders during the Issue Specific Hearing held in January 2026, particularly in relation to the Applicant's amendments to the Schedule 3 Requirements. During those hearings, a number of aspects of the draft Order were discussed, and certain actions taken by the Applicant to review or adjust drafting.

1.3.6 Detailed responses to the Examining Authority's ISH2 Action Points are provided in **Document 9.90 the Applicant's Responses to January Hearing Points** submitted at Deadline 4.

1.3.7 Whilst the draft Order itself was not formally programmed to be submitted again to the Examining Authority until Deadline 5, in order to assist with the Examination, the revised version of the draft DCO incorporates matters dealt with in submissions at Deadline 4 and is submitted alongside an amended version of **Application Document 9.84 Register of Environmental Actions and Commitments (REAC) (Clean) [REP3-078]**. The Applicant trusts that this will assist by having both those updated documents available together at the earliest possible deadline.

1.3.8 The Applicant notes that the amendments at this Deadline are therefore primarily limited to those amendments which were dealt with in Deadline 4 submissions and does not include any other wider amendments which the Applicant is considering, such as amendments to the Schedule 16 Deemed Marine Licence. The draft DCO to be submitted at Deadline 5 will accommodate any further wider amendments which are required and provide a comprehensive update.

Deadline 5

1.3.9 Table 3.5 lists the principal changes made by the Applicant within Revision H of the draft DCO (Document 3.1(H)) submitted at Deadline 5 of the Examination.

1.3.10 Where reference is made in table 3.5 to the **Examining Authority's Written Questions 2 (ExQ2) [PD-021**], the question reference referred to is to the unique reference number which starts with 2 (indicating that it is from ExQ2) and the issue code and a question number. Detailed responses to the Examining Authority's written questions are provided in **Document 9.123 the Applicant's Responses to Second Written Questions** which were submitted at Deadline 5.

Deadline 6

1.3.11 Table 3.6 lists the principal changes made by the Applicant within Revision I of the draft DCO (Document 3.1(I)) submitted at Deadline 6 of the Examination. Where reference is made in table 3.6 to **the Examining Authority's third written questions (ExQ3) [PD-023]**, the question reference referred to is to the unique reference number which starts with 3 (indicating that it is from ExQ3) and the issue code and a question number. Detailed responses to the Examining Authority's written questions are provided in **Document 9.136 the Applicant's Responses to Third Written Questions** which were submitted at Deadline 6. Detailed responses to the Examining Authority's ISH3 Action Points are provided in **Document 9.90 the Applicant's Responses to March Hearing Action Points** submitted at Deadline 6. Where the Protective Provisions contained within Schedule 15 remain under consideration with the respective parties, updates to Schedule 15 will be provided within the next iteration of the draft DCO to be updated for Deadline 7.

Deadline 7

1.3.12 Table 3.7 lists the principal changes made by the Applicant within Revision J of the draft DCO (**Document 3.1(J)**) submitted at Deadline 7 of the Examination.

1.3.13 Table 3.8 lists the Applicant's response to the Examining Authority's schedule of changes to the draft Order issued on 17 April 2026.

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.	(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 ~~Article~~article 5 (limits of deviation) or Schedule 1 (authorised ~~development~~project), heights and depths in this Order or on the work plans are measured from the proposed final ground level. (6) References in this Order to numbered Works are references to the Works as numbered in Schedule 1 (authorised ~~development~~project).	B
2.	Article 5, Limits of deviation	A minor amendment has been made to update the paragraph cross-reference in Article 5(1).	**5.** —(1) Subject to paragraph ~~0~~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—	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.	(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") of the 1990 Act.	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).	(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-paragraph~~paragraph (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.	B
5.	Article 12, Application of the Permit Scheme	Correction of a minor typographical error in Article 12(2) to ensure the	(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~~sub-paragraph (b); and	B

Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
		correct cross reference is to the sub-paragraph, rather than paragraph.		
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).	(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~~Scheme) of this Order— ~~(a) Article 12 (application of the Permit Schemes) of this Order —~~ (a) ~~(b)~~ section 53 (the street works register); (b) ~~(c)~~ section 54 (advance notice of certain works); (c) ~~(d)~~ section 55 (notice of starting date of ~~certain~~ works); (d) ~~(e)~~ section 57 (notice of emergency works); and (e) ~~(f)~~ section 66 (avoidance of unnecessary delay or obstruction). (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~~closure of streets and public rights of way and permissive paths) whether or not the stopping up, alteration or diversion constitutes street works within the meaning of that Act.	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.	**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~~, Rights of Way and Public Rights of Navigation Plans or within the Order limits and may for any reasonable time— (a) divert the traffic from the street or public right of way; and (b) subject to paragraph (3), prevent all persons from passing along the street, public right of way or permissive path. (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 and permissive paths 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. (5) The undertaker must not temporarily close, alter or divert— (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.	B

Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
			(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 and permissive paths to be temporarily closed).	
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.	**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~~or public rights of way to be permanently stopped up) to the extent specified in column (3) of that Schedule.	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).	**17.**—(1) The undertaker may, for the purposes of the authorised project— (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.	(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.	B
			(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.	
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~~/or~~ survey—	B
12.	Article 25, Compulsory acquisition of rights	Correction of two minor cross-referencing errors in Article 25(3) and 25(4).	(3) Subject to section 8 (other provisions as to divided land) of the 1965 Act as substituted by Schedule ~~9~~10 (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.	B
			(4) Schedule ~~9~~10 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.	

Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
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).	(3) The undertaker may not, without the agreement of the owners of the land, remain in possession of any land under this article— (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~~11, or (b) in the case of land referred to in sub-paragraph (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. (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~~11 is concerned;	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(~~sub-paragraph 5~~)~~(d) and ~~27(6)~~(c) ~~or~~of article 27 (~~5)(d) or 27(6)(d~~temporary use of land by for carrying out the authorised project) (National Grid is not required to remove foundations when giving up temporary possession).	B
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.	**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 — (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 (~~1~~2) and along the lengths and between the points specified in column (~~2~~3) in the manner specified in column (~~3~~4) of that Part of that Schedule; (b) prohibit use of roads by through traffic in the manner specified in Part ~~4~~2 of Schedule 13 (traffic regulation orders) on the roads specified in column (~~1~~2) and along the lengths and between the points specified in column (~~2~~3) in the manner specified in column (~~3~~4) of that Part of that Schedule; (c) regulate the direction of vehicular movements in the manner specified in Part ~~5~~3 of Schedule 13 (traffic regulation orders) on the roads specified in column (~~1~~2) and along the lengths and between the points specified in column (~~2~~3) in the manner specified in column (~~3~~4) of that Part of that Schedule;	B

Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
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).	(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— (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.	The National Grid (Sea Link) Order PINS application number: EN020026 Works Plans – Suffolk Regulation 5(2)(j) Sheet 1 of 6 In the ~~districts~~district of East Suffolk District Council — DCO/S/WK/PS/0401 — A The National Grid (Sea Link) Order PINS application number: EN020026 Works plans – Offshore Regulation 5(2)(j) Key ~~plan~~Plan 1 of 1 In the districts of East Suffolk District Council, Dover District Council and Thanet District Council — DCO/M/KP/SS/0417 — A	B

Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
			<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 Works Plans - Offshore Regulation 5(2)(j) Sheet 1 of 3 In the district of East Suffolk District Council</td><td>DCO/M/WK/PS/0414</td><td>A</td></tr><tr><td>The National Grid (Sea Link) Order PINS application number: EN020026 Works Plans – Offshore Regulation 5(2)(j) Sheet 2 of 3</td><td>DCO/M/WK/PS/0415</td><td>A</td></tr><tr><td>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</td><td>DCO/M/WK/PS/0416</td><td>A</td></tr></table>	
20.	Schedule 3, Requirements (Paragraph 2(3))	Correction of a minor typographical error to reflect that sub-paragraph 2(2) is not a subsection.	**2.** —(1) The authorised development must be commenced within five years of the date of this Order. (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. (3) An application is not finally determined for the purposes of ~~subsection~~sub-paragraph (2) if any appeal in respect of the application—	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.	(3) Any revisions to the written scheme referred to in ~~paragraph 4~~sub-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. (5) The authorised development must be carried out in accordance with the written scheme submitted further to ~~sub-paragraph~~sub-paragraphs (2) or (3).	B

Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
22.	Schedule 3, Requirements (Paragraph 5(1))	Correction of a minor typographical error in sub-paragraph (1) to ensure cross-references are accurate.	**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 ~~paragraph~~sub-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.	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.	(4) The following operations may take place outside the core working hours referred to in ~~paragraph~~sub-paragraph (1)— (l) mechanical and electrical installation works within buildings once erected and enclosed; and (m) any highway works requested by the highway authority to be undertaken on a Saturday or Sunday or outside the core working hours~~; and~~. ~~(n) activity necessary in the instance of an emergency where there is a risk to persons or property.~~	B
24.	Schedule 3, Requirements (Paragraph 9)	Correction of a minor typographical error to ensure that the title of Article 27 is accurately referred to.	(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).	B
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~~any 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~~and any ~~related~~other 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) (interpretation etc. of Part 1) of the ~~1989~~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; "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~~Requirements). (5) Schedule 3 (~~requirements~~Requirements) has effect.	C

Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
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.	**Planning Permission and other consents** **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— (a) not itself a nationally significant infrastructure project under the 2008 Act or part of such a project; and (b) required to complete or enable the construction, use or operation of any part of the development authorised by this Order, 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. (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 or development consent granted under the 2008 Act or compliance with any conditions of that permission or requirements of that development consent is inconsistent with the exercise of any power or right under this Order or the authorised project-; (a) That inconsistency is to be disregarded for the purposes of establishing whether any development which is the subject matter of that planning permission or development consent is capable of physical implementation; and (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 or development consent whether inside or outside the Order limits. (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 or of a development consent granted under the 2008 Act, including permissions falling under paragraph (1) or (~~3~~2) 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.	C
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~~restriction 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.	(6) Any application for consent under paragraph (~~2~~4) must include a statement that the provisions of paragraph (5) apply to that application. (7) If an application for consent under paragraph (~~2~~4) does not include the statement required under paragraph (6) then the provisions of paragraph (5) will not apply to that application.	C

Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
7.	Article 21 (Protective Works)	An amendment to reflect typographical changes made in the Bramford to Twinstead Correction 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 the Order limits,	C
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~~notices 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~~powers 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

Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
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.	**Defence to proceedings in respect of statutory nuisance** **49.**—(1) Where proceedings are brought under section 82(1) (summary proceedings by ~~person~~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— (a) the defendant shows that the nuisance— (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~~sites) or a consent given under section 61 (prior consent for work on construction ~~site~~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 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	C
12.	Article 51 (Felling or lopping)	An amendment to reflect typographical changes made in the Bramford to Twinstead Correction Order dated 8 April 2025.	(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 (b) the undertaker ~~giving~~has given 5 days notice to the relevant highway authority of its intention to carry out any of the operations described in sub-paragraph (a).	C
13.	Article 62 (Arbitration)	An amendment to reflect typographical changes made in the Bramford to Twinstead Correction Order dated 8 April 2025.	**Arbitration** **62.** Subject to article 55 (~~procedures~~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.	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 part of the authorised development	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
		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~~plans to which the reference relates.	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) ~~I~~in respect of that inconsistency, no enforcement action under the 1990 Act or the 2008 Act 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

Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
5.	Article 17(3) & (4) (Access to works)	Correction of minor typographical errors in paragraph (3) and (4) to ensure cross-references reflect SI drafting conventions.	(3) Any application for consent under ~~sub-paragraph~~paragraph (1)(b) must include a statement that the provisions of paragraph (2) apply to that application. (4) If an application for consent under ~~sub-paragraph~~ paragraph (~~2~~1)(b) does not include the statement required under paragraph (3), then the provisions of paragraph (2) will not apply to that application.	D
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.	(5) Before exercising— (a) a right under paragraph (1) to carry out protective works to any land, building, structure, apparatus or equipment; (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; (c) a right under ~~sub-paragraph~~paragraph (4)(a) to enter the land, building or structure and land within its curtilage; or (d) a right under ~~sub-paragraph~~paragraph (4)(b) to enter land,	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.	(9) Any application for consent under either ~~sub-paragraph~~paragraph (5)(a) or ~~sub-paragraph~~paragraph (5)(b) must include a statement that the provisions of paragraph (8) apply to that application. (10) If an application for consent under either ~~sub-paragraph~~paragraph (5)(a) or ~~sub-paragraph~~paragraph (5)(b) does not include the statement required under paragraph (9), then the provisions of paragraph (8) will not apply to that application.	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.	(3) The following do not apply in connection with the exercise of the power under paragraph (1) in relation to subsoil or airspace only— (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)); (b) Schedule A1 (counter-notice requiring purchase of land not in general vesting declaration) to the 1981 Act; and (c) section 153(4A)~~(c)~~ (blighted land: proposed acquisition of part interest; material detriment test) of the ~~Town and Country Planning~~1990 Act ~~1990~~.	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.	(3) The undertaker may not, without the agreement of the owners of the land, remain in possession of any land under this article— (a) in the case of land referred to in ~~sub-paragraph~~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 11, or (b) in the case of land referred to in ~~sub-paragraph~~paragraph (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.	D

Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
10.	Article 27(5) (Temporary use of land for carrying out the authorised project)	Correction of minor typographical errors in paragraph 5 to ensure cross-references reflect SI drafting conventions.	(5) Before giving up possession of land of which only temporary possession has been taken under ~~sub-paragraph~~paragraph (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— (a) replace a building, structure, apparatus, equipment, electric line, electrical plant or pylon removed under this article; (b) restore the land on which any mitigation works have been carried out under ~~sub-paragraph~~paragraph (1)(d);	D
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.	(6) Before giving up possession of land of which temporary possession has been taken under ~~sub-paragraph~~paragraph (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-paragraph~~paragraph (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— (a) replace a building, structure, apparatus, equipment, electric line, electrical plant or pylon removed under this article; (b) restore the land on which any mitigation works have been carried out under ~~sub-paragraph~~paragraph (1)(d);	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.	(12) Nothing in this article prevents the undertaker from taking temporary possession more than once in relation to any land specified in ~~sub-paragraph~~paragraph (1)(a).	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.	(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~~paragraph 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).	D
14.	Schedule 1, Part 1, paragraph 2	This amendment clarifies the list of works which comprise associated development to make clear that drainage works are intended to be	(x) drainage works; and (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	D

Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
		included as associated development.		
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).	"HGV" means lorries over 3.5 tonnes maximum gross weight but excluding abnormal indivisible loads;	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).	(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.	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.	*Fees* **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)~~Part 10 (undertaker's works affecting electronic communications apparatus) of the electronic communications code.	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.	**Table 2. Design parameters** *Length of cable (km)* | *Area of cable protection (m2)* | *Volume of cable protection (m3)* ~~122~~196,~~100~~122 | 196,100 | 582,200	D
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 ~~Aldebrugh~~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.	"commence" means (a) 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; (b) ~~"commence" means~~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;	E

Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
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 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.	**Limits of deviation** **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— (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 (b) in respect of the pylons deviate vertically from the levels of the authorised project (being ~~54m~~53.2m above finished ground level in Suffolk and 51m above finished ground level in Kent)— (i) to any extent upwards not exceeding 6 metres; (ii) to such extent downwards as the undertaker considers necessary or convenient;	E
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	**Table of Parameters** *Work* / *Type of structure* / *Height* 1B — Substation – Suffolk — ~~18m~~16m 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

Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
		16m maximum height specified in the SPR consents. Therefore, this update is made to secure this lower height in the draft DCO.		
4.	Article 7 (Consent to transfer benefit of Order)	In its Relevant Representation, 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 precedented across other Orders.	(4) Subject to paragraph (5) the undertaker may with the written consent of the Secretary of State (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 (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. (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. (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).	E

Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
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 Natural England.	**Arbitration** **62.** (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. (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.	E
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	*In all Districts within the Order Limits* Works 13-17 as shown within the areas indicated on the Works Plans. **Work No. 13 – Principal Drainage Works** **Work No. 14 – Principal Accesses** **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, which may include — (a) ecological mitigation and enhancement; and (b) landscaping mitigation and enhancement. **Work No. 16 – Principal Utility Diversions** **Work No. 17 – Principal Public Right of Way Diversions**	E

Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
		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 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.	PART 2 LAND PLANS <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)(I)-(iii) Key Plan In the district of East Suffolk District Council</td><td>DCO/S/KPA/SS/0100</td><td>~~A~~C</td></tr><tr><td>The National Grid (Sea Link) Order PINS application number: EN020026 Land Plans Regulation 5(2)(i)(i)-(iii) Sheet 1 of 6 In the district of East Suffolk District Council</td><td>DCO/S/LP/PS/0101</td><td>~~A~~C</td></tr></table>	E

<table>
<tr><th>Ref.</th><th>dDCO Ref.</th><th>Rationale for the Change</th><th>Change Made</th><th>Version of dDCO</th></tr>
<tr><td>8.</td><td>Schedule 2 (Plans)Part 6</td><td>This change reflects the updates to the version numbers of the Works Plans submitted at Deadline 1.</td><td>PART 6
WORKS PLANS
<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
Works Plans – Suffolk
Regulation 5(2)(j)
Key Plan 1 of 1
In the district of East Suffolk District Council</td><td>DCO/S/KP/SS/0400</td><td>~~A~~B</td></tr><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 district of East Suffolk District Council</td><td>DCO/S/WK/PS/0401</td><td>~~A~~B</td></tr></table></td><td></td></tr>
<tr><td>9.</td><td>Schedule 3, Requirement 3</td><td>This update is made for clarity as to which documents contain the Converter Station Design Principles.</td><td>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 as presented in Document 7.12.1 Design Principles – Suffolk and Document 7.12.2 Design Principles – Kent.</td><td>E</td></tr>
</table>

Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
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.	(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). (8) Outside the hours specified in sub-paragraph (7), construction work may be undertaken for essential activities including but not limited to— (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; (b) internal fitting out works associated with the substation; (c) the completion of construction activities commenced during the approved working hours which cannot safely be stopped; (d) the testing or commissioning of any electrical plant installed as part of the authorised development; and (e) activity necessary in the instance of an emergency where there is a risk to persons or property. (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.	E
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.	*Restriction on carrying out works when consented in another order* **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.	E

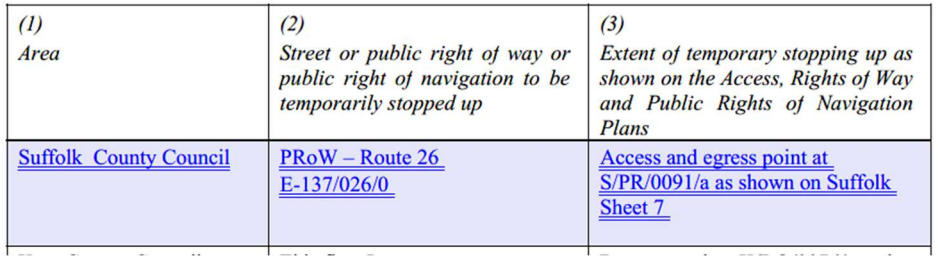
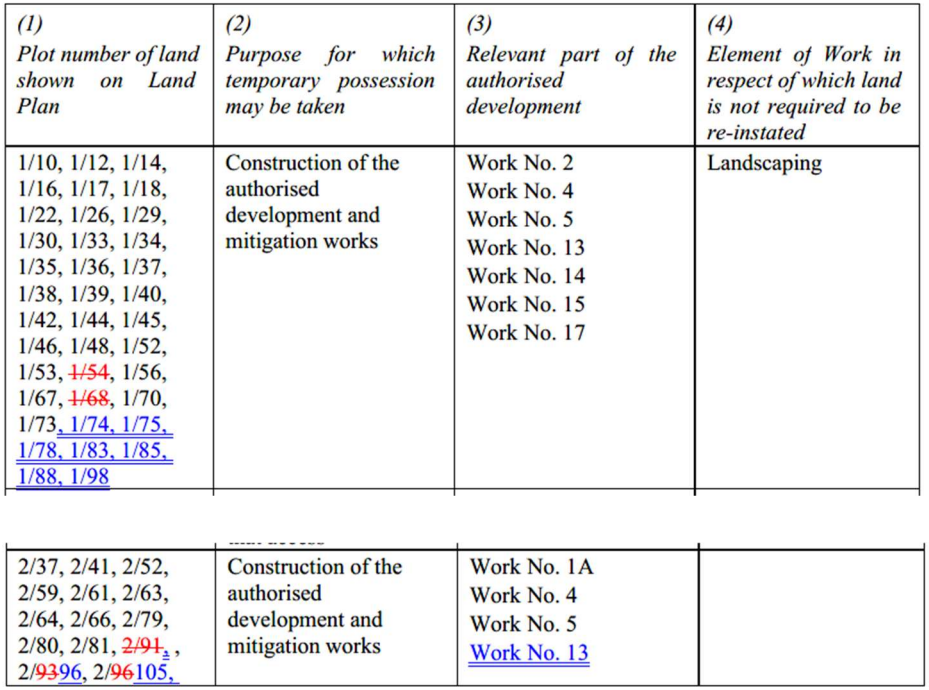
Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
12.	Schedule 3, Requirement 6 and Schedule 16, Deemed Marine Licence.	Further to Natural England's Relevant Representation, certain management plans listed in Requirement 6 related exclusively to impacts and works in the marine environment. Therefore, to avoid potential unnecessary duplication, the relevant plans have been removed from the requirement and are instead secured through the deemed marine licence. The list of management plans is also updated to reflect that an 'Operational Drainage Management Plan' will be submitted.	*Construction Management Plans to be Approved* **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— (a) Onshore Construction Environmental Management Plan (which must be substantially in accordance with the Onshore Outline Construction Environmental Management Plan); ~~(b) Offshore Construction Environmental Management Plan (which must be substantially in accordance with the Outline Offshore Construction Environmental Management Plan);~~ (b) ~~(c)~~ Construction Traffic Management and Travel Plan – Suffolk (which must be substantially in accordance with the Outline Construction Traffic Management and Travel Plan – Suffolk); ~~(o) Marine Mammal Mitigation Plan (which must be substantially in accordance with the Outline Marine Mammal Mitigation Plan);~~ ~~(p) Offshore Invasive Non-Native Species Management Plan (which must be substantially in accordance with the Outline Offshore Invasive Non-Native Species Management Plan);~~ (n) ~~(q)~~ Material and Waste Management Plan; (o) ~~(r)~~ Construction Drainage Management Plan; (p) ~~(s)~~ Flood Management Plan (FMP); and ~~(t) Detailed Marine Biosecurity Plan (which must be substantially in accordance with the Marine Biosecurity Plan).~~ (q) Operational Drainage Management Plan.	E
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) *plot number of land shown on Land Plan* and column (3) *relevant part of the authorised development*.	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	Various amendments throughout the deemed marine licence to reflect ongoing engagement with the MMO.	E

Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
		have been reflected in the updated drafting where appropriate.		

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 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).	**Street works** **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— (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 structures and 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).	E (Change Request)
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).	**Work No. 14 – Principal Accesses** Accesses and associated works to facilitate access, including structural repairs and the installation of structures or apparatus associated with the access.	E (Change Request)

Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
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 sufficient flexibility for the options relating to Change 4 (Benhall Railway Bridge).	**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 — (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 and supporting structures;	E (Change Request)
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.	Main Road (B1121) | Sheet 1 ~~of~~and sheet 7of the Access, Rights of Way and Public Rights of Navigation Plans – Suffolk	E (Change Request)
6.	Schedule 8, Part 1, (Streets or Public Rights of Navigation to be temporarily closed for which a	This amendment is a minor update to the reference point on the plan.	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	

Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
	diversion is to be provided)			
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.		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.		E (Change Request)

(1) *Area*	(2) *Street or public right of way or public right of navigation to be temporarily stopped up*	(3) *Extent of temporary stopping up as shown on the Access, Rights of Way and Public Rights of Navigation Plans*
Suffolk County Council	PRoW – Route 26 E-137/026/0	Access and egress point at S/PR/0091/a as shown on Suffolk Sheet 7

(1) *Plot number of land shown on Land Plan*	(2) *Purpose for which temporary possession may be taken*	(3) *Relevant part of the authorised development*	(4) *Element of Work in respect of which land is not required to be re-instated*
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	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 Work No. 17	Landscaping
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~~96, 2/~~96~~105,	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.	*(1) Area*	*(2) Road*	*(3) Extent as shown on the Traffic Regulation Order Plans*	*(4) Note*	E (Change Request)
				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.	

Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
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.		E (Change Request)

320	51°19′ 26.409″	1°22′ 55.404″	~~701~~70 5	52°~~3~~2′ ~~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″

326	51°19′38.3″N	1°22′27.2″E	711	52°3′ 47.702″	1°40′ 15.403″
~~323~~32 7	51°19′- ~~32.594~~38.7″N	1°22′- ~~33.339~~26.9″E	~~704~~71 2	52°3′ 48.441″	1°40′ 16.329″
~~324~~32 8	51°19′- ~~34.246~~39.1″N	1°22′- ~~27.448~~27.0″E	~~705~~71 3	52°3′ 49.181″	1°40′ 17.255″
~~325~~32 9	51°19′- ~~34.829~~38.5″N	1°22′- ~~24.877~~26.7″E	~~706~~71 4	52°3′ 50.490″	1°40′ 18.532″
~~326~~33 0	51°19′- ~~34.802~~37.9″N	1°22′- ~~24.793~~26.9″E	~~707~~71 5	52°3′ 53.685″	1°40′ 20.313″
~~327~~33 1	51°19′- ~~33.482~~37.1″N	1°22′- ~~21.370~~27.7″E	~~708~~71 6	52°3′ 57.051″	1°40′ 20.975″
~~328~~33 2	51°19′- ~~33.191~~35.8″N	1°22′- ~~20.388~~26.8″E	~~709~~71 7	52°3′ 59.607″	1°40′ 20.817″

Table 3.3: Schedule of Changes to Version F of the draft DCO for Deadline 3

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
1.	Article 2 (Interpretation)	In response to question 1GEN12, the Applicant has reviewed the definitions and ensured that the definitions are in alphabetical order.	Various definitions have been re-aligned to be in alphabetical order.	F
2.	Article 2 (Interpretation)	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.	F
3.	Article 2 (Interpretation)	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.	"commence" means (a) ~~In~~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~~; (b) ~~In~~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~~; and the words "commencement" and "commenced" are to be construed accordingly	F

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
4.	Article 2 (Interpretation)	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).	"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; "electronic transmission" means a communication transmitted— (a) ~~(c)~~ by means of an electronic communications network; or (b) ~~(d)~~ by other means but while in electronic form;	F
5.	Article 2 (Interpretation)	The definition of the Construction Environmental Management Plan has been updated to reflect that there is an onshore and offshore version of the Construction Environmental Management Plan.	"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);	F
6.	Article 2 (Interpretation)	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.	"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;	F

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
7.	Article 2 (Interpretation)	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	(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;	F
8.	Article 2 (Interpretation)	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"	"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 ~~is~~are to be construed accordingly;	F

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
9.	Article 5 (Limits of Deviation)	The Applicant has amended the formatting of Article 5 at the suggestion of Suffolk County Council to clarify the wording in the article.	**Limits of deviation** 5. —(1) Subject to paragraph 4, the undertaker may— (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—~~ ~~(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 (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)— (i) to any extent upwards not exceeding 6 metres; (ii) to such extent downwards as the undertaker considers necessary or convenient; (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; and (d) in respect of the onshore underground electric line (excluding link pillars, chambers and where within substations and converter stations), deviate vertically— (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 (ii) downwards to such extent as the undertaker considers necessary or convenient.	F
10.	Article 5 (Limits of Deviation)	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.	(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~~to those ~~reported~~ identified in the Environmental Statement.	
11.	Article 7 (Consent to transfer benefit of the Order)	In response to question 1GEN68, the Applicant has amended this minor formatting point.	(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. (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.	F

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
12.	Article 9 (Application of the Community Infrastructure Levy Regulations 2010	In response to question 1GEN68, the Applicant has amended this minor formatting point.	**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— (a) a building into which people do not normally go; or (b) a building into which people go only intermittently for the purpose of inspecting or maintaining fixed plant or machinery.	F
13.	Article 12(2)(d)	The Applicant has amended this wording to ensure consistency across the definitions used in relation to 'highway authority' throughout the article and in response to Suffolk County Council's comments in relation to the highways provisions.	(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.	F
14.	Article 13 (Application of the 1991 Act)	In response to question 1GEN68, the Applicant has amended this minor formatting point.	(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— (a) section 53 (the street works register); (b) section 54 (advance notice of certain works); (c) section 55 (notice of starting date of works); (d) section 57 (notice of emergency works); and (e) section 66 (avoidance of unnecessary delay or obstruction).	F
15.	Article 14 (Power to alter layout, etc. of streets) Article 15 (Temporary Closure of streets	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	(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~~received, it is deemed to have granted consent.	F

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
	and public rights of way and permissive paths) Article 17 (Access to Works)	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.		
16.	Article 18 (Construction, alteration and maintenance of streets)	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.	(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 to the same condition (including any culverts or other	F
17.	Article 34 (Acquisition of part of certain properties)	In response to question 1GEN68, the Applicant has amended this minor formatting point.	**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~~factory 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.	F
18.	Article 43 (Special Category Land)	In response to question 1GEN68, the Applicant has amended this minor formatting point.	**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~~rights 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.	F

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
19.	Article 44 (Statutory Undertakers)	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.	**Statutory undertakers** **44.**—(1) Subject to the provisions of Schedule 15 (protective provisions) the undertaker may— (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. (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. ~~(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~~	F

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
20.	Article 49 (Defence to proceedings in respect of statutory nuisance)	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 to Twinstead Correction Order. The reference to the CEMP has also been amended to refer to the onshore CEMP.	**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— (a) the defendant shows that the nuisance— (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 Onshore 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 (b) the defendant shows that the nuisance— (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. (2) For the purposes of paragraph (1) above, compliance with the controls and measures relating to noise described in the relevant 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. (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 relevant code of construction practice, the CEMP or the Construction Noise and Vibration Management Plan approved under Schedule 3 (Requirements).	F

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
21.	Schedule 1, Work No.15	The reference to "requirement 16" has been amended to refer to the correct requirement 6 (construction management plans to be approved).	**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~~6, which may include — (a) ecological mitigation and enhancement; and (b) landscaping mitigation and enhancement.	F
22.	Schedule 1, paragraph 2	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.	(k) site preparation works, surveys, 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);	F
23.	Schedule 2 (Plans)	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.	Various amendments to the revision number.	F
24.	Schedule 3, Requirement 1(2) (Interpretation)	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.	(2) Where under any of the Requirements the approval or agreement of the relevant planning authority or the relevant highway authority is required, that approval or agreement must be given in writing.	F

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
25.	Schedule 3, Requirement 3 (Converter Station Design)	The Applicant has included a new paragraph (2) to provide a definition of the Converter Station Design Principles and reference to Schedule 19. 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.	*Converter Station Design* **3.** (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. (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. (3) The authorised development must be carried out in accordance with the details submitted to the relevant planning authority further to sub-paragraph (1).	F
26.	Schedule 3, Requirement 5 (Construction Management Plans)	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	(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.	F

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
		operations in the same manner as the other outline management plans listed in Requirement 6.		
27.	Schedule 3, Requirement 6 (Construction Management Plans to be approved)	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.	(n) Material and Waste Management Plan (such approval to be given in consultation with the Environment Agency);	
28.	Schedule 3, Requirement 6 (Construction Management Plans to be approved)	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.	(r) Code of Construction Practice (which must be substantially in accordance with the outline Code of Construction Practice); and (s) Register of Environmental Actions and Commitments.	F
29.	Schedule 3, Requirement 7(2) (Construction hours)	The Applicant has amended this requirement pursuant to question 1GEN50 to clarify that percussive piling works may not take place on Sundays.	(2) Percussive piling works are limited to 0700 to 1900 Monday to Friday and 0700 to 1700 on Saturdays and may not occur on Sundays or Bank Holidays, unless otherwise approved by the relevant planning authority.	

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
30.	Schedule 3, Requirement 9 (Reinstatement Schemes)	This amendment has been made to requirement 9 to reflect that although 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, this will not apply in respect of the reinstatement of hedgerows.	**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. (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, except in respect of the reinstatement of hedgerows. (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).	

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
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.	*Unsuspected contamination* **10.**—(1) ~~If during any stage of the~~ In the event that 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. (2) ~~Should mitigation or~~ 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~~ 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. (3) ~~In this Requirement, "controlled waters" has the same meaning as in Part 3 of the Water Resources Act 1991(a~~ Remediation must be carried out in accordance with the approved scheme under sub paragraph (2). (4) 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.	F
32.	Schedule 3, Requirement 13 (Decommissioning)	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	**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.	F

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
		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.		
33.	Schedule 3 (requirements) (requirement 12(1) (highway works))	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) (highway works).	*Highway works* **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.	F

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
34.	Schedule 3, Requirement 14	This requirement has been updated to reflect the wording suggested by Suffolk County Council Archaeological Service in Suffolk County Council's LIR.	**14.**—(1) The proposed development must be undertaken in accordance with the following ~~plans~~documents as relevant to the location of the works unless otherwise agreed with the relevant planning authority: (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. (2) No stage of the authorised development may commence until for that stage either a preservation in situ ~~management plan, or a detailed~~Historic Environment Management Plan or a site-specific written scheme of investigation ~~of areas of archaeological interest~~(which accords with the relevant ~~to that stage (if any), as identified within the Outline~~Overarching Written ~~Schemes~~Scheme of Investigation ~~or the Marine Archaeological Method Statement or identified through evaluation work as set out in the Outline Written Schemes of Investigation~~and is informed by the pre-commencement archaeological	F

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surveys) has been submitted to and approved by the relevant planning authority, in consultation with Historic England.

~~(3) Any detailed archaeological works must be carried out in accordance with the approved detailed written scheme of investigation for that stage.~~

(3) ~~(4) The detailed~~Site-specific written ~~scheme~~schemes 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~~—~~:

(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.

(4) All archaeological works must be carried out in accordance with the approved site-specific written scheme of investigation for that stage.

(5) Unless otherwise agreed with the relevant planning authority:

(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.

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
35.	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.	**Suffolk**	

(1) *Plot number of land shown on Land Plan*	*(2)* *Purpose for which temporary possession may be taken*	*(3)* *Relevant part of the authorised development*	*(4)* *Element of Work in respect of which land is not required to be re-instated*
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 Work No. 16 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 Work No. 16 Work No. 17	2/18 - Landscaping
2/21, 2/22, 2/22a	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	

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,	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/~~47~~48	Construction of the authorised development and mitigation works	Work No. 4 Work No. 5 Work No. 13 Work No. 16 Work No. 17	

Kent:

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	Work No. 15 Work No. 16 Work No. 17	2/66, 2/68 - Landscaping

Ref	dDCO Ref.	Rationale for the Change	Change Made			Version of dDCO
			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~~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	2/85, 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
			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	

Ref	dDCO Ref.	Rationale for the Change	Change Made			Version of dDCO
			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, 3/110	Construction of the authorised development and mitigation works	Work No. 7 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, 5/30a, 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	

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
36.	Schedule 16, Deemed Marine Licence	The Applicant has included additional definitions within the deemed marine licence to reflect that an outline Cable Specification and Installation Plan is required and to reflect that the Offshore CEMP will apply in relation to the deemed marine licence at Schedule 16	"outline cable specification and installation plan" 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; "outline marine mammal mitigation plan" 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; "outline ~~invasive non-native species~~ offshore construction and environmental management plan" 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; "outline invasive non-native species management plan" 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;	F
37.	Schedule 16, Deemed Marine Licence	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.	"PLA" means the Port of London Authority; (i) Port of London Authority London River House Royal Pier Road Gravesend Kent DA12 2BG Tel: 01474 562200	F
38.	Schedule 16, Deemed Marine Licence	In response to question 1GEN55, the Applicant has amendes the wording to reflect that there is a 'fibre optic cable' rather than multiple at the request of the ExA.	(b) works to lay marine electric cables and a fibre optic ~~cables~~cable 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;	F

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
39.	Schedule 16, Deemed Marine Licence, Work No.12	The Applicant has updated the terminology in relation to 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.	*Work No. 12- Kent Overhead Line Works* – ~~4.~~ Works ~~below~~ oversailing 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— (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. 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 — (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.	F
40.	Schedule 16, Deemed Marine Licence, Condition 1 (Design Parameters)	In response to question 1GEN57, the Applicant has updated the condition to clarify that the design parameters do include parameters relating to cable crossings.	**Design parameters** **1.** —(1) The total length of the marine cables, volume and area of cable protection areas (including cable crossings) between the respective MHWS at each of the Suffolk and Kent landfall for Work No. 6 must not exceed the following—	F
41.	Schedule 16, Deemed Marine Licence, Condition 3	The Applicant has made this change to reflect that it is standard practice to provide copies of the notice to mariners to the MCA and the	(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, MCA and UKHO within 24 hours of such notification.	F

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
	(Notification and inspections)	UKHO, in addition to the MMO.		
42.	Schedule 16, Deemed Marine Licence, Condition 3 (Notification and inspections)	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.	(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, MCA and PLA within seven days of the issue of such notification.	F
43.	Schedule 16, Deemed Marine Licence, Condition 4 (pre-construction plans and documentation)	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 Schedule 3, Requirement 6.	**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~~JNCC, MCA, the EA and Cefas)~~, which shall include details of —~~: (a) 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— (i) a sediment disposal management plan; (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; (iii) ~~(b)~~ location and timings; (iv) ~~(c)~~ timings and duration of intertidal works; (v) ~~(d)~~ a detailed cable laying and burial plan, incorporating a burial risk assessment to ascertain suitable burial depths and cable laying techniques; (vi) ~~(e)~~ a detailed cable protection plan; (vii) ~~(f)~~ details of intended boulder removal; (viii) ~~(g)~~ a marine pollution contingency plan; (ix) ~~(h)~~ a waste management plan;	F

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
			(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, (d) 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; (e) a marine bio-security plan~~.~~; (f) ~~(j)~~ 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; (g) ~~(k)~~ 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 (h) ~~(l)~~ 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.	
44.	Schedule 16, Deemed Marine Licence, Condition 4 (pre-construction plans and documentation)	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.	(6) In undertaking the licensed activities, the undertaker must not reduce water depth by more than 5% unless agreed with the MMO in writing.	F

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
45.	Schedule 16, Deemed Marine Licence, Condition 8 (Chemicals, drilling and debris)	This amendment has been included at the request of the MMO.	**8.**—(1) Unless otherwise agreed in writing by the MMO, ~~the carriage and use of chemicals~~all chemicals used in the construction of the authorised ~~scheme must comply with the International Convention for the Prevention of Pollution from Ships as amended~~ 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. .	F
46.	Schedule 16, Deemed Marine Licence, Condition 11 (Red Throated Diver)	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.	**11.**—(1) Unless otherwise agreed in writing with the MMO, in consultation with Natural England and the JNCC as the relevant statutory nature conservation body (SNCB), 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— (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);	F
47.	Schedule 19 (Certified Documents)	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.	Outline Code of Construction Practice Register of Environmental Actions and Commitments Outline Cable Specification and Installation Plan Outline Marine Mammal Mitigation Plan Greenhouse Gas Reduction Strategy Design Principles – Suffolk Design Principles – Kent Outline Onshore Overarching Written Scheme of Investigation – Suffolk Outline Onshore Overarching Written Scheme of Investigation – Kent Outline Offshore Overarching Written Scheme of	F

Table 3.4: Schedule of Changes to Version G of the draft DCO for Deadline 4A

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
1.	Article 2 (Interpretation)	In response to the ISH2 Supplemental Agenda Additional Questions [EV6-003], the Applicant has adjusted the definition of "Outline Offshore Overarching Written Scheme of Investigation" in article 2 to remove the words "or Marine Archaeological Method Statement" as requested by the ExA in question 1GEN16 [REP3-069].	"Outline Offshore Overarching Written Scheme of Investigation" means the document of that description certified by the Secretary of State as the Offshore Overarching Written Scheme of Investigation ~~or Marine Archaeological Method Statement~~ for the purposes of this Order under article 60 (certification of documents);	G
2.	Article 3(4) (Development Consent etc. granted by the Order)	In response to the ISH2 Supplemental Agenda Additional Questions [EV6-003], the Applicant has removed the words 'and to Schedule 3 (Requirements)' as per the response to ExA question 1GEN20 [REP3-069].	(4) The authorised project must be constructed and installed in the lines and situations shown on the Works Plans subject to article 5 (limits of deviation) ~~and to Schedule 3 (Requirements)~~. (5) Schedule 3 (Requirements) has effect.	G

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
3.	Article 10 (Planning Permission and other consent)	The Applicant has amended article 10(1) to address the S.35 status of the Proposed Project. The Applicant remains of the view that the wording at Article 10 should otherwise remain as drawn, further to the explanation provided in **Application Document 9.90 Applicant's Response to January Hearing Action Points [REP4-086]**.	**Planning Permission and other consents** **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— (a) not itself a ~~nationally significant infrastructure~~ project for which development consent is required under the 2008 Act or part of such a project; and (b) required to complete or enable the construction, use or operation of any part of the development authorised by this Order, 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.	G
4.	Article 26 (Acquisition of subsoil or airspace only)	Further to the ISH2 Supplemental Agenda Additional Questions [EV6-003] and the response to ExA question 1GEN37 [REP3-069, the Applicant included two additional paragraphs to Article 26 to reflect the wording in the Bramford to Twinstead made order.	(5) Subject to paragraph (6), any person who is an owner or occupier of land appropriated under paragraph (1) without the undertaker acquiring any part of that person's interest in the land, and who suffers loss as a result, is entitled to compensation to be determined, in case of dispute, under Part 1 of the 1961 Act. (6) Compensation is not payable under paragraph (5) to any person who is a statutory undertaker to whom section 85 (sharing of cost of necessary measures of the 1991 Act applies in respect of measures of which the allowable costs are to be borne in accordance with that section.	G

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
5.	Article 27 (Temporary use of land for carrying out the authorised project)	Following the second Issue Specific Hearing on 30 January 2026, the Applicant has amended Article 27 to deal with the exclusion previously within Requirement 9 (Reinstatement Schemes) to provide that the undertaker is not required to replant trees, shrubs or other deep rooted organisms in respect of land above or within 10metres of underground cables installed as part of the authorised development. This is due to the fact that the presence of an underground cable affects the development and planting that can occur above and adjacent to it, within the specified 10 m area either side of the cable. The reinstatement possible will therefore depend on the type of planting. This amendment is described in **Application Document 9.90 Applicant's Response to January**	(5) Before giving up possession of land of which only temporary possession has been taken under paragraph (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— (a) replace a building, structure, apparatus, equipment, electric line, electrical plant or pylon removed under this article; (b) restore the land on which any mitigation works have been carried out under paragraph (1)(d); (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 11 is concerned; (d) remove any foundations below 1.5 metres which had been placed in that land to support pylons and electric lines constructed upon those foundations; (e) remove any permanent work including pylons, electric lines, underground cables, or other permanent services, constructed or installed on, over, under or in that land as part of the authorised project; (f) remove any ground-strengthening works (being either works listed in Schedule 11 of this Order or other works to provide safe and stable ground conditions) which have been placed in that land to facilitate construction of the authorised project; (g) remove or reposition any apparatus belonging to statutory undertakers; (h) remove any drainage works;~~ or~~ (i) restore ground levels adjusted as part of the authorised project~~.~~; or (j) replant trees, shrubs, shrubberies or any other deep-rooted organism in respect of land above or within 10 metres of underground cables installed as part of the authorised development.	G

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
		Hearing Action Points [REP4-086].	(6) Before giving up possession of land of which temporary possession has been taken under paragraph (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 paragraph (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— (a) replace a building, structure, apparatus, equipment, electric line, electrical plant or pylon removed under this article; (b) restore the land on which any mitigation works have been carried out under paragraph (1)(d); (c) remove any foundations below 1.5 metres which had been placed in that land to support pylons and electric lines constructed upon those foundations; (d) remove any permanent work including pylons, electric lines, underground cables, or other permanent services, constructed or installed on, over, under or in that land as part of the authorised project; (e) remove any ground-strengthening works (being works to provide safe and stable ground conditions) which have been placed in that land to facilitate construction of the authorised project; (f) remove or reposition any apparatus belonging to statutory undertakers; (g) remove any drainage works; ~~or~~ (h) restore ground levels adjusted as part of the authorised project~~.~~; or (i) replant trees, shrubs, shrubberies or any other deep-rooted organism in respect of land above or within 10 metres of underground cables installed as part of the authorised development.	

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
6.	Schedule 2 (Plans)	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 4.	PART 2 LAND PLANS *Drawing Title* / *Drawing Number* / *Revision* The National Grid (Sea Link) Order PINS application number: EN020026 Land Plans Regulation 5(2)(i)(I)-(iii) Key Plan In the district of East Suffolk District Council — DCO/S/KPA/SS/0100 — ~~D~~E The National Grid (Sea Link) Order PINS application number: EN020026 Land Plans Regulation 5(2)(i)(i)-(iii) Sheet 1 of 7 In the district of East Suffolk District Council — DCO/S/LP/PS/0101 — ~~D~~E The National Grid (Sea Link) Order PINS application number: EN020026 Land Plans Regulation 5(2)(i)(i)-(iii) Sheet 2 of 7 In the district of East Suffolk District Council — DCO/S/LP/PS/0102 — ~~D~~E	G

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO

PART 3

SPECIAL CATEGORY AND CROWN LAND PLANS

Drawing Title	*Drawing Number*	*Revision*
The National Grid (Sea Link) Order PINS application number: EN020026 Special Category and Crown Land plans - Suffolk Regulation 5(2)(i)(iv) and 5(2)(n) Key plan 1 of 1 In the district of East Suffolk District Council	DCO/S/KP/SS/0300	~~C~~D

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 ver.2~~C

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
7.	Schedule 3, Requirement 3 (Detailed Design)	Following the second Issue Specific Hearing on 30 January 2026, the ExA requested that the applicant provide updated wording to reflect the commitment made to allow relevant planning authorities control over substation layout, design and scale. Therefore, the Applicant has updated requirement 3 to provide the planning authorities with greater control and clarity on the design of the converter stations, substations and River Fromus bridge as described in **Application Document 9.90 Applicant's Response to January Hearing Action Points [REP4-086].**	~~*Converter Station*~~*Detailed Design* **3.** —(1) Suffolk Converter Station, Kent Converter Station and Kent Substation (a) No stage of development of the above ground elements of the authorised development comprised in Works Nos. 3B, 9B and 11 (Suffolk converter station, Kent converter station and Kent substation) may commence until details of the external colour and surface finish of the permanent buildings, which must be in general accordance with the relevant Key Design Principles, have been submitted to and approved by the relevant planning authority, following consultation with Historic England for Works 9B and 11. (b) ~~3. (1)~~ No stage of development of the above ground elements of the authorised development comprised in Works Nos. 3B ~~and~~, 9B and 11 (Suffolk ~~and~~converter station, Kent converter ~~stations~~station and Kent substation) may commence until details of the layout, scale and ~~external appearance~~operational lighting of the permanent buildings 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.~~ Consultation with Historic England in this paragraph is required in relation to Works 9B and 11. (c) In paragraphs (2) ~~In paragraph (1~~(a) and (2)(b), the ~~Converter Station~~Key Design Principles ~~means~~ mean those set out in the relevant tables in the 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~~. (d) ~~(3)~~ The authorised development must be carried out in accordance with the details ~~submitted to~~approved or confirmed by the relevant planning authority further to ~~sub-paragraph (1~~sub-paragraphs (2)(a) and (2)(b).	G

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
			(2) Suffolk Substation (Friston) (a) Unless otherwise approved by the relevant planning authority, the Suffolk Substation (Work No 1B) will be constructed in accordance with the following details (which accord with the documents submitted for the discharge of Requirement 12 of part 3 of schedule 1 to SI 2022/433): (i) Substation buildings will be clad in metal cladding using either cool sky tones, light/mid-range ground colours, and darker hedgerow/woodland elements. These colours would include RAL DESIGN 240 80 05, RAL DESIGN 110 60 20 or RAL DESIGN 120 50 05 or similar. (ii) The roof cladding should match the colour of the uppermost wall cladding on the buildings. (iii) The door colour should match the colour of the cladding around it. (iv) Perimeter security fences would be coloured green (RAL DESIGN 110 60 20 or similar). (b) Insofar as the details approved pursuant to Requirement 12 of SI 2022/433 are amended or if the East Anglia TWO or East Anglia ONE North projects do not progress as currently planned, then the relevant planning authority shall have regard to such circumstances when considering whether to approve otherwise pursuant to paragraph (a). (3) Bridge over the River Fromus	

(a) Development of the bridge crossing of the River Fromus (part of Work No. 3a) must not commence until details of the layout and scale of the bridge have been submitted to the relevant planning authority, and the relevant local planning authority has confirmed, following consultation with the Environment Agency, that the parameters set out in (4)(b) have been met.

(b) The bridge over the River Fromus should be designed in accordance with the following parameters:

(i) the bridge shall not have a soffit height lower than 10.49 m Above Ordnance Datum (approximately 4m above the Q95 flow level);

(ii) abutments for the bridge shall be set back no less than 8m from the top of the bank; and

(iii) the bridge shall not have a deck width greater than 6m.

(c) The details of layout and scale submitted under (a) must be accompanied by a technical statement demonstrating how, recognising the minimum size parameters in (b)(i) and (ii), the Applicant has sought to reduce the scale of the bridge, having regard to the relationship with the landscape mitigation proposals, the articulation of the spanning structure, the design of the abutment walls, and the design of the parapet railings. The technical statement will include a plan, elevation and section drawings, and 3D renders of the bridge design in key view VP02 and CH02.

(d) No part of the finished external treatment of the bridge crossing of the River Fromus comprised in Work No. 3A(a) (part of the authorised development comprising the access road to the Suffolk Converter Station) must be implemented until details of the external colour and surface finish (in line with the process established in Design Principle ID.3) have been submitted to and approved by the relevant planning authority.

(e) Should the bridge design comprise a soffit height of less 12.49 m Above Ordnance Datum (approximately 6m above the Q95 flow level), then development of the bridge must not commence until a macro invertebrate monitoring and contingency plan has been submitted to and approved by East Suffolk Council, following consultation with the Environment Agency. The invertebrate monitoring and contingency plan must include:

(i) The requirement to carry out Water Framework Directive compliant surveys twice yearly (spring and autumn), upstream and downstream of the Fromus crossing for a period of five years following completion of the construction of the Fromus crossing.

(ii) Principles of the contingency monetary fund set out in (f) and criteria for when provision of the fund would be triggered.

(f) Following receipt and review of the monitoring results under (e)(i), should the criteria in (e)(ii) be exceeded, then a contingency fund would be provided to fund measures to encourage the passage of macro invertebrates around the Fromus crossing and/or enhancement of Water Framework Directive invertebrate habitat upstream of the Fromus crossing. This would be secured via an appropriate legal agreement.

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
8.	Schedule 3, Requirement 5 (Management Plans and Commitments)	Following the second Issue Specific Hearing on 30 January 2026, the ExA requested that the Applicant strengthen the wording of requirements 5 and 6 to ensure that the dDCO requirements explicitly cover both the operational and maintenance periods. Therefore, the Applicant has updated requirement 5 to amend the description of the management plans as 'construction' management plans as described in **Application Document 9.90 Applicant's Response to January Hearing Action Points [REP4-086].** **Application Document 9.84 Register of Environmental Actions and Commitments (REAC) (Clean) [REP3-078]** has also been reviewed and reorganised following the points raised at Issue Specific Hearing 2 and	*~~Construction~~ Management Plans and Commitments* **5.** —~~ddd)~~ (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 sub-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. (2) The plans, schemes and strategies referred to in paragraph (1) above comprise the following— (a) Greenhouse Gas Reduction Strategy; ~~and~~ (b) Red Throated Diver Protocol.~~;~~ and (c) Register of Environmental Actions and Commitments Section 1 (contained within Chapter 2 of Register of Environmental Actions and Commitments). (3) For the avoidance of doubt, all pre-commencement operations must be carried out in accordance with the plans listed in paragraph (2) above, the outline management plans and drainage strategies 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.	G

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
		Section 1 of that document is therefore now listed to be secured by requirement 5.		
9.	Schedule 3, Requirement 6 (Management Plans to be approved)	Following the second Issue Specific Hearing on 30 January 2026, the ExA requested that the Applicant strengthen the wording of requirements 5 and 6 to ensure that the dDCO requirements explicitly cover both the operational and maintenance periods. Therefore, the Applicant has updated requirement 6 to amend the description of the management plans as 'construction' management plans. The Applicant has also amended the descriptions of various management plans to provide further clarification. The Applicant has also updated the requirement to reflect the table of discharging authorities and consultees which was submitted at Appendix I of	~~*Construction*~~ *Management Plans to be Approved* **6.** ~~eee)~~ (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~~—~~ (in consultation with the relevant district or county council, the Environment Agency in the case of the Onshore Construction Environmental Management Plan, Construction Noise and Vibration Management Plans and the Material and Waste Management Plan, and in consultation with Natural England in the case of the Landscape and Ecological Management Plans and Drainage Management Plans)~~—~~ (o) ~~Construction~~ Drainage Management Plan - Suffolk (which must be substantially in accordance with the Suffolk Drainage Strategy)); (p) ~~Flood~~Drainage Management Plan ~~(FMP~~ – Kent (which must be substantially in accordance with the Kent Drainage Strategy)); (q) ~~Operational Drainage~~Flood Management Plan (FMP); and (r) Code of Construction Practice (which must be substantially in accordance with the outline Code of Construction Practice)~~; and~~. ~~(s) Register of Environmental Actions and Commitments.~~ (2) The ~~construction~~ works for each stage of the authorised development and mitigation works ~~to minimise the impact of construction~~ must be carried out in accordance with the relevant stage of the approved plans, schemes and strategies referred to in sub-paragraph (1) or with any amended plans, schemes or strategies that may subsequently be approved by the relevant planning authority or other discharging authority as may be appropriate to the relevant plan, scheme or strategy concerned.	G

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
		Application Document 9.90 Applicant's Response to January Hearing Action Points [REP4-086].		
10.	Schedule 3, Requirement 6 (Management Plans to be approved)	Following the second Issue Specific Hearing on 30 January 2026, the ExA requested that the Applicant consider whether similar wording with respect to failed planting as per the wording for Scottish Power Renewables (SPR) East Anglia 1 (EA) North and EA2 could be applied to Sea Link. Therefore, the Applicant has incorporated wording similar to that contained in Requirement 15 of the EA2 DCO with respect to implementation and maintenance of landscaping into the requirement, as described in **Application Document 9.90 Applicant's Response to January Hearing Action Points [REP4-086].**	(3) All landscaping works must be carried out and maintained in accordance with the Landscape and Ecological Management Plans approved under sub-paragraph (1), and in accordance with the relevant recommendations of appropriate British Standards. (4) Any tree or shrub planted as part of an approved Landscape and Ecological Management Plans that, within a period of five years after planting, is removed, dies or becomes, in the opinion of the relevant planning authority, seriously damaged or diseased, must be replaced in the first available planting season with a specimen of the same species and size as that originally planted unless alternative timing or a different specimen is otherwise approved by the relevant planning authority.	G

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
11.	Schedule 3, Requirement 7 (Construction hours)	Following the second Issue Specific Hearing on 30 January 2026, the Applicant has amended the construction working hours as described in **Application Document 9.90 Applicant's Response to January Hearing Action Points [REP4-086]**.	*Construction hours* **7.** ~~fff~~ (1) Subject to sub-paragraphs 7(2), 7(3), 7(4) and (7) onshore construction work may only take place between 0700 and 1900 Monday to Friday and between 0700 and 1700 on Saturdays, Sundays and Bank Holidays (the core working hours), unless otherwise approved by the relevant planning authority. There will be no working on Bank Holidays in respect of Work No. 3B, Work No. 9B, and Work No. 11, except for the operations described in paragraph (4) below or with the prior agreement of the local planning authority. In respect of those works, for Bank Holiday Mondays (meaning Easter Monday, the early May bank holiday, the Spring bank holiday, and the summer bank holiday) there will also be no working on the preceding Saturday or Sunday in each case. (2) Percussive piling works are limited to 0700 to 1900 Monday to Friday and 0700 to 1700 on Saturdays and may not occur on Sundays or Bank Holidays, unless otherwise approved by the relevant planning authority. (3) Subject to sub-paragraph (4), HGV deliveries are limited to 0700 to 1900 Monday to Friday and 0700 to 1700 on Saturdays and may not occur on Sundays or Bank Holidays, unless otherwise approved by the relevant highway authority. (4) The following operations may take place outside the core working hours referred to in sub-paragraph (1)— (a) trenchless crossing operations including at landfalls and beneath highways, railway lines, woodlands, nature reserves, Sites of Special Scientific Interest or watercourses; (b) the installation and removal of conductors, pilot wires and associated protective netting across highways, railway lines or watercourses; (c) the jointing of underground cables; (d) the continuation of any work activity commenced during the core working hours to a point where they can securely and or safely be paused; (e) delivery to the transmission works of abnormal loads and any highway works requested by the highway authority to be undertaken outside the core working hours; (f) the testing or commissioning of any electrical plant installed as part of the authorised development including undertaking of any identified corrective activities; (g) the completion of works delayed or held up by severe weather conditions which disrupted or interrupted normal construction activities; (h) activity necessary in the instance of an emergency where there is a risk to persons or property;	G

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
			(i) marine works (all works below the mean high water springs line); (j) security monitoring; (k) intrusive and non-intrusive surveys; (l) mechanical and electrical installation works within buildings once erected and enclosed; ~~and~~ (m) any highway works requested by the highway authority to be undertaken ~~on a Saturday or Sunday or~~ outside the core working hours~~.~~; and (n) any railway works to be undertaken as part of the project on a Saturday, Sunday, Bank Holiday or outside the core working hours.	
12.	Schedule 3, Requirement 9 (Reinstatement Schemes)	Following the second Issue Specific Hearing on 30 January 2026, the ExA requested that the Applicant consider whether Schedule 3 Requirement 9(2) is necessary, in view of Article 27 (Temporary use of land for carrying out the authorised project). The Applicant is of the view that this exemption can be addressed via the amendment made to Article 27 and therefore suggests removing requirement 9(2) as described in **Application Document 9.90 Applicant's Response to January Hearing Action Points [REP4-086]**.	*Reinstatement schemes* **9.** ~~hhh)~~ (1) Subject to ~~sub-paragraphs~~ sub-paragraph 9(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. ~~(1) 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, except in respect of the reinstatement of hedgerows.~~ (2) ~~(2)~~ 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).	G

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
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.	**Suffolk** *(1) Plot number of land shown on Land Plan* / *(2) Purpose for which temporary possession may be taken* / *(3) Relevant part of the authorised development* / *(4) Element of Work in respect of which land is not required to be re-instated* 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, 1/46, 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, Work No. 16, Work No. 17 — Landscaping 2/6, 2/6a, 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, Work No. 16, Work No. 17 — 2/18 - Landscaping 2/33, 2/34, 2/35, 2/37, 2/41, 2/52, 2/59, 2/61, 2/63, — Construction of the authorised development and — Work No. 1A, Work No. 5, Work No. 13 —	G

Ref	dDCO Ref.	Rationale for the Change	Change Made				Version of dDCO
			3/23, 3/38, 3/39, 3/43, 3/~~48~~47	Construction of the authorised development and mitigation works	Work No. 4 Work No. 5 Work No. 13 Work No. 16 Work No. 17		
			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/~~139~~134, 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. 7 Work No. 8 Work No. 12 Work No. 13 Work No. 14 Work No. 15 Work No. 16 Work No. 17	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	
			4/18, 4/19, 4/~~19a~~ ~~4~~/20	Construction of the authorised development and mitigation works	Work No. 16		

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
14.	Schedule 16, DML	The MMO highlighted in its Deadline 3 submission [REP3-094] that the MMO head office address has now changed. The Applicant has amended the address in the deemed marine licence accordingly.	(4) Except where otherwise notified in writing by the relevant organisation, the primary point of contact with the organisations listed below and the address for returns and correspondence are— (a) Marine Management Organisation Marine Licensing ~~Team~~ ~~Lancaster~~Tyneside House ~~Hampshire Court~~Skinnerburn Road Newcastle Business Park Newcastle upon Tyne NE4 ~~7YH~~7AT Tel: 0300 123 1032;	G

Table 3.5: Schedule of Changes to Version G of the draft DCO for Deadline 5

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
1.	Article 2 (Interpretation)	In response to question 2GEN7, the Applicant has made this amendment at the suggestion of the Examining Authority to provide greater clarity to the wording of the terms 'authorised development', 'ancillary works' and 'authorised project' by tweaking the drafting to reflect the wording in the Associated British Ports (Immingham Green Energy Terminal) Order 2025.	"Ancillary works" means— (a) ~~The~~the ancillary works described in Part 2 of Schedule 1 (ancillary works); and (b) ~~Any~~any other works authorised by this Order, ~~to the extent that such works~~which are not development within the meaning of section 32 (meaning of "development") of the 2008 Act; "authorised development" means the development described in Part 1 of Schedule 1 (authorised development), and any other development ~~authorised by this Order, which is development~~ within the meaning of section 32 ("meaning of development") of the 2008 Act authorised by this Order; "authorised project" means the authorised development and the ancillary works;	H
2.	Article 2 (Interpretation)	The Applicant has included new definitions which are related to the 'Areas of Interest' which are used in the new requirement securing depth protection and within the additional conditions included within the deemed marine licence.	"areas of interest" means the areas, or any part thereof, shown on the Areas of Safeguarded Depth Plan which comprises three areas labelled: Sunk Pilot Boarding area, Long Sand Head Two-Way Route crossing area, and North East Spit area and any reference to any individual one of those areas means the area as shown on the Areas of Safeguarded Depth Plan; "areas of safeguarded depth plan" means the document of that description certified by the Secretary of State as the areas of safeguarded depth plan for the purposes of this Order under article 60 (certification of documents); "GridLink Interconnector Project" means the proposed GridLink Interconnector electricity interconnector project designated as a European Union Project of Common Interest with project number No. 2018/540;	H

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
3.	Article 2 (Interpretation)	The definition of 'commence' within article 2 has been updated to reflect the amended definition of 'commence' included within the deemed marine licence at Schedule 16 of the DCO.	"commence" means— (a) 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, trial trenching and monitoring approved under the deemed marine licence; (b) 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;	H
4.	Article 2 (Interpretation)	The definition of Material and Waste Management Plan has been amended to reflect that an outline Material and Waste Management Plan has now been submitted into the examination for Kent and Suffolk respectively and these are listed in Schedule 19.	"Material and Waste Management Plan" means the document of that description ~~listed in paragraph 6 of Schedule 3~~for Kent and Suffolk respectively certified by the Secretary of State as the Material and Waste Management Plan for the purposes of this Order under article 60 (certification of documents);	H
5.	Article 2(3) (Interpretation)	Pursuant to question 2GEN10, the Applicant has included text explaining the meaning of 'existing ground level', being the highest existing ground level within the footprint of the lateral Limit of Deviation provided for the work in question.	(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 article 5 (limits of deviation) or Schedule 1 (authorised project), heights and depths in this Order or on the work plans are measured from the proposed final ground level. References to existing ground level shall be taken as the highest existing ground level within the limit of deviation for each work as shown on the Works Plans.	H

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
6.	Article 5 (Limits of Deviation)	The Applicant has made amendments to the table of parameters to clarify the distinction between existing ground level and finished ground level to reflect its response to question 2GEN10. The one area which has not been amended to refer to existing ground level is Work 1B, the substation in Suffolk, as this work should retain the reference to 'finished ground level' as this is used in the East Anglia One North and Two Orders.	**Table of Parameters** *Work* / *Type of structure* / *Height* 1B — Substation – Suffolk — 16m above finished ground level of 18.5m AOD (not including roof mounted equipment) 3B — Converter Station – Suffolk — 26m above ~~finished~~existing 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. 10 2, 5, 7 — Link pillars — ~~2m~~2.2 m above finished ground level.	H
7.	Article 5 (Limits of Deviation)	This drafting amendment is made to article 5 to accurately reflect that the vertical upwards deviation in respect of the onshore underground electric line is such that the minimum distance that will be kept between the top of the protective tiles or the top of the cable ducts (where there	(d) in respect of the onshore underground electric line (excluding link pillars, chambers and where within substations and converter stations), deviate vertically— (i) upwards such that the minimum distance that will be kept between the top of the cable ~~and~~or the top of the protective tiles and finished ground level is 0.75 metres; and (ii) downwards to such extent as the undertaker considers necessary or convenient.	H

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
		are no protective tiles) and the top of the finished ground level is 0.75 metres.		
8.	Article 27 (Temporary use of land for carrying out the authorised project)	In response to concerns raised by East Suffolk Council regarding the potential for there to be gaps in hedgerows which are in proximity to buried cables, the Applicant has removed replanting 'shrubs' and 'shrubberies' from the list of activities at Article 27(5)(j) and 27(6)(i).	(h) remove any drainage works; (i) restore ground levels adjusted as part of the authorised project; or (j) replant trees~~, shrubs, shrubberies~~ or any other deep-rooted organism in respect of land above or within 10 metres of underground cables installed as part of the authorised development. (h) restore ground levels adjusted as part of the authorised project; or (i) replant trees~~, shrubs, shrubberies~~ or any other deep-rooted organism in respect of land above or within 10 metres of underground cables installed as part of the authorised development.	H
9.	Article 62 (Arbitration)	The Applicant has included reference to Trinity House in Article 62 (Arbitration) at the request of Trinity House in [**REP4-205**].	**Arbitration** **62.** (1)Subject to article 55 (procedure regarding certain approvals, etc.) and article 42 (saving provision for Trinity House) 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.	H
10.	Schedule 1 (Authorised Project)	Work No.6(b)(marine electric line works) has been updated to reflect the amendments made to the deemed marine licence at Schedule 16 of the DCO which reflect that the works to lay the marine electric cables include burying the cables.	(b) works to lay and bury marine electric cables and fibre optic cables within the Order limits seaward of MHWS and landward of MLWS 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;	H

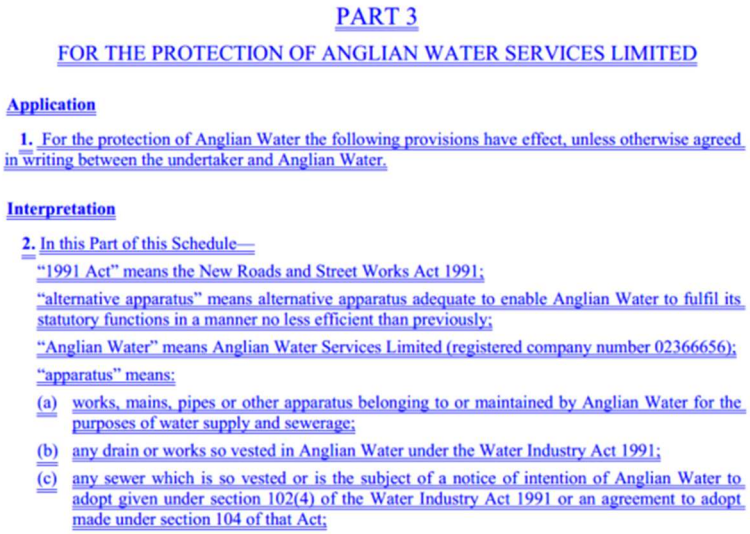
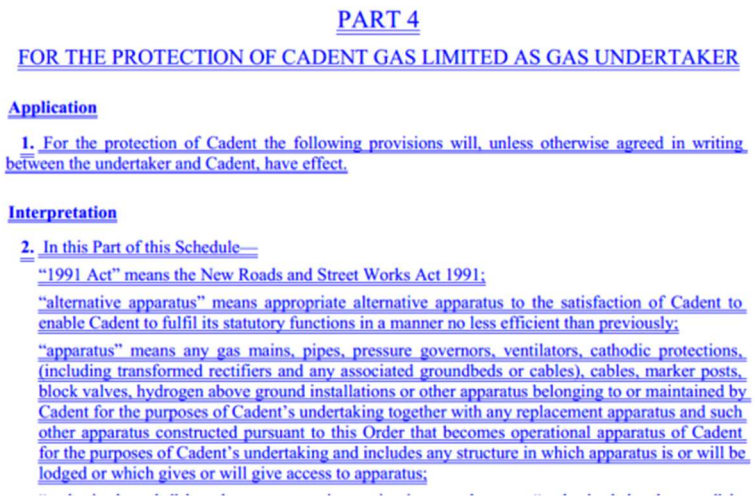
Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
11.	Schedule 2 (Plans)	The changes reflect the updates to the revision number of various of the plans listed in Schedule 2 (Plans) due to the updates made at Deadline 4.	PART 2 LAND PLANS *Drawing Title* / *Drawing Number* / *Revision* The National Grid (Sea Link) Order PINS application number: EN020026 Land Plans Regulation 5(2)(i)(I)-(iii) Key Plan In the district of East Suffolk District Council — DCO/S/KPA/SS/0100 — ~~E~~F The National Grid (Sea Link) Order PINS application number: EN020026 Land Plans Regulation 5(2)(i)(i)-(iii) Sheet 1 of 7 In the district of East Suffolk District Council — DCO/S/LP/PS/0101 — ~~E~~F The National Grid (Sea Link) Order PINS application number: EN020026 Land Plans Regulation 5(2)(i)(i)-(iii) Sheet 2 of 7 In the district of East Suffolk District Council — DCO/S/LP/PS/0102 — ~~E~~F The National Grid (Sea Link) Order PINS application number: EN020026 Land Plans — ~~E~~F	H

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
12.	Schedule 3 (Requirements), Requirement 3 (Detailed Design)	This amendment is proposed to enable the construction of the platform for the converter stations to start prior to the approval of the details of the external colour and surface finish of the permanent buildings and reflects that the details to be submitted are already associated only with the permanent buildings.	*Detailed Design* **3.** —(1) Suffolk Converter Station, Kent Converter Station and Kent Substation (a) No ~~stage of development of the above ground elements of the authorised development comprised~~construction of buildings included in Works Nos. 3B, 9B and 11 (Suffolk converter station, Kent converter station and Kent substation) may commence until details of the external colour and surface finish of the permanent buildings, which must be in general accordance with the relevant Key Design Principles, have been submitted to and approved by the relevant planning authority, following consultation with Historic England for Works 9B and 11. (b) No ~~stage of development of the above ground elements of the authorised development comprised~~construction of buildings included in Works Nos. 3B, 9B and 11 (Suffolk converter station, Kent converter station and Kent substation) may commence until details of the layout, scale and operational lighting of the permanent buildings 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, that the details are in general accordance with the Key Design Principles. Consultation with Historic England in this paragraph is required in relation to Works 9B and 11. (c) In paragraphs (2)(a) and (2)(b), the Key Design Principles mean those set out in the relevant tables in the Design Principles – Suffolk and Design Principles – Kent, certified under article 60 (certification of documents). For avoidance of doubt, in paragraph (3)(a) and (3)(b) the construction of buildings does not include the construction of the platform or other elements that are not above finished ground level in the location of the buildings. (d) The authorised development must be carried out in accordance with the details approved or confirmed by the relevant planning authority further to sub-paragraphs (2)(a) and (2)(b).	H
13.	Schedule 3 (Requirements), Requirement 6 (Management Plans to be approved)	The Applicant has amended Requirement 6(2) to replicate the wording which is already contained in Requirement 5 which allows for an alternative agreement to be reached with the relevant planning authority or discharging authority as may be appropriate.	(2) The works for each stage of the authorised development and mitigation works must be carried out in accordance with the relevant stage of the approved plans, schemes and strategies referred to in sub-paragraph (1) or with any amended plans, schemes or strategies that may subsequently be approved by the relevant planning authority or other discharging authority as may be appropriate to the relevant plan, scheme or strategy concerned unless otherwise agreed with the relevant planning authority or other discharging authority as may be appropriate.	H

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
14.	Schedule 3 (Requirements), Requirement 6 (Management Plans to be approved)	Requirement 6(1)(n) has been updated to reflect that an outline Material and Waste Management Plan has now been submitted into the examination for Kent and Suffolk respectively.	(n) Material and Waste Management Plan ~~(~~ Suffolk (which must be substantially in accordance with the Outline Material and Waste Management Plan – Suffolk and such approval to be given in consultation with the Environment Agency); (o) Material and Waste Management Plan - Suffolk (which must be substantially in accordance with the Outline Material and Waste Management Plan – Kent and such approval to be given in consultation with the Environment Agency); (p) ~~(o)~~ Drainage Management Plan - Suffolk (which must be substantially in accordance with the Suffolk Drainage Strategy)~~)~~; (q) ~~(p)~~ Drainage Management Plan – Kent (which must be substantially in accordance with the Kent Drainage Strategy)~~)~~; (r) ~~(q)~~ Flood Management Plan (FMP); and (s) ~~(r)~~ Code of Construction Practice (which must be substantially in accordance with the outline Code of Construction Practice).	H
15.	Schedule 3 (Requirements), Requirement 10 (Unsuspected Contamination)	In response to 2GEN8 and concerns from the Environment Agency, the Applicant has amended Requirement 10 to clarify that pre-commencement operations would be subject to the provisions for the discovery of contaminated land.	**10.**—(1) In the event that contaminated land, including groundwater, is found at any time when carrying out the authorised development including any pre-commencement operations, which was not previously identified in the environmental statement, then no further development (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 relevant planning authority, and where necessary, the Environment Agency, and the undertaker must complete a risk assessment of the contamination in consultation with the relevant planning authority, and where necessary, the Environment Agency.	H
16.	Schedule 3 (Requirements), Requirement 16 (Trenchless Landfall Techniques)	In 2GEN17, the Examining Authority suggested that the use of trenchless landfall techniques should be secured as a DCO requirement. The Applicant has included wording for	*Trenchless Landfall Techniques* **16.**—(1) In respect of installation of the landfall aspects of Work No.6, trenchless techniques shall be utilised between the onshore transition joint bay and the exit pits. (2) No exit to trenchless landfall techniques must occur within 50m of saltmarsh habitat within Pegwell Bay. (3) No exit to trenchless landfall techniques must occur within 50m of MLWS at Leiston to Aldeburgh SSSI.	H

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
		such a landfall requirement at Schedule 3 as suggested by ExA.		
17.	Schedule 3 (Requirements), Requirement 17 (Depth Protection)	The Applicant has added a new requirement at Schedule 3 to secure the depths that must be safeguarded in the Areas of Interest to reflect discussions with Port of London Authority, London Gateway Port and the MCA.	*Depth Protection* **17.**—(1) Subject to paragraph 2) below, any part of Work No.6, including any associated development or ancillary works, located within the Areas of Interest must be designed, installed, operated and maintained at a level which would not preclude or impede the dredging of those parts of the Areas of Interest to the following depths: (a) "Sunk Pilot Boarding Area" to a level of 22 metres below Chart Datum; (b) "Long Sand Head Two-Way Route Crossing" to a level of 12.5 metres below Chart Datum; (c) "North East Spit Area" to a level of 12.5 metres below Chart Datum, and in each case allowance shall be made for an 'over-dredge' tolerance of 0.5 metres in addition to the stated depths attributable to standard dredging methodology. (2) In relation to any part of Work No.6 in the North East Spit Area, including any associated development or ancillary works, the depth protection required under sub-paragraph (1)(c), including the 0.5 metre over-dredge allowance, is to be preserved following the crossing of Work No.6 and the GridLink Interconnector Project cable(s) either: (a) where Work No.6 is installed first, by installing Work No.6 at a depth that provides sufficient vertical clearance for the GridLink Interconnector Project cable(s) to be laid over it without compromising the depth protection required by sub-paragraph (1)(c); or (b) where the GridLink Interconnector Project is installed first, by the undertaker using reasonable endeavours to ensure that the GridLink Interconnector Project cable is installed with sufficient vertical clearance to allow Work No.6 to be installed subsequently without compromising the depth protection required by sub-paragraph 1(c).	H
18.	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.	Suffolk:	H

2/6, 2/6a, 2/9, 2/10, 2/10a, 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 Work No. 16 Work No. 17	2/18 - Landscaping
2/21, 2/22, 2/22a, 2/22b	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	
2/23, 2/23a, 2/24, 2/25, 2/26, 2/27, 2/28	Construction of the authorised development and mitigation works	Work No. 1A Work No. 14	
2/29, 2/29a, 2/30, 2/31, 2/32, 2/32a	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	

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
19.	Schedule 15 (Protective Provisions)	The Applicant has included protective provisions for the benefit of Anglian Water Services Limited at Schedule 15. Additional detail on the progress being made in relation to each statutory undertaker can be found in **Application Document 9.75(C) Status of Negotiations with Statutory Undertakers and Protective Provisions.**	 PART 3 FOR THE PROTECTION OF ANGLIAN WATER SERVICES LIMITED **Application** 1. For the protection of Anglian Water the following provisions have effect, unless otherwise agreed in writing between the undertaker and Anglian Water. **Interpretation** 2. In this Part of this Schedule— "1991 Act" means the New Roads and Street Works Act 1991; "alternative apparatus" means alternative apparatus adequate to enable Anglian Water to fulfil its statutory functions in a manner no less efficient than previously; "Anglian Water" means Anglian Water Services Limited (registered company number 02366656); "apparatus" means: (a) works, mains, pipes or other apparatus belonging to or maintained by Anglian Water for the purposes of water supply and sewerage; (b) any drain or works so vested in Anglian Water under the Water Industry Act 1991; (c) any sewer which is so vested or is the subject of a notice of intention of Anglian Water to adopt given under section 102(4) of the Water Industry Act 1991 or an agreement to adopt made under section 104 of that Act;	H
20.	Schedule 15 (Protective Provisions)	The Applicant has included protective provisions for the benefit of Cadent Gas Limited as Gas Undertaker at Schedule 15. Additional detail on the progress being made in relation to each statutory undertaker can be found in **Application Document 9.75(C) Status of Negotiations with Statutory Undertakers and Protective Provisions.**	 PART 4 FOR THE PROTECTION OF CADENT GAS LIMITED AS GAS UNDERTAKER **Application** 1. For the protection of Cadent the following provisions will, unless otherwise agreed in writing between the undertaker and Cadent, have effect. **Interpretation** 2. In this Part of this Schedule— "1991 Act" means the New Roads and Street Works Act 1991; "alternative apparatus" means appropriate alternative apparatus to the satisfaction of Cadent to enable Cadent to fulfil its statutory functions in a manner no less efficient than previously; "apparatus" means any gas mains, pipes, pressure governors, ventilators, cathodic protections, (including transformed rectifiers and any associated groundbeds or cables), cables, marker posts, block valves, hydrogen above ground installations or other apparatus belonging to or maintained by Cadent for the purposes of Cadent's undertaking together with any replacement apparatus and such other apparatus constructed pursuant to this Order that becomes operational apparatus of Cadent for the purposes of Cadent's undertaking and includes any structure in which apparatus is or will be lodged or which gives or will give access to apparatus;	H

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
21.	Schedule 15 (Protective Provisions)	The Applicant has included protective provisions for the benefit of Network Rail Infrastructure Limited at Schedule 15. Additional detail on the progress being made in relation to each statutory undertaker can be found in **Application Document 9.75(C) Status of Negotiations with Statutory Undertakers and Protective Provisions.**	PART 3 FOR THE PROTECTION OF RAILWAY INTERESTS **1.** The provisions of this Part of this Schedule have effect, unless otherwise agreed in writing between the undertaker and Network Rail and, in the case of paragraph [14] of this Part of this Schedule any other person on whom rights or obligations are conferred by that paragraph. **2.** —(1) In this Part of this Schedule— "asset protection agreement" means an agreement to regulate the construction and maintenance of the specified work in a form reasonably prescribed from time to time by Network Rail; "construction" includes execution, placing, maintenance, alteration and reconstruction and "construct" and "constructed" have corresponding meanings; "the engineer" means an engineer appointed by Network Rail for the purposes of this Order; "network licence" means the network licence, as the same is amended from time to time, granted to Network Rail Infrastructure Limited by the Secretary of State in exercise of their powers under section 8 (licences) of the Railways Act 1993; "Network Rail" means Network Rail Infrastructure Limited (company number 02904587, whose registered office is at Waterloo General Office, London SE1 8SW) and any associated company of	H
22.	Schedule 15 (Protective Provisions)	The Applicant has included protective provisions for the benefit of the Highways Authorities at Schedule 15. Additional detail on the progress being made in relation to each statutory undertaker can be found in **Application Document 9.75(C) Status of Negotiations with Statutory Undertakers and Protective Provisions.**	PART 5 FOR THE PROTECTION OF THE HIGHWAYS AUTHORITIES **Application etc** **1.** —(1) The provisions of this Part of this Schedule apply for the protection of the highway authority and have effect unless otherwise agreed in writing between the undertaker and the relevant highway authority. **Interpretation** **2.** —(1) Where the terms defined in article 2 (interpretation) of this Order are inconsistent with sub-paragraph (2), the latter prevail. (2) In this Part of this Schedule – "1980 Act" means the Highways Act 1980; "approval period" means, unless otherwise agreed between the parties: (a) in respect of a request for approval for Minor Works or works required to be undertaken where there is an emergency, a period of 14 days or less; (b) in respect of a request for approval for Major Works, a period of 28 days; and (c) in respect of a request for approval which comprises both Minor Works and Major Works, a period of 28 days, "balancing payment" means a fee calculated pursuant to Paragraph [17], be calculated and agreed separately with the relevant highway authority;	H

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
23.	Schedule 15 (Protective Provisions)	The Applicant has included protective provisions for the benefit of London Gateway Port Limited at Schedule 15. Additional detail on the progress being made in relation to each statutory undertaker can be found in **Application Document 9.75(C) Status of Negotiations with Statutory Undertakers and Protective Provisions.**	PART 6 FOR THE PROTECTION OF LONDON GATEWAY PORT LIMITED **Application** 1. For the protection of LGPL the following provisions will, unless otherwise agreed in writing between the undertaker and LGPL, have effect in relation to the construction, operation and maintenance of any specified work . **Interpretation** 2. In this Part of this Schedule— "Areas of Interest" means the areas, or any part thereof, shown on the Areas of Safeguarded Depth plan which comprises three areas labelled: Sunk Pilot boarding area, Long Sand Head Two-Way Route crossing area, and North East Spit area; "Cable Specification and Installation Plan" means the cable specification and installation plan to be approved by the MMO under condition 4 of the Deemed Marine Licence; "construction" includes execution, placing of a work and the carrying out of any operation, and "construct" and "constructed" are to be construed accordingly; "commence" for the purpose of this Part of Schedule 15 means the carrying out of any authorised development and surveying and monitoring activities and "commencement" and "commenced" must be construed accordingly; "Deemed Marine Licence" means the marine licence granted by this Order as set out in Schedule 16;	H
24.	Schedule 15 (Protective Provisions)	The Applicant has included protective provisions for the benefit of Northumbrian Water Limited at Schedule 15. Additional detail on the progress being made in relation to each statutory undertaker can be found in **Application Document 9.75(C) Status of Negotiations with Statutory Undertakers and Protective Provisions.**	PART 8 FOR THE PROTECTION OF NORTHUMBRIAN WATER LIMITED 1. —(1) — For the protection of NWL, the following provisions, unless otherwise agreed in writing between the undertaker and NWL, have effect. (1) In this Part of this Schedule: "alternative apparatus" means alternative apparatus adequate to enable NWL to fulfil its statutory functions in no less efficient a manner than previously including any reasonably necessary protective works for the apparatus; "apparatus" means the following items belonging to or maintained by NWL within the Order limits: (a) in the case of NWL's water undertaking: (i) mains, pipes, wells, boreholes, tanks, service reservoirs, pumping stations or other apparatus, structure, tunnel, shaft or treatment works or "accessories" (as defined in section 219(1) of the Water Industry Act 1991) belonging to or maintained or used by NWL for the purposes of water supply; and (ii) any water mains or service pipes which are the subject of a notice of intention to adopt under section 51A of the Water Industry Act 1991; and	H

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
25.	Schedule 15 (Protective Provisions)	The Applicant has included protective provisions for the benefit of the Port of London Authority at Schedule 15. Additional detail on the progress being made in relation to each statutory undertaker can be found in **Application Document 9.75(C) Status of Negotiations with Statutory Undertakers and Protective Provisions.**	PART 9 FOR THE PROTECTION OF THE PORT OF LONDON AUTHORITY (OFFSHORE) **Application** **1.** For the protection of PLA the following provisions will, unless otherwise agreed in writing between the undertaker and PLA, have effect in relation to the construction, operation and maintenance of any specified work. **Interpretation** **2.** In this Part of this Schedule— "Areas of Interest" means the areas, or any part thereof, as shown on the Areas of Safeguarded Water Depth Plan which comprises three areas: Sunk Pilot boarding area, Long Sand Head Two-Way Route crossing area, and North East Spit area; "cable specification and installation plan" means the cable specification and installation plan to be approved by the MMO under condition 4 of the Deemed Marine Licence; "construction" includes execution, placing, altering, replacing, relaying, removal, renewal works of maintenance and decommissioning, in its application to a specified work which includes or comprises any operation, means the carrying out of that operation, and "construct" and "constructed" are to be construed accordingly;	H
26.	Schedule 15 (Protective Provisions)	The Applicant has included protective provisions for the benefit of Southern Gas Networks PLC. Additional detail on the progress being made in relation to each statutory undertaker can be found in **Application Document 9.75(C) Status of Negotiations with Statutory Undertakers and Protective Provisions.**	PART 10 FOR THE PROTECTION OF SOUTHERN GAS NETWORKS PLC *Application* **1.** For the protection of SGN the following provisions will, unless otherwise agreed in writing between the undertaker and SGN, have effect. *Interpretation* **2.** In this Part of this Schedule— "1991 Act" means the New Roads and Street Works Act 1991 "alternative apparatus" means appropriate alternative apparatus to the reasonable satisfaction of SGN to enable SGN to fulfil its statutory functions in a manner no less efficient than previously;	

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
27.	Schedule 15 (Protective Provisions)	The Applicant has included protective provisions for the benefit of the Southern Water Services Limited at Schedule 15. Additional detail on the progress being made in relation to each statutory undertaker can be found in **Application Document 9.75(C) Status of Negotiations with Statutory Undertakers and Protective Provisions.**	PART 11 FOR THE PROTECTION OF SOUTHERN WATER SERVICES LIMITED 1. For the protection of Southern Water, the following provisions, unless otherwise agreed in writing between the undertaker and Southern Water, have effect. 2. In this Part of this Schedule— "1991 Act" means the New Roads and Street Works Act 1991; "alternative apparatus" means alternative apparatus adequate to enable Southern Water to fulfil its statutory functions in a manner not less efficient than previously; "apparatus" means (a) any works, mains, pipes, pumping stations, connections, water booster stations or any other ancillary apparatus belonging to or maintained by that water undertaker for the purposes of water supply, water removal or drainage; and (b) any drain or works vested in the undertaker under the Water Industry Act 1991(a); and (c) any sewer which is so vested or is the subject of a notice of intention to adopt given under section 102(4) (adoption of sewers and disposal works) of that Act or an agreement to adopt made under section 104 (agreements to adopt sewer, drain or sewage disposal works, at a future date) of that Act,	
28.	Schedule 16 (Deemed Marine Licence)	Following recent meetings with marine stakeholders, the Applicant has updated the definition of 'commence' for the offshore scheme to better reflect the activities that will take place pre-commencement.	"commence" means the first carrying out of any licensed marine activities authorised by this licence, save for operations consisting of ~~offshore preparation works or~~ pre-construction surveys, trial trenching and monitoring approved under this licence and the words "commencement" and "commenced" must be construed accordingly;	H
29.	Schedule 16 (Deemed Marine Licence)	A definition of the Outline Fisheries Liaison and Co-Existence plan has been included to ensure a consistent approach with the other management plans.	"outline fisheries liaison and co-existence plan" means the document certified as the outline fisheries liaison and co-existence plan by the Secretary of State for the purposes of this Order under article 60;	H

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
30.	Schedule 16 (Deemed Marine Licence)	The Applicant has updated the details for correspondence following discussions with the MCA and Natural England.	(e) ~~Maritime and Coastguard Agency~~The United Kingdom Hydrographic Office Admiralty Way Taunton Somerset TA1 2DN (f) Maritime and Coastguard Agency Navigation Safety Branch Bay 2/20 Spring Place 105 Commercial Road Southampton SO15 1EG Tel: 020 3817 2426~~;~~ navigationsafety@mca.gov.uk (g) Natural England ~~Navigation Safety Branch~~Guildbourne House ~~Bay 2/20 Spring Place~~ ~~105 Commercial~~Chatsworth Road ~~Southampton~~Worthing ~~SO15 1EG~~BI1 1LD Tel: ~~020 3817 2426~~0300 060 4911;	H
31.	Schedule 16 (Deemed Marine Licence)	Work No.6(b)(marine electric line works) has been updated pursuant to the amendments made to the deemed marine licence at Schedule 16 of the DCO to reflect that the works to lay the marine electric cables include burying the cables. Reference to associated temporary construction compounds has also been removed from the	*Work No. 6 – marine electric line works –* Works seaward of MHWS comprising the laying of a marine electric cable, which may include— (a) temporary work areas and laydown areas associated with the installation and pulling of the cables; (b) works to lay and bury marine electric cables and a fibre optic cable 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; (c) trenchless entry/exit pits ~~and associated temporary construction compounds~~ in the Suffolk landfall; and (d) trenchless entry/exit pits ~~and associated temporary construction compounds~~ in the Kent landfall; (e) temporary work areas for vessels to carry out intrusive and non-intrusive activities; and (f) marine cable protection works.	H

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
		deemed marine licence as these relate to terrestrial temporary construction compounds.		
32.	Schedule 16 (Deemed Marine Licence)	The Applicant has added additional clarification to reflect which work number each element of the associated works listed in paragraph 4 of Schedule 16 apply to.	**4.** In connection with such part of Work No. 6 and Work No.12 as specified below and to the extent that they do not otherwise form part of any such work, further associated development comprising such other works 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~~project and which fall within the scope of the work assessed by the environmental statement, including but not limited to — (a) In respect of Work No.6, cable protection measures such as rock placement, including rock bags, and the placement of concrete mattresses and frond mattresses; (b) In respect of Work No.12, temporary diversion of existing overhead electric line and associated works; (c) In respect of Work No.6, 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) In respect of Work No.6, temporary landing places, moorings or other means of accommodating vessels in the construction and/or maintenance of the authorised development.	H

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
33.	Schedule 16 (Deemed Marine Licence)	The Applicant has included additional conditions at the request of London Gateway Port based on the drafting proposed. This limits wet storage activities, exclusion zones and cable joints within the Areas of Interest. The total pre-sweeping volume has also been amended to 325,000 metres to reflect the additional pre-sweeping which is required due to the commitment to the maintain the safeguarded depths in the Areas of Interest at the Sunk Pilot Boarding Area.	(2) The total pre-sweeping volume must not exceed ~~250,000~~325,000 cubic metres. (3) In the Areas of Interest: (a) no wet storage activities are to be carried out by the undertaker as part of the licensed activities in respect of Work No.6; (b) no exclusion zones will be implemented as part of the licenced activities but this does not prevent any Recommended Restricted Zones required by and within the meaning of the Convention on the International Regulations for Preventing Collisions at Sea 1972 as implemented by the Merchant Shipping (Distress Signals and Prevention of Collisions) Regulations 1996 (S.I.1996/75); (c) there are to be no cable joints as part of the construction or maintenance of Work No. 6 (unless necessitated by emergency maintenance works); (d) In the event that a cable crossing is reasonably necessary in the North East Spit Area due to the proposed GridLink Interconnector Project: (i) If Work No.6 is installed first, the undertaker must install Work No. 6 at a depth that provides sufficient vertical clearance for the GridLink Interconnector Project cable(s) to be laid so that subsequent installation would not preclude or impede the dredging of those parts of the Areas of Interest to the depth specified in Requirement 17 of Schedule 3 and the undertaker is not responsible for any failure to meet the required depth protection caused by the subsequent installation of the GridLink Interconnector Project cable(s); and (ii) If the GridLink Interconnector Project cable(s) are installed first, the undertaker must use reasonable endeavours to ensure that the GridLink Interconnector Project cable(s) are installed with sufficient vertical clearance to allow the subsequent installation of Work No. 6 to a depth which would not preclude or impede the dredging of those parts of the Areas of Interest to the depth specified in Requirement 17 of Schedule 3; (e) Where there are existing cables installed in the Areas of Interest that are to be crossed by Work No.6 the undertaker must install Work No.6 so as to achieve the required depth protection specified in Requirement 17 of Schedule 3.	H
34.	Schedule 16 (Deemed Marine Licence)	Following recent meetings with marine stakeholders, the Applicant has amended the timings for issuing notices to mariners and providing copies to the MMO and other bodies.	(8) The undertaker must issue a notice to mariners at least ~~seven~~14 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, MCA and UKHO within ~~24 hours~~5 days of such notification.	H
35.	Schedule 16 (Deemed Marine Licence)	Following recent meetings with marine stakeholders, an additional email address for	(9) The undertaker must notify HM Coastguard (HMCG) (Zone10@hcmg.gov.uk, Zone11@hcmg.gov.uk, Zone13@hcmg.gov.uk and Zone14@hcmg.gov.uk) prior to commencement of licensed cable installation activities and the undertaker must send a copy to the MMO within seven days of the issue of such notification.	H

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
		HM Coastguard has been included to reflect that there are different HMCG areas covering the cable landfall.		
36.	Schedule 16 (Deemed Marine Licence)	Following recent meetings with marine stakeholders, the Applicant has amended condition 4 (pre-construction plans and documentation) to include additional consultation for the PLA and Trinity House. Additional wording has been added to 4(a)(v) which had been requested following meetings with the MMO and MCA to provide greater clarity on the detailed cable laying and burial plan.	**4.** ~~—(fff)~~ (1) The licensed activities or any part of those activities under ~~Works~~Work No. 6, save for trial trenching, must not commence until the following plans in respect of those activities have been submitted to and approved in writing by the MMO, such approval to be within ~~sixteen weeks of~~a period of six months from submission (in consultation with Natural England, the JNCC, MCA, the Environment Agency, PLA, Trinity House and Cefas): (a) a Cable Specification and Installation Plan document in respect of those licensed activities, which is in ~~general~~substantial accordance with the principles set out in the outline Cable Specification and Installation Plan and which has been informed by a cable burial risk assessment which shall include details of— (i) a sediment disposal management plan; (ii) 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; (iii) location and timings; (iv) timings and duration of intertidal works; (v) a detailed cable laying and burial plan, incorporating a burial risk assessment encompassing the identification of any cable protection that exceeds 5% of navigable depth referenced to Chart Datum and, in the event that any area of cable protection exceeding 5% of navigable depth is identified, details of any steps (to be determined following consultation with the MCA and Trinity House) to be taken to ensure existing and future safe navigation is not compromised or similar such assessment to ascertain suitable burial depths and cable laying techniques, including cable protection;	H

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
37.	Schedule 16 (Deemed Marine Licence)	The Applicant has added wording which confirms that the pre-constructions plans and documentation within the deemed marine licence 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 Schedule 3, Requirement 6.	(b) An Offshore Construction Environment Management plan which is in ~~general~~substantial accordance with the principles set out in the outline Offshore Construction Environment Management Plan; (c) a Marine Mammal Mitigation Plan which is in ~~general~~substantial accordance with the principles set out in the outline Marine Mammal Mitigation Plan, (d) a Marine Non-Native Species (MNNS) Plan which is in ~~general~~substantial accordance with the principles set out in the outline Marine Non-Native Species Plan; (e) a marine bio-security plan; (f) a Fisheries Liaison and Co-existence Plan (FLCP) which is in ~~general~~substantial accordance with the principles set out in the outline Fisheries Liaison and Co-existence Plan; (g) a navigation installation plan for the relevant stage which is in ~~general~~substantial accordance with the principles set out in the outline navigation installation plan; and	H
38.	Schedule 16 (Deemed Marine Licence)	Text has been removed from 4(h) to avoid unnecessary duplication in the drafting.	(h) 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.~~	H
39.	Schedule 16 (Deemed Marine Licence)	The Applicant has added additional clarification to reflect which work number each element of the associated works listed in condition 4(2) of Schedule 16.	(2) The licensed activities or any part of ~~the~~those activities under Work No. 6 must not commence must not commence unless a written scheme of archaeological investigation in respect of those activities has been submitted to and approved by the MMO, in consultation with the MCA and Trinity House, in accordance with the marine archaeology outline offshore written scheme of investigation, and in accordance with industry good practice and in consultation with the Historic England. The written scheme of archaeological investigation is to include –	H

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
40.	Schedule 16 (Deemed Marine Licence)	Following recent meetings with the MMO, the Applicant has agreed to remove the provision permitting a document to be deemed to be approved by the MMO within a certain timeframe and to amend the time frame for the documents to be submitted for approval prior to commencement.	(3) ~~Each~~Except where otherwise stated or agreed with the MMO in writing, each programme, statement, plan, protocol or scheme required to be approved under condition 4 must be submitted for approval at least ~~sixteen weeks~~six months prior to the intended commencement of the part of the licensed activities to which it relates. Any programme, statement, plan, protocol or scheme can be submitted under the following phases of works— (a) Landfall installation; (b) Seabed preparation; (c) Cable lay and burial; (d) Post lay cable protection. ~~(4) Save in respect of any plan which secures mitigation to avoid adversely affecting the integrity of a European Site, where the MMO fails to determine that application for approval under condition 4 within the period referred to in sub-paragraph (1), the programme, statement, plan, protocol or scheme is deemed to be approved by the MMO.~~	H
41.	Schedule 16 (Deemed Marine Licence)	Following recent meetings with marine stakeholders, the Applicant has agreed to include two additional conditions relating to the maintenance of water depths and due to the additional pre-sweeping activities required at the Sunk Pilot Boarding Area.	(5) ~~(6)~~ In undertaking the licensed activities, the undertaker must not reduce water depth by more than 5% unless agreed with the MMO in writing in consultation with MCA and Trinity House. (6) In undertaking the licensed activities, the undertaker must not reduce existing water depths between KP 33 and KP 38 unless agreed with the MMO in writing in consultation with the MCA and Trinity House. (7) Unless otherwise agreed with the MMO, a sediment sampling plan request must be submitted and the results submitted for analysis to the MMO prior to any pre-sweeping works at the Sunk Pilot Boarding area Area of Interest and the sediment sampling and analysis must be completed by a laboratory validated by the MMO.	H

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
42.	Schedule 16 (Deemed Marine Licence)	The Applicant has added additional clarification to reflect which work number each element of the associated works listed in paragraph 4 of Schedule 16 apply to.	**Aids to navigation** **7.** ~~—iiii)~~ (1) Any vessels utilised during the licensed activities or any part of those activities under Work No. 6, when jacked up, must exhibit signals in accordance with the UK Standard Marking Schedule for Offshore Installations; (2) The undertaker must during the whole period from the commencement of the licensed activities to completion of decommissioning of the authorised development exhibit such lights, marks, sounds, signals and other aids to navigation, and take such other steps for the prevention of danger to navigation as Trinity House may from time to time direct. (3) The undertaker must keep Trinity House informed of progress of the authorised development seaward of MHWS by way of issuing it with- (a) Notice of commencement of construction of the authorised development within 24 hours of commencement; (b) Notice of any aids to navigation being established or replaced by the ~~undertaker~~undertake within 24 hours; and (c) Notice of completion of construction of the authorised development within 7 days.	H
43.	Schedule 16 (Deemed Marine Licence)	Following recent meetings with marine stakeholders, the Applicant has amended condition 9 (force majeure) to include additional consultation for the MCA and Trinity House.	**9.** ~~—kkkk)~~ (1) If, due to stress of weather or any other cause the master of a vessel determines that it is necessary to deposit the authorised deposits within or outside of the Order limits because the safety of human life and/or of the vessel is threatened, within 48 hours full details of the circumstances of the deposit must be notified to the MMO, MCA and Trinity House. (2) The unauthorised deposits must be removed at the expense of the undertaker unless written approval is obtained from the MMO.	H
44.	Schedule 16 (Deemed Marine Licence)	In 2GEN17, the Examining Authority suggested that the use of trenchless landfall techniques should be secured as a DCO requirement. The Applicant has included wording for such a landfall requirement in Schedule 3 as suggested by the ExA. The Applicant has	**Trenchless Landfall Techniques** **10.** ~~—llll)~~ (1) Landfall installation must only use trenchless landfall techniques between the onshore transition joint bay and the exit pits. (2) No exit to trenchless landfall techniques must occur within 50m of saltmarsh habitat within Pegwell Bay (3) No exit to trenchless landfall techniques must occur within 50m of MLWS at Leiston to Aldeburgh SSSI.	H

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
		therefore amended the condition within the deemed marine licence to align with the wording proposed.		
45.	Schedule 16 (Deemed Marine Licence)	Following discussion with the MMO, the Applicant has agreed to include an additional condition to govern cable protection within the Sandwich Bay SAC and any cable protection being installed 10 years post-construction.	**Deployment of Cable Protection** **13.**—(1) Any new cable protection in areas previously not subject to cable protection authorised under this licence must be deployed within 10 years from the date of the grant of the order unless otherwise agreed by the MMO in writing. (2) Unless otherwise agreed by the MMO in writing, no cable protection granted by the licence may be deployed within the Sandwich Bay Special Area of Conservation (SAC) after the construction period has ended and any cable protection to be installed outside of the Sandwich Bay SAC following completion of construction in locations where cable protection was not installed during construction must be deployed within 10 years of completion of construction.	H
46.	Schedule 16 (Deemed Marine Licence)	The Applicant has added additional clarification to reflect which work number each element of the associated works listed in condition of Schedule 16 apply to.	**14.**—~~(1)~~ (1) The undertaker must submit to the MMO and Trinity House within three months of completion of the licensed activities~~,~~ forming part of Work No.6 or any part of those activities under Work No.6 an 'as built' plan which will display— (a) the location of the cable as laid with specific details of the achieved burial depths, (b) locations of buried and surface-laid cables, (c) the placed location and quantity of rock placement or concrete mattressing used in these licensed activities; and (d) final clearance depths over the protected cables and clumped disused cables.	H
47.	Schedule 19 (Certified Documents)	The Applicant has added various documents to the list of certified documents in Schedule 19.	investigation Outline Fisheries Liaison and Co-existence Plan Outline Invasive Non-Native Species Management Plan Design Approach Document – Suffolk Design Approach Document – Kent Material and Waste Management Plan – Suffolk Material and Waste Management Plan – Kent	H

Table 3.6: Schedule of Changes to Version G of the draft DCO for Deadline 6

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
1.	Article 2 (Interpretation)	The definition of 'Areas of Interest' has been amended to refer to the 'Area of Safeguarded Water Depth' for clarity.	"areas of ~~interest~~safeguarded water depth" means the areas, or any part thereof, shown on the Areas of Safeguarded Depth Plan which comprises three areas labelled: Sunk Pilot Boarding area, Long Sand Head Two-Way Route crossing area, and North East Spit area and any reference to any individual one of those areas means the area as shown on the Areas of Safeguarded Depth Plan; "areas of safeguarded water depth plan" means the document of that description certified by the Secretary of State as the areas of safeguarded depth plan for the purposes of this Order under article 60 (certification of documents);	I
2.	Article 2 (Interpretation)	The Applicant has included an additional definition within article 2 to reflect that an outline Operational Lighting Management Plan has been added to Requirement 3.	"Outline Operational Lighting Management Plan" means the document of that description certified by the Secretary of State as the Outline Operational Lighting Management Plan for the purposes of this Order under article 60 (certification of documents);	I
3.	Article 5 (Limits of Deviation)	The Applicant has committed to an additional paragraph within the limits of deviation which has been introduced for the footprint of the fenced compound area to be constructed as part of the substation in Suffolk under Work No.1B to reflect the footprint secured under the East Anglia One North and East Anglia Two Windfarm Orders 2022.	**Table of Parameters** *Work* / *Type of structure* / *Height* 1B / Substation – Suffolk / 16m above finished ground level of 18.5m AOD (not including roof mounted equipment) 3B / Converter Station – Suffolk / 26m above existing 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 / 2.2 m above finished ground level. (4) The operational fenced compound constructed as part of the Substation under Work No.1B of the Authorised Project would be no greater than 16,800m2. The operational fenced compound includes all buildings and equipment within the electrified fence but not including the access and security airlock.	I

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
4.	Article 27(1) (Temporary use of land for carrying out the authorised project)	In response to 3GEN19, the Applicant has amended the wording at Article 27(1)(a)(ii) of the Order to confirm that it excludes any land identified in the Land Plans and Book of Reference as Class 10 land.	**27.**—(1) The undertaker may, in connection with the carrying out of the authorised project— (a) enter on and take temporary possession of— (i) so much of the land specified in column (1) of Schedule 11 (land of which only temporary possession may be taken) to exercise the powers described in the Book of Reference for the purpose specified in relation to that land in column (2) of that Schedule relating to the part of the authorised project specified in column (3) of that Schedule; and (ii) any other Order land (which for the avoidance of doubt excludes any land identified in the Land Plans and Book of Reference as Class 10 land) in respect of which no notice of entry has been served under section 11 of the 1965 Act (other than in connection with the	I
5.	Article 27 (Temporary use of land for carrying out the authorised project)	In response to further submissions made by East Suffolk Council, the Applicant has amended reference to 'deep rooted organism' to confirm that the article 27(5)(j) and (6)(i) refers to trees only.	(j) replant trees ~~or any other deep-rooted organism~~ in respect of land above or within 10 metres of underground cables installed as part of the authorised development.	I
6.	Article 49 (Defence to proceedings in respect of statutory nuisance)	The Applicant has amended Article 49(1)(b) and (2) to clarify that where an instance of nuisance under article 49 is related to the ongoing use of the authorised project rather than construction, the operational measures contained within the Register of Environmental Actions and Commitments will apply.	(b) the defendant shows that the nuisance— (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~~measures contained within the Register of Environmental Actions and Commitments; or (ii) is a consequence of the use of the authorised project and that it cannot reasonably be avoided. (2) For the purposes of paragraph (1) above, compliance with the controls and measures relating to noise described in the relevant code of construction practice, the CEMP, the Register of Environmental Commitments 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.	I

7.	Schedule 2	The changes reflect minor updates to the revision number of various of the plans listed in Schedule 2 (Plans) due to the updates made at Deadline 6.	

PART 2

LAND PLANS

Drawing Title	*Drawing Number*	*Revision*
The National Grid (Sea Link) Order PINS application number: EN020026 Land Plans Regulation 5(2)(i)(I)-(iii) Key Plan In the district of East Suffolk District Council	DCO/S/KPA/SS/0100	F
The National Grid (Sea Link) Order PINS application number: EN020026 Land Plans Regulation 5(2)(i)(i)-(iii) Sheet 1 of 7 In the district of East Suffolk District Council	DCO/S/LP/PS/0101	F
The National Grid (Sea Link) Order PINS application number: EN020026 Land Plans Regulation 5(2)(i)(i)-(iii) Sheet 2 of 7 In the district of East Suffolk District Council	DCO/S/LP/PS/0102	~~F~~G
The National Grid (Sea Link) Order PINS application number: EN020026 Land Plans Regulation 5(2)(i)(i)-(iii) Sheet 3 of 7 In the district of East Suffolk District Council	DCO/S/LP/PS/0103	~~F~~G

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
8.	Schedule 3, Requirement 3 (Detailed Design)	The Applicant has made further amendments to the detailed design requirement following ISH3 and the further submissions of the local authorities.	*Detailed Design* **3.** —(1) Suffolk Converter Station, Kent Converter Station and Kent Substation (a) No construction of buildings included in Works Nos. 3B, 9B and 11 (Suffolk converter station, Kent converter station and Kent substation) may commence until ~~details of the external colour and surface finish of the permanent buildings, which must be in general~~ the design of that building has been submitted and approved by the relevant planning authority. The design must be substantially in accordance with the relevant Key Design Principles~~, have been submitted to and~~. Design details for Works No.9B and 11 may only be approved ~~by the relevant planning authority,~~ following consultation with Historic England ~~for Works 9B~~ and ~~11~~Dover District Council. (b) ~~No construction of buildings included in Works Nos. 3B, 9B and 11 (Suffolk converter station, Kent converter station and Kent substation) may commence until details of the layout, scale and operational lighting of the permanent buildings 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, that the details are in general accordance with the Key Design Principles. Consultation with Historic England in this paragraph is required in relation to Works 9B and 11.~~When discharging this requirement, the relevant planning authority must take into account that the undertaker must meet the Critical Design Constraints and that the undertaker may have limited choice over many aspects of the design and that the design must in the first instance be safe and secure, as recognised by EN-1 Paragraph 4.7.6 and EN-5 paragraph 2.4.3. The aspects where more flexibility may be available include the external colour, surface profile and finish of cladding and the roofline of the permanent buildings, although aspects of these elements will be fixed through technical requirements. (c) In ~~paragraphs (2)~~sub-paragraphs (a) and ~~(2)~~(b), the Key Design Principles and Critical Design Constraints mean those set out in the relevant tables in the Design Principles – Suffolk and Design Principles – Kent, certified under article 60 (certification of documents). For avoidance of doubt, in ~~paragraph~~sub-paragraphs (~~3~~1)(a) and (~~3~~1)(b) the construction of buildings does not include the construction of the platform or other elements of the authorised project that are not above finished ground level in the location of the buildings. (d) The authorised development must be carried out in accordance with the details approved or confirmed by the relevant planning authority further to sub-paragraphs (~~2~~)(a) and (~~2~~)(b).	I

(3) Bridge over the River Fromus

(a) Development of the bridge crossing of the River Fromus (part of Work No. 3a) must not commence until details of the ~~layout and scale~~design of the bridge have been submitted to and approved by the relevant planning authority~~, and the relevant local planning authority has confirmed~~, following consultation with the Environment Agency~~, that the parameters set out in (4)(b) have been met~~.

(b) The bridge over the River Fromus should be designed in accordance with the following parameters:

(i) the bridge shall not have a soffit height lower than 10.49 m Above Ordnance Datum (approximately 4m above the Q95 flow level);

(ii) abutments for the bridge shall be set back no less than 8m from the top of the bank; and

(iii) the bridge shall not have a deck width greater than 6m.

(c) The design details ~~of layout and scale~~ submitted under (a) must be accompanied by a technical statement demonstrating how, recognising the minimum size parameters in sub-paragraph (b)(i) and (ii), the Applicant has sought to reduce the scale of the bridge, having regard to the relationship with the landscape mitigation proposals, the articulation of the spanning structure, the design of the abutment walls, and the design of the parapet railings. The technical statement will include a plan, elevation and section drawings, and 3D renders of the bridge design in key view VP02 and CH02.

~~(d) No part of the finished external treatment of the bridge crossing of the River Fromus comprised in Work No. 3A(a) (part of the authorised development comprising the access road to the Suffolk Converter Station) must be implemented until details of the external colour and surface finish (in line with the process established in Design Principle ID.3) have been submitted to and approved by the relevant planning authority.~~

(d) ~~(e)~~ Should the bridge design comprise a soffit height of less 12.49 m Above Ordnance Datum (approximately 6m above the Q95 flow level), then development of the bridge must not commence until a macro invertebrate monitoring and contingency plan has been submitted to and approved by ~~East Suffolk Council~~the relevant planning authority, following consultation with the Environment Agency. The invertebrate monitoring and contingency plan must include:

(i) The requirement to carry out Water Framework Directive compliant surveys twice yearly (spring and autumn), upstream and downstream of the Fromus crossing for a period of five years following completion of the construction of the Fromus crossing.

(ii) Principles of the contingency monetary fund set out in (f~~e~~) and criteria for when provision of the fund would be triggered.

(e) ~~(f)~~ Following receipt and review of the monitoring results under (~~e~~d)(i), should the criteria in (e)(ii) be exceeded, then a contingency fund would be provided to fund measures to encourage the passage of macro invertebrates around the Fromus crossing and/or enhancement of Water Framework Directive invertebrate habitat upstream of the Fromus crossing. This would be secured via an appropriate legal agreement.

(4) No operational lighting may be installed as part of Work No. 3B, 9B or 11 until an Operational Lighting Management Plan for that stage of the works has been submitted and approved by the relevant planning authority, which must be substantially in accordance with the outline Operational Lighting Management Plan.

(5) If Work No. 1B is constructed as part of the Authorised Project, an Operational Lighting Management Plan will be submitted and approved by the relevant planning authority prior to the installation of operational lighting at the substation.

(a) Development of the bridge crossing of the River Fromus (part of Work No. 3a) must not commence until details of the ~~layout and scale~~design of the bridge have been submitted to and approved by the relevant planning authority~~, and the relevant local planning authority has confirmed~~, following consultation with the Environment Agency~~, that the parameters set out in (4)(b) have been met~~.

(b) The bridge over the River Fromus should be designed in accordance with the following parameters:

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(iii) the bridge shall not have a deck width greater than 6m.

(c) The design details ~~of layout and scale~~ submitted under (a) must be accompanied by a technical statement demonstrating how, recognising the minimum size parameters in sub-paragraph (b)(i) and (ii), the Applicant has sought to reduce the scale of the bridge, having regard to the relationship with the landscape mitigation proposals, the articulation of the spanning structure, the design of the abutment walls, and the design of the parapet railings. The technical statement will include a plan, elevation and section drawings, and 3D renders of the bridge design in key view VP02 and CH02.

~~(d) No part of the finished external treatment of the bridge crossing of the River Fromus comprised in Work No. 3A(a) (part of the authorised development comprising the access road to the Suffolk Converter Station) must be implemented until details of the external colour and surface finish (in line with the process established in Design Principle ID.3) have been submitted to and approved by the relevant planning authority.~~

(d) ~~(e)~~ Should the bridge design comprise a soffit height of less 12.49 m Above Ordnance Datum (approximately 6m above the Q95 flow level), then development of the bridge must not commence until a macro invertebrate monitoring and contingency plan has been submitted to and approved by ~~East Suffolk Council~~the relevant planning authority, following consultation with the Environment Agency. The invertebrate monitoring and contingency plan must include:

(i) The requirement to carry out Water Framework Directive compliant surveys twice yearly (spring and autumn), upstream and downstream of the Fromus crossing for a period of five years following completion of the construction of the Fromus crossing.

(ii) Principles of the contingency monetary fund set out in (f) and criteria for when provision of the fund would be triggered.

(e) ~~(f)~~ Following receipt and review of the monitoring results under (e)(i), should the criteria in (e)(ii) be exceeded, then a contingency fund would be provided to fund measures to encourage the passage of macro invertebrates around the Fromus crossing and/or enhancement of Water Framework Directive invertebrate habitat upstream of the Fromus crossing. This would be secured via an appropriate legal agreement.

(4) No operational lighting may be installed as part of Work No. 2B, 9B or 11 until an Operational Lighting Management Plan for that stage of the works has been submitted and approved by the relevant planning authority, which must be substantially in accordance with the outline Operational Lighting Management Plan.

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9.	Schedule 3, Requirement 5 (Management Plans and Commitments)	The Applicant has amended the wording of Requirement 5 to more clearly reflect that the management plans relate not only to construction, but to operation and maintenance of the authorised project, following comments made by East Suffolk Council.	*Management Plans and Commitments* **5.** —(1) ~~All works forming part of the~~The authorised development must be carried out in accordance with the management plans, schemes and strategies listed in sub-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.	I
10.	Schedule 3, Requirement 5 (Management Plans and Commitments)	The Applicant has included reference to the Skills, Supply Chain and Employment Plan within Requirement 5 to reflect that such a plan has been submitted into the examination and is intended to be secured by Requirement 5. The reference to the Red Throated Diver Protocol has also been removed from the requirement as the Red Throated Protocol will be discharged by the MMO under the deemed marine licence contained within Schedule 16 and therefore does not need to be listed within Requirement 5.	(2) The plans, schemes and strategies referred to in ~~paragraph~~sub-paragraph (1) ~~above~~ comprise the following— (a) Greenhouse Gas Reduction Strategy; ~~(b) Red Throated Diver Protocol; and~~ (b) ~~(c)~~ Register of Environmental Actions and Commitments Section 1 (contained within Chapter 2 of Register of Environmental Actions and Commitments)~~.~~; and (c) Skills, Supply Chain and Employment Plan. (3) For the avoidance of doubt, all pre-commencement operations must be carried out in accordance with the plans listed in ~~paragraph~~sub-paragraph (2) ~~above~~, the outline management plans and drainage strategies 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.	I

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11.	Schedule 3, Requirement 6 (Management Plans to be approved)	The Applicant has added the National Trust as a consultee to the Landscape and Ecological Management Plan – Kent. Reference to the Code of Construction Practice has been removed to reflect that this document no longer forms part of the application documents. The Applicant has also amended the wording of Requirement 6 to more clearly reflect that the management plans relate not only to construction, but to operation and maintenance of the authorised project, following comments made by East Suffolk Council.	*Management Plans to be Approved* **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 (in consultation with the relevant district or county council, the Environment Agency in the case of the Onshore Construction Environmental Management Plan, Construction Noise and Vibration Management Plans and the Material and Waste Management Plan, and in consultation with Natural England in the case of the Landscape and Ecological Management Plans and Drainage Management Plans, and in consultation with the National Trust in relation to the Landscape and Ecological Management Plan - Kent)— ~~(s) Code of Construction Practice (which must be substantially in accordance with the outline Code of Construction Practice).~~ (2) The ~~works for each stage of the~~ authorised development ~~and mitigation works~~ must be carried out in accordance with the relevant stage of the approved plans, schemes and strategies referred to in sub-paragraph (1) or with any amended plans, schemes or strategies that may subsequently be approved by the relevant planning authority or other discharging authority as may be appropriate to the relevant plan, scheme or strategy concerned unless otherwise agreed with the relevant planning authority or other discharging authority as may be appropriate. (3) All landscaping ~~works~~ must be carried out and maintained in accordance with the Landscape and Ecological Management Plans approved under sub-paragraph (1), and in accordance with the relevant recommendations of appropriate British Standards.	I

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12.	Schedule 3, Requirement 7 (Construction Hours)	The Applicant has agreed to introduce a noise limit for start-up and close down activities following ISH3 and submissions from local authorities. Pursuant to ISH3 and submissions from local authorities, the Applicant has also agreed to further align the working hours for Works 1A and 1B with those secured in the East Anglia One North and East Anglia Two Windfarm Orders 2022.	(5) The core working hours referred to in sub-paragraph (1) exclude start-up and close down activities up to 1 hour either side of the core working hours. A 50dBA noise limit (LOAEL) will apply at the nearest noise-sensitive receptor for start-up and close down activities. (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. (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).The working hours will also apply to those elements of Work No. 4, Work No. 13, Work No. 15 and Work No. 17 insofar as they are works required to construct, operate and/or mitigate the environmental impacts of Work No.1A and Work No.1B.	I
13.	Schedule 3, Requirement 14 (Archaeology)	The reference to the Outline Offshore Overarching Written Scheme of Investigation has been removed as the offshore oWSI will be discharged by the MMO pursuant to Condition 4(2) of the deemed marine licence contained within Schedule 16. Therefore, it does not need to be listed within Requirement 14.	*Archaeology* **14.**—(1) The ~~proposed~~authorised development must be undertaken in accordance with the following documents as relevant to the location of the works unless otherwise agreed with the relevant planning authority: (a) Outline Onshore Overarching Written Scheme of Investigation – Suffolk for onshore works within the county of Suffolk; and (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.~~	I

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14.	Schedule 3, Requirement 16 (Trenchless Landfall Techniques)	The Applicant has amended Requirement 16 in response to Action Point 50 following Issue Specific Hearing 3 to reflect the existing commitments relating to the landfalls and the commitment to the trenchless crossing exiting 45m east of the continuous Coralline Crag outcrop in Suffolk.	*Trenchless Landfall Techniques* **16.**—(1) In respect of installation of the landfall aspects of Work No.6, trenchless techniques shall be utilised between the onshore transition joint bay and the exit pits. (2) No exit to trenchless landfall techniques must occur within ~~50m~~105m of saltmarsh habitat within Pegwell Bay. (3) The temporary working area will be located at a minimum distance of 50m from the edge of the saltmarsh habitat within Pegwell Bay. (4) ~~(2)~~ No exit to trenchless landfall techniques must occur within 50m of MLWS at Leiston to Aldeburgh SSSI. (5) No exit to trenchless landfall techniques must occur within 45m east of the continual Coralline Crag outcrop in Suffolk.	I

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15.	Schedule 3, Requirement 17 (Depth Protection)	The amendments reflect the updated definition 'Area of Safeguarded Water Depth' for clarity. The Applicant has included a new paragraph (3) which further clarifies that no part of Work No.6 is to be installed within the Sea Link Exclusion Area (as shown on the Areas of Safeguarded Water Depth Plan) following further discussion with the port authorities.	*Depth Protection* **17.**—(1) Subject to paragraph (2) below, any part of Work No.6, including any associated development or ancillary works, located within the Areas of ~~Interest~~Safeguarded Water Depth must be designed, installed, operated and maintained at a level which would not preclude or impede the dredging of those parts of the Areas of ~~Interest~~Safeguarded Water Depth to the following depths:— (a) "Sunk Pilot Boarding Area" to a level of 22 metres below Chart Datum; (b) "Long Sand Head Two-Way Route Crossing Area" to a level of 12.5 metres below Chart Datum; (c) "North East Spit Area" to a level of 12.5 metres below Chart Datum, and in each case allowance shall be made for an 'over-dredge' tolerance of 0.5 metres in addition to the stated depths attributable to standard dredging methodology. (2) In relation to any part of Work No.6 in the North East Spit Area, including any associated development or ancillary works, the depth protection required under sub-paragraph (1)(c), including the 0.5 metre over-dredge allowance, is to be preserved following the crossing of Work No.6 and the GridLink Interconnector Project cable(s) either:— (a) where Work No.6 is installed first, by installing Work No.6 at a depth that provides sufficient vertical clearance for the GridLink Interconnector Project cable(s) to be laid over it without compromising the depth protection required by sub-paragraph (1)(c); or (b) where the GridLink Interconnector Project is installed first, by the undertaker using reasonable endeavours to ensure that the GridLink Interconnector Project cable is installed with sufficient vertical clearance to allow Work No.6 to be installed subsequently without compromising the depth protection required by sub-paragraph 1(c). (3) No part of Work No.6, including any associated development or ancillary works, is to be installed within the Sea Link Exclusion Area as shown on the Areas of Safeguarded Water Depth Plan.	I

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16.	Schedule 3, new requirement 18	The Applicant has included a new requirement based on the Environment Agency's proposed wording to deal with the River Stour Channel. The Applicant will continue to liaise with the Environment Agency in respect of the wording.	*River Stour Channel* **18.**—(1) This requirement is necessary as it manages the risk of erosion in the area and the secondary risk of harm to habitat and protected species. (2) No installation of the marine cables in Pegwell Bay may commence until a monitoring and contingency plan has been submitted to and approved by the Marine Management Organisation in consultation with the relevant planning authority and the Environment Agency. (3) The marine and contingency plan will— (a) set out monitoring proposals for the River Stour Channel within Pegwell Bay throughout the operational life of the cables. Monitoring will be undertaken annually for the first five years following installation of the cables after which the frequency and scope of monitoring will be reviewed in consultation with the Environment Agency; and (b) set out actions that will be undertaken where monitoring demonstrates a need for potential remediation as a result of the River Stour channel migrating to within 50m of the installed cables. In such circumstances, unless otherwise agreed with the Environment Agency, cable lowering would be the primary mitigation method and no mitigation would be proposed involving the use of sheet piling or dredging. (4) Mitigation and remediation measures will be agreed with and approved by the Environment Agency prior to the undertaking of any remedial works.	I
17.	Schedule 4, paragraph 4.	The Applicant has reflected on discussions with (and comments from) the local planning authorities and other discharging bodies, and recognises the need to enable the appeals process where a determination has not been made, both in respect of requirements but also any other consent or agreement pursuant to the order. This is to ensure that the applicant can appeal	**4.** ~~vvv)~~ (1) The undertaker may appeal if— (a) the relevant authority refuses an application for~~:~~— (i) any consent, agreement or approval required by a Requirement or any document referred to in any Requirement; or (ii) any other consent, agreement or approval required under this Order, or grants it subject to conditions to which the undertaker objects~~.~~; or does not determine such an application within the time period set out;	I

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		where necessary, given the programme imperative.		
18.	Schedule 15 (Protective Provisions)	The Applicant has updated the protective provisions for the benefit of Anglian Water Services Limited at Schedule 15 to reflect that the protective provisions are agreed between the parties. Additional detail on the progress being made in relation to each statutory undertaker can be found in **Application Document 9.75(C) Status of Negotiations with Statutory Undertakers and Protective Provisions.**	PART 3 FOR THE PROTECTION OF ANGLIAN WATER SERVICES LIMITED **Application** **1.** For the protection of Anglian Water the following provisions have effect, unless otherwise agreed in writing between the undertaker and Anglian Water. **Acquisition of land** **6.** Regardless of any provision in this Order or anything shown on the land plans, the undertaker must not acquire any apparatus otherwise than by agreement ~~(such agreement not to be unreasonably withheld or delayed)~~.	I

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Retained apparatus

9. —(1) Not less than 28 days before starting the execution of any works in, on or under any land purchased, held, appropriated or used under this Order that are near to, or will or may affect, any apparatus (or any means of access to it) the removal of which has not been required by the undertaker under paragraph 7(2), the undertaker must submit to Anglian Water a plan of the works to be executed.

(2) Those works must be executed only in accordance with the plan submitted under sub-paragraph (1) nd in accordance with such reasonable requirements as may be made in accordance with ~~ub-paragraph~~sub-paragraph (3) by Anglian Water for the alteration or otherwise for the protection of the pparatus, or for securing access to it, and Anglian Water is entitled to watch and inspect the execution of ıose works subject to compliance at all times with the undertaker's reasonable site safety rules, ıductions, and all applicable health and safety laws.

(3) Any requirements made by Anglian Water under sub-paragraph (2) must be made within a period of 1 days beginning with the date on which a plan under sub-paragraph (1) is submitted to it.

(4) If Anglian Water in accordance with sub-paragraph (3) and in consequence of the works proposed y the undertaker, reasonably requires the removal of any apparatus and gives written notice to the ndertaker of that requirement, sub-paragraphs (1) to (3) and (6) to (8) of paragraph 7 apply as if the emoval of the apparatus had been required by the undertaker under paragraph 7(2).

(5) Nothing in this paragraph precludes the undertaker from submitting at any time or from time to me, but in no case less than 28 days before commencing the execution of any works, a new plan instead f the plan previously submitted, and having done so the provisions of this paragraph apply to and in espect of the new plan.

(6) The undertaker is not required to comply with sub-paragraph (1) in a case of emergency but in that ase must give to Anglian Water notice as soon as is reasonably practicable and a plan of those works as oon as reasonably practicable subsequently and must comply with sub-paragraph (2) in so far as is easonably practicable in the circumstances, using its ~~reasonable~~best endeavours to keep the impact of ıose emergency works on Anglian Water's apparatus, on the operation of its water and sewerage etwork and on end-users of the services Anglian Water provides to a minimum but always in onsideration of the statutory duties of both parties.

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19.	Schedule 15 (Protective Provisions)	The Applicant has made minor updates to the protective provisions for the benefit of Cadent Gas Limited at Schedule 15 to reflect that the protective provisions are agreed between the parties. Additional detail on the progress being made in relation to each statutory undertaker can be found in **Application Document 9.75(C) Status of Negotiations with Statutory Undertakers and Protective Provisions.**	PART 4 FOR THE PROTECTION OF CADENT GAS LIMITED AS GAS UNDERTAKER **Application** **1.** For the protection of Cadent the following provisions will, unless otherwise agreed in writing between the undertaker and Cadent, have effect. **Interpretation** **2.** In this Part of this Schedule— "1991 Act" means the New Roads and Street Works Act 1991; "alternative apparatus" means appropriate alternative apparatus to the satisfaction of Cadent to enable Cadent to fulfil its statutory functions in a manner no less efficient than previously; "apparatus" means any gas mains, pipes, pressure governors, ventilators, cathodic protections, (including transformed rectifiers and any associated groundbeds or cables), cables, marker posts, block valves, hydrogen above ground installations or other apparatus belonging to or maintained by Cadent for the purposes of Cadent's undertaking together with any replacement apparatus and such other apparatus constructed pursuant to this Order that becomes operational apparatus of Cadent for the purposes of Cadent's undertaking and includes any structure in which apparatus is or will be lodged or which gives or will give access to apparatus; "authorised works" has the same meaning as is given to the term "authorised development" in	I
20.	Schedule 16 (Deemed Marine Licence)	The Applicant has included additional definitions within the deemed marine licence to reflect amendments to the conditions.	"chemicals" means both substances and preparations (a mixture or solution composed of two or more substances); "Coastal Office" means the offices listed in Part 1, paragraph 4(b) and 4(c) of this ~~schedule~~Schedule;	I
21.	Schedule 16 (Deemed Marine Licence)	The Applicant has included additional definitions within the deemed marine licence to reflect amendments to the conditions.	"outline in-principle monitoring plan" means the document certified as the outline in-principle monitoring plan by the Secretary of State for the purposes of this Order under article 60; "intertidal area" means the area between MHWS and MLWS;	I

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			"substance" means a chemical element and its compounds in the natural state or obtained by any manufacturing process, including any additive necessary to preserve its stability and any impunity deriving from the process used, but excluding any solvent which may be separated without affecting the stability of the substance or changing its composition;	
22.	Schedule 16 (Deemed Marine Licence), Paragraph 2	The Applicant has amended the maximum size of the cable corridor disposal site to 325,000 cubic metres to reflect the additional Pre-sweeping required in the Sunk Pilot Boarding Area to meet the port authorities' requested safeguarded water depth.	**Details of licensed marine activities** **2.** Subject to the licence conditions, this licence authorises the undertaker (and any agent or contractor acting on their behalf) to carry out the following licensable marine activities under Section 66(1) (licensable marine activities) of the 2009 Act— ~~(a)~~ the deposit at sea within the Order limits seaward of MHWS of the substances and articles specified in paragraph 6 below and within— ~~(i)~~ the cable corridor disposal site of up ~~250,000~~325,000 cubic metres (being a maximum, not an approximate upper figure) of inert material of natural origin produced during construction drilling or seabed preparation for cable installation preparation and excavation of trenchless entry/exit pits works within Work No. 6;	I
23.	Schedule 16 (Deemed Marine Licence), Condition 3	This condition has been amended following discussion with the Port authorities and requires notification to be provided as soon as practicable in case of exposure of cables within the Areas of Safeguarded Water Depth.	(12) In case of exposure of cables on or above the seabed, the undertaker must, within five days following identification of a cable exposure, and as soon as practicable within the Areas of Safeguarded Water Depth, notify mariners by issuing a notice to mariners and by informing Kingfisher Information Service of the location and extent of exposure. Copies of all notices must be provided to the MMO, MCA, Trinity House, Kingfisher Information Service of Seafish and UK Hydrographic Office within seven days of the exposure identification.	I

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24.	Schedule 16 (Deemed Marine Licence), Condition 4.	The Applicant has included additional details to be included within the Navigation and Installation Plan following further discussion with the MMO.	(g) a navigation and installation plan for the relevant stage which is in substantial accordance with the principles set out in the outline navigation and installation plan~~; and~~ which shall include details of— (i) planned protocols; (ii) concurrent activity restrictions; and (iii) weather constraints.	I
25.	Schedule 16, (Deemed Marine Licence), Condition 4	The Applicant has added an In-Principle Monitoring Plan to the list of plans within condition 4 in response to requests by Natural England to include such a plan. The Applicant has also added provision for a landfall method statement and a chemical risk assessment following discussion with the MMO.	(i) an In-Principle Monitoring plan which is in substantial accordance with the principles set out in the outline in-principle monitoring plan; (j) a landfall method statement in accordance with the construction methods assessed in the environmental statement; (k) a Red Throated Diver Protocol; and (l) Unless otherwise agreed in writing by the MMO, a chemical risk assessment submitted for approval no later than ten weeks prior to use, including (but not limited to) information regarding how and when chemicals are to be used, stored and transported in accordance with recognised best practice guidance and standards, and in accordance with the conditions of this licence (m) Unless otherwise agreed in writing by the MMO, a site specific chemical risk assessment for any chemicals used for the licensed activities (outside the course of normal navigation) with a pathway to the marine environment, which should include— (i) the function of the chemical, the quantities being used, the frequency of use, the location, and the estimated discharge; (ii) the management measures preventing the release into the marine environment; and (iii) the physical, chemical, and ecotoxicological properties of the chemical except where the chemical is present on the OSPAR List of Substances Used and Discharged Offshore which Are Considered to Pose Little or No Risk to the Environment (PLONOR), or chemicals where the MMO agree in writing that the management measures are sufficient to ensure no release into the marine environment.	I

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26.	Schedule 16 (Deemed Marine Licence), Condition 4	The reference has been amended to reflect the correct name of the Outline Offshore Overarching Written Scheme of Investigation to ensure consistency with the application documents.	(2) The licensed activities or any part of those activities under Work No. 6 must not commence unless a written scheme of archaeological investigation in respect of those activities has been submitted to and approved by the MMO, in consultation with the MCA and Trinity House, in accordance with the ~~marine archaeology outline offshore written scheme of investigation~~Outline Offshore Overarching Written Scheme of Investigation and the Marine Archaeological Method Statement as appropriate, and in accordance with industry good practice and in consultation with the Historic England. The written scheme of archaeological investigation is to include – (a) details of responsibilities of the undertaker, archaeological consultant and contractor; (b) methodology for any further project investigation including specifications for geophysical, geotechnical and diver or remotely operated vehicle investigations; (c) archaeological analysis of survey data, and timetable for reporting, which is to be submitted to the MMO; (d) delivery of any mitigation including the use of archaeological construction exclusion zones in agreement with the MMO; (e) the preparation of a reporting and recording protocol for archaeological discoveries, including reporting of any wreck or wreck material during delivery of the authorised project; and (f) a requirement for the undertaker to ensure that a copy of any agreed archaeological report is deposited with the National Marine Heritage Record, by submitting a Historic England OASIS ('Online Access to the Index of ~~archaeological~~Archaeological Investigations') form with a digital copy of the relevant report within six months of completion of construction of the authorised development, and to notify the MMO that the OASIS form has been submitted to the National Marine Heritage Record within fourteen days of the submission.	I
27.	Schedule 16 (Deemed Marine Licence), Condition 7	Pursuant to the submissions made by Trinity House, the Applicant has provided further clarification to the extent of the timescales that the undertaker must keep Trinity House informed of progress of the authorised development.	(3) The undertaker must during the whole period from the commencement of the licensed activities to completion of decommissioning of the authorised development keep Trinity House informed of progress of the authorised development seaward of MHWS by way of issuing it with- (a) ~~Notice~~notice of commencement of construction of the authorised development within 24 hours of commencement; (b) ~~Notice~~notice of any aids to navigation being established or replaced by the undertaker within 24 hours; and (c) ~~Notice~~notice of completion of construction of the authorised development within ~~7~~seven days.	I

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
28.	Schedule 16 (Deemed Marine Licence), Condition 8	Pursuant to further discussion with the MMO, the Applicant has amended the condition on chemicals, drilling and debris to reflect the MMO's suggested wording of this condition.	**Chemical, drilling and debris** **8.** ~~wwwwww)~~ (1) Unless otherwise agreed in writing by the MMO, all chemicals used in the construction of the authorised 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.~~.~~ (2) The undertaker must ensure that any coatings/treatments are suitable for use in the marine environment and are used in accordance with relevant guidelines approved by Health and Safety Executive and ~~the~~ Environment Agency ~~Pollution Prevention Control Guidelines~~. (3) All chemicals used for the licensed activities should be selected with regard to their environmental impact. Where less hazardous or non-toxic substitutes are available, these must be used in preference to more harmful substances. (4) ~~(2)~~ The storage, handling, transport and use of fuels, lubricants, chemicals and other substances must be undertaken so as to prevent releases into the marine environment, including substances released by design or by degradation. This should include bunding of 110% of the total volume of all reservoirs and containers unless approved by the MMO in writing. (5) ~~(3)~~ The undertaker must ensure that only inert material of natural origin, drilling mud and dredged material, produced during the landfall installation or seabed preparation works is disposed of within the ~~disposal site reference(s) to be provided by the MMO within the~~ extent of the Order limits seaward of MHWS. (6) ~~(4)~~ The undertaker must inform the MMO of the location and quantities of material disposed of each month under the Order, by submission of a disposal return by 15th February each year for the months August to January inclusive, and by 15th August each year for the months February to July inclusive. (7) ~~(5)~~ The undertaker must ensure that any rock material used in the construction of the authorised ~~project~~scheme is from a recognised source free from contaminants and containing minimal fines. (8) ~~(6)~~ The undertaker must ensure that any oil, fuel or chemical spill within the marine environment is reported to the MMO, Marine Pollution Response Team within 12 hours.	I

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
29.	Schedule 16 (Deemed Marine Licence), Condition 10	The Applicant has expanded the condition on trenchless landfall techniques to reflect the commitments made in the REAC, following ISH3 and comments made by the local planning authorities.	**Trenchless Landfall Techniques** **10.**—~~yyyyyy)~~ (1) Landfall installation must only use trenchless landfall techniques between the onshore transition joint bay and the exit pits. (2) No exit to trenchless landfall techniques must occur within ~~50m~~105m of saltmarsh habitat within Pegwell Bay. (3) The temporary working area will be located at a minimum distance of 50m from the edge of the saltmarsh habitat within Pegwell Bay. (4) ~~(2)~~ No exit to trenchless landfall techniques must occur within 50m of MLWS at Leiston to Aldeburgh SSSI. 214 (5) No exit to trenchless landfall techniques must occur within 45m east of the continual Coralline Crag outcrop in Suffolk.	I

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
30.	Schedule 16 (Deemed Marine Licence), Condition 11	The Applicant has made further amendments to this condition dealing with Red Throated Diver following its discussions with Natural England.	**Red Throated Diver** **11.**—~~zzzzzz)~~ (1) Unless otherwise agreed in writing with the MMO, in consultation with Natural England and the JNCC as the relevant statutory nature conservation body (SNCB), 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— (a) ~~Pre-sweeping~~pre-sweeping dredging; (b) ~~Boulder~~boulder clearance, pre-lay grapnel run and cable crossing preparation; (c) ~~Cable~~cable installation (specifically mechanical ploughing or cutting and/or water jetting and post lay burial operation); (d) ~~Cable~~cable protection (specifically rock placement); (2) Unless otherwise agreed in writing with the MMO, none of the following activities relating to landfall installation are permitted to take place on or under the seabed within the Outer Thames Estuary SPA between 1 January and 31 March inclusive— (a) Trenchless landfall techniques for landfall installation~~;~~. (3) The provisions of ~~paragraph~~paragraphs (1) and (2) do not apply in respect of emergency cable repair works. (4) The undertaker will comply with the red-throated diver protocol ~~during~~throughout the construction, operation and maintenance of the authorised development.	I
31.	Schedule 18 (Public General Legislation)	An additional section of public general legislation has been included to provide that the undertaker shall be deemed to be a person interested in the Order Land or any part of it for the purposes of Section 106 (1) of the TCPA 1990. This ensures that the Applicant will be deemed to have interest in the land for the	**Town and Country Planning Act 1990** **6.** For the purposes only of Section 106 (1) of that Act the undertaker shall be deemed to be a person interested in the Order Land or any part of it and for the avoidance of doubt Section 106(3)(a) shall include any transferee under Article 7 of this Order.	I

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
		purposes of binding land for a s106 unilateral undertaking.		
32.	Schedule 19 (Certified Documents)	The Applicant has added various documents to the list of certified documents in Schedule 19.	~~(1)~~ *Document Title* ~~(2)~~ *Document Reference* Investigation Outline Fisheries Liaison and Co-existence Plan Outline Invasive Non-Native Species Management Plan Design Approach Document – Suffolk Design Approach Document – Kent Material and Waste Management Plan – Suffolk Material and Waste Management Plan – Kent Outline In-Principle Monitoring Plan Red Throated Diver Protocol Outline Operational Lighting Management Plan Outline Navigation and Installation Plan	I

Table 3.7: Schedule of Changes to Version I of the draft DCO for Deadline 7

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
1.	Article 2 (Interpretation)	The Applicant has included a definition of the Arboricultural Impact Assessment to reflect that it is now listed within Schedule 19 as a certified document as suggested by the ExA in its **Schedule of Changes to the draft Development Consent Order [PD-024]**.	"Arboricultural Impact Assessment" means the document of that description certified by the Secretary of State as the Arboricultural Impact Assessment for the purposes of this Order under article 60 (certification of documents);	J
2.	Article 2 (Interpretation)	The amendments ensure that the title of the Area of Safeguarded Water Depth Plan is accurately referred to.	"areas of safeguarded water depth" means the areas, or any part thereof, shown on the Areas of Safeguarded Water Depth Plan which comprises three areas labelled: Sunk Pilot Boarding area, Long Sand Head Two-Way Route crossing area, and North East Spit area and any reference to any individual one of those areas means the area as shown on the Areas of Safeguarded Water Depth Plan; "areas of safeguarded water depth plan" means the document of that description certified by the Secretary of State as the areas of safeguarded water depth plan for the purposes of this Order under article 60 (certification of documents);	J
3.	Article 2 (Interpretation)	Natural England has requested that it be referred to as the statutory nature conservation body throughout the draft DCO and so a definition has been included for clarity.	"statutory nature conservation body" means the appropriate nature conservation body as defined in regulation 5 of the Conservation of Habitats and Species Regulations 2017.	J

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
4.	Article 10 (Planning Permission and other consents)	The Applicant notes the additional wording proposed at Article 10(4) by Suffolk County Council, and agrees in respect of the wording addressing enforcement in paragraph (b). The Applicant has amended article 10 to include this suggested provision. The Applicant has provided a response in respect of the wording in **Application Document 9.153 Applicant's Response to the ExA's Rule 17 Letter**.	(4) Where any development to which this article relates is carried out or used pursuant to a planning permission granted under the 1990 Act or development consent granted under the 2008 Act, nothing in this article prevents any enforcement action under the 1990 Act or the 2008 Act being taken in relation to any breach of that permission or consent where that breach is not an inconsistency for the purposes of paragraph (2).	J
5.	Article 11(2) (Street Works)	The Applicant has accepted the recommendation of the ExA in its **Schedule of Changes to the draft Development Consent Order [PD-024]**.	(2) Without limiting the scope of the powers conferred by paragraph (1) but subject to the consent of the street authority, ~~which consent shall not be unreasonably withheld or delayed,~~ the undertaker may, for the purposes of the authorised project, or for purposes ancillary to it, enter on so much of any other street whether or not within the Order limits, for the purposes set out at paragraph (1)(a) to (i) and paragraph (3) of article 8 (application of the 1990 Act) shall apply.	J
6.	Article 15 (Temporary closure of streets and public rights of way and permissive paths)	The Applicant has accepted the recommendation of the ExA in its **Schedule of Changes to the draft Development Consent Order [PD-024]**.	(2) Without limitation on the scope of paragraph (1), the undertaker may, with the consent of the street authority ~~(such consent not to be unreasonably withheld or delayed)~~, use as a temporary working site any	J

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
			(5) The undertaker must not temporarily close, alter or divert— (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.	
7.	Article 17 (Access to works)	The Applicant has accepted the recommendation of the ExA in its **Schedule of Changes to the draft Development Consent Order [PD-024]**.	**17.**—(1) The undertaker may, for the purposes of the authorised project— (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); 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.	J
8.	Article 20 (Discharge of water)	The Applicant has accepted the recommendation of the ExA in its **Schedule of Changes to the draft Development Consent Order [PD-024]**.	(3) The undertaker must not discharge any water into any watercourse, public sewer or drain except with the consent of the person to whom it belongs; and such consent may be given subject to such terms and conditions as that person may reasonably impose~~, but must not be unreasonably withheld or delayed~~. (4) The undertaker must not make any opening into any public sewer or drain except— (a) in accordance with plans approved by the person to whom the sewer or drain belongs~~, but such approval must not be unreasonably withheld or delayed~~; and	J
9.	Article 22 (Authority to survey and investigate the land)	The Applicant has accepted the recommendation of the ExA in its **Schedule of Changes to the draft Development Consent Order [PD-024]**.	(5) No trial holes, boreholes, excavations or horizontal cores may be made under this article— (a) on land located within the highway boundary without the consent of the relevant highw authority; or (b) in a private street without the consent of the street authority~~,~~. ~~but such consent must not be unreasonably withheld or delayed.~~	J

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
10.	Article 23 (Removal of human remains)	The Applicant has accepted the recommendation of the ExA in its **Schedule of Changes to the draft Development Consent Order [PD-024]**. The Applicant notes that it has retained the article numbering and included a placeholder comment to avoid changing the article numbering and causing any confusion or cross-referencing amendments at this stage in the examination.	**Removal of human remains** **23.**— [*Article Removed at Deadline 7*] ~~**23.** —u) In this article "the specified land" means any land within the Order limits which the undertaker reasonably considers may contain human remains.~~ ~~(1) Before the undertaker carries out any development or works which will or may disturb any human remains in the specified land it must remove those human remains from the specified land, or cause them to be removed, in accordance with the following provisions of this article.~~ ~~(2) Before any such remains are removed from the specified land the undertaker must give notice of the intended removal, describing the specified land and stating the general effect of the following provisions of this article, by—~~ ~~(a) publishing a notice once in each of two successive weeks in a newspaper circulating in the area of the specified land; and~~ ~~(b) displaying a notice in a conspicuous place on or near to the specified land.~~ ~~(3) As soon as reasonably practicable after the first publication of a notice under paragraph (3) the undertaker must send a copy of the notice to the relevant planning authority.~~	J
11.	Article 28 (Temporary use of land for maintaining the authorised project)	The Applicant has accepted the recommendation of the ExA in its **Schedule of Changes to the draft Development Consent Order [PD-024]**.	**Temporary use of land for maintaining the authorised project** **28.**—~~y)~~ (1) Subject to paragraph (2), at any time during the maintenance period relating to any part of the authorised project, the undertaker may— (a) enter upon and take temporary possession of any land within the Order limits if such possession is reasonably required for the purpose of maintaining the authorised project; (b) construct such temporary works (including the provision of means of access) and buildings on the land as may be reasonably necessary for that purpose; and (c) enter on any land within the Order limits for the purpose of gaining such access as is reasonably required for the purpose of maintaining the authorised project. (2) Paragraph (1) does not authorise the undertaker to take temporary possession of— (a) any house or garden belonging to a house; ~~or~~ (b) any building (other than a house) if it is for the time being occupied~~.~~; or (c) any land identified in the Land Plans and Book of Reference as Class 10 land.	J

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
12.	Article 50 (Traffic regulation)	The Applicant has accepted the recommendation of the ExA in its **Schedule of Changes to the draft Development Consent Order [PD-024]**.	(2) Without limiting the scope of the specific powers conferred by paragraph (1) but subject to the provisions of this article and the consent of the traffic authority in whose area the road concerned is situated, ~~which consent must not be unreasonably withheld or delayed,~~ the undertaker may, in so far as may be expedient or necessary for the purposes of or in connection with construction or maintenance of the authorised project, or for purposes ancillary to it, at any time—	J
13.	Article 51 (Felling or lopping)	The Applicant has accepted the recommendation of the ExA in its **Schedule of Changes to the draft Development Consent Order [PD-024]**.	(11) The power conferred by paragraph (1) does not apply to any trees identified as ancient or veteran in the Arboricultural Impact Assessment, unless it has previously been agreed with the relevant planning authority that they are unsafe and there is no alternative to their removal.	JJ
14.	Article 55 (Procedure regarding certain approvals etc.)	In light of the likely establishment of a DESNZ unit, the Applicant made an additional submission setting out the proposed amendments to the draft DCO submitted prior to Deadline 7 [**AS-167**] which would provide a mechanism for that DESNZ unit to have jurisdiction in respect of the discharge of requirements. The amendments proposed have now been incorporated into the draft DCO for deadline 7.	**Procedure regarding certain approvals etc.** **55.**—~~vv)~~ (1) Where an application or request is submitted to a relevant planning authority, including where the relevant planning authority is the DESNZ unit for the purposes of a Requirement), a highway authority, (a street authority or the owner of a watercourse, sewer or drain for any consent, agreement or approval required or contemplated by any of the provisions of this Order such consent, agreement or approval, if given, must be given in writing ~~and must not be unreasonably withheld or delayed~~.	J

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
15.	Schedule 1	The Applicant has accepted the recommendation of the ExA in its **Schedule of Changes to the draft Development Consent Order [PD-024]**.	*In the Districts of East Suffolk, Thanet and Dover* **Work No. 6 – marine electric line works** Works 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 comprising the laying of a marine electric cable, which may include — (a) temporary work areas and laydown areas associated with the installation and pulling of the cables; (b) works to lay and bury marine electric cables and fibre optic cables within the Order limits seaward of MHWS and landward of MLWS 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;	J
16.	Schedule 3, Interpretation	In light of the likely establishment of a DESNZ unit, the Applicant made an additional submission setting out the proposed amendments to the draft DCO submitted prior to Deadline 7 [**AS-167**] which would provide a mechanism for that DESNZ unit to have jurisdiction in respect of the discharge of requirements. The amendments proposed have now been incorporated into the draft DCO for deadline 7.	**1.** —~~bbb)~~ (1) In this Schedule unless the context requires otherwise— "DESNZ unit" means a group or body set up by or on behalf of the Secretary of State for the purpose of providing any consent, agreement or approval required by requirements contained in development consent orders including the Requirements;	J

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
17.	Schedule 3, Interpretation	Reference 1.10 of the ExA's Rule 17 Letter dated 22 April 2026 [PD-025] requested a schedule detailing the relevant discharging authorities for the requirements. The definition of 'discharging authority' has therefore been updated to give operative effect to the new schedule. A response to 1.10 is provided in **Application Document 9.153 Applicant's Response to the ExA's Rule 17 Letter**.	"discharging authority" means the body responsible for giving any consent, agreement or approval required by a requirement included in this Order (as set out in Schedule 20), or further to any document referred to in any requirement, or the local authority in the exercise of functions set out in sections 60 or 61 of the Control of Pollution Act 1974;	J
18.	Schedule 3, Interpretation	In light of the likely establishment of a DESNZ unit, the Applicant made an additional submission setting out the proposed amendments to the draft DCO submitted prior to Deadline 7 [**AS-167**] which would provide a mechanism for that DESNZ unit to have jurisdiction in respect of the discharge of requirements. The amendments proposed have now been incorporated	(6) From the date of receipt by the undertaker of written notice from the Secretary of State that the DESNZ unit has been established, for the purposes of— (a) each Requirement in this Schedule 3 (requirements) or any document referred to in any requirement, the "relevant planning authority" or as the case may be the "relevant highway authority" shall mean either the DESNZ unit or the body that would otherwise have been the relevant planning authority or relevant highway authority if not for the establishment of the DESNZ unit; and (b) Requirements 5 (management plans and commitments) and 6 (management plans to be approved) or any document referred to in those requirements, in respect of onshore works the "discharging authority" shall mean either the DESNZ unit or the body that would otherwise have been the discharging authority if not for the establishment of the DESNZ unit, for offshore works the "discharging authority" will be the relevant body stated in those requirements in each case as identified by the undertaker pursuant to paragraph 1(1) of Schedule 4 (discharge of requirements).	J

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
		into the draft DCO for deadline 7.		
19.	Schedule 3, Interpretation	The Applicant has provided a response to item 15 of the ExA's **Schedule of Changes to the draft Development Consent Order [PD-024]** in Table 3.8 below. The Applicant has included a definition within requirement 1(3) which seeks to provide clarity as to how the wording 'substantially in accordance' would operate.	(3) Where any Requirement requires the authorised development to be carried out in accordance or general accordance with matters including a plan, document, or details approved by the relevant planning authority, those matters are to be taken to include any amendments that may subsequently be approved in writing by the relevant planning authority. Where any requirement provides that the authorised development or any part of it is to be carried out 'substantially in accordance' with details, or a scheme, plan or other document, this means that the undertaker will carry out such work(s) in a way that is substantially consistent with the information set out in those details, schemes, plans or other document or any subsequent version of the details, scheme, plan or document approved under a requirement and (where the purpose is to mitigate effects identified in the Environmental Statement) in a way that achieves their required mitigatory purpose	J

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
20.	Schedule 3, Requirement 3	The Applicant has made amendments based on the ExA's recommendation in its **Schedule of Changes to the draft Development Consent Order [PD-024]** and following engagement with local authorities. The Applicant has provided a full response to item 8 in table 3.8 below.	*Detailed Design* **3.** —~~ddd)~~ (1) Suffolk Converter Station, Kent Converter Station and Kent Substation (a) No construction of buildings included in Works Nos. 3B, 9B and 11 (Suffolk converter station, Kent converter station and Kent substation) may commence until details of the design, scale and external appearance of that building has been submitted and approved by the relevant planning authority. The ~~design~~details must be substantially in accordance with the relevant Key Design Principles. Design details for Works No.9B and 11 may only be approved following consultation with Historic England and Dover District Council. (b) When discharging this requirement, the relevant planning authority must take into account that the undertaker must meet the Critical Design Constraints ~~and that the undertaker may have limited choice over many aspects of the design and that the design must in the first instance be safe and secure, as recognised by EN-1 Paragraph 4.7.6 and EN-5 paragraph 2.4.3. The aspects where more flexibility may be available include the external colour, surface profile and finish of cladding and the roofline of the permanent buildings, although aspects of these elements will be fixed through technical requirements.~~ . (c) In sub-paragraphs 3(~~2~~1)(a) and 3(~~2~~1)(b) and paragraph 3(3)(c), the Key Design Principles and Critical Design Constraints mean those set out in the relevant tables in the Design Principles – Suffolk and Design Principles – Kent, certified under article 60 (certification of documents). For avoidance of doubt, in sub-paragraphs 3(1)(a) and 3(1)(b) the construction of buildings does not include the construction of the platform or other elements of the authorised project that are not above finished ground level in the location of the buildings. (d) In submitting the details set out in paragraph 3(1)(a), a statement must be included confirming that the detailed design has been reviewed by an independent design review panel and describing the actions taken by the undertaker in response to comments received.	J

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
			(2) Suffolk Substation (Friston) (a) Unless otherwise approved by the relevant planning authority, the Suffolk Substation (Work No 1B) will be constructed in accordance with the following details ~~(which accord with the documents submitted for the discharge of Requirement 12 of part 3 of schedule 1 to SI 2022/433)~~: (i) Substation buildings will be clad in metal cladding using either cool sky tones, light/mid-range ground colours, and darker hedgerow/woodland elements. These colours would include RAL DESIGN 240 80 05, RAL DESIGN 110 60 20 or RAL DESIGN 120 50 05 or similar. (ii) The roof cladding should match the colour of the uppermost wall cladding on the buildings. (iii) The door colour should match the colour of the cladding around it. (iv) Perimeter security fences would be coloured green (RAL DESIGN 110 60 20 or similar). (b) Insofar as the details approved pursuant to Requirement 12 of SI 2022/433 are amended or if the East Anglia TWO or East Anglia ONE North projects do not progress as currently planned, then the relevant planning authority shall have regard to such circumstances when considering whether to approve otherwise pursuant to paragraph (a). (3) Bridge over the River Fromus	

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
21.	Schedule 3, Requirement 3	The Applicant has made an amendment based on the ExA's recommendation in its **Schedule of Changes to the draft Development Consent Order [PD-024]**. The Applicant has provided a full response to item 10 in table 3.8 below. The Applicant has also liaised with Suffolk County Council in respect of the design requirement and has included detail to reflect that SCC will be a consultee.	(3) Bridge over the River Fromus (a) Development of the bridge crossing of the River Fromus (part of Work No. 3a) must not commence until details of the design, layout, scale and external appearance of the bridge have been submitted to and approved by the relevant planning authority, following consultation with the Environment Agency and Suffolk County Council. (b) The bridge over the River Fromus should be designed in accordance with the following parameters: (i) the bridge shall not have a soffit height lower than 10.49 m Above Ordnance Datum (approximately 4m above the Q95 flow level); (ii) abutments for the bridge shall be set back no less than 8m from the top of the bank; and (iii) the bridge shall not have a deck width greater than 6m. (c) The design details submitted under sub-paragraph (a) must be accompanied by a technical statement demonstrating how, recognising the minimum size parameters in sub-paragraph (b)(i) and (b)(ii), the Applicant has sought to reduce the scale of the bridge~~, having regard to the relationship with the landscape mitigation proposals, the articulation of the spanning structure, the design of the abutment walls, and the design of the parapet railings. The technical statement will include a plan, elevation and section drawings, and 3D renders of the bridge design in key view VP02 and CH02.~~ and achieve good design in accordance with the relevant key design principles and paragraphs 4.7.1 to 4.7.8 of the Overarching National Policy Statement for Energy (EN-1, 2023). (d) Should the bridge design comprise a soffit height of less 12.49 m Above Ordnance Datum (approximately 6m above the Q95 flow level), then development of the bridge must not commence until a macro invertebrate monitoring and contingency plan has been submitted to and approved by the relevant planning authority, following consultation with the Environment Agency. The invertebrate monitoring and contingency plan must include:– (i) ~~The~~the requirement to carry out Water Framework Directive compliant surveys twice yearly (spring and autumn), upstream and downstream of the Fromus crossing for a period of five years following completion of the construction of the Fromus crossing. (ii) ~~Principles~~principles of the contingency monetary fund set out in sub-paragraph (e) and criteria for when provision of the fund would be triggered. (e) Following receipt and review of the monitoring results under sub-paragraph (d)(i), should the criteria in sub-paragraph (d)(ii) be exceeded, then a contingency fund would be provided to fund measures to encourage the passage of macro invertebrates around the Fromus crossing (f) The development shall be carried out in accordance with the details approved by the relevant planning authority further to sub-paragraph 3(3)(a).	J

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
22.	Schedule 3, Requirement 3	The Applicant has accepted the recommendation of the ExA in its **Schedule of Changes to the draft Development Consent Order [PD-024]**.	(4) No operational lighting may be installed as part of Work No. 3B, 9B or 11 until an Operational Lighting Management Plan for that stage of the works has been submitted and approved by the relevant planning authority, which must be substantially in accordance with the outline Operational Lighting Management Plan. The lighting shall be installed and operated in accordance with the approved Operational Lighting Management Plan. (5) If Work No. 1B is constructed as part of the Authorised Project, an Operational Lighting Management Plan will be submitted and approved by the relevant planning authority prior to the installation of operational lighting at the substation. The lighting shall be installed and operated in accordance with the approved Operational Lighting Management Plan.	J
23.	Schedule 3, Requirement 4	The Applicant has accepted the recommendation of the ExA in its **Schedule of Changes to the draft Development Consent Order [PD-024]**.	*Stages of the Authorised Development* **4.** —~~eee)~~ (1) Unless otherwise agreed with the relevant planning authority, written notice setting out the anticipated programme for the carrying out of pre-commencement operations must be given to the relevant planning authority no less than ~~seven~~28 days prior to the date on which those pre-commencement operations are first carried out.	J
24.	Schedule 3, Requirement 6	Natural England has requested that it be referred to as the statutory nature conservation body throughout the draft DCO. The Applicant has also amended the plans which the Environment Agency is to be consulted upon following further engagement.	*Management Plans to be Approved* **6.** —~~ggg)~~ (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 (in consultation with the relevant district or county council, the Environment Agency in the case of the Onshore Construction Environmental Management Plan, Construction Noise and Vibration Management Plans ~~and~~, the Material and Waste Management Plan, the Landscape and Ecological Management Plans and Drainage Management Plans and in consultation with ~~Natural England~~the statutory nature conservation body in the case of the Landscape and Ecological Management Plans and	J

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
25.	Schedule 3, Requirement 7	The Applicant notes the comments made by East Suffolk Council in respect of the noise limit in requirement 7(5) and has removed reference to the LOAEL accordingly.	(5) The core working hours referred to in sub-paragraph (1) exclude start-up and close down activities up to 1 hour either side of the core working hours. A 50dBA noise limit ~~(LOAEL)~~ will apply at the nearest noise-sensitive receptor for start-up and close down activities.	J
26.	Schedule 3, Requirement 13	The Applicant has amended the reference to excluding substations for the purposes of preparing a written scheme of decommissioning.	*Decommissioning* **13.**—~~nnn)~~ (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. (2) The approved scheme must be implemented as approved as part of the decommissioning of the authorised development or relevant part of it. (3) This requirement does not apply to the part of the authorised development and associated development described in Schedule 1 (authorised project) which relates to the dismantling and removal of existing infrastructure or apparatus.	J
27.	Schedule 3, Requirement 14	The Applicant has made an amendment based on the ExA's recommendation in its **Schedule of Changes to the draft Development Consent Order [PD-024]**. The Applicant has provided a full response to item 17 in table 3.8 below.	(2) No stage of the authorised development may commence, including any pre-commencement operations that involve intrusive groundworks which for the avoidance of doubt, includes any vegetation removal, where this removal includes intrusive groundworks until for that stage either a preservation in situ Historic Environment Management Plan or a site-specific written scheme of investigation (which accords with the relevant Overarching Written Scheme of Investigation and is informed by the pre-commencement archaeological surveys) has been submitted to and approved by the relevant planning authority, in consultation with Historic England. (4) All archaeological works, including any pre-commencement operations that involve intrusive groundworks which for the avoidance of doubt, includes any vegetation removal, where this removal includes intrusive groundworks must be carried out in accordance with the approved site-specific written scheme of investigation for that stage.	J

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
28.	Schedule 3, Requirement 16	The Applicant has made an amendment based on the ExA's recommendation in its **Schedule of Changes to the draft Development Consent Order [PD-024]**. The Applicant has provided a full response to item 18 in table 3.8 below.	(5) No exit to trenchless landfall techniques must occur within 45m east of the continual Coralline Crag outcrop in Suffolk as identified in plate 2.3 of the Coralline Crag Technical Note. (6) Pneumatic casing installation shall not be used below MHWS unless otherwise agreed in writing with the MMO, following provision of appropriate underwater noise assessment and agreement of any relevant mitigation proposals. (7) No open-cut trenching will be permitted for the repair and maintenance of cables installed by trenchless techniques between the onshore transition joint bay and the exit pits unless otherwise approved by the relevant planning authority in consultation with the statutory nature conservation body.	J
29.	Schedule 3, Requirement 17	Following discussions with London Gateway Port, the Applicant has agreed to redraft paragraph 2 of Requirement 17 to provide greater certainty to the port authorities regarding the interface with the GridLink Interconnector Project.	~~(2)~~ In relation to any part of Work No.6 in the North East Spit Area, including any associated development or ancillary works, the depth protection required under sub-paragraph (1)(c), including the 0.5 metre over-dredge allowance, is to be preserved following the crossing of Work No.6 and the GridLink Interconnector Project cable(s) either— ~~(a) where Work No.6 is installed first,~~ by installing Work No.6 at a depth that provides sufficient vertical clearance for the GridLink Interconnector Project cable(s) to be laid over it without compromising the depth protection required by sub-paragraph (1)(c); or ~~(b) where the GridLink Interconnector Project is installed first, by the undertaker using reasonable endeavours to ensure that the GridLink Interconnector Project cable is installed with sufficient vertical clearance to allow Work No.6 to be installed subsequently without compromising the depth protection required by sub-paragraph 1(c).~~	J
30.	Schedule 3, Requirement Schedule 3, Requirement 18	The Applicant has accepted the recommendation of the ExA in its **Schedule of Changes to the draft Development Consent Order [PD-024]**.	*River Stour Channel* ~~**18.** —sss) This requirement is necessary as it manages the risk of erosion in the area and the secondary risk of harm to habitat and protected species.~~ **18.**~~(1)~~ —(1) No installation of the marine cables in Pegwell Bay may commence until a monitoring and contingency plan has been submitted to and approved by the Marine Management Organisation in consultation with the relevant planning authority and the Environment Agency.	J

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
31.	Schedule 3, new Requirement 19	Following further discussion with Suffolk County Council, the Applicant has included a new requirement to set out emergency planning provisions.	*Emergency Planning* **19.**—(1) No part of the relevant works may commence until the Suffolk Resilience Forum Radiation Emergency Plan has been reviewed to account for the relevant works or part thereof and reissued in accordance with the relevant Radiation Emergency Preparedness Regulations. The reissued Plan must include measures to— (a) protect all members of the workforce engaged in any activity, work, or operation pursuant to any part of the authorised project, during a radiation emergency. (b) minimise any interference, delay or hinderance arising from activities undertaken pursuant to the authorised project to the implementation of the Suffolk Resilience Forum Radiation Emergency Plan during a radiation emergency; and (c) engage in bi-annual review of the Suffolk Resilience Radiation Emergency Plan with the Duty Holder following the reissuing of the Plan pursuant to sub-paragraph (1). (2) Emergency planning arrangements specified within the Suffolk Resilience Forum Radiation Emergency Plan in respect of the relevant works must be implemented in relation to the relevant part of the relevant works, unless otherwise agreed with Suffolk County Council after consultation with the Sizewell Emergency Planning Consultative Committee and Suffolk Resilience Forum and, as appropriate, the Office for Nuclear Regulation. (3) For the purposes of this requirement— (a) "the relevant works" means— (i) the onshore preparation works; (ii) the Suffolk onshore works; and (iii) to the extent that they are within the Sizewell B Outline Emergency Planning Zone, the offshore works; and (b) "the relevant Radiation Emergency Preparedness Regulations" means the Radiation (Emergency Preparedness and Public Information) Regulations 2019; (c) "the relevant Sizewell B Outline Emergency Planning Zone" means the Sizewell Outline Emergency Planning Zone detailed within the Suffolk Resilience Forum Radiation Emergency Plan; and (d) "the Duty Holder" means "the Duty Holder" as defined within the Radiation (Emergency Preparedness and Public Information) Regulations 2019(a) as amended from time to time.	J

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
32.	Schedule 3, new Requirement 20	Following further discussion with Suffolk County Council, the Applicant has included a new requirement to make provision for a reinstatement planting plan.	*Reinstatement planting plan* **20.**—(1) Unless otherwise agreed with the relevant planning authority, no stage of the authorised development may be brought into operational use until, for that stage, a reinstatement planting plan for trees, groups of trees, woodlands and hedgerows to be reinstated during that stage has been submitted to and approved by the relevant planning authority. (2) The reinstatement planting plan submitted under sub-paragraph (1) must include a schedule of trees, hedgerows or other plants or seedlings to be planted, noting numbers, species, sizes and planting density of any proposed planting or seedlings. (3) The reinstatement planting plan submitted under sub-paragraph (1) must be in general accordance with the outline landscape and ecological management plan (or the final landscape and ecological management plan if approved pursuant to requirement 6). Reinstatement planting plan– implementation, compliance and replacement planting. (4) Unless otherwise agreed with the relevant planning authority, all reinstatement planting works must be implemented at the earliest opportunity and no later than by the first available planting season after that part of the authorised development to which the reinstatement planting works apply is first brought into operational use. (5) All reinstatement planting works must be carried out in accordance with the relevant reinstatement planting plan for that stage of the authorised development, unless otherwise approved by the relevant planning authority. (6) All reinstatement planting works must be implemented, monitored and maintained in accordance with the 'Establishment Maintenance' prescriptions of the landscape and ecological management plan approved pursuant to requirement 6. (7) Any trees or hedgerows planted as part of an approved reinstatement planting plan that, at any time within a period of five years after planting are removed, die or become in the opinion of the relevant planning authority seriously damaged or diseased, must be replaced in the first available planting season with a specimen of the same species and size as that originally planted, unless otherwise approved by the relevant planning authority.	J

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
33.	Schedule 3, new Requirement 21	The Applicant has provided a response to item x of the ExA's **Schedule of Changes to the draft Development Consent Order [PD-024]** in Table 3.8 below.	*Mitigation of Intra Project Cumulative Effects* **21.**—(1) Once detailed design is complete and detailed construction and programme information is available, the undertaker commits to undertaking a review of the intra-project cumulative effects assessment submitted with the application (as amended during the Examination) to consider: (a) if the significant intra-project cumulative effects are still considered likely to occur; (b) if they are still considered likely to occur, what additional appropriate mitigation measures may be applied to reduce their significance; and (c) if no such mitigation measures are available, what additional appropriate offsetting measures may be applied following the mitigation hierarchy. (2) Measures considered in 19 (1) would be those that would meet the tests set out in paragraph 4.1.16, being measures that are necessary, relevant to planning, relevant to the development to be consented, enforceable, precise and reasonable in all other respects. (3) Following the process set out in (1) the undertaker would share a draft report with the relevant planning authority and invite feedback on measures identified, providing a 21 day period for comment. The report would then be finalised, incorporating any alternative or additional measures that the undertaker agrees would meet the tests in (2) and including a timetable for the implementation of any measures identified in (1) if applicable. This final report would be shared with relevant planning authorities for information purposes. (4) All measures detailed in the report will be implemented as detailed, unless otherwise agreed with the relevant planning authority.	J

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
34.	Schedule 3, new Requirement 22	Reference 11.2 of the ExA's Rule 17 Letter dated 22 April 2026 [PD-025] requested an additional requirement in respect of access to Pegwell Bay. Therefore, a new requirement to deal with this has been included. A response to 11.2 is provided in **Application Document 9.153 Applicant's Response to the ExA's Rule 17 Letter**.	*Access to Pegwell Bay* **22.**—(1) Access to Pegwell Bay must be constructed in accordance with the following principles: (a) vehicles and machinery must not directly traverse the edge of the concrete skirt. Access shall be via engineered ramps or temporary bridging structures designed to distribute weight and prevent direct contact with the skirt. Structures must be constructed from non-contaminating materials (e.g. geotextile-reinforced matting) and approved by an independent structural engineer prior to use; (b) the hoverport area and all access points must be pre-assessed via non-invasive surveys to identify weak zones; (c) vehicle movements shall be limited to designated structurally sound pathways within the apron, avoiding proximity to the bay edge by at least 5 meters unless bridged; (d) all entry/exit points must incorporate wheel-wash facilities (non-toxic to marine environment and aquatic organisms) or decontamination zones to prevent tracking of materials from the pad into the bay. (2) Prior to construction works that require vehicles to traverse the hoverport structure at Pegwell Bay, a report shall be submitted to the relevant planning authority for approval in consultation with the Environment Agency and the statutory nature conservation body setting out: (a) the results of surveys carried out to include baseline surveys of the concrete skirt integrity, subsurface materials, and bay sediments; (b) proposals for vehicle routing taking account of the surveys above and any relevant ecological surveys, particularly showing the extent of the saltmarsh habitat; (c) a monitoring program to monitor the condition of the hoverport during construction. The monitoring program shall include details of the inspection frequency (which shall be at least monthly), techniques and sampling methods and trigger levels for action.	J

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
35.	Schedule 4	In light of the likely establishment of a DESNZ unit, the Applicant made an additional submission setting out the proposed amendments to the draft DCO submitted prior to Deadline 7 [**AS-167**] which would provide a mechanism for that DESNZ unit to have jurisdiction in respect of the discharge of requirements. The amendments proposed have now been incorporated into the draft DCO for deadline 7.	**1.** —(1) Where notice has been received by the undertaker pursuant to paragraph 1(6) of Schedule 3 (requirements)— (a) the undertaker may make an application for any consent, agreement or approval required by a Requirement (including consent, agreement or approval in respect of part of a Requirement) or any document referred to in any requirement to either, at the undertaker's discretion, the DESNZ unit or the body that would otherwise have been the relevant authority (being either the relevant planning authority, relevant highway authority or discharging authority pursuant to the Requirements, as appropriate) if not for the establishment of the DESNZ unit; and (b) in the case of Requirements (including part of a Requirement) pursuant to which the undertaker has made such application to the DESNZ unit as the relevant authority the DESNZ unit must consult with the body that would otherwise have been the relevant authority as though it was named as a body to be consulted in that Requirement and such body shall be treated as a "Requirement consultee" for the purposes of this Schedule 4 (discharge of requirements).	J
36.	Schedule 4	In light of the likely establishment of a DESNZ unit, the Applicant made an additional submission setting out the proposed amendments to the draft DCO submitted prior to Deadline 7 [**AS-167**] which would provide a mechanism for that DESNZ unit to have jurisdiction in respect of the discharge of requirements. The amendments proposed have now been incorporated	*Fees* **3.** —~~vvv)~~ (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), other than when the relevant authority is the DESNZ unit, a fee must be paid to the relevant authority as follows— (a) such fee as may be prescribed (under sections 303 and 333(2A) of the 1990 Act for the discharge of conditions attached to a planning permission); or (b) a fee of £145 per request.	J

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
		into the draft DCO for deadline 7.		
37.	Schedule 15 (Protective Provisions)	The Applicant has included protective provisions for the benefit of Anglian Water Services Limited at Schedule 15. Additional detail on the progress being made in relation to each statutory undertaker can be found in **Application Document 9.75 Status of Negotiations with Statutory Undertakers and Protective Provisions.**	PART 3 FOR THE PROTECTION OF ANGLIAN WATER SERVICES LIMITED **Application** **1.** For the protection of Anglian Water the following provisions have effect, unless otherwise agreed in writing between the undertaker and Anglian Water.	J
38.	Schedule 15 (Protective Provisions)	The Applicant has included protective provisions for the benefit of Cadent Gas Limited as Gas Undertaker at Schedule 15. Additional detail on the progress being made in relation to each statutory undertaker can be found in **Application Document 9.75 Status of Negotiations with Statutory Undertakers and Protective Provisions.**	PART 4 FOR THE PROTECTION OF CADENT GAS LIMITED AS GAS UNDERTAKER **Application** **1.** For the protection of Cadent the following provisions will, unless otherwise agreed in writing between the undertaker and Cadent, have effect. **Interpretation** **2.** In this Part of this Schedule— "1991 Act" means the New Roads and Street Works Act 1991; "alternative apparatus" means appropriate alternative apparatus to the satisfaction of Cadent to enable Cadent to fulfil its statutory functions in a manner no less efficient than previously;	J

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
39.	Schedule 15 (Protective Provisions)	The Applicant has included protective provisions for the benefit of Network Rail Infrastructure Limited at Schedule 15. Additional detail on the progress being made in relation to each statutory undertaker can be found in **Application Document 9.75 Status of Negotiations with Statutory Undertakers and Protective Provisions.**	PART 7 FOR THE PROTECTION OF RAILWAY INTERESTS **1.** The provisions of this Part of this Schedule have effect, unless otherwise agreed in writing between the undertaker and Network Rail and, in the case of paragraph ~~[~~14~~]~~ of this Part of this Schedule any other person on whom rights or obligations are conferred by that paragraph. **2.** ~~—ooooo)~~ (1) In this Part of this Schedule— "asset protection agreement" means ~~an~~either an asset protection agreement, a basic asset protection agreement or both shall reasonably be determined by Network Rail to regulate the construction and maintenance of the specified work in a form ~~reasonably~~ prescribed from time to time by Network Rail; "construction" includes execution, placing, maintenance, alteration and reconstruction and "construct" and "constructed" have corresponding meanings; "the engineer" means an engineer appointed by Network Rail for the purposes of this Order;	J
40.	Schedule 15 (Protective Provisions)	The Applicant has included protective provisions for the benefit of the Highways Authorities at Schedule 15. Additional detail on the progress being made in relation to each statutory undertaker can be found in **Application Document 9.75 Status of Negotiations with Statutory Undertakers and Protective Provisions.**	PART 5 FOR THE PROTECTION OF THE HIGHWAYS AUTHORITIES **Application etc** **1.** ~~—xxxx)~~ (1) The provisions of this Part of this Schedule apply for the protection of the highway authority and have effect unless otherwise agreed in writing between the undertaker and the relevant highway authority. **Interpretation** **2.** ~~—yyyy)~~ (1) Where the terms defined in article 2 (interpretation) of this Order are inconsistent with sub-paragraph (2), the latter prevail. (2) In this Part of this Schedule – "1980 Act" means the Highways Act 1980;	J

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
41.	Schedule 15 (Protective Provisions)	The Applicant updated the protective provisions for the benefit of London Gateway Port Limited at Schedule 15. Additional detail on the progress being made in relation to each statutory undertaker can be found in **Application Document 9.75 Status of Negotiations with Statutory Undertakers and Protective Provisions.**	PART 6 FOR THE PROTECTION OF LONDON GATEWAY PORT LIMITED **Application** **1.** For the protection of LGPL the following provisions will, unless otherwise agreed in writing between the undertaker and LGPL, have effect in relation to the construction, operation and maintenance of any specified work . **Interpretation** **2.** In this Part of this Schedule— "Areas of Safeguarded Water Depth" means the areas, or any part thereof, shown on the Areas of Safeguarded Water Depth plan which comprises three areas labelled: Sunk Pilot boarding area, Long Sand Head Two-Way Route crossing area, and North East Spit area; "Cable Specification and Installation Plan" means the cable specification and installation plan to be approved by the MMO under condition 4 of the Deemed Marine Licence; "construction" includes execution, placing of a work and the carrying out of any operation, and "construct" and "constructed" are to be construed accordingly;	
42.	Schedule 15 (Protective Provisions)	The Applicant has included protective provisions for the benefit of Northumbrian Water Limited at Schedule 15. Additional detail on the progress being made in relation to each statutory undertaker can be found in **Application Document 9.75 Status of Negotiations with Statutory Undertakers and Protective Provisions.**	PART 8 FOR THE PROTECTION OF NORTHUMBRIAN WATER LIMITED **1.** ~~—xxxxx)~~ (1) For the protection of NWL, the following provisions, unless otherwise agreed in writing between the undertaker and NWL, have effect. (2) In this Part of this Schedule: ~~"alternative apparatus" means alternative apparatus adequate to enable NWL to fulfil its statutory functions in no less efficient a manner than previously including any reasonably necessary protective works for the apparatus;~~ ~~"apparatus" means the following items belonging to or maintained by NWL within the Order limits:~~ ~~(a) in the case of NWL's water undertaking:~~	

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
43.	Schedule 15 (Protective Provisions)	The Applicant has included protective provisions for the benefit of the Port of London Authority at Schedule 15. Additional detail on the progress being made in relation to each statutory undertaker can be found in **Application Document 9.75 Status of Negotiations with Statutory Undertakers and Protective Provisions.**	PART 9 FOR THE PROTECTION OF THE PORT OF LONDON AUTHORITY (OFFSHORE) **Application** **1.** For the protection of PLA the following provisions will, unless otherwise agreed in writing between the undertaker and PLA, have effect in relation to the construction, operation and maintenance of any specified work. **Interpretation** **2.** In this Part of this Schedule— "Areas of Safeguarded Water Depth" means the areas, or any part thereof, as shown on the Areas of Safeguarded Water Depth Plan as the Port of London Authority (PLA) Areas of Safeguard Depth which comprises three areas coloured turquoise: Sunk Pilot ~~boarding~~Boarding area, Long Sand Head Two-Way Route crossing area, and North East Spit area and includes the Sunk Pilot Boarding overlap area coloured yellow and the North East Spit area overlap area coloured orange;	J

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
44.	Schedule 15 (Protective Provisions)	The Applicant has included protective provisions for the benefit of Southern Gas Networks PLC. Additional detail on the progress being made in relation to each statutory undertaker can be found in **Application Document 9.75 Status of Negotiations with Statutory Undertakers and Protective Provisions.**	PART 10 FOR THE PROTECTION OF SOUTHERN GAS NETWORKS PLC *Application* **1.** For the protection of SGN the following provisions will, unless otherwise agreed in writing between the undertaker and SGN, have effect. *Interpretation* **2.** In this Part of this Schedule— "1991 Act" means the New Roads and Street Works Act 1991 "alternative apparatus" means appropriate alternative apparatus to the reasonable satisfaction of SGN to enable SGN to fulfil its statutory functions in a manner no less efficient than previously; "apparatus" means any gas mains, pipelines, pipes, pressure governors, ventilators, cathodic protection (including transformed rectifiers and any associated groundbeds or cables), cables, marker posts, block valves, hydrogen above ground installations or other apparatus belonging to, or maintained by, SGN for the purposes of SGN's undertaking together with any replacement apparatus and such other apparatus constructed pursuant to this Order that becomes operational	J
45.	Schedule 15 (Protective Provisions)	The Applicant has included protective provisions for the benefit of the Southern Water Services Limited at Schedule 15. Additional detail on the progress being made in relation to each statutory undertaker can be found in **Application Document 9.75 Status of Negotiations with Statutory Undertakers and Protective Provisions.**	PART 11 FOR THE PROTECTION OF SOUTHERN WATER SERVICES LIMITED **1.** For the protection of Southern Water, the following provisions, unless otherwise agreed in writing between the undertaker and Southern Water, have effect. **2.** In this Part of this Schedule— "1991 Act" means the New Roads and Street Works Act 1991; "alternative apparatus" means alternative apparatus adequate to enable Southern Water to fulfil its statutory functions in a manner not less efficient than previously; "apparatus" means (a) any works, mains, pipes, pumping stations, connections, water booster stations or any other ancillary apparatus belonging to or maintained by that water undertaker for the purposes of water supply, water removal or drainage; and (b) any drain or works vested in the undertaker under the Water Industry Act 1991(**a**); and	J

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
46.	Schedule 15 (Protective Provisions)	The Applicant has included protective provisions for the benefit of the East Anglia Three Offshore Wind Farm at Schedule 15. Additional detail on the progress being made in relation to each statutory undertaker can be found in **Application Document 9.75 Status of Negotiations with Statutory Undertakers and Protective Provisions.**	PART 12 PROTECTIVE PROVISION FOR THE BENEFIT OF THE UNDERTAKER OF THE EAST ANGLIA THREE OFFSHORE WIND FARM **Application** **1.** °For the protection of the statutory undertaker the following provisions have effect unless otherwise agreed in writing between the undertaker and the statutory undertaker. **Interpretation** **2.** °In this part of the Schedule – "EA3" means the offshore windfarm approximately 69km from the Suffolk coast and an associated cable route to transport energy to a convertor station in Bramford.	J
47.	Schedule 15 (Protective Provisions)	The Applicant has included protective provisions for the benefit of the East Anglia Two Limited at Schedule 15. Additional detail on the progress being made in relation to each statutory undertaker can be found in **Application Document 9.75 Status of Negotiations with Statutory Undertakers and Protective Provisions.**	PART 13 FOR THE PROTECTION OF EAST ANGLIA TWO LIMITED **Application** **1.** °For the Protection of the statutory undertaker the following provisions have effect unless otherwise agreed in writing between the undertaker and the statutory undertaker. **Interpretation** **2.** °In this Part of this Schedule – "authorised development" has the same meaning as is given to the term in article [2] (interpretation) of this Order and includes any associated development authorised by the Order; "As-built Survey" means a survey to be carried out following the completion of any part of the authorised development within 15m of the cable crossing recording (i) the configuration of the cable crossing and facilities ancillary thereto within a distance of two hundred metres (200m) of the cable crossing and the state of the land and position and condition of any cables within a distance of two hundred metres (200m) of the cable crossing. "As-found Survey" means a survey to be carried out prior to the commencement of any part of the authorised development within 15m of the cable crossing recording the position and condition of	J

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
48.	Schedule 15 (Protective Provisions)	The Applicant has included protective provisions for the benefit of the East Anglia One North Limited at Schedule 15. Additional detail on the progress being made in relation to each statutory undertaker can be found in **Application Document 9.75(C) Status of Negotiations with Statutory Undertakers and Protective Provisions.**	PART 14 FOR THE PROTECTION OF EAST ANGLIA ONE NORTH LIMITED **Application** **1.** °For the Protection of the statutory undertaker the following provisions have effect unless otherwise agreed in writing between the undertaker and the statutory undertaker. **Interpretation** **2.** °In this Part of this Schedule – "authorised development" has the same meaning as is given to the term in article [2] (interpretation) of this Order and includes any associated development authorised by the Order; "As-built Survey" means a survey to be carried out following the completion of any part of the authorised development within 15m of the cable crossing recording (i) the configuration of the cable crossing and facilities ancillary thereto within a distance of two hundred metres (200m) of the cable crossing and the state of the land and position and condition of any cables within a distance of two hundred metres (200m) of the cable crossing. "As-found Survey" means a survey to be carried out prior to the commencement of any part of the authorised development within 15m of the cable crossing recording the position and condition of the cable crossing and the state of the land along the proposed route of the cable crossing within a distance of two hundred metres (200m) of the cable crossing; "cable crossing" means any location at which any part of the authorised development will intersect	J
49.	Schedule 16 (Deemed marine licence)	The Applicant has amended the contact details for the MCA following a request by the MCA.	(f) Maritime and Coastguard Agency Navigation Safety Branch Bay 2/20 Spring Place 105 Commercial Road Southampton SO15 1EG Tel: 020 3817 ~~2426~~2000 navigationsafety@mca.gov.uk	J
50.	Schedule 16 (Deemed marine licence)	The Applicant has added an additional definition of 'trial trenching' to provide greater clarity over what such activity would involve, following discussion with Natural England and marine stakeholders.	"trial trenching" means the testing of cable trenching tools within the Order Limits which may be undertaken to assess whether such tools achieve the required target trench depth;	J

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
51.	Schedule 16 (Deemed marine licence)	The Applicant has included a definition of 'emergency cable repair works' to reflect **Application Document 6.1.1.4(E) Chapter 4 Description of the Proposed Project**.	"emergency cable repair works" means repair works to Work No.6 which are necessary to be undertaken as a time-critical intervention in a serious and unexpected accident, event or situation which threatens damage sufficient to cause danger to persons or property (including risks to marine navigation and other sea users), and/or is sufficient to prevent the proper functioning of the offshore HVDC cable asset in circumstances where a prolonged outage would adversely affect the stability and security of the national transmission network;	J
52.	Schedule 16 (Deemed marine licence)	The Applicant has amended the reference from 'is unlikely to' to 'will not' in response to the MMO's submissions made at Deadline 6.	**11.** Any amendments to the details, plan or scheme must be in accordance with the principles and assessments set out in the environmental statement, and approval for an amendment may be given only where it has been demonstrated to the satisfaction of the MMO that the amendment ~~is unlikely to~~will not give rise to any materially new or materially different environmental effects from those assessed in the environmental statement.	J

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
53.	Schedule 16 (Deemed marine licence) Condition 1 (Design parameters)	The Applicant has removed reference to the International Regulations for Preventing Collisions at Sea following discussion with the MCA. The Applicant has also added a new condition 1(f) which deals with cable crossings within the Areas of Safeguarded Water Depth following engagement with the port authorities.	(2) The total pre-sweeping volume must not exceed 325,000 cubic metres. (3) In the Areas of Safeguarded Water Depth— (a) no wet storage activities are to be carried out by the undertaker as part of the licensed activities in respect of Work No.6; (b) no exclusion zones will be implemented as part of the licenced activities but this does not prevent any Recommended Restricted Zones ~~required by and within the meaning of the Convention on the International Regulations for Preventing Collisions at Sea 1972 as implemented by the Merchant Shipping (Distress Signals and Prevention of Collisions) Regulations 1996 (S.I.1996/75);~~in accordance with the Navigation and Installation Plan; (c) there are to be no cable joints as part of the construction or maintenance of Work No. 6 (unless necessitated by emergency maintenance works); (d) In the event that a cable crossing is reasonably necessary in the North East Spit Area due to the proposed GridLink Interconnector Project— (i) If Work No.6 is installed first, the undertaker must install Work No. 6 at a depth that provides sufficient vertical clearance for the GridLink Interconnector Project cable(s) to be laid so that subsequent installation would not preclude or impede the dredging of those parts of the Areas of Safeguarded Water Depth to the depth specified in Requirement 17 of Schedule 3 and the undertaker is not responsible for any failure to meet the required depth protection caused by the subsequent installation of the GridLink Interconnector Project cable(s); and (ii) If the GridLink Interconnector Project cable(s) are installed first, the undertaker must use reasonable endeavours to ensure that the GridLink Interconnector Project cable(s) are installed with sufficient vertical clearance to allow the subsequent installation of Work No. 6 to a depth which would not preclude or impede the dredging of those parts of the Areas of Safeguarded Water Depth to the depth specified in Requirement 17 of Schedule 3; (e) Where there are existing cables installed in the North East Spit Area that are to be crossed by Work No.6 the undertaker must install Work No.6 so as to achieve the required depth protection specified in Requirement 17 of Schedule 3. (f) There are to be no cable crossings as part of the construction of Work No.6 within the Long Sand Head Two-way Route Crossing area and the Sunk Pilot Boarding Area as shown on the certified Areas of Safeguard Water Depth Plan, except where a cable crossing is required to cross any new unforeseen cable which is laid prior to construction of Work No.6.	J

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
54.	Schedule 16 (Deemed marine licence) Condition 3 (notifications and inspections)	The Applicant has accepted the recommendation of the ExA in its **Schedule of Changes to the draft Development Consent Order [PD-024]**.	(11) In case of damage to, or destruction or decay of, the authorised project seaward of MHWS or any part thereof the undertaker must as soon as possible and no later than 24 hours following the undertaker becoming aware of any such damage, destruction or decay, notify MMO, MCA, Trinity House, Kingfisher Information Service of Seafish and the UK Hydrographic Office. (12) In case of exposure of cables on or above the seabed, the undertaker must, within five days following identification of a cable exposure, and as soon as practicable within the Areas of Safeguarded Water Depth and no later than five days, notify mariners by issuing a notice to mariners and by informing Kingfisher Information Service of the location and extent of exposure. Copies of all notices must be provided to the MMO, MCA, Trinity House, Kingfisher Information Service of Seafish and UK Hydrographic Office within seven days of the exposure identification.	J
55.	Schedule 16 (Deemed marine licence) Condition 4 (pre-construction plans and documentation)	Natural England has requested that it be referred to as the statutory nature conservation body throughout the draft DCO.	**4.** ~~—aaaaaaa)~~ (1) The licensed activities or any part of those activities under Work No. 6, save for trial trenching, must not commence until the following plans in respect of those activities have been submitted to and approved in writing by the MMO, such approval to be within a period of six months from submission (in consultation with ~~Natural England~~the statutory nature conservation body, the JNCC, MCA, the Environment Agency, PLA, Trinity House and Cefas)—	J

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
56.	Schedule 16 (Deemed marine licence) Condition 4 (pre-construction plans and documentation)	The Applicant has made amendments to this condition based on the ExA's recommendation in its **Schedule of Changes to the draft Development Consent Order [PD-024]**. The Applicant has provided a full response to item 24 in table 3.8 below.	(a) a Cable Specification and Installation Plan document in respect of those licensed activities, which is in substantial accordance with the principles set out in the outline Cable Specification and Installation Plan and which has been informed by a cable burial risk assessment which shall include details of— (i) a sediment disposal management plan; (ii) 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; (iii) proposed detailed location and route of offshore cables, including micro-siting where necessary, together with timings; (iv) ~~timings and duration of~~an intertidal works methodology and mitigation plan for Pegwell Bay; (v) a detailed cable laying and burial plan, incorporating a burial risk assessment encompassing the identification of any cable protection that exceeds 5% of navigable depth referenced to Chart Datum and, in the event that any area of cable protection exceeding 5% of navigable depth is identified, details of any steps (to be determined following consultation with the MCA and Trinity House) to be taken to ensure existing and future safe navigation is not compromised or similar such assessment to ascertain suitable burial depths and cable laying techniques, including cable protection; (vi) a detailed cable protection plan; (vii) details of intended boulder removal; (viii) a marine pollution contingency plan; ~~and~~ (ix) a waste management plan; and (x) a landfall method statement in accordance with the construction methods assessed in the environmental statement;	J

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
57.	Schedule 16 (Deemed marine licence) Condition 4 (pre-construction plans and documentation)	The Applicant has amended the wording to give additional clarity.	(3) Except where otherwise stated or agreed with the MMO in writing, each programme, statement, plan, protocol or scheme required to be approved under condition 4 must be submitted for approval at least six months prior to the intended commencement of the part of the licensed activities to which it relates. Any programme, statement, plan, protocol or scheme or phase of than plan, protocol or scheme can be submitted under the following phases of works— (a) Landfall installation; (b) Seabed preparation; (c) Cable lay and burial; (d) Post lay cable protection.	J
58.	Schedule 16 (Deemed marine licence) Condition 4 (pre-construction plans and documentation)	The Applicant has accepted the recommendation of the ExA in its **Schedule of Changes to the draft Development Consent Order [PD-024]**.	(4) The licensed activities must be carried out in accordance with the approved plans, protocols, statements, schemes and details approved under condition 4, unless otherwise agreed in writing by the MMO. (5) In undertaking the licensed activities, the undertaker must not reduce water depth by more than 5% unless agreed with the MMO in writing in consultation with MCA and Trinity House, and within the Areas of Safeguarded Water Depth, water depth must not be reduced in exceedance of the depths specified in Schedule 3, Requirement 17. (6) In undertaking the licensed activities, the undertaker must not reduce existing water depths between KP 33 and KP 38 unless agreed with the MMO in writing in consultation with the MCA and Trinity House. (7) Unless otherwise agreed with the MMO, a sediment sampling plan request must be submitted and the results submitted for analysis to the MMO prior to any pre-sweeping works at the Sunk Pilot Boarding area as shown on the Areas of Safeguarded Water Depth Plan and the sediment sampling and analysis must be completed by a laboratory validated by the MMO. (8) The licensed activities or any part of those activities must not commence until details of the final cable route, including coordinates have been approved by the MMO pursuant to paragraph 4(1).	J
59.	Schedule 16 (Deemed marine licence) Condition 8 (Chemicals)	The Applicant has made amendments to update the references to disposal sites based on further engagement with the MMO.	(5) The undertaker must ensure that only inert material of natural origin, drilling mud and dredged material, produced during the landfall installation or seabed preparation works is disposed of within the disposal site references(s) to be provided by the MMO within the extent of the Order limits seaward of MHWS.	J

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
60.	Schedule 16 (Deemed marine licence) Condition 10 (Trenchless Landfall Techniques)	The Applicant has made an amendment based on the ExA's recommendation in its **Schedule of Changes to the draft Development Consent Order [PD-024]**. The Applicant has provided a full response to item 18 in table 3.8 below.	(5) No exit to trenchless landfall techniques must occur within 45m east of the continual Coralline Crag outcrop in Suffolk as identified in plate 2.3 of the Coralline Crag Technical Note. (6) Pneumatic casing installation shall not be used below MHWS unless otherwise agreed in writing with the MMO, following provision of appropriate underwater noise assessment and agreement of any relevant mitigation proposals. (7) No open-cut trenching will be permitted for the repair and maintenance of cables installed by trenchless techniques between the onshore transition joint bay and the exit pits unless otherwise approved by the relevant planning authority in consultation with the statutory nature conservation body.	J
61.	Schedule 16 (Deemed marine licence) Condition 11 (Red Throated Diver)	The Applicant has accepted the recommendation of the ExA in its **Schedule of Changes to the draft Development Consent Order [PD-024]**.	**Red Throated Diver** **11.**—~~hhhhhhh)~~ (1) Unless otherwise agreed in writing with the MMO, in consultation with ~~Natural England~~the statutory nature conservation body and the JNCC as the relevant statutory nature conservation body (SNCB), none of the following activities relating to cable laying are permitted to take place on the seabed within the Outer Thames Estuary SPA and a 2km buffer between 1 November and 31 March inclusive— (a) pre-sweeping dredging; (b) boulder clearance, pre-lay grapnel run 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); (e) routine monitoring and maintenance. (2) Unless otherwise agreed in writing with the MMO, none of the following activities relating to landfall installation are permitted to take place on or under the seabed within the Outer Thames Estuary SPA between 1 January and 31 March inclusive— (a) Trenchless landfall techniques for landfall installation. (3) The provisions of paragraphs (1) and (2) do not apply in respect of emergency cable repair works (and for the avoidance of doubt emergency cable repair works are not a licensed marine activity for the purposes of this licence). (4) The undertaker will comply with the red-throated diver protocol throughout the construction, operation and maintenance of the authorised development.	J

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
62.	Schedule 16 (Deemed marine licence) Condition 12 (Maintenance)	The Applicant has accepted the recommendation of the ExA in its **Schedule of Changes to the draft Development Consent Order [PD-024]**.	(3) In undertaking activities under condition 12(2)(d), the undertaker must not reduce water depth by more than 5% unless agreed with the MMO in writing in consultation with the MCA, and in the Areas of Safeguarded Water Depth water depth must not be reduced in exceedance of the depths specified in Schedule 3, Requirement 17.	
63.	Schedule 16 (Deemed marine licence)	The Applicant has accepted the recommendation of the ExA in its **Schedule of Changes to the draft Development Consent Order [PD-024]**.	**Pre-construction surveys and monitoring** **15.**—(1) The undertaker must carry out pre-construction surveys, in accordance with the outline In Principle Monitoring Plan, to inform the delivery of commitments and mitigation identified in the Outline Offshore Construction Environmental Management Plan in condition 4(b); (2) The pre-construction surveys referred to in sub-paragraph (1) must have due regard to, but not be limited to, the need to undertake— (a) a survey to determine the location and extent of any benthic habitats of principal importance (qualifying as Habitats Regulations Annex I habitats; Natural Environment and Rural Communities (NERC) Section 41 habitats and species) within the Order limits in which it is proposed to carry out the licensed activities forming part of Work No.6 or any part of those activities under Work No.6; (b) a full sea floor coverage swath bathymetry survey undertaken to IHO Order 1a standard that meets the requirements of MGN654 and its annexes, and side scan sonar, of the area(s) within the Order limits in which it is proposed to carry out of the licensed activities forming part of Work No.6 or any part of those activities under Work No.6. (3) In accordance with the environmental principles set out in the Outline Cable Specification and Installation Plan, where benthic habitats of principal importance (qualifying as Habitats Regulations Annex I habitats; Natural Environment and Rural Communities (NERC) Section 41 habitats and species) are identified during pre-construction surveys,and additional mitigation is required to avoid or reduce	

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
64.			impacts impact on these habitats, the undertaker must prepare a Benthic Mitigation Plan. If necessary, a Benthic Mitigation Plan(s) must be submitted to and approved in writing by the MMO prior to Work no. 6 commencing and should include a timetable for implementation of the mitigation and details of any necessary monitoring. Any agreed mitigation and/or monitoring must be implemented in accordance with the agreed timetable. (4) The undertaker must produce a monitoring plan, in substantial accordance with the outline In-Principle Monitoring Plan, based on sub paragraphs (1)(2) and (3), to be submitted to the MMO (unless otherwise agreed in writing by the MMO) within three months of the 'as-built survey' taking place; (5) In the event that the reports provided to the MMO identify impacts which are unanticipated, and in the view of the MMO, in consultation with the relevant statutory nature conservation body, are significantly beyond those predicted within the Environmental Statement, Habitats Regulations Assessment, or Marine Conservation Zone Assessment, an Adaptive Management Plan shall be produced and submitted alongside the relevant post-construction monitoring reports. The plan shall identify measures to reduce effects to ensure that these impacts are no worse than was predicted within the Environmental Statement, Habitats Regulations Assessment, or Marine Conservation Zone Assessment, unless otherwise agreed by the MMO in writing in consultation with the relevant statutory nature conservation bodies. This plan must be agreed by the MMO in consultation with the relevant statutory nature conservation bodies to reduce effects to an agreed suitable level for this development. Any such agreed and approved adaptive management or mitigation should be implemented and monitored in full to a timetable first agreed in writing with the MMO in consultation with the relevant statutory nature conservation body.	
65.	Schedule 18 (Public General Legislation)	The wording in relation to s106 of the Town and Country Planning Act has been updated following engagement with SCC so that the wording also captures transferees/lessees of the undertaking in the same way as s.106 provisions would usually apply to successors in title to freehold land.	**Town and Country Planning Act 1990** **6.** For the purposes only of Section 106 (1) of that Act the undertaker shall be deemed to be a person interested in the Order Land or any part of it and for the avoidance of doubt Section 106(3) (a) shall include any transferee or lessee under Article 7 of this Order~~.~~ and in Section 106(3)(b) reference to any person deriving title from a person falling within Section 106(3)(a) shall include the undertaker and any transferee or lessee who has the benefit of all or part of the provisions of the Order pursuant to Article 7 of the Order.	J

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
66.	Schedule 19	The Applicant has accepted the recommendation of the ExA in its **Schedule of Changes to the draft Development Consent Order [PD-024]**.	*Document Title* / *Document Reference* Investigation Outline Fisheries Liaison and Co-existence Plan Outline Invasive Non-Native Species Management Plan Design Approach Document – Suffolk Design Approach Document – Kent Material and Waste Management Plan – Suffolk Material and Waste Management Plan – Kent Outline In-Principle Monitoring Plan Red Throated Diver Protocol Outline Operational Lighting Management Plan Outline Navigation and Installation Plan Arboricultural Impact Assessment Areas of Safeguarded Water Depth Plan The Coralline Cragg Technical Note	J

Ref	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
67.	Schedule 20	Reference 1.10 of the ExA's Rule 17 Letter dated 22 April 2026 [PD-025] requested an additional schedule setting out details of the discharging authorities. Therefore, a new schedule to deal with this has been included. A response to 1.10 is provided in **Application Document 9.153 Applicant's Response to the ExA's Rule 17 Letter**.	SCHEDULE 20 Schedule 3 Table of Discharging Authorities *Requirement* / *Discharging authority** / *In consultation with* Requirement 3(1) (Detailed Design) — In Suffolk, East Suffolk Council; In Thanet, Thanet District Council; In Dover, Dover District Council — In Suffolk, Suffolk County Council; In Kent, Kent County Council and Historic England; In Thanet, Dover District Council; In Dover, Thanet District Council Requirement 3(2) (Detailed Design) — East Suffolk Council — Suffolk County Council Requirement 3(3) (Detailed Design) — East Suffolk Council — Suffolk County Council; Environment Agency Requirement 3(4) (Detailed Design) — In Suffolk, East Suffolk Council; In Thanet, Thanet District Council; In Dover, Dover District Council — In Suffolk, Suffolk County Council; In Kent, Kent County Council Requirement 5 — In Suffolk, East Suffolk Council; In Thanet, Thanet District Council — In Suffolk, Suffolk County Council	J

Table 3.8: Applicant's response to Examining Authority's Schedule of Changes

No	Article / Schedule	Text as set out in the draft DCO [REP6-004]	ExA's Recommended Amendment	Reason and Notes	Applicant's Response
1	Use of 35 day decision period within the dDCO in:	"35 days"	"35 **56** days"	The ExA considers that given the volume of NSIPs within the local authority areas and the need to allow for	The Applicant notes this recommended amendment and item 22 below. However, the Applicant remains of the position that 35 days is the

	• article 11(3) • article 15(9) • article 17(2) • article 20(9) • article 22(8) • article 50(9)			consultation and proper scrutiny, that a 56 day period is reasonable and appropriate.	appropriate period as set out in the submissions made throughout the examination.
2	Use of "which consent shall not be unreasonably withheld or delayed" within the dDCO in: • article 11(2) • article 15(2) • article 15(5)(b) • article 17(1)(b) • article 20(3) and (4) • article 22(5) • article 50(2) • article 55(1)	"which shall not be unreasonably withheld or delayed" 11(2) "(such consent not to be unreasonably withheld or delayed)" 15(2) and 15(5)(b) "(such consent not to be unreasonably withheld or delayed)" 17(1)(b) "but must not be unreasonably withheld or delayed" 20(3) "but such approval must not be unreasonably withheld or delayed" 20(4) "but such consent must not be unreasonably	"~~which shall not be unreasonably withheld or delayed~~" 11(2) ~~"(such consent not to be unreasonably withheld or delayed)~~" 15(2) and 15(5)(b) ~~"(such consent not to be unreasonably withheld or delayed)"~~ 17(1)(b) "~~but must not be unreasonably withheld or delayed~~" 20(3) ~~"but such approval must not be unreasonably withheld or delayed"~~ 20(4) ~~"but such consent must not be unreasonably withheld or delayed"~~ 22(5) ~~"which consent must not be unreasonably withheld or delayed"~~ 50(2) ~~"and must not be unreasonably withheld or delayed"~~ 55(1)	The ExA has carefully considered responses to written questions and oral submissions made in hearings on this issue. The ExA considers that the inclusion of 'which shall not be or must not be unreasonably withheld or delayed' (or a variation of such words) would add ambiguity rather than clarity.	The Applicant has accepted the recommendation of the ExA in its **Schedule of Changes to the draft Development Consent Order [PD-024]** and has amended the draft DCO accordingly as set out in table 3.7 above.

		withheld or delayed" 22(5) "which consent must not be unreasonably withheld or delayed" 50(2) "and must not be unreasonably withheld or delayed" 55(1)			
3	23. Removal of human remains	23.—(1) In this article "the specified land" means any land within the Order limits which the undertaker reasonably considers may contain human remains. (2) Before the undertaker carries out any development or works which will or may disturb any human remains in the specified land it must remove those human remains from the specified land, or cause them to be removed, in accordance with the following provisions of this article. (3) Before any such remains are	~~23.—(1) In this article "the specified land" means any land within the Order limits which the undertaker reasonably considers may contain human remains. (2) Before the undertaker carries out any development or works which will or may disturb any human remains in the specified land it must remove those human remains from the specified land, or cause them to be removed, in accordance with the following provisions of this article. (3) Before any such remains are removed from the specified land the undertaker must give notice of the intended removal, describing the specified land and stating the general effect of the following provisions of this article, by - (a) publishing a notice once in each of two successive weeks~~	There are no known burial grounds within the order limits so the ExA considers this article to be unnecessary. Any archaeological human remains should be dealt with in accordance with the archaeological written scheme of investigation.	The Applicant has accepted the recommendation of the ExA in its **Schedule of Changes to the draft Development Consent Order [PD-024]** and has amended the draft DCO accordingly as set out in table 3.7 above.

		removed from the specified land the undertaker must give notice of the intended removal, describing the specified land and stating the general effect of the following provisions of this article, by - (a) publishing a notice once in each of two successive weeks in a newspaper circulating in the area of the specified land; and (b) displaying a notice in a conspicuous place on or near to the specified land. (4) As soon as reasonably practicable after the first publication of a notice under paragraph (3) the undertaker must send a copy of the notice to the relevant planning authority. (5) At any time within 56 days after the first publication of a notice under paragraph (3) any person who is a	~~in a newspaper circulating in the area of the specified land; and (b) displaying a notice in a conspicuous place on or near to specified land. (4) As soon as reasonably practicable after the first publication of a notice under paragraph (3) the undertaker must send a copy of the notice to the relevant planning authority. (5) At any time within 56 days after the first publication of a notice under paragraph (3) any person who is a personal representative or relative of any deceased person whose remains are interred in the specified land may give notice in writing to the undertaker of that person's intention to undertake the removal of the remains. (6) Where a person has given notice under paragraph (5), and the remains in question can be identified, that person may cause such remains to be— (a) removed and re-interred in any burial ground or cemetery in which burials may legally take place; or (b) removed to, and cremated in, any crematorium, and that person must, as soon as reasonably practicable after such re-interment or cremation,~~		

		personal representative or relative of any deceased person whose remains are interred in the specified land may give notice in writing to the undertaker of that person's intention to undertake the removal of the remains. (6) Where a person has given notice under paragraph (5), and the remains in question can be identified, that person may cause such remains to be— (a) removed and re-interred in any burial ground or cemetery in which burials may legally take place; or (b) removed to, and cremated in, any crematorium, and that person must, as soon as reasonably practicable after such re-interment or cremation, provide to	~~provide to the undertaker a certificate for the purpose of enabling compliance with paragraph (11). (7) If the undertaker is not satisfied that any person giving notice under paragraph (5) is the personal representative or relative as that person claims to be, or that the remains in question can be identified, the question is to be determined on the application of either party in a summary manner by the county court, and the court may make an order specifying who will remove the remains and as to the payment of the costs of the application. (8) Subject to paragraph (7), the undertaker must pay the reasonable expenses both of responding to notices under this article and of removing and re-interring or cremating the remains of any deceased person under this article. (9) If— (a) within the period of 56 days referred to in paragraph (5) no notice under that paragraph has been given to the undertaker in respect of any remains in the specified land; or (b) such notice is given and no application is made under paragraph (7) within 56 days after~~		

		the undertaker a certificate for the purpose of enabling compliance with paragraph (11). (7) If the undertaker is not satisfied that any person giving notice under paragraph (5) is the personal representative or relative as that person claims to be, or that the remains in question can be identified, the question is to be determined on the application of either party in a summary manner by the county court, and the court may make an order specifying who will remove the remains and as to the payment of the costs of the application. (8) Subject to paragraph (7), the undertaker must pay the reasonable expenses both of responding to notices under this	~~the giving of the notice but the person who gave the notice fails to remove the remains within a further period of 56 days; or (c) within 56 days after any order is made by the county court under paragraph (7) any person, other than the undertaker, specified in the order fails to remove the remains; or (d) it is determined that the remains to which any such notice relates cannot be identified, subject to paragraph (10) the undertaker must remove the remains and cause them to be re-interred in such burial ground or cemetery in which burials may legally take place as the undertaker thinks suitable for the purpose; and, so far as possible, remains from individual graves must be re interred in individual containers which must be identifiable by a record prepared with reference to the original position of burial of the remains that they contain. (10) If the undertaker is satisfied that any person giving notice under paragraph (5) is the personal representative or relative as that person claims to be and that the remains in question can be identified, but that person does~~		

		article and of removing and re-interring or cremating the remains of any deceased person under this article. (9) If— (a) within the period of 56 days referred to in paragraph (5) no notice under that paragraph has been given to the undertaker in respect of any remains in the specified land; or (b) such notice is given and no application is made under paragraph (7) within 56 days after the giving of the notice but the person who gave the notice fails to remove the remains within a further period of 56 days; or (c) within 56 days after any order is made by the county court under paragraph (7) any person, other than the undertaker, specified in the order	~~not remove the remains, the undertaker must comply with any reasonable request that person may make in relation to the removal and re-interment or cremation of the remains. (11) On the re-interment or cremation of any remains under this article— (a) a certificate of re-interment or cremation is to be sent by the undertaker to the Registrar General giving the date of re-interment or cremation and identifying the place from which the remains were removed and the place in which they were re-interred or cremated; and (b) a copy of the certificate of re-interment or cremation and the record mentioned in paragraph (9) is to be sent by the undertaker to the relevant planning authority mentioned in paragraph (4). (12) No notice is required under paragraph (3) before the removal of any human remains where the undertaker is satisfied— (a) that the remains were interred more than 100 years ago; and (b) that no relative or personal representative of the deceased is likely to object to the remains being removed in accordance with this article. (13) In the case~~		

		fails to remove the remains; or (d) it is determined that the remains to which any such notice relates cannot be identified, subject to paragraph (10) the undertaker must remove the remains and cause them to be re-interred in such burial ground or cemetery in which burials may legally take place as the undertaker thinks suitable for the purpose; and, so far as possible, remains from individual graves must be re interred in individual containers which must be identifiable by a record prepared with reference to the original position of burial of the remains that they contain. (10) If the undertaker is satisfied that any person giving notice under paragraph (5) is the personal	~~of remains in relation to which paragraph (12) applies, the undertaker— (a) may remove the remains; (b) must apply for direction from the Secretary of State under paragraph (15) as to their subsequent treatment; and (c) must deal with the remains in such manner, and subject to such conditions, as the Secretary of State directs. (14) In this article— (a) references to a relative of the deceased are to a person who— (i) is a husband, wife, civil partner, parent, grandparent, child or grandchild of the deceased; or (ii) is, or is a child of, a brother, sister, uncle or aunt of the deceased. (b) references to a personal representative of the deceased are to a person who— (i) is the lawful executor or executrix of the estate of the deceased; or (ii) is the lawful administrator of the estate of the deceased. (15) The removal of the remains of any deceased person under this article must be carried out in accordance with any directions which may be given by the Secretary of State. (16) Any jurisdiction or function conferred on the county court by this article may be exercised by a~~		

		representative or relative as that person claims to be and that the remains in question can be identified, but that person does not remove the remains, the undertaker must comply with any reasonable request that person may make in relation to the removal and re-interment or cremation of the remains. (11) On the re-interment or cremation of any remains under this article— (a) a certificate of re-interment or cremation is to be sent by the undertaker to the Registrar General giving the date of re-interment or cremation and identifying the place from which the remains were removed and the	~~district judge of the court. (17) Section 25 (Offence of removal of body from burial grounds) of the Burial Act 1857(a) does not apply to a removal carried out in accordance with this article. (18) The Town and Country Planning (Churches, Places of Religious Worship and Burial Ground) Regulations 1950(b) does not apply to the authorised project. (19) Sections 238 (use and development of consecrated land) and 239 (use and development of burial grounds) of the 1990 Act apply— (a) in relation to land, other than a right over land, acquired for the purposes of the authorized project (whether or not by agreement), so as to permit use by the undertaker in accordance with the provisions of this Order; and (b) in relation to a right over land so acquired (whether or not by agreement), or the temporary use of land pursuant to articles 27 (temporary use of land for carrying out the authorised project) and 28 (temporary use of land for maintaining the authorised project), so as to permit the exercise of that right or the temporary use by the~~		

		place in which they were re-interred or cremated; and (b) a copy of the certificate of re-interment or cremation and the record mentioned in paragraph (9) is to be sent by the undertaker to the relevant planning authority mentioned in paragraph (4). (12) No notice is required under paragraph (3) before the removal of any human remains where the undertaker is satisfied— (a) that the remains were interred more than 100 years ago; and (b) that no relative or personal representative of the deceased is likely to object to the remains being removed in accordance with this article. (13) In the case of remains in relation to which paragraph (12) applies, the	~~undertaker in accordance with the provisions of this Order, without prejudice to the status of the land over which the right is exercised as consecrated land, and in section 238(1)(b) of the 1990 Act reference to a "planning permission" includes this Order, in section 240(1) of the 1990 Act reference to "regulations made for the purposes of sections 238(3) and (4) and 239(2)" means, so far as applicable to land or a right over land acquired under this Order, paragraphs (2) to (16) of this article and in section 240(3) of the 1990 Act reference to a "statutory undertaker" includes the undertaker and reference to "any other enactment" includes this Order.~~		

		undertaker— (a) may remove the remains; (b) must apply for direction from the Secretary of State under paragraph (15) as to their subsequent treatment; and (c) must deal with the remains in such manner, and subject to such conditions, as the Secretary of State directs. (14) In this article— (a) references to a relative of the deceased are to a person who— (i) is a husband, wife, civil partner, parent, grandparent, child or grandchild of the deceased; or (ii) is, or is a child of, a brother, sister, uncle or aunt of the deceased. (b) references to a personal representative of the deceased are to a person who— (i) is the lawful executor or executrix of the estate			

		of the deceased; or (ii) is the lawful administrator of the estate of the deceased. (15) The removal of the remains of any deceased person under this article must be carried out in accordance with any directions which may be given by the Secretary of State. (16) Any jurisdiction or function conferred on the county court by this article may be exercised by a district judge of the court. (17) Section 25 (Offence of removal of body from burial grounds) of the Burial Act 1857(a) does not apply to a removal carried out in accordance with this article. (18) The Town and Country Planning (Churches, Places of Religious Worship and Burial Ground) Regulations 1950(b)			

		does not apply to the authorised project. (19) Sections 238 (use and development of consecrated land) and 239 (use and development of burial grounds) of the 1990 Act apply— (a) in relation to land, other than a right over land, acquired for the purposes of the authorized project (whether or not by agreement), so as to permit use by the undertaker in accordance with the provisions of this Order; and (b) in relation to a right over land so acquired (whether or not by agreement), or the temporary use of land pursuant to articles 27 (temporary use of land for carrying out the authorised project) and 28 (temporary use of land for maintaining the authorised			

		project), so as to permit the exercise of that right or the temporary use by the undertaker in accordance with the provisions of this Order, without prejudice to the status of the land over which the right is exercised as consecrated land, and in section 238(1)(b) of the 1990 Act reference to a "planning permission" includes this Order, in section 240(1) of the 1990 Act reference to "regulations made for the purposes of sections 238(3) and (4) and 239(2)" means, so far as applicable to land or a right over land acquired under this Order, paragraphs (2) to (16) of this article and in section 240(3) of the 1990 Act reference to a "statutory undertaker" includes the			

		undertaker and reference to “any other enactment” includes this Order.			
4	28. Temporary use of land for maintaining the authorised project	28 (2) Paragraph (1) does not authorise the undertaker to take temporary possession of— (a) any house or garden belonging to a house; or (b) any building (other than a house) if it is for the time being occupied.	28 (2) Paragraph (1) does not authorise the undertaker to take temporary possession of— (a) any house or garden belonging to a house; or (b) any building (other than a house) if it is for the time being occupied. **(c) any land identified in the Land Plans and Book of Reference as Class 10 land.**	To align with article 27(1)(a)(ii) in ensuring that class 10 land cannot be used for carrying out or maintaining the authorized project.	The Applicant has accepted the recommendation of the ExA in its **Schedule of Changes to the draft Development Consent Order [PD-024]** and has amended the draft DCO accordingly as set out in table 3.7 above.
5	49. Defence to proceedings in respect of statutory nuisance	Defence to proceedings in respect of statutory nuisance 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	Defence to proceedings in respect of statutory nuisance 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	Reference to the operational noise requirement reflects that a proposed operational noise limit requirement has been introduced in the ExAs schedule of changes to the dDCO. New requirements are currently labelled alphabetically, so numbering and cross referencing would need updating to reflect this. Reference to the code of construction practice is to	The Applicant has set out its position in relation to the proposed operational noise limit requirement in item 20 below.

		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— (a) the defendant shows that the nuisance— (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	section 82(2) of that Act if— (a) the defendant shows that the nuisance— (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 Onshore 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	be removed for consistency. The ExA has considered ESC [REP5-172] comments regarding the need for wording such as “that it cannot, to the reasonable satisfaction of East Suffolk Council reasonably be avoided” but notes that such wording is not routinely included in statutory nuisance provisions for DCOs and its need is not clearly demonstrated for the proposed development.	

		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 Onshore 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	consequence of complying with a requirement of this Order and that it cannot reasonably be avoided; or (b) the defendant shows that the nuisance— (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 measures contained within the Register of Environmental Actions and Commitments; or (ii) is a consequence of the use of the authorized project and that it cannot reasonably be avoided. (2) For the purposes of paragraph (1) above, compliance with **Requirement A (Control of operational noise), and** the controls and measures relating to noise described in the relevant code of construction practice, the CEMP, the Register of Environmental Commitments 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. (3) Where a relevant planning authority is acting in accordance		

		Order and that it cannot reasonably be avoided; or (b) the defendant shows that the nuisance— (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 measures contained within the Register of Environmental Actions and Commitments; or (ii) is a consequence of the use of the authorized project and that it cannot reasonably be avoided. (2) For the purposes of paragraph (1) above, compliance with the controls and measures relating to noise described in the	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 relevant code of construction practice, the CEMP or the Construction Noise and Vibration Management Plan approved under Schedule 3 (Requirements). (4) Section 61(9) (prior consent for work on construction site to include statement that it does not of itself constitute a defence to proceedings under section 82 of the Environmental Protection Act 1990) of the Control of Pollution Act 1974 does not apply where the consent relates to the use of premises by the undertaker for the purposes of or in connection with the construction or maintenance of the authorised project. (5) In this article “premises” has the same meaning as in section 79 of the Environmental Protection Act 1990(a).		

		relevant code of construction practice, the CEMP, the Register of Environmental Commitments 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. (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 relevant code of construction practice, the CEMP or the Construction Noise			

		and Vibration Management Plan approved under Schedule 3 (Requirements). (4) Section 61(9) (prior consent for work on construction site to include statement that it does not of itself constitute a defence to proceedings under section 82 of the Environmental Protection Act 1990) of the Control of Pollution Act 1974 does not apply where the consent relates to the use of premises by the undertaker for the purposes of or in connection with the construction or maintenance of the authorised project. (5) In this article “premises” has the same meaning as in section 79 of the Environmental Protection Act 1990(a).			

6	51. Felling or Lopping	Felling or lopping 51.— (1) The undertaker may fell, lop, prune, cut, trim, coppice, pollard, or reduce in height or width, any tree, shrub, shrubbery, hedgerow, or important hedgerow under or within or overhanging or near any part of the authorised project, or cut back its roots, if it reasonably believes it to be necessary to do so to prevent the tree, shrub, shrubbery, hedgerow or important hedgerow— (a) from obstructing or interfering with the construction, maintenance or operation of the authorized project or any apparatus used in connection with the authorized project; or (b) from constituting a danger to persons constructing, maintaining, or operating or	Felling or lopping 51.— (1) The undertaker may fell, lop, prune, cut, trim, coppice, pollard, or reduce in height or width, any tree, shrub, shrubbery, hedgerow, or important hedgerow under or within or overhanging or near any part of the authorised project, or cut back its roots, if it reasonably believes it to be necessary to do so to prevent the tree, shrub, shrubbery, hedgerow or important hedgerow— (a) from obstructing or interfering with the construction, maintenance or operation of the authorized project or any apparatus used in connection with the authorized project; or (b) from constituting a danger to persons constructing, maintaining, or operating or decommissioning the authorised project. (2) In carrying out any activity authorised by paragraph (1), the undertaker must not cause any unnecessary damage to any tree, shrubbery or hedgerow, or important hedgerow and must pay compensation to any person for any loss or damage arising from such activity. (3) Any dispute as to a person's entitlement to compensation under paragraph (2), or as to the	The ExA has considered the revised provisions in the REAC [REP6-134] and considers that ambiguity remains regarding the need to retain ancient and veteran trees. It therefore proposes a mechanism to secure relevant planning authority approval for the removal of trees that had been identified as being retained in the Arboricultural Impact Assessment, if this is deemed to be necessary for safety reasons during the course of construction and there are no alternatives. The Arboricultural Impact Assessment referenced in the new text is to be added as a certified document.	The Applicant has accepted the recommendation of the ExA in its **Schedule of Changes to the draft Development Consent Order [PD-024]** and has amended the draft DCO accordingly as set out in table 3.7 above.

		decommissioning the authorised project. (2) In carrying out any activity authorised by paragraph (1), the undertaker must not cause any unnecessary damage to any tree, shrubbery or hedgerow, or important hedgerow and must pay compensation to any person for any loss or damage arising from such activity. (3) Any dispute as to a person's entitlement to compensation under paragraph (2), or as to the amount of compensation, must be determined under Part 1 of the 1961 Act. (4) Subject at all times to paragraph (8), the undertaker must not pursuant to paragraph (1) fell, lop, prune, cut, trim, coppice, pollard, or reduce in height or width a tree within or overhanging the extent of the	amount of compensation, must be determined under Part 1 of the 1961 Act. (4) Subject at all times to paragraph (8), the undertaker must not pursuant to paragraph (1) fell, lop, prune, cut, trim, coppice, pollard, or reduce in height or width a tree within or overhanging the extent of the public highway without the consent of the relevant highway authority. (5) If the relevant highway authority fails to notify the undertaker of its decision within 35 days (or such other period as agreed by the relevant highways authority and the undertaker) of receiving an application for consent under paragraph (4) the relevant highway authority is deemed to have granted consent. (a) 2004 c. 18. 44 (6) Any application for consent under paragraph (4) must include a statement that the provisions of paragraph (5) apply to that application. (7) If an application for consent under paragraph (4) does not include the statement required under paragraph (6), then the provisions of paragraph (5) will not apply to that application. (8) The consent of the relevant highway authority		

		public highway without the consent of the relevant highway authority. (5) If the relevant highway authority fails to notify the undertaker of its decision within 35 days (or such other period as agreed by the relevant highways authority and the undertaker) of receiving an application for consent under paragraph (4) the relevant highway authority is deemed to have granted consent. (a) 2004 c. 18. 44 (6) Any application for consent under paragraph (4) must include a statement that the provisions of paragraph (5) apply to that application. (7) If an application for consent under paragraph (4) does not include the statement required under paragraph (6),	is not required under paragraph (4) where— (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 (b) the undertaker has given 5 days notice to the relevant highway authority of its intention to carry out any of the operations described in sub-paragraph (a). (9) The power conferred by paragraph (1) removes any obligation upon the undertaker to secure any consent to remove hedgerows under the Hedgerows Regulations 1997(a). (10) In this article “hedgerow” and “important hedgerow” have the same meaning as in the Hedgerow Regulations 1997. **(11) the power conferred by paragraph (1) does not apply to any trees identified as ancient or veteran in the Arboricultural Impact Assessment, unless it has previously been agreed by the relevant planning authority that they are unsafe and there is no alternative to their removal.**		

		then the provisions of paragraph (5) will not apply to that application. (8) The consent of the relevant highway authority is not required under paragraph (4) where— (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 (b) the undertaker has given 5 days notice to the relevant highway authority of its intention to carry out any of the operations described in sub-paragraph (a). (9) The power conferred by paragraph (1) removes any obligation upon the undertaker to secure any consent to remove hedgerows			

		under the Hedgerows Regulations 1997(a). (10) In this article "hedgerow" and "important hedgerow" have the same meaning as in the Hedgerow Regulations 1997.			
SCHEDULES					
Schedule 1, Authorised Project					
7.	Title preceding Work No 6	In the Districts of East Suffolk and Dover	In the Districts of East Suffolk**, Thanet and** Dover	Works described are also located in Thanet.	The Applicant has accepted the recommendation of the ExA in its **Schedule of Changes to the draft Development Consent Order [PD-024]** and has amended the draft DCO accordingly as set out in table 3.7 above.
Schedule 3, Requirements					
8.	Requirement 3(1)	3.—(1) Suffolk Converter Station, Kent Converter Station and Kent Substation (a) No construction of buildings included in Works Nos. 3B, 9B and 11 (Suffolk converter station, Kent converter station and Kent substation)	3.—(1) Suffolk Converter Station, Kent Converter Station and Kent Substation (a) No ~~construction of buildings~~ **above ground works** included in Works Nos. 3B, 9B and 11 (Suffolk converter station, Kent converter station and Kent substation) may commence until the **details of the** design, **scale, layout and external appearance** of that ~~building~~ **work** has **have**	The amendments are to make the requirement more precise and to allow scale, layout and external appearance to be controlled. Removed superfluous wording regarding the flexibility needed by the applicant. The additional wording requiring the post-consent independent design	The Applicant has not adopted the ExA's amendment to refer to 'above ground works'. There is no scope for the local planning authorities to influence the design, scale, layout and external appearance of any external equipment that forms the converter station outside of the buildings. Additional approvals could be accepted on the converter station and

		may commence until the design of that building has been submitted and approved by the relevant planning authority. The design must be substantially in accordance with the relevant Key Design Principles. Design details for Works No.9B and 11 may only be approved following consultation with Historic England and Dover District Council. (b) When discharging this requirement, the relevant planning authority must take into account that the undertaker must meet the Critical Design Constraints and that the undertaker may have limited choice over many aspects of the design and that the design must in the first instance be safe and secure, as recognised by EN-1	been submitted and approved by the relevant planning authority. The ~~design~~ **details** must be ~~substantially~~ in accordance with the relevant Key Design Principles. Design details for Works No.9B and 11 may only be approved following consultation with Historic England and Dover District Council. (b) When discharging this requirement, the relevant planning authority must take into account that the undertaker must meet the Critical Design Constraints. ~~And that the undertaker may have limited choice over many aspects of the design and that the design must in the first instance be safe and secure, as recognised by EN-1 Paragraph 4.7.6 and EN-5 paragraph 2.4.3. The aspects where more flexibility may be available include the external colour, surface profile and finish of cladding and the roofline of the permanent buildings, although aspects of these elements will be fixed through technical requirements~~. (c) In sub-paragraphs (2**1**)(a) and (2**1**)(b), the Key Design Principles and Critical Design Constraints mean those set out in the relevant	review is needed due to the low level of design detail at the application stage.	substation buildings due to the fact that these are proposed for later in the construction programme. However, 'above ground works' would include works such as the platform in Kent which is required at an early stage of the works and would have an impact on the construction programme. There is no scope for the local planning authority to input into the scale or the appearance of such platform so there is no purpose or necessity to include this. On a without prejudice basis from the Applicant's primary position, if the Examining Authority and Secretary of State is of the view the local authorities having approval of all above ground works is necessary and reasonable, the adverse impact on the programme could be reduced be using the wording 'above ground works except the converter station platform in Kent'. However, for the reasons set out above, the Applicant considers that the current drafting referring to buildings is

		Paragraph 4.7.6 and EN-5 paragraph 2.4.3. The aspects where more flexibility may be available include the external colour, surface profile and finish of cladding and the roofline of the permanent buildings, although aspects of these elements will be fixed through technical requirements. (c) In sub-paragraphs (2)(a) and (2)(b), the Key Design Principles and Critical Design Constraints mean those set out in the relevant tables in the Design Principles – Suffolk and Design Principles – Kent, certified under article 60 (certification of documents). For avoidance of doubt, in sub-paragraphs 3(1)(a) and 3(1)(b) the construction of buildings does not include the	tables in the Design Principles – Suffolk and Design Principles – Kent, certified under article 60 (certification of documents). For avoidance of doubt, in sub-paragraphs 3(1)(a) and 3(1)(b) the construction of buildings does not include the construction of the platform or other elements of the authorised project that are not above finished ground level in the location of the buildings. **(d) In submitting the details set out in paragraph (1)(a), a statement must be included confirming the detailed design has been reviewed by an independent design review panel along with the actions taken. (e)** ~~(d)~~ The authorised development must be carried out in accordance with the details approved or confirmed by the relevant planning authority further to sub-paragraphs ~~2~~**1**)(a) and (~~2~~**1**)(b).		more precise and is the appropriate control. The Applicant has made other amendments suggested by the ExA such as including the design, scale and external appearance of the building. The Applicant has also amended the requirement to remove the superfluous wording at 3(1)(b). The Applicant has also adopted the wording proposed at (d) to provide for review by an independent design review panel.

		construction of the platform or other elements of the authorised project that are not above finished ground level in the location of the buildings. (d) The authorised development must be carried out in accordance with the details approved or confirmed by the relevant planning authority further to sub-paragraphs (2)(a) and (2)(b).			
9.	Requirement 3(2)	(2) Suffolk Substation (Friston) (a) Unless otherwise approved by the relevant planning authority, the Suffolk Substation (Work No 1B) will be constructed in accordance with the following details (which accord with the documents submitted for the discharge of Requirement 12 of part 3 of schedule 1 to SI 2022/433): (i)	2) Suffolk Substation (Friston) (a) Unless otherwise approved by the relevant planning authority, the Suffolk Substation (Work No 1B) will be constructed in accordance with the ~~following~~ details (~~which accord with~~ **within** the documents submitted for the discharge of Requirement 12 of part 3 of schedule 1 to SI 2022/433): **insofar as those details relate to the design and external appearance of Work No. 1B.** ~~(i) Substation buildings will be clad in metal cladding using either cool sky tones,~~	The recommended wording requires that details of the design and external appearance are the same as those approved under the East Anglia One North and East Anglia 2 development consent orders. The wording does not require that the scale and layout are the same, as the ExA recognises that these may need to differ for technical reasons. Without this	The Applicant has not adopted the suggested wording within 2(a). The Applicant understands the rationale to tie the details of the design and external appearance to those approved for the EA1N and EA2 projects. However the effect of such amendments would require the Applicant to comply with third party submission documents from another separately consented project, which is not an acceptable position. The requirement as drafted provides for submission of details which

		Substation buildings will be clad in metal cladding using either cool sky tones, light/mid-range ground colours, and darker hedgerow/woodland elements. These colours would include RAL DESIGN 240 80 05, RAL DESIGN 110 60 20 or RAL DESIGN 120 50 05 or similar. (ii) The roof cladding should match the colour of the uppermost wall cladding on the buildings. (iii) The door colour should match the colour of the cladding around it. (iv) Perimeter security fences would be coloured green (RAL DESIGN 110 60 20 or similar). (b) Insofar as the details approved pursuant to Requirement 12 of SI 2022/433 are amended or if the East Anglia TWO or	~~light/mid-range ground colours, and darker hedgerow/woodland elements. These colours would include RAL DESIGN 240 80 05, RAL DESIGN 110 60 20 or RAL DESIGN 120 50 05 or similar. (ii) The roof cladding should match the colour of the uppermost wall cladding on the buildings. (iii) The door colour should match the colour of the cladding around it. (iv) Perimeter security fences would be coloured green (RAL DESIGN 110 60 20 or similar)~~. (b) Insofar as the details approved pursuant to Requirement 12 of SI 2022/433 are amended or if the East Anglia TWO or East Anglia ONE North projects do not progress as 97 currently planned, then the relevant planning authority shall have regard to such circumstances when considering whether to approve otherwise pursuant to paragraph (a).	control, the relevant planning authority would have no control over the design or external appearance of the substation.	accord with those documents which means that the documents will reflect those agreed for EA1N and EA2.

		East Anglia ONE North projects do not progress as 97 currently planned, then the relevant planning authority shall have regard to such circumstances when considering whether to approve otherwise pursuant to paragraph (a).			
10.	Requirement 3(3)	(3) Bridge over the River Fromus (a) Development of the bridge crossing of the River Fromus (part of Work No. 3a) must not commence until details of the design of the bridge have been submitted to and approved by the relevant planning authority, following consultation with the Environment Agency. (b) The bridge over the River Fromus should be designed in accordance with the following parameters: (i) the bridge shall not have a soffit height	(3) Bridge over the River Fromus (a) Development of the bridge crossing of the River Fromus (part of Work No. 3a) must not commence until details of the design**, layout, scale and external appearance** of the bridge have been submitted to and approved by the relevant planning authority, following consultation with the Environment Agency. (b) The bridge over the River Fromus should be designed in accordance with the following parameters: (i) the bridge shall not have a soffit height lower than 10.49 m Above Ordnance Datum (approximately 4m above the Q95 flow level); (ii) abutments for the bridge shall be set back no less than 8m from the top of the bank; and (iii) the bridge shall not	The ExA welcomes the introduction of controls over the design of the bridge, but considers that the layout, scale and external appearance also need to be controlled in view of the sensitivity of the location in landscape, visual and heritage terms. Sub-paragraph 3(f) has been added to ensure that the development is carried out in accordance with the approved details.	The Applicant has accepted the recommendation of the ExA in its **Schedule of Changes to the draft Development Consent Order [PD-024]** and has amended the draft DCO accordingly as set out in table 3.7 above. Minor changes have also been made to this wording following further discussions with SCC.

		lower than 10.49 m Above Ordnance Datum (approximately 4m above the Q95 flow level); (ii) abutments for the bridge shall be set back no less than 8m from the top of the bank; and (iii) the bridge shall not have a deck width greater than 6m. (c) The design details submitted under (a) must be accompanied by a technical statement demonstrating how, recognizing the minimum size parameters in sub-paragraph (b)(i) and (ii), the Applicant has sought to reduce the scale of the bridge, having regard to the relationship with the landscape mitigation proposals, the articulation of the spanning structure, the design of the abutment walls, and	have a deck width greater than 6m. (c) The design details submitted under (a) must be accompanied by a technical statement demonstrating how, recognising the minimum size parameters in sub-paragraph (b)(i) and (ii), the Applicant has sought to reduce the scale of the bridge, having regard to the relationship with the landscape mitigation proposals, the articulation of the spanning structure, the design of the abutment walls, and the design of the parapet railings. The technical statement will include a plan, elevation and section drawings, and 3D renders of the bridge design in key view VP02 and CH02. (d) Should the bridge design comprise a soffit height of less 12.49 m Above Ordnance Datum (approximately 6m above the Q95 flow level), then development of the bridge must not commence until a macro invertebrate monitoring and contingency plan has been submitted to and approved by the relevant planning authority, following consultation with the Environment Agency. The invertebrate monitoring and		

		the design of the parapet railings. The technical statement will include a plan, elevation and section drawings, and 3D renders of the bridge design in key view VP02 and CH02. (d) Should the bridge design comprise a soffit height of less 12.49 m Above Ordnance Datum (approximately 6m above the Q95 flow level), then development of the bridge must not commence until a macro invertebrate monitoring and contingency plan has been submitted to and approved by the relevant planning authority, following consultation with the Environment Agency. The invertebrate monitoring and contingency plan must include: (i) The requirement to carry	contingency plan must include: (i) The requirement to carry out Water Framework Directive compliant surveys twice yearly (spring and autumn), upstream and downstream of the Fromus crossing for a period of five years following completion of the construction of the Fromus crossing. (ii) Principles of the contingency monetary fund set out in (e) and criteria for when provision of the fund would be triggered. (e) Following receipt and review of the monitoring results under (d)(i), should the criteria in (d)(ii) be exceeded, then a contingency fund would be provided to fund measures to encourage the passage of macro invertebrates around the Fromus crossing and/or enhancement of Water Framework Directive invertebrate habitat upstream of the Fromus crossing. This would be secured via an appropriate legal agreement. **(f) The development shall be carried out in accordance with the details approved by the relevant planning authority further to sub-paragraph (3)(a).**		

		out Water Framework Directive compliant surveys twice yearly (spring and autumn), upstream and downstream of the Fromus crossing for a period of five years following completion of the construction of the Fromus crossing. (ii) Principles of the contingency monetary fund set out in (e) and criteria for when provision of the fund would be triggered. (e) Following receipt and review of the monitoring results under (d)(i), should the criteria in (d)(ii) be exceeded, then a contingency fund would be provided to fund measures to encourage the passage of macro invertebrates around the Fromus crossing and/or enhancement of Water Framework Directive invertebrate			

		habitat upstream of the Fromus crossing. This would be secured via an appropriate legal agreement.			
11.	Requirement 3(4)	(4) No operational lighting may be installed as part of Work No. 3B, 9B or 11 until an Operational Lighting Management Plan for that stage of the works has been submitted and approved by the relevant planning authority, which must be substantially in accordance with the outline Operational Lighting Management Plan.	(4) No operational lighting may be installed as part of Work No. 3B, 9B or 11 until an Operational Lighting Management Plan for that stage of the works has been submitted and approved by the relevant planning authority, which must be substantially in accordance with the outline Operational Lighting Management Plan. **The lighting shall be installed and operated in accordance with the approved Operational Lighting Management Plan.**	The ExA welcomes the addition of operational lighting controls, but additional wording is necessary to ensure that the lighting is installed and operated in accordance with the approved plan.	The Applicant has accepted the recommendation of the ExA in its **Schedule of Changes to the draft Development Consent Order [PD-024]** and has amended the draft DCO accordingly as set out in table 3.7 above.
12.	Requirement 3(5)	(5) If Work No. 1B is constructed as part of the Authorised Project, an Operational Lighting Management Plan will be submitted and approved by the relevant planning authority prior to the	(5) If Work No. 1B is constructed as part of the Authorised Project, an Operational Lighting Management Plan will be submitted and approved by the relevant planning authority prior to the installation of operational lighting at the substation. **The lighting shall be installed and operated in accordance with**	The ExA welcomes the addition of operational lighting controls, but additional wording is necessary to ensure that the lighting is installed and operated in accordance with the approved plan.	The Applicant has accepted the recommendation of the ExA in its **Schedule of Changes to the draft Development Consent Order [PD-024]** and has amended the draft DCO accordingly as set out in table 3.7 above.

		installation of operational lighting at the substation.	**the approved Operational Lighting Management Plan.**		
13.	Requirement 4	4.—(1) Unless otherwise agreed with the relevant planning authority, written notice setting out the anticipated programme for the carrying out of pre-commencement operations must be given to the relevant planning authority no less than seven days prior to the date on which those pre-commencement operations are first carried out. (2) The authorised development may not commence until a written scheme setting out all stages of the authorised development has been submitted to the relevant planning authority. (3) Any revisions to the written scheme referred to in sub-	4.—(1) Unless otherwise agreed with the relevant planning authority, written notice setting out the anticipated programme for the carrying out of pre-commencement operations must be given to the relevant planning authority no less than **28** ~~seven~~ days prior to the date on which those pre-commencement operations are first carried out. (2) The authorised development may not commence until a written scheme setting out all stages of the authorised development has been submitted to the relevant planning authority. (3) Any revisions to the written scheme referred to in sub-paragraph 4(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. (4) Written notice of the completion of construction for each stage of the authorised development, and the operational use of that part of the authorised development, must be given to the relevant planning authority	The ExA agrees with Suffolk County Council (SCC) [REP6-237] that 28 days is a more proportionate and reasonable time period.	The Applicant has accepted the recommendation of the ExA in its **Schedule of Changes to the draft Development Consent Order [PD-024]** and has amended the draft DCO accordingly as set out in table 3.7 above.

		paragraph 4(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. (4) Written notice of the completion of construction for each stage of the authorised development, and the operational use of that part of the authorised development, must be given to the relevant planning authority within 28 days of the relevant event being completed. (5) The authorised development must be carried out in accordance with the written scheme submitted further to sub-paragraphs (2) or (3).	within 28 days of the relevant event being completed. (5) The authorised development must be carried out in accordance with the written scheme submitted further to sub-paragraphs (2) or (3).		

14.	Requirement 5(2)(c)	(c) Skills, Supply Chain and Employment Plan	~~(c) Skills, Supply Chain and Employment Plan~~	The ExA consider at this stage that the Skills, Supply Chain and Employment Plan should be an outline document with a final document to be agreed by the relevant councils.	The Applicant does not agree that the Skills, Supply Chain and Employment Plan should be an outline document. The plan has been consulted on with the local planning authorities and the project is already able to involve contractors in the production of the plan and has done so. This Skills, Supply Chain and Employment Plan is a voluntary plan being advanced by the Applicant to achieve additional benefits. Given that the contractors are already on board, the document is already being provided at the time in the construction period that a final plan would be developed. The commitments made in it are those that can be made; those that have been requested by local authorities and not incorporated have not been for good reasons. In this context, a requirement for a final plan could require a document that is challenging to gain approval for; the Applicant has already committed to the measures it can and is already implementing them with the contractor.

15.	Requirement 6	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 (in consultation with the relevant district or county council, the Environment Agency in the case of the Onshore Construction Environmental Management Plan, Construction Noise and Vibration Management Plans and the Material and Waste Management Plan, and in consultation with Natural England in the case of the Landscape and	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 (in consultation with the relevant district or county council, the Environment Agency in the case of the Onshore Construction Environmental Management Plan, Construction Noise and Vibration Management Plans and the Material and Waste Management Plan, and in consultation with Natural England in the case of the Landscape and Ecological Management Plans and Drainage Management Plans, and in consultation with the National Trust in relation to the Landscape and Ecological Management Plan -Kent)— (a) Onshore Construction Environmental Management Plan (which must be ~~substantially~~ in accordance with the Onshore Outline Construction Environmental Management Plan); (b) Construction Traffic	The ExA considers that the use of the term 'substantially' would add ambiguity rather than clarity and is concerned how the terminology would be interpreted in practice. The ExA is of the view that the management plans must be in accordance with the outline management plans and has altered the wording to ensure clarity. The ExA has added the Skills, Supply Chain and Employment Plan to be approved. The ExA considers that any replacement planting should be subject to the same management and monitoring arrangements (including management periods) as agreed for original planting through the approval of the Landscape and Ecological Management Plans under sub-paragraph (1) to secure the ongoing management	The Applicant maintains its position that 'substantially in accordance' is the most appropriate form of wording. The Applicant considers that the wording achieves the correct balance between providing certainty and enabling planning authorities to exercise proper discretion when approving final plans. The wording is well-precedented and used in multiple recently made DCOs, including National Grid DCOs, as well as DCOs for major road and airport schemes. To resolve the ExA's concerns regarding how the terminology would be interpreted in practice, the Applicant has included a definition within 1(3) which seeks to set out how the wording would operate. The Applicant does not agree that the Skills, Supply Chain and Employment Plan should be an outline document and therefore has not made the suggested amendment to include the Skills, Supply Chain and Employment Plan within requirement 6.

		Ecological Management Plans and Drainage Management Plans, and in consultation with the National Trust in relation to the Landscape and Ecological Management Plan - Kent)— (a) Onshore Construction Environmental Management Plan (which must be substantially in accordance with the Onshore Outline Construction Environmental Management Plan); (b) Construction Traffic Management and Travel Plan – Suffolk (which must be substantially in accordance with the Outline Construction Traffic Management and Travel Plan – Suffolk); (c) Construction Traffic Management and Travel Plan – Kent	Management and Travel Plan – Suffolk (which must be ~~substantially~~ in accordance with the Outline Construction Traffic Management and Travel Plan – Suffolk); (c) Construction Traffic Management and Travel Plan – Kent (which must be ~~substantially~~ in accordance with the Outline Construction Traffic Management and Travel Plan – Kent); (d) Air Quality Management Plan – Suffolk (which must be ~~substantially~~ in accordance with the Outline Air Quality Management Plan – Suffolk); (e) Air Quality Management Plan – Kent (which must be ~~substantially~~ in accordance with the Outline Air Quality Management Plan – Kent); (f) Landscape and Ecological Management Plan (LEMP) – Suffolk (which must be ~~substantially~~ in accordance with the Outline LEMP – Suffolk) (g) Landscape and Ecological Management Plan (LEMP) – Kent (which must be substantially in accordance with the Outline LEMP – Kent); (h) Construction Noise and Vibration Management Plan (NVMP) – Suffolk (which must be ~~substantially~~ in accordance with the Outline	of the landscape planting in the DCO in case of failure of planting.	In relation to requirement 6(4), the Applicant does not consider this addition to the requirement to be necessary because the oLEMPS have been updated specifically to address the issue of adaptive management in the establishment period.

		(which must be substantially in accordance with the Outline Construction Traffic Management and Travel Plan – Kent); (d) Air Quality Management Plan – Suffolk (which must be substantially in accordance with the Outline Air Quality Management Plan – Suffolk); (e) Air Quality Management Plan – Kent (which must be substantially in accordance with the Outline Air Quality Management Plan – Kent); (f) Landscape and Ecological Management Plan (LEMP) – Suffolk (which must be substantially in accordance with the Outline LEMP – Suffolk) (g) Landscape and Ecological Management Plan (LEMP) – Kent (which must be substantially	Construction NVMP -Suffolk); (i) Construction Noise and Vibration Management Plan (NVMP) – Kent (which must be ~~substantially~~ in accordance with the Outline NVMP – Kent); (j) Public Rights of Way (PRoW) Management Plan – Suffolk (which must be ~~substantially~~ in accordance with the Outline PRoW - Suffolk) (k) Public Rights of Way (PRoW) Management Plan – Kent (which must be ~~substantially~~ in accordance with the Outline PRoW - Kent); (l) Soil Management Plan – Suffolk (which must be ~~substantially~~ in accordance with the Outline Soil Management Plan - Suffolk); (m) Soil Management Plan – Kent (which must be ~~substantially~~ in accordance with the Outline Soil Management Plan - Kent); (n) Material and Waste Management Plan - Suffolk (which must be ~~substantially~~ in accordance with the Outline Material and Waste Management Plan – Suffolk and such approval to be given in consultation with the Environment Agency); (o) Material and Waste Management Plan - Suffolk (which must be ~~substantially~~ in accordance with the Outline		

		in accordance with the Outline LEMP – Kent); (h) Construction Noise and Vibration Management Plan (NVMP) – Suffolk (which must be substantially in accordance with the Outline Construction NVMP -Suffolk); (i) Construction Noise and Vibration Management Plan (NVMP) – Kent (which must be substantially in accordance with the Outline NVMP – Kent); (j) Public Rights of Way (PRoW) Management Plan – Suffolk (which must be substantially in accordance with the Outline PRoW - Suffolk) (k) Public Rights of Way (PRoW) Management Plan – Kent (which must be substantially in accordance with the Outline PRoW - Kent); (l) Soil	Material and Waste Management Plan – Kent and such approval to be given in consultation with the Environment Agency); (p) Drainage Management Plan - Suffolk (which must be ~~substantially~~ in accordance with the Suffolk Drainage Strategy); (q) Drainage Management Plan – Kent (which must be ~~substantially~~ in accordance with the Kent Drainage Strategy); and (r) Flood Management Plan (FMP). **(s) Skills, Supply Chain and Employment Plan** (2) The authorised development must be carried out in accordance with the relevant stage of the approved plans, schemes and strategies referred to in sub-paragraph (1) or with any amended plans, schemes or strategies that may subsequently be approved by the relevant planning authority or other discharging authority as may be appropriate to the relevant plan, scheme or strategy concerned unless otherwise agreed with the relevant planning authority or other discharging authority as may be appropriate. (3) All landscaping must be carried out and maintained in accordance with the Landscape		

		Management Plan – Suffolk (which must be substantially in accordance with the Outline Soil Management Plan - Suffolk); (m) Soil Management Plan – Kent (which must be substantially in accordance with the Outline Soil Management Plan - Kent); (n) Material and Waste Management Plan - Suffolk (which must be substantially in accordance with the Outline Material and Waste Management Plan – Suffolk and such approval to be given in consultation with the Environment Agency); (o) Material and Waste Management Plan - Suffolk (which must be substantially in accordance with the Outline Material and Waste Management Plan – Kent and such	and Ecological Management Plans approved under sub-paragraph (1), and in accordance with the relevant recommendations of appropriate British Standards. (4) Any tree or shrub planted as part of an approved Landscape and Ecological Management Plans that, within a period of five years after planting, is removed, dies or becomes, in the opinion of the relevant planning authority, seriously damaged or diseased, must be replaced in the first available planting season with a specimen of the same species and size as that originally planted unless alternative timing or a different specimen is otherwise approved by the relevant planning authority. **Any replacement planting will be subject to the same management and monitoring arrangements (including management periods) as agreed for original planting through the approval of the Landscape and Ecological Management Plans under sub-paragraph (1).'**		

		approval to be given in consultation with the Environment Agency); (p) Drainage Management Plan - Suffolk (which must be substantially in accordance with the Suffolk Drainage Strategy); (q) Drainage Management Plan – Kent (which must be substantially in accordance with the Kent Drainage Strategy); and (r) Flood Management Plan (FMP). (2) The authorised development must be carried out in accordance with the relevant stage of the approved plans, schemes and strategies referred to in sub-paragraph (1) or with any amended plans, schemes or strategies that may subsequently be approved by the relevant planning			

		authority or other discharging authority as may be appropriate to the relevant plan, scheme or strategy concerned unless otherwise agreed with the relevant planning authority or other discharging authority as may be appropriate. (3) All landscaping must be carried out and maintained in accordance with the Landscape and Ecological Management Plans approved under sub-paragraph (1), and in accordance with the relevant recommendations of appropriate British Standards. (4) Any tree or shrub planted as part of an approved Landscape and Ecological Management Plans that, within a period of five years after			

		planting, is removed, dies or becomes, in the opinion of the relevant planning authority, seriously damaged or diseased, must be replaced in the first available planting season with a specimen of the same species and size as that originally planted unless alternative timing or a different specimen is otherwise approved by the relevant planning authority.			
16.	Requirement 7	Construction hours (1) Subject to sub-paragraphs (2), (3), (4) and (7) onshore construction work may only take place between 0700 and 1900 Monday to Friday and between 0700 and 1700 on Saturdays, Sundays and Bank Holidays (the core working hours), unless otherwise approved by the relevant	Construction hours (1) Subject to sub-paragraphs (2), (3), (4) and (7) onshore construction work may only take place between 0700 and 1900 Monday to Friday and between 0700 and ~~1700~~ **1300** on Saturdays, **with no activity on Sundays or bank holidays**, ~~Sundays and Bank Holidays (the core working hours), unless otherwise approved by the relevant planning authority. There will be no working on Bank Holidays in respect of Work No. 3B, Work No. 9B, and Work No. 11~~, except for	The ExA considers the need for more restrictive core hours to provide some respite for local residents. This would also benefit the tourism industry for Kent and Suffolk by not including after 1300 hours on Saturday or on Sundays as core hours for works.	The Applicant does not consider that the ExA's proposed amendments to the core working hours are feasible for inclusion. The core working hours proposed (secured via requirement 7 of **Document 3.2 Draft Development Consent Order**) are required to facilitate the delivery of the Proposed Project, a critical nationally important electricity transmission infrastructure, by 2030. This reflects the need presented in the UK Government's Clean Power

		planning authority. There will be no working on Bank Holidays in respect of Work No. 3B, Work No. 9B, and Work No. 11, except for the operations described in sub-paragraph (4) below or with the prior agreement of the local planning authority. In respect of those works, for Bank Holiday Mondays (meaning Easter Monday, the early May bank holiday, the Spring bank holiday, and the summer bank holiday) there will also be no working on the preceding Saturday or Sunday in each case. (2) Percussive piling works are limited to 0700 to 1900 Monday to Friday and 0700 to 1700 on Saturdays and may not occur on Sundays or Bank Holidays, unless otherwise approved by the relevant	the operations described in sub-paragraph (4) below or with the prior agreement of the local planning authority. ~~In respect of those works, for Bank Holiday Mondays (meaning Easter Monday, the early May bank holiday, the Spring bank holiday, and the summer bank holiday) there will also be no working on the preceding Saturday or Sunday in each case.~~ (2) Percussive piling works are limited to 0700 to 1900 Monday to Friday and 0700 to **1300** 1700 on Saturdays and may not occur on Sundays or Bank Holidays, unless otherwise approved by the relevant planning authority. (3) Subject to sub-paragraph (4), HGV deliveries are limited to 0700 to 1900 Monday to Friday and 0700 to **1300** ~~1700~~ on Saturdays and may not occur on Sundays or Bank Holidays, unless otherwise approved by the relevant highway authority. (4) The following operations may take place outside the core working hours referred to in sub-paragraph (1)— (a) trenchless crossing operations including at landfalls and beneath highways, railway lines, woodlands, nature		2030 Action Plan, responding to NESO's Clean Power 2030 report. The delivery of the Proposed Project in accordance with the programme set out in the Applicant's Transmission Licence, in accordance with the NESO clean power objectives, and in a way that reduces constraints costs being passed to consumers, is fundamental to the need case for the Proposed Project. The Proposed Project requires the ability to programme its work as necessary across a seven-day week. While it is not anticipated that Sunday and bank holiday working would be undertaken across the entire onshore elements of the project every weekend, the ability to utilise weekend days as required is critical to allow an effective delivery programme to be developed. Within the core working hours themselves, there are restrictions on noisy works (namely percussive piling) and on HGV movements on weekends, with neither percussive piling nor HGV deliveries occurring on Sundays

		planning authority. (3) Subject to sub-paragraph (4), HGV deliveries are limited to 0700 to 1900 Monday to Friday and 0700 to 1700 on Saturdays and may not occur on Sundays or Bank Holidays, unless otherwise approved by the relevant highway authority. (4) The following operations may take place outside the core working hours referred to in sub-paragraph (1)— (a) trenchless crossing operations including at landfalls and beneath highways, railway lines, woodlands, nature reserves, Sites of Special Scientific Interest or watercourses; (b) the installation and removal of conductors, pilot wires and associated	reserves, Sites of Special Scientific Interest or watercourses; (b) the installation and removal of conductors, pilot wires and associated protective netting across highways, railway lines or watercourses; (c) the jointing of underground cables; (d) the continuation of any work activity commenced during the core working hours to a point where they can securely and or safely be paused; (e) delivery to the transmission works of abnormal loads and any highway works requested by the highway authority to be undertaken outside the core working hours; (f) the testing or commissioning of any electrical plant installed as part of the authorised development including undertaking of any identified corrective activities; (g) the completion of works delayed or held up by severe weather conditions which disrupted or interrupted normal construction activities; (h) activity necessary in the instance of an emergency where there is a risk to persons or property; (i) marine works (all works below the mean high water springs line); (j) security		or bank holidays with the exception of activities covered under requirement 7 paragraph (4). Furthermore, bank holiday weekends are excluded from the core working hours at the Suffolk converter station site and the Kent converter station and substation site, with further restrictions at Friston (Kiln Lane) substation (recognising that this is already consented via another project DCO). There are robust controls in a suite of management plans secured via requirements 5 and 6 of the dDCO that mitigate the effects of construction activity, noting for example **Document 7.5.3 Outline Onshore Construction Environmental Management Plan [REP6-074], Application Document 9.84 Register of Environmental Actions and Commitments (REAC) [REP6-134], and Application Document 9.83 Outline Code of Construction Practice [REP4-232]**. The Applicant's position reflects that set out in its responses to **ExQ 1GEN49 in Document 9.73 Applicant's Responses to First Written Question**

		protective netting across highways, railway lines or watercourses; (c) the jointing of underground cables; (d) the continuation of any work activity commenced during the core working hours to a point where they can securely and or safely be paused; (e) delivery to the transmission works of abnormal loads and any highway works requested by the highway authority to be undertaken outside the core working hours; (f) the testing or commissioning of any electrical plant installed as part of the authorised development including undertaking of any identified corrective activities; (g) the completion of works delayed or held up by severe weather conditions which	monitoring; (k) intrusive and non-intrusive surveys; (l) mechanical and electrical installation works within buildings once erected and enclosed; (m) any highway works requested by the highway authority to be undertaken outside the core working hours; and (n) any railway works to be undertaken as part of the project on a Saturday, Sunday, Bank Holiday or outside the core working hours. (5) The core working hours referred to in sub-paragraph (1) exclude start-up and close down activities up to 1 hour either side of the core working hours. A 50dBA noise limit (LOAEL) will apply at the nearest noise-sensitive receptor for start-up and close down activities. (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		**[REP3-069]** and its responses to AP106 **Document 9.90 (A) Applicant's Response to Action Points from Compulsory Acquisition Hearing 1 (CAH1) and Issue Specific Hearing 2 (ISH2)ISH2 Action Point 106 [REP4-086]**.

		disrupted or interrupted normal construction activities; (h) activity necessary in the instance of an emergency where there is a risk to persons or property; (i) marine works (all works below the mean high water springs line); (j) security monitoring; (k) intrusive and non-intrusive surveys; (l) mechanical and electrical installation works within buildings once erected and enclosed; (m) any highway works requested by the highway authority to be undertaken outside the core working hours; and (n) any railway works to be undertaken as part of the project on a Saturday, Sunday, Bank Holiday or outside the core working hours. (5) The core working	being contrary to safe working practices. (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). These working hours will also apply to those elements of Work No. 4, Work No. 13, Work No. 15 and Work No. 17 insofar as they are works required to construct, operate and/or mitigate the environmental impacts of Work No.1A and Work No.1B. (8) Outside the hours specified in sub-paragraph (7), construction work may be undertaken for essential activities including but not limited to— (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; (b) internal fitting out works associated with the substation; (c) the completion of		

		hours referred to in sub-paragraph (1) exclude start-up and close down activities up to 1 hour either side of the core working hours. A 50dBA noise limit (LOAEL) will apply at the nearest noise-sensitive receptor for start-up and close down activities. (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	construction activities commenced during the approved working hours which cannot safely be stopped; (d) the testing or commissioning of any electrical plant installed as part of the authorised development; and (e) activity necessary in the instance of an emergency where there is a risk to persons or property. (9) With the exception of activities undertaken in accordance with sub-paragraph (8)(e), the timing and duration of construction work undertaken in accordance with sub-paragraph (8) and, where works do not fall within sub-paragraphs (8)(a) to (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.		

		contrary to safe working practices. (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). These working hours will also apply to those elements of Work No. 4, Work No. 13, Work No. 15 and Work No. 17 insofar as they are works required to construct, operate and/or mitigate the environmental impacts of Work No.1A and Work No.1B. (8) Outside the hours specified in sub-paragraph (7), construction work may be undertaken for essential activities			

		including but not limited to— (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; (b) internal fitting out works associated with the substation; (c) the completion of construction activities commenced during the approved working hours which cannot safely be stopped; (d) the testing or commissioning of any electrical plant installed as part of the authorised development; and (e) activity necessary in the instance of an emergency where there is a risk to			

		persons or property. (9) With the exception of activities undertaken in accordance with sub-paragraph (8)(e), the timing and duration of construction work undertaken in accordance with sub-paragraph (8) and, where works do not fall within sub-paragraphs (8)(a) to (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.			
17.	Requirement 14	14.—(1) The authorised development must be undertaken in accordance with the following documents as relevant to the location of the works unless otherwise agreed with the relevant planning authority: (a) Outline	14.—(1) The authorised development must be undertaken in accordance with the following documents as relevant to the location of the works unless otherwise agreed with the relevant planning authority: (a) Outline Onshore Overarching Written Scheme of Investigation – Suffolk for onshore works within the county of Suffolk; and (b) Outline Onshore Overarching	The ExA consider that the change, as requested by SCC [REP6-141], is necessary to secure the archaeological work at an appropriate time.	The Applicant has considered the proposed wording and liaised with various key stakeholders on archaeology matters. The Applicant has proposed amendments to the drafting from the ExA which applies to pre-commencement operations that involve intrusive ground works, which for the avoidance of doubt includes any vegetation removal where the

		Onshore Overarching Written Scheme of Investigation – Suffolk for onshore works within the county of Suffolk; and (b) Outline Onshore Overarching Written Scheme of Investigation – Kent for onshore works within the county of Kent. (2) No stage of the authorised development may commence until for that stage either a preservation in situ Historic Environment Management Plan or a site-specific written scheme of investigation (which accords with the relevant Overarching Written Scheme of Investigation and is informed by the pre-commencement archaeological surveys) has been submitted to and approved by the relevant planning	Written Scheme of Investigation – Kent for onshore works within the county of Kent; and (2) No stage of the authorised development may commence, **including any pre-commencement works in that stage,** until for that stage either a preservation in situ Historic Environment Management Plan or a site-specific written scheme of investigation (which accords with the relevant Overarching Written Scheme of Investigation and is informed by the pre-commencement archaeological surveys) has been submitted to and approved by the relevant planning authority, in consultation with Historic England. (3) Site-specific written schemes 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:— (a) an assessment of significance and research questions; (b) the programme of methodology of site investigation		removal includes intrusive groundworks. The Applicant considers that this strikes an appropriate control between ensuring that the requirement applies where intrusive ground works could have impacts on archaeology but retains the flexibility for the Applicant to start pre-commencement operations without any delay where these do not involve intrusive groundworks and there is therefore no risk to archaeology as a result.

		authority, in consultation with Historic England. (3) Site-specific written schemes 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:— (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	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. (4) All archaeological works must be carried out in accordance with the approved site-specific written scheme of investigation for that stage, **prior also to the commencement of any pre-commencement works in that stage.** (5) Unless otherwise agreed with the relevant planning authority: (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		

		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. (4) All archaeological works must be carried out in accordance with the approved site-specific written scheme of investigation for that stage. (5) Unless otherwise agreed with the relevant planning authority: (a) No later than two years following the completion of the fieldwork specified in each site-specific written scheme of	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.		

		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.			
18.	Requirement 16	Trenchless Landfall Techniques 16.— (1) In respect of installation of the landfall aspects of Work No.6, trenchless	Trenchless Landfall Techniques 16.— (1) In respect of installation of the landfall aspects of Work No.6, trenchless techniques shall be utilised between the onshore transition joint bay and the exit	The ExA welcomes the inclusion of the provisions discussed at issue specific hearing 3 (ISH3) relating to the Coralline Crag and the saltmarsh,	The Applicant has accepted the recommendation of the ExA in its **Schedule of Changes to the draft Development Consent Order [PD-024]** and has amended the draft DCO

		techniques shall be utilised between the onshore transition joint bay and the exit pits. (2) No exit to trenchless landfall techniques must occur within 105m of saltmarsh habitat within Pegwell Bay. (3) The temporary working area will be located at a minimum distance of 50m from the edge of the saltmarsh habitat within Pegwell Bay. (4) No exit to trenchless landfall techniques must occur within 50m of MLWS at Leiston to Aldeburgh SSSI. (5) No exit to trenchless landfall techniques must occur within 45m east of the continual Coralline Crag outcrop in Suffolk.	pits. (2) No exit to trenchless landfall techniques must occur within 105m of saltmarsh habitat within Pegwell Bay. (3) The temporary working area will be located at a minimum distance of 50m from the edge of the saltmarsh habitat within Pegwell Bay. (4) No exit to trenchless landfall techniques must occur within 50m of MLWS at Leiston to Aldeburgh SSSI. (5) ~~No~~ e**E**xit to trenchless landfall techniques must occur at least 45m east of the continual Coralline Crag outcrop in Suffolk **(as identified in plate 2.3 of the Coralline Crag technical note)**. **(6) Pneumatic casing installation shall not be used unless otherwise agreed in writing with the MMO, following provision of appropriate underwater noise assessment and agreement of any relevant mitigation proposals. (7) No open cut trenching will be permitted for the repair and maintenance of cables installed by trenchless techniques at the landfall, unless otherwise approved by the relevant planning authority**	however it considers that the wording of 16(5) is ambiguous and could allow for exit closer to the foreshore. The ExA has therefore proposed an amendment for clarity. This will also require the list of certified documents to be updated. Noise impacts of pneumatic casing installation are not assessed in the environmental statement and whilst references to non-pneumatic casing are now included in documents such as the Cable Specification and Installation Plan (oCSIP) [REP6-136], the ExA considers that for the avoidance of doubt, specific reference to pneumatic casing is required in the DCO. The applicant's assessment assumes that cable repairs at trenchless landfall crossings will not require open cut techniques due to available spare ducts. In light of the designated	accordingly as set out in table 3.7 above. However, minor amendments are made in relation to (6) to clarify that the pneumatic casing installation shall not be used below MHWS to reflect the MMO's jurisdiction given the intention for the MMO to discharge the requirement. Requirement 16(7) has also been clarified to make clear that the requirement applies between the onshore transition joint bays and the exist pits to reflect the existing requirement 16(1).

			in consultation with Natural England.	sites present at each landfall, the draft DCO secures that no open cut is allowed unless formally approved by the relevant planning authority in consultation with the Statutory Nature Conservation Body (SNCB).	
19.	Requirement 18	River Stour Channel 18.— (1) This requirement is necessary as it manages the risk of erosion in the area and the secondary risk of harm to habitat and protected species. (2) No installation of the marine cables in Pegwell Bay may commence until a monitoring and contingency plan has been submitted to and approved by the Marine Management Organisation in consultation with the relevant planning authority and the Environment Agency.	River Stour Channel 18.— ~~(1) This requirement is necessary as it manages the risk of erosion in the area and the secondary risk of harm to habitat and protected species.~~ (~~2~~**1**) No installation of the marine cables in Pegwell Bay may commence until a monitoring and contingency plan has been submitted to and approved by the Marine Management Organisation in consultation with the relevant planning authority and the Environment Agency. (~~3~~**2**) The marine and contingency plan will— (a) set out monitoring proposals for the River Stour Channel within Pegwell Bay throughout the operational life of the cables. Monitoring will be undertaken annually for the first five years following installation of the cables after which the frequency and scope of	Requirement 18(1) appears to be the Environment Agency's justification for inclusion of the proposed requirement, rather than requirement wording.	The Applicant has accepted the recommendation of the ExA in its **Schedule of Changes to the draft Development Consent Order [PD-024]** and has amended the draft DCO accordingly as set out in table 3.7 above.

		(3) The marine and contingency plan will— (a) set out monitoring proposals for the River Stour Channel within Pegwell Bay throughout the operational life of the cables. Monitoring will be undertaken annually for the first five years following installation of the cables after which the frequency and scope of monitoring will be reviewed in consultation with the Environment Agency; and (b) set out actions that will be undertaken where monitoring demonstrates a need for potential remediation as a result of the River Stour channel migrating to within 50m of the installed cables. In such circumstances, and unless otherwise	monitoring will be reviewed in consultation with the Environment Agency; and (b) set out actions that will be undertaken where monitoring demonstrates a need for potential remediation as a result of the River Stour channel migrating to within 50m of the installed cables. In such circumstances, and unless otherwise agreed with the Environment Agency, cable lowering would be the primary mitigation method and no mitigation would be proposed involving the use of sheet piling or dredging. (4**3**) Mitigation and remediation measures will be agreed with and approved by the Environment Agency prior to the undertaking of any remedial works.		

		agreed with the Environment Agency, cable lowering would be the primary mitigation method and no mitigation would be proposed involving the use of sheet piling or dredging. (4) Mitigation and remediation measures will be agreed with and approved by the Environment Agency prior to the undertaking of any remedial works.			
Schedule 3, New Requirements					
20.	A: New operational noise requirement for Suffolk and Kent	New requirement – controls currently in REAC	Control of operational noise A – (1) During normal operation of the Saxmundham Converter Station (Work No. 3B) the rating level ($L_{Ar,Tr}$) of noise emitted from the development, shall not exceed [32dB] at any noise sensitive receptor, when assessed at a position 1 metre from the façade of the receptor (free field equivalent). (2) During normal operation of the Minster Converter Station and Substation (Work No. 9B and 11) the combined rating level ($L_{Ar,Tr}$) of	There was extensive discussion regarding how and what noise limits should be secured at both ISH2 and ISH3. The ExA has given consideration to these arguments and reviewed previous consents within the Suffolk area and is of the view that in light of the substantial concern expressed regarding operational noise impacts and for consistency with	The Applicant does not accept that this requirement is necessary or reasonable in the way drafted. The noise limits set out in the noise and vibration commitments in the Register of Environmental Commitments and Actions (**Application Document 9.84 (E) Register of Environmental Actions and Commitments (REAC)** submitted at Deadline 7) secure operational noise levels below that where a significant effect

			noise emitted from the development, shall be at least 5dB below background noise levels at any noise sensitive receptor, when assessed at a position 1 metre from the façade of the receptor (free field equivalent). (3) During normal operation of the Friston-Kiln Lane Substation (Work No. 1B), the rating level ($L_{Ar,Tr}$) of noise emitted from the development, shall be at least 5dB below background noise levels at any noise sensitive receptor, when assessed at a position 1 metre from the façade of the receptor (free field equivalent). (4) The rating level referred to in subparagraphs (1) to (3) above shall be determined in accordance with BS 4142:2014+A1:2019 and include all applicable acoustic corrections for tonality, impulsivity, intermittency and any other relevant characteristics. The reference method set out in Annex D to BS 4142:2014+A1:2019 shall be used in the assessment of whether tonal penalties apply. (6) Work No. 1B, 3B, 9B and 11 must not operate until a scheme for	previous consents which accepted the principle of securing noise limits by requirement, this application should also be subject to noise requirements. The ExA has reviewed comments from the applicant and the local authorities regarding the proposed limits that should be achieved at noise sensitive receptors (NSR). The ExA is mindful that both Suffolk and Kent have low background noise levels. The ExA is satisfied that 5dB below background is secured in respect of the Friston-Kiln Lane Substation and the applicant has confirmed that this is achievable based on the detailed design. With respect to the Kent Converter and Substation site, the applicant's operational noise assessment [AS-123] table 1.6 clearly states that with 'standard' mitigation it is possible to achieve 5dB below background at the	would occur; this includes a noise level of 34dB at noise sensitive receptors for the converter stations (and Minster Substation) which is secured by commitment NV11. For Friston Substation, there was formerly a commitment to 5dB below background noise levels in NV12. Following discussions with ESC, the Applicant has amended NV12 to provide maximum noise limits for noise sensitive receptors near Friston Substation, including 22dB for two properties and 21dB at another. The Applicant has also gone further by committing to achieving noise levels that are as 'low as reasonably possible' at noise sensitive receptors beyond the limits described above, also secured in the REAC. The Applicant considers that these measures already achieve and exceed what is necessary to mitigate adverse effects and provide secure commitments that will ensure the Applicant also reduces the noise level further at detailed design stage. Of course, the

			monitoring compliance with the noise rating level or levels set out in sub-paragraph (1) to (3) above has been submitted to and approved by the relevant planning authority. The scheme must be based on principles set out in BS 4142:2014+A1:2019. (7) In order to demonstrate that the noise levels have been achieved after commencement of the operation of Work No. 1B, 3B, 9B and 11 at full capacity, the scheme referenced in sub-paragraph (6) above must identify– (a) the required meteorological and other conditions under which the measurements will be taken, acknowledging that data obtained during emergency operation or testing of certain plant and equipment is not to be taken into account; (b) suitable monitoring locations (and alternative surrogate locations if appropriate); and (c) times when the monitoring is to take place. to demonstrate that the noise levels have been achieved after— (d) initial commencement of operation; and (e) after six months of operation (8) The monitoring scheme must be	nearest noise sensitive receptors and has used this to assume no significant operational noise effect. The ExA is therefore unclear why the applicant's operational noise technical note [REP6-128] argues for achievement of a 34dB level. A level 5dB below background is incorporated in the dDCO. In Suffolk the equivalent table 1.6 of the operational noise assessment suggests that the worst-case operational noise level would be 32dB (a maximum 10dB above the background level). Given that 32dB has been assessed by the applicant as the worst case and that 10dB is typically considered to be the threshold of significant effects (albeit noting Suffolk Energy Action Solutions (SEAS) comments about the wording of BS4142 [REP2-122]). The ExA	Applicant cannot reduce noise levels beyond what is reasonably possible so going further than the above would not be reasonable. All commitments above are secured in Section 1 of the REAC, which is firmly secured by Requirement 5 on the draft DCO (**Application Document 3.1 (J) draft Development Consent Order (DCO)**), providing commitment that is secure and enforceable. The Applicant disagrees that these commitments need to be in requirements to be firmly secured and considers the nature of the wording of the commitments is more appropriate for the REAC. However, to provide further reassurance that the commitments will be adhered to (although it is noted that it would be a criminal offence if they were not), the Applicant has added further wording to commitment NV07 in the **Application Document 9.84 (E) Register of Environmental Actions and Commitments**

			implemented as approved. (9) In the event that the Friston-Kiln Lane Substation (Work No. 1B) is delivered under Work No. 2 of this Order, to ensure that it does not result in exceedances of the operational noise rating levels at the substation site at Grove Wood, Friston, Work No. 2 must not operate until a scheme for monitoring compliance with the noise rating levels set out in Requirement 27 of the East Anglia TWO DCO (SI 2022/433) has been submitted to and approved by the relevant planning authority. (10) In addition to the design details referenced in requirement 3(1)(a), written details of the final plant specification, layout and any noise mitigation, together with updated noise modelling, demonstrating that the design achieves the noise limits in subparagraphs (1) to (3) as a minimum, shall be submitted to and approved in writing by the relevant planning authority. The design details shall be accompanied by a report demonstrating that the lowest reasonably practicable operational noise levels have	considers that a noise limit of 32dB would be reasonable. The ExA considers that initial monitoring of the operational sites is required, to ensure that the sites operate as designed and assessed. In addition, submission of details, updated modelling and justification that noise levels are as low as reasonably practicable (as proposed by SEAS [REP6-256c]) are included to demonstrate that every effort has been made to reduce noise levels in these very low ambient noise areas. The ExA has considered Thanet District Council (TDC) [REP6-186] and SEAS [REP6-256c] etc comments regarding low frequency noise and whilst noting that such matters would be considered as part of the BS4142 assessment, the provision to secure no greater than 10dB difference between the a-	**(REAC)** at Deadline 7 that states: *'Prior to the commencement of operation at Saxmundham Converter Station operational noise assessments shall be submitted to the local planning authority. This assessment shall demonstrate that noise levels arising from the operation of the proposed Saxmundham Converter Station have been mitigated to be as low as reasonably practicable. Should Friston Substation be constructed under the Sea Link DCO, an operational noise assessment shall also be submitted to the local planning authority prior to operation of the substation that demonstrates that noise levels arising from the operation of the substation have been mitigated to be as low as reasonably practicable. The assessments shall include details of all mitigation measures proposed.* *The proposed Saxmundham converter station shall not operate until a scheme for monitoring compliance with the noise rating levels set out in*

			been achieved. The report shall also demonstrate that the difference between the C-weighted and A-weighted equivalent continuous sound pressure levels ($L_{Ceq,T} – L_{Aeq,T}$) measured at the nearest noise sensitive receptors to Works No 3B, 9B and 11 shall not exceed 10dB during operation. (11) Work No. 1B, 3B, 9B and 11 must be implemented as approved in subparagraph (10) and thereafter be operated in accordance with the approved details.	weighted and c-weighted sound levels is proposed to assist in avoiding excessive low frequency noise emissions.	*NV11 and NV12 above has been submitted to and approved by the relevant planning authority. The scheme must be based on principles set out in BS 4142:2014+A1:2019. The rating level shall include all applicable acoustic corrections, including (but not limited to) those for tonality, impulsivity, intermittency and any other characteristics identified by BS 4142. reference method set out in Annex D to BS 4142:2014+A1:2019 shall be used in the assessment of whether tonal penalties apply.'* There is no need to have a requirement lower than LOAEL and this has a risk to the project if those levels can't be achieved, even if justifiable under policy and ALARP. With regards to dBC-dBA<10dB, this was shown to be a crude method, and BS 4142 contains an entirely suitable method that fulfils this purpose and is applicable to noise and frequencies generated by substations. Additionally, dBC-dBA is unenforceable as the

					background sound level dBC is already >10dB above dBA even without the substations/converter stations. This is entirely normal, but shows that such a method could not be used to determine if the cause of the 'exceedance' is the Project as the 'exceedance' is present in the existing noise climate.
21.	B: New requirement to Mitigate Intra-project cumulative effects	New requirement	Mitigation of Intra-project cumulative effects B – Once detailed design is complete and detailed construction and programme information is available, the undertaker commits to undertaking a review of the intra-project cumulative effects assessment submitted with the application (as amended during the Examination) in collaboration with the relevant local authorities to consider: (a) if the significant intra-project cumulative effects are still considered likely to occur; and (b) if they are still considered likely to occur, what additional appropriate mitigation measures may be applied to reduce their significance; and (c) if no such mitigation measures are available, what additional	The ExA considers that REAC commitment GG40 should be secured within the DCO so that it is enforceable. The recommended drafting also includes changes as proposed by SCC in responding to 2WQ [PD-021] 2CEIntra2 as the ExA considers these to be reasonable and necessary. These changes ensure that offsetting measures must be explored and implemented, where possible, if there are no appropriate mitigation measures available. It also includes a mechanism for	The Applicant understands the ExA's rationale for this requirement and has included a new requirement to deal with intra-project cumulative effects.

			appropriate offsetting measures may be applied following the mitigation hierarchy. (d) any such mitigation or offsetting measures must be agreed with the relevant local authorities, including a timetable for their implementation, and once agreed shall be implemented in accordance with the terms of such timetable	implementing any such mitigation or offsetting measures once agreed by the relevant local authorities.	
Schedule 4, Discharge of Requirements					
22.	1. Applications made under requirements	1.—(1) Where an application has been 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), the relevant authority must give notice to the undertaker of its decision on the application within a period of 35 days beginning with— (a) where no further information is	1.—(1) Where an application has been 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), the relevant authority must give notice to the undertaker of its decision on the application within a period of **56** 35 days beginning with— (a) where no further information is requested under paragraph 2, the day immediately following that on which the application is received by the authority; (b) where further information is requested under paragraph 2, the day immediately following that on which further information has been supplied by	The ExA considers that given the volume of NSIPs within the local authority areas and the need to allow for consultation and proper scrutiny, that a 56 day period is reasonable and appropriate.	The Applicant notes this recommended amendment. However, the Applicant remains of the position that 35 days is the appropriate period.

		requested under paragraph 2, the day immediately following that on which the application is received by the authority; (b) where further information is requested under paragraph 2, the day immediately following that on which further information has been supplied by the undertaker; or (c) such longer period as may be agreed in writing by the undertaker and the relevant authority. (2) Subject to sub-paragraph (3), in the event that the relevant authority does not determine an application within the period set out in sub-paragraph (1), the relevant authority is taken to have granted all parts of the application (without any condition or qualification) at the	the undertaker; or (c) such longer period as may be agreed in writing by the undertaker and the relevant authority. (2) Subject to sub-paragraph (3), in the event that the relevant authority does not determine an application within the period set out in sub-paragraph (1), the relevant authority is taken to have granted all parts of the application (without any condition or qualification) at the end of that period. (3) Where— (a) an application has been made to the relevant authority for any consent, agreement or approval required by a Requirement included in this Order; (b) the relevant authority does not determine such application within the period set out in sub-paragraph (1); and (c) the application is accompanied by a report that considers it likely that the subject matter of the application is to give rise to any materially new or materially different environmental effects in comparison with those reported in the environmental statement, then the application is taken to have been refused by the		

		end of that period. (3) Where— (a) an application has been made to the relevant authority for any consent, agreement or approval required by a Requirement included in this Order; (b) the relevant authority does not determine such application within the period set out in sub-paragraph (1); and (c) the application is accompanied by a report that considers it likely that the subject matter of the application is to give rise to any materially new or materially different environmental effects in comparison with those reported in the environmental statement, then the application is taken to have been refused by the relevant authority at the end of that period.	relevant authority at the end of that period.		

Schedule 16, Deemed Marine Licence					
23.	Condition 3(12)	(12) In case of exposure of cables on or above the seabed, the undertaker must, within five days following identification of a cable exposure, notify mariners by issuing a notice to mariners and by informing Kingfisher Information Service of the location and extent of exposure. Copies of all notices must be provided to the MMO, MCA, Trinity House, Kingfisher Information Service of Seafish and UK Hydrographic Office within seven days of the exposure identification.	In case of exposure of cables on or above the seabed, the undertaker must, within five days following identification of a cable exposure, **and as soon as reasonably practicable within the Areas of Safeguarded Water Depth (and no later than five days)**, by issuing a notice to mariners and by informing Kingfisher Information Service of the location and extent of exposure. Copies of all notices must be provided to the MMO, MCA, Trinity House, Kingfisher Information Service of Seafish and UK Hydrographic Office within seven days of the exposure identification.	Additional wording is required to make it clear that a notice should be issued as soon as reasonably practicable in Areas of Safeguarded Water Depth and no later than five days.	The Applicant has accepted the recommendation of the ExA in its **Schedule of Changes to the draft Development Consent Order [PD-024]** and has amended the draft DCO accordingly as set out in table 3.7 above.
24.	Condition 4 (1)	Pre-construction plans and documentation 4.—(1) The licensed activities or any part of those activities under Work No. 6, save for trial trenching, must not	Pre-construction plans and documentation 4.—(1) The licensed activities or any part of those activities under Work No. 6, save for trial trenching, must not commence until the following plans in respect of those activities have been submitted to and	In light of comments from Natural England [REP5-199] and the MMO [REP6-268], condition 4 makes specific provision for an intertidal works methodology and monitoring plan in	The Applicant has made an amendment to specify the inclusion of an intertidal works methodology and mitigation plan for Pegwell Bay. This is more appropriate to sit within the Cable Specification and Installation Plan document

		commence until the following plans in respect of those activities have been submitted to and approved in writing by the MMO, such approval to be within a period of six months from submission (in consultation with Natural England, the JNCC, MCA, the Environment Agency, PLA, Trinity House and Cefas)— (a) a Cable Specification and Installation Plan document in respect of those licensed activities, which is in substantial accordance with the principles set out in the outline 223 Cable Specification and Installation Plan and which has been informed by a cable burial risk assessment which shall include details of— (i) a sediment disposal management plan; (ii)	approved in writing by the MMO, such approval to be within a period of six months from submission (in consultation with Natural England, the JNCC, MCA, the Environment Agency, PLA, Trinity House and Cefas)— **(a) an intertidal works methodology and mitigation plan for Pegwell Bay.** (a**b**) a Cable Specification and Installation Plan document in respect of those licensed activities, which is in substantial accordance with the principles set out in the outline Cable Specification and Installation Plan and which has been informed by a cable burial risk assessment which shall include details of— (i) a sediment disposal management plan; (ii) 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; (iii) ~~location and timings~~ **(iii) the proposed detailed location and route of offshore cables, including micro siting where necessary together with**	Pegwell Bay. Paragraph 1.3.1 of the red-throated diver (RTD) protocol [REP6-090] implies that it is a) outline and b) part of the offshore outline construction environmental management plan, whilst draft deemed marine licence (dDML) original condition 4(1)(k) suggests that it is a stand-alone plan. The ExA has treated the RTD protocol as outline and stand alone, requiring agreement of the final version. The ExA considers that the changes to the original 4(1)(a)(iii) are necessary to allow MMO to have a final approval on the proposed route of the cable. The additional wording to the original 4(1)(b)(v) makes it clear that additional restrictions apply in the Areas of Safeguarded Water Depth and is necessary for clarity and consistency. The ExA considers that the original 4(1)(i) should	rather than as a standalone document to avoid duplication of plans and approvals required from the MMO. The Applicant has also made the proposed amendments to specify the proposed detailed location and route of offshore cables.

		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; (iii) location and timings; (iv) timings and duration of intertidal works; (v) a detailed cable laying and burial plan, incorporating a burial risk assessment encompassing the identification of any cable protection that exceeds 5% of navigable depth referenced to Chart Datum and, in the event that any area of cable protection exceeding 5% of navigable depth is identified, details of any steps (to be	**timings;** (iv) timings and duration of intertidal works; (v) a detailed cable laying and burial plan, incorporating a burial risk assessment encompassing the identification of any cable protection **and associated development or ancillary work** that **in the Areas of Safeguarded Water Depth would result in water depths being reduced in exceedance of the specified depths, or outside these areas would exceed** ~~exceeds~~ 5% of navigable depth referenced to Chart Datum exceeding ~~5% of navigable depth~~ is identified, details of any steps (to be determined following consultation with the MCA and Trinity House) to be taken to ensure existing and future safe navigation is not compromised or similar such assessment to ascertain suitable burial depths and cable laying techniques, including cable protection; (vi) a detailed cable protection plan; (vii) details of intended boulder removal; (viii) a marine pollution contingency plan; and (ix) a waste management plan; (~~b~~**c**) an Offshore Construction Environment Management plan	be amended to require a full and final monitoring report within condition 4.	

		determined following consultation with the MCA and Trinity House) to be taken to ensure existing and future safe navigation is not compromised or similar such assessment to ascertain suitable burial depths and cable laying techniques, including cable protection; (vi) a detailed cable protection plan; (vii) details of intended boulder removal; (viii) a marine pollution contingency plan; and (ix) a waste management plan; (b) an Offshore Construction Environment Management plan which is in substantial accordance with the principles set out in the outline Offshore Construction Environment Management Plan; (c) a Marine Mammal	which is in substantial accordance with the principles set out in the outline Offshore Construction Environment Management Plan; (~~d~~**e**) a Marine Mammal Mitigation Plan which is in substantial accordance with the principles set out in the outline Marine Mammal Mitigation Plan, (~~d~~**e**) a Marine Non-Native Species (MNNS) Plan which is in substantial accordance with the principles set out in the outline Marine Non-Native Species Plan; (~~e~~**f**) a marine bio-security plan; (~~f~~**g**) a Fisheries Liaison and Co-existence Plan (FLCP) which is in substantial accordance with the principles set out in the outline Fisheries Liaison and Co-existence Plan; (~~g~~**h**) a navigation and installation plan for the relevant stage which is in substantial accordance with the principles set out in the outline navigation and installation plan which shall include details of— (i) planned protocols; (ii) concurrent activity restrictions; and (iii) weather constraints. (~~h~~**i**) details of cable protection, any obstructions in the intertidal area and any clumping of disused cables for the updating of charts; and (~~i) an~~		

		Mitigation Plan which is in substantial accordance with the principles set out in the outline Marine Mammal Mitigation Plan, (d) a Marine Non-Native Species (MNNS) Plan which is in substantial accordance with the principles set out in the outline Marine Non-Native Species Plan; (e) a marine bio-security plan; (f) a Fisheries Liaison and Co-existence Plan (FLCP) which is in substantial accordance with the principles set out in the outline Fisheries Liaison and Co-existence Plan; (g) a navigation and installation plan for the relevant stage which is in substantial accordance with the principles set out in the outline navigation and installation plan which shall include	~~In-Principle Monitoring plan which is in substantial accordance with the principles set out in the outline in-principle monitoring plan;~~ (~~i~~**j**) **a monitoring plan (which accords with the In-Principle Monitoring Plan) to include details of proposed pre-construction surveys, baseline report format and content, post-construction monitoring and related reporting in accordance with conditions D and F to be submitted to the MMO (unless otherwise agreed in writing by the MMO) in accordance with the following – (i) at least six months prior to the first survey, details of the pre-condition surveys and an outline of all proposed monitoring; (ii) at least six months prior to completion of construction, detail of post-construction (and operational) monitoring;** (~~j~~**k**) a landfall method statement in accordance with the construction methods assessed in the environmental statement; (~~k~~**l**) a Red Throated Diver Protocol, **which is in accordance with theprinciples set out in the outline Red Throated Diver**		

		details of— (i) planned protocols; (ii) concurrent activity restrictions; and (iii) weather constraints. (h) details of cable protection, any obstructions in the intertidal area and any clumping of disused cables for the updating of charts; and (i) an In-Principle Monitoring plan which is in substantial accordance with the principles set out in the outline in-principle monitoring plan; (j) a landfall method statement in accordance with the construction methods assessed in the environmental statement; (k) a Red Throated Diver Protocol; and (l) Unless otherwise agreed in writing by the MMO, a chemical risk assessment submitted for approval no later than ten	**Protocol; and (~~l~~m) Unless otherwise agreed in writing by the MMO, a chemical risk assessment submitted for approval no later than ten weeks prior to use, including (but not limited to) information regarding how and when chemicals are to be used, stored and transported in accordance with recognised best practice guidance and standards, and in accordance with the conditions of this licence (~~m~~n) Unless otherwise agreed in writing by the MMO, a site specific chemical risk assessment for any chemicals used for the licensed activities (outside the course of normal navigation) with a pathway to the marine environment, which should include— (i) the function of the chemical, the quantities being used, the frequency of use, the location, and the estimated discharge; (ii) the management measures preventing the release into the marine environment; and (iii) the physical, chemical, and ecotoxicological properties of the chemical except where the chemical is present on the**		

		weeks prior to use, including (but not limited to) information regarding how and when chemicals are to be used, stored and transported in accordance with recognised best practice guidance and standards, and in accordance with the conditions of this licence (m) Unless otherwise agreed in writing by the MMO, a site specific chemical risk assessment for any chemicals used for the licensed activities (outside the course of normal navigation) with a pathway to the marine environment, which should include— (i) the function of the chemical, the quantities being used, the frequency of use, the location, and the estimated discharge; (ii) the management measures preventing	**OSPAR List of Substances Used and Discharged Offshore which Are Considered to Pose Little or No Risk to the Environment (PLONOR), or chemicals where the MMO agree in writing that the management measures are sufficient to ensure no release into the marine environment.**		

		the release into the marine environment; and (iii) the physical, chemical, and ecotoxicological properties of the chemical except where the chemical is present on the OSPAR List of Substances Used and Discharged Offshore which Are Considered to Pose Little or No Risk to the Environment (PLONOR), or chemicals where the MMO agree in writing that the management measures are sufficient to ensure no release into the marine environment.			
25.	Condition 4(6)	(6) In undertaking the licensed activities, the undertaker must not reduce existing water depths between KP 33 and KP 38 unless agreed with the MMO in writing in consultation with the	(6) In undertaking the licensed activities, the undertaker must not reduce existing water depths ~~between KP 33 and KP 38~~ **in exceedance of the specified depths within the Areas of Safeguarded Water Depths** unless agreed with the MMO in	The revised wording is necessary to reflect the limitations established in requirement 17.	The Applicant has not amended this condition as the existing water depths between KP33 and KP38 are separate to the depths specified within the Areas of Safeguarded Water Depths. This condition has been specifically agreed with the MCA to deal with the areas between KP33 and KP38 and

		MCA and Trinity House.	writing in consultation with the MCA and Trinity House.		the Applicant considers that the condition should remain as drafted. The Applicant has liaised with the MCA and port authorities on this matter and understands that there is alignment between the parties.
26.	Condition 10	Trenchless Landfall Techniques 10.—(1) Landfall installation must only use trenchless landfall techniques between the onshore transition joint bay and the exit pits. (2) No exit to trenchless landfall techniques must occur within 50m of saltmarsh habitat within Pegwell Bay (3) No exit to trenchless landfall techniques must occur within 50m of MLWS at Leiston to Aldeburgh SSSI.	Trenchless Landfall Techniques 10.—(1) Landfall installation must only use trenchless landfall techniques between the onshore transition joint bay and the exit pits. (2) No exit to trenchless landfall techniques must occur within 50m of saltmarsh habitat within Pegwell Bay **(3) The temporary working area will be located at a minimum distance of 50m from the edge of the saltmarsh habitat within Pegwell Bay.** (3**4**) No exit to trenchless landfall techniques must occur within 50m of MLWS at Leiston to Aldeburgh SSSI. **(5) Exit to trenchless landfall techniques must occur at least 45m east of the continual Coralline Crag outcrop in Suffolk (as identified in plate 2.3 of the Coralline Crag technical note)**. **(6) Pneumatic casing installation shall not be used unless otherwise agreed in writing with the MMO,**	The ExA has proposed additional dDML wording for consistency with proposed revised wording of requirement 16.	The Applicant has accepted the recommendation of the ExA in its **Schedule of Changes to the draft Development Consent Order [PD-024]** and has amended the draft DCO accordingly as set out in table 3.7 above. However, minor amendments are made in relation to condition 10(6) to clarify that the pneumatic casing installation shall not be used below MHWS to reflect the MMO's jurisdiction given the intention for the MMO to discharge the requirement. Condition 10(7) has also been clarified to make clear that the condition applies between the onshore transition joint bays and the exist pits to reflect the existing requirement 16(1).

			following provision of appropriate underwater noise assessment and agreement of any relevant mitigation proposals. (7) No open cut trenching will be permitted for the repair and maintenance of cables installed by trenchless techniques at the landfall, unless otherwise approved by the relevant planning authority in consultation with Natural England.		
27.	Condition 11	Red Throated Diver 11.— (1) Unless otherwise agreed in writing with the MMO, in consultation with Natural England and the JNCC as the relevant statutory nature conservation body (SNCB), 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— (a) pre-sweeping dredging; (b) boulder	Red Throated Diver 11.— (1) Unless otherwise agreed in writing with the MMO, in consultation with Natural England and the JNCC as the relevant statutory nature conservation body (SNCB), none of the following activities relating to cable laying are permitted to take place on the seabed within the Outer Thames Estuary SPA **and a 2km buffer** between 1 November and 31 March inclusive— (a) pre-sweeping dredging; (b) boulder clearance, pre-lay grapnel run and cable crossing preparation; (c) cable installation (specifically mechanical ploughing or cutting and/or water jetting and post lay burial operation); (d) cable	To provide certainty regarding the outcomes of the habitats regulations assessment, the wording definitively secures the application of a 2km buffer and avoidance of routine monitoring and maintenance during the wintering period but allows flexibility if agreed with the relevant SNCB. Paragraph 1.3.1 of the RTD protocol [REP6-090] states that it applies to decommissioning therefore reference to decommissioning has been added in 11(4).	The Applicant has accepted the recommendation of the ExA in its **Schedule of Changes to the draft Development Consent Order [PD-024]** and has amended the draft DCO accordingly as set out in table 3.7 above.

		clearance, pre-lay grapnel run 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); (2) Unless otherwise agreed in writing with the MMO, none of the following activities relating to landfall installation are permitted to take place on or under the seabed within the Outer Thames Estuary SPA between 1 January and 31 March inclusive— (a) Trenchless landfall techniques for landfall installation. (3) The provisions of paragraphs (1) and (2) do not apply in respect of emergency cable repair works. (4) The undertaker will	protection (specifically rock placement); (e) **Routine monitoring and maintenance activities (either by vessels or autonomous vehicles)** (2) Unless otherwise agreed in writing with the MMO, none of the following activities relating to landfall installation are permitted to take place on or under the seabed within the Outer Thames Estuary SPA between 1 January and 31 March inclusive— (a) Trenchless landfall techniques for landfall installation. (3) The provisions of paragraphs (1) and (2) do not apply in respect of emergency cable repair works. (4) The undertaker will comply with the red-throated diver protocol throughout the construction, operation, maintenance and **decommissioning** of the authorised development.		

		comply with the red-throated diver protocol throughout the construction, operation and maintenance of the authorised development.			
28.	Condition 12	(3) In undertaking activities under condition 12(2)(d), the undertaker must not reduce water depth by more than 5% unless agreed with the MMO in writing in consultation with the MCA.	(3) In undertaking activities under condition 12(2)(d), the undertaker must not reduce water depth by more than 5% **and in Areas of Safeguarded Water Depth water depth must not be reduced in exceedance of the specified depths,** unless agreed with the MMO in writing in consultation with the MCA.	The revised wording is necessary to reflect the limitations established in requirement 17	The Applicant has accepted the recommendation of the ExA in its **Schedule of Changes to the draft Development Consent Order [PD-024]** and has amended the draft DCO accordingly as set out in table 3.7 above. The Applicant has however amended the wording to refer to the specific requirement.
Schedule 16, Deemed Marine Licence new conditions					
29.	D: Pre-construction surveys to be agreed	New condition	D.—(1) The undertaker must, in discharging condition 4(1)(j), submit details (which accord with the In Principle Monitoring Plan) for written approval by the MMO, in consultation with the relevant statutory bodies, of proposed pre-construction surveys, including methodologies and timings, and a proposed format and content for a pre-construction baseline report; and (a) the survey proposals must specify each	To provide a condition requiring pre-construction surveys for the offshore scheme.	The Applicant notes that the draft condition replicates the condition within the EA2 Development Consent Order. The Applicant agrees with the ExA that it is appropriate to include a condition dealing with pre-condition surveys for the offshore works. However, it has proposed amendments to the drafting to reflect the differences between the proposed project

			survey's objectives and explain how it will assist in either informing a useful and valid comparison with the post-construction position and/or will enable the validation or otherwise of key predictions in the environmental statement; and (b) the baseline report proposals must ensure that the outcome of the agreed surveys together with existing data and reports are drawn together to present a valid statement of the pre-construction position, with any limitations, and must make clear what post-construction comparison is intended and the justification for this being required. (2) The pre-construction surveys referred to in sub-paragraph (1) must, unless otherwise agreed with the MMO, have due regard to, but not be limited to, the need to undertake— (a) a survey to determine the location and extent of any sensitive benthic habitats or species, where benthic habitats of principal importance such as those qualifying as annex 1 or s41 of the Natural Environment and Rural Communities Act 2006 (NERC) are identified, Sabellaria		and the offshore wind farm projects. Defining offshore monitoring for subsea cables, if required, relies on the findings of the baseline survey (Pre-construction Survey) and the as-built status of the cable. As previously highlighted at Deadline 5, although the RPL of the cable would be agreed with the MMO prior to construction, the 'as built' positioning of the cable route within the Order Limits may be further determined by a number of real-time engineering and environmental factors. Further intricate micro routing decisions due to engineering constraints, for example, may occur during cable installation activities whereby immediate action to micro route within the consented corridor might be needed. An 'as built' plan will be submitted to the MMO within three months of completion of licensed activities. As stated in feedback during Examination from Natural England, if the offshore cable is successfully microsited offshore away from sensitive receptors,

			spinulosa reefs, and Mytilus edulis beds, inside the areas within the Order limits in which it is proposed to carry out construction works; (b) a full sea floor coverage swath-bathymetry survey undertaken to IHO Order 1a standard that meets the requirements of MGN654 and its annexes, and side scan sonar, of the area(s) within the Order limits in which it is proposed to carry out construction works including an appropriate buffer area around the site of each work, inclusive of seabed anomalies or sites of historic or archaeological interest that lie within the buffer; (c) any marine mammal monitoring required by the monitoring plan submitted. (3) The undertaker must carry out the surveys agreed under sub-paragraph (1) and provide the baseline report to the MMO in the agreed format in accordance with the agreed timetable, unless otherwise agreed in writing by the MMO in consultation with the relevant statutory nature conservation bodies.		no further monitoring may be required. Therefore, a new condition 15 is included within the draft DCO dealing with pre-condition surveys, a benthic mitigation plan and adaptive management plan. The Applicant considers that the proposed approach deals with the ExA's concerns.

30.	E: Benthic mitigation plans	New condition	E - Based on pre-construction surveys required in conditions 4(1)(J) and D and in agreement with MMO, the Undertaker must prepare a Benthic Mitigation Plan(s). Any necessary Benthic Mitigation Plans must be submitted to and approved in writing by the MMO prior to offshore works commencing and should include a timetable for implementation of the mitigation and details of any necessary monitoring. Any agreed mitigation and/or monitoring must be implemented in accordance with the agreed timetable.	Whilst the Benthic Mitigation Plan is proposed where necessary within the REAC as a commitment, the ExA considers that this should be a condition within the DML.	Please see the response to point 29 above.
31.	F: Post construction surveys and monitoring and agreement for the need for any Benthic Mitigation Surveys. Maybe separate condition for benthic mitigation surveys	New condition	F - The undertaker must, in discharging condition 4(1)(j), submit a plan for the post-construction monitoring, providing details of proposed post-construction surveys, including methodologies and timings, and a proposed format, content and timings for providing reports on the results. The survey proposals must be in accordance with the In-Principle Monitoring Plan and must specify each survey's objectives and explain how it will assist in either informing a useful and valid comparison with the	To provide a condition requiring post-construction surveys for the offshore scheme with adaptive management where it transpires as being necessary.	Please see the response to point 29 above.

			pre– construction position and/or will enable the validation or otherwise of key predictions in the environmental statement. The undertaker must then carry out the surveys and monitoring as agreed and provide these reports in the approved format in accordance with a timetable to be agreed with the MMO prior to commencement of offshore cable laying activities, unless otherwise agreed in writing with the MMO. In the event that the reports provided to the MMO identify impacts which are unanticipated, and/or in the view of the MMO, in consultation with the relevant statutory nature conservation body, are significantly beyond those predicted within the Environmental Statement, Habitats Regulations Assessment, or Marine Conservation Zone Assessment, an Adaptive Management Plan shall be produced and submitted alongside the relevant post-construction monitoring reports. The plan shall identify measures to reduce effects to ensure that these impacts are no worse than was predicted within the Environmental Statement,		

			Habitats Regulations Assessment, or Marine Conservation Zone Assessment, unless otherwise agreed by the MMO in writing in consultation with the relevant statutory nature conservation bodies. This plan must be agreed by the MMO in consultation with the relevant statutory nature conservation bodies to reduce effects to an agreed suitable level for this development. Any such agreed and approved adaptive management or mitigation should be implemented and monitored in full to a timetable first agreed in writing with the MMO in consultation with the relevant statutory nature conservation body.		
Schedule 19, Certified documents					
32.	Schedule 19	N/A	Add 'Arboricultural impact assessment'	The Arboricultural Impact Assessment is referenced in the revision to article 51.	The Applicant has accepted the recommendation of the ExA in its **Schedule of Changes to the draft Development Consent Order [PD-024]** and has amended the draft DCO accordingly as set out in table 3.7 above.
33.	Schedule 19	N/A	Add **'Areas of Safeguarded Water Depth Plan'**	The plan is listed in 'interpretation' as being a plan to be certified under	The Applicant has accepted the recommendation of the ExA in its **Schedule of Changes to**

				article 60 but is not included in schedule 19.	**the draft Development Consent Order [PD-024]** and has amended the draft DCO accordingly as set out in table 3.7 above.
34.	Schedule 19	N/A	Add **'The Coralline Crag technical note'**	The technical note is referenced in the revision to requirement 16 and dDML condition 10.	The Applicant has accepted the recommendation of the ExA in its **Schedule of Changes to the draft Development Consent Order [PD-024]** and has amended the draft DCO accordingly as set out in table 3.7 above.

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