

AENC-BCLP-LEG-REP-0028

# Norwich to Tilbury

**Volume 3: Draft Development Consent Order**

**Document: 3.5 Schedule of Changes to the Draft DCO - Tracked  
Changes Version**

**Final Issue B**

**April 2026**

**Planning Inspectorate Reference: EN020027**

**Infrastructure Planning (Applications: Prescribed Forms and Procedure)  
Regulations 2009 Regulation 5(2)(c)**

**nationalgrid**

# Revision History

<u>Version</u>	<u>Date</u>	<u>Submitted at</u>
<u>A</u>	<u>12 March 2026</u>	Deadline 2
<u>B</u>	<u>10 April 2026</u>	<u>Deadline 3</u>

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# 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 made to the draft Development Consent Order (DCO) from the version submitted to the Planning Inspectorate on 29 August 2025 as part of the application for development consent (**Document 3.1(A)**) [APP-056].

1.1.2 This document is therefore submitted together with:

- a) A revised draft DCO showing the changes proposed for Deadline 2 (**Document 3.1(BC)**) (clean); and
- b) A tracked version of the draft DCO showing all changes as between Revision A (~~Document 3.1(A)~~) [APP-056] and the new Revision B (**Document 3.1(B)**) [REP2-004] and the new Revision C (**Document 3.1(C)**).

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 Examination Stage

### Deadline 2

1.2.1 Table 2.1 lists the principal changes made by the ~~Application~~ Applicant within Revision B of the draft DCO (**Document 3.1(B)**) submitted at Deadline 2 of the Examination.

1.2.2 The genesis of a number of these amendments are driven by points raised by the local authorities and key stakeholders in their Relevant Representations and Local Impact Reports. Other key amendments have arisen through engagement with developers of other major infrastructure projects, including North Falls Offshore Windfarm, Five Estuaries Offshore Windfarm and the A122 Lower Thames Crossing.

### Deadline 3

1.2.3 Table 2.2 lists the principal changes made by the Applicant within Revision C of the draft DCO (**Document 3.1(C)**) submitted at Deadline 3 of the Examination.

1.2.4 Where reference is made in Table 2.2 to the **Examining Authority's Written Questions (ExQ1) [PD-014]**, the question reference referred to is to the unique reference number which starts with the issue code, followed by a 1 (indicating that it is from ExQ1), followed by either an A (indicating it relates to an article) or an S (indicating that it relates to a schedule) and then a question number. Detailed responses to the Examining Authority's written questions are provided in **8.9.1 Applicant's Responses to First Written Questions** which were submitted at Deadline 3.



## 2. Schedule of Changes during Examination

Table 2.1 Schedule of Changes to Version A of the draft DCO [APP-056]

Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
1.	Article 2, Interpretation	A minor amendment to re-order definitions so that they appear in alphabetical order.	<p><u>“design and layout plans (elevations)” means those parts of the design and layout plans – subs &amp; cables listed in Part 2 of Schedule 2 (plans) and certified under article 60 (certification of documents) showing the elevations of proposed equipment and proposed overhead line works;</u></p> <p><u>“design approach for site specific infrastructure” means the document of that description (document 7.16) certified by the Secretary of State as the design approach for site specific infrastructure for the purposes of the Order under article 60 (certification of documents);</u></p> <p>“electric line” has the meaning set out in section 64(1) (interpretation etc. of Part 1) of the 1989 Act which includes but is not limited to new pylons, foundations and steelwork, conductors, insulators and fittings, fibre optic earthwire conductors, joint boxes, joint pits, joint bays, cables, cable ducts, link pillars and cables;</p> <p>“electronic transmission” means a communication transmitted—</p> <p>(a) by means of an electronic communications network; or</p> <p>(b) by other means but while in electronic form.</p> <p>and in this definition “electronic communications network” has the same meaning as in section 32(1) (meaning of electronic communications networks and services) of the 2003 Act;</p> <p><del>“design and layout plans (elevations)” means those parts of the design and layout plans—subs &amp; cables listed in Part 2 of Schedule 2 (plans) and certified under article 60 (certification of documents) showing the elevations of proposed equipment and proposed overhead line works;</del></p> <p><del>“design approach for site specific infrastructure” means the document of that description (document 7.16) certified by the Secretary of State as the design approach for site specific infrastructure for the purposes of the Order under article 60 (certification of documents);</del></p>	B
2.	Article 2,	A minor amendment in		B

Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
	Interpretation	response to feedback from Essex County Council in its Local Impact Report.	“pre-commencement operations” means operations consisting of engineering investigations and surveys, environmental (including archaeological) investigations and monitoring, <a href="#">listed building surveys</a> , surveys and monitoring investigations for the purpose of assessing ground conditions, diversion and laying of services, protection works comprising utilities protection works or fencing and protection slabs, demolition of existing buildings, site clearance, environmental mitigation measures, remediation in respect of any contamination or other adverse ground conditions, set up works associated with the establishment of construction compounds and temporary laydown areas, receipt and erection of construction plant and equipment, temporary accesses, erection of any temporary means of enclosure or temporary demarcation fencing marking out site boundaries and the temporary display of site notices or advertisements;	
3.	Article 2, Interpretation	An amendment in response to feedback from South Norfolk District Council in its Local Impact Report to future-proof the draft DCO against potential re-structuring of ensure that any successors in function are expressly covered.	“relevant highway authority” means, in any given provision of this Order, the local or national highway authority for the area to which the provision relates <a href="#">and any successor in function</a> ; “relevant planning authority” means, in any given provision of this Order, the local planning authority for the area to which the provision relates <a href="#">and any successor in function</a> ;	B
4.	Article 2, Interpretation	An amendment in response to feedback from UKOP/BPA to ensure that any successors title and assigns and successors in function are expressly covered.	“UKOP” means United Kingdom Oil Pipelines Ltd (registered company number 00746708) and BPA as agent for United Kingdom Oil Pipelines Ltd <a href="#">and includes their respective successors in title and assigns</a> ;	B
5.	Article 2, Interpretation	A minor amendment to relocate the definition to where the term “UKOP protective works” is first	<a href="#">“UKOP protective works” means those works specified in Schedule 9A (works for the protection of UKOP apparatus)</a> ;	B

Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
		used (see <b>Ref. 8</b> ).		
6.	Article 2, Interpretation	An amendment to ensure that UKOP has the benefit of the necessary powers to enable it to carry out the UKOP protective works.	<p>“undertaker”—</p> <p>(a) in relation to the authorised development, means National Grid; <del>and</del></p> <p>(b) in relation to the UKPN Works and subject to paragraph (5) of article 6 (benefit of Order), includes UKPN; <u>and</u></p> <p><u>(c) in relation to the UKOP protective works, means UKOP.</u></p>	B
7.	Article 12, Application of the Permit Schemes	An amendment that has been made in response to feedback from Suffolk County Council in its Local Impact Report.	<p>(2) For the purposes of this Order—</p> <p>(a) a permit may not be refused or granted subject to conditions which relate to the imposition of moratoria;</p> <p>(b) a permit may not be granted subject to conditions where compliance with those conditions would constitute a breach of this Order or where the undertaker would be unable to comply with those conditions through the exercise of the powers conferred by this Order;</p> <p>(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 sub-paragraph (b); and</p> <p>(d) where a provisional advance authorisation has been granted to the undertaker in advance of the grant of a permit in relation to the construction of the authorised development, the relevant <del>street</del><u>highway</u> 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 <del>local</del><u>relevant</u> highway authority to grant a permit for immediate works.</p>	B
8.	Article 21, Protective works	A minor amendment to relocate the definition to where the term is first used (see <b>Ref. 5</b> ).	<p><del>(13) In this article “UKOP protective works” mean the works specified in Schedule 9A (works for the protection of UKOP apparatus).</del></p>	B
9.	Schedule 1, Authorised Development	An amendment that has been made to reflect the Applicant’s commitment to pursuing Scenario B at Tilbury North.		B

**Work No. 19 —reconfiguration of the existing overhead transmission electric line (Route YYJ)**

Works shown as commencing on Section H [Sheets 4, 5 and 7] and terminating on Section H [Sheets 4 and 5] of the works plans to modify and reconfigure the overhead transmission electric line (Route YYJ) between a [point indicated as YYJ116 and a point indicated as YYJ129], including—

- (a) the dismantling and removal of existing pylons ~~YYJ122~~YYJ123 to ~~YYJ126~~YYJ125 (inclusive) including foundations;
- (b) the dismantling and removal of existing overhead transmission electric line between a point indicated as [YYJ116 on Section H Sheet 7] of the Work Plans and a point indicated as [YYJ129 on Section H Sheet 5] of the Work Plans;
- (c) the foundations and steelwork to construct new pylons;
- ~~(d) the installation of overhead transmission electric line and new pylons between a point indicated as YYJ116 on Section H Sheet 7 of the Work Plans and Tilbury North Substation (Work No. 18) on Section H Sheet 5 of the works plans;~~
- ~~(e) the installation of overhead transmission electric line and new pylons between Tilbury North Substation (Work No. 18) and a point indicated as YYJ129 on Section H Sheet 5 of the Work Plans;~~
- (f) in respect of works (d) and (e) above—
  - ~~(i) foundations and steelwork to construct and install two gantries for the connection of overhead electric line into Tilbury North Substation;~~
  - ~~(ii) foundations and steelwork to construct and install two gantries for the connection of overhead electric line out of Tilbury North Substation;~~
  - ~~(iii) the installation of conductors, insulators and fittings, including downleads and droppers at each gantry to facilitate connection to the equipment within Tilbury North Substation;~~

Ref. dDCO Ref.	Rationale for the Change Change Made	Version of dDCO
	<p><u>(d)</u> <del>(g)</del> the installation of overhead transmission electric line and new pylons between a point indicated as [YYJ116 on Section H Sheet 7] of the Work Plans and Tilbury North (Warley side) Cable Sealing End Compound (Work No. <del>22b</del><u>22</u>) on Section H Sheet 5 of the works plans;</p> <p><u>(e)</u> <del>(h)</del> the installation of overhead transmission electric line and new pylons between Tilbury North (Tilbury side) Cable Sealing End Compound (Work No. <del>24b</del><u>24</u>) and a point indicated as [YYJ129 on Section H Sheet 5] of the Work Plans;</p> <p><del>(i) in respect of works (g) and (h) above—</del></p> <p><u>(f)</u> <del>(i)</del> foundations and steelwork to construct and install two gantries for the connection of overhead electric line into Tilbury North (Warley side) Cable Sealing End Compound (Work No.22);</p> <p><u>(g)</u> <del>(ii)</del> foundations and steelwork to construct and install two gantries for the connection of overhead electric line out of Tilbury North (Tilbury side) Cable Sealing End Compound (Work No.24);</p> <p><u>(h)</u> <del>(iii)</del> the installation of conductors, insulators and fittings, including downloads and downdroppers at each gantry to facilitate connection to the equipment within the Tilbury North (Warley side) Cable Sealing End Compound; <del>and</del></p> <p><u>(i)</u> <del>(iv)</del> the installation of conductors, insulators and fittings, including downloads and downdroppers at each gantry to facilitate connection to the equipment within the Tilbury North (Tilbury side) Cable Sealing End Compound;</p> <p>(j) the installation of fibre optic conductors, with optical fibre terminated in joint boxes; and</p> <p>(k) the temporary diversion of the existing overhead transmission electric line via existing pylons or new temporary or permanent pylons in order to facilitate Work No. 19 as described above.</p>	
10. Schedule 1, Authorised Development	<p>An amendment that has been made to reflect the Applicant's commitment to pursuing Scenario B at Tilbury North.</p> <p>Work No. 20 is not used to avoid substantial consequential effects on</p>	B

Ref. dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
	Works Plans and other application documents that refer to Works by their number.	<p style="text-align: center;"><i>In the district of Thurrock Council</i></p> <p><b>Work No. 20</b> — <del>modifications to the existing overhead transmission electric line (Route ZB)</del><u>not used</u></p> <p><del>Works shown as commencing on Section H Sheet 6 and terminating on Section H Sheet 6 of the works plans to modify and reconfigure the existing overhead transmission electric line (Route ZB) between a point indicated as ZB16 and a point indicated as ZB18, including—</del></p> <ul style="list-style-type: none"> <li><del>(a) the temporary diversion of the existing overhead transmission electric line between existing pylon ZB16 and existing pylon ZB18 (via temporary pylon ZB17T) to facilitate the dismantling and removal of existing pylon ZB17 and the installation of new pylon ZB17R;</del></li> <li><del>(b) the dismantling and removal of existing pylon ZB17 including foundations; and</del></li> <li><del>(c) the installation of new pylon ZB17R including foundations, steelwork and associated conductors, droppers and downleads, insulators and fittings.</del></li> </ul>	
11. Schedule 1, Authorised Development	<p>An amendment that has been made to reflect the Applicant's commitment to pursuing Scenario B at Tilbury North.</p> <p>Work No. 21 is not used to avoid substantial consequential effects on Works Plans and other application documents that refer to Works by their number.</p>	<p style="text-align: center;"><i>In the district of Thurrock Council</i></p> <p><b>Work No. 21</b> — <del>reconfiguration of the existing overhead transmission electric line (Route ZB)</del><u>not used</u></p> <p><del>Works shown as commencing on Section H Sheet 7 and terminating on Section H Sheet 5 of the works plans to modify and reconfigure the overhead transmission electric line (Route ZB) between a point indicated as ZB22 and a point indicated as ZB9, including—</del></p> <ul style="list-style-type: none"> <li><del>(a) the dismantling of existing pylons ZB15 to ZB13 (inclusive) including foundations;</del></li> <li><del>(b) the dismantling and removal of existing overhead transmission electric line between a point indicated as ZB22 on Section H Sheet 22 of the Work Plans and a point indicated as ZB9 on Section H Sheet 5 of the Work Plans;</del></li> <li><del>(c) the foundations and steelwork to construct new pylons;</del></li> <li><del>(d) the installation of new pylons, conductors, insulators and fittings between a point indicated as ZB22 on Section H Sheet 7 of the works plans and the Tilbury North (Warley side) Cable Sealing End Compound (Work No. 22) on Section H Sheet 5 of the works plans;</del></li> </ul>	B

Ref. dDCO Ref.	Rationale for the Change Change Made	Version of dDCO
12. Schedule 1, Authorised Development	<p>An amendment that has been made to reflect the Applicant's commitment to pursuing Scenario B at Tilbury North.</p> <p><del>(e) the installation of new pylons, conductors, insulators and fittings between the Tilbury North (Tilbury side) Cable Sealing End Compound (Work No. 24a) and a point indicated as ZB9 on Section H Sheet 5 of the works plans;</del></p> <p><del>(f) foundations and steelwork to construct and install four gantries;</del></p> <p><del>(g) the installation of new pylons, conductors, insulators and fittings, including downleads and droppers at each gantry to facilitate connection to the equipment within the Tilbury North (Warley side) Cable Sealing End Compound;</del></p> <p><del>(h) the installation of new pylons, conductors, insulators and fittings, including downleads and droppers at each gantry to facilitate connection to the equipment within the Tilbury North (Tilbury side) Cable Sealing End Compound;</del></p> <p><del>(i) the installation of fibre optic conductors, with optical fibre terminated in joint boxes; and</del></p> <p><del>(j) the temporary diversion of the existing overhead transmission electric line via existing pylons or new temporary or permanent pylons in order to facilitate Work No. 21 as described above.</del></p>	B

**Work No. 22 – Tilbury North (Warley side) Cable Sealing End Compound (Route ~~ZB or Route YYJ~~)**

Works as shown on Section H Sheet 5 of the works plans to construct a new cable sealing end compound at Tilbury North (Warley side) in connection with ~~either Route ZB or Route YYJ~~, including—

~~(a) in respect of Route ZB—~~

- (i) Tilbury North (Warley side) Cable Sealing End Compound sealing end equipment including switchgear and connection to overhead transmission electric line conductors including gantries;

~~(ii) Tilbury North (Warley side) Cable Sealing End Compound permanent compound, security fencing and gates, within which is situated the sealing end equipment, earthing and protection and control systems, portable relay room, supervisory control and data acquisition communication, switchgear, connection to overhead electric line including fibre optic cable to joint boxes, gantries, transformers, cables, surface troughs, fibre optic cable and joint boxes;~~

~~(iii) landscaping, including mitigation planting, at the Tilbury North (Warley side) Cable Sealing End Compound; and~~

~~(iv) permanent vehicular access road(s), hard standing, drainage (including attenuation ponds), and site services, including low voltage supply inclusive of distribution network operator connection or solar panels and battery storage for Tilbury North (Warley side) Cable Sealing End Compound.~~

~~The Tilbury North (Warley side) Cable Sealing End provided in respect Route ZB will be located in proximity to the point indicated as ZB15RA on Section H Sheet 5 of the works plans.~~

~~(b) in respect of Route YYJ—~~

~~(i) Tilbury North (Warley side) Cable Sealing End Compound sealing end equipment including switchgear and connection to overhead transmission electric line conductors including gantries;~~

- (ii) Tilbury North (Warley side) Cable Sealing End Compound permanent compound, security fencing and gates, within which is situated the sealing end equipment, earthing and protection and control systems, portable relay room, supervisory control and data acquisition communication, switchgear, connection to overhead electric line including fibre optic cable to joint boxes, gantries, transformers, cables, surface troughs, fibre optic cable and joint boxes, and;

(iii) landscaping, including mitigation planting, at the Tilbury North (Warley side) Cable Sealing End Compound; and

(iv) permanent vehicular access road(s), hard standing, drainage (including attenuation ponds), and site services, including low voltage supply inclusive of distribution network

Ref. dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
		<p>operator connection or solar panels and battery storage for Tilbury North (Warley side) Cable Sealing End Compound.</p> <p><del>The Tilbury North (Warley side) Cable Sealing End provided in respect YYJ will be located in proximity to the point indicated as the existing YYJ124 on Section H Sheet 5 of the works plans.</del></p>	
<p>13. Schedule 1, Authorised Development</p>	<p>An amendment that has been made to reflect the Applicant’s commitment to pursuing Scenario B at Tilbury North.</p> <p>The term “cable ducts” has been replaced by “cable protection structures” to account for necessary flexibility in design at this stage.</p>	<p><b>Work No. 23 — underground transmission electric line from the Tilbury North (Warley side) Cable Sealing End Compound to <del>either—</del></b></p> <p><del>(a) the Tilbury North (Tilbury side) Cable Sealing End Compound (as part of Route ZB); or YYJ via Tilbury North Substation (Work No. 18)</del></p> <p><del>(b) the Tilbury North (Tilbury side) Cable Sealing End Compound (as part of Route YYJ).</del></p> <p>Works shown as commencing on Section H Sheet 5 and terminating on Section H Sheet 5 of the works plans to construct and install a new underground transmission electric line (Route <del>ZB or Route YYJ</del>) <del>in the section of the works between either—</del></p> <p><del>(i) between the Tilbury North (Warley side) Cable Sealing End Compound (Work No. 22) and the Tilbury North (Tilbury side) Cable Sealing End Compound (Work No. 24) the Tilbury North (Warley side) Cable Sealing End Compound (Work No. 22) and the Tilbury North (Tilbury side) Cable Sealing End Compound (Work No. 24a) as part of Route ZB, including cable ducts, joint bays, link pillars, fibre optic conductors and earthing and protection and control systems; or</del></p> <p><del>(ii) the Tilbury North (Warley side) Cable Sealing End Compound (Work No. 22) and the Tilbury North (Tilbury side) Cable Sealing End Compound (Work No. 24b) via Tilbury North Substation (Work No. 18) as part of Route YYJ, including cable ducts, protection structures, joint bays, link pillars, fibre optic conductors and earthing and protection and control systems.</del></p>	<p>B</p>
<p>14. Schedule 1, Authorised Development</p>	<p>An amendment that has been made to reflect the Applicant’s commitment to pursuing Scenario B at Tilbury North.</p>		<p>B</p>

**Work No. 24 – Tilbury North (Tilbury side) Cable Sealing End Compound (Route ~~ZB or Route YYJ~~)**

Works as shown on Section H Sheet 5 of the works plans to construct a new cable sealing end compound at Tilbury North (Tilbury side) in connection with ~~either Route ZB or Route YYJ~~, including—

~~(a) in respect of Route ZB—~~

(a) ~~(i)~~ Tilbury North (Tilbury side) Cable Sealing End Compound sealing end equipment including switchgear and connection to overhead transmission electric line conductors including gantries;

~~(ii) Tilbury North (Tilbury side) Cable Sealing End Compound permanent compound, security fencing and gates, within which is situated the sealing end equipment, earthing and protection and control systems, portable relay room, supervisory control and data acquisition communication, switchgear, connection to overhead electric line including fibre optic cable to joint boxes, gantries, transformers, cables, surface troughs, fibre optic cable and joint boxes, and low voltage supply inclusive of distribution network operator connection or solar panels and battery storage;~~

~~(iii) landscaping, including mitigation planting, at the Tilbury North (Tilbury side) Cable Sealing End Compound; and~~

~~(iv) permanent vehicular access road(s), hard standing, drainage (including attenuation ponds), and site services, including low voltage supply inclusive of distribution network operator connection or solar panels and battery storage for Tilbury North (Tilbury side) Cable Sealing End Compound.~~

~~The Tilbury North (Tilbury side) Cable Sealing End provided in respect Route ZB will be located in proximity to the point indicated as ZB13RA on Section H Sheet 5 of the works plans~~

~~(a) in respect of Route YYJ—~~

~~(i) Tilbury North (Tilbury side) Cable Sealing End Compound sealing end equipment including switchgear and connection to overhead transmission electric line conductors including gantries;~~

(b) ~~(ii)~~ Tilbury North (Tilbury side) Cable Sealing End Compound permanent compound, security fencing and gates, within which is situated the sealing end equipment, earthing and protection and control systems, portable relay room, supervisory control and data acquisition communication, switchgear, connection to overhead electric line including fibre optic cable to joint boxes, gantries, transformers, cables, surface troughs, fibre optic cable and joint boxes, and low voltage supply inclusive of distribution network operator connection or solar panels and battery storage; and

(c) ~~(iii)~~ landscaping, including mitigation planting, at the Tilbury North (Tilbury side) Cable Sealing End Compound; and

(d) ~~(iv)~~ permanent vehicular access road(s), hard standing, drainage (including attenuation ponds), and site services, including low voltage supply inclusive of distribution network operator connection or solar panels and battery storage for Tilbury North (Tilbury side) Cable Sealing End Compound.

~~The Tilbury North (Tilbury side) Cable Sealing End provided in respect YYJ will be located in proximity to the point indicated as existing YYJ124 on Section H Sheet 5 of the works plans.~~

15. Schedule 1, Authorised Development

A correction of a typographical error to ensure correct reference to Braintree District Council.

*In the district of Braintree ~~Borough~~ District Council*

**Work No. 32 — replacement of existing overhead distribution electric line (Route PUB)**

B

16. Schedule 3, Requirements (Paragraph 1)

A correction of a minor typographical error in the definition of “start up and close down activities”.

B

Ref. dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
		<p><del>“start-up</del><u>start up</u> and close down activities” means—</p> <ul style="list-style-type: none"> <li>(a) arrival and departure of workforce and staff at site and movement to and from places of work;</li> <li>(b) general refuelling of plant;</li> <li>(c) site inspections and safety checks;</li> <li>(d) site meetings inspections and walkovers;</li> <li>(e) site clean-up (site housekeeping that does not require the use of plant);</li> <li>(f) general site maintenance; and</li> <li>(g) low key maintenance and safety checking of plant and machinery.</li> </ul>	
17. Schedule 3, Requirements (Paragraph 1(4))	An amendment that has been made in response to feedback from Suffolk County Council in its Local Impact Report.	(4) Where an approval or agreement is required under the terms of any requirement or a document referred to in a requirement, or any requirement specifies “unless otherwise approved” or “unless otherwise agreed” by the relevant highway authority or the relevant planning authority, such approval or agreement may only be given where it has been demonstrated to the <u>satisfaction of the</u> relevant highway authority or the relevant planning authority that the subject matter of the approval or agreement sought will not give rise to any materially new or materially different environmental effects from those identified in the Environmental Statement.	B
18. Schedule 3, Requirements , (Paragraph 4(3))	An amendment that has been made in response to feedback from Suffolk County Council in its Local Impact Report.	(3) <del>For the avoidance of doubt, all</del> <u>All</u> pre-commencement operations must be carried out in accordance with the outline code of construction practice, the outline construction traffic management plan, the outline landscape and ecological management plan and the outline public rights of way management plan unless otherwise agreed with the relevant planning authority or other discharging authority as may be appropriate to the relevant plan concerned.	B
19. Schedule 3, Requirements , (Paragraph 5(1) and (3))	An amendment that has been made in response to feedback from Suffolk County Council in its Local Impact Report.		B

5. Archaeology

(1) No stage of the authorised development may commence until either a preservation in situ management plan, or ~~a~~ detailed written ~~schemes~~schemes of investigation of areas of archaeological interest relevant to that stage (if any), as identified within the outline archaeological mitigation strategy and outline written scheme of investigation or identified through evaluation work as set out in the outline archaeological mitigation strategy and outline written scheme of investigation, has been submitted to and approved by the relevant ~~planning~~discharging authority ~~and, if relevant, in consultation with~~ Historic England.

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

(3) ~~The~~Each detailed written scheme of investigation must be substantially in accordance with the outline archaeological mitigation strategy and 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 and 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.

20. Schedule 3, Requirements (Paragraph 5(4))	An amendment that has been made in response to feedback from local authorities and Historic England.	(4) <del>For the avoidance of doubt, all</del> <u>All</u> pre-commencement operations must be carried out in accordance with the outline archaeological mitigation strategy and outline written scheme of investigation, unless otherwise agreed with the relevant <del>planning</del> <u>discharging</u> authority <del>and, if relevant, in consultation with</del> Historic England.	B
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21. Schedule 3, Requirements (Paragraph 5(4))	An amendment that has been made to reflect the Applicant’s commitment to pursuing Scenario B at		B
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Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
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14) Tilbury North.

~~14. Control of development under Works Nos. 19 and 21 to 24~~

~~(1) In respect of the individual Works Nos. listed by row in column (1) of the table below, the undertaker may construct either the works detailed in column (2) or the works listed in column (3) of that table.~~

~~(2) For the avoidance of doubt, if any of the works in column (2) are carried out, then none of the works in column (3) may also be carried out and vice-versa.~~

<del>(1)</del>	<del>(2)</del>	<del>(3)</del>
<del>Work No(s) as detailed in Schedule 1</del>	<del>Detailed Work No. that may be provided (1)</del>	<del>Detailed Work No. that may be provided (2)</del>
<del>Work No. 19</del>	<del>Work No. 19 paragraphs (d) and (e)</del>	<del>Work No. 19 paragraphs (g) and (h)</del>
<del>Work Nos. 19 and 21</del>	<del>Work No. 21 paragraphs (g) and (h)</del>	<del>Work No. 19 paragraphs (g) and (h)</del>
<del>Work No. 22</del>	<del>Work No. 22a</del>	<del>Work No. 22b</del>
<del>Work No. 23</del>	<del>Work No. 23a</del>	<del>Work No. 23b</del>
<del>Work No. 24</del>	<del>Work No. 24a</del>	<del>Work No. 24b</del>

22. Schedule 3, Requirements (Paragraph 14)

An amendment to include a new noise requirement agreed between the Applicant and the undertakers for the Five

New Requirement:

B

Ref. dDCO Ref.	Rationale for the Change Change Made	Version of dDCO
	<p>Estuaries and North Falls Wind Farm Projects.</p> <p><b>14. Control of noise during operational stage</b></p> <p>(1) The noise rating level for the standard operation of Work No. 8 (East Anglia Connection Node Substation) must not exceed;</p> <p>(a) 34 dB LAr,Tr at any time at a free field location immediately adjacent to the following noise sensitive locations—</p> <p>(i) Bounds Farm (Grid reference 607189, 229356).</p> <p>(b) 33 dB LAr,Tr at any time at a free field location immediately adjacent to the following noise sensitive locations—</p> <p>(i) Property South of Hungerdowns (Grid reference 607236,229625);</p> <p>(ii) Mayfields Farm (Grid reference 607135, 229511); and</p> <p>(iii) Badley Hall (Grid reference 607173, 228964).</p> <p>(c) 31 dB LAr,Tr at any time at a free field location immediately adjacent to the following noise sensitive locations—</p> <p>(i) Waterhouse Farm (Grid reference 607256, 228374); and</p> <p>(ii) 69 Hungerdown Lane (Grid reference 607379, 229920).</p> <p>(2) Prior to commencement of operation of Work No. 8 (East Anglia Connection Node Substation), a noise investigation protocol must be submitted to and approved by the relevant planning authority.</p> <p>(3) The determination of LAr,Tr must be in accordance with BS 4142:2014+A1:2019. The reference method set out in Annex D to BS 4142:2014+A1:2019 (or any successor thereto) must be used to determine and demonstrate the applicable tonal penalty, where the maximum +6 dB rating penalty has not been applied. The noise investigation protocol must identify—</p> <p>(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, and</p> <p>(b) suitable monitoring locations (and alternative locations if appropriate).</p> <p>(4) For the purposes of this requirement, “standard operation” means the ordinary operation of the substations excluding emergency operation and the testing of plant and equipment associated with emergency operation.</p>	
23. Schedule 4, discharge of	An amendment that has been made in response to	B

Ref.	dDCO Ref.	Rationale for the Change Change Made	Version of dDCO
	Requirements (Paragraph 3(1)(b))	<p data-bbox="409 212 801 284">feedback from local authorities.</p> <p data-bbox="813 228 1944 260" style="text-align: center;"><i>Fees</i></p> <p data-bbox="813 284 1944 379">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—</p> <ul style="list-style-type: none"> <li data-bbox="869 387 1944 451">(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</li> <li data-bbox="869 467 1944 531">(b) a fee of <del>£145</del><u>£298</u> per request unless a bespoke arrangement has been agreed between the applicant and discharging authority and legally secured.</li> </ul>	
24.	Schedule 4, discharge of Requirements (Paragraph 4(2)(a))	<p data-bbox="409 563 801 643">Correction of a minor typographical error.</p> <p data-bbox="813 571 1944 603" style="text-align: center;"><i>Appeals</i></p> <p data-bbox="813 627 1944 659">4.—(1) The undertaker may appeal if—</p> <ul style="list-style-type: none"> <li data-bbox="869 675 1944 707">(a) the relevant authority refuses an application for— <ul style="list-style-type: none"> <li data-bbox="925 715 1944 778">(i) any consent, agreement or approval required by a Requirement or any document referred to in any Requirement; or</li> <li data-bbox="925 786 1944 818">(ii) any other consent, agreement or approval required under this Order,</li> </ul> </li> </ul> <p data-bbox="813 842 1944 874">or grants it subject to conditions to which the undertaker objects;</p> <ul style="list-style-type: none"> <li data-bbox="869 882 1944 946">(b) the relevant authority does not give notice of its decision to the undertaker within the period specified in paragraph 1(1);</li> <li data-bbox="869 962 1944 1058">(c) having received a request for further information under paragraph 1(3) the undertaker considers that either the whole or part of the specified information requested by the relevant authority is not necessary for consideration of the application; or</li> <li data-bbox="869 1074 1944 1169">(d) having received any further information requested, the relevant authority notifies the undertaker that the information provided is inadequate and requests additional information which the undertaker considers is not necessary for consideration of the application.</li> </ul> <p data-bbox="813 1177 1944 1209">(2) The procedure for appeals is as follows—</p> <ul style="list-style-type: none"> <li data-bbox="869 1217 1944 1377">(a) the undertaker must within six weeks of the date of the notice of the decision or determination, or (where no determination has been made, expiry of the decision period under paragraph 1(1),<del>+</del> submit to the Secretary of State a copy of the application submitted to the relevant authority and any supporting documents which the undertaker may wish to provide (“the appeal documents”);</li> </ul>	B

Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
25.	Schedule 11, Land of which temporary possession may be taken	<p>Updates to reflect changes to land parcels or classes of rights that emanated from ongoing land referencing and newly received information.</p> <p>Minor typographical corrections to Work Numbers to reflect the Applicant's commitment to Scenario B at Tilbury North.</p>	<p><u>Amendments to Section A:</u></p> <hr/> <p>A-1/5, <del>A-1/9</del>, A-1/10, A-1/18, A-1/19, A-1/40, A-1/43, A-1/45, A-1/46, A-1/47, A-1/48, A-1/49, A-1/50, A-1/51, A-1/52, A-1/53, A-1/54, A-1/57</p> <p>Temporary use for construction, mitigation, maintenance, access and/or dismantling of redundant infrastructure</p> <p>Work No. 1 Work No. 2 Work No. 37</p> <hr/> <p><u>Amendments to Section B:</u></p> <hr/> <p><del>B-2/136, B-2/137, B-2/138</del></p> <p>B-3/2, B-3/3, B-3/3a, B-3/4, <del>B-3/16</del>, <del>B-3/17</del>, B-3/20, B-3/22, B-3/26, B-3/27, B-3/29, B-3/30, B-3/43, B-3/44, B-3/48, B-3/50, B-3/51, B-3/59, B-3/63, B-3/69, B-3/72, B-3/82, B-3/89, B-3/93, B-3/94, B-3/102</p> <p>Temporary use for construction, mitigation, maintenance, access and/or dismantling of redundant infrastructure</p> <p>Work No. 2 Work No. 25 Work No. 37</p> <hr/> <p>B-20/214, B-20/217, B-20/219, <del>B20-219a</del>, B-20/222, B-20/225, B-20/227, B-20/228, B-20/229, B-20/232, B-20/234, B-20/235, B-20/236, B-20/237, B-20/238, B-20/239, B-20/244, B-20/245, B-20/246, B-20/247, B-20/249, B-20/250, B-20/252, B-20/265, B-20/266</p>	B

Amendments to Section C:

C-1/3, C-1/5, C-1/12, C-1/13, C-1/14, C-1/15, <del>C-1/18, C-1/19, C-1/20, C-1/21</del>	Temporary use for construction, mitigation, maintenance, access and/or dismantling of redundant infrastructure	Work No. 5 Work No. 28 Work No. 30 Work No. 40
C-2/2, C-2/5, C-2/7, C-2/13, C-2/14, C-2/15, C-2/16, C-2/23, C-2/24, C-2/25, <del>C-2/26, C-2/27, C-2/28, C-2/29, C-2/40, C-2/48, C-2/53, C-2/59, C-2/61, C-2/62, C-2/64, C-2/65, C-2/66, C-2/67, C-2/68, C-2/70, C-2/71, C-2/74, C-2/75, C-2/77, C-2/78, C-2/80, C-2/81, C-2/83, C-2/84, C-2/85, C-2/86, C-2/87, C-2/89, C-2/92, C-2/93, C-2/94, C-2/96, C-2/97, C-2/99, C-2/100, C-2/101, C-2/103, C-2/105, C-2/106, C-2/107, C-2/108, C-2/109, C-2/110, C-2/111, C-2/112, C-2/113, C-2/115, C-2/116, C-2/117, C-2/119, C-2/122, C-2/123, C-2/125, C-2/126, C-2/132, C-2/134, C-2/136, C-2/138, C-2/139, C-2/140</del>	Temporary use for construction, mitigation, maintenance, access and/or dismantling of redundant infrastructure	Work No. 5 Work No. 28 Work No. 29 Work No. 30 Work No. 40
C-3/1, C-3/3, C-3/5, C-3/7, C-3/8, <del>C-3/9, C-3/10, C-3/11, C-3/17, C-3/20, C-3/21, C-3/26, C-3/27, C-3/35, C-3/36, C-3/37, C-3/38, C-3/39, C-3/40, C-3/41,</del>	Temporary use for construction, mitigation, maintenance, access and/or dismantling of redundant infrastructure	Work No. 5 Work No. 30 Work No. 40

<del>C-3/42, C-3/43, C-3/44</del> , C-3/45, C-3/49, C-3/51, C-3/55, C-3/57, C-3/58, C-3/59, <del>C-3/63, C-3/65</del> , C-3/70, C-3/80, C-3/81, C-3/82, C-3/84, C-3/87, C-3/88, C-3/90, C-3/92, C-3/95, C-3/96, C-3/97, C-3/101, C-3/102, C-3/103, C-3/104, C-3/105, C-3/106, C-3/118, C-3/122, C-3/123		
C-4/6, C-4/8, C-4/10, C-4/13, C-4/30, C-4/41, C-4/45, C-4/49, C-4/52, C-4/57, C-4/61	Temporary use for construction, mitigation, maintenance, access and/or dismantling of redundant infrastructure	Work No. 5
C-5/2, C-5/14, C-5/15, C-5/16, C-5/19, C-5/20, C-5/22, C-5/23, C-5/29, C-5/31, <del>C-5/31a, C-5/32</del> , C-5/34	Temporary use for construction, mitigation, maintenance, access and/or dismantling of redundant infrastructure	Work No. 5
C-6/7, C-6/9, C-6/11, C-6/13, C-6/14, C-6/15, C-6/16, C-6/17, C-6/18, C-6/19, C-6/23, C-6/25, C-6/41, C-6/45, C-6/46, C-6/47, C-6/49, C-6/50	Temporary use for construction, mitigation, maintenance, access and/or dismantling of redundant infrastructure	Work No. 5 Work No. 6 Work No. 7 Work No. 37
C-7/1, C-7/2, C-7/4, C-7/5, C-7/7, C-7/8, C-7/14, <del>C-7/15, C-7/16, C-7/19</del> , C-7/20, C-7/22, C-7/26, C-7/27, C-7/28, C-7/29, C-7/31, C-7/32, C-7/36, C-7/38, C-7/39, C-7/40, C-7/41, C-7/42, C-7/43, C-7/44, C-7/45, C-7/48, C-7/51, C-7/52, <del>C-7/53, C-7/67</del> , C-7/68, C-7/70	Temporary use for construction, mitigation, maintenance, access and/or dismantling of redundant infrastructure	Work No. 7 Work No. 37 Work No. 38
C-8/3, C-8/4, C-8/9, <del>C-8/10, C-8/11, C-8/12</del> , C-8/13, C-8/14, C-8/15, <del>C-8/16, C-8/17</del> , C-8/18, C-8/19, C-8/20, C-8/21, C-8/22, C-8/23, C-8/26, C-8/30, C-8/31, C-8/32, C-8/33, <del>C-8/34a, C-8/38</del> , C-8/39, C-8/46	Temporary use for construction, mitigation, maintenance, access and/or dismantling of redundant infrastructure	Work No. 7 Work No. 37 Work No. 38 Work No. 39

Ref. dDCO Ref.	Rationale for the Change Change Made	Version of dDCO
<p>C-9/2, C-9/7, C-9/18, C-9/19,  <del>C-9/21</del>, C-9/28, C-9/29, C-9/30,  <del>C-9/31</del>, <del>C-9/34</del>, <del>C-9/35</del>, <del>C-9/36</del>,  C-9/37, C-9/39, <del>C-9/41</del>, <del>C-9/43</del>,  C-9/44, C-9/45, <del>C-9/46</del>, <del>C-9/48</del>,  <del>C-9/49</del>, <del>C-9/52</del>, C-9/53, C-9/55,  C-9/56, C-9/57, C-9/58, C-9/60,  C-9/61, C-9/62, <del>C-9/64</del>, C-9/66,  C-9/70, C-9/77, C-9/78, C-9/79,  C-9/80, C-9/81, C-9/82, C-9/83,  C-9/84, C-9/86, <del>C-9/89</del>, C-9/93,  C-9/97, C-9/102, C-9/103</p>	<p>Temporary use for construction, mitigation, maintenance, access and/or dismantling of redundant infrastructure</p>	<p>Work No. 7</p>
<p>C-10/2, C-10/3, C-10/5, C-10/7,  C-10/9, C-10/10, C-10/11,  C-10/12, C-10/13, C-10/17,  C-10/22, C-10/26, C-10/27,  C-10/28, C-10/31, C-10/32,  C-10/33, C-10/34, <del>C-10/35</del>,</p>	<p>Temporary use for construction, mitigation, maintenance, access and/or dismantling of redundant infrastructure</p>	<p>Work No. 7</p>

C-10/36, C-10/40, C-10/41, C-10/46		
C-11/1, C-11/2, C-11/3, C-11/4, C-11/5, C-11/6, C-11/7, C-11/8, C-11/9, <del>C-11/10</del> , C-11/11, C-11/12, <del>C-11/13</del> , C-11/14, C-11/15, <del>C-11/16</del> , <del>C-11/17</del> , C-11/18, C-11/19, <del>C-11/21</del> , <del>C-11/22</del> , <del>C-11/23</del> , <del>C-11/24</del> , C-11/29, C-11/30, C-11/31, C-11/32, C-11/33, C-11/34, C-11/37, C-11/38, C-11/39, C-11/40, C-11/45, C-11/49, C-11/69, C-11/70, C-11/72, C-11/72a, C-11/73, C-11/74, C-11/75, C-11/79, C-11/84, C-11/87, C-11/88, C-11/94, C-11/95, C-11/99, C-11/100, <del>C-11/101</del>	Temporary use for construction, mitigation, maintenance, access and/or dismantling of redundant infrastructure	Work No. 7 Work No. 37 Work No. 38
C-12/2, C-12/5, C-12/7, C-12/9, C-12/17, C-12/18, C-12/19, C-12/21, C-12/22, C-12/23, C-12/30, C-12/34, C-12/42, C-12/44, C-12/45, C-12/48, <del>C-12/50</del> , <del>C-12/52</del> , <del>C-12/54</del> , <del>C-12/55</del> , C-12/56, C-12/58, C-12/59, C-12/60, C-12/61, C-12/62, C-12/63, C-12/64, <del>C-12/65</del> , <del>C-12/66</del> , <del>C-12/67</del> , C-12/80, C-12/81, C-12/85, C-12/86, C-12/87	Temporary use for construction, mitigation, maintenance, access and/or dismantling of redundant infrastructure	Work No. 7 Work No. 9 Work No. 39 Work No. 37
C-13/9, C-13/10, C-13/13, C-13/14, C-13/15, C-13/16, C-13/17, C-13/18, C-13/22, C-13/31, C-13/44, C-13/49, <del>C-13/53</del> , C-13/60, C-13/61, C-13/69, C-13/73, C-13/80, C-13/93, C-13/111, <del>C-13/112</del> , <del>C-13/113</del> , C-13/114, C-13/116, <del>C-13/118</del> , C-13/123, C-13/142, C-13/201	Temporary use for construction, mitigation, maintenance, access and/or dismantling of redundant infrastructure	Work No. 7 Work No. 9

Ref. dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
		C-14/5, C-14/6, C-14/17, <del>C-14/18</del> , C-14/25, C-14/90, C-14/97, C-14/102, C-14/119, C-14/128	Temporary use for construction, mitigation, maintenance, access and/or dismantling of redundant infrastructure  Work No. 7 Work No. 8 Work No. 9 Work No. 37 Work No. 38 Work No. 39
		C-15/2b, C-15/3b, C-15/3e, C-15/8, C-15/24, C-15/25, C-15/26, C-15/27, C-15/28, C-15/29, C-15/30, C-15/31, <del>C-15/32, C-15/33, C-15/34,</del> <del>C-15/35, C-15/36</del>	Temporary use for construction, mitigation, maintenance, access and/or dismantling of redundant infrastructure  Work No. 39
		C-16/1a, C-16/1b, C-16/1c, C-16/1e, C-16/1f, C-16/1g.	Temporary use for construction, mitigation, maintenance, access  Work No. 39

Ref. dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO	
		C-17/36, C-17/44, C-17/50, C-17/51, C-17/54, C-17/55, <del>C-17/56</del> , C-17/65, C-17/75, C-17/78, C-17/95, C-17/97, C-17/98, <del>C-17/99</del> , C-17/100, C-17/101, C-17/105, C-17/107, C-17/108, C-17/109, <del>C-17/111</del> , <del>C-17/112</del> , C-17/113, C-17/114, C-17/115, C-17/116, <del>C-17/117</del> , C-17/117a, C-17/118, C-17/119, C-17/120, C-17/121, C-17/122, C-17/123, C-17/124, C-17/127, C-17/127a, C-17/128, C-17/129, C-17/130, C-17/131, C-17/132, C-17/134, C-17/136, C-17/137, C-17/140, C-17/141, C-17/142, C-17/143, C-17/144, C-17/145, C-17/146, C-17/147, <del>C-17/148</del> , C-17/149, <del>C-17/150</del> , <del>C-17/151</del> , <del>C-17/152</del> , <del>C-17/153</del> , <del>C-17/154</del> , <del>C-17/155</del> , <del>C-17/156</del> , <del>C-17/157</del> , <del>C-17/158</del>	Temporary use for construction, mitigation, maintenance, access and/or dismantling of redundant infrastructure	Work No. 7 Work No. 9 Work No. 39
		<del>C-18/32</del> , C-18/38, C-18/42, <del>C-18/44</del> , C-18/61, C-18/66, <del>C-18/68</del> , C-18/78, C-18/82, C-18/83, <del>C-18/84</del> , <del>C-18/85</del> , C-18/89, C-18/90, <del>C-18/91</del> , C-18/91a, C-18/97, C-18/99, C-18/104, C-18/105, <del>C-18/107</del> , C-18/109, C-18/114, C-18/124	Temporary use for construction, mitigation, maintenance, access and/or dismantling of redundant infrastructure	Work No. 9

Amendments to Section D:

D-6/1, D-6/4, D-6/6, D-6/7, D-6/8, D-6/9, D-6/10, D-6/11, D-6/12, D-6/14, D-6/16, D-6/19, D-6/20, D-6/22, D-6/26, D-6/27, D-6/29, D-6/31, D-6/35, D-6/44, D-6/53, D-6/57, D-6/59, D-6/61, D-6/63, D-6/64, D-6/65, D-6/66	Temporary use for construction, mitigation, maintenance, access and/or dismantling of redundant infrastructure	Work No. 13
D-7/5, D-7/21, D-7/25, D-7/30, D-7/32, D-7/41, D-7/46, D-7/53, D-7/56, D-7/57, D-7/65, D-7/66, D-7/71, D-7/73, D-7/74, D-7/100, D-7/102, D-7/104, D-7/105, D-7/113, D-7/116, D-7/117, D-7/120, D-7/122	Temporary use for construction, mitigation, maintenance, access and/or dismantling of redundant infrastructure	Work No. 13

Amendments to Section G:

G-2/47, G 2/55, G-2/56, G 2/58, G-2/71, G 2/72, G-2/73, G 2/74, G-2/77, G 2/80, G-2/81, G 2/90, G-2/92, G 2/93, G-2/94, G 2/95, G-2/98, G 2/99, G-2/100, G2/103, G-2/104, G 2/105, G-2/108, G 2/112, G-2/115, G 2/118, G-2/131, G 2/132, G-2/136, G 2/139, G-2/140, G 2/143	mitigation, maintenance, access and/or dismantling of redundant infrastructure
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G-5/2, G-5/4, G-5/5, G-5/6, G-5/7, G-5/8, G-5/14, G-5/21, G 5/22, G-5/23, G 5/25, G-5/26, G 5/27, G-5/29, G 5/32, G-5/37, G 5/38, G <a href="#">5/38a</a> , G-5/48, G 5/50, G-5/58, G 5/60, G-5/64, G 5/65, G-5/70, G 5/75, G-5/77, G 5/78, G-5/80, G 5/82, G-5/83, G 5/85, G-5/88, G-5/90	Temporary use for construction, mitigation, maintenance, access and/or dismantling of redundant infrastructure	Work No. 17
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Amendments to Section H:

H-4/8, H-4/11, H-4/26a, H-4/32, H-4/33, H-4/40, H-4/41, H-4/45, H-4/53, H-4/56, H-4/90, H-4/98, H-4/99, H-4/100, H-4/102, H-4/103, H-4/104, H-4/105, H-4/106, H-4/107, H-4/108, H-4/112, H-4/126, H-4/128, H-4/133, H-4/136, H-4/137, H-4/139, H-4/140	Temporary use for construction, mitigation, maintenance, access and/or dismantling of redundant infrastructure	Work No. 17 Work No. 18 Work No. 19 Work No. 21 Work No. 23 Work No. <del>24b</del> <a href="#">24</a> Work No. 36 Work No. 37 Work No. 40
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Ref.	dDCO Ref.	Rationale for the Change	Change Made	Version of dDCO
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H-5/99, H-5/103, H-5/105, H-5/106, H-5/108, H-5/109, H-5/116, H-5/117, H-5/123, H-5/124, H-5/125, H-5/126			Work No. 22 Work No. 23 Work No. <a href="#">24a24</a> Work No. <a href="#">24b24</a> Work No. 36 Work No. 37
H-6/ <del>21</del> , H-6/30, H-6/47, H-6/52, H-6/55, H-6/56, H-6/58, H-6/59, H-6/60, H-6/61, H-6/63, H-6/66, H-6/69, H-6/73, H-6/77, H-6/78, H-6/80, H-6/81, H-6/82, H-6/83, H-6/89, H-6/91, H-6/97, H-6/98, H-6/100, H-6/102, H-6/103	Temporary use for construction, mitigation, maintenance, access and/or dismantling of redundant infrastructure		Work No. 19 Work No. 20 Work No. 21 Work No. 22 Work No. 23 Work No. <a href="#">24b24</a> Work No. 37
H-7/1, H-7/3, H-7/6, H-7/7, H-7/10, H-7/13, H-7/14, H-7/15, H-7/16, H-7/17, H-7/18, H-7/22, H-7/28, H-7/62, H-7/69, H-7/76, H-7/78, H-7/79, H-7/80, H-7/81, H-7/83, H-7/84, H-7/93, H-7/95, H-7/97, H-7/98, H-7/99, H-7/100, H-7/102, H-7/104, H-7/105, H-7/128, H-7/131, H-7/138, H-7/139, H-7/140, H-7/141, H-7/142, H-7/143, H-7/144, H-7/145, H-7/ <a href="#">145b</a> , H-7/146b, H-7/146c, H-7/147, H-7/148, H-7/150, H-7/151, H-7/153, H-7/154, H-7/155, H-7/156	Temporary use for construction, mitigation, maintenance, access and/or dismantling of redundant infrastructure		Work No. 19 Work No. 21

26.	Schedule 16, Protective Provisions,	Correction of a minor typographical error.		B
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Part 4

**Inspection of the highway works**

**16.—(1)** Subject at all times to compliance with any overriding health and safety or similar obligations, the undertaker shall, during the progress of each and all of the highway works, give to or procure for any person or persons duly authorised by each highway authority supervised access to every part of the highway works and the site thereof and permit those person or persons to inspect the same as they proceed and all materials used or intended to be used therein and shall give effect to any reasonable and proper requirements made or reasonable and proper directions given in order to ensure conformity with the approved information pursuant to paragraph 11 [(formal approval) of this Part of this Schedule and recorded in the approvals register pursuant to paragraph 11 (formal approval) of this Part of this Schedule.

Table 2.2 Schedule of Changes to Version B of the draft DCO [REP2-004]

<u>Ref.</u>	<u>dDCO Ref.</u>	<u>Rationale for the Change</u>	<u>Change Made</u>	<u>Version of dDCO</u>
<u>1.</u>	<u>Article 2, Interpretation</u>	<u>Correction of a typographical error to ensure consistency with the defined term.</u>	<div style="border: 2px solid blue; padding: 5px;"> <p>“environmental statement” means the environmental statement (document 6.1 to 6.21 (inclusive)) together with any supplemental or additional environmental information certified under article 60 (certification of documents) and any environmental statement submitted for the purposes of complying with and/or discharging the <del>Requirements</del>requirements;</p> </div> <p><u>This correction has been made throughout the 3.1 Draft Development Consent Order (Revision C). To ensure this schedule is kept as legible as possible, no further instances of this change are listed in this Table 2.2.</u></p>	<u>C</u>
<u>2.</u>	<u>Article 2, Interpretation</u>	<u>In response to feedback from Norfolk County Council, a new definition of “relevant county planning authority” is added to: (a) clarify the new definition of “relevant planning authority”; and (b) ensure it is clear which planning authority is the relevant decision making authority in each instance. The new definition of “relevant planning authority” excludes article 56 (safeguarding) which includes its own specific definition of “relevant</u>	<div style="border: 2px solid blue; padding: 5px;"> <p>“relevant county <u>planning authority</u>” means, in any given provision of this Order, the county <u>planning authority</u> (which has the meaning given in Part I (Planning Authorities) of the 1990 Act) <u>for the area to which the provision relates or any successor exercising its functions as local planning authority for the purposes of that Part;</u></p> <p>“relevant highway authority” means, in any given provision of this Order, the local or national highway authority for the area to which the provision relates and any successor in function;</p> <p>“relevant planning authority” means, in any given provision of this Order, <del>the local planning authority for the area to which the provision relates and any successor in function;</del> (except article 56 (safeguarding)—</p> <p>(a) <u>for an area to which the provision relates in respect of which there is both a district <u>planning authority</u> and a county <u>planning authority</u> for the purposes of Part I (Planning Authorities) of the 1990 Act, the district <u>planning authority</u>; and</u></p> <p>(b) <u>for an area to which the provision relates in respect of which there is only one local <u>planning authority</u> for the purposes of that Part, that one local <u>planning authority</u>,</u></p> <p><u>or any successor exercising its functions as local <u>planning authority</u> for the purposes of that Part;</u></p> </div>	<u>C</u>

		<u>planning authority” for the purposes of that article.</u>	
<u>3.</u>	<u>Article 2, Interpretation</u>	<u>Update following the acceptance of Change Application 1 – Bulphan to reflect an adjustment to the approach to the UKOP protective works to remove Schedule 9A and list the UKOP protective works as part of the authorised development as a new Work No. 17A.</u>	<u>“UKOP protective works” means those works specified in <del>Schedule 9A (works for the protection of UKOP apparatus)</del> Work No. 17A;</u> <u>C</u>
<u>4.</u>	<u>Article 3, Development consent etc. granted by the Order</u>	<u>The proposed change is to give UKOP the benefit of the consent to carry out and maintain the UKOP protective works.</u> <u>The benefit transferred to UKOP would remain subject to the equivalent limitations and conditions as already attach to UKPN in its capacity as a secondary undertaker for a limited part of the authorised development.</u> <u>The necessity for those limitations and conditions is outlined below.</u> <u>Paragraph (5) is adjusted to exclude the UKOP protective works from</u>	<u>C</u>

National Grid's powers of operation and use as part of the high-voltage electricity transmission system.

**Development consent etc. granted by the Order**

3. —(1) Subject to the provisions of this Order (including the ~~Requirements~~requirements) National Grid is granted development consent for the authorised development set out in Schedule 1 (authorised development).

(2) National Grid may—

- (a) install and keep installed the authorised development;
- (b) remove or replace any electric line including pylons or poles that may require removal as part of the authorised development.

(3) UKPN may—

- (a) Subject to paragraphs (3), (4) and (5) of article 6 (benefit of Order) carry out the UKPN Works; and
- (b) remove or replace any electric line including pylons or poles that may require removal in relation to the UKPN Works.

(4) UKOP may, subject to paragraphs (3), (4) and (5) of article 6 (benefit of Order) carry out and maintain the UKOP protective works.

(5) ~~(3)~~ National Grid may operate and use the authorised development (excluding the UKPN Works and the UKOP protective works) as part of the high-voltage electricity transmission system in England and Wales.

(6) ~~(4)~~ UKPN may operate and use the electric line and any other elements of the UKPN Works as part of the electricity distribution network.

(7) ~~(5)~~ For the purposes of the authorised development, development consent granted by this Order is to include and permit the alteration, removal, clearance, refurbishment, reconstruction and demolition of any buildings or other structures within the Order limits to the extent that they relate to, are required by or are incidental to the carrying out of the authorised development.

(8) ~~(6)~~ The authorised development must be constructed and installed in the lines and situations shown on the works plans, subject to article 5 (limits of deviation) and to the ~~Requirements~~requirements.

(9) ~~(7)~~ Schedule 3 (requirements) has effect.

5. Article 4, Maintenance of authorised development

The proposed revision gives UKOP authority to maintain the UKOP protective works. This is essential since UKOP is not a statutory undertaker

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	<a href="#"><u>and, therefore, cannot rely on its own statutory maintenance powers.</u></a>	<p><b>Maintenance of authorised development</b></p> <p>4. —(1) National Grid may at any time maintain the authorised development (excluding the UKPN Works <a href="#"><u>or the UKOP protective works</u></a>), except to the extent that this Order, or an agreement made under this Order, provides otherwise.</p> <p>(2) UKPN may at any time maintain the UKPN Works, except to the extent that this Order, or an agreement made under this Order, provides otherwise.</p> <p><a href="#"><u>(3) UKOP may at any time maintain the UKOP protective works, except to the extent that this Order, or an agreement made under this Order, provides otherwise.</u></a></p>	
<a href="#"><u>6.</u></a>	<a href="#"><u>Article 5, Limits of deviation</u></a>	<a href="#"><u>Cross-reference correction following above amendments to Article 3 and resulting change to numbering.</u></a>	<p>(2) Without prejudice to article 3(89) the removal, clearance, decommissioning and demolition of any existing electric line may take place within the Order limits; <a href="#"><u>C</u></a></p>
<a href="#"><u>7.</u></a>	<a href="#"><u>Article 6, Benefit of Order</u></a>	<a href="#"><u>The proposed changes give UKOP the benefit of the powers in the draft DCO in connection with the UKOP protective works.</u></a>	<p><b>Benefit of Order</b></p> <p>6. —(1) Subject to article 7 (consent to transfer benefit of Order), the provisions of this Order have effect solely for the benefit of— <a href="#"><u>C</u></a></p>

- (a) National Grid in respect of the authorised development;
- (b) Subject to paragraph (5), UKPN in respect of the UKPN Works; and
- (c) ~~National Grid and/or UKOP~~ in respect of the ~~works specified in Schedule 9A (works for the protection of UKOP apparatus)~~ Work No. 17A.

(2) Paragraph (1) does not apply to the benefit of the consent granted by this Order for works carried out by the undertaker for the benefit or protection of land or persons (including statutory undertakers) affected by the authorised development.

(3) UKPN may not carry out the UKPN Works under article 3(3)(a) and UKOP may not carry out the UKOP protective works under article 3(4) (development consent etc. granted by the Order) except in accordance with the written consent of National Grid, which may be granted subject to reasonable conditions.

(4) If UKPN fails to carry out any of the UKPN Works in accordance with National Grid’s consent, National Grid may give UKPN and the Secretary of State notice that National Grid intends to carry out those UKPN Works under article 3(3)(a) (development consent etc. granted by the Order) from a date specified in the notice.

(5) On the date specified in any notice under paragraph (4) of this article—

- (a) UKPN is to cease to have the benefit of article 3(3) (development consent etc. granted by the Order) and sub-paragraph (1)(b) of this article;
- (b) UKPN is to cease to be an undertaker for the installation of the UKPN Works but remains an undertaker for the purposes of keeping installed and maintaining the electric lines included in the UKPN Works; and
- (c) references to UKPN in article 28 (temporary use of land by UKPN and UKOP) are to be read as including National Grid.

8. Article 7, Consent to transfer benefit of Order The proposed amendment brings the UKOP protective works into alignment with the UKPN Works for the purpose of the transfer of the benefit of the Order.

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#### **Consent to transfer benefit of Order**

7. —(1) National Grid in relation to the authorised development (not including the UKPN Works), ~~and or the UKOP protective works~~, UKPN in relation to the UKPN Works and UKOP in relation to the UKOP protective works, may, with the consent of the Secretary of State—

- (a) transfer to another person (“the transferee”) any or all of the benefit of the provisions of this Order and such related statutory rights as may be agreed between National Grid or UKPN or UKOP and the transferee;
- (b) grant to another person (“the lessee”) for a period agreed between National Grid or UKPN or UKOP and the lessee any or all of the benefit of the provisions of this Order and such related statutory rights as may be so agreed.

(2) Where a transfer or grant has been made in accordance with paragraph (1) references in this Order to National Grid ~~or~~ UKPN or UKOP (as the case may be), except in paragraphs (3) and (4), 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 National Grid ~~or~~ UKPN or UKOP, save where those benefits or rights are exercised by a statutory undertaker (which for the purposes of this article includes any entity listed in paragraph (7)), or by an owner or occupier of land

pursuant to paragraph (2) of article 25 (compulsory acquisition of rights) of this Order, in which case liability for the payment of compensation on the terms of this Order remains with National Grid.

(4) Any rights or benefits in relation to the UKPN Works or the UKOP protective works that are transferred or granted by UKPN or UKOP (as the case may be) under paragraph (1) are subject to paragraphs (3) to (5) of article 6 (benefit of Order) as if they had remained exercisable by UKPN or UKOP (as the case may be).

(5) Where a transfer or grant has been made in accordance with paragraph (1), the undertaker must notify the relevant planning authority of the same.

(6) The consent of the Secretary of State under this article is not required where the powers of article 25(1) (compulsory acquisition of rights) are, with the consent of the undertaker, proposed to be exercised by a statutory undertaker rather than by National Grid.

(7) The consent of the Secretary of State is not required under this article, where the transfer or grant is made, for the purpose of diverting or replacing the owned or managed structures, apparatus or equipment of Openreach, which forms part of the authorised development described in Schedule 1 and contained within the Order limits, to Openreach.

9. Article 8, The proposed amendment  
Application of replaces references to the  
now deleted Schedule 9A

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[the 1990 Act](#) [with reference to the UKOP protective works.](#)

#### Application of the 1990 Act

8.—(1) In respect of the temporary construction works, section 57(2) of the 1990 Act (planning permission required for development) applies as if the development consent granted by this Order were planning permission granted for a limited period.

(2) Development consent granted by this Order is to be treated as specific planning permission for the purposes of section 264(3)(a) of the 1990 Act (cases in which land is to be treated as not being operational land).

(3) In the exercise of the power under paragraphs (1) and (2) of article 11 (street works) the undertaker is to be deemed to be the highway authority for the purposes of section 55(2)(b) of the 1990 Act.

(4) For the purposes of the 1990 Act, the ~~works specified in Schedule 9A (works for the protection of UKOP apparatus)~~ [UKOP protective works](#) do not constitute the development of land requiring consent under section 55.

10. [Article 11, Street works](#) [Correction of a typographical error to ensure consistency with the defined term.](#)

#### Street works

11.—(1) The undertaker may, for the purposes of the authorised development, 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, drill 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 apparatus in the street (including signage);
- (e) maintain, renew or alter apparatus or furniture (including signage) in or on the street or change its position;
- (f) reinstate or construct new pavement;
- (g) execute any works to provide or improve sight lines required by the [relevant](#) highway authority;

[This correction has been made throughout the articles of 3.1 Draft Development Consent Order \(Revision C\), specifically at articles 14\(2\)\(i\) \(power to alter layout, etc. of streets\), 22\(8\) \(authority to survey and investigate the land\), and 50\(5\) \(felling and lopping\). To ensure this schedule is kept as legible as possible, these additional instances of this change are not repeated](#)

again in this Table 2.2.

11. Article 11,  
Street works

The proposed amendment is in response to feedback from host authorities and the Examining Authority on the duration of deemed consent periods. Further explanation can be found in response to DCO 1.A2.

(3) If a street authority that receives an application for consent under paragraph (2) fails to notify the undertaker of its decision within ~~28~~25 business days (or such other period agreed by the street authority and the undertaker) beginning with the date on which the application was received, that authority will be deemed to have granted consent.

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This correction has been made throughout the articles of **3.1 Draft Development Consent Order (Revision C)**, specifically at articles 14(5) (power to alter layout, etc. of streets), 16(8) (temporary closure of streets and public rights of way), 17(2) (access to works), 20(9) (discharge of water), 22(8) (authority to survey and investigate the land), 27(4) (temporary use of land by National Grid), 28(4) (temporary use of land by UKPN and UKOP), 35(2) (acquisition of part of certain properties), 49(10) (traffic regulation), and 50(5) (felling or lopping). To ensure this schedule is kept as legible as possible, these additional instances of this change are not repeated again in this Table 2.2.

12. Article 12,  
Application of  
the Permit  
Schemes

The proposed amendment is in response to DCO 1.A21 to provide clarity around what would happen if the Applicant chose to appeal using more than one appeal mechanism.

(8) Without restricting the undertaker's recourse to any alternative review, adjudication or appeal mechanism which may be available under the permit schemes or otherwise, the undertaker may appeal any decision to refuse to grant a permit or to grant a permit subject to conditions pursuant to the permit schemes in accordance with the mechanism set out in Schedule 4 (~~Discharge of Requirements~~ discharge of requirements) of this Order: ~~except that upon the undertaker submitting an appeal to the Secretary of State pursuant to that Schedule in respect of such a decision, neither the undertaker nor any other party~~

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may use, or continue to use, the alternative review, adjudication or appeal mechanism in relation to that decision and any such alternative review, adjudication or appeal commenced must cease and neither its process nor its determination will have any effect.

13. Article 21,  
Protective  
works

The proposed amendment removes reference to the UKOP protective works from Article 21 as these powers are now proposed to be covered more comprehensively elsewhere in the draft DCO. There are also

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[consequential changes to cross-references.](#)

#### **Protective works**

21.—(1) Subject to the following provisions of this article, the undertaker may at its own expense carry out such protective works to any land, building, structure, apparatus or equipment, lying within the Order limits or which may be affected by the authorised development ~~including the UKOP protective works~~, as the undertaker considers necessary or expedient.

(2) Protective works may be carried out—

- (a) at any time before or during the carrying out in the vicinity of the land, building, structure, apparatus or equipment, of any part of the authorised development or works ancillary to it; or
- (b) after the completion of any part of the authorised development in the vicinity of the land, building, structure, apparatus or equipment, at any time up to the end of the period of 5 years beginning with the day on which that part of the authorised development is first brought into operational use.

(3) For the purpose of determining how the functions under this article are to be exercised, the undertaker may enter and/or 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,

and place on, leave on and remove from the building, structure, apparatus or equipment any apparatus and equipment for use in connection with the survey.

(4) For the purpose of carrying out protective works under this article to any land, building, structure, apparatus or equipment, the undertaker may (subject to paragraphs ~~(6)~~ and ~~(7)~~)—

- (a) enter the land, building or structure and any land within its curtilage; and
- (b) where the works cannot be carried out reasonably conveniently without entering land which is adjacent to the land, building or structure but outside its curtilage, enter the adjacent land (but not any building erected on it).

~~(4) Subject to paragraphs (5) and (6), in respect of the UKOP protective works, the undertaker is entitled to retain such works in place and access those works for the purpose of maintaining, monitoring and inspecting them in perpetuity.~~

(5) ~~(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 paragraph (4)(a) to enter the land, building or structure and land within its curtilage;
- (d) a right under paragraph (4)(b) to enter land;
- ~~(e) a right under paragraph (5) to enter land;~~

the undertaker must, except in the case of emergency, serve on the owners and occupiers of the building or land not less than ~~14~~10 business days' notice of its intention to exercise that right and, in a case falling within sub-paragraph (a) or (c), specify the protective works proposed to be carried out.

(6) ~~(6)~~ Where a notice is served under paragraph ~~(65)~~(a), (c), ~~or~~ (d) ~~or (e)~~, the owner or occupier of the land, building, structure, apparatus or equipment concerned may, by serving a counter-notice within the period of 10 days beginning with the day on which the notice was served, require the question whether it is necessary or expedient to carry out the protective works or to enter the building or land to be referred to arbitration under article 62 (arbitration).

(11) ~~(11)~~ Any compensation payable under paragraph ~~(87)~~ or ~~(98)~~ must be determined, in case of dispute, under Part 1 of the 1961 Act (determination of questions of disputed compensation).

14. Article 21, Protective works

The proposed amendment provides a 'business day' equivalent period to the original 14 day period, in response to DCO 1.A3.

(5) ~~(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 paragraph (4)(a) to enter the land, building or structure and land within its curtilage;
- (d) a right under paragraph (4)(b) to enter land;
- ~~(e) a right under paragraph (5) to enter land;~~

the undertaker must, except in the case of emergency, serve on the owners and occupiers of the building or land not less than ~~14~~10 business days' notice of its intention to exercise that right and, in a case falling within sub-paragraph (a) or (c), specify the protective works proposed to be carried out.

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This correction has been made throughout the **3.1 Draft Development Consent Order (Revision C)**, specifically at articles 22(3) (authority to survey and investigate the land), 27(2) (temporary use of land by National Grid), 28(2) (temporary use of land by UKPN and UKOP), 29(3) and (11) (temporary use of land for maintaining the authorised development), and 59(4) (amendment of local legislation).

15. Article 23, Removal of human remains

The proposed amendment provides a 'business day' equivalent period to the original 56 day period, in response to DCO 1.A3.

(5) At any time within **5640 business** 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.

(9) If—

- (a) within the period of **5640 business** 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 **5640 business** days after the giving of the notice but the person who gave the notice fails to remove the remains within a further period of **5640 business** days; or
- (c) within **5640 business** 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.

16. Article 27, Temporary use of land by National Grid

The proposed amendment ensures that National Grid would not be required to remove essential mitigation works, for example, the UKOP protective works, when it gives up temporary possession of land.

Correction of typographical

(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, National Grid must remove all temporary works and restore the land to the reasonable satisfaction of the owners of the land, but National Grid is not required to—

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[error in Schedule cross-referencing.](#)

- (a) replace a building, structure, apparatus, equipment, electric line, electrical plant or pylon removed under this article;
- (b) restore the land on which any works or mitigation works have been carried out under paragraph (1)(d);
- (c) remove any foundations below 1.2 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 electric line, or other permanent services, constructed or installed on, over, under or in that land as part of the authorised development;
- (e) remove any ground-strengthening works (being either works listed in Schedule ~~10~~11 of this order or other works to provide safe and stable ground conditions) [or other works of mitigation](#) which have been placed in that land to facilitate construction [or operation](#) of the authorised development;

(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, National Grid 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 National Grid 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 1.2 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 electric line, or other permanent services, constructed or installed on, over, under or in that land as part of the authorised development;
- (e) remove any ground-strengthening works (being works to provide safe and stable ground conditions) [\) or other works of mitigation](#) which have been placed in that land to facilitate construction [or operation](#) of the authorised development;
- (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 development.

17. [Article 28,](#) [The proposed amendment](#)  
[Temporary](#) [affords UKOP equivalent](#)

**Temporary use of land by UKPN and UKOP**

**28.—(1)** UKPN may, in connection with the carrying out of the UKPN Works—

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use of land by UKPN and UKOP powers of temporary possession of land as are proposed for UKPN to ensure that they have sufficient rights to access land to carry out the UKOP protective works.

(13) UKOP may exercise the powers set out in paragraph (1) to (3), subject to paragraphs (4) to (12), of this article 28 as though references to UKPN were references to UKOP and references to the UKPN Works were references to the UKOP protective works, and in respect of paragraphs (5) and (6), UKOP is also not required to remove any ground strengthening works (being works to provide safe and stable ground conditions) or other works of mitigation which have been placed in that land to facilitate construction or operation of the authorised development including the UKOP protective works.

Consequential changes to cross-references to this newly-named article are made throughout the 3.1 Draft Development Consent Order [Revision C] and each instance is not individually listed in this Table 2.2.

18. Article 49, Traffic regulation

Correction of column numbers to reflect those in Schedule 13.

**Traffic regulation**

49.—(1) Subject to the provisions of this article, the undertaker may at any time for the purposes of the authorised development or for purposes ancillary to the construction or maintenance of the authorised development—

- (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 (~~12~~) and along the lengths and between the points specified in column (~~23~~) in the manner specified in column (~~34~~) of that Part of that Schedule;
- (b) prohibit use of roads by through traffic and/or regulate the direction of vehicular movements in the manner specified in Part 2 of Schedule 13 (traffic regulation orders) on the roads

specified in column (~~12~~) and along the lengths and between the points specified in column (~~23~~) in the manner specified in column (~~34~~) of that Part of that Schedule;

- (c) prohibit overtaking in the manner specified in Part 3 of Schedule 13 (traffic regulation orders) on the roads specified in column (~~12~~) and along the lengths and between the points specified in column (~~23~~) in the manner specified in column (~~34~~) of that Part of that Schedule.

(3) Subject to the provisions of this article, the undertaker may at any time for the purposes of the authorised development or for purposes ancillary to the construction, maintenance or operation of the authorised development implement permanent traffic regulation measures to prohibit waiting of vehicles and regulate vehicular speed by imposing a speed restriction on vehicles in the manner specified in Part 4 of Schedule 13 (traffic regulation orders) on a road specified in column (~~12~~) and along the lengths and between the points specified in column (~~23~~) in the manner specified in column (~~34~~) of that Part of that Schedule.

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19. Article 49,

The proposed amendment

<p><u>Traffic regulation</u></p>	<p>provides a 'business day' equivalent period to the original seven day period, in response to DCO 1.A3.</p>	<p>(4) The undertaker must not exercise the powers in paragraphs (1), (2) or (3) unless it has—</p> <ul style="list-style-type: none"> <li>(a) given not less than four weeks' notice in writing of its intention so to do to the chief officer of police and to the traffic authority in whose area the road is situated; and</li> <li>(b) advertised its intention in such manner as the traffic authority may specify in writing within <del>seven</del><u>five business</u> days of its receipt of notice of the undertaker's intention as provided for in sub-paragraph (a).</li> </ul>	
<p>20. <u>Article 49, Traffic regulation</u></p>	<p>The proposed amendment is included following feedback from Suffolk County Council and Babergh and Mid Suffolk to ensure visibility and accurate record keeping for relevant traffic authorities.</p>	<p>(13) A copy of the instrument referred to in paragraph (5) must be made available on request and, as soon as reasonably practicable after being made, must be served on the traffic authority.</p>	<p><u>C</u></p>
<p>21. <u>Article 50, Felling or lopping</u></p>	<p>Correction of cross-reference to paragraph (5) so that deemed consent provision does not operate where an application does not include the statement required by paragraph (6).</p>	<p>(7) If an application for consent under paragraph (4) does not include the statement required under paragraph (6), then the provisions of paragraph (<del>6</del><u>5</u>) will not apply to that application.</p>	<p><u>C</u></p>
<p>22. <u>Article 55, Procedure regarding certain approvals etc.</u></p>	<p>Insertion of qualifying wording to give effect to new paragraph (4).</p>	<p>(3) <del>The</del>Subject to paragraph (4) the procedure set out in paragraphs 3, 4 and 5 of Schedule 4 (discharge of <del>Requirements</del><u>requirements</u>) has effect in relation to any other consent, agreement or approval required under this Order where such consent, agreement or approval is granted subject to any condition to which the undertaker objects, or is refused or is withheld.</p>	<p><u>C</u></p>
<p>23. <u>Article 55, Procedure regarding certain</u></p>	<p>Insertion of new paragraph (4) to clarify that where the provisions of article 62 (arbitration) are specified</p>	<p>(4) Paragraphs 3, 4 and 5 of Schedule 4 (discharge of requirements) do not have effect in respect of <u>any consent, agreement or approval required by the provisions of Schedule 16 (protective provisions) to which article 62 (arbitration) instead applies.</u></p>	<p><u>C</u></p>

approvals etc. to apply under Schedule 16 (protective provisions), the mechanisms of Schedule 4 (discharge of requirements) will not apply.

24. Article 56, Safeguarding The proposed amendment provides a 'business day' equivalent period to the original 21 day period, in response to DCO 1.A3.

**Safeguarding**

**56.—**(1) Save in respect of exempt applications, before granting planning permission for development to which this article applies, a relevant planning authority must consult the undertaker.

(2) This article applies to development which would be wholly or partly within the Order limits.

(3) Where this article requires a relevant planning authority to consult the undertaker before granting planning permission—

- (a) they must give the undertaker notice of the application for planning permission (unless the applicant has served a copy of the application on the undertaker); and
- (b) they may not determine the application before the end of the period of ~~21~~15 business days, beginning two business days after the relevant planning authority has sent the notice to the undertaker by first class post or by such other means of service as may be agreed with the relevant planning authority, which will be deemed to be the date on which the undertaker receives the notice or copy of the application.

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(8) In this article—

“exempt applications” means—

- (a) an application for planning permission which relates to development that—
  - (i) consists of an alteration to an existing building, or the change of use of an existing building or land; and
  - (ii) does not involve, or is not likely to involve, any construction engineering or other operations below existing ground level;
- (b) an application for planning permission which is to be determined by a relevant planning authority in the period of ~~21~~15 business days beginning on the day after the date on which the Order comes into force; and

25. Article 56, Safeguarding Minor typographical correction.

“relevant planning authority” means ~~the~~any local planning authority in receipt of an application for planning permission to which this article applies.

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26. Schedule 1, Authorised Development

The proposed amendment brings the UKOP protective works into the scope of the authorised development. The intention is that this proposal will replace the description of works previously included in Schedule 9A.

**Work No. 17A – works for the protection of UKOP apparatus**

Works shown as commencing on Section H Sheet 1A and terminating on Section H Sheet 1B of the works plans for the provision of alternating current mitigation in accordance with British Standard EN ISO 18086 in respect of the UKOP 14-inch Thames to Buncefield Multi Fuel pipeline including—

- (a) provision of anti-corrosion earthing strips;
- (b) subsurface cabling to connect mitigation works, monitoring pillars and pipeline;
- (c) two temporary construction compounds, which may include—
  - (i) earthworks, soil stripping and storage, ground improvement;
  - (ii) car parking, hard standing, roadways and access roads (including construction site services and temporary bridges);
  - (iii) drainage works;
  - (iv) office and staff welfare facilities;

- (v) utility service connections for electricity, communication and potable water and/or connection of power supply may from temporary generators;
  - (vi) utility service connection or on site storage for later disposal of grey water and sanitation;
  - (vii) emergency electrical generator;
  - (viii) materials, tools and fuel storage and laydown areas;
  - (ix) assembly areas;
  - (x) plant and equipment storage areas;
  - (xi) wheel cleaning facilities;
  - (xii) security cabin and fencing and gates;
  - (xiii) construction and security lighting; and
  - (xiv) construction of waste management facilities; and
- (d) test posts and other facilities and equipment for monitoring the alternating current mitigation works.

27. Schedule 3, Requirements (Paragraph 1(1))

Amendment made following feedback from host authorities that the definition of 'discharging

~~“discharging authority” means the body responsible for giving any consent, agreement or approval required by a requirement included in this Order, 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(a);~~

		<u>authority' is unclear.</u>		
<u>28.</u>	<u>Schedule 3, Requirements (Paragraph 1(3))</u>	<u>Amendment to specify more clearly the type of information or materials that may be approved under the requirements and by whom.</u>	(3) Where any requirement requires the authorised development to be carried out in accordance or in general accordance <del>with matters including a plan,</del> any document, <del>or plan, drawing, strategy, statement, details or other information</del> approved by the relevant planning authority or the relevant highway authority, <del>those matters</del> such document, plan, drawing, strategy, statement, details or other information are to be taken to include any amendments that <del>may have been</del> subsequently <del>be</del> approved in writing by the relevant <del>discharging</del> planning authority or the relevant highway authority in question.	<u>C</u>
<u>29.</u>	<u>Schedule 3, Requirements (Paragraph 2(4))</u>	<u>Correction of a minor typographical error.</u>	(4) Proceedings are not finally determined for the purposes of <del>sub-paragraph</del> sub-paragraph (3)(a) if any appeal— (a) could be brought (ignoring any possibility of an appeal out of time with permission), or (b) has been made and not withdrawn or finally determined.	<u>C</u>
<u>30.</u>	<u>Schedule 3, Requirements (Paragraph 3(1))</u>	<u>The proposed amendment provides a 'business day' equivalent period to the original seven day period, in response to DCO 1.A3.</u>	(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 <del>seven</del> five business days prior to the date on which those pre-commencement operations are first carried out.	
<u>31.</u>	<u>Schedule 3, Requirements (Paragraph 3(4))</u>	<u>The proposed amendment is in response to feedback from host authorities and the Examining Authority regarding decision timescales. Further explanation can be found in response to DCO 1.A2.</u>	(4) Written notice of the commencement and completion of construction of each stage of the authorised development, and the operational use of each stage of the authorised development, must be given to the relevant planning authority within <del>28</del> 25 business days of the relevant event occurring.	<u>C</u>
			<u>With the exception of Schedule 16 (protective provisions) which remain under discussion with the relevant stakeholders, this correction has been made throughout the <b>3.1 Draft Development Consent Order (Revision C)</b> schedules, specifically at schedules 4 (paragraphs 1(1) and 3(2)) (discharge of requirements) and 10 (paragraph 11) (modification of compensation and compulsory purchase enactments for creation of new rights). To ensure legibility of this Table 2.2, each instance is not individually repeated in this table.</u>	
<u>32.</u>	<u>Schedule 3, Requirements (Paragraph</u>	<u>Correction of a minor typographical error that will ensure it is clear that there</u>	(5) The authorised development must be carried out in accordance with <del>the</del> any written scheme submitted further to sub-paragraph (2) or (3).	<u>C</u>

3(5))

may be revisions to the written scheme.

33. Schedule 3, Requirements (Paragraph 4)

Removal of reference to discharging authority following deletion of the definition.

Replacement of “in consultation with” by “following consultation with” is a statutory drafting point to clarify that it is the relevant planning authority who is responsible for making and communicating its decision following consultation and that the decision does not rest with the consultee.

Reference to the “relevant highway authority” has been added following feedback from National Highways that it must be consulted to the extent that the proposals affect the strategic road network.

Paragraph (2) is amended to make clear that all stages of the authorised development (and not just construction works) must be carried out in accordance with the approved plans, thereby

#### 4. Construction Management Plans

(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 (~~in~~following consultation with Natural England in the case of the landscape and ecological management plan) ~~or other discharging authority as may be appropriate to~~ and the relevant highway authority in the case of the construction traffic management plan concerned. The relevant plans are—

- (a) code of construction practice (which must be substantially in accordance with the outline code of construction practice);
- (b) construction traffic management plan (which must be substantially in accordance with the outline construction traffic management plan);
- (c) landscape and ecological management plan (which must be substantially in accordance with the outline landscape and ecological management plan);
- (d) public rights of way management plan (which must be substantially in accordance with the outline public rights of way management plan);

(2) ~~All construction works for each~~Each stage of the authorised development must be carried out in accordance with the approved plans referred to in paragraph (1), unless otherwise agreed with the relevant planning authority ~~or other discharging authority as may be appropriate to the relevant plan concerned.~~

(3) All pre-commencement operations must be carried out in accordance with the outline code of construction practice, the outline construction traffic management plan, the outline landscape and ecological management plan and the outline public rights of way management plan unless otherwise agreed with the relevant planning authority ~~or other discharging authority as may be appropriate to the relevant plan concerned.~~

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securing the commitments and mitigation measures contained in the management plans.

34. Schedule 3, Requirements (Paragraph 5)

Amendments proposed following feedback from host authorities as to the need for the involvement of the county planning authority in historic environment matters.

**5. Archaeology**

(1) No stage of the authorised development may commence until either a preservation in situ management plan, or detailed written schemes of investigation of areas of archaeological interest relevant to that stage (if any), as identified within the outline archaeological mitigation strategy and outline written scheme of investigation or identified through evaluation work as set out in the outline archaeological mitigation strategy and outline written scheme of investigation, has been submitted to and approved by the relevant **discharging**planning authority **in**following consultation with the relevant county planning authority and, if relevant, Historic England.

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

(4) All pre-commencement operations must be carried out in accordance with the outline archaeological mitigation strategy and outline written scheme of investigation, unless otherwise agreed with the relevant **discharging**planning authority **in**following consultation with the relevant county planning authority and, if relevant, Historic England.

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35. Schedule 3, Requirements (Paragraph 7)

Correction of a typographical error to ensure consistency with the defined term.

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(4) The following operations may take place outside the core working hours and, as the case may be, the hours referred to in sub-paragraph (3)—

- (a) trenchless crossing operations including 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 (included but not limited to) 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) any highway works requested by the relevant highway authority to be undertaken on a Saturday or Sunday or 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) security monitoring;
- (j) non-intrusive surveys;

- (k) intrusive surveys;
- (l) oil processing of transformers or reactors in substation sites;
- (m) delivery to the transmission works of abnormal indivisible loads and any highway works requested by the relevant highway authority to be undertaken outside the core working hours; and
- (n) mechanical and electrical installation works within buildings once erected and enclosed.

36. Schedule 3, Requirements (Paragraph 10) The intention of the proposed amendment to Requirement 10 to exclude Work No. 17A is to be abundantly clear that, when reinstating land that has temporarily been used for construction, the UKOP protective works can be

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retained in situ.  
References to “a condition suitable for its former use” have been amended following feedback from host authorities. The Applicant considers “former condition” to be more precise than the suggested definition of “former use” and therefore more appropriate terminology.

#### **10. Reinstatement schemes**

(1) Subject to sub-paragraphs (2) and (3), any land within the Order limits which is used temporarily for construction (save in respect of Work No. 17A) is to be reinstated to ~~a condition suitable for~~ its former ~~use~~condition, or such condition as the relevant planning authority may approve, within 21 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~~condition does not apply to land above or within 10 metres of underground cables installed as part of the authorised development.

(3) The requirement to reinstate the land to ~~a condition suitable for~~ its former ~~use~~condition is subject to the provisions of article 27 (temporary use of land by National Grid), article 28 (temporary use of land by UKPN and UKOP) and article 29 (temporary use of land for maintaining the authorised development).

37. Schedule 3, Requirements (Paragraph 11)

Amendment proposed in response to DCO 1.S3 to ensure ongoing maintenance of the approved details.

#### **11. Approval of details having regard to the design approach for site specific infrastructure**

(1) No part of Work No. 18(b) (construction of gas insulated switchgear building and gas insulated hall annexe) may commence until details of the external colour of those buildings have been submitted to, the relevant planning authority, and the relevant planning authority has confirmed that the details are in general accordance with the design approach for site specific infrastructure.

(2) The external colour of those buildings forming part of Work No. 18(b) (construction of gas insulated switchgear building and gas insulated hall annexe) must be maintained in accordance with the details approved by the relevant planning authority under sub-paragraph (1).

38. Schedule 3, Requirements (Paragraph 13)

Replacement of “in consultation with” by “following consultation with” is a statutory drafting point to clarify that it is the relevant planning authority who is responsible for making and communicating its decision following consultation and that the decision does not rest with the consultee.

#### **13. Decommissioning**

(1) 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 to the relevant planning authority for its approval infollowing consultation with the relevant highway authority, at least six months prior to decommissioning works.

39. [Schedule 4, Discharge of requirements \(Paragraph 2\)](#) Replacement of “5 days” with “5 business days” and replacement of “21 days” with “15 business days” to provide a ‘business day’ equivalent period to the original periods in response to DCO 1.A3.

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*Further information*

2. —(1) Where an application has been made under paragraph 1 the relevant authority may request such reasonable further information from the undertaker as it considers is necessary to enable it to consider the application.

(2) If the relevant authority considers further information is necessary and the [Requirementrequirement](#) does not specify that consultation with a requirement consultee is required, the

relevant authority must, within 5 [business](#) days of receipt of the application, notify the undertaker in writing specifying the further information required.

(3) If the [Requirementrequirement](#) specifies that consultation with a requirement consultee is required, the relevant authority must issue the consultation to the requirement consultee within 5 [business](#) days of receipt of the application and must notify the undertaker in writing specifying any further information requested by the requirement consultee within 5 [business](#) days of receipt of such a request and in any event within ~~21~~ [15 business](#) days of receipt of the application.

(4) If the relevant authority does not give the notification mentioned in sub-paragraphs (2) or (3) it is deemed to have sufficient information to consider the application and is not thereafter entitled to request further information without the prior agreement of the undertaker.

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

40. [Schedule 4, Discharge of requirements \(Paragraph 3\)](#) Correction in recognition of the removal of the definition of “discharging authority”,

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3. —(1) Where an application is made to a relevant authority for any consent, agreement or approval required by a [Requirementrequirement](#) (including consent, agreement or approval in respect of part of a [Requirementrequirement](#)), 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 £298 per request unless a bespoke arrangement has been agreed between the applicant and [dischargingrelevant](#) authority and legally secured.

41. [Schedule 4, Discharge of requirements \(Paragraph 4\)](#) Correction of a typographical error to ensure consistency with the defined term, and to reflect the changes made

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to article 55(4) which provides that article 62 (arbitration) will apply in place of Schedule 4 (discharge of requirements) where specified in Schedule 16 (protective provisions).

#### *Appeals*

4. —(1) The undertaker may appeal if—
- (a) the relevant authority refuses an application for—
    - (i) any consent, agreement or approval required by a ~~Requirement~~requirement or any document referred to in any ~~Requirement~~requirement; or
    - (ii) (except as provided in article 55(4)) any other consent, agreement or approval required under this Order,
- or grants it subject to conditions to which the undertaker objects;
- (b) the relevant authority does not give notice of its decision to the undertaker within the period specified in paragraph 1(1);
  - (c) having received a request for further information under paragraph 1(3) the undertaker considers that either the whole or part of the specified information requested by the relevant authority is not necessary for consideration of the application; or
  - (d) having received any further information requested, the relevant authority notifies the undertaker that the information provided is inadequate and requests additional information which the undertaker considers is not necessary for consideration of the application.

42. Schedule 4, Discharge of requirements (Paragraph 5)

Amendment to reflect that Schedule 4 (discharge of requirements) applies in some instances beyond Schedule 3 (requirements)

(5) Any consent, agreement or approval given by the appointed person pursuant to this Schedule is deemed to be an approval for the purpose of Schedule 3 (requirements) or the relevant other consent, agreement or approval required under this Order as if it had been given by the relevant authority.

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43. Schedule 4, Discharge of requirements (Paragraph 6)

Amendment to reflect that Schedule 4 (discharge of requirements) applies in some instances beyond Schedule 3 (requirements)

#### *Interpretation of Schedule 4*

6. In this Schedule—
- “the appeal parties” means the relevant authority, the requirement consultee and the undertaker;
- “relevant authority” means the person or body responsible for giving ~~and any~~ consent, agreement or approval ~~under this schedule or required by a requirement, or any document referred to in any requirement, under this Order or (except as provided in article 55(4)) any other consent, agreement or approval required under this Order (including the~~ relevant owner of a watercourse, sewer or drain as may be appropriate to the consent, agreement or approval sought); and
- “requirement consultee” means any body named in a ~~Requirement which is the subject of an appeal~~requirement as a body to be consulted by the relevant authority in discharging that ~~Requirement~~requirement.

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44. Schedule 9A, Works for the protection of UKOP apparatus Schedule 9A is replaced by the description of the UKOP protective works contained in a new Work No. 17A.

Article 21

**SCHEDULE 9A**

**WORKS FOR THE PROTECTION OF UKOP APPARATUS**

~~Works for the provision of alternating current mitigation in accordance with British Standard EN ISO 18086 in respect of the UKOP 14-inch Thames to Epping high pressure multi-fuel pipeline between OS-grid reference [●] and OS-grid reference [●].~~

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45. Schedule 11, Land of which temporary possession may be taken Updates to reflect changes to land parcels or classes of rights that emanated from the acceptance of Change Application 1 – Bulphan (Section H) and Change Application 2 – Little Bromley (Section C).

Amendments to Section C

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C-15/2b, C-15/3b, C-15/3e, C-15/8, C-15/24, C-15/25, C-15/26, C-15/27, C-15/28, C-15/29, C-15/30, C-15/31, C-15/36, C-15/40, C-15/41	Temporary use for construction, mitigation, maintenance, access and/or dismantling of redundant infrastructure	Work No. 39
C-16/1a, C-16/1b, C-16/1c, C-16/1e, C-16/1f, C-16/1g, C-16/6, C-16/8, C-16/9, C-16/11, C-16/12, C-16/13, C-16/14, C-16/16a, C-16/17, C-16/18, C-16/19, C-16/20, C-16/21, C-16/23, C-16/24, C-16/25, C-16/26, C-16/27, C-16/28, C-16/29, C-16/30, C-16/31, C-16/32, C-16/35, C-16/36, C-16/38, C-16/40, C-16/41, C-16/42, C-16/43, C-16/45, C-16/46, C-16/47a, C-16/48a, C-16/49, C-16/50, C-16/53, C-16/55, C-16/59	Temporary use for construction, mitigation, maintenance, access and/or dismantling of redundant infrastructure	Work No. 39

Amendments to Section H

(1) <i>Plot number of Land shown on Land Plans</i>	(2) <i>Purpose for which temporary possession may be taken</i>	(3) <i>Relevant part of the authorised development</i>
H-1/14, H-1/18, H-1/19, H-1/23, H-1/25, H-1/27, H-1/28, H-1/29, H-1/30, H-1/33, H-1/34, H-1/36, H-1/38, H-1/39, H-1/41, H-1/45, H-1/47, H-1/48, H-1/49, H-1/52, H-1/53,	Temporary use for construction, mitigation, maintenance, access and/or dismantling of redundant infrastructure	Work No. 17 <a href="#">Work No. 17A</a> Work No. 33 Work No. 34 Work No. 35 Work No. 37 Work No. 40

<a href="#">H-1A/2, H-1A/3, H-1A/8, H-1A/9, H-1A/10, H-1A/12, H-1A/14, H-1A/15, H-1A/16</a>	Temporary use for construction, mitigation, maintenance, access and/or dismantling of redundant infrastructure	<a href="#">Work No. 17A</a>
<a href="#">H-1B/1, H-1B/2, H-1B/3, H-1B/5, H-1B/8, H-1B/10, H-1B/11, H-1B/12, H-1B/13, H-1B/14, H-1B/15</a>	Temporary use for construction, mitigation, maintenance, access and/or dismantling of redundant infrastructure	<a href="#">Work No. 17</a> <a href="#">Work No. 17A</a>
H-2/5, H-2/6, H-2/7, H-2/10, H-2/11, H-2/16, H-2/17, H-2/22, H-2/28, H-2/34, H-2/35, H-2/38, H-2/39, H-2/41, H-2/43, H-2/44, H-2/45, H-2/46, H-2/47, H-2/48, H-2/50, H-2/51	Temporary use for construction, mitigation, maintenance, access and/or dismantling of redundant infrastructure	Work No. 17 <a href="#">Work No. 17A</a>

46. [Schedule 16, Protective Provisions \(Part 5 – For the Protection of National Highways\)](#) [Minor typographical correction.](#)

**Interpretation**

2. —(1) Where the terms used in this Part of this Schedule are defined in article 2 (*interpretation*) of this Order are inconsistent with ~~subparagraph~~ [sub-paragraph \(2\)](#) [below the latter prevail.](#)

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47. [Schedule 16, Protective Provisions \(Part 6 – For](#) [Addition of text to the heading for consistency with other Parts of this Schedule.](#)

**PART 6**  
**FOR THE PROTECTION OF FIVE ESTUARIES**

C

the Protection of Five Estuaries)

48. Schedule 16, Protective Provisions (Part 6 – For the Protection of Five Estuaries) Minor typographical correction.

**Indemnity**

8. —~~xxxx~~(1) At all times after Five Estuaries has commenced construction and the conditions below are met to comply with ~~clause~~sub-paragraphs 8(2) to 8(7)—

- (i) NGET is working within the EACN Substation Area;
- (ii) NGET is working in an area in which Five Estuaries either has land rights or is in occupation of and/or;
- (iii) NGET is carrying out works within 15 meters of any Five Estuaries works or apparatus;
- (iv) excepting any works which are works regulated by the connection agreement between the undertaker and National Grid Energy Systems Operator (or a successor thereto) and carried out within the New National Grid Substation Boundary which will be governed solely by that agreement and not this Part:

49. Schedule 16, Protective Provisions (Part 7 – For the Protection of North Falls) Addition of draft provisions for the protection of North Falls.

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PART 7  
FOR THE PROTECTION OF NORTH FALLS

Application

1. The provisions of this Part have effect unless otherwise agreed in writing between the undertaker and North Falls.

Interpretation

2. In this Part:

“apparatus” means electric lines or electrical plant belonging to or maintained by North Falls together with any replacement apparatus, and includes any structure in which apparatus is or will be lodged or which gives or will give access to apparatus;

“EACN Substation Area” the land shown in the lands plans as plots 16,006,16007 and 16,008;

“New EACN Substation” means the substation to be constructed within the EACN Substation Area as Work No. 8;

“New EACN Substation boundary” means the final boundary of the substation to be constructed within the EACN Substation Area as determined by the undertaker;

“North Falls” means North Falls Offshore Wind Farm Limited (and any successor in title, transferee and lessee, as the case may be) as the undertaker with the benefit of all or part of the North Fall Offshore Wind Farm Order;

“Overlap Area” means any land within the Order land that is also within the land defined as the Order land in the North Falls Offshore Wind Farm Order but excluding the EACN Substation Area.

Compulsory acquisition of land and rights

3. Regardless of any provision in this Order or anything shown on the land plans or contained in the book of reference to this Order, within the Overlap Area, the undertaker must not acquire any interest in land or any apparatus or override any easement or other interest of North Falls otherwise than by agreement, such agreement not to be unreasonably withheld or delayed.

4. Where within the EACN Substation Area but outside of the New EACN Substation Boundary, the undertaker acquires land within which North Falls have rights to install, maintain and operate apparatus and associated equipment for the purposes of transmission of electricity, and/or over which they have rights to access apparatus, the undertaker must not extinguish, suspend, override or acquire such rights or apparatus unless and until the undertaker affords to North Falls alternative, necessary rights in substitution for the rights to be extinguished, suspended, overridden or acquired, and those alternative rights must be granted upon such terms and conditions as may be agreed between the undertaker and North Falls acting reasonably.

5. Regardless of any provision in this Order or anything shown on the land plans or contained in the book of reference to this Order, the undertaker must not suspend or extinguish any temporary possession right being exercised by North Falls otherwise than by agreement, such agreement not to be unreasonably withheld or delayed.

6. The undertaker will not exercise any rights, including rights of temporary possession, over [plots] (being the alignment of a temporary haul road proposed by North Falls) so as to exclude or prevent any use of these plots by North Falls.

**Protection of North Falls apparatus**

7. —(1) Regardless of any provision in this Order or anything shown on the land plans or contained in the book of reference to this Order, the undertaker may not, under the powers of this Order, adjust, remove, alter, divert or interfere with any apparatus situated outside the EACN Substation Area owned by North Falls otherwise than by agreement.

### Indemnity

8. —(1) At all times after North Falls has commenced construction and the conditions below are met to comply with sub-paragraphs 8(2) to 8(7)—

- (a) NGET is working within the EACN Substation Area;
- (b) NGET is working in an area in which North Falls either has land rights or is in occupation of; and/or
- (c) NGET is carrying out works within 15 meters of any North Falls works or apparatus;
- (d) excepting any works which are works regulated by the connection agreement between North Falls and National Grid Energy Systems Operator (or a successor thereto) and carried out within the New National Grid Substation Boundary which will be governed solely by that agreement and not this Part.

(2) Subject to sub-paragraphs (3) and (4), if by reason or in consequence of the construction use or maintenance or failure of any works to which paragraph 8(1) applies by or on behalf of the undertaker or in consequence of any act or default of the undertaker (or any person employed or authorised by him) in the course of carrying out such works, or any subsidence resulting from any of these works, any damage is caused to any apparatus or property of North Falls, or North Falls becomes liable to pay any amount to any third party, the undertaker will—

- (a) bear and pay on demand accompanied by an invoice or claim from North Falls the cost reasonably and properly incurred by North Falls in making good such damage or restoring the supply; and
- (b) indemnify North Falls for any other expenses, loss, demands, proceedings, damages, claims, penalty or costs incurred by or recovered from North Falls, by reason or in consequence of any such damage or interruption or North Falls becoming liable to any third party other than arising from any default of North Falls.

(3) The fact that any act or thing may have been done by North Falls on behalf of the undertaker or in accordance with a plan agreed with North Falls or in accordance with any requirement of North Falls or under its supervision will not (unless sub-paragraph (4) applies), excuse the undertaker from liability under the provisions of this sub-paragraph (1) unless North Falls fails to carry out and execute the works properly with due care and attention and in a skilful and workman like manner or in a manner that does not accord with the approved plan.

(4) Nothing in sub-paragraph (1) shall impose any liability on the undertaker in respect of—

(a) any damage or interruption to the extent that it is attributable to the neglect or default of North Falls, its officers, servants, contractors or agents; or

(b) any indirect or consequential loss of any third party (including but not limited to loss of use, revenue, profit, contract, production, increased cost of working or business interruption) arising from any such damage or interruption, which is not reasonably foreseeable.

(5) North Falls must give the undertaker reasonable notice of any such third party claim or demand and no settlement, admission of liability or compromise must, unless payment is required in connection with a statutory compensation scheme, be made without first consulting the undertaker and considering their representations.

(6) North Falls must, in respect of any matter covered by the indemnity given by the undertaker in this paragraph, at all times act reasonably and in the same manner as it would as if settling third party claims on its own behalf from its own funds.

(7) North Falls must use its reasonable endeavours to mitigate and to minimise any costs, expenses, loss, demands, and penalties to which the indemnity under this paragraph applies where it is within North Falls' reasonable ability and control to do so and which expressly excludes any obligation to mitigate liability arising from third parties which is outside of North Falls' control and if reasonably requested to do so by the undertaker North Falls must provide an explanation of how the claim has been minimised, where relevant.

#### Disputes

Any dispute arising between the undertaker and North Falls under this Part of this Schedule, is to be determined by arbitration under article [62 (arbitration)].

50. Schedule 19, Adjustment to certified  
Certified document in response to  
Documents DCO 1.S26.

## SCHEDULE 19 CERTIFIED DOCUMENTS

Article 60

<i>(1) Document title</i>	<i>(2) Document reference</i>
Access, Rights of Way and Public Rights of Navigation Plans	2.5
Book of reference	4.3
Design approach to site specific infrastructure	7.16
Design and Layout Plans <del>—Subs &amp;—</del> Cables(elevations)	2.6.1

C

National Grid plc  
National Grid House,  
Warwick Technology Park,  
Gallows Hill, Warwick.  
CV34 6DA United Kingdom

Registered in England and Wales  
No. 4031152  
[nationalgrid.com](http://nationalgrid.com)



<b>Summary report:</b>	
<b>Litera Compare for Word 11.14.0.42 Document comparison done on 09/04/2026 23:13:33</b>	
<b>Style name:</b> Firm	
<b>Intelligent Table Comparison:</b> Active	
<b>Original DMS:</b> iw://bclp.cloudimanage.com/legal/239689259/1 - 3.5 Norwich to Tilbury - Schedule of DCO Changes (Deadline 2).docx	
<b>Modified DMS:</b> iw://bclp.cloudimanage.com/legal/240033162/5 - 3.5 NTT - Schedule of DCO Changes (Deadline 3).docx	
<b>Changes:</b>	
<a href="#">Add</a>	21
<del>Delete</del>	13
<del>Move From</del>	0
<del>Move To</del>	0
<a href="#">Table Insert</a>	2
<del>Table Delete</del>	0
<a href="#">Table moves to</a>	0
<del>Table moves from</del>	0
Embedded Graphics (Visio, ChemDraw, Images etc.)	0
Embedded Excel	0
Format changes	1
<b>Total Changes:</b>	<b>37</b>