



The Millbrook Power (Gas Fired Power Station) Order

Explanation of Amendments Made to the Draft Development Consent Order and Other Documents – Submitted at Deadline 7

Planning Act 2008
The Infrastructure Planning
(Applications: Prescribed Forms and Procedure) Regulations 2009

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THE MILLBROOK GAS FIRED GENERATING STATION ORDER

EXPLANATION OF AMENDMENTS MADE TO THE DRAFT DCO AND OTHER DOCUMENTS AT DEADLINE 7

1. INTRODUCTION

1.1 This document provides a commentary on changes made to the draft Development Consent Order (“**dDCO**”) in the version submitted at Deadline 7 (23 August 2018) (“**DCO Revision 4**”), compared with the version of the draft DCO submitted at Deadline 5 on 11 July 2018 (“**DCO Revision 3**”) [REP5-011].

1.2 Two electronic .pdf comparisons have been submitted comparing the changes with:

1.2.1 DCO Revision 3; and

1.2.2 the submission version of the dDCO [APP-012].

1.3 This document also sets out the changes made to other documents comprising:

1.3.1 the revised Explanatory Memorandum version 3 (in section 3). An electronic comparison .pdf has been submitted comparing the changes with version 2 of the Explanatory Memorandum submitted at Deadline 5 [REP5-012];

1.3.2 the revised Book of Reference version 3 (in section.4) An electronic comparison .pdf has been submitted comparing the changes with version 2 of the Book of Reference submitted at Deadline 5 [REP5-016]; and

1.3.3 the revised Rights of Way, Streets and Access Plan version 2 in (section 5).

2. TABLE OF CHANGES TO THE DRAFT DCO REVISION (4)

2.1 In broad terms, the changes to the dDCO have been made for the following reasons:

2.1.1 further discussions have been held between the Applicant and Network Rail which have resulted in agreement over the wording for the protective provisions and requirements relating to construction traffic management and fencing; and

2.1.2 other points which the Applicant has identified as requiring amendment since DCO Revision 3 was submitted at Deadline 5.

2.2 The Applicant has made a number of minor changes to the dDCO including: correcting references; adding full names of statutes; correcting errors, etc. Due to the minor nature of many of these changes, the Applicant has not listed each one individually in the table below as it is considered that such changes are self explanatory. The Applicant is, however, more than happy to assist the Examining Authority’s should any further explanation be required.

Provision in revised draft DCO and/or issue	Brief description and explanation
Article 6	This article has been amended in paragraphs 1 and 2 so that it refers specifically to Millbrook Power Limited instead of "the undertaker". This change makes the article clearer and certain given the split definition of

Provision in revised draft DCO and/or issue	Brief description and explanation
	"undertaker" used in article 2.
Article 8	Paragraph 5 of this article has been removed as it is superfluous in light of the drafting included in article 41(3) (procedure in relation to certain approvals).
Article 11	Paragraph 6 of this article has been removed as it is superfluous in light of the drafting included in article 41(3) (procedure in relation to certain approvals).
Article 15	Paragraph 5 of this article has been removed as it is superfluous in light of the drafting included in article 41(3) (procedure in relation to certain approvals).
Article 17	Paragraph 5 of this article has been removed as it is superfluous in light of the drafting included in article 41(3) (procedure in relation to certain approvals).
Article 24	A new paragraph 3 has been added to this article in order to make it clear that the Compulsory Purchase (Vesting Declaration) Act 1981 applies to MPL, which is not a local or other public authority but will have compulsory acquisition powers under the Order
Article 41	A minor amendment has been made to paragraph 3 of this article in order to make it clear that the deemed approval process does not apply where it is specifically stated to the contrary.
Schedule 1	The wording used to describe the authorised development in Schedule 1 has been amended in order to make it clearer what each numbered work applies to.
Schedule 2, requirements 6 and 11	These requirements have been amended following discussions between the Applicant and Network Rail. The wording is now agreed as confirmed in the Joint Statement between Millbrook Power Limited and Network Rail Infrastructure Limited dated 23 August 2018 submitted at Deadline 7.
Schedule 4	Table 5 (streets subject to street works) has been updated in order to reflect the street works which will be carried out for the purposes of the authorised development.
Schedule 10, Part 7	The wording of the protective provisions for the benefit of Network Rail has been updated following further discussions between the parties. The wording is now agreed as confirmed in the Joint Statement between Millbrook Power Limited and Network Rail Infrastructure Limited dated 23 August 2018 submitted at Deadline 7.

3. CHANGES TO THE EXPLANATORY MEMORANDUM VERSION 3

3.1 The Explanatory Memorandum has been updated in order to reflect the position in DCO Revision 4. In particular changes have been made to reflect the changes outlined in the table above as well as an update on the status of the protective provisions in Schedule 10.

4. CHANGES TO THE BOOK OF REFERENCE VERSION 3

4.1 Updates have been made to the Book of Reference which reflect the latest ownership or reputed owners of the relevant land. Of note:

4.1.1 there has been a transfer of mines and minerals from British Agricultural Services Limited to SC Bedford Limited;

4.1.2 Covanta Rookery South Limited has changed its name to Rookery South Limited; and

4.1.3 as requested by the ExA in its letter to Terrance Matcham dated 23 July 2018, the Applicant has updated references to Carol Matcham.

5. **CHANGES TO THE RIGHTS OF WAY, STREETS AND ACCESS PLAN VERSION 2**

5.1 A minor change has been made to the Rights of Way Streets and Access Plan so that it now correctly refers to the "*Low Level Restoration Scheme Secondary Access Track*" instead of the "*Low Level Restoration Scheme Secondary Access Road*".