

The Drax Power (Generating Stations) Order 2019
List of corrections to the Order requested by Drax Power Limited

14 November 2019

The following table lists a number of errors considered to be contained within the Drax Power (Generating Stations) Order 2019 made on 4 October 2019 that the Applicant, Drax Power Limited (DPL), has identified. In each case, the table sets out the correction which is being requested under Schedule 4 to the Planning Act 2008 and the reason for the request.

The requested corrections are shown as tracked changes in the version of the made DCO attached to this request.

Article/Requirement	Current Drafting	Commentary and correction requested
<p>Article 2, definition of “permitted preliminary works”</p>	<p>“(c) environmental surveys, geotechnical surveys, intrusive archaeological surveys and other investigations for the purpose of assessing ground conditions, demolition of buildings and removal of plant and machinery;</p> <p>(d) above ground site preparation for temporary facilities for the use of contractors;</p> <p>(e) the provision of temporary means of enclosure and site security for construction;</p> <p>(f) the temporary display of site notices or advertisements; or</p> <p>(g) site clearance (including vegetation removal, demolition of existing buildings and structures);”</p>	<p>DPL suggests the listed points should run from (a) through to (e) rather than from (c) through to (g).</p>
<p>Article 2, definition of “undertaker”</p>	<p>““undertaker” means, subject to article 7(2), the person who has the benefit of this Order in accordance with article 6;”</p>	<p>DPL suggests “subject to article 7(2)” can be deleted, as article 6 is itself drafted as being subject to article 7.</p>

The Drax Power (Generating Stations) Order 2019
List of corrections to the Order requested by Drax Power Limited

14 November 2019

Article/Requirement	Current Drafting	Commentary and correction requested
Article 6	"Subject to article 7 (consent to transfer the benefit of the Order)"	DPL suggests "the" before "benefit" is deleted, so it is amended to "Subject to article 7 (consent to transfer benefit of the Order)" to be consistent with the title to article 7.
Article 10(1)(a) and (b)	<p>"(a) in the case of permanent works as specified in column (2) of Part 1 of Schedule 4 (streets subject to permanent alteration of layout) in the manner specified in relation to that street in column (3); and</p> <p>(b) in the case of temporary works as specified in column (2) of Part 2 of Schedule 4 (streets subject to temporary alteration of layout) in the manner specified in relation to that street in column (3)."</p>	<p>DPL suggests this is amended as follows:</p> <ul style="list-style-type: none"> - in (a) delete "streets subject to" so it reads "...Part 1 of Schedule 4 (permanent alteration of layout)"; and - in (b) delete "streets subject to" so it reads "Part 2 of Schedule 4 (temporary alteration of layout)" <p>to be consistent with the names of those parts in Schedule 4.</p>
Article 11(6)(b)	"(b) has effect in relation to street works with regard to which Part 3 of the 1991 Act apply."	DPL suggests that "apply" is changed to "applies".
Article 13(2)(b)(ii)	"in accordance with sub-paragraph (b)."	DPL suggests that reference to sub-paragraph (b) be changed to "(b)(i)", as the made Order changed the paragraph numbering in this article and the change is therefore also required to the cross reference.
Article 14(a) and (b)	"(a) form and lay out the permanent means of access, or improve existing means of access, in the locations specified in Part 1 of Schedule 4 (streets subject to permanent alteration of layout);	<p>DPL suggests this is amended as follows:</p> <ul style="list-style-type: none"> - in (a) delete "streets subject to" so it reads "Part 1 of Schedule 4 (permanent alteration of layout)"; and

14 November 2019

Article/Requirement	Current Drafting	Commentary and correction requested
	(b) form and lay out the temporary means of access in the location specified in Part 2 of Schedule 4 (streets subject to temporary alteration of layout);”	- in (b) delete "streets subject to" so it reads "Part 2 of Schedule 4 (temporary alteration of layout)" to be consistent with the names of those parts in Schedule 4.
Schedule 1	Work No. 5(f) provides: “up to two boiler houses with a total installed thermal input capacity of 7.2 megawatts and each with up to two stacks;”	DPL suggests that amendments are made as follows: “up to two boiler houses with a total installed thermal input capacity to the <u>heat exchangers</u> of 7.2 megawatts and each <u>boiler house</u> with up to two stacks” This wording is consistent with DPL’s application documents, namely, Environmental Statement Chapter 3 (Site and Project Description), Section 3.2 and Appendix 6.3 to the Environmental Statement (Air Dispersion Modelling), Table A.3-2, which reports the data used for up to twelve 600kW boiler units. The suggested amendment avoids any ambiguity with the energy (heat) content of the natural gas fuelling the boiler and aligns with the scenario assessed in the Environmental Statement.
Schedule 13	Reference to the operative provision as being Requirement 6.	DPL suggests that the operative provision should be changed to Requirement 7, as it is Requirement 7(10) in Schedule 2 that gives effect to the parameters in Schedule 13.
Schedule 14	Revision number and date for the application guide.	DPL suggests the revision number should be changed to 014 and the date changed to 03.04.2019. This was the final version of the application guide, which was submitted at the end of the examination.
Schedule 14	Date for environmental statement volumes 1 and 2	DPL suggests an insertion as follows, to make clear that the date for these volumes is the date of submission. The date for all other documents in Schedule 14 is the date of the document itself. Whilst the date of 29.05.2018 is correct for volumes 1 and 2 of the environmental statement, each individual chapter and appendix within those volumes has a different date on the document itself. To make it clear and to avoid confusion DPL

The Drax Power (Generating Stations) Order 2019
List of corrections to the Order requested by Drax Power Limited

14 November 2019



Article/Requirement	Current Drafting	Commentary and correction requested
		<p>suggests that 29.05.2019 remains but it is clarified that it is the submission date of that document.</p> <p>“29.05.2018 (submission date)”</p>
Schedule 14	Revision number and date for appendix 9.10 of the environmental statement.	DPL suggests the revision number should be changed to 004 and the date changed to 29.03.2019. This was the final version of the biodiversity net gain assessment submitted to the examination.
Schedule 14	“environmental statement volume 3.” and date for volume 3	DPL suggestions insertion of the missing document reference number as follows “environmental statement volume 3: 6.3”, and that the date is amended to the date of the document, 22.05.2018.
Schedule 14	Date for document ref. 8.4.2, 8.4.3, 8.4.4, 8.5.5, 8.4.8, 8.3.1, 8.4.9, 6.5	<p>DPL suggests the date for these documents should be changed as follows, to reflect the date on the document.</p> <p>6.5 – 18.03.2019</p> <p>8.3.1 – 03.10.2018</p> <p>8.4.2 – September 2018</p> <p>8.4.3 – 20.09.2018</p> <p>8.4.4 – October 2018</p> <p>8.4.8 – 14.11.2018</p> <p>8.4.9 – 15.11.2018</p> <p>8.5.5 – 07.11.2018</p>

The Drax Power (Generating Stations) Order 2019
List of corrections to the Order requested by Drax Power Limited

14 November 2019

Article/Requirement	Current Drafting	Commentary and correction requested
Schedule 14	Date for key plan 2.2 of the land plans.	DPL suggests the date should be changed to 06.11.2018.
Schedule 14	Revision number for the outline public rights of way management plan.	DPL suggests the revision number should be changed to 003.