

South Humber Bank Energy Centre Project

Planning Inspectorate Reference: EN010107

South Marsh Road, Stallingborough, DN41 8BZ

The South Humber Bank Energy Centre Order

Document Reference: 8.7 Schedule of Changes to the Draft DCO – Deadline 2



Applicant: EP Waste Management Ltd
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Author	Sarah Swales		
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Approved By	Nick McDonald		
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THE SOUTH HUMBER BANK ENERGY CENTRE

EXPLANATION OF CHANGES MADE TO THE DRAFT DEVELOPMENT CONSENT ORDER ('DCO') AT DEADLINE 2 (22 DECEMBER 2020)

Article / Requirement number in draft DCO	Explanation of Change
Article 2 (Interpretation) (and Article 15 (Discharge of water))	Pursuant to Q9.0.27 of the ExA's first written questions, the definition of "public sewer or drain" has been moved from article 15 to article 2.
Article 5 (Effect of the Order on the SHBEC planning permission)	<p>Pursuant to Q9.0.12 of the ExA's first written questions, the word "construct" has been replaced with the word "commence" in article 5(1).</p> <p>Pursuant to Q9.0.7 of the ExA's first written questions, article 5(1)(b) has been amended to clarify that the conditions of the SHBEC planning permission will only cease to have effect within the Order limits.</p>
Article 9 (Consent to transfer benefit of the Order)	Pursuant to Q5.0.22 of the ExA's first written questions, article 9(9) has been added to clarify the meaning of "relevant statutory undertaker" or "licence holder" for the purposes of the article.
Article 19 (Statutory undertakers)	Pursuant to Q5.0.29 of the ExA's first written questions, article 19 has been amended to remove the text "extinguish or suspend the rights of, remove or".
Schedule 2, Requirement 1 (Interpretation)	<p>The definition of "permitted preliminary works" has been amended so as to remove piling works. This change has been agreed with North East Lincolnshire Council ("NELC").</p> <p>A new sub-paragraph has been added to clarify that for the purposes of Schedule 2, references to Work No. 1 include Work No. 1A and Work No. 1B. This change has been made following discussions with NELC and ensures that details submitted pursuant to relevant requirements (referring to "Work No. 1") must relate to all of those Work Nos, as was always the intention.</p>

Article / Requirement number in draft DCO	Explanation of Change
Schedule 2, Requirement 5 (Detailed design (position and scale))	A new requirement 5(2) has been added to stipulate that only Work No. 1B may have more than three occupied storeys. This change has been made following discussions with NELC and reflects condition 4 of the Planning Permission.
Schedule 2, Requirement 13 (Surface water drainage)	As has been agreed in the statement of common ground with Anglian Water, requirement 13(1) has been amended to include Anglian Water as a consultee.
Schedule 2, Requirement 14 (Foul water drainage)	As has been agreed in the respective statements of common ground with Anglian Water and the Environment Agency, requirement 14(1) has been amended to include each of those bodies as a consultee.
Schedule 2, Requirement 16 (Construction traffic management and travel planning)	Requirement 16(2) has been updated to refer to the framework construction traffic management plan dated December 2020, being the revised plan that was submitted at Deadline 1 (Document Ref. 6.4.12).
Schedule 2, Requirement 17 (Piling)	<p>Requirement 17(1) has been amended to allow the permitted preliminary works to take place before the piling specification has been approved. This change has been agreed with NELC.</p> <p>As has been agreed in the statement of common ground with the Environment Agency, requirement 17(1) has been amended to include the Environment Agency as a consultee. Specific wording to consult the Environment Agency has not been added to requirement 17(3) as this is dealt with generally by requirement 34(2).</p> <p>The wording of requirement 17(2) has been updated to set out that the piling specification must include seasonal piling restrictions and/ or the use of continuous flight auger piling in accordance with the biodiversity strategy. This change relates to Q10.0.18 of the ExA's first written questions.</p>

Article / Requirement number in draft DCO	Explanation of Change
Schedule 2, Requirement 19 (Investigation and remediation of contamination)	As has been agreed in the statement of common ground with the Environment Agency, requirement 19(1) has been amended to include the Environment Agency as a consultee.
Schedule 2, Requirement 20 (Implementation of remediation scheme)	As has been agreed in the statement of common ground with the Environment Agency, requirement 20(2) has been amended to include the Environment Agency as a consultee. Specific wording to consult the Environment Agency has not been added to requirement 20(1) as this is dealt with generally by requirement 34(2).
Schedule 2, Requirement 21 (Procedure in cases of unexpected contamination)	As has been agreed in the statement of common ground with the Environment Agency, requirements 21(2) and 21(4) have been amended to include the Environment Agency as a consultee. The consultation in respect of sub-paragraph (3) has been drafted in sub-paragraph (2), to avoid confusion as to the timing of the consultation.
Schedule 2, Requirement 29 (Road condition survey)	Pursuant to Q9.0.39 of the ExA's first written questions, the wording of requirement 29(1) has been updated for consistency with other requirements.
Schedule 2, Requirement 34 (Amendments agreed by the relevant planning authority)	Pursuant to Q5.0.37 of the ExA's first written questions, a new sub-paragraph has been added to ensure that approvals pursuant to 'tailpieces' in other requirements are adequately controlled.
Schedule 2, Requirements	<p>The words "in writing" have been deleted from the following requirements to reflect that the requirement for written approval is dealt with by requirement 4, and to ensure consistency with other requirements:</p> <p>Requirement 8 (Means of enclosure and hard landscaping);</p> <p>Requirement 10 (Soft landscaping);</p> <p>Requirement 11 (Biodiversity protection);</p> <p>Requirement 13 (Surface water drainage);</p> <p>Requirement 14 (Foul water drainage);</p> <p>Requirement 19 (Investigation and remediation of contamination);</p> <p>Requirement 20 (Implementation of remediation scheme);</p> <p>Requirement 22 (Flood risk mitigation);</p>

Article / Requirement number in draft DCO	Explanation of Change
	Requirement 24 (Delivery and servicing plan); Requirement 25 (Operational travel plan); and Requirement 30 (Air safety).
Schedule 9, Part 1 (Anglian Water protective provisions)	As has been agreed in the statement of common ground with Anglian Water, paragraph 9 has been updated.