

Medworth Energy from Waste Combined Heat and Power Facility

PINS ref. EN010110
Document Reference: Vol 9.20
Revision: 8.0
Deadline 8
August 2023



Schedule of Changes (Deadline 8)

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1. Introduction

1.1 Purpose of the Document

1.1.1 This document sets out the changes made to documents submitted with the original Development Consent Order (DCO) Application for the Medworth Energy from Waste (EfW) Combined Heat and Power (CHP) Facility and subsequent submission, including Examination Deadlines.

1.1.2 This version (revision 8.0) of the Document sets out changes to documents submitted at Deadline 8 (18 August 2023). Table 2.1 summarises the changes made to all submitted documents with the exception of the Draft DCO. Changes to this document are set out in Table 2.2.



2. Schedule of Changes

Table 2.1 Schedule of Changes

Document Updated	Change	Reason for change	Deadline submitted	Relevant Document version
Deadline 1 (10 March 2023)				
2.4 Access and Public Rights of Way Plan [AS-005]	Plan updated to reflect recent information provided by CCC with regard to the extent of highways land along New Bridge Lane.	FDC and CCC Joint Relevant Representation [RR-002 - RR-003] and ongoing engagement with CCC.	Deadline 1	Rev 3
ES Chapter 3 Description of the Proposed Development Figures – 3.19 i – iv [APP-049]	3.19 i – ii superseded by 3.19 i – iv – Figures updated to include for street lighting and tactile paving along the length of New Bridge Lane to Cromwell Road and for the signalisation of the New Bridge Lane/Cromwell Road Junction.	FDC and CCC Joint Relevant Representation [RR-002 - RR-003] and ongoing engagement with CCC.	Deadline 1	Rev 2
Volume 6.4 ES Chapter 6 Traffic and Transport Appendix 6A Outline Construction Traffic	Paragraph 3.3.3 to provide clarity of the approximate percentage of construction vehicles that would use Algores Way.	FDC and CCC Joint Relevant Representation [RR-002 - RR-003] and ongoing engagement with CCC.	Deadline 1	Rev 2



Document Updated	Change	Reason for change	Deadline submitted	Relevant Document version
Management Plan (CTMP) [APP-072]				
Volume 6.4 ES Chapter 6 Traffic and Transport Appendix 6A Outline (CTMP) [APP-072]	Paragraph 4.6.2 – 4.6.3, Section 4.9 – text added to outline restrictions on construction traffic movements.	FDC and CCC Joint Relevant Representation [RR-002 - RR-003] and ongoing engagement with CCC.	Deadline 1	Rev 2
Volume 6.4 ES Chapter 6 Traffic and Transport Appendix 6A Outline (CTMP) [APP-072]	New Section 4.9 Route restrictions. Confirmation of the restrictions to be applied to the routing of construction traffic and provision of a new figure, Figure 4.3 EfW CHP Facility and TCC construction traffic routes and restrictions.	FDC and CCC Joint Relevant Representation [RR-002 - RR-003] and ongoing engagement with CCC together with comments made at OFH.	Deadline 1	Rev 2
Volume 6.4 ES Chapter 6 Traffic and Transport Appendix 6A Outline (CTMP) [APP-072]	Section 6 title amended to include for works in the highway with a new Section 6.3 to confirm the procedure to be followed with regard to submission of detailed design details to the relevant highway authority and the process for approval.	FDC and CCC Joint Relevant Representation [RR-002 - RR-003] and ongoing engagement with CCC.	Deadline 1	Rev 2



Document Updated	Change	Reason for change	Deadline submitted	Relevant Document version
Volume 6.4 ES Chapter 6 Traffic and Transport Appendix 6A Outline (CTMP) [APP-072]	Paragraph 7.2.3 – maintenance of vehicular access to 10 New Bridge Lane.	In response to [RR-057].	Deadline 1	Rev 2
Volume 6.4 ES Chapter 6 Traffic and Transport Appendix 6A Outline (CTMP) [APP-072]	Paragraph 7.2.6 – text added to confirm the proposed speed limit reduction along New Bridge Lane	FDC and CCC Joint Relevant Representation [RR-002 - RR-003] and ongoing engagement with CCC.	Deadline 1	Rev 2
Volume 6.4 ES Chapter 6 Traffic and Transport Appendix 6A Outline (CTMP) [APP-072]	Paragraph 7.4.14 – mitigation measures for crossing key points on the highways network.	For the avoidance of doubt.	Deadline 1	Rev 2
Volume 6.4 ES Chapter 6 Traffic and Transport Appendix 6A Outline (CTMP) [APP-072]	Paragraphs 7.4.29-7.4.3 to provide a commitment to advanced notification to businesses ahead of temporary works affecting the highway.	In response to matters raised at the OFH1 and 2.	Deadline 1	Rev 2



Document Updated	Change	Reason for change	Deadline submitted	Relevant Document version
Volume 6.4 ES Chapter 6 Traffic and Transport Appendix 6A Outline (CTMP) [APP-072]	Paragraph 7.4.33 – text inserted to confirm site familiarisation with emergency services would take place.	EEAST relevant representation [RR-013] and the subsequent discussions held on 14 December 2022.	Deadline 1	Rev 2
Volume 6.4 ES Chapter 6 Traffic and Transport Appendix 6A Outline (CTMP) [APP-072]	Paragraph 7.4.33 – text inserted to confirm local liaison group will be set up.	EEAST relevant representation [RR-013] and the subsequent discussions held on 14 December 2022.	Deadline 1	Rev 2
Volume 6.4 ES Chapter 6 Traffic and Transport Appendix 6A Outline (CTMP) [APP-072]	Paragraph 8.2.1 – monitoring requirements confirmed.	For clarity and with reference to commitments made earlier in the document.	Deadline 1	Rev 2
Volume 6.4 ES Chapter 6 Traffic and Transport Appendix 6A Outline (CTMP) [APP-072]	Section 10 added – to include reference to the revised Access Improvement drawings. New drawings included as Figures 10.1 and 10.2 to show the additional street lighting and tactctile paving along New Bridge Lane, signalisation of the Cromwell Road/ New Bridge Lane junction,	FDC and CCC Joint Relevant Representation [RR-002 - RR-003].	Deadline 1	Rev 2



Document Updated	Change	Reason for change	Deadline submitted	Relevant Document version
	topographical information and swept paths.			
Volume 6.4 ES Chapter 7 Noise and Vibration Appendix 7D Outline Operational Noise Management Plan (ONMP) [APP-077]	Paragraph 4.1.1 and 4.1.2 – minor editorial changes.	Minor editorial changes for clarity.	Deadline 1	Rev 2
	Paragraph 4.3.4 added to clarify that hoise from vehicles on the public highway is included within the assessment.	For clarity. FDC and CCC Joint Relevant Representation [RR-002 - RR-003].		
	Section 4.4 added which summarises predicted operational noise impacts.	In response to [RR-057].		
	Paragraph 5.1.2 – Sentence added addressing liaison with residents of 10 New Bridge Lane regarding installation and maintenance of acoustic fence.	Minor editorial changes for clarity.		
	Paragraph 5.1.4 – minor editorial change.	For clarity and consistency.		
	Table 5.1 – made references to ‘reverse alarms’ consistent.			



Document Updated	Change	Reason for change	Deadline submitted	Relevant Document version
Volume 6.4 ES Chapter 8: Air Quality Technical Report Appendix 8B Air Quality Technical Report [APP-078]	Changes in response to RR-002-RR-003) CCC and FDC to include amendments to Table 8B2.4 and reference to FDC intention for Whittlesey AQMA plus additional continuous monitoring received by FDC.	FDC and CCC Joint Relevant Representation [RR-002 - RR-003].	Deadline 1	Rev 2
Volume 6.4 ES Chapter 8: Air Quality Technical Report Appendix 8B Air Quality Technical Report [APP-078]	Amendments to Table 8B3.6 and more information regarding BAT at paragraph 4.2.4 with additional information on odour concentrations at 4.2.21.	FDC and CCC Joint Relevant Representation [RR-002 - RR-003].	Deadline 1	Rev 2
Volume 6.4 ES Chapter 8: Air Quality Technical Report Appendix 8B Air Quality Technical Report [APP-078]	New Table 8B4.4 and amendments to Table 8B4.5.	FDC and CCC Joint Relevant Representation [RR-002 - RR-003].	Deadline 1	Rev 2
Volume 6.4 ES Chapter 8: Air Quality Technical Report Appendix 8B Air Quality Technical Report [APP-078]	Section 5, clarification on the method for Modelled Road Networks and amendments to Tables 8B5.1-5.4.	FDC and CCC Joint Relevant Representation [RR-002 - RR-003].	Deadline 1	Rev 2



Document Updated	Change	Reason for change	Deadline submitted	Relevant Document version
Volume 6.4 ES Chapter 8: Air Quality Technical Report Appendix 8B Air Quality Technical Report [APP-078]	Section 6 Further explanation on the results for Human Receptors and amendments to Tables 8B6.1 to 6.3 and Tables 8B6.10 and 6.13	FDC and CCC Joint Relevant Representation [RR-002 - RR-003].	Deadline 1	Rev 2
Volume 6.4 ES Chapter 8: Air Quality Technical Report Appendix 8B Air Quality Technical Report [APP-078]	Annex F additional meteorological information	FDC and CCC Joint Relevant Representation [RR-002 - RR-003].	Deadline 1	Rev 2
Volume 6.4 ES Chapter 12 Hydrology Appendix 12F Outline Drainage Strategy [APP-086]	<u>Section 3 (Consultation):</u> Amendment to text to include the various responses from the Consultation Meetings held with CCC, HWIDB, KLID and NCC. <u>Section 4</u> (Proposed Drainage Strategy): Amend text to indicate an increase in storage volumes of the three construction phase storage basins located in the TCC (ii) Area, to accommodate groundwater discharges from the deep storage bunker.	FDC and CCC Joint Relevant Representation [RR-002 - RR-003] and ongoing engagement with CCC and KLIDB.	Deadline 1	Rev 2



Document Updated	Change	Reason for change	Deadline submitted	Relevant Document version
	<p>Addition of text to indicate that 0.5m high temporary earth bunds to be provided around the EFW and TCC(I) construction phase areas to prevent flooding of surface water in the event of a failure of the pumping stations.</p> <p>Addition of text to state that the frequency for the replacement of straw bales to safeguard against pollution control, to be agreed with the Environment Agency.</p> <p><u>Section 4.4</u> <u>(Walsoken Substation Drainage Strategy)</u></p> <p>Amendment to text to state that the location of discharge from the Walsoken Substation to be agreed with KLIDB, post DCO consent once infiltration testing and a topographical/ditch walkover survey has been undertaken.</p> <p>Text to indicate substation runoff outfall discharge rates and attenuation volumes for Construction and Operational phases have been updated.</p>			



Document Updated	Change	Reason for change	Deadline submitted	Relevant Document version
	<p><u>Section 6 (Summary)</u> Minor amendments to the text to reflect the amendments to the Walsoken Substation and frequency for the replacement of straw bales text.</p> <p><u>Figure 4.1</u> Amendment of 0.5m high earth bund around the perimeter of the northern Efw area and TCC (i). Increase storage capacity of 3 No attenuation basins in TCC (ii).</p>			
Volume 7.9 Outline Flood Emergency Management Plan [APP-100]	Paragraph 2.1.3, Table 5.1 - emergency planners to be notified of any residual risks.	Environment Agency (EA) Relevant Representation [RR-014].	Deadline 1	Rev 2
Volume 7.9 Outline Flood Emergency Management Plan [APP-100]	Paragraph 1.1.3 – the Cambridgeshire and Peterborough Local Resilience Forum will be engaged in the production of the final plan.	FDC and CCC Joint Relevant Representation [RR-002 - RR-003].	Deadline 1	Rev 2
Volume 7.11 Outline Odour Management Plan [APP-102]	Table 2.1 – Sensitivity of receptors updated.	FDC and CCC Joint Relevant Representation [RR-002 - RR-003].	Deadline 1	Rev 2



Document Updated	Change	Reason for change	Deadline submitted	Relevant Document version
Volume 7.12 Outline Construction Environmental Management Plan (CEMP) [APP-103]	Paragraph 1.5.4 – reference to ‘local’ deleted on the matter of ‘relevant planning authorities’.	For precision.	Deadline 1	Rev 2
Volume 7.12 Outline CEMP [APP-103]	New Paragraph 3.5.20 – to add reference to liaison meetings with businesses and relevant statutory parties. Paragraph 3.5.21 – Establishment of local liaison group with host authorities, relevant statutory bodies and East of England Ambulance Service and partners together with local businesses.	EEAST relevant representation [RR-013] and the subsequent discussions held on 14 December 2022. Response to relevant representations and comments made at the Open Floor Hearings from local businesses.	Deadline 1	Rev 2
Volume 7.12 Outline CEMP [APP-103]	Paragraph 5.3.5 – Reference to measures to mitigate non-road mobile machinery (NRMM) exhaust emissions during construction.	Fenland District Council (FDC) and Cambridgeshire County Council (CCC) Joint Relevant Representation [RR-002 - RR-003].	Deadline 1	Rev 2
Volume 7.12 Outline CEMP [APP-103]	Paragraph 5.4.4 – more information on the scope of the detailed CEMP to be submitted prior to the commencement of site clearance.	Fenland District Council (FDC) and Cambridgeshire County Council (CCC) Joint Relevant Representation [RR-002 - RR-003].	Deadline 1	Rev 2

13 Schedule of Changes (Deadline 8)



Document Updated	Change	Reason for change	Deadline submitted	Relevant Document version
Volume 7.12 Outline CEMP [APP-103]	Paragraph 5.4.5 – reference to the preparation of a separate Grid Connection Construction Noise Management Plan (GCCNMP).	FDC and CCC Joint Relevant Representation [RR-002 - RR-003] .	Deadline 1	Rev 2
Volume 7.12 Outline CEMP [APP-103]	Paragraph 5.9.1 – 5.9.4 - inclusion of a reference to a Written Scheme of Investigation being prepared to a scope provided by CCC. Also for the preparation of a specialist geoarchaeological/geological study. Reference to the procedure to be followed in the event that human remains are encountered.	FDC and CCC Joint Relevant Representation [RR-002 - RR-003] .	Deadline 1	Rev 2
Volume 7.12 Outline CEMP – Appendix A Outline Dust Management Plan [APP-103]	Title of document changed from 'Dust Mitigation Measures'	ExA Question AQHH.1.14	Deadline 1	Rev 2
Volume 7.12 Outline CEMP – Appendix B Outline Water Management Plan [APP-103]	Paragraph 2.2.9, 2.2.11, 3.3.5– request to use hay/straw bales as a pollution prevention measure and replaced regularly.	Environment Agency (EA) Relevant Representation [RR-014] .	Deadline 1	Rev 2



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Volume 7.12 Outline CEMP – Appendix B Outline Water Management Plan (OWMP) [APP-103]	Paragraph 2.3.2 – volume of the three attenuation basins increased.	FDC and CCC Joint Relevant Representation [RR-002 - RR-003].	Deadline 1	Rev 2
Volume 7.12 Outline CEMP – Appendix B OWMP [APP-103]	Removal of reference to four non-IDB crossings throughout the OWMP.	To differentiate between IDB and non-IDB drains.	Deadline 1	Rev 2
Volume 7.12 Outline CEMP – Appendix B OWMP [APP-103]	Paragraph 3.3.2 – reference to regular testing of water discharged into open watercourses.	Environment Agency (EA) Relevant Representation [RR-014].	Deadline 1	Rev 2
Volume 7.12 Outline CEMP – Appendix B OWMP [APP-103]	Paragraph 3.3.5 – additional measures relating to soils and provision of filter strips added.	Hundred of Wisbech Internal Drainage Board (IDB) Relevant Representation [RR-017].	Deadline 1	Rev 2
Volume 7.12 Outline CEMP – Appendix B OWMP [APP-103]	Paragraph 4.3.2 – emergency planners to be notified of any residual risks.	Environment Agency (EA) Relevant Representation [RR-014].	Deadline 1	Rev 2
Volume 7.12 Outline CEMP – Appendix F Outline Construction Noise and Vibration Management Plan [APP-103]	Section 1 – minor editorial changes	Minor editorial changes for clarity, and to amend reference to relevant legislation.	Deadline 1	Rev 2



Document Updated	Change	Reason for change	Deadline submitted	Relevant Document version
	<p>Section 2 added. This section identifies the Receptors considered in the noise and vibration assessment, the predicted impacts and the potential for significant effects without additional mitigation in place.</p> <p>Section 3 – editorial changes.</p> <p>Section 6 – minor editorial changes.</p>	<p>FDC and CCC Joint Relevant Representation [RR-002 - RR-003].</p> <p>Editorial changes for clarity, and to reiterate need to update the document prior to commencement of construction.</p> <p>For clarity and consistency with amended Section 1.</p>		
Volume 7.15 Outline Operational Traffic Management Plan [APP-106]	Paragraph 2.5.1 – 2.5.2 – text inserted to confirm local liaison group will be set up.	EEAST relevant representation [RR-013] and the subsequent discussions held on 14 December 2022.	Deadline 1	Rev 2
Deadline 2 (24 March 2023)				
Volume 2.6 Statutory and Non-Statutory Features of Historic Environment [APP-010]	A low resolution version of the Plan (Rev 1) has been produced.	At the request of the ExA in response to ExQ1 HE.1.1 [PD-008].	Deadline 2	Rev 1



Document Updated	Change	Reason for change	Deadline submitted	Relevant Document version
Volume 6.3 Figure 3.14 Landscape and Ecology Strategy [APP-049]	The Plan has been updated to show which areas are excluded from the Biodiversity Net Gain calculations, and to illustrate the area which is reserved to accommodate a potential new bridge embankment.	At the request of the ExA in response to ExQ1 BIO1.2 [PD-008].	Deadline 2	Rev 2
Volume 6.3 Chapter 9 Landscape and Visual Figures 9.33 to 9.39 [APP-060]	Updated to include a missing visualisation from Figure 9.39a-b (Viewpoint 23).	To present a complete document.	Deadline 2	Rev 2
Volume 6.4 Environmental Statement - Chapter 8 - Air Quality Appendix 8B - Air Quality Technical Report [REP1-015]	Updated to provide correct traffic data for 2027. Results for pollutants affected by road traffic emissions (NO ₂ , PM ₁₀ and PM _{2.5}) updated accordingly.	Traffic data for 2027 was misreported (trip generation associated with the construction phase was included instead of trip generation associated with the operational phase).	Deadline 2	Rev 3
Volume 6.4 Chapter 9 Landscape and Visual Appendices [APP-079]	Updated to include missing Figures from Appendix 9D, 9K and 9L	To present a complete document, as highlighted in ExQ1 LV.1.3 [PD-008].	Deadline 2	Rev 2
Volume 7.3 Waste Fuel Availability	Updated document to reflect recent changes in Government	To present the most up to date position in terms of fuel	Deadline 2	Rev 2



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Assessment [APP-094]	<p>policy as set out in the <i>Environmental Improvement Plan 2023 first revision of the 25 Year Improvement Plan</i>, which was published in January 2023.</p> <p>Updated document to reflect latest available published data sets as follows:</p> <ol style="list-style-type: none"> 1. Defra Local Authority Collected Waste Statistics, 2019/20/21. 2. Waste Data Interrogator (WDI) EWC chapters 19 and 20; Waste Received 201921 (published January 2023). 3. WasteDataFlow (WDF), 2019/20/21 (Q100 data). 4. EA data 'Remaining landfill capacity: England as at end 201921' (published January 2023). 5. UK Statistics on Waste, Defra (published May 2022 update). 6. UK Energy from Waste Statistics - 20210, Tolvik 	availability and to respond to comments received in the relevant representations.		



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	<p>Consulting Ltd (May 2022).</p> <p>7. Overview of Statistics for RDF Export from England, Footprint Services (November 2022).</p>			
	<p>Updated document to reflect updated Waste Local Plan evidence bases in the following Waste Planning Authorities:</p> <ol style="list-style-type: none"> 1. Bedford City Council 2. Central Bedfordshire Council 3. Luton Borough Council 4. Hertfordshire Council 5. Norfolk County Council 6. Leicestershire County Council 7. Northamptonshire County Council 8. Rutland County Council 			
	<p>Updated document to include consideration of Mechanical Biological Treatment (MBT) capacity.</p>			



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	Updated document to consider Sustainable Aviation Fuel (SAF) projects.			
Volume 7.10 Outline Fire Prevention Plan [APP-101]	Updated Table 3: Combustible waste types to remove reference to code 20 01 37.	To align with the updated Outline Fire Prevention Plan submitted as part of the Environmental Permit application.		Rev 2
Deadline 3 (25 April 2023)				
Volume 2.2 Land Plans [REP1-004]	Updated in response to comments raised by CCC regarding its statutory responsibility for the surface rights over parcels 12s and 16s such that two new plots created 16/1a(ii) and 16/1b(i).	CCC and FDC response to the ExA's EXQ1 [REP2-030].	Deadline 3	Rev 4
Volume 2.3 Works Plans [APP-007]	Additional sheets included with Sheet 1, Sheet 1i-iv to split out Work Areas 4A, 6B and 4 for clarity	ExA Request ISH2	Deadline 3	Rev 2
Volume 2.4 Access and Public Rights of Way Plan [REP1-005]	Note added to Key to clarify that the Streets shown as being maintained at public expenses extend only to public highway as it exists within the Order	CCC and FDC Comments on the Applicant's D1 Submissions [REP2-031].	Deadline 3	Rev 4



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	limits and that the public highway may extend beyond the Order limits.			
Volume 6.4 ES Chapter 3 Description of the Proposed Development Appendix 3B Outline Lighting Strategy	Added commitment for final Strategy to include dark corridors plan. Clarification on use of Bat Conservation Trust Guidance	CCC and FDC relevant representation [RR-002 and RR-003]	Deadline 3	Rev 2
Volume 6.4 ES Chapter 6 Traffic and Transport Appendix 6A Outline (CTMP) [REP1-011]	Paragraph 1.4.1 and 1.4.2 – inclusion of a commitment to review the Final CTMP three month following commencement of construction and to update as required with the timing of further reviews to be agreed between the Applicant and relevant highway authorities.	CCC and FDC response to ExA Qu1 GCT.1.3 [REP2-030].	Deadline 3	Rev 3
Volume 6.4 ES Chapter 6 Traffic and Transport Appendix 6A Outline (CTMP) [REP1-011]	Para 7.4.36 – inclusion of specific reference to CCC and FDC highway authorities, FDC and BCKLWN as members of the liaison group.	CCC and FDC LIR paragraph 2.16.8 [REP1-074].	Deadline 3	Rev 3



Document Updated	Change	Reason for change	Deadline submitted	Relevant Document version
Volume 6.4 ES Chapter 6 Traffic and Transport Appendix 6A Outline (CTMP) [REP1-011]	Paragraph 7.2.1 to 7.2.8 – inclusion of specific reference to Non Motorised Users, to the potential for short-term closures of footpaths linking PRowS either side of the A47 and the Applicant's commitment to keep access open where it is safe to do so and should temporary closures be required, that a communications plan is first prepared and agreed with the relevant highway and location authorities.	CCC and FDC LIR paragraph 2.14.4 and 2.16.8 [REP1-074].	Deadline 3	Rev 3
Volume 6.4 ES Chapter 6 Traffic and Transport Appendix 6A Outline (CTMP) [REP1-011]	Paragraph 7.4.8 – additional paragraph to confirm that the Applicant, with the agreement of Network Rail, will retain/reposition/provide a sign setting out the rights of access applicable to NMUs at the point that New Bridge Lane crosses the Disused March to Wisbech Railway.	CCC and FDC LIR paragraph 2.4.3 [REP1-074].	Deadline 3	Rev 3
Volume 6.4 ES Chapter 6 Traffic	Additional drawings, Figures 9.2ii to show swept path of vehicle leaving New Bridge	CCC and FDC LIR paragraph 2.7.32 and 2.7.34 [REP1-074].	Deadline 3	Rev 3



Document Updated	Change	Reason for change	Deadline submitted	Relevant Document version
and Transport Appendix 6A Outline (CTMP) [REP1-011]	Lane. Also Figure 10.3i – ii to show outline design for construction accesses into the CHP Connection Corridor from Weasenham Lane and accompanying swept path.			
Volume 6.4 ES Chapter 7 Noise and Vibration Appendix 7D Operational NMP [REP1-012]	Reference to Applicant's intention to purchase 9 New Bridge Lane updated to confirm that the property has been purchased. Additional text added to 5.1.2 to include for the submission of a report to the relevant planning authority detailing the height, materials and acoustic performance of the acoustic fence to 10 New Bridge Lane for agreement ahead of construction.	CCC and FDC Comments on the Applicant's D1 Submissions (Outline CEMP) [REP2-031]. Outline Operational Noise Management Plan.	Deadline 3	Rev 3
Volume 6.4 ES Chapter 7 Noise and Vibration Appendix 7D Operational NMP [REP1-012]	New paragraphs 1.4.8 and 1.4.9 to provide a commitment to the preparation of an Operational Noise and Vibration Management Plan for the Walsoken Substation.	KLWN Relevant Representation [REP2-028].	Deadline 3	Rev 3
Volume 6.4 ES Chapter 11 Biodiversity	Annex C – Outline BNG Strategy added.	CCC and FDC LIR paragraph 7.3.22 [REP1-074].	Deadline 3	Rev 3



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Appendix Biodiversity Net Gain [AS-009]	11M Net Reference to revised draft NPS added. Clarification for use of Metric 3.0 added in paragraphs 1.5.8 to 1.5.10.			
Volume 7.7 Outline LEMP [APP-098]	Paragraph 2.1.32 – clarification on the SUDs features to state they will include a permanent attenuation pond and temporarily wet swale.	Applicant meeting with host authorities, 31 March 2023.		
Volume 7.7 Outline LEMP [APP-098]	Paragraph 3.2.6 – additional text providing a commitment to protect trees to be retained with fencing in accordance with the BS 5837 (2012) and if required, other detailed measures set out in an Arboricultural Method Statement submitted as part of the Final LEMP.	For consistency with the Outline CEMP [REP1-024].	Deadline 3	Rev 3
Volume 7.7 Outline LEMP [APP-098]	Paragraph 3.2.24 – clarification on the seeding proposed to the swale and permanent attenuation pond with reference also made to open water.	Applicant meeting with host authorities, 31 March 2023.	Deadline 3	Rev 3
Volume 7.7 Outline LEMP [APP-098]	New paragraphs 3.2.38-3.2.41 to provide more information on the habitats proposed for water voles.	Applicant meeting with host authorities, 31 March 2023.	Deadline 3	Rev 3



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Volume 7.12 Outline CEMP [REP1-024]	Paragraph 3.5.20 - inclusion of a commitment to employing a community liaison manager throughout the construction phase.	To ensure that there is a local point of contact available during the construction phase.	Deadline 3	Rev 3
Volume 7.12 Outline CEMP [REP1-024]	Paragraph 5.8.2 – specific reference to Non Motorised Users (NMUs) in connection with the erection of a temporary 2.4m high solid fence across frontage of New Bridge Lane.	CCC and FDC Written Representation paragraph 5.13 [REP2-033]	Deadline 3	Rev 3
Volume 7.12 Outline CEMP [REP1-024]	Paragraph 5.10.1 and 5.10.3 – the word ‘will’ substituted for the word ‘would’.	CCC and FDC Comments on the Applicant’s D1 Submissions (Outline CEMP) [REP2-031] .	Deadline 3	Rev 3
Volume 7.12 Outline CEMP [REP1-024]	Paragraph 15.12.4 – text added to confirm that additional Phase 2 geoenvironmental ground investigation will take place ahead of commencement of construction.	Commitment within Table 13.7 ES Chapter 13 Geology, Hydrogeology and Contaminated Land (Volume 6.2) [APP-040] .	Deadline 3	Rev 3
Volume 7.12 Outline CEMP – Appendix D Ecological Mitigation Strategy (REP1-024)	The word ‘will’ substituted for the word ‘should’ throughout the document.	CCC and FDC Comments on the Applicant’s D1 Submissions (Outline CEMP) [REP2-031] .	Deadline 3	Rev 3



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Volume 7.12 Outline CEMP – Appendix D Ecological Mitigation Strategy (REP1-024)	Section 4.7 Water Vole – expansion of the actions to be taken if evidence of water vole is recorded during pre-works survey or at any time during the works to include the preparation of an appropriate and proportionate licensable mitigation scheme to be agreed by Natural England and the prevention of potentially damaging activities within the licence area until such time as an appropriate licence is in place. Licensable activities to be overseen by a Named Ecologist etc.	CCC and FDC Comments on the Applicant's D1 Submissions (Outline CEMP) [REP2-031]. Comments upon the Applicant's Comments on the Relevant Representations – Part 1 Local Authorities and 3(a) Statutory Parties [REP1-028].	Deadline 3	Rev 3
Volume 7.15 Outline Operational Traffic Management Plan [REP1-026]	New subsection 2.6 added to recognise that non motorised users (NMUs) will continue to pass along New Bridge Lane during the operation of the efW CHP Facility and the measures to be maintained to mitigate the potential for conflict	CCC and FDC Comments on the Applicant's D1 Submissions (Outline OTMP) [REP2-031].	Deadline 3	Rev 3
Volume 7.15 Outline Operational Traffic Management Plan [REP1-026]	Paragraph 2.6.3 - additional paragraph to confirm that the Applicant, with the agreement of Network Rail, will	CCC and FDC LIR paragraph 2.4.3 [REP1-074].	Deadline 3	Rev 3



Document Updated	Change	Reason for change	Deadline submitted	Relevant Document version
	retain/reposition/provide a sign setting out the rights of access applicable to NMUs at the point that New Bridge Lane crosses the Disused March to Wisbech Railway during operation.			
Volume 9.21 Outline Local Air Quality Monitoring Strategy (Volume 9.21) [REP1-055]	Paragraph 2.1.5 inclusion of commitment by the Applicant to share the information collected and the standard by which the data collection will adhere to. Paragraph 2.2.1 commitment to commence monitoring prior to the commencement of the authorised development.	BKLWN LIR paragraph 9.43 [REP1-064].	Deadline 3	Rev 2
Volume 9.21 Outline Local Air Quality (Volume 9.21) [REP1-055]	Section 2.3 - New bullet point to provide more information on the type of monitoring and particulate matter monitored.	BKLWN LIR paragraph 9.43 [REP1-064].	Deadline 3	Rev 2
Volume 9.21 Outline Local Air Quality (Volume 9.21) [REP1-055]	Section 2.4 – monitoring tubes to be in villages or other locations as may be approved within the final LAQMS.	BKLWN LIR paragraph 9.43 [REP1-064].	Deadline 3	Rev 2
Deadline 4 (25 May 2023)				



Document Updated	Change	Reason for change	Deadline submitted	Relevant Document version
Volume 6.3 ES Chapter 12 Hydrology Figures [APP-064]	Updates to key to clarify status of waterbodies.	In response to discussions with the relevant Internal Drainage Boards	Deadline 4	Rev 2
Volume 6.4 ES Chapter 6 Traffic and Transport - Appendix 6A - Outline CTMP [REP3-019]	Updated to include Weasenham Lane Pipe Bridge Drawing.	In response to request from CCC (email dated 21/04/2023).	Deadline 4	Rev 4
Volume 6.4 ES Chapter 7 Noise and Vibration Appendix 7D - Outline Operational Noise Management Plan [REP3-016]	<p>Paragraph 5.1.5 – 5.1.6 added to confirm that justification of the effectiveness of mitigation will be provided to the relevant planning authority on request and that a review of locations for mitigationa assessment would be undertaken.</p> <p>Paragraph 6.1.1 and 6.1.2 added and amended to state that local authority EHOs (as well as the EA) have a duty to investigate complaints.</p> <p>Paragraph 6.1.6 reference added, 'or relevant Local Authority'.</p>	<p>In response to CCC / FDCs comments on the Applicant's response to the CCC / FDC Local Impact Report [REP3-044].</p> <p>Raised at ISH5.</p>	Deadline 4	Rev 3



Document Updated	Change	Reason for change	Deadline submitted	Relevant Document version
Volume 7.12 Outline Construction Environmental Management Plan [REP3-023]	Paragraph 5.4.3 to refer to the monitoring of construction vibration with further detail provided within Appendix F.	Raised at ISH5.	Deadline 4	Rev 4
Volume 7.12 Outline Construction Environmental Management Plan Appendix F Noise and Vibration Management Plan [REP3-023]	<p>Paragraph 3.1.4 updated to confirm that justification of the effectiveness of mitigation will be provided to the relevant planning authority on request.</p> <p>Paragraph 3.1.5 added to state that validated complaints will require a review of locations where mitigation assessment is required.</p> <p>Paragraph 3.3.2 new bullet point: Temporary cessation of noisy activities when NMUs are in proximity.</p> <p>Section 4.3 – new sub-section added to reference construction vibration monitoring and actions to be taken.</p>	<p>In response to CCC / FDCs comments on the Applicant's response to the CCC / FDC Local Impact Report [REP3-044].</p> <p>Raised at ISH5.</p>	Deadline 4	Rev 4



Document Updated	Change	Reason for change	Deadline submitted	Relevant Document version
Volume 9.21 Outline Local Air Quality Monitoring Strategy [REP3-035]	<p>Paragraph 2.1.7 to commit to a procedure for a competent person (e.g., member of the Institute of Air Quality Management (IAQM) or Chartered Institute of Environmental Health (CIEH)) to report and investigate exceedances and if attributed to the EfW CHP Facility, action to be taken to remedy the situation within an agreed timescale.</p> <p>Paragraph 2.3.1 to confirm that the equipment will include real time weather monitoring capabilities.</p> <p>Paragraph 2.4.2 to confirm that roadside monitoring locations may be selected in villages.</p>	In response to further engagement with the Host Authorities.	Deadline 4	Rev 3
Volume 12.4 Outline Decommissioning Plan	New document.	To provide a framework for the preparation of a decommissioning plan in accordance with a Requirement	Deadline 4	Rev 1



Document Updated	Change	Reason for change	Deadline submitted	Relevant Document version
of the Draft Development Consent Order/				
Deadline 5 (16 June 2023)				
Volume 2.3 Works Plan [REP3-004]	Reinstatement of information relating to main site (previously shown on Rev 1).	To correct an error on Rev 2 which inadvertently omitted information for the main EfW site on Sheet 1i of 4 previously shown on Rev 1.	Deadline 5	Rev 3
Volume 2.4 Access and Public Rights of Way Plan [REP3-005]	Access A1 and 2 amended to reflect the extent of the public highway	To address comments made by Cambridgeshire County Council (CCC) at Deadline 4 relating to the position of the highway boundary on Weasenham Lane/extent of highway maintainable at the public expense along Weasenham Lane.	Deadline 5	Rev 5
Volume 6.2 ES Chapter 12 Hydrology [APP-039]	References added in Table 12.10 to clarify that discharge to watercourses, if required, would be subject to Byelaw 3 consent from the King's Lynn Internal Drainage Board or the Hundred of Wisbech Internal Drainage Board.	In response to comments from the King's Lynn Internal Drainage Board (KLIDB), to provide clarity as to the need for consent should any temporary dewatering discharge be required to a watercourse within the relevant IDB districts and to confirm that appropriate	Deadline 5	Rev 2



Document Updated	Change	Reason for change	Deadline submitted	Relevant Document version
	<p>Adding a reference in Table 12.10 to confirm that any dewatering during construction will be appropriately treated prior to discharge to adjacent ditches.</p> <p>Substituting the term 'adopted drains' with 'maintained drains' in Table 12.10.</p>	treatment of any pumped water will be provided before discharge to adjacent ditches.		
Volume 6.4 ES Chapter 3 Description of the Proposed Development Appendix 3B Outline Lighting Strategy [REP3-013]	The term 'required maintained illuminance' is substituted with the term 'measured illuminance' throughout the document.	In response to comments made by CCC at Deadline 4, to provide greater clarity within the document.	Deadline 5	Rev 3
Volume 6.4 ES Chapter 6 Traffic and Transport Appendix 6A Outline CTMP [REP4-006]	<p>Paragraph 7.2.5 updated to refer to PROWS and to specify those potentially affected.</p> <p>Paragraph 7.4.8 – reference to the wording and position of the sign at the crossing of the disused March to Wisbech Railway to be provided to CCC for review and comment.</p>	In response to comments made by CCC at Deadline 4, to amend terminology relating to public rights of way, to provide clarity on highway condition surveys, signage for NMUs at the former level crossing during construction and the position of the highway boundary; and in relation to CCC's comments on	Deadline 5	Rev 5



Document Updated	Change	Reason for change	Deadline submitted	Relevant Document version
	<p>Paragraphs 7.4.21 – 7.4.26 amended to refer to the undertaking of highway condition surveys, the extent and timing of such surveys and the methods to be used.</p> <p>New Paragraph 7.4.27 to address the need or otherwise for highway condition surveys of any diversionary routes which construction traffic is instructed to use</p> <p>Figure 10.1ix – new figure showing the New Bridge Lane cross-section and kerb design</p>	the finalisation of detailed drawings for New Bridge Lane.		
Volume 6.4 ES Chapter 7 Noise and Vibration Appendix 7D Outline Noise Management Plan [REP4-004]	<p>Paragraph 1.4.3 – reference to the ‘relevant local authorities’ added in the context of updates to the OONMP.</p> <p>Paragraph 6.5.1 and 6.5.2 – reference to ‘relevant local authority’ added in the context of notification of unexpected, emergency or remedial works.</p>	In response to comments made by CCC at Deadline 4, to clarify the role of local authorities and their duty to investigate noise complaints.	Deadline 5	Rev 4



Document Updated	Change	Reason for change	Deadline submitted	Relevant Document version
Volume 6.4 Chapter 11 Biodiversity Appendix 11M Biodiversity Net Gain [REP3-017]	<p>Paragraph 1.2.8 and Executive Summary– consultant amended from Wood to WSP.</p> <p>New paragraph 3.3.7 and in Executive Summary to state that CCC and the Middle Level Commissioners have submitted representations requesting that off-site River units are first targeted at enhancing local water vole habitats within the Host Authority areas. The Applicant agrees to this principle.</p> <p>4.2.1 new bullet point: to state that river units to be targeted at local water vole habitat enhancement in the Host Authority areas.</p> <p>Annex C - paragraph 4.2.1 – added clarification regarding the role of the local authorities in approving the BNG Strategy under DCO Requirement 6. Amendments to paragraph 4.2.7 on prioritisation for the delivery of BNG measures.</p>	<p>In response to comments made by CCC at Deadline 4 and subsequent engagement, to clarify the role of local authorities in approving the BNG Strategy under requirement 6 of the Draft DCO and priorities in the delivery of BNG measures, including the targeting of off-site River Units for enhancing local water vole habitats.</p>	Deadline 5	Rev 4



Document Updated	Change	Reason for change	Deadline submitted	Relevant Document version
Volume 6.4 ES Chapter 12 Hydrology Appendix 12F Outline Drainage Strategy [REP1-017]	<p>Adding a reference to discharge to watercourses being subject to KLIDB consent – in the Executive Summary and in paragraphs 4.4.10 and 6.1.3.</p> <p>Substituting the term ‘temporary drainage ditches’ with the term ‘temporary swale’ in paragraphs 4.4.8 and 6.1.3 and in Table 4.5.</p> <p>Substituting references to ‘hay bales’ with ‘straw bales’ in paragraph 4.4.8 and in Table 4.5.</p>	In response to issues raised by the King’s Lynn Internal Drainage Board (KLIDB) during SoCG engagement, to clarify terminology and to confirm that the KLIDB’s consent will be required if any surface water discharge into ditches is required.	Deadline 5	Rev 3
Volume 7.3 Waste Fuel Availability Assessment [REP2-009]	<p>Updated document to account for new data which became available on the date the previously updated version was submitted – most notably:</p> <ul style="list-style-type: none"> • Defra Local Authority Collected Waste Statistics, 2021/22 (published May 2023). • Tolvik Report ‘UK Energy from Waste Statistics – 2022’, (May 2023). 	Submitted further to ISH3 Action Point 1, to account for new data which became available on the date the previously updated version was submitted, as well as in response to ISH3 Action points 2, 5, 7 and 8, including a review of tonnages in Table 4.2 and data in Table 4.7, taking into account capacity associated with cement kilns and to address and to address targets in the Environment Act.	Deadline 5	Rev 3



Document Updated	Change	Reason for change	Deadline submitted	Relevant Document version
	<p>Updated document to also respond to ISH3 Action points 2, 5, 7 and 8 and to reflect other matters as follows:</p>			
	<ul style="list-style-type: none"> • The March 2023 revised draft of NPS EN-3. • Agreement of new catchment requirement with Cambridgeshire County Council. • Revised wording for the proposed waste hierarchy Requirement. • Removal of Milton Keynes from the Study Area for the local/regional assessment. • Further explanation on the definition of the Study Area for the local/regional assessment. • Amendment of the national assessment to reflect the England rather than UK position. • For the local assessment, which relies on the evidence 			



Document Updated	Change	Reason for change	Deadline submitted	Relevant Document version
	<p>bases of the Waste Local Plans in the Study Area, it has been made clear where data is being directly reported from extant plans; where data is being taken from untested, emerging plans and where the Applicant has provided commentary/ interpretation (Tables 4.6 and 4.7).</p> <ul style="list-style-type: none"> • Further narrative around other potentially available capacity in the Study Area (both consented and unbuilt and in planning capacity). • Taking into account capacity associated with cement kilns. • Detailed consideration of the implications for fuel availability on the achievement of the Environment Improvement Plan 2023 interim (2028) and final 			



Document Updated	Change	Reason for change	Deadline submitted	Relevant Document version
	<p>(2042) targets for the reduction of total residual waste.</p> <ul style="list-style-type: none"> • Corrections to data errors identified in the previous (Rev 2) iteration of the WFAA in Table 4.1. <p>Changes to Appendix C (which for technical reasons, have not been shown as tracked changes on the Excel spreadsheet) are as follows:</p> <ul style="list-style-type: none"> • The 'consented and operational' tab now includes a new column (G) containing the years that each of the operational facilities commenced. • Transferral of Rivenhall EfW (Essex, East of England) from the 'consented and not built' capacity to the 'consented and under construction' capacity. • Minor updates to some capacity figures to reflect the 'UK Energy from 			



Document Updated	Change	Reason for change	Deadline submitted	Relevant Document version
	<p>Waste Statistics – 2022’ (May 2023), Tolvik Consulting Ltd.</p> <ul style="list-style-type: none"> On the ‘In planning’ capacity Northacre Renewable Energy Ltd’s capacity has been increased from 160,000 tonnes to 243,000 tonnes to reflect a recent appeal outcome and moved from the ‘in planning’ tab to the ‘consented and not built’ tab. On the ‘In planning’ capacity, following Allington’s (Kent) withdrawal of their application for a new line, this 350,000 tonnes of capacity has been removed. 			
Volume 7.12 Outline CEMP [REP4-008] Appendix B	Clarification provided in paragraph 2.2.10 of Appendix B (Outline Water Management Plan) to confirm that any temporary dewatering discharge to a watercourse will require temporary consent from	In response to issues raised by the King’s Lynn Internal Drainage Board (KLIDB) during SoCG engagement, to clarify terminology in the Outline Water Management Plan and to confirm that consent will be required from	Deadline 5	Rev 5



Document Updated	Change	Reason for change	Deadline submitted	Relevant Document version
	<p>the relevant IDB under Byelaw 3.</p> <p>Clarification provided for terminology in Appendix B (Outline Water Management Plan) by substituting references to 'temporary drainage ditches' with 'temporary swale' in paragraph 2.2.11.</p> <p>Clarifying terminology in Appendix B (Outline Water Management Plan) by substituting the term 'hay bales' with 'straw' bales in paragraph 2.2.11.</p> <p>Clarifying terminology in Appendix B (Outline Water Management Plan) by substituting references in paragraphs 2.4.3, 2.4.5 and 3.3.3 to 'adopted drains' with 'maintained drains' and confirming in paragraphs 2.4.5 and 3.3.3 that neither the HWIDB or KLIDB maintain the culvert beneath the A47.</p>	<p>either the KLIDB or the Hundred of Wisbech IDB, if any surface water discharge into ditches is required.</p>		



Document Updated	Change	Reason for change	Deadline submitted	Relevant Document version
	Confirming in Appendix B (Outline Water Management Plan) paragraph 3.3.3 that strike protection will be provided for the culverted drain during construction.			
Deadline 6 (12 July 2023)				
Volume 5.4 List of Other Consents and Licences [APP-026]	<p>Table 2.1 updated to confirm that consents required under the Land Drainage Act 1991 are to be dealt with under protective provisions included within the draft DCO (Volume 3.1).</p> <p>Section 2.2: Additional text incorporated to explain the position regarding the Applicant's Environmental Permit application submitted to the Environment Agency's (EA) National Permitting Service on 5 August 2022. In particular, the EA's confirmation that the Proposed Development is unlikely to exceed any environmental standards as regards air quality emissions and that risks are well within the screening criteria for the</p>	To provide the latest position on consents and licences and to confirm that there are no consenting impediments to the deliverability of the Proposed Development.	Deadline 6	Rev 2



Document Updated	Change	Reason for change	Deadline submitted	Relevant Document version
	<p>protection of human health. A copy of the EA's Air Quality Modelling & Assessment Unit Report is appended.</p> <p>Section 2.2, paragraph 2.2.6 amended to confirm the Drainage Board's preference for consents under the Land Drainage Act 1991 to be dealt with through protective provisions under the draft DCO.</p> <p>Section 2.2, paragraph 2.2.7 amended to confirm that there is currently no requirement for the Applicant to obtain protected species licences for the Proposed Development.</p>			
<p>Volume 6.4 ES Chapter 6 Traffic and Transport Appendix 6A – Outline Construction Traffic Management Plan (oCTMP)</p>	<p>A new paragraph 7.4.13 added to confirm a construction vehicle parking prohibition will be enforced to ensure that access to businesses is not obstructed by construction vehicles.</p> <p>Additional text added to paragraph 7.4.41 to confirm that the Liaison Group will be</p>	<p>This document has been updated (following a meeting between the Applicant and local businesses held on 28 June 2023) to include a vehicle parking prohibition to prevent obstruction of accesses by construction related vehicles.</p> <p>In addition, a commitment to involve groups representing</p>	<p>Deadline 6</p>	<p>Rev 6</p>



Document Updated	Change	Reason for change	Deadline submitted	Relevant Document version
	extended to include invitations to groups representing users of public rights of way.	users of public rights of way in the proposed community liaison group has been added at the request of Cambridgeshire County Council, following ISH6.		
Volume 6.4 Chapter Biodiversity Appendix Biodiversity Net Gain	ES 11 11M Net	New paragraph 4.2.2 added to Annex C – Outline Biodiversity Net Gain Strategy.	This document has been updated to confirm that the Applicant agrees to the principle that off-site River units are first targeted at enhancing local water vole habitats, as requested by Cambridgeshire County Council and the Middle Level Commissioners.	Deadline 6 Rev 5
Volume 7.12 Outline Construction Environmental Management Plan (oCEMP) [REP5-022]	Plan	Reference to involving groups representing PRow users added to paragraph 3.5.22. Confirmation that the EPC contractor will comply with NJUG Guidelines added to paragraph 4.8.5. A new paragraph 5.7.4 added to confirm the Applicant's commitment to providing buses to transport construction workers to the site.	This document has been updated at the request of Cambridgeshire County Council to confirm that the Applicant will involve representatives of PRow user groups in community liaison and to confirm that the Applicant will provide buses to transport construction workers staying outside of the local area to the site (agreed following a meeting between the Applicant and local businesses held on 28 June 2023).	Deadline 6 Rev 6



Document Updated	Change	Reason for change	Deadline submitted	Relevant Document version
		In addition, confirmation added at the request of Anglian Water, that the EPC contractor will comply with relevant Good Practice Guidance of Street Works UK (formerly the National Joint Utilities Group).		
Volume 7.14 Outline Community Benefits Strategy [APP-105]	<p>Chapter 1: references to relevant application documents and details updated to reflect position as at Deadline 6, including dialogue with the Local Host Authorities (LHAs) on Heads of Terms for a section 106 agreement (being submitted separately at Deadline 6 as Vol 15.8).</p> <p>Section 2.2 updated to reaffirm MVV's commitment to establishing a Local Liaison Committee should the DCO be granted.</p> <p>Section 2.3 updated to make reference to the full-time Community Liaison Manager being secured through Requirement 24.</p>	To provide clarity as to which initiatives will be delivered through the implementation of the Community Benefits Strategy secured through DCO requirements, which will be delivered through a Community Fund (secured via a separate agreement with Cambridgeshire County Council pursuant to s111 of the Local Government Act 1972) and which will be secured through a separate Section 106 agreement. To reflect the outcome of recent discussions with the LHAs.	Deadline 6	Rev 2



Document Updated	Change	Reason for change	Deadline submitted	Relevant Document version
	<p>Section 2.5 updated to incorporate references to the provision of a community fund secured through a Section 111 agreement.</p>			
	<p>Section 2.8 updated to include references to landscape, ecology and biodiversity improvements to be secured through DCO requirements and to reaffirm the Applicant's commitment to involving local organisations in the delivery of agreed measures.</p>			
	<p>Chapter 3 updated to itemise the Applicant's offer and distinguish which measures will be secured through DCO requirements, which will be provided through the implementation of the Community Benefits Strategy, which will be provided through a new Community Fund (secured under a Section 111 Agreement); and which will be secured under the terms of a Section 106 Agreement. It</p>			



Document Updated	Change	Reason for change	Deadline submitted	Relevant Document version
	<p>includes a commitment to employing a Community Liaison Manager and provision of a community fund.</p> <p>New Appendix B added to set out further detail about the objectives of the Community Fund and the types of measures that it will support.</p>			
Volume 7.15 Outline Operational Traffic Management Plan (oOTMP) [REP3-025]	<p>Paragraph 2.1.3 amended to confirm that a procedure will be developed to manage in exceptional circumstances any waste delivery arriving at the site out of hours.</p> <p>Reference to involving groups representing PRoW users added to paragraph 2.5.1.</p>	<p>This document has been updated in the light of discussions during ISH6, to clarify the arrangements for accommodating delivery vehicles, should in exceptional circumstances vehicles arrive at the site out of normal operating hours. In addition, provision is made at the request of CCC for community liaison to include representatives of PRoW user groups.</p>	Deadline 6	Rev 4
Deadline 7 (04 August 2023)				
Volume 2.1 Site Location Plan [APP-005] and	<p>Order Limits amended to show the additional areas of land at the junction of Cromwell Road</p>	<p>Plan updated following the ExA's procedural decision of 28 July 2023 [PD-018] to accept the</p>	Deadline 7	Rev 2



Document Updated	Change	Reason for change	Deadline submitted	Relevant Document version
[AS-018]	and New Bridge Lane and at the junction of Salters Way with New Bridge Lane, as delineated on the Change Application Site Location Plan [AS-018] submitted on 05 June 2023.	Applicant's proposed changes for Examination. The additional areas of land are required to provide sufficient land to accommodate the revised Access Improvements.		
Volume 2.2 Land Plan [REP3-003] and [AS-019]	Order Limits amended to show the additional areas of land at the junction of Cromwell Road and New Bridge Lane and at the junction of Salters Way with New Bridge Lane (New Land Parcel 12/4b), as delineated on the Change Application Land Plan [AS-019] submitted on 05 June 2023.	Plan updated following the ExA's procedural decision of 28 July 2023 [PD-018] to accept the Applicant's proposed changes for Examination. The additional areas of land are required to provide sufficient land to accommodate the revised Access Improvements.	Deadline 7	Rev 5
Volume 2.3 Works Plan [REP5-003] and [AS-020]	Order Limits amended to show the additional areas of land at the junction of Cromwell Road and New Bridge Lane and at the junction of Salters Way with New Bridge Lane and to show associated amendment to Work No.4A), as delineated on the Change Application Works Plan [AS-020] submitted on 05 June 2023.	Plan updated following the ExA's procedural decision of 28 July 2023 [PD-018] to accept the Applicant's proposed changes for Examination. The additional areas of land are required to provide sufficient land to accommodate the revised Access Improvements.	Deadline 7	Rev 4



Document Updated	Change	Reason for change	Deadline submitted	Relevant Document version
Volume 2.4 Access and Public Rights of Way Plan [REP5-004] and [AS-021]	Order Limits amended to show the additional areas of land at the junction of Cromwell Road and New Bridge Lane and at the junction of Salters Way with New Bridge Lane and to show associated/consequential amendments to the extent of highway land, as delineated on the Change Application Access and Public Rights of Way Plan [AS-021] submitted on 05 June 2023.	Plan updated following the ExA's procedural decision of 28 July 2023 [PD-018] to accept the Applicant's proposed changes for Examination. The additional areas of land are required to provide sufficient land to accommodate the revised Access Improvements.	Deadline 7	Rev 6
Volume 2.5 Features of Nature Conservation [APP-009] and [AS-022]	Order Limits amended to show the additional areas of land at the junction of Cromwell Road and New Bridge Lane and at the junction of Salters Way with New Bridge Lane, as delineated on the Change Application Features of Nature Conservation Plan [AS-022] submitted on 05 June 2023	Plan updated following the ExA's procedural decision of 28 July 2023 [PD-018] to accept the Applicant's proposed changes for Examination. The additional areas of land are required to provide sufficient land to accommodate the revised Access Improvements.	Deadline 7	Rev 2
Volume 2.6 Statutory and Non-Statutory Features of Historic Environment [REP2-071] and	Order Limits amended to show the additional areas of land at the junction of Cromwell Road and New Bridge Lane and at the junction of Salters Way with New Bridge Lane, as	Plan updated following the ExA's procedural decision of 28 July 2023 [PD-018] to accept the Applicant's proposed changes for Examination. The additional areas of land are required to	Deadline 7	Rev 3



Document Updated	Change	Reason for change	Deadline submitted	Relevant Document version
[AS-023]	delineated on the Change Application Statutory and Non-Statutory Features of Historic Environment Plan [AS-023] submitted on 05 June 2023	provide sufficient land to accommodate the revised Access Improvements.		
Volume Explanatory Memorandum [APP-014]	3.2 Explanatory Memorandum updated to reflect the draft DCO submitted at Deadline 7.	Explanatory Memorandum updated to reflect the draft DCO submitted at Deadline 7.	Deadline 7	Rev 2
Volume 4.1 Book of Reference [REP3-009]	Book of Reference updated to include the additional plot 12/4b and associated consequential changes, as identified in the Change Application Report Volume 13.2 (Appendix E) [AS-028] submitted on 05 June 2023. In addition, see Volume 9.19 Schedule of Changes to Book of Reference, which details changes made as a consequence of on-going diligent inquiry/changes in property interests.	Book of Reference updated following the ExA's procedural decision of 28 July 2023 [PD-018] to accept the Applicant's proposed changes for Examination. The additional plot 12/4b and associated changes are required to provide sufficient land to accommodate the revised Access Improvements.	Deadline 7	Rev 6



Document Updated	Change	Reason for change	Deadline submitted	Relevant Document version
Volume Statement of Reasons [REP3-011]	4.3 of Statement of Reasons updated to include the purpose for temporary possession of the additional plot 12/4b, as identified in the Change Application Report Volume 13.2 (Appendix F) [AS-028] submitted on 05 June 2023. In addition, various cross-references and paragraphs updated to reflect latest position regarding negotiations and other relevant Examination submissions.	Statement of Reasons updated following the ExA's procedural decision of 28 July 2023 [PD-018] to accept the Applicant's proposed changes for Examination. The additional plot 12/4b is required for access and construction of highway junction improvements.	Deadline 7	Rev 3
Volume 6.4 ES Chapter 6 Traffic and Transport Appendix 6A Outline CTMP [REP6-010] and [AS-026]	Paragraph 7.4.8 amended to confirm CCC's involvement in agreeing signage at the former level crossing site, should Network Rail agree to permissive access arrangements. Figures 10.1i – 10.1xii amended, to show the amended Order Limits at Cromwell Road/New Bridge Lane as delineated in the figures contained in the Change Application Outline CTMP	Outline CTMP updated following the ExA's procedural decision of 28 July 2023 [PD-018] to accept the Applicant's proposed changes for Examination. The additional areas of land are required to provide sufficient land to accommodate the revised Access Improvements. Additional wording added to paragraph 7.4.8 at the request of CCC.	Deadline 7	Rev 7



Document Updated	Change	Reason for change	Deadline submitted	Relevant Document version
	submitted on 05 June 2023 [AS-026]. Additional cross-sections across New Bridge Lane provided.			
Volume 6.4 ES Chapter 12 Hydrology Appendix 12F Outline Drainage Strategy [REP5-018]	Paragraph 4.6.2 amended to provide for surface water runoff to be directed to the existing road drainage system and/or EfW CHP Facility site and to require interceptors to be installed. Annex A Section 4.2 reformatted to address formatting errors.	Amendments made at the request of the Hundred of Wisbech Internal Drainage Board.	Deadline 7	Rev 4
Volume 7.14 Outline Community Benefits Strategy [REP6-014]	Paragraphs 1.2.5, 1.2.6, 1.2.7, 2.3.1 and 2.3.2 amended to include reference to arrangements for Community Liaison Managers at other MVV facilities. Paragraph 2.6.1 amended to confirm that activities aimed at improving health outcomes are eligible to make an application to MVV's UK Sponsorship Fund.	Amendments and clarifications provided in response to further engagement with Cambridgeshire County Council.	Deadline 7	Rev 3



Document Updated	Change	Reason for change	Deadline submitted	Relevant Document version
	<p>Paragraph 2.9.4 amended to explain that the Community Liaison Manager (CLM) can signpost groups to other appropriate services.</p> <p>Paragraph 3.1.2 amended to confirm that the CLM will be dedicated, full-time position supported by MVV's UK Wide team.</p> <p>Appendix B amended to confirm MVV's offer of £200,000 per year for the Medworth Community Fund.</p>			
Vol 13.3 ES Chapter 6 Appendix 6B Transport Assessment Addendum [AS-029]	<p>New Paragraph 1.1.4 included to explain that the Change Application request was accepted by the ExA on 28 July.</p> <p>Paragraph 1.4.1 updated to explain the purpose for the Addendum.</p> <p>Section 3 Junction Assessment updated to explain the additional modelling</p>	<p>To reflect the ExA's acceptance of the Change Application request into the examination.</p> <p>Additional modelling undertaken at the request of CCC (meeting 06 July 2023).</p>	Deadline 7	Rev 2



Document Updated	Change	Reason for change	Deadline submitted	Relevant Document version
	<p>undertaken and to present the results.</p> <p>Section 5 Conclusion updated to reflect the additional modelling undertaken.</p> <p>Appendix A LinSig results updated with latest modelling.</p>			
Deadline 8 (18 August 2023)				
Volume 2.4 Access and Public Rights of Way Plan [REP7-004]	Highway boundary on the north side of New Bridge Lane, immediately to the west of the drain and notation 'A6' (as shown on sheet 1 of 4 of the Access and Public Rights of Way Plan), realigned slightly southwards and away from the Order Limits boundary, to correctly represent the extent of highway land as confirmed by Cambridgeshire County Council.	Amended at the request of Cambridgeshire County Council to correct a minor drafting error as to the alignment of the highway boundary.	Deadline 8	Rev 7



Document Updated	Change	Reason for change	Deadline submitted	Relevant Document version
Volume 7.10 Outline Fire Prevention Plan [REP2-011]	<p>New paragraphs 1.1.5 and 1.1.6 added to section 1 – Explanatory Note, to summarise the additional matters that the EA wished to see incorporated within the Fire Prevention Plan (FPP).</p> <p>Minor amendments to Table 3.</p> <p>Minor amendments to sections 4.3, 6.2, 8.2 and 10.1.</p> <p>Text added to section 5.12, re. site wide inspections and cleaning.</p> <p>Text added to section 5.13, re. waste acceptance procedures.</p> <p>Reference to use of scanning cameras added to section 6.3.2.</p> <p>Text added to section 11.1, re. fire suppression systems.</p> <p>Text added to section 13.1, re. water supplies.</p>	<p>Updated in response to discussions with the Environment Agency (EA) regarding the Environmental Permit application for the Proposed Development. Updated version submitted to the Examination for completeness.</p>	Deadline 8	Rev 3



Document Updated	Change	Reason for change	Deadline submitted	Relevant Document version
	Text added to section 15.1, re. dealing with issues during a fire.			
	Appendices A-C added, to present drawings relating to the site layout, sensitive receptors and an outline drainage layout.			
Volume 7.11 Outline Odour Management Plan [REP1-021]	<p>New paragraphs 1.1.5 and 1.1.6 added to section 1 – Explanatory Note, to summarise the additional matters that the EA wished to see incorporated within the Odour Management Plan (OMP).</p> <p>Amendments to Table 2.1, re. sensitivity of receptors to odour.</p> <p>Amendments and text added to section 3.1 re. sources of odour and site processes.</p> <p>Amendments and text added to section 3.3. re. odorous processes and emissions.</p> <p>Amendments to Table 4.1, re. monitoring procedures.</p>	Updated in response to discussions with the EA regarding the Environmental Permit application for the Proposed Development. Updated version submitted to the Examination for completeness.	Deadline 8	Rev 3



Document Updated	Change	Reason for change	Deadline submitted	Relevant Document version
	Minor amendment to section 5.1, re. complaints reporting. Measures for dealing with equipment breakdown added to Table 6.1.			



Table 2.2 Schedule of Changes to Draft Development Consent Order (Volume 3.1) [APP-013] submitted at Deadline 1, Deadline 3 and Deadline 7

Location	Request	Rationale	Summary of Change	Relevant doc version
Article 2 – Interpretation	Applicant	New definitions required as a consequence of new Requirements 22 and 23 to demonstrate the Applicant’s commitment to carbon capture readiness for the authorised development	<p>“carbon capture and export readiness reserve space” means the area identified on the carbon capture and export readiness reserve space plan for future installation and operation of any carbon capture and export equipment;</p> <p>“carbon capture and export readiness reserve space plan” means the document of that name identified in Table 10 of Schedule 13 and which is certified by the Secretary of State as the carbon capture and export readiness reserve space plan for the purposes of this Order;</p>	Rev 2
Article 2 – Interpretation	Applicant	Correction	“date of final commissioning” means the date on which the commissioning of the authorised development (or any part of the authorised development as the context requires) is completed as notified as such by the undertaker to the relevant planning authority pursuant to requirement 21 20 of Schedule 2 (requirements);	Rev 2
Article 2 – Interpretation	Applicant	New definition required as a consequence of a new Requirement 27 relating to	“outline local air quality monitoring strategy” means the document of that name identified in Table 10 of Schedule 13 and which is certified by the Secretary of State as the outline local air quality monitoring strategy for the purposes of this Order;	Rev 2



Location	Request	Rationale	Summary of Change	Relevant doc version
		operational local air quality monitoring		
Article 2 – Interpretation	Applicant	New definition required as a consequence of amendments to Requirement 13 relating to flood risk management at Work No. 9	“outline Walsoken Substation flood emergency management plan” means the document of that name identified in Table 10 of Schedule 13 and which is certified by the Secretary of State as the outline Walsoken Substation flood emergency management plan for the purposes of this order;	Rev 2
Article 2 – Interpretation	Applicant	Correction	(3) All distances, directions, volumes, heights, widths and lengths referred to in this Order are approximate and distances between points on a numbered work comprised in the authorised development and shown on the works plans and access and public rights of way plans are taken to be measured along that work.	Rev 2
Article 11(1)	Applicant	Correction	1.—(1) The undertaker may for the purposes of the authorised development alter the layout of or construct any works in the street in the case of permanent works as specified in column (2) of Schedule 4 (streets subject to permanent alteration of layout) in the manner specified in relation to that street in column (3) of that Schedule and in the case of temporary works as specified in column (2) of Schedule 5 (streets subject to temporary alteration of layout) in the manner specified in relation to that street in column (3) of that Schedule.	Rev 2
Article 13	Applicant	Correction	Temporary prohibition or restriction of use of streets and public rights of ways	Rev 2



Location	Request	Rationale	Summary of Change	Relevant doc version
Article 22 – Removal of human remains	Inserted in response to comments made by Fenland District Council regarding the application of the Burial Act 1857 during construction	New article providing a scheme governing the removal of any human remains found within the Order limits. The drafting of this Article is based on a model provision and was included in Article 12 of the Little Crow Solar Park Order 2022.	New article inserted with consequential renumbering of articles and cross-references. <u>Removal of human remains</u> 22.—(1) Before the undertaker carries out any development or works which will or may disturb any human remains within the Order limits it must remove those human remains from the Order limits, or cause them to be removed, in accordance with the following provisions of this article. (2) Before any such remains are removed from the Order limits the undertaker must give notice of the intended removal, describing the Order limits and stating the general effect of the following provisions of this article, by— (a) publishing a notice once in each of two successive weeks in a newspaper circulating in the area of the authorised development; and (b) displaying a notice in a conspicuous place within or near the Order limits. (3) As soon as reasonably practicable after the first publication of a notice under paragraph (2) the undertaker must send a copy of the notice to the relevant burial authority for the land from which the relevant human remains are to be removed. (4) At any time within 56 days after the first publication of a notice under paragraph (2) any person who is a personal representative or relative of any deceased person whose remains are interred within the	Rev 2



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			<p>Order limits may give notice in writing to the undertaker of that person’s intention to undertake removal of the remains.</p> <p>(5) Where a person has given notice under paragraph (4), and the remains in question can be identified, that person may cause such remains to be—</p> <p>(a) removed and re-interred in any burial ground or cemetery in which burials may legally take place; or</p> <p>(b) removed to, and cremated in, any crematorium,</p> <p>and that person must, as soon as reasonably practicable after such re-interment or cremation, provide to the undertaker a certificate for the purpose of enabling compliance with paragraph (10).</p> <p>(6) If the undertaker is not satisfied that any person giving notice under paragraph (4) is the personal representative or relative as that person claims to be, or that the remains in question can be identified, the question must be determined on the application of either party in a summary manner by the county court, and the court may make an order specifying who must remove the remains and as to the payment of the costs of the application.</p> <p>(7) The undertaker must pay the reasonable expenses of removing and re-interring or cremating the remains of any deceased person under this article.</p> <p>(8) If—</p>	



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			<p>(a) within the period of 56 days referred to in paragraph (4) no notice under that paragraph has been given to the undertaker in respect of any remains within the Order limits; or</p> <p>(b) such notice is given and no application is made under paragraph (6) within 56 days after the giving of notice but the person who gave the notice fails to remove the remains within a further period of 56 days; or</p> <p>(c) within 56 days after any order is made by the county court under paragraph (6) any person, other than the undertaker, specified in the order fails to remove the remains; or</p> <p>(d) it is determined that the remains to which any such notice relates cannot be identified,</p> <p>subject to paragraph (9) 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 are to 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.</p> <p>(9) If the undertaker is satisfied that any person giving notice under paragraph (4) is the personal representative or relative as that person claims to be and that the remains in question can be identified, but that person does not remove the remains, the undertaker must comply with any reasonable request that the person may make in relation to the removal and re-interment or cremation of the remains.</p>	



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			<p>(10) On the re-interment or cremation of any remains under this article—</p> <p>(a) a certificate of re-interment or cremation must be sent by the undertaker to the Registrar General giving the date of re-interment or cremation and identifying the place from which the remains were removed and the place in which they were re-interred or cremated; and</p> <p>(b) a copy of the certificate of re-interment or cremation and the record mentioned in paragraph (8) must be sent by the undertaker to the local authority mentioned in paragraph (3).</p> <p>(11) No notice is required under paragraph (2) before the removal of any human remains where the undertaker is satisfied—</p> <p>(a) that the remains were interred more than 100 years ago; and</p> <p>(b) that no relative or personal representative of the deceased is likely to object to the remains being removed in accordance with this article.</p> <p>(12) In this article references to a relative of the deceased are to a person who—</p> <p>(a) is a husband, wife, civil partner, parent, grandparent, child or grandchild of the deceased; or</p> <p>(b) is, or is a child of, a brother, sister, uncle or aunt of the deceased; or</p> <p>(c) is the lawful executor of the estate of the deceased; or</p> <p>(d) is the lawful administrator of the estate of the deceased.</p>	



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			<p>(13) The removal of the remains of any deceased person under this article must be carried out in accordance with any directions which may be given by the Secretary of State.</p> <p>(14) Any jurisdiction or function conferred on the county court by this article may be exercised by the district judge of the court.</p> <p>(15) Section 25 of the Burial Act 1857(a) (bodies not to be removed from burial grounds, save under faculty, without licence of Secretary of State) is not to apply to a removal carried out in accordance with this article.</p> <p>(16) The Town and Country Planning (Churches, Places of Religious Worship and Burial Ground) Regulations 1950(b) do not apply to the authorised development.</p> <p>[Footnotes]</p> <p>(a) 1857 c. 81. Substituted by Church of England (Miscellaneous Provisions) Measure 2014, section 2 (January 1, 2015; substitution has effect subject to transitional and saving provisions specified in S.I. 2014/2077, paragraphs 1 and 2).</p> <p>(b) S.I. 1950/792.</p>	
Article 25(2)	Applicant	Correction	<p>(2) In the case of the Order land specified in column (1) of the table in Schedule 8 (land in which only new rights etc. may be acquired) the undertaker's powers of compulsory acquisition are limited to the acquisition of existing rights and the benefit of restrictive covenants over that land and the creation and acquisition of such new rights and the imposition of such new restrictive covenants for the purpose specified in column (2) of the table in that Schedule.</p>	Rev 2



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Article 35 – Apparatus and rights of statutory undertakers in stopped up streets	Applicant	Correction	35. Where a street is altered or diverted or its use is temporarily prohibited or restricted under article 10 (street works), article 11 (power to alter layout, etc., of new streets), article 12 (construction and maintenance of new or altered means of access) or article 13 (temporary prohibition or restriction of use of streets and public right of ways) any statutory undertaker whose apparatus is under, in, on, along or across the street has the same powers and rights in respect of that apparatus, subject to Schedule 12 11, as if this Order had not been made.	Rev 2
Article 40(1)(b)(i) – Defence to proceedings in respect of statutory nuisance	Applicant	Correction	relates to premises used by the undertaker for the purposes of or in connection with the use of the authorised development and that the nuisance is attributable to the use of the authorised development which is being used in compliance with requirement 20 19 of Schedule 2 (requirements); or	Rev 2
Article 44(3)	Applicant	Correction	(3) Schedule 12 is to have effect in relation to all consents, agreements or approvals required from the relevant planning authority in respect of discharge of Requirements requirements listed in Schedule 2.	Rev 2
Schedule 1 – Authorised Development	Applicant	Correction	Paragraph starting “In connection with...” [...] and such other buildings, structures, works or operations and modifications to, or demolition of, any existing buildings, structures or works as may be necessary or expedient for the purposes of or in connection with the construction, operation and maintenance of the works in this Schedule 1 , but only within the Order limits and insofar as they are unlikely to give rise to any materially new or materially	Rev 2



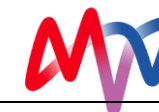
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			different environmental effects from those assessed in the environmental statement.	
Schedule 2 – Requirements – Paragraph 1	Applicant	Correction	1. The authorised development must not commence until after the expiry of five years of from the date on which this Order is made.	Rev 2
Schedule 2 – Requirements – Paragraph 6	Applicant	Correction	(2) The biodiversity net gain strategy must be implemented as approved under sub-paragraph (1).	Rev 2
Schedule 2 – Requirements – Paragraph 13	Norfolk County Council and King's Lynn and West Norfolk District Council	New Requirement requiring a flood emergency management plan to be submitted for approval and implemented for Work No. 9 (Walsoken Substation). The Outline Walsoken Substation flood emergency management plan has been submitted at Deadline 1	<p>13.—(1) Prior to the date of final commissioning, a flood emergency management plan for Work Nos. 1, 1A, 1B, 2A, 2B and 9 must be submitted to the relevant planning authority for approval.</p> <p>(2) The flood emergency management plan for Work Nos. 1, 1A, 1B, 2A and 2B submitted for approval must be substantially in accordance with the outline flood emergency management plan.</p> <p>(3) The flood emergency management plan for Work No. 9 submitted for approval must be substantially in accordance with the outline Walsoken Substation flood emergency management plan.</p> <p>(4) The flood emergency management plans submitted and approved under sub-paragraph (1) must be implemented as approved and remain in place throughout the operation of the authorised development unless otherwise agreed by the relevant planning authority.</p>	Rev 2
Schedule 2 – Requirements	Applicant	Correction	(2) The waste hierarchy scheme will must include details of—	Rev 2



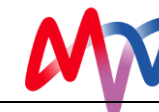
Location	Request	Rationale	Summary of Change	Relevant doc version
<p>– Paragraph 14(2)</p>	<p>Schedule 2 – Requirements</p>	<p>Applicant and in response to matters raised in relevant representations</p>	<p>New Requirements to demonstrate the Applicant’s commitment for the authorised development to be carbon capture ready. The drafting of these Requirements are based on Requirements 22 and 23 in Schedule 2 to the Drax Power (Generating Stations) Order 2019</p>	<p>Rev 2</p>
			<p><u>Carbon capture and export readiness reserve space</u></p> <p>22. Following commencement of the authorised development and until such time as the authorised development is decommissioned, the undertaker must not, without the consent of the Secretary of State—</p> <p>(a) dispose of any interest in the carbon capture and export readiness reserve space; or</p> <p>(b) do anything, or allow anything to be done or to occur which may reasonably be expected to diminish the undertaker’s ability to prepare the carbon capture and export readiness reserve space for the installation and operation of carbon capture and export equipment within two years of such action or occurrence, should it be deemed feasible to do so.</p> <p>(2) In this paragraph “export” means the removal of carbon from the authorised development and transporting it to a place of usage or sequestration to avoid its release to the atmosphere.</p> <p><u>Carbon capture readiness monitoring report</u></p> <p>23.—(1) The undertaker must make a report (“carbon capture and export readiness monitoring report”) to the Secretary of State—</p> <p>(a) on or before the date which is three months after the date of Work No. 1A full commissioning; and</p>	



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			<p>(b) within one month of the second anniversary, and each subsequent even-numbered anniversary, of that date.</p> <p>(2) Each carbon capture and export readiness monitoring report must provide evidence that the undertaker has complied with Requirement 22—</p> <p>(a) in the case of the first carbon capture and export readiness monitoring report, since commencement of the authorised development; and</p> <p>(b) in the case of any subsequent report, since the making of the previous carbon capture and export readiness monitoring report, and explain how the undertaker expects to continue to comply with Requirement 22 over the next two years.</p> <p>(3) Each carbon capture and export readiness monitoring report must state whether the undertaker considers the retrofit of carbon capture and export technology is feasible explaining the reasons for any such conclusion and whether any impediments could be overcome.</p> <p>(4) Each carbon capture and export readiness monitoring report must state, with reasons, whether the undertaker has decided to seek any additional regulatory clearances, or to modify any existing regulatory clearances, in respect of any carbon capture and export readiness proposals.</p> <p>(5) In this paragraph “export” means the removal of carbon from the authorised development and transporting it to a place of usage or sequestration to avoid its release to the atmosphere.</p>	



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Schedule 2 – Requirements	Local planning authorities and in response to relevant representations	New Requirement requiring a local air quality monitoring strategy to be submitted for approval and implemented prior to the date of final decommissioning. The Outline Local Air Quality Monitoring Strategy has been submitted at Deadline 1	<p><u>Local air quality monitoring strategy</u></p> <p>27.—(1) Prior to the date of final commissioning, a local air quality monitoring strategy must be submitted to the relevant planning authority for approval. The local air quality monitoring strategy submitted for approval must be substantially in accordance with the outline local air quality monitoring strategy.</p> <p>(2) The local air quality monitoring strategy must be implemented as approved under sub-paragraph (1).</p>	Rev 2															
Schedule 6 – Access Table 4	Cambridge shire County Council (CCC)	Removal of provisions associated with the adoption of Algores Way by the local highways authority following receipt of written confirmation from CCC (as local highway authority) that it did not intend to adopt this part of Algores Way.	<table border="1"> <thead> <tr> <th data-bbox="920 871 1189 954">(1) <i>Location</i></th> <th data-bbox="1189 871 1323 954">(2) <i>Street</i></th> <th data-bbox="1323 871 1850 954">(3) <i>Description of relevant part of</i></th> </tr> </thead> <tbody> <tr> <td data-bbox="920 962 1189 1098">In the County of Cambridgeshire</td> <td data-bbox="1189 962 1323 1098">Algores Way</td> <td data-bbox="1323 962 1850 1098">Access to the area shown coloured yellow-b shown coloured orange and marked A3 and coloured orange and marked A5 on sheet 1- and public rights of way plan</td> </tr> <tr> <td data-bbox="920 1106 1189 1177">In the County of Cambridgeshire</td> <td data-bbox="1189 1106 1323 1177">Algores Way</td> <td data-bbox="1323 1106 1850 1177">Access to the area shown coloured orange a on sheet 1 of the access and public rights of</td> </tr> <tr> <td data-bbox="920 1185 1189 1289">In the County of Cambridgeshire</td> <td data-bbox="1189 1185 1323 1289">New Bridge Lane</td> <td data-bbox="1323 1185 1850 1289">Access to the area shown coloured orange a on sheet 1 of the access and public rights of</td> </tr> <tr> <td data-bbox="920 1297 1189 1401">In the County of Cambridgeshire</td> <td data-bbox="1189 1297 1323 1401">New Bridge Lane</td> <td data-bbox="1323 1297 1850 1401">Access to the area shown coloured orange a on sheet 1 of the access and public rights of</td> </tr> </tbody> </table>	(1) <i>Location</i>	(2) <i>Street</i>	(3) <i>Description of relevant part of</i>	In the County of Cambridgeshire	Algores Way	Access to the area shown coloured yellow-b shown coloured orange and marked A3 and coloured orange and marked A5 on sheet 1- and public rights of way plan	In the County of Cambridgeshire	Algores Way	Access to the area shown coloured orange a on sheet 1 of the access and public rights of	In the County of Cambridgeshire	New Bridge Lane	Access to the area shown coloured orange a on sheet 1 of the access and public rights of	In the County of Cambridgeshire	New Bridge Lane	Access to the area shown coloured orange a on sheet 1 of the access and public rights of	Rev 2
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Schedule 6 – CCC Access – Table 5		Consequential amendments following receipt of written confirmation from CCC (as local highways authority) that it did not intend to adopt this part of Algores Way.	(1) <i>Location</i>	(2) <i>Street</i>	(3) <i>Description of relevant part of</i>	Rev 2
			In the County of Cambridgeshire	Algores Way	Access to the area shown coloured yellow between the area shown coloured orange and marked A3 and the area shown coloured orange and marked A5 on sheet 1 of the access and public rights of way plan	
			In the County of Cambridgeshire	Algores Way	Access to the area shown coloured orange and marked 1 of the access and public rights of way plan	
			In the County of Cambridgeshire	New Bridge Lane	Access to the area shown coloured orange and marked 1 of the access and public rights of way plan	
Schedule 8 – CCC Land in which only new rights may be acquired – Table 8 – Rows 1 to 3		Amendments required following receipt of new information from CCC (as local highways authority) as to the extent of the public highway on New Bridge Lane. Amendments also required following receipt of written confirmation from CCC (as local	1/1a,	1/1b,	Rights to install, retain, use, maintain, inspect, alter, remove, refuse, replace, protect and improve underground electricity cables, jointing plates, ducting, telemetry and other ancillary apparatus (including access chambers, manholes and marker posts) and any other works together with the right to fell, trim or lop trees and bushes which interfere with the said cables, telemetry and other ancillary apparatus	Rev 2
			1/1c,	1/1d,		
			1/1e,	1/2a,		
			2/1a,	2/1b,		
			3/1a,	3/1b,	Rights to pass and repass on foot, with or without vehicles, plant and machinery (including any temporary surface) for all purposes in connection with the use, maintenance and decommissioning of the authorised development	
			4/1a,	4/1b,		
			5/1a,	5/1b,	Rights to continuous vertical and lateral support for the authorised development	
			5/1c,	6/1a,		
			6/1b,	6/1c,	Rights to install, retain, use, maintain, inspect, alter, remove, refuse, replace, protect and improve sewers, drains, pipes, ducts, mains, culverts and to drain into and manage waterflows in any drains, watercourses and other drainage systems	
			6/1d,	6/1e,		
			6/1f,	6/1g,	Rights to install, execute, implement, retain, repair, improve, renew and plant trees, woodlands, shrubs, hedgerows, seeding, landscaping and other ecological measures together with the right to maintain, inspect and manage ecological measures and other ecological measures and to plant and maintain trees, shrubs, hedgerows, landscaping and other ecological measures and to pass and repass on foot, with or without vehicles, plant and machinery	
			6/1h, 6/1i, 6/1j,	6/1k,		
			6/1k,	6/2a,	Rights to install, execute, implement, retain, repair, improve, renew and plant trees, woodlands, shrubs, hedgerows, seeding, landscaping and other ecological measures together with the right to maintain, inspect and manage ecological measures and other ecological measures and to plant and maintain trees, shrubs, hedgerows, landscaping and other ecological measures and to pass and repass on foot, with or without vehicles, plant and machinery	
			6/2b,	7/1a,		
			8/1a,	8/1b,	Rights to install, execute, implement, retain, repair, improve, renew and plant trees, woodlands, shrubs, hedgerows, seeding, landscaping and other ecological measures together with the right to maintain, inspect and manage ecological measures and other ecological measures and to plant and maintain trees, shrubs, hedgerows, landscaping and other ecological measures and to pass and repass on foot, with or without vehicles, plant and machinery	
			8/2a,	9/1a,		
			9/1b,	9/1c,	Rights to install, execute, implement, retain, repair, improve, renew and plant trees, woodlands, shrubs, hedgerows, seeding, landscaping and other ecological measures together with the right to maintain, inspect and manage ecological measures and other ecological measures and to plant and maintain trees, shrubs, hedgerows, landscaping and other ecological measures and to pass and repass on foot, with or without vehicles, plant and machinery	
10/1a,	10/2e,					



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	<p>highways authority) that it did not intend to adopt part of Algores Way</p> <p>As a result of the above, the plot numbers on the Land Plans and Book of Reference submitted at Deadline 1 have been amended and consequential amendments have been made to Schedule 8.</p> <p>Schedule 8 now confirms that the Applicant is only seeking a right of access and associated rights over Algores Way and not the acquisition of the freehold of the Algores Way</p>	<p>10/2f, 10/5a, 11/1a(i), 11/2a</p> <hr/> <p>1/2a, 11/1a(i), 11/1a(ii), 11/1a(iii), 11/1b(i), 11/1b(ii) 11/2a, 12/1a, 12/1b, 12/1c, 12/1d, 12/1e, 12/1f, 12/1g, 12/1h, 12/1i, 12/1j, 12/1k, 12/1l, 12/2a, 12/4a, 12/5a, 13/4c(ii), 13/4d, 14/1a</p>	<p>connection with the implementation and maintenance of landscaping mitigation or enhancement works</p> <hr/> <p>Rights to install, retain, use, maintain, inspect, alter, remove, refuse to replace, protect and improve security fencing, gates, boundary treatment of way and any other ancillary apparatus and any other works as necessary for the authorised development</p> <hr/> <p>Restrictions on erecting buildings or structures, altering ground level or carrying out operations or actions (including but not limited to building) which may obstruct, interrupt, or interfere with the exercise of the rights authorised development</p> <hr/> <p>Rights to construct, use, maintain and improve a permanent means of access, visibility splays, carriageway and footway widening, highway alterations and lighting</p> <hr/> <p>Rights to install, retain, use, maintain, inspect, alter, remove, refuse to replace, protect and improve security fencing, gates, boundary treatment of way and any other ancillary apparatus and any other works as necessary for the authorised development</p> <hr/> <p>Rights to pass and repass on foot, with or without vehicles, plant and machinery for purposes in connection with the construction, use, maintenance and completion of the authorised development</p> <hr/> <p>Rights to install, retain, use, maintain, inspect, alter, remove, refuse to replace, protect and improve pipes, ducts, mains, wires, cables, conduits, optic cables and other conducting media of whatsoever nature</p> <hr/> <p>Rights to install, retain, use, maintain, inspect, alter, remove, refuse to replace, protect and improve sewers, drains, pipes, ducts, mains, conduits, flues and to drain into and manage waterflows in any drains, watercourses and to manage waterflows</p> <hr/> <p>Rights to install, execute, implement, retain, repair, improve, renew and plant trees, woodlands, shrubs, hedgerows, seeding, landscaping and ecological measures together with the right to maintain, inspect and alter trees, shrubs, hedgerows, landscaping and other ecological measures together with the right to pass and repass on foot, with or without vehicles, plant and machinery for purposes in connection with the implementation and maintenance of landscaping mitigation or enhancement works</p> <hr/> <p>Restrictions on erecting buildings or structures, altering ground level or carrying out operations or actions (including but not limited to building)</p>	<p>al</p> <hr/> <p>ct, its</p> <hr/> <p>es g) he</p> <hr/> <p>ng nd</p> <hr/> <p>ct, its</p> <hr/> <p>all ng</p> <hr/> <p>ct, re</p> <hr/> <p>ct, es, rts</p> <hr/> <p>ite er es, nd in al</p> <hr/> <p>es g)</p>



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			<p>which may obstruct, interrupt, or interfere with the exercise of the right to authorised development</p> <p>10/1a, 10/1b, 10/1c, 10/2a, 10/2b, 10/2c, 10/2d, 10/2e, 10/2f, 10/2g, 10/3a, 10/4a, 10/5a, 11/1a(i), 11/2a</p> <p>Rights to install, retain, use, maintain, inspect, alter, remove, refuse to replace, protect and improve a potable water connection (including pipes, trenches, ducting, protection plates, jointing bays, associated to ancillary apparatus) and any other works as necessary together with trim or lop trees and bushes which may obstruct or interfere with the right to a potable water connection and other ancillary apparatus</p> <p>Rights to pass and repass on foot, with or without vehicles, plant and machinery for connection with the implementation and maintenance of landscaping mitigation or enhancement works (including any temporary surface) for all purposes in connection with the use, maintenance and decommissioning of the authorised development</p> <p>Rights to continuous vertical and lateral support for the authorised development</p> <p>Rights to install, retain, use, maintain, inspect, alter, remove, refuse to replace, protect and improve security fencing, gates, boundary treatment of way and any other ancillary apparatus and any other works as necessary</p> <p>Rights to install, execute, implement, retain, repair, improve, renew and plant trees, woodlands, shrubs, hedgerows, seeding, landscaping and other ecological measures together with the right to maintain, inspect, alter, remove, refuse to replace, protect and improve security fencing, gates, boundary treatment of way and any other ancillary apparatus and any other works as necessary</p> <p>Rights to install, execute, implement, retain, repair, improve, renew and plant trees, woodlands, shrubs, hedgerows, seeding, landscaping and other ecological measures together with the right to maintain, inspect, alter, remove, refuse to replace, protect and improve security fencing, gates, boundary treatment of way and any other ancillary apparatus and any other works as necessary</p> <p>Restrictions on erecting buildings or structures, altering ground level or carrying out operations or actions (including but not limited to building) which may obstruct, interrupt, or interfere with the exercise of the right to authorised development</p>	<p>he</p> <p>ct,</p> <p>to</p> <p>er</p> <p>ll,</p> <p>ed</p> <p>ry</p> <p>n,</p> <p>ct,</p> <p>its</p> <p>ite</p> <p>er</p> <p>s,</p> <p>nd</p> <p>in</p> <p>al</p> <p>es</p> <p>g)</p>
<p>Schedule 11 – Protective Provisions Paragraph 19(1)(b)</p>	<p>Cadent Gas Limited</p>	<p>Agreed amendments to protective provisions</p>	<p>Where sub-paragraphs 18(2) applies, paragraphs 23 and 24.</p>	<p>Rev 2</p>



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Schedule 11 – Protective Provisions – Paragraph 20	Cadent Gas Limited	Agreed amendments to protective provisions	<p>20.—(1) Where any street is stopped up under article 14 (stopping up of streets), if Cadent has any apparatus in the street or accessed via that street Cadent is entitled to the same rights in respect of such apparatus as it enjoyed immediately before the stopping up and the undertaker must grant to Cadent, or procure the granting to Cadent of, legal easements reasonably satisfactory to Cadent in respect of such apparatus and access to it prior to the stopping up of any such street or highway, but nothing in this paragraph affects any right of the undertaker or of Cadent to require the removal of that apparatus under paragraph 23.</p> <p>(2) Notwithstanding the temporary alteration, diversion or restriction of use of any street under the powers of article 11 (power to alter layout, etc., of streets), article 13 (temporary prohibition or restriction of use of streets and public right of ways) or article 17 (traffic regulation measures), Cadent will be at liberty at all times to take all necessary access across any such street and to execute and do all such works and things in, upon or under any such street as it would have been entitled to do immediately before such temporary alteration, diversion or restriction in respect of any apparatus which at the time of the stopping up or diversion was in that street.</p>	Rev 2
Schedule 11 – Protective Provisions – Paragraph 22(2)	Cadent Gas Limited	Agreed amendments to protective provisions	<p>As a condition of agreement between the parties in sub-paragraph (1), prior to the construction or maintenance of any part of the authorised development (or in such other timeframe as may be agreed between Cadent and the undertaker) that is subject to the requirements of this Part of this Schedule that will cause any conflict with or breach the terms of any easement or other legal or land interest of Cadent or affect the provisions of any enactment or agreement regulating the relations between Cadent and the undertaker in respect of any apparatus laid or</p>	Rev 2



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			<p>erected in land belonging to or secured by the undertaker, the undertaker must as Cadent reasonably requires enter into such deeds of consent upon such terms and conditions as may be agreed between Cadent and the undertaker acting reasonably and which must be no less favourable on the whole to Cadent unless otherwise agreed by Cadent, and the undertaker must use reasonable endeavours to procure or secure the consent to and entering into of such deeds and variations by all other third parties with an interest in the land at that time who are affected by such authorised development or maintenance thereof.</p>	
Schedule 11 – Protective Provisions Paragraph 22(5) and (6)	Cadent Gas Limited	Agreed amendments to protective provisions	<p>(5) As a condition of an agreement under sub-paragraph (1) that involves de-commissioned apparatus being left in situ the undertaker must accept a surrender of any existing easement or other interest of Cadent in such decommissioned apparatus and release Cadent from all liabilities in respect of such de-commissioned apparatus from the date of such surrender.</p> <p>(6) Where an undertaker acquires land which is subject to any Cadent right or interest (including, without limitation, easements and agreements relating to rights or other interests) and the provisions of paragraph 7 do not apply, the undertaker must, unless Cadent agrees otherwise—</p> <p>(a) retain any notice of Cadent’s easement, right or other interest on the title to the relevant land when registering the undertaker’s title to such acquired land; and</p> <p>(b) where no such notice of Cadent’s easement, right or other interest exists in relation to such acquired land or any such notice is registered only on the Land Charges Register, include with its application to register title to the undertaker’s interest in such acquired</p>	Rev 2



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			land at the Land Registry a notice of Cadent's easement, right or other interest in relation to such acquired land.	
Schedule 11 – Protective Provisions Paragraph 25(8)	Cadent Gas Limited	Agreed amendments to protective provisions	(8) If Cadent, in consequence of the works proposed by the undertaker, reasonably requires the removal of any apparatus and gives written notice to the undertaker of that requirement, paragraphs (1) to (3) and (6) to (8) apply as if the removal of the apparatus had been required by the undertaker under paragraph 23(2) provided that such written notice must be given by Cadent to the undertaker within 28 42 days of submission of a plan pursuant to sub-paragraph (1).	Rev 2
Schedule 11 – Protective Provisions Paragraph 26(1)	Cadent Gas Limited	Agreed amendments to protective provisions	Subject to the following provisions of this paragraph, the undertaker must pay to Cadent on demand, all charges, costs and expenses reasonably anticipated or reasonably incurred by Cadent in, or in connection with, the inspection, removal, relaying or replacing, alteration or protection of any apparatus or the construction of any new or alternative apparatus which may be required in consequence of the execution of any authorised development including without limitation—	Rev 2
Schedule 11 – Protective Provisions Paragraph 26(6)	Cadent Gas Limited	Agreed amendments to protective provisions	(6) Where the undertaker has paid to Cadent monies in respect of any reasonably anticipated charges, costs and expenses in accordance with sub-paragraph (1) and such charges, costs and expenses are subsequently not incurred by Cadent, Cadent must repay to the undertaker on demand the amount of such charges, costs and expenses.	Rev 2
Schedule 11 – Protective Provisions Paragraph 27(1)(b)	Cadent Gas Limited	Agreed amendments to protective provisions	(b) indemnify Cadent for any other expenses, loss, demands, proceedings, damages, claims, penalty, compensation or costs properly incurred by, paid by or recovered from Cadent, by reason or in consequence of any such damage or interruption or Cadent becoming	Rev 2



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			liable to any third party as aforesaid other than arising from any negligence, omission or default of Cadent.	
Schedule 11 – Protective Provisions Paragraph 27(3)(b)	Cadent Gas Limited	Agreed amendments to protective provisions	(b) any part of the authorised development or any other works authorised by this Part of this Schedule carried out by Cadent as an assignee, transferee or lessee of the undertaker with the benefit of the Order pursuant to section 156 (benefit of order granting development consent) of the 2008 Act or in the exercise of any functions conferred by this Order pursuant to a grant or transfer under article 8 (consent to transfer benefit of the Order) subject to the proviso that once such works become apparatus, any specified works yet to be executed and not falling within this paragraph (b) are subject to the full terms of this Part of this Schedule including this paragraph 27 in respect of such new apparatus.	Rev 2
Schedule 11 – Protective Provisions Paragraph 32	Cadent Gas Limited	Agreed amendments to protective provisions	32. Notwithstanding article 43 (service of notices) any plans submitted to Cadent by the undertaker pursuant to sub-paragraph 25(1) must be sent via email to Cadent Gas Limited Plant Protection at plantprotection@cadentgas.com copied by e-mail to vieky.cashman@cadentgas.com toby.feirn@cadentgas.com and sent to the General Counsel Department at Cadent’s registered office or such other address as Cadent may from time to time appoint instead for that purpose and notify to the undertaker in writing.	Rev 2
Schedule 11 – Protective Provisions – Part 5 – For the protection of National Highways	National Highways	Updated protective provisions following discussions with National Highways (note that the protective provisions	<p><u>Application</u></p> <p>44.—(1) The following provisions of this Part of this Schedule; apply for the protection of National Highways and have effect unless otherwise agreed in writing between the undertaker and National Highways; have effect.</p> <p>(2) Nothing in this Order affects or prejudices the operation of the powers and duties of National Highways or the Secretary of State</p>	Rev 2



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		are still negotiation)	<p>under the Highways Act 1980, the Road Traffic Regulation Act 1984, the New Roads and Street Works Act 1991, the Transport Act 2000(a), or the Town and Country Planning (General Permitted Development) (England) Order 2015(b).</p> <p>[Footnotes] (a) 2000 c. 38. (b) S.I. 2015/596.</p> <p><u>Interpretation</u></p> <p>45.—(1) Where the terms defined in article 2 (interpretation) of this Order are inconsistent with subparagraph (2) the latter prevail.</p> <p>(2) In this Part of this Schedule—</p> <p>“highway” means any highway of which National Highways is the highway authority;</p> <p>“National Highways” means National Highways Limited (company number 13574541);</p> <p>“plans” includes sections, designs, drawings, specifications, soil reports, staging proposals, programmes, calculations, methods of construction, risk assessments and details of the extent, timing and duration of any proposed occupation of any highway and “approved plans” means plans approved or deemed to be approved or settled by arbitration in accordance with the provisions of this Part of this Schedule; and</p> <p>“property of National Highways” means any apparatus or street furniture of the relevant highway authority affixed to or placed under any highway.</p> <p>“administration fee” means the fee payable pursuant to the provisions of this Part of this Schedule that represent the internal costs of National Highways in administering the implementation of the specified work</p>	



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			<p>and charged as a flat fee based on the value of the specified works only;</p> <p>“as built information” means one digital copy of the following information—</p> <ul style="list-style-type: none"> (a) as constructed drawings in both PDF and Auto CAD DWG formats for anything designed by the undertaker, in compliance with GG184 (Specification for the use of Computer Aided Design) or any successor document; (b) list of suppliers and materials used and test results and (where in the opinion of National Highways, following due diligence and assessment while acting reasonably, the carrying out of a specified work may have a materially adverse effect on any part of the highways drainage system maintained by National Highways) CCTV surveys; (c) product data sheets and technical specifications for all materials used; (d) as constructed information for any utilities discovered or moved during the works; (e) method statements for the works carried out; (f) in relation to road lighting, signs, and traffic signals any information required by Series 1300 and 1400 of the Specification for Highway Works or any replacement or modification of it; (g) organisation and methods manuals for all products used; (h) as constructed programme; (i) test results and records as required by the detailed design information and during construction phase of the specified work; (j) the health and safety file to include the geotechnical feedback report required under CD622; and (k) other such information as is required by National Highways to be used to update all relevant databases and to ensure compliance with 	



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<p data-bbox="916 325 1830 392">National Highway’s Asset Data Management Manual as is in operation at the relevant time,</p> <p data-bbox="916 403 1830 619">provided that the items referred to in sub-paragraph (c) and (g) will only be required to be submitted if the relevant specified work would require any of the works of a description referred to in article 10 (street works) or article 17 (traffic regulation measures) of this Order to be carried out in relation to any highway for which National Highways is the highways authority.</p> <p data-bbox="916 630 1816 767">“the bond sum” means the sum equal to 200% of the cost of the carrying out of the specified works (to include all costs plus any commuted sum) or such other sum agreed between the undertaker and National Highways;</p> <p data-bbox="916 778 1798 882">“the cash surety” means the sum agreed between the undertaker and National Highways and being equal to the cost of the carrying out of the open cut method works;</p> <p data-bbox="916 893 1816 1031">“commuted sum” means such sum calculated as provided for in paragraph 56 of this Part of this Schedule to be used to fund the future cost of maintaining the restored highway following completion of the open cut method works;</p> <p data-bbox="916 1042 1830 1406">“condition survey” means a survey of the condition of National Highways structures and assets (including, but not limited to pavements, lighting, soft estates, signals, barriers, drainage and cabling) within the Order limits that in the reasonable opinion of National Highways may be affected by a specified work, and further to include, where the undertaker, following due diligence and assessment, identifies a specified part of the highways drainage system maintained by National Highways that National Highways reasonably considers may be materially and adversely affected by a specified work. a CCTV survey of specified drains;</p>				



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			<p>“contractor” means any contractor or sub-contractor appointed by the undertaker to carry out a specified work;</p> <p>“detailed design information” means drawings specifications and calculations as appropriate for the following—</p> <ul style="list-style-type: none"> (a) regime of California Bearing Ratio testing; (b) earthworks including supporting geotechnical assessments required by CD622 (Managing geotechnical risk) of the DMRB or any successor document and any required strengthened earthworks appraisal form certification; (c) proposed departures from DMRB standards; (d) utilities diversions; (e) topographical survey; (f) health and safety information including any asbestos survey required by GG105 (asbestos management) or any successor document; and (g) other such information that may be reasonably required by National Highways to inform the detailed design of a specified work. <p>“DMRB” means the Design Manual for Roads and Bridges or any replacement, revision or modification of it;</p> <p>“the framework contract” means the contract between National Highways and the highway operations and maintenance contractor for the maintenance and operation of parts of the trunk road which are within the Order limits or any successor or replacement contract that may be current at the relevant time;</p> <p>“the highway operations and maintenance contractor” means the contractor appointed by National Highways under the framework contract;</p>	



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			<p>“highways structure” means structures or installations within the scope of the DMRB and that are situated under, over or adjacent to a motorway or other trunk road;</p> <p>“initial deposit” means the sum calculated by National Highways (acting reasonably) payable to National Highways to cover all initial stages of work until such time as the cost of the specified work and the NH costs payable under paragraph 49 of this Part can be estimated;</p> <p>“nominated persons” means the undertaker’s representatives or the contractor’s representatives on site during the carrying out of a specified work as notified to National Highways from time to time and includes the relevant water undertaker where it is carrying out any part of a specified work on behalf of the undertaker;</p> <p>“the open cut method works” means so much of Work No. 6A that is a specified work and is undertaken using an open cut construction method;</p> <p>“programme of works” means a document setting out the sequence and timetabling of a specified work;</p> <p>“relevant water undertaker” means Anglian Water or its officers servants agents or contractors or any person or body for whom it is responsible;</p> <p>“road space booking” means road space bookings in accordance with National Highways’ Asset Management Operational Requirements (AMOR) including Network Occupancy Management System (NOMS) used to manage road space bookings and network occupancy;</p> <p>“specified work” means so much of any work authorised by this Order, including any maintenance of that work, as is in or under the trunk road; and</p> <p>“trunk road” for the purpose of these protective provisions means any highway for which National Highways is the highway authority.</p>	



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<p data-bbox="920 328 1032 359"><u>General</u></p> <p data-bbox="920 368 1816 544">46.—(1) Notwithstanding the limits of deviation permitted pursuant to article 3(2) of this Order, no works in carrying out, maintaining or diverting the authorised development may be carried out under the trunk road at a distance within 4 metres of the lowest point of the ground.</p> <p data-bbox="920 555 1816 879">(2) Notwithstanding the powers granted to the undertaker pursuant to this Order, if the carrying out of any specified work would require any works to be carried out in relation to the trunk road, excluding the works authorised in relation to the A47 specified in Schedule 3 (streets subject to street works), Schedule 5 (streets subject to temporary alteration of layout) and Schedule 7 (temporary prohibition or restriction of the use of streets or public right of ways) the undertaker must enter into an agreement with National Highways prior to the commencement of any such work.</p> <p data-bbox="920 890 1133 920"><u>Prior approvals</u></p> <p data-bbox="920 930 1581 960">47.—(1) No specified work may commence until—</p> <p data-bbox="920 970 1733 1034">(a) the programme of works has been approved by National Highways;</p> <p data-bbox="920 1043 1794 1107">(b) the following details relating to the specified work have been submitted to and approved by National Highways—</p> <p data-bbox="920 1117 1420 1149">(i) the detailed design information;</p> <p data-bbox="920 1158 1760 1222">(ii) details of any proposed road space bookings with National Highways;</p> <p data-bbox="920 1232 1809 1295">(iii) (if details have been supplied pursuant to sub-paragraph (ii)) a scheme of traffic management; and</p> <p data-bbox="920 1305 1693 1337">(iv) the identity of any contractor and nominated persons;</p> <p data-bbox="920 1347 1805 1410">(c) if the carrying out of a specified work requires the booking of any road space with National Highways and a scheme of traffic</p>				



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			<p>management and a process for stakeholder liaison has been submitted by the undertaker and approved by National Highways, such scheme to be capable of amendment by agreement between the undertaker and National Highways from time to time;</p> <p>(d) any stakeholder liaison that may be required has taken place in accordance with the process for such liaison agreed between the undertaker and National Highways under sub-paragraph (c);</p> <p>(e) any further information that National Highways may reasonably request within 14 days of the submission of the detailed design of the submission of the detailed design of a specified work has been supplied to National Highways; and</p> <p>(f) a condition survey and a reasonable regime of monitoring the structures, assets and pavements that are the subject of the condition survey has been submitted to and approved by National Highways; and</p> <p>(g) in respect of so much of Work No. 6A that is a specified work, a ground condition survey has been submitted to and approved by National Highways.</p> <p>(2) National Highways must provide the undertaker with a list, which is to be agreed between the parties acting reasonably, of all the structures, assets and pavements to be subject to both a condition survey and reasonable regime of monitoring pursuant to sub-paragraph (1)(f) and paragraph 50 of this Part of this Schedule before the first condition survey is conducted and the reasonable regime of monitoring is implemented.</p> <p>(3) National Highways must prior to the commencement of a specified work inform the undertaker of the identity of the person who will act as a point of contact on behalf of National Highways to consider the information required under sub-paragraph 47 and of the identity of the person or persons who are authorised to give consent or approval on</p>	



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			<p>behalf of National Highways for any matter requiring approval or consent in these provisions.</p> <p>(4) Any approval of National Highways required by this paragraph—</p> <p>(a) must not be unreasonably withheld or delayed;</p> <p>(b) in the case of a refusal must be accompanied by a statement of grounds for refusal;</p> <p>(c) is deemed to have been refused if it is neither given or refused within 56 days of the submission of the relevant information (if further information is requested by National Highways any such request must be submitted to the undertaker within 28 days of submission of the relevant information under this sub-paragraph (c) and the provision of such further information by the undertaker will not be deemed to constitute a new application for approval pursuant to this paragraph); and</p> <p>(d) — Wherever in this Part of this Schedule provision is made with respect to the approval or consent of National Highways, that approval or consent must be in writing and subject to such reasonable terms and may be given subject to any reasonable conditions as National Highways may require considers necessary.</p> <p>(5) Except where an approval has been provided under sub-paragraph 47, the undertaker must not exercise—</p> <p>(a) article 4 (maintenance of the authorised development);</p> <p>(b) article 10 (street works);</p> <p>(c) article 11 (power to alter layout, etc., of streets);</p> <p>(d) article 12 (construction and maintenance of new or altered means of access);</p> <p>(e) article 13 (temporary prohibition or restriction of use of streets and public right of ways);</p> <p>(f) article 15 (access to works);</p>	



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			<p>(g) article 18 (discharge of water);</p> <p>(h) article 19 (authority to survey and investigate the land);</p> <p>(i) article 20 (protective work to buildings);</p> <p>(j) article 21 (felling or lopping of trees);</p> <p>(k) article 23 (compulsory acquisition of land);</p> <p>(l) article 25 (compulsory acquisition of rights and imposition of restrictive covenants);</p> <p>(m) article 26 (acquisition of subsoil only);</p> <p>(n) article 28 (power to override easements and other rights);</p> <p>(o) article 32 (temporary use of land for carrying out the authorised development);</p> <p>(p) article 33 (temporary use of land for maintaining the authorised development)</p> <p>of this Order over any part of the trunk road without the consent of National Highways, and National Highways may in connection with any such exercise require the undertaker to provide details of any proposed road space bookings and/or submit a scheme of traffic management for National Highways' approval.</p> <p><u>Construction of the specified work</u></p> <p>48.—(1) The undertaker must, prior to commencement of a specified work, give to National Highways 28 days' notice in writing of the date on which the specified work will start unless otherwise agreed by National Highways.</p> <p>(2) If the carrying out of any part of the authorised development requires the booking of road space with National Highways, the undertaker must comply with National Highway's road space booking procedures prior to and during the carrying out of the specified work and no specified work for which a road space booking with National</p>	



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			<p>Highways is required will commence without a road space booking having first been secured from National Highways.</p> <p>(3) Any specified work must be carried out to the reasonable satisfaction of National Highways (acting reasonably) in accordance with—</p> <p>(a) the relevant detailed design information and programme of works approved pursuant to paragraph 47 above or as subsequently varied by agreement between the undertaker and National Highways;</p> <p>(b) where relevant, the DMRB, the Specification for Highway Works (contained within the Manual of Contract Documents for Highways Works) together with all other relevant standards as required by National Highways to include, inter alia, all relevant interim advice notes and any amendment to or replacement thereof for the time being in force save to the extent that any departures or exceptions from those standards apply which have been approved by National Highways; and</p> <p>(c) any reasonable conditions of National Highways notified by National Highways to the undertaker pursuant to paragraph 47(4)(d) of this Part of this Schedule.</p> <p>(4) The undertaker must ensure that, where possible, the highway is kept free from mud, soil and litter as a result of the carrying out of a specified work;</p> <p>(5) The undertaker must permit and must require the contractor to permit at all reasonable times persons authorised by National Highways (whose identity must have been previously notified to the undertaker by National Highways) to gain access to a specified work for the purposes of inspection and supervision of a specified work or method of construction of such work.</p> <p>(6) If any specified work is constructed—</p>	



Location	Request	Rationale	Summary of Change	Relevant doc version
			<p>(a) other than in accordance with the requirements of this Part of this Schedule; or</p> <p>(b) in a way that causes damage to the highway, any highway structure or asset or any other land of National Highways, National Highways may by notice in writing require the undertaker, at the undertaker's own expense, to comply with the requirements of this Part of this Schedule or put right any damage notified to the undertaker under this Part of this Schedule.</p> <p>(7) If within 56 days of the date on which a notice under sub-paragraph (6) is served on the undertaker, the undertaker has failed to take steps to comply with the notice, National Highways may carry out the steps required of the undertaker and may recover from the undertaker any expenditure reasonably incurred by National Highways in so doing, such sum to be payable within 30 days of demand. Where the steps required to be taken pursuant to any notice require the submission of any information for the prior approval of National Highways under paragraph 47 of this Part of this Schedule, the submission of that information will evidence that the undertaker has taken steps to comply with a notice served by National Highways under sub-paragraph (6).</p> <p>(8) National Highways may, at its discretion, in its notice in writing to the undertaker given pursuant to sub-paragraph (6) state that National Highways intend to put right the damage notified to the undertaker, and if it intends to do so it shall give the undertaker not less than 28 days' notice of its intention to do so and National Highways may recover from the undertaker any reasonable expenditure incurred by National Highways in doing so.</p> <p>(9) Nothing in this Part of this Schedule prevents National Highways from, in the event of an emergency or to prevent the occurrence of danger to the public, carrying out any work or taking any such action</p>	



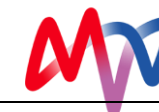
Location	Request	Rationale	Summary of Change	Relevant doc version
			<p>as it reasonably believes to be necessary as a result or in connection with of the carrying out of the specified works without prior notice to the undertaker and National Highways may recover from the undertaker any reasonable expenditure incurred by National Highways in so doing.</p> <p><u>Payments</u></p> <p>49.—(1) The undertaker must pay to National Highways a sum equal to the whole of any costs and expenses which National Highways reasonably incurs (including costs and expenses for using internal or external staff) in relation to any specified work and in relation to any approvals sought under this order including—</p> <ul style="list-style-type: none"> (a) the checking and approval of the information required under paragraph 47; (b) the supervision of a specified work; (c) contractual costs properly payable to the highway operations and maintenance contractor as a consequence of any specified work, including costs incurred by the highway operations and maintenance contractor in carrying out the tasks referred to in sub-paragraphs (a) and (b), in which case National Highways will be responsible for the payment of any sums received from the undertaker under this paragraph to the highway operations and maintenance contractor; (d) the administration fee and legal costs, reasonably and properly incurred; and (e) any value added tax which is payable by National Highways only in respect of such costs arising under this sub-paragraph 49 and for which it cannot obtain reinstatement from HM Revenue and Customs, <p>sub-paragraphs (a) to (e) together comprising “the NH costs”.</p>	



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			<p>(2) The undertaker must pay to National Highways upon demand and prior to such costs being incurred the total costs that National Highways believe will be properly and necessarily incurred by National Highways in undertaking any statutory procedure or preparing and bringing into force any traffic regulation order or orders necessary to carry out or for effectively implementing the authorised development.</p> <p>(3) National Highways must notify the undertaker of the amount required for the Initial Deposit as soon as reasonably practicable and the undertaker must pay an amount equal to that sum within 28 days of receipt of the notification.</p> <p>(4) National Highways must provide the undertaker with a fully itemised invoice showing its estimate of the NH costs including its estimate of the administration fee prior to the commencement of a specified work and the undertaker must pay to National Highways the estimate of the NH costs prior to commencing the specified work and in any event prior to National Highways incurring any cost.</p> <p>(5) If at any time after the payment referred to in sub-paragraph (3) or (4) has become payable, National Highways reasonably believes that the NH costs will exceed the relevant sum notified to the undertaker it may give notice to the undertaker of the amount that it believes the NH costs will exceed the relevant sum (excess) and the undertaker must pay to National Highways within 28 days of the date of the notice a sum equal to the excess.</p> <p>(6) National Highways must give the undertaker a final account of the NH costs referred to in sub paragraph 49, as a fully itemised invoice, within 30 days of the undertaker notifying to National Highways that a specified work has been completed.</p> <p>(7) Within 30 days of the issue of the final account—</p>	



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			<p>(a) if the final account shows a further sum as due to National Highways the undertaker must pay to National Highways the sum shown due to it; or</p> <p>(b) if the account shows that the payment or payments previously made by the undertaker have exceeded the costs incurred by National Highways, National Highways must refund the difference to the undertaker.</p> <p>(8) If any payment due under any of the provisions of this Part of this Schedule is not made on or before the date on which it falls due the party from whom it was due must at the same time as making the payment pay to the other party interest at 1% above the rate payable in respect of compensation under Section 32 of the 1961 Act for the period starting on the date upon which the payment fell due and ending with the date of payment of the sum on which interest is payable together with that interest.</p> <p><u>Completion of a specified work</u></p> <p>50.—(1) Within 56 days of the completion of a specified work, the undertaker must arrange for the ground conditions, highway structures, assets and pavements that were the subject of the condition survey carried out in respect of the specified work to be re-surveyed and must submit the re-survey to National Highways for its approval.</p> <p>(2) If the re-survey carried out pursuant to sub-paragraph 50 indicates that any damage has been caused to any highways structure or pavement, the undertaker must submit a scheme for remedial works in writing to National Highways for its approval in writing, which must not be unreasonably withheld or delayed, and must carry out the remedial works at its own cost and in accordance with the scheme submitted.</p>	



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			<p>(3) If the undertaker fails to carry out the remedial work in accordance with the approved scheme, National Highways may carry out the steps required of the undertaker and may recover from the undertaker any expenditure reasonably incurred by National Highways in so doing, such sum to be payable within 30 days of demand.</p> <p>(4) National Highways may, at its discretion, at the same time as giving its approval to the condition survey, give notice in writing to the undertaker stating that National Highways will remedy the damage identified by the condition survey and National Highways may recover from the undertaker any reasonable expenditure incurred by National Highways in so doing.</p> <p>(5) Within 10 weeks of the completion of a specified work, the undertaker must submit to National Highways the as built information for that specified work, both in hard copy and electronic form.</p> <p>(6) The undertaker must make available to National Highways upon reasonable request copies of any survey or inspection reports produced pursuant to any inspection or survey of any specified work following its completion that the undertaker may from time to time carry out.</p> <p><u>Re-survey of ground conditions after 12 months</u></p> <p>51.—(1) Within 56 days of the date 12 months after the date of completion of a specified work that forms part of Work No. 6A the undertaker must arrange for the ground conditions to be re-surveyed and must submit the re-survey to National Highways for its approval.</p> <p>(2) If the re-survey carried out pursuant to sub-paragraph 51 indicates that any damage has been caused to any highways structure or pavement as a result of the specified work the undertaker must submit a scheme for remedial works in writing to National Highways for its approval in writing, which must not be unreasonably withheld or</p>	



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			<p>delayed, and must carry out the remedial works at its own cost and in accordance with the scheme submitted.</p> <p>(3) If the undertaker fails to carry out the remedial work in accordance with the approved scheme, National Highways may carry out the steps required of the undertaker and may recover from the undertaker any expenditure reasonably incurred by National Highways in doing so, such sum to be payable within 30 days of demand.</p> <p>(4) National Highways may, at its discretion, at the same time as giving its approval to the condition survey, give notice in writing to the undertaker stating that National Highways will remedy the damage identified by the condition survey and National Highways may recover from the undertaker any reasonable expenditure incurred by National Highways in doing so.</p> <p>(5) The undertaker must make available to National Highways upon reasonable request copies of any survey or inspection reports produced pursuant to any inspection or survey of any specified work following its completion that the undertaker may from time to time carry out.</p> <p><u>Security for the open cut method works</u></p> <p>52.—(1) The undertaker must not commence any open cut method works until—</p> <p>(a) the undertaker procures that the open cut method works are secured by a bond from a bondsman first approved by National Highways, such approval not to be unreasonably withheld or delayed, to indemnify National Highways against all losses, damages, costs or expenses arising from any breach of any one or more obligations of the undertaker in respect of the exercise of the powers under this Order in respect of the open cut method works under the provisions of this Part of this Schedule provided that the maximum liability of the bond must not exceed the bond sum; and</p>	



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			<p>(b) the undertaker has provided the cash surety which may be utilised by National Highways in the event of the undertaker failing to meet its obligations to make payments under paragraph 49 relating to the open cut method works or to carry out works the need for which arises from a breach of one or more of the obligations of the undertaker under the provisions of this Part of this Schedule relating to the open cut method works.</p> <p>(2) Sub-paragraph 52 does not apply where the open cut method works are carried out by the relevant water undertaker pursuant to the 1991 Act.</p> <p><u>Commuted sums</u></p> <p>53.—(1) National Highways must provide to the undertaker an estimate of the commuted sum, calculated in accordance with FS Guidance S278 Commuted Lump Sum Calculation Method dated 18 January 2010 or any successor guidance, prior to the commencement of the open cut method works.</p> <p>(2) The undertaker must pay to National Highways the commuted sum within 56 days of the completion of the open cut method works.</p> <p>(3) Sub-paragraphs 53 and (2) do not apply where the open cut method works are carried out by the relevant water undertaker pursuant to the 1991 Act.</p> <p><u>Indemnification</u></p> <p>54.—(1) Subject to sub-paragraphs (2) and (3), the undertaker must indemnify National Highways from and against all costs, expenses, damages, losses and liabilities suffered by National Highways arising from or in connection with any claim, demand, action or proceedings resulting from damage caused by the construction, maintenance or use of the specified works.</p>	



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			<p>(2) Sub-paragraph 54 does not apply if the costs expenses liabilities and damages were caused by or arose out of the neglect or default of National Highways or its officers servants agents or contractors or any person or body for whom it is responsible.</p> <p>(3) If any person makes a claim or notifies an intention to make a claim against National Highways which may reasonably be considered likely to give rise to a liability under this paragraph then National Highways must—</p> <p>(a) as soon as reasonably practicable give the undertaker reasonable notice of any such third party claim or demand, specifying the nature of the indemnity liability in reasonable detail; and</p> <p>(b) not make any admission of liability, agreement or compromise in relation to the indemnity liability without first consulting the undertaker and considering their representations.</p> <p>(4) The undertaker acknowledges that National Highways may receive statutory compensation claims and that National Highways may not be able to comply with sub-paragraph (3) in respect of such claims.</p> <p>(5) Where National Highways considers that sub-paragraph (4) applies to any claim or demand it must give notice of that view as part of the relevant notice provided pursuant to sub-paragraph (3)(a).</p> <p>In exercising the powers conferred by this Order in relation to any highway the undertaker must have regard to the potential disruption of traffic which may be caused and must seek to minimise such disruption so far as is reasonably practicable.</p> <p>—Before commencing the construction of, or the carrying out of any work which involves interference with a highway, the undertaker must submit to National Highways for its approval plans relating thereto, and the works must not be carried out except in accordance with the plans submitted to, and approved by, National Highways.</p>	



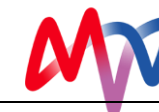
Location	Request	Rationale	Summary of Change	Relevant doc version
			<p>If within 28 days after the plans have been submitted National Highways has not approved or disapproved them, it is deemed to have approved the plans as submitted.</p> <p>Any officer of National Highways duly appointed for the purpose may at all reasonable times, on giving to the undertaker such notice as may in the circumstances be reasonable, enter upon and inspect any part of the works authorised by this Order which —</p> <p>—— is in, over or under any highway; or</p> <p>—— which may affect any highway or any property of National Highways,</p> <p>during the carrying out of the work, and the undertaker must give to such officer all reasonable facilities for such inspection and, if the officer is of the opinion that the construction of the work is attended with danger to any highway or to any property of National Highways on or under any highway, the undertaker must adopt such measures and precautions as may be reasonably practicable for the purpose of preventing any damage or injury to the highway.</p> <p>In the construction of any part of the said works under a highway no part of it shall, except with the consent of National Highways, be so constructed as to interfere with the provision of proper means of drainage of the surface of the highway.</p> <p>—46. The undertaker must not alter, disturb or in any way interfere with any property of National Highways on or under any highway, or the access thereto, without the consent of the National Highways, and any alteration, diversion, replacement or reconstruction of any such property which may be necessary may be made by National Highways or the undertaker as the National Highways thinks fit, and the expense reasonably incurred by National Highways in so doing must be repaid to National Highways by the undertaker.</p>	



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			<p>The undertaker must not under the powers conferred by or under this Order without the consent of National Highways, acquire or enter upon, take or use whether temporarily or permanently or acquire any new rights over any part of any highway, including subsoil beneath the surface of any highway.</p> <p>If within 28 days after a request for consent has been submitted National Highways has not given or refused such consent, it is deemed to have consented to the request as submitted.</p> <p>—Where any part of any highway has been broken up or disturbed by the undertaker, the undertaker must make good the subsoil, foundations and surface of that part of the highway to the reasonable satisfaction of National Highways and must maintain the same to the reasonable satisfaction of National Highways for such time as may reasonably be required for the permanent reinstatement of the highway.</p> <p>The reinstatement of that part of the highway must be carried out by the undertaker to the reasonable satisfaction of National Highways in accordance with such requirements as to specification of material and standards of workmanship as may be prescribed for equivalent reinstatement work by regulations made under section 71 of the 1991 Act.</p> <p>If any damage to any highway or any property of National Highways on or under any highway is caused by, or results from, the construction of any work authorised by this Order or any act or omission of the undertaker, its contractors, agents or employees whilst engaged upon such work, the undertaker must, in the case of damage to a highway, make good such damage to the reasonable satisfaction of National Highways and, where the undertaker does not make good, or in the case of damage to property of National Highways, the undertaker must pay reasonable compensation to National Highways for such damage.</p>	



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			<p>The fact that any act or thing may have been done in accordance with plans approved by National Highways does not (if it was not attributable to the act, neglect or default of National Highways or of any person in its employment or its contractors or agents) exonerate the undertaker from any liability, or affect any claim for damages, under this Part or otherwise.</p> <p>(6) National Highways must use its reasonable endeavours to mitigate in whole or in part and to minimise any costs, expenses, loss, demands, and penalties to which the indemnity under this paragraph 48 applies. If where it is within National Highway's reasonable gift and control to do so and which expressly excludes any obligation to mitigate liability arising from third parties which is outside of National Highway's control. If reasonably requested to do so by the undertaker, National Highways must provide an explanation of how the any claim has been mitigated or minimised or where mitigation or minimisation is not possible an explanation as to why.</p> <p>(7) The undertaker is only liable under paragraph 48 for claims reasonably incurred by agrees to pay National Highways any sum due under this paragraph within 28 days of written demand.</p> <p><u>Arbitration</u></p> <p>55.Any difference or dispute arising between the undertaker and the relevant highway authority National Highways under this part Part of this schedule Schedule (other than in difference as to the meaning or construction of this Part of this Schedule) shall be resolved must, unless otherwise agreed in writing between the undertaker and National Highways, be determined by arbitration under in accordance with article 46 (arbitration).</p>	



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Schedule 11 – Paragraph 58	Internal Drainage Board	Amendments to protective provisions made in response to comments from the King's Lynn Drainage Board (note that the protective provisions are still under negotiation)	Insert: (2) In respect of any specified work that includes the crossing of any existing culvert by Work No. 7 or 8, any plans submitted for approval under sub-paragraph (1) must locate the cables above the culvert.	Rev 2
Schedule 11 – Paragraph 60	Internal Drainage Board	Amendments to protective provisions made in response to comments from the King's Lynn Drainage Board (note that the protective provisions are still under negotiation)	Insert: (5) If the Board intends to replace a culvert that is crossed Work No. 7 or 8, and the replacement of the culvert will reasonably require the relocation of Work No. 7 or 8 either above or below the new culvert, the Board must provide the undertaker with 28 days written notice of its intention to replace the culvert and— (a) the undertaker must, within 28 days of receiving the notice, advise the Board of the timescale it requires to relocate Work No. 7 or 8 and the specifications for the relocated Work No. 7 or 8; and (b) must take all reasonable steps to relocate Work No. 7 or 8 within the timescale advised to the Board. Insert: (8) If the undertaker does not comply with the requirements set out in sub-paragraph (5)(a) within 28 days or the timescale specified under paragraph (5)(b), as applicable, the Board must not commence any works to replace the culvert within 6 metres of Work No. 7 or 8 before the matter has been determined under paragraph 65.	Rev 2



Location	Request	Rationale	Summary of Change	Relevant doc version
Schedule 11 – Paragraph 67	Anglian Water	Amendments to protective provisions made in response to updated protective provisions being received from Anglian Water and minor corrections (note that the protective provisions are still under negotiation)	<p>66.62. For the protection of Anglian Water, the following provisions shall, unless otherwise agreed in writing between the undertaker and Anglian Water, have effect.</p> <p>67.63. In this Part of this Schedule—</p> <p>“alternative apparatus” means alternative apparatus adequate to enable Anglian Water to fulfil its statutory functions in no less efficient a manner than previously;</p> <p>“Anglian Water” means Anglian Water Services Limited (company number 02366656);</p> <p>“apparatus” means any:</p> <p><u>(a)</u> works, mains, pipes or other apparatus belonging to or maintained by Anglian Water for the purposes of water supply and sewerage and;</p> <p><u>(b)</u> (a)any drain or works vested in Anglian Water under The the Water Industry Act 1991;;</p> <p><u>(c)</u> (b)any sewer which is so vested or is the subject of a notice of intention to adopt given under section 102-(4) of The the Water Industry Act 1991 or an agreement to adopt made under section 104 of that Act;;</p> <p><u>(d)</u> any drainage system constructed for the purpose of reducing the volume of surface water entering any public sewer belonging to Anglian water; and</p> <p><u>(e)</u> includes a sludge main, disposal main or sewer outfall and any manholes, ventilating shafts, pumps or other accessories forming part of any sewer, drain, or works (within the meaning of section</p>	Rev 2



Location	Request	Rationale	Summary of Change	Relevant doc version
			<p>219 of that Act) and any structure in which apparatus is or is to be lodged or which gives or will give access to apparatus;</p> <p>and in this definition, expressions and words used in this definition and defined in section 219 (general interpretation) of the Water Industry Act 1991 have the same meaning as in that Act;</p> <p>“functions” includes powers and duties;</p> <p>“in” in a context referring to apparatus or alternative apparatus in land includes a reference to apparatus or alternative apparatus under, over or upon land; and</p> <p>“plan” includes sectionsall designs, drawings, specifications and method statements, method statements, soil reports, programmes, calculations, risk assessments and other documents that are reasonably necessary properly and sufficiently to describe the works to be executed.</p>	
			<p><u>On street apparatus</u></p>	
			<p>68. This Part of this Schedule does not apply to apparatus in respect of which the relations between the undertaker and Anglian Water are regulated by the provisions of Part 3 of the 1991 Act.</p>	
			<p><u>Apparatus in stopped up streets</u></p>	
			<p>69.—(1) Where any street is stopped up under article 11 (power to alter layout, etc., of streets), where Anglian Water has apparatus in the street or accessed by virtue of the street, it has the same powers and rights in respect of that apparatus as it enjoyed immediately before the stopping up and the undertaker must grant to Anglian Water legal easements</p>	



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			<p>reasonably satisfactory to Anglian Water in respect of such apparatus and access to it, but nothing in this paragraph affects any right of the undertaker or of Anglian Water to require the removal of that apparatus under paragraph 72 or the power of the undertaker to carry out works under paragraph 74.</p> <p>(2) Regardless of the temporary stopping up or diversion of any highway under the powers conferred by article 13 (temporary prohibition or restriction of use of streets and public rights of way), Anglian Water is at liberty at all times to take all necessary access across any such stopped up highway and to execute and do all such works and things in, upon or under any such highway as may be reasonably necessary or desirable to enable it to maintain any apparatus which at the time of the stopping up or diversion was in that highway.</p> <p><u>Protective works to buildings</u></p> <p>70. The undertaker, in the case of the powers conferred by article 20 (protective work to buildings), must not exercise those powers so as to obstruct or render less convenient the access to any apparatus without the written consent of Anglian Water (such consent not to be unreasonably withheld or delayed).</p> <p><u>Acquisition of land</u></p> <p>71. Regardless of any provision in this Order or anything shown on the land plans, the undertaker must not acquire any apparatus otherwise than by agreement.</p>	



Removal of apparatus

72.—(1) If, in the exercise of the powers conferred by this Order, the undertaker acquires any interest in any land in which any apparatus is placed or requires that Anglian Water's apparatus is relocated or diverted, that apparatus must not be removed under this Part of this Schedule, and any right of Anglian Water to maintain that apparatus in that land must not be extinguished, until

- (a) alternative apparatus has been constructed and is in operation to the reasonable satisfaction of Anglian Water in accordance with sub-paragraphs (2) to 0; and
- (b) facilities and rights have been secured for that alternative apparatus in accordance with paragraph 73.

(2) If, for the purpose of executing any works in, on or under any land purchased, held, appropriated or used under this Order, the undertaker requires the removal of any apparatus placed in that land, the undertaker must give to Anglian Water 28 days' written notice of that requirement, together with a plan of the work proposed, and of the proposed position of the alternative apparatus to be provided or constructed and in that case (or if in consequence of the exercise of any of the powers conferred by this Order an undertaker reasonably needs to remove any of its apparatus) the undertaker must, subject to sub-paragraph 0, afford to Anglian Water the necessary facilities and rights for the construction of alternative apparatus in other land of the undertaker and subsequently for the maintenance of that apparatus.

(3) If alternative apparatus or any part of such apparatus is to be constructed elsewhere than in other land of the undertaker, or the



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			<p>undertaker is unable to afford such facilities and rights as are mentioned in sub-paragraph (2) in the land in which the alternative apparatus or part of such apparatus is to be constructed Anglian Water must, on receipt of a written notice to that effect from the undertaker, as soon as reasonably possible use its best endeavours to obtain the necessary facilities and rights in the land in which the alternative apparatus is to be constructed.</p> <p>(4) Any alternative apparatus to be constructed in land of the undertaker under this Part of this Schedule must be constructed in such manner and in such line or situation as may be agreed between Anglian Water and the undertaker or in default of agreement settled by arbitration in accordance with article 46 (arbitration).</p> <p>(5) Anglian Water must, after the alternative apparatus to be provided or constructed has been agreed or settled by arbitration in accordance with article 46, and after the grant to Anglian Water of any such facilities and rights as are referred to in sub-paragraphs (2) or 0, proceed without unnecessary delay to construct and bring into operation the alternative apparatus and subsequently to remove any apparatus required by the undertaker to be removed under the provisions of this Part of this Schedule.</p> <p>(6) Regardless of anything in sub-paragraph 0, if Anglian Water gives notice in writing to the undertaker that it desires the undertaker to execute any work, or part of any work in connection with the construction or removal of apparatus in any land of the undertaker or to the extent that Anglian Water fails to proceed with that work in accordance with sub-paragraph 0 or the undertaker and Anglian Water otherwise agree, that work, instead of being executed by Anglian Water, must be executed by the undertaker without unnecessary delay under the superintendence, if given, and to the reasonable satisfaction of Anglian Water.</p>	



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			<p>(7) If Anglian Water fails either reasonably to approve, or to provide reasons for its failure to approve along with an indication of what would be required to make acceptable, any proposed details relating to required removal works under sub-paragraph (2) within 28 days of receiving a notice of the required works from the undertaker, then such details are deemed to have been approved. For the avoidance of doubt, any such “deemed consent” does not extend to the actual undertaking of the removal works, which shall remain the sole responsibility of Anglian Water or its contractors.</p> <p>(8) Whenever alternative apparatus is to be or is being substituted for existing apparatus, the undertaker shall, before taking or requiring any further step in such substitution works, use best endeavours to comply with Anglian Water’s reasonable requests for a reasonable period of time to enable Anglian Water to:</p> <ul style="list-style-type: none"> (a) make network contingency arrangements; or (b) bring such matters as it may consider reasonably necessary to the attention of end users of the utility in question. <p><u>Facilities and rights for alternative apparatus</u></p> <p>73.—(1) Where, in accordance with the provisions of this Part of this Schedule, the undertaker affords to a utility undertaker facilities and rights for the construction and maintenance in land of the undertaker of alternative apparatus in substitution for apparatus to be removed, those facilities and rights are to be granted upon such terms and conditions as may be agreed between the undertaker and Anglian Water or in default of agreement settled by arbitration in accordance with article 46 (arbitration).</p>	



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			<p><u>(2)</u> If the facilities and rights to be afforded by the undertaker in respect of any alternative apparatus, and the terms and conditions subject to which those facilities and rights are to be granted, are in the opinion of the arbitrator less favourable on the whole to Anglian Water than the facilities and rights enjoyed by it in respect of the apparatus to be removed and the terms and conditions to which those facilities and rights are subject, the arbitrator must make such provision for the payment of compensation by the undertaker to Anglian Water as appears to the arbitrator to be reasonable having regard to all the circumstances of the particular case.</p> <p><u>(3)</u> Such facilities and rights as are set out in this paragraph are deemed to include any statutory permits granted to the undertaker in respect of the apparatus in question, whether under the Environmental Permitting Regulations 2010 or other legislation.</p>	
			<p><u>Retained apparatus</u></p>	
			<p>74.—(1) Not less than 28 days before starting the execution of any works in, on or under any land purchased, held, appropriated or used under this Order that are near to, or will or may affect, any apparatus (or any means of access to it) the removal of which has not been required by the undertaker under paragraph (2), the undertaker must submit to Anglian Water a plan of the works to be executed.</p>	



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			<p>The undertaker shall not interfere with, build over or near to any apparatus within the Order Land or execute the placing, installation, bedding, packing, removal, connection or disconnection of any apparatus, or carry out any filling around the apparatus (where the apparatus is laid in a trench) within the standard protection strips which are the strips of land falling within the following distances to either side of 64. the medial line of any relevant apparatus;</p> <ul style="list-style-type: none"> (a) 2.25 metres where the diameter of the pipe is less than 150 millimetres; (b) 3 metres where the diameter of the pipe is between 150 and 450 millimetres; (c) 4.5 metres where the diameter of the pipe is between 450 and 750 millimetres; and (d) 6 metres where the diameter of the pipe exceeds 750 millimetres; <p>unless otherwise agreed in writing with Anglian Water, such agreement not to be unreasonably withheld or delayed, and such provision being brought to the attention of any agent or contractor responsible for carrying out any work on behalf of the undertaker in writing.</p> <p>65. The alteration, extension, removal or re location of any apparatus shall not be implemented until—</p> <p>any requirement for any permits under the Environmental Permitting (England and Wales) Regulations 2016 or other legislation and any other associated consents are obtained by the undertaker, and any approval or agreement required from Anglian Water on alternative outfall locations as (a) — a result of such re location are approved, such approvals from Anglian Water not to be unreasonably withheld or delayed; and</p>	



Location	Request	Rationale	Summary of Change	Relevant doc version
			<p>(2) (b) the undertaker has made the appropriate application required under the Water Industry Act 1991 together with a plan and section of the works proposed and Anglian Water has agreed all of the contractual documentation required under the Water Industry Act 1991, such agreement not to be unreasonably withheld or delayed; and such works to be carried out only in accordance with the plan, section and description submitted Those works must be executed only in accordance with the plan submitted under sub-paragraph (1) and in accordance with such reasonable requirements as may be made in accordance with sub-paragraph 0 by Anglian Water for the alteration or otherwise for the protection of the apparatus, or for securing access to it. In the situation, where in exercise of the powers conferred by the, and Anglian Water is entitled to watch and inspect the execution of those works.</p> <p>(3) Any requirements made by Anglian Water under sub-paragraph (2) must be made within a period of 21 days beginning with the date on which a plan under sub-paragraph (1) is submitted to it.</p> <p>(4) If Anglian Water in accordance with sub-paragraph 0 and in consequence of the works proposed by the undertaker, reasonably requires the removal of any apparatus and gives written notice to the undertaker of that requirement, paragraphs 72 to 73 and 75 to 77 apply as if the removal of the apparatus had been required by the undertaker under paragraph (2).</p> <p>(5) Nothing in this paragraph precludes the undertaker from submitting at any time or from time to time, but in no case less than 28 days before commencing the execution of any works, a new plan instead of the plan</p>	



Location	Request	Rationale	Summary of Change	Relevant doc version
			<p>previously submitted, and having done so the provisions of this paragraph apply to and in respect of the new plan.</p> <p>(6) The undertaker is not required to comply with sub-paragraph (1) in a case of emergency but in that case must give to Anglian Water notice as soon as is reasonably practicable and a plan of those works as soon as reasonably practicable subsequently and must comply with sub-paragraph (2) in so far as is reasonably practicable in the circumstances, using its reasonable endeavours to keep the impact of those emergency works on Anglian Water's apparatus, on the operation of its water and sewerage network and on end-users of the services Anglian Water provides to a minimum.</p> <p>(7) For the purposes of sub-paragraph (1) and without prejudice to the generality of the principles set out in that sub-paragraph, works are deemed to be in land near Anglian Water's</p> <p>Order, the undertaker acquires any interest in any land in which apparatus is placed and such apparatus is to be relocated, extended, removed or altered in any way, an alteration or extension must not take place until Anglian Water has established to its reasonable satisfaction, contingency arrangements 66. — in order to conduct its functions for the duration of the works to relocate, extend, remove or alter the apparatus. 67. Regardless of any provision in this Order or anything shown on any plan, the undertaker must not acquire any apparatus otherwise than by agreement with Anglian Water, and before extinguishing any existing rights for Anglian Water to use, keep, inspect, renew and maintain its apparatus in the Order land, the undertaker shall, with the agreement of Anglian Water, create a new right to use, keep, inspect, renew and maintain the apparatus that is reasonably convenient</p>	



Location	Request	Rationale	Summary of Change	Relevant doc version
			<p>for Anglian Water such agreement not to be unreasonably withheld or delayed, and to be subject to arbitration under article 45 (arbitration).</p> <p>-68.— If in consequence of the exercise of the powers conferred by the Order the access to any apparatus is materially obstructed the undertaker shall provide such alternative means of access to such apparatus as will enable Anglian Water to maintain or use the apparatus no less effectively than was possible before such obstruction.</p> <p>-69.— If in consequence of the exercise of the powers conferred by the Order, previously unmapped sewers, lateral drains or other apparatus belonging to Anglian Water are identified by the undertaker, notification of the location of such assets will immediately be given to Anglian Water and afforded the same protection as other Anglian Water apparatus. apparatus (where it is a pipe) if those works fall within the following distances measured from the medial line of such apparatus:</p> <ul style="list-style-type: none"> <u>(a)</u> 4 metres where the diameter of the pipe is less than 250 millimetres; <u>(b)</u> 5 metres where the diameter of the pipe is between 250 and 400 millimetres, and <u>(c)</u> a distance to be agreed on a case by case basis and before the submission of the Plan under sub-paragraph (1) is submitted where the diameter of the pipe exceeds 400 millimetres. 	

Expenses and costs

75.—(1) Subject to the following provisions of this paragraph, the undertaker must repay to Anglian Water all expenses reasonably incurred by Anglian Water in, or in connection with, the inspection, removal, alteration or protection of any apparatus or the construction of



Location	Request	Rationale	Summary of Change	Relevant doc version
			<p>any new apparatus which may be required in consequence of the execution of any such works as are referred to in this Part of this Schedule.</p> <p><u>(2)</u> There must be deducted from any sum payable under subparagraph (1) the value of any apparatus removed under the provisions of this Part of this Schedule and which is not re-used as part of the alternative apparatus that value being calculated after removal.</p> <p><u>(3)</u> If in accordance with the provisions of this Part of this Schedule—</p> <p><u>(a)</u> apparatus of better type, of greater capacity or of greater dimensions is placed in substitution for existing apparatus of worse type, of smaller capacity or of smaller dimensions; or</p> <p><u>(b)</u> apparatus (whether existing apparatus or apparatus substituted for existing apparatus) is placed at a depth greater than the depth at which the existing apparatus was situated ,</p> <p>and the placing of apparatus of that type or capacity or of those dimensions or the placing of apparatus at that depth, as the case may be, is not agreed by the undertaker or, in default of agreement, is not determined by arbitration in accordance with article xx54 (arbitration) to be necessary, then, if such placing involves cost in the construction of works under this Part of this Schedule exceeding that which would have been involved if the apparatus placed had been of the existing type, capacity or dimensions, or at the existing depth, as the case may be, the amount which apart from this sub-paragraph would be payable to Anglian Water by virtue of subparagraph (1) must be reduced by the amount of that excess.</p> <p><u>(4)</u> For the purposes of sub-paragraph 0—</p>	



Location	Request	Rationale	Summary of Change	Relevant doc version
			<p>(c) an extension of apparatus to a length greater than the length of existing apparatus is not to be treated as a placing of apparatus of greater dimensions than those of the existing apparatus; and</p> <p>(d) where the provision of a joint in a pipe or cable is agreed, or is determined to be necessary, the consequential provision of a jointing chamber or of a manhole is to be treated as if it also had been agreed or had been so determined.</p> <p>76.70. If for any—(1) Subject to sub-paragraphs (2) and 0, if by reason or in consequence of the construction of any of the such works referred to in paragraphs 65 to 67 and 69 above 70 or 72(2), or by reason of any subsidence resulting from such development or works, any damage is caused to any apparatus or alternative apparatus (other than apparatus the repair of which is not reasonably necessary in view of its intended removal for the purposes of those works) or property of Anglian Water, or there is any interruption in any service provided, or in the supply of any goods, by Anglian Water, the undertaker shall, must—</p> <p>(a) bear and pay the cost reasonably incurred by Anglian Water in making good any such damage or restoring the supply; and</p> <p>(b) make reasonable compensation to Anglian Water for any other expenses, loss, damages, penalty or costs incurred by Anglian Water, ; by reason or in consequence of any such damage or interruption.</p> <p>(2) The fact that any act or thing may have been done by Anglian Water on behalf of the undertaker or in accordance with a plan approved by Anglian Water or in accordance with any requirement of Anglian Water or under its supervision does not, subject to sub-paragraph 0, excuse the undertaker from liability under the provisions of sub-paragraph (1) unless Anglian Water fails to carry out and execute the</p>	



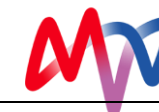
Location	Request	Rationale	Summary of Change	Relevant doc version
			<p>works properly with due care and attention and in a skilful and professional like manner or in a manner that does not accord with the approved plan.</p> <p>(3) Nothing in sub-paragraph (1) imposes any liability on the undertaker with respect to any damage or interruption to the extent that it is attributable to the unlawful or unreasonable act, neglect or default of Anglian Water, its officers, servants, contractors or agents.</p> <p>(4) Anglian Water must give the undertaker reasonable notice of any such claim or demand and no settlement or compromise is to be made, without the consent of the undertaker (such consent not to be unreasonably withheld or delayed) who, if withholding such consent, has the sole conduct of any settlement or compromise or of any proceedings necessary to resist the claim or demand.</p> <p><u>Cooperation</u></p> <p>77. Where in consequence of the proposed construction of any of the authorised development, the undertaker or Anglian Water requires the removal of apparatus under paragraph 72(2) or Anglian Water makes requirements for the protection or alteration of apparatus under paragraph 74 , the undertaker must use all reasonable endeavours to co-ordinate the execution of the works in the interests of safety and the efficient and economic execution of the authorised development and taking into account the need to ensure the safe and efficient operation of Anglian Water’s undertaking, using existing processes where requested by Anglian Water, provided it is appropriate to do so, and Anglian Water must use all reasonable endeavours to co-operate with the undertaker for that purpose.</p>	



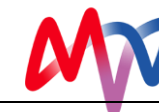
Location	Request	Rationale	Summary of Change	Relevant doc version
			<p>78. Where the undertaker identifies any apparatus which may belong to or be maintainable by Anglian Water but which does not appear on any statutory map kept for the purpose by Anglian Water, it shall inform Anglian Water of the existence and location of the apparatus as soon as reasonably practicable.</p> <p>79. Nothing in this Part of this Schedule affects the provisions of any enactment or agreement regulating the relations between the undertaker and Anglian Water in respect of any apparatus laid or erected in land belonging to the undertaker on the date on which this Order is made.</p> <p>80. The undertaker and Anglian Water may by written agreement substitute any period of time for those periods set out in this Part of this Schedule.</p> <p>71.— To the extent (but not greater) that Anglian Water has not used its reasonable endeavours to mitigate and minimise in whole or in part any costs, expenses, loss, demands, and penalties to which the provisions of this Part apply, that amount of such costs, expenses, loss, demands and penalties shall not be recoverable from the undertaker. If requested to do so by the undertaker, Anglian Water shall provide an explanation of how any claim has been minimised. The undertaker shall only be liable under paragraph 70 for claims reasonably incurred by Anglian Water.</p>	
Schedule 12 – Paragraph 1	Applicant	Correction	<p><u>Interpretation of Schedule 12</u> 1. In this Schedule—</p>	Rev 2
Schedule 12 – Paragraph 2	Relevant Planning Authorities	Correction	<p>2.—(1) Where an application has been made to the relevant authority for any consent, agreement or approval required by a requirement (including consent, agreement or approval in respect of part of a</p>	Rev 2



Location	Request	Rationale	Summary of Change	Relevant doc version																								
			<p>requirement) the relevant authority must give notice to the undertaker of their decision on the application within a period of nine (9) weeks beginning with—</p> <p>(a) the day immediately following that on which the application is received by the authority;</p> <p>(b) the day immediately following that on which further information has been supplied by the undertaker under sub-paragraph (2); or</p> <p>(c) such longer period as may be agreed in writing by the undertaker and the relevant authority whichever is the latest.</p>																									
Schedule 13 – Documents and plans to be certified – Table 10	Applicant	Consequential amendments as a result of new definitions in Article 2 and Deadline 1 submissions. The carbon capture and export readiness reserve space plan will be submitted at Deadline 2.	<table border="1"> <thead> <tr> <th data-bbox="920 767 1200 959">(1) <i>Document name</i></th> <th data-bbox="1200 767 1451 959">(2) <i>Document reference</i></th> <th data-bbox="1451 767 1547 959">(3) <i>Revision number</i></th> <th data-bbox="1547 767 1816 959">(4) <i>Date</i></th> </tr> </thead> <tbody> <tr> <td data-bbox="920 959 1200 1038">access and public rights of way plans</td> <td data-bbox="1200 959 1451 1038">2.4</td> <td data-bbox="1451 959 1547 1038">12</td> <td data-bbox="1547 959 1816 1038">June 2022 March 2023</td> </tr> <tr> <td data-bbox="920 1038 1200 1118">book of reference</td> <td data-bbox="1200 1038 1451 1118">4.1</td> <td data-bbox="1451 1038 1547 1118">13</td> <td data-bbox="1547 1038 1816 1118">June 2022 March 2023</td> </tr> <tr> <td data-bbox="920 1118 1200 1230">carbon capture and export readiness reserve space plan</td> <td data-bbox="1200 1118 1451 1230"></td> <td data-bbox="1451 1118 1547 1230"></td> <td data-bbox="1547 1118 1816 1230"></td> </tr> <tr> <td data-bbox="920 1230 1200 1310">combined heat and power statement</td> <td data-bbox="1200 1230 1451 1310">7.6</td> <td data-bbox="1451 1230 1547 1310">1</td> <td data-bbox="1547 1230 1816 1310">June 2022</td> </tr> <tr> <td data-bbox="920 1310 1200 1390">design and access statement</td> <td data-bbox="1200 1310 1451 1390">7.5</td> <td data-bbox="1451 1310 1547 1390">1</td> <td data-bbox="1547 1310 1816 1390">June 2022</td> </tr> </tbody> </table>	(1) <i>Document name</i>	(2) <i>Document reference</i>	(3) <i>Revision number</i>	(4) <i>Date</i>	access and public rights of way plans	2.4	1 2	June 2022 March 2023	book of reference	4.1	1 3	June 2022 March 2023	carbon capture and export readiness reserve space plan				combined heat and power statement	7.6	1	June 2022	design and access statement	7.5	1	June 2022	Rev 2
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Location	Request	Rationale	Summary of Change		Relevant doc version
	environmental statement	6.1, 6.2	1	June 2022	
	environmental statement figures	6.3	+2	June 2022 March 2023	
	environmental statement appendices	6.4	+2	June 2022 March 2023	
	flood risk assessment	6.4 (ES Appendix 12A)	1	June 2022	
	land plans	2.2	+2	June 2022 March 2023	
	outline construction environmental management plan	7.12	+2	June 2022 March 2023	
	outline construction traffic management plan	6.4 (ES Appendix 6A)	+2	June 2022 March 2023	
	outline drainage strategy	6.4 (ES Appendix 12F)	+2	June 2022 March 2023	
	outline employment and skills strategy	7.8	1	June 2022	
	outline fire prevention plan	7.10	1	June 2022	
	outline flood emergency management plan	7.9	+2	June 2022 March 2023	



Location	Request	Rationale	Summary of Change	Relevant doc version
	outline landscape and ecology strategy	6.3 (ES Figure 3.14)	1	June 2022
	outline landscape and ecology management plan	7.7	1	June 2022
	outline lighting strategy	6.4 (ES Appendix 3B)	1	June 2022
	Outline local air quality monitoring strategy	9.21	1	March 2023
	outline odour management plan	7.11	+2	June 2022 March 2023
	operational noise management plan	6.4 (ES Appendix 7D)	+2	June 2022 March 2023
	outline operational traffic management plan	7.15	+2	June 2022 March 2023
	outline operational travel plan	6.4 (ES Appendix 6C)	1	June 2022
	works plans	2.3	1	June 2022
Schedule 15 – Paragraph 1	Applicant	Correction	1.—(1) The primary objective of these Arbitration Rules is to achieve a fair, impartial, final and binding award on the substantive difference between the parties (save as to costs) within 4 months from the date the arbitrator is appointed pursuant to article 46 45 of the Order.	Rev 2
Deadline 3 (25 April 2023)				



Location	Request	Rationale	Summary of Change	Relevant doc version
Article 2 Interpretation	– Applicant	Removed at the request of the Environment Agency	“flood risk activity” has the same meaning as in the Environmental Permitting (England and Wales) Regulations 2016(a);	Rev 3
Article 2 Interpretation	– Applicant	New definition required as a consequence of amendments to Requirement 6 to demonstrate the Applicant’s commitment to biodiversity net gain for the authorised development	“outline biodiversity net gain strategy” means the document of that name identified in in Table 10 of Schedule 13 and which is certified by the Secretary of State as the outline biodiversity net gain strategy for the purposes of this Order;	Rev 3
Article 2 Interpretation	– Applicant	New definition required as a consequence of amendments to Requirement 28 in relation to the decommissioning of the authorised development	“outline decommissioning plan” means the document of that name identified in Table 10 of Schedule 13 and which is certified by the Secretary of State as the outline decommissioning plan for the purposes of this Order;	Rev 3
Article 6 Disapplication of	– Environment Agency	Removed at the request of the	6.—(1) The following provisions do not apply in relation to the construction of any work or the carrying out of any operation required	Rev 3



Location	Request	Rationale	Summary of Change	Relevant doc version
legislative provisions		Environment Agency	<p>for the purposes of, or in connection with, the construction, operation or maintenance of any part of the authorised development—</p> <p>(a) section 24 (restriction on abstraction) of the Water Resources Act 1991(a);</p> <p>(b) the provisions of any byelaws made under, or having effect as if made under, paragraphs 5, 6 or 6A of Schedule 25 to the Water Resources Act 1991;</p> <p>(c) section 23 of the Land Drainage Act 1991 (prohibition of obstructions etc. in watercourses);</p> <p>(d) the provisions of any byelaws made under section 66 of the Land Drainage Act 1991 (powers to make byelaws); and</p> <p>(e) the provisions of the Neighbourhood Planning Act 2017(b) insofar as they relate to temporary possession of land under articles 31 (temporary use of land for carrying out the authorised development) and 32 (temporary use of land for maintaining the authorised development) of this Order.</p> <p>(2) Regulation 12 (requirement for environmental permit) of the Environmental Permitting (England and Wales) Regulations 2016 does not apply in respect of any flood risk activity carried out under the powers conferred by this order.</p>	
Article 9(2)	ExA	Correction	<p>(2) The provisions are—</p> <p>(a) article 23 (compulsory acquisition of land);</p> <p>(b) article 25 (compulsory acquisition of rights and imposition of restrictive covenants);</p> <p>(c) article 26 (acquisition of subsoil only);</p> <p>(d) article 27 (private rights);</p> <p>(e) article 28 (power to override easements and other rights);</p> <p>(e)(f) article 31 (rights under or over streets);</p>	Rev 3



Location	Request	Rationale	Summary of Change	Relevant doc version
			<p>(f)(g) article 32 (temporary use of land for carrying out the authorised development);</p> <p>(g)(h) article 33 (temporary use of land for maintaining the authorised development); and</p> <p>(h)(i) article 34 (statutory undertakers).</p>	
Article 17 – Applicant Traffic regulation measures	– Applicant	Clarification is as a result of discussions between the Applicant and CCC relating to the proposal to reduce the speed limit on New Bridge Lane.	<p>17.—(1) Subject to the provisions of this article and the consent of the traffic authority in whose area the road concerned is situated, the undertaker may, in so far as may be expedient or necessary for the purposes of or in connection, or in consequence of, with the construction, maintenance and operation of the authorised development—</p> <p>(a) permit, prohibit or restrict the stopping, parking, waiting, loading or unloading of vehicles on any road;</p> <p>(b) make provision as to the direction or priority of vehicular traffic on any road;</p> <p>(c) permit, prohibit or restrict the use of any road;</p> <p>(d) permit, prohibit or restrict vehicular access to any road; and</p> <p>(e) revoke, amend or suspend in whole or in part any order made, or having effect as if made under the 1984 Act; and</p> <p>(f) determine that no person is to drive any motor vehicle at a speed exceeding 30 miles per hour along the length of road known as New Bridge Lane and shown coloured blue on the access and public rights of way plans,</p> <p>either at all times or at times, on days or during such periods as may be specified by the undertaker.</p> <p>(2) The undertaker must not exercise the powers under paragraph (1) of this article unless it has—</p> <p>(a) given not less than four weeks’ notice in writing of its intention so to do to the traffic authority in whose area the road is situated; and</p>	Rev 3



Location	Request	Rationale	Summary of Change	Relevant doc version
			<p>(b) advertised its intention in such manner as the traffic authority may specify in writing within seven days of its receipt of notice of the undertaker’s intention in the case of sub-paragraph (a).</p> <p>(3) Any prohibition, restriction or other provision made by the undertaker under article 13 (temporary prohibition or restriction of use of streets and public rights of way) or paragraph (1) of this article has effect as if duly made by, as the case may be—</p> <p>(a) the traffic authority in whose area the road is situated as a traffic regulation order under the 1984 Act; or</p> <p>(b) the local authority in whose area the road is situated as an order under section 32 (power of local authorities to provide parking places) of the 1984 Act,</p> <p>and the instrument by which it is effected is deemed to be a traffic order for the purposes of Schedule 7 to the Traffic Management Act 2004 (road traffic contraventions subject to civil enforcement)().</p> <p>(4) No speed limit imposed by or under this Order applies to vehicles falling within regulation 3(4) of the Road Traffic Exemptions (Special Forces) (Variation and Amendment) Regulations 2011 when used in accordance with regulation 3(5) of those regulations.</p> <p>(4)(5) In this article—</p> <p>(a) subject to sub-paragraph (b) expressions used in this article and in the 1984 Act have the same meaning; and</p> <p>(b) a “road” means a road that is a public highway maintained by and at the expense of the traffic authority.</p>	
Signature block	Applicant	Updated to reflect the change of Government department name	Secretary of State for Business, Energy and Industrial Strategy Energy Security and Net Zero Address	Rev 3 Title



Location	Request	Rationale	Summary of Change	Relevant doc version
			Date Department for Business, Energy and Industrial Strategy Energy Security and Net Zero	
Schedule 1 – Authorised Development	Applicant	Clarification	In the County of Cambridgeshire Work No. 10 – comprising associated development, being an acoustic fence.	Rev 3
Schedule 2 – Requirements – Paragraph 3	CCC	Amended to ensure the minimum chimney height is secured as an Air Quality mitigation measure	3. The elements of the authorised development listed in column (1) of the table Table 11 in Schedule 14 (design parameters) must not exceed the maximum and minimum dimensions and levels set out in relation to that element in columns (3) to (5 6) of that table.	Rev 3
Schedule 3 – Requirements Paragraph 6	Applicant	Amendment to reflect the submission of an outline biodiversity net gain strategy in response to comments made by the host authorities and other stakeholders	6.—(1) No part of the authorised development may commence until a biodiversity net gain strategy has been submitted to and approved by the relevant planning authority, in consultation with the relevant statutory nature conservation body. (2) The biodiversity net gain strategy must be substantially in accordance with the outline biodiversity net gain strategy. (3) The biodiversity net gain strategy must be implemented as approved under sub-paragraph (1).	Rev 3
Schedule 2 – Requirements – Paragraph 7	Cambridge shire	Clarification requested during ISH2	Highway works access 7.—(1) Construction of any new permanent or temporary means of access to a highway, or alteration of an existing means of access to a	Rev 3



Location	Request	Rationale	Summary of Change	Relevant doc version
	County Council		<p>highway, or other works to alter the layout of a highway, must not commence until an access a plan for that access or other work has been submitted to and approved by the relevant highway authority.</p> <p>(2) No part of Work No. 4A or 4B may commence until written details of the access improvements for that Work No. have been submitted to and approved by the relevant planning highway authority.</p> <p>(3) No part of Work No. 4B may commence until written details for that Work No. have been submitted to and approved by the relevant planning authority in consultation with the relevant highway authority.</p> <p>(3)(4) Any new permanent or temporary means of access to a highway, or alteration of an existing means of access to a highway, or other works to alter the layout of a highway The highway accesses must be constructed or altered in accordance with the approved details approved pursuant to sub-paragraph (1).</p> <p>(5) Work No. 4A must be constructed in accordance with the details approved pursuant to sub-paragraph (2).</p> <p>(6) Work No. 4B must be constructed in accordance with the details approved pursuant to sub-paragraph (3).</p>	
Schedule 2 – Requirements – Paragraph 8 - Drainage Strategy	Environment Agency	Added requirement that the EA be consulted by the relevant planning authority in respect of management plans that fall within	8.—(1) No part of Work No. 1, 1A, 1B, 2A, 2B, 4A, 4B, 6A, 6B and 9 may commence until written details of the drainage strategy for that Work No. has been submitted to and approved by the relevant planning authority in consultation with Anglian Water in respect of any discharge to a public sewer.	



Location	Request	Rationale	Summary of Change	Relevant doc version
		the scope of the EA's remit	<p>(2) The written details submitted for approval must be substantially in accordance with the outline drainage strategy.</p> <p>(3) The relevant planning authority must consult with Anglian Water in respect of any discharge to a public sewer before approving any drainage strategy submitted under sub-paragraph (1).</p> <p>(4) The relevant planning authority must consult with the Environment Agency before approving any drainage strategy submitted under sub-paragraph (1).</p> <p>(3)(5) The drainage strategy must be implemented as approved under sub-paragraph (1).</p>	
Schedule 2 – Requirements – Paragraph 9 – Contamination and Groundwater	Environment Agency	Added requirement that the EA be consulted by the relevant planning authority in respect of management plans that fall within the scope of the EA's remit	<p>9.—(1) No part of the authorised development may commence until a scheme (which may be included in the construction environmental management plan to be submitted under requirement 10) to deal with the contamination of any land (including groundwater) for that part, which is likely to cause significant harm to persons or significant pollution of controlled waters or the environment has been submitted to and approved in writing by the relevant planning authority.</p> <p>(2) The scheme must include an investigation and assessment report, prepared by a specialist consultant, to identify the extent of any contamination and any remedial measures to be taken to render the land fit for its intended purpose, together with a management plan which sets out long-term measures with respect to any contaminants remaining on the site.</p>	Rev 3



Location	Request	Rationale	Summary of Change	Relevant doc version
			<p>(3) The relevant planning authority must consult with the Environment Agency before approving a scheme under sub-paragraph (1).</p> <p>(4) Any remedial measures must be carried out in accordance with the approved scheme.</p>	
Schedule 2 – Requirements – Paragraph 10 – Construction Environmental Management Plan	Environment Agency	Added requirement that the EA be consulted by the relevant planning authority in respect of management plans that fall within the scope of the EA’s remit	<p>10.—(1) No part of the authorised development may commence until a construction environmental management plan for that part has been submitted to and approved by the relevant planning authority.</p> <p>(2) The construction environmental management plan submitted for approval must be substantially in accordance with the outline construction environmental management plan.</p> <p>(3) The relevant planning authority must consult with the Environment Agency before approving the construction environmental management plan.</p> <p>(2)(4) All construction works associated with the authorised development must be undertaken in accordance with the approved construction environmental management plan unless otherwise agreed with the relevant planning authority.</p>	Rev 3
Schedule 2 – Requirements – Paragraph 13 – Flood emergency management plan	Environment Agency	Added requirement that the EA be consulted by the relevant planning authority in respect of management plans that fall within	<p>13.—(1) Prior to the date of final commissioning, a flood emergency management plan for Work Nos. 1, 1A, 1B, 2A, 2B and 9 must be submitted to the relevant planning authority for approval.</p> <p>(2) The flood emergency management plan for Work Nos. 1, 1A, 1B, 2A and 2B submitted for approval must be substantially in accordance with the outline flood emergency management plan.</p>	



Location	Request	Rationale	Summary of Change	Relevant doc version
		the scope of the EA's remit	<p>(3) The flood emergency management plan for Work No. 9 submitted for approval must be substantially in accordance with the outline Walsoken Substation flood emergency management plan.</p> <p>(4) The relevant planning authority must consult with the Environment Agency before approving any flood emergency management plan submitted under sub-paragraph (1).</p> <p>(4)(5) The flood emergency management plans submitted and approved under sub-paragraph (1) must be implemented as approved and remain in place throughout the operation of the authorised development unless otherwise agreed by the relevant planning authority.</p>	
Schedule 2 – Requirements – Paragraph 14 – Waste hierarchy scheme	Environment Agency	Added requirement that the EA be consulted by the relevant planning authority in respect of management plans that fall within the scope of the EA's remit	<p>14.—(1) Prior to the date of final commissioning, the undertaker must submit to the relevant planning authority for approval a scheme, which sets out arrangements for maintenance of the waste hierarchy and which aims to minimise recyclable and reusable waste received at the authorised development during the commissioning and operational period of the authorised development (the “waste hierarchy scheme”).</p> <p>(2) The waste hierarchy scheme must include details of—</p> <p>(a) how waste transfer notes and weighbridge data detailing the sources of the residual waste will be collected and retained;</p> <p>(b) the types of waste and permitted EWC codes to be accepted at the authorised development as specified by the Environmental Permit;</p> <p>(c) how waste delivered to the authorised development will be checked to ensure compliance with the permitted EWC codes;</p>	



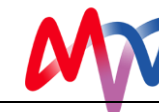
Location	Request	Rationale	Summary of Change	Relevant doc version
			<p>(d) arrangements for ensuring that commercial suppliers deliver only those EWC codes which are permitted; and</p> <p>(e) records are to be kept for the purposes of demonstrating compliance with the waste hierarchy scheme and for allowing inspection of such records by the relevant planning authority.</p> <p>(3) The relevant planning authority must consult with the Environment Agency before approving any scheme submitted under sub-paragraph (1).</p> <p>(3)(4) The waste hierarchy scheme must be implemented as approved under sub-paragraph (1).</p>	
Schedule 2 – Requirements – Paragraph 16 – Odour management plan	Environment Agency	Added requirement that the EA be consulted by the relevant planning authority in respect of management plans that fall within the scope of the EA’s remit	<p>16.—(1) Prior to commissioning of any part of Work No. 1, an odour management plan must be submitted to the relevant planning authority for approval. The odour management plan submitted for approval must be substantially in accordance with the outline odour management plan.</p> <p>(2) The relevant planning authority must consult with the Environment Agency before approving the odour management plan.</p> <p>(3) The odour management plan must be implemented as approved under sub-paragraph (1).</p>	Rev 3
Schedule 2 – Requirement 18 – Lighting Strategy	Applicant	Correction	<p>18.—(1) Prior to the installation of any permanent lighting for the authorised development, a written scheme for the management and mitigation of artificial light emissions for that part of the authorised development has been must be submitted to and approved by the</p>	Rev 3



Location	Request	Rationale	Summary of Change	Relevant doc version
			relevant planning authority. The lighting strategy submitted for approval must be substantially in accordance with the outline lighting strategy.	
Schedule 2 – Requirement 19 – Noise Management	Borough Council of Kings Lynn and West Norfolk and Environment Agency	Amended to require an operational noise management plan to be provide prior to the commencements of works at the Walsoken Substation. Added requirement that the EA be consulted by the relevant planning authority in respect of management plans that fall within the scope of the EA’s remit	<p>(4) Prior to the date of final commissioning of any part of Work No. 1, 1A, 2A, and 2B and 9(a), an operational noise management plan for that part must be submitted to and approved by the relevant planning authority. The operational noise management plan submitted for approval must be substantially in accordance with the outline operational noise management plan.</p> <p>19.—(1) No part of Work No. 4A may commence until the residential use at plot numbers 11/4a and 11/4b shown on the land plans and described in the book of reference has ceased unless otherwise agreed by the relevant planning authority.</p> <p>(2) Plot numbers 11/4a and 11/4b shown on the land plans and described in the book of reference must not be used for residential purposes until the authorised development has been decommissioned in accordance with requirement 28 unless otherwise agreed by the relevant planning authority.</p> <p>(3) No part of Work No. 4A may commence until Work No. 10 has been constructed. Work No. 10 must be maintained until the authorised development has been decommissioned in accordance with requirement 28 unless otherwise agreed by the relevant planning authority.</p>	Rev 3



Location	Request	Rationale	Summary of Change	Relevant doc version
			<p>(4) Prior to the date of final commissioning of any part of Work No. 1, 1A, 2A, and 2B and 9(a), an operational noise management plan for that part must be submitted to and approved by the relevant planning authority.</p> <p>(5) The operational noise management plan submitted for approval must be substantially in accordance with the outline operational noise management plan.</p> <p>(6) The relevant planning authority must consult with the Environment Agency before approving the operational noise management plan.</p> <p>(5)-(7) (7) The operational noise management plan must be implemented as approved under sub-paragraph (4).</p>	
Schedule 2 – Requirements – Paragraph 16 – Odour management plan	Environment Agency	Added requirement that the EA be consulted by the relevant planning authority in respect of management plans that fall within the scope of the EA’s remit	<p>25.—(1) No later than the date that is 18 months after the date of final commissioning, the undertaker must submit to the relevant planning authority for its approval a report (“the CHP review”) updating the CHP assessment.</p> <p>(2) The CHP review submitted must—</p> <p>(a) consider the opportunities that reasonably exist for the export of heat from Work No. 3, 3A and 3B at the time of submission of the CHP review; and</p> <p>(b) include a list of actions (if any) that the undertaker is reasonably and practicably able to take (without material additional cost to the undertaker) to increase the potential for the export of heat from Work No. 3, 3A and 3B.</p>	



Location	Request	Rationale	Summary of Change	Relevant doc version
			<p>(3) The undertaker must take such actions as are included, within the timescales specified, in the approved CHP review.</p> <p>(4) The relevant planning authority must consult with the Environment Agency before approving any CHP review.</p> <p>(4)(5) On each date (or the first date thereafter which is a working day) during the operation of Work No. 1 that is five years after the date on which it last submitted the CHP review or a revised CHP review to the relevant planning authority, the undertaker must submit to the relevant planning authority for its approval a revised CHP review.</p> <p>(5)(6) Sub-paragraphs (2) and (3) to (4) apply in relation to a revised CHP review submitted under sub-paragraph (4) (5) in the same way as they apply in relation to the CHP review submitted under sub-paragraph (5) (6).</p>	
Schedule 2 – Requirements – Paragraph 27 – Local air quality monitoring strategy	Cambridge shire County council at ISH2	Amended at the request of CCC.	27.—(1) Prior to the date of final commissioning commencement of the authorised development , a local air quality monitoring strategy must be submitted to the relevant planning authority for approval. The local air quality monitoring strategy submitted for approval must be substantially in accordance with the outline local air quality monitoring strategy.	Rev 3
Schedule 2 – Requirements – Paragraph 28 –	Applicant	Amendment to reflect that the Applicant will submit an outline decommissioning	28.—(1) Within 24 months of the permanent cessation of the commercial operation of the authorised development, the undertaker must submit to the relevant planning authority for its approval a decommissioning plan for Work Nos. 1, 1A, 1B, 2A, 2B and 9, including	Rev 3



Location	Request	Rationale	Summary of Change	Relevant doc version												
Decommissioning		plan at Deadline 4 in response to comments made by the host authorities and other stakeholders	a timetable for its implementation and a decommissioning environmental management plan. (2) The decommissioning plan submitted for approval must be substantially in accordance with the outline decommissioning plan. (3) The plan submitted to and approved under sub-paragraph (1) must be implemented as approved unless otherwise agreed with the relevant planning authority.													
Schedule 3 – Streets subject to street works	CCC	Clarification	<table border="1"> <thead> <tr> <th>(1) <i>Area</i></th> <th>(2) <i>Street subject to alteration of layout</i></th> <th>(3) <i>Description of alteration</i></th> </tr> </thead> <tbody> <tr> <td>In the County of Cambridgeshire and the County of Norfolk</td> <td>A47 (public highway)</td> <td>Temporary alteration of layout to the extent of the A47 coloured light purple on the access and public rights of way plan</td> </tr> <tr> <td>In the County of Norfolk</td> <td>Broadend Road (public highway)</td> <td>Temporary alteration of layout to the extent of Broadend Road coloured light green on the access and public rights of way plan</td> </tr> <tr> <td>In the County of Norfolk</td> <td>Elm High Road (public highway)</td> <td>Temporary alteration of layout to the extent of Elm High Road coloured turquoise on the access and public rights of way plan</td> </tr> </tbody> </table>	(1) <i>Area</i>	(2) <i>Street subject to alteration of layout</i>	(3) <i>Description of alteration</i>	In the County of Cambridgeshire and the County of Norfolk	A47 (public highway)	Temporary alteration of layout to the extent of the A47 coloured light purple on the access and public rights of way plan	In the County of Norfolk	Broadend Road (public highway)	Temporary alteration of layout to the extent of Broadend Road coloured light green on the access and public rights of way plan	In the County of Norfolk	Elm High Road (public highway)	Temporary alteration of layout to the extent of Elm High Road coloured turquoise on the access and public rights of way plan	Rev 3
(1) <i>Area</i>	(2) <i>Street subject to alteration of layout</i>	(3) <i>Description of alteration</i>														
In the County of Cambridgeshire and the County of Norfolk	A47 (public highway)	Temporary alteration of layout to the extent of the A47 coloured light purple on the access and public rights of way plan														
In the County of Norfolk	Broadend Road (public highway)	Temporary alteration of layout to the extent of Broadend Road coloured light green on the access and public rights of way plan														
In the County of Norfolk	Elm High Road (public highway)	Temporary alteration of layout to the extent of Elm High Road coloured turquoise on the access and public rights of way plan														



Location	Request	Rationale	Summary of Change			Relevant doc version
			In the County of Cambridgeshire	New Bridge Lane (public highway)	Temporary alteration of layout to the extent of New Bridge Lane coloured blue on the access and public rights of way plan	
			In the County of Cambridgeshire	New Drove (public highway)	Temporary alteration of layout to the extent of New Drove coloured dark green on the access and public rights of way plan	
			In the County of Cambridgeshire	Weasenham Lane (public highway)	Temporary alteration of the layout to the extent of Weasenham Lane coloured red on the access and public rights of way plan	
Schedule 4 – CCC Streets subject to permanent alteration of layout	CCC	Clarification				Rev 3
(1) Area	(2) Street subject to alteration of layout	(3) Description of alteration				
In the County of Cambridgeshire	Algores Way (private street)	Permanent alteration of layout to the extent of Algores Way coloured yellow on the access and public rights of way plan including carriageway and footway widening and highway alteration works				



Location	Request	Rationale	Summary of Change			Relevant doc version
			In the County of Cambridgeshire	Cromwell Road (public highway)	Permanent alteration of layout to the extent of Cromwell Road coloured pink on the access and public rights of way plan including carriageway and footway widening and highway alteration works	
			In the County of Cambridgeshire	New Bridge Lane (public highway)	Permanent alteration of layout to the extent of New Bridge Lane coloured blue on the access and public rights of way plan including carriageway and footway widening and highway alteration works	
			In the County of Cambridgeshire	Salters Way (public highway)	Permanent alteration of layout to the extent of Salters Way coloured dark purple on the access and public rights of way plan including carriageway and footway widening and highway alteration works	
Schedule 5 – CCC Streets subject to temporary	Clarification	<i>(1) Area</i>	<i>(2) Street subject to alteration of layout</i>	<i>(3) Description of alteration</i>	Rev 3	



Location	Request	Rationale	Summary of Change	Relevant doc version	
alteration of layout			In the County of Cambridgeshire and the County of Norfolk	A47 (public highway)	Temporary alteration of layout to the extent of the A47 coloured light purple on the access and public rights of way plan
			In the County of Norfolk	Broadend Road (public highway)	Temporary alteration of layout to the extent of Broadend Road coloured light green on the access and public rights of way plan
			In the County of Norfolk	Elm High Road (public highway)	Temporary alteration of layout to the extent of Elm High Road coloured turquoise on the access and public rights of way plan
			In the County of Cambridgeshire	New Bridge Lane (public highway)	Temporary alteration of layout to the extent of New Bridge Lane coloured blue on the access and public rights of way plan
			In the County of Cambridgeshire	New Drove (public highway)	Temporary alteration of layout to the extent of New Drove coloured dark green on the access and public rights of way plan



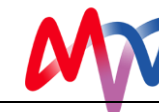
Location	Request	Rationale	Summary of Change			Relevant doc version
			In the County of Cambridgeshire	Weasenham Lane (public highway)	Temporary alteration of the layout to the extent of Weasenham Lane coloured red on the access and public rights of way plan	
Schedule 6 – CCC Streets subject to street works – Table 4	CCC	Clarification	(1) <i>Location</i>	(2) <i>Street</i>	(3) <i>Description of relevant part of access</i>	Rev 3
			In the County of Cambridgeshire	New Bridge Lane (public highway)	Access to the area shown coloured orange and marked A8 on sheet 1 of the access and public rights of way plan to the extent that such access is or will be located within the public highway	
			In the County of Cambridgeshire	New Bridge Lane (public highway)	Access to the area shown coloured orange and marked A6 on sheet 1 of the access and public rights of way plan to the extent that such access is or will be located within the public highway.	



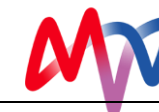
Location	Request	Rationale	Summary of Change			Relevant doc version
			In the County of Cambridgeshire	New Bridge Lane (public highway)	Access to the area shown coloured orange and marked A7 on sheet 1 of the access and public rights of way plan to the extent that such access is or will be located within the public highway	
Schedule 6 – CCC Streets subject to street works – Table 5	CCC	Clarification	(1) <i>Location</i>	(2) <i>Street</i>	(3) <i>Description of relevant part of access</i>	Rev 3
			In the County of Cambridgeshire	Algores Way (private street)	Access to the area shown coloured yellow between the area shown coloured orange and marked A3 to the extent that such access is or will be located outside the public highway and the area shown coloured orange and marked A5 on sheet 1 of the access and public rights of way plan	
			In the County of Cambridgeshire	Algores Way (private street)	Access to the area shown coloured orange and marked A4 on sheet 1 of the access and public rights of way plan	



Location	Request	Rationale	Summary of Change	Relevant doc version
		In the County of Cambridgeshire	New Bridge Lane (public highway)	Access to the area shown coloured orange and marked A6 on sheet 1 of the access and public rights of way plan to the extent that such access is or will be located outside of the public highway
		In the County of Cambridgeshire	New Bridge Lane (public highway)	Access to the area shown coloured orange and marked A7 on sheet 1 of the access and public rights of way plan to the extent that such access is or will be located outside of the public highway
		In the County of Cambridgeshire	New Bridge Lane (public highway)	Access to the area shown coloured orange and marked A8 on sheet 1 of the access and public rights of way plan to the extent that such access is or will be located outside of the public highway



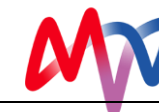
Location	Request	Rationale	Summary of Change			Relevant doc version
Schedule 6 – CCC Streets subject to street works – Table 6	CCC	Clarification	(1) <i>Location</i>	(2) <i>Street</i>	(3) <i>Description of relevant part of access</i>	Rev 3
			In the County of Cambridgeshire	Weasenham Lane (public highway)	Access to the area shown coloured orange and marked A1 on sheet 2 of the access and public rights of way plan	
			In the County of Cambridgeshire	Weasenham Lane (public highway)	Access to the area shown coloured orange and marked A2 on sheet 2 of the access and public rights of way plan	
			In the County of Cambridgeshire	New Bridge Lane (public highway)	Access to the area shown coloured orange and marked A9 on sheet 1 of the access and public rights of way plan	
			In the County of Cambridgeshire	New Drove (public highway)	Access to the area shown coloured orange and marked A10 on sheet 1 of the access and public rights of way plan	
			In the County of Cambridgeshire	New Bridge Lane (public highway)	Access to the area shown coloured orange and marked A11 on sheet 1 of the access and public rights of way plan	



Location	Request	Rationale	Summary of Change			Relevant doc version									
			In the County of Norfolk	Broadend Road (public highway)	Access to the area shown coloured orange and marked A12 on sheet 4 of the access and public rights of way plan										
Schedule 7 – Temporary prohibition or restriction of the use of streets or public rights of way	Applicant	Correction	Heading: TEMPORARY PROHIBITION OR RESTRICTION OF THE USE OF STREETS OR PUBLIC RIGHTS OF WAYS			Rev 3									
Schedule 7 – Temporary prohibition or restriction of the use of streets or public rights of way	CCC	Clarification	<table border="1"> <thead> <tr> <th>(1) Area</th> <th>(2) Street subject to temporary prohibition or restriction of use</th> <th>(3) Extent of temporary prohibition or restriction of use of streets</th> </tr> </thead> <tbody> <tr> <td>In the County of Cambridgeshire and the County of Norfolk</td> <td>A47 (public highway)</td> <td>Temporary stopping up of the extent of the A47 shown coloured light purple and hatched blue on the access and public rights of way plan</td> </tr> <tr> <td>In the County of Cambridgeshire</td> <td>Algores Way (private street)</td> <td>Temporary stopping up of the extent of Algores Way shown coloured yellow and hatched blue</td> </tr> </tbody> </table>			(1) Area	(2) Street subject to temporary prohibition or restriction of use	(3) Extent of temporary prohibition or restriction of use of streets	In the County of Cambridgeshire and the County of Norfolk	A47 (public highway)	Temporary stopping up of the extent of the A47 shown coloured light purple and hatched blue on the access and public rights of way plan	In the County of Cambridgeshire	Algores Way (private street)	Temporary stopping up of the extent of Algores Way shown coloured yellow and hatched blue	Rev 3
(1) Area	(2) Street subject to temporary prohibition or restriction of use	(3) Extent of temporary prohibition or restriction of use of streets													
In the County of Cambridgeshire and the County of Norfolk	A47 (public highway)	Temporary stopping up of the extent of the A47 shown coloured light purple and hatched blue on the access and public rights of way plan													
In the County of Cambridgeshire	Algores Way (private street)	Temporary stopping up of the extent of Algores Way shown coloured yellow and hatched blue													



Location	Request	Rationale	Summary of Change	Relevant doc version
			on the access and public rights of way plan	
In the County of Norfolk	Broadend Road (public highway)		Temporary stopping up of the extent of Broadend Road shown coloured light green and hatched blue on the access and public rights of way plan	
In the County of Cambridgeshire	Cromwell Road (public highway)		Temporary stopping up of the extent of Cromwell Road shown coloured pink and hatched blue on the access and public rights of way plan	
In the County of Norfolk	Elm High Road (public highway)		Temporary stopping up of the extent of Elm High Road shown coloured turquoise and hatched blue on the access and public rights of way plan	
In the County of Cambridgeshire	New Drove (public highway)		Temporary stopping up of the extent of New Drove shown coloured dark green and hatched blue on the access and public rights of way plan	
In the County of Cambridgeshire	New Bridge Lane (public highway)		Temporary stopping up of the extent of New Bridge Lane shown coloured blue and hatched blue on the access and public rights of way plan	



Location	Request	Rationale	Summary of Change		Relevant doc version	
			In the County of Cambridgeshire	Salters Way (public highway)	Temporary stopping up of the extent of Salters way shown coloured dark purple and hatched blue on the access and public rights of way plan	
			In the County of Cambridgeshire	Weasenham Lane (public highway)	Temporary stopping up of the extent of Weasenham Lane shown coloured red and hatched blue on the access and public rights of way plan	
<p>Schedule 8 – Land in which only new rights may be acquired</p>	ExA	Correction	SCHEDULE 8		Article 24 25 Rev 3	
<p>Schedule 8 – Land in which only new rights may be acquired – Table 8 – Row 7</p>	CCC	<p>Amendments to the Land Plans were requested by CCC's to reflect that the extent of their interest does not extend beyond the pavement of Weasenham Lane. The Land Plans and Book of Reference</p>	<p>13/1a, 15/1a, 15/2a, 15/2b, 16/1a(i), 16/1a(ii), 16/1b(i), 16/1b(ii), 16/2a, 16/3a, 16/4a, 16/5a, 17/1a</p>	<p>Rights to install, retain, use, maintain, inspect, alter, remove, refurbish, reconstruct, replace, protect and improve combined heat and power equipment (including but not limited to steam and condensate pipes, pipe racks, supports, pipe runs, valving, electrical supply cables and associated telemetry, vertical expansion loops, pipe bridges and other ancillary</p>	Rev 3	



Location	Request	Rationale	Summary of Change	Relevant doc version
		<p>submitted at Deadline 3 have been amended and consequential amendments have been made to Schedule 8.</p>		<p>apparatus) and any other works as necessary together with the right to fell, trim or lop trees and bushes which may obstruct or interfere with the said combined heat and power equipment and other ancillary apparatus</p> <p>Rights to pass and repass on foot, with or without vehicles, plant and machinery (including any temporary surface) for all purposes in connection with the construction, use, maintenance and decommissioning of the authorised development</p> <p>Rights to install, execute, implement, retain, repair, improve, renew, remove, relocate and plant trees, woodlands, shrubs, hedgerows, seeding, landscaping and other ecological measures together with the right to maintain, inspect and replant such trees, shrubs, hedgerows, landscaping and other ecological measures and the right to pass and repass on foot, with or without vehicles, plant and machinery for all purposes in connection with the implementation</p>



Location	Request	Rationale	Summary of Change	Relevant doc version
			<p>and maintenance of landscaping and ecological mitigation or enhancement works</p> <p>Rights to install, retain, use, maintain, inspect, alter, remove, refurbish, reconstruct, replace, protect and improve security fencing, gates, boundary treatment, public rights of way and any other ancillary apparatus and any other works as necessary</p> <p>Restrictions on erecting buildings or structures, altering ground levels, planting trees or carrying out operations or actions (including but not limited to blasting and piling) which may obstruct, interrupt, or interfere with the exercise of the rights or damage the authorised development</p>	
Schedule 11 – Paragraph 59	Internal Drainage Board	Correction	<p>59. Without limiting paragraph 58, the requirements which the Board may make under that paragraph include conditions requiring the undertaker at its own expense to construct such protective works, whether temporary or permanent, during the construction of the specified work (including the provision of flood banks, walls or embankments or other new works and the strengthening, repair or renewal of existing banks, walls or embankments) as are reasonably necessary—</p>	Rev 3



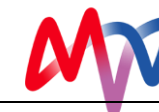
Location	Request	Rationale	Summary of Change	Relevant doc version
			<p>(a) to safeguard any drainage work against damage; or</p> <p>(b) to secure that its efficiency for flood defence purposes is not impaired and that the risk of flooding is not otherwise increased, <i>[line break added]</i></p> <p>by reason of any specified work.</p>	
Schedule 11 – Paragraph 60	Internal Drainage Board	Correction	<p>60.—(1) Subject to sub-paragraph (2), any specified work, and all protective works required by the Board under paragraph 59, must be constructed—</p> <p>(a) without unreasonable delay in accordance with the plans approved or deemed to have been approved or settled under this Part; and</p> <p>(b) to the reasonable satisfaction of the Board, <i>[line break added]</i> and an officer of the Board is entitled to give such notice as may be reasonably required in the circumstances to watch and inspect the construction of such works.</p>	Rev 3
Schedule 11 – Paragraph 63	Internal Drainage Board	Amendments to protective provisions by IDBs	<p>63.—(1) Without limiting the other provisions of this Part, the undertaker must compensate the Board in respect of all claims, demands, proceedings, costs, damages, expenses or loss that may be made or taken against, reasonably recovered from or incurred by the Board by reason of—</p> <p>(a) any damage to any drainage work so as to impair its efficiency for the purposes of flood defence;</p> <p>(b) any raising or lowering of the water table in land adjoining the authorised development or any sewers, drains and watercourses; or</p> <p>(c) any flooding or increased flooding of any such land <i>[line break added]</i></p>	Rev 3



Location	Request	Rationale	Summary of Change	Relevant doc version
			which is caused by, or results from, the construction of the specified work or any act or omission of the undertaker, its contractors, agents or employees whilst engaged upon the specified work.	
Schedule 11 – Paragraph 65	Applicant	Amendment reflect change in Government department name	to in 65. Any dispute between the undertaker and the Board under this Part, unless otherwise agreed, must be determined by arbitration under article 46 (arbitration), but must be determined by the Secretary of State for Environment, Food and Rural Affairs and the Secretary of State for Business, Energy and Industrial Strategy Energy Security and Net Zero acting jointly on a reference to them by the undertaker or the Board, after notice in writing by one to the other.	Rev 3
Schedule 11 – Part 8 – Paragraph 82	Network – Rail	Correction	“Network Rail” means Network Rail Infrastructure Limited (company number 02904587, whose registered office is at 1 Eversholt Street, London NW1 2DN Waterloo General Office, London, SE1 8SW) and any associated company of Network Rail Infrastructure Limited which holds property for railway purposes, and for the purpose of this definition “associated company” means any company which is (within the meaning of section 1159 of the Companies Act 2006) the holding company of Network Rail Infrastructure Limited, a subsidiary of Network Rail Infrastructure Limited or another subsidiary of the holding company of Network Rail Infrastructure Limited and any successor to Network Rail Infrastructure Limited’s railway undertaking;	Rev 3
Schedule 12 – Paragraph 2	Relevant planning authority	Amendments timescales requested by relevant planning authorities at ISH2	to by 2.—(1) Where an application has been made to the relevant authority for any consent, agreement or approval required by a requirement (including consent, agreement or approval in respect of part of a requirement) the relevant authority must give notice to the undertaker of	Rev 3



Location	Request	Rationale	Summary of Change	Relevant doc version																												
			their decision on the application within a period of nine (9) twelve (12) weeks beginning with—																													
Schedule 12 – Paragraph 3(3)	Relevant planning authority	Amendments to timescales requested by relevant planning authorities at ISH2	(3) If the provision governing or requiring the application specifies that consultation with a requirement consultee is required, the relevant authority must issue the consultation to the requirement consultee within five 15 business days of receipt of the application, and must notify the undertaker in writing specifying any further information requested by the requirement consultee within five 15 business days of receipt of such a request and in any event within fourteen 35 business days of receipt of the application or such longer period as may be agreed in writing by the undertaker and the relevant authority.	Rev 3																												
Schedule 13 – Documents and plans to be certified – Table 10	Applicant	Consequential amendments as a result of document updates and additional definitions.	<table border="1"> <thead> <tr> <th>(1) <i>Document name</i></th> <th>(2) <i>Document reference</i></th> <th>(3) <i>Revision number</i></th> <th>(4) <i>Date</i></th> </tr> </thead> <tbody> <tr> <td>access and public rights of way plans</td> <td>2.4</td> <td>2 4</td> <td>March 2023 April 2023</td> </tr> <tr> <td>book of reference</td> <td>4.1</td> <td>1 5</td> <td>June 2022 April 2023</td> </tr> <tr> <td>carbon capture and export readiness reserve space plan</td> <td>10.7</td> <td>1</td> <td>March 2023</td> </tr> <tr> <td>combined heat and power statement</td> <td>7.6</td> <td>1</td> <td>June 2022</td> </tr> <tr> <td>design and access statement</td> <td>7.5</td> <td>1</td> <td>June 2022</td> </tr> <tr> <td>environmental statement</td> <td>6.1, 6.2</td> <td>1</td> <td>June 2022</td> </tr> </tbody> </table>	(1) <i>Document name</i>	(2) <i>Document reference</i>	(3) <i>Revision number</i>	(4) <i>Date</i>	access and public rights of way plans	2.4	2 4	March 2023 April 2023	book of reference	4.1	1 5	June 2022 April 2023	carbon capture and export readiness reserve space plan	10.7	1	March 2023	combined heat and power statement	7.6	1	June 2022	design and access statement	7.5	1	June 2022	environmental statement	6.1, 6.2	1	June 2022	Rev 3
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Location	Request	Rationale	Summary of Change	Relevant doc version
	environmental statement figures	6.3	2	March 2023
	environmental statement appendices	6.4	2	March 2023
	flood risk assessment	6.4 (ES Appendix 12A)	1	June 2022
	land plans	2.2	2 3	March 2023 April 2023
	outline biodiversity net gain strategy	6.4 (ES Appendix 11M)	3	April 2023
	outline construction environmental management plan	7.12	2 3	March 2023 April 2023
	outline construction traffic management plan	6.4 (ES Appendix 6A)	2 -3	March 2023 April 2023
	outline decommissioning plan			
	outline drainage strategy	6.4 (ES Appendix 12F)	2	March 2023
	outline employment and skills strategy	7.8	1	June 2022
	outline fire prevention plan	7.10	1	June 2022



Location	Request	Rationale	Summary of Change	Relevant doc version
	outline flood emergency management plan	7.9	2	March 2023
	outline landscape and ecology strategy	6.3 (ES Figure 3.14)	1	June 2022
	outline landscape and ecology management plan	7.7	+ 2	June 2022 April 2023
	outline lighting strategy	6.4 (ES Appendix 3B)	+ 2	June 2022 April 2023
	outline local air quality monitoring strategy	9.21	+2	March 2023 April 2023
	outline odour management plan	7.11	2	March 2023
	outline operational noise management plan	6.4 (ES Appendix 7D)	2 3	March 2023 April 2023
	outline operational traffic management plan	7.15	2 -3	March 2023 April 2023
	outline operational travel plan	6.4 (ES Appendix 6C)	1	June 2022
	works plans	2.3	+ 2	June 2022 April 2023



Location	Request	Rationale	Summary of Change	Relevant doc version																																																
Schedule 14 – Maximum and Minimum Design Parameters	Local planning authorities	Added to secure compliance with the air quality chapter of the ES	<p>SCHEDULE 14 MAXIMUM AND MINIMUM DESIGN PARAMETERS</p> <table border="1" data-bbox="920 448 1823 1401"> <thead> <tr> <th data-bbox="931 459 1093 596"><i>(1)</i> <i>Element of authorised development</i></th> <th data-bbox="1133 459 1189 501"><i>(2)</i> <i>Work No.</i></th> <th data-bbox="1218 459 1339 596"><i>(3)</i> <i>Maximum length (metres)</i></th> <th data-bbox="1368 459 1489 596"><i>(4)</i> <i>Maximum width (metres)</i></th> <th data-bbox="1518 459 1664 788"><i>(5)</i> <i>Maximum height (metres) (above finished floor level of 3.0m AOD)</i></th> <th data-bbox="1693 459 1816 820"><i>(6)</i> <i>Minimum height (metres) (above finished floor level of 3.0m AOD)</i></th> </tr> </thead> <tbody> <tr> <td data-bbox="931 836 1093 906">Gatehouse / weighbridge</td> <td data-bbox="1133 836 1189 861">2A</td> <td data-bbox="1218 836 1339 861">9.5</td> <td data-bbox="1368 836 1489 861">2.4</td> <td data-bbox="1518 836 1664 861">3</td> <td></td> </tr> <tr> <td data-bbox="931 916 1093 941">Tipping hall</td> <td data-bbox="1133 916 1189 941">1</td> <td data-bbox="1218 916 1339 941">58.5</td> <td data-bbox="1368 916 1489 941">38</td> <td data-bbox="1518 916 1664 941">18.5</td> <td></td> </tr> <tr> <td data-bbox="931 957 1093 1018">Fire water tank</td> <td data-bbox="1133 957 1189 983">2A</td> <td></td> <td data-bbox="1368 957 1489 983">16</td> <td data-bbox="1518 957 1664 983">10</td> <td></td> </tr> <tr> <td data-bbox="931 1034 1093 1136">Fire water pump building</td> <td data-bbox="1133 1034 1189 1059">2A</td> <td data-bbox="1218 1034 1339 1059">12.5</td> <td data-bbox="1368 1034 1489 1059">9.5</td> <td data-bbox="1518 1034 1664 1059">5.5</td> <td></td> </tr> <tr> <td data-bbox="931 1152 1093 1254">Waste bunker building</td> <td data-bbox="1133 1152 1189 1177">1</td> <td data-bbox="1218 1152 1339 1177">102</td> <td data-bbox="1368 1152 1489 1177">37</td> <td data-bbox="1518 1152 1664 1177">38.5</td> <td></td> </tr> <tr> <td data-bbox="931 1270 1093 1331">Tipping bunker</td> <td data-bbox="1133 1270 1189 1295">1</td> <td data-bbox="1218 1270 1339 1295">–</td> <td data-bbox="1368 1270 1489 1295">–</td> <td data-bbox="1518 1270 1664 1295">-14</td> <td></td> </tr> <tr> <td data-bbox="931 1347 1093 1407">Main waste bunker</td> <td data-bbox="1133 1347 1189 1372">1</td> <td data-bbox="1218 1347 1339 1372">–</td> <td data-bbox="1368 1347 1489 1372">–</td> <td data-bbox="1518 1347 1664 1372">-14</td> <td></td> </tr> </tbody> </table>	<i>(1)</i> <i>Element of authorised development</i>	<i>(2)</i> <i>Work No.</i>	<i>(3)</i> <i>Maximum length (metres)</i>	<i>(4)</i> <i>Maximum width (metres)</i>	<i>(5)</i> <i>Maximum height (metres) (above finished floor level of 3.0m AOD)</i>	<i>(6)</i> <i>Minimum height (metres) (above finished floor level of 3.0m AOD)</i>	Gatehouse / weighbridge	2A	9.5	2.4	3		Tipping hall	1	58.5	38	18.5		Fire water tank	2A		16	10		Fire water pump building	2A	12.5	9.5	5.5		Waste bunker building	1	102	37	38.5		Tipping bunker	1	–	–	-14		Main waste bunker	1	–	–	-14		Article 3 Rev 3
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Location	Request	Rationale	Summary of Change				Relevant doc version	
			Boiler house building	1	55	47.6	52	
			Loading area (a)	1	12.2	12.2	12	
			APCr silos	1	33.3	12.2	37	
			Loading area (b)	1	12.2	12.2	12	
			Air pollution control building	1	33.2	28.6	37	
			Induced draft fans building	1	10	10	12	
			Chimneys	1A	–	3.2	90	84
			CEMS platform	1A	–	–	18	
			Switchgear building north	1	35.2	10	35	
			Switchgear building south	1	12.4	10	18	
			IBA enclosure east	1	14	11	12	



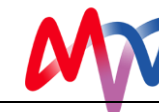
Location	Request	Rationale	Summary of Change				Relevant doc version	
			IBA enclosure west	1	11	6	12	
			Diesel tanks and urea tanks building	1	25.9	9.1	35	
			Compressed air station	1	13	8	10	
			Main transformer	2A	11	6	12	
			Emergency diesel generator	1	13.5	5.5	12	
			Air cooled condenser	1	37	37	30	
			Turbine hall	1	47	34	27	
			Water treatment plant	1	30	22	18	
			Workshop and stores	2A	34	15	18	
			Administration building	1B	34	12	15	
			132kV switching compound	2A	23	13	6.5	
			Private wire transformer	2A	11	5	12	



Location	Request	Rationale	Summary of Change	Relevant doc version
			Private wire switchgear compound	2A 7 6 12
			Water re-cooling system	1 18.5 7.5 27
			Steam and condensate pipelines	3 – – 23
Article 2 – Interpretation	Applicant	New definitions required as a consequence of changes to Requirement 22, to ensure equipment and infrastructure required to install carbon capture is included in the authorised development as constructed	“carbon capture and export readiness reserve space” means the area identified on the carbon capture and export readiness reserve space plan for future installation and operation of any carbon capture and export equipment under article 42;	Rev 4
Article 2	Applicant	New definitions required as a consequence of changes to Requirement 25, to ensure equipment	“combined heat and power embedded design measures” means the document of that name identified in Table 10 of Schedule 13 and which is certified by the Secretary of State as the combined heat and power embedded design measures for the purposes of this Order under article 42;	Rev 4



Location	Request	Rationale	Summary of Change	Relevant doc version
		and infrastructure required to install the combined heat and power connection is included in the authorised development as constructed		
Article 2	Applicant	Correction	“ CHP combined heat and power statement” means the document of that name identified in Table 10 of Schedule 13 and which is certified by the Secretary of State as the CHP combined heat and power statement for the purposes of this Order under article 42;	Rev 4
Article 2	Applicant and Cambridge shire County Council (CCC)	New definition required to give effect to new Requirement 29 as to the geographical origins of waste	“waste area 2 plan” means the document of that name identified in Table 10 of Schedule 13 and which is certified by the Secretary of State as the waste area 2 plan for the purposes of this Order under article 42;	Rev 4
Article 13 – Temporary prohibition or restriction of use of streets and public rights of way	Examining Authority	Added to ensure any street or public right of way used by the undertaker as a working site is properly restored.	(7) If the undertaker uses any street or public right of way as a temporary working site under this article the undertaker must restore the street or public right of way to the reasonable satisfaction of the street authority.	Rev 4



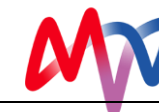
Location	Request	Rationale	Summary of Change	Relevant doc version
Article 14 – Use of private roads	Examining Authority	Drafting added in accordance with the ExA's request.	14.—(1) The undertaker may use any private road within the Order limits for the passage of persons or vehicles (with or without materials, plant and machinery) for the purposes of, or in connection with, the construction, or maintenance, operation or decommissioning of the authorised development.	Rev 4
Article 17 – Traffic regulation measures	Examining Authority	Amended at the request of the Examining Authority. The provision proposed by the ExA has been amended to ensure that traffic signs and signals can be placed sufficiently in advance of the works to the highway that traffic may be safely managed.	17.—(1) Subject to the provisions of this article and the consent of the traffic authority in whose area the road concerned is situated, the undertaker may, in so far as may be expedient or necessary for the purposes of or in connection, or in consequence of, with the construction, maintenance and operation of the authorised development— (a) permit, prohibit or restrict the stopping, parking, waiting, loading or unloading of vehicles on any road; (b) make provision as to the direction or priority of vehicular traffic on any road; (c) permit, prohibit or restrict the use of any road; (d) permit, prohibit or restrict vehicular access to any road; (e) revoke, amend or suspend in whole or in part any order made, or having effect as if made under the 1984 Act; and (f) determine that no person is to drive any motor vehicle at a speed exceeding 30 miles per hour along the length of road known as New Bridge Lane and shown coloured blue on the access and public rights of way plans; and (g) temporarily place traffic signs and signals in the extents of the road specified in column 3 of Part of Schedule 7 (temporary prohibition or restriction of the use of streets or public rights of way), and the placing of those traffic signs and signals is deemed to have been permitted by the traffic authority for the purposes of section 65 of the 1984 Act and the Traffic Signs Regulations and General Directions 2016(a)	Rev 4



Location	Request	Rationale	Summary of Change	Relevant doc version
			either at all times or at times, on days or during such periods as may be specified by the undertaker.	
			Footnote: (a) S.I. 2016/362.	
Article 20 – Protective work to buildings – Paragraph (5)(d)	Examining Authority	Amended at the request of the ExA.	(d) a power under paragraph (4)(b) to enter and take possession of land,	Rev 4
Article 32 – temporary use of land for the construction of the authorised development	Examining Authority	Amended at the request of the ExA and to correct a typo.	Temporary use of land for carrying out the construction of the authorised development 32.—(1) The undertaker may, in connection with the construction of the authorised development— [...] (12) Nothing in this article prevents the taking of temporary possession more than once in relation to any land specified in Schedule 8 10. <i>References to article 32 throughout the draft DCO have also been updated to reflect the change in the name of this article.</i>	Rev 4
Schedule 2 – Requirements – Paragraph 6 – Biodiversity net gain	Applicant and CCC	Amendments to the BNG Requirement have been agreed with CCC, to include that a minimum of 10% BNG is provided by the	6. —(1) No part of the authorised development may commence until a biodiversity net gain strategy has been submitted to and approved by the relevant planning authority, in consultation with the relevant statutory nature conservation body. (2) The biodiversity net gain strategy must include details of how the strategy will secure a minimum of 10% biodiversity net gain, calculated using the biodiversity metric 3.0 published by Natural England in July	Rev 4



Location	Request	Rationale	Summary of Change	Relevant doc version
		Proposed Development, the calculation metric, and that the BNG may be delivered onsite and offsite.	2021 or such other biodiversity metric approved by the relevant planning authority in consultation with the relevant statutory nature conservation body, during the operation of the authorised development including onsite and offsite measures and be substantially in accordance with the outline biodiversity net gain strategy. (3) The biodiversity net gain strategy must be implemented as approved under sub-paragraph (1).	
Schedule 2 – Requirements – Paragraph 14(2) – Waste hierarchy scheme	CCC	Additional details to be included in the waste hierarchy scheme have been agreed with CCC, in order to ensure the undertaker’s ongoing compliance with the waste hierarchy, including the diversion of waste higher up the hierarchy, can be monitored.	(2) The waste hierarchy scheme must include details of— (a) operational procedures that seek to ensure that waste suitable for recycling and reuse is not received at the authorised development. These procedures are to be annually reviewed and, where practicable, improved; (b) a record of the tonnages of any waste identified by the undertaker prior to tipping at the authorised development and rejected as it was identified as being suitable for recycling, reuse or both; (c) a record of tonnages of waste considered suitable for recycling, reuse or both that has been diverted further up the waste hierarchy by persons who also send waste to be processed at the authorised development, as far as practicable; (d) a record to be kept of how these procedures have been regularly reviewed (on an annual basis at a minimum), what changes were made, and how these have reduced the amount of waste potentially suitable for recycling and reuse being processed at the authorised development; (a) (e) how waste transfer notes and weighbridge data detailing the sources of the residual waste will be collected and retained; (b) (f) the types of waste and permitted EWC codes to be accepted at the authorised development as specified by the Environmental Permit; (e) (g) how waste delivered to the authorised development will be checked to ensure compliance with the permitted EWC codes;	Rev 4



Location	Request	Rationale	Summary of Change	Relevant doc version
			<p>(d)(h) arrangements for ensuring that commercial suppliers deliver only those EWC codes which are permitted; and</p> <p>(e)(i) records are to be kept for the purposes of demonstrating compliance with the waste hierarchy scheme and for allowing inspection of such records by the relevant planning authority.</p>	
Schedule 2 – Requirements – Paragraph 22 – Carbon capture and export readiness reserve space	Added to address concerns raised at ISHs	New provision added within this Requirement to ensure that the design and construction of the authorised development includes embedded design measures that are necessary to enable carbon capture and export apparatus to be easily connected to the authorised development in the future.	<p>22.—(1) Prior to the date of final commissioning, the undertaker must demonstrate to the relevant planning authority that it has constructed Work No. 1 in accordance with the carbon capture and export embedded design measures.</p> <p><i>Subsequent sub-paragraphs have been renumbered accordingly.</i></p>	Rev 4
Schedule 2 – Requirements – Paragraph 25 – Combined	Added to address concerns raised at ISHs	New provision added within this Requirement to ensure that the design and	<p>25.—(1) Prior to the date of final commissioning, the undertaker must demonstrate to the relevant planning authority that it has constructed Work No. 1 in accordance with the combined heat and power embedded design measures.</p>	Rev 4



Location	Request	Rationale	Summary of Change	Relevant doc version
heat and power	and	<p>construction of the authorised development includes embedded design measures that are necessary to enable the combined heat and power connection to be connected to the authorised development to demonstrate the deliverability of CHP</p>	<p><i>Subsequent sub-paragraphs have been renumbered accordingly.</i></p>	
<p>Schedule 2 – Requirements – New Paragraph 29 – Origin of Waste</p>	CCC	<p>New requirement, agreed with CCC, to ensure the authorised development complies with the proximity principle. This requirement gives priority to the local area, requiring 17.5% of waste to originate from within 75km of the authorised development. The</p>	<p>Origin of waste 29.—(1) Not less than 17.5% of the waste processed at the authorised development per operational year must originate from within Waste Area 1 unless otherwise agreed by the relevant planning authority. Waste originating outside of Waste Area 1 and then transported to a waste loading point located in Waste Area 1 is not considered to have originated in Waste Area 1. (2) Not less than 80% of the waste processed at the authorised development per operational year must originate from Waste Area 1 and Waste Area 2 unless otherwise agreed by the relevant planning authority. Subject to sub-paragraph (1), waste transported into Waste Area 2 to a waste loading point is considered to have originated in Waste Area 2. (3) No more than 20% of the waste processed at the authorised development per operational year must originate from outside of Waste</p>	Rev 4



Location	Request	Rationale	Summary of Change	Relevant doc version
		<p>requirement then ensures that at least 80% of the waste originates from within the Study Area of the WFAA (Volume 7.4). The authorised development may not take more than 50% of its capacity from a single waste planning authority, to ensure that the waste management capacity remains available to all waste planning authorities in the study area.</p>	<p>Area 1 and Waste Area 2 unless otherwise agreed by the relevant planning authority. Waste sent direct to the authorised development from a location that is not located in either Waste Area 1 or Waste Area 2 will be deemed to originate from outside of Waste Area 2.</p> <p>(4) The maximum tonnage of waste received from any one waste planning authority’s administrative area within Waste Area 2 must not exceed 312,800 tonnes in any operational year unless otherwise agreed by the relevant planning authority.</p> <p>(5) From the date of final commissioning of the authorised development until the authorised development has been decommissioned in accordance with requirement 28 (unless otherwise agreed by the relevant planning authority), the undertaker must maintain a written record, retained at the authorised development, of the quantities and origin of the waste treated by the authorised development for each operational year.</p> <p>(6) From the date of final commissioning until the authorised development has been decommissioned in accordance with requirement 28 (unless otherwise agreed by the relevant planning authority), on or prior to 1 February each year, the undertaker must provide to the relevant planning authority a report for the proceeding operational year (the “Waste Catchment Report”). The Waste Catchment Report must identify—</p> <ul style="list-style-type: none"> (a) the waste throughput of the authorised development including the total tonnage of waste processed at the authorised development for the operational year; (b) waste catchment including as far as it is reasonably practicable to audit, the waste area for each waste loading point for waste processed at the authorised development for the operational year, 	



Location	Request	Rationale	Summary of Change	Relevant doc version						
<p>separately totalling tonnages received from waste area 1, waste area 2 and outside of waste area 2; and</p> <p>(c) the total annual tonnage processed at the authorised development from each waste planning authority for the operational year.</p> <p>(7) The relevant planning authority can request an interim Waste Catchment Report at any time for the preceding 12 month period. The undertaker must submit an interim Waste Catchment Report to the relevant planning authority within 6 weeks of receiving the request. The interim Waste Catchment Report must cover the 12 month period ending on the last day of the month the written request was made by the relevant planning authority to the undertaker unless otherwise agreed by the relevant planning authority.</p> <p>(8) In this paragraph— “operational year” means the period from 1 January to 31 December, inclusive; “throughput” means the tonnage of waste received at the authorised development; “waste area 1” means a 75 kilometre radius from the point that has grid reference N307892.6931 and E545496.9373; “waste area 2” means the area shown on the waste area 2 plan; and “waste loading point” means the location where the waste is loaded onto a vehicle prior to being sent directly to the authorised development.</p> <p>(9) In paragraph (6)(b) “waste area” means the areas or locations for each waste loading point, disaggregated to the smallest administrative area practicable, including but not limited to county, unitary, district, borough or postcode area.</p>										
<p>Schedule 4 – Streets subject to</p>	<p>Applicant, in response</p>	<p>The extent of the works to Algores Way that are</p>	<table border="1"> <thead> <tr> <th data-bbox="920 1315 1155 1401"><i>(1)</i> <i>Area</i></th> <th data-bbox="1155 1315 1451 1401"><i>(2)</i></th> <th data-bbox="1451 1315 1827 1401"><i>(3)</i> <i>Description of alteration</i></th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	<i>(1)</i> <i>Area</i>	<i>(2)</i>	<i>(3)</i> <i>Description of alteration</i>				<p>Rev 4</p>
<i>(1)</i> <i>Area</i>	<i>(2)</i>	<i>(3)</i> <i>Description of alteration</i>								



Location	Request	Rationale	Summary of Change	Relevant doc version						
permanent alteration of layout	to commets from the Examining Authority	authorised by the DCO, and not subject to the consent of the landowner, has been limited to the new access under Work No. 4a. This will ensure that any works that the undertaker may carry out to that part of Algores Way that is used by business owners is carried out with the consent of, and to the satisfaction of, the landowner.	<table border="1"> <thead> <tr> <th data-bbox="920 325 1155 400"></th> <th data-bbox="1155 325 1453 400"><i>Street subject to alteration of layout</i></th> <th data-bbox="1453 325 1823 400"></th> </tr> </thead> <tbody> <tr> <td data-bbox="920 400 1155 810">In the County of Cambridgeshire</td> <td data-bbox="1155 400 1453 810">Algores Way (private street)</td> <td data-bbox="1453 400 1823 810">Permanent alteration of layout to the extent of Algores Way shown as Work No. 4A on the works plan and located within that area coloured yellow on the access and public rights of way plan including carriageway and footway widening and highway alteration works</td> </tr> </tbody> </table>		<i>Street subject to alteration of layout</i>		In the County of Cambridgeshire	Algores Way (private street)	Permanent alteration of layout to the extent of Algores Way shown as Work No. 4A on the works plan and located within that area coloured yellow on the access and public rights of way plan including carriageway and footway widening and highway alteration works	
	<i>Street subject to alteration of layout</i>									
In the County of Cambridgeshire	Algores Way (private street)	Permanent alteration of layout to the extent of Algores Way shown as Work No. 4A on the works plan and located within that area coloured yellow on the access and public rights of way plan including carriageway and footway widening and highway alteration works								
Schedule 6 – CCC Access	CCC	Amendments made to distinguish between the parts of an access that is within the public highway and the part that is located outside of the public highway	Table 4	Rev 4						



Location	Request	Rationale	Summary of Change	Relevant doc version												
			<table border="1"> <thead> <tr> <th data-bbox="920 331 1162 403"><i>(1)</i> <i>Location</i></th> <th data-bbox="1167 331 1462 403"><i>(2)</i> <i>Street</i></th> <th data-bbox="1467 331 1839 443"><i>(3)</i> <i>Description of relevant part of access</i></th> </tr> </thead> <tbody> <tr> <td data-bbox="920 448 1162 743">In the County of Cambridgeshire</td> <td data-bbox="1167 448 1462 743">Weasenham Lane (public highway)</td> <td data-bbox="1467 448 1839 743">Access to the area shown coloured orange and marked A1 on sheet 2 of the access and public rights of way plan to the extent that such access is or will be located within the public highway</td> </tr> <tr> <td data-bbox="920 748 1162 1043">In the County of Cambridgeshire</td> <td data-bbox="1167 748 1462 1043">Weasenham Lane (public highway)</td> <td data-bbox="1467 748 1839 1043">Access to the area shown coloured orange and marked A2 on sheet 2 of the access and public rights of way plan to the extent that such access is or will be located within the public highway</td> </tr> <tr> <td data-bbox="920 1048 1162 1343">In the County of Cambridgeshire</td> <td data-bbox="1167 1048 1462 1343">New Bridge Lane (public highway)</td> <td data-bbox="1467 1048 1839 1343">Access to the area shown coloured orange and marked A8 on sheet 1 of the access and public rights of way plan to the extent that such access is or will be located within the public highway</td> </tr> </tbody> </table>	<i>(1)</i> <i>Location</i>	<i>(2)</i> <i>Street</i>	<i>(3)</i> <i>Description of relevant part of access</i>	In the County of Cambridgeshire	Weasenham Lane (public highway)	Access to the area shown coloured orange and marked A1 on sheet 2 of the access and public rights of way plan to the extent that such access is or will be located within the public highway	In the County of Cambridgeshire	Weasenham Lane (public highway)	Access to the area shown coloured orange and marked A2 on sheet 2 of the access and public rights of way plan to the extent that such access is or will be located within the public highway	In the County of Cambridgeshire	New Bridge Lane (public highway)	Access to the area shown coloured orange and marked A8 on sheet 1 of the access and public rights of way plan to the extent that such access is or will be located within the public highway	
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Location	Request	Rationale	Summary of Change	Relevant doc version
	In the County of Cambridgeshire	New Bridge Lane (public highway)	Access to the area shown coloured orange and marked A6 on sheet 1 of the access and public rights of way plan to the extent that such access is or will be located within the public highway.	
	In the County of Cambridgeshire	New Bridge Lane (public highway)	Access to the area shown coloured orange and marked A7 on sheet 1 of the access and public rights of way plan to the extent that such access is or will be located within the public highway	
	In the County of Cambridgeshire	New Drove (public highway)	Access to the area shown coloured orange and marked A10 on sheet 1 of the access and public rights of way plan to the extent that such access is or will be located within the public highway	



Location	Request	Rationale	Summary of Change	Relevant doc version
	In the County of Cambridgeshire	New Bridge Lane (public highway)	Access to the area shown coloured orange and marked A11 on sheet 1 of the access and public rights of way plan to the extent that such access is or will be located within the public highway	
	In the County of Cambridgeshire	Broadend Road (public highway)	Access to the area shown coloured orange and marked A12 on sheet 4 of the access and public rights of way plan to the extent that such access is or will be located within the public highway	



Table 6

<i>(1)</i> <i>Location</i>	<i>(2)</i> <i>Street</i>	<i>(3)</i> <i>Description of relevant part of access</i>
In the County of Cambridgeshire	Weasenham Lane (public highway)	Access to the area shown coloured orange and marked A1 on sheet 2 of the access and public rights of way plan to the extent that such assess is or will be located outside of the public highway
In the County of Cambridgeshire	Weasenham Lane (public highway)	Access to the area shown coloured orange and marked A2 on sheet 2 of the access and public rights of way plan to the extent that such assess is or will be located outside of the public highway
In the County of Cambridgeshire	New Bridge Lane (public highway)	Access to the area shown coloured orange and marked A9 on sheet 1 of the access and public rights of way plan to the extent that such assess is or will be located outside of the public highway
In the County of Cambridgeshire	New Drove (public highway)	Access to the area shown coloured orange and marked A10 on sheet 1 of the access and public



Location	Request	Rationale	Summary of Change	Relevant doc version
			rights of way plan to the extent that such assess is or will be located outside of the public highway	
			In the County of Cambridgeshire New Bridge Lane (public highway)	
			Access to the area shown coloured orange and marked A11 on sheet 1 of the access and public rights of way plan to the extent that such assess is or will be located outside of the public highway	
			In the County of Norfolk Broadend Road (public highway)	
			Access to the area shown coloured orange and marked A12 on sheet 4 of the access and public rights of way plan to the extent that such assess is or will be located outside of the public highway	
<p>Schedule 11 – Protective Provisions – Part 6 – For the protection of internal</p>	<p>Applicant and Internal Drainage Boards (IDB)</p>	<p>Various updates to the protective provisions at the request of the IDBs.</p>	<p>[...] 59. Without limiting paragraph 58, the requirements which the Board may make under that paragraph include conditions requiring the undertaker at its own expense to construct such protective works, whether temporary or permanent, during the construction of the specified work (including the provision of strike plates, flood banks,</p>	<p>Rev 4</p>



Location	Request	Rationale	Summary of Change	Relevant doc version
drainage board	These amendments are currently being considered by the IDBs and are subject to final agreement, but have been included as the Applicant considers it appropriate to demonstrate the progress being made.	<p>walls or embankments or other new works and the strengthening, repair or renewal of existing banks, walls or embankments) as are reasonably necessary—</p> <p>[...]</p> <p>[60(5) ...]</p> <p>(b) the undertaker must take all reasonable steps to relocate Work No. 7 or 8 at its own cost including the installation of strike plates if Work No. 7 or 8 is relocated below the new culvert and within the timescale advised to the Board.</p> <p>[...]</p> <p>62.—(1) The undertaker must compensate the Board in respect of all costs, charges and expenses that the Board may reasonably incur, have to pay or may sustain—</p> <p>(a) in the examination or approval of plans and evidence under this Part;</p> <p>(b) in inspecting the proposed site for and construction of any specified work or any protective works required by the Board under this Part; and</p> <p>(c) in carrying out of any surveys or tests by the Board that are reasonably required in connection with the construction of the specified work.</p> <p>(2) Where the Board notifies the undertaker that it intends to replace a culvert that is crossed by Work No. 7 or 8, and the replacement of the culvert will not require the relocation of Work No. 7 or 8 under paragraph 60(6), the undertaker must compensate the Board in respect of all additional costs, charges and expenses reasonably incurred by the Board relating to the construction or maintenance of the new culvert that are directly caused by the presence of Work No. 7 or 8 provided that this</p>		



Location	Request	Rationale	Summary of Change	Relevant doc version
			<p>sub-paragraph does not apply to any such costs, charges and expenses to the extent that they are attributable to the Board failing to carry out and execute works properly with due care and attention and in a skilful and workmanlike manner.</p> <p>[...]</p> <p>65. If in consequence of the powers granted under this Order the access to any drainage work is materially obstructed, the undertaker must provide such alternative rights and means of access to such drainage work as will enable the Board to maintain or use the drainage work no less effectively than was possible before such obstruction.</p> <p>66.—(1) The Board and the undertaker may enter into agreements with respect to the maintenance of any drainage work located within the boundary of Work No. 2B as shown on the works plans.</p> <p>(2) Such an agreement may, without prejudice to the generality of sub-paragraph (1), contain such terms as to the nature and frequency of any maintenance works, payments and otherwise as the parties consider appropriate.</p> <p>65-67. Any dispute between the undertaker and the Board under this Part, unless otherwise agreed, must be determined by arbitration under article 46 (arbitration), but must be determined by the Secretary of State for Environment, Food and Rural Affairs and the Secretary of State for Energy Security and Net Zero acting jointly on a reference to them by the undertaker or the Board, after notice in writing by one to the other.</p>	
Schedule 11 – Protective Provisions – Part 9 – For the protection	Applicant and CCC	New protective provisions at the request of CCC.	PART 9 FOR THE PROTECTION OF CAMBRIDGESHIRE COUNTY COUNCIL AS HIGHWAY AUTHORITY	Rev 4



Location	Request	Rationale	Summary of Change	Relevant doc version
<p>of Cambridgeshire County Council as highway authority</p>		<p>These protective provisions are currently being considered by CCC and are subject to final agreement, but have been included as the Applicant considers it appropriate to demonstrate the progress being made.</p>	<p>105.—(1) The following provisions of this Part of this Schedule, unless otherwise agreed in writing between the undertaker and Cambridgeshire County Council, have effect.</p> <p>(2) In this Part of this Schedule—</p> <p>“highway” means any highway of which Cambridgeshire Country Council is the highway authority;</p> <p>“plans” includes sections, designs, drawings, specifications, soil reports, staging proposals, programmes, calculations, methods of construction, risk assessments and details of the extent, timing and duration of any proposed occupation of any highway and “approved plans” means plans approved or deemed to be approved or settled by arbitration in accordance with the provisions of this Part of this Schedule; and</p> <p>“property of Cambridgeshire County Council” means any apparatus or street furniture of the highway authority affixed to or placed under any highway.</p> <p>“works” means so much of any part of the authorised development as forms part of or is intended to become a highway, or part of any such highway, or any work which could introduce water onto the highway or any work which is underneath or over the highway.</p> <p>(3) Wherever in this Part of this Schedule provision is made with respect to the approval or consent of Cambridgeshire Country Council, that approval or consent must be in writing and subject to such reasonable terms and conditions as Cambridgeshire Country Council may require.</p> <p>(4) In exercising the powers conferred by this Order in relation to any highway the undertaker must have regard to the potential disruption of traffic which may be caused and must seek to minimise such disruption so far as is reasonably practicable.</p>	



Location	Request	Rationale	Summary of Change	Relevant doc version
			<p>106.—(1) Before commencing the construction of, or the carrying out of any work which involves interference with a highway, the undertaker must submit to Cambridgeshire Country Council for its approval plans relating thereto, and the works must not be carried out except in accordance with the plans submitted to, and approved by, Cambridgeshire Country Council.</p> <p>(2) If within 28 days after the plans have been submitted Cambridgeshire Country Council has not approved or disapproved them, it is deemed to have approved the plans as submitted.</p> <p>(3) In the event of any disapproval of plans by the Cambridgeshire Country Council under paragraph (2), the undertaker shall re-submit the plans with modifications and, in that event, if Cambridgeshire Country Council has not intimated its disapproval and the grounds of disapproval within 28 days of the plans being re-submitted, it is deemed to have approved them.</p> <p>(4) The undertaker must include in any submission made to Cambridgeshire Country Council under paragraph (1) or any re-submission under paragraph (3), a statement that the deemed approval provisions of paragraph (2) or paragraph (3) apply, as the case may be, and if the submission fails to do so, the deemed approval provision is null and void.</p> <p>(5) Any officer of Cambridgeshire Country Council duly appointed for the purpose of inspecting the works may at all reasonable times during the carrying out of work and following completion of the works, on giving to the undertaker such notice as may in the circumstances be reasonable, enter upon and inspect any part of the works authorised by this Order (and such inspection may include works to be uncovered as reasonably required by the officer at the cost of the undertaker) which—</p> <p>(a) is in, over or under any highway; or</p>	



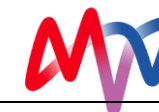
Location	Request	Rationale	Summary of Change	Relevant doc version
			<p>(b) which may affect any highway or any property of Cambridgeshire Country Council, during the carrying out of the work, and the undertaker must give to such officer all reasonable facilities for such inspection and shall ensure that the officer is accompanied by one of its contractors, agents or employees familiar with the works, if the officer is of the opinion that the construction of the work is attended with danger to any highway or to any property of Cambridgeshire Country Council on or under any highway, the undertaker must adopt such measures and precautions as may be reasonably practicable for the purpose of preventing any damage or injury to the highway.</p> <p>(6) In the construction of any part of the said works under a highway no part of it shall, except with the consent of Cambridgeshire Country Council, be so constructed as to interfere with the provision of proper means of drainage of the surface of the highway.</p> <p>107.—(1) The undertaker must not alter, disturb or in any way interfere with any property of Cambridgeshire Country Council on or under any highway, or the access thereto, without the consent of the Cambridgeshire Country Council, and any alteration, diversion, replacement or reconstruction of any such property which may be necessary may be made by Cambridgeshire Country Council or the undertaker as the Cambridgeshire Country Council thinks fit, and the expense reasonably incurred by Cambridgeshire Country Council in so doing must be repaid to Cambridgeshire Country Council by the undertaker.</p> <p>(2) The undertaker must not under the powers conferred by or under this Order without the consent of Cambridgeshire Country Council, acquire or enter upon, take or use whether temporarily or permanently or acquire</p>	



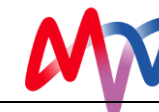
Location	Request	Rationale	Summary of Change	Relevant doc version
			<p>any new rights over any part of any highway, including subsoil beneath the surface of any highway.</p> <p>(3) If within 28 days after a request for consent has been submitted Cambridgeshire Country Council has not given or refused such consent, it is deemed to have consented to the request as submitted provided that the undertaker includes in any such request for consent a statement confirming that the deemed consent provisions this paragraph apply to such request and if such request fails to do so, the deemed consent provision of this paragraph is null and void.</p> <p>108.—(1) Where any part of any highway has been broken up or disturbed by the undertaker, the undertaker must make good the subsoil, foundations and surface of that part of the highway to the reasonable satisfaction of Cambridgeshire Country Council and must maintain the same to the reasonable satisfaction of Cambridgeshire Country Council for such time as may reasonably be required for the permanent reinstatement of the highway.</p> <p>(2) The reinstatement of that part of the highway must be carried out by the undertaker to the reasonable satisfaction of Cambridgeshire Country Council in accordance with such requirements as to specification of material and standards of workmanship as may be prescribed for equivalent reinstatement work by regulations made under section 71 of the 1991 Act.</p> <p>109. If any damage to any highway or any property of Cambridgeshire Country Council on or under any highway is caused by, or results from, the construction of any work authorised by this Order or any act or omission of the undertaker, its contractors, agents or employees whilst engaged upon such work, the undertaker must, in the case of damage to a highway, make good such damage to the reasonable satisfaction of Cambridgeshire Country Council and, where the undertaker does not</p>	



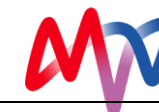
Location	Request	Rationale	Summary of Change	Relevant doc version
			<p>make good, or in the case of damage to property of Cambridgeshire Country Council, the undertaker must pay reasonable compensation to Cambridgeshire Country Council for such damage.</p> <p>110. The fact that any act or thing may have been done in accordance with plans approved by Cambridgeshire Country Council does not (if it was not attributable to the act, neglect or default of Cambridgeshire Country Council or of any person in its employment or its contractors or agents) exonerate the undertaker from any liability, or affect any claim for damages, under this Part or otherwise.</p> <p>111. Cambridgeshire Country Council must use its reasonable endeavours to mitigate in whole or in part and to minimise any costs, expenses, loss, demands, and penalties to which paragraph 5 applies. If requested to do so by the undertaker, Cambridgeshire Country Council must provide an explanation of how the claim has been minimised. The undertaker is only liable under paragraph 5 for claims reasonably incurred by Cambridgeshire Country Council.</p> <p>112. On completion of the works the undertaker must seek written certification from Cambridgeshire Country Council that the works are acceptable and relevant drawings and new highway asset information shall be provided to Cambridgeshire Country Council as part of the undertaker's request for certification. Cambridgeshire Country Council shall only resume its maintenance responsibilities for the affected highways once certification under this paragraph has been issued.</p> <p>113. Cambridgeshire Country Council must not unreasonably withhold or delay the issue of a written certification under paragraph 112. If Cambridgeshire Country Council has not given or refused such written certification within 28 days, it is deemed to have issued a written certification provided that the undertaker includes in any such request for certification a statement confirming that the deemed certification</p>	



Location	Request	Rationale	Summary of Change	Relevant doc version																
			<p>provisions this paragraph apply to such request and if such request fails to do so, the deemed certification provision of this paragraph is null and void.</p> <p>114. On receipt of certification that completed works are acceptable under paragraph 8 above unlocking devices for the new bollards on New Bridge Lane shall be provided by the undertaker to Cambridgeshire Country Council.</p> <p>115. Any difference arising between the undertaker and the Cambridgeshire Country Council under this part of this Schedule (other than in difference as to the meaning or construction of this Part of this Schedule) shall be resolved by arbitration under article 46 (arbitration).</p> <p>116. All reasonable costs incurred by Cambridgeshire Country Council under this part of this Schedule shall be paid in full by the undertaker on written demand by Cambridgeshire Country Council.</p>																	
<p>Schedule 13 – Documents and plans to be certified – Table 10</p>	<p>Applicant</p>	<p>Additional documents linked to amendments to Requirement 22, Requirement 23, and new Requirement 29. Only new table rows are shown. Please note that the waste area 2 plan will be provided at Deadline 6.</p>	<table border="1"> <thead> <tr> <th data-bbox="920 887 1205 1007">(1) <i>Document name</i></th> <th data-bbox="1205 887 1453 1007">(2) <i>Document reference</i></th> <th data-bbox="1453 887 1641 1007">(3) <i>Revision number</i></th> <th data-bbox="1641 887 1832 1007">(4) <i>Date</i></th> </tr> </thead> <tbody> <tr> <td data-bbox="920 1007 1205 1126">carbon capture and export embedded design measures</td> <td data-bbox="1205 1007 1453 1126">14.7 (Appendix B)</td> <td data-bbox="1453 1007 1641 1126">1</td> <td data-bbox="1641 1007 1832 1126">June 2023</td> </tr> <tr> <td data-bbox="920 1126 1205 1241">combined heat and power embedded design measures</td> <td data-bbox="1205 1126 1453 1241">14.7 (Appendix A)</td> <td data-bbox="1453 1126 1641 1241">1</td> <td data-bbox="1641 1126 1832 1241">June 2023</td> </tr> <tr> <td data-bbox="920 1241 1205 1281">waste area 2 plan</td> <td data-bbox="1205 1241 1453 1281">[tbc]</td> <td data-bbox="1453 1241 1641 1281">[tbc]</td> <td data-bbox="1641 1241 1832 1281">[tbc]</td> </tr> </tbody> </table>	(1) <i>Document name</i>	(2) <i>Document reference</i>	(3) <i>Revision number</i>	(4) <i>Date</i>	carbon capture and export embedded design measures	14.7 (Appendix B)	1	June 2023	combined heat and power embedded design measures	14.7 (Appendix A)	1	June 2023	waste area 2 plan	[tbc]	[tbc]	[tbc]	<p>Rev 4</p>
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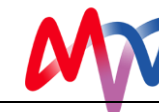
Location	Request	Rationale	Summary of Change	Relevant doc version				
Schedule 13 – Documents and plans to be certified – Table 10	Applicant	Added details of document version to be certified.	<table border="1"> <tr> <td>outline decommissioning plan</td> <td>12.4</td> <td>1</td> <td>May 2023</td> </tr> </table>	outline decommissioning plan	12.4	1	May 2023	Rev 4
outline decommissioning plan	12.4	1	May 2023					
Schedule 15 – Arbitration Rules	Examining Authority	Removal of 'and/or' from drafting.	<p>[...]</p> <p>4. [...]</p> <p>(9) If a party fails to comply with the timetable, procedure or any other direction then the arbitrator may continue in the absence of a party or submission or document, and may make a decision on the information before them attaching the appropriate weight to any evidence submitted beyond any timetable or in breach of any procedure and/or direction or both.</p> <p>5. [...]</p> <p>(3) Any time limits fixed in accordance with this procedure or by the arbitrator may be varied by agreement between the parties, subject to any such variation being acceptable to and approved by the arbitrator. In the absence of agreement, the arbitrator may vary the timescales and/or procedure or both—</p>	Rev 4				
Preamble	Applicant	Amended to reflect drafting trends in the recent Longfield DCO, made by the DESNZ Secretary of State.	The Secretary of State, having decided the application, has determined to make an order giving effect to the proposals comprised granting development consent for the development described in the application on terms that in the opinion of the Secretary of State are not materially different from those proposed in the application.	Rev 5				



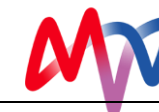
Location	Request	Rationale	Summary of Change	Relevant doc version
Article 2 – interpretation – definition of “commence”	Applicant	Amended to reflect drafting trends in the recent Longfield DCO, made by the DESNZ Secretary of State.	“commence” means beginning to carry out any material operation, as defined in section 155 of the 2008 Act (which explains when development begins), comprised in or carried out for the purposes of the authorised development other than the enabling activities and the words “commencement” and “commenced” and other cognate expressions are to be construed accordingly;	Rev 5
Article 2 – interpretation – definition of “commissioning”	Applicant	Amended to reflect drafting trends in the recent Longfield DCO, made by the DESNZ Secretary of State.	“commissioning” means the process of assuring that all systems and components of the authorised development or part of the authorised development (which are installed or installation is near to completion) are tested to verify that they function and are operable in accordance with design objectives, specifications and operational requirements of the undertaker and “commission” and other cognate expressions are to be construed accordingly;	Rev 5
Article 2 – interpretation – definition of “waste area plan”	Applicant	Amended to reflect that the plan shows both waste area 1 and waste area 2	“waste area 2 plan” means the document of that name identified in Table 10 of Schedule 13 and which is certified by the Secretary of State as the waste area 2 plan for the purposes of this Order;	Rev 5
Article 21 – Felling or lopping of trees	Applicant	Amended to reflect drafting trends in the recent Longfield DCO, made by the DESNZ Secretary of State.	21.—(1) The Subject to paragraph (2), the undertaker may fell or lop any tree or shrub within or overhanging the Order land, or cut back its roots, if it reasonably believes it to be necessary to do so to prevent the tree or shrub—	Rev 5
Article 23 – compulsory	Applicant	Amended to reflect drafting trends in the	(2) This article is subject to article 24 (time limit for exercise of authority to acquire land compulsorily) , article 25 (compulsory acquisition of	Rev 5



Location	Request	Rationale	Summary of Change	Relevant doc version
acquisition of land		recent Longfield DCO, made by the DESNZ Secretary of State.	rights and imposition of restrictive covenants), article 26 (acquisition of subsoil only), and article 32 (temporary use of land for the construction of the authorised development) and schedule 11 (protective provisions) .	
Article 27 – Private rights	Applicant	Amended to reflect drafting trends in the recent Longfield DCO, made by the DESNZ Secretary of State.	27.—(1) Subject to the provisions of this article, all private rights and restrictive covenants over land subject to compulsory acquisition under this Order article 23 are extinguished— (a) as from the date of acquisition of the land, by the undertaker, whether compulsorily or by agreement or through the grant of a lease of the land by agreement; or (b) on the date of entry on the land by the undertaker under section 11(1) (power of entry) of the 1965 Act, ; or (c) — on commencement of any activity authorised by the Order which interferes with or breaches those rights, whichever is the earliest.	Rev 5
Article 18 – Power to override easements and other rights – paragraph (5)	Applicant	Amended to reflect drafting trends in the recent Longfield DCO, made by the DESNZ Secretary of State.	(5) Where a person is deriving title under the undertaker or any contractors, servants or agents of the undertaker by whom the land in question was acquired—	Rev 5
Article 35 – Apparatus and rights of statutory undertakers	Applicant	Amended to reflect drafting trends in the recent Longfield DCO, made by the	[Heading amended] Apparatus and rights of statutory undertakers in stopped-up altered or closed streets	Rev 5



Location	Request	Rationale	Summary of Change	Relevant doc version
in altered or closed streets		DESNZ Secretary of State.	[References to article 35 throughout have also been amended to refer to the correct heading for this article]	
Article 40 – Defence to proceedings in respect of statutory nuisance	Applicant	Amended to reflect drafting trends in the recent Longfield DCO, made by the DESNZ Secretary of State.	(2) Section 61(9) (consent for work on construction site to include statement that it does not of itself constitute a defence to proceedings under section 82 of the Environment Protection Act 1990) of the Control of Pollution Act 1974 does not to apply where the consent relates to the use of premises by the undertaker for the purposes of or in connection with the construction or maintenance or decommissioning of the authorised development.	Rev 5
Schedule 1 – Authorised Development	Applicant	Amended to reflect drafting trends in the recent Longfield DCO, made by the DESNZ Secretary of State.	Authorised Development 1. In the County of Cambridgeshire and the County of Norfolk a nationally significant infrastructure project as defined in section 14(1)(a) (nationally significant infrastructure projects: general) and section 15 (generating stations) of the 2008 Act and associated development within the meaning of section 115(2) (development for which development consent may be granted) of the 2008 Act comprising all or part of—	Rev 5
Schedule 2 – Requirements – Paragraph 29 – Origin of Waste – subparagraph (8)	Applicant	Amendment to definitions of waste area 1 and waste area 2 to reflect that both areas are shown on the waste area plan	“waste area 1” means a 75 kilometre radius from the point that has grid reference N307892.6931 and E545496.9373 and shown on the waste area plan ; “waste area 2” means the area shown on the waste area 2 plan; and	Rev 5



Location	Request	Rationale	Summary of Change			Relevant doc version
Schedule 6 – Applicant Accesses – Table 6	Applicant	Correction of typos	In the County of Cambridgeshire	Weasenham Lane (public highway)	Access to the area shown coloured orange and marked on sheet 2 of the access and public rights of way plan to the extent that such assess access or will be located outside of public highway	Rev 5
			In the County of Cambridgeshire	Weasenham Lane (public highway)	Access to the area shown coloured orange and marked on sheet 2 of the access and public rights of way plan to the extent that such assess access or will be located outside of public highway	
			In the County of Cambridgeshire	New Bridge Lane (public highway)	Access to the area shown coloured orange and marked on sheet 1 of the access and public rights of way plan to the extent that such assess access or will be located outside of public highway	
			In the County of Cambridgeshire	New Drove (public highway)	Access to the area shown coloured orange and marked A10 on sheet 1 of the access and public rights of way plan to the extent that such assess access or will be located outside of public highway	
			In the County of Cambridgeshire	New Bridge Lane (public highway)	Access to the area shown coloured orange and marked A11 on sheet 1 of the access and public rights of way plan to the extent that such assess access or will be located outside of public highway	



Location	Request	Rationale	Summary of Change	Relevant doc version			
			<table border="1"> <tr> <td data-bbox="920 325 1173 539">In the County of Norfolk</td> <td data-bbox="1173 325 1552 539">Broadend Road (public highway)</td> <td data-bbox="1552 325 1850 539">Access to the area shown coloured orange and marked A12 on sheet 4 of the access public rights of way plan to the extent that such assess access or will be located outside of public highway</td> </tr> </table>	In the County of Norfolk	Broadend Road (public highway)	Access to the area shown coloured orange and marked A12 on sheet 4 of the access public rights of way plan to the extent that such assess access or will be located outside of public highway	
In the County of Norfolk	Broadend Road (public highway)	Access to the area shown coloured orange and marked A12 on sheet 4 of the access public rights of way plan to the extent that such assess access or will be located outside of public highway					
Schedule 9 – Modification of compensation and compulsory purchase enactments for creation of new rights and imposition of new restrictive covenants – paragraph 5(5)	Applicant	Amended to reflect drafting trends in the recent Longfield DCO, made by the DESNZ Secretary of State.	<p>(5) Section 11 (powers of entry) of the 1965 Act is modified to secure that, where the acquiring authority has served notice to treat in respect of any right or restriction, as well as the notice of entry required by subsection (1) of that section (as it applied to compulsory acquisition under article 23), it has power, exercisable in equivalent circumstances and subject to equivalent conditions, to enter for the purpose of exercising that right or enforcing that restrictive covenant; and sections 11A (powers of entry: further notices of entry), 11B (counter-notice requiring possession to be taken on specified date), 12 (penalty for unauthorised entry) and 13 (refusal to give possession to acquiring authority) of the 1965 Act are modified correspondingly.</p>	Rev 5			
Schedule 11 – protective provisions – Part 5 - for the protection of	Applicant	Correction of typos	<p>52.—(1) The undertaker must not commence any open cut method works until—</p> <p>(a) the undertaker procures that the open cut method works are secured by a bond from a bondsman first approved by National Highways, such approval not to be unreasonably withheld or delayed,</p>	Rev 5			



Location	Request	Rationale	Summary of Change	Relevant doc version
National Highways			to indemnify National Highways against all losses, damages, costs or expenses arising from any breach of any one or more obligations of the undertaker in respect of the exercise of the powers under this Order in respect of the open cut method works under the provisions provisions of this Part of this Schedule provided that the maximum liability of the bond must not exceed the bond sum; and	
Schedule 11 – Protective provisions – Part 6 – for the protection of internal drainage board	Applicant and Internal Drainage Boards (IDB)	Amendments to PPs for the protection of IDBs as discussed during negotiations. The changes relate to the potential for a third party to undertake works to culverts, and provides a mechanism for the Applicant to contribute to the cost of replacing culverts.	<p>58.—(1) Before beginning to construct any specified work, the undertaker must submit to the Board plans of the specified work, evidence to support said plans and any such further particulars available to it as the Board may within 28 days (or such other time period as may be agreed between the Board and the undertaker) of the submission of the plans reasonably require (or submission of further particulars if required by the Board).</p> <p>(2) In respect of any specified work that includes the crossing of any existing culvert by Work No. 7 or 8, any plans submitted for approval under sub-paragraph (1) must locate the cables above the culvert. Not used.</p> <p>[...]</p> <p>60. [...]</p> <p>(5) If the Subject to sub-paragraph (8), to the extent that a culvert is within a watercourse maintained by the Board and the Board intends to replace such a culvert, or in the event that the Board requires or gives its consent to a third party to replace a culvert, that is crossed by Work No. 7 or 8, and the replacement of the culvert will reasonably require the relocation of Work No. 7 or 8 either above or below the new culvert, the Board must provide the undertaker with 28 days written notice of confirming its intention to replace the culvert or that a third party intends to replace the culvert and—</p>	Rev 5



Location	Request	Rationale	Summary of Change	Relevant doc version
			<p>(a) the undertaker must, within 28 days of receiving the notice (or such other time period as may be agreed between the Board and the undertaker), advise the Board of the timescale it requires to relocate Work No. 7 or 8 (such timescale not to exceed 12 months unless otherwise agreed with the Board) and the specifications for the relocated Work No. 7 or 8; and</p> <p>(b) the undertaker must take all reasonable steps to relocate Work No. 7 or 8 at its own cost including the installation of strike plates if Work No. 7 or 8 is relocated below the new culvert as soon as reasonably practicable and within the timescale advised to the Board.</p> <p>[...]</p> <p>(8) If the undertaker does not comply with the requirements set out in sub-paragraph (5)(a) within 28 days or the timescale specified under paragraph (5)(b), as applicable, the Board must not except in an emergency commence any works to replace the culvert within 6 metres of Work No. 7 or 8 before the matter has been determined under paragraph 67.</p> <p>[...]</p> <p>62.—(1) The undertaker must compensate the Board in respect of all costs, charges and expenses that the Board may reasonably incur, have to pay or may sustain—</p> <p>(a) in the examination or approval of plans and evidence under this Part;</p> <p>(b) in inspecting the proposed site for and construction of any specified work or any protective works required by the Board under this Part; and</p> <p>(c) in carrying out of any surveys or tests by the Board that are reasonably required in connection with the construction of the specified work.</p>	



Location	Request	Rationale	Summary of Change	Relevant doc version
			<p>(2) Where Subject to sub-paragraphs (3) and (4), where the Board notifies the undertaker that it intends to replace a culvert that is within a watercourse maintained by the Board, or in the event that the Board requires or gives its consent to a third party to replace a culvert, that is crossed by Work No. 7 or 8, and the replacement of the culvert will not require the relocation of Work No. 7 or 8 under paragraph 60(5) 60(6), the undertaker must—</p> <p>(a) compensate the Board in respect of all additional costs, charges and expenses reasonably incurred by the Board relating to the construction or maintenance of the new culvert that are directly caused by the presence of Work No. 7 or 8; or</p> <p>(b) compensate any third party required by the Board, or to whom the Board has given its consent, to replace a culvert in respect of all additional costs, charges and expenses reasonably incurred relating to the construction of the new culvert that are directly caused by the presence of Work No. 7 or 8 up to a maximum of 10% of the total costs of replacing the culvert or £250,000.00 whichever is the lower amount.</p> <p>(3) The undertaker is not liable for any costs, charges and expenses under sub-paragraph (2) provided that this sub-paragraph does not apply to any such costs, charges and expenses to the extent that they are attributable to the Board or a third party failing to carry out and execute works properly with due care and attention and in a skilful and workmanlike manner or are incurred as a result of damage to a culvert caused by a third party and could be recovered from such a third party.</p> <p>(2)(4) The Board or a third party must provide the undertaker with an estimate of any reasonable costs, charges and expenses to be paid by the undertaker under sub-paragraph (2) prior to such costs, charges and expenses being incurred.</p>	



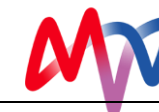
Location	Request	Rationale	Summary of Change	Relevant doc version
			<p>[...]</p> <p>63. [...]</p> <p>(3) The Board must use its reasonable endeavours to mitigate in whole or in part and to minimise any claims, demands, proceedings, costs, damages, expenses or loss to which this paragraph applies. If requested to do so by the undertaker, the Board must provide an explanation of how the claim has been minimised. The undertaker is only liable under this paragraph for claims reasonably incurred by the Board.</p> <p>[...]</p>	
<p>Schedule 11 – Protective provisions – Part 7 – for the protection of Cambridgeshire County Council as highway authority</p>	<p>Applicant and Cambridge shire County Council (CCC)</p>	<p>Amendments to PPs for the protection of CCC as agreed during negotiations. Changes include clarifications, typo corrections, and provision of an indemnity.</p>	<p>106.—(1) Before commencing the construction of, or the carrying out of any work which involves interference with a highway, the undertaker must submit to Cambridgeshire Country Council for its approval plans relating thereto, and the works must not be carried out except in accordance with the plans submitted to, and approved by, Cambridgeshire Country Council.</p> <p>(2) If within 28 days after the plans have been submitted Cambridgeshire Country Council has not approved or disapproved them, it is deemed to have approved the plans as submitted provided that this sub-paragraph does not apply to any plans submitted for approval pursuant to Requirement 5 of Schedule 2 where the time periods set out in Schedule 12 apply.</p> <p>(3) In the event of any disapproval of plans by the Cambridgeshire Country Council under sub-paragraph (2), the undertaker shall re-submit the plans with modifications and, in that event, if Cambridgeshire Country Council has not intimated its disapproval and the grounds of disapproval within 28 days of the plans being re-submitted, it is deemed to have approved them.</p>	<p>Rev 5</p>



Location	Request	Rationale	Summary of Change	Relevant doc version
			<p>(4) The undertaker must include in any submission made to Cambridgeshire Country Council under sub-paragraph (1) or any re-submission under sub-paragraph (3), a statement that the deemed approval provisions of sub-paragraph (2) or sub-paragraph (3) apply, as the case may be, and if the submission fails to do so, the deemed approval provision is null and void.</p> <p>[...]</p> <p>111. Cambridgeshire Country Council must use its reasonable endeavours to mitigate in whole or in part and to minimise any costs, expenses, loss, demands, and penalties to which paragraph 5 109 applies. If requested to do so by the undertaker, Cambridgeshire Country Council must provide an explanation of how the claim has been minimised. The undertaker is only liable under paragraph 5 109 for claims reasonably incurred by Cambridgeshire Country Council.</p> <p>[...]</p> <p>116.—(1) Subject to sub-paragraphs (2) and (3), the undertaker must indemnify Cambridgeshire County Council from and against all costs, expenses, damages, losses and liabilities suffered by Cambridgeshire County Council arising from or in connection with any claim, demand, action or proceedings resulting from damage caused by the construction, maintenance or use of the specified works.</p> <p>(2) Sub-paragraph (1) does not apply if the costs expenses liabilities and damages were caused by or arose out of the neglect or default of Cambridgeshire County Council or its officers servants agents or contractors or any person or body for whom it is responsible.</p> <p>(3) If any person makes a claim or notifies an intention to make a claim against Cambridgeshire County Council which may reasonably be considered likely to give rise to a liability under this paragraph then Cambridgeshire Country Council must—</p>	



Location	Request	Rationale	Summary of Change	Relevant doc version
			<p>(a) as soon as reasonably practicable give the undertaker reasonable notice of any such third party claim or demand, specifying the nature of the indemnity liability in reasonable detail; and</p> <p>(b) not make any admission of liability, agreement or compromise in relation to the indemnity liability without first consulting the undertaker and considering their representations.</p> <p>(4) The undertaker acknowledges that Cambridgeshire County Council may receive statutory compensation claims and that Cambridgeshire County Council may not be able to comply with sub-paragraph (3) in respect of such claims.</p> <p>(5) Where Cambridgeshire County Council considers that sub-paragraph (4) applies to any claim or demand it must give notice of that view as part of the relevant notice provided pursuant to sub-paragraph (3)(a).</p> <p>(6) Cambridgeshire County Council must use its reasonable endeavours to mitigate in whole or in part and to minimise any costs expenses, loss, demands and penalties to which the indemnity under this paragraph applies where it is within Cambridgeshire County Council's reasonable gift and control to do so and which expressly excludes any obligation to mitigate liability arising from third parties which is outside of Cambridgeshire County Council's control. If reasonably requested to do so by the undertaker, Cambridgeshire County Council must provide an explanation of how any claim has been mitigated or minimised or where mitigation or minimisation is not possible an explanation as to why.</p> <p>116-117. All reasonable costs incurred by Cambridgeshire County Council under this part of this Schedule shall be paid in full by the undertaker on written demand by Cambridgeshire County Council.</p>	



Location	Request	Rationale	Summary of Change				Relevant doc version
[Not shown: correction of Cambridgeshire Country Council to Cambridgeshire County Council, throughout]							
Schedule 13 – Documents and plans to be certified – Table 10	Applicant	Updates to reflect the latest revisions to documents	(1) <i>Document name</i>	(2) <i>Document reference</i>	(3) <i>Revision number</i>	(4) <i>Date</i>	Rev 5
			access and public rights of way plans	2.4	4 5	April 2023 June 2023	
			book of reference	4.1	5	April 2023	
			carbon capture and export embedded design measures	14.7 (Appendix B)	1	June 2023	
			carbon capture and export readiness reserve space plan	10.7	1	March 2023	
			combined heat and power embedded design measures	14.7 (Appendix A)	1	June 2023	
			combined heat and power statement	7.6	1	June 2022	
			design and access statement	7.5	1	June 2022	
			environmental statement	6.1, 6.2	1	June 2022	
			environmental statement figures	6.3	2	March 2023	



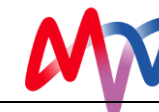
Location	Request	Rationale	Summary of Change	Relevant doc version
	environmental statement appendices	6.4	2	March 2023
	flood risk assessment	6.4 (ES Appendix 12A)	1	June 2022
	land plans	2.2	3 4	April 2023
	outline biodiversity net gain strategy	6.4 (ES Appendix 11M)	3-5	April 2023 July 2023
	outline construction environmental management plan	7.12	3 6	April 2023 July 2023
	outline construction traffic management plan	6.4 (ES Appendix 6A)	3 6	April 2023 July 2023
	outline decommissioning plan	12.4	1	May 2023
	outline drainage strategy	6.4 (ES Appendix 12F)	2 3	March 2023 June 2023
	outline employment and skills strategy	7.8	1	June 2022
	outline fire prevention plan	7.10	1 2	June 2022 March 2023



Location	Request	Rationale	Summary of Change	Relevant doc version
	outline flood emergency management plan	7.9	2	March 2023
	outline landscape and ecology strategy	6.3 (ES Figure 3.14)	1 2	June 2022 March 2023
	outline landscape and ecology management plan	7.7	2	April 2023
	outline lighting strategy	6.4 (ES Appendix 3B)	2 3	April 2023 June 2023
	outline local air quality monitoring strategy	9.21	2 3	April 2023 May 2023
	outline odour management plan	7.11		2 March 2023
	outline operational noise management plan	6.4 (ES Appendix 7D)	3 4	April 2023 June 2023
	outline operational traffic management plan	7.15	3 4	April 2023 July 2023
	outline operational travel plan	6.4 (ES Appendix 6C)	1	June 2022
	waste area 2 plan	{tbc} 15.9	{tbc} 1	{tbc} July 2023



Location	Request	Rationale	Summary of Change	Relevant doc version			
			works plans	2.3	+3	June 2022 -June 2023	
Deadline 7 (04 August 2023)							
General	Examining Authority (ExA)	Amendments to incorporate changes within the Changes Application.	to	Following the Procedural Decision [PD-018]: Rule 8(3) and Rule 9 - following submission of non-statutory consultation and Amended Examination Timetable Additional Submissions, accepting the Applicant's Change Application [AS-017] to [AS-030], the Applicant has incorporated all changes included within Revision 3A of the draft DCO [AS-024], as set out within 13.4 Schedule of Changes – Change Application [AS-030].			Rev 6
				These changes are shown within the Tracked dDCO provided at Deadline 7 but are not separately included within this Schedule. Please refer to [AS-030] for full details of the changes required as part of the Change Application.			
General	Applicant	Typographical, ordering and formatting amendments	and	Following a complete review of the draft DCO, a number of corrections have been implemented. These include ensuring all definitions of documents and plans to be certified refer to both Schedule 13 and Article 42, formatting changes to resolve the non-standard subcategorising of the Order (now clearly and consistently split into Parts), correcting typographical errors, and ensuring references to paragraphs and sub-paragraphs are accurate.			Rev 6
				Due to the de minimis nature of these changes, they have not been replicated in full within this Schedule. The Tracked dDCO provided at Deadline 7 shows all of these amendments.			



Location	Request	Rationale	Summary of Change	Relevant doc version
Article 2(1) – Interpretation	Applicant	Removal of unused definition of ‘compulsory acquisition notice’ in line with drafting guidance.	“compulsory acquisition notice” means a notice served in accordance with section 134 (notice of authorisation of compulsory acquisition) of the 2008 Act;	Rev 6
Article 2(1) – Interpretation	Applicant	Removal of unused definition of ‘outline Walsoken Substation flood emergency management plan’ as this is no longer a separate document due to amendments to Requirement 13.	“outline Walsoken Substation flood emergency management plan” means the document of that name identified in Error! Reference source not found. of Schedule 13 and which is certified by the Secretary of State as the outline Walsoken Substation flood emergency management plan for the purposes of this Order under article Error! Reference source not found.;	Rev 6
Article 2(1) – Interpretation	Applicant	New definition added for document referred to in Requirement 5 and included Schedule 13, omitted in previous revisions of the dDCO.	<u>“outline landscape and ecology management plan” means the document of that name identified in Table 10 of Schedule 13 and which is certified by the Secretary of State as the outline landscape and ecology management plan for the purposes of this Order under article 42;</u>	Rev 6
Article 2(1) – Interpretation	Applicant	Amendment of definition of “undertaker”	“undertaker” means Medworth CHP Limited (company number 13130012) or any other person who for the time being has the benefit of this Order in accordance with article 7 and 8 <u>(benefit)</u> of this Order);	Rev 6



Location	Request	Rationale	Summary of Change	Relevant doc version
		<p>remove the reference to article 8. This is unnecessary as article 7 is itself subject to the provisions of article 8.</p>		
<p>Article 8 – Consent to transfer benefit of the Order</p>	<p>Applicant</p>	<p>Revised drafting to clarify the instances where the consent of the Secretary of State will not be required to transfer the benefit of the Order. These amendments reflect the drafting in the recent Longfield Solar Farm Order 2023. The effect of this article is not changed by these amendments.</p>	<p>8.—(1) Except where <u>Subject to</u> paragraph 0 applies, the undertaker may, with the consent of the Secretary of State— <u>may—</u></p> <p>(a) transfer to another person (“the transferee”) all or any part of the benefit of the provisions of this Order (including any of the numbered works or any part of the numbered works) and such related statutory rights as may be agreed in writing between the undertaker and the transferee; or</p> <p>(b) grant to another person (“the lessee”), for a period agreed between the undertaker and the lessee, all or any part of the benefit of the provisions of this Order (including any of the numbered works or any part of the numbered works) and such related statutory rights as may be agreed between the undertaker and the lessee.</p> <p>(2) Where an agreement has been made in accordance with paragraph (a) or (b) references in this Order to the undertaker, except paragraph 0, include references to the transferee or the lessee.</p> <p>(3) The exercise by a person of any benefits or rights conferred in accordance with any transfer or grant under paragraph (1) Error! Reference source not found. is subject to the same restrictions, liabilities and obligations as would apply under this Order if those benefits or rights were exercised by the undertaker.</p> <p>(4) This—The consent of the Secretary of State is required for the exercise of the powers of paragraph (1) applies—except where—</p>	<p>Rev 6</p>



Location	Request	Rationale	Summary of Change	Relevant doc version	
Schedule 2 – Applicant Requirements – requirement 13 – Flood emergency	Applicant	The emergency management plan was updated in March 2023 and	flood plan in and	Flood emergency management plan 13. —(1) Prior to the date of final commissioning, a flood emergency management plan for Work Nos. 1, 1A, 1B, 2A, 2B and 9 must be submitted to the relevant planning authority for approval.	Rev 6

(¹) 1989 c.29. Section 6 was amended by section 30 of the Utilities Act 2000 (c.27), sections 89(3), 136(1), 136(2), 145(5), 145(6), and 145(7), and paragraph 5 of Schedule 19 and paragraph 1 of Schedule 23(1) to the Energy Act 2004 (c.20), articles 6(2)(a), 6(2)(b), 6(3), 6(4) of the Electricity and Gas (Smart Meters Licensable Activity) Order 2012/2400, regulation 19 of the Electricity and Gas (Internal Markets) Regulations 2011/2704, and by paragraph 2 of Schedule 8 to the Climate Change Act 2008 (c.27).



Location	Request	Rationale	Summary of Change	Relevant doc version
management plan		covers all relevant infrastructure; a separate flood emergency management plan is no longer required for the Walsoken Substation. This drafting amendment reflects this	<p>(2) The flood emergency management plan for Work Nos. 1, 1A, 1B, 2A and 2B submitted for approval must be substantially in accordance with the outline flood emergency management plan.</p> <p>(3) The flood emergency management plan for Work No. 9 submitted for approval must be substantially in accordance with the outline Walsoken Substation flood emergency management plan.</p> <p>(4) (3) The relevant planning authority must consult with the Environment Agency before approving any flood emergency management plan submitted under sub-paragraph (1).</p> <p>(5) (4) The flood emergency management plans submitted and approved under sub-paragraph (1) must be implemented as approved and remain in place throughout the operation of the authorised development unless otherwise agreed by the relevant planning authority.</p>	
Schedule 2 – Requirements – requirement 25 – combined heat and power	Applicant	Corrected reference to use the defined term for the relevant certified document.	(2) No later than the date that is 18 months after the date of final commissioning, the undertaker must submit to the relevant planning authority for its approval a report (“the CHP review”) updating the CHP assessment combined heat and power statement .	Rev 6
Schedule 11 – Protective Provisions – Article 2 – definition of “apparatus”	Applicant	This definition has been clarified to refer to the defined term ‘utility undertaker’. This drafting is consistent with that found in the	<p>“apparatus” means—</p> <p>(g) (a) in the case of a statutoryan electricity undertaker within paragraph (a) of the definition of that term, electric lines or electrical plant (as defined in the Electricity Act 1989⁽²⁾), belonging to or maintained by the statutoryutility undertaker for the purposes of electricity supply;</p>	Rev 6

(2) 1989 c.29.



Location	Request	Rationale	Summary of Change	Relevant doc version
Boston Alternative Energy Facility Order 2023 and the Longfield Solar Farm Order 2023.			<p>(h) (b) in the case of a statutory-gas undertaker within paragraph (b) of the definition of that term, any mains, pipes or other apparatus belonging to or maintained by the statutory-utility undertaker for the purposes of gas supply;</p> <p>(i) (c) in the case of a statutory undertaker within paragraph (c) of the definition of that term—water undertaker—</p> <p>(i) mains, pipes or other water apparatus belonging to or maintained by the statutory-utility undertaker for the purposes of water supply; and</p> <p>(ii) mains, pipes or other water apparatus that is the subject of an agreement to adopt made under section 51A of the Water Industry Act 1991; and</p> <p>(j) (d) in the case of a sewerage undertaker—</p> <p>(i) any drain or works vested in the sewerage-utility undertaker under the Water Industry Act 1991⁽³⁾; and</p> <p>(ii) any sewer which is so vested or is the subject of a notice of intention to adopt given under section 102(4) of that Act⁽⁴⁾ or an agreement to adopt made under section 104 of that Act,</p> <p>and includes a sludge main, disposal main (within the meaning of section 219 of that Act) or sewer outfall and any manholes, ventilating shafts, pumps or other accessories forming part of any such sewer, drain or works, and in each case includes any structure in which apparatus is or is to be lodged or which gives or will give access to apparatus;</p>	
Schedule 11 – Protective Provisions – Part 5 – For the Protection	Applicant and National Highways	National Highways has requested that its standard Protective Provisions are included on the face	<p>Application etc.</p> <p>44.—(1) The provisions of this Part of this Schedule apply for the protection of National Highways and have effect unless otherwise agreed in writing between the undertaker and National Highways.</p>	Rev 6

⁽³⁾ 1991 c.56.

⁽⁴⁾ 1991 c.56. Section 102 was amended by sections 96(1)(a), 96(1)(b), 96(1)(c), 96(1)(d) and 96(1)(e) of the Water Act 2003 c.37 and paragraph 90 of Schedule 7 to the Water Act 2014 c.21.



Location	Request	Rationale	Summary of Change	Relevant doc version
of National Highways		of the DCO. The Applicant has therefore updated the dDCO to reflect these standard provisions. The Applicant continues to negotiate an agreement with National Highways to operate alongside these protective provisions.	<p>(2) Nothing in this Order affects or prejudices Except where expressly amended by the Order the operation of the powers and duties of National Highways or the Secretary of State under the Highways Act 1980, the Road Traffic Regulation Act 1984, the New Roads and Street Works Act 1991 1980 Act, the 1984 Act, the 1991 Act, the Transport Act 2000⁽⁴⁴⁾, or the Town and Country Planning (General Permitted Development) (England) Order 2015⁽⁴⁵⁾ which shall continue to apply in respect of the exercise of all National Highways' statutory functions.</p> <p>Interpretation</p> <p>45. —(1) Where the terms defined in article 2 (interpretation) of this Order are inconsistent with sub-paragraph 0 the latter prevail.</p> <p>(2) In this Schedule <u>Part of this Schedule</u>—</p> <p>“administration fee” means the fee payable pursuant to the provisions of this Part of this Schedule that represent the internal costs of National Highways in administering the implementation of the specified work and charged as a flat fee based on the value of the specified works only;</p> <p>“as built information” means one digital <u>electronic</u> copy of the following information—</p> <ul style="list-style-type: none"> (a) as constructed drawings in both PDF and AutoCAD <u>AutoCAD</u> DWG formats for anything designed by the undertaker, in compliance with GG184 (Specification for the use of Computer Aided Design) <u>Interim Advice Note 184</u> or any successor document; (b) list of suppliers and materials used and test results and (where in the opinion of National Highways, following due diligence and assessment while acting reasonably, the carrying out of a specified work may have a materially adverse effect on any part of the highways drainage system maintained by National Highways) <u>CCTV surveys,</u> 	

⁴⁴(~~)~~ ~~2000-c. 38.~~

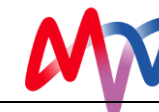
⁴⁵(~~)~~ ~~S.I. 2015/596.~~



Location	Request	Rationale	Summary of Change	Relevant doc version
			<p>as well as any relevant test results and CCTV surveys (if required to comply with DMRB standards);</p> <ul style="list-style-type: none"> (c) product data sheets and technical specifications for all materials used; (d) as constructed information for any utilities discovered or moved during the works; (e) method statements for the works carried out; (f) in relation to road lighting, signs, and traffic signals any information required by Series 1300 and 1400 of the Specification for Highway Works or any replacement or modification of it; (g) organisation and methods manuals for all products used; (h) as constructed programme; (i) test results and records as required by the detailed design information and during construction phase of the specified work; project; (j) the health and safety file to include the geotechnical feedback report required under CD622; and (k) other such information as is required by National Highways to be used to update all relevant databases and to ensure compliance with National Highway's Asset Data Management Manual as is in operation at the relevant time; <p>provided that the items referred to in sub-paragraph (e) and (g) will only be required to be submitted if the relevant specified work would require any of the works of a description referred to in article 10 (street works) or article 17 (traffic regulation measures) of this Order to be carried out in relation to any highway for which National Highways is the highways authority.</p> <ul style="list-style-type: none"> (j) the health and safety file; and (k) such other information as is required by National Highways to be used to update all relevant databases and to ensure compliance with National Highway's Asset Data Management Manual as is in operation at the relevant time. 	



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			<p><u>“the bond sum” means the sum equal to 200% of the cost of the carrying out the specified works (to include all costs plus any commuted sum) or such other sum agreed between the undertaker and National Highways;</u></p> <p>“the cash surety” means the sum agreed between the undertaker and National Highways and being equal to the cost of the carrying out of the open cut method works;</p> <p>“commuted sum” means such sum calculated as provided for in paragraph 56 59 of this Part of this Schedule to be used to fund the future cost of maintaining the restored highway following completion of the open cut method specified works;</p> <p>“condition survey” means a survey of the condition of National Highways structures and assets (including, but not limited to pavements, lighting, soft estates, signals, barriers, drainage and cabling) within the Order limits that in the reasonable opinion of National Highways may be affected by a specified work, and further to include, where the undertaker, following due diligence and assessment, identifies a specified part of the highways drainage system maintained by National Highways that National Highways reasonably considers may be materially and adversely affected by a specified work. a CCTV survey of specified drains<u>the specified works;</u></p> <p>“contractor” means any contractor or sub-contractor appointed by the undertaker to carry out a<u>the</u> specified works;</p> <p><u>“defects period” means the period from the date of the provisional certificate to the date of the final certificate which shall be no less than 12 months from the date of the provisional certificate;</u></p> <p>“detailed design information” means such of the following drawings specifications and calculations as appropriate for the following are relevant to the development—</p> <p>(a) <u>site clearance details;</u></p> <p>(b) <u>boundary, environmental and mitigation fencing;</u></p>	



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			<p>(c) road restraints systems and supporting road restraint risk appraisal process assessment;</p> <p>(d) drainage and ducting as required by DMRB CD 535 Drainage asset data and risk management and DMRB CS551 Drainage surveys – standards for Highways</p> <p>(a) regime of California Bearing Ratio testing;</p> <p>(c) (b)earthworks including supporting geotechnical assessments required by CD622 (Managing geotechnical risk) of the DMRB or any successor document earthworks including supporting geotechnical assessments required by DMRB CD622 Managing geotechnical risk and any required strengthened earthworks appraisal form certification;</p> <p>(f) pavement, pavement foundations, kerbs, footways and paved areas;</p> <p>(g) traffic signs and road markings;</p> <p>(h) traffic signal equipment and associated signal phasing and timing detail;</p> <p>(i) road lighting (including columns and brackets);</p> <p>(j) regime of California Bearing Ratio testing;</p> <p>(k) electrical work for road lighting, traffic signs and signals;</p> <p>(l) motorway communications as required by DMRB;</p> <p>(m) highway structures and any required structural approval in principle;</p> <p>(n) landscaping;</p> <p>(o) (e)proposed departures from DMRB standards;</p> <p>(p) walking, cycling and horse riding assessment and review report;</p> <p>(q) stage 1 and stage 2 road safety audits and exceptions agreed;</p> <p>(r) (d)utilities diversions;</p> <p>(s) (e)topographical survey;</p> <p>(f) health and safety information including any asbestos survey required by GG105 (asbestos management) or any successor document; and</p>	



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			<p>(g) other such information that may be reasonably required by National Highways to inform the detailed design of a specified work.</p> <p><u>(t) “DMRB” means the Design Manual for Roads and Bridges or any replacement, revision maintenance and repair strategy in accordance with DMRB GD304 Designing health and safety into maintenance or any replacement or modification of it;</u></p> <p><u>(u) health and safety information including any asbestos survey required by GG105 or any successor document; and</u></p> <p><u>(v) other such information that may be required by National Highways to be used to inform the detailed design of the specified works;</u></p> <p>“the framework-“DBFO contract” means the contract between National Highways and the highway operations and maintenance contractor for the maintenance and operation of parts of the trunk strategic road network which are within the Order Limits or any successor or replacement contract that may be current at the relevant time;</p> <p><u>“DMRB” means the Design Manual for Roads and Bridges or any replacement or modification of it;</u></p> <p><u>“final certificate” means the certificate relating to those aspects of the specified works that have resulted in any alteration to the strategic road network to be issued by National Highways pursuant to paragraph 57;</u></p> <p><u>“the health and safety file” means the file or other permanent record containing the relevant health and safety information for the authorised development required by the Construction Design and Management Regulations 2015 (or such updated or revised regulations as may come into force from time to time);</u></p> <p>“the-“highway operations and maintenance contractor” means the contractor appointed by National Highways under the framework-DBFO contract;</p> <p>“highways structure” means structures or installations within the scope of the DMRB and that are situated under, over or adjacent to a motorway or other trunk road;</p>	



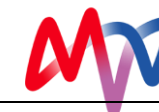
Location	Request	Rationale	Summary of Change	Relevant doc version
			<p>“initial deposit” means the sum calculated by National Highways (acting reasonably) payable to National Highways to cover all initial stages of work until such time as the cost of the specified work and the NH costs payable under paragraph 49 of this Part can be estimated;</p> <p>“nominated persons” means the undertaker’s representatives or the contractor’s representatives on site during the carrying out of <u>a the</u> specified works as notified to National Highways from time to time and includes the relevant water undertaker where it is carrying out any part of a specified work on behalf of the undertaker;</p> <p>“the open cut method works” means so much of Work No. 6A that is a specified work and is undertaken using an open cut construction method;</p> <p>“programme of works” means a document setting out the sequence and timetabling of a specified work;<u>the specified works;</u></p> <p><u>“provisional certificate” means the certificate of provisional completion relating to those aspects of the specified works that have resulted in any alteration to the strategic road network to be issued by National Highways in accordance with paragraph 50 when it considers the specified works are substantially complete and may be opened for traffic;</u></p> <p><u>“road safety audit” means an audit carried out in accordance with the road safety audit standard;</u></p> <p><u>“road safety audit standard” means DMRB Standard HD GG119 or any replacement or modification of it;</u></p> <p>“relevant water undertaker” means Anglian Water or its officers servants agents or contractors or any person or body for whom it is responsible;</p> <p>“road space booking” means road space bookings in accordance with National Highways’ Asset Management Operational Requirements (AMOR) including Network Occupancy Management System (NOMS) used to manage road space bookings and network occupancy;</p> <p><u>“Specification for Highways Works” means the specification for highways works forming part of the manual of contract documents for highway works</u></p>	



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			<p><u>published by National Highways and setting out the requirements and approvals procedures for work, goods or materials used in the construction, improvement or maintenance of the strategic road network;</u></p> <p><u>“specified works” means so much of any work, including highway works and signalisation, authorised by this Order, including any maintenance of that work, as is in or under the trunk road; and “trunk road” for the purpose of these protective provisions means any highway undertaken on, in, under or over the strategic road network for which National Highways is the highway authority;</u></p> <p><u>“strategic road network” means any part of the road network including trunk roads, special roads or streets for which National Highways is the highway authority including drainage infrastructure, street furniture, verges and vegetation and all other land, apparatus and rights located in, on, over or under the highway;</u></p> <p><u>“utilities” means any pipes wires cables or equipment belonging to any person or body having power or consent to undertake street works under the New Roads and Street Works Act 1991; and</u></p> <p><u>“winter maintenance” means maintenance of the road surface to deal with snow and ice.</u></p>	
			<p>General</p>	
			<p><u>46. In respect of any part of the strategic road network that is managed under a DBFO contract both National Highways and the highway operations and maintenance contractor shall have the benefit of this Part of Schedule 11 but for the purposes of any approvals required under this Part of Schedule 11 the undertaker shall liaise directly with National Highways.</u></p>	
			<p><u>47. Notwithstanding the limits of deviation permitted pursuant to article 3(2) provisions of this Order, no works in carrying out, maintaining or diverting the authorised development may be carried out under the trunk strategic road <u>network</u> at a distance within 4 metres of the lowest point of the ground.</u></p>	



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			<p><u>48. References to any standards, manuals, contracts, regulations and directives including to specific standards forming part of the DMRB are, for the purposes of this Part of this Schedule, to be construed as a reference to the same as amended, substituted or replaced, and with such modifications as are required in those circumstances.</u></p> <p><u>Works outside the Order limits</u></p> <p>49. (1)Notwithstanding the powers granted to the undertaker pursuant to this Order, if the carrying out of any specified work would require any works to be carried out in relation to the trunk road, excluding the works authorised in relation to the A47 specified in Schedule 3 (streets subject to street works), Schedule 5 (streets subject to temporary alteration of layout) and Schedule 7 (temporary prohibition or restriction of the use of streets or public right of ways). If the undertaker proposes to carry out works to the strategic road network that are outside of the Order Limits in connection with the authorised development, the undertaker must enter into an agreement with National Highways in respect of the carrying out of those works prior to the commencement of any such work<u>those works</u>.</p> <p>Prior approvals <u>and security</u></p> <p>50.47.—1) No<u>The</u> specified work may<u>works must not</u> commence until—</p> <p>(a) a stage 1 and stage 2 road safety audit has been carried out and all recommendations raised by them or any exceptions are approved by <u>National Highways</u>;</p> <p>(b) (a)the programme of works has been approved by National Highways;</p> <p>(c) (b)the <u>detailed design of the specified works comprising of the</u> following detailsrelating to the specified work have, <u>insofar as considered relevant by National Highways, has</u> been submitted to and approved by National Highways—</p> <p>(i)the detailed design information, <u>incorporating all recommendations and any exceptions approved by National Highways under paragraph (a)</u>;</p>	



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			<p>(ii) details of any the proposed road space bookings with National Highways;</p> <p>(iii) — (if details have been supplied pursuant to sub paragraph (ii)) a scheme of traffic management; and</p> <p>(iii) <u>(iv)</u> the identity of any and suitability of the contractor and nominated persons;</p> <p><u>(iv) a process for stakeholder liaison, with key stakeholders to be identified and agreed between National Highways and the undertaker;</u></p> <p>(v) <u>(e)</u> if the carrying out of a specified work requires the booking of any road space with National Highways information demonstrating that the walking, cycling and horse riding assessment and review process undertaken by the undertaker in relation to the specified works has been adhered to in accordance with DMRB GG142 – Designing for walking, cycling and horse riding; and</p> <p><u>(d)</u> a scheme of traffic management and a process for stakeholder liaison has been submitted by the undertaker and approved by National Highways; such scheme to be capable of amendment by agreement between the undertaker and National Highways from time to time;</p> <p><u>(e)</u> (d) any stakeholder liaison that may be required has taken place in accordance with the process for such liaison agreed between the undertaker and National Highways under sub paragraph (e); <u>paragraph (c)(v) above;</u></p> <p><u>(f)</u> <u>National Highways has approved the audit brief and CVs for all road safety audits and exceptions to items raised in accordance with the road safety audit standard;</u></p> <p><u>(g)</u> <u>the undertaker has agreed the estimate of the commuted sum with National Highways;</u></p> <p><u>(h)</u> <u>the scope of all maintenance operations (routine inspections, incident management, reactive and third party damage) to be carried out by the undertaker during the construction of the specified works (which must include winter maintenance) has been agreed in writing by National Highways;</u></p>	



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			<p>(i) <u>the undertaker has procured to National Highways collateral warranties in a form approved by National Highways from the contractor and designer of the specified works in favour of National Highways to include covenants requiring the contractor and designer to exercise all reasonable skill care and diligence in designing and constructing the specified works, including in the selection of materials, goods, equipment and plant; and</u></p> <p>(j) <u>a condition survey and regime of monitoring of any National Highways assets or structures that National Highways considers will be affected by the specified works, has been agreed in writing by National Highways.</u></p> <p>(e) any further information that National Highways may reasonably request within 14 days of the submission of the detailed design of the submission of the detailed design of a specified work has been supplied to National Highways; and</p> <p>(f) a condition survey and a reasonable regime of monitoring the structures, assets and pavements that are the subject of the condition survey has been submitted to and approved by National Highways; and</p> <p>(g) in respect of so much of Work No. 6A that is a specified work, a ground condition survey has been submitted to and approved by National Highways.</p> <p>(2) National Highways must provide the undertaker with a list, which is to be agreed between the parties acting reasonably, of all the structures, assets and pavements to be subject to both a condition survey and reasonable regime of monitoring pursuant to sub-paragraph (1)(f) and paragraph 50(1) of this Part of this Schedule before the first condition survey is conducted and the reasonable regime of monitoring is implemented.</p> <p>(3) National Highways must prior to the commencement of a specified work inform the undertaker of the identity of the person who will act as a point of contact on behalf of National Highways to consider the information required under sub-paragraph (1) and of the identity of the person or persons who are authorised to give consent or approval on behalf of National Highways for any matter requiring approval or consent in these provisions.</p>	



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			<p>(4) Any approval of National Highways required by this paragraph—</p> <ul style="list-style-type: none"> (a) must not be unreasonably withheld or delayed; (b) in the case of a refusal must be accompanied by a statement of grounds for refusal; (c) is deemed to have been refused if it is neither given or refused within 56 days of the submission of the relevant information (if further information is requested by National Highways any such request must be submitted to the undertaker within 28 days of submission of the relevant information under this sub-paragraph (c) and the provision of such further information by the undertaker will not be deemed to constitute a new application for approval pursuant to this paragraph); and (d) may be given subject to any reasonable conditions as National Highways considers necessary. <p>(2) (5) Except where an approval has been provided under sub-paragraph (1), the <u>The</u> undertaker must not exercise—</p> <ul style="list-style-type: none"> (a) article 4 (maintenance of the authorised development); (b) article 10 (street works); (c) article 11 (power to alter layout, etc., of streets); (d) article 12 (construction and maintenance of new or altered means of access); (e) article 13 (temporary prohibition or restriction of use of streets and public rights of ways); (f) article 17 15 (access to works traffic regulation measures); (g) article 18 (discharge of water); (h) article 19 (authority to survey and investigate the land); (i) article 20 (protective works to buildings); (j) article 21 (felling or lopping of trees); <u>(g) article 19 (authority to survey and investigate the land);</u> 	



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			<p>(h) (k) article 23 (compulsory acquisition of land);</p> <p>(i) (h) article 25 (compulsory acquisition of rights and imposition of restrictive covenants);</p> <p>(m) article 26 (acquisition of subsoil only);</p> <p>(n) article 28 (power to override easements and other rights);</p> <p>(j) (e) article 32 (temporary use of land for the construction of the authorised development);</p> <p>(k) (p) article 33 (temporary use of land for maintaining the authorised development); <u>or</u></p> <p>(l) <u>article 21</u> Error! Reference source not found. <u>(felling or lopping trees) of this Order.</u></p> <p>of this Order over any part of the trunk road over any part of the strategic road network without the consent of National Highways, and National Highways may in connection with any such exercise require the undertaker to provide details of any proposed road space bookings and/or submit a scheme of traffic management for National Highways' approval.</p> <p><u>(3) National Highways must prior to the commencement of the specified works or the exercise of any power referenced in sub-paragraph (2) inform the undertaker of the identity of the person who will act as a point of contact on behalf of National Highways for consideration of the information required under sub-paragraph (1) or (2).</u></p> <p><u>(4) Any approval of National Highways required under this paragraph—</u></p> <p><u>(a) must not be unreasonably withheld;</u></p> <p><u>(b) must be given in writing;</u></p> <p><u>(c) shall be deemed to have been refused if neither given nor refused within 2 months of the receipt of the information for approval or, where further particulars are requested by National Highways within 2 months of receipt of the information to which the request for further particulars relates; and</u></p>	



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			<p>(d) <u>may be subject to any conditions as National Highways considers necessary.</u></p> <p>(5) <u>Any change to the identity of the contractor and/or designer of the specified works will be notified to National Highways immediately and details of their suitability to deliver the specified works will be provided on request along with collateral warranties in a form agreed by National Highways.</u></p> <p>(6) <u>Any change to the detailed design of the specified works must be approved by National Highways in accordance with sub-paragraph (1) of this Part.</u></p> <p>Construction of the specified works</p> <p>51.48.—(1) The undertaker must, prior to commencement of a specified work, give to National Highways 28 days' notice in writing of the date on which the specified works will start unless otherwise agreed by National Highways.</p> <p>(2) If the carrying out of any part of the authorised development requires the booking of road space with National Highways, the <u>The</u> undertaker must comply with National Highways' s road space booking procedures prior to and during the carrying out of the specified works <u>s</u> and no specified works <u>s</u> for which a road space booking with National Highways is required will <u>shall</u> commence without a road space booking having first been secured from National Highways.</p> <p>(3) Any <u>The</u> specified works <u>s</u> must be carried out <u>by the undertaker</u> to the reasonable satisfaction of National Highways (acting reasonably) in accordance with—</p> <p>(a) the relevant detailed design information and programme of works approved pursuant to paragraph 50(1)47(1) above or as subsequently varied by agreement between the undertaker and National Highways;</p> <p>(b) where relevant, the DMRB, <u>the Manual of Contract Documents for Highway Works, including</u> the Specification for Highway Works (contained within the Manual of Contract Documents for Highways Works), together with all other relevant standards as required by National Highways to include, inter alia, ; all relevant interim advice notes and any amendment to or replacement thereof for the time being</p>	



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			<p>in force, the Traffic Signs Manual and the Traffic Signs Regulations and General Directions 2016 save to the extent that any departures or exceptions from those standards apply which have been approved by National Highways; and</p> <p>(e) any reasonable conditions of National Highways notified by National Highways to the undertaker pursuant to paragraph 47(4)(d) of this Part of this Schedule.</p> <p>(c) all aspects of the Construction (Design and Management) Regulations 2015 or any statutory amendment or variation of the same and in particular the undertaker, as client, must ensure that all client duties (as defined in the said regulations) are undertaken to the satisfaction of National Highways.</p> <p>(4) The undertaker must ensure that, (where possible,) without entering the highway the highway is kept free from mud, soil and litter as a result of the carrying out of a specified work; a Specified Work.</p> <p>(5) The undertaker must permit and must require the contractor to permit at all reasonable times persons authorised by National Highways (whose identity must have been previously notified to the undertaker by National Highways) to gain access to a the specified works for the purposes of inspection and supervision of a the specified work or method of construction of such work works.</p> <p>(6) If any part of the specified works is constructed—</p> <p>(a) other than in accordance with the requirements of this Part of this Schedule; or</p> <p>(b) in a way that causes damage to the highway, any highway structure or asset or any other land of National Highways,</p> <p>National Highways may by notice in writing require the undertaker, at the undertaker's own expense, to comply promptly with the requirements of this Part of this Schedule or put right remedy any damage notified to the undertaker under this Part of this Schedule, to the satisfaction of National Highways.</p> <p>(7) If during the carrying out of the authorised development the undertaker or its appointed contractors or agents causes damage to the strategic road network then</p>	



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			<p><u>National Highways may by notice in writing require the undertaker, at its own expense, to remedy the damage.</u></p> <p>(8) (6) If within 56-28 days of the date on which a notice under sub-paragraph 0 or sub-paragraph (7) is served on the undertaker (or in the event of there being, in the opinion of National Highways, a danger to road users, within such lesser period as National Highways may stipulate), the undertaker has failed to take the steps to comply with the required by that notice, National Highways may carry out the steps required of the undertaker and may recover from the undertaker any expenditure reasonably incurred by National Highways in so doing, such sum to be payable within 30 days of demand. Where the steps required to be taken pursuant to any notice require the submission of any information for the prior approval of National Highways under paragraph 47 of this Part of this Schedule, the submission of that information will evidence that the undertaker has taken steps to comply with a notice served by National Highways under sub-paragraph (6).</p> <p>(7) National Highways may, at its discretion, in its notice in writing to the undertaker given pursuant to sub-paragraph (6) state that National Highways intend to put right the damage notified to the undertaker, and if it intends to do so it shall give the undertaker not less than 28 days' notice of its intention to do so and National Highways may recover from the undertaker any reasonable expenditure incurred by National Highways in doing so.</p> <p>(9) Nothing in this Part of this Schedule prevents National Highways from , in the event of an emergency or to prevent the occurrence of danger to the public, carrying out any work or taking any such action as it reasonably believes to be necessary as a result <u>of</u> or in connection with of the carrying out <u>or maintenance</u> of the specified works authorised development without prior notice to the undertaker and National Highways may recover from the undertaker any reasonable expenditure incurred by National Highways in so doing. <u>in the event of an emergency or to prevent the occurrence of danger to the public and National Highways may recover any expenditure it reasonably incurs in so doing.</u></p> <p><u>(10) In constructing the specified works, the undertaker must at its own expense divert or protect all utilities and all agreed alterations and reinstatement of highway over existing utilities must be constructed to the satisfaction of National Highways.</u></p>	



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			<p><u>(11) During the construction of the specified works the undertaker must carry out all maintenance (including winter maintenance) in accordance with the scope of maintenance operations agreed by National Highways pursuant to paragraph 50(h) and the undertaker must carry out such maintenance at its own cost.</u></p> <p><u>(12) The undertaker must notify National Highways if it fails to complete the specified works in accordance with the agreed programme pursuant to paragraph 50(b) of this Part or suspends the carrying out of any specified work beyond a reasonable period of time and National Highways reserves the right to withdraw any road space booking granted to the undertaker to ensure compliance with its network occupancy requirements.</u></p> <p>Payments</p> <p><u>52.49.</u>—(1) The undertaker must pay to National Highways a sum equal to the whole of any costs and expenses which National Highways reasonably incurs (including costs and expenses for using internal or external staff <u>and costs relating to any work which becomes abortive</u>) in relation to any the specified works and in relation to any approvals sought under this order <u>Order, or otherwise incurred under this Part</u>, including—</p> <ul style="list-style-type: none"> (a) the checking and approval of the information required under paragraph 50(1)47(1); <u>(b) the supervision of the specified works;</u> (b) the supervision of a specified work; (c) contractual costs properly payable to the highway operations and maintenance contractor as a consequence of any specified work, including costs incurred by the highway operations and maintenance contractor in carrying out the tasks referred to in sub-paragraphs (a) and (b), in which case National Highways will be responsible for the payment of any sums received from the undertaker under this paragraph to the highway operations and maintenance contractor; 	



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			<p>(d) the administration fee and legal costs, reasonably and properly incurred; and</p> <p><u>(c) the checking and approval of the information required to determine approvals under this Order;</u></p> <p><u>(d) all costs in relation to the transfer of any land required for the specified works; and</u></p> <p><u>(e) all legal and administrative costs and disbursements incurred by National Highways in connection with the Order and paragraphs (a)-(d); and</u></p> <p><u>(f) (e) any value added tax which is payable by National Highways only in respect of such costs arising under this sub-paragraph (1) and expenses and for which it cannot obtain reinstatement from HM Revenue and Customs, sub-paragraphs (a) to (e) together comprising “the NH costs”.</u></p> <p>(2) The undertaker must pay to National Highways upon demand and prior to such costs being incurred the total costs that National Highways believe will be properly and necessarily incurred by National Highways in undertaking any statutory procedure or preparing and bringing into force any traffic regulation order or orders necessary to carry out or for effectively implementing the authorised development.</p> <p>(3) National Highways must notify the undertaker of the amount required for the Initial Deposit as soon as reasonably practicable and the undertaker must pay an amount equal to that sum within 28 days of receipt of the notification.</p> <p><u>(3) (4) National Highways must provide the undertaker with a fully itemised invoice schedule showing its estimate of the NH costs including its estimate of the administration fee prior to the commencement of a the specified works and the undertaker must pay to National Highways the estimate of the NH costs prior to commencing the specified works and in any event prior to National Highways incurring any cost.</u></p> <p><u>(4) (5) If at any time after the payment referred to in sub-paragraph (3) has become payable, National Highways reasonably believes that the NH costs will exceed the relevant sum notified to the undertaker <u>estimated NH costs</u> it may give notice to</u></p>	



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			<p>the undertaker of the amount that it believes the NH costs will exceed the relevant sum (estimate of the NH costs (the excess) and the undertaker must pay to National Highways within 28 days of the date of the notice a sum equal to the excess.</p> <p>(5) (6) National Highways must give the undertaker a final account of the NH costs referred to in sub-paragraph (1), as a fully itemised invoice, within 30 days of the undertaker notifying to National Highways that a specified work has been completed. <u>sub-paragraph (1) above within 91 days of the issue of the provisional certificate issued pursuant to paragraph 53(4).</u></p> <p>(6) (7) <u>Within 28</u> days of the issue of the final account—</p> <p style="padding-left: 40px;">if the final account shows a further sum as due to National Highways the undertaker must pay to National Highways the sum shown due to it;or</p> <p style="padding-left: 40px;">if the account shows that the payment or payments previously made by the undertaker have exceeded the costs incurred by National Highways, National Highways must refund the difference to the undertaker.</p> <p>(7) (8) If any payment due under any of the provisions of this Part of this Schedule is not made on or before the date on which it falls due the party from whom it was due must at the same time as making the payment pay to the other party interest at 1% 3% above the rate <u>Bank payable in of England base lending respect of compensation rate from time to time and being r Section 32 of the 1961 Act in force</u> for the period starting on the date upon which the payment fell due and ending with the date of payment of the sum on which interest is payable together with that interest.</p> <p>Completion of a specified work</p> <p><u>Provisional Certificate</u></p> <p><u>53.—(1) Following any closure or partial closure of any of the strategic road network for the purposes of carrying out the specified works, National Highways will carry out a site inspection to satisfy itself that the strategic road network is, in its opinion, safe for traffic and the undertaker must comply with any requirements of National Highways prior to reopening the strategic road network.</u></p>	



Location	Request	Rationale	Summary of Change	Relevant doc version
			<p><u>(2) As soon as the undertaker considers that the provisional certificate may be properly issued it must apply to National Highways for the provisional certificate.</u></p> <p><u>(3) Following an application for a provisional certificate, National Highways must as soon as reasonably practicable—</u></p> <p style="padding-left: 40px;"><u>(a) inspect the specified works; and</u></p> <p style="padding-left: 40px;"><u>(b) provide the undertaker with a written list of works that are required for the provisional certificate to be issued or confirmation that no further works are required for this purpose.</u></p> <p><u>(4) When—</u></p> <p style="padding-left: 40px;"><u>(a) a stage 3 road safety audit for the specified works has been carried out and all recommendations raised including remedial works have (subject to any exceptions agreed) been approved by National Highways;</u></p> <p style="padding-left: 40px;"><u>(b) the specified works incorporating the approved remedial works under paragraph (a) and any further works notified to the undertaker pursuant to subparagraph (3)(b) have been completed to the satisfaction of National Highways;</u></p> <p style="padding-left: 80px;"><u>(i)the as built information has been provided to National Highways; and</u></p> <p style="padding-left: 80px;"><u>(ii)the undertaker has paid the commuted sum to National Highways,</u></p> <p><u>National Highways must issue the provisional certificate.</u></p> <p><u>(5) On the issue of the provisional certificate the bond sum shall be reduced to 20% of the total bond sum save insofar as any claim or claims have been made against the bond before that date in which case National Highways will retain a sufficient sum to ensure it does not have to meet any costs for or arising from the specified works.</u></p> <p><u>(6) The undertaker must submit a stage 4 road safety audits as required by and in line with the timescales stipulated in the road safety audit standard. The undertaker must comply with the findings of the stage 4 road safety audit and must pay all costs of and incidental to such and provide updated as-built information to National Highways.</u></p>	



Opening

54. The undertaker must notify National Highways not less than 56 days in advance of the intended date of opening to the public of the strategic road network and the undertaker must notify National Highways of the actual date the strategic road network will be opened to the public within 14 days of that date.

Final condition survey

~~55.50.~~ 50. Within 56 days of the completion of a specified work, the undertaker must arrange for the ground conditions, highway structures, assets and pavements —(1) The undertaker must, as soon as reasonably practicable after making its application for a provisional certificate pursuant to paragraph (2), arrange for the highways structures and assets that were the subject of the condition survey carried out in respect of the specified work to be re-surveyed and must submit the re-survey to National Highways for its approval. The re-survey will include a renewed geotechnical assessment required by DMRB CD622 if the specified works include any works beneath the strategic road network.

(2) ~~If the~~ If the re-surveys carried out pursuant to sub-paragraph (1) indicates that any damage has been caused to ~~any highways a~~ structure or ~~pavement~~ asset, the undertaker must submit a scheme for remedial works in writing to National Highways for its approval in writing, ~~which must not be unreasonably withheld or delayed, and~~ and the undertaker must carry out the remedial works at its own cost and in accordance with the scheme submitted.

(3) If the undertaker fails to carry out the remedial work in accordance with the approved scheme, National Highways may carry out the steps required of the undertaker and may recover ~~from the undertaker~~ any expenditure it reasonably ~~incurred by National Highways~~ incurs in so doing, ~~such sum to be payable within 30 days of demand.~~

(4) National Highways may, at its discretion, at the same time as giving its approval to the ~~condition survey, re-surveys pursuant to sub-paragraph (1)~~ give notice in writing ~~to the undertaker stating~~ that National Highways will remedy ~~the~~ any damage identified ~~by in the condition survey re-surveys~~ and National Highways may recover ~~from the undertaker~~ any ~~reasonable~~ expenditure ~~incurred by National Highways~~ it reasonably incurs in so doing.



Location	Request	Rationale	Summary of Change	Relevant doc version
			<p>(4) Within 10 weeks of the completion of a specified work, the undertaker must submit to National Highways the as built information for that specified work, both in hard copy and electronic form.</p> <p><u>(5)</u> (5) The undertaker must make available to National Highways upon reasonable request copies of any survey or inspection reports produced pursuant to any inspection or survey of any specified work following its completion that the undertaker may from time to time carry out.</p> <p>Re-survey of ground conditions after 12 months</p> <p>51. (6) Within 56 days of the date 12 months after the date of completion of a specified work that forms part of Work No. 6A the undertaker must arrange for the ground conditions to be re-surveyed and must submit the re-survey to National Highways for its approval.</p> <p>(1) If the re-survey carried out pursuant to sub-paragraph (1) indicates that any damage has been caused to any highways structure or pavement as a result of the specified work the undertaker must submit a scheme for remedial works in writing to National Highways for its approval in writing, which must not be unreasonably withheld or delayed, and must carry out the remedial works at its own cost and in accordance with the scheme submitted.</p> <p>(2) If the undertaker fails to carry out the remedial work in accordance with the approved scheme, National Highways may carry out the steps required of the undertaker and may recover from the undertaker any expenditure reasonably incurred by National Highways in doing so, such sum to be payable within 30 days of demand.</p> <p>(3) National Highways may, at its discretion, at the same time as giving its approval to the condition survey, give notice in writing to the undertaker stating that National Highways will remedy the damage identified by the condition survey and National Highways may recover from the undertaker any reasonable expenditure incurred by National Highways in doing so.</p> <p>(4) The undertaker must make available to National Highways upon reasonable request copies of any survey or inspection reports produced pursuant to</p>	



Location	Request	Rationale	Summary of Change	Relevant doc version
			<p>any inspection or survey of any specified work following its completion that the undertaker may from time to time carry out.</p> <p>Security for the open cut method works</p> <p><u>Defects Period</u></p> <p><u>56.—(1) The undertaker must at its own expense remedy any defects in the strategic road network as are reasonably required by National Highways to be remedied during the defects period. All identified defects must be remedied in accordance with the following timescales—</u></p> <p>(a) <u>in respect of matters of urgency, within 24 hours of receiving notification for the same (urgency to be determined at the absolute discretion of National Highways);</u></p> <p>(b) <u>in respect of matters which National Highways considers to be serious defects or faults, within 14 days of receiving notification of the same; and</u></p> <p>(c) <u>in respect of all other defects notified to the undertaker, within 4 weeks of receiving notification of the same.</u></p> <p><u>(2) Following the expiry of the defects period National Highways has responsibility for routine maintenance of the strategic road network save for any soft landscaping works which must be established and which must thereafter be maintained for a period of 3 years by and at the expense of the undertaker.</u></p> <p><u>Final Certificate</u></p> <p><u>57.—(1) The undertaker must apply to National Highways for the final certificate no sooner than 12 months from the date of the provisional certificate.</u></p> <p><u>(2) Following receipt of the application for the final certificate, National Highways must as soon as reasonably practicable—</u></p> <p>(a) <u>inspect the strategic road network; and</u></p>	



Location	Request	Rationale	Summary of Change	Relevant doc version
			<p>(b) <u>provide the undertaker with a written list of any further works required to remedy or make good any defect or damage in the strategic road network or confirmation that no such works are required for this purpose.</u></p> <p>(3) <u>The undertaker must carry out such works notified to it pursuant to sub-paragraph (2).</u></p> <p>(4) <u>When National Highways is satisfied that—</u></p> <p>(a) <u>any defects or damage arising from defects during the defects period and any defects notified to the undertaker pursuant to sub-paragraph (2) and any remedial works required as a result of the stage 4 road safety audit have been made good to the satisfaction of National Highways; and</u></p> <p>(b) <u>the NH costs have been paid to National Highways in full;</u></p> <p><u>National Highways must issue the final certificate after which the bond shall be released in full.</u></p> <p>(5) <u>The undertaker must pay to National Highways within 28 days of demand the costs <u>reasonably incurred by National Highways in identifying the defects and supervising and inspecting the undertaker’s work to remedy the defects that it is required to remedy pursuant to these provisions.</u></u></p>	
			<p><u>Security</u></p>	
			<p>58.52. 52. The undertaker <u>The specified works</u> must not commence any open cut method works until—</p> <p>(a) the undertaker procures that the open cut method specified works are secured by a bond from a bondsman first approved by National Highways, such approval not to <u>in the agreed form</u> between the reasonably withheld or dertaker layeand ; <u>National Highways</u> to indemnify National Highways against all losses, damages, costs or expenses arising from any breach of any one or more <u>of the obligations of the undertaker in respect of the exercise of the powers under this Order</u> in respect of the open cut method and the specified</p>	



Location	Request	Rationale	Summary of Change	Relevant doc version
			<p>works under the provisions of this Part of this Schedule provided that the maximum liability of the bond must not exceed the bond sum; and</p> <p>(b) the undertaker has provided the cash surety which may be utilised by National Highways in the event of the undertaker failing to meet its obligations to make payments under paragraph 49 relating to the open cut method works <u>52</u> or to carry out works the need for which arises from a breach of one or more of the obligations of the undertaker under the provisions of this Part of this Schedule relating to the open cut method works.</p> <p>(2) — Sub paragraph (1) does not apply where the open cut method works are carried out by the relevant water undertaker pursuant to the 1991 Act.</p> <p>Commutated sums</p> <p>59.53.—(1) National Highways must provide to the undertaker an estimate of the commuted sum, calculated in accordance with FS Guidance S278 Commuted Lump Sum Calculation Method dated 18 January 2010 or any successor guidance, prior to the commencement of the open cut method <u>specified</u> works.</p> <p>(2) The undertaker must pay to National Highways the commuted sum within 56 days of the completion of the open cut method works <u>prior to the issue of the provisional certificate</u>.</p> <p>Insurance</p> <p><u>60. Prior to the commencement of the specified works the undertaker must effect public liability insurance with an insurer in the minimum sum of £10,000,000.00 (ten million pounds) in respect of any one claim against any legal liability for damage loss or injury to any property or any person as a direct result of the execution of specified works or use of the strategic road network by the undertaker.</u></p>	



Indemnity

61. The undertaker fully indemnifies National Highways from and against all costs, claims, expenses, damages, losses and liabilities suffered by National Highways arising from the construction, maintenance or use of the specified works or exercise of or failure to exercise any power under this Order within 14 days of demand save for any loss arising out of or in consequence of any negligent act or default of National Highways.

Maintenance of the specified works

62.—(1) The undertaker must, prior to the commencement of any works of maintenance to the specified works, give National Highways 28 days' notice in writing of the date on which those works will start unless otherwise agreed by National Highways, acting reasonably.

(2) If, for the purposes of maintaining the specified works, the undertaker needs to occupy any road space, the undertaker must comply with National Highways' road space booking requirements and no maintenance of the specified works for which a road space booking is required shall commence without a road space booking having first been secured.

(3) The undertaker must comply with any requirements that National Highways may notify to the undertaker, such requirements to be notified to the undertaker not less than 7 days' in advance of the planned commencement date of the maintenance works.

(4) The provisions of paragraph 54 shall apply to the opening of any part of the strategic road network following occupation of any road space under this paragraph.

Land

63.—(1) Following the issue of the final certificate pursuant to paragraph 57(4) National Highways may serve notice on the undertaker that it wishes to take a freehold transfer of land within the extent of strategic road network boundary which is not in the ownership of National Highways but has been acquired by the undertaker for the purposes of carrying out the specified works.



Location	Request	Rationale	Summary of Change	Relevant doc version
			<p><u>(2) If the undertaker receives notice under sub-paragraph 57(4) then the undertaker must effect a freehold transfer of the land which is the subject of the notice and complete such transfer as soon as reasonably practicable at no cost to National Highways.</u></p> <p><u>(3) The undertaker must not under the powers of this Order—</u></p> <p><u>(a) acquire or use land forming part of;</u></p> <p><u>(b) acquire new or existing rights over; or</u></p> <p><u>(c) seek to impose or extinguish any restrictive covenants over;</u></p> <p><u>any of the strategic road network, or extinguish any existing rights of National Highways in respect of any third party property, except with the consent of National Highways by written request to legalservicesteam@nationalhighways.co.uk</u></p> <p><u>(4) Where any land or interest is proposed to be acquired for the benefit of National Highways, the undertaker must, unless otherwise agreed by National Highways, exercise article 23 (compulsory acquisition of land) and article 25 (compulsory acquisition of rights and imposition of restrictive covenants) as applied by article 29 (application of the 1981 Act) of this Order to directly vest in National Highways any such land or interest.</u></p> <p><u>Expert Determination</u></p> <p><u>64.—(1) Article 46 (arbitration) of the Order does not apply to this Part of this Schedule.</u></p> <p><u>(2) Any difference under this Part of this Schedule may be referred to and settled by a single independent and suitable person who holds appropriate professional qualifications and is a member of a professional body relevant to the matter in dispute acting as an expert, such person to be agreed by the differing parties or, in the absence of agreement, identified by the President of the Institution of Civil Engineers.</u></p> <p><u>(3) On notification by either party of a dispute, the parties must jointly instruct an expert within 14 days of notification of the dispute.</u></p>	



Location	Request	Rationale	Summary of Change	Relevant doc version
			<p><u>(4) All parties involved in settling any difference must use best endeavours to do so within 21 days from the date that an expert is appointed.</u></p> <p><u>(5) The expert must—</u></p> <p><u>(a) invite the parties to make submission to the expert in writing and copied to the other party to be received by the expert within 7 days of the expert’s appointment;</u></p> <p><u>(b) permit a party to comment on the submissions made by the other party within 7 days of receipt of the submission;</u></p> <p><u>(c) issue a decision within 7 days of receipt of the submissions under paragraph (b); and</u></p> <p><u>(d) give reasons for the decision.</u></p> <p><u>(6) Any determination by the expert is final and binding, except in the case of manifest error in which case the difference that has been subject to expert determination may be referred to and settled by arbitration under article 46 (arbitration).</u></p> <p><u>(7) The fees of the expert are payable by the parties in such proportions as the expert may determine or, in the absence of such determination, equally.</u></p> <p>(2)—Sub paragraphs (1) and (2) do not apply where the open cut method works are carried out by the relevant water undertaker pursuant to the 1991 Act.</p>	
			<p>Indemnification</p> <p>54.—54. Subject to sub paragraphs (2) and (3), the undertaker must indemnify National Highways from and against all costs, expenses, damages, losses and liabilities suffered by National Highways arising from or in connection with any claim, demand, action or proceedings resulting from damage caused by the construction, maintenance or use of the specified works.</p> <p>(1)—Sub paragraph (1) does not apply if the costs expenses liabilities and damages were caused by or arose out of the neglect or default of National</p>	



Location	Request	Rationale	Summary of Change	Relevant doc version
			<p>Highways or its officers servants agents or contractors or any person or body for whom it is responsible.</p> <p>(2) If any person makes a claim or notifies an intention to make a claim against National Highways which may reasonably be considered likely to give rise to a liability under this paragraph then National Highways must—</p> <p>(a) as soon as reasonably practicable give the undertaker reasonable notice of any such third party claim or demand, specifying the nature of the indemnity liability in reasonable detail; and</p> <p>(b) not make any admission of liability, agreement or compromise in relation to the indemnity liability without first consulting the undertaker and considering their representations.</p> <p>(3) The undertaker acknowledges that National Highways may receive statutory compensation claims and that National Highways may not be able to comply with sub-paragraph (3) in respect of such claims.</p> <p>(4) Where National Highways considers that sub-paragraph (4) applies to any claim or demand it must give notice of that view as part of the relevant notice provided pursuant to sub-paragraph (3)(a).</p> <p>(5) National Highways must use its reasonable endeavours to mitigate in whole or in part and to minimise any costs expenses, loss, demands and penalties to which the indemnity under this paragraph applies where it is within National Highway's reasonable gift and control to do so and which expressly excludes any obligation to mitigate liability arising from third parties which is outside of National Highway's control. If reasonably requested to do so by the undertaker, National Highways must provide an explanation of how any claim has been mitigated or minimised or where mitigation or minimisation is not possible an explanation as to why.</p> <p>(6) The undertaker agrees to pay National Highways any sum due under this paragraph within 28 days of written demand.</p>	



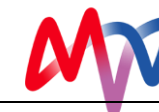
Location	Request	Rationale	Summary of Change	Relevant doc version
<p style="text-align: center;">Arbitration</p> <p style="text-align: center;">55.— Any difference or dispute arising between the undertaker and National Highways under this Part of this Schedule must, unless otherwise agreed in writing between the undertaker and National Highways, be determined by arbitration in accordance with article 46 (arbitration).</p>				
<p>Schedule 11 – Protective Provisions – Part 6 – For the protection of Internal Drainage Board</p>	<p>Applicant and Internal Drainage Boards (IDBs)</p>	<p>These protective provisions have been agreed with the IDBs.</p> <p>The minor amendments reflect the outcome of negotiations with the IDBs and represent the agreed drafting.</p>	<p>[...]</p> <p>71. [...]</p> <p>(2) Subject to sub-paragraphs (3) and (4), where the Board notifies the undertaker that it intends to replace a culvert that is within a watercourse maintained by the Board, or in the event that the Board requires or gives its consent to a third party to replace a culvert, that is crossed by Work No. 7 or 8, and the replacement of the culvert will not require the relocation of Work No. 7 or 8 under paragraph 69(5), the undertaker must—</p> <p>(a) (a) compensate the Board in respect of all additional costs, charges and expenses reasonably incurred by the Board relating to the construction or maintenance of the new culvert that are directly caused by the presence of Work No. 7 or 8; or</p> <p>(b) (b) compensate any third party required by the Board, or to whom the Board has given its consent, to replace a culvert in respect of all additional costs, charges and expenses reasonably incurred relating to the construction of the new culvert that are directly caused by the presence of Work No. 7 or 8 up to a maximum of 10% of the total costs of replacing the culvert or £250,000.00 (increased in accordance with the most recent published figure for the Construction Output Price Index or during any period when no such index exists the index which replaces it or is the nearest equivalent to it) whichever is the lower amount.</p> <p>[...]</p>	<p>Rev 6</p>



Location	Request	Rationale	Summary of Change	Relevant doc version																				
Schedule 11 – Protective Provisions – Part 9 – For the protection of Cambridgeshire County Council as Highway Authority	Applicant and Cambridge County Council (CCC)	These amendments to the protective provisions added in response to comments made by CCC.	<p>122.—(1) Cambridgeshire County Council must not unreasonably withhold or delay the issue of a written certification under paragraph 121. Subject to sub-paragraphs (2) and (3), if if Cambridgeshire County Council has not given or refused or requested further information relating to such written certification within 28 days, it is deemed to have issued a written certification provided that the undertaker includes in any such request for certification a statement confirming that the deemed certification provisions this paragraph apply to such request and if such request fails to do so, the deemed certification provision of this paragraph is null and void.</p> <p>(2) Any officer of Cambridgeshire County Council duly appointed for the purpose of issuing a written certification under sub-paragraph (1) may at all reasonable times and on reasonable notice during the 28 day period enter upon and inspect any part of the completed works.</p> <p>(3) If further information is requested by Cambridgeshire County Council, the 28 day period to issue a written certificate in accordance with sub-paragraph (1) will recommence starting on the date that such further information has been submitted by the undertaker to Cambridgeshire County Council.</p>	Rev 6																				
Schedule 13 – Documents and Plans to be Certified	Applicant	Amendments to Table 10 reflect the latest versions of documents submitted into the Examination.	<table border="1"> <thead> <tr> <th>(1) <i>Document name</i></th> <th>(2) <i>Document reference</i></th> <th>(3) <i>Revision number</i></th> <th>(4) <i>Date</i></th> </tr> </thead> <tbody> <tr> <td>access and public rights of way plans</td> <td>2.4</td> <td>5 6</td> <td>June 2023 August 2023</td> </tr> <tr> <td>book of reference</td> <td>4.1</td> <td>5 6</td> <td>April 2023 August 2023</td> </tr> <tr> <td>carbon capture and export embedded design measures</td> <td>14.7 (Appendix B)</td> <td>1</td> <td>June 2023</td> </tr> <tr> <td>carbon capture and export readiness reserve space plan</td> <td>10.7</td> <td>1</td> <td>March 2023</td> </tr> </tbody> </table>	(1) <i>Document name</i>	(2) <i>Document reference</i>	(3) <i>Revision number</i>	(4) <i>Date</i>	access and public rights of way plans	2.4	5 6	June 2023 August 2023	book of reference	4.1	5 6	April 2023 August 2023	carbon capture and export embedded design measures	14.7 (Appendix B)	1	June 2023	carbon capture and export readiness reserve space plan	10.7	1	March 2023	Rev 6
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Location	Request	Rationale	Summary of Change	Relevant doc version
	combined heat and power embedded design measures	14.7 (Appendix A)	1	June 2023
	combined heat and power statement	7.6	1	June 2022
	design and access statement	7.5	1	June 2022
	environmental statement	6.1, 6.2	1	June 2022
	environmental statement figures	6.3	2	March 2023
	environmental statement appendices	6.4	2	March 2023
	flood risk assessment	6.4 (ES Appendix 12A)	1	June 2022
	land plans	2.2	5 6	April 2023 August 2023
	outline biodiversity net gain strategy	6.4 (ES Appendix 11M)	5	July 2023
	outline construction environmental management plan	7.12	6	July 2023
	outline construction traffic management plan	6.4 (ES Appendix 6A)	6 7	July 2023 August 2023
	outline decommissioning plan	12.4	1	May 2023
	outline drainage strategy	6.4 (ES Appendix 12F)	3 4	June 2023 August 2023



Location	Request	Rationale	Summary of Change	Relevant doc version
	outline employment and skills strategy	7.8	1	June 2022
	outline fire prevention plan	7.10	2	March 2023
	outline flood emergency management plan	7.9	2	March 2023
	outline landscape and ecology strategy	6.3 (ES Figure 3.14)	2	March 2023
	outline landscape and ecology management plan	7.7	2	April 2023
	outline lighting strategy	6.4 (ES Appendix 3B)	3	June 2023
	outline local air quality monitoring strategy	9.21	3	May 2023
	outline odour management plan	7.11	2	March 2023
	outline operational noise management plan	6.4 (ES Appendix 7D)	4	June 2023
	outline operational traffic management plan	7.15	4	July 2023
	outline operational travel plan	6.4 (ES Appendix 6C)	1	June 2022
	waste area plan	15.9	1	July 2023
	works plans	2.3	3 4	June 2023 August 2023

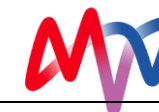
Deadline 8 (18 August 2023)



Location	Request	Rationale	Summary of Change	Relevant doc version
Article 2 Definitions	– Applicant and Cambridge shire County Council (CCC)	Required as part of the new Article 48	“section 106 agreement” means the agreement made under section 106 of the 1990 Act and section 278 of the 1980 Act dated 11 December 2013 between (1) Cambridgeshire County Council and (2) Tesco Stores Limited.	Rev 7
Article 48 Modification of section 106 agreement relating to land	– Applicant and Cambridge shire County Council (CCC)	The Applicant has been in discussions with Cambridgeshire County Council regarding the use of section 228 of the Highways Act 1980 and understands that Cambridgeshire County Council wishes to ensure that the service of such a notice would not affect the terms of or the ability to continue enforce the Tesco S106 Agreement in respect of land outside of the Order limits.	<p>Modification of s106 agreement relating to land</p> <p>48(1) The section 106 agreement is modified so that the section 106 agreement no longer applies to and can no longer be enforced in respect of any land within the Order limits.</p> <p>(2) The modification set out in subsection (1) will only have effect if:</p> <ul style="list-style-type: none"> (a) Work No. 4A has commenced; (b) the highway authority serves a notice pursuant to section 228(1) of the 1980 Act in respect of any land within the Order limits that is bound by the section 106 agreement; and (c) the period of one month from the day on which the notice was first displayed pursuant to section 228(1) of the 1980 Act has expired. <p>(3) This article does not affect the terms of, any rights or liabilities under or the ability of any person to enforce the section 106 agreement in respect of any other land bound by the section 106 agreement that is outside of the Order limits.</p>	Rev 7



Location	Request	Rationale	Summary of Change	Relevant doc version
		<p>The Applicant has therefore included a new article 48 in the draft DCO submitted at Deadline 8 to address these concerns.</p>		
		<p>The clear legal basis and precedent for including new article 48 in the draft DCO is as follows. Sections 120(3) and (4) of the Planning Act 2008 provide that a DCO may make provision for matters that are ancillary to the authorised development including the matters listed in Part 1 of Schedule 5. Paragraph 3 of Schedule 5 includes the <i>“abrogation or modification of</i></p>		



Location	Request	Rationale	Summary of Change	Relevant doc version
		<p><i>agreements relating to land</i>”.</p>	<p>A section 106 agreement is an agreement relating to land and the DCO can therefore include a power to modify such agreements. The power to modify or abrogate S106 agreements (as agreements relating to land) was used in the Manston Airport Development Consent Order 2022 (Article 35) and the Hornsea Four Offshore Wind Farm Order 2023 (Article 48).</p>	
		<p>New article 48 of the draft DCO therefore provides a fall-back solution and ensures</p>		



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		<p>that in the unlikely event that plot 12/4b has still not been adopted on the completion of Work No. 4A, and Cambridgeshire County Council wishes to serve a notice under section 228 of the Highways Act 1980, the Tesco S106 Agreement will be modified, but only to the limited extent that it no longer applies to the Order limits and with no impact on continued application of the planning obligations outside the Order limits and in respect of all the other land bound by the Tesco S106 Agreement.</p>		
<p>Schedule 11 – Protective</p>	<p>Applicant and</p>	<p>These amendments to the protective</p>	<p>“undertaker” means Medworth CHP Limited (company number 13130012) or any other person who for the time being has the benefit of this Order in</p>	<p>Rev 7</p>



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Provisions – Part 9 – For the protection of Cambridgeshire County Council as Highway Authority	Cambridge shire County Council (CCC)	provisions are agreed with CCC.	accordance with article Error! Reference source not found. and 8 (benefit of this Order);																																					
Schedule 13 – Documents and Plans to be Certified	Applicant	Updates to reflect the latest versions of certified documents, provided at Deadline 8.	<table border="1"> <thead> <tr> <th>(1) <i>Document name</i></th> <th>(2) <i>Document reference</i></th> <th>(3) <i>Revision number</i></th> <th>(4) <i>Date</i></th> </tr> </thead> <tbody> <tr> <td>access and public rights of way plans</td> <td>2.4</td> <td>6 7</td> <td>August 2023</td> </tr> <tr> <td>book of reference</td> <td>4.1</td> <td>6</td> <td>August 2023</td> </tr> <tr> <td>carbon capture and export embedded design measures</td> <td>14.7 (Appendix B)</td> <td>1</td> <td>June 2023</td> </tr> <tr> <td>carbon capture and export readiness reserve space plan</td> <td>10.7</td> <td>1</td> <td>March 2023</td> </tr> <tr> <td>combined heat and power embedded design measures</td> <td>14.7 (Appendix A)</td> <td>1</td> <td>June 2023</td> </tr> <tr> <td>combined heat and power statement</td> <td>7.6</td> <td>1</td> <td>June 2022</td> </tr> <tr> <td>design and access statement</td> <td>7.5</td> <td>1</td> <td>June 2022</td> </tr> <tr> <td>environmental statement</td> <td>6.1, 6.2</td> <td>1</td> <td>June 2022</td> </tr> </tbody> </table>	(1) <i>Document name</i>	(2) <i>Document reference</i>	(3) <i>Revision number</i>	(4) <i>Date</i>	access and public rights of way plans	2.4	6 7	August 2023	book of reference	4.1	6	August 2023	carbon capture and export embedded design measures	14.7 (Appendix B)	1	June 2023	carbon capture and export readiness reserve space plan	10.7	1	March 2023	combined heat and power embedded design measures	14.7 (Appendix A)	1	June 2023	combined heat and power statement	7.6	1	June 2022	design and access statement	7.5	1	June 2022	environmental statement	6.1, 6.2	1	June 2022	Rev 7
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	environmental statement figures	6.3	2	March 2023
	environmental statement appendices	6.4	2	March 2023
	flood risk assessment	6.4 (ES Appendix 12A)	1	June 2022
	land plans	2.2	5	August 2023
	outline biodiversity net gain strategy	6.4 (ES Appendix 11M)	5	July 2023
	outline construction environmental management plan	7.12	6	July 2023
	outline construction traffic management plan	6.4 (ES Appendix 6A)	7	August 2023
	outline decommissioning plan	12.4	1	May 2023
	outline drainage strategy	6.4 (ES Appendix 12F)	4	August 2023
	outline employment and skills strategy	7.8	1	June 2022
	outline fire prevention plan	7.10	2 -3	March 2023 August 2023
	outline flood emergency management plan	7.9	2	March 2023
	outline landscape and ecology strategy	6.3 (ES Figure 3.14)	2	March 2023
	outline landscape and ecology management plan	7.7	2	April 2023



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			outline lighting strategy	6.4 (ES Appendix 3B) 3 June 2023
			outline local air quality monitoring strategy	9.21 3 May 2023
			outline odour management plan	7.11 2 3 March 2023 August 2023
			outline operational noise management plan	6.4 (ES Appendix 7D) 4 June 2023
			outline operational traffic management plan	7.15 4 July 2023
			outline operational travel plan	6.4 (ES Appendix 6C) 1 June 2022
			waste area plan	15.9 1 July 2023
			works plans	2.3 4 August 2023
Explanatory Note	Applicant	Location where the certified plans and documents may be inspected during working hours has been completed. The offices of Fenland District Council (FDC) have been selected, subject to the agreement of FDC.	<p style="text-align: center;">EXPLANATORY NOTE</p> <p style="text-align: center;"><i>(This note is not part of the Order)</i></p> <p>This Order authorises Medworth CHP Limited (referred to in this Order as the undertaker) to construct, operate and maintain an Energy from Waste Combined Heat and Power Facility. The Order would permit the undertaker to acquire, compulsorily or by agreement, land and rights in land and to use land for this purpose. The Order also makes provision in connection with the maintenance of the new section of highway.</p> <p>A copy of the Order plans and the book of reference mentioned in this Order and certified in accordance with article Error! Reference source not found. (certification of plans etc.) of this Order may be inspected free of charge during working hours at ***** Fenland Hall, County Road, March, Cambridgeshire, PE15 8NQ}.</p>	Rev 7



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