

# The Keadby 3 Low Carbon Gas Fired Generating Station

**Document Ref: 9.7**

**Planning Inspectorate Ref: EN010114**

**The Keadby 3 (Carbon Capture Equipped Gas Fired Generating  
Station) Order**

**Land at and in the vicinity of the Keadby Power Station site,  
Trentside, Keadby, North Lincolnshire**

## Schedule of Updates to Draft DCO (Deadline 2)

**The Planning Act 2008**

**The Infrastructure Planning (Applications: Prescribed Forms and  
Procedure) Regulations 2009 (as amended)**

**Reg. 5(2)(b)**

**Applicant: Keadby Generation Limited**

**Date: February 2022**

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**DOCUMENT HISTORY**

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### Keadby 3 - Schedule of Amendments to draft DCO<sup>1</sup>

#### Deadline 2 Submission

<b>Reference in draft DCO<sup>2</sup></b>	<b>Change Made</b>	<b>Reason for Change</b>
Article 2(1) - Definition of "Electricity Acts" (and associated footnotes)	Reference to "Electricity Lighting Act 1909" and "Electricity (Supply) Act 1919) deleted together with relevant footnotes	Both Acts now repealed so references are redundant. Also in accordance with ExA request to review inclusion in the definition.
Article 2(1) – definition of "carbon capture plant"	Definition has been amended to "carbon capture and compression plant" and has been updated to reference Work No.7	Amended in response to ExA Q1.16.2. Note that reference to "carbon capture plant" within the draft DCO have also been updated to "carbon capture and compression plant".
Article 2(1) – definition of "haul road"	Definition of "haul road" added	Cosmetic change only – haul road is referred to in Article 36 (restoration works), definition therefore has been moved from Schedule 2 to Article 2(1). It is not a new definition.
Article 2(1) – definition of "haul road permission"	Definition of "haul road permission" added	Cosmetic change only – definition has been moved from Schedule 2 to Article 2(1) for the same reasons as definition of "haul road".
Article 2(1) – definition of "NGC"	Definition of "NGC" moved	Cosmetic change only as it has been moved so that it is now alphabetically in the correct order. The change was made to accommodate the request of the ExA.
Article 2(1) – definition of Palfrey laydown plans"	Definition amended to cross refer to the "Palfrey planning permission"	This is a drafting point, and is to confirm that the laydown plans form part of the Palfrey planning permission (as defined).

<sup>1</sup> This table does not identify consequential changes to cross referencing or article numbers caused by the deletion of Article 16 (removal of human remains)

<sup>2</sup> Note – references to Article numbers are as per the originally submitted dDCO and not the amended dDCO

<b>Reference in draft DCO<sup>2</sup></b>	<b>Change Made</b>	<b>Reason for Change</b>
Article 2(1) definition of "Pilfrey laydown planning permission"	Definition of "Pilfrey laydown planning permission added"	Cosmetic change only – "Pilfrey planning permission is referred to in the definition of "Pilfrey laydown plans" which is referred to in Article 2(1). Definition has therefore been moved from Schedule 2 to Article 2(1). It is not a new definition.
Article 2(1) – definition of "statutory undertaker"	Definition of "statutory undertaker" amended to remove reference to public communications provider	Amended to accommodate request in ExA Qu.1.16.6.
Article 2(4)	Amended to delete reference to Schedule 2	Amended to respond to ExA Qu1.16.7. Article 2(4) confirms that definitions contained within Schedule 13 (Deemed Marine Licence) that in the event of any conflict or duplications, the definitions in Schedule 13 shall take precedence for the purposes of applying to/ interpreting Schedule 13 only.
Article 2(5)	Amendment to alter "works 1A to 1D" to "works 1A to 1E"	Correction to refer to all references comprised in Works No.1
Article (6) (benefit of the Order)	New paragraph (b) added to allow Northern Power Grid to have the benefit of the Order in relation to Works No. 3B	Amendment included to reflect the current position on discussions with Northern Power.
Article 16 (removal of human remains)	Entire article deleted	Not required and removed at the request of the ExA
Article 33 (statutory authority to override easements and other rights)	Deleted	Cosmetic alteration only – the article was a duplication of Article 19.
Schedule 2 paragraph 1 (interpretation)	Deletion of definitions	Most of the definition have been deleted and moved to Article 2(1) as already identified above.

<b>Reference in draft DCO<sup>2</sup></b>	<b>Change Made</b>	<b>Reason for Change</b>
Schedule 2 (Requirements) R5(4)(a) and(c)	Additional wording added to require Canal and River Trust to be consulted in relation to details submitted insofar as relate to Works No.4A and amendment to paragraph (c) to include reference to "angle of flow".	Additional wording included as per the request made by Canal and River Trust in their representations.
Schedule 2 (Requirements) R5(7)	Additional wording added to allow NGC to be consulted on details submitted.	Additional wording added to reflect position agreed with National Grid Carbon Limited.
Schedule 2 (Requirements) R5(11)	Reference to Works No.8 added	Requirement updated to include reference to Works No.8.
Schedule 2 (Requirements) R14(2)	Reference to 2.5m AOD amended to 2.8m AOD	The Applicant has agreed with the Environment Agency that the draft DCO (APP-005) Requirement 14(2) and Schedule 11 require to be updated to reference the adjusted finished ground level for the Main Site (Work 1A and 1C) of 2.8m above ordnance datum to take account of the updated hydraulic modelling and flood risk assessment (AS-010) submitted at Deadline 1
Schedule 2 (Requirements) R17(1)	Reference to consultation with Natural England on the CEMP has been added to the condition	The Requirements has been updated to reflect the request of Natural England.
Schedule 2 (Requirements) R25(1)	Reference to "Highways England" updated to refer to "National Highways"	The amendment is to update to the current National Highways.
Schedule 2 (Requirements) R29(3)	Reference to the British Standard has been updated	To ensure the requirements reflects the current British Standard.
Schedule 2 (Requirements) R30(1)	Reference to Woks No. 4B added	Added as works 4B will also need to be included as part of the written piling and penetrative foundation design method statement.

<b>Reference in draft DCO<sup>2</sup></b>	<b>Change Made</b>	<b>Reason for Change</b>
Schedule 2 (Requirements) R33(1)	New paragraph (d) added to reference any new pipeline works authorisations required by section 14 of the Petroleum Act 1998.	Added to reflect discussions with National Grid and to demonstrate ability to secure full chain.
Schedule 6 (New Rights) Table 4	Reference to plots 40a, 43, 45, 55a, 55b, 59 and 60 added in relation to new rights to be acquired in relation to Works No 3A and 3B	Added to reflect the amendments made to the deposited land plans, where these parcels have been altered to allow for a change from temporary possession to the new right sought.
Schedule 9 (Procedure for Discharge of Requirements) Paragraph 2(4)(b)	Additional wording to require the relevant planning authority to notify the undertaker if it considers an application made contained materially new or materially different environmental effects to those assess - to give the undertaker 21 business days written notice following receipt of the relevant documentation.	It is considered this additional wording provides both parties with the opportunity to resolve any concerns the relevant planning authority may have prior to a formal determination being made on the submitted application.
Schedule 9 (Procedure for Discharge of Requirements) Paragraph 5(1)(b)	Correction to cross reference	Amendment is cosmetic only and is to correct a cross reference.
Schedule 10 (Protective Provisions) Part 2 paragraph 22(1) (for Canal and River Trust)	Additional wording added to reference regard to the Canal and River Trust Code of Practice	Amendment has been made to reflect comments made by the Canal and River Trust, requesting that its Code Of Practice be referenced.
Schedule 11 (Design Parameters)	Column 4 updated	The amendments reflect the amendments agreed to Requirement 14(2) with the Environment Agency. Schedule 11 requires to be updated to reference the adjusted finished ground level for the Main Site (Work 1A and 1C) of 2.8m above ordnance datum to take account of the updated hydraulic modelling and flood risk assessment (AS-010) submitted at Deadline 1
Schedule 13 (deemed Marine Licence) paragraph 1(b)	Address details for Marine Management Organisation (Local Enforcement Office) updated	Amended to reflect comments received by the MMO.

<b>Reference in draft DCO<sup>2</sup></b>	<b>Change Made</b>	<b>Reason for Change</b>
Schedule 13 (deemed Marine Licence) paragraph 10	Wording added to confirm the CEMP details are to be submitted to the MMO and the Maritime and Coastguard Agency for review.	Amended to reflect comments received by the MMO and position agreed in Statement of Common Ground.
Schedule 13 (deemed Marine Licence) (deemed Marine Licence) paragraph 12	Reference to MMO added.	Amended to reflect comments received by the MMO.
Schedule 13 (deemed Marine Licence) paragraph 19	Reference to restriction on hours to piling works being carried out, added	Amended to reflect comments received by the MMO.
Schedule 13 (deemed Marine Licence) paragraph 24	Reference to "District Marine Office" replaced with "Local Enforcement Office"	Amended to reflect comments received by the MMO.
Schedule 13 (deemed Marine Licence) paragraph 28	Reference to MMO added	Amended to reflect comments received by the MMO.