



OAKLANDS FARM SOLAR PARK

Applicant: Oaklands Farm Solar Ltd

Schedule of changes to the draft Development Consent Order
October 2024

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Version: Deadline 5

Table of Amendments to the draft Development Consent Order

DEADLINE 1 SUBMISSION

Article/Requirement/Schedule Number	Amendment	Reason
Contents	The table of contents has been updated to capture the latest article and schedule numbers.	To comply with drafting requirements for development consent orders.
Article 2(1)	Definition of “archaeological management plan” has been deleted as an archaeological management plan has not been submitted with the application.	To correct a drafting error.
Article 2(1)	Definition of “hedgerow plan” has been updated to “important hedgerows plan” and the definition relocated alphabetically.	To correct a drafting error.
Article 11(7)	The words “, or such longer period that is agreed in writing between the undertaker and that street authority,” have been added.	As explained in the Applicant’s Deadline 1 submission and its response to ExQ 1.3, the Applicant has provided for flexibility within this article to allow the 28-day deemed consent period to be extended with the written agreement of the undertaker and the street authority.
Article 14(9)	The words “, or such longer period that is agreed in writing between the undertaker and that person,” have been added.	As explained in the Applicant’s Deadline 1 submission and its response to ExQ 1.3, the Applicant has provided for flexibility within this article to allow the 28-day deemed consent period to be extended with the written agreement of the undertaker and the relevant party.

Article 16(6)	The words “, or such longer period that is agreed in writing between the undertaker and that authority,” have been added.	As explained in the Applicant’s Deadline 1 submission and its response to ExQ 1.3, the Applicant has provided for flexibility within this article to allow the 28-day deemed consent period to be extended with the written agreement of the undertake and the relevant authority.
Article 19(5)	The words “, with the consent of the Secretary of State” have been removed.	As explained in the Applicant’s Deadline 1 submission and its response to ExQ 2.12, the Applicant has rephrased Article 19(5) to remove the need for the Secretary of State’s consent to transfer the powers under Article 19 to statutory undertakers for the purpose of carrying out their statutory duties.
Article 26(1)(a)	The words “for the completion of site preparation works, construction and decommissioning of the authorised development” have been added.	As explained in the Applicant’s Deadline 1 submission and its response to ExQ 2.13. the Applicant has revised Article 26(1)(a) to clarify that the land described in Article 26(1)(a)(i)-(ii), may be temporarily possessed for the purposes of undertaking site preparation works, constructing and decommissioning the authorised development.
Article 35(1)	The description of the plan at Article 35(1)(b) has been updated to “important hedgerows plan”. The reference to the “archaeological management plan” has been removed.	To correct drafting errors.
Schedule 1, Part 2, R4(2)	The words “The scheme submitted pursuant to sub-paragraph (1) must include a timetable for the construction of the phases of the authorised development and a plan identifying the phasing areas” have been added.	As explained in the Applicant’s Deadline 1 submission and its response to ExQ 1.8, this paragraph has been added to Requirement 2 to prescribe that the written scheme setting out the phases of construction of the authorised development to be submitted and approved under sub-paragraph (1) includes a timetable for the

		construction phases of the authorised development and a plan identifying the phasing areas.
Schedule 1, Part 2, R4(3)	The words “submitted and approved pursuant to sub-paragraph (1)” have been added.	This wording has been added for consistency and clarity.
Schedule 1, Part 2, R5(2)(b)	The “s” has been removed from “plans” in the “works plans”.	To correct a typographical error.
Schedule 1, Part 2, R5(2)(c)	The words “table 4.2 of” and “(design parameters used in the EIA)” have been added.	As explained in the Applicant’s Deadline 1 submission and its response to ExQ 1.9, these words have been added to clarify the design parameters of the authorised development.
Schedule 1, Part 2, R7	The words “contained within appendix 6.14 of the environmental statement” have been added.	To clarify the location of the Tree Retention/Removal Plan and Tree Protection Plan within the environmental statement that are to inform the arboricultural method statement secured by Requirement 7.
Schedule 1, Part 2, R9(1)	The words “in consultation with the Environment Agency” have been added.	As explained in the Applicant’s Deadline 1 submission and its response to ExQ 1.10, these words have been added to require the local planning authority to consult the Environment Agency in approving the construction environmental management plan.
Schedule 1, Part 2, R8(2)(b)	The words “details of measures to be adopted including pre-construction surveys to protect species defined as a European Protected Species in regulation 42 (European protected species of animals) and 46 (European protected species of plants) of the Conservation of Habitats and Species Regulations 2017 or any species to which Part I (wildlife) and Schedule 5 (animals which are	As explained in the Applicant’s Deadline 1 submission and its response to ExQ 3.4, this sub-paragraph has been removed from Requirement 8 and inserted to Requirements 9 to secure pre-construction surveys to protect species as defined within the CEMP.

	protected) of the Wildlife and Countryside Act 1981 applies” have been removed.	
Schedule 1, Part 2, R9(2)(j)	The words “a construction and environmental management plan for biodiversity that must accord with the outline construction and environmental management plan for biodiversity” have been removed.	This wording has been removed to correct a drafting error as an outline construction and environmental management plan for biodiversity has not been submitted with the application for the authorised development and commitments to manage the planting, protection and enhancement of biodiversity are secured by way of requirement 8 (landscape and ecological management plan).
Schedule 1, Part 2, R9(2)(k)	The words “details of measures to be adopted including pre-construction surveys to protect species defined as a European Protected Species in regulation 42 (European protected species of animals) and 46 (European protected species of plants) of the Conservation of Habitats and Species Regulations 2017 or any species to which Part I (wildlife) and Schedule 5 (animals which are protected) of the Wildlife and Countryside Act 1981 applies” have been added.	As explained in the Applicant’s Deadline 1 submission and its response to ExQ 3.4, and above, this subparagraph has been removed from Requirement 8 and inserted to Requirements 9 to secure pre-construction surveys to protect species as defined within the CEMP.
Schedule 1, Part 2, R9(2)(l)	The words “environmental monitoring plan” have been added.	At the request of the Environment Agency in its Relevant Representation, the Applicant has inserted this wording to prescribe that an environmental monitoring plan forms part of the construction environmental management plan.
Schedule 1, Part 2, R9(2)(m)	The words “flood risk management measures” have been added.	This wording has been added to prescribe that flood risk management measures form part of the construction environmental management plan.
Schedule 1, Part 2, R9(3)	The words “in consultation with the Environment Agency” have been added.	As explained in the Applicant’s Deadline 1 submission and its response to ExQ 1.10, these words have been added to require the local planning authority to consult

		the Environment Agency in approving the construction environmental management plan.
Schedule 1, Part 2, R11(2)(c)	The words “detailed operational drainage design” have been added.	As explained in the Applicant’s Deadline 1 submission and its response to ExQ 3.3, this wording has been added to prescribe that a detailed operational drainage design is secured within the operational environmental management plan.
Schedule 1, Part 2, R14(1)	The word “streets” has been added.	To correct a typographical error.
Schedule 1, Part 2, R14(2)	Sub-paragraphs (c)-(f) have been added.	As explained in the Applicant’s Deadline 1 submission and its response to ExQ 3.4, the prescribed content of the public rights of way management plan has been updated to ensure the proposed mitigation in the environmental statement is clearly secured.
Schedule 1, Part 2, R16(7)	The words “Any proposed temporary fences, walls or other means of enclosure for the site preparation works must be carried out in accordance with the approved details” have been added.	Further to the Examining Authority’s request at ExQ 1.11, the Applicant has inserted this wording to Requirement 16.
Schedule 1, Part 2, R17(2)	The words “be in accordance with and”, “outline” and “forming appendix 8.1” have been added.	This wording has been added to clarify that the written details of the surface and foul water drainage system must be in accordance with and include the plans and strategies referred to in the flood risk assessment and outline drainage strategy forming appendix 8.1 of the environmental statement.
Schedule 1, Part 2, R17(3)	The words “and thereafter operated and maintained by the undertaker” have been added.	This wording has been added to clarify that the surface and foul water drainage system shall be operated and maintained by the undertaker following its approval and implementation.

Schedule 1, Part 2, R18(3)	The words “and any written analysis, reporting, publication or archiving required as part of the approved scheme must be deposited with the Historic Environment Record of the local planning authority” have been added.	Further to the Examining Authority’s request at ExQ 8.4, the Applicant has inserted this wording to require the written scheme for the investigation of areas of archaeological interest secured by Requirement 18 to be deposited with the Historic Environment Record of the local planning authority.
Schedule 1, Part 2, R20(4)	The words “a scheme for the carrying out of” and “must be agreed with the local planning authority in writing in advance. Where such a scheme is approved, the works set out in that scheme” have been removed.	Further to the Examining Authority’s request at ExQ 1.12, the Applicant has revised the wording of Requirement 20(4) for clarity.
Schedule 1, Part 2, R22(3)(b)	The words “details of measures to be adopted including pre-decommissioning surveys to protect species defined as a European Protected Species in regulation 42 (European protected species of animals) and 46 (European protected species of plants) of the Conservation of Habitats and Species Regulations 2017 or any species to which Part I (wildlife) and Schedule 5 (animals which are protected) of the Wildlife and Countryside Act 1981 applies” have been added.	As explained in the Applicant’s Deadline 1 submission and its response to ExQ 3.4, and above, this subparagraph inserted to secure pre-decommissioning surveys to protect species as defined within the decommissioning environmental management plan.
Schedule 9	The plan referenced in column (1) of each of the tables in Part 1 (removal of important hedgerows) and Part 2 (removal of hedgerows) has been corrected to “Important Hedgerows Plan”.	To correct a drafting error.
Schedule 12	Schedule 12 (documents to be certified) has been added.	As explained in the Applicant’s Deadline 1 submission and its response to ExQ 1.7, the Applicant proposes to identify all documents to be certified in a separate schedule on the face of the development consent order.

DEADLINE 3 SUBMISSION

Article/Requirement/Schedule Number	Amendment	Reason
Contents	The table of contents has been updated to capture the latest article numbers.	To comply with drafting requirements for development consent orders.
Article 6(1)	Reference to section 25 (restrictions on impounding) of the Water Resources Act 1991 has been deleted and the footnotes within Article 6 updated.	Following agreement with the Environment Agency, the Applicant is no longer seeking to disapply this legislative provision.
Article 44	Article 44 (inconsistent planning permissions) has been added.	Following emerging practice and the judgment in <i>Hillside Parks Ltd v Snowdonia National Park Authority</i> [2022] UKSC 30.
Requirement 9(2)(m)	The words “including surface water management” have been added.	To clarify that surface water management will be secured through the construction environmental management plan.
Requirement 9(5)	This sub-paragraph has been added.	To clarify that for the purpose of Requirement 9 (construction environmental management plans), “commence” includes site preparation works comprising site clearance further to the Interested Parties’ responses to ExQ 1.5..
Requirement 13(1)	The word “part” has been replaced with “phase” and the words “, and no part of the site preparation works for that phase comprising remedial work in respect of any contamination,” have been added.	As explained in the Applicant’s Deadline 3 submission and its comments on Interested Parties’ responses to ExQ 1.5 these words have been added to ensure that no phase of site preparation works requiring remedial work for land contamination can commence until a contamination risk assessment in respect of soils has

		been submitted to and approved by the local planning authority in consultation with the Environment Agency.
Requirement 13(1)(e)	This sub-paragraph has been removed and restructured as a tailpiece to sub-paragraph (1).	As explained in the Applicant's Deadline 3 submission and its comments on Interested Parties' responses to ExQ 1.5 these words ensure the details to be included within the contamination risk assessment in respect of soils have been submitted to and approved by the local planning authority in consultation with the Environment Agency.
Requirement 21(2)	The words "in consultation with Natural England" have been added.	As explained in the Applicant's Deadline 3 submission and its comments on Interested Parties' responses to ExQ 7.7, these words have been added to ensure the Species Protection Plan is agreed with the local planning authority in consultation with Natural England.

DEADLINE 4 SUBMISSION

Article/Requirement/Schedule Number	Amendment	Reason
Contents	The table of contents has been updated to capture the latest article and schedule numbers.	To comply with drafting requirements for development consent orders.
Article 2(1)	Definition of “the 2004 Act” has been deleted.	To correct a drafting error as the definition is not used elsewhere in the development consent order.
Article 2(1)	Definition of “apparatus” has been revised to delete “section 105(1)” and insert “Part 3 (street works in England and Wales)” “except that, unless otherwise provided, it further includes pipelines (and parts of them), aerial markers, cathodic protective test posts, field boundary markers, transformer rectifier kiosks, electrical cables, telecommunications equipment and electricity cabinets”.	As explained in the Applicant’s Deadline 4 submission and its response to ExQ 1.1, the Applicant has updated some definitions in Article 2 (interpretation) of the dDCO to align with recent DCO precedent.
Article 2(1)	Definition of “building” has been relocated to below the definition of “book of reference”.	To correct a drafting error and to ensure the definitions appear in alphabetical order.
Article 2(1)	The words “and testing” have been added to the end of the definition of “date of final commissioning”.	As explained in the Applicant’s Deadline 4 submission and its response to ExQ 1.1, the Applicant has updated some definitions in Article 2 (interpretation) of the dDCO to align with recent DCO precedent.
Article 2(1)	Definition of “design parameters” has been inserted.	As explained in the Applicant’s Deadline 4 submission and its response to ExQ 1.6, the Applicant has inserted a

Article/Requirement/Schedule Number	Amendment	Reason
		new definition of “design parameters” to clarify the extent of the authorised development.
Article 2(1)	The phrase “materially different environmental effects from those assessed in the environmental statement” has been replaced with “materially more adverse environmental effects compared to those identified in the environmental statement” at the definition of “maintain”.	As explained in the Applicant’s Deadline 4 submission and its response to ExQ 1.3, the Applicant has revised this phrase to align with the Examining Authority’s request at Deadline 1 (ExQ1 1.1).
Article 2(1)	The words “any derivative of “maintain must” have been replaced with ““maintenance” and “maintaining” are to” at the definition of “maintain”.	As explained in the Applicant’s Deadline 4 submission and its response to ExQ 1.1, the Applicant has updated some definitions in Article 2 (interpretation) of the dDCO to align with recent DCO precedent.
Article 2(1)	Definition of “requirement” has been revised to add an “s” after the defined term, to delete “a reference to a numbered” and “is a reference to the requirement set out in the paragraph of that Part of that Schedule with the same number” and add “means any one of those requirements”.	As explained in the Applicant’s Deadline 4 submission and its response to ExQ 1.1, the Applicant has updated some definitions in Article 2 (interpretation) of the dDCO to align with recent DCO precedent.
Article 2(1)	Definition of “statutory undertaker” has been added.	As explained in the Applicant’s Deadline 4 submission and its response to ExQ 1.1, the Applicant has updated some definitions in Article 2 (interpretation) of the dDCO to align with recent DCO precedent.
Article 2(1)	Definition of “Upper Tribunal” has been added.	As explained in the Applicant’s Deadline 4 submission and its response to ExQ 1.1, the Applicant has updated

Article/Requirement/Schedule Number	Amendment	Reason
		some definitions in Article 2 (interpretation) of the dDCO to align with recent DCO precedent.
Article 2(1)	Definition of “working day” has been added.	As explained in the Applicant’s Deadline 4 submission and its response to ExQ 1.1, the Applicant has updated some definitions in Article 2 (interpretation) of the dDCO to align with recent DCO precedent.
Article 2(2)	The words “lines or”, “numbered”, “comprised in the authorised development and shown on the works plan and streets, access and rights of way plan” and “to be” have been added.	As explained in the Applicant’s Deadline 4 submission and its response to ExQ 1.1, the Applicant has updated some definitions in Article 2 (interpretation) of the dDCO to align with recent DCO precedent.
Article 2(5)	The text “as from time to time have jurisdiction in relation to the authorised development” has been deleted.	As explained in the Applicant’s Deadline 4 submission and its response to ExQ 1.1, the Applicant has updated some definitions in Article 2 (interpretation) of the dDCO to align with recent DCO precedent.
Article 3(1)	The article heading has been revised to replace “the” with “this” and paragraph (1) has been revised to delete the words “including” and “in Part 2 of Schedule 1 (requirements)”.	As explained in the Applicant’s Deadline 4 submission and its response to ExQ 1.1, the Applicant has updated some articles within the dDCO to align with recent DCO precedent.
Article 3(1)	An “s” has been added at “works plans”.	To correct a drafting error.
Article 3(3)	This sub-paragraph has been added.	As explained in the Applicant’s Deadline 4 submission and its response to ExQ 1.6, the Applicant has inserted this sub-paragraph to clarify that the Article does not

Article/Requirement/Schedule Number	Amendment	Reason
		authorise the carrying out of any works which are likely to give rise to materially new or materially more adverse environmental effects to those identified in the environmental statement.
Article 4(1)	The article heading has been revised to replace “Maintenance” with “Power to maintain the”.	As explained in the Applicant’s Deadline 4 submission and its response to ExQ 1.1, the Applicant has updated some articles within the dDCO to align with recent DCO precedent.
Article 4(3)	The phrase “materially different environmental effects from those assessed in the environmental statement” has been replaced with “materially more adverse environmental effects compared to those identified in the environmental statement” at the definition of “maintain”.	As explained in the Applicant’s Deadline 4 submission and its response to ExQ 1.3, the Applicant has revised this phrase to align with the Examining Authority’s request at Deadline 1 (ExQ1 1.1).
Article 5(3)(a)	The word “supplies” in “licences authorising supplies etc.,” has been replaced with “supply”.	To correct a drafting error.
Article 7(1)	An “a” has been added and a “s” removed from “summary proceedings by person aggrieved by statutory nuisances”.	To correct a drafting error.
Article 12(1)(c)	The words “and article 10 (access to works)” has been added after “article 8(1) (street works)”.	As explained in the Applicant’s Deadline 4 submission and its response to ExQ 1.1, the Applicant has updated some articles within the dDCO to align with recent DCO precedent.

Article/Requirement/Schedule Number	Amendment	Reason
Article 12(2)	The word “Such” has been deleted and replaced with “If such agreement provides that the street authority must undertake works on behalf of the undertaker the”.	As explained in the Applicant’s Deadline 4 submission and its response to ExQ 1.1, the Applicant has updated some articles within the dDCO to align with recent DCO precedent.
Article 13(5)	Sub-paragraphs (c) and (d) have been added.	<p>Further to ExQ 1.9, the Applicant inserted sub-paragraph (c) to ensure consistency with other recent DCO precedents and to secure the display of a site notice prior to the implementation of traffic regulation measures.</p> <p>As explained in the Applicant’s Deadline 4 submission and its response to ExQ 1.10, the Applicant has inserted sub-paragraph (d) to align the article with Requirement 10 (construction traffic management plan) and Requirement 22 (decommissioning and restoration).</p>
Article 14(1)	The words “subject to the obtaining of consent and approval respectively pursuant to paragraphs (3) and (4) below” have been deleted from the end of the paragraph and the words “Subject to paragraph (3), (4) and (8) the” have been inserted.	As explained in the Applicant’s Deadline 4 submission and its response to ExQ 1.1, the Applicant has updated some articles within the dDCO to align with recent DCO precedent.
Article 14(8)(a)	The drafting of this sub-paragraph has been updated to include Homes England, a joint planning board, a National Park Authority and an urban development corporation.	As explained in the Applicant’s Deadline 4 submission and its response to ExQ 1.1, the Applicant has updated some articles within the dDCO to align with recent DCO precedent.
Article 14(8)(b)	The reference to the Environmental Permitting (England and Wales) Regulations 2016 have been deleted and	As explained in the Applicant’s Deadline 4 submission and its response to ExQ 1.1, the Applicant has updated

Article/Requirement/Schedule Number	Amendment	Reason
	replaced with references to the Water Resources Act 1991.	some articles within the dDCO to align with recent DCO precedent and to correct a drafting error.
Article 15(1)	The heading of this article has been updated to replace “work” with “works”.	To correct a drafting error.
Article 15(5)	The sub-paragraphs below this paragraph have been updated to replace “power” with “right”.	As explained in the Applicant’s Deadline 4 submission and its response to ExQ 1.1, the Applicant has updated some articles within the dDCO to align with recent DCO precedent.
Article 15(9)	Reference to section 152 of the 2008 Act has been replaced with reference to section 10(2) of the 1965 Act.	As explained in the Applicant’s Deadline 4 submission and its response to ExQ 1.1, the Applicant has updated some articles within the dDCO to align with recent DCO precedent and to correct a drafting error.
Article 16(1)	The words “or upon which entry is required in order to carry out monitoring or surveys for the purposes of the authorised development” have been added after “which may be affected by the authorised development”.	As explained in the Applicant’s Deadline 4 submission and its response to ExQ 1.1, the Applicant has updated some articles within the dDCO to align with recent DCO precedent.
Article 16(1)(d)	The word “and” has been added between “land” and “making of trial holes”.	To correct a drafting error.
Article 16(3)(a)	The word “on” has been replaced with “before”.	As explained in the Applicant’s Deadline 4 submission and its response to ExQ 1.1, the Applicant has updated

Article/Requirement/Schedule Number	Amendment	Reason
		some articles within the dDCO to align with recent DCO precedent.
Article 16(3)(b)	The word “trail” has been replaced with “trial”.	To correct a drafting error.
Article 16(4)	The word “may” has been replaced with “are to”.	To correct a drafting error.
Article 18(1)	The word “the” has been replaced with “this”.	As explained in the Applicant’s Deadline 4 submission and its response to ExQ 1.1, the Applicant has updated some articles within the dDCO to align with recent DCO precedent.
Article 18(1)(a)	The word “and” has been added at the end of the sub-paragraph.	To correct a drafting error.
Article 19(1)	The words “over the Order land” have been added after “may acquire compulsorily such rights” and the word “such” has been added after “or impose”.	As explained in the Applicant’s Deadline 4 submission and its response to ExQ 1.1, the Applicant has updated some articles within the dDCO to align with recent DCO precedent.
Article 19(5)	The words “with the consent of the Secretary of State” have been reinserted.	As requested by the Examining Authority in ExQ 2.2, the Applicant has reinstated this drafting.
Article 20(1)	The word “or” has been replaced with “and” and the words “article 17 (compulsory acquisition of land) cease to have effect in so far as their continuance would be inconsistent with the exercise of the powers under article	As explained in the Applicant’s Deadline 4 submission and its response to ExQ 1.1, the Applicant has updated some articles within the dDCO to align with recent DCO precedent.

Article/Requirement/Schedule Number	Amendment	Reason
	17 (compulsory acquisition of land)" have been replaced with "this Order are extinguished".	
Article 20(1)(a)	The words "or of the right, or of the benefit of the restrictive covenants" have been added after "as from the date of acquisition of the land".	As explained in the Applicant's Deadline 4 submission and its response to ExQ 1.1, the Applicant has updated some articles within the dDCO to align with recent DCO precedent.
Article 20(2)(a)	The word "the" between "or" and "imposition" has been deleted and the word "a" has been added between "grant of" and "lease".	To correct a drafting error.
Article 20(2)(b)	The text "of the 1965 Act" has been moved from after "section 11(1)" to follow "(power of entry)".	As explained in the Applicant's Deadline 4 submission and its response to ExQ 1.1, the Applicant has updated some articles within the dDCO to align with recent DCO precedent and for consistency of formatting across the DCO.
Article 20(4)	The text "(compensation in case where no right to claim in nuisance)" has been added after "section 152".	To correct a drafting error and for consistency of formatting across the DCO.
Article 20(7)	The word "the" after "so deriving title, whether" has been replaced with "that".	As explained in the Applicant's Deadline 4 submission and its response to ExQ 1.1, the Applicant has updated some articles within the dDCO to align with recent DCO precedent.
Article 20(8)	The word "affect" has been replaced with "effect".	To correct a drafting error.

Article/Requirement/Schedule Number	Amendment	Reason
Article 21(3)	The word “the” has been added after “application of” and before “Act”.	To correct a drafting error.
Article 21(6)	The text “of the Acquisition of Land Act 1981” has been moved from after “in respect of compulsory purchase order” to follow “section 23” and the word “section” before “5A” has been deleted.	To correct a drafting error.
Article 21(9)	The words “(acquisition of subsoil only)” have been added after “see article 22(3)”.	To correct a drafting error.
Article 22(2)	The words “under paragraph (1)” have been deleted.	As explained in the Applicant’s Deadline 4 submission and its response to ExQ 1.1, the Applicant has updated some articles within the dDCO to align with recent DCO precedent.
Article 24(2)	The word “the” has been added between “application to” and “High Court” and the reference to “section 117” has been updated to “section 118”. The words “of the 2008 Act” have been moved from before “(legal challenges relating to applications for order granting development consent)” to after this phrase.	To correct drafting errors.
Article 25(4)	The word “the” before “person’s interest in the land” has been replaced with “that”.	As explained in the Applicant’s Deadline 4 submission and its response to ExQ 1.1, the Applicant has updated some articles within the dDCO to align with recent DCO precedent.

Article/Requirement/Schedule Number	Amendment	Reason
Article 26(1)(a)(ii)	The words “of the” after “any” have been replaced with “other”.	As explained in the Applicant’s Deadline 4 submission and its response to ExQ 1.1, the Applicant has updated some articles within the dDCO to align with recent DCO precedent.
Article 26(4)	The word “completion” after “with the date of” and before “of the part of” has been replaced with “final commissioning”.	As explained in the Applicant’s Deadline 4 submission and its response to ExQ 1.1, the Applicant has updated some articles within the dDCO to align with recent DCO precedent.
Article 26(10) and (11)	The paragraphs have been added.	As explained in the Applicant’s Deadline 4 submission and its response to ExQ 1.1, the Applicant has updated some articles within the dDCO to align with recent DCO precedent.
Article 27(1)(c)	The words “(including the provision of means of access)” have been added after “such temporary works”.	As explained in the Applicant’s Deadline 4 submission and its response to ExQ 1.1, the Applicant has updated some articles within the dDCO to align with recent DCO precedent.
Article 27(8)	The words “of the 2008 Act” have been moved from after “section 152” to follow “(compensation in case where no right to claim in nuisance)”.	As explained in the Applicant’s Deadline 4 submission and its response to ExQ 1.1, the Applicant has updated some articles within the dDCO to align with recent DCO precedent and for consistency of formatting across the DCO.
Article 28(a)	The words “(as certified by the Secretary of State in accordance with article 35)” have been deleted.	To correct a drafting error.

Article/Requirement/Schedule Number	Amendment	Reason
Article 33	This article (removal of human remains) has been deleted.	As explained in the Applicant's Deadline 4 submission and its response to ExQ 1.12, the Applicant has deleted this article as there are no known burial grounds within the Order limits and the written scheme for the investigation of areas of archaeological interest to be delivered in accordance with Requirement 18 (archaeology) would provide for the removal of any archaeological human remains found during the construction of the authorised development.
Article 36(2)(b)	The words "ensure all works are carried out to a reasonable standard in accordance with the relevant recommendations of appropriate British Standards or other more suitable recognised codes of good practice provided these meet or exceed the appropriate British Standards" have been inserted.	As explained in the Applicant's Deadline 4 submission and its response to ExQ 7.3, the Applicant has inserted this sub-paragraph for consistency with recent DCO precedent.
Article 36(2)(c)	The word "must" has been deleted.	To correct a drafting error.
Article 37(4)	The word "will" has been replaced with the words "is to".	As explained in the Applicant's Deadline 4 submission and its response to ExQ 1.1, the Applicant has updated some articles within the dDCO to align with recent DCO precedent.
Article 37(4)	The words "(determination of questions of disputed compensation)" have been inserted.	To correct a drafting error.
Article 38(1)	The word "shall" has been replaced with the words "is to".	As explained in the Applicant's Deadline 4 submission and its response to ExQ 1.1, the Applicant has updated

Article/Requirement/Schedule Number	Amendment	Reason
		some articles within the dDCO to align with recent DCO precedent.
Article 38(2)	The word “shall” has been replaced with “is” and the word “be” has been deleted.	As explained in the Applicant’s Deadline 4 submission and its response to ExQ 1.1, the Applicant has updated some articles within the dDCO to align with recent DCO precedent.
Article 39(1)	The words “the local planning” have been replaced with the words “a consenting”.	As explained in the Applicant’s Deadline 4 submission and its response to ExQ 1.1, the Applicant has updated some articles within the dDCO to align with recent DCO precedent.
Article 40(2)	The word “may” has been deleted and a “s” has been added to “prejudice”.	As explained in the Applicant’s Deadline 4 submission and its response to ExQ 1.1, the Applicant has updated some articles within the dDCO to align with recent DCO precedent.
Article 42(1)(a)	The words “the form” has been added and the words “that guarantee” have been replaced with the words “which has been”.	As explained in the Applicant’s Deadline 4 submission and its response to ExQ 1.1, the Applicant has updated some articles within the dDCO to align with recent DCO precedent.
Article 42(1)(b)	The words “the form” have been added and the words “of that security for that purpose” have been replaced with the words “which has been”.	As explained in the Applicant’s Deadline 4 submission and its response to ExQ 1.1, the Applicant has updated some articles within the dDCO to align with recent DCO precedent.

Article/Requirement/Schedule Number	Amendment	Reason
Schedule 1, Part 1, Work No. 7	New sub-paragraph (h) has been inserted.	The Applicant has updated this Work No. to align with Table 4.2 of the Environmental Statement.
Requirement 5(1)(k)	The words “the anti-reflective coating to be used on the solar modules in Work No. 1” have been added.	As explained in the Applicant’s Deadline 4 submissions and its response to ExQ 9.6, the Applicant has inserted this wording to align with recent DCO precedent and provide additional clarity to the local planning authority of the detailed design details subject to their approval.
Requirement 5(2)(c)	The words “principles and assessments set out in the environmental statement and table 4.2 of the environmental statement” and “used in the EIA” have been deleted.	As explained in the Applicant’s Deadline 4 submissions and its response to ExQ 1.6, the Applicant has revised this sub-paragraph to refer to the “design parameters” as defined at Article 2 (interpretation) of the dDCO for clarity and certainty.
Requirement 8(1)	The words “in consultation with the Environment Agency and Natural England” have been added.	As explained in the Applicant’s Deadline 4 submissions and its response to ExQ 1.17, the Applicant has inserted this drafting to secure that the LEMP be submitted to and approved by the local planning authority in consultation with the Environment Agency and Natural England.
Requirement 10(4)	This sub-paragraph has been added.	As explained in the Applicant’s Deadline 4 submissions and its response to ExQ 1.5, the Applicant has inserted this sub-paragraph to include site preparation works comprising site clearance within the definition of “commence”.
Requirement 11(2)(d)	This sub-paragraph has been added.	As explained in the Applicant’s Deadline 4 submissions and its response to ExQ 1.18, the Applicant has inserted

Article/Requirement/Schedule Number	Amendment	Reason
		this sub-paragraph to secure the inclusion of measures for the replacement of damaged solar panels within the OEMP.
Requirement 12(4)	The words “The BSMP must be implemented as approved and maintained throughout the construction, maintenance, operation and decommissioning of the authorised development” have been added.	Further to the Examining Authority’s request at ExQ 1.19, the Applicant has inserted this sub-paragraph to Requirement 12 (battery safety management plan).
Requirement 15(1)	The words “environmental statement” have been replaced with the words “outline operational environmental management plan”.	As explained in the Applicant’s Deadline 4 submission and its response to ExQ 10.5, the Applicant has revised the drafting of Requirement 15 to refer to the operational noise rating levels as set out in the Outline OEMP, rather than the Environmental Statement.
Requirement 18(1)	This words “and no part of the site preparation works for that phase requiring archaeological works”.	As explained in the Applicant’s Deadline 4 submissions and its response to ExQ 8.4, the Applicant has inserted this text to clarify that no site preparation works including archaeological works can commence until a written scheme of investigation has been submitted to and approved by the local planning authority in consultation with the county archaeologist.
Requirement 19(3)	The cross-reference to “requirement 21” has been updated to “requirement 22”.	To correct a drafting error.
Requirement 20(2)(b)	The phrase “materially different environmental effects from those assessed in the environmental statement” has been replaced with “materially more adverse	As explained in the Applicant’s Deadline 4 submission and its response to ExQ 1.3, the Applicant has revised

Article/Requirement/Schedule Number	Amendment	Reason
	environmental effects compared to those identified in the environmental statement” at the definition of “maintain”.	this phrase to align with the Examining Authority’s request at Deadline 1 (ExQ1 1.1).
Requirement 24(2)	The phrase “materially different environmental effects from those assessed in the environmental statement” has been replaced with “materially more adverse environmental effects compared to those identified in the environmental statement” at the definition of “maintain”.	As explained in the Applicant’s Deadline 4 submission and its response to ExQ 1.3, the Applicant has revised this phrase to align with the Examining Authority’s request at Deadline 1 (ExQ1 1.1).
Schedule 1, Part 3, paragraph 26	The word “discharging” has been deleted and replaced with “relevant” and the words “other than the Secretary of State” have been added to sub-paragraph (a).	As explained in the Applicant’s Deadline 4 submission and its response to ExQ 1.20, these revisions have been made to reflect the position of the Secretary of State and for consistency with recent DCO precedent at the request of the Examining Authority.
Schedule 1, Part 3	The word “discharging” has been replaced with “relevant” throughout this Part of Schedule 1.	To reflect the revised definition of “relevant authority” within Schedule 1, Part 3, paragraph 26.
Schedule 3, Part 1	Rows 8 and 10 of the table at Part 1 of Schedule 3 relating to works to permanently alter the layout of streets at the point marked AS-E1 on sheet 4 of the streets, access and rights of way plan, and at the point marked AS-G1 on sheet 3 of the streets, access and rights of way plan, have been deleted.	To align with the streets, access and rights of way plan that have removed these points as they fall outside the Order limits.
Schedule 6, paragraph 1	Capitalisation at the beginning of each sub-paragraph has been removed.	To correct a drafting error.

Article/Requirement/Schedule Number	Amendment	Reason
Schedule 7	The reference to “Article 19” has been inserted.	To comply with drafting requirements for development consent orders.
Schedule 7, paragraph 2(1)	The word “to” after “limitation” has been replaced with “on”.	As explained in the Applicant’s Deadline 4 submission and its response to ExQ 1.1, the Applicant has updated some articles within the dDCO to align with recent DCO precedent.
Schedule 7, paragraph 2(2)(a) and (b)	The words “there is substituted the words” have been replaced with “substitute”.	As explained in the Applicant’s Deadline 4 submission and its response to ExQ 1.1, the Applicant has updated some articles within the dDCO to align with recent DCO precedent.
Schedule 7, paragraph 3(1)	A “s” has been added to “modification”.	To correct a drafting error.
Schedule 7, paragraph 4(1)	<p>The words “Part 1 (compulsory purchase under Acquisition of Land Act 1946)” and “as applied by section 125 (application of compulsory acquisition provisions) of the 2008 Act to the acquisition of land under article 17 (compulsory acquisition of land) and as modified by article 24 (modification of Part 1 of the Compulsory Purchase Act 1965)), applies” and “rights” have been added.</p> <p>The words “is to have effect with the modifications necessary to make it apply”, “under this Order” and “or to the imposition under this Order of a restrictive covenant as it applies” and “land” are deleted.</p>	As explained in the Applicant’s Deadline 4 submission and its response to ExQ 1.1, the Applicant has updated some articles within the dDCO to align with recent DCO precedent.

Article/Requirement/Schedule Number	Amendment	Reason
Schedule 7, paragraph 4(1)(a) and (b)	These sub-paragraphs have been added.	As explained in the Applicant's Deadline 4 submission and its response to ExQ 1.1, the Applicant has updated some articles within the dDCO to align with recent DCO precedent.
Schedule 7, paragraph 4(2)	This sub-paragraph has been deleted.	As explained in the Applicant's Deadline 4 submission and its response to ExQ 1.1, the Applicant has updated some articles within the dDCO to align with recent DCO precedent.
Schedule 7, paragraph 5(1)	The words "The modifications referred to in paragraph 4(1) are as follows" have been added.	As explained in the Applicant's Deadline 4 submission and its response to ExQ 1.1, the Applicant has updated some articles within the dDCO to align with recent DCO precedent.
Schedule 7, paragraph 5(2)	The words "so that, in appropriate contexts" and "that" after "references in" have been deleted and the words "the 1965" and "in the appropriate contexts, to be" have been added.	As explained in the Applicant's Deadline 4 submission and its response to ExQ 1.1, the Applicant has updated some articles within the dDCO to align with recent DCO precedent.
Schedule 7, paragraph 6	<p>The words "of the 1965 Act" have been moved from before "there is substituted the following section" to before "(measure of compensation in the case of severance)". The words "there is substituted the following section" have been replaced with the word "substitute".</p> <p>The word "shall" in the text of section 7 of the 1965 has been replaced with "must"</p>	As explained in the Applicant's Deadline 4 submission and its response to ExQ 1.1, the Applicant has updated some articles within the dDCO to align with recent DCO precedent.

Article/Requirement/Schedule Number	Amendment	Reason
Schedule 7, paragraph 8	Footnotes following “section 11 (powers of entry)”, “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)” have been inserted to the 1965 Act.	To comply with drafting requirements for development consent orders.
Schedule 7, paragraph 8	Reference to “article 19” has been replaced with reference to “article 17 (compulsory acquisition of land)” and the words “entry on warrant in the event of obstruction” have been replaced with “refusal to give possession to acquiring authority”.	To correct drafting errors.
Schedule 7, paragraph 9	The words “protection for interests of” have been deleted.	To correct drafting errors.
Schedule 7, paragraph 9	A footnote has been added after “Section 20 (tenants at will, etc.)”.	To comply with drafting requirements for development consent orders.
Schedule 7, paragraph 10	The words “protective of acquiring authority’s possession where by inadvertence an estate, right or interest has not been got in” have been replaced with “interests omitted from purchase”	To correct a drafting error.
Schedule 7, paragraph 10	The words “(modification of Part 1 of the Compulsory Purchase Act 1965)” have been added to follow “article 24(4)”.	To correct a drafting error.

Article/Requirement/Schedule Number	Amendment	Reason
Schedule 7, paragraph 10	The words “covenant imposed, subject to compliance with that section as respects compensation” have been added after “to exercise the right acquired or restrictive”.	To correct a drafting error.
Schedule 7, Schedule 2A, paragraph 14(1)	A “s” has been added to “it” after “Upper Tribunal makes”.	To correct a drafting error.
Schedule 10, Part 1	The heading of this Part has been updated to delete “protection” and insert “the protection of”. Sub-headings have also been removed from this Part of Schedule 10.	As explained in the Applicant’s Deadline 4 submission and response to ExQ 1.21, the Applicant has updated Part 1 (for the protection of electricity, gas, water and sewerage undertakers) of Schedule 10 (protective provisions) with recent DCO precedent for consistency with recent DCO precedent, as these protective provisions are not subject to bespoke negotiation and agreement with a named statutory undertaker.
Schedule 10, Part 1, Paragraph 1	The word “affected” has been replaced with “utility”, the words “(save for National Grid Electricity Transmission plc which is protected by Part 2 of this Schedule and South Staffordshire Water place which is protected by Part 5 of this Schedule)” have been deleted and the words “specific provision to the contrary is made in this Schedule 15 or” have been inserted.	As explained in the Applicant’s Deadline 4 submission and response to ExQ 1.21, the Applicant has updated Part 1 (for the protection of electricity, gas, water and sewerage undertakers) of Schedule 10 (protective provisions) with recent DCO precedent for consistency with recent DCO precedent.
Schedule 10, Part 1, Paragraph 2	The definition of “affected undertaker” has been deleted and replaced with the definition of “utility undertaker”. References to “affected undertaker” have subsequently	As explained in the Applicant’s Deadline 4 submission and response to ExQ 1.21, the Applicant has updated Part 1 (for the protection of electricity, gas, water and sewerage undertakers) of Schedule 10 (protective

Article/Requirement/Schedule Number	Amendment	Reason
	<p>been updated to “utility undertaker” throughout this Part of Schedule 10.</p> <p>The words “(agreements to adopt water main or service pipe at future date)” after “section 51A”, “(adoption of sewers and disposal works)” after “section 102(4)” and “(general interpretation)” after “meaning of section 219” have been deleted.</p>	<p>provisions) with recent DCO precedent for consistency with recent DCO precedent.</p>
Schedule 10, Part 1, Paragraph 3	<p>The words “(water supply)” after “provisions of Part 3” have been removed.</p>	<p>As explained in the Applicant’s Deadline 4 submission and response to ExQ 1.21, the Applicant has updated Part 1 (for the protection of electricity, gas, water and sewerage undertakers) of Schedule 10 (protective provisions) with recent DCO precedent for consistency with recent DCO precedent.</p>
Schedule 10, Part 1, Paragraph 5(1)	<p>The words “or over which access to any apparatus is enjoyed or requires that the utility undertaker’s apparatus is relocated or diverted” have been added after “land in which any apparatus is placed”.</p> <p>The word “must” after “that apparatus” and before “not to be removed under this Part” has been replaced with the word “may”.</p> <p>The word “must” after “maintain that apparatus in that land” has been replaced with “and to gain access to it may”.</p>	<p>As explained in the Applicant’s Deadline 4 submission and response to ExQ 1.21, the Applicant has updated Part 1 (for the protection of electricity, gas, water and sewerage undertakers) of Schedule 10 (protective provisions) with recent DCO precedent for consistency with recent DCO precedent.</p>

Article/Requirement/Schedule Number	Amendment	Reason
	<p>The words “and access to it has been provided” have been added after “constructed and is in operation”.</p> <p>The words “in accordance with sub-paragraphs (2) to (7)” have been added after “undertaker in question”.</p>	
Schedule 10, Part 1, Paragraph 5(2)	<p>The word “appropriated” has been added after “purchased, held,” and before “or used under this Order”.</p> <p>The word “it” after “placed in that land,” has been replaced with the words “the undertaker”.</p>	<p>As explained in the Applicant’s Deadline 4 submission and response to ExQ 1.21, the Applicant has updated Part 1 (for the protection of electricity, gas, water and sewerage undertakers) of Schedule 10 (protective provisions) with recent DCO precedent for consistency with recent DCO precedent.</p>
Schedule 10, Part 1, Paragraph 7(1)	<p>The words “of the type referred to in paragraph 5(2)” have been deleted and the words “in, on or under any land purchased, held, appropriated or used under this Order” have been added.</p>	<p>As explained in the Applicant’s Deadline 4 submission and response to ExQ 1.21, the Applicant has updated Part 1 (for the protection of electricity, gas, water and sewerage undertakers) of Schedule 10 (protective provisions) with recent DCO precedent for consistency with recent DCO precedent.</p>
Schedule 10, Part 1, Paragraph 8(2)	<p>The word “must” has been replaced with “is to” before the words “to be deducted from any sum payable” and before the words “be reduced by the amount of that excess”.</p>	<p>As explained in the Applicant’s Deadline 4 submission and response to ExQ 1.21, the Applicant has updated Part 1 (for the protection of electricity, gas, water and sewerage undertakers) of Schedule 10 (protective provisions) with recent DCO precedent for consistency with recent DCO precedent.</p>

Article/Requirement/Schedule Number	Amendment	Reason
Schedule 10, Part 1, Paragraph 8(4)(a)	The words “where such extension is required in consequence of the execution of any such works as are referred to in paragraph 5(2)” have been added.	As explained in the Applicant’s Deadline 4 submission and response to ExQ 1.21, the Applicant has updated Part 1 (for the protection of electricity, gas, water and sewerage undertakers) of Schedule 10 (protective provisions) with recent DCO precedent for consistency with recent DCO precedent.
Schedule 10, Part 1, Paragraph 8(5)	The word “must” has been deleted after the words “sub-paragraph (1)” and the words “is to” have been added after “apparatus in the ordinary course” and before “be reduced b y the amount which represents that benefit.”	As explained in the Applicant’s Deadline 4 submission and response to ExQ 1.21, the Applicant has updated Part 1 (for the protection of electricity, gas, water and sewerage undertakers) of Schedule 10 (protective provisions) with recent DCO precedent for consistency with recent DCO precedent.
Schedule 10, Part 1, Paragraph 9(1)	The word “such” after “construction of any” has been replaced with the words “of the”.	As explained in the Applicant’s Deadline 4 submission and response to ExQ 1.21, the Applicant has updated Part 1 (for the protection of electricity, gas, water and sewerage undertakers) of Schedule 10 (protective provisions) with recent DCO precedent for consistency with recent DCO precedent.
Schedule 10, Part 1, Paragraph 9(1)(b)	The word “provide” has been replaced with the word “make”.	As explained in the Applicant’s Deadline 4 submission and response to ExQ 1.21, the Applicant has updated Part 1 (for the protection of electricity, gas, water and sewerage undertakers) of Schedule 10 (protective provisions) with recent DCO precedent for consistency with recent DCO precedent.

Article/Requirement/Schedule Number	Amendment	Reason
Schedule 10, Part 1, Paragraph 9(3)	The word “may” after “no settlement or compromise” has been replaced with the words “is to” and the words “will have” after “if it withholds such consent” has been replaced with the word “has”.	As explained in the Applicant’s Deadline 4 submission and response to ExQ 1.21, the Applicant has updated Part 1 (for the protection of electricity, gas, water and sewerage undertakers) of Schedule 10 (protective provisions) with recent DCO precedent for consistency with recent DCO precedent.
Schedule 10, Part 1, Paragraph 10	The words “an affected undertaker” have been replaced with “a utility undertaking”.	As explained in the Applicant’s Deadline 4 submission and response to ExQ 1.21, the Applicant has updated Part 1 (for the protection of electricity, gas, water and sewerage undertakers) of Schedule 10 (protective provisions) with recent DCO precedent for consistency with recent DCO precedent.
Schedule 10, Part 6, Paragraph 64	A footnote after “the Communications Act 2003” has been inserted.	To comply with drafting requirements for development consent orders.
Schedule 10, Part 6, Paragraph 64	At the definition of “the electronic communications code” the words “Chapter 1 of Part 2” have been deleted and the words “section 106 (application of the electronic communications code)” have been added.	To comply with drafting requirements for development consent orders.
Schedule 10, Part 6, Paragraph 65	The word “Part” has been capitalised and the word “undertaker” may lower case.	To correct a drafting error.
Schedule 10, Part 6, Paragraph 65	The words “to the Communications Act 2003” have been deleted and replaced with “of the electronic communications code”.	As explained in the Applicant’s Deadline 4 submission and response to ExQ 1.21, the Applicant has updated Part 6 (for the protection of operators of electronic communications code networks) of Schedule 10

Article/Requirement/Schedule Number	Amendment	Reason
		(protective provisions) with recent DCO precedent for consistency with recent DCO precedent.
Schedule 10, Part 6, Paragraph 66(1)	The word “their” has been replaced with “its”.	As explained in the Applicant’s Deadline 4 submission and response to ExQ 1.21, the Applicant has updated Part 6 (for the protection of operators of electronic communications code networks) of Schedule 10 (protective provisions) with recent DCO precedent for consistency with recent DCO precedent.
Schedule 10, Part 6, Paragraph 66(1)(b)	The word “must” after “restoring the supply and” has been deleted. The word “an” after “reasonable compensation to” has been deleted and replaced with “that” and the words “any other expenses, loss, damages, penalty or costs incurred by it, by reason” have been added, replacing the words “loss sustained by it: and indemnity an operator again claims, demands, proceedings, costs, damages and expenses which may be made or taken against, or recovered from, or incurred by, an operator by reason,”.	As explained in the Applicant’s Deadline 4 submission and response to ExQ 1.21, the Applicant has updated Part 6 (for the protection of operators of electronic communications code networks) of Schedule 10 (protective provisions) with recent DCO precedent for consistency with recent DCO precedent.
Schedule 10, Part 6, Paragraph 66(3)	The word “may” after “the claim or demand” has been replaced with the words “is to” and the words “will have” after “if it withholds such consent” have been replaced with the word “has”.	As explained in the Applicant’s Deadline 4 submission and response to ExQ 1.21, the Applicant has updated Part 6 (for the protection of operators of electronic communications code networks) of Schedule 10 (protective provisions) with recent DCO precedent for consistency with recent DCO precedent.

Article/Requirement/Schedule Number	Amendment	Reason
Schedule 11, Paragraph 2(1)	The words “will be” after “arbitration rules” have been replaced with the word “are” and the words “this will” after “in days and” have been deleted.	As explained in the Applicant’s Deadline 4 submission and its response to ExQ 1.1, the Applicant has updated this Schedule to align with recent DCO precedent.
Schedule 11, Paragraph 2(2)	The words “will be” after “time periods” have been replaced with the word “are”.	As explained in the Applicant’s Deadline 4 submission and its response to ExQ 1.1, the Applicant has updated this Schedule to align with recent DCO precedent.
Schedule 11, Paragraph 3(1)	The words “will be” after “for the arbitration” have been replaced with the word “is” and the words “which is” have been added before “set out in sub-paragraphs (2)”.	As explained in the Applicant’s Deadline 4 submission and its response to ExQ 1.1, the Applicant has updated this Schedule to align with recent DCO precedent.
Schedule 11, Paragraph 3(2)	The word “will” after “the Claimant” has been replaced with the word “must”.	As explained in the Applicant’s Deadline 4 submission and its response to ExQ 1.1, the Applicant has updated this Schedule to align with recent DCO precedent.
Schedule 11, Paragraph 3(3)	The word “will” after “the Respondent” has been replaced with the word “must”.	As explained in the Applicant’s Deadline 4 submission and its response to ExQ 1.1, the Applicant has updated this Schedule to align with recent DCO precedent.
Schedule 11, Paragraph 3(4)(d)	The word “and” has been added at the end of this sub-paragraph.	To correct a drafting error.
Schedule 11, Paragraph 4(1)	The word “will” after “expert reports (if any)” has been replaced with the word “must”, the word “no” has been replaced with the word “a” and the word “will” after “single pleading” has been replaced with the word “must not”.	As explained in the Applicant’s Deadline 4 submission and its response to ExQ 1.1, the Applicant has updated this Schedule to align with recent DCO precedent.

Article/Requirement/Schedule Number	Amendment	Reason
Schedule 11, Paragraph 4(4)	The word “will” after “the arbitrator” has been replaced with the word “must”.	As explained in the Applicant’s Deadline 4 submission and its response to ExQ 1.1, the Applicant has updated this Schedule to align with recent DCO precedent.
Schedule 11, Paragraph 4(5)	The words “he/she will hold” have been deleted and the words “is to be held” added after “a hearing”. The word “will” after “venue for the hearing” has been replaced with the words “are to”, the words “is to” after “no agreement the arbitrator” have been replaced with the word “must” and the words “he/she” after “a date and venue which” have been replaced with the words “the arbitrator”.	As explained in the Applicant’s Deadline 4 submission and its response to ExQ 1.1, the Applicant has updated this Schedule to align with recent DCO precedent.
Schedule 11, Paragraph 4(6)	The word “will” after “a decision” has been replaced with the word “must”.	As explained in the Applicant’s Deadline 4 submission and its response to ExQ 1.1, the Applicant has updated this Schedule to align with recent DCO precedent.
Schedule 11, Paragraph 4(7)	The words “is to” have been added after “there will” and the words “process of” have been deleted. The word “and” after “examination” and before “cross-examination” has been replaced with the word “or” and the words “the procedure for” have been replaced with the words “in relation to”. The words “will be that” have been deleted.	As explained in the Applicant’s Deadline 4 submission and its response to ExQ 1.1, the Applicant has updated this Schedule to align with recent DCO precedent.
Schedule 11, Paragraph 4(7)(a)	The word “will” after “the arbitrator” has been replaced with the word “must”.	As explained in the Applicant’s Deadline 4 submission and its response to ExQ 1.1, the Applicant has updated this Schedule to align with recent DCO precedent.

Article/Requirement/Schedule Number	Amendment	Reason
Schedule 11, Paragraph 4(9)	The words “he/she” have been replaced with the words “the arbitrator”.	As explained in the Applicant’s Deadline 4 submission and its response to ExQ 1.1, the Applicant has updated this Schedule to align with recent DCO precedent.
Schedule 11, Paragraph 5(1)	The words “including the non-mandatory sections” have been deleted.	As explained in the Applicant’s Deadline 4 submission and its response to ExQ 1.1, the Applicant has updated this Schedule to align with recent DCO precedent.
Schedule 11, Paragraph 6(2)	The “/” between “connected” and “interrelated issues” has been replaced with the word “or” and the word “will” after “the arbitrator” has been replaced with the word “must”.	As explained in the Applicant’s Deadline 4 submission and its response to ExQ 1.1, the Applicant has updated this Schedule to align with recent DCO precedent.
Schedule 11, Paragraph 6(4)	The word “will” after “the arbitrator” has been replaced with the word “must”.	As explained in the Applicant’s Deadline 4 submission and its response to ExQ 1.1, the Applicant has updated this Schedule to align with recent DCO precedent.
Schedule 12	The table has been updated to include “Examination Library Reference” and “Date” columns. The Schedule has been updated to add identifiers to the documents to be certified.	To assist in the identification of documents to be certified under the Order.

DEADLINE 5 SUBMISSION

Article/Requirement/Schedule Number	Amendment	Reason
Article 2(1)	The definition of “authorised development” has been updated to refer to “section 32 of the 2008 Act”.	To correct a drafting error.
Article 5(1)(b)	This sub-paragraph has been deleted.	Further to the Applicant’s and ExA’s discussions at ISH1 and to align with recently made Orders.
Article 37(1)	The words “subject to a tree preservation order” have been removed, and the words “described in Schedule 13 (trees subject to tree preservation orders)” and the words “relating to the relevant part of the authorised development described in column (3) of that Schedule” have been added	Further to the Applicant’s and ExA’s discussions at ISH1 and to align with recently made Orders.
Paragraph 1, Part 1, Schedule 1	The words “In the administrative area of Derbyshire” have been moved into the first paragraph.	Further to the Applicant’s and ExA’s discussions at ISH1 and to align with recently made Orders.
Paragraph 2, Part 1, Schedule 1	The words “authorised by this Order” and “capacity” have been added and the words “alternating current” have been removed.	Further to the Applicant’s and ExA’s discussions at ISH1 and to align with recently made Orders.
Work No. 4D(a), Part 1, Schedule 1	The reference to “Walton Road” has been updated to “Coton Road”.	To correct a drafting error.
Requirement 8(1)	The words “the Environment Agency and” have been deleted.	Further to the Applicant’s and ExA’s discussions at ISH1 and the Environment Agency’s submissions at Deadline 4, the Environment Agency confirmed they do not require

Article/Requirement/Schedule Number	Amendment	Reason
		to be consulted on the landscape and ecological management plan.
Requirement 8(2)	A new limb (e) has been added, which requires that the LEMP include details of how biodiversity net gain will be secured.	Further to the Applicant's and ExA's discussions at ISH1 and to align with recently made Orders.
Requirement 8(3)	The words "and maintained throughout the operation of the relevant part of the authorised development to which the plan relates" have been added.	Further to the Applicant's and ExA's discussions at ISH1 and to align with recently made Orders.
Requirement 8(4)	The words "in consultation with Natural England" have been added.	Further to the Applicant's and ExA's discussions at ISH1 and to align with recently made Orders.
Requirement 11(3)	The words "and maintained throughout the operation of the relevant part of the authorised development to which the plan relates" have been added.	Further to the Applicant's and ExA's discussions at ISH1 and to align with recently made Orders.
Requirement 15(2)	The words "design as described in the operational noise assessment", "as approved" and "maintained throughout the operation of the relevant part of the authorised development to which the plan relates" have been added. The words "authorised development" and "operated for its duration in accordance with the approved operational noise assessment" have been deleted.	Further to the Applicant's and ExA's discussions at ISH1 and to align with recently made Orders.

Article/Requirement/Schedule Number	Amendment	Reason
Requirement 17(3)	The word “implemented” has replaced the word “constructed” before “in accordance with the approved details”. The words “thereafter operated and maintained by the undertaker” have been replaced with the words “maintained throughout the operation of the relevant part of the authorised development to which the plan relates”.	Further to the Applicant’s and ExA’s discussions at ISH1 and to align with recently made Orders.
Requirement 22(1)	The words “as notified by the undertaker pursuant to requirement 4 (phasing of the authorised development and date of final commissioning)” have been deleted from the last sentence of the paragraph. The words “or no later than 6 months before the 40 th anniversary of the date of final commissioning of the first phase of Work No. 1 as notified by the undertaker pursuant to requirement 4 (phasing of the authorised development and date of final commissioning)” have been added to the first sentence of this paragraph.	Further to the Applicant’s, ExA’s and local planning authorities’ discussions at ISH1 to provide assurance that the authorised development could be decommissioned prior to the end of the 40-year operational period.
Requirement 22(4)	The words “in consultation with the Environment Agency and Natural England” have been added.	Further to the Applicant’s and ExA’s discussions at ISH1 and the Environment Agency’s Deadline 4 submissions, the Applicant has inserted this wording to ensure the Environment Agency and Natural England are consulted on the decommissioning environmental management plan and decommissioning traffic management plan.
Requirement 22(5)	The words “, and decommissioning must be completed within 2 years of such approval, or such other time period as is agreed in writing between the undertaker and the local planning authority” have been added.	Further to the Applicant’s, ExA’s and local planning authorities’ discussions at ISH1 to secure the decommissioning of the scheme within 2 years, or such other time period as may be agreed in writing.

Article/Requirement/Schedule Number	Amendment	Reason
Requirement 23	This requirement has been added.	Further to the Applicant's, ExA's and local planning authorities' discussions at ISH1 to secure the delivery of a skills, supply chain and employment plan for consistency with other recently made Orders.
Schedule 8	Reference to point AS-E1 on sheet 4 of the streets, access and rights of way plan, in the second column of the table in the Schedule, has been replaced with a reference to plot 03-058 in the land plans.	Further to the Applicant's and ExA's discussions at ISH1 and CAH1, the Applicant has made this amendment to clarify the extent of the temporary possession that may be taken at this location.
Part 4, Schedule 10	The protective provisions with Cadent Gas Limited have been replaced with the agreed provisions.	To include the agreed form of Protective Provisions between the Applicant and Cadent Gas Limited on the face of the Order.
Schedule 12	The references to the certified documents have been updated.	To reflect the latest revisions of documents submitted at Deadline 5.
Schedule 13	This Schedule has been inserted.	Further to the Applicant's and ExA's discussions at ISH1 and to align with recently made Orders.