



AQUIND Limited

AQUIND INTERCONNECTOR

Schedule of Changes to the Draft DCO

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Document Reference 7.3.5

23 December 2020

Herbert Smith Freehills LLP

SCHEDULE OF CHANGES TO THE DRAFT AQUIND INTERCONNECTOR DCO

Ref.	DCO Ref	Consultee/Stakeholder	Comments from stakeholder/rationale for change	Change made	DCO Version
Deadline 1					
1.	Article 2	ExA	ExA WQ DCO 1.5.22	Amending of the word “Limits” to “limits” in the definition of “area of seaward construction activity”.	2.0
2.	Article 2	MMO	Inclusion of the references to the designated disposal sites	Insertion of references to the identified disposal sites in the definition of “disposal”.	2.0
3.	Article 2	N/A	Changes made to remove activities which are not considered to be appropriate to include as onshore site preparation works	Deletion of the following limbs of the definition of onshore site preparation works: “diversion and laying of services “creation of site accesses”	2.0
4.	Article 2	N/A	Amended to refer to protective provisions for the protection of highways and traffic now included at Part 5 of Schedule 13 to the dDCO.	In the definition of “traffic management strategy” the reference to “requirement 24” is replaced with reference to “paragraph 4 of Part 5 to Schedule 13”	2.0
5.	Article 2	N/A	Correction	“transition joint bay” amended to “transitional joint bay” to reflect the relevant wording used in the Application documents.	2.0
6.	Article 3	ExA	ExA WQ DCO 1.5.22	Amending of the word “Limits” to “limits” in this Article.	2.0

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7.	Article 5	ExA	Amending to include the power to construct to avoid any potential future confusion and in response to ExA WQ DCO 1.5.89	Heading of the Article and the Article itself are amended to include the wording “construct and” before “maintain”. A reference to “Order” is also amended to “order” to correct a typographical error.	2.0
8.	Article 7 (3), (4), (5) and (6)	ExA	ExA WQ DCO 1.5.24	References to “shall” in this Article are amended to state must.	
9.	Article 7 (5)	ExA	ExA WQ DCO 1.5.85	Reference to the Secretary of State being subject to arbitration is deleted, noting this is generally not accepted drafting. Various amendments are made to references to paragraphs to reflect the amendment.	2.0
10.	Article 8	N/A	On the basis that the works in the highway are to be regulated by the use of protective provisions for the protection of highways and traffic included at Part 5 to Schedule 13 to the DCO, which then aligns with the proposed process for confirming traffic management measures to be deployed in connection with the construction of the Proposed Development	Inclusion of Article 4(4) disapplying the Portsmouth City Council Permit Scheme Order 2020, in the same manner as the Traffic Management (Hampshire County Council) Permit Scheme Order 2019 is disappplied.	2.0
11.	Article 8(5)	N/A	Disapplication of the Town and Country Planning (Border Facilities and Infrastructure) (EU Exit) (England) Special	The Town and Country Planning (Border Facilities and Infrastructure) (EU Exit) (England) Special Development Order 2020 is disappplied at Article 8(5) in respect of the area within the	2.0

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			Development Order 2020 to ensure this does not cause any impediment to the Proposed Development coming forward	Order limits to avoid any impediment to the scheme related to this.	
12.	Article 9(1)(a)	N/A	Erroneous reference	Removing erroneous reference to section 65 (exceeding registered noise level) of the Control of Pollution Act 1974, which is repealed.	2.0
13.	Article 9 (1) (b) (i)	N/A	Correction	Updated to refer to Requirement 20, rather than Requirement 19.	2.0
14.	Article 9 (2)	N/A	Amending typographical error	Removing reference to “decommissioning” which is not to be permitted by the DCO and amending to state “operation”.	2.0
15.	Article 10 (3)	N/A	Amended in light of inclusion of protective provisions for the protection of highways and traffic now included at Part 5 of Schedule 13 to the dDCO	The words “pursuant to requirement 24” have been deleted, on the basis that it is no longer proposed traffic management strategies are approved pursuant to requirement 24.	2.0
16.	Article 10 (4)	N/A	Amended in light of inclusion of protective provisions for the protection of highways and traffic now included at Part 5 of Schedule 13 to the dDCO	Previous erroneous reference to “three months” is removed and replaced with “twenty working days” and reference to “requirement 24” is deleted and replaced with “ paragraph 4 of Part 5 of Schedule 13”, which relates back to the approval of traffic management strategies.	2.0
17.	Article 11(1)	ExA	Amendment to clarify the scope of powers and in response to ExA WQ DCO 1.5.22	Amendment made to confirm the statutory authority to undertake street works applies to both the construction and maintenance of the	2.0

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				Proposed Development, and amending the word "Limits" to "limits".	
18.	Article 11 (5)	N/A	Amendment for clarity	Insertion of the words "also expressly" for clarity.	2.0
19.	Article 12 (2)	HCC	Further to discussions regarding the section of the New Roads and Street Works Act 1990 that should be applicable	Insertion made to include reference to "section 73 (reinstatement effected by subsequent works)" of the New Roads and Street Works Act 1990.	2.0
20.	Article 13	N/A	Amendment for clarity	Amendment of the words "purpose of carrying out" to "purpose of constructing and maintaining", being more precise wording. Amendment to also now refer to permissive paths for completeness.	2.0
21.	Article 13(4) and (6)	N/A	Amendments to correctly refer to Schedule 8	Amendments are made to the cross-references to Schedule 8 to correct typographical errors.	2.0
22.	Article 13 (7)	ExA	ExA WQ DCO 1.5.93	Insertion of the words "(determination of questions of disputed compensation)".	2.0
23.	Article 14 (1) (b) and (2)	N/A	Amendment to refer to the highway authority and planning authority in the correct places, with the highway authority approving the access in consultation with the planning authority.	Amendment made to swap incorrect referencing of highway authority and planning authority.	2.0
24.	Article 16 (1)	N/A	Correcting typographical error	Insertion of the word "of" which was not included in error.	2.0

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25.	Article 16 (4) (a)	N/A	Correcting typographical error	Removing reference to Schedule 12, on the basis that this is not relevant in relation to this Article.	2.0
26.	Article 18 (2) (b)	N/A	Correction	“opened for” amended to “brought into operational use”, being more appropriate and clear wording.	2.0
27.	Article 18 (4) (b)	ExA	ExA WQ DCO 1.5.92	Addition of the words “within the Order limits”	2.0
28.	Article 18 (5), (7), (9) and (10)	ExA	ExA WQ DCO 1.5.24	Amendments of references to “shall”.	2.0
29.	Article 18 (10)	ExA	ExA WQ DCO 1.5.93	Insertion of the words “(determination of questions of disputed compensation)”.	2.0
30.	Article 19(4)	ExA	ExA WQ DCO 1.5.24	Amendments of reference to “shall” to “are to”	2.0
31.	Article 21 (2) and (5)	ExA	ExA WQ DCO 1.5.24	Amendments of references to “shall”.	2.0
32.	Article 22 (1) (a) and (b)	ExA	ExA WQ DCO 1.5.24	Amendments of references to “shall”.	2.0
33.	Article 23 (1)	N/A	Amendment for clarity	Amended to include the words “as is required for the construction, operation or maintenance of the authorised development or to facilitate it or as is incidental to it” to make clear of the basis for which rights and restrictions may be compulsorily acquired for.	2.0
34.	Article 23 (2)	ExA	ExA WQ DCO 1.5.24	Amendments of reference to “shall” to “is not to”	2.0

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35.	Article 24 (1), (2), (3), (4) and (6)	ExA	ExA WQ DCO 1.5.24	Amendments of references to “shall”.	2.0
36.	Article 27 (2)	ExA	ExA WQ DCO 1.5.24	Amendments of reference to “shall” to “will”.	2.0
37.	Article 28 (1), (3) and (9)	ExA	ExA WQ DCO 1.5.24	Amendments of references to “shall”.	2.0
38.	Article 29 (1)	ExA	ExA WQ DCO 1.5.22	Amending of the word “order” to “Order”.	2.0
39.	Article 29 (2), (4) and (5)	ExA	ExA WQ DCO 1.5.24	Amendments of references to “shall”.	2.0
40.	Article 29 (4)	ExA	ExA WQ DCO 1.5.93	Insertion of the words “(determination of questions of disputed compensation)”.	2.0
41.	Article 30 (6)	ExA	ExA WQ 1.5.93 and DCO 1.5.24	Insertion of the words “(determination of questions of disputed compensation)” and amending reference to “shall” to “is to”.	2.0
42.	Article 30(8)	N/A	Amending to ensure powers do not overreach the rights sought in the Book of Reference (APP-024) and remove superfluous drafting	Addition of the words “nor acquire compulsorily any new rights or impose any restrictive covenants over that land” and deletion of “(a) acquiring existing and new rights or imposing any restrictive covenants over any part of the land under article 23 (Compulsory acquisition of rights and imposition of restrictive covenants)”	2.0
43.	Article 32 (1)	N/A	Correcting erroneous reference to “maintenance period”, which is not a defined term.	Replacement of the word “maintenance” with “operational”	2.0

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44.	Article 32 (2), (3), (6), (7), (8), (9), (10) and (11)	ExA	ExA WQ DCO 1.5.24	Amendments of references to “shall”.	2.0
45.	Article 32 (8)	ExA	ExA WQ DCO 1.5.93	Insertion of the words “(determination of questions of disputed compensation)”.	2.0
46.	Article 33 (1)	ExA	ExA WQ DCO 1.5.22	Amending of the word “order” to “Order”.	2.0
47.	Article 34 (2)	ExA	ExA WQ DCO 1.5.24	Amendment of reference to “shall” to “does”.	2.0
48.	Article 36 (1)	ExA	ExA WQ DCO 1.5.24	Amendments of references to “shall”.	2.0
49.	Article 37	ExA	ExA WQ DCO 1.5.94	Amendment of the wording of the Article to reflect the wording specifically requested by ExA.	2.0
50.	Article 40	ExA	ExA WQ DCO 1.5.24	Amendment of reference to “shall” to “is to”.	2.0
51.	Article 41 (1) and (4) (a)	ExA	ExA WQ DCO 1.5.84 and DCO 1.5.22	Amendments to correctly refer to “Order limits”	2.0
52.	Article 41 (3)	ExA	ExA WQ DCO 1.5.93	Insertion of the words “(determination of questions of disputed compensation)”.	2.0
53.	Article 42 (2) (b) and (4)	ExA	ExA WQ DCO 1.5.24 and DCO 1.5.93	Amendments of references to “shall” and inserting the words “(determination of questions of disputed compensation)”.	2.0
54.	Article 45 (2) and (3)	ExA	ExA WQ DCO 1.5.85	Deletion of Article 45 (2) and (3) relating to the referral to arbitration of decisions by the Secretary of State	2.0

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55.	Article 48 (2), (3), (4), (6), (7), (8), (9), (10), (11), (14) and (16)	ExA	ExA WQ DCO 1.5.24	Amendments of references to “shall”.	2.0
56.	Schedule 1, Work No. 1 (a)	ExA	ExA WQ DCO 1.5.99	Amendment of “800 metres” to “1 Kilometre”.	2.0
57.	Schedule 1, Work No. 2 (bb)	N/A	Included to correct error	Insertion of reference to “access junction and associated gated highway link”	2.0
58.	Schedule 1, Work No. 2 (j)	ExA	ExA WQ DCO 1.5.97	Reference to an internal perimeter fence for the spars building is added to align with project description provided for in Chapter 3 to the Environmental Statement.	2.0
59.	Schedule 1, Work No. 2 (u)	N/A	Clarification	Reference to “ <i>associated fibre optic data transmission cables</i> ” for future clarity.	2.0
60.	Schedule 1, Work No. 3 (b)	N/A	Included to correct error	Amendment of “150” to “206” to reflect correct assessed temporary car parking space figure	2.0
61.	Work No.4 (e)	ExA	ExA WQ DCO 1.5.5	Amended to state “4 HDD crossings” to clarify the development to be authorised.	2.0
62.	Work No.5 (a)	N/A	N/A	“transition” amended to “transitional” to reflect amendment made to this defined term explained above.	2.0
63.	Work No.5 (b)	ExA	ExA WQ DCO 1.5.97	“transition” amended to “transitional” to reflect amendment made to this defined term explained above.	2.0

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				The parameters for the transitional joint bay are amended to reflect those assessed, following review of parameter information further to request from ExA.	
64.	Work No.5 (d)	ExA	ExA WQ DCO 1.5.5	Amended to state “1 HDD with” to clarify only one HDD is included in Work No. 5.	2,0
65.	Work No. 5 (f) and (g)	ExA	ExA WQ DCO 1.5.97	Amendments of “boxes” and “pillars” to singular tense for clarity.	2.0
66.	Work No. 7 (b)	ExA	ExA WQ DCO 1.5.5	Amended to insert reference to “1 HDD with” to clarify the development to be authorised	2.0
67.	Schedule 1, paragraph 2	ExA	ExA WQ 1.5.5 and Inclusion of the references to the designated disposal sites	Paragraph numbering is amended to state (l) to (p) to address written question in this regard and reference to the now confirmed disposal sites included.	2.0
68.	Schedule 1, paragraph 3	ExA	ExA WQ DCO 1.5.26	Removal of the word “is” to correct typographical error.	2.0
69.	Schedule 2, paragraph 1	N/A	Amendment of typographical error	The defined term “design principles” has been moved to the correct alphabetical position within the definitions.	2.0
70.	Schedule 2, paragraph 1	N/A	Correction	Definition of “framework construction worker travel plan” added to refer to the relevant plan forming part of the Application in connection with Requirement 21.	2.0
71.	Schedule 2, paragraph 1	N/A	Corrections	Amendments to definitions of the following terms to reflect terms used in the Application for consistency:	2.0

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				<ul style="list-style-type: none"> - onshore outline construction environment management plan - outline materials management plan - outline soil resources management plan 	
72.	Schedule 2, paragraph 1	HCC	Insertion of definition of “lead local flood authority” following comment to include	A definition of “lead local flood authority” has been included, which is used in relation to Requirement 12.	2.0
73.	Schedule 2, paragraph 1	WCC	Insertion of a definition of “operational broadband and octave band noise criteria document” to provide for more preciseness in relation to Requirement 20 further to discussions with WCC	A definition of ““operational broadband and octave band noise criteria document” has been inserted, which used in relation to Requirement 22	2.0
74.	Schedule 2, paragraph 1	WCC	Insertion of a definition of “start-up and shut-down activities” in response to comments received regarding the need for clarity on what these include	A definition of “start-up and shut-down activities” is inserted which is used in relation to Requirement 18	2.0
75.	Schedule 2, paragraph 1 (4)	ExA / WCC	ExA WQ DCO 1.5.46 and further to discussions regarding inclusion of solar panels	Reference to “(solar panels)” has been removed.	2.0
76.	Schedule 2, paragraph 6 (b)	N/A	Correction in relation where height is measures from	Removal of the word “existing” on the basis that the height is to be measured from the ground level following the required earthworks. The	2.0

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				maximum permissible height for the buildings is secured by Requirement 5.	
77.	Schedule 2, Requirement 4	N/A	Corrections	Insertion of the words “or the carrying out of any onshore site preparation works in respect of the area where the converter station is to be located” to confirm no such works may be carried out until the option for the converter station siting is confirmed, and insertion of “to the relevant local planning authority” to confirm who the confirmation is to be submitted to.	2.0
78.	Schedule 2, Requirement 5	ExA	ExA WQ DCO 1.5.7	Insertion of the words “and equipment” and “respect of any buildings” to provide further clarity regarding the application of Table WN2	2.0
79.	Schedule 2, Requirement 5, Table WN2 and Table WN5	ExA	ExA WQ, DCO 1.5.6 and DCO 1.5.7	Updates have made to Table WN2 to confirm/correct stated parameters in relation to the buildings and the security perimeter fences, which align with the assessed parameters.	2.0
80.	Schedule 2, Requirement 6	N/A	Clarifications and corrections	Amendments are made to this Requirement to confirm the design of the Converter Station is to be in accordance with the surface water and aquifer contamination mitigation strategy, which relates to the finished site levels and finished floor levels, the onshore outline construction environmental management plan, and to include reference to Work No.3, was previously omitted in error. Also an amendment to confirm Work No.4 is required to be in accordance with the approved details, save for where these are indicative, in which case the relevant works are	2.0

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				to be substantially in accordance with those details. This is to ensure adequate design approvals and controls in relation to the works. Reference to “security measures and plant” is added to paragraph 6 (4) (g) for clarity.	
81.	Schedule 2, Requirement 7	N/A	Clarifications and corrections	Amendments have been made to expand on the matters to be included in a detailed landscaping scheme for clarity, to confirm the Requirement is applicable to Work No.4, and to align with the terminology used in the Outline Landscaping and Biodiversity Strategy (APP-506 Rev 002)	2.0
82.	Schedule 2, Requirement 8	N/A	Clarifications and corrections	A new paragraph (3) has been added to confirm the management of landscaping in connection with Work No.2 and Work. No5 must be retained and maintained during the operational period.	2.0
83.	Schedule 2, Requirement 9	N/A	Clarifications and corrections	Amendments are made to more clearly detail what the biodiversity management plan needs to accord with, to expand on the matters to be included in a written biodiversity management plan for clarity, and to align with the terminology used in the Outline Landscaping and Biodiversity Strategy (APP-506 Rev 002)	2.0
84.	Schedule 2, Requirement 12	HCC	Clarifications and corrections	Amendments made to Requirement 12 to more particularly confirm the discharging authorities for the relevant activities, and to reference the lead local flood authority, as defined.	2.0

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85.	Schedule 2, Requirement 13 (1)	N/A	Clarification	Wording added to confirm each written scheme must accord with the onshore outline construction environmental management plan and the surface water drainage and aquifer contamination mitigation strategy (so far as relevant) to the phase of works to be undertaken.	2..0
86.	Schedule 2, Requirement 13 (2)	ExA	ExA WQ DCO 1.5.44	An additional paragraph has been inserted to confirm that onshore site preparation works are not excluded from the definition of commence for the purpose of this Requirement	2.0
87.	Schedule 2, Requirement 13 (3)	ExA / EA	ExA WQ DCO 1.5.16	The requirement has been updated to confirm that works will halt where contamination not previously identified is found to be present until the submission and obtainment of approval of a written scheme detailing how the contamination will be dealt with.	2.0
88.	Schedule 2, Requirement 15	N/A	Clarifications and corrections	Amendments are made to remove the word “substantially” so as to ensure the works are in accordance with the approved CEMP’s, and include further clarifications on what each CEMP must evidence compliance with. Amendments also made to expand on the matters to be included in a construction environmental management plan for clarity.	2.0
89.	Schedule 2, Requirement 16	WCC / SDNPA	Wording included to confirm construction lighting will be removed prior to the	Additional words “and removed prior to the operational period” inserted at the end of the requirement.	2.0

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			operational period, following requests for clarification		
90.	Schedule 2, Requirement 18 (1) (b)	WCC	Correction to include reference to working hours for Work No.3 following request for clarification	The working hours for Work No.3 have been inserted at Requirement 18 (1) (b).	2.0
91.	Schedule 2, Requirement 18 (4)	N/A	Typographical correction	Amendment of the word “oversize” to “oversized”.	2.0
92.	Schedule 2, former Requirement 19	HCC	Deletion of former Requirement 19 (traffic management strategy), as this approval is now proposed to be addressed via the protective provisions for the protection of highways and traffic included at Part 5 of Schedule 13 to the dDCO.	Former Requirement 19 deleted..	2.0
93.	Schedule 2, Requirement 19	WCC / HCC	New Requirement 19 added in response to queries regarding how operational traffic will be controlled	A requirement requiring the submission of an access strategy which identifies how vehicles associated with the operation and maintenance of the converter station and its approval by the relevant highway authority (HCC) is included.	2.0
94.	Schedule 2, Requirement 20	WCC	Amendments made to the Requirement to more specifically confirm the noise criteria that need to be met in relation to operational noise	Reference is now included to the “operational broadband and octave band noise criteria document”, which details the broadband and octave band noise criteria that are to be achieved. This provides more specificity regarding the noise levels that must be	2.0

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			from the converter station and the ORS	achieved, and the monitoring locations, so as to ensure the operation of the authorised development does not give rise to effects not assessed in the environmental statement.	
95.	Schedule 22, Requirement 21	N/A	Correction	Amendment made to refer to the framework construction worker travel plan which the individual phase related plans are to accord with.	2.0
96.	Schedule 2, Requirement 22	WCC	Amendments made to the Requirement following clarifications sought on how the restoration of land temporarily use will be communicated and monitored.	Amendments included to the requirement to confirm the completion of construction of the authorised development must be confirmed to the relevant local planning authority, and a few other minor amendments are made to reflect this.	2.0
97.	Schedule 4	ExA	ExA WQ CA 1.3.6 and 1.3.20	Following a review of the Order limits in connection with the response to ExA WQ CA 1.3.6 and 1.3.20 the Order limits have been subject to minor amendments, and the new plan revision numbers for the Land Plans are included here.	2.0
98.	Schedule 5	ExA	ExA WQ CA 1.3.6 and 1.3.20	Following a review of the Order limits in connection with the response to ExA WQ CA 1.3.6 and 1.3.20 the Order limits have been subject to minor amendments, and the new plan revision numbers for the Works Plans are included here. Additional corrections to Work No. 3 have also been made on the Works Plans.	2.0

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99.	Schedule 6	ExA	ExA WQ CA 1.3.6 and 1.3.20	Following a review of the Order limits in connection with the response to ExA WQ CA 1.3.6 and 1.3.20 the Order limits have been subject to minor amendments, and the new plan revision numbers for the Access and Rights of Way Plans are included here.	2.0
100.	Schedule 7	ExA	ExA WQ MG 1.1.25 and corrections	The parameter plans have been reviewed further to comments received and a noticed discrepancy, and the new plan revision numbers for the Parameter Plans are included here.	2.0
101.	Schedule 8	ExA	ExA WQ CA 1.3.6 and 1.3.20 and corrections	Schedule 8, which shows the streets and public rights of way to be temporarily stopped up, has been reviewed following the minor amendments to the Order limits and also to confirm it is correct, with amendments included shown in the updated	2.0
102.	Schedule 10	ExA	ExA WQ CA 1.3.6 and 1.3.20	Updated following revision of Order limits and refinement of rights sought further to ExA WQ.	2.0
103.	Schedule 13, Part 4	Network Rail	Updated form of protective provisions included following discussions between the parties	An updated form of the protective provisions for the protection of railway interests.	2.0
104.	Schedule 13, Part 2	N/A	Correction	Amendments made to update placeholder protective provisions to refer to correct in force legislation.	2.0

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105.	Schedule 13, Part 5	HCC / PCC	Following discussions on the approach to approving traffic management strategies and the management of works in the highways, a schedule of protective provisions for the protection of highways and traffic	New form of protective provisions for the protection of highways and traffic, which includes the replacement of the process previously provided for by the former Requirement 19 (traffic management strategies).	2.0
106.	Schedule 5, Part 6	NGET	Inclusion of standard form protective provisions in square brackets which are otherwise under negotiation	Standard form protective provisions inserted as placeholder text.	2.0
107.	Schedule 14	N/A	Amendments made to the list of certified documents, including new documents now referred to and updates to revisions numbers	To reflect amendments made to the Requirements and the DML which reference these documents, in addition to the updates to revisions of the documents to accord with the submissions to be made at Deadline 1, Schedule 14 which lists the certified documents has been updated.	2.0
108.	Schedule 15, Part 1, paragraph 1	N/A	Clarification and correction	The duplicate definition of "authorised development" has been deleted, so that the definition specific to the marine works is included only	2.0
109.	Schedule 15, Part 1, paragraph 1	ExA	ExA WQ DCO 1.5.24	The defined terms "commence", "disposal" "Health and Safety Executive" and "Marine Management Organisation" have been amended to remove references to "shall", which is replaced as appropriate.	2.0

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110.	Schedule 15, Part 1, paragraph 1	MMO	Inclusion of the references to the designated disposal sites	Insertion of references to the identified disposal sites in the definition of “disposal”.	2.0
111.	Schedule 15, Part 1, paragraph 1	ExA	EX WQ DCO 1.5.21	A definition of “horizontal directional drilling work area” is included to more clearly define the area within which the HDD in the marine environment will be undertaken.	2.0
112.	Schedule 15, Part 1, paragraph 1	MCA	In response to a request from the MCA to include conditions in the DML in relation to the undertaking of the works in accordance with relevant safety guidance and a marine emergency action card.	Definitions for the terms “MCA safety guidance” and “marine emergency action card” are included, which are used at condition 4 (2) (3) at Part 2 to the DML.	2.0
113.	Schedule 15, Part 1, paragraph 1	N/A	Clarifications and corrections	Amendments are made to the definition of “marine archaeology outline written scheme of investigation”, to include the full title and so as to remove any confusion with the corresponding term used for the onshore works.	2.0
114.	Schedule 15, Part 1, paragraph 1	N/A	Definition of “Works” deleted as not relevant	The defined term “Work” has been deleted from the DML, as the term is not used save for in relation to the specific defined works and it is therefore not necessary to include.	2.0
115.	Schedule 15, Part 1, paragraph 1 (4) (a)	MMO	Amendments of reference to correct office following request	Amendment made to refer to MMO head office, rather than the local office twice.	2.0

Ref.	DCO Ref	Consultee/Stakeholder	Comments from stakeholder/rationale for change	Change made	DCO Version
116.	Schedule 15, Part 1, paragraph 1 (4) (e)	MCA	Update to phone number following request	The phone number for the MCA has been corrected.	2.0
117.	Schedule 15, Part 1, paragraph 2 (1)	MMO	Correction	Amended to refer to deposit rather than disposal, with the defined term "disposal" not relevant for this paragraph.	2.0
118.	Schedule 15, Part 1, paragraph 4 (3)	MMO	Updates following confirmation of designated disposal sites	Amendments are made to this paragraph to delete the previous reference to the disposal site reference, as they are not included in the definition of "disposal" which is a defined term otherwise used in this paragraph.	2.0
119.	Schedule 15, Part 1, paragraph 5	N/A	Correction	Amended to refer to deposit rather than disposal, with the defined term "disposal" not relevant for this paragraph.	2.0
120.	Schedule 15, Part 1, paragraph 6	ExA	ExA WQ DCO 1.5.21	Amendment of reference to land plans to refer to work plans, which show the extent of Works 6 and 7.	2.0
121.	Schedule 15, Part 1, paragraph 8	ExA	ExA WQ DCO 1.5.24	The word "shall" has been deleted. It did not need to be replaced.	2.0
122.	Schedule 15, Part 2, Condition 2 (1) and (2)	N/A	Correction	Corrections have been made to cross-references, which it was noted were previously not correct.	2.0

Ref.	DCO Ref	Consultee/Stakeholder	Comments from stakeholder/rationale for change	Change made	DCO Version
123.	Schedule 15, Part 2, Condition 2 (6)	MMO	Correction	Amendments of reference to “MMO Coastal Office” to “MMO Local Office”	2.0
124.	Schedule 15, Part 2, Condition 2 (6), (8), (10) and (11)	N/A	Correction	Amendments are made to change references to numbers in relation to the number of working days to be text, for consistency throughout the document.	2.0
125.	Schedule 15, Part 2, Condition 2 (7) (b)	N/A	Correction	The words “ as soon as reasonably practicable” have been inserted to avoid any potential for non-compliance in unreasonable circumstances and the word “marine” has been replaced with “licensed” to accord with the defined terms used for the DML.	2.0
126.	Schedule 15, Part 2, Condition 2 (12)	EA	Request for notification of when the marine HDD works commence	A new Condition 2 (12) is inserted to confirm that the EA will be notified before the HDD works forming part of Work No.7 commence.	2.0
127.	Schedule 15, Part 2, Condition 2 (13) and (14)	MCA / Trinity House	Amendments made to conditions regarding damage and destruction and exposure further to request for clarifications	Notification of exposure of the marine HVDC cables has been separated from Condition 2(13) and included as a new Condition 2 (14) and is now subject to differing notification requirements, following a request for this to align with commonly seen marine licence conditions in this regard.	2.0
128.	Schedule 15, Part 2,	ExA	ExA WQ DCO 1.5.24	The word “shall” has been replaced with must, and the word “out” has been included after “carried” in Condition 2 (2).	2.0

Ref.	DCO Ref	Consultee/Stakeholder	Comments from stakeholder/rationale for change	Change made	DCO Version
	Condition 3 (2) and (3)				
129.	Schedule 15, Part 2, Condition 4 (1) (a) (ii)	ExA	EX WQ DCO 1.5.21	Reference to the “horizontal directional drilling work area” is included to more clearly confirm where those works are to be undertaken, in accordance with the assessed parameters.	2.0
130.	Schedule 15, Part 2, Condition 4 (1) (c) (iii)	Trinity House	Request to be consulted in relation to the detailed cable laying plan prior to approval	Reference to “Trinity House” is added.	2.0
131.	Schedule 15, Part 2, Condition 4 (1) (d) (v)	NFFO	Further to a request for the inclusion of a fisheries liaison and coexistence plan	The requirement for the environmental management plan has been updated to require it to include a fisheries liaison and coexistence plan.	2.0
132.	Schedule 15, Part 2, Condition 4 (2)	N/A	Clarifications and corrections	Insertion of the words “marine archaeology” before “outline written scheme of investigation” to align with updated defined term.	2.0
133.	Schedule 15, Part 2, Condition 4 (3)	MCA	Inclusion of a new condition following a request from MCA.	A new Condition 4 (3) requiring a statement confirming how the undertaker has taken into account the MCA safety guidance in so far as is applicable to that part of the licensed activities and a marine emergency action card to be submitted to and approved by the MMO in consultation with the MCA has been included	2.0
134.	Schedule 15, Part 2, Condition 5 (3)	ExA	ExA WQ DCO 1.5.24	The word “shall” has been deleted and replaced with “must”.	2.0

Ref.	DCO Ref	Consultee/Stakeholder	Comments from stakeholder/rationale for change	Change made	DCO Version
135.	Schedule 15, Part 2, Condition 5 (6)	EA	Inclusion of requirement to provide the EA with a copy of the approved construction programme prior to works commencing in connection with discussions regarding bathing waters.	A new Condition 5 (6) has been included, requiring the undertaker to provide the Environment Agency with a copy of any construction programme approved by the MMO pursuant to condition 4(1)(b) and any method statement relating to sediment mobilising activities relevant to the temporary HDD entry/exit pits forming part of Work No.7, prior to the commencement of Work No. 6 and the temporary HDD entry/exit pits forming part of Work No. 7.	2.0
136.	Schedule 15, Part 2, Condition 6	N/A	Correction	Corrections have been made to a cross-reference, which it was noted was previously not correct.	2.0
137.	Schedule 15, Part 2, Condition 6	N/A	Correction	Deletion of superfluous references to “seaward of MHWS”	2.0
138.	Schedule 15, Part 2, Condition 8 (3)	MMO	Inclusion if disposal site reference codes following confirmation	The disposal site reference codes have been inserted.	2.0
139.	Schedule 15, Part 2, Condition 8 (7)	N/A	Correction	Corrections have been made to a cross-reference, which it was noted was previously not correct.	2.0
140.	Schedule 15, Part 2, Condition 9	MMO	Inclusion if disposal site reference codes following confirmation	The disposal site reference codes have been inserted.	2.0

Ref.	DCO Ref	Consultee/Stakeholder	Comments from stakeholder/rationale for change	Change made	DCO Version
141.	Schedule 15, Part 2, Condition 10 (1) and (2)	ExA	ExA WQ DCO 1.5.24	The word "shall" has been deleted and replaced.	2.0
142.	Schedule 15, Part 2, Condition 10 (3)	MMO	Minor text amendments made to condition for clarity following discussion	The words "and report" and "unless otherwise agreed" have been inserted.	2.0
143.	Schedule 15, Part 2, Condition 11	ExA	ExA WQ DCO 1.5.24	The word "shall" has been deleted and replaced.	2.0
144.	Schedule 15, Part 2, Condition 12	ExA	ExA WQ DCO 1.5.24	The word "shall" has been deleted and replaced with "must".	2.0
145.	Schedule 15, Part 2, Condition 13 (5) – (11) inclusive	MMO / Natural England	Discussions have been held relating to the laying of cable protection during the operational period, which the new condition wording will regulate	New Conditions relating to the circumstances in which cable protection may be laid during the operational period and how this is to be approved and controlled have been inserted.	2.0
146.	Schedule 15, Part 3, paragraph 1	ExA	ExA WQ DCO 1.5.24	The word "shall" has been deleted.	2.0
Deadline 3					

Ref.	DCO Ref	Consultee/Stakeholder	Comments from stakeholder/rationale for change	Change made	DCO Version
147.	Article 2	HCC	Comments provided in relation to the definition of “temporary associated development works”.	Definition of “temporary associated development works” is deleted as it is not otherwise used in the draft Order.	3.0
148.	Article 3(2)	HCC	Comment received regarding incorrect numbering.	Reference to Work No. 8 changed to Work No. 7 to correct a typographical error	3.0
149.	Article 9(1)	WCC	Comments received requesting wording to be added to ensure the explanation reflects that section of the Environmental Protection Act 1990 being referred to.	The words “ <i>(noise that is prejudicial to health or a nuisance and is emitted or caused by a vehicle, machinery or equipment on a street)</i> ” are added to the main paragraph, and the works “ <i>vehicles, machinery or equipment</i> ” are added to paragraph 9(1)(a)(i)	3.0
150.	Article 12(2)(k)	N/A	Correction	Spacing error corrected	3.0
151.	Article 16	HCC	Correction of the term “traffic authority” to “relevant highway authority”	All instances where “traffic authority” is referred to in Article 16 are amended to state “relevant highway authority”, in accordance with the terms defined in Article 2 to the Order.	3.0
152.	Article 45	Trinity House	Request for saving provisions and related amendments	The works “subject to article 49 (saving provisions for Trinity House)” are added to the beginning of the Article.	3.0
153.	Article 49	Trinity House	Request for saving provision	New article 49 is inserted which is a saving provision for Trinity House.	3.0
154.	Schedule 2, paragraph (1)(6)	WCC	Further comments in relation to approach to measuring	Further amendments made to confirm how measurements will be undertaken, referencing	3.0

Ref.	DCO Ref	Consultee/Stakeholder	Comments from stakeholder/rationale for change	Change made	DCO Version
			distances for the purpose of Requirement 5	to external dimensions and the finished floor level.	
155.	Schedule 2, Requirement 2(1) and (3)	WCC	Request for amendments to Requirement 2 to correct a typographical error and require notification of onshore site preparation works to be provided.	The word “come” is amended to “comes” and a new (3) is added requiring notification to be provided of any onshore site preparation works first being undertaken.	3.0
156.	Schedule 2, Requirement 3(1)	WCC	Request for amendment to confirm information on phases for an administrative area will be submitted to the planning authority for that administrative area.	The words “within that planning authorities administrative area.” are added to the end of paragraph 3(1).	3.0
157.	Schedule 2, Requirement 6 (1)	WCC	Various requests made to refer to additional elements as matters which written details are required to be provided in relation to.	Amendments are made to confirm details of the layout, scale and external of appearance “of buildings”, the “existing and proposed site levels”, the “ground floor slab level”, the “access road” and of “external lighting and lightning protection” and “fencing” required to be approved.	3.0
158.	Schedule 2, Requirement 16	SDNPA / WCC	Comments received seeking clarity of the standards which external construction lighting is to be in accordance with.	Reference to external construction lighting being required to be in accordance with the “onshore outline construction environmental management plan (in so far as relevant)” and other related necessary amendments.	3.0
159.	Schedule 2, Requirement 18	HCC / WCC	Identification of typographical corrections and alignment to	The word “reasonably” is inserted before “practicable” which aligns with the Southampton to London Pipeline DCO identified by HCC.	3.0

Ref.	DCO Ref	Consultee/Stakeholder	Comments from stakeholder/rationale for change	Change made	DCO Version
			wording in other made DCO following request	Other minor typographical amendments are made to include the word “ <i>onshore</i> ” and correct a numbering error.	
160.	Schedule 2, Requirement 21	WCC	Amendment to wording following comment in relation to this being inconsistent	The word “begun” is amended to “commenced” in paragraph 21(1).	3.0
161.	Schedule 11	N/A	Revisions to trees subject to tree preservation orders potentially to be reflecting revisions to Order limits	Trees subject to tree preservation orders and which are no longer subject to potential removal following the amendments to the Order limits shown on the Land Plans submitted at Deadline 1 are removed from the Schedule.	3.0
162.	Schedule 12	N/A	Revisions to important hedgerows which are to be subject to removal reflecting revisions to Order limits and also inserting information for each Converter Station siting option.	Hedgerows which are no longer to be subject to removal following the amendments to the Order limits shown on the Land Plans submitted at Deadline 1 are removed from the Schedule and further information is included to confirm the position in respect of removal for each of the two Converter Station siting options.	3.0
163.	Schedule 13, Part 1	N/A	A review of recent DCO’s in connection with further engagement with relevant statutory undertakers has led to an updating of the protective provisions for electricity, gas, water and sewerage undertakers.	Various amendments are made to the protective provisions in this Part of Schedule 13 to reflect the form seen in other recently made DCO’s.	3.0
164.	Schedule 13, Part 1, paragraph 6	N/A	Correction of typographical following review	Correct defined terms are inserted into paragraph 6 for consistency.	3.0

Ref.	DCO Ref	Consultee/Stakeholder	Comments from stakeholder/rationale for change	Change made	DCO Version
165.	Schedule 13, Part 7	Highways England	Insertion of protective provisions	Protective provisions for the protection of Highways England structures and assets ae included in draft form. These have been drafted by the Applicant based on precedent provided by the Southampton to London Pipeline DCO further to a request for the same from Highways England. Whilst they have been provided to Highways England for comment, these are yet to be discussed further with them.	3.0
166.	Schedule 15, Part 1, 1 (4)(f)	Natural England	Correction of address	Natural England's address is updated.	3.0
167.	Schedule 15, Part 2, 4 (1)(c)(viii)	Historic England	Request to insert reference to archaeological construction exclusion zones	Reference to " <i>archaeological construction exclusion zones</i> " is added as a matter in relation to which details of micro-siting are to be provided in any cable burial and installation plan.	3.0
168.	Schedule 15, Part 2, 7(4)	Trinity House	Typographical correction identified	Amendment to change reference from 2(12) to 2(13)	3.0
DEADLINE 5					
169.	Article 2	HCC / PCC	Request to include application of permit schemes	The definition of Framework Traffic Management Strategy has been moved from the now deleted protective provisions for the protection of highways and traffic to the interpretations provided at Article 2, as this term is now used in the Articles to the Order	4.0

Ref.	DCO Ref	Consultee/Stakeholder	Comments from stakeholder/rationale for change	Change made	DCO Version
170.	Article 2	N/A	Amendments to defined terms for horizontal direction drilling in relation to amendments made to Requirement 6	The definition of “horizontal directional drilling” has been amended to provide a clear definition. The definition of “horizontal directional drilling compound” is deleted as on review this defined term is not used in the Order.	4.0
171.	Article 2	HCC / PCC	Request to include application of permit schemes	A definition of “permit schemes” referring to those schemes applicable in Hampshire and Portsmouth has been included in connection with the new Article 9A. A definition of “provisional advance authorisation” has also been included for the same purpose.	4.0
172.	Article 2	N/A	Definition included in connection with amendments to Article 30	A definition of “plot 10-14” is included to confirm the meaning of this term where used in the updated Article 30.	4.0
173.	Article 2	N/A	Definition inserted to reflect corrections made to highways articles	A definition of “traffic authority” has been inserted to confirm the meaning of that term where used in relevant Articles of the Order	4.0
174.	Article 2	N/A	Definition inserted to confirm meaning where used in the Order	A definition of “trenchless installation techniques” has been inserted, with this term being used in Schedule 1 and Schedule 2.	4.0
175.	Article 7(5)(b)	N/A	Article amended to remove provision with potential to cause confusion	Article 7(5)(b), which provided that the transferred benefit must reside exclusively with one entity, has been removed, acknowledging that more than one person may benefit from provisions in the Order and this particular	4.0

Ref.	DCO Ref	Consultee/Stakeholder	Comments from stakeholder/rationale for change	Change made	DCO Version
				provision may cut across this and also is not necessary as the position regarding where the transfer resides and who the Order is enforceable against where it resides with those persons is already clear by virtue of the remaining provisions of Article 7(5) and Article 3.	
176.	Article 8	HCC / PCC	Amendment made to reflect that permit schemes will be applicable	Articles 8(3) and (4) disapplying the Hampshire and Portsmouth permit schemes have been deleted, in connection with the new Article 9A.	4.0
177.	Article 9	WCC / EHDC	Amendment to Article 9 to link the defence for statutory nuisance to the controls secured by the Requirements	Amendments are made to the Article to confirm the position in relation to controls and measures relating to noise as described in a construction environmental management plan approved pursuant to requirement 15 or in accordance with the noise levels set out in a noise management plan approved pursuant to requirement 20 and how they relate to the defence to proceedings in respect of statutory noise nuisances.	4.0
178.	Article 9A	HCC / PCC	Request for permit schemes to be applicable	A new Article 9A is inserted to confirm the application of the permit schemes applicable in Hampshire and Portsmouth. In confirming the permit schemes will be applicable, it is necessary to provide for the relationship between permits and the Framework Traffic Management Strategy, which provides mitigations and controls in relation to the undertaking of works in the highway. A more detailed summary of Article 9A and the reasons for the respective provisions is explained in the	4.0

Ref.	DCO Ref	Consultee/Stakeholder	Comments from stakeholder/rationale for change	Change made	DCO Version
				updates made to the Explanatory Memorandum at Deadline 5.	
179.	Article 10	N/A	Amendment to remove reference to traffic management strategies so that matters are expressly addressed with the discharging authority	The Applicant has chosen to remove reference to the traffic management strategies in Articles 10(3) and (4), on the basis that any alterations to the highway will be appropriately subject to separate consent of the street authority.	4.0
180.	Article 11	N/A	Amendments to more clearly confirm the statutory authority provided by the Article	An amendment is made to confirm both Article 11(1) and (2) provide a statutory right for the purposes of sections 48(3) (streets, street works and undertakers) and 51(1) (prohibition of unauthorised street works) of the 1991 Act.	4.0
181.	Article 13	N/A	Amendments made to confirm which temporary stopping up etc. requires consultation and which requires consent, with consent being required for the temporary stopping up etc. in relation to any other street, public right of way or permissive path not referred to in Schedule 8	Article 11(5) is amended to confirm that consultation is required prior to the temporary stopping up etc. of any street, public right of way or permissive path listed in Schedule 8 on the basis that the stopping up etc. of those street, public right of way or permissive paths is known. The amended Article 11(5)(b) confirms that for any other street, public right of way or permissive path the consent of the street authority is required.	4.0
182.	Article 14	N/A	Amendments are made to Article 14 to confirm the necessary alignment of this Article with Requirement 10 in relation to highway accesses, which sets out what must be	Requirement 10 provides the matters must be approved in relation to any new or amended highway accesses. Article 14 is therefore amended so as to confirm the clear link between that approval process and the exercise of the powers conferred by this Article, to	4.0

Ref.	DCO Ref	Consultee/Stakeholder	Comments from stakeholder/rationale for change	Change made	DCO Version
			approved before the power is exercised	ensure the use of the powers is adequately controlled by reference to the approvals to be provided in this regard.	
183.	Article 15	N/A	Correction	On review it was identified that Article 15(1)(b) also needs to refer to Article 10 in relation to agreements with street authorities to ensure such agreements can be entered into in connection with the exercise of those powers where necessary with adequate statutory authority therefore provided for such agreements to be entered into. Reference to any other works as the parties may agree has also been included, so as to ensure all necessary future matters are provided for.	4.0
184.	Article 16	N/A	Correction	Corrections made to refer to the traffic authority in this Article rather than the street authority, as the entity who should appropriately be engaged with in relation to matters relating to traffic regulation measures.	4.0
185.	Article 22	N/A	Amended time limit for exercise of authority to acquire land compulsorily from 7 years to 5 years	Time limit amended from 7 to 5 years.	4.0
186.	Article 30	N/A	Amendments are made to reflect the position in relation to the temporary possession/use of the Eastney and Allotments in connection with the clean-up of any breakout of Bentonite	Article 30(1) and (2), relating to the activities to be undertaken on land of which temporary possession may be taken and the notice periods required in relation to those, are confirmed to be subject paragraph (5), which makes specific provision in relation to Plot 10-14, which comprises the Eastney and Milton	4.0

Ref.	DCO Ref	Consultee/Stakeholder	Comments from stakeholder/rationale for change	Change made	DCO Version
			drilling lubricant in connection with the undertaking of a HDD beneath the Eastney and Milton Allotments	<p>Allotments in so far as they are within the Order limits.</p> <p>Article 11(3) is amended to confirm that temporary possession of any part of Plot 10-14 must cease once the purposes for which temporary possession may be taken have been achieved. This ensures the land within the plot is accessed for no longer than is necessary to undertake any required clean-up of Bentonite drilling lubricant.</p> <p>A new Article 11(5) is included to confirm activities listed in paragraph (1)(b), (c), (d) or (e) may not be undertaken on this land, and that when entering on and taking temporary possession of any part of plot 10-14 as much notice as is reasonably practicable in the circumstances must be provided, so as to ensure any clean-up required is able to be actioned as soon as possible, and that persons are notified of this and so aware of the potential to make any claim for compensation in relation to the actions undertaken on the land.</p>	
187.	Article 31	N/A	Amending time limit for exercise of authority to temporarily use land for carrying out the authorised development from 7 years to 5 years	Time limit amended from 7 to 5 years.	4.0
188.	Schedule 1	N/A	Clarification	Reference is made to “1 trenchless installation technique crossing” as that term is now defined	4.0

Ref.	DCO Ref	Consultee/Stakeholder	Comments from stakeholder/rationale for change	Change made	DCO Version
	Work No. 4 (f)			at Article 2, to more clearly identify the works to be undertaken.	
189.	Schedule 2, paragraph 1	Portsmouth Water	Request to be consulted on matters relating to the surface water drainage and aquifer contamination mitigation strategy	In connection with the inclusion of Portsmouth Water as a consultee in relation to approvals relating to the surface water drainage and aquifer contamination mitigation strategy a definition for Portsmouth Water has been inserted.	4.0
190.	Schedule 2, paragraph 1	WCC	Amendment to definition of start-up and shut-down activities to confirm only those activities listed are included.	The word “only” has been added to the end of the defined term.	4.0
191.	Schedule 2, paragraph 3	N/A	Correction to Requirement 3 to confirm the phasing is submitted but not for approval	The undertaker will define the phases of the works and inform the discharging authorities of these, but these will not be for approval. This amendment reflects this.	
192.	Schedule 2, paragraph 6	WCC	New Requirement 6(2) inserted to confirm the AOD height restrictions to apply in relation to the Converter Hall Buildings more clearly	New paragraph 6(2) inserted to confirm no building within Work No. 2 may be a height which is above +111.100 metres above ordnance datum (excluding the lightning masts which may not be a height which is above +115.100 meters above ordnance datum), in accordance with the information contained on the Converter Station and Telecommunications Building Parameter Plans.	4.0
193.	Schedule 2, paragraph 6	Environment Agency / Portsmouth Water	Request to be consulted on matters relating to the surface water drainage and aquifer	Amended final paragraph of 6(1) to provide that the Environment Agency and Portsmouth Water are to be consulted in relation to design matters	4.0

Ref.	DCO Ref	Consultee/Stakeholder	Comments from stakeholder/rationale for change	Change made	DCO Version
			contamination mitigation strategy	relevant to the surface water drainage and aquifer contamination mitigation strategy.	
194.	Schedule 2, paragraph 6	N/A	Reference included to the need for the design of permanent fencing to be approved, as this had previously not been included and is a relevant design approval matter	Reference to permanent fencing is added at paragraph 6(4)(g).	4.0
195.	Schedule 2, paragraph 6	WCC	Request for confirmation that the external appearance of the buildings within Work No. 2 shall be retained as approved during the operational period	A new paragraph 6(8) has been inserted to confirm the external appearance of the buildings within Work No. 2 shall be retained as approved during the operational period unless an amendment or variation is previously agreed in writing by the relevant planning authority save that this shall not prevent the replacement of the approved materials with other materials with the same external appearance.	4.0
196.	Schedule 2, paragraph 6	WCC	Request to move matters relating to permanent fencing to Requirement 6 rather than Requirement 11, as a permanent part of the development	New paragraph 6(9) inserted which moves the text previously in Requirement 11(2)	4.0
197.	Schedule 2, paragraph 6	N/A	New paragraphs 6(10) and 6(11) are inserted to confirm the construction methodology to be deployed for trenchless installation in locations across the Order limits	New paragraphs 6(10) and (11) are inserted to confirm the installation methods to be utilised by reference to the areas as shown on the Works Plans, to confirm the use of those methods is secured.	4.0

Ref.	DCO Ref	Consultee/Stakeholder	Comments from stakeholder/rationale for change	Change made	DCO Version
198.	Schedule 2, paragraph 7	WCC	Inclusion of reference to onshore site preparation works so as to ensure they are not undertaken where relevant to landscaping where relevant landscaping matters have not yet been approved	<p>Addition of the words “<i>and no onshore site preparation works in relation to any such phase may be carried out</i>” at paragraph 7(1).</p> <p>Minor amendments for clarification are also included in paragraph 7(2).</p>	4.0
199.	Schedule 2, paragraph 8	N/A	Minor clarification made to confirm the detailed landscaping scheme to be complied with is that which is applicable to the works being undertaken	The words “ <i>applicable to them</i> ” have been added to paragraph 8(1).	4.0
200.	Schedule 2, paragraph 9	N/A	Amendments to requirement to more clearly reflect plans to be produced and to confirm the approved plan to be accorded is that which relates to the works being undertaken	Reference to a “ <i>reptile and stag beetle precautionary method statements of works</i> ” is added to paragraph 9(4) and paragraph 9(5) is amended to reflect that any work for which a written biodiversity management plan has been approved must be carried out in accordance with the written biodiversity management plan approved in relation to them.	4.0
201.	Schedule 2, paragraph 10	N/A	The Article has been re-ordered to read more clearly	<p>The formulation of Requirement 10(1) has been amended to more clearly confirm the matters which must be approved in relation to new permanent or temporary means of access to a highway to be used by vehicular traffic etc.</p> <p>Requirement 10(2) has been amended to confirm the details approved must be accorded with where any such highways accesses approved are constructed.</p>	4.0

Ref.	DCO Ref	Consultee/Stakeholder	Comments from stakeholder/rationale for change	Change made	DCO Version
202.	Schedule 2, paragraph 15	Environment Agency / Portsmouth Water	<p>Amendments made to provide for the Environment Agency and Portsmouth Water to be consulted in relation to that surface water drainage and aquifer contamination management plan prior to any approval of that construction environmental management plan following a request for the same.</p> <p>Minor amendments also made to clarify the plans which must be produced in a construction environmental management plan.</p>	<p>The formulation of paragraph 15(1) is amended to clarify its application.</p> <p>A new paragraph 15(2) is included to provide for consultation with the Environment Agency and Portsmouth Water in relation to that surface water drainage and aquifer contamination management plan prior to any approval of that construction environmental management plan.</p> <p>Additions are made to paragraph 15(3) to confirm a piling works risk assessment and air quality stakeholder communication plan must be produced as part of a construction environmental plan where relevant to the phase of works to which the plan relates.</p>	4.0
203.	Schedule 2, paragraph 18	WCC	Correction of referencing	A correction is made to paragraph 18(5)(a) to reference all relevant sub-paragraphs.	4.0
204.	Schedule 2, paragraph 19	N/A	Corrections	The formulation of paragraph 19, a requirement for the submission of a strategy for access and egress to the converter station during the operational period, is amended to more clearly confirm its application.	4.0
205.	Schedule 2, Requirement 22	N/A	Amendment made to confirm the standard of reinstatement does not have to be to a higher standard than before works are undertaken	The words " <i>but which may not be to a standard which is higher than its former condition,</i> " are inserted into the paragraph.	4.0

Ref.	DCO Ref	Consultee/Stakeholder	Comments from stakeholder/rationale for change	Change made	DCO Version
206.	Schedule 2, paragraph 24	WCC	<p>A new decommissioning requirement is inserted to confirm that where the authorised development landwards of MHWS, or any part of it, is to be decommissioned, a written scheme of decommissioning must be submitted for approval by the relevant planning authority.</p> <p>This new requirement is further explained in the Explanatory Memorandum.</p>	New requirement relating to decommissioning is inserted, to confirm that the necessary consents and approvals for decommissioning will be applied for where any part of the authorised development landwards of MHWS, or any part of it, is to be decommissioned in the future.	4.0
207.	Schedule 2, paragraph 25	HCC / PCC	A new requirement 25 in relation to traffic management strategies is inserted, which is moved from the protective provisions in relation to highways and traffic now deleted, following agreement in principle of the application of the relevant permit schemes.	New requirement 25 is included confirming that a traffic management strategy must be obtained for any phase of Works No.4 to be undertaken on the highway before this may commence. The information required to be provided for approval mirrors that previously provided for in the now deleted protective provisions in relation to highways and traffic. These approvals will be relevant when permits are obtained, and ensure a comprehensive approval of all relevant matters before such works are undertaken.	4.0
208.	Schedule 2, paragraph 27	WCC	Minor amendments are made to confirm that changes must not be material (rather than immaterial), following a request from WCC to amend	Minor amendments are made to the paragraphs following requests for these, though they do not affect the effect of the requirement.	4.0

Ref.	DCO Ref	Consultee/Stakeholder	Comments from stakeholder/rationale for change	Change made	DCO Version
209.	Schedule 10	N/A	Following amendments to the Land Plans and Book of Reference in relation to the Eastney and Milton Allotments, the purpose for which Plot 10-14 may be temporarily possessed have been added to Schedule 10 (which is relevant to Article 30 discussed above)	New line inserted in Schedule 10 confirming the purposes for which Plot 10-14 may be temporarily possessed, being for the purpose of and for the duration required to clear any breakout of bentonite drilling lubricant in connection with the undertaking of a HDD beneath the Eastney and Milton Allotments.	4.0
210.	Schedule 13, Part 3	Southern Gas Networks Plc.	Updated form of SGN protective provisions included following in principle approval of the form	An updated form of protective provisions for the protection of Southern Gas Networks as Gas Undertaker are included following agreement in principle of the form to be included within the Order.	4.0
211.	Schedule 13, Part 5	HCC / PCC	Deletion of the protective provisions for the protection of highways and traffic	These protective provisions are deleted as the permit schemes applicable in Hampshire and Portsmouth are to apply in accordance with new Article 9A.	4.0
212.	Schedule 15, Part 1, paragraph 1(4)(e)	Maritime and Coastguard Agency ('MCA')	Amendment of address	Address details amended following request from MCA.	4.0
213.	Schedule 15, Part 2, paragraph 2	MCA	Amendments made to notifications wording following request from MCA	Minor amendments made to sub-paragraph (7) in relation to timescale for provision of notice and confirmation that the notification provided will also be provided to the MMO.	4.0

Ref.	DCO Ref	Consultee/Stakeholder	Comments from stakeholder/rationale for change	Change made	DCO Version
				References made to paragraph (8), (9) and (14) to refer to local notifications and to (11) to confirm where notifications need to be sent to.	
214.	Schedule 15, Part 2, paragraph 4	MCA	Amendment to remove reference to the marine emergency action card following request from MCA	Deletion of reference to marine emergency action card following feedback from MCA that this should be removed as not a public facing document.	4.0
215.	Schedule 15, Part 2, paragraph 10	MCA	Amendments made to refer to relevant guidelines to be complied with and type of survey to be undertaken.	Reference to “sonar” is deleted from paragraph 10(3) and reference to the MGN 543 hydrographic survey guidelines and MCA are added.	4.0
216.	Schedule 15, Part 2, paragraph 13	MCA	Amendments made to refer to relevant guidelines to be complied with and type of survey to be undertaken.	Reference to “sonar” is deleted from paragraph 10310) and reference to the MGN 543 hydrographic survey guidelines and MCA are added.	4.0
DEADLINE 6					
217.	Preamble	N/A	N/A	Updating preamble to remove square brackets and confirm the application was examined by three members.	5.0
218.	Article 2	ExA	Request for works plans to identify the HDD works compounds areas for clarity	Definition of “horizontal directional drilling compound” is re-inserted, as this is now shown on the Works Plan and also referred to in Requirement 6(3).	5.0

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219.	Article 2	ExA	Request to consider revision to the definition of “permanent limits”	Definition of “permanent limits” is updated to refer to the pink, blue, purple and green land shown on the Land Plans, being the land which may be permanently acquired or over which permanent rights and restrictions may be acquired.	5.0
220.	Article 2	ExA	Request for works plans to identify the trenchless installation technique works compounds areas for clarity	Definition of “trenchless installation technique compound” is re-inserted, as this is now shown on the Works Plan and also referred to in Requirement 6(3).	5.0
221.	Article 9	WCC / EHDC	Requests to amend Article 9 to limit the extent to which the defence to proceedings in respect of statutory nuisance applies to operation	Amendments are made to remove reference to operation where this is not appropriate, and to more clearly provide that the defence will only apply in relation to operation where the nuisance is attributable to the operation of the authorised development in accordance with the noise levels set out in a noise management plan approved pursuant to requirement 20. An amendment is also made to remove reference to Section 65(8) of the Control of Pollution Act 1974 on the basis that this has been repealed.	5.0
222.	Article 9A	N/A	N/A	Amendments are made to reference that the bespoke provisions of the Order in relation to the permit scheme apply to the construction of the authorised development (with maintenance not to be controlled by the framework traffic management strategy which is a construction focussed document) and to amend the timescales to days rather than working days in	5.0

Ref.	DCO Ref	Consultee/Stakeholder	Comments from stakeholder/rationale for change	Change made	DCO Version
				accordance with amendments made for consistency throughout the draft Order.	
223.	Article 10(4)	PCC / HCC	Request for extension of twenty working days period	Twenty working day period for decisions from street authorities extended to 42 days	5.0
224.	Article 11	PCC / HCC	Request for extension of twenty working days period	<p>Twenty working day period for decisions from street authorities extended to 42 days within Article 11(3).</p> <p>Minor text amendments are also made to Article 11(1) for consistency purpose and to correct errors.</p>	5.0
225.	Article 13	HCC / ExA	Request to refer to temporary closure instead of temporary stopping up and ensuring consistent referencing to public rights of way and permissive paths throughout the article.	<p>Amendments are made throughout the article to references to “stop up” to “close” and “restrict” so as to align with precedent versions of this article with other DCOs.</p> <p>Amendments are also made to consistently refer to public rights of way and permissive paths, to which the powers provided by the article relate.</p> <p>Twenty working day period for decisions from street authorities extended to 42 days within Article 13(8).</p> <p>A new Article 13(9) is included to confirm how references to temporary stopping up in Schedule 13 (protective provisions) are to be construed by reference to this article.</p>	5.0
226.	Article 16	N/A	Updates to timescales stated in the Order for consistency	Timescales at article 16(3) previously stated in working days are amended to be stated in days.	5.0

Ref.	DCO Ref	Consultee/Stakeholder	Comments from stakeholder/rationale for change	Change made	DCO Version
				Twenty working day period for decisions from street authorities extended to 42 days within Article 16(7).	
227.	Article 17	N/A	Updates to timescales stated in the Order for consistency	Timescale at article 17(5) previously stated in working days is amended to be stated in days.	5.0
228.	Article 18	N/A	Updates to timescales stated in the Order for consistency and minor amendments and correction of errors	Timescales at article 18(5) and (6) previously stated in working days are amended to be stated in days. Article 18(9) is updated to cross-refer to article 35. The cross-references in Article 18(1) are corrected.	5.0
229.	Article 19	N/A	Updates made for consistency with more recent precedent version of DCOs	Updates are made to Article 19(1) to monitoring and to more clearly refer to watercourses, groundwater, water bodies and vegetation on land. These amendments are made for clarity of understanding. Timescales at article 19(2) and (6) previously stated in working days are amended to be stated in days.	5.0
230.	Article 20	N/A	Reference included to the land plans to clearly link back to the definition of permanent limits	The words " <i>and shown on the land plans</i> " are inserted at Article 20(1).	5.0
231.	Article 23	ExA	Amendments made following discussion in relation to the	The words " <i>within the permanent limits</i> " are added at Article 23(1).	5.0

Ref.	DCO Ref	Consultee/Stakeholder	Comments from stakeholder/rationale for change	Change made	DCO Version
			term permanent limits at CAH1 to ensure this is clearly referred to for the purpose of identifying the land to which the power to acquire rights and impose restrictions relates		
232.	Article 28(2)	N/A	Updates to timescales stated in the Order for consistency	Timescale at article 28(2) previously stated in working days is amended to be stated in days.	5.0
233.	Article 30	ExA	<p>The words “carrying out” are replaced with “construction” further to queries and discussion at CAH1.</p> <p>Amendments made to confirm yellow land, for which temporary possession only is sought, cannot be subject to permanent acquisition.</p> <p>Updates to timescales stated in the Order for consistency.</p>	<p>Each time the words “carrying out” appear in the article they are replaced with “construction”.</p> <p>The word “other” is inserted at Article 30(1)(a)(ii) to confirm its mutual exclusivity from 30(1)(a)(i).</p> <p>Timescale at article 30(2) previously stated in working days is amended to be stated in days.</p>	5.0
234.	Article 32	ExA	The words “carrying out” are replaced with “construction” further to queries and discussion at CAH1	The words “carrying out” in Article 31(1) are replaced with “construction”.	5.0
235.	Article 32	N/A	Updates to timescales stated in the Order for consistency	Timescale at article 32(3) previously stated in working days is amended to be stated in days.	5.0

Ref.	DCO Ref	Consultee/Stakeholder	Comments from stakeholder/rationale for change	Change made	DCO Version
236.	Article 41	ExA	Updates made to align with more recent precedent made DCO (Southampton to London Pipeline Order 2020) following request from ExA to review.	The article has been amended in various places to align with the precedent wording provided by the Southampton to London Pipeline Order 2020. The amendments made do not alter the effect of the Article to any extent.	5.0
237.	Article 42	ExA	Updates made to align with more recent precedent made DCO (Southampton to London Pipeline Order 2020) following request from ExA to review.	The article has been amended in various places to align with the precedent wording provided by the Southampton to London Pipeline Order 2020. The amendments made do not alter the effect of the Article to any extent.	5.0
238.	Article 44	N/A	Updates to timescales stated in the Order for consistency	Timescales at article 44(7) and (9) previously stated in working days are amended to be stated in days.	5.0
239.	Article 45	N/A	Updates to timescales stated in the Order for consistency	Timescale at article 32(3) previously stated in working days is amended to be stated in days.	5.0
240.	Article 47	ExA	Updates made to align with more recent precedent made DCO (Southampton to London Pipeline Order 2020) following request from ExA to review.	The article has been amended in various places to align with the precedent wording provided by the Southampton to London Pipeline Order 2020. The amendments made do not alter the effect of the Article to any extent.	5.0

Ref.	DCO Ref	Consultee/Stakeholder	Comments from stakeholder/rationale for change	Change made	DCO Version
241.	Schedule 1, description of Work No.1	NGET	Updates are made to the description of Work No.1 to more clearly describe the works to be approved following a request from NGET for additional clarity	A new (a) is inserted which reads " <i>extension of the existing substation, including site establishment, earthworks, civil and building works</i> ".	5.0
242.	Schedule 2, paragraph 2	N/A	Updates to timescales stated in the Order for consistency	Timescale at requirements 7(2) and (3) previously stated in working days is amended to be stated in days.	5.0
243.	Schedule 2, paragraph 6(3)	ExA	Request for Works Plans to show HDD/trenchless installation techniques compounds and for the areas within which they may be located to be secured	Amendments are made to (a) and (b) to more clearly refer to Onshore HVDC Cables. New sub-paragraph (c) and (d) are inserted to require approval of the spatial extent and layout of any HDD/trenchless installation techniques compound (which must be located within the areas identified for trenchless installation techniques compounds on the works plans only). Amendments are also made to confirm the details submitted for approval must accord with the design principles for the onshore cable corridor, which are added to the Design and Access Statement.	5.0
244.	Schedule 2, paragraph 7	WCC	Reference to details of existing trees and hedges to be retained, with measures for their protection during	Requirement 7(2)(e) is deleted.	5.0

Ref.	DCO Ref	Consultee/Stakeholder	Comments from stakeholder/rationale for change	Change made	DCO Version
			construction, to be removed at Requirement 7(2)(e) to remove overlap with Requirement 9(4)(a)		
245.	Schedule 2, paragraph 8	WCC	Reference to enhancement and seeding areas are added to the requirement to ensure they are more clearly covered in line with the implementation and maintenance of landscaping to be undertaken	Requirement 8(1) is amended to include reference to enhancement works and 8(2) is amended to include reference to seeded areas, and reseeded where seriously damaged or diseased within a period of five years after planting.	5.0
246.	Schedule 2, paragraph 9	WCC	A new Requirement 9(4)(b) is inserted to more clearly require information in relation to reinstatement following the completion of completion of construction.	A new Requirement 9(4)(b) is inserted which states " <i>details of a scheme for the reinstatement of land used as temporary compounds during construction and any replacement planting to replace removed sections of hedgerow or removed trees</i> ".	5.0
247.	Schedule 2, paragraph 23	PCC	Request for reference to optical regeneration stations to be added to confirm no lighting at night	Reference to the optical regeneration stations within Work No.5 is added.	5.0
248.	Schedule 2, paragraph 24	WCC / ExA	Updates are made to the decommissioning requirement to more clearly detail the information required to be submitted for approval and to confirm the requirement is without prejudice to any other consents or permission required to be obtained for	Amendments are made to align the article with precedent provided with the Drax Power (Generating Stations) Order 2019, including detailed in the information to be included in any written scheme of decommissioning to be submitted and confirming the requirement is without prejudice to any other consents or permissions which may be required to	5.0

Ref.	DCO Ref	Consultee/Stakeholder	Comments from stakeholder/rationale for change	Change made	DCO Version
			decommissioning, which is not to be permitted by the Order.	decommission any part of the authorised development landwards of MHWS.	
249.	Schedule 3	N/A	Amendments made to align with more recent precedents and align timescales for approvals throughout the Order	<p>Amendments are made to paragraph (1) to align the timescales across the Order for approvals at 42 days, to correct a cross-referencing error and to confirm that where a discharging authority does not determine an application within the decision period the discharging authority is taken to have granted all parts of the application (without any condition or qualification) at the end of that period unless otherwise agreed in writing, to ensure there is no impediment to the delivery of the authorised development.</p> <p>Amendments are made to (2) to amend reference to working days to days for consistency across the Order and to add the words “<i>or otherwise fails to request any further information within the timescales provided for in this paragraph</i>” to address a gap in the drafting.</p> <p>Amendments are made to paragraph (3) to amend the position regarding the non-provision of notice of a decision, with this resulting in deemed approval to ensure not to impede timely delivery, and to correct other minor drafting points for clarity.</p> <p>Amendments are made to paragraph (4) to correct other minor drafting points for clarity and to replace reference to the CLG Circular</p>	5.0

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				03/2009 with reference to the Planning Practice Guidance: Appeals (March 2014).	
250.	Schedule 10	N/A	Following acceptance of second change to Order limits request, plots no longer included in the Order limits are removed	Reference to plots 1-66, 1-67 and 1-68 are deleted.	5.0
251.	Schedule 11	WCC	Following discussions with WCC and further feasibility work the Applicant has confirmed TPO trees on Hambledon Road will not be removed, and reference to these is therefore deleted from Schedule 11	Reference to T306, T302 and T300 are removed.	5.0
252.	Schedule 14	ExA	Updates are made to the revision numbers of the documents referred to reflect the most recent submissions made at Deadline 6 Reference to the Crown Land Plans, previously omitted in error, is also included.	The amendments described across are made to Schedule 14 – Certified Documents	5.0
253.	Schedule 15, Part 1, Paragraph 1	MMO	The Applicant and the MMO have agreed amendments to the definition of “cable protection”.	Definition of “cable protection” is amended to state “ <i>means physical measures for the protection of cables including rock, rock bags and gravel placement, concrete or frond mattresses, tubular protection and grout bags</i> ”	5.0

Ref.	DCO Ref	Consultee/Stakeholder	Comments from stakeholder/rationale for change	Change made	DCO Version
254.	Schedule 15, Part 1, Paragraph 4(1)	MMO	Request to more clearly define cable protection parameters for the Atlantic Cable Crossing	The paragraph is updated to refer to “ <i>cable protection, including cable protection at the Atlantic Cable Crossing (pre-lay berm, 100 m x 30 m and post-lay berms of approximately 600 m x 30 m) covering a maximum footprint of 37,800 m²</i> ”	5.0
255.	Schedule 15, Part 1, Paragraph 4(5)	MMO	Request for deletion of paragraph 4(5) due to concerns it would permit works not assessed in the environmental statement. Whilst not in agreement with the rationale, to reach agreement on the issue the wording is deleted.	Schedule 15, Part 1, Paragraph 4(5) is deleted.	5.0
256.	Schedule 15, Part 2, Paragraph 2	N/A / MCA	Timescales in the condition are amended to days instead of working days for consistency across the Order and the DML and to reach agreement with the MCA on this matter. A correction is also made to refer to a local notification to mariners, rather than a local notice to mariners following agreement of the wording with MCA.	The timescales in sub-paragraphs (1)(b), (6), 7(a), (7), (8), (9), (10), (11), (12) and (14) are updated to days rather than working days. The word “notice” is amended to “notification” at sub-paragraph (9).	5.0

Ref.	DCO Ref	Consultee/Stakeholder	Comments from stakeholder/rationale for change	Change made	DCO Version
257.	Schedule 15, Part 2, Paragraph 7	N/A	Updates to timescales stated in the DML for consistency	Timescale at paragraph 7(3)(c) previously stated in working days is amended to be stated in days.	5.0
258.	Schedule 15, Part 2, Paragraph 11	MMO	Amendments made to reflect amendments made to condition 12, which relates to the deployment of new cable protection during the operational period, and to require details of scour/erosion around the Atlantic Cable crossing to be included in the cable burial management plan	Paragraph 11(1)(c) is amended to require details of scour/erosion around the Atlantic Cable crossing described in paragraph 4(1) of Part 1 to be included in the cable burial management plan. A new sub-paragraph (2) is added to require updates to the cable burial management plan following the deployment of new cable protection.	5.0
259.	Schedule 15, Part 2, Paragraph 12	MMO / MCA	Amendments are made further to discussions with the MMO to require details of and justification for the deployment of new cable protection informed by survey data less than 5 years old to be approved before any new cable protection is deployed. Updates to timescales stated in the Order for consistency. A correction is also made to refer to a local notification to mariners, rather than a local notice to mariners following	A new sub-paragraph 6 is added which requires the provision of details and justification for the deployment of new cable protection including a description of seabed habitat which is to be informed by survey data less than 5 years old, unless otherwise agreed with the MMO, in the location/s where the laying of additional cable protection is proposed, before any new cable protection is deployed during the operational period. The word “notice” is amended to “local notification” at sub-paragraph (9). The timescales in sub-paragraphs (7), (8), (9) and (10) are updated to days rather than working days.	5.0

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			agreement of the wording with MCA.		
260.	Schedule 15, Part 2, Paragraph 12	MMO	No amendment made but re-ordering of paragraphs for clarity	Previous paragraph 12 moved to be paragraph 13.	5.0

