



Keuper Gas Storage Project

Development Consent Order
Change Log Rev. 5

July 2016

Application Reference No:
EN030002

**THE INFRASTRUCTURE PLANNING
(APPLICATIONS: PRESCRIBED FORMS AND
PROCEDURE) REGULATIONS 2009**

KEUPER GAS STORAGE PROJECT

DEVELOPMENT CONSENT ORDER

CHANGE LOG

Rev. 5

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1. Development Consent Order Change Log

Introduction

- 1.1 This Development Consent Order Change Log relates to an application for a Development Consent Order (“DCO”) for the Keuper Underground Gas Storage Project – a Nationally Significant Infrastructure Project promoted by Keuper Gas Storage Limited (“KGSL”).
- 1.2 The following Log provides a consolidated list of all proposed and discussed changes to the submission version of the draft DCO (November 2015). Where these changes are agreed with stakeholders, this is noted within the ‘status’ column.
- 1.3 This Log has informed the revised draft DCO (3.1 KGSP Draft DCO Rev 2.rtf), which is also submitted to the Planning Inspectorate (“PINS”).
- 1.4 This revised draft DCO is provided in both a clean version and a version showing tracked changes against the original November 2015 version.

2. DCO Change Log Table

Ref No.	Change Proposed By	DCO Ref	Details of Proposed Change	Status	Stakeholder Ref.
1	KGSL	CONTENTS list (PART3)	Amend Part 3 Title from 'SREETS' to 'STREETS'	DCO Rev1	
2	KGSL	Article 9 PART 3 (section title)	Amend Part 3 Title from 'SREETS' to 'STREETS'	DCO Rev1	
3	KGSL	Schedule 1 Work No.5D definition	Amend definition of Work No. 5D to insert the words “, the Gas Processing Plant (Work No.14) and the National Transmission System connection compound (Work No.12)”	DCO Rev1	PINS S51 advice note dated 22 nd December 15
4	KGSL	Schedule 1 Work No.5D definition	Amend definition of Work No. 5D to replace the word “meter” with “metre”.	DCO Rev1	
5	KGSL	Schedule 1 Work No.6 definition	Amend definition of Work No. 6 to insert the words “, 132kV substation compound (Work No.25), the” and “and temporary construction laydown area (Work No.16) at the first Gas Marshalling Compound (Work No.20)”	DCO Rev1	PINS S51 advice note dated 22 nd December 15
6	KGSL	Schedule 1 Work No.7 definition	Amend definition of Work No. 7 to insert the words “, the National Transmission System connection compound (Work No.12), the office, control and maintenance building (Work No.15) and the temporary construction laydown areas (Work No.16)”	DCO Rev1	PINS S51 advice note dated 22 nd December 15
7	KGSL	Schedule 1 Work No.17 definition	Amend definition of Work No. 17 to delete the words “the construction laydown areas (Work No. 16) and to”	DCO Rev1	PINS S51 advice note dated 22 nd December 15

8	KGSL	Schedule 1 Work No.18 definition	Amend definition of Work No. 18 to delete the words “construction laydown areas (Work No.16) and”	DCO Rev1	PINS S51 advice note dated 22 nd December 15
9	KGSL	Schedule 1 Work No.18 definition	Amend definition of Work No. 18 to replace the word “in filled” with “in-filled”.	DCO Rev1	
10	KGSL	Preamble	Amend 2 nd paragraph from “panel of [] one members” to “single appointed person”. Deletion of the wording “the Examining authority”.	DCO Rev2	
11	KGSL	Preamble	Amend 2 nd paragraph of the preamble to delete “ “ before “(Examination Procedure)”.	DCO Rev2	
12	Examining Authority (ExA)	Preamble	Amend 3 rd paragraph of the preamble from “Examining Authority” to “single appointed person”.	DCO Rev2	The Examining Authority’s First Written Questions dated 23 March 2016
13	KGSL	Preamble	Amend 3 rd paragraph of preamble from “section 74” to “section 83”.	DCO Rev2	
14	ExA	Preamble	Amend 4 th paragraph of the preamble from “local impact report” to “local impact reports”.	DCO Rev2	The Examining Authority’s First Written Questions dated 23 March 2016
15	ExA	Preamble	Amend 4 th paragraph of the preamble from “Examining Authority” to “single appointed person”.	DCO Rev2	The Examining Authority’s First Written

					Questions dated 23 March 2016
16	ExA	Preamble footnote	Amend footnote (c) of the preamble from “an Examining authority” to “a single appointed person”.	DCO Rev2	The Examining Authority’s First Written Questions dated 23 March 2016
17	KGSL	Preamble footnote	Amend footnote (c) of the preamble from “section 61” to “section 78”.	DCO Rev2	
18	ExA	Part 1, Article 2	Amend Article 2 to move ““Cheshire West and Chester Council” means the Cheshire West and Chester Council whose address is HQ, Nicolas Street, Chester, CH1 2NP;” in order to ensure correct alphabetical order.	DCO Rev2	The Examining Authority’s First Written Questions dated 23 March 2016
19	ExA	Part 1, Article 2	Amend Article 2 to delete “or “CRT”” after “Canal and River Trust”.	DCO Rev2	The Examining Authority’s First Written Questions dated 23 March 2016
20	KGSL	Part 1, Article 2	Amend Article 2 to insert ““CEMP” means the construction environmental management plan to be submitted and approved pursuant to requirement 3 of Schedule 2.” into line 13.	DCO Rev2	

21	KGSL	Part 1, Article 2	Amend Article 2 to replace “(interpretation of the 2008 Act” with “(interpretation of the 2008 Act)” in order to insert a closed bracket.	DCO Rev2	
22	KGSL	Part 1, Article 2	Amend Article 2 to insert ““local highway authority” has the same meaning as in section 329 (1) of the 1980 Act”.	DCO Rev2	
23	ExA	Part 1, Article 2	Delete “or “MSCCL”” after “Manchester Ship Canal Company Ltd”.	DCO Rev2	The Examining Authority’s First Written Questions dated 23 March 2016
24	ExA	Part 1, Article 2	Amend the definition of statutory undertaker to insert the words “and a public communications provider as defined in section 151 (1) of the Communications Act 2003;”.	DCO Rev2	The Examining Authority’s First Written Questions dated 23 March 2016
25	KGSL	Part 2, Article 3(1)	Amend Article 3(1) to delete “(requirements)” after “in Schedule 2”.	DCO Rev2	
26	ExA	Part 2, Article 3 (2)	Amend Article 3(2) to replace the word “construction” with “constructing”.	DCO Rev2	The Examining Authority’s First Written Questions dated 23 March 2016

27	KGSL	Part 2, Article 7 (1)	Amend Article 7 (1) to replace “;” with “:” after “Secretary of State”.	DCO Rev2	
28	KGSL	Part 2, Article 8	Insert new sub-section numbering 8 (2).	DCO Rev2	
29	KGSL	Part 2, Article 9	<p>Insert new article 9 which reads:</p> <p>“Guarantees in respect of payment of compensation</p> <p>9.—(1) The undertaker must not begin to exercise the powers in articles 10 to 33 of this Order in relation to any land unless it has first put in place either—</p> <p>(a) a guarantee in respect of the liabilities of the undertaker to pay compensation under this Order in respect of the exercise of the relevant power in relation to that land; or</p> <p>(b) an alternative form of security for that purpose which has been approved by the Secretary of State.</p> <p>(2) A guarantee or alternative form of security given in respect of any liability of the undertaker to pay compensation under the Order is to be treated as enforceable against the guarantor by any person to whom such compensation is payable and must be in such a form as to be capable of enforcement by such a person.”</p>	DCO Rev2	
30	KGSL	Part 3, Article 10	Amend Article 10 to change the Article Number from Article 9 to Article 10.	DCO Rev2	
31	KGSL	Part 3, Article 11	Amend Article 10 to change the Article Number from Article 10 to Article 11.	DCO Rev2	
32	KGSL	Part 3, Article 12	Amend Article 12 to change the Article Number from Article 11 to Article 12.	DCO Rev2	
33	KGSL	Part 3, Article 13	Amend Article 13 to change the Article Number from Article 12 to Article 13.	DCO Rev2	
34	KGSL	Part 3, Article 13 (2)	Amend Article 13(3) to replace “Columns” with “columns”.	DCO Rev2	
35	KGSL	Part 3, Article 13, 5 (b)	Delete “Any person who suffers loss by the suspension of any private right of way under this article will be entitled to compensation to be determined in case of dispute under Part 1 of the 1961 Act”.	DCO Rev2	
36	ExA	Part 3, Article 13 (6) (7) (8)	Insert new sub paragraphs (6), (7) and (8) of Article 13 with:	DCO Rev2	The Examining

			<p>(“6) The undertaker, during and for the purposes of carrying out the authorised development, may for any reasonable time temporarily stop up, alter or divert the section of the public right of way (being a restricted byway) shown between points 1 and 2 on the street works and access plan and specified in Schedule 5 (streets and rights of way to be temporarily stopped up).</p> <p>(7) Without prejudice to paragraph (6) the undertaker may not temporarily stop up, alter or divert a public right of way without first consulting the local highway authority, whose consent may be subject to conditions and must not be unreasonably withheld.</p> <p>(8) Any person who suffers loss by the suspension of any private right of way under this article will be entitled to compensation to be determined, in the case of dispute, under Part 1 of the 1961 Act.”</p>		Authority’s First Written Questions dated 23 March 2016
37	KGSL	Part 3, Article 14	Amend Article 14 to change the Article Number from Article 13 to Article 14.	DCO Rev2	
38	KGSL	Part 3, Article 15	Amend Article 15 to change the Article Number from Article 14 to Article 15.	DCO Rev2	
39	KGSL	Part 4, Article 16	Amend Article 16 to change the Article Number from Article 15 to Article 16.	DCO Rev2	
40	KGSL	Part 4, Article 17	Amend Article 17 to change the Article Number from Article 16 to Article 17.	DCO Rev2	
41	ExA	Part 4, Article 17 (2) (b)	Amend Article 17 (2) (b) to delete “end of the period of 5 years beginning with the day on which that part of the authorised development is first opened for use” and replace with “decommissioning of the authorised development under paragraph 18 of Schedule 2”.	DCO Rev2	The Examining Authority’s First Written Questions dated 23 March 2016
42	KGSL	Part 4, Article 18	Amend Article 18 to change the Article Number from Article 17 to Article 18.	DCO Rev2	
43	ExA	Part 4, Article 18 (1)	Amend Article 18 (1) from “Order limits” to Order land”.	DCO Rev2	The Examining Authority’s First Written Questions

					dated 23 March 2016
44	KGSL	Part 4, Article 19	Amend Article 19 to change the Article Number from Article 18 to Article 19.	DCO Rev2	
45	KGSL	Part 5, Article 20	Amend Article 20 to change the Article Number from Article 19 to Article 20.	DCO Rev2	
46	ExA	Part 5, Article 20 (1) (a)	Amend Article 20 (1) (a) to insert the words “and show on the land plans” after “book of reference”.	DCO Rev2	The Examining Authority’s First Written Questions dated 23 March 2016
47	KGSL	Part 5, Article 20 (2)	Replace “article 22 (acquisition of subsoil only)” with “article 23 (acquisition of subsoil only)”. Replace “article 26 (temporary use of land carrying out the authorised development)” with “article 27 (temporary use of land carrying out the authorised development).”	DCO Rev2	
48	KGSL	Part 5, Article 21	Amend Article 21 to change the Article Number from Article 20 to Article 21.	DCO Rev2	
49	KGSL	Part 5, Article 21 (1) (b)	Replace “article 25 (application of the Compulsory Purchase (Vesting Declarations) Act 1981)” with “article 26 (application of the Compulsory Purchase (Vesting Declarations) Act 1981)”.	DCO Rev2	
50	KGSL	Part 5, Article 21 (2)	Replace “article 26 (temporary use of land for carrying out the authorised development)” with “article 27 (temporary use of land for carrying out the authorised development)”.	DCO Rev2	
51	KGSL	Part 5, Article 22	Amend Article 22 to change the Article Number from Article 21 to Article 22.	DCO Rev2	
52	KGSL	Part 5, Article 22 (3)	Replace “article 23 (acquisition of part of certain properties)” with “article 24 (acquisition of part of certain properties)”.	DCO Rev2	
53	KGSL	Part 5, Article 23	Amend Article 23 to change the Article Number from Article 22 to Article 23.	DCO Rev2	

54	KGSL	Part 5, Article 23 (1)	Replace “article 19 (compulsory acquisition of land)” with “article 20 (compulsory acquisition of land)”.	DCO Rev2	
55	KGSL	Part 5, Article 23 (3)	Replace “article 23 (acquisition of part of certain properties)” with “article 24 (acquisition of part of certain properties)”.	DCO Rev2	
56	KGSL	Part 5, Article 24	Amend Article 24 to change the Article Number from Article 23 to Article 24.	DCO Rev2	
57	KGSL	Part 5, Article 25	Amend Article 25 to change the Article Number from Article 24 to Article 25.	DCO Rev2	
58	KGSL	Part 5, Article 26	Amend Article 26 to change the Article Number from Article 25 to Article 26.	DCO Rev2	
59	KGSL	Part 5, Article 27	Amend Article 27 to change the Article Number from Article 26 to Article 27.	DCO Rev2	
60	KGSL	Part 5, Article 27 (8)(a)	Replace “article 21 (compulsory acquisition of rights)” with “article 22 (compulsory acquisition of rights)”.	DCO Rev2	
61	KGSL	Part 5, Article 27 (8)(b)	Replace “article 22 (acquisition of subsoil only)” with “article 23 (acquisition of subsoil only)”.	DCO Rev2	
62	KGSL	Part 5, Article 28	Amend Article 28 to change the Article Number from Article 27 to Article 28.	DCO Rev2	
63	KGSL	Part 5, Article 29	Amend Article 29 to change the Article Number from Article 28 to Article 29.	DCO Rev2	
64	KGSL	Part 5, Article 30	Amend Article 30 to change the Article Number from Article 29 to Article 30.	DCO Rev2	
65	KGSL	Part 5, Article 30 (5)	Replace “article 28 (statutory undertakers)” with “article 29 (statutory undertakers)”.	DCO Rev2	
66	KGSL	Part 5, Article 31	Amend Article 31 to change the Article Number from Article 30 to Article 31.	DCO Rev2	
67	ExA	Part 5, Article 31	Deleted Article 31 Public Rights of Way.	DCO Rev2	The Examining Authority’s First Written Questions

					dated 23 March 2016
68	ExA	Part 6, Article 35 (1) (e)	Delete “and” after “(e) the street works and access plan drawing no.:13-03-01/HOL/24/413;”.	DCO Rev2	The Examining Authority’s First Written Questions dated 23 March 2016
69	ExA	Part 6, Article 35 (1) (f)	Insert “(f)” before “the environmental statement (document refs.: 6.1 – 6.3” and insert “); and” after “the environmental statement (document refs.: 6.1 – 6.3”.	DCO Rev2	The Examining Authority’s First Written Questions dated 23 March 2016
70	ExA	Part 6, Article 35 (1) (g)	Insert sub-section “(g) the elevation drawing nos.: (i) 13-03-01/HOL/24/236; (ii) 13-03-01/HOL/24/270-274; and (iii) 13-03-01/HOL/24/278,” after sub-section “(f) the environmental statement (document refs.: 6.1 – 6.3); and”.	DCO Rev2	The Examining Authority’s First Written Questions dated 23 March 2016
72	ExA	Part 6, Article 38	Amend Article 38 to replace “license” with “licence”.	DCO Rev2	The Examining Authority’s First Written Questions

					dated 23 March 2016
73	KGSL	Part 6, Article 40	Amend Article 40 to change the Article Number from Article 39 to Article 40.	DCO Rev2	
74	ExA	Part 6, Article 40	Delete all of the former Article 40, regarding Crown land.	DCO Rev2	The Examining Authority's First Written Questions dated 23 March 2016
75	ExA	Schedule 1 Work No.1A definition	Amend definition of Work No. 1A to delete the words "(H501)" and insert the words "within a depth range of 450m and 850m below ground level."	DCO Rev2	The Examining Authority's First Written Questions dated 23 March 2016
76	ExA	Schedule 1 Work No.1B definition	Amend definition of Work No. 1B to delete the words "(H502)" and insert the words "within a depth range of 450m and 850m below ground level."	DCO Rev2	The Examining Authority's First Written Questions dated 23 March 2016
77	ExA	Schedule 1 Work No.1C definition	Amend definition of Work No. 1C to delete the words "(H503)" and insert the words "within a depth range of 450m and 850m below ground level."	DCO Rev2	The Examining Authority's

					First Written Questions dated 23 March 2016
78	ExA	Schedule 1 Work No.1D definition	Amend definition of Work No. 1D to delete the words “(H504)” and insert the words “within a depth range of 450m and 850m below ground level.”	DCO Rev2	The Examining Authority’s First Written Questions dated 23 March 2016
79	ExA	Schedule 1 Work No.1E definition	Amend definition of Work No. 1E to delete the words “(H505)” and insert the words “within a depth range of 450m and 850m below ground level.”	DCO Rev2	The Examining Authority’s First Written Questions dated 23 March 2016
80	ExA	Schedule 1 Work No.1F definition	Amend definition of Work No. 1F to delete the words “(H506)” and insert the words “within a depth range of 450m and 850m below ground level.”	DCO Rev2	The Examining Authority’s First Written Questions dated 23 March 2016
81	ExA	Schedule 1 Work No.1G definition	Amend definition of Work No. 1G to delete the words “(H507)” and insert the words “within a depth range of 450m and 850m below ground level.”	DCO Rev2	The Examining Authority’s

					First Written Questions dated 23 March 2016
82	ExA	Schedule 1 Work No.1H definition	Amend definition of Work No. 1H to delete the words “(H508)” and insert the words “within a depth range of 450m and 850m below ground level.”	DCO Rev2	The Examining Authority’s First Written Questions dated 23 March 2016
83	ExA	Schedule 1 Work No.1J definition	Amend definition of Work No. 1J to delete the words “(H509)” and insert the words “within a depth range of 450m and 850m below ground level.”	DCO Rev2	The Examining Authority’s First Written Questions dated 23 March 2016
84	ExA	Schedule 1 Work No.1K definition	Amend definition of Work No. 1K to delete the words “(H510)” and insert the words “within a depth range of 450m and 850m below ground level.”	DCO Rev2	The Examining Authority’s First Written Questions dated 23 March 2016
85	ExA	Schedule 1 Work No.1L definition	Amend definition of Work No. 1L to delete the words “(H511)” and insert the words “within a depth range of 450m and 850m below ground level.”	DCO Rev2	The Examining Authority’s

					First Written Questions dated 23 March 2016
86	ExA	Schedule 1 Work No.1M definition	Amend definition of Work No. 1M to delete the words "(H512)" and insert the words "within a depth range of 450m and 850m below ground level."	DCO Rev2	The Examining Authority's First Written Questions dated 23 March 2016
87	ExA	Schedule 1 Work No.1N definition	Amend definition of Work No. 1N to delete the words "(H513)" and delete "(known as H 513)". Insert the words "within a depth range of 450m and 850m below ground level."	DCO Rev2	The Examining Authority's First Written Questions dated 23 March 2016
88	ExA	Schedule 1 Work No.1P definition	Amend definition of Work No. 1P to delete the words "(H514)" and delete "(known as H514)". Insert the words "within a depth range of 450m and 850m below ground level."	DCO Rev2	The Examining Authority's First Written Questions dated 23 March 2016
89	ExA	Schedule 1 Work No.1Q definition	Amend definition of Work No. 1Q to delete the words "(H515)" and insert the words "within a depth range of 450m and 850m below ground level."	DCO Rev2	The Examining Authority's

					First Written Questions dated 23 March 2016
90	ExA	Schedule 1 Work No.1R definition	Amend definition of Work No. 1R to delete the words “(H516)” and insert the words “within a depth range of 450m and 850m below ground level.”	DCO Rev2	The Examining Authority’s First Written Questions dated 23 March 2016
91	ExA	Schedule 1 Work No.1S definition	Amend definition of Work No. 1S to delete the words “(H517)” and insert the words “within a depth range of 450m and 850m below ground level.”	DCO Rev2	The Examining Authority’s First Written Questions dated 23 March 2016
92	ExA	Schedule 1 Work No.1T definition	Amend definition of Work No. 1T to delete the words “(H518)” and insert the words “within a depth range of 450m and 850m below ground level.”	DCO Rev2	The Examining Authority’s First Written Questions dated 23 March 2016
93	ExA	Schedule 1 Work No.1U definition	Amend definition of Work No. 1U to delete the words “(H519)” and insert the words “within a depth range of 450m and 850m below ground level.”	DCO Rev2	The Examining Authority’s

					First Written Questions dated 23 March 2016
94	ExA	Schedule 1 Work No.2A definition	Amend definition of Work No.2A to replace (2 nd occurrence of) the words “up to” with “to no more than” and insert the word “the” between the words “connecting wellhead” in the first paragraph.	DCO Rev2	The Examining Authority’s First Written Questions dated 23 March 2016
95	KGSL	Schedule 1 Work No.2A definition	Amend definition of Work No.2A to delete the comma “,” after “self contained” in the second paragraph and replace the word “and” with “with” in the first line of the third paragraph.	DCO Rev2	
96	ExA	Schedule 1 Work No.2B to 2U definitions	Amend definition of Work No. 2B to replace (2 nd occurrence of) the words “up to” with “to no more than” and insert the word “the” between the words “connecting wellhead”. Repeat for each definition 2C to 2U.	DCO Rev2	The Examining Authority’s First Written Questions dated 23 March 2016
97	ExA	Schedule 1 Work No.3A definition	Amend definition of Work No.3A to delete the word “(EON)” and replace “Solution Mining Compound” with “solution mining compound”.	DCO Rev2	The Examining Authority’s First Written Questions dated 23 March 2016

98	ExA	Schedule 1 Work No.3B definition	Amend definition of Work No.3B to delete the word “(EON)” and replace the word “water” with “brine”. Replace “Solution Mining Compound” with “solution mining compound”.	DCO Rev2	The Examining Authority’s First Written Questions dated 23 March 2016
99	ExA	Schedule 1 Work No.4 definition	Amend definition of Work No.4 to replace “Solution Mining Compound” with “solution mining compound” and replace “Distributed Control System” with “distributed control system”.	DCO Rev2	The Examining Authority’s First Written Questions dated 23 March 2016
100	ExA	Schedule 1 Work No.5A definition	Amend definition of Work No.5A to replace the word “meter” with “metre” and replace “Solution Mining Compound” with “solution mining compound”.	DCO Rev2	The Examining Authority’s First Written Questions dated 23 March 2016
101	ExA	Schedule 1 Work No.5B definition	Amend definition of Work No.5B to replace the word “meter” with “metre”, replace the word “water” with “brine” and replace “Solution Mining Compound” with “solution mining compound”.	DCO Rev2	The Examining Authority’s First Written Questions dated 23 March 2016

102	ExA	Schedule 1 Work No.5C definition	Amend definition of Work No.5C to replace the word “meter” with “metre” and “Solution Mining Compound” with “solution mining compound”.	DCO Rev2	The Examining Authority’s First Written Questions dated 23 March 2016
103	ExA	Schedule 1 Work No.5D definition	Amend definition of Work No.5D to replace “Solution Mining Compound” with “solution mining compound” and insert “the gas processing plant (Work No. 14) and the national transmission system connection compound (Work No. 12).	DCO Rev2	The Examining Authority’s First Written Questions dated 23 March 2016
104	ExA	Schedule 1 Work No.6 definition	Amend definition of Work No.6 to replace “Gas Processing Plant” with “gas processing plant”, replace “Solution Mining Compound” with “solution mining compound”, replace “Gas Marshalling Compound” with “gas marshalling compounds” and replace the second “Gas Marshalling Compound” with “gas marshalling compound”.	DCO Rev2	The Examining Authority’s First Written Questions dated 23 March 2016
105	ExA	Schedule 1 Work No.6 definition	Amend definition of Work No.6 to insert “132kV substation compound (Work No. 25), the” after “(Work No. 4)” and insert “(Work No.20) after “gas marshalling compound” in the last sentence.	DCO Rev2	The Examining Authority’s First Written Questions dated 23 March 2016

106	ExA	Schedule 1 Work No.6 definition	Amend definition of Work No. 6 to delete “and” before “gas marshalling compound”, insert “and temporary construction laydown area (Work No.16) at the first” after “Work Nos.20 and No.21”.	DCO Rev2	The Examining Authority’s First Written Questions dated 23 March 2016
107	ExA	Schedule 1 Work No.7 definition	Amend definition of Work No.7 to replace “Gas Processing Plant” to “gas processing plant” and insert “,the national transmission system connection compound (Work No. 12), the office, control and maintenance building (Work No. 15) and the temporary construction laydown areas (Work No. 16).” after “(Work No.14)”.	DCO Rev2	The Examining Authority’s First Written Questions dated 23 March 2016
108	ExA	Schedule 1 Work No.9 definition	Amend definition of Work No.9 to replace “Brine Purification Plant” with “brine purification plant”.	DCO Rev2	The Examining Authority’s First Written Questions dated 23 March 2016
109	ExA	Schedule 1 Work No.10 definition	Amend definition of Work No.10 to replace “Site” with “site”.	DCO Rev2	The Examining Authority’s First Written Questions dated 23 March 2016

110	ExA	Schedule 1 Work No.11 definition	Amend definition of Work No.11 to replace “Whitley Pumping Station” with “Whitley pumping station for a period of ten years from the completion of the authorised development”.	DCO Rev2	The Examining Authority’s First Written Questions dated 23 March 2016
111	ExA	Schedule 1, Work No. 11	Amend definition of Work No.11 to replace “Variable Speed Drives” with “variable speed drives”.	DCO Rev2	The Examining Authority’s First Written Questions dated 23 March 2016
112	ExA	Schedule 1 Work No.12 definition	Amend definition of Work No.12 to replace “Gas National Transmission System” with “gas national transmission system”.	DCO Rev2	The Examining Authority’s First Written Questions dated 23 March 2016
113	ExA	Schedule 1, Work No. 13	Amend definition of Work No.13 to replace “National Transmission System” with “national transmission system”, and replace “Gas Processing Plant” with “gas processing plant”.	DCO Rev2	The Examining Authority’s First Written Questions dated 23 March 2016

114	KGSL	Schedule 1 Work No.13 definition	Amend definition of Work No.13 to replace the words "open via" with "via open".	DCO Rev2	
115	ExA	Schedule 1 Work No.14 definition	Amend definition of Work No.14 to replace "Gas Processing Plant" with "gas processing plant".	DCO Rev2	The Examining Authority's First Written Questions dated 23 March 2016
116	ExA	Schedule 1 Work No.15 definition	Amend definition of Work No.15 to replace "Gas Processing Plant" with "gas processing plant".	DCO Rev2	The Examining Authority's First Written Questions dated 23 March 2016
117	ExA	Schedule 1 Work No.19A definition	Amend definition of Work No.19A to replace "(Gas" with ("gas" and replace "First Gas Fill" with "first gas fill".	DCO Rev2	The Examining Authority's First Written Questions dated 23 March 2016
118	ExA	Schedule 1 Work No.19A definition	Amend definition of Work No.19A to replace "Gas Processing Plant" with "gas processing plant" and replace "Gas Marshalling Compound" with "gas marshalling compound".	DCO Rev2	The Examining Authority's First Written Questions

					dated 23 March 2016
119	KGSL	Schedule 1 Work No.19A definition	Amend definition of Work No.19A to replace the word “Nos.20” with “No.20”.	DCO Rev2	
120	ExA	Schedule 1 Work No. 19B	Amend definition of Work No.19B to replace “(Gas” with (“gas” and replace “First Gas Fill” with “first gas fill”.	DCO Rev2	The Examining Authority’s First Written Questions dated 23 March 2016
121	ExA	Schedule 1 Work No.19B definition	Amend definition of Work No. 19B to replace “Gas Processing Plant” with “gas processing plant” and replace “Gas Marshalling Compound” with “gas marshalling compound”.	DCO Rev2	The Examining Authority’s First Written Questions dated 23 March 2016
122	KGSL	Schedule 1 Work No.19B definition	Amend definition of Work No.19B to replace the word “Nos.21” with “No.21”	DCO Rev2	
123	ExA	Schedule 1 Work No.19C definition	Amend definition of Work No. 19C to replace “Gas Processing Plant” with “gas processing plant	DCO Rev2	The Examining Authority’s First Written Questions dated 23 March 2016

124	ExA	Schedule 1 Work No.20 definition	Amend definition of Work No. 20 to replace "Gas Marshalling Compound" with "gas marshalling compound".	DCO Rev2	The Examining Authority's First Written Questions dated 23 March 2016
125	ExA	Schedule 1 Work No.21 definition	Amend definition of Work No. 21 to replace "Gas Marshalling Compound" with "gas marshalling compound".	DCO Rev2	The Examining Authority's First Written Questions dated 23 March 2016
126	ExA	Schedule 1 Work No.22 definition	Amend definition of Work No. 22 to replace "Gas Marshalling Compound" with "gas marshalling compounds".	DCO Rev2	The Examining Authority's First Written Questions dated 23 March 2016
127	ExA	Schedule 1 Work No.22 definition	Amend definition of Work No.22 to replace the words "Works Nos. 20 & 21" with "Work No.20 and No.21" and replace the words "Work nos.2A to 2U" with "Work No.2A to No.2U".	DCO Rev2	The Examining Authority's First Written Questions dated 23 March 2016

128	ExA	Schedule 1 Work No. 23	Amend definition of Work No.23 to replace "Solution Mining Compound" with "solution mining compound".	DCO Rev2	The Examining Authority's First Written Questions dated 23 March 2016
129	KGSL	Schedule 1 Work No.24 definition	Amend definition of Work No.24 to delete the word "former" before "Holford Gas Storage" and delete the word "(EON's)".	DCO Rev2	The Examining Authority's First Written Questions dated 23 March 2016
130	ExA	Schedule 1 Work No.24 definition	Amend definition of Work No.24 to replace "Solution Mining Compound" with "solution mining compound" twice.	DCO Rev2	The Examining Authority's First Written Questions dated 23 March 2016
131	ExA	Schedule 1 Work No.25	Amend definition of Work No.25 to replace "Gas Processing Plant" with "gas processing plant".	DCO Rev2	The Examining Authority's First Written Questions dated 23 March 2016

132	ExA	Schedule 1 Work No.26	Amend definition of Work No.26 to replace "Gas Processing Plant" with "gas processing plant".	DCO Rev2	The Examining Authority's First Written Questions dated 23 March 2016
133	ExA	Schedule 1 Work No.28A	Amend definition of Work No.28A to replace the word "An" with "A" and replace the word "Limited" with "Project" and replace "Gas Marshalling Compound" with "gas marshalling compound",	DCO Rev2	The Examining Authority's First Written Questions dated 23 March 2016
134	KGSL	Schedule 1 Work No.28A	Amend definition of Work No.28A to replace the word "Limited" with "Project", and delete the word "(EON's)".	DCO Rev2	The Examining Authority's First Written Questions dated 23 March 2016
135	ExA	Schedule 1 Work No.28B definition	Amend definition of Work No.28B to replace the word "An" with "A" and replace "Gas Marshalling Compound" with "gas marshalling compound".	DCO Rev2	The Examining Authority's First Written Questions dated 23 March 2016

136	KGSL	Schedule 1 Work No.28B	Amend definition of Work No.28B to replace the word "Limited" with "Project".	DCO Rev2	The Examining Authority's First Written Questions dated 23 March 2016
137	ExA	Schedule 1 Work No.29A	Amend definition of Work No.29A to replace "Solution Mining Compound" with "solution mining compound".	DCO Rev2	The Examining Authority's First Written Questions dated 23 March 2016
138	ExA	Schedule 1 Work No. 29B	Amend definition of Work No.29B to replace "Solution Mining Compound" with "solution mining compound".	DCO Rev2	The Examining Authority's First Written Questions dated 23 March 2016
139	ExA	Schedule 2 Requirements Headpiece	Amend Schedule 2 Requirements, Headpiece to delete: "CEMP" means the construction environmental management plan to be submitted and approved pursuant to requirement 3 below. "environmental statement" means the document entitled the environmental statement submitted with the application for the Order.	DCO Rev2	The Examining Authority's First Written Questions dated 23 March 2016

			“relevant planning authority” means Cheshire West and Chester Council except in relation to Works No.:10 (Runcorn Site Brine Outfall) when the Relevant Planning Authority is the Halton Borough Council.”		
140	ExA	Schedule 2 Requirements – Clause 2 Heading	Amend Schedule 2 Clause 2 – Heading, to insert “certified plans and documents and with”.	DCO Rev2	The Examining Authority’s First Written Questions dated 23 March 2016
141	ExA	Schedule 2 Requirements – Clause 2 (1) (a)(b)(c)	Amend Schedule 2 Clause 2 to insert new alphabetical numbering, and replace “requirement.” with “requirements; and (c) the parameters specified in Tables 1-11 below.”	DCO Rev2	The Examining Authority’s First Written Questions dated 23 March 2016
142	ExA	Schedule 2 Requirements – Clause 2 (2)	Amend Schedule 2, Clause 2 to insert “In these tables “AOD” means above ordnance datum”, and to insert Tables 1 – 11.	DCO Rev2	The Examining Authority’s First Written Questions dated 23 March 2016
143	KGSL	Schedule 2 Requirements – Clause 3	Amend Schedule 2 Clause 3 to change the clause number from Clause 2 to Clause 3.	DCO Rev2	

144	ExA	Schedule 2 Requirements – Clause 3 (3)	Amend Schedule 2 Clause 3 (3) to delete “reflect the mitigation measures included” and replace with “include mitigation measures in accordance with those set out”.	DCO Rev2	The Examining Authority’s First Written Questions dated 23 March 2016
145	ExA	Schedule 2 Requirements – Clause 3 (4)	Amend Schedule 2 Clause 3 (4) to insert “(a) Landscaping Plan” as the first bullet point.	DCO Rev2	The Examining Authority’s First Written Questions dated 23 March 2016
146	ExA	Schedule 2 Requirements - Clause 3 (5)	Amend Schedule 2 Clause 3 (5) to insert “of the” between “Each plans”, and replace “(4)(a)-(i)” with (j).	DCO Rev2	The Examining Authority’s First Written Questions dated 23 March 2016
148	ExA	Schedule 2 Requirements - Clause 3 (6)	Amend Schedule 2 Clause 3 (6) to delete “(7) adherence to the relevant Environment Agency Pollution prevention Guidelines PPG1, PPG5, PPG6, PPG21 and PPG22; and”.	DCO Rev2	The Examining Authority’s First Written Questions dated 23 March 2016

149	ExA	Schedule 2 Requirements - Clause 3 (6)	Amend Schedule 2 Clause 3 (6) to replace “working hours of 06:00 am to 19:00 pm” to “working hours of 07.00 am to 19:00 pm”.	DCO Rev2	The Examining Authority’s First Written Questions dated 23 March 2016
150	ExA	Schedule 2 Requirements - Clause 3 (6)	Amend Schedule 2 Clause 3 (6) to replace “06:00 and 14:00 hours Saturdays, except for” with “07:00am and 14:00pm on Saturdays except for: (a) noisy construction operations which will take place between 08.00am and 18.00pm on Mondays to Fridays and 08.00am to 14.00pm on Saturdays; and”.	DCO Rev2	The Examining Authority’s First Written Questions dated 23 March 2016
151	ExA	Schedule 2 Requirements - Clause 3 (7)	Amend Schedule 2 Clause 3 (7) to insert “(7) The CEMP must require that construction operations at the Runcorn site (Work No. 10) shall take place between April and September except for limited scrub clearance activities which shall take place between September and March.”	DCO Rev2	The Examining Authority’s First Written Questions dated 23 March 2016
152	ExA	Schedule 2 Requirements, Clause 4 Heading	Amend Schedule 2 Clause 4 to replace “Wellhead compounds” with “Approval of details”.	DCO Rev2	The Examining Authority’s First Written Questions dated 23 March 2016

153	KGSL	Schedule 2 Requirements - Clause 4	Amend Schedule 2 Clause 4 to change the clause number from Clause 3 to Clause 4.	DCO Rev2	
154	ExA	Schedule 2 Requirements - Clause 4 (1) (a)	Amend Schedule 2 Clause 4 to insert “(Work Nos. 2A – 2U); (ii) the solution mining compound (Work No. 4); (iii) the fenced compound and connection to the national transmission system (Work No. 12); (iv) the gas processing plant (Work No. 14); (v) the office, control and maintenance building (Work No. 15); (vi) the construction and laydown areas (Work No. 16); (vii) the gas marshalling compounds (Work Nos. 20-21); (viii) the electrical compound (Work No. 23); and (ix) the substation compound (Work No. 25).” After “each wellhead compound”.	DCO Rev2	The Examining Authority’s First Written Questions dated 23 March 2016
155	KGSL	Schedule 2 Requirements - Clause 4 (1) (b)	Amend Schedule 2 Clause 4 (1) (b) to delete the comma “,” after buildings, and insert “or” after buildings.	DCO Rev2	
156	KGSL	Schedule 2 Requirements - Clause 5	Amend Schedule 2 Clause 5 to change the clause number from Clause 4 to Clause 5.	DCO Rev2	
157	KGSL	Schedule 2 Requirements – Clause 6	Amend Schedule 2 Clause 6 to change the clause number from Clause 5 to Clause 6.	DCO Rev2	

158	ExA	Schedule 2 Requirements – Clause 6	Amend Schedule 2 Clause 6 to insert Clause 6 (3) “All landscaping carried out in accordance with requirement 6(2) must be maintained by the undertaker for the lifetime of the authorised development.”	DCO Rev2	The Examining Authority’s First Written Questions dated 23 March 2016
159	KGSL	Schedule 2 Requirements – Clause 7	Amend Schedule 2 Clause 6 to change the clause number from Clause 6 to Clause 7.	DCO Rev2	
160	KGSL	Schedule 2 Requirements – Clause 8	Amend Schedule 2 Clause 6 to change the clause number from Clause 7 to Clause 8.	DCO Rev2	
161	KGSL	Schedule 2 Requirements – Clause 8	Amend Schedule 2 Clause 8 to replace the words “Works No.;7” with “Work No.7”.	DCO Rev2	
162	ExA	Schedule 2 Requirements – Clause 8	Amend Schedule 2 Clause 8 to insert “prior to the start of construction of the authorised development” between “erected” and “maintained”.	DCO Rev2	The Examining Authority’s First Written Questions dated 23 March 2016
163	ExA	Schedule 2 Requirements – Clause 8	Amend Schedule 2 Clause 8 to replace “preferred” with “required”.	DCO Rev2	The Examining Authority’s First Written Questions

					dated 23 March 2016
164	KGSL	Schedule 2 Requirements – Clause 9	Amend Schedule 2 Clause 9 to change the clause number from Clause 8 to Clause 9.	DCO Rev2	
165	KGSL	Schedule 2 Requirements – Clause 10	Amend Schedule 2 Clause 10 to change the clause number from Clause 9 to Clause 10.	DCO Rev2	
166	ExA	Schedule 2 Requirements – Clause 10	Amend Schedule 2 Clause 10 to delete: “Public rights of way No part of the authorised development may be commenced that would affect a public right of way until a written implementation plan and specification for the making up of an alternative right of way has been submitted to and approved in writing by the relevant planning authority.”	DCO Rev2	The Examining Authority’s First Written Questions dated 23 March 2016
167	KGSL	Schedule 2 Requirements – Clause 11	Amend Schedule 2 Clause 11 to change the clause number from Clause 10 to Clause 11.	DCO Rev2	
168	KGSL	Schedule 2 Requirements – Clause 12	Amend Schedule 2 Clause 11 to change the clause number from Clause 11 to Clause 12.	DCO Rev2	
169	KGSL	Schedule 2 Requirements – Clause 12	Amend Schedule 2 Clause 12 to insert paragraph numbering (1) (2) (3) and (4).	DCO Rev2	
170	ExA	Schedule 2 Requirements – Clause 13	Amend Schedule 2 to insert a new heading and Clause: “Hedgerows	DCO Rev2	The Examining Authority’s

			13. No part of the authorised development is to commence until written details of any hedgerows to be removed during construction of that part have been submitted to and approved in writing by the relevant planning authority.”		First Written Questions dated 23 March 2016
171	ExA	Schedule 2 Requirements – Clause 14	<p>Amend Schedule 2 to insert a new heading and Clause:</p> <p>“Land Contamination</p> <p>14.—(1) No part of authorised development comprised in Work No. 10 may commence until a written scheme (which may be included in the CEMP) to deal with the contamination of any land, including groundwater, identified in the environmental statement as likely to cause significant harm to persons or significant pollution of controlled waters or ground waters or the environment has been submitted to and approved by the relevant planning authority.</p> <p>(2) The scheme must include an investigation and assessment report, prepared by a specialist consultant approved by the relevant planning authority, to identify the extent of any contamination and a remediation strategy identifying the remedial measures to be taken, if required, to render the land fit for its intended purpose, and a verification plan outlining how achieving the remedial objectives will be demonstrated.</p> <p>(3) Remediation, if required, must be carried out in accordance with the scheme approved under subparagraph (1).</p> <p>(4) A verification report demonstrating completion of any remediation works and the effectiveness of the remediation must be submitted to and approved in writing by the local planning authority.”</p>	DCO Rev2	The Examining Authority’s First Written Questions dated 23 March 2016
172	KGSL	Schedule 2 Requirements – Clause 15	Amend Schedule 2 Clause 15 to change the clause number from Clause 12 to Clause 15.	DCO Rev2	
173	ExA	Schedule 2 Requirements – Clause 15 (1)	Amend Schedule 2 Clause 15 to delete “as identified in the environmental statement”.	DCO Rev2	The Examining Authority’s First Written

					Questions dated 23 March 2016
174	KGSL	Schedule 2 Requirements – Clause 16	Amend Schedule 2 Clause 16 to change the clause number from Clause 13 to Clause 16.	DCO Rev2	
175	KGSL	Schedule 2 Requirements – Clause 17	Amend Schedule 2 Clause 17 to change the clause number from Clause 14 to Clause 17.	DCO Rev2	
176	ExA	Schedule 2 Requirements – Clause 17 (2) (a)	Amend Schedule 2 Clause 17 (2) (a) to insert “relevant” between “the” and “authorised”.	DCO Rev2	The Examining Authority’s First Written Questions dated 23 March 2016
177	ExA	Schedule 2 Requirements – Clause 18 (1)	Amend Schedule 2 Clause 18 (1) to delete “Unless otherwise agreed in writing with the relevant planning authority, i” and replace with “Subject to sub-paragraph (2), i”.	DCO Rev2	The Examining Authority’s First Written Questions dated 23 March 2016
178	ExA	Schedule 2 Requirements – Clause 18 (1)	Amend Schedule 2 Clause 18 (1) to insert “of the authorised development” between “decommissioning” and “must”.	DCO Rev2	The Examining Authority’s First Written Questions

					dated 23 March 2016
179	ExA	Schedule 2 Requirements – Clause 18 (2)	Amend Schedule 2 Clause 18 (1) to insert “(2) Not later than ten years after the start of use of the authorised development a scheme detailing the appropriate measures for decommissioning of the pipe bridge and diffuser forming part of Work No. 10 must be submitted to the relevant planning authority for approval.”	DCO Rev2	The Examining Authority’s First Written Questions dated 23 March 2016
180	ExA	Schedule 2 Requirements – Clause 18 (3)	Amend Schedule 2 Clause 18 (3) to replace “the” with “A” and replace “sub-paragraph (1)” with “sub-paragraph 17(1) or 17(2).”	DCO Rev2	The Examining Authority’s First Written Questions dated 23 March 2016
181	ExA	Schedule 2 Requirements – Clause 18	Amend Schedule 2 Clause 18 to delete “Following written approval by the relevant planning authority, the scheme and programme referred to at sub-paragraph (1) and (2) must be fully implemented.”	DCO Rev2	The Examining Authority’s First Written Questions dated 23 March 2016
182	KGSL	Schedule 2 Requirements – Clause 19	Amend Schedule 2 Clause 19 to change the clause number from Clause 15 to Clause 19.	DCO Rev2	

183	ExA	Schedule 2 Requirements – Clause 20	<p>Amend Schedule 2 Clause 20 to replace “with respect to any requirement which requires the authorised development to be carried out in accordance with details approved by the relevant planning authority, the approved details will include any amendments or variations that may subsequently be approved in writing by the relevant planning authority.</p> <p>Changes approved by the relevant planning authority</p> <p>Where the words ‘unless otherwise agreed in writing with the relevant planning authority’ appear in these requirements, any such agreement may only be given in relation to non-material changes where it has been demonstrated to the reasonable satisfaction of that authority that the subject matter of the approval or agreement sought is unlikely to give rise to any materially new or materially different environmental effects from those assessed in the environmental statement.”</p> <p>With</p> <p>“(1) With respect to the parameters specified in requirement 2(33) and any other plans, details or schemes which require approval by the relevant planning authority pursuant to any other requirement (the “Approved Plans, Parameters, Details or Schemes”), the undertaker may submit to the relevant planning authority for approval any amendments to the Approved Plans, Parameters, Details or Schemes and following any such approval by the relevant planning authority the Approved Plans, Parameters, Details or Schemes are to be taken to include the amendments approved pursuant to this subparagraph.</p> <p>(2) Approval under sub-paragraph (1) for amendments to the parameters identified in requirement 2(3) above must not be given except where it has been demonstrated to the satisfaction of the relevant planning authority that the subject-matter of the approval sought does not give rise to any materially new or materially different environmental effects in comparison with the authorised development as approved (as identified in the environmental statement).”</p>	DCO Rev2	The Examining Authority’s First Written Questions dated 23 March 2016
184	ExA	Schedule 9, Protective Provisions, Part 3, Clause 28	Amend the definition of clause 28 to insert “part of the authorised development to be constructed on” after “specified work means any”.	DCO Rev2	The Examining Authority’s First Written Questions

					dated 23 March 2016
185	ExA	Explanatory Note	Amend the third paragraph to refer to Article 35 not Article 39.	DCO Rev2	The Examining Authority's First Written Questions dated 23 March 2016
186	TSO	Title	Delete "201[]" and insert "2016"	DCO Rev 3	
187	TSO	Schedule 9, Part 1	In definition "apparatus", delete "(c)" Before "authorised works", delete "(d)" In definition "undertaker", for "(c)" and "(d)" substitute "(a)" and "(b)" respectively Before "specified works", delete "(g)" In definition "specified works", for "(h)", "(i)" and "(j)" substitute "(a)", "(b)" and "(c)" respectively	DCO Rev 3	
188	TSO	Schedule 9, Part 1, clause 6	After "6.", insert "-(1)"	DCO Rev 3	
189	TSO	Schedule 9, Part 1, clauses 7 to 9	Renumber from "7.", "8." And "9." to "(2)", "(3)" and "(4)" respectively	DCO Rev 3	
190	TSO	Schedule 9, Part 1, clauses 10 to 11	Renumber from "10." and "11." to "7." and "8." respectively	DCO Rev 3	
191	TSO	Schedule 9, Part 3, clause 27	Renumber from "27." to "23."	DCO Rev 3	

192	CWCC	Article 2(1)	Insert new definition: ""commence" means the carrying out of a material operation, as defined in section 155 of the Planning Act 2008, comprised in or carried out for the purposes of the authorised development and the words "commencement" and "commenced" are to be construed accordingly;"	DCO Rev 3	
193	CWCC	Article 2(1)	Delete ""maintain" includes...accordingly;" and insert ""maintain" includes inspect, repair, adjust, alter, remove, refurbish, reconstruct, replace and improve to the extent that the same are unlikely to give rise to any materially new or materially different environmental effects from those identified in the environmental statement and "maintenance" and "maintaining" are to be construed accordingly;"	DCO Rev 3	
194	CWCC	Article 3(2)	Delete "or maintaining"	DCO Rev 3	
195	CWCC	Article 5	Delete "may" and insert "is authorised to use and"	DCO Rev 3	
196	CWCC	Article 5	Delete "and use the" and insert "the underground gas storage facility comprised in the"	DCO Rev 3	
197	CWCC	Article 13	Delete "stopping up" and insert "prohibition or restriction of use"	DCO Rev 3	
198	CWCC	Article 13(1)	Delete "temporarily...any street" and insert "temporarily alter, divert, prohibit the use of or restrict any street"	DCO Rev 3	
199	CWCC	Article 13(2)	Delete "stop up,"	DCO Rev 3	
200	CWCC	Article 13(5)	Delete "stop up,"	DCO Rev 3	
201	CWCC	Article 13(6)	Delete "stop up,"	DCO Rev 3	
202	CWCC	Article 13(7)	Delete "stop up,"	DCO Rev 3	
203	CWCC	Article 14	Insert "construction and maintenance of the" before "authorised development"	DCO Rev 3	
204	CRT	Schedule 9, Part 3, clause 28	Insert new definition ""detriment" means any damage to the waterway or any other property of the Canal & River Trust caused by the presence of the authorised works and, without prejudice to the generality of that meaning, includes:- (a) any effect on the stability of the Canal & River Trust property or the safe operation of any waterway;	DCO Rev 3	

			<p>(b) any obstruction of, or interference with, or hindrance or damage to, navigation or to any use of the waterway (including towing paths);</p> <p>(c) the erosion of the bed or banks of the waterway, or the impairment of the stability of any works, lands or premises forming part of the waterway;</p> <p>(d) the deposit of materials or the siltation of the waterway so as to damage the waterway;</p> <p>(e) the pollution of the waterway;</p> <p>(f) any significant alteration in the water level of the waterway, or significant interference with the supply of water thereto, or drainage of water therefrom;</p> <p>(g) any harm to the ecology of the waterway (including any adverse impact on any site of special scientific interest comprised in the Canal & River Trust network);</p> <p>(h) any interference with the exercise by any person of rights over the Canal & River Trust's network;"</p>		
205	CRT	Schedule 9, Part 3, clause 28	Delete "British Waterways April 2010" and insert "The Canal & River Trust April 2016"	DCO Rev 3	
206	CRT	Schedule 9, Part 3, clause 28	After ""specified work" means", delete "any...waterways" and insert "so much of Work Nos. [] as are situated upon, across, under, over or within 15 metres of, or may in any way affect the waterway"	DCO Rev 3	
207	TSO	Schedule 9, Part 3, clause 28	Renumber from "28." to "24."	DCO Rev 3	
208	CRT	Schedule 9, Part 3, clause 29(1)	<p>Delete "to impose conditions...relevant waterway." and insert "to impose the following conditions:-</p> <p>(a) requiring the payment of such charges as are typically charged by the owner of the relevant waterway;</p> <p>(b) specifying the maximum volume of water which may be discharged in any period; and</p> <p>(c) authorising the Canal & River Trust on giving reasonable notice (except in an emergency, when the Canal & River Trust may require immediate suspension) to the undertaker to require the undertaker to</p>	DCO Rev 3	

			suspend the discharge of water or reduce the flow of water where this is necessary by reason of any operational or environmental requirement of the Canal & River Trust”		
209	TSO	Schedule 9, Part 3, clause 29	Renumber from “29.” to “25.”	DCO Rev 3	
210	CRT	Schedule 9, Part 3, clause 30	After clause 30(3), insert: “(4) The undertaker shall not exercise any power conferred by this Order to discharge water into the waterway under article 15 (discharge of water) or in any way interfere with the supply of water to or the drainage of water from the waterway unless such exercise is with the consent of the Canal & River Trust, save as to surface water discharge which will not require the consent of the Canal & River Trust. (5) The undertaker shall not exercise the powers conferred by article 17 of this Order in relation to the waterway unless such exercise is with the consent of the Canal & River Trust.”	DCO Rev 3	
211	TSO	Schedule 9, Part 3, clause 30	Renumber from “30.” to “26.”	DCO Rev 3	
212	CRT	Schedule 9, Part 3, clause 31(1)	After “plans of that work” insert “and such further particulars available to it as the Canal & River Trust may within 14 days of the submission of the plans reasonably require”	DCO Rev 3	
213	CRT	Schedule 9, Part 3, clause 31(2)(a)	After “on which plans” insert “(and any other particulars reasonably required under sub-paragraph (1))”	DCO Rev 3	
214	CRT	Schedule 9, Part 3, clause 31(2)(a)	Delete “19” and insert “31”	DCO Rev 3	
215	CRT	Schedule 9, Part 3, clause 31(3)(a)	Delete “19” and insert “31”	DCO Rev 3	
216	CRT	Schedule 9, Part 3, clause 31(4)	Delete “19” and insert “31”	DCO Rev 3	
217	CRT	Schedule 9, Part 3, clause 31(4)	Delete “affect the stability of the~” and insert “cause any detriment in respect of”	DCO Rev 3	

218	CRT	Schedule 9, Part 3, clause 31(4)	Delete "or the safe operation of any waterway"	DCO Rev 3	
219	CRT	Schedule 9, Part 3, clause 31(5)	Delete "ensure the safety or stability of the waterway and/or the continued safe and efficient use of the waterway or any of the Canal & River Trust property" and insert "prevent any detriment"	DCO Rev 3	
220	CRT	Schedule 9, Part 3, clause 31(5)	Delete "for those purposes" and insert "to prevent detriment"	DCO Rev 3	
221	CRT	Schedule 9, Part 3, clause 31	<p>After clause 31(5), insert:</p> <p>"(6) The undertaker shall pay to the Canal & River Trust a capitalised sum representing the reasonably increased or additional cost of maintaining and, when necessary, renewing any works, including any permanent protective works provided under sub-paragraph (5) above, and of carrying out any additional dredging of the waterway reasonably necessitated by the exercise of any of the powers under this Order but if the cost of maintaining the waterway, or of works of renewals of the waterway, is reduced in consequence of any such works, a capitalised sum representing such reasonable saving shall be set off against any sum payable by the undertaker to the Canal & River Trust under this paragraph.</p> <p>(7) In the event that the undertaker fails to complete the construction of, or part of, the specified works the Canal & River Trust may, if reasonably required in order to avoid detriment, serve on the undertaker a notice in writing requesting that construction be completed. Any notice served under this sub-paragraph shall state the works that are to be completed by the undertaker and lay out a timetable for the works' completion. If the undertaker fails to comply with this notice within 35 days, the Canal & River Trust may construct any of the specified works, or part of such works (together with any adjoining works) in order to complete the construction of, or part of, the specified works and the undertaker shall reimburse the Canal & River Trust all costs, fees, charges and expenses it has reasonably incurred in carrying out such works."</p>	DCO Rev 3	
222	TSO	Schedule 9, Part 3, clause 31	Re-number from "31." to "27."	DCO Rev 3	
223	CRT	Schedule 9, Part 3, clause 32	Delete clause 32 and insert:	DCO Rev 3	

		<p>“28. The undertaker shall not use any land or property of the Canal & River Trust forming part of the waterway for the passage or siting of vehicles, plant and machinery employed in the construction of the specified works other than-</p> <p>(a) with the consent in writing of the engineer whose consent shall not be unreasonably withheld; and</p> <p>(b) subject to compliance with such reasonable requirements as the engineer may from time to time specify-</p> <p>(i) for the prevention of the detriment; or</p> <p>(ii) in order to avoid or reduce any inconvenience to the Canal & River Trust, its officers and agents and all other persons lawfully on such land or property, but nothing in this paragraph shall apply in relation to anything done in accordance with any approval given by the Canal & River Trust under paragraph 31.</p> <p>29.-(1) Before the commencement of the initial construction of any part of the specified works and again following practical completion of the specified works the undertaker shall bear the reasonable cost of the carrying out by a qualified engineer ("the surveyor"), to be approved by the Canal & River Trust and the undertaker, of a survey including a dip-survey to measure the depth of the waterway ("the survey") of so much of the waterway and any land for the waterway as will or may be affected by the specified works.</p> <p>(2) For the purposes of the survey the undertaker shall –</p> <p>(a) on being given reasonable notice (save in case of emergency, when immediate access shall be afforded) afford reasonable facilities to the surveyor for access to the site of the specified works and to any land and existing works of the undertaker which may provide support for the waterways as will or may be affected by the specified works; and</p> <p>(b) supply the surveyor as soon as reasonably practicable with all such information as he may reasonably require with regard to such existing works of the undertaker and to the specified works or the method of their construction.</p> <p>(3) The reasonable costs of the survey shall include the costs of any dewatering or reduction of the water level of any part of the waterway (where reasonably required) which may be effected to facilitate the</p>	
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		<p>carrying out of the survey and the provisions of this Schedule shall apply with all necessary modifications to any such dewatering or reduction in the water level as though the same were specified works.</p> <p>(4) Copies of the survey shall be provided to both the Canal & River Trust and the undertaker at no cost to the Canal & River Trust.</p> <p>30.-(1) Without prejudice to its obligations under the foregoing provisions of this Schedule the undertaker shall consult, collaborate and respond constructively to any approach, suggestion, proposal or initiative made by the Canal & River Trust –</p> <p>(a) the design and appearance of the specified works, including the materials to be used for their construction; and</p> <p>(b) the environmental effects of those works;</p> <p>and shall have regard to such views as may be expressed by the Canal & River Trust to the extent that these accord with the requirements of the local planning authority in response to such consultation pursuant in particular to the requirements imposed on the Canal & River Trust by section 22 (general environmental and recreational duties) of the British Waterways Act 1995 and to the interest of the Canal & River Trust in preserving and enhancing the environment of its waterways.</p> <p>(2) Any specified work and any protective works to be constructed must, when commenced, be constructed</p> <p>(a) with all reasonable dispatch (having regard to the undertaker’s timetable for construction of the authorised development) in accordance with the plans approved or deemed to have been approved or settled under paragraph 3 and with any requirements made under paragraph 31(5);</p> <p>(b) under the supervision (where appropriate and if given) and to the reasonable satisfaction of the engineer;</p> <p>(c) in such manner as to cause as little detriment as is possible;</p> <p>(d) in such a manner to ensure that no materials are discharged or deposited into any stream, watercourse, waterway, pond or any other water feature on or forming part of the Canal & River Trust property otherwise than in accordance with article 15 (discharge of water); and</p>		
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			<p>(e) in such a manner as to cause as little inconvenience as is reasonably practicable to the Canal & River Trust, its officers and agents and all other persons lawfully using the waterway, except to the extent that temporary obstruction has otherwise been agreed by the Canal & River Trust.</p> <p>(3) If any damage or detriment to the waterway is caused by the carrying out of, or in consequence of the construction of a specified work or protective work, the undertaker must make good such damage and must pay to the Canal & River Trust all reasonable and proper expenses that the Canal & River Trust may incur or may be put and reasonable and proper compensation for any loss which it may sustain by reason of such damage, interference or obstruction.</p> <p>(4) Nothing in this part of this schedule imposes any liability on the undertaker with respect to any damage, costs, expenses or loss attributable to the negligent act or default of the Canal & River Trust or its servants, contractors or agents or any liability on the Canal & River Trust with respect of any damage, costs, expenses or loss attributable to the negligent act or default of the undertaker or its servants, contractors or agents.</p> <p>(5) Nothing in this Order shall authorise the undertaker to make or maintain any permanent work in or over the waterway so as to impede or prevent (whether by reducing the width of the waterway or otherwise) the passage of any vessel which is of a kind (as to its dimensions) for which the Canal & River Trust is required by section 105(1)(b) and (2) of the Transport Act 1968 to maintain the waterway.</p> <p>(6) Following the completion of the construction of the specified works the undertaker shall restore the waterway to a condition no less satisfactory than its condition immediately prior to the commencement of those works unless otherwise agreed between the undertaker and the Canal & River Trust.”</p>		
224	CRT	Schedule 9, Part 3, clause 33	<p>Delete “33. The undertaker must” and insert “31. (1) The undertaker shall give to the engineer 30 days' notice of its intention to commence the construction of any of the specified or protective works, or, in the case of repair carried out in an emergency, such notice as may be reasonably practicable so that, in particular, the Canal & River Trust may where appropriate arrange for the publication of notices bringing those works to the attention of users of the Canal & River Trust's network. (2) The undertaker must”</p>	DCO Rev 3	
225	CRT	Schedule 9, Part 3, clause 34	<p>Delete “34. The Canal & River Trust must at all times” and insert</p>	DCO Rev 3	

			<p>“32.(1) The undertaker shall provide and maintain at its own expense in the vicinity of the specified or protective works such temporary lighting and such signal lights for the control of navigation as the engineer may reasonably require during the construction or failure of the specified or protective works.</p> <p>(2) The Canal & River Trust, on being given reasonable notice, must”</p> <p>and at the end of sub-clause (2) insert:</p> <p>“and the undertaker shall reimburse the Canal & River Trust's reasonable costs in relation to the supply of such information.”</p>		
226	CRT	Schedule 9, Part 3, clause 35	<p>Delete “35. The undertaker must” and insert:</p> <p>“33. (1) The undertaker shall not in the course of constructing a specified work or a protective work or otherwise in connection therewith do or permit anything which may result in the pollution of the waterway or the deposit of materials therein and shall take such steps as the engineer may reasonably require to avoid or make good any breach of its obligations under this paragraph.</p> <p>(2) The undertaker must”</p>	DCO Rev 3	
227	CRT	Schedule 9, Part 3, clause 36	<p>Delete all and insert:</p> <p>“34. If at any time during or after the completion of a specified work or a protective work, the Canal & River Trust gives notice to the undertaker informing it that the state of maintenance of the work appears to be such that the work is causing or likely to cause detriment, the undertaker must, on receipt of such notice, take such steps as may be reasonably necessary to put that specified work in such state of maintenance as not to cause such detriment.”</p>	DCO Rev 3	
228	CRT	Schedule 9, Part 3, clause 37(1)	<p>Delete clause 37(1) and insert:</p> <p>“35.-(1) The undertaker must pay to the Canal & River Trust all reasonable and proper costs, charges, damages, expenses and losses not otherwise provided for in this part of this Schedule which may be occasioned to and reasonably incurred by the Canal & River Trust –</p> <p>(a) by reason of the existence, construction or maintenance of a specified work or protective work; or</p>	DCO Rev 3	

			<p>(b) by reason of any act or omission of the undertaker or of any person in its employ or of its contractors or others whilst engaged upon the construction of a specified work or protective work,</p> <p>and the undertaker must indemnify and keep indemnified the Canal & River Trust from and against all claims and demands arising out of or in connection with any of the matters referred to in paragraph 37(1)(a) and (b). The fact that any act or thing may have been done by the Canal & River Trust on behalf of the undertaker or in accordance with plans approved by the engineer or in accordance with any requirement of the engineer or under the engineer's supervisions or in accordance with any directions or awards of an arbitrator is not (if it was done without negligence on the part of the Canal & River Trust or any person in its employ or of its contractors or agents) to relieve the undertaker from any liability under the provision of this sub-paragraph."</p>		
229	TSO	Schedule 9, Part 3, clauses 38 to 41	Renumber to clauses 36 to 39	DCO Rev 3	
230	CRT	Schedule 9, Part 3, clauses 42	<p>Insert "in accordance with the Canal & River Trust's code of practice" before "all reasonable fees"</p> <p>In sub-clause (a), delete "as provided by paragraph 19(4)"; delete "19" and insert "31"</p> <p>In sub-clauses (b) and (c), at the end insert "or any protective works"</p> <p>In sub-clause (d), insert "or any protective works" after "specified works" and insert "or protective work" at the end</p> <p>After sub-clause (d), insert "(e) In bringing the specified works or any protective works to the notice of users of the Canal & River Trust's network."</p> <p>Renumber to clause 40</p>	DCO Rev 3	
231	CRT	Schedule 9, Part 3, clauses 43(1)	<p>Renumber to clause 41</p> <p>In sub-clause (1): after "Trust property" delete "or" and insert a comma; and after "operation of the waterway" insert "or the prevention of a detriment"</p> <p>In sub-clause (2), capitalise "river"</p>	DCO Rev 3	
232	CRT	Schedule 9, Part 3	At the end insert:	DCO Rev 3	

			<p>“42. Any additional expenses which the Canal & River Trust may reasonable incur in altering, reconstructing or maintaining the waterway under any powers existing at the date when this Order was made by reason of the existence of a specified work shall, provided that 56 days' previous notice of the commencement of such alteration, reconstruction or maintenance has been given to the undertaker, be repaired by the undertaker to the Canal & River Trust.</p> <p>43. (1) The fact that any act or thing may have been done by the Canal & River Trust on behalf of the undertaker or in accordance with plans approved by the engineer or in accordance with any requirement of the engineer or under the engineer's supervision or in accordance with any directions or awards of an arbitrator shall not (if it was done without negligence on the part of the Canal & River Trust or of any person in its employ or of its contractors or agents) excuse the undertaker from any liability under the provisions of this paragraph.</p> <p>(2) Nothing in sub-paragraph (2) shall impose any liability on the undertaker with respect to any damage or interruption to the extent that it is attributable to the neglect or willful default of the Canal & River Trust, its officers, servants, contractors or agents.</p> <p>44. Any difference arising between the undertaker and the Canal & River Trust under this Schedule (other than a difference as to the meaning or construction of this Schedule) shall be referred to and settled by arbitration in accordance with article 40 (arbitration) of this Order.</p> <p>45. Any capitalised sum which is required to be paid under this Schedule shall be calculated by multiplying the cost of the maintenance or renewal works to the waterway necessitated as a result of the operation of the authorised development by the number of times that the maintenance or renewal works will be required during the operation of the authorised development.”</p>		
233	NGG	Schedule 9, Part 1	Delete all footnotes, except footnote in clause headed “Indemnity”	DCO Rev 3	
234	NGG	Schedule 9, Part 1, clause 2	In definition “acceptable insurance”, delete “[●] ([●])” and insert “25,000,000.00 (Twenty Five” In sub-clause (c), capitalise “ten million pounds” and “twenty million pounds”	DCO Rev 3	
235	NGG	Schedule 9, Part 1, clause 2	In definition “acceptable security” (a), delete the first “[●] ([●])” and insert “10,000,000.00 (Ten” and delte the second “[●] ([●])” and insert “25,000,000.00 (Twenty Five”	DCO Rev 3	

			In definition “acceptable security” (b), delete the first “[●] ([●])” and insert “10,000,000.00 (Ten” and delete the second “[●] ([●])” and insert “25,000,000.00 (Twenty Five”		
236	NGG	Schedule 9, Part 1, clause 2	In definitions “authorised works” and “promoter”, delete “[●]” and insert “2”	DCO Rev 3	
237	NGG	Schedule 9, Part 1, clause 2	In definition “commence”, delete “paragraph [●] of Schedule [●]” and insert “paragraph 1 of Schedule 2”	DCO Rev 3	
238	NGG	Schedule 9, Part 1, clause 4	Renumber sub-clauses to (1) and (2) In new sub-clause (1), delete “article...rights)” and insert “the Order” In new sub-clause (2), delete “[●]” and insert “12”	DCO Rev 3	
239	NGG	Schedule 9, Part 1, clause 5(1)	Delete “[●]” and insert “16”	DCO Rev 3	
240	NGG	Schedule 9, Part 1, clause 12	In heading, delete square brackets Renumber from “12.” To “9.”	DCO Rev 3	
241	NGG	Schedule 9, Part 1, clause 13	In heading, delete square brackets and delete “[Alternative Paragraph 9]” After “13.”, insert “(1)” and increase bracketed sub-clause number of all following sub-clauses by one (i.e. “(2)” becomes “(3)”, etc.) Delete all square brackets Renumber from “13.” To “10.”	DCO Rev 3	
242	NGG	Schedule 9, Part 1, clause 14	Renumber from “14.” To “11.” In sub-clause (1)(a)(i), delete “paragraph” and insert “paragraph”	DCO Rev 3	
243	NGG	Schedule 9, Part 1, clause 15	After “15.”, insert “(1)” and increase bracketed sub-clause number of all following sub-clauses by one (i.e. “(2)” becomes “(3)”, etc.)	DCO Rev 3	

			In new sub-clause (3)(b) Delete “[●]” and insert “7” Delete all square brackets Renumber from “15.” To “12.”		
244	TSO	Schedule 9, Part 1, clauses 16 to 17	Renumber from “16.” And “17.” To “13.” And “14.” respectively	DCO Rev 3	
245	TSO	Schedule 9, Part 1, clause 18	Delete “18.”	DCO Rev 3	
246	NGG	Schedule 9, Part 1, clause 20	Delete “[●]” and insert “40”	DCO Rev 3	
247	TSO	Schedule 9, Part 2	Reduce clause numbers by 4 (i.e. “21.” Becomes “17.”, etc)	DCO Rev 3	
248	ExA	SI No.	Delete “2016” and insert “2017”	DCO Rev 4	
249	ExA	SI Title	Delete “2016” and insert “201[●]”	DCO Rev 4	
250	ExA	Made date	Delete “5th May 2015” and insert “2017”	DCO Rev 4	
251	ExA	Coming date	Delete “5th May 2015” and insert “2017”	DCO Rev 4	
252		Part 1, Article 2(1)	Before ““environmental statement” means” insert: ““draft CEMP” means the document certified as the draft CEMP by the Secretary of State for the purposes of this Order;”	DCO Rev 4	
253		Part 1, Article 2(1)	Delete paragraph commencing ““Order Land” means” and insert: ““Order land” means the land required for the authorised development shown as plots 1.01 to 5.01 on the land plans and described as such in the book of reference;”	DCO Rev 4	
254		Part 1, Article 2(1)	Before ““street” means” insert:	DCO Rev 4	

			““the seismic survey report” means the document certified as the seismic survey report by the Secretary of State for the purposes of the Order;”		
255		Part 2, Article 5	After “the undertaker”, delete “is authorised to use and operate the underground gas storage facility comprised in” and insert “may operate and use”	DCO Rev 4	
256		Part 3, Article 10(1)	After “and may”, delete the semicolon and insert a colon	DCO Rev 4	
257		Part 3, Article 11	Renumber paragraph (4) to paragraph (5) and insert new paragraph after paragraph (3) as follows: “(4) Where it seeks the consent of the street authority under sub-paragraph (3) the undertaker must provide to the street authority such details of the proposed works as the street authority may reasonably require.”	DCO Rev 4	
258		Part 3, Article 14	Delete “construction and maintenance of the”	DCO Rev 4	
259		Part 5, Article 20(1)	Delete all and insert: “20.-(1) The undertaker may acquire compulsorily so much of the land described in the book of reference and shown on the land plans as is required for the authorised development or to facilitate it, or is incidental to it.	DCO Rev 4	
260		Part 5, Article 28(1)(a)	Delete “limits” and insert “land”	DCO Rev 4	
261		Part 5, Article 30(2)	Delete “limits” and insert “land”	DCO Rev 4	
262		Part 6, Article 33(1)	Delete “The undertaker” and insert “Save for trees planted in accordance with requirement 6, the undertaker”	DCO Rev 4	
263		Part 6, Article 35(1)(g)(ii)	After “13-03-01/HOL/24/270-274”, delete “; and”	DCO Rev 4	
264		Part 6, Article 35(1)(g)	After subparagraph (g)(iii), delete comma, insert semi-colon	DCO Rev 4	
265		Part 6, Article 35(1)	After sub-paragraph (g), insert:	DCO Rev 4	

			“(h) the seismic survey report (document ref.: 9.1); and (i) the sub-surface safety assessment report (document ref.: 9.2).”		
266		Schedule 1	For each Work No. 1A through 1U, at the end of each Work No. description insert before the full stop the words “with a maximum drilling depth of no more than 33m below the bottom of the 30 feet marls formation identified in the seismic survey report”	DCO Rev 4	
267		Schedule 2, Table 8	Delete “Diamter” and insert “Diameter”	DCO Rev 4	
268		Schedule 2, paragraph 3(2)	Delete “approved CEMP” and insert “CEMP approved under sub-paragraph (1)”	DCO Rev 4	
269		Schedule 2, paragraph 3(7)	Delete “September and March” and insert “August and September”	DCO Rev 4	
270		Schedule 2, paragraph 3(4)(a)	After “Landscaping”, insert “and visual impacts”	DCO Rev 4	
271		Schedule 2, paragraph 3(4)	After sub-paragraph (4)(h), insert: “(i) Archaeological Management Plan;” Renumber following sub-paragraphs sequentially	DCO Rev 4	
272		Schedule 2, paragraph 3	After sub-paragraph (1), insert: “(2) The CEMP submitted under sub-paragraph (1) must substantially reflect the draft CEMP.” Renumber following sub-paragraphs sequentially	DCO Rev 4	
273		Schedule 2, paragraph 5	Delete all and insert: “Control of noise during normal operation 5. —(1) Solution mining must not begin until a written scheme for noise management including monitoring and attenuation of the solution mining phase of the authorised development has been submitted to and approved in writing by the relevant planning authority.	DCO Rev 4	

			<p>(2) Gas storage must not begin until a written scheme for noise management including monitoring and attenuation of the gas storage phase of the authorised development has been submitted to and approved in writing by the relevant planning authority.</p> <p>(3) The schemes for noise management submitted in accordance with sub-paragraphs (1) and (2) must require that the site-attributable noise during normal operation shall not exceed a free-field noise level of 37 dB LAeq, 23.00 to 0700 hours and 37 dB LAeq, 0700 to 2300 hours at noise sensitive receptor 7 of Table 9.9 of the environmental statement and shall not exceed the night time free field LA90 noise level by more than 4 dB LAeq, 15 minute between 23.00 and 0700 hours and 4 dB LAeq, 1 hour between 0700 and 2300 hours at noise sensitive receptors 1 to 6 and 8 to 15 of Table 9.9 and Section 18.5.2 of the environmental statement.</p> <p>(4) In this requirement “night time free field LA90 noise level” means the relevant night time LA90 noise level defined in Table 9.9 and Section 18.5.2 of the environmental statement.</p> <p>(5) The undertaker must implement the schemes for noise management approved in accordance with sub-paragraphs (1) and (2).”</p>		
274		Schedule 2, paragraph 6(1)	<p>After “proposed finished ground levels;”, insert:</p> <p>“(d) a requirement that the height of soil bunds must not exceed 3 metres;”</p> <p>Renumber following sub-paragraphs sequentially</p>	DCO Rev 4	
275		Schedule 2, paragraph 6	<p>After sub-paragraph (4), insert:</p> <p>“(5) In the event of a brine leakage, a landscaping scheme detailing those habitats, trees, shrubs or hedgerows damaged, together with remedial measures proposed, shall within a period of three months of the leak’s detection be submitted to and approved in writing by the relevant planning authority. The approved scheme shall be undertaken during the following planting season and maintained by the undertaker for the lifetime of the authorised development.”</p>	DCO Rev 4	
276		Schedule 2, paragraph 14(1)	Delete “environmental statement” and insert “investigation and assessment report prepared under sub-paragraph (2)”	DCO Rev 4	

277		Schedule 2, paragraph 20	Where “requirement 2(3)” occurs, delete and insert “requirement 2”	DCO Rev 4	
278		Schedule 2	<p>At the end, insert:</p> <p>“European protected species</p> <p>21.—(1) No part of authorised development shall commence until final pre-construction survey work has been carried out to establish whether a European protected species is present on any of the land affected, or likely to be affected, by that part or in any of the trees and shrubs to be lopped or felled during construction of that part.</p> <p>(2) Where a European protected species is shown to be present, the relevant part of the authorised development shall not begin until, after consultation with Natural England and the relevant planning authority, a scheme of protection and mitigation measures has been submitted to and approved in writing by the relevant planning authority.</p> <p>(3) Unless otherwise agreed in writing by the relevant planning authority after consultation with Natural England, the undertaker shall implement the protection and mitigation measures approved under sub-paragraph (2).</p> <p>(4) In this requirement European protected species has the same meaning as in regulations 40 and 44 of the Conservation of Habitats and Species Regulations 2010 (as amended).</p> <p>Conveyance of gas, water and brine</p> <p>22.Save for potable water, fluids used for drilling operations and waste process fluids from the gas processing plant, all natural gas, water and brine for use in, stored within or produced by the authorised development must be conveyed to and from the authorised development only by pipeline.”</p>	DCO Rev 4	
279		Schedule 9, Part 1, paragraph 2	In the definition of “commence”, delete “paragraph 1 of Schedule 2 (requirements)” and insert “article 2 of this order”	DCO Rev 4	
280		Schedule 9, Part 1, paragraph 3	Delete “article 10” and “article 11” and insert “article 11” and “article 12” respectively	DCO Rev 4	

281		Schedule 9, Part 1, paragraph 4(2)	Delete "article 12 (temporary stopping up of streets and rights of way)" and insert "article 13 (temporary prohibition or restriction of use of streets)"	DCO Rev 4	
282		Schedule 9, Part 1, paragraph 5(1)	Delete "article 16" and insert "article 17"	DCO Rev 4	
283		Schedule 9, Part 1, paragraph 6(4)	Delete the comma Delete "paragraph [9]" and insert "paragraphs 9 or 10"	DCO Rev 4	
284		Schedule 9, Part 1, paragraph 8(2)	Delete "paragraph 15" and insert "paragraph 16"	DCO Rev 4	
285		Schedule 9, Part 1, paragraph 11(3)	Delete "article [16]" and insert "article 40"	DCO Rev 4	
286		Schedule 9, Part 1, paragraph 12(5)	Delete "[15]" and insert "15"	DCO Rev 4	
287		Schedule 9, Part 2, paragraph 18	Before "2003Act", insert "the"	DCO Rev 4	
288		Schedule 9, Part 2, paragraph 19	Delete "article 28" and insert "article 29"	DCO Rev 4	
289		Schedule 9, Part 2, paragraph 20(1)	Delete "paragraphs 12(2) to 12(4)" and insert "paragraphs 20(1) and 20(2)"	DCO Rev 4	
290		Schedule 9, Part 2, paragraph 20(2)	Delete "paragraph 12(1)" and insert "paragraph 20(1)"	DCO Rev 4	
291		Schedule 9, Part 3, paragraph 25(1)	Delete "article 15" and insert "article 16"	DCO Rev 4	
292		Schedule 9, Part 3, paragraph 26(1)	Delete "article 21" and insert "article 20"	DCO Rev 4	

293		Schedule 9, Part 3, paragraph 26(3)	Delete "article 28" and insert "article 29"	DCO Rev 4	
294		Schedule 9, Part 3, paragraph 26(4)	Delete "article 15" and insert "article 16"	DCO Rev 4	
295		Schedule 9, Part 3, paragraph 26(5)	Delete "article 17" and insert "article 18"	DCO Rev 4	
296		Schedule 9, Part 3, paragraph 27(3)(a)	Delete "paragraph 31(2)" and insert "paragraph 27(2)"	DCO Rev 4	
297		Schedule 9, Part 3, paragraph 27(4)	Delete "paragraph 31(2)" and insert "paragraph 27(2)"	DCO Rev 4	
298		Schedule 9, Part 3, paragraph 30(2)(d)	Delete "article 15" and insert "article 16"	DCO Rev 4	
299		Schedule 9, Part 3, paragraph 35(1)	Delete "paragraph 37(1)(a) and (b)" and insert "paragraph 35(1)(a) and (b)"	DCO Rev 4	
300		Schedule 9, Part 3, paragraph 40(a)	Delete "paragraph 31(5)" and insert "paragraph 26(5)"	DCO Rev 4	
301		Schedule 9, Part 3, paragraph 41(2)	Delete "paragraph 19(4)" and insert "paragraph 27(4)"	DCO Rev 4	
302		Schedule 9, Part 3, paragraph 41(3)	Delete "paragraph 25" and insert "paragraph 27"	DCO Rev 4	
303		Article 2(1)	Before ""local highway authority"", insert: ""the landscaping plans" means the plans certified as the landscaping plans by the Secretary of State for the purposes of the Order;"	DCO Rev 5	
304		Article 2(1)	In the definition of "maintain", delete all and insert:	DCO Rev 5	

			“includes, to the extent assessed in the environmental statement, inspect, repair, refurbish, replace and adjust the authorised development; and any derivative of “maintain” must be construed accordingly;”		
305		Article 2(1)	Delete “required for the authorised development shown” and insert “described” Delete “on the land plans and described as such” After “book of reference”, insert “as shown on the land plans”	DCO Rev 5	
306		Article 2(1)	Before ““street works and access plan”” insert: ““the routing plan” means the plan certified by the Secretary of State as the routing plan for the purposes of this Order; “the statutory undertakers’ apparatus plan” means the plan certified by the Secretary of State as the statutory undertakers’ apparatus plan for the purposes of this Order;”	DCO Rev 5	
307		Article 35(1)(f)	Delete “and”	DCO Rev 5	
308		Article 35(1)(h)	Delete “and”	DCO Rev 5	
309		Article 35(1)(i)	At the end, delete the comma and insert a semi-colon	DCO Rev 5	
310		Article 35(1)	Before “for certification” insert: “(j) the preliminary study of gas design capacity (document ref.: 9.3); (k) the landscaping plans drawing nos.: 13-03-01/HOL/24/240-264 and 13-03-01/HOL/24/266-268; (l) the statutory undertakers’ apparatus plan drawing no.: 13-03-01/HOL/24/346 and (m) the routing plan drawing no.: 13-03-01/HOL/24/405.”	DCO Rev 5	
311		Schedule 2, Table 1	Delete the Row commencing “Individual regeneration & water heating vents (10 off)” and insert two new rows in its place as follows:	DCO Rev 5	

			Gas Preheater Boiler Vents (4 off)	0.8 (external diameter) 0.69 (internal diameter)	–	10.0	10.0		
			Glycol Regeneration Boiler Vents (6 off)	0.8 (external diameter) 0.22 (internal diameter)	–	10.0	10.0		
312		Schedule 2, paragraph 3(2)	Delete “substantially reflect” and insert “be in accordance with”					DCO Rev 5	
313		Schedule 2, paragraph 6(1)	After “must not exceed 3 metres;”, insert new sub-paragraph and renumber following sub=paragraphs accordingly: “(e) a requirement that topsoil and subsoil must not be imported to or exported from the site except for contaminated soil found on site that must be exported to a site permitted to accept it;”					DCO Rev 5	
314		Schedule 2, paragraph 6	After sub-paragraph 6(1), insert new sub-paragraph and renumber following sub-paragraphs accordingly: “(2) The landscape scheme submitted under sub-paragraph (1) must be in accordance with the landscaping plans.”					DCO Rev 5	
315		Schedule 2, paragraph 6(4)	Delete “6(3)” and insert “6(4)”					DCO Rev 5	
316		Schedule 2, paragraph 8	Delete “contained in the section 106 agreement”					DCO Rev 5	
317		Schedule 2	After paragraph 22, insert: “Environmental management system for normal operation 23.The authorised development may not be used for gas storage until the undertaker has implemented an environmental management system designed to comply with ISO 14001 or an equivalent recognised standard.”					DCO Rev 5	

318		Schedule 9	<p>After Part 3, insert new Part 4 as follows:</p> <p>“PART 4</p> <p>FOR THE PROTECTION OF SCOTTISH POWER ENERGY NETWORKS</p> <p>46. For the protection of SPEN the following provisions are, unless otherwise agreed in writing between the undertaker and SPEN, to have effect.</p> <p>47. In this Schedule—</p> <p>“alternative apparatus” means alternative apparatus adequate to enable SPEN to fulfil its statutory functions in a manner not less efficient than previously;</p> <p>“apparatus” means electric lines or electrical plant (as defined in the Electricity Act 1989), belonging to or maintained by SPEN;</p> <p>“functions” includes powers and duties; and</p> <p>“in” in a context referring to apparatus or alternative apparatus in land includes a reference to apparatus or alternative apparatus under, over or upon land.</p> <p>“SPEN” means Scottish Power Energy Networks Holdings Limited</p> <p>48. This Schedule does not apply to apparatus in respect of which the relations between the undertaker and SPEN are regulated by the provisions of Part 3 of the 1991 Act.</p> <p>49. Regardless of any provision in this Order or anything shown on the land plans, the undertaker may not acquire any apparatus otherwise than by agreement.</p> <p>50.—(1) If, in the exercise of the powers conferred by this Order, the undertaker acquires any interest in any land in which any apparatus is placed, that apparatus shall not be removed under this Schedule and any right of SPEN to maintain that apparatus in that land shall not be extinguished until alternative apparatus has been constructed and is in operation to the reasonable satisfaction of SPEN.</p> <p>(2) If, for the purpose of executing any works in, on or under any land purchased, held, appropriated or used under this Order, the undertaker requires the removal of any apparatus placed in that land, it shall give to SPEN written notice of that requirement, together with a plan and section of the work proposed,</p>	DCO Rev 5	
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		<p>and of the proposed position of the alternative apparatus to be provided or constructed and in that case (or if in consequence of the exercise of any of the powers conferred by this Order SPEN reasonably needs to remove any of its apparatus) the undertaker shall, subject to sub-paragraph (3), afford to SPEN the necessary facilities and rights for the construction of alternative apparatus in other land of the undertaker and subsequently for the maintenance of that apparatus.</p> <p>(3) If alternative apparatus or any part of such apparatus is to be constructed elsewhere than in other land of the undertaker, or the undertaker is unable to afford such facilities and rights as are mentioned in sub-paragraph (2), in the land in which the alternative apparatus or part of such apparatus is to be constructed, SPEN shall, on receipt of a written notice to that effect from the undertaker, as soon as reasonably possible use its best endeavours to obtain the necessary facilities and rights in the land in which the alternative apparatus is to be constructed.</p> <p>(4) Any alternative apparatus to be constructed in land of the undertaker under this Schedule shall be constructed in such manner and in such line or situation as may be agreed between SPEN and the undertaker or in default of agreement settled by arbitration in accordance with article 40 (arbitration).</p> <p>(5) SPEN shall, after the alternative apparatus to be provided or constructed has been agreed or settled by arbitration in accordance with article 40 (arbitration), and after the grant to SPEN of any such facilities and rights as are referred to in sub-paragraph (2) or (3), proceed without unnecessary delay to construct and bring into operation the alternative apparatus and subsequently to remove any apparatus required by the undertaker to be removed under the provisions of this Schedule.</p> <p>(6) Regardless of anything in sub-paragraph (5), if the undertaker gives notice in writing to SPEN that it desires itself to execute any work, or part of any work in connection with the construction or removal of apparatus in any land of the undertaker, that work, instead of being executed by SPEN, shall be executed by the undertaker without unnecessary delay under the superintendence, if given, and to the reasonable satisfaction of SPEN.</p> <p>(7) Nothing in sub-paragraph (6) shall authorise the undertaker to execute the placing, installation, bedding, packing, removal, connection or disconnection of any apparatus, or execute any filling around the apparatus (where the apparatus is laid in a trench) within 300 millimetres of the apparatus.</p> <p>51.—(1) Where, in accordance with the provisions of this Schedule, the undertaker affords to SPEN facilities and rights for the construction and maintenance in land of the undertaker of alternative</p>		
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320		Schedule 2, paragraph 3(5)	<p>Delete sub-paragraphs (i) to (k) and insert:</p> <p>“(i) Archaeological management plan;</p> <p>(j) Traffic management plan;</p> <p>(k) Lighting plan; and</p> <p>(l) Control of radio frequency emissions plan.”</p>	DCO Rev 5	