

HyNet North West

SCHEDULE OF CHANGES TO THE dDCO

HyNet Carbon Dioxide Pipeline DCO

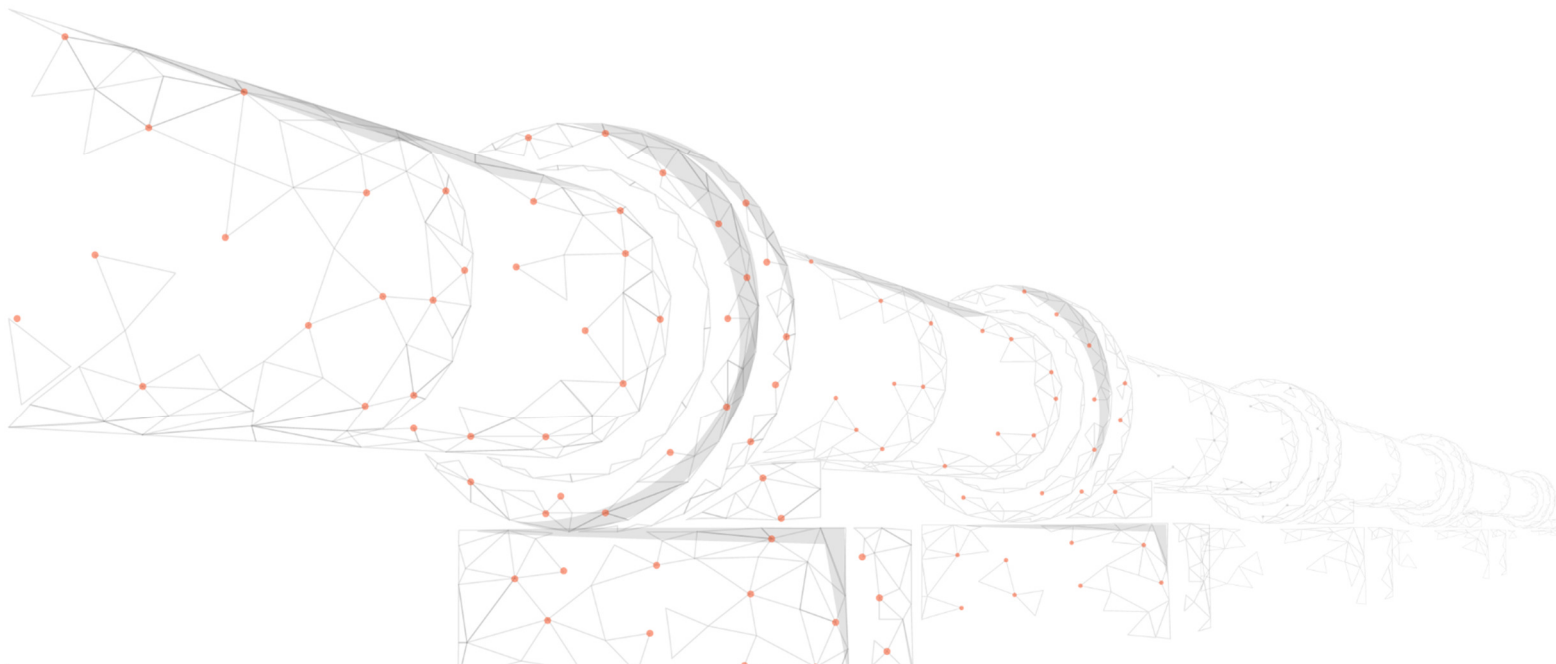
Planning Act 2008

The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 – Regulations 5(2)(b)

Document Reference Number D.3.3

Applicant: Liverpool Bay CCS Limited

PINS Reference: EN070007



Schedule of changes to the dDCO

Table of Amendments to the Draft Development Consent Order – Deadline 3 (Revision E)

Reference	Amendment	Reason
Changes made throughout the DCO	Description of Cheshire West and Chester amended from 'County' to 'Borough'	Accuracy
Articles		
Article 2 (Interpretation)	“commence” means carry out a material operation, as defined in section 155 of the 2008 Act (which explains when development begins), comprised in or for the purposes of the authorised development other than site preparation works, remediation works, environmental (including archaeological) surveys and investigation, site, utility or soil survey, erection of fencing to site boundaries or marking out of site boundaries, installation of amphibian and reptile fencing, the diversion or laying of services or environmental mitigation measures and any such accesses that may be required in association with these , and “commencement”, “commenced” and cognate expressions are to be construed accordingly;	Change requested in local authority representation
	“existing pipeline” means the existing natural gas pipeline, constructed in accordance with a pipeline construction authorisation and deemed planning permission issued by the Secretary of State on 16 December 1993 under the Pipelines Act 1962 for “a 24 inch natural gas cross-country pipeline from Point of Ayr to Connah’s Quay”, which pipeline is to be repurposed under this Order and along which Work Nos 51, 53 and 55 are to be constructed ;	To identify where these pipeline works sit
Article 10 (Street works)	(4) The powers conferred by paragraph (3) must not be exercised without the consent of the street authority, which may attach reasonable conditions to any consent , but such consent is not to be unreasonably withheld or delayed.	Change to add explicit ability to impose conditions requested in local authority representation
	(5) If a street authority that receives an application for consent under paragraph (4) fails to notify the undertaker of its decision within 42 days beginning with the date on which the	Change requested in local authority representation

	application was made <u>received by that street authority</u> , that authority will be deemed to have granted consent.	
Article 11 (Power to alter layout, etc. of streets)	(4) The powers conferred by paragraph (2) must not be exercised without the consent of the street authority, <u>which may attach reasonable conditions to any consent</u> , but such consent is not to be unreasonably withheld or delayed.	Change to add explicit ability to impose conditions requested in local authority representation
	(5) If a street authority which receives an application for consent under paragraph (4) fails to notify the undertaker of its decision before the end of the period of 42 days beginning with the date on which the application was made <u>received by that street authority</u> , it is deemed to have granted consent.	Change requested in local authority representation
Article 13 (Temporary restriction of public rights of way)	(5) If a local highway authority fails to notify the undertaker that any diversion is satisfactory within 28 days of being requested in writing to do so, that diversion will be deemed to have been found satisfactory. <u>If a street authority which receives an application for confirmation that an alternative public right of way is satisfactory under paragraph (2) fails to notify the undertaker of its decision before the end of the period of 42 days beginning with the date on which the application was received by that street authority, it is deemed to have granted consent.</u>	Change requested in local authority representation
Article 14 (Temporary restriction of use of streets)	(5) The undertaker must not temporarily stop up, alter, divert or use as a temporary working site, any street other than those referred to in Schedules 5 (streets to be temporarily stopped up or restricted); and 6 (public rights of way to be temporarily restricted) without the consent of the street authority, which may attach reasonable conditions to the consent <u>but such consent is not to be unreasonably withheld or delayed</u> .	To align with changes made to other similar drafting
	<u>(7) † If a street authority which receives an application for consent under paragraph (5) fails to notify the undertaker of its decision before the end of the period of 42 days beginning with the date on which the application was received by that street authority, it is deemed to have granted consent.</u> (6)(8) If a street authority fails to notify the undertaker of its decision within 42 days of receiving an application for consent under paragraph (5) that street authority is deemed to have granted consent.	Change to the trigger of start of period requested in local authority representation
Article 15 (Access to works)	(2) Subject to paragraph (3), the power set out in paragraph (1) may not be exercised without the undertaker having first obtained the consent of the street authority <u>which may attach</u>	Change to add explicit ability to impose conditions

	<p>reasonable conditions to any consent, but such consent is not to be unreasonably withheld or delayed. (such consent not to be unreasonably withheld or delayed) following consultation by the street authority with the relevant planning authority. If the street authority which has received an application for consent under this paragraph fails to notify the undertaker of its decision before the end of the 42 day period beginning with the date on which the application was madereceived by that street authority, it is deemed to have granted consent.</p>	requested in local authority representation
Article 18 (Traffic regulation)	<p>(1) Subject to the provisions of this article, and the consent of the traffic authority in whose area the road concerned is situated, which may attach reasonable conditions to any consent but which consent must not be unreasonably withheld or delayed, the undertaker may at any time, for the purposes of, or in connection with, the construction of the authorised development—</p>	Change to add explicit ability to impose conditions requested in local authority representation
	<p>(5) Any prohibition, restriction or other provision made under this article may be suspended, varied or revoked by the undertaker from time to time by subsequent exercise of the powers of paragraph (1) by subsequent exercise of the powers conferred by paragraph (1) within a period of 24 months from the commencement of operation of the authorised development. at any time.</p>	Change requested in local authority representation
	<p>(6) Before exercising the powers conferred by paragraph (1), the undertaker must consult such persons as it considers necessary and appropriate and must take into consideration any representations made to it by any such person.</p>	Change requested in local authority representation
	<p>(9) The power conferred by paragraph (1) may be exercised at any time prior to the expiry of 12 months from the commencement of operation of the authorised development but subject to paragraph (5) any prohibition, restriction or other provision made under paragraph (1) may have effect both before and after the expiry of that period</p>	Change requested in local authority representation
Article 21 (Authority to survey and investigate the land)	<p>In sub-paragraph (5)(b) the following change has been made:</p> <p>(b) in a private street without the consent of the street authority, which authority may attach reasonable conditions to any consent, but such consent must not be unreasonably withheld or delayed</p>	Change to add explicit ability to impose conditions requested in local authority representation
Schedules		

Schedule 2 (Requirements)	The following changes have been made:	
Schedule 2 (Requirements) Part 1, Requirement 2 (Time limits)	(2) Notice of commencement of the authorised development must be given to the relevant planning authorities within 7 days of the <u>no later than 14 days before the</u> date on which the authorised development is <u>intended to be</u> commenced.	Change requested in local authorities' request
Schedule 2 (Requirements) Part 1, Requirement 13 (Construction hours)	<p>(1) Subject to sub-paragraphs (2), (3) and (4), construction works must only take place between 0800 and 1800 on weekdays (except public and bank holidays), except in the event of an emergency <u>unless a scheme for the carrying of those works specifying the hours in which they may be carried out has been submitted to and approved by the relevant planning authority. Where such a scheme is approved under this requirement, the works set out in that scheme must be carried out in accordance with the approved scheme.</u></p> <p>(3) The following operations may where necessary continue or take place outside the working hours referred to in sub-paragraph (1)—</p> <ul style="list-style-type: none"> (a) trenchless construction techniques which cannot be interrupted; (b) filling, testing, dewatering and drying; (c) _____ works required to mitigate delays to the construction of the authorised development due to extreme weather conditions; and (d)<u>(c)</u> _____ commissioning of the pipeline works. <p>(4) Nothing in sub-paragraph (1) precludes—</p> <ul style="list-style-type: none"> (a) the receipt of oversize deliveries to site and the undertaking of non-intrusive activities; (b) start-up and shut-down activities up to an hour either side of the stated<u>core</u>-working hours and undertaken in compliance with the CEMP; <u>(c) _____ works on a traffic sensitive street where so directed by the relevant highway authority;</u> <u>; and</u> <u>(d) _____ works to make construction sites safe in the event of extreme weather.</u> (e)<u>(e)</u> _____. 	Amended in response to local authority representations
Schedule 2 (Requirements) Part 1, Requirement 17	<p>Post-construction<u>Operational and maintenance</u> environmental management plans</p> <p><u>(3) Operation of the authorised development must be implemented in accordance with the approved operational and maintenance environment management plan</u></p>	Operational and decommissioning plans separated, implementation added to the operational plan

<p>Schedule 2 (Requirements) Part 1, new requirement 18</p>	<p>Decommissioning environmental management plan</p>	
<p>Schedule 2 (Requirements)</p>	<p>(5)(4) Subject to sub-paragraph (2), if a relevant planning authority which receives an application for approval of any amendments to approved details under sub-paragraph (1) fails to notify the undertaker of its decision before the end of the period of 4256 days beginning with the date on which the application was made, such longer period as may be agreed in writing by the undertaker and the relevant authority, it is deemed to have granted consent.</p>	<p>Change made to extend time period to 56 days and add flexibility as requested by local authorities</p>
<p>Part 2, Article 22 (Applications made under requirements)</p>	<p>(1) Where an application has been made to a discharging authority for any consent, agreement or approval under a requirement, the discharging authority must give notice to the undertaker of its decision on the application within a period of 4256 days beginning with—</p>	<p>Change made to extend time period to 56 days</p>
<p>Schedule 2 (Requirements) Part 2, Requirement 23 (Multiple discharging authorities)</p>	<p>Where an application is required to be made to more than one discharging authority for any single consent, agreement or approval under a requirement, the undertaker may submit a request for comments in respect of its proposed application to each discharging authority and, where it does so, each discharging authority must provide its comments in writing on the proposed application within a period of 20 days beginning with the day immediately following that on which the request is received by the authority, or such longer period as may be agreed in writing by the undertaker and the relevant authority or authorities, so as to enable the undertaker to prepare a consolidated application to each discharging authority in respect of the consent, agreement or approval required by the requirement.</p>	<p>Change made to add flexibility</p>
<p>Schedule 2 (Requirements) Part 2, Requirement 24 (Further information)</p>	<p>(1) If the discharging authority considers further information is necessary and the requirement does not specify that consultation with a requirement consultee is required, the discharging authority must, within five business10 days of receipt of the application, notify the undertaker in writing specifying the further information required.</p> <p>(2) If the requirement specifies that consultation with a requirement consultee is required, the discharging authority must issue the consultation to the requirement consultee within five business10 days of receipt of the application and must notify the undertaker in writing specifying any further information requested by the requirement consultee within five business10 days of receipt of such a request and in any event within 21 days of receipt of the application.</p>	<p>Change made to extend period in response to local authority requests</p>

	<p>(3) If the discharging authority does not give the notification mentioned in sub-paragraphs (2) or (3) <u>or such longer period as may be agreed in writing by the undertaker and the relevant authority</u>, or otherwise fails to request any further information within the timescales provided for in this paragraph, it is deemed to have sufficient information to consider the application and is not thereafter entitled to request further information without the prior agreement of the undertaker.</p>	<p>Change made to add flexibility as requested by local authorities</p>
	<p>In sub-paragraph (2)(b) the following change has been made:</p> <p>(4) the relevant planning authority failing to determine the application or to provide written comments within 42<u>56</u> days from the date on which the application is received, or such longer period as may be agreed in writing under requirement 22<u>1</u>, unless within that period the undertaker agrees in writing that the fee may be retained by the relevant planning authority and credited in respect of a future application or a future request for comments.</p>	<p>Change made to extend time period to 56 days</p>

Table of Amendments to the Draft Development Consent Order – Deadline 1 (Revision D)

Reference	Amendment	Reason
Changes made throughout the DCO	Various minor amendments have been made to the dDCO to correct formatting and minor errors	Accuracy
Articles		
Article 2 (Interpretation)	The following changes have been made:	
	“authorised development” means the development and associated development described in Schedule 1 (authorised development) and any other development authorised by this Order that is development within the meaning of section 32 of the 2008 Act;	There is no associated development in Schedule 1; this wording was included in error.
	Insertion of: “CEMP” means construction environmental management plan;	Moved from Schedule 2.
	“highway authority” means in any given provision of this Order (including the requirements), the local highway authority for the area -highway to which the provision relates;	Amended in response to a question, in order to include strategic highway authorities.
	Insertion of: “outline operational and maintenance environment management plan” means the document certified as such by the Secretary of State for the purposes of this Order;	As this plan has been added to article 44 and requirement 17.
	Insertion of: “outline public rights of way management plan” means the document certified as such by the Secretary of State for the purposes of this Order;	As this plan has been added to article 44 and requirement 5.
	“outline archaeological written scheme of archaeological investigation” means the document certified as such by the Secretary of State for the purposes of this Order;	Correction of error, entry moved to be in alphabetical order

Article 6 (Limits of deviation)	(c) deviate the pipeline works vertically downwards— (d) (c) in respect of those sections of the pipeline works which may be constructed and installed using trenchless installation techniques, deviate the pipeline works vertically downwards to such extent as may be found necessary or convenient subject to a maximum depth of 35m; (f) (d) deviate works other than the pipeline vertically—	Amended in response to a question, in order to clarify the limits
Article 14 (Temporary restriction of use of streets)	(4) Without limiting paragraph (1), the undertaker may temporarily stop up, alter or divert the streets set out in column (2) of Schedule 5 (streets to be temporarily stopped up or restricted) to the extent specified, by reference to the letters and numbers shown on the works plans access and rights of way plans , in column (3) of that Schedule.	Correction of error
Article 23 (Removal of human remains)	(2) Before any such remains are removed from the Order land the undertaker must give notice of the intended removal, describing the Order land, the location where the remains were found , and stating the general effect of the following provisions of this article, by— (a) publishing a notice once in each of 2 successive weeks in a newspaper circulating in the area of the authorised development; and (b) displaying a notice in a conspicuous place on or near to the Order land and in the vicinity of the location where the remains were found .	Amended in response to a question
Article 34 (Temporary use of land for carrying out the authorised development)	In paragraph (1)(f): (f) construct any works, or use the land, as specified in relation to that land in column 3 of Parts 1 and 2 of Schedule 7 , or any mitigation works;	Amended in response to a question, in order to clarify
Article 36 (Statutory undertakers)	(2) Subject to the provisions of Schedule 10 (protective provisions) , the undertaker may extinguish the rights of, remove, relocate the rights of or reposition the apparatus belonging to statutory undertakers over or within the Order land.	For clarity that the power is subject to the protective provisions
Article 44 (Certification of plans, etc)	(c) the crown land plans (consisting of a key plan and sheets 1 to 37 inclusive and 10 sheets) (document number D 2.3); (d) the special category land plans (consisting of a key plan and 10 sheets 1 to 37 inclusive) (document number D 2.6); (m) the outline archaeological written scheme of archaeological investigation, (document number D.6.5.2 H);	Correction of errors
	Insertion of; (n) outline operational and maintenance environment management plan (document number D.7.15); (o) the outline public rights of way management plan (document number D.7.9); and	These plans has been added for certification

Schedules		
Schedule 1 (authorised development)	The following changes have been made:	
	<i>Work No. 1:</i> Construction of an AGI at Ince, comprising equipment for the control of the authorised development , within the location shown on Sheet 1 of the Works Plans, including— ... (vi) PIG launcher and receiver facilities;	The deleted wording is covered by the definition of AGI The additional wording was omitted in error
	<i>Work No. 9:</i> Construction of an AGI at Stanlow, comprising equipment for the control of the authorised development , within the location shown on Sheet 3 of the Works Plans, including—	The deleted wording is covered by the definition of AGI.
	In Work No. 17 the following has been added; as shown on sheets 7 and 8 of the Works Plans.	Correction of error
	In Work No. 45: (iv) CCTV cameras, intrusion detection systems and access control systems; (v) PIG launcher and receiver facilities;	Correction of error
	<i>Work No. 51B:</i> The creation and use of a temporary working area for the use during the construction of Work No. 51, within the location shown on Sheets 24 and 25 of the Works Plans	Correction of error
	<i>Work No. 57I:</i> Creation of environmental mitigation west of Aston Hill/east of Shotton Lane Church Lane at the location shown on Sheet 17 and 18 of the Works Plans, including—	Amended in response to a question, in order to clarify
	<i>Work No 57M:</i> Creation of environmental mitigation east of Northop Hall AGI west of Work No.44 at the location shown on Sheet 20 of the Works Plans, including – (a) woodland planting; and (b) scrub planting over the pipeline.	Amended in response to a question, in order to clarify
	Added omitted Work No.57	Correction of error

	<p><i>Work No 57N: Creation of environmental mitigation west of Work No. 57M at the location shown on Sheet 20 of the Works Plans, including –</i></p> <p>(a) woodland planting; and</p> <p>(b) scrub planting over the pipeline.</p>	
Schedule 2 Part 1 (Requirements)	Updates have been made through to standardise wording to ‘implement’ where appropriate.	Amended in response to a question
	CEMP has been deleted as it has been moved to article 2.	Moved to article
Requirement 5	<p>Item (n) has been added to requirement 5(2):</p> <p>(n) public rights of way management plan.</p>	Amended to add this plan
Requirement 9 (Contaminated land and groundwater)	<p>9.—(1) In the event that contamination is found at any time when carrying out the authorised development it must be reported in writing to the relevant planning authority as soon as reasonably practicable.</p> <p>(2) Where contamination has been reported to the relevant planning authority in accordance with sub-paragraph (1), an investigation and risk assessment must be completed in accordance with a contamination scheme to assess the nature and extent of any contamination on the part of the Order limits within which works are being carried out, whether or not that contamination originates on that part of the Order limits; and—</p> <p>(a) the contents of that contamination scheme are subject to the approval of the relevant planning authority; and</p> <p>(b) that investigation and risk assessment must be undertaken within timescales agreed with the relevant planning authority and in accordance with the approved contamination scheme, and a written report of the findings must be submitted to the relevant planning authority.</p> <p>(3) (3) Where remediation is determined by the relevant planning authority to be required having had regard to the results of an investigation and risk assessment carried out under sub-paragraph (2), a detailed remediation scheme must be prepared and submitted for the approval of the relevant planning authority.</p> <p>(3) (4) Unless otherwise agreed by the relevant planning authority, no intrusive works or other works which would disturb the contaminated land or groundwater can be carried out in the part of the Order limits in which the contamination is identified until the investigation and risk assessment in accordance with sub-paragraph (2), and if required, a remediation scheme in accordance with sub-paragraph (3) has been submitted to and approved by the relevant planning authority.</p>	Amended in response to a question

	(4) (5) The remediation must be carried out implemented in accordance with the approved detailed remediation scheme and a verification report following completion of the works must be submitted to the relevant planning authority.	
Requirement 17 (Post-construction environmental management plans)	<p>Post-construction environmental management plans</p> <p>17.—(1) The undertaker must, no later than three months prior to the planned completion of commissioning of the authorised development, submit to the relevant planning authorities anthe operational and maintenance environment management plan (or plans) which details the monitoring and management requirements of the authorised development, including post-construction monitoring.</p> <p>(2) The operational and maintenance environment management plans submitted under subparagraph (1) must be in accordance with the outline operational and maintenance environment management plan, and developed having regard to the approved CEMPs and the LEMP. and include such operational monitoring, maintenance and management works as are required by the outline construction environmental management plan.</p>	In order to clarify
Schedule 7	Minor corrections throughout.	Correction of errors
Schedule 8	This table has been split up to better define the rights sought over each plot.	Amended in response to a question

Table of Amendments to the Draft Development Consent Order – Change request (Revision C)

Reference	Amendment	Reason
Articles		
n/a		
Schedules		
Schedule 1 (authorised development)	Minor corrections from 'Work Plans' to 'Works Plans' throughout and insertion of missing 'and' in lists.	For consistency.
	The Works descriptions were amended as follows: <i>Work No. 3:</i> The creation and use of a permanent vehicular access to the authorised development, from the Pool Lane/Oil Sites Road roundabout via the unnamed road (private road) and via the unnamed road (private road) from Ash Road unnamed road within the location shown on Sheet 1, Sheet 1a and Sheet 3 of the Works Plans, including—	To reflect the changes sought as part of the change request.
	2. <i>Work No. 16A:</i> Creation and use of a permanent access from Picton Lane, within the location shown on Sheet 7 of the Work Plans, including— 3. creation of a new bellmouth junction with the public highway; and improvement of road surfacing and provision of new hard surfacing (excluding on the Bridleway) .	To reflect the changes sought as part of the change request
	New Work No. 16B inserted;	To reflect the changes sought as part of the change request

	<p><u>Work No. 16B: Creation and use of a temporary construction access from Picton Lane, within the location shown on Sheet 7 of the Works Plans, including—</u></p> <p>a. <u>creation of a new bellmouth junction with the public highway; and</u></p> <p>b. <u>improvement of road surfacing and provision of new hard surfacing.</u></p>	
	<p>Work No. 32A: Creation and use of a temporary construction access from the B5129 private track, within the location shown on Sheets 14 and 15 of the Works Plans, including—</p> <p>improvement of an existing junction with the public highway; and</p> <p>improvement of road surfacing and provision of new hard surfacing</p>	<p>To reflect the changes sought as part of the change request</p>
	<p>New Work No.45B inserted;</p> <p><u>Work No. 45B: The creation and use of a permanent vehicular access to the authorised development, from B5125 within the location shown on Sheet 20 of the Works Plans, including—</u></p> <p>a. <u>improvement of road surfacing and provision of new hard surfacing;</u></p> <p>b. <u>creation of a new bellmouth junction and visibility splays; and</u></p> <p>c. <u>installation of utilities.</u></p>	<p>To reflect the changes sought as part of the change request</p>

Table of Amendments to the Draft Development Consent Order – Section 51 Advice (Revision B)

Reference	Amendment	Reason
Changes made throughout the DCO	Various minor amendments have been made to the dDCO to correct formatting and minor errors	Accuracy
Preamble	The preamble has been updated to reflect the appointment of the panel and the change in title of the Secretary of State	Accuracy
Articles		
Article 2 (Interpretation)	The following changes have been made:	
	“requirements” means those matters set out in Schedule 2 (Requirements) to this Order <u>and a reference to a numbered requirement is a reference to the requirement imposed by the corresponding numbered paragraph of that Schedule;</u>	To improve clarity and reflect recent precedent
	The definition of scheduled work has been deleted: “ scheduled works ” means the numbered works specified in Part 1 of Schedule 1 (authorised development) to this Order, or any part of them;	Defined term not used
Article 9 Defence to proceedings in respect of statutory nuisance	In sub-paragraph (1)(a)(ii) the following changes have been made: relates to premises used by the undertaker for the purposes of or in connection with the construction or maintenance <u>use</u> of the authorised development and that the nuisance is attributable to the carrying-out <u>use</u> of the authorised development;	To improve clarity and reflect recent precedent

Article 11 Power to alter layout, etc. of streets	<p>The following change has been made:</p> <p>The undertaker may for the purposes of carrying out the authorised development temporarily alter the layout of, or carry out any works in, a street specified in column (42) of Part 2 of Schedule 3 (streets subject to temporary street works) in the manner specified in relation to that street in column (2) in the manner specified in relation to that street in column (3).</p>	<p>To improve clarity and reflect recent precedent</p>
Article 12 Application of the 1991 Act	<p>The following change has been made:</p> <p>(e) section 61(protected streets); and</p>	<p>This disapplication is under discussion and is not agreed.</p>
Article 13 Temporary restriction of public rights of way	<p>In sub-paragraph (4) the following change has been made:</p> <p>If a local highway authority fails to notify the undertaker fails to notify that any diversion is satisfactory within 28 days of being requested in writing to do so, that diversion will be deemed to have been found satisfactory.</p>	<p>Correction of error</p>
Article 21 Authority to survey and investigate the land	<p>In sub-paragraph (7) the following change has been made:</p> <p>If either a highway authority or a street authority which receives an application for consent under paragraph (5) fails to notify the undertaker of its decision within 28 days of receiving the application for consent —(a) under sub-paragraph (5)(a) in the case of a highway authority; or (b) under sub-paragraph (5)(b) in the case of a street authority; that authority is deemed to have granted consent.</p>	<p>To improve clarity</p>
Article 24 Compulsory acquisition of land	<p>In sub-paragraph (2) the following change has been made:</p> <p>This article is subject to paragraph (2) of article 2526 (compulsory acquisition of rights and restrictive covenants) and paragraph (8) of article 34 (temporary use of land for carrying out the authorised development).</p>	<p>To refer to the correct numbering</p>
Article 25 Time limit for exercise of authority to acquire land compulsorily	<p>In sub-paragraph (2) the following change has been made:</p> <p>The authority conferred by article 3334 (temporary use of land for carrying out the authorised development) ceases at the end of the period referred to in paragraph (1), except that nothing in this paragraph prevents the undertaker remaining in possession of land after the end of that period, if the land was entered and possession was taken before the end of that period.</p>	<p>To refer to the correct numbering</p>
Article 26 Compulsory acquisition of rights	<p>The following changes have been made:</p>	<p>To refer to the correct numbering</p>

and restrictive covenants	(1) The undertaker may acquire such rights over the Order land or impose restrictive covenants affecting the land as may be required for any purpose for which that land may be acquired under article 2324 (compulsory acquisition of land), by creating them as well as acquiring rights already in existence.	
	(4) (5) Subject to articles 2829 (private rights) and 3536 (statutory undertakers) in the case of the Order land specified in column (1) of Schedule 8 (land in which only new rights etc. may be acquired) the undertaker's powers of compulsory acquisition are limited to the acquisition of new rights in the land or the imposition of restrictive covenants as may be required for the purpose specified in relation to that land in column (2) of that Schedule.	To refer to the correct numbering
Article 29 Private rights	The following changes have been made: (1) Subject to the provisions of this article, all private rights or restrictive covenants over land subject to compulsory acquisition under article 2324 (compulsory acquisition of land) cease to have effect in so far as their continuance would be inconsistent with the exercise of the powers under article 2324 —	To refer to the correct numbering
	(2) Subject to the provisions of this article, all private rights or restrictive covenants over land subject to the compulsory acquisition of rights or the imposition of restrictive covenants under article 2326 (compulsory acquisition of rights and restrictive covenants) cease to have effect in so far as their continuance would be inconsistent with the exercise of the right or compliance with the restrictive covenant—	To properly reflect the article title
Article 30 Application of the 1981 Act	The following change has been made to sub-paragraph (6)(b): (b) For “the three year period mentioned in section 5A” substitute “the 5 year period mentioned in article 2425 (time limit for exercise of authority to acquire land compulsorily) of the HyNet Carbon Dioxide Pipeline Order202[•]”.	To refer to the correct numbering
Article 31 Acquisition of subsoil or airspace only	The following changes have been made: The undertaker may acquire compulsorily so much of, or such rights in, the subsoil or airspace of the land referred to in paragraph (1) of article 2324 (compulsory acquisition of land) and paragraph (1) of article 2526 (compulsory acquisition of rights and restrictive covenants) as may be required for any purpose for which that land may be acquired under that provision instead of acquiring the whole of the land.	To refer to the correct numbering
Article 32 Modification of Part 1 of the 1965 Act	The following change has been made to sub-paragraph (2): (2) In section 4A(1) (extension of time limit during challenge) for “section 23 (application to High Court in respect of compulsory purchase order) of the Acquisition of Land Act 1981, the three	To refer to the correct numbering

	year period mentioned in section 4” substitute “section 118 (legal challenges relating to applications for orders granting development consent) of the 2008 Act, the 5 year period mentioned in article 2425 (time limit for exercise of authority to acquire land compulsorily) of The HyNet Carbon Dioxide Pipeline Order 202[●]”.	
	The following change has been made to sub-paragraph (4): (4)In section 22(2) (interests omitted from purchase), for “section 4 of this Act” substitute “article 2425 (time limit for exercise of authority to acquire land compulsorily) of The HyNet Carbon Dioxide Pipeline Order 202[●]”.	To refer to the correct numbering
	The following change has been made to sub-paragraph (5)(a): “(2) But see article 3031(3) (acquisition of subsoil only) of The HyNet Carbon Dioxide Pipeline Order 202[●] which excludes the acquisition of subsoil only from this Schedule”; and	To refer to the correct numbering
	The following changes have been made to the text to be inserted under paragraph(5)(b) : In this Schedule, references to entering on and taking possession of land do not include doing so under article 2122 (protective work to buildings), article 3334 (temporary use of land for carrying out the authorised development) or article 3435 (temporary use of land for maintaining the authorised development) of The HyNet Carbon Dioxide Pipeline Order202[●] .	To refer to the correct numbering
Article 34 Temporary use of land for carrying out the authorised development	The following change has been made to sub-paragraph (1)(a)(ii): the land specified in columns (1) and (2) of Part 2 Schedule 7 (land of which only temporary possession for access may be taken) for the purpose for the purposes of taking access to and from the authorised development only; and	To remove duplicated wording
	In article 34(1) the following items have been added to the list; (f) construct any works, or use the land, as specified in relation to that land in column 3 of Schedule 7, or any mitigation works; (g) construct such works on that land as are mentioned in Part 1 of Schedule 1 (authorised development); and (h) carry out mitigation works required pursuant to the requirements in Schedule 2.	To improve clarity and reflect recent precedent
	The following change has been made to sub-paragraph (3)(a): (a) in the case of land specified in paragraph (1)(a)(i) and (ii), after the end of the period of one year beginning with the date of completion of the part of the authorised development specified	

	<p>in relation to that land in column (4) of Parts 1 and 2 of Schedule 7 (land of which only temporary possession may be taken); or</p> <p>Paragraph (8) is amended as follows;</p> <p>The undertaker may not compulsorily acquire under this Order the land referred to in paragraph (1)(a)(iii) and (ii) except that the undertaker is not to be precluded from— acquiring new rights over any part of that land under article 26 (compulsory acquisition of rights).</p> <p>acquiring new rights over any part of that land under article 26 (compulsory acquisition of rights and restrictive covenants); or</p> <p>acquiring any part of the subsoil of (or rights in the subsoil of) that land under article 31 (acquisition of subsoil or airspace only).</p>	
<p>Article 35 Temporary use of land for maintaining the authorised development</p>	<p>A new paragraph (12) has been added as follows;</p> <p>(12) The undertaker is not required to serve notice under paragraph (3) where the undertaker has identified a potential risk to the safety of—</p> <p>(a) the authorised development or any of its parts;</p> <p>(b) the public; or</p> <p>(c) the surrounding environment,</p> <p>and in such circumstances, the undertaker may enter the land under paragraph (1) subject to giving such period of notice as is reasonably practicable in the circumstances.</p>	<p>To reflect recent precedent</p>
<p>Article 39 Felling or lopping of trees and removal of hedgerows</p>	<p>In sub-paragraph (1) the following changes have been made:</p> <p>Subject to paragraph (3) the undertaker may fell, lop or lopprune any tree or shrub, or cut back its roots, within or overhanging land within the Order limits if it reasonably believes it to be necessary to do so to prevent the tree or shrub—</p>	<p>To reflect the Tree Preservation Order provisions</p>

	In sub-paragraph (4) the following changes have been made: The undertaker may, for the purposes of carrying out the authorised development but subject to paragraph (2), remove any hedgerow within the Order limits that is required to be removed including those specified in Schedule 11.	To restrict the power sought to the hedgerows specified in the schedule
Article 44 Certification of plans, etc.	A new item (a) has been inserted into the list in paragraph (1) as follows; (a) the access and rights of way plans (consisting of a key plan and sheets 1 to 37 inclusive) (document number D2.5) The document reference numbers have been corrected.	Omitted in error in the previous version
Signature block	The following changes have been made: Signed by authority of the Secretary of State for Business, Energy Security and Industrial Strategy Net Zero <i>Signed</i> Head of Energy Infrastructure Planning Date Department for Business, Energy Security and Industrial Strategy Net Zero	To reflect the change in the title of the Secretary of State
Schedules		
Schedule 1 (authorised development)	The following changes have been made: In Work No. 1, item (xi) has been added to the list (a): (xi) above ground pipework, valves and instrumentation;	To aid identification of the work
	<i>Work No 5C:</i> The creation and use of a temporary working area for the use during the construction of the authorised development, within the location shown on Sheets 1 and 2 of the Work Plans , including construction of a haul road, temporary construction accesses and working areas and laydown areas.	To aid identification of the work
	In Work No. 9, item (vii) has been amended in the list (a): (viii) High Intensity Pressure Protection System above ground pipework, valves and instrumentation;	To more accurately describe the work
	<i>Work No. 13A:</i> The creation and use of a temporary working area for the use during the construction of the authorised development, within the location shown on Sheets 5 and 6 of	To aid identification of the work

	the Work Plans, including construction of a haul road, temporary construction accesses and working areas and laydown areas.	
	<i>Work No. 14:</i> Construction of an underground Carbon Dioxide (CO2) pipeline approximately 41 419 metres in length and with an external diameter of 36 inches (914.4 millimetres) between Work No. 13 and Work No. 15 including—	Correction of error
	<i>Work No. as 17A:</i> Creation and use of a permanent access from Wervin Road, within the location shown on SheetsSheet 7 and 8 of the WorksWork Plans, including— creation of a new bellmouth junction with the public highway; and improvement of road surfacing and provision of new hard surfacing. <i>Work No. 17B:</i> Creation and use of a permanent access from Wervin Road, within the location shown on Sheet 7 of the Work Plans, including— creation of a new bellmouth junction with the public highway; and d) _____ improvement of road surfacing and provision of new hard surfacing.	To more accurately define these works as they require permanent accesses to be formed
	<i>Work No. 19B:</i> Creation and use of a temporary construction access from Croughton Road, within the location shown on Sheet 8 of the Work Plans, including— (a) creation of an existing a junction with the public highway; and	Correction of an error
	<i>Work No. 19C:</i> Creation and use of a permanent temporary access from Chorlton Lane, within the location shown on Sheet 8 of the Work Plans, including—	Correction of an error
	<i>Work No. 20:</i> Construction of a BVS at Rock Bank, being a secure compound, comprising a block valve to isolate sections of the new CO2 pipeline for maintenance purposes or in case of emergency, at the location shown on Sheet 8 of the Works Plans, including— (a) a fenced compound area containing (i) security lighting; (ii) block valve; (iii) electrical transformer; parking; (iv) cathodic protection measures; (v) CCTV cameras, intrusion detection systems and access control systems; (vi) above ground pipework, valves and instrumentation; (iii)(vii) connection points; (iv) control mechanisms and E&I Kiosk; and (v) hard standing.	To remove duplication with the definition of BVS and more accurately describe the work

	<ul style="list-style-type: none"> (vi) below ground pipework; (vii)(viii) above ground control boxes electrical and instrumentation kiosk; (viii)(ix) hard standing; (b) below ground pipework; (c) above ground control boxes; (d) hard standing; 	
	<p><i>Work No. 23A23B:</i> The creation and use of a temporary working area for the use during the construction of the authorised development, within the location shown on the Work Plans, including construction of a haul road, temporary construction accesses and working areas and laydown areas.</p>	Correction of an error
	<p><i>Work No. 25A:</i> Creation and use of a temporary constructionpermanent access from Station Road, within the location shown on Sheet 10 of the Work Plans, including—</p>	Correction of an error
	<p>Work No. 26: Construction of a BVS at Mollington, being a secure compound, comprising a block valve to isolate sections of the new CO2 pipeline for maintenance purposes or in case of emergency, at the indicative location shown on Sheet 10 and 11 of the Works Plans, including— (a) a fenced compound area containing</p> <ul style="list-style-type: none"> (i) security lighting; (ii) block valve; (iii) electrical transformer; parking; (iv) cathodic protection measures; (v) CCTV cameras, intrusion detection systems and access control systems; (vi) above ground pipework, valves and instrumentation; (iii)(vii) connection points; (iv) control mechanisms and E&I Kiosk; and (v) hard standing. (vi) below ground pipework; (vii)(viii) above ground control boxes electrical and instrumentation kiosk; (viii)(ix) hard standing; (b) below ground pipework; (c) above ground control boxes; (d) hard standing; 	To remove duplication with the definition of BVS and more accurately describe the work
	<p><i>Work No. 28:</i> Construction of an underground Carbon Dioxide (CO2) pipeline approximately 1.2km2.4km in length and with an external diameter of 36 inches (914.4 millimetres) between Work No. 25 and Work No. 29 including—</p>	Correction of an error

	<i>Work No. 29:</i> Construction of an underground Carbon Dioxide (CO ₂) pipeline approximately 624 625 metres in length and with an external diameter of 36 inches (914.4 millimetres) between Work No. 28 and Work No. 30 including—	Correction of an error
	<i>Work No. 29A:</i> The creation and use of a temporary working area for the use during the construction of the authorised development, within the location shown on Sheet 12 of the Work Plans , including construction of a haul road, temporary construction accesses and working areas and laydown areas.	To aid identification of the work
	<i>Work No. 30B:</i> Creation and use of a temporary construction permanent access from the A548, within the location shown on Sheet 12 of the Work Plans, including—	Correction of an error
	<i>Work No. 31:</i> Construction of an underground Carbon Dioxide (CO ₂) pipeline approximately 873 metres in length and with an external diameter of 36 inches (914.4 millimetres) between Work No. 30 and Work No. 32 including— (a) construction and installation of the pipeline by trenched and untrenched methods, including trenchless installation technique pit works, the creation of reception shafts, and launch shafts, and installation of concrete-lined sleeve tunnels; (b) installation of pipeline marker posts, cathodic protection cabinet and cathodic protection test posts along the pipeline route;	
	<i>Work No. 31C:</i> The creation and use of a temporary working area for the use during the construction of the authorised development, within the location shown on Sheet 14 of the Work Plans , including construction of a haul road, temporary construction accesses and working areas and laydown areas.	To aid identification of the work
	Work No. 36: Construction of a BVS at Aston Hill, being a secure compound, comprising a block valve to isolate sections of the new CO₂ pipeline for maintenance purposes or in case of emergency, at the indicative location shown on Sheet 10 and 11 of the Works Plans, including— (a) a fenced compound area containing (i) security lighting; (ii) block valve; (iii) electrical transformer; parking; (iv) cathodic protection measures; (v) CCTV cameras, intrusion detection systems and access control systems;	To remove duplication with the definition of BVS and more accurately describe the work

	<p>(vi) above ground pipework, valves and instrumentation; (iii)(vii) connection points; (iv) control mechanisms and E&I Kiosk; and (v) hard standing. (vi) below ground pipework; (vii)(viii) above ground control boxes electrical and instrumentation kiosk; (viii)(ix) hard standing; (b) below ground pipework; (c) above ground control boxes;</p> <p>(d) hard standing;</p>	
	<p><i>Work No. 38B:</i> Creation and use of a temporary<u>permanent</u> construction access from Lower Aston Hall Lane, within the location shown on Sheet 17 of the Work Plans, including—</p>	Correction of an error
	<p><i>Work No. 39A:</i> Creation and use of a temporary construction access from Upper Old Aston Hall Lane<u>Hill</u>, within the location shown on Sheet 17 of the Work Plans, including—</p>	Correction of an error
	<p><i>Work No. 39B:</i> The creation and use of a temporary working area for the use during the construction of the authorised development, within the location shown on <u>Sheet 17 of the Work Plans</u>, including construction of a haul road, temporary construction accesses and working areas and laydown areas.</p>	To aid identification of the work
	<p><i>Work No. 40B:</i> The creation and use of a temporary working area for the use during the construction of the authorised development, within the location shown on <u>Sheets 17 and 18</u> the Work Plans, including construction of a haul road, temporary construction accesses and working areas and laydown areas.</p>	To aid identification of the work
	<p><u><i>Work No. 40C:</i> Creation and use of a permanent access from Church Lane, within the location shown on Sheet 17 of the Work Plans, including—</u></p> <p>(a) <u>creation of new bellmouth junction; and</u></p> <p>(b) <u>improvement of road surfacing and provision of new hard surfacing.</u></p>	To more accurately define these works as they require permanent accesses to be formed
	<p><i>Work No. 41D:</i> The creation and use of a temporary working area for the use during the construction of the authorised development, within the location shown on <u>Sheet 18 of the Work Plans</u>, including construction of a haul road, temporary construction accesses and working areas and laydown areas.</p>	To aid identification of the work

	<p>Work No. 42A: Creation and use of a permanent access from Green Lane, within the location shown on Sheet 18 of the Work Plans, including—</p> <p>(a) creation of a new bellmouth junction with the public highway; and</p> <p>(b) improvement of road surfacing and provision of new hard surfacing.</p>	To more accurately define these works as they require permanent accesses to be formed
	<p><i>Work No. 43D: The creation and use of a temporary working area for the use during the construction of the authorised development, within the location shown on Sheet 19 of the Work Plans, including construction of a haul road, temporary construction accesses and working areas and laydown areas.</i></p>	To aid identification of the work
	<p><i>Work No. 45: Construction of an AGI at Northop Hall, comprising equipment for the control and interface of the Stanlow AGI to Flint AGI Pipeline, within the location shown on Sheet 20 of the Works Plans, including—</i></p> <p>(a) a fenced compound area containing;</p> <p>(i) security lighting;</p> <p>(ii) electrical transformer;</p> <p>(iii) parking;</p> <p>(iv) CCTV cameras, intrusion detection systems and access control systems;</p> <p>(v) (iv) PIG launcher facilities;</p> <p>(v) isolation valves;</p> <p>(vi) connection points;</p> <p>(vii) analyser house;</p> <p>(ix)(viii) control mechanisms and Electricalelectrical and instrumentation kiosk;</p> <p>(x)(ix) hard standing;</p>	To remove duplication with the definition of AGI and more accurately describe the work
	<p><i>Work No 45A: The creation and use of a temporary working area for the use during the construction of the authorised development, within the location shown on Sheet 20 of the Work Plans, including construction of a haul road, temporary construction accesses and working areas and laydown areas.</i></p>	To aid identification of the work
	<p><i>Work No. 48: Construction of an AGI at Flint, comprising equipment for the control and interface of Work No. 50, within the location shown on Sheet 22 of the Works Plans, including—</i></p>	To remove duplication with the definition of AGI
	<p><i>Work No. 50:</i></p> <p>(e) <i>landscaping, ecological and environmental works;</i></p> <p>(f) <i>works to connect to the existing pipeline; and</i></p>	To more accurately define these works

	(g) drainage works including creation of connections to existing	
	Work No. 51B: The creation and use of a temporary working area for the use during the construction of Work No. 51, within the location shown on Sheet 25 of the Work Plans , including construction of a haul road, temporary construction accesses and working areas and laydown areas.	To aid identification of the work
	Work No. 51: Construction of a BVS at Cornist Lane, being a secure compound, comprising a block valve to isolate sections of the new CO2 pipeline for maintenance purposes or in case of emergency, at the indicative location shown on Sheet 10 and 11 of the Works Plans, including— (a) a fenced compound area containing (i) security lighting; (ii) block valve; (iii) electrical transformer; parking; (iv) cathodic protection measures; (v) CCTV cameras, intrusion detection systems and access control systems; (vi) above ground pipework, valves and instrumentation; (iii)(vii) connection points; (iv) control mechanisms and E&I Kiosk; and (v) hard standing. (vi) below ground pipework; (vii)(viii) above ground control boxes electrical and instrumentation kiosk; (viii)(ix) hard standing; (b) below ground pipework; (c) above ground control boxes; (d) hard standing;	To remove duplication with the definition of BVS and more accurately describe the work
	Work No. 53: Construction of a BVS at Pentre Halkyn, being a secure compound, comprising a block valve to isolate sections of the new CO2 pipeline for maintenance purposes or in case of emergency, at the indicative location shown on Sheet 10 and 11 of the Works Plans, including— (a) a fenced compound area containing (i) security lighting; (ii) block valve; (iii) electrical transformer; parking; (iv) cathodic protection measures; (v) CCTV cameras, intrusion detection systems and access control systems;	To remove duplication with the definition of BVS and more accurately describe the work

	<ul style="list-style-type: none"> (vi) above ground pipework, valves and instrumentation; (iii)(vii) connection points; (iv) control mechanisms and E&I Kiosk; and (v) hard standing. (vi) below ground pipework; (vii)(viii) above ground control boxes electrical and instrumentation kiosk; (viii)(ix) hard standing; (b) below ground pipework; (c) above ground control boxes; (d) hard standing; 	
	<p><i>Work No. 53A:</i> The creation and use of a temporary localised logistics and construction materials storage facility at Work No. 53 compound for the use during the construction of the authorised development, within the location shown on Sheet 27 and 28 of the Work Plans, including—</p>	To more accurately define these works
	<p><i>Work No. 53B:</i> The creation and use of a temporary working area for the use during the construction of Work No. 53, within the location shown on <u>Sheets 27 and 28</u> the Work Plans including construction of a haul road, temporary construction accesses and working areas and laydown areas.</p>	To aid identification of the work
	<p>Work No. 55: Construction of a BVS at Babell, being a secure compound, comprising a block valve to isolate sections of the new CO2 pipeline for maintenance purposes or in case of emergency, at the indicative location shown on Sheet 10 and 11 of the Works Plans, including— (a) a fenced compound area containing</p> <ul style="list-style-type: none"> (i) security lighting; (ii) block valve; (iii) electrical transformer; parking; (iv) cathodic protection measures; (v) CCTV cameras, intrusion detection systems and access control systems; (vi) above ground pipework, valves and instrumentation; (iii)(vii) connection points; (iv) control mechanisms and E&I Kiosk; and (v) hard standing. (vi) below ground pipework; (vii)(viii) above ground control boxes electrical and instrumentation kiosk; (viii)(ix) hard standing; (b) below ground pipework; 	To remove duplication with the definition of BVS and more accurately describe the work

	(c) above ground control boxes; (d) hard standing;	
	<i>Work No. 55B:</i> The creation and use of a temporary working area for the use during the construction of Work No.55, within the location shown on Sheets 29 and 30 the Work Plans, including construction of a haul road, temporary construction accesses and working areas and laydown areas.	To aid identification of the work
	<i>Work No 57M:</i> Creation of environmental mitigation east of Northop Hall AGI at the location shown on Sheet 20 of the Works Plans, including – (a) woodland planting; (b) scrub planting over the pipeline. and in connection with Work Nos. 1 to 56 57 , and to the extent that they do not otherwise form part of any such work, development comprising such other works as may be necessary or expedient for the purposes of or in connection with the relevant part of the authorised development and which fall within the scope of the work assessed by the environmental statement, including—	Correction of an error
Schedule 2 (requirements), requirement 1	“CEMP” means construction environment environmental management plan;	Correction of an error
	“DEMP” means decommissioning environmental management plan;	In response to a request from the relevant planning authorities a DEMP has been added to requirement 16
	“LEMP” means the landscape and ecology management plans plan ;	Correction of an error
	“REAC” means the register of environmental actions and commitments	No longer used
Schedule 2 (requirements), requirement 4	In sub-paragraph (1) the following change has been made: Works Nos. 1, 9, 20, 26, 36, 45, 48, 51, 53, and 56 The authorised development must be carried out in general accordance with the general arrangement plans.	In response to a request from the relevant planning authorities that the details of above ground works be

	<p>In table 1, rows 5 and 8, the following change has been made:</p> <p>Maximum height of buildings and structures <u>including operational fencing and lighting columns</u></p> <p>In sub-paragraph (3) the following changes have been made:</p> <p>The buildings and structures identified in Table 1 must only be constructed within the area for the workWork No. of which they form part as shown in the works plans.</p> <p>In sub-paragraph (4) the following changes have been made:</p> <p><u>Each of Work Nos. 1, 9, 20, 26, 36, 45, 48, 51, 53 and 55 may not be commenced until, for that Work No. the following details have been submitted to and approved by the relevant planning authority:</u></p> <p><u>(a) the sitting, layout, scale and external appearance, including the colour, materials and surface finishes of all new permanent buildings and structures;</u></p> <p><u>(b) details of permanent accesses to the public highway;</u></p> <p><u>(c) details of any external lighting; and</u></p> <p><u>(d) details of the noise ratings of any external machinery or potentially noisy installations (such as fans).</u></p>	<p>subject to approval prior to commencement.</p>
	<p>In sub-paragraph (5) the following changes have been made</p> <p><u>No part of Work No. 43 within the course of the Alltami Brook watercourse may be commenced until details of the design and construction methodology of any works within that watercourse have been submitted to and approved by the relevant planning authority following consultation with Natural Resources Wales.</u></p>	<p>To reflect that the works in the watercourse require specific consideration of further survey work</p>
	<p>The following changes to sub-paragraph (6) has been made:</p> <p>(5)<u>(6)</u> The details submitted under sub-paragraph (5) must be accompanied by a geomorphological assessment of the area of the Alltami Brook which will be affected by the authorised development, and a report setting out how that assessment has been taken into account in preparing the detailed design and specifying:</p> <p><u>(a) how Work No. 43 has been micro-sited to avoid the most sensitive areas of the Alltami Brook as identified in the geomorphological assessment;</u></p>	<p>To correct an error</p>

	<p>(b) the width of any strip of permanent bedrock removal within the Alltami Brook, which may not exceed a maximum of 4m wide;</p> <p>(c) the temporary working width in the riparian habitat related to the Alltami Brook, which may not exceed to be a maximum of 16m; and</p>	
	<p>Sub-paragraph 7 has been added: (6) The Works listed in sub-paragraph (1) must be constructed in accordance with the details approved under this paragraph.</p>	To secure implementation in line with the other requirements
Schedule 2 (requirements), requirement 5	<p>In sub-paragraph 5(1) the following change has been made:</p> <p>No stage of the authorised development can commence until a CEMP which includes that stage <u>has been submitted to</u> and approved by the relevant planning authority following consultation with [TBC].</p>	Deletion requested by the relevant planning authorities
	<p>(2) The CEMP must be substantially in accordance with the outline construction environment management plan and include management plans, working methods and mitigation measures including—</p> <ul style="list-style-type: none"> (a) details of lighting during construction; (b) noise and vibration management plan; (c) dust management plan; (d) odour management plan; (e) material management plan; (f) soil management plan<u>plan</u>; (g) pet<u>peat</u> management plan; and (h) waste management plan; (i) groundwater management and monitoring plan; (j) bio-security management plan; (k) surface water management <u>and monitoring</u> plan; (l) dewatering <u>management</u> plan; and (m) stakeholder communication<u>communications</u> plan. 	Deletion requested by the relevant planning authorities

	<p>In sub-paragraph 5(3) the following change has been made:</p> <p>(6) The CEMP submitted for approval under paragraph (1) must include the mitigation measures to be secured by the CEMP for that stage as set out in the REAG.</p> <p>(7) Each stage of the authorised development must be undertaken in accordance with the approved CEMP for that stage, or with such changes to that document as agreed by the relevant planning authority.</p>	To correct an error
Schedule 2 (requirements), requirement 6	<p>In sub-paragraph (3) the following changes have been made:</p> <p>(8) The CTMP for each stage must include a construction workers<u>worker</u> travel plan in accordance with the interim workers<u>worker</u> travel plan and include measures to be taken to promote sustainable travel options and minimise use of private vehicles.</p>	To correct an error
	<p>In sub-paragraph (4) the following changes have been made:</p> <p>(9) The CTMP for each<u>Each</u> stage <u>of the authorised development</u> must be implemented as undertaken in accordance with the approved <u>CTMP for that stage</u>.</p>	To secure implementation in line with the other requirements
Schedule 2 (requirements), requirement 8	<p>In sub-paragraph (1) the following change has been made:</p> <p>No development of Work Nos. <u>1, 9, 20, 26, 36, 45, 48, 51</u> and <u>53</u> must<u>and 55 may</u> commence until, for that stage<u>Work No</u>, a surface water drainage plan for permanent works relevant to that stage, in accordance with the relevant part of the outline surface water drainage strategy report and appendices has been submitted to and approved by the relevant planning authority or, where applicable, the Environment Agency and/or NRW and/or the Lead Local Flood Authority.</p>	Agreed with the relevant planning authorities that this require should apply to all new above ground sites
Schedule 2 (requirements), requirement 9	<p>The following changes have been made:</p> <p>(2) Where contamination has been reported to the relevant planning authority in accordance with sub-paragraph (1), an investigation and risk assessment must be completed in accordance with a <u>contamination</u> scheme to assess the nature and extent of any contamination on the part of the Order limits within which works are being carried out, whether or not that contamination originates on that part of the Order limits; and—</p> <p>(a) the contents of that <u>contamination</u> scheme are subject to the approval of the relevant planning authority; and</p>	To correct an error

	that investigation and risk assessment must be undertaken in accordance with the approved contamination scheme , and a written report of the findings must be submitted to the relevant planning authority.	
	In sub-paragraph (4) the following changes have been made: (10) The approved remediation scheme must be carried out in accordance with its terms the approved detailed remediation scheme .	To correct an error
Schedule 2 (requirements), requirement 11	In sub-paragraph (1) the following change has been made: Subject to sub-paragraph (3), no stage of the authorised development must commence until a LEMP, for that stage, substantially in accordance with the outline landscape and ecological management plan, has been submitted to and approved by the relevant planning authority.	Deletion requested by the relevant planning authorities
	In sub-paragraph (2) the following changes have been made: (a) an implementation timetable; (b) — the mitigation measures to be secured by the LEMP as set out in the REAC. (e) (b) measures for the protection of ancient woodland areas detailed within an arboricultural method statement and shown on a tree protection plan; and (d) (c) measures for the protection of existing features adjacent to the Works as detailed in the Environmental Statement;	To correct an error
	In sub-paragraph (3) the following changes have been made: (11) and Each stage of the authorised development must be carried out as undertaken in accordance with the approved LEMP for that stage .	To secure implementation in line with the other requirements
Schedule 2 (requirements), requirement 14	In sub-paragraph (1) the following changes have been made: Between 23.00 and 07.00 hours, noise arising from normal operation of the AGIs and BVSs may not exceed the rating levels identified in Table 15- 24 23 of the environmental statement. Rating levels are applicable as a free field noise level at 1m from at any residential properties at locations are also shown in Table 15-24 property which are is lawfully inhabited at the date of the making of this Order. at the locations shown in Table 15-23	To correct an error

	<p>In sub-paragraph (3) the following changes have been made:</p> <p>Prior to the commencement of the authorised development, the undertaker must submit a plan to the relevant planning authorities for approval detailing how noise monitoring will be undertaken within a six month period beginning with the date of first operation of the authorised development. That plan must specify a monitoring location point for each AGI and BVS, which must be in as close proximity as the undertaker can lawfully access, or at a point<u>the points</u> representative of, the residential properties <u>noise sensitive receptors</u>, as shown in Table 15-24<u>23</u> of the environmental statement.</p>	
Schedule 2 (requirements), requirement 15	<p><u>Provision of 'as built' details</u></p> <p><u>2. The undertaker must, within 3 months of the completion of the authorised development, provide to the relevant planning authorities details of:</u></p> <p><u>(a) the location and depth of each part of the Pipeline as it has been constructed;</u></p> <p><u>(b) any protective measures in place over any part of the Pipeline; and</u></p> <p><u>(a)(c) the locations of pipeline markers.</u></p>	Addition requested by the relevant planning authorities
Schedule 2 (requirements), requirement 16	<p>The following changes have been made:</p> <p>Subject to article 34 (temporary use of land for carrying out the authorised project],<u>development</u>), any land within the Order limits which is used temporarily for or in connection with construction must be reinstated to a condition fit for its former use, or such other condition as the relevant planning authority may approve, within 12 months of completion of the authorised project<u>development</u>.</p>	Correction of errors
Schedule 2 (requirements), requirement 17	<p>In sub-paragraph (1) the following change has been made:</p> <p>The undertaker must, no later than three months prior to the planned completion of commissioning of the authorised development, submit to the relevant planning authorities an operational and maintenance environment management plan (<u>or plans</u>) which details in the monitoring and management requirements of the authorised development, including post-construction monitoring.</p> <p>In sub-paragraph (2) the following change has been made:</p> <p>(a) outline construction environment management plan; and</p> <p>(b) the REAG.</p>	Correction of errors

	<p>In sub-paragraph (3) the following change has been made:</p> <p>(12)(5) The undertaker must, no later than six months prior to the planned permanent cessation of operation of the authorised development, submit to the relevant planning authorities for approval a decommissioning environmental management plan<u>DEMP</u>.</p> <p>In sub-paragraph (4) the following changes have been made:</p> <p>(13)(6) The decommissioning environmental management plan<u>DEMP</u> submitted under sub-paragraph (13) must include- the details required by the demolition management plan and specifically including:</p> <p>In sub-paragraph (3)(c) the following change has been made: traffic management plan for the decommissioning works; <u>and</u></p> <p>In sub-paragraph (3)(d) the following change has been made: waste management plan for the decommissioning works; and</p> <p>Sub-paragraph (5) has been added:</p> <p><u>(7) written Decommissioning of the authorised development must be undertaken in accordance with the approved DEMP.</u></p>	
Schedule 2 (requirements), requirement 18	<p>Change to the heading:</p> <p><u>Written approval.</u></p>	To correct an error
Schedule 2 (requirements), requirement 19	<p>The following changes have been made to sub-paragraph (1):</p> <p>With respect to any Requirement which requires the authorised development to be carried out in accordance with the details approved by the relevant planning authority or another approval<u>discharging</u> authority, the approved details must be carried out as approved unless an application for an amendment or variation is previously agreed, by the relevant planning authority or that other approval<u>discharging</u> authority as specified in the relevant Requirement, in accordance with sub-paragraph (2) and in consultation with any body specified in the relevant Requirement.</p>	To correct an error

	<p>The following changes have been made to sub-paragraph (2):</p> <p>No amendments to or variations from the approved details may be approved if their likely significant effects on the environment are not assessed in the environmental statement, or have not been subject to such further assessment as the relevant planning authority or that other approvaldischarging authority may require; provided that such approval must not be given except where it has been demonstrated that the subject-matter of the approval sought is unlikely to 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>	
	<p>The following changes have been made to sub-paragraph (3):</p> <p>The approved details must be taken to include any amendments that may subsequently be approved by the relevant planning authority or that other approvaldischarging authority.</p>	To correct an error
Schedule 2 (requirements), requirement 21	<p>In sub-paragraph (1) the following changes have been made:</p> <p>(1) Where an application has been made to a relevantdischarging authority for any consent, agreement or approval under a requirement, the relevantdischarging authority must give notice to the undertaker of its decision on the application within a period of 42 days beginning with—</p> <p>(a) where no further information is requested under requirement 2321, the day immediately following that on which the application is received by the authority;</p> <p>(b) where further information is requested under requirement 2321, the day immediately following that on which further information has been supplied by the undertaker; or</p> <p>(c) such longer period as may be agreed in writing by the undertaker and the relevant authority.</p>	To correct an error
	<p>In sub-paragraph (2) the following changes have been made:</p> <p>In the event that the relevantdischarging authority does not determine an application within the period set out in sub-paragraph (1), the relevantdischarging 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.</p>	Updated numbering following insertion of new requirement

Schedule 2 (requirements), requirement 22	Change to heading: Multiple relevantdischarging authorities	To correct an error
	The following change has been made: Where an application is required to be made to more than one relevant discharging authority for any single consent, agreement or approval under a requirement, the undertaker may submit a request for comments in respect of its proposed application to each relevant discharging authority and, where it does so, each relevant discharging authority must provide its comments in writing on the proposed application within a period of 20 days beginning with the day immediately following that on which the request is received by the authority, so as to enable the undertaker to prepare a consolidated application to each relevant discharging authority in respect of the consent, agreement or approval required by the requirement.	To correct an error
Schedule 2 (requirements), requirement 23	The following changes have been made to sub-paragraphs (1), (2), (3) and (4): (1) Where an application has been made under requirement 2021 the relevant discharging authority may, subject to complying with the requirements of this paragraph, request such reasonable further information from the undertaker as it considers is necessary to enable it to consider the application. (2) If the relevant discharging authority considers further information is necessary and the requirement does not specify that consultation with a requirement consultee is required, the relevant discharging authority must, within 5 business days of receipt of the application, notify the undertaker in writing specifying the further information required. (3) If the requirement specifies that consultation with a requirement consultee is required, the relevant discharging authority must issue the consultation to the requirement consultee within five business days of receipt of the application and must notify the undertaker in writing specifying any further information requested by the requirement consultee within five business days of receipt of such a request and in any event within 21 days of receipt of the application. (4) If the relevant discharging authority does not give the notification mentioned in sub-paragraphs (2) or (3) or otherwise fails to request any further information within the timescales provided for in this paragraph, it is deemed to have sufficient information to consider the application and is not thereafter entitled to request further information without the prior agreement of the undertaker.	To correct an error
	In sub-paragraph (1)(b) the following change has been made: a fee of £ 97 <u>117</u> per application or request.	Amended to reflect current fee level

Schedule 2 (requirements), requirement 24	<p>In sub-paragraph (2)(b) the following change has been made: the relevant planning authority failing to determine the application or to provide written comments within 42 days from the date on which the application is received, or such longer period as may be agreed in writing under requirement 21, unless within that period the undertaker agrees in writing that the fee may be retained by the relevant planning authority and credited in respect of a future application or a future request for comments.</p>	<p>Addition requested by the relevant planning authorities</p>
Schedule 2 (requirements), requirement 25	<p>In sub-paragraph (1)(a) the following change has been made: the relevantdischarging authority refuses an application for—</p>	<p>To correct an error</p>
	<p>In sub-paragraph (1)(b) the following changes have been made: having received a request for further information under requirement 2023 the undertaker considers that either the whole or part of the specified information requested by the relevantdischarging authority is not necessary for consideration of the application; or</p>	<p>To correct an error</p>
	<p>In sub-paragraph (2)(d) the following change has been made: (d) the relevantdischarging authority and the requirement consultee (if applicable) may submit any written representations in respect of the appeal to the appointed person within 10 business days beginning with the first day immediately following the date on which the appeal parties are notified of the appointment of the appointed person and must ensure that copies of their written representations are sent to each other and to the undertaker on the day on which they are submitted to the appointed person;</p>	<p>To correct an error</p>
Schedule 2 (requirements), requirement 26	<p>In sub-paragraph (1) the following change has been made: On an appeal under requirement 2425, the appointed person may—</p>	<p>Updated numbering following insertion of new requirement</p>
	<p>In sub-paragraph (1)(b) the following change has been made: reverse or vary any part of the decision of the relevantdischarging authority (whether the appeal relates to that part of it or not), and may deal with the application as if it had been made to the appointed person in the first instance.</p>	<p>To correct an error</p>
	<p>In sub-paragraph (2) the following change has been made: The appointed person may proceed to a decision on an appeal taking into account only such written representations as have been sent within the time limits prescribed, or set by the appointed person under requirement 2425. been made within those time limits if it appears to the appointed person that there is sufficient material to enable a decision to be made on the merits of the case.</p>	<p>Updated numbering following insertion of new requirement</p>

	<p>In sub-paragraph (4) the following change has been made:</p> <p>Any consent, agreement or approval given by the appointed person pursuant to this Schedule is deemed to be an approval for the purpose of Part 1 of Schedule 2 (Requirements) as if it had been given by the relevantdischarging authority.</p>	To correct an error
	<p>In sub-paragraph (5) the following change has been made:</p> <p>The relevantdischarging authority may confirm any determination given by the appointed person in identical form in writing but a failure to give such confirmation (or a failure to give it in identical form) does not affect or invalidate the effect of the appointed person's determination.</p>	To correct an error
	<p>In sub-paragraph (6) the following change has been made:</p> <p>Except where a direction is given pursuant to sub-paragraph (7) requiring the costs of the appointed person to be paid by the relevantdischarging authority, the reasonable costs of the appointed person must be met by the undertaker.</p>	To correct an error
	<p>In sub-paragraph (7) the following change has been made:</p> <p>On application by the relevantdischarging authority or the undertaker, the appointed person may give directions as to the costs of the appeal parties and as to the parties by whom the costs of the appeal are to be paid. In considering whether to make any such direction as to the costs of the appeal parties and the terms on which it is made, the appointed person must have regard to the Planning Practice Guidance: Appeals (March 2014) or any circular or guidance which may from time to time replace it.</p>	To correct an error
Schedule 2 (requirements), requirement 27	<p>The following changes have been made:</p> <p>“the appeal parties” means the relevantdischarging authority, the requirement consultee and the undertaker;</p> <p>“relevantdischarging authority” means the body responsible for giving a consent, agreement or approval</p>	To correct an error
Schedule 3 Streets subject to street works	The tables have been updated throughout	To correct errors and reflect minor changes to the plans

Schedule 4 New means of access	The tables have been updated throughout	To correct errors and reflect minor changes to the plans
Schedule 5 Streets to be temporarily stopped up or restricted	The tables have been updated throughout	To correct errors and reflect minor changes to the plans
Schedule 6 Public rights of way to be temporarily restricted	The tables have been updated throughout	To correct errors and reflect minor changes to the plans
Schedule 7 Land of which only temporary possession may be taken	The tables have been updated throughout	To correct errors and reflect minor changes to the plans
Schedule 10 (protective provisions), requirement 7	In sub-paragraph (3) the following change has been made: Any requirements made by a utility undertaker under sub-paragraph (2) must be made within a period of 21 days beginning with the date on which a plan under sub-paragraph (1) is submitted to it.	To correct an error
Schedule 10, new parts 8, 9, 10, 11 and 12	New parts have been added to reflect the requests for further provisions. Discussions on those parts are ongoing.	Requested by IPs
Schedule 11	The table has been updated throughout	To correct errors and reflect minor changes to the plans