

SCHEDULE OF CHANGES TO THE DRAFT DCO

HyNet Carbon Dioxide Pipeline DCO

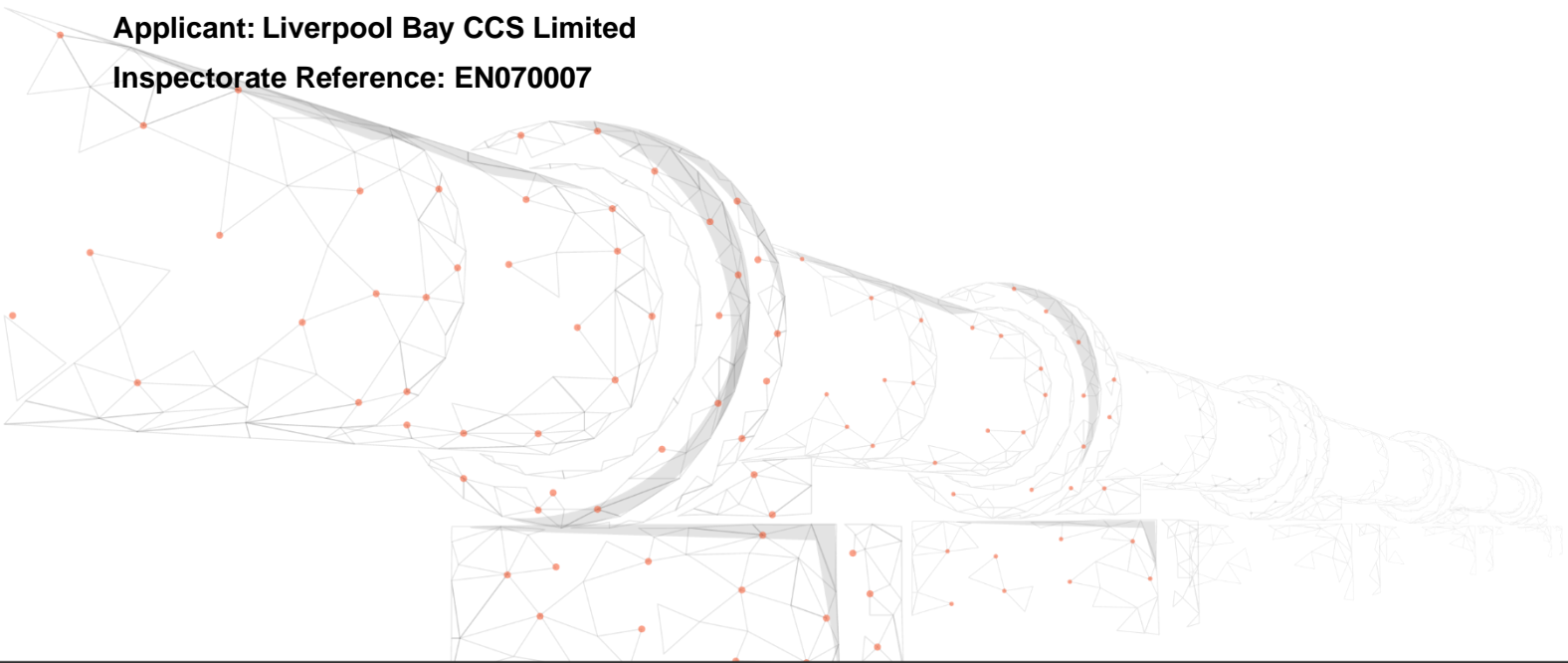
Planning Act 2008

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

Inspectorate Reference: EN070007



REVISION: I

DATE: September 2023

DOCUMENT OWNER: Burgess Salmon

PUBLIC

Schedule of changes to the dDCO

Table of Amendments to the Draft Development Consent Order – Deadline 8 (Revision K from Revision I)

Reference	Amendment	Reason
Schedule		
Schedule 2 Part 1 Requirements, paragraph 3, Stages of authorised development	<p>Stages of authorised development</p> <p>3 – (1) (a) The authorised development may not commence until a written scheme setting out all stages of the authorised development and including a plan indicating when each stage will be implemented, has been submitted to each relevant planning authority.</p> <p>(b) The written scheme submitted under this sub-paragraph may be amended by the undertaker. Where any amended written scheme is submitted under this sub-paragraph, any prior submitted written scheme will be held to be superseded.</p> <p>(c) Any amended written scheme must be submitted to each relevant planning authority before any amendment may take effect for the purpose of sub-paragraph (4).</p> <p>(2) The description of each stage in the written scheme to be submitted under sub-paragraph (1) must include the Work No(s) of the works within that stage.</p> <p>(3) More than one stage may be planned to be undertaken concurrently.</p> <p>(4) The authorised development must be implemented in accordance with the written scheme submitted under sub-paragraph (1).</p>	These amendments have been agreed with CWCC but were omitted from revision I in error
Schedule 2 Part 1 Requirements, paragraph 13	<p>Insertion of new definition in sub-paragraph (5):</p> <p>“trenchless construction techniques which cannot be interrupted” means drilling, tunnelling, boring or similar construction methods used to create an underground route for the pipeline without trenching from the surface, and includes any necessary ancillary activities to that drilling, tunnelling or boring; but does not include operations to prepare for drilling, tunnelling and boring, and specifically does not include works of excavation of pits, or works to remediate the site of pits used for drilling, tunnelling and boring.</p>	This addition was agreed with CWCC but was omitted from revision I in error
Schedule 3	<p>Correction of road number from B5132 to A5117 between points 3-G and 3-H</p> <p>Addition of omitted section 16-BB to 16-CC of Chester Road</p>	To correct errors

	Insertion of name of road (Church Lane) between pints 17-S and 18-A	
Schedule 10 Part 13: For the protection of United Kingdom Oil Pipelines Limited, paragraph	158- (1) Regardless of any provision in this Order or anything shown on the land plans or contained in the book of reference to the Order, the undertaker may not (a) appropriate or acquire or take temporary possession of any land or apparatus or (b) appropriate, acquire, extinguish, interfere with or override any easement, other interest or right and/or apparatus of UKOP otherwise than by agreement (all such agreement(s) not to be unreasonably withheld or delayed) and unless it grants replacement rights to UKOP in a form agreed between the parties in accordance with the provisions of paragraph 160 (UKOP Replacement facilities and rights for apparatus)	These words were included in UKOPs preferred drafting but are not agreed by the Applicant and were included in error
Schedule 10 Part 15 Protection of Encirc Limited	Insertion of missing addresses for service of notices in paragraphs 179, 184 and 194	As advised by Encirc following submission of revision I
Schedule 10 Part 17 For the protection of National Highways Limited	Insertion of 2 plots in paragraph 234(1) (1) The undertaker must not, in reliance on or in exercise of any power under this Order, interfere with, remove, damage or prevent or impair the functioning of, and must on reasonable request (or in case of emergency, on demand) allow access by National Highways to, the highway drainage assets located in plots 2-14, 4-20, 5-01, 5-02, 5-03, 5-04, 5-10, 5-12, 5-14, 5-15, 5-20, 5-22, 5-23, 6-02, 6-03, 6-04, 6-05, 6-06.	As requested by National Highways in their deadline 7 submisison REP7-316

Table of Amendments to the Draft Development Consent Order – Deadline 7 (Revision I)

Reference	Amendment	Reason
Articles		
Preamble	The application was examined by a panel of 2 members (appointed by the Secretary of State (“the Panel”) in accordance with Chapter 4 of Part 6 of the 2008 Act and the Infrastructure Planning (Examination Procedure) Rules 2010(a).	As requested by the ExA
	The Secretary of State has considered the [representations made and not withdrawn], and the report and recommendation of the Examining Authority, has taken into account the environmental information in accordance with regulation 4 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017(b), and has had regard to the documents and matters referred to in section 104(2) 105 of the 2008 Act .	As requested by the ExA
	[In accordance with section 131(5) of the 2008 Act the Secretary of State is satisfied that where this Order authorises the compulsory acquisition of land forming part of an open space special category land that land is less than 200 square metres in extent and the giving in exchange of other land is unnecessary, whether in the interests of the persons, if any, entitled to rights of common or other rights or in the interests of the public.	To reflect the submission made at Deadline 7
	The Secretary of State, in exercise of the powers conferred by sections [114, 115, 117, 120, 122, 123, 131 , 132 and schedule 5] of the 2008 Act, makes the following Order:	
Article 5 Power to maintain the authorised development	(a) which would result in the authorised development varying from the description in Part 1 of Schedule 1 (authorised development).	As requested by the ExA
Article 10 Street works	The undertaker may, for the purposes of the authorised development, enter on so much of any of the streets specified in Part 1 (streets subject to permanent street works) and Part 2 (streets subject to temporary street works) of Schedule 3 as is within the Order limits and	To correct an omission

	may without the consent of the street authority—	
Article 12 Application of the 1991 Act	<p>(a) the carrying out of works under articles 10 (street works) and 11 (power to alter layout <u>etc.</u> of streets);</p> <p>(b) the temporary restriction, temporary alteration or temporary diversion of a public right of way by the undertaker under article 13 (temporary restriction of a public right<u>rights</u> of way); and</p> <p>(c) the temporary restriction, temporary alteration or temporary diversion of a street by the undertaker under article 15<u>14</u> (temporary restriction of use of streets);</p> <p>Whether<u>whether</u> or not the carrying out of the works or the stopping up, alteration or diversion constitutes street works within the meaning of that Act.</p>	To correct an error
Article 14 Stopping up of public rights of way	<p>Stopping up of public rights of way</p> <p>(1) Subject to the provisions of this article, the undertaker may, in connection with the carrying out of the authorised development, stop up each of public rights of way specified in columns (1) and (2) of Part 2 of Schedule 6 (public rights of way to be stopped up) to the extent specified in column (3).</p> <p>(5) No public right of way may be stopped up under this article until a temporary alternative route for the passage of such traffic as could have used the public right of way has been provided and subsequently maintained by the undertaker until a permanent alternative has been provided and open to public use, which temporary alternative route must be provided to the reasonable satisfaction of the local highway authority, between the points specified in column (4) of Part 2 of schedule 6.</p> <p>No later than 3 months from the completion of the authorised development, the undertaker must provide a permanent alternative route for any route stopped up under this article, which permanent alternative route must be provided between the points specified in column (4) of Part 2 of schedule 6 to the reasonable satisfaction of the local highway authority.</p>	The deleted article is not required in the Applicant's preferred version of the dDCO (rev I) as, without a bridged crossing of Alltami Brook, there is no need to stop up any section of any public right of way. The article has been retained in rev J, resulting in a divergence in article numbers between the 2 versions.
Article 26 Compulsory acquisition of rights and restrictive covenants	<p>(6)<u>(5)</u> Subject to Schedule 2A (counter-notice requiring purchase of land not in notice to treat) to the 1965 Act (as substituted by paragraph 3<u>(4)</u><u>(8)</u> of Schedule 9 (modification of compensation and compulsory purchase enactments for creation of new rights and imposition of restrictive covenants)), where the undertaker acquires a right over land or the benefit of a restrictive covenant, the undertaker is not required to acquire a greater interest in that land.</p> <p>(7)<u>(6)</u> Schedule 9 (modification of compensation and compulsory purchase enactments for creation of new rights and imposition of new restrictions) has effect for the purpose of modifying the enactments relating to compensation and the provisions of the 1965 Act in their application in relation to the compulsory acquisition under this article of a right over land by the creation of a new right or the imposition of a restrictive covenant.</p>	To correct an error

Article 34 Temporary use of land for carrying out the authorised development	(g) construct such works on that land as are mentioned in Part 1 of Schedule 1 (authorised development) and Part 2 of Schedule 1 (ancillary works) ; and	To correct an error
Article 38 Application of landlord and tenant law	(h) This article applies to any agreement entered into by the undertaker under article 7 (benefit of the Order) so far as it relates to the terms on which any land is subject to a lease granted by or under that agreement.	To correct an error
Schedules		
Schedule 1, Part 1, Authorised Development	Work No 43E; within Work No 43, a concrete, embedded pipe bridge structure to carry the pipeline across the Alltami Brook, being formed of a concrete span and abutments, with the pipeline buried within the structure of the bridge under a removable concrete slab, and including; Ground works including alteration of ground levels, ground stabilisation; Piling for abutments if required; Fencing, gating, handrails and/or fall protection and other security measures; Surface water drainage within the pipe bridge structure; and Creation of a diverted public right of way route (including where required, alteration of ground levels and ground stabilisation).	Work No 43E is not required in the Applicant's preferred version of the dDCO (rev I) as, without a bridged crossing of Alltami Brook, this Work No is not required. The Work No. has been retained in rev J with consequential amends to the description of Work No. 43.
Schedule 2, Requirements	(8)(7) Where, within Work No. 43 the crossing of Alltami Brook is by open cut trench installation, the 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: (9) The works listed in sub-paragraph (1 paragraphs (4) and (5) must be implemented in accordance with the details approved under this paragraph. (10) Where the crossing of Alltami Brook uses an embedded pipe bridge (Work No. 43E), the details submitted under sub-paragraph (5) must be accompanied by flood risk assessment showing the maximum water level reached in a 1 in 100 year event plus 40% climate change scenario. The minimum height of the embedded pipe bridge over the Alltami brook must be no less than 300 millimetres above that maximum water level. (11)(8) Where the crossing of Alltami Brook uses an embedded pipe bridge (Work No. 43E) and the position of the abutments of that bridge require the stopping up of part of the current route of Footpath 414/39A, the details submitted under sub-paragraph (5) must include a scheme setting out the alternative route and specification for the permanent diversion of the part of public right of way Footpath 414/39A to be stopped up, and setting out how that alternative is to be legally created.—	The design requirements for the crossing of Alltami Brook have been separated in a trenched crossing in revision I and the embedded pipe bride in revision J. The embedded pipe bridge drafting has therefore been deleted in revision I.

	<p>5.—(1) No stage of the authorised development can commence until a CEMP which includes that stage has been submitted to and approved by the relevant planning authority following consultation with [TBC].</p>	<p>It has been agreed that consultation by the Applicant will be carried out pre-submission and that is secured in the outline CEMP.</p>
	<p>8.—(1) No development of Work Nos. 1, 9, 20, 26, 36, 45, 48, 51, 53 and 55 may commence until, for that Work No, 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 has been submitted to and approved by the relevant planning authority or, where applicable, the Environment Agency and/or NRWNatural Resources Wales and/or the Lead Local Flood Authority.</p>	<p>Replacement of abbreviation.</p>
	<p>9 Part A - Stanlow</p> <p>(2) No intrusive works or any works which are likely to cause significant harm to persons or pollution of controlled waters or the environment, other than those necessary to undertake ground investigation for the purposes of identifying any contamination which may be present, can be carried out within plots 3-11, 3-12, 3-13, 3-14 and 3-15, unless and until either sub-paragraph (2) or sub-paragraph (3) has been complied with.</p> <p>(3) The Environment Agency has confirmed in writing that any contamination of the plots listed in sub-paragraph (1) has been remediated to a standard which renders those plots fit for the use consented under this Order.</p> <p>(4) The undertaker must:</p> <p>(a) carry out further ground investigations within plots 3-11, 3-12, 3-13, and within the highway verges within plots 3-14 and 3-15, to identify any contamination present. The investigations must include testing for Per- and polyfluoroalkyl substances.</p> <p>(b) Where no contamination is identified under paragraph (a), the undertaker must submit a report of the investigations undertaken and the results thereof to the relevant planning authority; no works set out in sub-paragraph (1) may be undertaken unless and until the relevant planning authority, following consultation with the Environment Agency, has approved the report submitted.</p> <p>(c) Where contamination is identified under paragraph (a), a written risk assessment must be completed by the undertaker in order to assess the nature and extent of any contamination. Where having regard to that risk assessment:</p> <p>(i) the undertaker considers that remediation is required, a detailed remediation scheme must be prepared and submitted by the undertaker for the approval of the relevant planning authority in consultation with the Environment Agency; or</p> <p>(ii) the undertaker considers that remediation is not required, the risk assessment must be submitted to the relevant planning authority; and</p>	<p>This requirement has been amended to reflect increased certainty sought by the EA as to the need for further investigation and where required remediation of land where assessment to date indicates a need for such work.</p>

(iii) remediation is determined by the relevant planning authority, following consultation with the Environment Agency, not to be required, the relevant planning authority must approve the risk assessment and Work Nos. 5 and 7 may commence; or

(iv) remediation is determined by the relevant planning authority, following consultation with the Environment Agency, to be required, a detailed remediation scheme must be prepared and submitted by the undertaker for the approval of the relevant planning authority in consultation with the Environment Agency.

(d) Where a remediation scheme is required under paragraph (c), the remediation must be implemented by the undertaker in accordance with the approved detailed remediation scheme, and a verification report following completion of those remediation works must be submitted to the relevant planning authority before Work Nos 5 and 7 may be commenced.

Part B– other sites identified as requiring further investigation

(5) No intrusive works or any works which are likely to cause significant harm to persons or pollution of controlled waters or the environment, other than those necessary to undertake ground investigation for the purposes of identifying any contamination which may be present, can be carried out within plots 1-25, 4-12, 4-20, 8-10 and 8-12 unless and until sub-paragraph (5) has been complied with.

(6) The undertaker must:

(7) carry out further ground investigations within plots 1-25 (adjacent to Ince railway), plot 4-12 (in the former gateway), plots 8-10 and 8-12, and groundwater testing in plot 4-20 (to the north of the M56 motorway)] to identify any contamination present.

(a) Where no contamination is identified under paragraph (a), the undertaker must submit a report of the investigations undertaken and the results thereof to the relevant planning authority; no works in the plots set set out in sub-paragraph (4) may be undertaken unless and until the relevant planning authority, following consultation with the Environment Agency, has approved the report submitted.

(b) Where contamination is identified under paragraph (a), a written risk assessment must be completed by the undertaker in order to assess the nature and extent of any contamination. Where having regard to that risk assessment;

(i) the undertaker considers that remediation is required, a detailed remediation scheme must be prepared and submitted by the undertaker for the approval of the relevant planning authority in consultation with the Environment Agency; or

(ii) the undertaker considers that remediation is not required, the risk assessment must be submitted to the relevant planning authority; and

(iii) remediation is determined by the relevant planning authority, following consultation with the Environment Agency, not to be required, the relevant planning authority must approve the risk assessment and Works in the plots listed in sub-paragraph (4) may commence; or

(iv) remediation is determined by the relevant planning authority, following consultation

	<p>with the Environment Agency, to be required, a detailed remediation scheme must be prepared and submitted by the undertaker for the approval of the relevant planning authority in consultation with the Environment Agency.</p> <p>(c) Where a remediation scheme is required under paragraph (c), the remediation must be implemented by the undertaker in accordance with the approved detailed remediation scheme under sub-paragraph (5), and a verification report following completion of those remediation works must be submitted to the relevant planning authority.</p> <p>(8) Approval of the requirements of sub-paragraphs (4) and (5) may be sought and granted in stages provided that plots 1-19; 1-20; 1-21; 1-22; 1-23; 1-24 and 1-25 must all be contained within a single stage, plots 3-18; 4-19; 4-20; 5-02; 5-01; 5-03; 5-04 and 5-05 must all be contained within a single stage and plots 3+1; 4-11; 4-12; 4-13; 4-14; 4-15; 4-16; 4-17; and 4-18; must all be contained within a single stage. Nothing in this part of this requirement will prevent the commencement of works in any stage which does not contain any of the plots listed in sub-paragraph (4).</p> <p>(a) Part C – unexpected contamination</p> <p>(13) 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 under sub-paragraph (7) until the investigation and risk assessment in accordance with sub-paragraph (23), and if required, a remediation scheme in accordance with sub-paragraph (39) has been submitted to and approved by the relevant planning authority.</p> <p>(14) The remediation must be implemented by the undertaker in accordance with the approved detailed remediation scheme under sub-paragraph (9), and a verification report following completion of thethose remediation works must be submitted to the relevant planning authority.</p>					
<p>Schedule 6, public rights of way to be temporarily restricted</p>	<p>Public rights of way to be temporarily restricted and stopped up</p> <p>Part 1-</p> <p>Part 2</p> <p>Public rights of way to be stopped up</p> <table border="1" data-bbox="524 1388 1659 1460"> <tr> <td data-bbox="524 1388 806 1460">Area</td> <td data-bbox="806 1388 1097 1460">(2) Public right of way</td> <td data-bbox="1097 1388 1377 1460">(3) Extent of Stopping up</td> <td data-bbox="1377 1388 1659 1460">(4) Alternative route</td> </tr> </table>	Area	(2) Public right of way	(3) Extent of Stopping up	(4) Alternative route	<p>The deleted part is not required in the Applicant's preferred version of the dDCO (rev I) as, without a bridged crossing of Alltami Brook there is no need to stop up any section of any rights of way. The part has been retained in rev J.</p>
Area	(2) Public right of way	(3) Extent of Stopping up	(4) Alternative route			

	In the County of Flintshire	Footpath 414/39A	Between the points marked 19-D and 19-DD on sheet 19 of the access and rights of way plans shown with a dashed purple line	Between the points marked 19-D and 19-DD on sheet 19 of the access and rights of way plans	
Schedule 10 protective provisions	Amendment to all parts other than parts 1 and 2.				Please see detailed explanation of the status of the protective provisions in the Applicant's deadline 7 submission document D.7.62, DCO drafting update.

	location shown on Sheet 18 of the Works Plans, including— (a) construction of a temporary construction access and working area ; (b) (i) improvement of an existing junction with the public highway; (c) (j) improvement of road surfacing and provision of new hard surfacing; and (d) (k) creation of visibility splays.				
	Work No. 41D: description deleted and marked ' Number not used ' The creation and use of a temporary logistics and construction compound for the use during the construction of the authorised development, within the location shown on Sheet 18 of the Works Plans, including— (l) office, welfare and security facilities; (m) a parking area; (n) power supplies and temporary lighting; (o) pipe equipment and fittings storage; (p) plant storage; (q) a fabrication area; (r) a plant wheel wash area; (s) waste processing and management areas; and fencing and gating.'				
Schedule 7, Part 1, Land of which only temporary possession may be taken	<i>(1) Area</i>	<i>(2) Number of plot shown on land plans</i>	<i>(3) Purpose for which temporary possession may be taken</i>	<i>(4) Relevant part of authorised development</i>	To reflect the changes in the application of powers.
	Cheshire and Chester West	1-05	Temporary use as a construction working area and for access (as part of Work No.3)	Work Nos 1, 2, 3, 3A , 3B 4 and 5	
	Cheshire and Chester West	1-06d	Temporary use as a construction access (as part of Work No.3A)	Work Nos 1, 2, 3, 3A, 3B, 4 and 5	
	Flintshire	18-08, 18-09, 18-12	Temporary use as a construction compound, working area and access (as part of Work No. 41A)	Work Nos. 40, 41, 42 and 571	
	Flintshire	18-13	Temporary use as a construction compound,	Work Nos. 40, 41, 42 and 571	

			working area and access (as part of Work Nos. 41A and 41B)		
Schedule 11, Part 1, Removal of hedgerows	Updated points and removal of hedgerows no longer affected				To reflect the changes in the red line and consequential effects on hedgerows.

Table of Amendments to the Draft Development Consent Order – Deadline 4 (Revision G)

Reference	Amendment	Reason
Throughout	Insertion of missing spaces	To correct an error
Articles		
Article 2 Definitions	Insertion in definition of authorised development: “authorised development” means the development described in Parts 1 and 2 of 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;	As requested by the ExA in ISH2
	Addition to definition of CEMP; “CEMP” means the construction environmental management plan, including all of its appendices, to be approved under the requirements;	As agreed in ISH2
	Insertion of new definition; “chief officer of police” means the chief officer of police of the police area in which a power under this Order is sought to be exercised;	As requested by the ExA in ISH2
	Amendment of definite of commence; “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 temporary fencing to site boundaries or marking out of site boundaries, installation of temporary amphibian and reptile fencing, the diversion or laying of services or environmental mitigation measures and any such temporary accesses that may be required in association with these, and “commencement”, “commenced” and cognate expressions are to be construed accordingly;	As agreed in ISH2 to respond to CWCC concerns that it was unclear that fencing to be erected was temporary

	<p>Correction of errors</p> <p>“outline landscape and ecology mitigation-management plan” means the document certified as such by the Secretary of State for the purposes of this Order;</p> <p>“outline operational and maintenance environmental management plan” means the document certified as such by the Secretary of State for the purposes of this Order</p>	As requested by the ExA in ISH2
	<p>Deletion of definition of outline public rights of way management plan;</p> <p>“outline public rights of way management plan” means the document certified as such by the Secretary of State for the purposes of this Order;</p>	This plan is an appendix to the CEMP and does not need to be separately defined or certified
	<p>Deletion of definition of REAC:</p> <p>“register of environmental actions and commitments” means the document certified as such by the Secretary of State for the purposes of this Order;</p>	This is an appendix listing commitments in the ES and does not need to be separately defined or certified
Article 11 Power to alter layout, etc. of streets	<p>11- (1) 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 (2) 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>	To correct an error as requested by the ExA in ISH2
Article 45 Certification of plans, etc.	<p>Amendment in item (c);</p> <p>(f)(e) _____ the crown land plans (consisting of a key plan and 810 sheets) (document number D 2.3);</p>	To reflect changes made to the Crown Land Plans
	<p>Deletion of item (n);</p> <p>the outline public rights of way management plan (document number D.7.9);</p>	This plan is an appendix to the CEMP and does not need to be separately defined or certified
Schedules		
Schedule 1 Requirements, Part 1, requirement 1, interpretation	<p>Insertion of new definition:</p> <p><u>“stage” means the works and ancillary works, or parts thereof, to be carried out together as a phase of, or in a defined order within, the construction of the authorised development.</u></p>	As agreed in ISH2 to respond to FCC and CWCC concerns
Schedule 1 Requirements, Part 1, requirement 3, Stages of authorised development	<p>Insertion of new sub-paragraphs (2) and (3);</p> <p><u>(15) The description of each stage in the written scheme to be submitted under sub-paragraph (1) must include the Work No(s) of the works within that stage.</u></p>	

	(15) (16) More than one stage may be planned to be undertaken concurrently.	
Schedule 1 Requirements, Part 1, requirement 5,	Requirement 5(2), deletion of item (d): (d) odour management plan	This has been moved to the operational plan as it applies in the operational phase.
Schedule 1 Requirements, Part 1, requirement 9, Contaminated land and groundwater	Insertions; 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. (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 by the undertaker 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— (a) the contents of that contamination scheme are subject to the approval of the relevant planning authority; and (b) that investigation and risk assessment must be undertaken by the undertaker 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. (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 by the undertaker f for the approval of the relevant planning authority. (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. (5) The remediation must be implemented by the undertaker 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.	As agreed in ISH2 to add clarity on who is responsible for undertaking the actions
Schedule 1 Requirements, Part 1, requirement 13(5), construction hours	Addition of new definition: “start-up and shut-down activities” includes personnel briefings, inspections, tool-box talks, inductions, health and safety works, deliveries, movement to place of work, unloading, maintenance and general preparation work; but does not include operation of heavy machinery for construction, or operation of generators or flood lights at work-fronts.	In response to FCC and CWCC concerns over what activities are allowed in the start-up and shut-down periods

Schedule 1 Requirements, Part 1, requirement 17, Operational and maintenance environmental management plan	Amendment (3)Operation of the authorised development must be implemented in accordance with the approved - submitted operational and maintenance environment management plan(s).			For clarity following discussion in ISH2 whether this plan was for approval				
Schedule 7, Part 1, table row 17	Addition of plot: <table border="1" data-bbox="533 347 1653 443"> <tr> <td data-bbox="533 347 813 443">Cheshire and Chester West</td> <td data-bbox="813 347 981 443">7-02, 7-02a, 7-03b</td> <td data-bbox="981 347 1384 443">Temporary use as a construction access (Work No.16B)</td> <td data-bbox="1384 347 1653 443">Work No. 16A</td> </tr> </table>			Cheshire and Chester West	7-02, 7-02a, 7-03b	Temporary use as a construction access (Work No.16B)	Work No. 16A	New plot required following changes to narrow the access route in this location
Cheshire and Chester West	7-02, 7-02a, 7-03b	Temporary use as a construction access (Work No.16B)	Work No. 16A					

Table of Amendments to the Draft Development Consent Order – Change request 2 (Revision F)

Reference	Amendment	Reason
Changes made throughout the DCO	Revisions to article numbers throughout	To update following addition of new article 14 and correct errors
Articles		
Article 6 Limits of deviation	New paragraph inserted: <u>(2) The maximum limits of vertical deviation specified in paragraph (1)(b) do not apply within Work No 43E.</u> s	To provide that where the pipe is buried in an embedded pipe bridge the minimum depth level provided for ground installation do not apply
New article 14 Stopping up of public rights of way	<u>14.(1) Subject to the provisions of this article, the undertaker may, in connection with the carrying out of the authorised development, stop up each of public rights of way specified in columns (1) and (2) of Part 2 of Schedule 6 (public rights of way to be stopped up) to the extent specified in column (3).</u> <u>(2) No public right of way may be stopped up under this article until a temporary alternative route for the passage of such traffic as could have used the public right of way has been provided and subsequently maintained by the undertaker until a permanent alternative has been provided and open to public use, which temporary alternative route must be provided to the reasonable satisfaction of the local highway authority, between the points specified in column (4) of Part 2 of schedule 6.</u> <u>(3) No later than 3 months from the completion of the authorised development, the undertaker must provide a permanent alternative route for any route stopped up under this article, which permanent alternative route must be provided between the points specified in column (4) of Part 2 of schedule 6 to the reasonable satisfaction of the local highway authority.</u>	The change request would require the permanent diversion of a short section of a footpath. In order to do that the existing route must be stopped up
Schedules		

<p>Schedule 1 authorised development</p>	<p>Insertion of new Work No. 43E:</p> <p><u>Work No 43E; within Work No 43, a concrete, embedded pipe bridge structure to carry the pipeline across the Alltami Brook, being formed of a concrete span and abutments, with the pipeline buried within the structure of the bridge under a removable concrete slab, and including:</u></p> <ul style="list-style-type: none"> a) <u>Ground works including alteration of ground levels, ground stabilisation;</u> b) <u>Piling for abutments if required;</u> c) <u>Fencing, gating, handrails and/or fall protection and other security measures;</u> d) <u>Surface water drainage within the pipe bridge structure; and</u> e) <u>Creation of a diverted public right of way route (including where required, alteration of ground levels and ground stabilisation).</u> 	<p>To reflect the changes sought as part of the change request.</p>
	<p>Insertion of new item in other items list;</p> <p><u>(k) creation, use and reinstatement of crane pads; and</u></p>	<p>To reflect the changes sought as part of the change request.</p>
<p>Schedule 2 requirements, requirement 4, detailed design</p>	<p><u>(2) TheWhere, within Work No. 43 the crossing of Alltami Brook is by open cut trench installation, the</u> 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> <ul style="list-style-type: none"> (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; (b) the width of any strip of permanent bedrock removal within the Alltami Brook, which may not exceed a maximum of 4m wide; (c) the temporary working width in the riparian habitat related to the Alltami Brook, which may not exceed 16m; and (d) the design of the reinstatement of the Alltami Brook. <p><u>(3) The works listed in sub-paragraph (1) must be implemented in accordance with the details approved under this paragraph.</u></p> <p><u>(4) Where the crossing of Alltami Brook uses an embedded pipe bridge (Work No. 43E), the details submitted under sub-paragraph (5) must be accompanied by flood risk assessment showing the maximum water level reached in a 1 in 100 year event plus 40% climate change scenario. The minimum height of the embedded pipe bridge over the Alltami brook must be no less than 300 millimetres above that maximum water level.</u></p>	<p>To reflect the changes sought as part of the change request.</p>

	(3) (5) Where the crossing of Alltami Brook uses an embedded pipe bridge (Work No. 43E) and the position of the abutments of that bridge require the stopping up of part of the current route of Footpath 414/39A, the details submitted under sub-paragraph (5) must include a scheme setting out the alternative route and specification for the permanent diversion of the part of public right of way Footpath 414/39A to be stopped up, and setting out how that alternative is to be legally created.	
Schedule 6	Amendment of title and creation of a new part 2	To reflect the changes sought as part of the change request.
Schedule 7	Changes to plot numbers	To reflect the changes sought as part of the change request.
Schedule 11	Co-ordinates updated to reflect change in order limits	To reflect the changes sought as part of the change request

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

Reference	Amendment	Reason
Changes made throughout the DCO	Description of Cheshire Wester 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) (6) 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) (7) 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. 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.	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
	(6)(8) f 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. <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>	Change to the trigger of start of period requested in local authority representation

<p>Article 15 (Access to works)</p>	<p>(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 reasonable conditions to any consent, but such consent is not to be unreasonably withheld or delayed.</u> -(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 made <u>received by that street authority</u>, it is deemed to have granted consent.</p>	<p>Change to add explicit ability to impose conditions requested in local authority representation</p>
<p>Article 18 (Traffic regulation)</p>	<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 <u>may attach reasonable conditions to any consent but which</u> 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>	<p>Change to add explicit ability to impose conditions requested in local authority representation</p>
	<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) <u>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.</u> at any time.</p>	<p>Change requested in local authority representation</p>
	<p><u>(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.</u></p>	<p>Change requested in local authority representation</p>
	<p>(9) <u>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</u></p>	<p>Change requested in local authority representation</p>
<p>Article 21 (Authority to survey and investigate the land)</p>	<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, <u>which authority may attach reasonable conditions to any consent,</u> but such consent must not be unreasonably withheld or delayed</p>	<p>Change to add explicit ability to impose conditions requested in local authority representation</p>

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) (c) <u>commissioning of the pipeline works.</u> <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 <u>stated</u> core-working hours and undertaken in compliance with the CEMP; (c) works on a traffic sensitive street where so directed by the relevant highway authority; <u>and</u> (d) <u>works to make construction sites safe in the event of extreme weather.</u> (e) (e) <u>_____.</u> 	Amended in response to local authority representations

<p>Schedule 2 (Requirements) Part 1, Requirement 17</p>	<p>Post-construction<u>Operational and maintenance</u> environmental management plans</p> <p>(3) Operation of the authorised development must be implemented in accordance with the approved operational and maintenance environment management plan</p>	<p>Operational and decommissioning plans separated, implementation added to the operational plan</p>
<p>Schedule 2 (Requirements) Part 1, new requirement 18</p>	<p><u>Decommissioning environmental management plan</u></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 42<u>56</u> days beginning with the date on which the application was made, <u>such longer period as may be agreed in writing by the undertaker and the relevant authority</u>, 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 42<u>56</u> 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, <u>or such longer period as may be agreed in writing by the undertaker and the relevant authority or authorities</u>, 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 business<u>10</u> 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 business<u>10</u> days of receipt of the application and must notify the undertaker in writing specifying any further information requested by the requirement consultee within five</p>	<p>Change made to extend period in response to local authority requests</p>

	<p>business10 days of receipt of such a request and in any event within 21 days of receipt of the application.</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: (4) the relevant planning authority failing to determine the application or to provide written comments within 42 56 days from the date on which the application is received, or such longer period as may be agreed in writing under requirement 22+, 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)	(e) 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

	<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> (a) woodland planting; and (b) scrub planting over the pipeline.	
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	Item (n) has been added to requirement 5(2): (n) public rights of way management plan.	Amended to add this plan
Requirement 9 (Contaminated land and groundwater)	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 <i>as soon as reasonably practicable</i> . (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— (a) the contents of that contamination scheme are subject to the approval of the relevant planning authority; and (b) that investigation and risk assessment must be undertaken <i>within timescales agreed with the relevant planning authority and</i> in accordance with the approved contamination scheme, and a written report of the findings must be submitted to the relevant planning authority. (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. (3) (4) <i>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.</i>	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 an the 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. Work No. 16A: 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 B5129private 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>	To reflect the changes sought as part of the change request
	<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>	To reflect the changes sought as part of the change request

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) <u>in the manner specified in relation to that street in column (3)</u>.</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 <u>under paragraph (5)</u> 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 25<u>26</u> (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 33<u>34</u> (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 23 24 (compulsory acquisition of land), by creating them as well as acquiring rights already in existence.	
	(2) (5) Subject to articles 28 29 (private rights) and 35 36 (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 23 24 (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 23 24 —	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 23 26 (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 24 25 (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 23 24 (compulsory acquisition of land) and paragraph (1) of article 25 26 (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 (CO ₂) 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

	<p>(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>	
	<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 (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;</p>	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 (CO2) 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 (CO2) 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

	<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. 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 Hill, 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> <ul style="list-style-type: none"> (a) <u>creation of new bellmouth junction; and</u> (b) <u>improvement of road surfacing and provision of new hard surfacing.</u> 	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><u>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—</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>	To more accurately define these works as they require permanent accesses to be formed
	<p><i>Work No. 43D:</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 19 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. 45:</i> Construction of an AGI at Northop Hall, <u>comprising equipment for the control and interface of the Stanlow AGI to Flint AGI Pipeline</u>, within the location shown on Sheet 20 of the Works Plans, including—</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) <u>PIG launcher facilities</u>;</p> <p>(v) isolation valves;</p> <p>(vi) connection points;</p> <p>(vii) analyser house;</p> <p>(ix)(viii) control mechanisms and <u>Electrical</u> 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:</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 20 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. 48:</i> Construction of an AGI at Flint, <u>comprising equipment for the control and interface of Work No. 50</u>, within the location shown on Sheet 22 of the Works Plans, including—</p>	To remove duplication with the definition of AGI
	<p><i>Work No. 50:</i></p> <p>(e) <u>landscaping, ecological and environmental works</u>;</p> <p>(f) <u>works to connect to the existing pipeline; and</u></p>	To more accurately define these works

	<i>(g) drainage works including creation of connections to existing</i>	
	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
	<p>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,</p> <p>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>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,</p> <p>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; 	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 including operational fencing and lighting columns</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>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:</p> <ul style="list-style-type: none"> (a) the sitting, layout, scale and external appearance, including the colour, materials and surface finishes of all new permanent buildings and structures; (b) details of permanent accesses to the public highway; (c) details of any external lighting; and (d) details of the noise ratings of any external machinery or potentially noisy installations (such as fans). 	<p>subject to approval prior to commencement.</p>
	<p>In sub-paragraph (5) the following changes have been made</p> <p>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.</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>(3)(6) 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> <ul style="list-style-type: none"> (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; 	<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 it 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 <u>which includes that stage has been submitted to and approved by the relevant planning authority following consultation with [TBC].</u></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>(4) 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 REAC.</p> <p>(5)(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>(6)(8) The CTMP for each stage must include a construction workersworker travel plan in accordance with the interim workersworker 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>(7)(9) The CTMP for eachEach stage of the authorised development must be implemented as undertaken in accordance with the approved CTMP for that stage.</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. 1, 9, 20, 26, 36, 45, 48, 51and, 53 mustand 55 may commence until, for that stageWork No, 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: (8)(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 (e)(c) measures for the protection of existing features adjacent to the Works as detailed in the Environmental Statement; In sub-paragraph (3) the following changes have been made: (9)(11) and Each stage of the authorised development must be carried out as undertaken in accordance with the approved LEMP for that stage .	To correct an error 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>15. 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>(a)<u>(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 REAC.</p>	Correction of errors

	<p>In sub-paragraph (3) the following change has been made:</p> <p>(10)<u>(3)</u> 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>(11)<u>(4)</u> 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>(5) 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

<p>Schedule 2 (requirements), requirement 22</p>	<p>Change to heading:</p> <p>Multiple relevantdischarging authorities</p>	<p>To correct an error</p>
	<p>The following change has been made:</p> <p>Where an application is required to be made to more than one relevantdischarging 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 relevantdischarging authority and, where it does so, each relevantdischarging 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 relevantdischarging authority in respect of the consent, agreement or approval required by the requirement.</p>	<p>To correct an error</p>
<p>Schedule 2 (requirements), requirement 23</p>	<p>The following changes have been made to sub-paragraphs (1), (2), (3) and (4):</p> <p>(1) Where an application has been made under requirement 2021 the relevantdischarging 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.</p> <p>(2) If the relevantdischarging authority considers further information is necessary and the requirement does not specify that consultation with a requirement consultee is required, the relevantdischarging authority must, within 5 business days of receipt of the application, notify the undertaker in writing specifying the further information required.</p> <p>(3) If the requirement specifies that consultation with a requirement consultee is required, the relevantdischarging 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.</p> <p>(4) If the relevantdischarging 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.</p>	<p>To correct an error</p>
	<p>In sub-paragraph (1)(b) the following change has been made:</p> <p>a fee of £97117 per application or request.</p>	<p>Amended to reflect current fee level</p>

<p>Schedule 2 (requirements), requirement 24</p>	<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>
<p>Schedule 2 (requirements), requirement 25</p>	<p>In sub-paragraph (1)(a) the following change has been made: the relevantdischarging authority refuses an application for— 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 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>
<p>Schedule 2 (requirements), requirement 26</p>	<p>In sub-paragraph (1) the following change has been made: On an appeal under requirement 2425, the appointed person may— 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. 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 To correct an error 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