

H2Teesside Project

Planning Inspectorate Reference: EN070009/APP/4.1a

Land within the boroughs of Redcar and Cleveland and Stockton-on-Tees, Teesside and within the borough of Hartlepool, County Durham

The H2Teesside Order

Document Reference: 4.1a: Schedule of Changes to the Draft Development Consent Order

Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 - Regulation 5(2)(q)



Applicant: H2 Teesside Limited

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1.0 SCHEDULE OF CHANGES MADE TO THE DRAFT DEVELOPMENT CONSENT ORDER ('DCO')

1.1 Introduction

1.1.1 The table below details the changes made to the draft DCO since its submission, providing the changes made at each relevant deadline. The table below does not detail minor amendments made in relation to typographical errors, formatting and style errors and updates in cross-referencing (unless they were matters highlighted by the Examining Authority as part of their First Written Questions which have been included here for completeness). These minor amendments can be seen on the tracked version of the draft DCO submitted at Deadline 2.

Article	Change	Reason for change	Date change made
Contents	Reference to 'Temporary Traffic Measures' for Schedule 7 amended to 'Traffic Regulation Measures'.	Amendment made for consistency with the relevant article and Schedule further to the Examining Authority's (ExA) First Written Questions (FWQs).	Deadline 2
Contents	Reference to 'National Grid Electricity Transmission' amended to 'National Grid Electricity Transmission PLC'.	Amendment made for consistency with the relevant set of Protective Provisions further to the ExA's FWQs.	Deadline 2
Contents	Reference to 'National Grid Gas PLC' amended to 'National Gas Transmission PLC'.	Amendment made to correct error further to the ExA's FWQs.	Deadline 2
Preamble	Deleted square brackets and optionality in '[a single appointed person / a panel]' in the second paragraph so that it refers only to 'a panel'.	Amendment made further to the ExA's FWQs.	Deadline 2
Preamble	Deleted reference to section 149A of the Planning Act 2008.	Amendment to correct error further to the ExA's FWQs.	Deadline 2
Article (Interpretation)	2 Amended "traffic regulation measures plans" to "temporary traffic regulation measures plan".	This amendment was made following receipt of the ExA's section 51 advice.	May 2024 [AS-014]
Article (Interpretation)	2 Definition of 'flood risk assessment' amended to 'means the document of that description which is certified as part	The definition has been amended for consistency following consideration of the ExA's FWQs.	Deadline 2

		of the environmental statement by the Secretary of State under article 44 for the purposes of this Order’.		
Article (Interpretation)	2	Amended the definition of <i>“maintain” includes, inspect, repair, adjust, alter, remove, refurbish, reconstruct, replace and improve any part of, but not remove, reconstruct or replace the whole of, the authorised development provided that such activities do not give rise to any materially new or materially different adverse effects that have not been assessed in the environmental statement and “maintenance” and “maintaining” are to be construed accordingly;’</i>	This amendment has been made in response to the ExA’s FWQs and provides consistency between the ‘tailpiece’ used in the ‘maintain’ definition and in the definition for ‘permitted preliminary works’ (PPW).	Deadline 2
Article (Interpretation)	2	Definition of permitted preliminary work inserted ‘(including archaeological investigations)’ after ‘environmental surveys’.	Insertion for clarity that archaeological surveys can be undertaken as part of the permitted preliminary works after consideration of ExA’s FWQs.	Deadline 2
Article (Interpretation)	2	Inserted a new definition of ‘The York Potash Harbour Facilities Order 2016’.	Insertion made further to the ExA’s FWQs.	Deadline 2
Article 7 (Benefit of this Order)		Deleted ‘sub-paragraph (2) of’ so it reads ‘subject to article 8’.	Deletion made to improve clarity and following consideration of the ExA’s FWQs and comments about article 8.	Deadline 2
Article 8 (Consent to transfer benefit of this Order)		<ul style="list-style-type: none"> – Amended article 8(1) to change reference to paragraph 4 to paragraph 2. – Amended article 8(2) to the following: <i>‘The consent of the Secretary of State is required for a transfer or lease pursuant to this article, except where paragraph (6) applies.’</i> – Amended article 8(3) to change reference to paragraph 6 to ‘this paragraph 3’. 	<p>Amendments made to improve clarity of drafting and following consideration of the ExA’s FWQs and comments about article 8.</p> <p>The amendment to article 8(2) is to ensure it is clear that the Secretary of State’s consent is required for a transfer or lease pursuant to the article, unless any of the exceptions in article 8(6) apply.</p>	Deadline 2

<p>Article 16 (Traffic Regulation Measures)</p>	<p>Inserted a new article 16(4): <i>'(4) Before exercising the power conferred by paragraph (2) the undertaker must—</i> <i>(a) consult with the chief officer of police in whose area the road is situated; and</i> <i>(b) obtain the written consent of the traffic authority.'</i></p>	<p>Insertion added following consideration of the ExA's FWQs for clarity that the consent of the traffic authority is required when exercising powers under article 16(2).</p>	<p>Deadline 2</p>
<p>Article 18 (Felling or lopping of trees and removal of hedgerows)</p>	<p>The reference to Schedule title in article 18(5) has been amended from '(removal of important hedgerows)' to '(important hedgerows to be removed)'.</p>	<p>Amendment made further to the ExA's FWQs.</p>	<p>Deadline 2</p>
<p>Article 18 (Felling or lopping of trees and removal of hedgerows)</p>	<p>Deleted the definition of 'authorised development' from article 18(6).</p>	<p>Amendment made further to consideration of the ExA's FWQs.</p>	<p>Deadline 2</p>
<p>Article 25 (Power to override easements and other rights)</p>	<p>In article 25(3), deleted reference to article 7 and amended to: 'The Secretary of State's consent is not required for any statutory undertakers to whom the benefit of the Order has been transferred pursuant to article 8(6) (consent to transfer benefit of this Order)'.</p>	<p>Amendment made for clarity and to cross-reference to the correct part of the DCO, as the previous drafting referred to statutory undertakers in article 7 where there are none.</p>	<p>Deadline 2</p>
<p>Article 25 (Power to override easements and other rights)</p>	<p>In article 25(4) inserted reference to paragraph (3) alongside paragraph (2).</p>	<p>Amendment made further to the ExA's FWQs to make it clear that the liability for the payment of compensation 'must remain with the undertaker' whether the Secretary of State's consent is required or not to transfer the power to a statutory undertaker as defined in the article.</p>	<p>Deadline 2</p>

Article 25 (Power to override easements and other rights)	Deleted duplicate 'on the' in article 25(5).	Amendment made further to ExA's FWQs.	Deadline 2
Article 29 (Special category land and replacement special category land)	<p>Inserted the words '<i>the undertaker has exercised a relevant Order power over the replacement special category land</i>' into Article 29(1) so that it reads: '<i>The undertaker must not exercise the relevant Order powers in respect of the cowpen bewley special category land until the undertaker has exercised a relevant Order power over the replacement special category land and the relevant planning authority has approved a scheme for the layout of the replacement special category land.</i>'</p> <p>Inserted at the beginning of article 29(3): '<i>The undertaker must lay out and provide the replacement special category land in accordance with the scheme approved under paragraph (1) and on the date...</i>'</p> <p>In article 29(7), inserted reference to paragraph (3) alongside paragraph (1).</p>	Amendments made further to the ExA's FWQs to provide further certainty that the Replacement Special Category Land will be laid out by the Applicant.	Deadline 2
Article 48 (Interface with anglo american permit)	<p>Inserted new article 48 to make it clear that the '<i>carrying out of an authorised activity by the undertaker shall not constitute a breach of, or non-compliance with the anglo american permit.</i>'</p> <p>The '<i>anglo american permit</i>' is defined as '<i>environmental permit number FB3601GS</i>' and '<i>authorised activity</i>' is defined as '<i>any works or activities authorised by this Order,</i></p>	This article has been inserted to address Anglo American's (AA) concern (paragraph 4.3 of its Relevant Representation [RR-010]) that their environmental permit covers land that could be compulsorily acquired by the Applicant using the DCO. The concern is that if the land is compulsorily acquired, AA would still be responsible for the operation of the permit. The new article 48 ensures that authorised activity undertaken by	Deadline 2

		<i>works carried out in connection with the authorised development, or the exercise by the undertaker of functions conferred by this Order</i> ’.	the undertaker does not constitute a breach of their permit. It is envisaged that Protective Provisions (following the example in The Net Zero Teesside Order 2024 and to be agreed between the parties) would provide for how the AA is consulted on how the project is built in this area and provide for any access arrangements required for monitoring and for the continued operation of the permit.	
Schedules				
Schedule (Authorised development)	1	Reference to “... the Borough of Stockton and Tees...” has been amended to: ‘the Borough of Stockton on Tees’.	Amendment has been made further to the ExA’s FWQs.	Deadline 2
Schedule (Authorised development)	1	Deleted ‘approximately’ from Work No. 1 so it reads ‘hydrogen production facility of up to 1.2 Gigawatt Thermal (GWth)’.	Amendment has been made to improve clarity further to the ExA’s FWQs.	Deadline 2
Schedule (Authorised development)	1	Work No. 1E.1, inserted reference to carbon dioxide vents in Work No. 1E.1.	This was missed in error from the application DCO.	Deadline 2
Schedule (Authorised development)	1	Deleted comma between “and” and “closed circuit television” in Work No. 9.	This has been amended to provide further clarity.	Deadline 2
Schedule (Authorised development)	1	References to chemical symbols in Schedule 1 have been amended to the full name of the chemical.	This amendment has been made for consistency with the rest of the draft DCO further to ExA’s FWQs.	Deadline 2

Schedule (Authorised development)	1	Amended the last paragraph to: <i>'In connection with and in addition to Work Nos. 1 to 11, further ancillary development comprising such other works or operations for the purposes of or in connection with the construction, operation and maintenance of the authorised development but only within the Order limits and insofar as they are unlikely to give rise to any materially new or materially different environmental effects which are worse than those assessed in the environmental statement including...'</i>	This amendment has been made following further consideration of the ExA's FWQs for improved clarity.	Deadline 2
Schedule (Requirements)	2	At the start of the Schedule, deleted 'Article 4' and inserted 'Article 2'.	This amendment was made following receipt of the ExA's section 51 advice.	May 2024 [AS-014]
Schedule (Requirements)	2	Amended article reference at the start of the Schedule to also include 'Article 4' so it reads 'Article 2 and Article 4'.	After additional reflection, this amendment has been made for accuracy and clarity.	Deadline 2
Schedule 2 Requirement 5 (Public rights of way)	-	In Requirement 5(1) amended "relevant section of public rights of way" to "relevant section of the public right of way".	This has been amended to provide further clarity.	Deadline 2
Schedule 2 Requirement 6 (External lighting)	-	In Requirement 6(2) moved "in that part" to after "installed" and before the brackets to be consistent in style with Requirement 6(1).	This has been amended to provide further clarity.	Deadline 2
Schedule 2 Requirement 8 (Site security)	-	In Requirement 8(1) amended "brought into use" to "commissioned".	This has been amended to ensure a defined term from article 2 is used to provide greater clarity.	Deadline 2
Schedule 2 Requirement 8 (Site security)	-	Requirement 8(2) has been amended to 'The scheme must be implemented as approved and must be maintained and operated throughout the operation of the relevant part of the authorised development.'	This amendment has been made further to the ExA's FWQs.	Deadline 2

<p>Schedule 2 - Requirement 9 (Fire prevention)</p>	<p>Requirement 9(1) amended to: “No part of Work No. 1 may commence, save for the permitted preliminary works, until a fire prevention method statement providing details of fire detection measures, fire suppression measures including measures to contain and treat water used to suppress any fire and the location of accesses to all fire appliances in all of the major building structures and storage areas within the relevant part of the authorised development, including measures to contain and treat water used to suppress any fire has, for that part, been submitted to and, after consultation with the Health and Safety Executive and the Cleveland Fire Authority, approved by the relevant planning authority.” (Text in bold has been inserted; text in strikethrough has been removed)</p>	<p>This has been amended to provide further clarity.</p>	<p>Deadline 2</p>
<p>Schedule 2 - Requirement 10 ((Surface and foul water drainage)</p>	<p>In Requirement 10(3), STDC inserted as a consultee.</p>	<p>Insertion added following consideration of the ExA’s FWQs.</p>	<p>Deadline 2</p>
<p>Schedule 2 - Requirement 11 (Flood risk mitigation)</p>	<p>Lead local flood authority inserted as consultee in Requirements 11(1), 11(3) and 11(6).</p>	<p>These amendments have been made to ensure the lead local flood authority is consulted on the schemes for the mitigation of flood risk during construction and operation as well as the Flood Management Plan.</p>	<p>Deadline 2</p>
<p>Schedule 2 - Requirement 11 (Flood risk mitigation)</p>	<p>Amended Requirement 11(7) to state that the flood management plan ‘must be implemented and maintained’.</p>	<p>Inserted for greater clarity after consideration of the ExA’s FWQs.</p>	<p>Deadline 2</p>

<p>Schedule 2 - Requirement 12 (Contaminated land and groundwater)</p>	<p>In Requirement 12(1), inserted <i>‘the preparation of facilities for the use of contractors and the provision of temporary means of enclosure and site security for construction (where no foundations are required)’</i> after <i>‘assessing ground conditions’</i>.</p>	<p>Following consideration of the ExA’s FWQs and consideration of the Requirement, the Applicant has inserted carve outs from this Requirement for preparing facilities for contractors and temporary means of enclosure and site security where no foundations are required. This is on the basis that these will not require any foundation or interference with the ground conditions, but enable the construction workforce to take steps to mobilise.</p>	<p>Deadline 2</p>
<p>Schedule 2 - Requirement 12 (Contaminated land and groundwater)</p>	<p>Requirement 12(2)(f) amended to: ‘an update to the environmental risk assessment including contaminated land conceptual site model that is informed by any further ground investigation reports and groundwater monitoring in addition to the information in chapter 10 of the environmental statement’.</p>	<p>Amendment to clarify the assessment and model to be updated as part of this Requirement further to the ExA’s FWQs.</p>	<p>Deadline 2</p>
<p>Schedule 2 - Requirement 12 (Contaminated land and groundwater)</p>	<p>In Requirement 12(4) amended reference from sub-paragraph (1) to sub-paragraph (2)(c).</p>	<p>This amendment has been made to provide further clarity.</p>	<p>Deadline 2</p>
<p>Schedule 2 - Requirement 19 (Construction hours)</p>	<p>Amended construction working hours on a Saturday in Requirement 19(1)(b) to 0700 to 1300.</p>	<p>Amendment made in response to comments received about construction hours from relevant planning authorities in the Local Impact Report (LIR).</p>	<p>Deadline 2</p>
<p>Schedule 2 - Requirement 19 (Construction hours)</p>	<p>Amended Requirement 19(4)(a) to replace reference to “start-up” and “shut-down” periods with “mobilisation and de-mobilisation periods” as follows: <i>‘(a) mobilisation and de-mobilisation periods from 0600 to 0700 and from 1900 to 2000 Monday to Friday;</i></p>	<p>Amendment made for greater consistency with the terms used in the ES following consideration of the ExA’s FWQs. The hours for Saturday have also been amended to reflect the change to Saturday construction hours in Requirement 19(1)(b).</p>	<p>Deadline 2</p>

		<i>(b) mobilisation and de-mobilisation periods from 0600 to 0700 and from 1300 to 1400 on a Saturday.'</i>		
Schedule Requirement (Construction hours)	2 – 19	Amended Requirement 19(4)(b) from <i>'maintenance at any time of plant and machinery engaged in the construction of the authorised development'</i> . To: <i>'maintenance at any time of plant and machinery engaged in the construction of the authorised development where such activities do not exceed a noise limit measured at the Order limits agreed with the relevant planning authority in accordance with Requirement 20.'</i>	The amendment has been made to provide clarity further to the ExA's FWQs.	Deadline 2
Schedule Requirement (Restoration of land used temporarily for construction)	2 – 22	In Requirement 22(1) replaced "for each part of the authorised development" with "for each relevant Work No. of the authorised development".	This amendment has been made to provide further clarity and so that this drafting is consistent with the drafting at the start of the Requirement.	Deadline 2
Schedule Requirement (Local liaison group)	2 – 25	Reference to 'contactor' has been amended to 'contractor' in Requirement 25(4)(a).	This amendment has been made further to the ExA's FWQs.	Deadline 2
Schedule Requirement (Employment, skills and training)	2 – 26	Insertion of the word 'authority' after 'relevant planning' at the end of Requirement 26(3).	This amendment has been made further to the ExA's FWQs.	Deadline 2
Schedule Requirement (Decommissioning)	2 – 28	Inserted as new points (j) and (k) in Requirement 28(6): <i>'(j) waste management measures required; and (k) how the undertaker has applied the waste hierarchy.'</i>	Amendment to set out that the Decommissioning Environmental Management Plan (DEMP) will include waste management measures and state how the Applicant has applied the waste hierarchy further to the ExA's FWQs.	Deadline 2

<p>Schedule 2 Requirement 33 (Disapplication of requirements discharge under the NZT Order 2024)</p>	<p>Amend Requirement 33 to: <i>‘Subject to the relevant planning authority’s approval–</i> <i>(a) requirements 25 and 26 in this Schedule may be disapplied where the requirements 29 and 30 have already been discharged pursuant to The Net Zero Teesside Order 2024;</i> <i>(b) requirement 3 in this Schedule may be disapplied where requirement 3 has been discharged pursuant to The Net Zero Teesside Order 2024 in respect of any infrastructure that is to be utilised for the purposes of the authorised development and the authorised development as defined in The Net Zero Teesside Order 2024; and</i> <i>(c) requirement 10 in this Schedule may be disapplied where requirement 11 has been discharged pursuant to The Net Zero Teesside Order 2024 in respect of any surface and foul water drainage systems that are to be utilised for the purposes of the authorised development and the authorised development as defined in The Net Zero Teesside Order 2024.’</i></p>	<p>Amendment made further to the ExA’s FWQs and in order to remove the generality of Requirement 33 and to focus on specific Requirements where the Applicant considers there is sufficient overlap that the discharge of the Requirement by the Net Zero Teesside project may be sufficient to discharge the equivalent Requirement in the H2Teesside DCO.</p>	<p>Deadline 2</p>
<p>Schedule 4 (Streets subject to street works)</p>	<p>Table 1 – inserted additional row for works for the improvement of the access at point marked M1 and M1a on access and rights of way plans.</p>	<p>This amendment was made following receipt of the ExA’s section 51 advice.</p>	<p>May 2024 [AS-014]</p>
<p>Schedule 5 (Access)</p>	<p>Table 2 - inserted additional row for part of access marked M1a on access and rights of way plans.</p>	<p>This amendment was made following receipt of the ExA’s section 51 advice.</p>	<p>May 2024 [AS-014]</p>
<p>Schedule 5 (Access)</p>	<p>Table 3 - inserted additional row for part of access marked M1 on access and rights of way plans.</p>	<p>This amendment was made following receipt of the ExA’s section 51 advice.</p>	<p>May 2024 [AS-014]</p>

Schedule 6 (Temporary closure of streets and public rights of way)	Table 4 - inserted additional row to show temporary closure, restriction or diversion between points marked MA and MB on access and rights of way plans.	This amendment was made following receipt of the ExA's section 51 advice.	May 2024 [AS-014]
Schedule 7 (Traffic regulation measures)	Table 6 - amended "traffic regulation measures plans" to "temporary traffic regulation measures plan".	This amendment was made following receipt of the ExA's section 51 advice.	May 2024 [AS-014]
Schedule 8 (Important hedgerows to be removed)	Moved Schedule from Schedule 11 to Schedule 8.	This amendment has been made to comply with PINS AN15 at 8.2 where Schedules should be numbered according to the order in which they are mentioned in the substantive articles in the draft DCO. This Schedule is given effect by article 18 and so should come after the Traffic Regulation Measures in Schedule 7 but before the Land Schedules. Schedules from this point have been renumbered accordingly and updates made to cross-references throughout draft DCO.	Deadline 2
Schedule 8 (Important hedgerows to be removed)	In Table 7, amended reference to '2 x hedgerows' to '5 x hedgerows'.	This amendment reflects the latest version of 2.15 Important Hedgerows to be Removed Plan (rev. 2) [PDA-002].	Deadline 2
Schedule 9 (Land in which new rights etc. may be acquired)	Moved Schedule from Schedule 8 to Schedule 9.	This amendment has been made following the change to Schedule 8 (Important hedgerows to be removed) as explained above.	Deadline 2
Schedule 9 (Land in which new rights etc. may be acquired)	Interpretation section - inserted: <i>““Work No. 3A infrastructure” means any works or development comprised within Work No. 3A, ancillary apparatus and any other necessary works or development permitted within the area delineated as Work No. 3A on the works plans including the alteration, diversion or construction of</i>	This has been inserted to ensure there are definitions for all work no. infrastructure in the interpretation section of this Schedule.	Deadline 2

	<i>statutory undertakers' apparatus;"</i> between definitions for "Work No. 2B infrastructure" and "Work No. 3B.1 infrastructure".		
Schedule 9 (Land in which new rights etc. may be acquired)	Interpretation section – inserted: <i>““Work No. 3B.3 infrastructure” means any works or development comprised within Work No. 3B.3, ancillary apparatus and any other necessary works or development permitted within the area delineated as Work No. 3B.3 on the works plans including the alteration, diversion or construction of statutory undertakers' apparatus;"</i> between definitions for "Work No. 3B.1 infrastructure" and "Work No. 4 infrastructure".	This has been inserted to ensure there are definitions for all work no. infrastructure in the interpretation section of this Schedule.	Deadline 2
Schedule 9 (Land in which new rights etc. may be acquired)	In Table 8, amended reference to plot "7/1-" to plot '7/10'.	Amendment to typo made following consideration of the ExA's FWQs.	Deadline 2
Schedule 9 (Land in which new rights etc. may be acquired)	In Table 8, deleted reference to plot 13/6.	Amendment made following consideration of the ExA's FWQs.	Deadline 2
Schedule 10 (Land of which temporary possession may be taken)	Deleted erroneous additional references to plots 5/91 and 5/93 in first row of Table 8.	This amendment was made following receipt of the ExA's section 51 advice.	May 2024 [AS-014]
Schedule 11 (Land of which temporary possession may be taken)	Moved Schedule from Schedule 10 to Schedule 11.	This amendment has been made following the change to Schedule 8 (Important hedgerows to be removed) as explained above.	Deadline 2

<p>Schedule 12 (Appeals to the Secretary of State)</p>	<p>Moved Schedule from Schedule 15 to Schedule 12.</p>	<p>This amendment has been made to comply with PINS AN15 at 8.2 where Schedules should be numbered according to the order in which they are mentioned in the substantive articles in the draft DCO. This Schedule is given effect by article 43(2) and so should be before the Procedure for Discharge of Requirements Schedule. This amendment also accounts for the Schedule containing Protective Provisions moving to the end of the draft DCO. Schedules from this point have been renumbered accordingly and updates made to cross-references throughout draft DCO.</p>	<p>Deadline 2</p>
<p>Schedule 12 (Appeals to the Secretary of State)</p>	<p>In paragraph 2(2)(b) inserted text in italics: <i>‘(comprising the relevant application to the local authority, a copy (where it has been provided to the undertaker) of the local authority’s reason for its decision and the undertaker’s reasons as to why the appeal should be granted)’.</i></p>	<p>The amendment has been made for clarity further to ExA’s FWQs.</p>	<p>Deadline 2</p>
<p>Schedule 12 (Appeals to the Secretary of State)</p>	<p>Amended time period in paragraph 2(2)(g) from ‘10 working days’ to ‘30 working days’.</p>	<p>The amendment follows consideration of the ExA’s FWQs and provides consistency between this paragraph and the equivalent paragraph in Schedule 13 (paragraph 5(2)(e).</p>	<p>Deadline 2</p>
<p>Schedule 12 (Appeals to the Secretary of State)</p>	<p>Amended paragraph 4(7) from: <i>“In considering whether to make any such decisions and the terms on which it is to be made, the appointed person must act in accordance with the relevant Planning Practice Guidance published by the Department for Levelling Up, Housing and Communities, or such guidance as may from time to time replace it.”</i></p>	<p>This amendment has been made to provide further clarity and to ensure the references to the Planning Practice Guidance about planning appeals and award costs are consistent between this Schedule and the equivalent paragraph in Schedule 13 (Procedure for discharge of requirements) (please see below).</p>	<p>Deadline 2</p>

		<p>To: <i>“In considering whether to make any such direction and the terms on which it is to be made, the appointed person must have regard to the Planning Practice Guidance about planning appeals and award costs first published on 3 March 2014 by the Department for Communities and Local Government, as updated from time to time, or any circular or guidance which may from time to time replace it.”</i></p>		
Schedule (Procedure discharge requirements)	13 for of	In paragraph 5(5)(b) deleted “[him]” and replaced with “the appointed person”.	This amendment has been made to provide further clarity.	Deadline 2
Schedule (Procedure discharge requirements)	13 for of	<p>Amended text in paragraph 5(11) from:</p> <p><i>“In considering whether to make any such direction and the terms on which it is to be made, the appointed person must have regard to the advice on planning appeals and award costs published on 3 March 2014 by what was then the Department for Communities and Local Government or any circular or guidance which may from time to time replace it.”</i></p> <p>To: <i>“In considering whether to make any such direction and the terms on which it is to be made, the appointed person must have regard to the Planning Practice Guidance about planning appeals and award costs first published on 3 March 2014, by what was then the Department for Communities and Local Government, as updated from time</i></p>	This amendment has been made to provide further clarity and to ensure the references to the Planning Practice Guidance about planning appeals and award costs are consistent between this Schedule and the equivalent paragraph in Schedule 12 (Appeals to the Secretary of State) (please see above).	Deadline 2

		<i>to time, or any circular or guidance which may from time to time replace it."</i>		
Schedule 14 (Documents and plans to be certified)	14	Various amendments to ensure document names, references, revision numbers and dates are up-to-date and accurate.	These amendments were made following receipt of the ExA's section 51 advice.	May 2024 [AS-014]
Schedule 14 (Documents and plans to be certified)	14	Various amendments to ensure document names, references, revision numbers and dates are up-to-date and accurate. The only change of significance is the deletion of the 'Flood Risk Assessment' as a separate row, as this is covered by the Environmental Statement being a certified document.	These amendments reflect submissions by the Applicant into the Examination at Procedural Deadline A, Deadline 1 and Deadline 2. The amendment to the row containing the Flood Risk Assessment is in response to the ExA's FWQs.	Deadline 2
Schedule 15 (Design parameters)		Moved Schedule from Schedule 16 to Schedule 15.	This amendment has been made as a result of the move of Appeals to the Secretary of State Schedule from Schedule 15 to 12 and moving the Protective Provisions Schedule to the end of the draft DCO as described above.	Deadline 2
Schedule 15 (Design parameters)		The Applicant has amended the Design Parameters Schedule to the draft DCO at Deadline 2 to remove reference to 'diameter' from the Flare Stack row and has amended the entry to '4.0 (flare 1.0 and platform 4.0)' for clarity.	Amendment has been made for greater consistency with ES and DAS further to the ExA's FWQs.	Deadline 2
Schedule 15 (Design parameters)		Abbreviation 'ASU' has been amended to 'Air Separation Unit (ASU)'.	This amendment has been made for greater clarity and further to the ExA's FWQs.	Deadline 2
Schedules 16 to 22 (Protective Provisions)	22	Moved Schedule from Schedule 12 to Schedule 16 and separated each Part into its own separate Schedule.	This amendment has been made in order to simplify the administrative process of updating the draft DCO when Protective Provisions have been agreed with individual parties. By moving them to the end of the draft DCO and separating into separate Schedules the new Protective	Deadline 2

		<p>Provisions just need to be added as a new Schedule and an amendment made to contents page and reference in article 41. If the Protective Provisions remained at Schedule 12 and in separate Parts then each time updated or new Protective Provisions are inserted requires the Schedule paragraphs to be renumbered as well as contents page being added to.</p> <p>The Applicant acknowledges that this is not a conventional approach and is contrary to the approach in AN15 8.2 that Schedules should be presented in article order. However, AN15 at 4.5 does say that separate Schedules for Protective Provisions can be acceptable and the Applicant believes that in this case the approach is justified because of the large number of Protective Provisions expected for this project.</p> <p>The drafting for the Protective Provisions currently forming part of the draft DCO has been amended to reflect that these are now being presented as their own Schedule rather than as Part of a Schedule.</p>	
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