

A38 Derby Junctions
TR010022
8.31(d) Schedule of Changes to the
dDCO

Planning Act 2008

Rule 8 (1)(c)(ii)

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**The Infrastructure Planning
(Examination Procedure) Rules 2010****A38 Derby Junctions
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Schedule of Changes to the dDCO

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Schedule of changes to the dDCO at Deadline 1

Article/Requirement/Schedule number	Change	Reason
Page 1	Delete 'laid before Parliament'	This has been deleted as Highways England is not anticipating special parliamentary procedure being required.
Preamble	Update to reflect appointment of 2 panel members	This change has been made in response to the ExA's question 6 in the DCO ISH questions table. In addition, the verb in paragraph 3 has been amended to reflect the plural subject.
Preamble	Replace 'part 15 of Schedule 5' with 'Part 1 of Schedule 5'	Raised by the ExA in question 7(a) of the DCO ISH questions and changed to amend an error.
Preamble	Add in reference to sections 125, 126 and 136 of PA 2008	Raised by the ExA in DCO ISH question 7 c). Changed as these clauses should be referred to in the dDCO.
Article 2(1)	Delete the reference to associated development in the definition of "authorised development" by deleting the words "and associated development"	In response to the ExA's question 8(a) in the DCO ISH questions, Highways England agrees that it is not necessary to refer to Associated Development in the definition of "authorised development" given that authorised development is referred to in Schedule 1. As such this term has been deleted from the definition of "authorised development" in the dDCO.
Article 2(1)	In the definition of commence replace 'conditions establishment' with 'conditions, establishment'	Grammatical point and changed to reflect the ExA's question 9(a) in the DCO ISH questions.
Article 2(1)	Addition of definition: "the traffic management plan" means the traffic management plan which establishes the outline rules for the traffic management and temporary road layouts needed to construct the consented Scheme and certified by the Secretary of State as the traffic management plan for the purposes of this Order;'	With reference to the ExA's question 60 in the DCO ISH questions, this definition has been included for the sake of clarity to differentiate between the TMP as included in Application document 7.4 and the final TMP as certified by the SoS.
Article 10	Inclusion of Cadent Gas Limited in article 10(4)(b) instead of National Grid Gas plc as a statutory undertaker to whom the	This change has been made in response to Cadent Gas's relevant representation and is to reflect the correct company responsible for the

Article/Requirement/Schedule number	Change	Reason
	benefit of the DCO may be transferred	gas apparatus to be diverted as part of the authorised development.
Article 10(4)(a)	Delete the duplication of "21" and amend it to refer to "22"	This is to amend a typo so that the correct Work Nos are listed in this entry.
Article 14 (6)	Insert 'provided there are no materially new or adverse effects to those assessed in the environmental statement'.	This change has been included in response to the ExA's suggestion at question 25 of the DCO ISH questions.
Article 14 (6)	Delete the words 'from the date' from the sub-clause	This has been amended to reflect the point noted by the ExA in question 25 of the DCO ISH questions. The deleted words are superfluous as they repeat the subsequent words 'on a date'.
Article 23(1)	Deletion of the term 'and as described in the book of reference'	This is being deleted because the sub-clause refers to the Order land and within the definition of 'Order land' in article 2(1) there is already reference to the book of reference. As such, it adds nothing to the dDCO to have this term repeated in article 23 itself.
Article 29 (2)	Change reference from 6 year period to 5 year period	This change is being made to reflect the time limit contained in article 25. Article 25 requires the compulsory purchase powers sought under the DCO to be exercised within 5 years of the date of the made DCO.
Article 29(4)	Add bracket after 'compulsorily'	This bracket has unintentionally been omitted from the drafting of the dDCO.
Article 30	Creating a new sub-clause (9) beginning with "In Schedule A1(c) (counter-notice requiring purchase of land not in general vesting declaration) for..." and amending the current sub-clause (9) so that it becomes sub-clause (10)	This amendment is being made in response to the ExA's question 34 in the DCO ISH questions.
Article 33 (7)	Amending to change the reference from paragraph (5) to paragraph (6)	This change is made to correct an incorrect cross-reference in the article. It also addresses the ExA question 37 provided in the DCO ISH questions.

Article/Requirement/Schedule number	Change	Reason
Article 33 (12)	The term 'such date to be determined by the undertaker' is deleted	This is being deleted because the inclusion of this wording does not make sense in the context of the sub-clause.
Article 35 (1)	Delete reference to "paragraph 35(2)" and replace it with "paragraph (2)"	This change is made as the reference is to a paragraph within the article itself. As such, the inclusion of "35" is not necessary. This is consistent with the approach taken throughout the dDCO.
Article 43(1)	Delete reference to paragraphs (d) and (fb) of the Environmental Protection Act 1990	These references are being deleted in response to question 44 raised by the ExA in the DCO ISH questions. Given that the Environmental Statement does not consider that either of these points are likely to occur it is not necessary to include reference to paragraphs (d) and (fb) of the Environmental Protection Act 1990.
Schedule 1, Work no. 3	Replace (b) with (a)	There is only a single paragraph in this Work No and it should start with (a) and not (b). The change is made to amend this error and is in response to the ExA's question 47 in the DCO ISH questions.
Schedule 1, Work no. 9	Work No. 9e) to be amended to read "a telecoms cable by 45m" and 9f) to be amended to read "a telecoms cable by 72m"	This change has to be made as the distances referred to in Work Nos 9e) and 9f) are the wrong way round, as noted by the ExA in its question 1.4 of the FWQs.
Schedule 1, Work no. 10	Both Work Nos 10(d) and 10(e) amended to refer to Work No 17 instead of Work No 11	This change is being made as the current reference to Work No 11 is incorrect. This change reflects the ExA's question 1.4 of the FWQs.
Schedule 1, sub-heading preceding Work no. 23	The inclusion of "Derby City Council" in the reference to the administrative areas prior to Work No. 23	Derby City Council is being included as there are works at Little Eaton which will be in the administrative area of Derby City Council, as well as Derby County Council and Erewash Borough Council. This change is made in response to question 47 raised by the ExA in the DCO ISH questions.
Schedule 1, Work no. 23	The list of items referred to in Work No 23 to be amended to be (a) to (d), rather than (i) to (l)	This change is made to amend a formatting error as the sub-works should start with (a) and follow on consecutively from it. This change is made in response to the ExA's question 48 in the DCO ISH

Article/Requirement/Schedule number	Change	Reason
		questions and question 1.4 in the ExA's FWQs.
Schedule 1, Works no. 25	Replace the term "Little Eaton Roundabout (Work No. 21(a))" with "Little Eaton Roundabout (Work No. 30(a))"	The current reference in this entry to Work No. 23(a) is incorrect and it should be to 30(a) which is the correct reference to the alteration to the Little Eaton Roundabout. This change is made in response to the ExA's question 1.4 in the FWQs.
Requirement 1(1)	Addition of definition: "core hours" means the working hours of 7:30 to 18:00 Monday to Friday and 8:00 to 13:00 on Saturdays	This addition has been made to clarify what core hours are being referred to in Requirement 3. This change has been made in response to the ExA's question 53 in the DCO ISH questions.
Requirement 3(2)(d)	The reference to the working hours of 7:30 to 18:00 Monday to Friday and 8:00 to 13:00 on Saturdays has been replaced with "core hours"	This change has been made to reflect the introduction of a definition for "core hours"
Requirement 3(2)	The current wording "Any other work carried out outside the core hours or any extension to the core hours may be possible with the prior agreement of the relevant environmental health officer provided that the activity is not materially worse than the activities assessed in the environmental statement" is to be replaced with "Any other work carried out outside the core hours or any extension to the core hours may be possible with the prior agreement of the relevant environmental health officer provided that the activity does not result in materially new or materially worse environmental effects as reported in the environmental statement".	This change has been made to ensure that there is consistency throughout the dDCO where reference is made to ensuring that an activity does not result in materially new or materially worse adverse environmental effects compared to those identified in the Environmental Statement. It also reflects the change proposed by the ExA as part of question 53(c) in the DCO ISH questions.
Requirement 10(2)	Add in the words "in consultation with Natural England" after the words "authorised development"	This amendment is being made to ensure that Natural England is consulted as part of the written scheme for the protection and mitigation measures to be used in the event that any previously unidentified

Article/Requirement/Schedule number	Change	Reason
		protected species or nesting birds are found during construction.
Requirement 11(1)	Delete: ' the outline traffic management plan at appendix 2.3, Volume 3 to the environmental statement, and replaced with "the traffic management plan (document reference 7.4)"	The traffic management plan that will be used and updated during the examination is Document 7.4 (Examination reference APP-254), not the environmental statement appendix 2.3.
Requirement 13(1)	On the line of this entry delete the ',' and replace with 'and'	This is simply picking up a grammatical error.
Requirement 13	Include a new sub-paragraph (3) to read "The surface and foul water drainage system must be constructed in accordance with the approved details referred to in sub-paragraph (1) and subsequently maintained."	This inclusion is being made in response to the ExA question 62 in the DCO ISH questions.
Requirement 14	Amend the title of this requirement so that it reads: "Flood compensation and storage". Delete the wording of the current requirement and replace it to read: 14. (1) No part of the authorised development at Little Eaton is to commence until a detailed floodplain compensation scheme has been submitted to and approved in writing by the Secretary of State, following consultation with the Environment Agency. (2) No part of the authorised development at Kingsway is to commence until a detailed flood storage scheme has been submitted to and approved in writing by the Secretary of State, following consultation with the relevant planning authority. (3) The scheme prepared under sub-paragraph (1) must provide suitable floodplain compensation for any flood waters that would be displaced by the authorised development in the 1 in 100 year	This requirement has been amended to make it clear that there are two areas being developed as part of the authorised development which will include flood mitigation works. The previous requirement did not differentiate between floodplain compensation (which is being provided at Little Eaton only) and flood storage (which is being provided at Kingsway only). As such, these changes reflect that the floodplain compensation measures are being undertaken at Little Eaton and the flood storage works are being undertaken at Kingsway. In addition, Highways England confirms that it will consult with the EA on the flood compensation measures and the local planning authority on the flood storage; this is to reflect these organisations' respective statutory functions.

Article/Requirement/Schedule number	Change	Reason
	<p>event including 50% allowance for climate change. (4) The scheme prepared under subparagraph (2) must provide suitable flood storage for any flood waters that would be displaced by the authorised development in the 1 in 100 year event including a 40% allowance for climate change. (5) The schemes must be fully implemented as approved and subsequently maintained.</p>	
Requirement 16(2)	Delete "16" from the second line of requirement 16(2)	This is to amend a typo and to ensure consistency throughout the dDCO.
Schedule 3	The reference to Derby City Council on the top two entries for Trunk Roads at Little Eaton are amended to refer to Derbyshire County Council instead	This change is being made as the first two entries are within the administrative area of Derbyshire County Council and not Derby City Council. This change address the point raised by the ExA in its question 67 of the DCO ISH questions.
Schedule 3, part 1	The first entry for Kingsway, in the column listed as "Length of road" is to be amended so that the entry refers to the "classification of roads plans" rather than "classification of roads plan"	This is a minor typo, missing an "s" in the entry. It addresses the ExA's question 68 of the DCO ISH questions.
Schedule 4, Part 3	Remove 4th column from the table which details "Private means of access to be stopped up for which no substitute is to be provided"	This column is being removed from Schedule 4, Part 3 as it is not required for this part.

Article/Requirement/Schedule number	Change	Reason
Schedule 6 (heading)	Delete "Ref" next to "Schedule 6" and in its place include "Article 26"	This change is being made as the relevant article referring to Schedule 6 (i.e. article 26) is missing.
Schedule 9	Update paragraph lettering in definition of "utility undertaker"	This is being changed because in this definition, the list starts with "e" rather than an "a" as it should. As such, this is correcting a formatting error.
Schedule 10	Include reference to the Traffic Management Plan	This reference is being included at the request of the ExA (question 60 of the DCO ISH) as it is considered that the TMP should be a certified document. See also Article 2(1) note on this point above.
Schedule 10	Update to this schedule is required to each version of DCO	In response to the ExA's ISH question 80, we will update Schedule 10 as necessary with the draft DCO
Schedule 10	Add the examination library reference to the column 2 header and for each document.	In response to ISH 1, question 81, we have added the examination reference to column 3 and will update this and revision/version numbers for deadline 6 and for the final application DCO. This will ensure that any changes to documents made during the Examination are recorded accurately.

Schedule of changes to the dDCO at Deadline 2

Article/Requirement/Schedule number	Change	Reason
Requirement 3	Updated to include the Environment Agency as a consultee	On the basis that Highways England anticipates the Environment Agency will be consulted on the preparation of a Water Management Plan, Groundwater Management Plan and a Flood Risk Management Plan (all of which will be included in the CEMP) Highways England considers that the Environment Agency should be consulted as part of the CEMP. The Environment Agency has confirmed that it welcomes this addition to the dDCO.
Requirement 8	Delete the phrase "in respect of controlled waters"	In response to comments made by Derby City Council, this requirement has been amended to ensure that a contamination risk assessment is not limited to controlled waters only. The deletion of this phrase means that other aspects of contamination can be assessed and appropriate remediation strategies and mitigation measures proposed (for example, in respect of ground gases).
Requirement 8	Update the requirement to ensure that the Environment Agency is consulted as part of this requirement	This change has been made following discussion with the Environment Agency to ensure that they are consulted as part of the contamination risk assessment and where previously unidentified contamination is identified during construction.
Requirement 13	Delete the comma in 13(2) on the last line and include an "and" between "relevant planning authority" and "the local highway authority"	This is to amend a typo.
"cycle track"	Delete all references to "cycleway" and "cycle way" and substitute then for the phrase "cycle track"	This amendment has been made in response to the ExA's Rule 17 Table. There is inconsistency in the dDCO and between the dDCO, BoR and SoR when it comes to describing the cycle track's being developed as part of the Scheme. As such, to ensure consistency only the defined term "cycle track" (defined in Article 2(1)) is used.

Article/Requirement/Schedule number	Change	Reason
Schedule 5	Plot 2/1b amended to include reference to Work No. 8 and the description to include "and the establishment and maintenance of environmental mitigation and enhancement"	This is to ensure consistency between the BoR, the SoR and the dDCO.
Schedule 5	Plot 2/1c to include the wording "and the construction of highway drainage attenuation"	This is to ensure consistency between the BoR, the SoR and the dDCO.
Schedule 5	Plot 2/19a to include the wording "and the construction of footways"	This is to ensure consistency between the BoR, the SoR and the dDCO.
Schedule 5	Plots 3/1p and 3/1q to include the wording "and the stopping up of the Enfield Road entry and exit roads"	This is to ensure consistency between the BoR, the SoR and the dDCO.
Schedule 5	Delete the entry for plot 3/1w in its entirety and add in the words "3/1w" before "3/1x"	This is to ensure consistency between the BoR, the SoR and the dDCO and to reflect that plot 3/1w is also required for the construction of a new emergency access.
Schedule 5	Plot 3/22b to include "and alterations to the access to and egress from the A52 to the Royal School for the Deaf"	This is to ensure consistency between the BoR, the SoR and the dDCO.
Schedule 5	Plot 8/6 delete reference to works 24 and 27	This is to ensure consistency between the BoR, the SoR and the dDCO.
Schedule 5	9/6b amend the word "aces" to read "access" and replace reference to Work No. "25" with "35"	This is to ensure consistency between the BoR, the SoR and the dDCO.

Article/Requirement/Schedule number	Change	Reason
Schedule 7	Delete reference to plot "2/1b"	This is to ensure consistency between the BoR, the SoR and the dDCO. Plot 2/1b is already included in Schedule 5 and it has been included erroneously in this schedule of the dDCO.
Schedule 7	The description of the purpose for which the land may be temporarily possessed in plot 2/1d is to be amended to include "and construction and realignment of a cycle track"	This is to ensure consistency between the BoR, the SoR and the dDCO.
Schedule 7	Plot "2/1l" to be replaced with "2/1n"	This is to ensure consistency between the BoR, the SoR and the dDCO.
Schedule 7	Plot 2/6 amended to include reference to "establishment of environmental mitigation and enhancement" and reference to Work No. 8	This is to ensure consistency between the BoR, the SoR and the dDCO.
Schedule 7	Plot 3/1g and 3/1h amended to refer to Work Nos 1 and 15, not 10 and 15	This is to ensure consistency between the BoR, the SoR and the dDCO.
Schedule 7	Plot 3/1j replace the word "realignment" with "realignment"	This is to ensure consistency between the BoR, the SoR and the dDCO.
Schedule 7	A new entry included which is plot "3/1aa" relating to "Work No. 21" which may be used for purposes of "the diversion and construction of a utility corridor"	This is to ensure consistency between the BoR, the SoR and the dDCO.
Schedule 7	Plot 3/4 amended to also include reference to "Work No. 22"	This is to ensure consistency between the BoR, the SoR and the dDCO.

Article/Requirement/Schedule number	Change	Reason
Schedule 7	Plot 4/1c to also include reference to "Work No. 21"	This is to ensure consistency between the BoR, the SoR and the dDCO.
Schedule 7	Delete reference to plots "4/1d and 4/1h" and replace it with reference to plots "4/1h and 4/7d"	This is to ensure consistency between the BoR, the SoR and the dDCO.
Schedule 7	Create a new entry to refer to plots "7/1f and 7/12"; include a new description to read "Required for the realignment of Ford Lane and the reconfiguration of the junction with Lambourn Drive and the alteration of Ford Lane bridge"; include reference to "Work Nos 33 and 29"; and delete reference to plots "7/1f and 7/12" in the entry for plots "7/9, 7/8, 7/1e, 7/1f ..." etc.	This is to ensure consistency between the BoR, the SoR and the dDCO.
Schedule 7	Delete the penultimate entry in the Schedule 7 table, referring to plot "8/1"	This is to ensure consistency between the BoR, the SoR and the dDCO. The entry already exists in the table, as such, this entry is unnecessarily duplicated.
Schedule 7	Delete reference to "Work No. 32" in the entry for plots "8/15, 8/16b, 8/24b ..." etc.	This is to ensure consistency between the BoR, the SoR and the dDCO.
Schedule 7	Delete the entry for plot "8/24b"	This is to ensure consistency between the BoR, the SoR and the dDCO and because this plot is already referenced to in the entry for plots "8/15, 8/16b, 8/24b ..." etc.
Schedule 7	Delete the entry for plot "8/23b"	This is to ensure consistency between the BoR, the SoR and the dDCO.

Article/Requirement/Schedule number	Change	Reason
Schedule 7	Delete the entry for plot "8/24b"	This is to ensure consistency between the BoR, the SoR and the dDCO and because this plot is already referenced to in the entry for plots "8/15, 8/16b, 8/24b ..." etc.
Schedule 7	Delete the entry for plot "8/23b"	This is to ensure consistency between the BoR, the SoR and the dDCO.

Schedule of changes to the dDCO at Deadline 3

Article/Requirement/Schedule number	Change	Reason
Article 2(1)	Delete the words 'remedial work in respect of any'	This phrase has been removed to deal with the issue raised by the ExA that remedial work in respect of contamination found during the works excluded from the definition of "commence" could be extensive (see Highways England's response to ISH2 q. 42).
Article 8(a)	include the words "and assessed in the environmental statement"	This change is made in response to the ExA's ISH2 q.47 and the reason for this change is outlined in Highways England's response to this point.
NOT USED	NOT USED	NOT USED
Article 14(2) - NEW SUB-PARAGRAPH	New sub-paragraph: 'On a date to be determined by the undertaker the roads described in Part 2 (de-trunked roads) of Schedule 3 are to cease to be trunk roads as if they had ceased to be trunk roads by virtue of an Order made under section 10(2) of the 1980 Act specifying that	This new sub-paragraph is included to reflect the small areas of circulatory carriageway which are being de-trunked as part of the Scheme (see Highways England's response to ISH2 q .66)

Article/Requirement/Schedule number	Change	Reason
	date as the date on which they were to cease to be trunk roads.'	
Article 14(2)	Change numbering to "14(3)" to reflect the addition of a new subparagraph. Consequent change made as Part 2 of Schedule 3 becomes Part 3 (classified roads)	To update sequential numbering and cross references
Article 14(3)	Change numbering to "14(4)" to reflect the addition of a new subparagraph. Consequent change made as Part 3 of Schedule 3 becomes Part 4 (unclassified roads)	To update sequential numbering and cross references
Article 14(4)	Change numbering to "14(5)" to reflect the addition of a new subparagraph. Consequent change made as Part 4 of Schedule 3 becomes Part 5 (speed limits)	To update sequential numbering and cross references
Article 14(5)	Change numbering to "14(6)" to reflect the addition of a new subparagraph. Consequent change made as Part 5 of Schedule 3 becomes Part 6 (traffic regulation measures (clearways and prohibitions))	To update sequential numbering and cross references
Article 14(6)	Change numbering to "14(7)" to reflect the addition of a new subparagraph. Consequent change made as Part 7 of Schedule 3 becomes Part 8 (public rights of way)	To update sequential numbering and cross references
Article 14(7)	Change numbering to "14(8)" to reflect the addition of a new subparagraph. Consequent change made as Part 6 of Schedule 3 becomes Part 7 (revocations & variations of existing traffic regulation order)	To update sequential numbering and cross references

Article/Requirement/Schedule number	Change	Reason
Article 14(8)	Change numbering to 14(9) to reflect addition of new clause. Replace 'paragraphs (1) to (6)' with 'paragraphs (1) to (7)'.	To update sequential numbering and cross references
Requirement 1 - Interpretation	Under "core hours" replace 'Monday to Friday and...' with 'Monday to Friday excluding Bank Holidays'	As requested by ExA in ISH2 q. 23
Requirement 1 - Interpretation	Add new definition: "preliminary works" means the works set out in table 1.1 of the outline environmental management plan and for the purposes of these requirements the preliminary works are a part and where any requirement allows discharge for a part, discharge may be sought for the preliminary works only	To answer issues discussed during ISH2 q.42
Requirement 3(1) - CEMP	After CEMP add 'for that part'	The addition of this means that a CEMP has to be submitted for any part of the development, including the "preliminary works" the definition of which include a "part" of the authorised development
Requirement 3(4) - NEW SUB-PARAGRAPH	Add new sub-paragraph: '(4) Prior to completion of construction the undertaker will prepare a HEMP in consultation with the relevant planning authority, the local highway authority and the Environment Agency and submit it to the Secretary of State for its written approval.'	This addition has been made to confirm that the HEMP will be approved by the SoS in consultation with the bodies listed. This change has been made in response to the ExA's ISH2 q. 61.
Requirement 3(4)	Amend numbering to 3(5). After the word HEMP, delete full stop and add 'as approved under sub-paragraph (4)'.	To reflect addition of new sub-paragraph 3(4).

Article/Requirement/Schedule number	Change	Reason
Requirement 3(5)	Amend numbering to 3(6). Replace 'approved under paragraph 4' with 'approved under sub-paragraph 5'.	To reflect addition of new sub-paragraph 3(4).
Requirement 5(1)	After 'development' add the words 'other than the preliminary works'.	This addition reflects that undertaking the preliminary works will not trigger the need to submit the landscaping scheme for approval.
Requirement 8(1)	After 'has been produced' add the words 'for that part'	This addition reflects that part of the development can begin provided that, where necessary, a contamination risk assessment for that part has been produced by Highways England and approved by the SoS.
Requirement 11(1)	In line 1, after 'authorised development' add the words 'other than the preliminary works'	This addition reflects that undertaking the preliminary works will not trigger the need to submit the traffic management plan for approval.
Requirement 13(1)	In line 1, after 'authorised development' add the words 'other than the preliminary works'	This addition reflects that undertaking the preliminary works will not trigger the need to submit written details of a surface and foul water drainage system.
Requirement 14(1)	In line 2, after 'floodplain compensation scheme' add 'for that part'	This addition reflects that part of the development at Little Eaton can begin provided that, where necessary, a floodplain compensation scheme for that part has been produced by Highways England and approved by the SoS.
Requirement 14(2)	In line 2, after 'storage scheme' add 'for that part'	This addition reflects that part of the development at Kingsway can begin provided that, where necessary, a detailed flood storage scheme for that part has been produced by Highways England and approved by the SoS.

Article/Requirement/Schedule number	Change	Reason
Schedule 3, Part 2 - NEW SECTION	Add new section: 'DE-TRUNKED ROADS'	This is made to reflect the addition of the new Article 14(2) relating to de-trunked roads
Schedule 3, Part 3	Re-number previous Part 2 as Part 3. Existing wording unchanged.	To reflect addition of new Part 2.
Schedule 3, Part 4	Renumber previous Part 3 as Part 4. Delete the word 'of' where it occurs after the word 'comprising' and before specified distance in metres.	To reflect addition of new Part 2 and to ensure consistency.
Schedule 3, Part 5	Renumber previous Part 4 as Part 5. Existing wording unchanged.	To reflect addition of new Part 2.
Schedule 3, Part 6	Renumber previous Part 5 as Part 6. Existing wording unchanged.	To reflect addition of new Part 2.
Schedule 3, Part 7	Renumber previous Part 6 as Part 7. Existing wording unchanged.	To reflect addition of new Part 2.
Schedule 3, Part 8	Renumber previous Part 7 as Part 8. Existing wording unchanged.	To reflect addition of new Part 2.

Schedule of changes to the dDCO at Deadline 4

Article/Requirement/Schedule number	Change	Reason
Article 2(1)	include the phrase "and excludes any materially new or materially adverse environmental impacts compared to those assessed in the environmental statement"	To reflect the ExA's SWQ 1.3
Article 20(8)	insert a new sub-paragraph (8)	To include the request made by the EA that nothing in Article 20 overrides the need for Highways England to obtain an article 12 permit under the Environmental Permitting Regulations.
Article 38(5)	update to the special category land plots	The plot references have been updated following an audit of the plots included as special category land
Article 50(2)(a)	updated to reduce the appeal period from 42 days to 21 days	To reflect the ExA's SWQ 1.15
Schedule 2, Requirement 8	deleted reference to "in respect of controlled waters"	This has been included for the reason noted above at entry 47. The change should have been made at D2 but was not and is therefore now included
Schedule 2, Requirement 13	inclusion of the word "and"	To amend a typo
Schedule 3, Parts 1, 6, 7	updated following a consistency review	updated following a consistency review
Schedule 4, Part 1	inclusion of "N/A" in the relevant boxes	To reflect that no new highways are being substituted or provided for the stopped up highways listed
Schedule 4, Part 2	updated following a consistency review	updated following a consistency review
Schedule 4, Part 3	deletion of unused column	deletion of unused column
Schedule 5	updated following a consistency review	updated following a consistency review
Schedule 7	updated following a consistency review	updated following a consistency review

Schedule of changes to the dDCO at Deadline 6

Article/Requirement/Schedule number	Change	Reason
Article 2(1)	inclusion of a new definition of "the hedgerows plans"	included to reflect the alterations to article 39 (see below)
Article 2(1)	amendment to the definition of "maintain"	this is to ensure that maintenance activities undertaken as part of the authorised development have no greater impacts than those assessed in the environmental statement
Article 3(1)	amended to include the disapplication of regulation 12 of the Environmental Permitting (England and Wales) Regulations (in respect of flood risk activity permits) and the permit schemes which are in place in Derby City Council and Derby County Council's administrative areas	updated to reflect agreement with the EA, DCiC and DCC on these points
Article 8(a)	amended to clarify the extent of the limits of deviation	updated to reflect the fact that the environmental statement has assessed the limits of deviation for the main carriageway and sliproads to be 1m from the lines and situations shown on the works plans. For all other works these are as shown by the lines and situations on the works plans.
Article 14(9)	amendment to the reference in article 14(9)	this is updated to reflect a reference error as sub-paragraph 9 relates to sub-paragraphs 1 to 8, not 1 to 7.
Article 33(d)	amended to include reference to the mitigation works identified in the environmental statement	this change has been made to cover the ExA's issue around the phrase "any other mitigation works" being too broad. As such, Highways England has agreed to link these works to the ES.
Article 39(4)	amended to link the removal hedgerows to those identified on the plans submitted to the Examination	this change has been made to give certainty to the extent of any hedgerow removal that may take place as part of the authorised development.
Schedule 2, Requirement 1(b) and (c)	inclusion of a link to the OEMP and removal of a "and"	this is to ensure that the mitigation measures set out in the HEMP are linked to those set out in the OEMP.

Article/Requirement/Schedule number	Change	Reason
		The "and" has been deleted as this was included in error.
Schedule 2, Requirement 13(1)	amendment to the ES chapter reference	this has been made to reflect the fact that the mitigation measures referred to are set out in ES chapter 13, not 16.
Schedule 2, Requirements 15(2) and 16(2)	deletion of the terms which refer to "taking into account" the mitigation identified in the ES	this change has been made in response to the ExA's request to delete this wording on the basis that it adds nothing to the preceding sentence i.e. to ensure that any alternative mitigation used by Highways England as part of the development does not give rise to any materially new or materially adverse environmental impacts compared to those reported in the ES.
Schedule 8	amended to include reference to the TPO at Sturgess Fields	this change has been made to reflect the need to remove trees subject to TPOs located at land at Sturgess Fields. This detail has been provided to the ExA in document ref: APP-246
Schedule 9, Part 1	updated to remove reference to "gas undertaker", including any associated provisions relating to gas undertakers	this amendment has been made to reflect the addition of the protective provisions for Cadent Gas Ltd in Schedule 9, Part 5. Further detail on this is provided below.
Schedule 9, Part 3	updated following agreement with the EA on the content of their protective provisions	the protective provisions for the Environment Agency have been discussed and agreed. The detail in the dDCO reflects these agreed protective provisions.
Schedule 9, Part 5	updated following discussions with Cadent Gas Ltd on the content of their protective provisions	the protective provisions for the benefit of Cadent Gas Ltd are included in the dDCO and these reflect discussions which have taken place between Highways England and Cadent.
Schedule 10	updated to reflect the changes to the document references and updated to include the hedgerows plans as a certified document	A number of Examination References have been left in square brackets as further versions are due to be submitted to the Examination and Highways England does not have the references at this stage. The insertion of the Hedgerows

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Schedule of Changes to the dDCO

Article/Requirement/Schedule number	Change	Reason
		Plans as a certified document is to reflect the amendment made to article 39.