

A46 Newark Bypass

TR010065

Schedule of Changes to draft DCO

Rule 8(1)(k)

Planning Act 2008
Infrastructure Planning (Examination Procedure)
Rules 2010

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Planning Act 2008

**The Infrastructure Planning
(Examination Procedure) Rules 2010**

A46 Newark Bypass
Development Consent Order 202[]

Schedule of Changes to draft DCO

Regulation Number	Rule 8(1)(k)
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Rev 1	22 October 2024	Final for Deadline 1

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1 Introduction

- 1.1.1 The following tables have been prepared by National Highways ("the Applicant") to set out the changes made to the draft Development Consent Order from that submitted with the application to the Planning Inspectorate on 26 April 2024 (Rev 1).
- 1.1.2 It is submitted together with:
 - a. Revised draft Development Consent Order
 - b. A comparison version of the draft Development Consent Order showing all changes made since Rev 1 [APP-021]
- 1.1.3 The changes are made principally to reflect drafting errors or corrections to technical details.

2 Summary of proposed changes to draft DCO Rev 2 [APP-021] submitted at Deadline 1 from the draft DCO submitted with the Application [APP-021]

Ref.	Article/Schedule	Change	Reason for change	Precedent
1	Article 2 - Interpretation	"National Grid" means National Grid Electricity Transmission <u>Distribution</u> PLC (Company No. 2366977 <u>09223384</u>) whose registered office is at 1-3 Strand, London, WC2N 5EH <u>Avonbank, Feeder Road, Bristol, Avon, BS2 0TB</u> or a related or subsidiary company of National Grid	The definition of National Grid has been amended to correct an error and to refer to the correct entity.	N/A
2	Article 2 – Interpretation	<u>"Natural England" means the body of that name created by the Natural Environment and Rural Communities Act 2006 (a) or any successor in function to it;"</u>	The definition has been added for completeness following the amendment to add Natural England as a statutory consultee in Requirement 3 (Second Iteration EMP).	N/A
3	Article 2 – Interpretation	<u>"(a) 2006 (c.16)."</u>	Consequential change required to define Natural England.	N/A
4	Article 2 – Interpretation	""owner", in relation to land has the same meaning as in section 7 (interpretation) of the Acquisition of Land Act 1981 (a) <u>(b)</u> ;"	Consequential change to footnote numbering due to the addition of a new footnote.	N/A
5	Article 2 – Interpretation	"(a) <u>(b)</u> 1981 (c.67). The definition of "owner" was amended by paragraph 9 of Schedule 15 to the Planning and Compensation Act 1991 (c. 34). There are other amendments to section 7 which are not relevant to this Order."	Consequential change to footnote numbering due to adding a new footnote due to the addition of a new footnote.	N/A

Ref.	Article/Schedule	Change	Reason for change	Precedent
6	Article 12 (Consent to transfer benefit of Order)	12(4) "Part 3 <u>4</u> of Schedule 4 (permanent stopping up of highways and private means of access and provision of new highways and means of access) to this Order."	Correction of a cross referencing error.	N/A
7	Schedule 2 – Requirements (Second iteration EMP)	3(1) "No part of the authorised development is to commence until the Second Iteration EMP for that part, substantially in accordance with the First Iteration EMP, has been submitted to and approved in writing by the Secretary of State, following consultation with the relevant planning authority, Natural England and the Environment Agency on matters related to its statutory function ."	The Environmental Agency and Natural England have been added as consultees to address a point raised in their relevant representations.	N/A
8	Schedule 2 – Requirements (Second iteration EMP)	3(2) "The Second Iteration of EMP for a part must be produced in accordance with DMRB and so far as is relevant to that part of the authorised development, must reflect the mitigation measures required by the REAC and set out in the Environmental Statement and must include the following management plans and method statements and method statements as are applicable"	Correction of a repetition error.	N/A
9	Schedule 2 – Requirements (Third iteration EMP)	4(1) "Following completion of construction of the authorised development the Third Iteration EMP must be submitted to and approved in writing by the Secretary of State, following consultation with the relevant planning authority and the Environment Agency on matters related to its statutory function ;"	The Environmental Agency has been added as a consultee to address a point raised in their relevant representation.	N/A

Ref.	Article/Schedule	Change	Reason for change	Precedent
10	Schedule 2 – Requirements (Contaminated Land and groundwater)	8(1) "In the event that contaminated land, including groundwater, is found at any time when carrying out the authorised development, which was not previously identified in the environmental statement, <u>then no further development (unless otherwise approved in writing by the relevant authorities) shall be carried out within the identifiable perimeters of the area in which the suspected contamination is located.</u> It must be reported as soon as reasonably practicable to the Secretary of State, the Environment Agency and relevant planning authority, and the undertaker must complete a risk assessment of the contamination in consultation with the Environment Agency and the relevant planning authority."	Additional text added at the request of the Environment Agency to address comments in their relevant representation.	N/A
11	Schedule 2 – Requirements (Archaeology and Built Heritage)	9(6) "A programme of archaeological reporting, post excavation and publication required as part of the archaeological mitigation strategy and written schemes of investigation referred to in sub-paragraphs (1), (2) and (4) must be agreed with the County Archaeologist"	To correct a typographical error of a missing space.	
12	Schedule 2 – Requirements (Surface and foul water drainage)	13(1) "No part of the authorised development is to commence until for that part written details of the surface and foul water drainage system, reflecting the mitigation measures in <u>Chapter 13, Road Drainage and the Water Environment</u> , of the environmental statement and including means of pollution control, have been submitted to and approved in writing by the Secretary of State following consultation with the relevant local authority on matters relating to its function and the Environment Agency on matters relating to its function."	To insert a full cross reference for clarity.	N/A

Ref.	Article/Schedule	Change	Reason for change	Precedent		
13	Schedule 2 – Requirements (Flood compensatory storage)	14(2) "The schemes prepared under paragraph (1) must provide suitable flood storage for any flood waters that would be displaced by the authorised development in the 1 in 100 year plus 35 9 ⁹ % climate change allowance event."	To correct the figure and bring it in line with the Flood Risk Assessment [APP-177].	N/A		
14	Schedule 10 – Documents to be Certified	<table border="1"> <tr> <td>Tree Protection Plans</td> <td>Appendix E2 of Appendix 7.4 of TR010065/APP/6.3 TR010065/APP/2.13</td> </tr> </table>	Tree Protection Plans	Appendix E2 of Appendix 7.4 of TR010065/APP/6.3 TR010065/APP/2.13	To refer to the stand alone plans submitted to the Examination in response to the Planning Inspectorate's s51 advice letter issued on 23 May 2024.	N/A
Tree Protection Plans	Appendix E2 of Appendix 7.4 of TR010065/APP/6.3 TR010065/APP/2.13					