

Cambridge Waste Water Treatment Plant Relocation Project
Anglian Water Services Limited

Development Consent Order – Changes Tracker

Application Document Reference: 2.4
PINS Project Reference: WW010003
APFP Regulation No. 5(2)(q)

Revision No. 2
16 October 2023

**The Cambridge Waste Water Treatment Plant Relocation Order 202X
DCO Changes Tracker - Document 2.4**

This document is submitted together with the updated draft DCO (Document 2.1 Rev 04) on 16 October 2023 and identifies and explains the changes that have been made to the previous version of the draft DCO (Document 2.1 Rev 03, AS-010) submitted on 29 September 2023.

The changes that were made to the original application submission draft DCO (Document 2.1 Rev 02, APP-009) in the version submitted on 29 September 2023 (Rev 03) have been moved to **Appendix A** of this document.

**Schedule of changes made to the draft Development Consent Order (Document 2.1 Rev 03)
submitted by the Applicant on 29 September 2023**

Section/Article No. and title	Change	Reason	Date of Draft
Requirement 1, Part 1, Schedule 2	The reference in the definition of “enabling works” to paragraph 3.1.8 of chapter 2 of the environmental statement (Document 5.2.2) has been amended to paragraph 3.1.6	To correct a typographical error.	16 October 2023
Schedule 10	Land parcels 070a and 071a have been deleted from the sections of the table headed ‘ <i>Waterbeach Pipeline Rights</i> ’ and ‘ <i>Waterbeach Pipeline Restrictive Covenant</i> ’ relating to Work Nos. 33, 34, 35 and 36	To reflect the changes to the powers sought under the DCO for these land parcels, which were proposed to be subject to powers of permanent acquisition for new rights and restrictive covenants but are now proposed to be subject to temporary possession powers only, as per the change request dated 16 October 2023.	16 October 2023
Schedule 12	Land parcels 070a and 071a have been added to the table detailing land of which temporary possession may be taken in relation to Work No. 34	To reflect the changes to the powers sought under the DCO for these land parcels, which were proposed to be subject to powers of permanent acquisition for new rights and restrictive covenants but are now proposed to be subject to temporary possession powers only, as per the change request dated 16 October 2023.	16 October 2023
Schedule 17, paragraph 4(1)	The reference to section 1(9) of the Party Wall etc Act 1996 has been amended to section 1(2)	To correct a typographical error.	16 October 2023

Section/Article No. and title	Change	Reason	Date of Draft
Schedule 17, paragraph 4(2)	The parentheses have been deleted from the reference to "Sections 1(6) and (2)", i.e. "Sections 1(6) and {2}"	To correct a typographical error – the paragraph should refer to section 1(6) and section 2 of the Party Wall etc Act 1996, not to subsections 1(6) and 1(2)	16 October 2023
Schedule 18	<p>Several documents have had the revision number and date updated.</p> <p>In addition, the document number reference for the outline carbon management plan has been amended from 5.4.9.2 to 5.4.10.2</p>	<p>The changes to the revision numbers and dates are to reflect the updates to the documents required as a result of the change request dated 16 October 2023.</p> <p>The change to the outline carbon management plan document reference is to correct a typographical error</p>	16 October 2023

APPENDIX A

The changes to the latest version of the draft DCO are largely to address those items raised by the Examining Authority (“ExA”) in its Procedural Decision dated 10 August 2023 (PD-004), including those at paragraph 12, but also to reflect changes to the Requirements (Part 1, Schedule 2) as a result of the submitted draft outline management plans (as noted in paragraph 19 of the Procedural Decision and pursuant to the Applicant’s initial response to the Procedural Decision, submitted on 8 September 2023) and to Schedule 18 to reflect the updated versions of plans and documents to be certified. The Applicant has also taken the opportunity to update the protective provisions in Part 9 of Schedule 15 and is pleased to confirm that those protective provisions are now agreed with Cambridge Water.

The Applicant has also undertaken a full review of the draft DCO and made some further drafting amendments for clarity.

With regard specifically to paragraph 12(o), (p) and (r) of the ExA’s Procedural Decision, the Applicant would highlight that no changes have been made to the draft DCO at this stage and would comment as follows:

Extract from ExA’s Procedural Decision dated 10 August 2023 (PD-004)	Applicant’s response
12(o) Schedule 6 Part 1 and Part 2 refer to the “rights of way plans” followed by various document reference numbers. Please check this is correct given that the rights of way plans [APP-020] has a document reference of 4.6.	The Applicant’s approach to the drafting of the DCO is to refer to a particular sheet within a series of documents where relevant, for example, using 4.6.1 to refer to sheet 1 of that plan series which is the relevant sheet identifying the extent of a public right of way to be temporarily closed, rather than 4.6 which the whole series of plans.
12(p) Various schedules refer to the “access and traffic regulation order plans” followed by various document reference numbers. Please check this is correct given that the access and traffic regulation order plans [APP-021] has a document reference of 4.7.	The Applicant’s approach to the drafting of the DCO is to refer to a particular sheet within a series of documents where relevant, for example, using 4.7.1 to refer to sheet 1 which is the relevant sheet identifying the length of street to be closed, rather than 4.7 which identifies the whole series of plans.
12(r) Schedule 15 - Planning Inspectorate Advice Note 15 states that “If Protective Provisions for more than one protected party are included in a single Schedule, SI drafting requires the numbering of the paragraphs to follow sequentially throughout the Schedule and not re-start at ‘1’ with each part (as with all textual Schedules in several parts)”. Please adopt this approach in the draft DCO.	The Applicant notes the Advice Note, but having reviewed various other DCOs the Applicant notes that there is no consistency of approach, for example, The Hornsea Four Offshore Wind Farm Order made as recently as July 2023 does not use sequential numbering in its protective provisions schedule. The Applicant is content to adopt the approach in Advice Note 15 if required but proposes that sequential numbering is added in the final version of the DCO to be submitted. This is because the protective provisions are each negotiated in isolation and given the need to ensure

Extract from ExA's Procedural Decision dated 10 August 2023 (PD-004)	Applicant's response
	cross-referencing is accurate, this is best done at a time when there are no further changes required to the protective provisions.

Schedule of changes made to the draft Development Consent Order (Document 2.1 Rev 02) submitted by the Applicant

Section/Article No. and title	Change	Reason	Date of Draft
Article 2	A definition of 'HGV' has been added.	The acronym HGV was used in the DCO but was not defined. As requested by the ExA, the Applicant has added a definition for clarity and to confirm the type of vehicle which is to be considered a HGV for the purposes of the drafting.	29 September 2023
Article 2	A definition of 'LGV' has been added.	The DCO previously referred to 'light goods vehicles' which was not defined. As requested by the ExA, the Applicant has added the definition for clarity. This now confirms the type of vehicle which is to be considered an LGV for the purpose of the drafting.	29 September 2023
Article 2	A definition of CWRP Relocation Limited has been added as follows: <i>"CWRP Relocation Limited" means CWRP Relocation Limited (company registration number 12219644).</i>	Amendment made at the request of the ExA. The Applicant agrees that the definition would add clarity as whilst a company name can change, the company registration number is fixed. The change provides certainty as to the identity of the company.	29 September 2023
Article 18	Article 18(1)(f) has been amended to add commas as follows: the alteration of any street further to article 11(1) or (2) (power to alter the layout, etc, of streets); or	Amendment made to add commas as Article 11 uses these commas. As this is a reference to Article 11 in this Article 18, the reference must fully match the title of Article 11 as it appears in the DCO.	29 September 2023

Section/Article No. and title	Change	Reason	Date of Draft
Article 21	<p>Amendment made to remove 'and' in Article 21(1)(a) as follows:</p> <p>survey, monitor and or investigate the land including aerial surveys carried out by drone;</p>	<p>Amendment made to correct an error. The correct word to use is 'or'.</p>	<p>29 September 2023</p>
Article 22	<p>Article 22(1)(b) has been amended to change the reference to paragraph (4) to paragraph (3)</p>	<p>Amendment made to correct the error in cross-referencing. The correct cross-reference is to paragraph (3).</p>	
Article 23	<p>Amendment made to Article 23(1) replace the use of 'or' with 'and' as follows:</p> <p>Save in respect of trees or shrubs which come within article 24 (trees subject to tree preservation orders), or article 25 (trees in conservation areas) the undertaker may fell or lop any tree or shrub near any part of the authorised development, or cut back its roots, if it reasonably believes it to be necessary to do so to prevent the tree or shrub from obstructing or interfering with the construction, operation, use or and maintenance of the authorised development or any apparatus used in connection with the authorised development.</p>	<p>Amendment made for clarity as the powers need to apply to all of the elements of construction, operation, use and maintenance.</p>	<p>29 September 2023</p>
Article 33	<p>Amendment made to Article 33(1) add a comma after the words 'for the benefit of a third party':</p> <p>"(1) The acquiring authority may execute in respect of any of the land which they are authorised to acquire by the compulsory purchase order a declaration in the prescribed form vesting the land in themselves, or in the case of land or a right that they are authorised</p>	<p>The first amendment was made for clarity as upon review, it was considered that drafting was clearer with the addition of a comma.</p> <p>The second amendment was made to correct an error in cross-referencing.</p>	<p>29 September 2023</p>

Section/Article No. and title	Change	Reason	Date of Draft
	<p>to acquire for the benefit of a third party, in the third party in question, from the end of such period as may be specified in the declaration (not being less than 3 months from the date on which the service of notices required by section 6 is completed)."</p> <p>Article 33(15) has been amended as follows: References to the 1965 Act in the 1981 Act must be construed as references to the 1965 Act as applied by section 125 (application of compulsory acquisition provisions) of the 2008 Act and as modified by article 37 34 (modification of Part 1 of the 1965 Act) to the compulsory acquisition of land under this Order.</p>		
Article 34	<p>Article 34(4) has been amended to add the wording underlined:</p> <p><i>In section 22(2) (expiry of time limit for exercise of compulsory purchase power not to affect acquisition of interests omitted from purchase), for "section 4 of this Act" substitute "article 27 (time limits for exercise of authority to acquire land compulsorily) of the Cambridge Waste Water Treatment Plant Relocation Order [202X]".</i></p>	Amendment made for certainty as to the Article which is being referenced.	29 September 2023
Article 35	<p>Article 34(3) has been amended as follows:</p> <p>construct any works, or use the land, as specified in relation to that land in column (4-3) of Schedule 12, or <u>carry out</u> any mitigation works;</p>	<p>The first amendment was made to correct a cross-referencing error.</p> <p>The second amendment was made to improve the drafting and make it clear that (e) relates to the carrying out of mitigation works.</p>	29 September 2023

Section/Article No. and title	Change	Reason	Date of Draft
	<p>Article 35(5)(h) was amended to add the underlined wording:</p> <p><i>restore the land on which any works have been carried out under paragraph (1)(h) insofar as the works relate to mitigation works identified in the environmental statement or required pursuant to the requirements in <u>Part 1</u> of Schedule 2. (requirements).</i></p>	The third amendment was made for clarity as the sub-paragraph concerns Part 1 of the requirements in Schedule 2.	
Article 44	<p>Article 44(1)(b) was amended to change 'no' to 'No.'</p> <p>Article 44(4) has been amended to add a space between '1985(d)' and 'are'.</p> <p>Article 44(5) has been amended to change reference to '1966' to '1996'</p>	<p>The first amendment was made to correct an error as this is a reference to a Work No. and therefore should be capitalised.</p> <p>The second amendment was made to correct a typographical error as noted by the ExA.</p> <p>The third amendment was made to correct the date. The date of the relevant bylaws are 1996 and not 1966 as previously stated.</p>	29 September 2023
Schedules	Row and column lines have been included in the tables in the Schedules.	Amendment made to improve clarity and for ease of reading at the	29 September 2023
Schedule 1 (Authorised Development) Part 1	Schedule 1, Work No. 18(o) has a comma between 'Work No' and '27' instead of a dot. The comma has been replaced with a dot.	Amendment to correct the incorrect use of the comma in the DCO at the request of the ExA.	29 September 2023
Schedule 1 (Authorised Development) Part 1	Work No. 29 has been amended to change 'West' to 'west'	Amendment made to ensure consistency with other directional references which are not capitalised.	29 September 2023
Schedule 1 (Authorised	A dot has been added in Further Works as follows:	The first amendment was made as references to 'Work Nos.' should contain a dot, as is elsewhere in the DCO.	29 September 2023

Section/Article No. and title	Change	Reason	Date of Draft
Development) - Part 1	In connection with Work Nos. 1 – 40 Further Works (f) has been amended as follows: (f) HV Switchgears high voltage switchgears	The second amendment was made as HV Switchgears is not a defined term nor a name and further, HV was not defined.	
Schedule 1 (Authorised Development) - Part 1 and Schedule 10 (Land in which only new rights etc may be required)	References to 'railway line' have been changed to 'King's Lynn railway line' in Work No. 33, Work No. 36 and Schedule 10. There are no other references to 'railway line' within the DCO.	Amendment made for clarity as the DCO used 'railway line' and 'King's Lynn railway line' but all references were to the same King's Lynn railway line. The amendment removes any ambiguity as to which railway line is referenced.	29 September 2023
Schedule 2 (Requirements) - Part 1	Requirement 1 has been amended to change 'WWTW' to 'waste water treatment works'.	Amendment made for clarity as 'WWTW' was not defined.	29 September 2023
Schedule 2 (Requirements) - Part 1 Requirement 1	The following defined terms have been added to Requirement 1: <ul style="list-style-type: none"> - Framework archaeological investigation mitigation strategy; - Outline carbon management plan; - Outline operational water quality monitoring plan; - Outline outfall management and monitoring plan; 	These definitions have been added as these draft outline documents have been prepared (save for the outline operational water quality monitoring plan which is to follow), as requested by the ExA in its Procedural Decision (PD-004), and are to be certified documents in accordance with Article 51 and listed in Schedule 18.	29 September 2023

Section/Article No. and title	Change	Reason	Date of Draft
	- Outline operational logistics traffic plan.		
Schedule 2 (Requirements) Part 1 Requirement 5	Requirement 5(2) has been added to add a comma after 'phase or part'.	Amendment made for clarity. The wording now reads: <i>Where any approval, agreement or confirmation of the relevant planning authority or another person is provided that relates to more than one phase or part, such approval, agreement or confirmation is taken to be provided for all such phases or parts without the need to seek multiple approvals, agreements or confirmations for the same details.</i>	29 September 2023
Schedule 2 (Requirements) Part 1 Requirement 10	Reference to requirement 7 in Requirement 10 has been amended to Requirement 6 (<i>approved details and amendments to them</i>).	Amendment made to correct a typographical error. Requirement 10 now correctly provides that the construction outfall management and monitoring plan and the operational outfall management and monitoring plan may be revised from time to time in accordance with Requirement 6.	29 September 2023
	Requirement 10 has been amended to require the submission and approval of a detailed construction outfall management and monitoring plan which must accord with the measures in the outline outfall management and monitoring plan which relate to construction. Requirement 10 has also been amended to require the submission and approval of a detailed operational outfall management and monitoring plan which must accord with the measures in the outline outfall management and monitoring plan which relate to the operation of the outfall.	The amendments have been made in order to incorporate reference to the new, outline outfall management and monitoring plan (a draft of which has been submitted at 29 September in response to the ExA's Procedural Decision PD-004). A detailed construction plan and a detailed operational plan will be required, both of which must accord with the relevant elements of the outline outfall management and monitoring plan.	29 September 2023

Section/Article No. and title	Change	Reason	Date of Draft
Schedule (Requirements) Part 1 Requirement 13	2 - Requirement 13 has been amended to require the submission and approval of a detailed archaeological investigation mitigation strategy which must accord with the framework archaeological investigation mitigation strategy.	Amendment made to include reference to the new, framework archaeological investigation mitigation strategy, to be certified pursuant to Article 51.	29 September 2023
Schedule (Requirements) Part 1 Requirement 19	2 - Amendment made to Requirement 19 to change reference from the 'Operational Logistics Travel Plan' to 'the Operational Logistics Traffic Plan' Requirement 19 has also been amended to require the submission and approval of a detailed operational logistics traffic plan which must accord with the outline operational logistics traffic plan.	The first amendment made to correct drafting error as the document referred to is entitled the Operational Logistics Travel Plan. The second amendment has been made to include reference to the new, outline operational logistics traffic plan, to be certified pursuant to Article 51.	29 September 2023
Schedule (Requirements) Part 1 Requirement 20	2 - Requirement 20(3) has been amended to remove the words 'approved in accordance with requirement 21(1).'	The reference to '21(1)' was incorrect but in any event, the wording has been removed as it was considered superfluous and for consistency with the drafting of the remainder of the Schedule. The wording of Requirement 20 already requires the undertaker to comply with the odour management plan, without this wording.	29 September 2023
Schedule (Requirements) Part 1 Requirement 21	2 - Requirement 21(3) is now 21(4) and has been amended to remove the words 'approved in accordance with requirement 22(1).'	The reference to '22(1)' was incorrect but in any event, the wording has been removed as it was considered superfluous and for consistency with the drafting of the remainder of the Schedule. The wording of Requirement 21 already requires the undertaker to comply with the carbon management plan, without this wording. The second amendment was made to include reference to the new, outline carbon management plan, to be certified pursuant to Article 51.	29 September 2023

Section/Article No. and title	Change	Reason	Date of Draft
Schedule 2 (Requirements) - Part 1 Requirement 23	A new Requirement 23 has been added which requires the submission and approval of a detailed operational water quality monitoring plan. This must accord with the outline operational water quality monitoring plan.	Amendment made to include reference to the new, outline operational water quality monitoring plan (to be submitted in due course), to be certified pursuant to Article 51.	29 September 2023
Schedule 2 (Requirements) - Part 1 Requirement 24	A new Requirement 24 has been added to require the submission and approval of a scheme detailing how the discovery centre (part of the gateway building) will operate.	Amendment made to ensure that the commitments around how the discovery centre is intended to operate are secured.	29 September 2023
Schedule 2 (Requirements) - Part 2, paragraph 4	The definition of 'business day' in Schedule 2 has been removed.	As noted by the ExA, the definition in Schedule 2 was slightly different to the definition in Article 2. Since the term is already defined in Article 2 it is not necessary to duplicate the definition, therefore the definition has been retained in Article 2 only.	29 September 2023
Schedule 3 (Streets subject to street works)	The fourth row which stated ' <i>South Cambridgeshire District - Footpath 162/1 along the towpath west of the river Cam</i> ' has been deleted. Schedule 3 has also been amended to change reference to " <i>Footpath 130/16 east of Grange Farm</i> " to " <i>Footpath 130/16 south of Riverside Farm</i> ".	Upon review of the Schedule, the Applicant note that the street works powers in Article 10 do not need to apply to this street. The Applicant is content that all other streets listed in the Schedule need to remain. The second amendment was made to correct an error in the description of the location of the footpath as noted by the ExA.	29 September 2023
Schedules 3 (Streets subject to street works), Schedule 6 (public rights of way) and Schedule 7 (Access to works)	Schedules 3, 6 and 7 have been amended to change reference to ' Footpath 130/8' to ' bridleway 130/8'.	Amendment made to correct an error as noted by the ExA. The way is a bridleway as confirmed by the definitive map. The relevant sheet of the Rights of Way Plans (Sheet 8 - Document 4.6.8) has also been updated to reflect this error.	29 September 2023

Section/Article No. and title	Change	Reason	Date of Draft
Schedule 14 (Parameters) - Part 2	An empty row has been removed from Part 2 - Storm Tanks	Amendment made to remove the row as it was not needed.	29 September 2023
Schedule 15 (Protective Provisions) - Part 1	An amendment has been made to delete "and Cadent Gas Limited which is protected by Part 2 of this Schedule" (leaving "and Cadent Gas Limited which is protected by Part 3 of this Schedule").	Amendment made to correct drafting error as the DCO incorrectly referred to Cadent Gas Limited twice as noted by the ExA.	29 September 2023
Schedule 15 (Protective Provisions) - Part 8	Amendment made to change 'for the protection for operators of electronic communications code networks' to 'for the protection of operators of electronic communications code networks'	Amendment made to improve drafting.	29 September 2023
Schedule 15 (Protective Provisions) - Part 9	Part 9 has been redrafted in part with the addition of definitions and new paragraphs.	Amendments made to reflect the drafting which has been agreed with Cambridge Water.	29 September 2023
Schedule 17 (Miscellaneous Controls)	Paragraph 6 (Town and Country Planning Act 1990) has been amended to remove reference to [8] at the end of sub-paragraph 6(1)	Amendment made to correct an error, as noted by the ExA in its Procedural Decision.	29 September 2023
Schedule 18 (Certification of Plans and Documents)	The following documents have been added to Schedule 18: <ul style="list-style-type: none"> - Framework archaeological investigation mitigation strategy; - Outline carbon management plan; - Outline operational water quality monitoring plan; 	Amendment made as these documents have now been prepared (with the exception of the outline operational water quality monitoring plan which is to follow), as requested by the ExA.	29 September 2023

Section/Article No. and title	Change	Reason	Date of Draft
	<ul style="list-style-type: none"> - Outline outfall management and monitoring plan; - Outline operational logistics traffic plan 		
	Schedule 18 – ‘design plans – waterbeach pipeline long sections’ sheet numbers have been realigned so that each sheet plan aligns with the relevant document reference.	Amendment made to correct formatting error.	29 September 2023
	Amendment made to include the main document reference number pertaining to each series of plans. This effects the land plans, the rights of way plans, the hedgerow regulations and tree preservation plans and the access and traffic regulation order plans	Amendment made for clarity and in order to address the comment from the ExA.	29 September 2023
	Amendments made to dates and revisions of documents.	The list of certified plans and documents has been updated to reflect the latest versions of the plans and documents.	29 September 2023

Get in touch

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