

CORRECTION NOTICE
THE HORNSEA THREE OFFSHORE WIND FARM ORDER 2020 (S.I. 2020/No
1656)
SCHEDULE 4 TO THE PLANNING ACT 2008
CORRECTION OF ERRORS IN DEVELOPMENT CONSENT DECISIONS
DATE 20 May 2021

The Secretary of State received a request dated 28 January 2021 from Pinsent Masons LLP acting on behalf of Orsted Hornsea Project Three (UK) Limited ("Hornsea Three") for the correction of errors in the Hornsea Three Offshore Wind Farm Order 2020 ("the Order") under paragraph 1(5)(a) of Schedule 4 to the Planning Act 2008.

The Secretary of State has made the following corrections to the Order:

Preamble

Remove stray extra bracket from "104(2)((f)".

Secretary of State's rationale:

To correct typographical error.

Article 2, paragraph (1), "Interpretation"

In definition of "highway" add semicolon at end of line.

Secretary of State's rationale:

To correct typographical error.

Article 2, paragraph (1), "Interpretation"

In definition of "location plan" remove space before semicolon at end of definition.

Secretary of State's rationale:

To correct formatting error.

Article 2, paragraph (1), "Interpretation"

In definition of "offshore HVAC booster station" relabel paragraphs "(c)" and "(d)" as "(a)" and "(b)" respectively.

Secretary of State's rationale:

To correct formatting error.

Article 2, paragraph (1), "Interpretation"

In definition of "the offshore Order limits and grid coordinates plan" remove space before semicolon at end of line and move definition to line above definition of "offshore subsea HVAC booster station".

Secretary of State's rationale:

To correct typographical error.

Article 2, paragraph (1), "Interpretation"

Move the definition of "the offshore Order limits and grid coordinates plan" to above definition of "offshore subsea HVAC booster station".

Secretary of State's rationale:

To correct list format error.

Article 2, paragraph (1), "Interpretation"

Move the definition of "the onshore Order limits plan" to above definition of "onshore site preparation works".

Secretary of State's rationale:

To correct list format error.

Article 2, paragraph (1), "Interpretation"

In definition of "onshore construction works" substitute full stop at end of definition for a semicolon.

Secretary of State's rationale:

To correct typographical error.

Article 20, paragraph (2), "Compulsory acquisition of rights"

Insert comma after "land in which only new rights etc"

Secretary of State's rationale:

To properly reflect title of Schedule 6.

Article 20, paragraph (3), “Compulsory acquisition of rights”

Delete “the” before “creation”, and add closing bracket after “rights)”

Secretary of State's rationale:

To properly reflect title of Schedule 7, and correct typographical error.

Article 22, paragraph (6), “Application of the 1981 Act”

Add closing speech mark after “order)”.

Secretary of State's rationale:

To correct typographical error.

Article 24, paragraph (5)(b), “Modification of Part 1 of the 1965 Act”

Substitute word “project” for “development” in both uses in section. Insert the word “offshore” after “Hornsea Three”.

Secretary of State's rationale:

To reflect title of Article 26 and correct a typographical error.

Article 26, paragraph (3), “Temporary use of land for carrying out the authorised project”

Add “—” at end of line.

Secretary of State's rationale:

To correct typographical error.

Article 26, paragraph (10), “Temporary use of land for carrying out the authorised project”

Remove opening bracket from end of paragraph and replace with full stop.

Secretary of State's rationale:

To correct typographical error.

Article 38, paragraph (1), “Requirements, appeals, etc.”

Substitute “Subsection” for “Sub-section”.

Secretary of State’s rationale:

To correct typographical error.

Article 38, paragraph (1)(c), “Requirements, appeals, etc.”

Substitute “subsection” for “Sub-section”.

Secretary of State’s rationale:

To correct typographical error.

Article 44 “Service of notices”

Insert the following as a new sub-paragraph (10):

“In this article “legible in all material respects” means that the information contained in the notice or document is available to that person to no lesser extent than it would be if served, given or supplied by means of a notice or document in printed form.”

Secretary of State’s rationale:

For drafting clarity an explanation of “legible in all material respects” is included as this was omitted from the original order.

Schedule 1, Part 1, Work No.7(a) Authorised Project

Substitute “and” for “to”.

Secretary of State’s rationale:

To correct typographical error.

Schedule 1, Part 3, Requirement 7(1)(h) Authorised Project

Substitute a comma for the semi colon at the end of the line.

Secretary of State’s rationale:

To correct typographical error.

Schedule 1, Part 3, Requirement 7(4) Authorised Project

Add “sub-” before “paragraph”.

Secretary of State’s rationale:

To correct typographical error.

Schedule 1, Part 3, Requirement 8(3)(a) Authorised Project

Delete “and” after “...the Hedgerows Regulations 1997;”

Secretary of State’s rationale:

To correct typographical error.

Schedule 7, Paragraph 2(2) Modification of Compensation and Compulsory Purchase Enactments for Creation of New Rights

Substitute “5” for “4”.

Secretary of State’s rationale:

To correct cross-referencing error.

Schedule 7, Paragraph 6(b) Modification of Compensation and Compulsory Purchase Enactments for Creation of New Rights

Add opening bracket before “conveyance”.

Secretary of State’s rationale:

To correct typographical error.

Schedule 9, Part 2, Paragraph 6(3) Protective Provisions

Substitute “sub-paragraph” for “subparagraph” and remove “6”.

Secretary of State’s rationale:

To correct typographical error.

Schedule 9, Part 2, Paragraph 7(2) Protective Provisions

Add “—” at end of line.

Secretary of State’s rationale:

To correct typographical error.

Schedule 9, Part 2, Paragraph 10(3) Protective Provisions

Substitute “—” for “-“ at end of line.

Secretary of State’s rationale:

To correct formatting error.

Schedule 9, Part 2, Paragraph 10(8) Protective Provisions

Add space between “(3)” and “or”.

Secretary of State’s rationale:

To correct typographical error.

Schedule 9, Part 2, Paragraph 10(9) Protective Provisions

Add “sub-” before “paragraphs” and add space after “(3)”.

Secretary of State’s rationale:

To correct typographical error.

Schedule 9, Part 2, Paragraph 12(3)(b) Protective Provisions

Remove “(b)” after “article 5” and “12” after “sub-paragraph”

Secretary of State’s rationale:

To correct typographical error.

Schedule 9, Part 3, Paragraph 6(3) Protective Provisions

Remove “6” after “sub-paragraph”.

Secretary of State's rationale:

To correct typographical error.

Schedule 9, Part 3, Paragraph 7(2) Protective Provisions

Add “—” at end of line.

Secretary of State's rationale:

To correct typographical error.

Schedule 9, Part 3, Paragraph 15 Protective Provisions

Add “s” at end of “paragraph”.

Secretary of State's rationale:

To correct typographical error.

Schedule 9, Part 5, Paragraph 5(2) Protective Provisions

Substitute “sub-paragraph (1)(a)” for “paragraph 5(1)(a)”.

Secretary of State's rationale:

To correct typographical error.

Schedule 9, Part 5, Paragraph 21 Protective Provisions

Add a comma after “documents”.

Secretary of State's rationale:

To reflect title of Article 36.

Schedule 9, Part 9, Paragraph 2 Protective Provisions

In definition of “Norfolk Boreas Order”, remove space before semicolon at end of line.

Secretary of State's rationale:

To correct typographical error.

Schedule 9, Part 9, Paragraph 6(4) Protective Provisions

Substitute semicolon at end of line for a full stop.

Secretary of State's rationale:

To correct typographical error.

Schedule 9, Part 9, Paragraph 7(2) Protective Provisions

Delete "the" before "Boreas".

Secretary of State's rationale:

To correct typographical error.

Schedule 13, Paragraph 4(7) Arbitration Rules

Substitute "award" for "Award".

Secretary of State's rationale:

To correct typographical error.

Schedule 14, Part 1, Paragraph 1 Compensation Measures

In the definition of "the kittiwake compensation plan" add closing speech mark after first use of word "plan".

Secretary of State's rationale:

To correct typographical error.

Schedule 14, Part 2, Paragraph 11 Compensation Measures

Substitute "SIPs" for "the Project".

Secretary of State's rationale:

To correct referencing error.

Schedule 14, Part 2, Paragraph 13(e) Compensation Measures

Substitute “authorised project” for “Project”.

Secretary of State’s rationale:

To correct referencing error.

Corrections which the Secretary of State has not made

Schedules 11 and 12

The Secretary of State has not made the requested corrections to Schedules 11 and 12 of the Order. This is because in accordance with paragraph 1(11) of Schedule 4 to the Planning Act 2008 the Secretary of State may not make corrections to the deemed marine licences under Schedule 4.

Explanatory Note

The Secretary of State has not made the requested correction to the Explanatory Note. The Explanatory note is not part of the Order ie it is not part of the decision document that records the decision and therefore cannot be amended under Schedule 4.