

CORRECTION NOTICE

THE RIVERSIDE ENERGY PARK ORDER 2020 (S.I. NO. 419)

SCHEDULE 4 TO THE PLANNING ACT 2008 CORRECTION OF ERRORS IN DEVELOPMENT CONSENT DECISIONS

DATE 9 March 2021

The Secretary of State received a request dated 20 May 2020 from Cory Environmental Holdings Limited ("the Applicant") for the correction of errors in the Riverside Energy Park Order 2020 ("the Order"), under section 119 of, and Schedule 4 to, the Planning Act 2008.

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

Corrections to the Articles

Article 2(1) Interpretation

Insert new definition of "Cory group company" after the definition of "compulsory acquisition notice" and before the definition of "date of final commissioning".

Secretary of State's rationale:

Consequential of correction to 9(4) (see below) and to reflect that Cory Topco Limited (company number 11385842) is the parent company of Riverside Energy Park Limited and other Cory group companies.

Article 9(4)(a) Consent to transfer benefit of the Order

Substitute the text "(and in circumstances where Riverside Energy Park Limited is a wholly owned subsidiary of Cory Environmental Holdings Limited)" with "(and in circumstances where Riverside Energy Park Limited is a Cory group company)".

Secretary of State's rationale:

To reflect the correction made to article 2(1) (see above), i.e. to reflect that Cory Topco Limited (company number 11385842) is the parent company of Riverside Energy Park Limited and other Cory group companies.

Article 13(1) Temporary prohibition or restriction of use of streets and public rights of way

Delete the text "within the Order limits".

Secretary of State's rationale:

To ensure that the undertaker has the power required to manage the use of streets temporarily during construction within and beyond the Order limits.

Article 20(6) Protective work to buildings

Delete the reference to paragraph "(5)(b)".

Secretary of State`s rationale:

To correct an incorrect reference.

Article 22(2) Compulsory acquisition of land

Substitute the reference to "article 33" with "article 31".

Secretary of State`s rationale:

To correct an incorrect reference.

Article 23(2) Time limit for exercise of authority to acquire land compulsorily

For "(temporary use of land for carrying out the authorise development)" substitute "(temporary use of land for carrying out the authorised development)".

Secretary of State`s rationale:

To correct a typographical error.

Corrections to Schedule 1**Work No. 1(b) Works to construct an integrated energy park**

Substitute the text "No. 1B" with "Work No. 1B".

Secretary of State`s rationale:

To correct a typographical error.

Corrections to Schedule 2**Paragraph 33 Notification from the undertaker**

Substitute the text "the provisions of this order" with "the provisions of this Order".

Secretary of State`s rationale:

To correct a typographical error.

Corrections to Schedule 10**Part 2 Paragraph 25(2) For the protection of electricity, gas, water and sewerage undertakers**

Substitute the text "21(2)" with "(1)".

Secretary of State`s rationale:

To correct an incorrect reference.

Part 5 Paragraph 53(d) For the protection of railway interests

Substitute the text "traffic works" with "traffic working".

Secretary of State`s rationale:

To correct a typographical error.

Corrections which the Secretary of State has not made

Article 3(1) Development consent granted by the Order

Delete at the end of the paragraph "within the Order limits".

Secretary of State`s rationale:

The Secretary of State considers that this change is not necessary as 'surveys' are adequately dealt with by the existing provisions.

Article 19 Authority to survey and investigate the land

Reinstate article 19(6) to allow for the application of section 13 of the Compulsory Purchase Act 1965 to provide an enforcement mechanism where entry onto land is refused under article 19.

Secretary of State`s rationale:

The Secretary of State considers that this change is unnecessary because of the other processes available to the Applicant through which to enter land, where entry has been refused, to conduct surveys or carry out protective works to buildings.

Article 20 Protective work to buildings

The Applicant requested that article 20(11) be reinstated in light of its request for the reinstatement of article 19(6) (see above).

The Secretary of State`s view:

Consequential on correction to article 19 (see above). This correction is not necessary as the requested correction to article 19 has not been made.

Article 31(1)(d) Temporary use of land for carrying out the authorised development

Substitute the text "Schedule 9" with "Schedule 1".

Secretary of State`s rationale:

The Secretary of State considers that this change is not justified given the additional powers this would grant the developer.