

## **CORRECTION NOTICE**

### **SHERINGHAM SHOAL AND DUDGEON OFFSHORE WIND FARM EXTENSION PROJECTS ORDER 2024 (S.I 2024/No. 564)**

#### **SCHEDULE 4 TO THE PLANNING ACT 2008**

#### **CORRECTION OF ERRORS IN DEVELOPMENT CONSENT ORDER**

**DATE: 10 DECEMBER 2024**

The Secretary of State received a request dated 29 May 2024 from Equinor (“the Applicant”) for the correction of errors in the Sheringham Shoal and Dudgeon Offshore Wind Farm Extension Projects (“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:**

##### **Part 1, Article 2(1)**

Definition of “Tuddenham Order” is amended to add “A47” after the words “means the”.

*Secretary of State’s rationale: The full name of the order is “A47 North Tuddenham to Easton Development Consent Order 2022”.*

##### **Part 1, Article 2(1)**

Definition of “habitats regulations derogation provision of evidence, annex 2A - outline sandwich tern compensation implementation and monitoring plan” is amended to replace reference to “article 38” with “article 37 (certification of plans and documents, etc.)”.

*Secretary of State’s rationale: To correct a cross-referencing error.*

##### **Part 1, Article 2(1)**

Definition of “habitats regulations derogation provision of evidence, annex 3A – outline kittiwake compensation implementation and monitoring plan” is amended to replace reference to “article 38” with “article 37 (certification of plans and documents, etc.)”.

*Secretary of State’s rationale: To correct a cross-referencing error.*

Definition of “Maintain” is amended to – “maintain includes inspect, upkeep, repair, adjust and alter the authorised project; and in relation to any of the ancillary works, any cable, any component part of any wind turbine generator (including a component part of its foundation or transition piece), any component part of any offshore substation platform (including a component part of its foundation), and further includes remove, reconstruct and replace (including the replenishment of cable and scour protection) but does not include removal, reconstruction or replacement of buildings associated with any onshore HVAC substation; and in all cases to the extent assessed in the environmental statement; and “maintenance” must be construed accordingly”.

*Secretary of State’s rationale: To clarify the works that can be carried out under the definition and to align wording with other definitions in the Order.*

Definition of “tree preservation order and hedgerow plan” is amended to replace reference to “article 38” with “article 37 (certification of plans and documents, etc.)”.

*Secretary of State’s rationale: To correct a cross-referencing error.*

#### **Part 2, Article 5(2)**

Article 5(2) is amended to refer to paragraph “(5)” instead of paragraph “(6)”.

*Secretary of State’s rationale: To correct a cross-referencing error.*

#### **Part 2, Article 6(3)**

Article 6(3) is amended with the replacement of “provision” with “provisions”.

*Secretary of State’s rationale: To correct a typographical error.*

#### **Part 3, Article 10(4)**

Article 10(4) is amended with the replacement of column “(1)” with “(2)” and column “(2)” with “(3)”.

*Secretary of State’s rationale: To correct a typographical error.*

#### **Part 3, Article 10(5)**

Article 10(5) is amended with the replacement of “,” with “or” after “alter”, and the removal of the wording “or use as a temporary working site”.

*Secretary of State’s rationale: The correction is made to delete the reference to the use of any street as a temporary working site in this paragraph as the intention was not to suggest this created a standalone power and to ensure clarity.*

#### **Part 3, Article 12(1)(a)**

Article 12(1)(a) is amended to remove the wording “columns (1) and (2) of”.

*Secretary of State’s rationale: To provide clarity and ensure that the content of Schedule 6 is fully incorporated.*

**Part 4, Article 15(5)(a)**

Article 15(5)(a) is amended with the replacement of “(a)” for “(1)”.

*Secretary of State’s rationale: To correct a typographical error.*

**Part 4, Article 15(6)**

Article 15(6) is amended with the replacement of article “43” for “42”.

*Secretary of State’s rationale: To correct a cross-referencing error.*

**Part 5, Article 17(4)(c)**

Article 17(4)(c) is amended with the replacement of article “21” for “22”.

*Secretary of State’s rationale: To correct a cross-referencing error.*

**Part 5, Article 19(1)**

Article 19(1) is amended with the replacement of article “18” for “17”.

*Secretary of State’s rationale: To correct a cross-referencing error.*

**Part 5, Article 19(3)**

Article 19(3) is amended with the replacement of “21” for “20”, and “28” for “27”.

*Secretary of State’s rationale: To correct a cross-referencing error.*

Article 19(3) is amended to remove the wording “article 26 (temporary use of land for carrying out the authorised project”.

*Secretary of State’s rationale: The correction is made to ensure the intention that compulsorily acquisition of rights in and imposition of restrictive covenants over land can be used instead of acquiring the freehold of the relevant land as is provided for under Article 17 of the Order is clear. Article 19(3) specifies that for the land specified in column (1) of Schedule 7 the undertaker may only acquire rights over and impose restrictive covenants over the land for the purposes specified in column (2) of Schedule 7.*

Article 19(3) is amended with the replacement of “under paragraph (1) and paragraph (2)”, with “by this Order”.

*Secretary of State's rationale: The correction has been made to reinsert the reference to powers under the Order rather than the reference to Article 19(1) and 19(2) inserted by the Examining Authority. The wording as now corrected achieves the original intention of the Examining Authority to ensure that additional permanent rights are not imposed on land meant for temporary possession only and provides more clarity of the intention of article 19(3).*

**Part 5, Article 25(4)**

Article 25(4) is amended to include the word “temporary” after “remove all”.

*Secretary of State's rationale: The correction is made to reinsert the reference to temporary works requiring removal to ensure that any permanent works carried out do also not need to be removed under that provision.*

**Part 7, Article 33(1)**

Article 33(1) is amended with the replacement of “35” for “34”.

*Secretary of State's rationale: To correct a cross-referencing error.*

**Part 7, Article 33(4)(a)**

Article 33(4)(a) is amended with the replacement of “33” for “(2)”.

*Secretary of State's rationale: To correct a cross-referencing error.*

**Part 7, Article 39(3)(a)**

Article 39(3)(a) is amended with the replacement of “18” for “17”.

*Secretary of State's rationale: To correct a cross-referencing error.*

**Part 7, Article 39(3)(b)**

Article 39(3)(b) is amended with the replacement of “20” for “19”.

*Secretary of State's rationale: To correct a cross-referencing error.*

**Part 7, Article 39(3)(c)**

Article 39(3)(c) is amended with the replacement of “21” for “20”.

*Secretary of State's rationale: To correct a cross-referencing error.*

**Part 7, Article 39(3)(d)**

Article 39(3)(d) is amended with the replacement of “23” for “22”.

*Secretary of State's rationale: To correct a cross-referencing error.*

**Part 7, Article 39(3)(e)**

Article 39(3)(e) is amended with the replacement of “25” for “24”.

*Secretary of State’s rationale: To correct a cross-referencing error.*

**Part 7, Article 39(3)(f)**

Article 39(3)(f) is amended with the replacement of “26” for “25”.

*Secretary of State’s rationale: To correct a cross-referencing error.*

**Part 7, Article 39(3)(g)**

Article 39(3)(g) is amended with the replacement of “27” for “26”.

*Secretary of State’s rationale: To correct a cross-referencing error.*

**Part 7, Article 39(3)(h)**

Article 39(3)(h) is amended with the replacement of “28” for “27”.

*Secretary of State’s rationale: To correct a cross-referencing error.*

**Part 7, Article 42(1)**

Article 42(1) is amended with the replacement of “36” for “35”.

*Secretary of State’s rationale: To correct a cross-referencing error.*

Corrections to the Schedules:

**Schedule 1, Part 1**

Part 1 in the description of Work No. 14A is amended to include a space after “13C”.

*Secretary of State’s rationale: To correct a typographical error.*

**Schedule 1, Part 1, paragraph 2**

Schedule 1, Part 1, paragraph 2 is amended to replace the table in that paragraph with an updated coordinates table.

*Secretary of State’s rationale: To make minor amendments to the coordinates to be consistent with those presented at the end of the Examination.*

**Schedule 2, Part 1, Requirement 9(4)**

Requirement 9(4) is amended with the replacement of “sub-paragraph (1)” for “sub-paragraph (2)”.

*Secretary of State’s rationale: To correct a cross-referencing error.*

**Schedule 2, Part 1, Requirement 9(8)**

Requirement 9(8) is amended with the removal of “scheme” after “(6)”.

*Secretary of State’s rationale: To correct a typographical error.*

**Schedule 2, Part 1, Requirement 20(2)(a)**

Requirement 20(2)(a) is amended to remove the existing paragraph (a) and substitute:

- (a) “continuous periods of operation that are required as assessed in the environmental statement, such as—
  - (i) concrete pouring, drilling, dewatering, cable jointing, pulling cables (including fibre optic cables) through ducts; and
  - (ii) in relation to HDD at three locations only: the A11 (Crossing RDX048); the Cambridge to Norwich Railway Line (Crossing RLX002); and the North Norfolk Railway Line (Crossing RLX001);”

*Secretary of State’s rationale: This paragraph restricts nighttime working to specific circumstances and for nighttime HDD working in three locations only. The amendments clarify the drafting in this paragraph.*

**Schedule 2, Part 1, Requirement 35**

Schedule 2 is amended, to replace the table at Requirement 35 with the following:

| <i>Point ID of the area</i> | <i>Latitude (D°M.MM)</i> | <i>Longitude (D°M.MM)</i> |
|-----------------------------|--------------------------|---------------------------|
| A (NW corner)               | 53° 21.1541' N           | 1° 10.1853' E             |
| B (SW corner)               | 53° 19.0449' N           | 1° 12.3327' E             |
| C (SE corner)               | 53° 19.5696' N           | 1° 13.6102' E             |
| D (NE corner)               | 53° 21.1558' N           | 1° 11.8346' E             |

*Secretary of State’s rationale: This correction re-orders the coordinates to create an obstacle free zone in the correct shape, presenting them in a more easily understood way.*

**Schedule 2, Part 2, paragraph 1(b)**

Paragraph 1(b) is amended with the replacement of “requirement 37” for “paragraph 2”.

*Secretary of State’s rationale: To correct a cross-referencing error.*

**Schedule 2, Part 2, paragraph 5(2)(a)**

Paragraph 5(2)(a) is amended with the replacement of “36(1)” for “1(1)”.

*Secretary of State’s rationale: To correct a cross-referencing error.*

**Schedule 8, paragraph 5(8)**

Paragraph 1(1) of the text is amended with the replacement of “article 22” with “article 21”.

*Secretary of State’s rationale: To correct a cross-referencing error.*

Paragraph 1(2) of the text is amended with the replacement of “article 23(4)” with “article 22(4)”.

*Secretary of State’s rationale: To correct a cross-referencing error.*

### **Schedule 14, Part 3, paragraph 2**

The definition of “regulatory consents” is amended with the replacement of “Authorised Development” for “authorised development”.

*Secretary of State’s rationale: To correct a typographical error.*

The definition of “specified work” is amended to include the wording “the” after “article 4 (maintenance of”.

*Secretary of State’s rationale: To correct a typographical error.*

### **Schedule 14, Part 3, paragraph 4(1)(b)**

Paragraph 4(1)(b) is amended to include the word “the” after the wording “article 4 (maintenance of”.

*Secretary of State’s rationale: To correct a typographical error.*

### **Schedule 14, Part 3, paragraph 11(6)**

Paragraph 11(6) is amended with the replacement of “National” for “Network”.

*Secretary of State’s rationale: To correct a typographical error.*

### **Schedule 14, Part 3, paragraph 21**

Paragraph 21 is amended with the replacement of “electronic format” for “a format specified by Network Rail”.

*Secretary of State’s rationale: To reflect the provisions agreed between the Applicant and Network Rail.*

### **Schedule 14, Part 7, paragraph 15**

Paragraph 15 is amended with the replacement of “43” for “42”.

*Secretary of State’s rationale: To correct a cross-referencing error.*

### **Schedule 14, Part 8, paragraph 9(9)**

Paragraph 9(9) is amended with the replacement of “authorized” for “authorised”.

*Secretary of State’s rationale: To correct a typographical error.*

**Schedule 14, Part 13, paragraph 2(2)(b)**

Paragraph 2(2)(b) is amended to move the word “relevant” before “CCTV”, to before “test results”.

*Secretary of State’s rationale: The correction is to reinstate the agreed wording in the provisions between the Applicant and National Highways.*

**Schedule 17, Part 4, paragraph 33**

The definition of “in principle MEEB plan” is amended with the replacement of “article 38” for “article 37”.

*Secretary of State’s rationale: To correct a cross-referencing error.*

**Schedule 18, Table 1, Document number 2.4**

The Examination library reference in column 2 is amended with the replacement of “REP3-003” for “Post examination”.

*Secretary of State’s rationale: To reflect the updated document provided to the Secretary of State post-examination and ensure clarity.*

**Schedule 18, Table 1, Document number 4.1**

The Examination library reference in column 2 is amended with the replacement of “TBC” for “Post examination”.

*Secretary of State’s rationale: To reflect the updated document provided to the Secretary of State post-examination and ensure clarity.*

**Schedule 18, Table 1, Document number 9.17**

The Examination library reference in column 2 is amended with the replacement of “REP7-027” for “REP8-023”

*Secretary of State’s rationale: To correct an error.*

**Schedule 18, Table 1, Document number 9.19**

The Examination library reference in column 2 is amended with the replacement of “REP8-025” for “Post examination”.

*Secretary of State’s rationale: To reflect the updated document provided to the Secretary of State post-examination and prevent confusion.*

Corrections which the Secretary of State has not made:

**Part 1, Article 2(1)**

Request that the definition of “Natural England” is be added after the definition of “National Highways”, and for the definition to read as “means Natural England and any successor in name or function;”.

*Secretary of State’s rationale: This correction is considered unnecessary as the definition does not provide additional clarity.*



### **Part 1, Article 2(1)**

Definition of “Environment Agency” to be added after the definition of “Dudgeon Extension Project onshore works”. New definition is to read: “means the Environment Agency and any successor in name or function;”.

*Secretary of State’s rationale: This correction is considered unnecessary as the definition does not add clarity.*

### **Part 1, Article 2(1)**

Definition of “outline operational drainage strategy (onshore substation)” is amended to remove the reference to “(onshore substation)”.

*Secretary of State’s rationale: The proposed correction was not received in the required 6-week window.*

### **Part 3 –**

**Article 9(1)(b)** – Article 9(1)(b) is amended with the replacement of “closure” with “stopping up”.

**Article 10** – Article 10 is amended with the replacement of “closure” with “stopping up”.

**Article 10(1)** – Article 10(1) is amended with the replacement of “close” with “stop up”.

**Article 10(2)** – Article 10(2) is amended with the replacement of “closure” with “stopping up”.

**Article 10(3)** – Article 10(3) is amended with the replacement of “closure” with “stopping up”.

**Article 10(4)** – Article 10(4) is amended with the replacement of “close” with “stop up” and “closed” with “stopped up”.

**Article 10(5)** – Article 10(5) is amended with the replacement of “close” with “stop up”.

**Act 11** – The article title is amended with the replacement of “closure” with “stopping up”.

**Act 13(1)(a)** – Article 13(1)(a) is amended with the replacement of “closure” with “stopping up”.

*Secretary of State’s rationale: The correct reference is temporary closure rather than temporary stopping up and this is consistent with other DCO drafting. The definitions of the plans continue to refer to stopping up to ensure that the correct plan is identified.*

### **Part 5, Article 25(3)**

Article 25(3) is amended to remove the wording “remain in possession of the land under this article for longer than is reasonably necessary and in any event,”.

*Secretary of State’s rationale: This correction is considered unnecessary and does not to create the uncertainty suggested by the Applicant.*

### **Schedule 2, Part 1, Requirement 17(3)**

Removal of reference to “(onshore substation)” in the name of the outline operational drainage strategy

*Secretary of State’s rationale: The proposed correction was not received in the required 6-week window.*

### **Schedule 2, Part 1, Requirement 20(2)(c)**

Requirement 20(2)(c) is amended with the replacement of “closure” for “stopping up”.

*Secretary of State’s rationale: This correction is considered unnecessary for the reasons given above.*

### **Schedule 14, Various**

Proposed wording: In the following paragraphs of Schedule 14, references to “closed”, “closure” and “close” are replaced with “stopped up”, “stopping up” and “stop up” respectively:

Part 6, Paragraph: 4(1), 4(2)

Part 7, paragraph 4(1), 4(2) etc.

Part 8, paragraph 3(1), 4

Part 9, paragraph 3

Part 12, paragraph 3

Part 13, paragraph 7(2)

*Secretary of State’s rationale: These corrections are considered unnecessary for the reasons given above.*

### **Schedule 14, Part 10, paragraph 15**

Paragraph 15 is amended with the replacement of “43” for “42”.

*Secretary of State’s rationale: There is no reference to Article 43 in paragraph 15.*

### **Schedule 18, Table 1, Document number 6.2.3**

The Examination library reference in column 2 is amended with the replacement of “APP-106” for “APP-116”.

*Secretary of State's rationale: The proposed correction was not received in the required 6-week window.*

**Schedule 18, Table 1, Document number 6.3.10.2**

The Examination library reference in column 2 is amended with the replacement of "REP7-026" for "REP8-019".

*Secretary of State's rationale: The proposed correction was not received in the required 6-week window.*

**Schedule 18, Table 1, Document number 6.3.25.1**

The Examination library reference in column 2 is amended with the replacement of "APP-275" for "APP-274".

*Secretary of State's rationale: The proposed correction was not received in the required 6-week window.*

**Schedule 18, Table 1, Document number 6.3.26.1**

The Examination library reference in column 2 is amended with the replacement of "APP-276" for "APP-275".

*Secretary of State's rationale: The proposed correction was not received in the required 6-week window.*

**Schedule 18, Table 1, Document number 6.3.27.1**

The Examination library reference in column 2 is amended with the replacement of "APP-277" for "APP-276".

*Secretary of State's rationale: The proposed correction was not received in the required 6-week window.*

**Schedule 18, Table 1, Document number 6.3.27.2**

The Examination library reference in column 2 is amended with the replacement of "APP-278" for "APP-277".

*Secretary of State's rationale: The proposed correction was not received in the required 6-week window.*

**Schedule 18, Table 1, Document number 6.3.27.3**

The Examination library reference in column 2 is amended with the replacement of "APP-279" for "APP-278".

*Secretary of State's rationale: The proposed correction was not received in the 6-week window.*

**Schedule 18, Table 1, Document number 6.2.28.1**

The Examination library reference in column 2 is amended with the replacement of "APP-280" for "APP-279".

*Secretary of State's rationale: The proposed correction was not received in the required 6-week window.*

**Schedule 18, Table 1, Document number 9.20**

The document name in column 3 is amended with the removal of reference to "(onshore substation)"

*Secretary of State's rationale: The proposed correction was not received in the required 6-week window.*

**Schedule 18, Table 1, Document number 9.24**

The document reference in column 1 is amended with the replacement of "9.24" for "6.5".

*Secretary of State's rationale: The proposed correction was not received in the required 6-week window.*