

PLANNING AND COMPULSORY PURCHASE ACT 2004

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 5: Correction of Errors

Sections 56-59: Correction of errors in decisions

89. These sections deal with the introduction of a “slip rule” for certain decisions made by the Secretary of State or an inspector under the planning Acts. The Secretary of State and planning inspectors will have power, subject to various conditions, to correct specified types of errors contained in decision letters.
90. This section applies if the Secretary of State or an inspector issues a decision document which contains a correctable error. “Correctable error” is defined as an error which is contained in any part of the decision document which records the decision but which is not part of any reasons given for the decision. The Secretary of State or the inspector may correct the error where he is requested to do so in writing, or where he has written to the applicant explaining that he is considering making a correction.

Section 57: Correction notice

91. [Section 57](#) provides that the exercise of the power of correction will be by written notice (a “correction notice”) which will either specify the correction which has been made or give notice that the power to correct the decision has not been used. The section also specifies on whom the correction notice or decision not to correct must be served.

Section 58: Effect of correction

92. [Section 58](#) sets out the status of decisions which have been corrected and of decisions where it has been decided not to make a correction. Where a correction to the original decision is made, the original decision will be treated as though it had never been made. The corrected decision will be treated as having been made on the date the relevant correction is made and the statutory period for challenging the corrected decision will start to run from that date. Any person wishing to challenge the decision is therefore not prejudiced by the time taken to correct the decision. Where a decision not to correct has been made, the original decision will stand and the statutory period for challenge will be unaffected.