

This Statutory Instrument has been published in substitution of S.I. 2024/113 to correct the omission of that instrument not being printed.

STATUTORY INSTRUMENTS

2024 No. 117

INFRASTRUCTURE PLANNING

The Hornsea Four Offshore Wind Farm (Correction) Order 2024

Made - - - - 30th January 2024

Coming into force - - 31st January 2024

The Hornsea Four Offshore Wind Farm Order 2023⁽¹⁾, which granted development consent within the meaning of the Planning Act 2008 (“the Act”)⁽²⁾, contains correctable errors within the meaning of paragraph 1 of Schedule 4 to the Act.

In accordance with paragraph 1(5)(a) of Schedule 4 to the Act, before the end of the relevant period (as defined in paragraph 1(6)(a) of Schedule 4 to the Act), the Secretary of State received a written request from the applicant⁽³⁾ for the correction of errors in the Hornsea Four Offshore Wind Farm Order 2023 under paragraph 1(5)(a) of Schedule 4 to the Act.

In accordance with paragraph 1(7) of Schedule 4 to the Act, the Secretary of State has informed East Riding of Yorkshire Council as the relevant local planning authority⁽⁴⁾, that the request has been received.

The Secretary of State, in exercise of the powers conferred by section 119, and paragraphs 1(4) and 1(8) of Schedule 4 to the Act, makes the following Order—

Citation and commencement

1.—(1) This Order may be cited as the Hornsea Four Offshore Wind Farm (Correction) Order 2024.

(2) This Order comes into force on 31st January 2024.

Corrections

2. The Hornsea Four Offshore Wind Farm Order 2023 is corrected as set out in the table in the Schedule to the Order, in which—

(1) S.I. 2023/800.

(2) 2008 c. 29. Paragraph 1 of Schedule 4 was amended by paragraph 70 of Schedule 13, and Part 20 of Schedule 25, to the Localism Act 2011 (c. 20) and by paragraph 4 of Schedule 8 to the Marine and Coastal Access Act 2009 (c. 23). There are other amendments to the Act which are not relevant to this Order.

(3) As defined in paragraph 4 of Schedule 4 to the Act.

(4) As defined in paragraph 4 of Schedule 4 to the Act.

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- (a) column 1 sets out where the correction is to be made;
- (b) column 2 sets out how the correction is to be made; and
- (c) column 3 sets out the text which is to be substituted, inserted or omitted.

Signed by authority of the Secretary of State for Energy Security and Net Zero

30th January 2024

John Wheadon
Head of Energy Infrastructure Planning Delivery
Department for Energy Security and Net Zero

SCHEDULE

Article 2

Corrections

<i>Column (1)</i> <i>Where the correction is made</i>	<i>Column (2)</i> <i>How the correction is made</i>	<i>Column (3)</i> <i>Text substituted, inserted or omitted</i>
Preamble, para 1	For “an” substitute	“and”
Article 2(1), the 2016 Regulations	Omit “:” insert	“,”
Article 2(1), energy balancing infrastructure	After “to” insert	“or from”
Article 2(1), highway	After “(a)” insert	“,”
Article 2(1), maintain	After “not including” insert	“the”
	After “onshore project substation” insert	“,”
Article 2(1), offshore transformer substation	After “storage, workshop” insert	“,”
Article 2(3)(a)	For “(requirement)” substitute	“(requirements)”
Article 5(4)	For “(1)” substitute	“(2)”
	After “paragraph (2) or (3)” insert	“,”
Article 5(7)	For “(1)” substitute	“(2)”
Article 5(7)(c)	For “(1)” substitute	“(2)”
Article 7(b)(i)	After “noise during”	Omit “the”
Article 9(1)(b)	For “(temporary closure of streets and public rights of way)” substitute	“(temporary closure and restriction of streets and public rights of way)”
Article 10(4)	For “closure” substitute	“close”
	For “column (10)” substitute	“column (1)”
Article 11(1)(d)	After “Part 3” insert	“of”
Article 15(3)	After “any watercourse or” insert	“any”
	After “public sewer” insert	“or”
Article 16(4)	For “paragraphs(5)” substitute	“paragraph (5)”
Article 21(8)	After “article 43” insert	“(crown rights)”
Article 22(1)	For “article 18” substitute	“this Order”
Article 25(1)	article 18 (compulsory acquisition of land etc.)	Omit “etc”

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Article 26(5)	After paragraph (4) insert	<p>“(5) In Schedule 2A (counter-notice requiring purchase of land not in notice to treat)(c)—</p> <p>(a) for paragraphs 1(2) and 14(2) substitute—</p> <p>“(2) But see article 25(3) (acquisition of subsoil only) of the Hornsea Four Offshore Wind Farm Order 2023, which excludes the acquisition of subsoil only from this Schedule.”; and</p> <p>(b) at the end insert—</p> <p style="text-align: center;">“PART 4</p> <p style="text-align: center;">INTERPRETATION</p> <p>30. In this Schedule, references to entering on and taking possession of land do not include doing so under article 16 (protective work to buildings), article 28 (temporary use of land for carrying out the authorised project) or article 29 (temporary use of land for maintaining the authorised project) of the Hornsea Four Offshore Wind Farm Order 2023.””</p>
Article 27(5)	For “(5)” substitute	“(4)”

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Article 37(1)	After “preparation works” insert	“,”
Article 46	For “(modifications to the Dogger Bank Cryke Beck Offshore Wind Farm Order 2015)” substitute	“(modifications to and amendments of the Dogger Bank Cryke Beck Offshore Wind Farm Order 2015)”
Article 47(3)(a)	For “in the case of the secretary of” substitute	“in the case of the secretary or”
Schedule 1, Part 1, paragraph 1, Work No. 5	For “-” substitute	“_”
Schedule 1, Part 1, paragraph 1, Work No. 7	After “Work No. 7—”	Insert a space
Schedule 1, Part 1, paragraph 2, Point ID 73	After “56.253” insert	“”””
Schedule 1, Part 3, requirement 7(1)(h)	For “below, ground” substitute	“below ground”
Schedule 1, Part 3, requirement 22(1)	After “Work Nos. 7(a), (b) and (c)” insert	“must not”
Schedule 6, column (2) (four references)	For “ecological measures the right to pass” substitute	“ecological measures, the right to pass”
Schedule 7, paragraph 3(2)	For “land,” substitute	“land;”
Schedule 7, paragraph 9	For “article 29(3)” substitute	“article 26(3)”
Schedule 7, paragraph 10 (paragraph 1(1))	For “serve” substitute	“serves”
Schedule 7, paragraph 10 (paragraph 1(1))	For “(application of the Compulsory Purchase (Vesting Declarations) Act 1981)” substitute	“(application of the 1981 Act)”
Schedule 9, Part 1, paragraph 1	For “Part 10” substitute	“Part 9”
Schedule 9, Part 1, paragraph 2	For “Part 3 or Part 10” insert	“Part 3A or 3B, Part 7 or Part 9”
Schedule 9, Part 1, paragraph 7(4)	For “paragraph5”	Replace with “paragraph 5”
Schedule 9, Part 1, paragraph 8(4)	For “sub-paragraph (2)” substitute	“sub-paragraph (3)”
Schedule 9, Part 2, paragraph 2	For “Chapter 1 of Part 2 of the 2003 Act(,”	Omit “(“
Schedule 9, Part 3A, paragraph 3	For “(apparatus of National Grid in streets subject	“(apparatus of National Grid in streets subject to temporary closure)”

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<i>Where the correction is made</i>	<i>How the correction is made</i>	<i>Text substituted, inserted or omitted</i>
	to temporary stopping up)” substitute	
Schedule 9, Part 3A, paragraph 9(4)	For “(2)(2)” substitute	“(2)”
Schedule 9, Part 3B, paragraph 23(3) and (5) (three occurrences)	Omit	“7”
Schedule 9, Part 3B, paragraph 24(2) (two occurrences)	Omit	“8”
Schedule 9, Part 3B, paragraph 25(2), (3), (5), (6) and (10) (five occurrences)	Omit	“9”
Schedule 9, Part 3B, paragraph 26(2), (3), (4) and (5) (four occurrences)	Omit	“10”
Schedule 9, Part 4, paragraph 2	Within the definition of specified work, for “(maintenance of authorised development)” substitute	“(power to maintain the authorised project)”
Schedule 9, Part 4, paragraph 4(1)(a)	For “(development consent granted by the Order)” substitute	“(development consent etc. granted by this Order)”
Schedule 9, Part 4, paragraph 4(1)		Omit blank line between (h) and (i)
Schedule 9, Part 4, paragraph 4(1)(r)	After “any powers” omit	“under”
Schedule 9, Part 4, paragraph 4(3)	For “(power to override easements and other rights)” substitute	“(statutory authority to override easements and other rights)”
Schedule 9, Part 4, paragraph 12(5)	For “sub-paragraph” substitute	“sub-paragraphs in paragraph 6”
Schedule 9, Part 4, paragraph 22	For “(certification of plans, etc.)” substitute	“(certification of plans and documents, etc.)”
Schedule 9, Part 5, paragraph 1(2)(d)	After “resources” omit	“.”
Schedule 9, Part 6, paragraph 2(e)	After “other means whatsoever” insert	“of”
Schedule 9, Part 7, paragraph 3	For “£50,000,000” substitute	“£50,000,000.00”

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<i>Where the correction is made</i>	<i>How the correction is made</i>	<i>Text substituted, inserted or omitted</i>
Schedule 9, Part 7, paragraph 4(2)(b)	For “(temporary restrictions of streets and public rights of way)” substitute	“(temporary closure and restriction of streets and public rights of way)”
Schedule 9, Part 7, paragraph 4(2)(c)	For “stopping up” substitute	“closure”
Schedule 9, Part 7, paragraph 4(2)(i)	After “minerals)” insert	“,”
Schedule 9, Part 7, paragraph 4(2)(j)	After “rights” insert	“etc.”
Schedule 9, Part 7, paragraph 4(2)(o)	After “carrying out” insert	“the”
Schedule 9, Part 7, paragraph 4(2)(p)	After “land for maintaining” insert	“the”
	For “development” substitute	“project”
Schedule 9, Part 7, paragraph 4(2)(q)	For “31” substitute	“30”
Schedule 9, Part 7, paragraph 9(7)	For “works.” substitute	“works,”
Schedule 9, Part 9, paragraph 4(1)	Omit	“the relevant”
Schedule 9, Part 9, paragraph 8(1)(a)	For “paragraph 7(3)” substitute	“paragraph 5(3)”
Schedule 9, Part 9, paragraph 9(5)	For “request” substitute	“requested”
	For “The undertaker is only liable under sub-paragraph (1) for claim” substitute	“The undertaker is only liable under sub-paragraph (1) for claims”
Schedule 9, Part 10, paragraph 2(a)	Replace “the no licence is granted”	With “no licence is granted”
Schedule 13, paragraph 1 (paragraph 2)	For “£50,000,000” insert	“£50,000,000.00”
Schedule 13, paragraph 1 (paragraph 2)	At the end of the definition ground subsistence event omit	“and”
Schedule 13, paragraph 1 (paragraph 3(2)(m))	For “(temporary use of land for maintaining authorised development)” substitute	“(temporary use of land for maintaining authorised project)”
Schedule 13, paragraph 1 (paragraphs 8 and 10)	For “Part 2” insert	“Part 3”

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Schedule 13, paragraph 1 (paragraph 13(2))	Omit “;”	
Schedule 13, paragraph 1 (paragraph 13(5))	After “under sub-paragraph (1) for” insert	“any”
Schedule 14, paragraph 3(4)	After “serving its statements” insert	“under”
Schedule 15, Part 3, examination reference	For “REP7-058” substitute	“Post-examination F2.7”
Schedule 15, Part 3, the outline marine monitoring plan, version	For “7” substitute	“3”
Schedule 15, Part 3, the outline marine monitoring plan, date	For “10 August 2022” substitute	“11 May 2023”
Schedule 16, Part 1, paragraph 2(c)	For “of the KCIMP, the GCIMP and the RCIMP” substitute	“of the KCIMP and GCIMP”
Schedule 16, Part 2, paragraph 6	After “include any finding” insert	“(if relevant)”
Schedule 16, Part 3, paragraph 10(a)(v)(cc)	After “programmes” insert	“;”

EXPLANATORY NOTE

(This note is not part of the Order)

This Order corrects errors identified in the Hornsea Four Offshore Wind Farm Order 2023, which granted development consent under the Planning Act 2008, following a request under paragraph 1(5)(a) of Schedule 4 to the Act.