STATUTORY INSTRUMENTS

2024 No. 1249

INFRASTRUCTURE PLANNING

The Gate Burton Energy Park (Correction) Order 2024

Made - - - -	*27th November 2024*
Coming into force	*28th November 2024*

The Gate Burton Energy Park Order 2024 ("the Order")(**a**), which granted development consent within the meaning of the Planning Act 2008 ("the Act")(**b**), 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(**c**) for the correction of errors in the Order.

In accordance with paragraph 1(7) of Schedule 4 to the Act, the Secretary of State has informed Lincolnshire County Council, West Lindsey District Council and Bassetlaw District Council as the relevant local planning authorities(**d**), 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. This Order may be cited as the Gate Burton Energy Park (Correction) Order 2024 and comes into force on 28th November 2024.

Corrections

2. The Gate Burton Energy Park Order 2024 is corrected as set out in the table in the Schedule to the Order, in which—

(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.

(**a**) S.I. 2024/807

(**b**) 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.

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

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

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

David Wagstaff
Deputy Director - Energy Infrastructure Planning
Department for Energy Security and Net Zero

27th November 2024

SCHEDULE

Article 2

Corrections

Column (1) *Where the correction is made*	*Column (2)* *How the correction is made*	*Column (3)* *Text substituted, inserted or omitted*
Preamble, in the second paragraph	After "carried out in accordance with" omit	"chapter 4 of Part 6 of"
Article 2(1)	At the definition of "the 2009 Act" omit	""the 2009 Act" means the Marine and Coastal Access Act 2009""
Article 6(a)	After "section 23 (prohibition" for "of" substitute	"on"
Article 7(1)(a)(i)	In the first place it occurs for "site" substitute	"sites"
Article 20(3)	After "paragraph 5(8) of Schedule", insert	"10"
Article 20(7)	For "46", substitute	"45"
Article 23(3)(a)	After "to the 1965 Act", for "; and" substitute	"as modified by Schedule 10 (modification of compensation and compulsory purchase enactments for the creation of new rights and imposition of new restrictive covenants);"
Article 25(5)(b)	For "2729", substitute	"27"
Article 27(11)(a)	For "Schedule 9(land", substitute	"Schedule 9 (land"
Article 33(3)(a)	After "the 1989 Act;", omit	"or"
Article 33(5)(f)	After "transfer or grant", insert	"."
Schedule 2, requirement 5(2)(b)	After "the works plan;", insert	"and"
Schedule 2, requirement 5(2)(c)	Omit	"(c) the principles and assessments set out in the environmental statement; and"
Schedule 2, requirement 5(2)(d)	For "(d)", substitute	"(c)"
Schedule 2, requirement 15(1)	After "the design of that numbered" for "works", substitute	"work"
Schedule 2, requirement 19(3)	For "17(2)", substitute	"(2)"
Schedule 5, Part 1, in the seventh row from the end, in column 2	For "Cottom", substitute	"Cottam"
Schedule 10, paragraph 3(2)(a)	After, "covenants)", insert	")"
Schedule 12, Part 2, row 3	After "Figure 10-21: Vegetation Removal", insert	"Plan"
Schedule 12, Part 2, row 6, Revision number column (3)	For "2", substitute	" 2 (dated August 2023, labelled Revision 1)"
Schedule 12, Part 2, row 17, Revision number column (3)	For "5", substitute	"6"
Schedule 12, Part 2, row 18, Revision number column (3)	For "5", substitute	"6"

Schedule 12, Part 3, row 3, Examination Library Reference column (5)	Insert	"REP6-031"
Schedule 12, Part 3, row 8, Revision number column (3)	For "4", substitute	"3 (Change Request Version)"
Schedule 12, Part 3, row 10, Revision number column (3)	For "7", substitute	"8"
Schedule 12, Part 3, row 10, Date column (4)	For "21 December 2023", substitute	"May 2024"
Schedule 12, Part 3, row 10, Examination Library Reference column (5)	Insert	"N/A"
Schedule 14, Part 3, heading	For "FOR THE PROTECTION UPPER WITHAM BORAD" substitute	"FOR THE PROTECTION OF UPPER WITHAM BOARD"
Schedule 14, Part 3, paragraph 23	After the "or of the failure of" omit	"any"
Schedule 14, Part 4, paragraph 33(2)	For "reasonable", substitute	"reasonably"
Schedule 14, Part 5, paragraph 49(2)	For "reasonable", substitute	"reasonably"
Schedule 14, Part 7, paragraph 78(7)	For "(3))", substitute	"(3)"
Schedule 14, Part 9, paragraph 98, in the definition of "acceptable insurance" sub-paragraph (a)	After "National Grid", insert	"; and"
Schedule 14, Part 9, paragraph 98, in the definition of "specified works" sub-paragraph (c)	For "Overhead Lines."", substitute	"Overhead Lines";"
Schedule 14, Part 9, paragraph 98	After definition of "specified works", on a new line insert	""STC" means the System Operator Transmission Owner Code"
Schedule 14, Part 9, paragraph 99	For "(apparatus of National Grid in streets subject to temporary closure)", substitute	"(apparatus of National Grid in temporarily closed streets and public rights of way)"
Schedule 14, Part 9, paragraph 106(1)(e)	After "monitoring of works;", insert	"and"
Schedule 14, Part 9, paragraph 112	For "article 4", substitute	"article 42"
Schedule 14, Part 10, paragraph 116(1)(j)	For "carrying out", substitute	"constructing"
Schedule 14, Part 10, paragraph 116(1)(s)	After "any powers" omit	"under"
Schedule 14, Part 10, paragraph 123(4)(a)	For "paragraph 117(1)", substitute	"paragraph 117(1))"
Schedule 14, Part 10, paragraph 123(8)(a)	After "apparatus;", insert	"and"
Schedule 14, Part 10, paragraph 127(1)(a)	After "thereof;", omit	"or"
Schedule 14, Part 10, paragraph 127(1)(d)	After "others;", insert	"or"
Schedule 14, Part 10,	For "demands", substitute	"demands;"

paragraph 127(2)(a)		
Schedule 14, Part 11, paragraph 142(1)(f)	For “works);”, substitute	“works).”
Schedule 14, Part 12, paragraph 152, definition of “Plan” sub-paragraph (d)	For “Restrictive”, substitute	“Restricted”
Schedule 14, Part 12, paragraph 152, definition of “Restricted Works” sub-paragraph (d)	After “sinking”, insert	“of”
Schedule 14, Part 12, paragraph 152, definition of “Restricted Works” sub-paragraph (d)	For “Apparatus,”, insert	“Apparatus;”
Schedule 14, Part 12, paragraph 152, definition of “Restricted Works”	For “Promoter”, substitute	“undertaker”
Schedule 14, Part 12, paragraph 153(3)(b)	For “Promoter’s”, substitute	“undertaker’s”
Schedule 14, Part 12, paragraph 154(6)(a)	After “Apparatus;” omit	“and”
Schedule 14, Part 12, paragraph 159(3)	For “Promoter”, substitute	“undertaker”
Schedule 14, Part 12, paragraph 160(1)	For “£25 million”, substitute	“£25,000,000.00 (twenty-five million pounds)”
Schedule 14, Part 12, paragraph 162(1)	For “Promoter”, substitute	“undertaker”
Schedule 14, Part 12, paragraph 162(2)	For “Promoter”, substitute	“undertaker”
Schedule 14, Part 12, paragraph 162(2)(a)	After “(whether or not involving hostility or war);”, omit	“or”
Schedule 14, Part 12, paragraph 162(2)(b)	After “natural disaster;”, omit	“or”
Schedule 14, Part 12, paragraph 162(2)(c)	After “the Government;”, omit	“or”
Schedule 14, Part 12, paragraph 162(4)	For “Promoter”, substitute	“undertaker”
Schedule 14, Part 12, paragraph 162(4)	For “paragraphs”, substitute	“sub-paragraph (2)”
Schedule 14, Part 14, paragraph 175(2)	For “reasonable”, substitute	“reasonably”
Schedule 14, Part 15, paragraph 185(3)	After “prejudice to” prior to “195(3)(b)”, insert	“paragraph”
Schedule 14, Part 15, paragraph 189	For “work”, substitute	“works”
Schedule 14, Part 15, paragraph 193(11)	For “(document reference DD STND HAS 001 and any document that replaces or supersedes it).”, substitute	“(document reference DD STND HAS 001) and any document that replaces or supersedes it.”
Schedule 14, Part 15, paragraph 195(3)(a)	After “contractors or agents;”, omit	“or”
Schedule 14, Part 15, paragraph 200	For “article 4”, substitute	“article 42”

Schedule 14, Part 16, paragraph 207(1)	For “NPG”, substitute	“Northern Powergrid”
Schedule 14, Part 16, paragraph 210(1)(iii)	For “paragraph 209(4).”, substitute	“paragraph 209(4);”
Schedule 14, Part 16, paragraph 210(4)	For, “sub-paragraph (4)”, substitute	“sub-paragraph (3)”
Schedule 14, Part 16, paragraph 217(a)	For “apparatus or”, substitute	“apparatus; or”
Schedule 14, Part 17, paragraph 219, in the definition of “acceptable insurance”	For “sub-paragraph 10(6)”, substitute	“sub-paragraph 227(6)”
Schedule 14, Part 17, paragraph 219, in the definition of “acceptable security” in sub-paragraph (a)	For “sub-paragraph 10(6)”, substitute	“sub-paragraph 227(6)”
Schedule 14, Part 17, paragraph 219, in the definition of “acceptable security” in sub-paragraph (b)	For “subparagraph”, substitute	“sub-paragraph”
Schedule 14, Part 17, paragraph 219, in the definition of “commence”	For “equipment;,”, substitute	“equipment,”
Schedule 14, Part 17, paragraph 219, in the definition of “including”	After “words are not” prior to “be”; insert	“to”
Schedule 14, Part 17, paragraph 219, “specified works”	For “paragraph b)”, substitute	“sub-paragraph (b)”
Schedule 14, Part 17, paragraph 220	For “(apparatus of Uniper in stopped up streets)”, substitute	“(apparatus of Uniper in temporarily closed streets)”
Schedule 14, Part 17, paragraph 221	For “(temporary stopping up of streets and public rights of way)”, substitute	“(temporary closure of streets and public rights of way)”
Schedule 14, Part 17, paragraph 223(1)	For “(temporary stopping up of streets and public rights of way)”, substitute	“(temporary closure of streets and public rights of way)”
Schedule 14, Part 17, paragraph 224(1)	For “paragraph 223”, substitute	“paragraph 232”
Schedule 14, Part 17, paragraph 224(7)	For “(Retained Apparatus)”, substitute	“(retained apparatus)”
Schedule 14, Part 17, paragraph 224(7)	For “paragraph 7 (Retained Apparatus)”, substitute	“this sub-paragraph”
Schedule 14, Part 17, paragraph 225(2)	For “the Order”, substitute	“this Order”
Schedule 14, Part 17, paragraph 225(3)(b)	For “paragraph 8”, substitute	“paragraph 225”
Schedule 14, Part 17, paragraph 225(3)(b)	For “paragraph 13”, substitute	“paragraph 231”
Schedule 14, Part 17, paragraph 226(2)(a)	After “will not”, insert	“be”
Schedule 14, Part 17, paragraph 226(2)(b)	For “paragraph 232”, substitute	“paragraph 231”
Schedule 14, Part 17, paragraph 226(3)	For “paragraph 232 (Arbitration)”, substitute	“paragraph 231 (arbitration)”

Schedule 14, Part 17, paragraph 230(2)	For "Sub-paragraph 231(1)", substitute	"Sub-paragraph (1)"
Schedule 14, Part 17, paragraph 230(2)	For "Confidential Information" substitute	"confidential information"
Schedule 14, Part 17, paragraph 230(2)(a)	For "sub-paragraph 13(1)", substitute	"sub-paragraph (1)"
Schedule 14, Part 17, paragraph 232	For "paragraph 7", substitute	"paragraph 224"
Schedule 15, paragraph 4(2)(a)	For "paragraph 22(1)", substitute	"paragraph 2(2)"

EXPLANATORY NOTE

(This note is not part of the Order)

This Order corrects errors identified in the Gate Burton Energy Park Order 2024, which granted development consent under the Planning Act 2008, following a request made under paragraph 1(5)(a) of Schedule 4 to the Act.

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£8.14

http://www.legislation.gov.uk/id/uksi/2024/1249

ISBN 978-0-34-826645-0

