

CORRECTION NOTICE

NATIONAL GRID (BRAMFORD TO TWINSTEAD REINFORCEMENT) ORDER 2024

SCHEDULE 4 TO THE PLANNING ACT 2008

CORRECTION OF ERRORS IN DEVELOPMENT CONSENT ORDER

DATE: 08 April 2025

The Secretary of State received a request dated 23 October 2024 from National Grid Electricity Transmission plc (“the Applicant”) for the correction of errors in the Bramford to Twinstead Reinforcement (“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

1. Article 2 – (Interpretation), Paragraph (1): Definition of “electric line”

Replace “1989 Act” with “Electricity Act 1989”.

Secretary of State’s rationale:

The request for corrections was that the 1989 Act should be defined so that the meaning in this definition was clear. However, as “1989 Act” only occurs in one place, the Secretary of State has amended the definition of “electric line” to reference the full ‘Electricity Act 1989’.

2. Article 2 – (Interpretation), Paragraph (1): Definition of “authorised development”

Replace “including any other development” with “and any other development”.

Secretary of State’s rationale:

The definition of “authorised development” should refer to “and” rather than “including” because the development described in Schedule 1 does not include any other development authorised by the Order.

3. Article 2 – (Interpretation), Paragraph (1): Definition of “electric line”

Replace “section 64” with “section 64(1)”.

Secretary of State’s rationale:

Reference should be made to section 64(1) of the Electricity Act 1989 to avoid ambiguity.

4. Article 2 – (Interpretation), Paragraph (1): Definition of “environmental statement”

Replace the first “Documents 6.1 to 6.4” with “documents 6.1 to 6.4” and “Documents 8.4.3” to documents 8.4.3” in both places it occurs”

Secretary of State’s rationale:

To correct a typographical error.

5. Article 2 – (Interpretation), Paragraph (1): Definition of “Order limits”

Replace “Work Plans” with “work plans”.

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

6. Article 2 – (Interpretation), Paragraph (1): Definition of “outline construction environmental management plan”

Replace “(Documents 7.5 (E), 7.5.1 (D) and 7.5.2 (F))” with “(documents 7.5 (E), 7.5.1 (D) and 7.5.2 (F))”.

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

7. Article 2– (Interpretation), Paragraph (1): Definition of “outline materials and waste management plan”

Replace “(Document 7.7 (B))” with “(document 7.7 (B))”.

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

8. Article 2 – (Interpretation), Paragraph 1: Definition of “the table of parameters”

Replace “Work Plans” with “work plans”.

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

9. Article 2 – (Interpretation), Paragraph 1: Definition of “traffic”

Replace “provisions” with “provision”.

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

10. Article 2 – (Interpretation), Paragraph (1): Definition of “undertaker”

Replace “(c)” and “(d)” with “(a)” and “(b)” respectively.

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

11. Article 3 – (Development consent etc. granted by the Order), Paragraph (1)(b)

Replace “Subject” with “subject”.

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

12. Article 3 – (Development consent etc. granted by the Order), Paragraph (3)(a)

Replace “Subject” with “subject”.

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

13. Article 3 – (Development consent etc. granted by the Order), Paragraph (6)

Delete the words “listed in Schedule 2”.

Secretary of State's rationale:
The definition of ‘work plans’ within article 2 of the Order already refers to those plans as being listed in Schedule 2.

14. Article 6 – (Benefit of Order), Paragraph 1(b)

Replace “Subject” with “subject”.

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

15. Article 6 - (Benefit of Order), Paragraph 5(c)

Replace “27 (temporary use of land for maintaining the authorised development)” with “26 (temporary use of land by UKPN).

Secretary of State’s rationale:

To correct a typographical error.

16. Article 12 – (Application of the Permit Schemes)

Replace “Application of the Permit Schemes” with “Application of the permit schemes”.

Secretary of State’s rationale:

To correct a typographical error in the heading of the Article.

17. Article 12 – (Application of the Permit Schemes), Paragraph (6)

In the second place it occurs, replace “restrictions” with “restriction”.

Secretary of State’s rationale:

To correct a typographical error.

18. Article 12 – (Application of the Permit Schemes), Paragraph (6)

In the third place it occurs, replace “restrictions” with “restriction”.

Secretary of State’s rationale:

To correct a typographical error.

19. Article 13 – (Application of the 1991 Act), Paragraph (4)

Replace “Permit Schemes” with “permit schemes”.

Secretary of State’s rationale:

To correct a typographical error.

20. Article 13– (Application of the 1991 Act), Paragraph (4)(c)

Delete “certain”.

Secretary of State’s rationale:

To correct a typographical error.

21. Article 14 – (Power to alter layout, etc of streets), paragraph (6)

Replace “paragraph (2)” with “paragraph (4)”.

Secretary of State’s rationale:

To correct a typographical error.

22. Article 14 – 4 (Power to alter layout, etc of streets), paragraph (7)

Replace “paragraph (2)” with “paragraph (4)”.

Secretary of State’s rationale:

To correct a typographical error.

23. Article 15 – (Temporary closure of streets and public rights of way), Paragraph (6)

Replace “Parts 1 and 2” with “Part 1”.

Secretary of State’s rationale:

Correction needed here as the reference to “Part 2” is incorrect. Paragraph (4) does not require temporary diversion for a street or public right of way listed in Part 2 of Schedule 7.

24. Article 15 – (Temporary closure of streets and public rights of way), Paragraph (9)

Replace “sub-paragraph” with “paragraph”.

Secretary of State’s rationale:

To correct a cross-referencing error.

25. Article 15 – (Temporary closure of streets and public rights of way), Paragraph (10)

Replace “sub-paragraph” with “paragraph”.

Secretary of State’s rationale:

To correct a cross-referencing error.

26. Article 15 – (Temporary closure of streets and public rights of way), Paragraph (11)

Replace “sub-paragraph” with “paragraph”.

Secretary of State’s rationale:

To correct a cross-referencing error.

27. Article 16 – (Access to works), Paragraph (4)

Replace “sub-paragraph (2)” with “paragraph (1)(b)”.

Secretary of State’s rationale:

To correct a cross-referencing error.

28. Article 17 – (Construction, alteration and maintenance of streets), Paragraph (2)

After “be maintained” insert the wording “to the same condition”.

Secretary of State’s rationale:

To ensure consistency and avoid ambiguity

29. Article 19 – (Discharge of water), Paragraph (11)

Replace “sub-paragraph (a)” with “paragraph (4)(a)”.

Secretary of State’s rationale:

To correct a cross-referencing error.

30. Article 20 – (Protective works), Paragraph (3)

Delete “/or”.

Secretary of State’s rationale:

To correct a typographical error

31. Article 20 – (Protective works), Paragraph (3)(b)

After “whether or not within” insert the word “the”.

Secretary of State’s rationale:

To correct a typographical error.

32. Article 20 – (Protective works), Paragraph (4)

After “(subject to paragraphs (5) and (6))” insert “)”.

Secretary of State’s rationale:

To correct a typographical error as the closing bracket has been omitted.

- 33. Article 21 – (Authority to survey and investigate the land), paragraph (10)**
Replace “sub-paragraph (a) or sub-paragraph (5)(b)” with “paragraph (5)(a) or paragraph (5)(b)”.
- Secretary of State’s rationale:*
To correct a cross-referencing error
- 34. Article 26 – (Temporary use of land by UKPN), Paragraph (1)(d)**
Delete “of Part 2”.
- Secretary of State’s rationale:*
To correct a typographical error.
- 35. Article 30 – (Set-off for enhancement in value of retained land), Paragraph (2)**
Replace “3” with “23”.
- Secretary of State’s rationale:*
To correct a cross-referencing error.
- 36. Article 35 - (Application of Part 1 of the 1965 Act), Paragraph (4)**
Replace “notice” with “notices”.
- Secretary of State’s rationale:*
To correct a typographical error.
- 37. Article 36 – (Extinguishment and suspension of private rights), Paragraph (1)(b)**
Replace “power” with “powers”.
- Secretary of State’s rationale:*
To correct a typographical error.
- 38. Article 39 – Extinguishment of private rights and restrictive covenants relating to apparatus belonging to National Grid or UKPN removed from land subject to temporary possession), Paragraph (3)**
Replace “sub-paragraph (5)(c) and (6)(b) of article 25” with “sub-paragraph (5)(c) and (6)(c) of article 25”.
- Secretary of State’s rationale:*
To correct a cross-referencing error.
- 39. Article 45 – (Defence to proceedings in respect of statutory nuisance), Paragraph (1)**
Replace “person” with “persons”.
- Secretary of State’s rationale:*
To correct a typographical error.
- 40. Article 45 – 5 (Defence to proceedings in respect of statutory nuisance), Paragraph (1)(a)(i)**
In both places it occurs, replace “site” with “sites”.
- Secretary of State’s rationale:*

To correct a typographical error in both instances where this error occurs.

41. Article 45 – 5 (Defence to proceedings in respect of statutory nuisance), Paragraph (1)(a)(ii)

Before “construction environmental management plan” insert “relevant”.

Secretary of State’s rationale:

To reflect that requirement 4 allows for the future approval of more than one construction environmental management plan.

42. Article 45 – (Defence to proceedings in respect of statutory nuisance), Paragraph 2

Before “construction environmental management plan” insert “relevant”.

Secretary of State’s rationale:

To reflect that requirement 4 allows for the future approval of more than one construction environmental management plan.

43. Article 45 – (Defence to proceedings in respect of statutory nuisance), Paragraph 3

Before “construction environmental management plan” insert “relevant”.

Secretary of State’s rationale:

To reflect that requirement 4 allows for the future approval of more than one construction environmental management plan.

44. Article 47 – (Felling or lopping), Paragraph (7)

Replace “paragraph (6) will not apply to that application” with “paragraph (5) will not apply to that application”.

Secretary of State’s rationale:

To correct a cross-referencing error.

45. Article 47 – (Felling or lopping), Paragraph (8)(a)

Replace “Trees and Hedgerows to be Removed or Managed Plans” with “trees and hedgerows to be removed or managed plans”.

Secretary of State’s rationale:

To correct a typographical error.

46. Article 47 – (Felling or lopping), Paragraph (8)(b)

Replace “giving” with “has given”.

Secretary of State’s rationale:

To correct a typographical error.

47. Article 51 – (Procedure regarding certain approvals etc.), Paragraph (2)

Replace “Requirement” with “requirement”.

Secretary of State’s rationale:

To correct a typographical error.

48. Article 57 – (Service of notices), Paragraph (3)

After paragraph, insert “(1)”.

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

- 49. Article 58 – (Arbitration), paragraph (1)**
Replace “procedures” with “procedure”.

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

Corrections to Schedules

- 50. Schedule 3 - (Requirements), Paragraph 1(1): Definition of “reinstatement planting plan”**

Replace “Requirements” with “requirements”.

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

- 51. Schedule 3 - (Requirements), Paragraph 1(1): Definition of “stage”**

Replace “Requirement” with “requirement”.

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

- 52. Schedule 3 - (Requirements), Paragraph 1(2)**

Replace “Requirements” with “requirements”

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

- 53. Schedule 3 - (Requirements), Paragraph 1(3)**

Replace “Requirement” with “requirement”.

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

- 54. Schedule 3 - (Requirements), Paragraph 1(4)**

In the three places it occurs, replace “Requirement” with “requirement”.

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

- 55. Schedule 3 - (Requirements), Paragraph 1(4)**

Replace “Environment Statement” with “environmental statement”.

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

- 56. Schedule 3 - (Requirements), Paragraph 1(5)**

Replace “Requirement” with “requirement”.

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

- 57. Schedule 3 - (Requirements), Paragraph 4(3)**

Replace “outline materials waste management plan” with “outline materials and waste management plan”.

Secretary of State's rationale:

To correct a typographical error.

58. Schedule 3 - (Requirements), Paragraph 4(3)

Replace “Construction Traffic Management Plan” with “construction traffic management plan”.

Secretary of State’s rationale:

To correct a typographical error.

59. Schedule 3 - (Requirements), Paragraph 7(1)

Replace “Subject to sub-paragraphs (2) to (4)” with “Subject to sub-paragraphs (2) to (5)”.

Secretary of State’s rationale:

To correct a cross-referencing error.

60. Schedule 3 - (Requirements), Paragraph 7(1)

Replace “Bank Holidays” with “bank holidays”.

Secretary of State’s rationale:

To correct a typographical error.

Schedule 3 - (Requirements), Paragraph 7(2)

Replace both instances of “Bank Holidays” with “bank holidays”.

Secretary of State’s rationale:

To correct a typographical error.

61. Schedule 3 - (Requirements), Paragraph 7(3)(e)

Replace “Bank Holiday” with “bank holiday”.

Secretary of State’s rationale:

To correct a typographical error.

62. Schedule 3 - (Requirements), Paragraph 7(5)

Replace “Bank Holidays” with “bank holidays”.

Secretary of State’s rationale:

To correct a typographical error.

63. Schedule 4 - (Discharge of Requirements), Paragraph 1(3)(a)

Replace “Requirement” with “requirement”.

Secretary of State’s rationale:

To correct a typographical error.

64. Schedule 4 - (Discharge of Requirements), Paragraph 1(3)(c)

Replace “Environmental Statement” with “environmental statement”.

Secretary of State’s rationale:

To correct a typographical error.

65. Schedule 4 - (Discharge of Requirements), Paragraph 2(2)

Replace “Requirement does not specify” with “requirement does not specify”.

Secretary of State’s rationale:

To correct a typographical error.

66. Schedule 4 - (Discharge of Requirements), Paragraph 3(1)

Replace “Requirement (including consent, agreement or approval in respect of part of a Requirement)” with “requirement (including consent, agreement or approval in respect of part of a requirement)”.

Secretary of State’s rationale:

To correct a typographical error.

67. Schedule 4 - (Discharge of Requirements), Paragraph 6: Definition of “relevant authority”

Replace “giving and consent” with “giving any consent”.

Secretary of State’s rationale:

To correct a typographical error.

68. Schedule 14 - (Protective Provisions), Part 1 Paragraph 1

Replace “Anglian Water services” with “Anglian Water Services Limited”.

Secretary of State’s rationale:

To ensure the statutory undertaker is correctly referenced.

69. Schedule 14 – Schedule 4 – (Protective Provisions), Part 2, Paragraph 9

Replace “article42” with “article 42”.

Secretary of State’s rationale:

To correct a typographical error.

70. Schedule 15 – Schedule 15 - (Public General Legislation), Paragraph 3

Replace “2017(c)in” with “2017(c) in”.

Secretary of State’s rationale:

To correct a typographical error.

71. Schedule 15 – Schedule 15 – (Public General Legislation), Paragraph 3

Replace “26(temporary” with “26 (temporary”.

Secretary of State’s rationale:

To correct a typographical error.

Corrections which the Secretary of State has not made

Corrections to introductory text

72. Introductory Text, paragraph (4)

Make the ‘d’ in “2017(d)” bold.

Secretary of State’s rationale:

Correction already made in registered Order.

Corrections to Articles

73. Article 2 – (Interpretation), Paragraph (1): Definition of ‘1989 Act’

Insert “1989 Act” means the Electricity Act 1989”.

Secretary of State’s rationale:

The Secretary of State agrees that 1989 Act has not been defined. However, as this only occurs once, the Secretary of State has made the correction by amending the definition of the “electric line” to reference the ‘Electricity Act 1989’ in full.

74. Article 2 – (Interpretation), Paragraph (1): Definition of “2003 Act”

Replace “2003;(h)” with “2003(h);”

Secretary of State’s rationale:

The Secretary of State has refused this correction on the basis that it is not needed for clarity, as footnotes do not form part of the order, therefore making it an unnecessary addition to the corrections.

75. Article 11 (Street works), Paragraph (7)

Replace “1989 Act” with “Electricity Act 1989”.

Secretary of State’s rationale:

As above, this amendment is not necessary as no definition for the 1989 Act is required.

76. Article 20 – (Protective works), Paragraph (5)(b)

Delete “/or”.

Secretary of State’s rationale:

The Secretary of State has decided to refuse this correction, as it doesn’t mimic the power in (3) from which it stems.

77. Article 24 – (Acquisition of subsoil or airspace only), Paragraphs (5) and (6)

Omission of paragraphs of (5) and (6).

Secretary of State’s rationale:

The Secretary of State inserted these parts in the Article, and this was not an error. They are necessary to apply appropriate rights to compensation, as stated in the DL at 9.1. Additionally, the LPA’s joint response stated that they agree with the reasoning set out by the Secretary of State.

78. Article 26 – (Temporary use of land by UKPN), Paragraph (6)

Replace “;” with “,”.

Secretary of State’s rationale:

The Secretary of State has refused this correction on the basis that it is unnecessary as it does not change the interpretation.

79. Article 32 – (Time limit for exercise of authority to acquire land and rights compulsorily), Paragraph (2)

Insert “or UKPN”.

Secretary of State's rationale:

The Secretary of State has refused this correction on the basis that it does not aid in clarity. The definition of the undertaker includes UKPN in respect of UKPN works.

80. Article 33 – Application of part of certain properties), Paragraph (10)

Replace “manufactory” with “factory.”

Secretary of State's rationale:

The Secretary of State has refused this correction as does not change the interpretation.

81. Article 40 – (Crown rights), Paragraph (2)

Insert “without the consent in writing of the appropriate Crown authority (as defined in that section)”.

Secretary of State's rationale:

The Secretary of State has decided not to make this correction as this amendment does not change the operation of the article.

82. Article 46 – Traffic regulation), Paragraph (7)

Delete “—”

Secretary of State's rationale:

Correction not needed as has already been corrected in the registered copy of the DCO.

Corrections to schedules

83. Schedule 3 - (Requirements), Paragraph 1(1)

Insert “but excluding abnormal indivisible loads;”.

Secretary of State's rationale:

The Secretary of State has refused this correction, as this amendment would allow HGV deliveries of abnormal indivisible loads to be made site between 19:00 and 07:00 or on Sundays, Bank Holidays or other public holidays. This was not an error in the original Order and the Secretary of State agrees with the rationale provided by the LPAs joint response on this matter.

84. Schedule 3 - (Requirements), Paragraph 7(6)

After “means any weather which” Insert “, in the undertaker’s sole opinion,”.

Secretary of State's rationale:

Correction refused – the Secretary of State understands the Applicant’s desire for this inclusion to avoid any conflicts with the undertaker’s various statutory and regulatory duties, including the requirement to maintain the national electricity transmission system safely, reliably, economically and efficiently, but the proposed wording has not been included before, and risks setting an unwanted precedent in future drafting, as well as the consultation responses from the Joint Authorities suggesting that this is not a correctable error.

85. Schedule 14 – Schedule 4 - Protective Provisions), Part 1, Paragraph 2

Replace “Electricity Act 1989(a)” with “1989 Act”).

Secretary of State’s rationale:

As above, this amendment is not necessary as the Secretary of State has not inserted a definition for the 1989 Act.