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STATUTORY INSTRUMENTS

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**2021 No. 551**

**INFRASTRUCTURE PLANNING**

**The A1 Birtley to Coal House Development  
Consent (Correction) Order 2021**

*Made* - - - - *30th April 2021*  
*Coming into force* - - *1st May 2021*

The A1 Birtley to Coal House Development Consent Order 2021<sup>(1)</sup> (“the Order”) contains correctable errors as defined in paragraph 1(3) of Schedule 4 to the Planning Act 2008<sup>(2)</sup> (“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<sup>(3)</sup> for the correction of errors and omissions in the Order.

In accordance with paragraph 1(7) of Schedule 4 to the Act the Secretary of State has informed each local planning authority for the area in which the land to which the Order relates is situated that the request has been received.

The Secretary of State, in exercise of the powers conferred by section 119 of, and Schedule 4 to, the Act, makes the following Order:

**Citation and commencement**

**1.** This Order may be cited as the A1 Birtley to Coal House Development Consent (Correction) Order 2021 and comes into force on 1st May 2021.

**Corrections**

**2.** The A1 Birtley to Coal House Development Consent Order 2021 is corrected as set out in the table in the Schedule to this 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 to be substituted, inserted or omitted.

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(1) [S.I. 2021/74](#).

(2) [2008 c. 29](#). Paragraph 1 of Schedule 4 was amended by section 128(2) and paragraphs 1 and 70 of Schedule 13 to the Localism Act 2011 (c. 20). There are other amendments to paragraph 1 that are not relevant to this Order.

(3) The term “applicant” is defined in paragraph 4 of Schedule 4 to the Act.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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Signed by authority of the Secretary of State for Transport

30th April 2021

*Natasha Kopala*  
Head of Transport and Works Act Orders Unit  
Department for Transport

SCHEDULE

Article 2

Corrections

<i>(1)</i>	<i>(2)</i>	<i>(3)</i>
<i>Where the correction is to be made</i>	<i>How the correction is to be made</i>	<i>Text to be substituted, inserted or omitted</i>
In the preamble	After the third paragraph, insert two new paragraphs	<p>“The Secretary of State is satisfied in terms of section 131(4B) of the 2008 Act that (a) the order land forms part of an open space; (b) none of the order land is of any of the other descriptions in section 131(1) of the 2008 Act; and (c) the order land is being acquired for a temporary (although possibly long-lived) purpose.”</p> <p>“The Secretary of State is further satisfied in terms of section 131(5) of the 2008 Act that (a) the order land is required in connection with the widening or drainage of an existing highway; and (b) the giving of other land in exchange for the order land is unnecessary.”</p>
In the preamble	In the final paragraph, delete	“and 122”
In the preamble	In the final paragraph, after “120” insert	“, 122, 131 and 132”
Article 7(b)	For “metres” in both places where it occurs substitute	“metre”
Article 36(4)	after “section 151(1)” insert	“of the Communications Act 2003”
Schedule 7, paragraph 5(1)	For “modification” substitute	“modifications”

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## **EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order corrects errors in the A1 Birtley to Coal House Development Consent Order 2021 ([S.I. 2021/74](#)), a development consent order made under the Planning Act 2008, following a request made under paragraph 1(5)(a) of Schedule 4 to that Act.