

**COMMONS ACT 2006, Section 15**

**Registration Authority: ESSEX COUNTY COUNCIL**

**RE: LAND AT MISTLEY QUAY,  
MISTLEY, ESSEX**

**ADDENDUM TO  
REPORT OF THE INSPECTOR**

1. It has been pointed out in correspondence by Mr Nigel Farthing of Messrs Birketts, who was advocate for the Applicant at the Public Inquiry, that Paragraphs 16.28 to 16.30 inclusive of my original Report of 28<sup>th</sup> October 2013 appear to have been based on a misapprehension of the facts as to the accurate geographical position of an electricity substation at (approximately) the southern corner of Allen's Quay at Mistley, in relation to the application site in this case.
2. On reviewing the situation I can see that what Mr Farthing says is correct, and that the 'very roughly semi-circular' plot I was referring to in paragraphs 16.28 to 16.30 is not in fact where the substation is, in spite of its being seemingly so marked on most of the Ordnance Survey-based plans which were produced for the Inquiry.
3. This anomaly was not something to which (as far as I recall) attention was drawn either during the Inquiry, or on the formal Site Visit. Nevertheless it is, as I say, clear that what Mr Farthing has now pointed out is correct. The substation is not within the roughly semi-circular plot, but on another parcel of land next to it.
4. However, as Mr Farthing also recognises, this factual clarification is not in the event material to my overall findings and recommendation to the County

Council as Registration Authority. The roughly semi-circular area concerned is not within or immediately adjacent to the area which I have otherwise recommended for registration under the Commons Act, but is part of another area to the south which has more the character of highway land [and indeed most of which is recognised by the County Council as Highway Authority as being public highway].

5. Accordingly this clarification, for which I am grateful to Mr Farthing, does not cause me to alter in any way the concluding recommendation of my Report to the County Council as Registration Authority under the Commons Act.

**ALUN ALESBURY**  
3<sup>rd</sup> January 2014

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