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STATUTORY INSTRUMENTS

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**2014 No. 1599**

**INFRASTRUCTURE PLANNING**

**The East Anglia ONE Offshore Wind Farm Order 2014**

*Made* - - - - - *16th June 2014*

*Coming into force* *7th July 2014*

**THE EAST ANGLIA ONE OFFSHORE WIND FARM ORDER 2014**

PART 1

1. Citation and commencement
2. Interpretation

PART 2

3. Development consent etc. granted by the Order
4. Power to construct and maintain authorised project
5. Benefit of the Order
6. Application and modification of legislative provisions
7. Defence to proceedings in respect of statutory nuisance

PART 3

8. Street works
9. Temporary stopping up of public rights of way
10. Temporary stopping up of streets
11. Access to works
12. Agreements with street authorities

PART 4

13. Discharge of water
14. Authority to survey and investigate the land

PART 5

15. Compulsory acquisition of land
16. Time limit for exercise of authority to acquire land compulsorily

*Status: This is the original version (as it was originally made).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

17. Compulsory acquisition of rights
18. Private rights
19. Application of the Compulsory Purchase (Vesting Declarations) Act 1981
20. Acquisition of subsoil only
21. Acquisition of part of certain properties
22. Rights under or over streets
23. Temporary use of land for carrying out the authorised project
24. Temporary use of land for maintaining authorised project
25. Protective provisions for specified undertakers
26. Statutory undertakers
27. Recovery of costs of new connections

PART 6

28. Operation of generating station
29. Deemed marine licences under the Marine and Coastal Access Act 2009

PART 7

30. Application of landlord and tenant law
  31. Operational land for purposes of the 1990 Act
  32. Felling or lopping of trees and removal of hedgerows
  33. Certification of plans etc.
  34. Arbitration
  35. Requirements, appeals, etc.
  36. Abatement of works abandoned or decayed
  37. Saving provisions for Trinity House
  38. Crown rights
  39. Protective provisions
- Signature

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SCHEDULE 1 — Authorised project

PART 1 — Authorised development

1. A nationally significant infrastructure project as defined in sections 14...
2. The grid coordinates for that part of the authorised project...
3. The grid coordinates for that part of the authorised project...

PART 2 — Ancillary works

1. Works within the Order limits which have been subject to...

PART 3 — Requirements

1. Interpretation
2. Time limits
3. Detailed offshore design parameters
4. No meteorological mast, wind turbine generator or offshore substation forming...
5. (1) The total number of offshore substations forming part of...
6. (1) The total length of the cables comprising Work No....
7. (1) In relation to a WTG, each gravity base foundation...
8. Aviation safety
9. Offshore decommissioning
10. Detailed design approval onshore
11. Landfall method statement

12. Provision of landscaping
13. Implementation and maintenance of landscaping
14. Highway accesses and improvements
15. Fencing and other means of enclosure
16. Surface and foul water drainage
17. Contaminated land and ground water
18. Archaeology
19. Ecological management plan
20. Code of construction practice
21. External lighting and control of artificial light emissions
22. Control of noise during construction
23. Construction hours
24. Control of noise during operational phase
25. Traffic
26. Port travel plan
27. European protected species
28. Restoration of land used temporarily for construction
29. Installation of cable ducts
30. Skills strategy
31. Onshore decommissioning
32. Decommissioning of Work No. 3B and Work No. 4
33. Requirement for written approval
34. Amendments to approved details

SCHEDULE 2 — Streets subject to street works

SCHEDULE 3 — Public rights of way to be temporarily stopped up

PART 1 — Rights of way for which a replacement will be provided during stopping up

PART 2 — Rights of way for which no replacement will be provided during the temporary stopping up

SCHEDULE 4 — Streets to be temporarily stopped up

SCHEDULE 5 — Access to works

SCHEDULE 6 — Land in which only new rights etc. may be acquired

SCHEDULE 7 — Modification of compensation and compulsory purchase enactments for creation of new rights

1. Compensation enactments
2. (1) Without prejudice to the generality of paragraph 1, the...
3. Application of the 1965 Act
4. For section 7 of the 1965 Act (measure of compensation)...
5. For section 8 of the 1965 Act (provisions as to...
6. The following provisions of the 1965 Act (which state the...
7. Section 11 of the 1965 Act (powers of entry) shall...
8. Section 20 of the 1965 Act (protection for interests of...
9. Section 22 of the 1965 Act (protection of acquiring authority's...

SCHEDULE 8 — Land of which temporary possession may be taken

SCHEDULE 9 — Protective provisions

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PART 1 — Protection for electricity, gas, water and sewerage undertakers

1. For the protection of the undertakers referred to in this...
2. In this part of this Schedule— “affected undertakers” means— any...
3. This part of this Schedule does not apply to apparatus...
4. Regardless of any provision in this Order or anything shown...
5. (1) If, in the exercise of the powers conferred by...
6. (1) Where, in accordance with the provisions of this part...
7. (1) Not less than 28 days before starting the execution...
8. (1) Subject to the following provisions of this paragraph, the...
9. (1) Subject to sub-paragraphs (2) and (3), if by reason...
10. Nothing in this part of this Schedule shall affect the...

PART 2 — Protection for operators of electronic communications code networks

1. (1) For the protection of any operator, the following provisions...
2. The exercise of the powers of article 25 (statutory undertakers)...
3. (1) Subject to sub-paragraphs (2) to (4), if as the...
4. This part of this Schedule does not apply to—
5. Nothing in this part of this Schedule shall affect the...

PART 3 — Protection of Network Rail Infrastructure Limited

1. The following provisions of this Schedule have effect unless otherwise...
2. In this part of this Schedule— “construction” includes execution, placing,...
3. (1) Where under this part of this Schedule Network Rail...
4. (1) The undertakers must not exercise the powers conferred by...
5. (1) The undertakers must before commencing construction of any specified...
6. (1) Any specified work and any protective works to be...
7. The undertakers must— (a) at all times afford reasonable facilities...
8. Network Rail must at all times afford reasonable facilities to...
9. (1) If any permanent or temporary alterations or additions to...
10. The undertakers must repay to Network Rail all reasonable fees,...
11. (1) In this paragraph— “EMI” means, subject to sub-paragraph (2),...
12. If at any time after the completion of a specified...
13. The undertakers must not provide any illumination or illuminated sign...
14. Any additional expenses which Network Rail may reasonably incur in...
15. (1) The undertakers must pay to Network Rail all reasonable...
16. Network Rail must, on receipt of a request from the...
17. In the assessment of any sums payable to Network Rail...
18. The undertakers and Network Rail may, subject in the case...
19. Nothing in this Order, or in any enactment incorporated with...
20. The undertakers must give written notice to Network Rail where...
21. The undertakers must no later than 28 days from the...

PART 4 — For the protection of Anglian Water Services Limited

1. For the protection of Anglian Water, the following provisions of...
2. In this part of this Schedule— “alternative apparatus” means alternative...
3. The undertakers shall not interfere with, build over or near...
4. The alteration, extension, removal or re-location of any Apparatus shall...
5. In the situation, where in exercise of the powers conferred...
6. Regardless of any provision in this Order or anything shown...
7. If in consequence of the exercise of the powers conferred...
8. If in consequence of the exercise of the powers conferred...
9. If for any reason or in consequence of the construction...
10. Nothing in paragraph 9 shall impose any liability on the...
11. Any difference or dispute arising between the undertakers and Anglian...

PART 5 — For the protection of National Grid Gas plc and National Grid Electricity Transmission plc

1. Application
2. Interpretation
3. Apparatus of undertakers in stopped up streets
4. Acquisition of land
5. Removal of apparatus
6. Facilities and rights for alternative apparatus
7. Retained apparatus: protection: gas undertakers
8. Retained apparatus: protection: electricity undertakers
9. Expenses
10. Compensation
11. Ground subsidence monitoring scheme in respect of statutory undertakers's apparatus
12. Enactments and agreements
13. Co-operation
14. Access
15. Arbitration

SCHEDULE 10 — Deemed licence under the Marine and Coastal Access Act 2009 – generation assets

PART 1 — Licensed marine activities

1. (1) In this licence— “the 2008 Act” means the Planning...
2. Details of licensed marine activities
3. The grid coordinates for the authorised scheme are specified below...
4. This licence shall remain in force until the authorised scheme...
5. The provisions of section 72 of the 2009 Act shall...
6. Where the words ‘unless otherwise agreed’ or ‘unless otherwise stated’...

PART 2 — Conditions

1. Design parameters for wind turbines
2. No meteorological mast, wind turbine generator or HVAC offshore collector...
3. (1) The total number of HVAC offshore collector stations forming...
4. (1) The total length of the cables comprising Work No....
5. (1) In relation to a WTG, each gravity base foundation...
6. Notifications and inspections
7. Offshore safety management
8. Aids to navigation
9. Chemicals, drilling and debris
10. Force majeure
11. Pre-construction plans and documentation
12. (1) Any archaeological reports produced in accordance with condition 11(h) (iii)...
13. (1) Each programme, statement, plan, protocol or scheme required to...
14. Foundation restrictions
15. Reporting of engaged agents, contractors and vessels
16. Equipment and operation of vessels engaged in licensed activities
17. Pre-construction monitoring and surveys
18. Construction monitoring
19. Post construction

SCHEDULE 11 — Deemed licence under the Marine and Coastal Access Act 2009 – transmission assets

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PART 1 — Licensed marine activities

1. (1) In this licence— “the 2008 Act” means the Planning...
2. Details of licensed marine activities
3. The grid coordinates for the authorised scheme are specified below...
4. This licence shall remain in force until the authorised scheme...
5. The provisions of section 72 of the 2009 Act shall...
6. Where the words ‘unless otherwise agreed’ or ‘unless otherwise stated’...

PART 2 — Conditions

1. Design parameters
2. (1) The total number of HVDC offshore converter stations forming...
3. (1) The total length of the cables comprising Work No....
4. The total amount of scour protection for the HVAC offshore...
5. Notifications and inspections
6. Offshore safety management
7. Aids to navigation
8. Chemicals, drilling and debris
9. Force majeure
10. Pre-construction plans and documentation
11. (1) Any archaeological reports produced in accordance with condition 11(h) (iii)...
12. (1) Each programme, statement, plan, protocol or scheme required to...
13. Foundation restrictions
14. Reporting of engaged agents, contractors and vessels
15. Equipment and operation of vessels engaged in licensed activities
16. Pre-construction monitoring and surveys
17. Construction monitoring
18. Post construction

SCHEDULE 12 — Removal of important hedgerows

Explanatory Note