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STATUTORY INSTRUMENTS

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**2015 No. 1592**

**INFRASTRUCTURE PLANNING**

**The Dogger Bank Teesside A and  
B Offshore Wind Farm Order 2015**

*Made* - - - - *4th August 2015*

*Coming into force* *26th August 2015*

**THE DOGGER BANK TEESSIDE A AND  
B OFFSHORE WIND FARM ORDER 2015**

PART 1

1. Citation and commencement
2. Interpretation

PART 2

3. Development consent granted by Order
4. Maintenance of authorised project
5. Operation of generating station
6. Procedure in relation to approvals, etc. under Requirements
7. Benefit of Order
8. Consent to transfer benefit of Order
9. Guarantees in respect of payment
10. Bizo 2 and Bizo 3 may enter on certain land for purposes of construction
11. Disapplication and modification of legislative provisions
12. Offshore works: abandonment, decay or removal
13. Defence to proceedings in respect of statutory nuisance

PART 3

14. Street works
15. Temporary stopping up of streets
16. Access to works
17. Agreements with street authorities

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#### PART 4

18. Discharge of water
19. Protective work to buildings
20. Authority to survey and investigate land
21. Removal of human remains

#### PART 5

22. Compulsory acquisition of land
23. Compulsory acquisition of land: minerals
24. Time limit for exercise of authority to acquire land compulsorily, etc.
25. Compulsory acquisition of rights
26. Private rights of way
27. Application of Compulsory Purchase (Vesting Declarations) Act 1981
28. Rights under or over streets
29. Temporary use of land for carrying out authorised project
30. Temporary use of land for maintaining authorised project
31. Statutory undertakers
32. Recovery of costs of new connections
33. Application of landlord and tenant law
34. Special category land

#### PART 6

35. Railway and navigation undertakings
  36. Trees subject to tree preservation orders
  37. Operational land for purposes of Town and Country Planning Act 1990
  38. Felling or lopping of trees and removal of hedgerows
  39. Deemed licences under Marine and Coastal Access Act 2009
  40. Saving for Trinity House
  41. Crown rights
  42. Certification of plans and documents, etc.
  43. Protective provisions
  44. Arbitration
- 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. Associated development within the meaning of section 115(2) of the...
3. Associated development within the meaning of section 115(2) of the...

##### PART 2 — Ancillary works

##### PART 3 — Requirements

1. Interpretation
2. Time limits
3. Detailed offshore design parameters
4. (1) No meteorological station lattice tower may exceed a height...
5. (1) The total number of offshore platforms within Work No....
6. (1) Wind turbine generator foundation structures must be of 1...

7. (1) Within Work No. 1A, the wind turbine generator foundations...
8. (1) The total seabed footprint of foundation structures (excluding mooring...
9. (1) Within Work Nos. 1A, 2A and 3A, the HVDC...
10. (1) Within Work No. 1A, the HVAC cables must not,...
11. (1) Within Work No. 1A, the HVAC cable crossings must...
12. (1) Within Work Nos. 1A and 2A, the HVDC cable...
13. Layout rules
14. Aviation lighting
15. Offshore decommissioning
16. Offshore safety management
17. Restricted work area
18. Stages of authorised development onshore
19. Detailed design approval onshore
20. (1) Except where the onshore works are carried out in...
21. Provision of landscaping
22. Implementation and maintenance of landscaping
23. Fencing and other means of enclosure
24. Highway accesses
25. Surface and foul water drainage
26. Archaeology
27. Code of construction practice
28. Construction environmental management plan
29. Construction hours
30. Control of noise during operational phase
31. Control of artificial light emissions
32. Construction traffic routing and management plans
33. Drilling works under highways
34. Port access and transport plans
35. European protected species: onshore
36. Restoration of land used temporarily for construction
37. Interference with telecommunications
38. Onshore decommissioning
39. Approval, etc. to be given in writing
40. Amendments to plans, etc.

SCHEDULE 2 — Streets subject to street works

SCHEDULE 3 — Streets to be temporarily stopped up

SCHEDULE 4 — Access to works

SCHEDULE 5 — Land in which only new rights, etc. may be acquired

SCHEDULE 6 — Modification of compensation and compulsory purchase enactments  
for creation of new rights

1. Compensation enactments modified
2. Land Compensation Act 1973 modified
3. Compulsory Purchase Act 1965 modified

SCHEDULE 7 — Land of which temporary possession may be taken

SCHEDULE 8 — Marine Licence 1: Project A Offshore Generation – Work Nos. 1A  
and 2T

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PART 1 — Licensed activities

1. Interpretation
2. Details of licensed activities
- PART 2 — Conditions
3. Detailed offshore design parameters
4. (1) No meteorological station lattice tower may exceed a height...
5. (1) The total number of offshore platforms within Work No....
6. (1) Wind turbine generator foundation structures must be of 1...
7. Within Work No. 1A, the wind turbine generator foundations must...
8. (1) The total seabed footprint of foundation structures (excluding mooring...
9. Within Work No. 1A, the HVAC cables must not, in...
10. Within Work No. 1A, the HVAC cable crossings must not,...
11. Within Work Nos. 1A and 2A, the HVDC cable crossings...
12. Layout rules
13. Notifications and inspections
14. Chemicals, drilling and debris
15. Force majeure
16. Pre-construction plans and documentation
17. (1) Each programme, statement, plan, protocol, scheme or details required...
18. Offshore safety management
19. Reporting of engaged agents, contractors and vessels
20. Equipment and operation of vessels engaged in licensed activities
21. Pre-construction monitoring
22. Construction monitoring
23. Post-construction surveys
24. Offshore maintenance plan
25. Aids to navigation
26. The undertaker must submit reports quarterly to Trinity House detailing...
27. The undertaker must notify Trinity House and the MMO of...
28. Following notification of a failure of aids to navigation, the...
29. The undertaker must paint all structures that are part of...
30. In case of damage to, or destruction or decay of,...
31. The undertaker must lay down such buoys, exhibit such lights...
32. Progress of authorised scheme
33. Amendments to plans, etc.

SCHEDULE 9 — Marine Licence 2: Project B Offshore Generation – Work Nos. 1B and 2T

PART 1 — Licensed activities

1. Interpretation
2. Details of licensed activities
- PART 2 — Conditions
3. Detailed offshore design parameters
4. (1) No meteorological station lattice tower may exceed a height...
5. (1) The total number of offshore platforms within Work No....
6. (1) Wind turbine generator foundation structures must be of 1...
7. Within Work No. 1B, the wind turbine generator foundations must...
8. (1) The total seabed footprint of foundation structures (excluding mooring...
9. Within Work No. 1B, the HVAC cables must not, in...
10. Within Work No. 1B, the HVAC cable crossings must not,...
11. Within Work Nos. 1B and 2B, the HVDC cable crossings...
12. Layout rules
13. Notifications and inspections

14. Chemicals, drilling and debris
15. Force majeure
16. Pre-construction plans and documentation
17. (1) Each programme, statement, plan, protocol, scheme or details required...
18. Offshore safety management
19. Reporting of engaged agents, contractors and vessels
20. Equipment and operation of vessels engaged in licensed activities
21. Pre-construction monitoring
22. Construction monitoring
23. Post-construction surveys
24. Offshore maintenance plan
25. Aids to navigation
26. The undertaker must submit reports quarterly to Trinity House detailing...
27. The undertaker must notify Trinity House and the MMO of...
28. Following notification of a failure of aids to navigation, the...
29. The undertaker must paint all structures that are part of...
30. In case of damage to, or destruction or decay of,...
31. The undertaker must lay down such buoys, exhibit such lights...
32. Progress of authorised scheme
33. Amendments to plans, etc.

SCHEDULE 10 — Marine Licence 3: Project A Offshore Transmission - Work Nos. 2A, 3A and 2T

PART 1 — Licensed activities

1. Interpretation
  2. Details of licensed activities
- PART 2 — Conditions
3. Detailed offshore design parameters
  4. (1) The total number of offshore platforms within Work No...
  5. (1) The total seabed footprint of foundation structures (excluding mooring...
  6. (1) Within Work Nos. 1A, 2A and 3A, the HVDC...
  7. Within Work No. 1A, the HVAC cables must not, in...
  8. Within Work No. 1A, the HVAC cable crossings must not,...
  9. Within Work Nos. 1A and 2A, the HVDC cable crossings...
  10. Notifications and inspections
  11. Chemicals, drilling and debris
  12. Force majeure
  13. Pre-construction plans and documentation
  14. (1) Each programme, statement, plan, protocol, scheme or details required...
  15. Offshore safety management
  16. Reporting of engaged agents, contractors and vessels
  17. Equipment and operation of vessels engaged in licensed activities
  18. Pre-construction monitoring
  19. Construction monitoring
  20. Post-construction surveys
  21. Offshore maintenance plan
  22. Aids to navigation
  23. The undertaker must submit reports quarterly to Trinity House detailing...
  24. The undertaker must notify Trinity House and the MMO of...
  25. Following notification of a failure of aids to navigation, the...
  26. The undertaker must paint all structures that are part of...
  27. In case of damage to, or destruction or decay of,...
  28. The undertaker must lay down such buoys, exhibit such lights...

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29. Progress of authorised scheme
30. Amendments to plans, etc.

SCHEDULE 11 — Marine Licence 4: Project B Offshore Transmission – Work Nos. 2B, 3B and 2T

PART 1 — Licensed activities

1. Interpretation
  2. Details of licensed activities
- PART 2 — Conditions
3. Detailed offshore design parameters
  4. (1) The total number of offshore platforms within Work No....
  5. (1) The total seabed footprint of foundation structures (excluding mooring...
  6. (1) Within Work Nos. 1B, 2B and 3B, the HVDC...
  7. Within Work No. 1B, the HVAC cables must not, in...
  8. Within Work No. 1B, the HVAC cable crossings must not,...
  9. Within Work Nos. 1B and 2B, the HVDC cable crossings...
  10. Notifications and inspections
  11. Chemicals, drilling and debris
  12. Force majeure
  13. Pre-construction plans and documentation
  14. (1) Each programme, statement, plan, protocol or scheme required to...
  15. Offshore safety management
  16. Reporting of engaged agents, contractors and vessels
  17. Equipment and operation of vessels engaged in licensed activities
  18. Pre-construction monitoring
  19. Construction monitoring
  20. Post-construction surveys
  21. Offshore maintenance plan
  22. Aids to navigation
  23. The undertaker must submit reports quarterly to Trinity House detailing...
  24. The undertaker must notify Trinity House and the MMO of...
  25. Following notification of a failure of aids to navigation, the...
  26. The undertaker must paint all structures that are part of...
  27. In case of damage to, or destruction or decay of,...
  28. The undertaker must lay down such buoys, exhibit such lights...
  29. Progress of authorised scheme
  30. Amendments to plans, etc.

SCHEDULE 12 — Protective provisions

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

1. The provisions of this Part have effect unless otherwise agreed...
2. In this Part—“alternative apparatus” means alternative apparatus adequate to...
3. This Part does not apply to— (a) apparatus in respect...
4. Despite any provision of this Order or anything shown on...
5. (1) If, in the exercise of the powers conferred by...
6. (1) Where, in accordance with this Part, the undertaker affords...
7. (1) Not less than 28 days before executing any works...
8. (1) Subject to the provisions of this paragraph, the undertaker...
9. (1) Subject to sub-paragraphs (2) and (3), if by reason...
10. Nothing in this Part affects the provisions of any enactment...
11. In relation to any dispute arising under this Part, the...

PART 2 — Protection of Network Rail Infrastructure Limited, etc.

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1. The provisions of this Part have effect unless otherwise agreed...
2. In this Part— “construction” includes execution, placing, alteration and reconstruction;...
3. (1) Where under this Part Network Rail is required to...
4. (1) The undertaker must not exercise the powers conferred by...
5. (1) The undertaker must before commencing construction of any specified...
6. (1) Any specified work and any protective works to be...
7. The undertaker 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 undertaker must pay 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 undertaker must not provide any illumination or illuminated sign...
14. Any additional expenses that Network Rail may reasonably incur in...
15. (1) The undertaker must— (a) pay to Network Rail all...
16. Network Rail must, on receipt of a request from the...
17. In the assessment of any sums payable to Network Rail...
18. The undertaker and Network Rail may, subject in the case...
19. Nothing in this Order, or in any enactment incorporated with...
20. The undertaker must give written notice to Network Rail if...
21. The undertaker must, no later than 28 days after the...
  1. (1) The provisions of this Part have effect unless otherwise...
  2. The temporary stopping up or diversion of any street under...
  3. (1) Subject to sub-paragraphs (2) to (4), if as the...
    1. The provisions of this Part have effect unless otherwise agreed...
    2. (1) In this Part— “cables” means the whole or any...
    3. Despite anything in this Order or shown on the works...
    4. Despite anything in this Order, except in the case of...
    5. The undertaker must use its best endeavours—
    6. Not less than 8 months before commencing construction of the...
    7. On giving any notice to the undertaker under paragraph 6,...
    8. Not less than 4 months before commencing construction of any...
    9. At any time within 1 month after the receipt by...
    10. Except in the case of protective works that the Company...
    11. In the case of protective works of which the Company...
    12. Except in an emergency (when it must give such notice...
    13. The undertaker must pay to the Company the reasonable expenses...
    14. The undertaker must pay to the Company the reasonable expenses...
    15. This Part does not apply in relation to any protected...
    16. Nothing in this Part affects any enactment or any regulations...
      1. (1) The provisions of this Part have effect for the...
      2. In this Part— “Agency” means the Environment Agency; “construction” includes...
      3. (1) Before commencing construction of any specified work, the undertaker...
      4. Without limiting paragraph 3 but subject always to the provision...
      5. (1) Subject to sub-paragraph (2), the specified work, and all...
      6. (1) Subject to sub-paragraph (6), the undertaker must from the...

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7. Subject to paragraph 9, if by reason of the construction...
8. (1) The undertaker must take all such measures as may...
9. (1) Nothing in paragraphs 5(5), 6(3), 7 and 8(3) and...
10. The undertaker must indemnify the Agency in respect of all...
11. (1) Without limiting the other provisions of this Part, the...
12. The fact that any work or thing has been executed...
13. Any dispute arising between the undertaker and the Agency under...  
PART 6 — Protection of owners and operators at Wilton
1. Preliminary
2. In this Part— “alternative apparatus” means alternative apparatus adequate to...
3. Nothing in this Part applies to apparatus in respect of...
4. General, consent and insurance
5. (1) The undertaker must not exercise the identified powers—
6. (1) Before carrying out any works on any part of...
7. If an owner or operator considers that any proposed exercise...
8. Apparatus
9. (1) Where, in accordance with this Part, the undertaker affords...
10. (1) Not less than 30 days before commencing the execution...
11. (1) Subject to the provisions of this paragraph, the undertaker...
12. (1) Subject to sub-paragraphs (2) and (3), if, by reason...
13. (1) The undertaker must not in the exercise of the...
14. (1) The undertaker must afford to owners of the Wilton...
15. Access for construction and maintenance
16. (1) Before carrying out any maintenance works affecting access rights...
17. (1) In preparing a construction access plan under paragraph 15...
18. In exercising any right of access over any of the...
19. Compliance with requirements, etc. of Wilton Complex
20. Consultation, participation in community groups, co-operation on complaints, etc.
21. Before undertaking any works in the Wilton Land or exercising...
22. Before undertaking any construction works on the Wilton Land or...
23. The undertaker must co-operate with the owners and operators in...
24. Expert

Explanatory Note