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STATUTORY INSTRUMENTS

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**2015 No. 1984**

**INFRASTRUCTURE PLANNING**

**The Port Talbot Steelworks Generating Station Order 2015**

*Made - - - - 8th December 2015*

*Coming into force 30th December 2015*

**THE PORT TALBOT STEELWORKS  
GENERATING STATION ORDER 2015**

PART 1

1. Citation and commencement
2. Interpretation

PART 2

3. Development consent granted by Order
4. Power to maintain authorised development
5. Operation of generating station
6. Benefit of Order
7. Consent to transfer benefit of Order
8. Defence to proceedings in respect of statutory nuisance

PART 3

9. Street works

PART 4

10. Discharge of water
11. Authority to survey and investigate land

PART 5

12. Compulsory acquisition of rights
13. Application of Compulsory Purchase (Vesting Declarations) Act 1981
14. Compulsory acquisition of land: minerals
15. Time limit for exercise of authority to acquire rights compulsorily

*Status: This is the original version (as it was originally made).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

16. Acquisition of subsoil or airspace only
17. Private rights
18. Statutory undertakers

#### PART 6

19. Application of landlord and tenant law
20. Operational land for purposes of 1990 Act
21. Protective provisions
22. Certification of plans, etc.
23. Service of notices
24. Procedure in relation to certain approvals, etc.
25. Arbitration
26. Crown rights  
Signature

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#### SCHEDULE 1 — AUTHORISED DEVELOPMENT

#### SCHEDULE 2 — REQUIREMENTS

1. Interpretation
2. Time limits
3. Stages of authorised development
4. Detailed design
5. Decommissioning of existing generating station
6. Provision of landscaping
7. Fencing and other means of enclosure
8. Archaeology
9. Habitat management plan
10. Code of construction practice
11. Approval and implementation of noise management plan, etc.
12. External lighting
13. Construction hours
14. Control of noise during operational phase
15. Surface and foul water drainage
16. Aviation safety
17. Air quality monitoring
18. Contaminated land and groundwater
19. Construction compound

#### SCHEDULE 3 — MODIFICATION OF COMPENSATION AND COMPULSORY PURCHASE ENACTMENTS FOR CREATION OF NEW RIGHTS

1. Compensation enactments modified
2. Land Compensation Act 1973 modified
3. 1965 Act modified
4. Omit section 7 of the 1965 Act (measure of compensation...)
5. Omit section 8 of the 1965 Act (other provisions as...)
6. The following provisions of the 1965 Act (which state the...)
7. Section 11 of the 1965 Act (powers of entry) is...
8. Section 20 of the 1965 Act (tenants at will, etc.)...
9. Section 22 of the 1965 Act (interests omitted from purchase)...

## SCHEDULE 4 — PROTECTIVE PROVISIONS

### PART 1 — PROTECTION OF NETWORK RAIL INFRASTRUCTURE LIMITED, ETC.

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 or...
20. The undertaker must give written notice to Network Rail if...
21. The undertaker must, no later than 28 days from the...

### PART 2 — PROTECTION OF WESTERN POWER DISTRIBUTION (SOUTH WALES) PLC

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 apparatus in respect of...
4. (1) Despite any provision of this Order or anything shown...
5. (1) If, in exercise of the powers conferred by this...
6. (1) Not less than 28 days before commencing the execution...
7. (1) Subject to the following provisions of this paragraph, the...
8. The undertaker must indemnify WPD and keep WPD indemnified in...
9. Any difference or dispute arising between the undertaker and WPD...

### PART 3 — PROTECTION OF NATIONAL GRID ELECTRICITY TRANSMISSION PLC

1. Part to have effect unless otherwise agreed
2. Interpretation
3. Application
4. Acquisition of land
5. Removal of apparatus
6. Facilities and rights for alternative apparatus
7. Retained apparatus: protection of National Grid
8. Expenses
9. Indemnity
10. Insurance
11. Enactments and agreements
12. Co-operation
13. Access

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14. Arbitration
  - PART 4 — PROTECTION OF DŴR CYMRU CYFYNGEDIG
  1. Part to have effect unless otherwise agreed
  2. Interpretation
  3. Other enactments, etc. unaffected
  4. DCC apparatus not to be acquired, etc. except by agreement
  5. Precedence of Water Industry Act 1991
  6. Protection of DCC apparatus
  7. Suspension of works
  8. Co-operation
  9. Emergency works
  10. Insurance
  11. Indemnity
  12. Arbitration

SCHEDULE 5 — PROCEDURE FOR DISCHARGE OF REQUIREMENTS

1. Interpretation
2. Applications made under Requirements
3. Further information
4. Appeals

Explanatory Note