
STATUTORY INSTRUMENTS

2016 No. 844

The Hornsea Two Offshore Wind Farm Order 2016

PART 1

Preliminary

Disapplication of legislative provisions

3.—(1) The following provisions do not apply in relation to the construction of works carried out for the purpose of, or in connection with, the construction or maintenance of the authorised project—

- (a) the Environmental Permitting (England and Wales) Regulations 2010⁽¹⁾, to the extent that they require a permit for anything that would have required consent under section 109 of the Water Resources Act 1991 immediately before the repeal of that section;
- (b) the provisions of any byelaws made under, or having effect as if made under, paragraphs 5, 6 or 6A of Schedule 25 to the Water Resources Act 1991⁽²⁾ (byelaw-making powers of the Appropriate Agency) that require consent or approval for the carrying out of the works;
- (c) section 23 of the Land Drainage Act 1991⁽³⁾ (prohibition of obstructions, etc. in watercourses);
- (d) the provisions of any byelaws made under section 66 of the Land Drainage Act 1991 (powers to make byelaws) that require consent or approval for the carrying out of the works.

(2) The following do not apply to the authorised project—

- (a) section 25 of the River Humber Conservancy Act 1852⁽⁴⁾ (penalties for improper deposit of hard materials in the river);
- (b) section 9(ii) of the Humber Conservancy Act 1899⁽⁵⁾ (licences for execution of works);
- (c) section 6(2) of the Humber Conservancy Act 1905⁽⁶⁾ (no erections in Humber below river lines or without licence above river lines).

⁽¹⁾ [S.I. 2010/675](#). See amendments made by [S.I. 2016/475](#).

⁽²⁾ Paragraph 5 was amended by section 100 of the Natural Environment and Rural Communities Act 2006 ([c.16](#)), section 84(2) of, and paragraph 3 of Schedule 11 to, the Marine and Coastal Access Act 2009, paragraph 49 of Schedule 2 to the Flood and Water Management Act 2010 ([c.29](#)) and paragraph 315 of Schedule 2 to [S.I. 2013/755](#). Paragraph 6 was amended by paragraph 26 of Schedule 15 to the Environment Act 1995 ([c.25](#)) and section 224 of, and paragraph 24 of Schedule 16 and Part 5 of Schedule 22 to, the Marine and Coastal Access Act 2009. Paragraph 6A was inserted by section 103(3) of the Environment Act 1995.

⁽³⁾ [1991 c.59](#). Section 23 was amended by paragraph 192 of Schedule 22 to the Environment Act 1995, paragraph 32 of Schedule 2 to the Flood and Water Management Act 2010 and [S.I. 2013/755](#). Section 66 was amended by paragraph 38 of Schedule 2 to the Flood and Water Management Act 2010 and by section 86(3) of the Water Act 2014.

⁽⁴⁾ 15 and 16 Vict. c. cxxx.

⁽⁵⁾ 62 and 63 Vict. c. cci.

⁽⁶⁾ 5 Edw. 7 c. clxxix.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Hornsea Two Offshore Wind Farm Order 2016. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

Commencement Information

II Art. 3 in force at 7.9.2016, see [art. 1\(2\)](#)

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Changes and effects yet to be applied to :

- [art. 3\(1\)\(a\)](#) words substituted by [S.I. 2016/1154 Sch. 29 Pt. 2 para. 118\(2\)](#)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- [Sch. 1 Pt.03 para. 6\(l\)](#) words substituted by [S.I. 2016/1104 Sch.](#)
- [Sch. 12 Pt. 6 para. 5\(a\)](#) words substituted by [S.I. 2016/1154 Sch. 29 Pt. 2 para. 118\(4\)](#)