
STATUTORY INSTRUMENTS

2015 No. 318

INFRASTRUCTURE PLANNING

**The Dogger Bank Creyke Beck
Offshore Wind Farm Order 2015**

Made - - - - 17th February 2015

Coming into force 11th March 2015

**THE DOGGER BANK CREYKE BECK
OFFSHORE WIND FARM ORDER 2015**

PART 1

1. Citation and commencement
2. Interpretation

PART 2

3. Development consent, etc. granted by Order
4. Maintenance of authorised project
5. Operation of generating stations
6. Requirements: appeals, etc.
7. Benefit of Order
8. Consent to transfer benefit of Order
9. Bizco 1 and Bizco 4 may enter certain land for purpose of construction
10. Disapplication and modification of legislative provisions
11. Offshore works: abandonment, decay or removal
12. Defence to proceedings in respect of statutory nuisance

PART 3

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

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PART 4

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

PART 5

21. Compulsory acquisition of land
22. Compulsory acquisition of land: minerals
23. Time limit for exercise of authority to acquire land compulsorily, etc.
24. Compulsory acquisition of rights
25. Private rights of way
26. Application of Compulsory Purchase (Vesting Declarations) Act 1981
27. Acquisition of part of certain properties
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 1990 Act
 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

SCHEDULE 1 — Authorised project
PART 1 — Authorised development
PART 2 — Ancillary works
PART 3 — Requirements

1. Interpretation
2. Time limits
3. Detailed offshore design parameters
4. (1) Subject to sub-paragraph (2), no wind turbine generator forming...
5. (1) The total number of offshore platforms forming part of...
6. (1) Only 1 of Work No. 2BA and Work No....
7. Layout rules
8. Aviation lighting

9. The undertaker must exhibit such lights, with such shape, colour...
10. Offshore decommissioning
11. Stages of authorised development onshore
12. Detailed design approval onshore
13. (1) The onshore works must be carried out in accordance...
14. Provision of landscaping
15. Implementation and maintenance of landscaping
16. Fencing and other means of enclosure
17. Highway accesses
18. Surface and foul water drainage
19. (1) Work No. 7 must not commence until a detailed...
20. Archaeology
21. Ecological management plan
22. Code of construction practice, etc.
23. Construction environmental management plan
24. Construction hours
25. Control of noise during operational phase
26. Control of artificial light emissions
27. Construction-phase traffic management plan
28. European protected species: onshore
29. Restoration of land used temporarily for construction
30. Interference with telecommunications
31. Onshore decommissioning
32. Emergency response plan
33. Amendments to approved details

SCHEDULE 2 — Streets subject to street works

SCHEDULE 3 — Streets to be temporarily stopped up

SCHEDULE 4 — Access to works

SCHEDULE 5 — Land over which only new rights 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 – Works No. 1A
and 2T)

PART A — Licensed activities

1. Interpretation
2. Details of licensed activities

PART B — Conditions

3. Detailed offshore design parameters
4. (1) The total number of offshore platforms forming part of...
5. Layout rules
6. Notifications and inspections
7. Chemicals, drilling and debris

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8. Force majeure
9. Pre-construction plans and documentation
10. (1) Each programme, statement, plan, protocol, scheme or details required...
11. Offshore safety management
12. Reporting of engaged agents, contractors and vessels
13. Equipment and operation of vessels engaged in licensed activities
14. Pre-construction monitoring
15. Construction monitoring
16. Post-construction surveys
17. Post-construction maintenance plan
18. Aids to navigation
19. The undertaker must keep Trinity House and the MMO informed...
20. The undertaker must notify Trinity House and the MMO of...
21. The undertaker must at or near the authorised scheme during...
22. The undertaker must submit reports quarterly to the MMO and...
23. In case of damage to, or destruction or decay of,...
24. Colour of authorised scheme
25. Amendments to plans, etc.

SCHEDULE 9 — Marine Licence 2: Project B Offshore (Generation – Works No. 1B and 2T)

PART A — Licensed activities

1. Interpretation
 2. Details of licensed activities
- PART B
3. Detailed offshore design parameters
 4. (1) The total number of offshore platforms forming part of...
 5. Layout rules
 6. Notifications and inspections
 7. Chemicals, drilling and debris
 8. Force majeure
 9. Pre-construction plans and documentation
 10. (1) Each programme, statement, plan, protocol, scheme or details required...
 11. Offshore safety management
 12. Reporting of engaged agents, contractors and vessels
 13. Equipment and operation of vessels engaged in licensed activities
 14. Pre-construction monitoring
 15. Construction monitoring
 16. Post-construction surveys
 17. Post-construction maintenance plan
 18. Aids to navigation
 19. The undertaker must keep Trinity House and the MMO informed...
 20. The undertaker must notify Trinity House and the MMO of...
 21. The undertaker must at or near the authorised scheme during...
 22. The undertaker must submit reports quarterly to the MMO and...
 23. In case of damage to, or destruction or decay of,...
 24. Colour of authorised scheme
 25. Amendments to plans, etc.

SCHEDULE 10 — Marine Licence 3: Project A Offshore (Transmission – Works No. 2A, 3A and 2T)

PART A — Licensed activities

1. Interpretation

2. Details of licensed activities
PART B — Conditions
3. Detailed offshore design parameters
4. Layout rules
5. Notifications and inspections
6. Chemicals, drilling and debris
7. Force majeure
8. Pre-construction plans and documentation
9. (1) Each programme, statement, plan, protocol, scheme or details required...
10. Offshore safety management
11. Reporting of engaged agents, contractors and vessels
12. Equipment and operation of vessels engaged in licensed activities
13. Pre-construction monitoring
14. Construction monitoring
15. Post-construction surveys
16. Post-construction maintenance plan
17. Aids to navigation
18. The undertaker must keep Trinity House and the MMO informed...
19. The undertaker must notify Trinity House and the MMO of...
20. The undertaker must at or near the authorised scheme during...
21. The undertaker must submit reports quarterly to the MMO and...
22. In case of damage to, or destruction or decay of,...
23. Colour of authorised scheme
24. Amendments to plans, etc.

SCHEDULE 11 — Marine Licence 4: Project B Offshore (Transmission Works No. 2B, 2BA or 2BC, 3B and 2T)

PART A — Licensed activities

1. Interpretation
2. Details of licensed activities
PART B — Conditions
3. Detailed offshore design parameters
4. Layout rules
5. Notifications and inspections
6. Chemicals, drilling and debris
7. Force majeure
8. Pre-construction plans and documentation
9. (1) Each programme, statement, plan, protocol, scheme or details required...
10. Offshore safety management
11. Reporting of engaged agents, contractors and vessels
12. Equipment and operation of vessels engaged in licensed activities
13. Pre-construction monitoring
14. Construction monitoring
15. Post-construction surveys
16. Post-construction maintenance plan
17. Aids to navigation
18. The undertaker must keep Trinity House and the MMO informed...
19. The undertaker must notify Trinity House and the MMO of...
20. The undertaker must at or near the authorised scheme during...
21. The undertaker must submit reports quarterly to the MMO and...
22. In case of damage to, or destruction or decay of,...
23. Colour of authorised scheme
24. Amendments to plans, etc.

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SCHEDULE 12 — Protective provisions

PART 1 — Protection of 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 in 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 starting the execution...
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

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 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 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 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 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 from the...

PART 3 — Protection of operators of electronic communications code networks

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...

PART 4 — Protection of offshore cables and pipelines

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 a period of 1 month from...
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 repay to the Company the reasonable expenses...
14. The undertaker must repay to the Company the reasonable expenses...
15. The preceding provisions of this Part do not apply in...
16. Nothing in this Part affects any enactment or any regulations...
 - PART 5 — Protection of Environment Agency
 1. (1) The provisions of this Part have effect unless otherwise...
 2. (1) Before commencing construction of any specified work, the undertaker...
 3. Without limiting paragraph 2 but subject always to the provision...
 4. (1) Subject to sub-paragraph (2), the specified work, and all...
 5. (1) Subject to sub-paragraph (6), the undertaker must from the...
 6. Subject to paragraph 8, if by reason of the construction...
 7. (1) The undertaker must take all such measures as may...
 8. (1) Nothing in paragraphs 4(5), 5(3), 6 and 7(3) and...
 9. The undertaker must indemnify the Agency in respect of all...
 10. (1) Without limiting the other provisions of this Part, the...
 11. The fact that any work or thing has been executed...
 12. Any dispute arising between the undertaker and the Agency under...

Explanatory Note