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STATUTORY INSTRUMENTS

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**2016 No. 49**

**INFRASTRUCTURE PLANNING**

**The National Grid (Hinkley Point  
C Connection Project) Order 2016**

*Made* - - - - *19th January 2016*

*Coming into force* *9th February 2016*

**THE NATIONAL GRID (HINKLEY POINT  
C CONNECTION PROJECT) ORDER 2016**

PART 1

1. Citation and commencement
2. Interpretation

PART 2

3. Development consent etc. granted by the Order
4. Maintenance of authorised development
5. Limits of deviation
6. Benefit of Order
7. Consent to transfer benefit of Order
8. Application of the 1990 Act
9. Application of the Community Infrastructure Levy Regulations 2010

PART 3

10. Street works
11. Application of the 1991 Act
12. Power to alter layout, etc. of streets
13. Temporary stopping up of streets and public rights of way
14. Access to works
15. Agreements with street authorities

PART 4

16. Discharge of water

**Changes to legislation:** There are currently no known outstanding effects for the The National Grid (Hinkley Point C Connection Project) Order 2016. (See end of Document for details)

17. Protective work to buildings
18. Authority to survey and investigate the land

#### PART 5

19. Compulsory acquisition of land
20. Compulsory acquisition of land – incorporation of the mineral code
21. Time limit for exercise of authority to acquire land compulsorily
22. Compulsory acquisition of rights
23. Extinguishment and suspension of private rights
24. Extinguishment of private rights and restrictive covenants relating to apparatus belonging to National Grid or WPD removed from land subject to temporary possession
25. Application of the Compulsory Purchase (Vesting Declarations) Act 1981
26. Acquisition of subsoil or air-space only
27. Acquisition of part of certain properties
28. Rights under or over streets
29. Temporary use of land by National Grid
30. Temporary use of land by WPD
31. Temporary use of land for maintaining the authorised development
32. Crown rights
33. Statutory undertakers
34. Recovery of costs of new connections

#### PART 6

35. Deemed Marine Licence
  36. Application of landlord and tenant law
  37. Operational land for purposes of the 1990 Act
  38. Defence to proceedings in respect of statutory nuisance
  39. Temporary closure of, and works in, the River Avon
  40. Traffic regulation
  41. Felling or lopping of trees
  42. Trees subject to Tree Preservation Orders
  43. Protection of interests
  44. Certification of plans etc.
  45. Service of notices
  46. Procedure regarding certain approvals etc.
  47. Amendment of local legislation
  48. No double recovery
  49. Arbitration
- Signature

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### SCHEDULES

#### SCHEDULE 1 — AUTHORISED DEVELOPMENT

A nationally significant infrastructure project as defined in sections 14...

#### *400kV OVERHEAD ELECTRIC LINE*

In the District of Sedgemoor  
Work No. 1A — Bridgwater Tee

**Changes to legislation:** There are currently no known outstanding effects for the The National Grid (Hinkley Point C Connection Project) Order 2016. (See end of Document for details)

Works to construct a 400kV Teed circuit commencing on Works...  
In the District of Sedgemoor  
Work No. 1B — ZGA route  
The construction and installation of a 400kV overhead electric line,...  
In the District of Sedgemoor  
Work No. 1C — Huntspill  
Works to construct temporary sections of a 400kV overhead electric...  
In the District of Sedgemoor  
Work No. 1D — LD route Puriton to South Mendips...  
Works to construct a 400kV overhead electric line 12.8km in...  
The works include installation and construction of a temporary site...  
In the District of North Somerset  
Work No. 1E — LD route Sandford Substation to M5...  
Works to construct a 400kV overhead electric line between full...  
The route commences at gantry structures LD39A and LD39B on...  
The overhead electric line between FLT gantry structures LD39A and...  
In the District of North Somerset  
Work No. 1F — LD route M5 to south of...  
Works to construct a 400kV overhead electric line between pylons...  
In the District of North Somerset, the City of Bristol...  
Work No. 1G — LD route south of River Avon...  
Works to construct a 400kV overhead electric line, between pylon...  
The works include installation and construction of a temporary site...

#### *400kV UNDERGROUND CABLES*

In the District of Sedgemoor  
Work No. 2A — Bridgwater tee  
Works to construct a 400kV Teed circuit at the location...  
The works include the construction of a permanent vehicular access...  
In the District of Sedgemoor and the District of North...  
Work No. 2B — Mendips underground cable and cable crossing...  
Works to construct a 400kV underground electric cable route comprising  
—...  
The works include the installation and construction of 4 temporary...  
Work No. 2C — South Mendips cable sealing end compound...  
Works to construct the South Mendips cable sealing end (CSE)...  
In the District of Sedgemoor  
Work No. 2D — Temporary project office compound  
Works to construct a temporary project office compound, at the...

#### *SANDFORD 400/132kV SUBSTATION*

In the District of North Somerset  
Work No. 3A — Sandford Substation  
Works to construct the Sandford 400/132kV Substation as shown on...  
In the District of North Somerset  
Work No. 3B — Temporary project office compound  
Works to construct a temporary project office compound, at the...

#### *WPD 132kV WORKS*

In the District of North Somerset  
Work No. 4A — AT connection

**Changes to legislation:** There are currently no known outstanding effects for the The National Grid (Hinkley Point C Connection Project) Order 2016. (See end of Document for details)

Works to connect Sandford 132kV Substation to the existing 132kV...  
The works include a temporary site compound as shown on...  
In the District of Sedgemoor and the District of North...  
Work No. 4B — F route removal  
The removal of 47.8km of the F Route 132kV overhead...  
In the District of North Somerset  
Work No. 4C — N route connection  
Works to connect Sandford 400/132kV Substation to the existing 132kV...  
In the District of North Somerset  
Work No. 4D — W route removal and undergrounding  
Works to allow the removal of part of the 132kV...  
In the District of North Somerset  
Work No. 4E — Portishead 132kV substation  
The installation of cables and cable sealing ends within Portishead...  
In the District of North Somerset  
Work No. 4F — Churchill 132kV Substation  
Works to allow the continued operation of Churchill 132kV Substation...  
The works include construction and installation of a temporary site...  
In the District of North Somerset and the City of...  
Work No. 4G — G route removal (Portishead to Avonmouth)...  
The removal of 5.4km of the G Route 132kV overhead...  
In the City of Bristol  
Work No. 4H — G route removal (Avonmouth to Pylon...  
The removal of 2.1km of the G Route 132kV overhead...  
In the City of Bristol  
Work No. 4I — G route undergrounding  
The installation of 2.3km of underground 132kV electric cables and...  
The works include construction and installation of a temporary site...  
In the City of Bristol  
Work No. 4J — G route  
The construction and installation of a cable sealing end pylon...  
In the City of Bristol  
Work No. 4K — Avonmouth 132kV Substation  
The installation of electric cables and fibre optic cable, cable...  
In the City of Bristol and the District of South...  
Work No. 4L — Seabank DA route  
Works as shown on Works Plan section G, sheet 7...  
The works include a temporary site compound for the combined...  
In the City of Bristol  
Work No. 4M — Seabank BW route  
Works as shown on Works Plan section G, sheet 7...  
The works include a temporary site compound for the combined...  
In the City of Bristol  
Work No. 4N — Seabank G route  
Works as shown on Works Plan section G, sheet 7...  
The works include a temporary site compound for the combined...  
In the City of Bristol  
Work No. 4O — Seabank 132kV Substation  
Work on the existing Seabank 132kV Substation compound to extend...  
In the District of North Somerset  
Work No. 4P — BW Route undergrounding south of the...  
Works as shown on Works Plan section F, sheets 3...  
The works include a temporary site compound as shown on...

### *SEABANK 400kV SUBSTATION*

In the City of Bristol  
Work No. 5 — extension of Seabank 400kV Substation  
Works to extend the existing Seabank 400kV Substation (shown on...

### *HINKLEY LINE ENTRIES*

Works to reconfigure 400kV overhead electric lines consisting of—  
In the District of West Somerset  
Work No. 6A  
The construction and installation of a 400kV overhead electric line...  
In the District of West Somerset  
Work No. 6B  
The removal of 1.4km of overhead electric line to include...  
In the District of West Somerset  
Work No. 6C  
The construction and installation of a 400kV overhead electric line...  
In the District of West Somerset  
Work No. 6D  
The removal of 900m of overhead electric line to include...  
In the District of West Somerset  
Work No. 6E  
The construction and installation of a 400kV overhead electric line...

### *OTHER ASSOCIATED DEVELOPMENT*

Such associated development not listed above, within the Order limits,...

### SCHEDULE 2 —

- PART 1 — ACCESS AND RIGHTS OF WAY PLANS
- PART 2 — DESIGN DRAWINGS
- PART 3 — LAND PLANS
- PART 4 — PUBLIC RIGHTS OF NAVIGATION PLAN
- PART 5 — SPECIAL CATEGORY LAND AND CROWN LAND PLANS
- PART 6 — TRAFFIC REGULATION PLANS
- PART 7 — TREES AND HEDGES TO BE REMOVED OR AFFECTED  
PLANS
- PART 8 — WORKS PLANS
- PART 9 — LANDSCAPE DRAWINGS
- PART 10 — OTHER PLANS AND DRAWINGS

### SCHEDULE 3 — REQUIREMENTS

1. Interpretation
2. Time limits
3. Design drawings
4. Stages of authorised development
5. Construction Environmental Management Plan
6. Approval and implementation of construction mitigation plans
7. Construction hours
8. Control of artificial light emissions
9. Provision of embedded landscape mitigation and landscaping schemes
10. Replacement planting
11. Implementation of landscaping and replacement planting

**Changes to legislation:** There are currently no known outstanding effects for the The National Grid (Hinkley Point C Connection Project) Order 2016. (See end of Document for details)

12. Retention and protection of existing trees and hedgerows
13. Bird flight diverters
14. Bat mitigation measures
15. Reinstatement schemes
16. Fencing and other means of enclosure
17. Surface water drainage
18. Contaminated land and groundwater
19. Inspection of temporary watercourses
20. Removal of temporary bridges and culverts
21. Accumulation and deposits
22. Highway works
23. HGV traffic
24. Scheme of marking
25. Highway signage plans
26. Traffic Incident Management Plan
27. Travel Plan
28. Seabank substation flood defences
29. Control of operational noise at Sandford substation
30. River Axe crossing
31. Residential amenity: information dissemination and complaints handling
32. Approval of external appearances etc. of permanent structures
33. Clearance over main rivers
34. Decommissioning
35. Removal of WPD Works
36. Colour of T-pylons
37. Construction compounds
38. Design Approach to Site Specific Infrastructure
39. Overhead line conductors
40. Assessment of noise impacts
41. Assessment of vibration impacts
42. St Anthony's Park travellers' site
43. Site Specific Mitigation Scheme
44. Bat Special Areas of Conservation
45. England Coast path
46. Avonmouth Sewage Treatment Works

#### SCHEDULE 4 — DISCHARGE OF REQUIREMENTS

1. Applications made under Requirements
2. Fees
3. Appeals
4. Outcome of appeals
5. Interpretation of Schedule 4

#### SCHEDULE 5 — STREETS SUBJECT TO STREET WORKS

#### SCHEDULE 6 — STREETS SUBJECT TO ALTERATION OF LAYOUT

##### PART 1 — STREETS SUBJECT TO PERMANENT ALTERATION OF LAYOUT

##### PART 2 — STREETS SUBJECT TO TEMPORARY ALTERATION OF LAYOUT

#### SCHEDULE 7 — STREETS OR PUBLIC RIGHTS OF WAY TO BE TEMPORARILY STOPPED UP

PART 1 — STREETS OR PUBLIC RIGHTS OF WAY TO BE TEMPORARILY STOPPED UP FOR WHICH A DIVERSION IS TO BE PROVIDED

PART 2 — STREETS OR PUBLIC RIGHTS OF WAY TO BE TEMPORARILY STOPPED UP FOR WHICH NO DIVERSION IS TO BE PROVIDED

SCHEDULE 8 — EXTINGUISHMENT OF PRIVATE RIGHTS AND RESTRICTIVE COVENANTS RELATING TO APPARATUS BELONGING TO NATIONAL GRID OR WPD REMOVED FROM LAND SUBJECT TO TEMPORARY POSSESSION

PART 1 — NATIONAL GRID

PART 2 — WESTERN POWER DISTRIBUTION

SCHEDULE 9 — DEEMED MARINE LICENCE

PART 1 — INTRODUCTORY

1. Interpretation
2. Addresses
- PART 2 — LICENSED ACTIVITIES
3. Subject to the licence conditions in Part 4 of this...
4. In this licence, “authorised development” means— (a) Work No. 1G...  
    PART 3 — ENFORCEMENT
5. Any breach of this licence does not constitute a breach...  
    PART 4 — CONDITIONS
6. For such of the licensable marine activities that involve the...
7. Should the licence holder become aware that any of the...
8. Prior to the commencement of the works
9. The licence holder must inform the MMO and Environment Agency...
10. The licence holder must ensure that it inform the MMO...
11. The licence holder must inform the MMO Local Office in...
12. The licence holder must inform the relevant harbour authorities in...
13. Upon commencement of the works
14. Should vessels be used on the surface of the water:...
15. The licence holder must ensure that any coatings and treatments...
16. The licence holder must ensure suitable bunding or storage facilities...
17. The licence holder must ensure that any oil, fuel or...
18. Any construction materials that are misplaced below mean high water...
19. The licence holder must ensure that the MMO Local Office...
20. The licence holder must ensure that any equipment, temporary structures,...
21. (1) The licence holder must ensure that if maintenance is...

SCHEDULE 10 — MODIFICATION OF COMPENSATION AND COMPULSORY PURCHASE ENACTMENTS FOR CREATION OF NEW RIGHTS

1. Compensation enactments
2. (1) Without limitation on the scope 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) is...
8. Section 20 of the 1965 Act (protection for interests of...
9. Section 22 of the 1965 Act (protection of acquiring authority’s...

*Changes to legislation:* There are currently no known outstanding effects for the The National Grid (Hinkley Point C Connection Project) Order 2016. (See end of Document for details)

SCHEDULE 11 — LAND WHICH MAY BE COMPULSORILY ACQUIRED

SCHEDULE 12 — LAND OF WHICH TEMPORARY POSSESSION MAY BE TAKEN

PART 1 — NATIONAL GRID

PART 2 — WESTERN POWER DISTRIBUTION

SCHEDULE 13 — TRAFFIC REGULATION

PART 1 — TEMPORARY PROHIBITION OF VEHICULAR ACCESS AND NO WAITING AND SPEED RESTRICTION

PART 2 — TEMPORARY PROHIBITION OF VEHICULAR ACCESS AND NO WAITING RESTRICTION

PART 3 — NO WAITING RESTRICTION

SCHEDULE 14 — TREES SUBJECT TO TREE PRESERVATION ORDERS

SCHEDULE 15 — PROTECTIVE PROVISIONS

PART 1 — PROTECTION FOR ELECTRICITY, GAS, WATER AND SEWERAGE UNDERTAKERS

1. The provisions of this Part have effect for the protection...
2. In this Part— “alternative apparatus” means alternative apparatus adequate to...
3. This Part does not apply to apparatus in respect of...
4. Despite any provision in this Order or anything shown on...
5. (1) If, in the exercise of the powers conferred by...
6. (1) Not less than 28 days before starting the execution...
7. (1) Subject to the following provisions of this paragraph, the...  
PART 2 — PROTECTION FOR OPERATORS OF ELECTRONIC COMMUNICATIONS CODE NETWORKS
8. (1) The provisions of this Part have effect for the...
9. The exercise of the powers in article 33 (statutory undertakers)...
10. (1) Subject to sub-paragraphs (2) to (3), if as the...
11. This Part does not apply to— (a) any apparatus in...
12. Nothing in this Part affects the provisions of any enactment...  
PART 3 — PROTECTION FOR HIGHWAYS AND TRAFFIC
13. The provisions of this Part have effect unless otherwise agreed...
14. (1) In this Part— “approved”, in relation to plans, means...
15. In exercising the powers conferred by this Order in relation...
16. (1) The undertaker must not, without the consent of the...
17. The undertaker must not under the powers conferred by or...
18. (1) Before commencing the construction of, or the carrying out...
19. Any officer of the relevant highway authority duly appointed for...
20. (1) The undertaker must not alter, disturb or in any...
21. The undertaker must not remove any soil or material from...
22. (1) If the relevant highway authority, after giving to the...
23. (1) The undertaker must not, except with the consent of...
24. The undertaker must not, except with the consent of the...
25. The undertaker must, if reasonably so required by the relevant...
26. (1) Where any part of any highway has been broken...
27. If any damage to any highway or any property of...
28. The fact that any act or thing may have been...
29. Any difference arising between the undertaker and the relevant highway...  
PART 4 — PROTECTION FOR RAILWAY INTERESTS



30. The provisions of this Part have effect unless otherwise agreed...
31. In this Part— “construction” includes execution, placing, alteration and reconstruction...
32. (1) Where under this Part Network Rail is required to...
33. (1) The undertaker must before commencing construction of any specified...
34. (1) Any specified work and any protective works to be...
35. The undertaker must— (a) at all times afford reasonable facilities...
36. Network Rail must at all times afford reasonable facilities to...
37. (1) If any permanent or temporary alterations or additions to...
38. The undertaker must pay to Network Rail all reasonable fees,...
39. (1) In this paragraph— “EMI” means, subject to sub-paragraph (2),...
40. If at any time after the completion of a specified...
41. The undertaker must not provide any illumination or illuminated sign...
42. Any additional expenses which Network Rail may reasonably incur in...
43. (1) The undertaker must— (a) pay to Network Rail all...
44. Network Rail must, on receipt of a request from the...
45. In the assessment of any sums payable to Network Rail...
46. The undertaker and Network Rail may, subject in the case...
47. Nothing in this Order, or in any enactment incorporated with...
48. The undertaker must no later than 28 days from the...  
PART 5 — PROTECTION FOR FIRST CORPORATE SHIPPING LIMITED
49. The provisions of this Part have effect unless otherwise agreed...
50. Definitions
51. Compliance with design drawings
52. Access, streets and public rights of way
53. Watercourses and drainage
54. Surveys
55. Use of land and execution, maintenance and use of the authorised development
56. The undertaker must before commencing the construction of any ancillary...
57. (1) Neither National Grid nor WPD must exercise any powers...
58. (1) Neither National Grid nor WPD must exercise any powers...
59. (1) Unless BPC agrees otherwise, National Grid and WPD must...
60. In the execution and maintenance of the authorised development under...
61. BPC’s apparatus
- 61A Acquisition and use of land
- 61B Procedure regarding certain approvals etc.
- 61C Trees and other vegetation
- 61D General  
PART 6 — PROTECTION FOR THE PORT AUTHORITY
- 61E The provisions of this Part have effect unless otherwise agreed...
62. Definitions
63. Tidal works: approval of detailed design
64. Tidal works and temporary closure of the river Avon: notification requirements
65. Communication plan
66. General provisions as to construction of works including inspection
67. Navigational safety, lights, buoys, etc.
68. Obstruction in the river
69. Disputes  
PART 7 — PROTECTION FOR THE ENVIRONMENT AGENCY
70. The provisions of this Part have effect unless otherwise agreed...

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71. (1) In this Part— “Agency” means the Environment Agency; “Byelaws”...
72. The undertaker must not open or close or interfere with...
73. (1) The undertaker must give the Agency at least 28...
74. (1) The undertaker must give at least 28 days’ written...
75. (1) If by reason of the storage or deposit of...
76. Unless otherwise agreed, any dispute or difference arising between the...  
PART 8 — PROTECTION FOR RWE GENERATION UKPLC
77. The provisions of this Part have effect unless otherwise agreed...
78. In this Part— “apparatus” means any of the following apparatus...
79. Despite any provision of this Order or anything shown on...
80. If, in the exercise of the powers conferred by this...
81. (1) Not less than 56 days before starting the execution...
82. The undertaker must pay to RWE the proper and reasonable...
83. (1) Subject to sub-paragraph (3), if by reason, or in...  
PART 9 — PROTECTION FOR CLH PIPELINE
84. The provisions of this Part have effect for the protection...
85. In this Part— “alternative apparatus” means alternative apparatus adequate to...
86. Despite any provision of this Order or anything shown on...
87. (1) If, in the exercise of the powers conferred by...
88. (1) Not less than 28 days before starting the execution...
89. (1) Subject to the following provisions of this paragraph, the...

SCHEDULE 16 — AMENDMENT OF LOCAL LEGISLATION  
PART 1 — LOCAL ENACTMENTS  
PART 2 — BYELAWS

Explanatory Note

**Changes to legislation:**

There are currently no known outstanding effects for the The National Grid (Hinkley Point C Connection Project) Order 2016.