
STATUTORY INSTRUMENTS

2016 No. 987

INFRASTRUCTURE PLANNING

The Brechfa Forest Wind Farm Connection Order 2016

Made - - - - 6th October 2016

Coming into force 28th October 2016

THE BRECHFA FOREST WIND FARM CONNECTION ORDER 2016

PART 1

1. Citation and commencement
2. Interpretation

PART 2

3. Development consent granted by the Order
4. Maintenance of the authorised development
5. Limits of deviation
6. Benefit of Order
7. Consent to transfer benefit of Order

PART 3

8. Application of the New Roads and Street Works Act 1991
9. Street works
10. Construction and maintenance of new or altered means of access
11. Temporary closure of streets and public rights of way
12. Traffic regulation
13. Access to works
14. Agreements with street authorities

PART 4

15. Discharge of water
16. Defence to proceedings in respect of statutory nuisance
17. Authority to survey and investigate the land

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PART 5

18. Application and modification of legislative provisions
19. Compulsory acquisition of rights in, under or over land
20. Statutory authority to override easements and other rights
21. Compulsory acquisition of land – incorporation of the mineral code
22. Time limit for exercise of authority to acquire rights in land compulsorily
23. Suspension of private rights
24. Extinguishment of private rights and restrictive covenants relating to Western Power Distribution (South Wales) Plc's apparatus removed from land subject to temporary possession
25. Application of the Compulsory Purchase (Vesting Declarations) Act 1981
26. Rights under or over streets
27. Temporary use of land by the undertaker
28. Temporary use of land for maintaining the authorised development
29. Statutory undertakers
30. Recovery of costs of new connections

PART 6

31. Operational land for purposes of the 1990 Act
32. Felling or lopping of trees and removal of hedgerows
33. Certification of plans
34. Service of notices
35. Arbitration
36. Procedure regarding certain approvals
37. Crown rights
Signature

SCHEDULES

SCHEDULE 1 — Authorised development

SCHEDULE 2 — Plans

- PART 1 — Overall location plan
- PART 2 — Master key plan
- PART 3 — Access and rights of way plans
- PART 4 — Crown land plans
- PART 5 — Design drawings
- PART 6 — Environmental features plans
- PART 7 — Heritage designations plans
- PART 8 — Land plans
- PART 9 — Trees and Hedges with the potential to be affected plans
- PART 10 — Works plans

SCHEDULE 3 — Requirements

1. Interpretation
2. Time limits
3. Compliance with approved details
4. Stages of authorised development
5. Restrictions on the limits of deviation

6. Restrictions on the limits of deviation near hedgerows and watercourses
7. Protection of private water supplies
8. HDD drill depths and construction periods
9. Highway accesses
10. Public rights of way
11. Fencing and other means of enclosure
12. Contaminated land and groundwater
13. Archaeology
14. Plans
15. Habitat management plan
16. Trees to be affected
17. Lighting
18. Construction traffic management plan
19. Temporary bridge
20. Construction hours
21. Construction environmental management plan
22. Restoration of land used temporarily for construction
23. Requirement for written approval
24. Frac-out contingency plan
25. Decommissioning
26. Flooding
27. Foundation Depths
28. Hedgerows
29. Otter Surveys
30. Marsh Fritillary Study
31. Approved plans and amendments to approved plans

SCHEDULE 4 — Modification of compensation and compulsory purchase enactments for creation of new rights

1. Compensation enactments
2. Modification of the Land Compensation Act 1973
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 (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 (protection for interests of...
9. Section 22 of the 1965 Act (protection of acquiring authority's...

SCHEDULE 5 — Parts of access to be maintained at the public expense

SCHEDULE 6 — Streets subject to street works

PART 1 — Streets subject to street works – crossing points

PART 2 — Streets subject to street works – accesses

SCHEDULE 7 — Streets/rights of way to be temporarily closed

SCHEDULE 8 — Land of which temporary possession may be taken

SCHEDULE 9 — Protective provisions

PART 1 — For the protection of oil undertakers

1. (1) For the protection of the statutory undertakers referred to...
2. This Part of this Schedule does not apply to apparatus...

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3. Appeals
4. Appeal process
5. Fees

SCHEDULE 11 — Removal of important hedgerows

Explanatory Note