
WELSH STATUTORY INSTRUMENTS

2004 No. 3054 (W.263)

**TRANSPORT AND WORKS, WALES
OFFSHORE INSTALLATIONS, WALES
ELECTRICITY, WALES**

The Scarweather Sands Offshore Wind Farm Order 2004

Made - - - - 16 November 2004
Coming into force 19 November 2004

THE SCARWEATHER SANDS
OFFSHORE WIND FARM ORDER 2004

PART I

PRELIMINARY

1. Citation and commencement
2. Interpretation

PART II

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Principal powers

3. Power to construct and maintain works
4. Power to deviate

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5. Power to execute street works
6. Temporary stopping up of streets

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Protection of navigation and air traffic and control of noise

8. Tidal works not to be executed without approval of the Secretary of State

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9. Provision against danger to navigation
10. Abatement of works abandoned or decayed
11. Survey of tidal works
12. Permanent lights, navigational safety aids and colour
13. Lights on tidal works during construction
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18. Power to acquire land
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21. Temporary use of land for construction of works

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25. Power to operate and use works
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- Signature

SCHEDULES

SCHEDULE THE SCHEDULED WORKS

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1. The works which the undertaker is authorised to construct and...
2. In this Schedule, references to the locations of a wind...
- SCHEDULE 2 STREETS TO BE TEMPORARILY STOPPED UP
- 2
- SCHEDULE 3 MODIFICATION OF COMPENSATION AND COMPULSORY PURCHASE ENACTMENTS FOR CREATION OF NEW RIGHTS
- 3

Compensation enactments

1. The enactments for the time being in force with respect...
2. (1) Without prejudice to the generality of paragraph 1, the...
3. Adaptation of the 1965 Act
4. For section 7 of the 1965 Act (measure of compensation),...
5. For section 8 of the 1965 Act (which relates 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 (interests omitted from purchase)...
- SCHEDULE 4 PROVISIONS RELATING TO STATUTORY UNDERTAKERS, ETC.
- 4

Apparatus of statutory undertakers, etc. on land acquired

1. (1) Sections 271 to 274 of the 1990 Act (power...
2. The powers conferred by this Order do not extend to...
- SCHEDULE 5 FOR PROTECTION OF ENVIRONMENT AGENCY
- 5
1. (1) For the protection of the Environment Agency (in this...
- SCHEDULE 6 FOR PROTECTION OF NETWORK RAIL
- 6

Introductory

1. (1) The following provisions of this Schedule have effect unless...

Powers requiring Network Rail's consent

2. (1) The undertaker must not, in the exercise of the...

Approval of plans

3. (1) The undertaker must, before commencing construction of any relevant...

Election by Network Rail to construct relevant work itself

4. (1) If Network Rail reasonably considers that any relevant work...

Protective works

5. (1) When signifying approval of the plans of any relevant...

Construction of relevant work

6. (1) Any relevant work must, when commenced, be constructed—

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Access

7. The undertaker must— (a) at all times afford reasonable facilities...
8. Network Rail must— (a) at all times afford reasonable facilities...

Fencing

9. Where so required by the engineer the undertaker must, to...

Maintenance of relevant work

10. The undertaker must secure that any relevant work, other than...

Alterations, etc. to railway property: repayment of additional expenses

11. If— (a) any alterations or additions, either permanent or temporary,...

Repayment of Network Rail's costs in connection with construction

12. The undertaker must pay to Network Rail a sum equivalent...

Additional costs of Network Rail in maintaining new works

13. (1) As soon as reasonably practicable following completion of the...

Additional costs of Network Rail in maintaining existing railway property

14. (1) Subject to sub-paragraph (2), the undertaker must pay to...

General indemnity

15. (1) The undertaker must pay to Network Rail a sum...

Compensation for train operators

16. (1) The sums payable by the undertaker under paragraph 15...
17. In the assessment of any sums payable under this Schedule,...

Saving for access agreements

18. (1) Where, under this Schedule, Network Rail is required to...

Explanatory Note