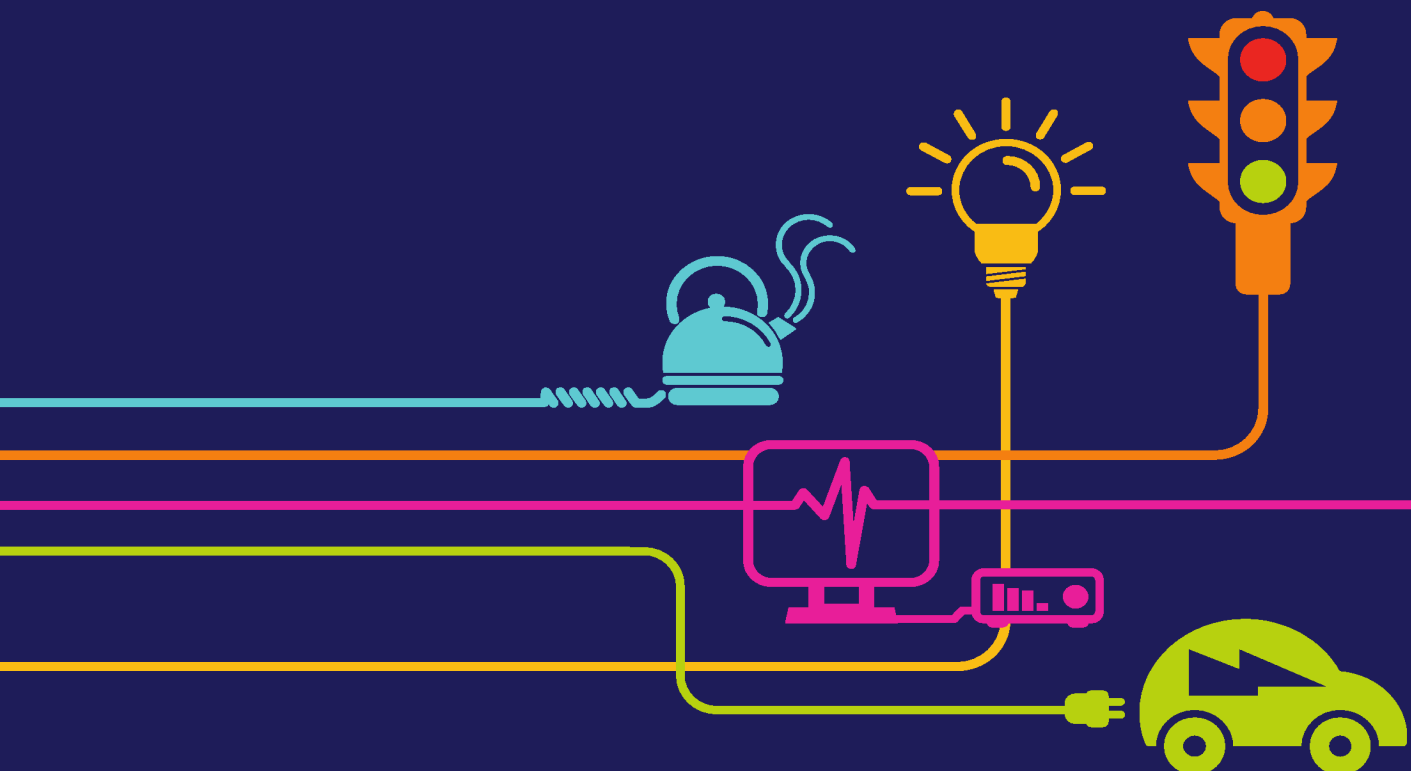


DOCUMENT 2.1

Development Consent Order

National Grid (North Wales Connection Project)

*Regulation 5(2)(b) of the Infrastructure Planning
(Applications: Prescribed Forms and Procedure) Regulations 2009*



20[xx] No.

INFRASTRUCTURE PLANNING

**The [Draft] National Grid (North Wales Connection Project)
Order 20[xx]**

Made - - - - - ***

Coming into force - - - - - ***

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An application under section 37 of the Planning Act 2008(a) (the “2008 Act”) has been made to the Secretary of State for an order granting development consent.

The application has been examined by a Panel, which has made a report to the Secretary of State under section 74(2) of the 2008 Act.

The Secretary of State has considered the report and recommendation of the Panel, has taken into account the environmental information in accordance with regulation 3 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009(b) and has had regard to the documents and matters referred to in section 104(2) of the 2008 Act.

The Secretary of State is satisfied that the special category land within the order limits, when burdened with the rights imposed by this Order, will be no less advantageous than it was before to the persons in whom it is vested, other persons, if any, entitled to rights of common or other rights, and to the public; and that, accordingly, section 132(3) of the 2008 Act applies.

The Secretary of State, having decided the application, has determined to make an order giving effect to the proposals comprised in the application on terms that in the opinion of the Secretary of State are not materially different from those proposed in the application.

Accordingly, the Secretary of State, in exercise of the powers in sections 114 and 120 of the 2008 Act, makes the following Order:

(a) 2008 c. 29.
 (b) S.I. 2009/2263, amended by S.I. 2012/635 and 2012/787.

PART 1

PRELIMINARY

Citation and commencement

1. This Order may be cited as the National Grid (North Wales Connection Project) Order [year] and comes into force on [date].

Interpretation

2.—(1) In this Order, unless the context requires otherwise—

“1961 Act” means the Land Compensation Act 1961(a);

“1965 Act” means the Compulsory Purchase Act 1965(b);

“1980 Act” means the Highways Act 1980(c);

“1981 Act” means the Compulsory Purchase (Vesting Declarations) Act 1981(d);

“1984 Act” means the Road Traffic Regulation Act 1984(e);

“1990 Act” means the Town and Country Planning Act 1990(f);

“1991 Act” means the New Roads and Street Works Act 1991(g);

“2008 Act” means the Planning Act 2008(h);

“2009 Act” means the Marine and Coastal Access Act 2009(i);

“2016 Act” means the Housing and Planning Act 2016(j);

“Access and Rights of Way Plans” means the plans listed in Part 1 of Schedule 2 (plans) and certified as the Access and Rights of Way Plans by the Secretary of State for the purposes of this Order;

“Archaeological Strategy” means the scheme associated with the CEMP identifying steps to mitigate predicted effects on archaeology, geo-archaeology, palaeo-environmental and historic landscape heritage assets during construction of the authorised development;

“authorised development” means the development described in Schedule 1 (authorised development), including any related development authorised by this Order, which is development within the meaning of section 32 of the 2008 Act;

“Biodiversity Mitigation Strategy” means the strategy associated with the CEMP incorporating measures to avoid, reduce, mitigate and compensate for likely adverse effects on ecological receptors arising from the construction of the authorised development;

“Book of Reference” means the Book of Reference certified under article 56 (certification of documents) by the Secretary of State as the Book of Reference for the purposes of this Order;

“building” includes any structure or erection or any part of a building, structure or erection;

“business day” means Monday to Friday excluding Bank Holidays and other public holidays;

“carriageway” has the same meaning as in the 1980 Act;

“CEMP” means the Construction Environmental Management Plan (Document 7.4) together with associated documents. Associated documents include the Archaeological Strategy

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- (a) 1961 c. 33.
 - (b) 1965 c. 56.
 - (c) 1980 c. 66.
 - (d) 1981 c. 66.
 - (e) 1984 c. 27.
 - (f) 1990 c. 8.
 - (g) 1991 c. 22.
 - (h) 2008 c. 29.
 - (i) 2009 c. 23.
 - (j) 2016 c.22.

(Document 7.8), the Biodiversity Mitigation Strategy (Document 7.7), the Schedule of Environmental Commitments (Document 7.4.2.1), the Construction Traffic Management Plan (Document 7.5), the Noise and Vibration Management Plan (Document 7.9), the Outline Materials Management Plan (Document 7.12), the Outline Soil Management Plan (Document 7.10), the Outline Waste Management Plan (Document 7.11), and the Public Rights of Way Management Plan (Document 7.6), certified under article 56 (certification of documents);

“commence” means beginning to carry out any material operation (as defined in section 155(2) (when development begins) of the 2008 Act) forming part of the authorised development other than operations consisting of engineering investigations and surveys, environmental (including archaeological) investigations, surveys and monitoring investigations for the purpose of assessing ground conditions, diversion and laying of services, habitat creation and species translocation, environmental mitigation measures, remediation, establishment of site offices and construction compounds and the laying of services, erection of any temporary means of enclosure and the temporary display of site notices or advertisements; and “commencement” and “commenced” are to be construed accordingly;

“compulsory acquisition notice” means a notice served in accordance with section 134 of the 2008 Act (notice of authorisation of compulsory acquisition);

“Construction Traffic Management Plan” means the plan associated with the CEMP incorporating strategies and measures to limit the impact on existing users of the public highway network arising from construction of the authorised development;

“design drawings” means the drawings and sections listed in Part 2 of Schedule 2 (plans) and certified under article 56;

“electric line” has the meaning set out in section 235(1) of the 2008 Act which includes but is not limited to new pylons, foundations and steelwork, conductors, insulators and fittings, fibre optic earthwire conductors and joint boxes;

“electronic transmission” means a communication transmitted—

- (a) by means of an electronic communications network; or
- (b) by other means but while in electronic form;

“Environmental Statement” means the environmental statement (Documents 5.0 to 5.30) together with any supplemental or additional environmental information, and any environmental statement submitted for the purposes of complying with and / or discharging the Requirements;

“highway” and “highway authority” have the same meaning as in the 1980 Act;

“Land Plans” mean the relevant plans listed in Part 3 of Schedule 2 (plans) and certified under article 56 (certification of documents), and references to a particular Land Plan is to be construed accordingly;

“limits of deviation” means the limits of deviation referred to in article 5 (limits of deviation) and shown on the Works Plans;

“main river” has the same meaning as in Part 4 of the Water Resources Act 1991(a);

“maintain” includes inspect, repair, adjust, alter, dismantle, remove, clear, refurbish, paint, surface treat, decommission, improve, reconstruct or replace any or all of the authorised development including through the use of robots, drones, gadgets or similar devices either remote controlled or autonomous, provided such works do not give rise to any materially new or materially different environmental effects to those identified in the Environmental Statement, and any derivative of “maintain” must be construed accordingly;

“National Grid” means National Grid Electricity Transmission plc (registered company number 2366977);

(a) 1991 c. 57.

“Noise and Vibration Management Plan” means the plan associated with the CEMP incorporating measures for the management of noise and vibration arising from the construction of the authorised development;

“operational use” occurs when part of the authorised development first transmits electricity at either 400kV or lower voltages;

“Order land” means the land shown on the Land Plans and described in the Book of Reference;

“Order limits” means the limits shown on the Works Plans within which the authorised development may be carried out;

“Outline Materials Management Plan” means the plan associated with the CEMP to manage the use of construction materials in order to minimise materials waste;

“Outline Soil Management Plan” means the plan associated with the CEMP for the management of soil;

“Outline Waste Management Plan” means the plan associated with the CEMP incorporating measures for the management of waste arising from the construction of the authorised development;

“owner”, in relation to land, has the same meaning as in section 7 of the Acquisition of Land Act 1981(a);

“Public Rights of Way Management Plan” means the plan associated with the CEMP detailing measures to manage the temporary closure of public footpaths arising from the construction of the authorised development;

“relevant highway authority” means, in any given provision of this Order, the local highway authority for the area to which the provision relates;

“relevant local authority” means, in any given provision of this Order, the local authority for the area to which the provision relates;

“relevant planning authority” means, in any given provision of this Order, the local planning authority for the area to which the provision relates;

“relevant street authority” means, in any given provision of this Order, the local highway authority for the area to which the provision relates;

“Requirements” means the Requirements listed in Schedule 3, and any reference to a numbered Requirement is to be construed accordingly;

“Schedule of Environmental Commitments” means the schedule included in the CEMP setting out commitments made by National Grid;

“the sections” means the sections included as part of the design drawings and listed in Part 2(a) of Schedule 2 (plans);

“Special Category Land and Crown Land Plans” means the plans listed in Part 5 of Schedule 2 (plans) and certified under article 56 (certification of documents) and references to a particular Special Category Land and Crown Plan are to be construed accordingly;

“SP Manweb” means SP Manweb Plc (registered company number 02366937);

“the SP Manweb Works” means those works to SP Manweb assets or equipment forming part of the authorised development;

“statutory undertaker” means any person falling within section 127(8) of the 2008 Act;

“street” means a street within the meaning of section 48 of the 1991 Act, together with land on the verge of a street or between two carriageways, and includes part of a street;

“street authority”, in relation to a street, has the same meaning as in Part 3 of the 1991 Act;

(a) 1981 c. 67. Section 7 was amended by section 70 of, and paragraph 9 of Schedule 15 to, the Planning and Compensation Act 1991 (c. 34). There are other amendments to the 1981 Act which are not relevant to this Order.

“temporary construction works” means Work No. 12 and any other temporary construction works;

“traffic” has the same meaning as in section 329(1) of the 1980 Act;

“traffic authority” has the same meaning as in the 1984 Act;

“Traffic Regulation Plans” mean the plans listed in Part 6 of Schedule 2 (plans) and certified under article 56 (certification of documents), and references to a particular Traffic Regulation Plan is to be construed accordingly;

“Trees and Hedgerows Potentially Affected Plans” means the plans listed in Part 7 of Schedule 2 (plans) and certified under article 56 (certification of documents), and references to a particular Trees and Hedgerows Potentially Affected Plan is to be construed accordingly;

“the Tribunal” means the Lands Chamber of the Upper Tribunal;

“Tunnel Head House Design Guide” means the framework of design principles for the tunnel head houses at Braint and Tŷ Fodol (Document 7.19);

“undertaker”—

(a) in relation to the authorised development, means National Grid; and

(b) in relation to the SP Manweb Works and subject to paragraph (4) of article 6 (benefit of Order), includes SP Manweb;

“watercourse” includes all rivers, streams, ditches, drains, canals, cuts, culverts, dykes, sluices, rhynes, sewers and passages through which water flows except a public sewer or drain; and

“Works Plans” means the plans listed in Part 8 of Schedule 2 (plans) and certified under article 56 (certification of documents), and references to a particular Works Plan are to be construed accordingly.

(2) References in this Order to rights over land include references to rights to do, or to place and maintain, anything in, on or under land or in the air-space above its surface and references in this Order to the imposition of restrictions in respect of land are references to restrictions over land which interfere with the interests or rights of another and are for the benefit of land which is acquired, or rights over which are acquired, under this Order.

(3) All distances, directions, levels and lengths referred to in this Order, are approximate. Distances between points on a work comprised in the authorised development are taken to be measured along that work. All distances for scheduled linear works referred to in this Order are measured along the centre line of the limits of deviation for that work. All pylon identification numbers set out in this Order are identified by reference to the centre line of such works, and are subject to the limits of deviation for that work, such that the tower numbering and location of towers may adjust in accordance with the limits of deviation identified in article 5 (limits of deviation). Internal diameters for tunnels and shafts are the approximate internal dimensions after construction. Unless otherwise specified in Schedule 1 (authorised development), depths in this Order or on the Works Plans are specified to invert level and are measured from the proposed final ground level.

(4) All areas described in square metres in the Book of Reference are approximate.

(5) References in this Order to points identified by letters or numbers are to be construed as references to points so lettered or numbered on the Access and Rights of Way Plans.

(6) References in this Order to numbered Works are references to the Works as numbered in Schedule 1 (authorised development).

(7) References in this Order to “Document” followed by a number or numbers are references to documents submitted by National Grid in support of the application for development consent that resulted in the making of this Order.

(8) References in this Order to any statute, order, regulation or similar instrument shall be construed as a reference to the statute, order, regulation or instrument as amended by any subsequent statute, order, regulation or instrument or as contained in any subsequent re-enactment.

PART 2

PRINCIPAL POWERS

Development consent etc. granted by the Order

- 3.**—(1) Subject to the provisions of this Order (including the Requirements)—
- (a) National Grid is granted development consent for the authorised development set out in Schedule 1 (authorised development); and
 - (b) Subject to paragraph (5) of article 6 (benefit of Order), SP Manweb is granted development consent for the SP Manweb Works.
- (2) National Grid may—
- (a) install the authorised development;
 - (b) keep installed the above-ground electric lines, underground cables and telemetry included in the authorised development; and
 - (c) remove or replace any electric line including pylons that may require removal as part of the authorised development.
- (3) SP Manweb may—
- (a) Subject to paragraphs (3) and (5) of article 6 (benefit of Order), install the SP Manweb Works;
 - (b) keep installed the above-ground electric lines, underground cables and telemetry included in the SP Manweb Works; and
 - (c) remove or replace any electric line including pylons or poles that may require removal in relation to the SP Manweb Works.
- (4) National Grid may operate and use the electric lines and any other elements of the authorised development (excluding the SP Manweb Works) as part of the high-voltage electricity transmission system in England and Wales.
- (5) SP Manweb may operate and use the electric line and any other elements of the SP Manweb Works as part of the electricity distribution network.
- (6) For the purposes of the authorised development, development consent granted by this Order is to include and permit the alteration, removal, clearance, refurbishment, reconstruction, decommissioning and demolition of any buildings or other structures within the Order limits to the extent that they relate to, are required by or are incidental to the carrying out of the authorised development.
- (7) The authorised development must be constructed and installed in the lines and situations shown on the Works Plans listed in Schedule 2 and in general accordance with the levels shown on the sections, subject to article 5 (limits of deviation) and to the Requirements.
- (8) Schedule 3 (Requirements) has effect.

Maintenance of authorised development

- 4.**—(1) National Grid may at any time maintain the authorised development (excluding the SP Manweb Works), except to the extent that this Order or an agreement made under this Order provides otherwise.
- (2) SP Manweb may at any time maintain the SP Manweb Works, except to the extent that this Order or an agreement made under this Order provides otherwise.

Limits of deviation

- 5.**—(1) Subject to paragraph (2), in respect of the overhead electric line and main tunnel works forming part of Work No. 2-7, 8(g), 9 and 10 of the authorised development for which it is granted

development consent by paragraph (1) of article 3 (development consent etc. granted by the Order) the undertaker may—

- (a) deviate from the lines or situations of the authorised development shown on the Works Plans within the limits of deviation relating to a Work shown on those plans and carry out construction activities for the purpose of the authorised development anywhere within the Order limits; and
- (b) in respect of the pylons deviate vertically from the levels of the authorised development shown on the sections—
 - (i) to any extent upwards not exceeding 6 metres;
 - (ii) to such extent downwards as the undertaker considers necessary or convenient;
- (c) in respect of the overhead conductors and fibre-optic earth wires deviate vertically from the levels of the authorised development shown on the sections to such extent as the undertaker considers necessary or convenient;
- (d) in respect of the underground cable tunnel, deviate vertically within the bedrock—
 - (i) upwards such that the minimum distance that will be kept between the top of the tunnel and the top of the bedrock is 10m; and
 - (ii) downwards to such extent as the undertaker considers necessary or convenient.

(2) Without prejudice to article 3(7) the removal, clearance, decommissioning and demolition of any existing electric line may take place within the Order limits.

(3) In respect of other above ground structures, erections and apparatus, including substations, head houses and cable sealing end compounds forming part of the authorised development:

- (a) the undertaker may deviate to any extent upwards not exceeding the maximum height shown on the relevant parameter plans within the design drawings; and
- (b) the authorised development is to be carried out within any parameters shown on the parameter plans within the design drawings.

Benefit of Order

6.—(1) Subject to article 7 (consent to transfer benefit of Order), the provisions of this Order have effect for the benefit of—

- (a) National Grid in respect of the authorised development; and
- (b) Subject to paragraph (5), SP Manweb in respect of the SP Manweb Works.

(2) Paragraph (1) does not apply to the benefit of the consent granted by this Order for works carried out by the undertaker for the benefit or protection of land or persons (including statutory undertakers) affected by the authorised development.

(3) SP Manweb may not carry out the SP Manweb Works under sub-paragraph (3)(a) of article 3 (development consent etc. granted by the Order) except in accordance with the written consent of National Grid, which may be granted subject to reasonable conditions.

(4) If SP Manweb fails to carry out any of the SP Manweb Works in accordance with National Grid's consent, National Grid may give SP Manweb and the Secretary of State notice that National Grid intends to carry out those SP Manweb Works under sub-paragraph (3)(a) of article 3 (development consent etc. granted by the Order) from a date specified in the notice.

(5) On the date specified in any notice under paragraph (4) of this article—

- (a) SP Manweb is to cease to have the benefit of sub-paragraph (1)(b) of article 3 (development consent etc. granted by the Order) and paragraph (1)(b) of this article;
- (b) SP Manweb is to cease to be an undertaker for the installation of the SP Manweb Works but remains an undertaker for the purposes of keeping installed and maintaining the electric lines included in the SP Manweb Works; and
- (c) references to SP Manweb in article 28 (temporary use of land for maintaining the authorised development) are to be read as including National Grid.

Consent to transfer benefit of Order

7.—(1) National Grid in relation to the authorised development (not including the SP Manweb Works), and SP Manweb in relation to the SP Manweb Works, may, with the consent of the Secretary of State—

- (a) transfer to another person (“the transferee”) any or all of the benefit of the provisions of this Order and such related statutory rights as may be agreed between National Grid or SP Manweb and the transferee;
- (b) grant to another person (“the lessee”) for a period agreed between National Grid or SP Manweb and the lessee any or all of the benefit of the provisions of this Order and such related statutory rights as may be so agreed.

(2) Where a transfer or grant has been made in accordance with paragraph (1) references in this Order to National Grid or SP Manweb (as the case may be), except in paragraphs (3) and (4), are to include references to the transferee or the lessee.

(3) The exercise by a person of any benefits or rights transferred or granted in accordance with any transfer or grant under paragraph (1) is subject to the same restrictions, liabilities and obligations as would apply under this Order if those benefits or rights were exercised by National Grid or SP Manweb.

(4) Any rights or benefits in relation to the SP Manweb Works that are transferred or granted by SP Manweb under paragraph (1) are subject to paragraphs (3) to (5) of article 6 (benefit of Order) as if they had remained exercisable by SP Manweb.

Application of the 1990 Act

8.—(1) In respect of the temporary construction works, section 57(2) of the 1990 Act (planning permission required for development) applies as if the development consent granted by this Order were planning permission granted for a limited period.

(2) Development consent granted by this Order shall be treated as specific planning permission for the purposes of section 264(3)(a) of the 1990 Act (cases in which land is to be treated as not being operational land for the purposes of that Act).

(3) In the exercise of the power under paragraphs (1) and (2) of article 11(2) (street works) the undertaker shall be deemed to be the highway authority for the purposes of section 55(2)(b) of the 1990 Act.

Application of the Community Infrastructure Levy Regulations 2010

9.—(1) The Community Infrastructure Levy Regulations 2010(a) apply to the authorised development as if regulation 5(2) of those Regulations (meaning of “planning permission”) referred to development consent which is deemed to be granted for a limited period by an order made under section 114(1)(a) of the 2008 Act (grant or refusal of development consent) rather than to planning permission which is granted for a limited period.

(2) Development consent is deemed to be granted for a limited period for the temporary construction works and any other temporary buildings or works authorised by this Order.

Planning Permission

10. If planning permission is issued pursuant to the 1990 Act for development any part of which is within the Order limits following publication of this Order that is—

- (a) not itself a nationally significant infrastructure project under the 2008 Act or part of such a project; and

(a) S.I. 2010/948.

- (b) required to complete or enable the construction, use or operation of any part of the development authorised by this Order,

then the carrying out, use or operation of such development pursuant to the terms of the planning permission is not to constitute a breach of the terms of this Order.

PART 3 STREETS

Street works

11.—(1) The undertaker may, for the purposes of the authorised development, or for purposes ancillary to it, enter upon so much of any of the streets specified in column (2) of Schedule 5 (streets subject to street works) as is within the Order limits and may—

- (a) break up or open the street, or any sewer, drain or tunnel within or under it;
- (b) tunnel or bore under the street, or carry out any works to strengthen or repair the carriageway;
- (c) remove or use all earth and materials in or under the street;
- (d) place and keep apparatus in the street (including signage);
- (e) maintain, renew or alter apparatus in or on the street or change its position;
- (f) execute any works to provide or improve sight lines required by the highway authority;
- (g) execute and maintain any works to provide hard and soft landscaping;
- (h) carry out re-lining and placement of new temporary markings; and
- (i) execute any works required for or incidental to any works referred to in subparagraphs (a) to (h).

(2) Without limiting the scope of the powers conferred by paragraph (1) but subject to the consent of the street authority, which consent shall not be unreasonably withheld or delayed, the undertaker may, for the purposes of the authorised development, or for purposes ancillary to it, enter on so much of any other street whether or not within the Order limits, for the purposes set out at paragraph (1)(a) to (i) and paragraph (3) of article 8 (application of the 1990 Act) shall apply.

(3) The authority given by paragraph (1) or (2) is a statutory right for the purposes of sections 48(3) (streets, street works and undertakers) and 51(1) (prohibition of unauthorised street works) of the 1991 Act.

(4) The powers conferred in paragraphs (1) and (2) are without limitation of the powers of the undertaker under the Electricity Act 1989(a).

(5) In this article “apparatus” has the meaning given in Part 3 of the 1991 Act.

Application of the 1991 Act

12.—(1) Works carried out under this Order in relation to a highway which consists of or includes a carriageway must be treated for the purposes of Part 3 of the 1991 Act (street works in England and Wales) as major highway works if—

- (a) they are of a description mentioned in any of paragraphs (a), (c) to (e), (g) and (h) of section 86(3) of the 1991 Act (which defines what highway authority works are major highway works); or

(a) 1989 c. 29.

- (b) they are works which, had they been executed by the relevant highway authority, might have been carried out in exercise of the powers conferred by section 64 of the 1980 Act (dual carriageways and roundabouts).

(2) The provisions of the 1991 Act mentioned in paragraph (3) (which, together with other provisions of that Act, apply in relation to the carrying out of street works) and any regulations made, or code of practice issued or approved, under those provisions apply (with necessary modifications) in relation to any stopping up, alteration or diversion of a street of a temporary nature by the undertaker under the powers conferred by article 14 (temporary stopping up of streets and public rights of way) whether or not the stopping up, alteration or diversion constitutes street works within the meaning of that Act.

(3) The provisions of the 1991 Act referred to in paragraph (2) are—

- (a) section 54 (advance notice of certain works), subject to paragraph (4);
- (b) section 55 (notice of starting date of works), subject to paragraph (4);
- (c) section 57 (notice of emergency works);
- (d) section 59 (general duty of street authority to co-ordinate works);
- (e) section 60 (general duty of undertakers to co-operate);
- (f) section 68 (facilities to be afforded to street authority);
- (g) section 69 (works likely to affect other apparatus in the street);
- (h) section 71 (materials, workmanship and standard of reinstatement);
- (i) section 76 (liability for cost of temporary traffic regulation);
- (j) section 77 (liability for cost of use of alternative route); and
- (k) all such other provisions as apply for the purposes of the provisions mentioned in subparagraphs (a) to (j).

(4) Sections 54 and 55 of the 1991 Act as applied by paragraph (2) have effect as if references in section 57 of that Act to emergency works were references to a stopping up, alteration or diversion (as the case may be) required in a case of emergency.

Power to alter layout, etc. of streets

13.—(1) The undertaker may for the purposes of carrying out the authorised development, permanently or temporarily alter the layout of, or carry out any works in, a street specified in column (1) of Part 1 or 2 of Schedule 6 (streets subject to alteration of layout) in the manner specified in relation to that street in column (2).

(2) Without limitation on the specific powers conferred by paragraph (1), but subject to paragraph (4), the undertaker may, for the purposes of constructing and maintaining the authorised development, permanently or temporarily alter the layout of any street (and carry out works ancillary to such alterations) whether or not within the Order limits and the layout of any street having a junction with such a street and, without limiting the scope of this paragraph, the undertaker may—

- (a) increase the width of the carriageway of the street by reducing the width of any kerb, footpath, footway, cycle track, central reservation or verge within the street;
- (b) alter the level or increase the width of any such kerb, footpath, footway, cycle track, central reservation or verge;
- (c) reduce the width of the carriageway of the street;
- (d) execute any works to widen or alter the alignment of pavements;
- (e) make and maintain crossovers and passing places;
- (f) execute any works of surfacing or resurfacing of the highway;
- (g) carry out works for the provision or alteration of parking places, loading bays and cycle tracks;

- (h) execute any works necessary to alter or provide facilities for the management and protection of pedestrians; and
- (i) execute any works to provide or improve sight lines required by the highway authority.

(3) The undertaker must restore to the reasonable satisfaction of the street authority any street that has been temporarily altered under this article.

(4) The powers conferred by paragraph (2) may not be exercised without the consent of the street authority (such consent not to be unreasonably withheld or delayed).

(5) If a street authority which receives an application for consent under paragraph (4) fails to notify the undertaker of its decision before the end of the period of 28 days beginning with the date on which the application was made, it is deemed to have granted consent.

Temporary stopping up of streets and public rights of way

14.—(1) During and for the purposes of carrying out the authorised development, the undertaker may temporarily stop up, alter or divert any street or public right of way shown on the Access and Rights of Way Plans or within the Order limits and may for any reasonable time—

- (a) divert the traffic from the street or public right of way; and
- (b) subject to paragraph (3), prevent all persons from passing along the street or public right of way.

(2) Without limitation on the scope of paragraph (1), the undertaker may use as a temporary working site any street or public right of way which has been temporarily stopped up, altered or diverted under the powers conferred by this article.

(3) The undertaker must provide reasonable access for pedestrians going to or from premises abutting a street or public right of way affected by the temporary stopping up, alteration or diversion under this article if there would otherwise be no reasonable access.

(4) Without limitation on the scope of paragraph (1), the undertaker may temporarily stop up, alter or divert the streets or public rights of way specified in columns (1) and (2) of Parts 1 and 2 of Schedule 7 (streets or public rights of way to be temporarily stopped up) to the extent specified, by reference to the letters and numbers shown on the Access and Rights of Way Plans, in column (3) of that Schedule, and, if it does so in respect of a street or public right of way specified in Part 1 of Schedule 7, must provide the temporary diversion as specified in column (4) of that Part.

(5) The undertaker must not temporarily stop up, alter or divert—

- (a) any street or public right of way specified as mentioned in paragraph (4) without first consulting the street authority; or
- (b) any other street or public right of way without the consent of the street authority (such consent not to be unreasonably withheld or delayed) which may attach reasonable conditions to any consent.

(6) Any person who suffers loss by the suspension of any private right of way under this article is entitled to compensation to be determined, in case of dispute, under Part 1 of the 1961 Act.

(7) If a street authority which receives an application for consent under paragraph (5)(b) fails to notify the undertaker of its decision before the end of the period of 28 days beginning with the date on which the application was made, it is deemed to have granted consent.

Access to works

15.—(1) The undertaker may, for the purposes of the authorised development—

- (a) form and lay out means of access, or improve existing means of access, in the location specified in column (2) of Schedule 8 (access to works) for the purposes specified in column (3) of Schedule 8; and
- (b) with the consent of the relevant planning authority (such consent not to be unreasonably withheld or delayed) after consultation with the relevant highway authority, form and lay out such other means of access or improve existing means of access, at such locations

within the Order limits as the undertaker reasonably requires for the purposes of the authorised development.

(2) If a relevant planning authority which receives an application for consent under paragraph (1)(b) fails to notify the undertaker of its decision before the end of the period of 28 days beginning with the date on which the application was made, it is deemed to have granted consent.

Construction, alteration and maintenance of streets

16.—(1) Any street (other than any private streets) to be constructed under this Order shall be completed to the reasonable satisfaction of the street authority and shall, unless otherwise agreed with the street authority, be maintained by and at the expense of the undertaker for a period of 12 months from its completion and at the expiry of that period by and at the expense of the street authority.

(2) Where a street is altered under this Order, the altered part of the street shall be completed to the reasonable satisfaction of the street authority and shall, unless otherwise agreed with the street authority, be maintained by and at the expense of the undertaker for a period of 12 months from its completion and at the expiry of that period by and at the expense of the street authority.

(3) Where new land not previously part of the public highway is to form part of the public highway further to the provisions of this Order it shall, unless otherwise agreed with the street authority, be deemed as dedicated as part of the public highway on the expiry of the period of 12 months from its completion.

(4) In any action against the undertaker in respect of loss or damage resulting from any failure by it to maintain a street under this article, it shall be a defence (without prejudice to any other defence or the application of the law relating to contributory negligence) to prove that the undertaker had taken such care as in all the circumstances was reasonably required to secure that the part of the street to which the action relates was not dangerous to traffic.

(5) For the purposes of a defence under paragraph (4), the court shall in particular have regard to the following matters—

- (a) the character of the street and the traffic which was reasonably to be expected to use it;
- (b) the standard of maintenance appropriate for a street of that character and used by such traffic;
- (c) the state of repair in which a reasonable person would have expected to find the street;
- (d) whether the undertaker knew, or could reasonably have been expected to know, that the condition of the part of the street to which the action relates was likely to cause danger to users of the street; and
- (e) where the undertaker could not reasonably have been expected to repair that part of the street before the cause of action arose, what warning notices of its condition had been displayed,

but for the purposes of such a defence it is not relevant to prove that the undertaker had arranged for a competent person to carry out or supervise the maintenance of the part of the street to which the action relates unless it is also proved that the undertaker had given the competent person proper instructions with regard to the maintenance of the street and that the competent person had carried out those instructions.

(6) In determining who is the street authority in relation to a street for the purposes of Part III of the 1991 Act, any obligation of the undertaker to maintain the street under paragraph (1) or (2) shall be disregarded.

Agreements with street authorities

17.—(1) A street authority and the undertaker may enter into agreements with respect to—

- (a) the construction of any new street including any structure carrying the street over or under an electric line authorised by this Order;

- (b) the maintenance of the structure of any bridge or tunnel carrying a street over or under an electric line authorised by this Order;
 - (c) any stopping up, alteration or diversion of a street authorised by this Order;
 - (d) the carrying out in the street of any of the works referred to in article 11 (street works);
 - (e) such other matters as the parties may agree.
- (2) Such an agreement may, without limitation on the scope of paragraph (1)—
- (a) make provision for the street authority to carry out any function under this Order which relates to the street in question;
 - (b) include an agreement between the undertaker and the street authority specifying a reasonable time for the completion of the works;
 - (c) provide for the dedication of any new street as public highway;
 - (d) contain such terms as to payment as the parties consider appropriate; and
 - (e) contain such other terms as the parties may agree.

PART 4

SUPPLEMENTAL POWERS

Discharge of water

18.—(1) The undertaker may use any watercourse or any public sewer or drain for the drainage of water in connection with the carrying out or maintenance of the authorised development, and for that purpose may lay down, take up and alter pipes and may, on any land within the Order limits, make openings into, and connections with, the watercourse, public sewer or drain.

(2) Any dispute arising from the making of connections to or the use of a public sewer or drain by the undertaker pursuant to paragraph (1) must be determined as if it were a dispute under section 106 of the Water Industry Act 1991(a) (right to communicate with public sewers).

(3) The undertaker must not discharge any water into any watercourse, public sewer or drain except with the consent of the person to whom it belongs; and such consent may be given subject to such terms and conditions as that person may reasonably impose, but must not be unreasonably withheld or delayed.

(4) The undertaker must not make any opening into any public sewer or drain except—

- (a) in accordance with plans approved by the person to whom the sewer or drain belongs, but such approval must not be unreasonably withheld or delayed; and
- (b) where that person has been given the opportunity to supervise the making of the opening.

(5) The undertaker must not, in carrying out or maintaining works pursuant to this article, damage or interfere with the bed or banks of any watercourse forming part of a main river.

(6) The undertaker must take such steps as are reasonably practicable to secure that any water discharged into a watercourse or public sewer or drain under the powers conferred by this article is as free as may be practicable from gravel, soil or other solid substance, oil or matter in suspension; but nothing in this Order requires the undertaker to maintain a watercourse or public sewer or drain or the drainage works.

(7) Nothing in this article overrides the requirement for an environmental permit under regulation 12(1)(b) of the Environmental Permitting (England and Wales) Regulations 2016(b).

(a) 1991 c. 56. Section 106 was amended by the Water Act 2003 (c. 37), sections 36(2) and 99 subject to the transitional provisions contained in article 6 of, and Schedule 3 to, S.I. 2004/641. There are other amendments to section 106 which are not relevant to this Order.

(b) S.I. 2016/1154.

(8) This article does not permit any activity listed in paragraph 3(1) of Schedule 21 to the Environmental Permitting (England and Wales) Regulations 2016.

(9) If a person who receives an application for consent under paragraph (3) or approval under paragraph (4)(a) fails to notify the undertaker of a decision within 28 days of receiving an application, that person is deemed to have granted consent or given approval, as the case may be.

(10) In this article—

- (a) “public sewer or drain” means a sewer or drain which belongs to Natural Resources Wales, the Welsh Government, a harbour authority within the meaning of section 57 of the Harbours Act 1964(a), an internal drainage board, a joint planning board, a local authority, a National Park Authority, a sewerage undertaker or an urban development corporation;
- (b) “main river” has the same meaning as in the Water Resources Act 1991(b); and
- (c) other expressions, excluding watercourse, used both in this article and in the Environmental Permitting (England and Wales) Regulations 2016 have the same meaning as in those Regulations.

Protective works

19.—(1) Subject to the following provisions of this article, the undertaker may at its own expense carry out such protective works to any land, building, structure, apparatus or equipment, lying within the Order limits or which may be affected by the authorised development, as the undertaker considers necessary or expedient.

(2) Protective works may be carried out—

- (a) at any time before or during the carrying out in the vicinity of the land, building, structure, apparatus or equipment, of any part of the authorised development or works ancillary to it; or
- (b) after the completion of any part of the authorised development in the vicinity of the land, building, structure, apparatus or equipment, at any time up to the end of the period of 5 years beginning with the day on which that part of the authorised development is first brought into operational use.

(3) For the purpose of determining how the functions under this article are to be exercised, the undertaker may enter and/or survey—

- (a) any land, building, structure, apparatus or equipment, falling within paragraph (1) and any land within its curtilage; and
- (b) where reasonably necessary, any land which is adjacent to the land, building, structure, apparatus or equipment, whether or not within Order limits.

(4) For the purpose of carrying out protective works under this article to any land, building, structure, apparatus or equipment, the undertaker may (subject to paragraphs (5) and (6))—

- (a) enter the land, building or structure and any land within its curtilage; and
- (b) where the works cannot be carried out reasonably conveniently without entering land which is adjacent to the land, building or structure but outside its curtilage, enter the adjacent land (but not any building erected on it).

(5) Before exercising—

- (a) a right under paragraph (1) to carry out protective works to any land, building, structure, apparatus or equipment;
- (b) a right under paragraph (3) to enter and/or survey any land, building, structure, apparatus or equipment, and land within its curtilage or any adjacent land;

(a) 1964 c. 40. Paragraph 9B was inserted into Schedule 2 by the Transport and Works Act 1992 (c. 42), section 63(1) and Schedule 3, paragraph 9(1) and (2).

(b) 1991 c. 57.

- (c) a right under paragraph (4)(a) to enter the land, building or structure and land within its curtilage; or
- (d) a right under paragraph (4)(b) to enter land,

the undertaker must, except in the case of emergency, serve on the owners and occupiers of the building or land not less than 14 days' notice of its intention to exercise that right and, in a case falling within sub-paragraph (a) or (c), specify the protective works proposed to be carried out.

(6) Where a notice is served under paragraph (5)(a), (c) or (d), the owner or occupier of the land, building, structure, apparatus or equipment concerned may, by serving a counter-notice within the period of 10 days beginning with the day on which the notice was served, require the question whether it is necessary or expedient to carry out the protective works or to enter the building or land to be referred to arbitration under article 58 (arbitration).

(7) The undertaker must compensate the owners and occupiers of any land, building, structure, apparatus or equipment, in relation to which rights under this article have been exercised for any loss or damage arising to them by reason of the exercise of those rights.

(8) Where—

- (a) protective works are carried out under this article to any land, building, structure, apparatus or equipment; and
- (b) within the period of 5 years beginning with the day on which the part of the authorised development carried out in the vicinity of the land, building, structure, apparatus or equipment is first brought into operational use it appears that the protective works are inadequate to protect the land, building, structure, apparatus or equipment against damage caused by the carrying out or use of that part of the authorised development,

the undertaker must compensate the owners and occupiers of the land, building, structure, apparatus or equipment for any loss or damage sustained by them.

(9) Nothing in this article relieves the undertaker from any liability to pay compensation under section 10(2) of the 1965 Act (compensation for injurious affection).

(10) Any compensation payable under paragraph (7) or (8) must be determined, in case of dispute, under Part 1 of the 1961 Act (determination of questions of disputed compensation).

(11) In this article “protective works” in relation to any land, building, structure, apparatus, equipment or the authorised development means—

- (a) underpinning, strengthening, ground strengthening, earthing and any other works the purpose of which is to prevent damage which may be caused to the land, building, structure, apparatus, equipment or the authorised development by the carrying out, maintenance or use of the authorised development; and
- (b) any works the purpose of which is to remedy any damage which has been caused to the land, building, structure, apparatus or equipment by the carrying out, maintenance or use of the authorised development.

Authority to survey and investigate the land

20.—(1) The undertaker may for the purposes of this Order enter on any land either shown within the Order limits or land which may be affected by the authorised development and—

- (a) survey, monitor or investigate the land;
- (b) without prejudice to the generality of sub-paragraph (a), survey, monitor or investigate the land and any buildings on that land for the purpose of investigating the potential effects of the authorised development on that land or buildings on that land or for enabling the construction, use and maintenance of the authorised development;
- (c) without limitation on the scope of sub-paragraph (a), make trial holes, boreholes, excavations or take horizontal cores in such positions on the land as the undertaker thinks fit on the land to investigate the nature of the surface layer or subsoil and other materials below ground level and/or remove soil, rock and/or other material samples;

- (d) without limitation on the scope of sub-paragraph (a), carry out ecological or archaeological investigations and monitoring on the land; and
- (e) place on, leave on and remove from the land apparatus (including but not limited to welfare facilities and apparatus attached to buoys) for use in connection with the survey, monitoring or investigation of land, making of trial holes, boreholes, excavations, cores, and/or the carrying out of ecological or archaeological investigations or monitoring.

(2) The power conferred by paragraph (1) includes without prejudice to the generality of that paragraph the power to take, and process, samples of or from any of the following found on, in or over the land—

- (a) water;
- (b) air;
- (c) soil or rock;
- (d) flora;
- (e) bodily excretions, or dead bodies, of non-human creatures; or
- (f) any non-living thing present as a result of human action.

(3) No land may be entered or equipment placed or left on or removed from the land under paragraph (1), unless at least 14 days' notice has been served on every owner and occupier of the land.

(4) Any person entering land under this article on behalf of the undertaker—

- (a) must, if so required, before or after entering the land, produce written evidence of their authority to do so;
- (b) must, before entering the land, provide in the notice details of the purpose specified in paragraph (1) to survey and investigate the land; and
- (c) may take onto the land such vehicles and equipment as are necessary to carry out the survey, monitoring or investigation or to make the trial holes.

(5) No trial holes, boreholes, excavations or horizontal cores may be made under this article—

- (a) on land located within the highway boundary without the consent of the relevant highway authority; or
- (b) in a private street without the consent of the street authority,

but such consent must not be unreasonably withheld or delayed.

(6) The undertaker must compensate the owners and occupiers of the land for any loss or damage arising by reason of the exercise of the powers conferred by this article, such compensation to be determined, in case of dispute, under Part 1 of the 1961 Act (determination of questions of disputed compensation).

(7) If a highway authority or street authority which receives an application for consent fails to notify the undertaker of its decision within 28 days of receiving the application for consent—

- (a) under paragraph (5)(a) in the case of a highway authority; or
- (b) under paragraph (5)(b) in the case of a street authority,

that authority is deemed to have granted consent.

(8) Section 13 of the 1965 Act (refusal to give possession to acquiring authority) applies to the temporary use of land pursuant to this article to the same extent as it applies to the compulsory acquisition of land under this Order by virtue of section 125 of the 2008 Act (application of compulsory acquisition provisions).

Removal of human remains

21.—(1) In this article “the specified land” means any land within the Order limits.

(2) Before the undertaker carries out any development or works which will or may disturb any human remains in the specified land it shall remove those human remains from the specified land, or cause them to be removed, in accordance with the following provisions of this article.

(3) Before any such remains are removed from the specified land the undertaker shall give notice of the intended removal, describing the specified land and stating the general effect of the following provisions of this article, by—

- (a) publishing a notice once in each of two successive weeks in a newspaper circulating in the area of the authorised development; and
- (b) displaying a notice in a conspicuous place on or near to the specified land.

(4) As soon as reasonably practicable after the first publication of a notice under paragraph (3) the undertaker shall send a copy of the notice to the relevant planning authority.

(5) At any time within 56 days after the first publication of a notice under paragraph (3) any person who is a personal representative or relative of any deceased person whose remains are interred in the specified land may give notice in writing to the undertaker of that person's intention to undertake the removal of the remains.

(6) Where a person has given notice under paragraph (5), and the remains in question can be identified, that person may cause such remains to be—

- (a) removed and re-interred in any burial ground or cemetery in which burials may legally take place; or
- (b) removed to, and cremated in, any crematorium,

and that person shall, as soon as reasonably practicable after such re-interment or cremation, provide to the undertaker a certificate for the purpose of enabling compliance with paragraph (11).

(7) If the undertaker is not satisfied that any person giving notice under paragraph (5) is the personal representative or relative as that person claims to be, or that the remains in question can be identified, the question shall be determined on the application of either party in a summary manner by the county court, and the court may make an order specifying who shall remove the remains and as to the payment of the costs of the application.

(8) Subject to paragraph (7), the undertaker shall pay the reasonable expenses both of responding to notices under this article and of removing and re-interring or cremating the remains of any deceased person under this article.

(9) If—

- (a) within the period of 56 days referred to in paragraph (5) no notice under that paragraph has been given to the undertaker in respect of any remains in the specified land; or
- (b) such notice is given and no application is made under paragraph (7) within 56 days after the giving of the notice but the person who gave the notice fails to remove the remains within a further period of 56 days; or
- (c) within 56 days after any order is made by the county court under paragraph (7) any person, other than the undertaker, specified in the order fails to remove the remains; or
- (d) it is determined that the remains to which any such notice relates cannot be identified,

subject to paragraph (10) the undertaker shall remove the remains and cause them to be re-interred in such burial ground or cemetery in which burials may legally take place as the undertaker thinks suitable for the purpose; and, so far as possible, remains from individual graves shall be re-interred in individual containers which shall be identifiable by a record prepared with reference to the original position of burial of the remains that they contain.

(10) If the undertaker is satisfied that any person giving notice under paragraph (5) is the personal representative or relative as that person claims to be and that the remains in question can be identified, but that person does not remove the remains, the undertaker shall comply with any reasonable request that person may make in relation to the removal and re-interment or cremation of the remains.

(11) On the re-interment or cremation of any remains under this article—

- (a) a certificate of re-interment or cremation shall be sent by the undertaker to the Registrar General giving the date of re-interment or cremation and identifying the place from which the remains were removed and the place in which they were re-interred or cremated; and
- (b) a copy of the certificate of re-interment or cremation and the record mentioned in paragraph (9) shall be sent by the undertaker to the relevant planning authority mentioned in paragraph (4).

(12) The removal of the remains of any deceased person under this article shall be carried out in accordance with any directions which may be given by the Secretary of State.

(13) Any jurisdiction or function conferred on the county court by this article may be exercised by a district judge of the court.

(14) Section 25 of the Burial Act 1857^(a) (bodies not to be removed from burial grounds, save under faculty, without licence of Secretary of State) shall not apply to a removal carried out in accordance with this article.

(15) The Town and Country Planning (Churches, Places of Religious Worship and Burial Ground) Regulations 1950^(b) shall not apply to the authorised development.

(16) Sections 238 and 239 of the 1990 Act (use and development of consecrated land and burial grounds) apply—

- (a) in relation to land, other than a right over land, acquired for the purposes of the authorised development (whether or not by agreement), so as to permit use by the undertaker in accordance with the provisions of this Order; and
- (b) in relation to a right over land so acquired (whether or not by agreement), or the temporary use of land pursuant to articles 26 (temporary use of land by National Grid), 27 (temporary use of land by SP Manweb) and 28 (temporary use of land for maintaining the authorised development), so as to permit the exercise of that right or the temporary use by the undertaker in accordance with the provisions of this Order, without prejudice to the status of the land over which the right is exercised as consecrated land,

and in section 238(1)(b) of the 1990 Act reference to a “planning permission” includes this Order, in section 240(1) of the 1990 Act reference to “regulations made for the purposes of sections 238(3) and (4) and 239(2)” means, so far as applicable to land or a right over land acquired under this Order, paragraphs (2) to (13) of this article and in section 240(3) of the 1990 Act reference to a “statutory undertaker” includes the undertaker and reference to “any other enactment” includes this Order.

PART 5

ACQUISITION AND POSSESSION OF LAND

Powers of acquisition

Compulsory acquisition of land

22. National Grid (but not SP Manweb) may acquire compulsorily so much of the Order land described in the Book of Reference as is required for the construction, operation and maintenance of the authorised development (not including the SP Manweb Works) or is incidental to it or required to facilitate it.

(a) 1857 c.81
(b) S.I. 1950/792

Compulsory acquisition of rights

23.—(1) Subject to the provisions of this article, the undertaker may acquire compulsorily the rights, and impose the restrictions, over the Order land, described in the Book of Reference, by creating them as well as by acquiring rights and the benefits of restrictions already in existence.

(2) This article is subject to article 22 (compulsory acquisition of land), article 26 (temporary use of land by National Grid) and article 27 (temporary use of land by SP Manweb).

(3) Subject to section 8 of the 1965 Act (other provisions as to divided land) as substituted by Schedule 9 to this Order (modification of compensation and compulsory purchase enactments for creation of new rights), where the undertaker acquires a right over land or imposes a restriction under paragraph (1), the undertaker is not required to acquire a greater interest in that land.

(4) Schedule 9 to this Order has effect for the purpose of modifying the enactments relating to compensation and the provisions of the 1965 Act in their application in relation to the compulsory acquisition under this article of a right over land by the creation of a new right or the imposition of a restriction.

(5) In any case where the acquisition of rights or the imposition of a restriction under paragraph (1) is required for the purpose of diverting, replacing or protecting apparatus of a statutory undertaker, the undertaker may, with the consent of the Secretary of State, transfer the power to acquire such rights or impose such restrictions to the relevant statutory undertaker.

(6) The exercise by a statutory undertaker of any power in accordance with a transfer under paragraph (5) is subject to the same restrictions, liabilities and obligations as would apply under this Order if that power were exercised by the undertaker.

(7) Nothing in this article authorises the acquisition of rights over, or the imposition of restrictions affecting, an interest which is for the time being held by or on behalf of the Crown.

Acquisition of subsoil or air-space only

24.—(1) The undertaker may compulsorily acquire so much of, or such rights in, the subsoil of, or the air-space of, the land referred to in article 22 (compulsory acquisition of land) and article 23 (compulsory acquisition of rights) as may be required for any purpose for which that land may be acquired or for which rights over or under the land may be acquired under those provisions instead of acquiring the whole of the land.

(2) Where the undertaker acquires any part of, or rights in, the subsoil of or the air-space over land under paragraph (1), the undertaker is not required to acquire an interest in any other part of the land.

(3) Paragraph (2) does not prevent article 34 (acquisition of part of certain properties) from applying where the undertaker acquires a cellar, vault, arch or other construction forming part of a house, building or manufactory.

Acquisition of land limited to subsoil lying more than 9 metres beneath surface

25.—(1) This article applies to the land specified in Schedule 10 (land of which only subsoil more than 9 metres beneath surface may be acquired).

(2) In the case of land to which this article applies, the undertaker may only (subject to the acquisition of rights etc. pursuant to article 23 (compulsory acquisition of rights)) acquire compulsorily under article 22 (compulsory acquisition of land) so much of, or such rights in, the subsoil of the land as may be required for the purposes of the authorised development or as is incidental to it or required to facilitate it.

(3) Where the undertaker acquires any part of, or rights in, the subsoil of land to which this article applies, the undertaker shall not be required to acquire a greater interest in the land or an interest in any other part of it.

(4) References in this article to the subsoil of land are references to the subsoil and any other rock or other matter lying more than 9 metres beneath the level of the surface of the land; and for this purpose “level of the surface of the land” means—

- (a) in the case of any land on which a building is erected, the level of the surface of the ground adjoining the building;
- (b) in the case of a watercourse or other water area, the level of the surface of the ground nearest to it which is at all times above water level; or
- (c) in any other case, ground surface level.

Temporary possession of land

Temporary use of land by National Grid

26.—(1) National Grid may, in connection with the carrying out of the authorised development—

- (a) enter on and take temporary possession of—
 - (i) so much of the land specified in column (1) of Schedule 11 (land of which temporary possession may be taken) to exercise the powers described in the Book of Reference for the purpose specified in relation to that land in column (2) of that Schedule relating to the part of the authorised development specified in column (3) of that Schedule; and
 - (ii) any other Order land in respect of which no notice of entry has been served under section 11 of the 1965 Act (other than in connection with the acquisition of rights only) and no declaration has been made under section 4 of the 1981 Act;
- (b) remove any electric line, electrical plant, buildings, structures, pylons, apparatus, equipment, vegetation or any other thing from that land;
- (c) construct temporary works (including the provision of means of access) and buildings on that land; and
- (d) construct any works specified in relation to that land in column (2) of Schedule 11 or any other mitigation works.

(2) Not less than 14 days before entering on and taking temporary possession of land under this article, National Grid must serve notice of the intended entry on the owners and occupiers of the land.

(3) National Grid may not, without the agreement of the owners of the land, remain in possession of any land under this article—

- (a) in the case of land referred to in paragraph (1)(a)(i), after the end of the period of one year beginning with the date of completion of the part of the authorised development specified in relation to that land in column (3) of Schedule 11, or
- (b) in the case of land referred to in paragraph (1)(a)(ii), after the end of the period of one year beginning with the date of completion of the work for which temporary possession of the land was taken unless National Grid has, by the end of that period, served a notice of entry under section 11 of the 1965 Act or made a declaration under section 4 of the 1981 Act in relation to that land.

(4) National Grid must provide the owners of any land of which temporary possession has been taken under this article with written notice of the date of completion of the works for which temporary possession was taken within 28 days of the completion of those works.

(5) Before giving up possession of land of which temporary possession has been taken under paragraph (1)(a)(i), unless otherwise agreed with the owners of the land National Grid must remove all temporary works and restore the land to the reasonable satisfaction of the owners of the land, but National Grid is not required to—

- (a) replace a building, structure, apparatus, equipment, electric line, electrical plant or pylon removed under this article;
- (b) restore the land on which any works have been carried out under paragraph (1)(d) insofar as the element of works shown in column (4) of Schedule 11 is concerned;

- (c) remove any foundations below 1.5 metres which had been placed in that land to support pylons and electric lines constructed upon those foundations;
- (d) remove any permanent work including pylons, electric lines, underground cables, or other permanent services, constructed or installed on, over, under or in that land as part of the authorised development;
- (e) remove any ground-strengthening works (being either works listed in Schedule 11 of this order or other works to provide safe and stable ground conditions) which have been placed in that land to facilitate construction of the authorised development;
- (f) remove or reposition any apparatus belonging to statutory undertakers;
- (g) remove any drainage works; or
- (h) restore ground levels adjusted as part of the authorised development.

(6) Before giving up possession of land of which temporary possession has been taken under paragraph (1)(a)(ii), unless otherwise agreed by the owners of the land, National Grid must either acquire the land or the interest on, over, or in the land in accordance with the provisions of paragraph (3)(b) or remove all temporary works and restore the land to the reasonable satisfaction of the owners of the land; but National Grid is not required to—

- (a) replace a building, structure, apparatus, equipment, electric line, electrical plant or pylon removed under this article;
- (b) remove any foundations below 1.5 metres which had been placed in that land to support pylons and electric lines constructed upon those foundations;
- (c) remove any permanent work including pylons, electric lines, underground cables, or other permanent services, constructed or installed on, over, under or in that land as part of the authorised development;
- (d) remove any ground-strengthening works (being works to provide safe and stable ground conditions) which have been placed in that land to facilitate construction of the authorised development;
- (e) remove or reposition any apparatus belonging to statutory undertakers;
- (f) remove any drainage works; or
- (g) restore ground levels adjusted as part of the authorised development.

(7) National Grid must pay compensation to the owners and occupiers of land of which temporary possession is taken under this article for any loss or damage arising from the exercise in relation to the land of the provisions of this article.

(8) Any dispute as to a person's entitlement to compensation under paragraph (7), or as to the amount of the compensation, must be determined under Part 1 of the 1961 Act.

(9) Nothing in this article affects any liability to pay compensation under section 152 of the 2008 Act (compensation in case where no right to claim in nuisance) or under any other enactment in respect of loss or damage arising from the carrying out of the authorised development, other than loss or damage for which compensation is payable under paragraph (7).

(10) Where National Grid takes possession of land under this article, National Grid is not required to acquire the land or any interest in it.

(11) Section 13 of the 1965 Act (refusal to give possession to acquiring authority) applies to the temporary use of land pursuant to this article to the same extent as it applies to the compulsory acquisition of land under this Order by virtue of section 125 of the 2008 Act (application of compulsory acquisition provisions).

(12) Nothing in this article prevents National Grid from taking temporary possession more than once in relation to any land specified in paragraph (1)(a).

Temporary use of land by SP Manweb

27.—(1) SP Manweb may, in connection with the carrying out of the SP Manweb Works—

- (a) enter on and take temporary possession of—

- (i) so much of the land specified in column (1) of Schedule 11 (land of which temporary possession may be taken) to exercise the powers described in the Book of Reference for the purpose specified in relation to that land in column (2) of Part 2 of that Schedule relating to the part of the authorised development specified in column (3) of that Schedule; and
- (ii) any other Order land in respect of the SP Manweb Works in respect of which no notice of entry has been served under section 11 of the 1965 Act (other than in connection with the acquisition of rights only) and no declaration has been made under section 4 of the 1981 Act;
- (b) remove any electric line, electrical plant, buildings, structures, pylons, apparatus, equipment, vegetation or any other thing from that land;
- (c) construct temporary works (including the provision of means of access) and buildings on that land; and
- (d) construct any works specified in relation to that land in column (2) of Part 2 of Schedule 11 or any other mitigation works.

(2) Not less than 14 days before entering on and taking temporary possession of land under this article, SP Manweb must serve notice of the intended entry on the owners and occupiers of the land.

(3) SP Manweb may not, without the agreement of the owners of the land, remain in possession of any land under this article—

- (a) in the case of land referred to in paragraph (1)(a)(i), after the end of the period of one year beginning with the date of completion of the part of the authorised development specified in relation to that land in column (3) of Part 2 of Schedule 11, or
- (b) in the case of land referred to in paragraph (1)(a)(ii), after the end of the period of one year beginning with the date of completion of the work for which temporary possession of the land was taken unless SP Manweb has, by the end of that period, served a notice of entry under section 11 of the 1965 Act or made a declaration under section 4 of the 1981 Act in relation to that land.

(4) SP Manweb must provide the owner(s) of any land of which temporary possession has been taken under this article with written notice of the date of completion of the works for which temporary possession was taken within 28 days of the completion of those works.

(5) Before giving up possession of land of which temporary possession has been taken under paragraph (1)(a)(i), unless otherwise agreed with the owners of the land SP Manweb must remove all temporary works and restore the land to the reasonable satisfaction of the owners of the land, but SP Manweb is not required to—

- (a) replace a building, structure, electric line, electrical plant or pylon removed under this article;
- (b) restore the land on which any works have been carried out under paragraph (1)(d) insofar as the element of works shown in column (4) of Part 2 of Schedule 11 is concerned;
- (c) remove any foundations below 1.5 metres which had been placed in that land to support pylons and electric lines constructed upon those foundations; or
- (d) remove any pylons or electric lines or underground cables constructed or installed on, over, under or in that land as part of the SP Manweb Works.

(6) Before giving up possession of land of which temporary possession has been taken under paragraph (1)(a)(ii), unless otherwise agreed by the owners of the land, SP Manweb must either acquire the land or the interest on, over, or in the land in accordance with the provisions of paragraph (3)(b) or remove all temporary works and restore the land to the reasonable satisfaction of the owners of the land; but SP Manweb is not required to—

- (a) replace a building, structure, electric line, electrical plant or pylon removed under this article;
- (b) restore the land on which any works have been carried out under paragraph (1)(d) insofar as the element of works shown in column (4) of Part 2 of Schedule 11 is concerned;

- (c) remove any foundations below 1.5 metres which had been placed in that land to support pylons and electric lines constructed upon those foundations; or
- (d) remove any pylons or electric lines or underground cables constructed or installed on, over, under or in that land as part of the SP Manweb Works.

(7) SP Manweb must pay compensation to the owners and occupiers of land of which temporary possession is taken under this article for any loss or damage arising from the exercise in relation to the land of the provisions of this article.

(8) Any dispute as to a person's entitlement to compensation under paragraph (7), or as to the amount of the compensation, must be determined under Part 1 of the 1961 Act.

(9) Nothing in this article affects any liability to pay compensation under section 152 of the 2008 Act (compensation in case where no right to claim in nuisance) or under any other enactment in respect of loss or damage arising from the carrying out of the authorised development, other than loss or damage for which compensation is payable under paragraph (7).

(10) Where SP Manweb takes possession of land under this article, SP Manweb is not required to acquire the land or any interest in it.

(11) Section 13 of the 1965 Act (refusal to give possession to acquiring authority) applies to the temporary use of land pursuant to this article to the same extent as it applies to the compulsory acquisition of land under this Order by virtue of section 125 of the 2008 Act (application of compulsory acquisition provisions).

(12) Nothing in this article prevents:

- (a) SP Manweb from taking temporary possession more than once in relation to any land specified in paragraph (1)(a); or
- (b) National Grid from taking temporary possession more than once in relation to any land specified in article 26(1)(a).

Temporary use of land for maintaining the authorised development

28.—(1) Subject to paragraph (2), at any time during the maintenance period relating to any part of the authorised development, the undertaker may—

- (a) enter upon and take temporary possession of any land within the Order limits if such possession is reasonably required for the purpose of maintaining the authorised development;
- (b) construct such temporary works (including the provision of means of access) and buildings on the land as may be reasonably necessary for that purpose; and
- (c) enter on any land within the Order limits for the purpose of gaining such access as is reasonably required for the purpose of maintaining the authorised development.

(2) Paragraph (1) does not authorise the undertaker to take temporary possession of—

- (a) any house or garden belonging to a house; or
- (b) any building (other than a house) if it is for the time being occupied.

(3) Not less than 28 days before entering upon and taking temporary possession of land under this article the undertaker must serve notice of the intended entry on the owners and occupiers of the land, except as provided in paragraph (11).

(4) The undertaker may remain in possession of land under this article only for so long as may be reasonably necessary to carry out the maintenance of the part of the authorised development for which possession of the land was taken.

(5) Before giving up possession of land of which temporary possession has been taken under this article, the undertaker must remove all temporary works and restore the land to the reasonable satisfaction of the owners of the land.

(6) The undertaker must pay compensation to the owners and occupiers of land of which temporary possession is taken under this article for any loss or damage arising from the exercise in relation to the land of the powers conferred by this article.

(7) Any dispute as to a person's entitlement to compensation under paragraph (6), or as to the amount of the compensation, must be determined under Part 1 of the 1961 Act.

(8) Nothing in this article affects any liability to pay compensation under section 152 of the 2008 Act (compensation in case where no right to claim in nuisance) or under any other enactment in respect of loss or damage arising from the maintenance of the authorised development, other than loss or damage for which compensation is payable under paragraph (6).

(9) Where the undertaker takes possession of land under this article, the undertaker is not required to acquire the land or any interest in it.

(10) Section 13 of the 1965 Act (refusal to give possession to the acquiring authority) applies to the temporary use of land pursuant to this article to the same extent as it applies to the compulsory acquisition of land under this Order by virtue of section 125 of the 2008 Act (application of compulsory acquisition provisions).

(11) Where the undertaker has identified a potential risk to the safety of—

- (a) the authorised development or any part of it; or
- (b) the public; or
- (c) the surrounding environment,

the requirement to serve not less than 28 days' notice under paragraph (3) does not apply and the undertaker may enter the land pursuant to paragraph (1) subject to giving such period of notice (if any) as is reasonably practicable in all the circumstances.

(12) In this article "the maintenance period" in relation to any part of the authorised development means the period of five years beginning with the date on which that part of the authorised development is brought into operational use, except where the authorised development is replacement or landscape planting where "the maintenance period" means the period of five years beginning with the date on which that part of the replacement or landscape planting is completed.

Use of subsoil under or airspace over streets

29.—(1) The undertaker may enter on and use so much of the subsoil of, or air-space over, any street within the Order limits as may be required for the purposes of the authorised development and may use the subsoil or air-space for those purposes.

(2) Subject to paragraph (3), the undertaker may exercise any power conferred by paragraph (1) in relation to a street without being required to acquire any part of the street or any easement or right in the street.

(3) Paragraph (2) does not apply in relation to—

- (a) any subway or underground building; or
- (b) any cellar, vault, arch or other construction in, on or under a street which forms part of a building fronting onto the street.

(4) Subject to paragraph (5), any person who is an owner or occupier of land appropriated under paragraph (1) without the undertaker acquiring any part of that person's interest in the land, and who suffers loss as a result, is entitled to compensation to be determined, in case of dispute, under Part 1 of the 1961 Act.

(5) Compensation is not payable under paragraph (4) to any person who is an undertaker to whom section 85 of the 1991 Act (sharing cost of necessary measures) applies in respect of measures of which the allowable costs are to be borne in accordance with that section.

Compensation

Disregard of certain interests and improvements

30.—(1) In assessing the compensation payable to any person on the acquisition from that person of any land or right over any land under this Order, the Tribunal shall not take into account—

- (a) any interest in land; or
- (b) any enhancement of the value of any interest in land by reason of any building erected, works executed or improvement or alteration made on relevant land,

if the Tribunal is satisfied that the creation of the interest, the erection of the building, the execution of the works or the making of the improvement or alteration as part of the authorised development was not reasonably necessary and was undertaken with a view to obtaining compensation or increased compensation.

(2) In paragraph (1) “relevant land” means the land acquired from the person concerned or any other land with which that person is, or was at the time when the building was erected, the works executed or the improvement or alteration made as part of the authorised development, directly or indirectly concerned.

Set-off for enhancement in value of retained land

31.—(1) In assessing the compensation payable to any person in respect of the acquisition from that person under this Order of any land (including any subsoil) the Tribunal shall set off against the value of the land so acquired any increase in value of any contiguous or adjacent land belonging to that person in the same capacity which will accrue to that person by reason of the construction of the authorised development.

(2) In assessing the compensation payable to any person in respect of the acquisition from that person of any new rights over land (including the subsoil), under article 23 (compulsory acquisition of rights), the Tribunal shall set off against the value of the rights so acquired—

- (a) any increase in the value of the land over which the new rights are required; and
- (b) any increase in value of any contiguous or adjacent land belonging to that person in the same capacity,

which will accrue to that person by reason of the construction of the authorised development.

(3) The 1961 Act shall have effect, subject to paragraphs (1) and (2), as if this Order were a local enactment for the purposes of that Act.

Supplementary

Compulsory acquisition of land – incorporation of the mineral code

32. Parts 2 and 3 of Schedule 2 to the Acquisition of Land Act 1981(a) (minerals) are incorporated into this Order subject to the modifications that—

- (a) paragraph 8(3) is not incorporated;
- (b) for “the acquiring authority” there is substituted “the undertaker”;
- (c) for “undertaking” substitute “authorised development”; and
- (d) for “compulsory purchase order” substitute “this Order”.

Time limit for exercise of authority to acquire land compulsorily

33.—(1) After the end of the period of eight years beginning with the day on which this Order is made—

- (a) no notice to treat may be served under Part 1 of the 1965 Act; and
- (b) no declaration may be executed under section 4 of the 1981 Act as applied by article 35 (application of the Compulsory Purchase (Vesting Declarations) Act 1981)(b).

(a) 1981 c. 67. Sub-paragraph (5) of paragraph 1 of Part 1 of Schedule 2 was amended by section 67 of, and paragraph 27(3) of Schedule 9 to, the Coal Industry Act 1994 (c. 21) and paragraph 8 of Part 3 of Schedule was amended by section 46 of the Criminal Justice Act 1982 (c. 48). There are other amendments to the 1981 Act which are not relevant to this Order.

(b) 1981 c. 66. Sections 2 and 116 were amended by section 4 of, and paragraph 52 of Schedule 2 to, the Planning (Consequential Provisions) Act 1990 (c. 11). There are other amendments to the 1981 Act which are not relevant to this Order.

(2) The authority conferred by article 26 (temporary use of land by National Grid) and article 27 (temporary use of land by SP Manweb) ceases at the end of the period referred to in paragraph (1), save that nothing in this paragraph prevents the undertaker remaining in possession of land after the end of that period, if the land was entered and possession was taken before the end of that period.

Acquisition of part of certain properties

34.—(1) This article applies where—

- (a) a notice to treat is served on a person (“the owner”) under the 1965 Act (as so applied) in respect of land forming only part of a house, building or manufactory or of land consisting of a house with a park or garden (“the land subject to the notice to treat”); and
- (b) a copy of this article is served on the owner with the notice to treat.

(2) In such a case, the owner may, within the period of 28 days beginning with the day on which the notice was served, serve on the undertaker a counter-notice objecting to the sale of the land subject to the notice to treat and stating that the owner is willing and able to sell the whole (“the land subject to the counter-notice”).

(3) If no such counter-notice is served within that period, the owner is required to sell the land subject to the notice to treat.

(4) If such a counter-notice is served within that period, the question whether the owner is required to sell only the land subject to the notice to treat must, unless the undertaker agrees to take the land subject to the counter-notice, be referred to the Tribunal.

(5) If on such a reference the Tribunal determines that the land subject to the notice to treat can be taken—

- (a) without material detriment to the remainder of the land subject to the counter-notice; or
- (b) where the land subject to the notice to treat consists of a house with a park or garden, without material detriment to the remainder of the land subject to the counter-notice and without seriously affecting the amenity and convenience of the house,

the owner is required to sell the land subject to the notice to treat.

(6) If on such a reference the Tribunal determines that only part of the land subject to the notice to treat can be taken—

- (a) without material detriment to the remainder of the land subject to the counter-notice; or
- (b) where the land subject to the notice to treat consists of a house with a park or garden, without material detriment to the remainder of the land subject to the counter-notice and without seriously affecting the amenity and convenience of the house,

the notice to treat is deemed to be a notice to treat for that part.

(7) If on such a reference the Tribunal determines that—

- (a) the land subject to the notice to treat cannot be taken without material detriment to the remainder of the land subject to the counter-notice; but
- (b) the material detriment is confined to a part of the land subject to the counter-notice,

the notice to treat is deemed to be a notice to treat for the land to which the material detriment is confined in addition to the land already subject to the notice, whether or not the additional land is land which the undertaker is authorised to acquire compulsorily under this Order.

(8) If the undertaker agrees to take the land subject to the counter-notice, or if the Tribunal determines that—

- (a) none of the land subject to the notice to treat can be taken without material detriment to the remainder of the land subject to the counter-notice or, as the case may be, without material detriment to the remainder of the land subject to the counter-notice and without seriously affecting the amenity and convenience of the house; and
- (b) the material detriment is not confined to a part of the land subject to the counter-notice,

the notice to treat is deemed to be a notice to treat for the land subject to the counter-notice whether or not the whole of that land is land which the undertaker is authorised to acquire compulsorily under this Order.

(9) Where by reason of a determination by the Tribunal under this article a notice to treat is deemed to be a notice to treat for less land or more land than that specified in the notice, the undertaker may, within the period of 6 weeks beginning with the day on which the determination is made, withdraw the notice to treat; and, in that event, must pay the owner compensation for any loss or expense occasioned to the owner by the giving and withdrawal of the notice, to be determined in case of dispute by the Tribunal.

(10) Where the owner is required under this article to sell only part of a house, building or manufactory or of land consisting of a house with a park or garden, the undertaker must pay the owner compensation for any loss sustained by the owner due to the severance of that part in addition to the value of the interest acquired.

Application of the Compulsory Purchase (Vesting Declarations) Act 1981

35.—(1) The 1981 Act applies as if this Order were a compulsory purchase order.

(2) The 1981 Act, as so applied, has effect with the following modifications.

(3) Section 5 (earliest date for execution of declaration) is omitted.

(4) Section 5A (time limit for general vesting declaration) is omitted.

(5) In section 5B(1) (extension of time limit during challenge)—

(a) for “section 23 of the Acquisition of Land Act 1981 (application to High Court in respect of compulsory purchase order)” substitute “section 118 of the Planning Act 2008 (legal challenges relating to applications for orders granting development consent)”; and

(b) for “the three year period mentioned in section 4” substitute “the eight year period mentioned in article 33 of the National Grid (North Wales Connection Project) Order 20[●]”.

(6) In section 6 (notices after execution of declaration) for subsection (1)(b) there is substituted—

“(b) on every other person who has given information to the acquiring authority with respect to any of that land further to the invitation published and served under section 134 of the Planning Act 2008,”.

(7) References to the 1965 Act in the 1981 Act must be construed as references to the 1965 Act as applied by section 125 of the 2008 Act (application of compulsory acquisition provisions) and as modified by article 36 to the compulsory acquisition of land under this Order.

Application of Part 1 of the 1965 Act

36.—(1) Part 1 of the 1965 Act as applied by section 125 (application of compulsory acquisition provisions) of the 2008 Act is modified as follows.

(2) Part 1 of the 1965 Act, as applied by paragraph (1), has effect as if—

(a) section 4 (time limit for compulsory purchase of land) were omitted; and

(b) in section 4A(1) (extension of time limit during challenge)—

(i) for “section 23 of the Acquisition of Land Act 1981” (application to the High Court in respect of compulsory purchase order)” substitute “section 118 of the Planning Act 2008 (legal challenges relating to applications for orders granting development consent)”; and

(ii) for “the three year period mentioned in section 4” substitute “the eight year period mentioned in article 33 (time limit for exercise of authority to acquire land compulsorily) of the National Grid (North Wales Connection Project) Order 20[●]”.

(3) In section 22(2) (expiry of time limit for exercise of compulsory purchase power not to affect acquisition of interests omitted from purchase), for “section 4 of this Act” substitute “article 33 of the National Grid (North Wales Connection Project) Order 20[●]”.

(4) In Schedule 2A (counter-notice requiring purchase of land not in notice to treat) at the end insert—

“PART 4

INTERPRETATION

30. In this Schedule, references to entering on and taking possession of land do not include doing so under article 19 (protective works), 26 (temporary use of land by National Grid), 27 (temporary use of land by SP Manweb) or 28 (temporary use of land for maintaining the authorised development) of the National Grid (North Wales Connection Project) Order 201[●].”

Extinguishment and suspension of private rights

37.—(1) Subject to the provisions of this article, all private rights and restrictive covenants over land subject to compulsory acquisition under this Order are extinguished or suspended—

- (a) as from the date of acquisition by the undertaker of the land whether compulsorily or by agreement; or
- (b) on the date of entry on the land by the undertaker under section 11(1) of the 1965 Act (power of entry),

whichever is the earlier.

(2) Subject to the provisions of this article, all private rights and restrictive covenants over land owned by the undertaker which, being within the Order limits, is required for the purposes of this Order, are extinguished on the commencement of any activity authorised by this Order which interferes with or breaches such rights or such restrictive covenants.

(3) Subject to the provisions of this article, all private rights and restrictive covenants over land subject to compulsory acquisition of rights or the imposition of restrictions under this Order are extinguished in so far as their continuance would be inconsistent with the exercise of the right acquired or the burden of the restriction imposed—

- (a) as from the date of the acquisition of the right or the benefit of the restriction by the undertaker, whether compulsorily or by agreement; or
- (b) on the date of entry on the land by the undertaker under section 11(1) of the 1965 Act in pursuance of the right;

whichever is the earlier.

(4) Subject to the provisions of this article and article 40 (extinguishment of private rights and restrictive covenants relating to apparatus belonging to National Grid or SP Manweb removed from land subject to temporary possession), all private rights or restrictive covenants over land of which the undertaker takes temporary possession under this Order are suspended and unenforceable for as long as the undertaker remains in lawful possession of the land and in so far as their continuation would be inconsistent with the exercise of the powers under this Order or a breach of a restriction as to the user of land arising by virtue of a contract.

(5) Any person who suffers loss by the extinguishment or suspension of any private right or restrictive covenant under this article is entitled to compensation to be determined, in case of dispute, under Part 1 of the 1961 Act.

(6) This article does not apply in relation to any right to which section 138 of the 2008 Act (extinguishment of rights, and removal of apparatus, of statutory undertakers etc.) or article 43 (statutory undertakers) applies.

(7) Paragraphs (1) to (4) have effect subject to—

- (a) any notice given by the undertaker before—
 - (i) the completion of the acquisition of the land or rights or the imposition of restrictive covenants over or affecting the land;
 - (ii) the undertaker’s appropriation of it;
 - (iii) the undertaker’s entry onto it; or
 - (iv) the undertaker’s taking temporary possession of it,
 that any or all of those paragraphs do not apply to any right specified in the notice; and
 - (b) any agreement made, in so far as it relates to the authorised development, at any time between the undertaker and the person in or to whom the right or restrictive covenant in question is vested, belongs or benefits.
- (8) If any such agreement as is referred to in paragraph (7)(b)—
- (a) is made with a person in or to whom the right is vested or belongs; and
 - (b) is expressed to have effect also for the benefit of those deriving title from or under that person,

it is effective in respect of the persons so deriving title, whether the title was derived before or after the making of the agreement.

(9) A reference in this article to private rights and restrictive covenants over land includes any trust, incident, easement, wayleave, liberty, privilege, right or advantage annexed to land (including any land forming part of a common, open space or fuel or field garden allotment) and adversely affecting other land, including any natural right to support, and including restrictions as to the user of land arising by virtue of a contract.

Power to override easements and other rights

38.—(1) Any authorised activity which takes place on land within the Order limits (whether the activity is undertaken by the undertaker or by any person deriving title from the undertaker or by any servants or agents of the undertaker) is authorised by this Order if it is done in accordance with the terms of this Order, notwithstanding that it involves—

- (a) an interference with an interest or right to which this article applies; or
- (b) a breach of a restriction as to the user of land arising by virtue of a contract.

(2) In this article “authorised activity” means—

- (a) the erection, construction or maintenance of any part of the authorised development;
- (b) the exercise of any power authorised by this Order; or
- (c) the use of any land (including the temporary use of land).

(3) The interests and rights to which this article applies include any trust, incident, easement, wayleave, liberty, privilege, right or advantage annexed to land (including any land forming part of a common, open space or fuel or field garden allotment) and adversely affecting other land, including any natural right to support, and including restrictions as to the user of land arising by virtue of a contract.

(4) Where an interest, right or restriction is overridden by paragraph (1), compensation—

- (a) shall be payable under section 7 (measure of compensation in case of severance) or 10 (further provision as to compensation for injurious affection) of the 1965 Act; and
- (b) shall be assessed in the same manner and subject to the same rules as in the case of other compensation under those sections where—
 - (i) the compensation is to be estimated in connection with a purchase under that Act; or
 - (ii) the injury arises from the execution of works on or use of land acquired under that Act.

(5) Where a person deriving title under the undertaker by whom the land in question was acquired—

- (a) is liable to pay compensation by virtue of paragraph (4), and
- (b) fails to discharge that liability,

the liability shall be enforceable against that undertaker in accordance with section 204(3) of the 2016 Act.

(6) Nothing in this article shall be construed as authorising any act or omission on the part of any person which is actionable at the suit of any person on any grounds other than such an interference or breach as is mentioned in paragraph (1) of this article.

Statutory authority to override easements and other rights

39.—(1) The carrying out or use of development authorised by this Order and the doing of anything else authorised by this Order is authorised by virtue of section 158 (nuisance— statutory authority) of the 2008 Act, notwithstanding that it involves—

- (a) an interference with an interest or right to which this article applies; or
- (b) a breach of a restriction as to user of land arising by virtue of contract.

(2) The undertaker shall pay compensation to any person whose land is injuriously affected by—

- (a) an interference with an interest or right to which this article applies; or
- (b) a breach of a restriction as to user of land arising by virtue of contract,

authorised by virtue of this Order and the operation of section 158 of the 2008 Act.

(3) The interests and rights to which this article applies include any trust, incident, easement, wayleave, liberty, privilege, right or advantage annexed to land (including any land forming part of a common, open space or fuel or field garden allotment) and adversely affecting other land, including any natural right to support, and including restrictions as to the user of land arising by virtue of a contract.

(4) Subsection (2) of section 10 (further provision as to compensation for injurious affection) of the 1965 Act applies to paragraph (2) by virtue of section 152(5) of the 2008 Act.

(5) Any rule or principle applied to the construction of section 10 of the 1965 Act shall be applied to the construction of paragraph (2) (with any necessary modifications).

Extinguishment of private rights and restrictive covenants relating to apparatus belonging to National Grid or SP Manweb removed from land subject to temporary possession

40.—(1) This article applies to any Order land specified in Schedule 12 (extinguishment of private rights and restrictive covenants relating to apparatus belonging to National Grid or SP Manweb removed from land subject to temporary possession) and any other Order land of which National Grid takes temporary possession under article 26 (temporary use of land by National Grid) or SP Manweb takes temporary possession under article 27 (temporary use of land by SP Manweb).

(2) All private rights or restrictive covenants in relation to apparatus belonging to National Grid or SP Manweb removed from any land to which this article applies are extinguished from the date on which National Grid or SP Manweb gives up temporary possession of that land under article 26 (temporary use of land by National Grid) or 27 (temporary use of land by SP Manweb), as the case may be.

(3) The extinguishment of rights by paragraph (2) does not give rise to any cause of action relating to the presence on or in the land of any foundations (save for those which lie less than 1.5 metres underground) referred to in article 26(5)(c) and (6)(b) or 27(5)(c) and (6)(c) (National Grid and SP Manweb not required to remove foundations when giving up temporary possession).

(4) Schedule 12 (extinguishment of private rights and restrictive covenants relating to apparatus belonging to National Grid or SP Manweb removed from land subject to temporary possession) has effect.

Crown rights

41.—(1) Nothing in this Order affects prejudicially any estate, right, power, privilege, authority or exemption of the Crown and, in particular, nothing in this Order authorises the undertaker or any licensee to take, use, enter on or in any manner interfere with any land or rights of any description (including any part of the shore or bed of the sea or any river, channel, creek, bay or estuary)—

- (a) belonging to Her Majesty in right of the Crown and forming part of the Crown Estate, without the consent in writing of the Crown Estate Commissioners;
- (b) belonging to Her Majesty in right of the Crown and not forming part of the Crown Estate, without the consent in writing of the government department having the management of that land; or
- (c) belonging to a government department or held in trust for Her Majesty for the purposes of a government department, without the consent in writing of that government department.

(2) Paragraph (1) does not apply to the exercise of any right under this Order for the compulsory acquisition of an interest in any Crown land (as defined in section 227 of the 2008 Act) that is for the time being held otherwise than by or on behalf of the Crown, without the consent in writing of the appropriate Crown authority (as defined in that section).

(3) A consent under paragraph (1)—

- (a) may be given unconditionally or subject to terms and conditions; and
- (b) is deemed to have been given in writing where it is sent electronically.

Special category land

42.—(1) So much of the special category land that is required for the purposes of the exercising by the undertaker of the Order rights must be discharged from all rights, trusts and incidents to which it was previously subject so far as their continuance would be inconsistent with the exercise of the Order rights.

(2) In this article—

“Order rights” means the rights exercisable over the special category land by the undertaker under article 23 (compulsory acquisition of rights); and

“special category land” means the land identified as forming part of a common, open space, or fuel or field allotment in the book of reference and marked as such on the plan entitled “Special Category Land and Crown Land Plans”.

Statutory undertakers

43.—(1) Subject to the provisions of Schedule 15 (protective provisions) the undertaker may—

- (a) (further to the power in article 22 (compulsory acquisition of land)) acquire compulsorily the Order land belonging to statutory undertakers, and described in the Book of Reference;
- (b) extinguish the rights of, remove or reposition apparatus belonging to statutory undertakers where such apparatus is anywhere over or within the Order limits notwithstanding that repositioning may be outside of the Order limits; and
- (c) (further to the power in article 23 (compulsory acquisition of rights)) acquire compulsorily the new rights over land belonging to statutory undertakers described in the Book of Reference and indicated on the Land Plans.

(2) Without prejudice to paragraph (1)(b) paragraphs (3) and (4) shall apply in relation to apparatus of statutory undertakers not falling within paragraph (1)(b).

(3) Subject to the following provisions of this paragraph, sections 271 to 274 of the 1990 Act (power to extinguish rights of statutory undertakers, etc and power of statutory undertakers etc to remove or re-site apparatus) shall apply in relation to land falling outside of the Order limits where it is necessary for the purposes of the authorised development to extinguish the rights of statutory

undertakers or to remove or reposition apparatus belonging to the statutory undertakers, and all such other provisions of that Act as apply for the purposes of those provisions (including sections 275 to 278, which contain provisions consequential to the extinguishment of any rights under sections 271 and 272, and sections 279(2) to (4), 280 and 282, which provide for the payment of compensation) shall have effect accordingly.

(4) In the provisions of the 1990 Act as applied by paragraph (3), references to the appropriate Minister are references to the Secretary of State.

Recovery of costs of new connections

44.—(1) Where any apparatus of a public utility undertaker or of a public communications provider is removed under article 43 (statutory undertakers), any person who is the owner or occupier of premises to which a supply was given from that apparatus is entitled to recover from the undertaker compensation in respect of expenditure reasonably incurred by that person, in consequence of the removal, for the purpose of effecting a connection between the premises and any other apparatus from which a supply is given.

(2) Paragraph (1) does not apply in the case of the removal of a public sewer, but where such a sewer is removed under article 43 (statutory undertakers) any person who is—

- (a) the owner or occupier of premises the drains of which communicated with that sewer; or
- (b) the owner of a private sewer which communicated with that sewer,

is entitled to recover from the undertaker compensation in respect of expenditure reasonably incurred by that person, in consequence of the removal, for the purpose of making the drain or sewer belonging to that person communicate with any other public sewer or with a private sewerage disposal plant.

(3) In this article—

“public communications provider” has the same meaning as in section 151(1) of the Communications Act 2003(a); and

“public utility undertaker” has the same meaning as in the 1980 Act.

PART 6

MISCELLANEOUS AND GENERAL

Application of landlord and tenant law

45.—(1) This article applies to—

- (a) any agreement for leasing to any person the whole or any part of the authorised development or the right to operate the same; and
- (b) any agreement entered into by the undertaker with any person for the construction, maintenance, use or operation of the authorised development, or any part of it,

so far as any such agreement relates to the terms on which any land which is the subject of a lease granted by or under that agreement is to be provided for that person’s use.

(2) No enactment or rule of law regulating the rights and obligations of landlords and tenants prejudices the operation of any agreement to which this article applies.

(3) Accordingly, no such enactment or rule of law applies in relation to the rights and obligations of the parties to any lease granted by or under any such agreement so as to—

- (a) exclude or in any respect modify any of the rights and obligations of those parties under the terms of the lease, whether with respect to the termination of the tenancy or any other matter;

(a) 2003 c.21.

- (b) confer or impose on any such party any right or obligation arising out of or connected with anything done or omitted on or in relation to land which is the subject of the lease, in addition to any such right or obligation provided for by the terms of the lease; or
- (c) restrict the enforcement (whether by action for damages or otherwise) by any party to the lease of any obligation of any other party under the lease.

Defence to proceedings in respect of statutory nuisance

46.—(1) Where proceedings are brought under section 82(1) of the Environmental Protection Act 1990(a) (summary proceedings by person aggrieved by statutory nuisance) in relation to a nuisance falling within paragraphs (g) (noise emitted from premises so as to be prejudicial to health or a nuisance) and (ga) (noise from vehicles, machinery or equipment in a street) of section 79(1) of that Act no order must be made, and no fine must be imposed, under section 82(2) of that Act if—

- (a) the defendant shows that the nuisance—
 - (i) relates to premises used by the undertaker for the purposes of or in connection with the construction or maintenance of the authorised development and that the nuisance is attributable to the carrying out of the authorised development in accordance with a notice served under section 60 (control of noise on construction site) or a consent given under section 61 (prior consent for work on construction site) of the Control of Pollution Act 1974(b); or
 - (ii) is a consequence of the construction or maintenance of the authorised development and that it cannot reasonably be avoided; or
 - (iii) is a consequence of complying with a requirement of this Order and that it cannot reasonably be avoided; or
- (b) the defendant shows that the nuisance—
 - (i) relates to premises used by the undertaker for the purposes of or in connection with the use of the authorised development and that the nuisance is attributable to the use of the authorised development which is being used in accordance with the Noise and Vibration Management Plan; or
 - (ii) is a consequence of the use of the authorised development and that it cannot reasonably be avoided.

(2) Section 61(9) (prior consent for work on construction site to include statement that it does not of itself constitute a defence to proceedings under section 82 of the Environmental Protection Act 1990) of the Control of Pollution Act 1974 does not apply where the consent relates to the use of premises by the undertaker for the purposes of or in connection with the construction or maintenance of the authorised development.

Traffic regulation

47.—(1) Subject to the provisions of this article, and the consent of the traffic authority in whose area the road concerned is situated, the undertaker may at any time, for the purposes of the construction of the authorised development or for purposes ancillary to it—

- (a) prohibit waiting of vehicles and regulate vehicular speed by imposing a speed restriction on vehicles in the manner specified in Part 1 of Schedule 13 (traffic regulation orders) on a road specified in column (1) and along the lengths and between the points specified in column (2) in the manner specified in column (3) of that Part of that Schedule;

(a) 1990 c. 43. Section 82 is amended by section 5 of the Noise and Statutory Nuisance Act 1993, c. 40, section 106 of, and Schedule 17 to, the Environment Act 1995, c. 25 and section 103 of the Clean Neighbourhoods and Environment Act 2005, c. 16. There are other amendments to this Act which are not relevant to this Order.

(b) 1974 c. 40. Sections 61(9) and 65(8) were amended by section 162 of, and paragraph 15 of Schedule 3 to, the Environmental Protection Act 1990, c. 25. There are other amendments to the 1974 Act which are not relevant to this Order.

- (b) prohibit waiting of vehicles in the manner specified in Part 2 of Schedule 13 (traffic regulation orders) on a road specified in column (1) and along the lengths and between the points specified in column (2) in the manner specified in column (3) of that Part of that Schedule;
- (c) prohibit vehicular access and waiting of vehicles in the manner specified in Part 3 of Schedule 13 (traffic regulation orders) on the roads specified in column (1) and along the lengths and between the points specified in column (2) in the manner specified in column (3) of that Part of that Schedule;
- (d) prohibit use of roads by through traffic in the manner specified in Part 4 of Schedule 13 (traffic regulation orders) on the roads specified in column (1) and along the lengths and between the points specified in column (2) in the manner specified in column (3) of that Part of that Schedule;
- (e) regulate the direction of vehicular movements in the manner specified in Part 5 of Schedule 13 (traffic regulation orders) on the roads specified in column (1) and along the lengths and between the points specified in column (2) in the manner specified in column (3) of that Part of that Schedule;
- (f) impose clearways in the manner specified in Part 6 of Schedule 13 (traffic regulation orders) on the roads specified in column (1) and along the lengths and between the points specified in column (2) in the manner specified in column (3) of that Part of that Schedule; and
- (g) prohibit overtaking in the manner specified in Part 7 of Schedule 13 (traffic regulation orders) on the roads specified in column (1) and along the lengths and between the points specified in column (2) in the manner specified in column (3) of that Part of that Schedule.

(2) Without limiting the scope of the specific powers conferred by paragraph (1) but subject to the provisions of this article and the consent of the traffic authority in whose area the road concerned is situated, the undertaker may, in so far as may be expedient or necessary for the purposes of or in connection with construction of the authorised development, or for purposes ancillary to it, at any time before the authorised development is first brought into operational use—

- (a) revoke, amend or suspend in whole or in part any order made, or having effect as if made, under the 1984 Act;
- (b) permit, prohibit or restrict the stopping, parking, waiting, loading or unloading of vehicles on any road;
- (c) authorise the use as a parking place of any road;
- (d) make provision as to the maximum speed, direction or priority of vehicular traffic on any road; and
- (e) permit, prohibit or restrict vehicular access to any road,

either at all times or at times, on days or during such periods as may be specified by the undertaker.

(3) The undertaker must not exercise the powers in paragraphs (1) and (2) unless it has—

- (a) given not less than 4 weeks' notice in writing of its intention so to do to the chief officer of police and to the traffic authority in whose area the road is situated; and
- (b) advertised its intention in such manner as the traffic authority may specify in writing within 7 days of its receipt of notice of the undertaker's intention as provided for in subparagraph (a).

(4) Any prohibition, restriction or other provision made by the undertaker under paragraph (1) or (2)—

- (a) has effect as if duly made by—
 - (i) the traffic authority in whose area the road is situated as a traffic regulation order under the 1984 Act; or

(ii) the local authority in whose area the road is situated as an order under section 32 of the 1984 Act (power of local authorities to provide parking places),

and the instrument by which it is effected may specify savings and exemptions (in addition to those mentioned in Schedule 13 (traffic regulation orders)) to which the prohibition, restriction or other provision is subject; and

(b) is deemed to be a traffic order for the purposes of Schedule 7 to the Traffic Management Act 2004(a) (road traffic contraventions subject to civil enforcement).

(5) Any prohibition, restriction or other provision made under this article may be suspended, varied or revoked by the undertaker from time to time by subsequent exercise of the powers conferred by paragraphs (1) and (2) at any time before the part of the authorised development to which it relates is brought into operational use.

(6) Before complying with the provisions of paragraph (3) the undertaker must consult the chief officer of police and the traffic authority in whose area the road is situated.

(7) Expressions used in this article and in the 1984 Act have the same meaning in this article as in that Act.

(8) If the traffic authority fails to notify the undertaker of its decision within 28 days of receiving an application for consent under paragraphs (1) and (2) the traffic authority is deemed to have granted consent.

Felling or lopping

48.—(1) The undertaker may fell, lop, prune, coppice, pollard, or reduce in height or width, any tree, shrub, hedgerow, or important hedgerow under or near any part of the authorised development, or cut back its roots, if it reasonably believes it to be necessary to do so to prevent the tree, shrub, hedgerow or important hedgerow—

(a) from obstructing or interfering with the construction, maintenance or operation of the authorised development or any apparatus used in connection with the authorised development; or

(b) from constituting a danger to persons constructing, maintaining, or operating the authorised development.

(2) In carrying out any activity authorised by paragraph (1), the undertaker must not cause any unnecessary damage to any tree, shrub or hedgerow, or important hedgerow and must pay compensation to any person for any loss or damage arising from such activity.

(3) Any dispute as to a person’s entitlement to compensation under paragraph (2), or as to the amount of compensation, must be determined under Part 1 of the 1961 Act.

(4) The undertaker may not pursuant to paragraph (1) fell or lop a tree within or overhanging the extent of the public highway without the consent of the relevant highway authority.

(5) If the relevant highway authority fails to notify the undertaker of its decision within 28 days of receiving an application for consent under paragraph (4) the relevant highway authority is deemed to have granted consent.

(6) The power conferred by paragraph (1) shall remove any obligation upon the undertaker to secure any consent to remove hedgerows under the Hedgerows Regulations 1997(b).

(7) In this article “hedgerow” and “important hedgerow” have the same meaning as in the Hedgerow Regulations 1997.

Trees subject to Tree Preservation Orders

49.—(1) The undertaker may fell, lop, or prune, any tree described in Schedule 14 (trees subject to Tree Preservation Orders) and identified on the Trees and Hedgerows Potentially Affected

(a) 2004 c. 18.

(b) S.I. 1997/1160

Plans, or cut back its roots, if it reasonably believes it to be necessary in order to do so to prevent the tree—

- (a) from obstructing or interfering with the construction, maintenance or operation of the authorised development or any apparatus used in connection with the authorised development; or
- (b) from constituting a danger to persons constructing, maintaining, or operating] the authorised development.

(2) In carrying out any activity authorised by paragraph (1)—

- (a) the undertaker must do no unnecessary damage to any tree and must pay compensation to any person for any damage arising from such activity; and
- (b) the duty in section 206(1) of the 1990 Act (replacement of trees) does not apply.

(3) The authority given by paragraph (1) constitutes a deemed consent under the relevant tree preservation order.

(4) Any dispute as to a person's entitlement to compensation under paragraph (2), or as to the amount of compensation, must be determined under Part 1 of the 1961 Act.

Protection of interests

50. Schedule 15 (protective provisions) has effect.

Procedure regarding certain approvals etc.

51.—(1) Where an application or request is submitted to a relevant planning authority, a highway authority, a street authority or the owner of a watercourse, sewer or drain for any consent, agreement or approval required or contemplated by any of the provisions of this Order such consent, agreement or approval, if given, must be given in writing and must not be unreasonably withheld or delayed.

(2) Schedule 4 (discharge of Requirements) has effect in relation to all consents, agreements or approvals granted, refused or withheld in relation to the Requirements, and any document referred to in any Requirement.

(3) The procedure set out in paragraphs 3, 4 and 5 of Schedule 4 (discharge of Requirements) has effect in relation to any other consent, agreement or approval required under this Order where such consent, agreement or approval is granted subject to any condition to which the undertaker objects, or is refused or is withheld.

Safeguarding

52.—(1) Save in respect of exempt applications, before granting planning permission for development to which this article applies, a relevant planning authority must consult the undertaker.

(2) This article applies to development which would be wholly or partly either—

- (a) in respect of the locations of proposed tunnels which will form part of the authorised development, within the Order limits and at a depth of 10 or more metres below existing ground level; and
- (b) in respect of all other parts of the authorised development, within the Order limits.

(3) Where this article requires a relevant planning authority to consult the undertaker before granting planning permission—

- (a) they must give the undertaker notice of the application for planning permission (unless the applicant has served a copy of the application on the undertaker); and
- (b) they may not determine the application before the end of the period of 21 days, beginning two working days after the relevant planning authority has sent the notice to the undertaker by first class post or by such other means of service as may be agreed with the

relevant planning authority, which will be deemed to be the date on which the undertaker receives the notice or copy of the application.

(4) But a relevant planning authority may determine an application during that period if the undertaker has—

- (a) made representations to the relevant planning authority about the application, or
- (b) notified the relevant planning authority that it does not intend to make representations.

(5) In determining an application for planning permission a relevant planning authority must take into account any representations received in accordance with this article and ensure that the matters raised in any such representations are addressed.

(6) The requirement to consult under this article shall be a local land charge.

(7) In this article—

“exempt applications” means an application for planning permission which relates to development that—

- (i) consists of an alteration to an existing building, or the change of use of an existing building or land; and
- (ii) does not involve, or is not likely to involve, any construction engineering or other operations below existing ground level; and

“relevant planning authority” means the planning authority in receipt of an application for planning permission to which this article applies.

No double recovery

53. Compensation is not payable in respect of the same matter both under this Order and under any other enactment, contract or rule of law, or under two or more different provisions of this Order.

Application, disapplication and modification of legislative provisions

54. Schedule 16 (public general legislation) to this Order, which makes provision applying, modifying and excluding statutory provisions which relate to matters for which provision may be made by this Order, has effect.

Amendment of local legislation

55.—(1) Any statutory provision of local application and, in particular, the local enactments specified in Schedule 17 (amendment of local legislation), and any byelaws or other provisions made under any of those enactments, are hereby excluded and do not apply insofar as inconsistent with a provision of, or a power conferred by, this Order.

(2) In particular, a power conferred by this Order may be exercised despite, and without having regard to, a provision made by or by virtue of a specified enactment, or any other statutory provision of local application, that—

- (a) requires or permits a specified road, path, passage, bridge, parapet, fence or other place or structure to be kept open or maintained generally or in a specified manner;
- (b) requires or permits the provision and maintenance of lights or other apparatus or structures generally or in a specified manner;
- (c) prohibits or restricts (or imposes conditions or penalties on or in relation to) the obstruction or removal of, or the causing of damage to, a specified place or structure (or class of places or structures);
- (d) prohibits or restricts (or imposes conditions on or in relation to) the erection of structures, or the undertaking of other works, in a specified place or structure (or class of places or structures);
- (e) permits or requires a specified place or structure to be closed;

- (f) makes provision about the conduct of persons using a specified walkway or other place or structure (or class of places or structures) whether by prohibiting or restricting movement (of persons, vehicles or animals) or otherwise;
- (g) specifies a minimum or maximum depth for, or otherwise restricts or imposes conditions in relation to, the laying of pipes or the carrying out of any other works;
- (h) prohibits the laying of pipes or the carrying out of any other works generally or without the consent of a specified person;
- (i) makes provision about the construction or maintenance of, or any other matter relating to, pipes, drains or other means of connecting with sewers;
- (j) prohibits or restricts interference with the banks or bed of, or traffic on, the Menai Strait; or
- (k) in any other way would or might apply in relation to anything done, or omitted to be done, in the exercise of a power conferred by this Order.

(3) For the purpose of paragraph (1) a provision is inconsistent with the exercise of a power conferred by this Order if and insofar as (in particular)—

- (a) it would make it an offence to take action, or not to take action, in pursuance of the power;
- (b) action taken in pursuance of the power would cause the provision to apply so as to enable a person to require the taking of remedial or other action or so as to enable remedial or other action to be taken;
- (c) action taken in pursuance of a power or duty under the provision would or might interfere with the exercise of any work authorised by this Order.

(4) Where any person notifies the undertaker in writing that anything done or proposed to be done by the undertaker or by virtue of this Order would amount to a contravention of a statutory provision of local application, the undertaker must as soon as reasonably practicable, and at any rate within 14 days of receipt of the notice, respond in writing setting out—

- (a) whether the undertaker agrees that the action taken or proposed does or would contravene the provision of local application;
- (b) if the undertaker does agree, the grounds (if any) on which the undertaker believes that the provision is excluded by this article; and
- (c) the extent of that exclusion.

Certification of documents

56.—(1) National Grid must, as soon as practicable after the making of this Order, submit to the Secretary of State copies of—

- (a) the Access and Rights of Way Plans;
- (b) the Book of Reference;
- (c) the CEMP;
- (d) the design drawings;
- (e) the Land Plans;
- (f) the Special Category Land and Crown Land Plans;
- (g) the Traffic Regulation Plans;
- (h) the Trees and Hedgerows Potentially Affected Plans; and
- (i) the Works Plans.

for certification that they are true copies of the documents referred to in this Order.

(2) A plan or document so certified is admissible in any proceedings as evidence of the contents of the document of which it is a copy.

Service of notices

57.—(1) A notice or other document required or authorised to be served for the purposes of this Order may be served—

- (a) by post;
- (b) by delivering it to the person on whom it is to be served or to whom it is to be given or supplied; or
- (c) with the written consent of the recipient and subject to paragraphs (5) to (8), by electronic transmission.

(2) Where the person on whom a notice or other document to be served for the purposes of this Order is a body corporate, the notice or document is duly served if it is served on the secretary or clerk of that body.

(3) For the purposes of section 7 of the Interpretation Act 1978(a) as it applies for the purposes of this article, the proper address of any person in relation to the service on that person of a notice or document under paragraph (1) is, if that person has given an address for service, that address, and otherwise—

- (a) in the case of the secretary or clerk of a body corporate, the registered or principal office of that body; and
- (b) in any other case, the last known address of that person at the time of service.

(4) Where for the purposes of this Order a notice or other document is required or authorised to be served on a person as having any interest in, or as the occupier of, land and the name or address of that person cannot be ascertained after reasonable enquiry, the notice may be served by—

- (a) addressing it to that person by name or by the description of “owner”, or as the case may be “occupier”, of the land (describing it); and
- (b) either leaving it in the hands of a person who is or appears to be resident or employed on the land or leaving it conspicuously affixed to some building or object on or near the land.

(5) Where a notice or other document required to be served or sent for the purposes of this Order is served or sent by electronic transmission the requirement is taken to be fulfilled only where—

- (a) the recipient of the notice or other document to be transmitted has given consent to the use of electronic transmission in writing or by electronic transmission;
- (b) the notice or document is capable of being accessed by the recipient;
- (c) the notice or document is legible in all material respects; and
- (d) the notice or document is in a form sufficiently permanent to be used for subsequent reference.

(6) Where the recipient of a notice or other document served or sent by electronic transmission notifies the sender within 7 days of receipt that the recipient requires a paper copy of all or part of that notice or other document, the sender must provide such a copy as soon as reasonably practicable.

(7) Any consent to the use of electronic communication given by a person may be revoked by that person in accordance with paragraph (8).

(8) Where a person is no longer willing to accept the use of electronic transmission for any of the purposes of this Order—

- (a) that person must give notice in writing or by electronic transmission revoking any consent given by that person for that purpose; and
- (b) such revocation is final and takes effect on a date specified by the person in the notice but that date must not be less than 7 days after the date on which the notice is given.

(9) This article does not exclude the employment of any method of service not expressly provided for by it.

(a) 1978 c. 30.

(10) In this article “legible in all material respects”, in relation to a notice or document, means that the information contained in the notice or document is available to that person to no lesser extent than it would be if served, given or supplied by means of a notice or document in printed form.

Arbitration

58. Subject to article 51 (procedures regarding certain approvals, etc.) and except where otherwise expressly provided for in this Order or unless otherwise agreed between the parties, any difference under any provision of this Order must be referred to and settled by a single arbitrator to be agreed between the parties or, failing agreement, to be appointed on the application of either party (after giving notice in writing to the other) by the Secretary of State.

Application of sections 91(3A) and (3B) of the 1990 Act

59. For the purposes of this Order, sections 91(3A) and (3B) (general condition limiting duration of planning permission) of the 1990 Act applies in the circumstances set out in those provisions to extend the time limit specified in paragraph 33(1) of article 33 (time limit for exercise of authority to acquire land compulsorily) and paragraph 2 of Schedule 3 (Requirements) as if this Order was a planning permission to develop land in England pursuant to the 1990 Act.

Signed by authority of the Secretary of State for Business, Energy and Industrial Strategy

	<i>Name</i>
	[title]
Date	Department of Business, Energy and Industrial Strategy

SCHEDULES

SCHEDULE 1

Article 3

AUTHORISED DEVELOPMENT

A nationally significant infrastructure project as defined in sections 14 and 16 of the 2008 Act and associated development within the meaning of section 115(2) & (4A) of the 2008 Act, comprising—

In the county of the Isle of Anglesey

WYLFA SUBSTATION

Work No. 1 – Wylfa Substation

Works at the existing Wylfa Substation, which may include—

- (a) dismantling and removal of redundant substation structures, equipment and plant, including cables, steelwork, foundations, firewall, support structures, cable ducts and troughs;
- (b) earthworks including to provide a suitable base for structures, landscaping, roads and compounds;
- (c) construction of foundations to support all new structures and equipment;
- (d) construction of gantries for the termination of overhead electric line connections into the substation;
- (e) installation of equipment between gantries and switchgear;
- (f) installation of support structures;
- (g) installation of switchgear and equipment;
- (h) installation of electrical control panels;
- (i) installation of troughs and below ground services;
- (j) installation of permanent perimeter fencing;
- (k) modifications to existing site access roads, hardstanding, perimeter fencing, and drainage; and
- (l) a temporary site construction compound, including temporary project offices, welfare facilities, security cabin and fencing and gates, utility service connections for electricity and potable water and/or connection of power supply made from temporary generators, utility service connections or on site storage for later disposal of grey water and sanitation, provision of services, emergency electrical generator, construction and security lighting, material laydown and storage (including storage for tools, fuel, plant and equipment), construction waste management facilities, assembly areas, earthworks, drainage works and discharge to watercourses, soil stripping, ground improvement, access roads, wheel cleaning facilities, temporary road bridges, parking areas, hardstanding, culvert works and attenuation ponds.

400kV OVERHEAD ELECTRIC LINE

Work No. 2 – Wylfa Substation line entries

Works to reconfigure the existing 400kV overhead electric line and to construct and install new 400kV overhead electric line, between the Wylfa Substation gantries, and to pylon 4AP002 on the 4AP Route and to new pylon 4ZA005 on the 4ZA Route, which may include—

- (a) dismantling and removal of overhead electric line between existing Wylfa Substation gantries and existing pylon 4ZA004;
- (b) dismantling and removal of overhead electric line between existing pylons 4ZA004 and 4AP002;
- (c) foundations and steelwork to construct new pylons, 4AP001 and 4ZA005;
- (d) installation of conductors, insulators and fittings, including sufficient length of conductor left at each gantry to facilitate connection to the Wylfa Substation equipment, from the Wylfa Substation gantries, to pylon 4AP001;
- (e) installation of a new fibre optic earthwire conductor, between 4AP001 and 4AP002 and the installation of joint box at 4AP001 and underground fibre optic conductor, from 4AP001 to the communication panel at Wylfa Substation;
- (f) installation of conductors, insulators and fittings, from the Wylfa Substation gantries, to new pylon 4ZA005; and
- (g) installation of fibre optic earthwire conductor, between 4ZA004 and new pylon 4ZA005, with optical fibres terminated in joint boxes.

Work No. 3 – overhead electric line from Wylfa Substation line entries to Rhosgoch

Works to modify the existing 400kV overhead electric line between pylons 4AP002 and 4AP021 on the 4AP Route, and to construct and install a new 400kV overhead electric line, between and including pylons 4ZA005 and 4ZA025 on the 4ZA Route, which may include—

- (a) the foundations and steelwork to construct new pylons between and including 4ZA006 and 4ZA025
- (b) the installation of conductors, insulators and fittings, between pylons 4ZA005 and 4ZA025;
- (c) the installation of fibre optic earthwire conductor, between pylons 4ZA005 and 4ZA025, with optical fibres terminated in joint boxes; and
- (d) the installation of fibre optic earthwire conductor, on pylons 4AP002 to 4AP021, with joint boxes for continuous optical fibre paths.

Work No. 4 – overhead electric line from Rhosgoch to Capel Parc

Works to reconfigure and modify the existing 400kV overhead electric line and to construct and install new 400kV overhead electric line, between and including pylons 4ZA025 and 4ZA040 on the 4ZA Route and between and including pylons 4AP021 and 4AP036 on the 4AP Route, which may include—

- (a) the dismantling of existing pylons (X4ZA027 to X4ZA033), with partial removal of foundations, and removal of conductors, insulators and fittings from existing spans 4AP023 to X4ZA033;
- (b) the construction and installation (and decommissioning and removal or partial removal) of a temporary overhead electric line, between existing pylon X4ZA028 and existing pylon 4ZA035, including the installation (and decommissioning and removal or partial removal) of two temporary pylons 4ZA030T and 4ZA034T;
- (c) the modification of existing pylon 4AP023;
- (d) the modification of existing pylon 4ZA040;
- (e) the foundations and steelwork to construct new pylons 4AP024 to 4AP036 (inclusive);
- (f) the foundations and steelwork to construct new pylons 4ZA026 to 4ZA034 (inclusive);
- (g) the installation of overhead electric line, between pylons 4AP023 and 4AP036, including new fibre optic earthwire conductor with joint boxes on pylons 4AP023 to 4AP036; and

- (h) the installation of overhead electric line, between pylons 4ZA025 to 4ZA036, including new fibre optic earthwire conductor with joint boxes, and connections within spans between new conductor and existing conductor.

Work No. 5 – overhead electric line from Capel Parc to Maenaddwyn

Works to reconfigure the existing 400kV overhead electric line and to construct and install a new 400kV overhead electric line, between pylons 4AP036 and 4AP043 on the 4AP Route and between pylons 4ZA040 and 4ZA047 on the 4ZA Route, which may include—

- (a) the dismantling of existing pylons labelled as X4ZA040, X4ZA044 and X4ZA045, with partial removal of foundations, and removal of conductors, insulators and fittings from existing associated spans;
- (b) the construction and installation (and decommissioning and removal) of a temporary span of overhead electric line, between pylons 4AP036 and 4ZA041 to facilitate two live circuits between Wylfa and Pentir substations;
- (c) the modification of existing pylon 4ZA047 and foundations;
- (d) the foundations and steelwork to construct new pylons, 4ZA041 to 4ZA046 (inclusive);
- (e) the foundations and steelwork to construct new pylons, 4AP037 and 4AP041 to 4AP043 (inclusive);
- (f) the installation of overhead electric line, between and including pylons 4AP036 and 4AP037, and between and including 4AP041 and 4AP043, including new fibre optic earthwire conductor with joint boxes;
- (g) the installation of new fibre optic earthwire conductor with joint boxes between pylons 4AP037 and 4AP041; and
- (h) the installation of overhead electric line, between and including pylons 4ZA040 to 4ZA047, including new fibre optic earthwire conductor with joint boxes.

Work No. 6 – overhead electric line from Maenaddwyn to Ceint

Works to construct and install a new 400kV overhead electric line, between pylons 4AP043 and 4AP074 on the 4AP Route, which may include—

- (a) the foundations and steelwork to construct new pylons between 4AP044 and 4AP074 (inclusive); and
- (b) the installation of overhead electric line, between pylons 4AP043 to 4AP074, including new fibre optic earthwire conductor, joint boxes.

Work No. 7 – overhead electric line from Ceint to Braint Tunnel Head House and Cable Sealing End Compound

Works to construct and install a new 400kV overhead electric line, between pylons 4AP074 and 4AP087 to the two sealing end compound gantries on the 4AP Route, which may include—

- (a) the foundations and steelwork to construct new pylons, 4AP075 to 4AP087 (inclusive);
- (b) the installation of overhead electric line, between pylons 4AP074 to 4AP087, and 4AP087 to the two sealing end compound gantries;
- (c) fibre optic earthwire conductors, and joint boxes; and
- (d) installation of conductors, insulators and fittings including sufficient length of conductor left to terminate at each gantry to facilitate connection to the equipment within the Braint Tunnel Head House and Cable Sealing End Compound.

400kV UNDERGROUND CABLE AND TUNNEL

In the counties of the Isle of Anglesey and Gwynedd and in the jurisdiction of the Welsh Government

Work No. 8 – Braint Tunnel Head House and Cable Sealing End Compound to Tŷ Fodol Tunnel Head House and Cable Sealing End Compound (Menai Strait underground cable and cable crossing)

Works to construct and install the 400kV electric line connection in the section of the works between and including the Braint Tunnel Head House and Cable Sealing End Compound and the Tŷ Fodol Tunnel Head House and Cable Sealing End Compound, including high voltage cables, main tunnel, service tunnels and associated shafts, and which may include—

- (a) Braint sealing end equipment including switchgear and connection to overhead electric line conductors including gantries;
- (b) Tŷ Fodol sealing end equipment including switchgear and connection to overhead electric line conductors including gantries;
- (c) Braint tunnel shaft (including base slab, launch/reception chambers, sumps and pumps, service tunnels and any necessary stabilisation works in respect of the shaft), cables, Tunnel Head House and equipment, including ventilation provision and internal pressurised staircases and lifts;
- (d) Tŷ Fodol tunnel shaft (including base slab, launch/reception chambers, sumps and pumps, and service tunnels and any stabilisation works in respect of the shaft), cables, Tunnel Head House and equipment, including ventilation provision and internal pressurised staircase and lifts;
- (e) Braint Tunnel Head House and Cable Sealing End Compound permanent compound, within which is situated the sealing end equipment, earthing and protection and control systems, portable relay room, supervisory control and data acquisition communication, switchgear, connection to overhead electric line including fibre optic cable to joint boxes, gantries, tunnel shaft and headhouse and transformers, cables, surface troughs, fibre optic cable, joint boxes and above ground water tanks;
- (f) Tŷ Fodol Tunnel Head House and Cable Sealing End Compound permanent compound, within which is situated the sealing end equipment, earthing and protection and control systems, portable relay room, supervisory control and data acquisition communication, switchgear, connection to overhead electric line including fibre optic cable to joint boxes, gantries, tunnel shaft and headhouse and transformers, cables, surface troughs, fibre optic cable, joint boxes and above ground water tanks;
- (g) a tunnel, including under the Menai Strait, connecting the Braint tunnel shaft to the Tŷ Fodol tunnel shaft, including tunnel lining and associated works, sumps, equipment, underground cables and joints, underground fibre optic cables and joint boxes;
- (h) two substations, one at Braint and one at Tŷ Fodol, in connection with the SP Manweb Works;
- (i) two temporary site construction compounds, one at Braint and one at Tŷ Fodol, including temporary project offices, welfare facilities, provision of services, temporary generators, cranes, construction lighting, material laydown and storage, noise enclosures, temporary storage of excavated material, earthworks, drainage works and discharge to watercourses, ground improvement, access roads (including construction site services and temporary bridges), temporary road, parking areas, drainage (including attenuation ponds); and
- (j) permanent vehicular access road(s), hardstanding, drainage (including attenuation ponds), and site services, including potable water supply, wastewater facilities and power supply, for each permanent compound.

400kV OVERHEAD ELECTRIC LINE

In the County of Gwynedd

Work No. 9 – overhead electric line from Tŷ Fodol Tunnel Head House and Cable Sealing End Compound to Pentir Substation Line entries

Works to construct and install a new 400kV overhead electric line, between the Tŷ Fodol Tunnel Head House and Cable Sealing End Compound, to the Pentir Substation Line Entries on the 4AP Route, which may include—

- (a) the foundations and steelwork to construct new pylons, 4AP088 to 4AP090 (inclusive);
- (b) the installation of new 400kV overhead electric line, between the two sealing end compound gantries in the Tŷ Fodol Sealing End and Tunnel Shaft compound, to pylon 4AP088, and from 4AP088 to 4AP090;
- (c) a fibre optic earthwire conductor, and joint boxes; and
- (d) installation of conductors, insulators and fittings including sufficient length of conductor left at each gantry to facilitate connection to the equipment within the Tŷ Fodol Tunnel Head House and Cable Sealing End Compound.

Work No. 10 – Pentir Substation Line entries

Works to construct and install a new 400kV overhead electric line, between pylon 4AP090 and Pentir Substation gantries on the 4AP Route, which may include—

- (a) foundations and steelwork to construct new pylon, 4AP091;
- (b) the installation of new 400kV overhead electric line, between new pylon 4AP090 and substation gantries including downleads;
- (c) a fibre optic earthwire conductor, terminated at pylon 4AP091, and installation of a joint box at 4AP091 and underground fibre optic conductor from pylon 4AP091 to the communication panel at Pentir Substation; and
- (d) installation of conductors, insulators and fittings, including sufficient length of conductor left at each gantry to facilitate connection to the Pentir Substation equipment.

PENTIR SUBSTATION

Work No. 11 – Pentir Substation

Works at and to extend the existing Pentir Substation, which may include—

- (a) dismantling and removal of redundant substation structures, equipment and plant, including cables, steelwork, foundations, firewall, support structures, cable ducts and troughing;
- (b) earthworks including to create platforms for the new substation equipment, structures, landscaping, roads and compounds;
- (c) construction of foundations to support all new structures and equipment;
- (d) construction of gantries for the termination of overhead electric line connections into the substation;
- (e) installation of equipment between gantries and switchgear;
- (f) installation and replacement of underground 400kV cables, including to facilitate the connection of new overhead line electric connections into the substation;
- (g) installation of a 400kV shunt reactor;
- (h) the reconfiguration of existing substation equipment;
- (i) the installation of new pylon 4ZB001A including foundations, steelwork and associated conductors, insulators and fittings and the modification of existing pylon 4ZB001;

- (j) installation of new relay rooms;
- (k) installation of support structures;
- (l) installation of switchgear and equipment;
- (m) installation of electrical control panels;
- (n) installation of troughs and below ground services;
- (o) extension of the substation perimeter fence;
- (p) modifications to existing site access roads, hardstanding, and drainage;
- (q) landscaping at either end of the existing substation;
- (r) installation of other site furniture; and
- (s) temporary site construction compounds, including temporary project offices, welfare facilities, security cabin and fencing and gates, utility service connections for electricity and potable water and/or connection of power supply made from temporary generators, utility service connections or on site storage for later disposal of grey water and sanitation, provision of services, emergency electrical generator, construction and security lighting, material laydown and storage (including storage for tools, fuel, plant and equipment), construction waste management facilities, assembly areas, earthworks, drainage works and discharge to watercourses, soil stripping, ground improvement, access roads, wheel cleaning facilities, temporary road bridges, parking areas, hardstanding, culvert works and attenuation ponds and works in respect of power supply from Pentir Substation to Tŷ Fodol Tunnel Head House construction compound.

CONSTRUCTION, MAINTENANCE AND USE

In the counties of the Isle of Anglesey and Gwynedd

Work No. 12 — Temporary site compounds at Penmynydd Road and Pentir

Works to construct temporary site compounds as part of the overhead electric line works, which may include—

- (a) earthworks, soil stripping and storage, ground improvement;
- (b) car parking, hard standing, roadways, and drainage works and discharge to watercourses;
- (c) offices and staff welfare facilities;
- (d) utility service connections for electricity, communications and potable water and/or connection of power supply made from temporary generators;
- (e) utility service connection or on site storage for later disposal of grey water and sanitation;
- (f) emergency electrical generator;
- (g) materials, tools and fuel storage areas;
- (h) plant and equipment storage areas;
- (i) wheel cleaning facilities;
- (j) security cabin and fencing and gates;
- (k) construction and security lighting; and
- (l) construction waste management facilities.

ASSOCIATED DEVELOPMENT

Such associated development not listed above, within the Order limits, as may be necessary or expedient for the purposes of or in connection with the construction or maintenance of the above Work Nos. or any of them, which may include—

- (a) ramps, means of access, footpaths, bridleways and trackways;

- (b) embankment, bridge, aprons, abutments, foundations, retaining walls, drainage, wing walls, fencing and culverts;
- (c) works to alter the position of apparatus, including mains, sewers, drains, conductors and cables;
- (d) works to alter the position of SP Manweb apparatus, including construction and installation, decommissioning and partial removal and alteration of conductors and cables;
- (e) works to alter the course of, or otherwise interfere with a watercourse, drainage works, attenuation ponds, and temporary culverts;
- (f) landscaping and other works to mitigate any adverse effects of the construction, maintenance, operation or use of the authorised development, together with means of access;
- (g) tree and hedgerow planting and maintenance works;
- (h) works for the benefit or protection of land, structures, apparatus or equipment affected by the authorised development (including earthing and works for monitoring);
- (i) works required for the strengthening, improvement, maintenance, or reconstruction of any streets;
- (j) works to streets and any alteration, removal or installation of road furniture, including where required to facilitate the construction of temporary accesses;
- (k) site preparation works, site clearance (including fencing, vegetation removal, demolition of existing buildings or structures and the creation of alternative footpaths); earthworks (including soil stripping and storage, site levelling, ground improvement);
- (l) establishment of site construction compounds, temporary laydown and storage areas, temporary offices, temporary vehicle parking, construction fencing, perimeter enclosure, security fencing, construction related buildings, welfare facilities, construction and security lighting and haulage roads;
- (m) works to allow for the provision of services, including a power supply, in respect of the tunnel boring machine and/or any other equipment relating to Work No. 8;
- (n) in respect of Work No. 8 a tunnel vehicle guide rail;
- (o) supervisory control and data acquisition communication equipment;
- (p) installation of wires, cables, ducts, pipes and conductors; establishment of winching points and the installation of scaffolding;
- (q) such other works, including scaffolding, working sites storage areas, and works of demolition (which includes but is not limited to demolition of residential properties), as may be necessary or expedient for the purposes of or in connection with the construction of the authorised development and which do not give rise to any materially different environmental effects from those assessed in the Environmental Statement; and
- (r) such other works as may be necessary or expedient for the purposes of or in connection with the maintenance of the authorised development and which do not give rise to any materially different environmental effects from those assessed in the Environmental Statement.

SCHEDULE 2

Article 2

PLANS

PART 1

ACCESS AND RIGHTS OF WAY PLANS

<i>Drawing Title</i>	<i>Drawing Number</i>	<i>Revision</i>
Access and Rights of Way Key Plan Section A	DCO_A/AC/KP/01	A
Access and Rights of Way Key Plan With Details Section A	DCO_A/AC/KPD/01	A
Access and Rights of Way Plan Section A, Sheet 1 of 5	DCO_A/AC/PS/01	A
Access and Rights of Way Plan Section A, Sheet 2 of 5	DCO_A/AC/PS/02	A
Access and Rights of Way Plan Section A, Sheet 3 of 5	DCO_A/AC/PS/03	A
Access and Rights of Way Plan Section A, Sheet 4 of 5	DCO_A/AC/PS/04	A
Access and Rights of Way Plan Section A, Sheet 5 of 5	DCO_A/AC/PS/05	A
Access and Rights of Way Key Plan Section B	DCO_B/AC/KP/01	A
Access and Rights of Way Key Plan With Details Section B	DCO_B/AC/KPD/01	A
Access and Rights of Way Plan Section B, Sheet 1 of 4	DCO_B/AC/PS/01	A
Access and Rights of Way Plan Section B, Sheet 2 of 4	DCO_B/AC/PS/02	A
Access and Rights of Way Plan Section B, Sheet 3 of 4	DCO_B/AC/PS/03	A
Access and Rights of Way Plan Section B, Sheet 4 of 4	DCO_B/AC/PS/04	A
Access and Rights of Way Key Plan Section C Option A	DCO_C/AC/KP/01_A	A
Access and Rights of Way Key Plan With Details Section C Option A	DCO_C/AC/KPD/01_A	A
Access and Rights of Way Plan Section C Option A, Sheet 1 of 7	DCO_C/AC/PS/01_A	A
Access and Rights of Way Plan Section C Option A, Sheet 2 of 7	DCO_C/AC/PS/02_A	A
Access and Rights of Way Plan Section C Option A, Sheet 3 of 7	DCO_C/AC/PS/03_A	A
Access and Rights of Way Plan Section C Option A, Sheet 4 of 7	DCO_C/AC/PS/04_A	A
Access and Rights of Way Plan Section C Option A, Sheet 5 of 7	DCO_C/AC/PS/05_A	A
Access and Rights of Way Plan	DCO_C/AC/PS/06_A	A

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Section C Option A, Sheet 6 of 7		
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Access and Rights of Way Key Plan Section C Option B	DCO_C/AC/KP/01_B	A
Access and Rights of Way Key Plan With Details Section C Option B	DCO_C/AC/KPD/01_B	A
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Access and Rights of Way Plan Section C Option B, Sheet 2 of 7	DCO_C/AC/PS/02_B	A
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Access and Rights of Way Plan Section C Option B, Sheet 5 of 7	DCO_C/AC/PS/05_B	A
Access and Rights of Way Plan Section C Option B, Sheet 6 of 7	DCO_C/AC/PS/06_B	A
Access and Rights of Way Plan Section C Option B, Sheet 7 of 7	DCO_C/AC/PS/07_B	A
Access and Rights of Way Key Plan Section D Option A	DCO_D/AC/KP/01_A	A
Access and Rights of Way Key Plan With Details Section D Option A	DCO_D/AC/KPD/01_A	A
Access and Rights of Way Plan Section D Option A, Sheet 1 of 4	DCO_D/AC/PS/01_A	A
Access and Rights of Way Plan Section D Option A, Sheet 2 of 4	DCO_D/AC/PS/02_A	A
Access and Rights of Way Plan Section D Option A, Sheet 3 of 4	DCO_D/AC/PS/03_A	A
Access and Rights of Way Plan Section D Option A, Sheet 4 of 4	DCO_D/AC/PS/04_A	A
Access and Rights of Way Key Plan Section D Option B	DCO_D/AC/KP/01_B	A
Access and Rights of Way Key Plan With Details Section D Option B	DCO_D/AC/KPD/01_B	A
Access and Rights of Way Plan Section D Option B, Sheet 1 of 4	DCO_D/AC/PS/01_B	A
Access and Rights of Way Plan Section D Option B, Sheet 2 of 4	DCO_D/AC/PS/02_B	A
Access and Rights of Way Plan Section D Option B, Sheet 3 of 4	DCO_D/AC/PS/03_B	A
Access and Rights of Way Plan Section D Option B, Sheet 4 of 4	DCO_D/AC/PS/04_B	A
Access and Rights of Way Key Plan Section E	DCO_E/AC/KP/01	A
Access and Rights of Way Key Plan With Details Section E	DCO_E/AC/KPD/01	A
Access and Rights of Way Plan Section E, Sheet 1 of 4	DCO_E/AC/PS/01	A

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Access and Rights of Way Plan Section E, Sheet 2 of 4	DCO_E/AC/PS/02	A
Access and Rights of Way Plan Section E, Sheet 3 of 4	DCO_E/AC/PS/03	A
Access and Rights of Way Plan Section E, Sheet 4 of 4	DCO_E/AC/PS/04	A
Access and Rights of Way Key Plan Section F	DCO_F/AC/KP/01	A
Access and Rights of Way Key Plan With Details Section F	DCO_F/AC/KPD/01	A
Access and Rights of Way Plan Section F, Sheet 1 of 5	DCO_F/AC/PS/01	A
Access and Rights of Way Plan Section F, Sheet 2 of 5	DCO_F/AC/PS/02	A
Access and Rights of Way Plan Section F, Sheet 3 of 5	DCO_F/AC/PS/03	A
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PART 2
DESIGN DRAWINGS

<i>Drawing Title</i>	<i>Drawing Number</i>	<i>Revision</i>
List of Design Plans	DCO_DE/KP/01	A
Design Plan: Substation Parameter Plan - Pentir- Wylfa Sheet 1 of 10	DCO_DE/PS/01_01	A
Design Plan: Indicative Substation Layout - Wylfa Sheet 2 of 10	DCO_DE/PS/01_02	A
Design Plan: Indicative Substation Elevation - Wylfa Sheet 3 of 10	DCO_DE/PS/01_03	A
Design Plan: Substation Parameter Plan - Pentir Sheet 4 of 10	DCO_DE/PS/01_04	A
Design Plan: Indicative Substation Layout - Pentir Sheet 5 of 10	DCO_DE/PS/01_05	A
Design Plan: Indicative Substation Elevation - Pentir Sheet 6 of 10	DCO_DE/PS/01_06	A
Design Plan: Illustrative Substation Equipment Sheet 7 of 10	DCO_DE/PS/01_07	A
Design Plan: Illustrative Substation Equipment Sheet 8 of 10	DCO_DE/PS/01_08	A
Design Plan: Illustrative Substation Equipment Sheet 9 of 10	DCO_DE/PS/01_09	A
Design Plan: Illustrative Substation Equipment	DCO_DE/PS/01_10	A

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Design Plan: Explanatory Overhead Line Profile Sheet 1 of 1	DCO_DE/PS/02_01	A
Design Plan: Indicative Overhead Line Profiles 4AP Option A Sheet 1 of 12	DCO_DE/PS/03_01	A
Design Plan: Indicative Overhead Line Profiles 4AP Option A Sheet 2 of 12	DCO_DE/PS/03_02	A
Design Plan: Indicative Overhead Line Profiles 4AP Option A Sheet 3 of 12	DCO_DE/PS/03_03	A
Design Plan: Indicative Overhead Line Profiles 4AP Option A Sheet 4 of 12	DCO_DE/PS/03_04	A
Design Plan: Indicative Overhead Line Profiles 4AP Option A Sheet 5 of 12	DCO_DE/PS/03_05	A
Design Plan: Indicative Overhead Line Profiles 4AP Option A Sheet 6 of 12	DCO_DE/PS/03_06	A
Design Plan: Indicative Overhead Line Profiles 4AP Option A Sheet 7 of 12	DCO_DE/PS/03_07	A
Design Plan: Indicative Overhead Line Profiles 4AP Option A Sheet 8 of 12	DCO_DE/PS/03_08	A
Design Plan: Indicative Overhead Line Profiles 4AP Option A Sheet 9 of 12	DCO_DE/PS/03_09	A
Design Plan: Indicative Overhead Line Profiles 4AP Option A Sheet 10 of 12	DCO_DE/PS/03_10	A
Design Plan: Indicative Overhead Line Profiles 4AP Option A Sheet 11 of 12	DCO_DE/PS/03_11	A
Design Plan: Indicative Overhead Line Profiles 4AP Option A Sheet 12 of 12	DCO_DE/PS/03_12	A
Design Plan: Indicative Overhead Line Profiles 4AP Option B Sheet 1 of 12	DCO_DE/PS/04_01	A
Design Plan: Indicative Overhead Line Profiles 4AP Option B Sheet 2 of 12	DCO_DE/PS/04_02	A
Design Plan: Indicative Overhead Line Profiles 4AP Option B Sheet 3 of 12	DCO_DE/PS/04_03	A
Design Plan: Indicative Overhead Line Profiles 4AP Option B Sheet 4 of 12	DCO_DE/PS/04_04	A
Design Plan: Indicative Overhead Line Profiles	DCO_DE/PS/04_05	A

<i>Drawing Title</i>	<i>Drawing Number</i>	<i>Revision</i>
4AP Option B Sheet 5 of 12		
Design Plan: Indicative Overhead Line Profiles 4AP Option B Sheet 6 of 12	DCO_DE/PS/04_06	A
Design Plan: Indicative Overhead Line Profiles 4AP Option B Sheet 7 of 12	DCO_DE/PS/04_07	A
Design Plan: Indicative Overhead Line Profiles 4AP Option B Sheet 8 of 12	DCO_DE/PS/04_08	A
Design Plan: Indicative Overhead Line Profiles 4AP Option B Sheet 9 of 12	DCO_DE/PS/04_09	A
Design Plan: Indicative Overhead Line Profiles 4AP Option B Sheet 10 of 12	DCO_DE/PS/04_10	A
Design Plan: Indicative Overhead Line Profiles 4AP Option B Sheet 11 of 12	DCO_DE/PS/04_11	A
Design Plan: Indicative Overhead Line Profiles 4AP Option B Sheet 12 of 12	DCO_DE/PS/04_12	A
Design Plan: Indicative Overhead Line Profiles 4ZA Sheet 1 of 6	DCO_DE/PS/05_01	A
Design Plan: Indicative Overhead Line Profiles 4ZA Sheet 2 of 6	DCO_DE/PS/05_02	A
Design Plan: Indicative Overhead Line Profiles 4ZA Sheet 3 of 6	DCO_DE/PS/05_03	A
Design Plan: Indicative Overhead Line Profiles 4ZA Sheet 4 of 6	DCO_DE/PS/05_04	A
Design Plan: Indicative Overhead Line Profiles 4ZA Sheet 5 of 6	DCO_DE/PS/05_05	A
Design Plan: Indicative Overhead Line Profiles 4ZA Sheet 6 of 6	DCO_DE/PS/05_06	A
Design Plan: Indicative Overhead Line Profiles Temporary Alignment Sheet 1 of 1	DCO_DE/PS/06_01	A
Design Plan: Illustrative Tunnel Longitudinal Section Sheet 1 of .	DCO_DE/PS/07_01	A
Design Plan: Illustrative Tunnel Cross Section Sheet 2 of 3	DCO_DE/PS/07_02	A
Design Plan: Illustrative Tunnel Cross Section Sheet 3 of 3	DCO_DE/PS/07_03	A
Design Plan: Illustrative Lattice Pylons	DCO_DE/PS/08_01	A

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Design Plan: Illustrative Lattice Pylon Footprints Sheet 2 of 4	DCO_DE/PS/08_02	A
Design Plan: Illustrative Lattice Pylon Foundations Sheet 3 of 4	DCO_DE/PS/08_03	A
Design Plan: Indicative Maximum And Minimum Lattice Pylon Heights Sheet 4 of 4	DCO_DE/PS/08_04	A
Design Plan: Parameter Plan For Braint Tunnel Head House And Cable Sealing End Compound Sheet 1 of 8	DCO_DE/PS/09_01	A
Design Plan: Indicative Final Arrangement For Braint Tunnel Head House And Cable Sealing End Location Sheet 2 of 8	DCO_DE/PS/09_02	A
Design Plan: Indicative Finished Surface Levels For Braint Tunnel Head House And Cable Sealing End Location Sheet 3 of 8	DCO_DE/PS/09_03	A
Design Plan: Indicative Final Arrangement For Braint Tunnel Head House And Cable Sealing End Compound Sheet 4 of 8	DCO_DE/PS/09_04	A
Design Plan: Parameter Plan For Tÿ Fodol Tunnel Head House And Cable Sealing End Compound Sheet 5 of 8	DCO_DE/PS/09_05	A
Design Plan: Indicative Final Arrangement For Tÿ Fodol Tunnel Head House And Cable Sealing End Location Sheet 6 of 8	DCO_DE/PS/09_06	A
Design Plan: Indicative Finished Surface Levels For Tÿ Fodol Tunnel Head House And Cable Sealing End Location Sheet 7 of 8	DCO_DE/PS/09_07	A
Design Plan: Indicative Final Arrangement For Tÿ Fodoltunnel Head House And Cable Sealing End Compound Sheet 8 of 8	DCO_DE/PS/09_08	A
Design Plan: Illustrative Lattice Pylon Working Areas Sheet 1 of 3	DCO_DE/PS/10_01	A
Design Plan: Illustrative Lattice Pylon Conductor Pulling Positions Sheet 2 of 3	DCO_DE/PS/10_02	A
Design Plan: Indicative Overhead Line Limits Of Deviation Sheet 3 of 3	DCO_DE/PS/10_03	A
Design Plan: Illustrative Bellmouth Layout Sheet 1 of 6	DCO_DE/PS/11_01	A
Design Plan: Illustrative Stone Access Road Sheet 2 of 6	DCO_DE/PS/11_02	A
Design Plan: Illustrative Interlocking Panel Access	DCO_DE/PS/11_03	A

<i>Drawing Title</i>	<i>Drawing Number</i>	<i>Revision</i>
For Overhead Line Construction Sheet 3 of 6		
Design Plan: Illustrative Culvert Construction Details Sheet 4 of 6	DCO_DE/PS/11_04	A
Design Plan: Illustrative Bridge Details For Overhead Line Construction Sheet 5 of 6	DCO_DE/PS/11_05	A
Design Plan: Illustrative Bridge Details For Tunnel Construction Sheet 6 of 6	DCO_DE/PS/11_06	A
Design Plan: Illustrative Overhead Line Construction Compound Sheet 1 of 5	DCO_DE/PS/12_01	A
Design Plan: Illustrative Tunnel And Cable Sealing End Construction Compound - Braint Sheet 2 of 5	DCO_DE/PS/12_02	A
Design Plan: Illustrative Tunnel And Cable Sealing End Construction Compound - Tŷ Fodol Sheet 3 of 5	DCO_DE/PS/12_03	A
Design Plan: Illustrative Substation Construction Compound – Wylfa Sheet 4 of 5	DCO_DE/PS/12_04	A
Design Plan: Illustrative Substation Construction Compound – Pentir Sheet 5 of 5	DCO_DE/PS/12_05	A

PART 3
LAND PLANS

<i>Drawing Title</i>	<i>Drawing Number</i>	<i>Revision</i>
Land Key Plan Section A	DCO_A/LP/KP/01	A
Land Plan Section A, Sheet 1 of 5	DCO_A/LP/PS/01	A
Land Plan Inset 1A to Section A, Sheet 1 of 5	DCO_A/LP/PS/01/INS1A	A
Land Plan Section A, Sheet 2 of 5	DCO_A/LP/PS/02	A
Land Plan Inset 2A to Section A, Sheet 2 of 5	DCO_A/LP/PS/02/INS2A	A
Land Plan Inset 2B to Section A, Sheet 2 of 5	DCO_A/LP/PS/02/INS2B	A
Land Plan Section A, Sheet 3 of 5	DCO_A/LP/PS/03	A
Land Plan Section A, Sheet 4 of 5	DCO_A/LP/PS/04	A
Land Plan Section A, Sheet 5 of 5	DCO_A/LP/PS/05	A

<i>Drawing Title</i>	<i>Drawing Number</i>	<i>Revision</i>
Land Key Plan Section B	DCO_B/LP/KP/01	A
Land Plan Section B, Sheet 1 of 4	DCO_B/LP/PS/01	A
Land Plan Inset 1A to Section B, Sheet 1 of 4	DCO_B/L/PS/03/INSIA	A
Land Plan Section B, Sheet 2 of 4	DCO_B/LP/PS/02	A
Land Plan Section B, Sheet 3 of 4	DCO_B/LP/PS/03	A
Land Plan Inset 3A to Section B, Sheet 3 of 4	DCO_B/LP/PS/04/INS3A	A
Land Plan Section B, Sheet 4 of 4	DCO_B/LP/PS/04	A
Land Key Plan Section C Option A	DCO_C/LP/KP/01_A	A
Land Plan Section C Option A, Sheet 1 of 7	DCO_C/LP/PS/01_A	A
Land Plan Section C Option A, Sheet 2 of 7	DCO_C/LP/PS/02_A	A
Land Plan Inset 2A to Section C Option A, Sheet 2 of 7	DCO_C/LP/PS/02_A/INS2A	A
Land Plan Inset 2B to Section C Option A, Sheet 2 of 7	DCO_C/LP/PS/02_A/INS2B	A
Land Plan Section C Option A, Sheet 3 of 7	DCO_C/LP/PS/03_A	A
Land Plan Section C Option A, Sheet 4 of 7	DCO_C/LP/PS/04_A	A
Land Plan Section C Option A, Sheet 5 of 7	DCO_C/LP/PS/05_A	A
Land Plan Section C Option A, Sheet 6 of 7	DCO_C/LP/PS/06_A	A
Land Plan Section C Option A, Sheet 7 of 7	DCO_C/LP/PS/07_A	A
Land Plan Inset 7A to Section C Option A, Sheet 7 of 7	DCO_C/LP/PS/07_A/INS7A	A
Land Key Plan Section C Option B	DCO_C/LP/KP/01_B	A
Land Plan Section C Option B, Sheet 1 of 7	DCO_C/LP/PS/01_B	A
Land Plan Section C Option B, Sheet 2 of 7	DCO_C/LP/PS/02_B	A
Land Plan Inset 2A to Section C Option B, Sheet 2 of 7	DCO_C/LP/PS/02_B/INS2A	A
Land Plan Inset 2B to Section C Option B, Sheet 2 of 7	DCO_C/LP/PS/02_B/INS2B	A
Land Plan Section C Option B, Sheet 3 of 7	DCO_C/LP/PS/03_B	A
Land Plan Section C Option B, Sheet 4 of 7	DCO_C/LP/PS/04_B	A
Land Plan	DCO_C/LP/PS/05_B	A

<i>Drawing Title</i>	<i>Drawing Number</i>	<i>Revision</i>
Section C Option B, Sheet 5 of 7		
Land Plan Section C Option B, Sheet 6 of 7	DCO_C/LP/PS/06_B	A
Land Plan Section C Option B, Sheet 7 of 7	DCO_C/LP/PS/07_B	A
Land Plan Inset 7A to Section C Option B, Sheet 7 of 7	DCO_C/LP/PS/07_B/INS7A	A
Land Key Plan Section D Option A	DCO_D/LP/KP/01_A	A
Land Plan Section D Option A, Sheet 1 of 4	DCO_D/LP/PS/01_A	A
Land Plan Inset 1A to Section D Option A, Sheet 1 of 4	DCO_D/LP/PS/01_A/INS1A	A
Land Plan Section D Option A, Sheet 2 of 4	DCO_D/LP/PS/02_A	A
Land Plan Section D Option A, Sheet 3 of 4	DCO_D/LP/PS/03_A	A
Land Plan Section D Option A, Sheet 4 of 4	DCO_D/LP/PS/04_A	A
Land Key Plan Section D Option B	DCO_D/LP/KP/01_B	A
Land Plan Section D Option B, Sheet 1 of 4	DCO_D/LP/PS/01_B	A
Land Plan Inset 1A to Section D Option B, Sheet 1 of 4	DCO_D/LP/PS/01_B/INS1A	A
Land Plan Section D Option B, Sheet 2 of 4	DCO_D/LP/PS/02_B	A
Land Plan Section D Option B, Sheet 3 of 4	DCO_D/LP/PS/03_B	A
Land Plan Section D Option B, Sheet 4 of 4	DCO_D/LP/PS/04_B	A
Land Key Plan Section E	DCO_E/LP/KP/01	A
Land Plan Section E, Sheet 1 of 4	DCO_E/LP/PS/01	A
Land Plan Section E, Sheet 2 of 4	DCO_E/LP/PS/02	A
Land Plan Section E, Sheet 3 of 4	DCO_E/LP/PS/03	A
Land Plan Inset 3A to Section E, Sheet 3 of 4	DCO_E/LP/PS/03/INS3A	A
Land Plan Section E, Sheet 4 of 4	DCO_E/LP/PS/04	A
Land Key Plan Section F	DCO_F/LP/KP/01	A
Land Plan Section F, Sheet 1 of 5	DCO_F/LP/PS/01	A
Land Plan Inset 1A to Section E, Sheet 1 of 5	DCO_F/LP/PS/01/INS1A	A
Land Plan Section F, Sheet 2 of 5	DCO_F/LP/PS/02	A

<i>Drawing Title</i>	<i>Drawing Number</i>	<i>Revision</i>
Land Plan Section F, Sheet 3 of 5	DCO_F/LP/PS/03	A
Land Plan Section F, Sheet 4 of 5	DCO_F/LP/PS/04	A
Land Plan Inset 4A to Section E, Sheet 4 of 5	DCO_F/LP/PS/04/INS4A	A
Land Plan Inset 4B to Section E, Sheet 4 of 5	DCO_F/LP/PS/04/INS4B	A
Land Plan Section F, Sheet 5 of 5	DCO_F/LP/PS/05	A

PART 4

SPECIAL CATEGORY LAND AND CROWN LAND PLANS

<i>Drawing Title</i>	<i>Drawing Number</i>	<i>Revision</i>
Crown and Special Category Land Key Plan Section A	DCO_A/CR/KP/01	A
Crown and Special Category Land Key Plan Section B	DCO_B/CR/KP/01	A
Crown and Special Category Land Key Plan Section C Option A	DCO_C/CR/KP/01_A	A
Crown and Special Category Land Plan Section C Option A, Sheet 3 of 7	DCO_C/CR/PS/03_A	A
Crown and Special Category Land Plan Section C Option A, Sheet 4 of 7	DCO_C/CR/PS/04_A	A
Crown and Special Category Land Key Plan Section C Option B	DCO_C/CR/KP/01_B	A
Crown and Special Category Land Plan Section C Option B, Sheet 3 of 7	DCO_C/CR/PS/03_B	A
Crown and Special Category Land Plan Section C Option B, Sheet 4 of 7	DCO_C/CR/PS/04_B	A
Crown and Special Category Land Key Plan Section D Option A	DCO_D/CR/KP/01_A	A
Crown and Special Category Land Plan) Section D Option A, Sheet 4 of 4	DCO_D/CR/PS/04_A	A
Crown and Special Category Land Key Plan Section D Option B	DCO_D/CR/KP/01_B	A
Crown and Special Category Land Plan Section D Option B, Sheet 4 of 4	DCO_D/CR/PS/04_B	A
Crown and Special Category Land Key Plan Section E	DCO_E/CR/KP/01	A
Crown and Special Category Land Plan Section E, Sheet 3 of 4	DCO_E/CR/PS/03	A
Crown and Special Category Land Plan Section E, Sheet 4 of 4	DCO_E/CR/PS/04	A
Crown and Special Category Land Key Plan Section F	DCO_F/CR/KP/01	A
Crown and Special Category Land Plan	DCO_F/CR/PS/01	A

<i>Drawing Title</i>	<i>Drawing Number</i>	<i>Revision</i>
Section F, Sheet 1 of 5		
Crown and Special Category Land Plan Section F, Sheet 2 of 5	DCO_F/CR/PS/02	A

PART 5
TRAFFIC REGULATION PLANS

<i>Drawing Title</i>	<i>Drawing Number</i>	<i>Revision</i>
Traffic Regulation Order Key Plan Section A	DCO_A/TRO/KP/01	A
Traffic Regulation Order Key Plan With Details Section A	DCO_A/TRO/KPD/01	A
Traffic Regulation Order Plan Section A, Sheet 1 of 5	DCO_A/TRO/PS/01	A
Traffic Regulation Order Plan Section A, Sheet 2 of 5	DCO_A/TRO/PS/02	A
Traffic Regulation Order Plan Section A, Sheet 3 of 5	DCO_A/TRO/PS/03	A
Traffic Regulation Order Plan Section A, Sheet 4 of 5	DCO_A/TRO/PS/04	A
Traffic Regulation Order Plan Section A, Sheet 5 of 5	DCO_A/TRO/PS/05	A
Traffic Regulation Order Key Plan Section B	DCO_B/TRO/KP/01	A
Traffic Regulation Order Key Plan With Details Section B	DCO_B/TRO/KPD/01	A
Traffic Regulation Order Plan Section B, Sheet 1 of 4	DCO_B/TRO/PS/01	A
Traffic Regulation Order Plan Section B, Sheet 2 of 4	DCO_B/TRO/PS/02	A
Traffic Regulation Order Plan Section B, Sheet 3 of 4	DCO_B/TRO/PS/03	A
Traffic Regulation Order Plan Section B, Sheet 4 of 4	DCO_B/TRO/PS/04	A
Traffic Regulation Order Key Plan Section C Option A	DCO_C/TRO/KP/01_A	A
Traffic Regulation Order Key Plan With Details Section C Option A	DCO_C/TRO/KPD/01_A	A
Traffic Regulation Order Plan Section C Option A, Sheet 1 of 7	DCO_C/TRO/PS/01_A	A
Traffic Regulation Order Plan Section C Option A, Sheet 2 of 7	DCO_C/TRO/PS/02_A	A
Traffic Regulation Order Plan Section C Option A, Sheet 3 of 7	DCO_C/TRO/PS/03_A	A
Traffic Regulation Order Plan Section C Option A, Sheet 4 of 7	DCO_C/TRO/PS/04_A	A
Traffic Regulation Order Plan Section C Option A, Sheet 5 of 7	DCO_C/TRO/PS/05_A	A

<i>Drawing Title</i>	<i>Drawing Number</i>	<i>Revision</i>
Traffic Regulation Order Plan Section C Option A, Sheet 6 of 7	DCO_C/TRO/PS/06_A	A
Traffic Regulation Order Plan Section C Option A, Sheet 7 of 7	DCO_C/TRO/PS/07_A	A
Traffic Regulation Order Key Plan Section C Option B	DCO_C/TRO/KP/01_B	A
Traffic Regulation Order Key Plan With Details Section C Option B	DCO_C/TRO/KPD/01_B	A
Traffic Regulation Order Plan Section C Option B, Sheet 1 of 7	DCO_C/TRO/PS/01_B	A
Traffic Regulation Order Plan Section C Option B, Sheet 2 of 7	DCO_C/TRO/PS/02_B	A
Traffic Regulation Order Plan Section C Option B, Sheet 3 of 7	DCO_C/TRO/PS/03_B	A
Traffic Regulation Order Plan Section C Option B, Sheet 4 of 7	DCO_C/TRO/PS/04_B	A
Traffic Regulation Order Plan Section C Option B, Sheet 5 of 7	DCO_C/TRO/PS/05_B	A
Traffic Regulation Order Plan Section C Option B, Sheet 6 of 7	DCO_C/TRO/PS/06_B	A
Traffic Regulation Order Plan Section C Option B, Sheet 7 of 7	DCO_C/TRO/PS/07_B	A
Traffic Regulation Order Key Plan Section D Option A	DCO_D/TRO/KP/01_A	A
Traffic Regulation Order Key Plan With Details Section D Option A	DCO_D/TRO/KPD/01_A	A
Traffic Regulation Order Plan Section D Option A, Sheet 1 of 4	DCO_D/TRO/PS/01_A	A
Traffic Regulation Order Plan Section D Option A, Sheet 2 of 4	DCO_D/TRO/PS/02_A	A
Traffic Regulation Order Plan Section D Option A, Sheet 3 of 4	DCO_D/TRO/PS/03_A	A
Traffic Regulation Order Plan Section D Option A, Sheet 4 of 4	DCO_D/TRO/PS/04_A	A
Traffic Regulation Order Key Plan Section D Option B	DCO_D/TRO/KP/01_B	A
Traffic Regulation Order Key Plan With Details Section D Option B	DCO_D/TRO/KPD/01_B	A
Traffic Regulation Order Plan Section D Option B, Sheet 1 of 4	DCO_D/TRO/PS/01_B	A
Traffic Regulation Order Plan Section D Option B, Sheet 2 of 4	DCO_D/TRO/PS/02_B	A
Traffic Regulation Order Plan Section D Option B, Sheet 3 of 4	DCO_D/TRO/PS/03_B	A
Traffic Regulation Order Plan Section D Option B, Sheet 4 of 4	DCO_D/TRO/PS/04_B	A
Traffic Regulation Order Key Plan Section E	DCO_E/TRO/KP/01	A
Traffic Regulation Order Key Plan With Details Section E	DCO_E/TRO/KPD/01	A
Traffic Regulation Order Plan	DCO_E/TRO/PS/01	A

<i>Drawing Title</i>	<i>Drawing Number</i>	<i>Revision</i>
Section E, Sheet 1 of 4		
Traffic Regulation Order Plan Section E, Sheet 2 of 4	DCO_E/TRO/PS/02	A
Traffic Regulation Order Plan Section E, Sheet 3 of 4	DCO_E/TRO/PS/03	A
Traffic Regulation Order Plan Section E, Sheet 4 of 4	DCO_E/TRO/PS/04	A
Traffic Regulation Order Key Plan Section F	DCO_F/TRO/KP/01	A
Traffic Regulation Order Key Plan With Details Section F	DCO_F/TRO/KPD/01	A
Traffic Regulation Order Plan Section F, Sheet 1 of 5	DCO_F/TRO/PS/01	A
Traffic Regulation Order Plan Section F, Sheet 2 of 5	DCO_F/TRO/PS/02	A
Traffic Regulation Order Plan Section F, Sheet 3 of 5	DCO_F/TRO/PS/03	A
Traffic Regulation Order Plan Section F, Sheet 4 of 5	DCO_F/TRO/PS/04	A
Traffic Regulation Order Plan Section F, Sheet 5 of 5	DCO_F/TRO/PS/05	A

PART 6

TREES AND HEDGEROWS POTENTIALLY AFFECTED PLANS

<i>Drawing Title</i>	<i>Drawing Number</i>	<i>Revision</i>
Trees and Hedges Potentially Affected Key Plan Section A		A
Trees and Hedges Potentially Affected Plan Section A, Sheet 1 of 5	DCO_A/TR/PS/01	A
Trees and Hedges Potentially Affected Plan Section A, Sheet 2 of 5	DCO_A/TR/PS/02	A
Trees and Hedges Potentially Affected Plan Section A, Sheet 3 of 5	DCO_A/TR/PS/03	A
Trees and Hedges Potentially Affected Plan Section A, Sheet 4 of 5	DCO_A/TR/PS/04	A
Trees and Hedges Potentially Affected Plan Section A, Sheet 5 of 5	DCO_A/TR/PS/05	A
Trees and Hedges Potentially Affected Key Plan Section B	DCO_B/TR/KP/01	A
Trees and Hedges Potentially Affected Plan Section B, Sheet 1 of 4	DCO_B/TR/PS/01	A
Trees and Hedges Potentially Affected Plan Section B, Sheet 2 of 4	DCO_B/TR/PS/02	A
Trees and Hedges Potentially Affected Plan Section B, Sheet 3 of 4	DCO_B/TR/PS/03	A
Trees and Hedges Potentially Affected Plan Section B, Sheet 4 of 4	DCO_B/TR/PS/04	A

<i>Drawing Title</i>	<i>Drawing Number</i>	<i>Revision</i>
Trees and Hedges Potentially Affected Key Plan Section C Option A	DCO_C/TR/KP/01_A	A
Trees and Hedges Potentially Affected Plan Section C Option A, Sheet 1 of 7	DCO_C/TR/PS/01_A	A
Trees and Hedges Potentially Affected Plan Section C Option A, Sheet 2 of 7	DCO_C/TR/PS/02_A	A
Trees and Hedges Potentially Affected Plan Section C Option A, Sheet 3 of 7	DCO_C/TR/PS/03_A	A
Trees and Hedges Potentially Affected Plan Section C Option A, Sheet 4 of 7	DCO_C/TR/PS/04_A	A
Trees and Hedges Potentially Affected Plan Section C Option A, Sheet 5 of 7	DCO_C/TR/PS/05_A	A
Trees and Hedges Potentially Affected Plan Section C Option A, Sheet 6 of 7	DCO_C/TR/PS/06_A	A
Trees and Hedges Potentially Affected Plan Section C Option A, Sheet 7 of 7	DCO_C/TR/PS/07_A	A
Trees and Hedges Potentially Affected Key Plan Section C Option B	DCO_C/TR/KP/01_B	A
Trees and Hedges Potentially Affected Plan Section C Option B, Sheet 1 of 7	DCO_C/TR/PS/01_B	A
Trees and Hedges Potentially Affected Plan Section C Option B, Sheet 2 of 7	DCO_C/TR/PS/02_B	A
Trees and Hedges Potentially Affected Plan Section C Option B, Sheet 3 of 7	DCO_C/TR/PS/03_B	A
Trees and Hedges Potentially Affected Plan Section C Option B, Sheet 4 of 7	DCO_C/TR/PS/04_B	A
Trees and Hedges Potentially Affected Plan Section C Option B, Sheet 5 of 7	DCO_C/TR/PS/05_B	A
Trees and Hedges Potentially Affected Plan Section C Option B, Sheet 6 of 7	DCO_C/TR/PS/06_B	A
Trees and Hedges Potentially Affected Plan Section C Option B, Sheet 7 of 7	DCO_C/TR/PS/07_B	A
Trees and Hedges Potentially Affected Key Plan Section D Option A	DCO_D/TR/KP/01_A	A
Trees and Hedges Potentially Affected Plan Section D Option A, Sheet 1 of 4	DCO_D/TR/PS/01_A	A
Trees and Hedges Potentially Affected Plan Section D Option A, Sheet 2 of 4	DCO_D/TR/PS/02_A	A
Trees and Hedges Potentially Affected Plan Section D Option A, Sheet 3 of 4	DCO_D/TR/PS/03_A	A
Trees and Hedges Potentially Affected Plan Section D Option A, Sheet 4 of 4	DCO_D/TR/PS/04_A	A
Trees and Hedges Potentially Affected Key Plan Section D Option B	DCO_D/TR/KP/01_B	A
Trees and Hedges Potentially Affected Plan Section D Option B, Sheet 1 of 4	DCO_D/TR/PS/01_B	A
Trees and Hedges Potentially Affected Plan Section D Option B, Sheet 2 of 4	DCO_D/TR/PS/02_B	A
Trees and Hedges Potentially Affected Plan Section D Option B, Sheet 3 of 4	DCO_D/TR/PS/03_B	A
Trees and Hedges Potentially Affected Plan	DCO_D/TR/PS/04_B	A

<i>Drawing Title</i>	<i>Drawing Number</i>	<i>Revision</i>
Section D Option B, Sheet 4 of 4		
Trees and Hedges Potentially Affected Key Plan Section E	DCO_E/TR/KP/01	A
Trees and Hedges Potentially Affected Plan Section E, Sheet 1 of 4	DCO_E/TR/PS/01	A
Trees and Hedges Potentially Affected Plan Section E, Sheet 2 of 4	DCO_E/TR/PS/02	A
Trees and Hedges Potentially Affected Plan Section E, Sheet 3 of 4	DCO_E/TR/PS/03	A
Trees and Hedges Potentially Affected Plan Section E, Sheet 4 of 4	DCO_E/TR/PS/04	A
Trees and Hedges Potentially Affected Key Plan Section F	DCO_F/TR/KP/01	A
Trees and Hedges Potentially Affected Plan Section F, Sheet 1 of 5	DCO_F/TR/PS/01	A
Trees and Hedges Potentially Affected Plan Section F, Sheet 2 of 5	DCO_F/TR/PS/02	A
Trees and Hedges Potentially Affected Plan Section F, Sheet 3 of 5	DCO_F/TR/PS/03	A
Trees and Hedges Potentially Affected Plan Section F, Sheet 4 of 5	DCO_F/TR/PS/04	A
Trees and Hedges Potentially Affected Plan Section F, Sheet 5 of 5	DCO_F/TR/PS/05	A

PART 7
WORKS PLANS

<i>Drawing Title</i>	<i>Drawing Number</i>	<i>Revision</i>
Works Key Plan Section A	DCO_A/WO/KP/01	A
Works Plan Section A, Sheet 1 of 5	DCO_A/WO/PS/01	A
Works Plan Section A, Sheet 2 of 5	DCO_A/WO/PS/02	A
Works Plan Section A, Sheet 3 of 5	DCO_A/WO/PS/03	A
Works Plan Section A, Sheet 4 of 5	DCO_A/WO/PS/04	A
Works Plan Section A, Sheet 5 of 5	DCO_A/WO/PS/05	A
Works Key Plan Section B	DCO_B/WO/KP/01	A
Works Plan Section B, Sheet 1 of 4	DCO_B/WO/PS/01	A
Works Plan Section B, Sheet 2 of 4	DCO_B/WO/PS/02	A
Works Plan Section B, Sheet 3 of 4	DCO_B/WO/PS/03	A

<i>Drawing Title</i>	<i>Drawing Number</i>	<i>Revision</i>
Works Plan Section B, Sheet 4 of 4	DCO_B/WO/PS/04	A
Works Key Plan Section C Option A	DCO_C/WO/KP/01_A	A
Works Plan Section C Option A, Sheet 1 of 7	DCO_C/WO/PS/01_A	A
Works Plan Section C Option A, Sheet 2 of 7	DCO_C/WO/PS/02_A	A
Works Plan Section C Option A, Sheet 3 of 7	DCO_C/WO/PS/03_A	A
Works Plan Section C Option A, Sheet 4 of 7	DCO_C/WO/PS/04_A	A
Works Plan Section C Option A, Sheet 5 of 7	DCO_C/WO/PS/05_A	A
Works Plan Section C Option A, Sheet 6 of 7	DCO_C/WO/PS/06_A	A
Works Plan Section C Option A, Sheet 7 of 7	DCO_C/WO/PS/07_A	A
Works Key Plan Section C Option B	DCO_C/WO/KP/01_B	A
Works Plan Section C Option B, Sheet 1 of 7	DCO_C/WO/PS/01_B	A
Works Plan Section C Option B, Sheet 2 of 7	DCO_C/WO/PS/02_B	A
Works Plan Section C Option B, Sheet 3 of 7	DCO_C/WO/PS/03_B	A
Works Plan Section C Option B, Sheet 4 of 7	DCO_C/WO/PS/04_B	A
Works Plan Section C Option B, Sheet 5 of 7	DCO_C/WO/PS/05_B	A
Works Plan Section C Option B, Sheet 6 of 7	DCO_C/WO/PS/06_B	A
Works Plan Section C Option B, Sheet 7 of 7	DCO_C/WO/PS/07_B	A
Works Key Plan Section D Option A	DCO_D/WO/KP/01_A	A
Works Plan Section D Option A, Sheet 1 of 4	DCO_D/WO/PS/01_A	A
Works Plan Section D Option A, Sheet 2 of 4	DCO_D/WO/PS/02_A	A
Works Plan Section D Option A, Sheet 3 of 4	DCO_D/WO/PS/03_A	A
Works Plan Section D Option A, Sheet 4 of 4	DCO_D/WO/PS/04_A	A
Works Key Plan Section D Option B	DCO_D/WO/KP/01_B	A
Works Plan Section D Option B, Sheet 1 Of 4	DCO_D/WO/PS/01_B	A
Works Plan Section D Option B, Sheet 2 Of 4	DCO_D/WO/PS/02_B	A
Works Plan	DCO_D/WO/PS/03_B	A

<i>Drawing Title</i>	<i>Drawing Number</i>	<i>Revision</i>
Section D Option B, Sheet 3 Of 4		
Works Plan Section D Option B, Sheet 4 Of 4	DCO_D/WO/PS/04_B	A
Works Key Plan Section E	DCO_E/WO/KP/01	A
Works Plan Section E, Sheet 1 of 4	DCO_E/WO/PS/01	A
Works Plan Section E, Sheet 2 of 4	DCO_E/WO/PS/02	A
Works Plan Section E, Sheet 3 of 4	DCO_E/WO/PS/03	A
Works Plan Section E, Sheet 4 of 4	DCO_E/WO/PS/04	A
Works Key Plan Section F	DCO_F/WO/KP/01	A
Works Plan Section F, Sheet 1 of 5	DCO_F/WO/PS/01	A
Works Plan Section F, Sheet 2 of 5	DCO_F/WO/PS/02	A
Works Plan Section F, Sheet 3 of 5	DCO_F/WO/PS/03	A
Works Plan Section F, Sheet 4 of 5	DCO_F/WO/PS/04	A
Works Plan Section F, Sheet 5 of 5	DCO_F/WO/PS/05	A

SCHEDULE 3

REQUIREMENTS

Article 3

Interpretation

1.—(1) In this Schedule unless the context requires otherwise—

“authorised development” means the development described in Schedule 1 (authorised development) and any other development authorised by this Order, which is development within the meaning of section 32 of the 2008 Act;

“commence” means (for the purpose of Schedule 3 only) the carrying out of a material operation, as defined in section 155 of the 2008 Act (when development begins), comprised in or carried out for the purposes of the authorised development, but does not include any engineering investigation, environmental (including archaeological) investigation and monitoring, site or soil survey, environmental mitigation measures, erection of temporary amphibian or reptile fencing, erection of temporary stock fencing to site boundaries or temporary demarcation fencing marking out site boundaries;

“discharging authority” means the body responsible for giving any consent, agreement or approval required by a requirement included in this Order, or further to any document referred to in any requirement, or the local authority in the exercise of functions set out in sections 60 or 61 of the Control of Pollution Act 1974(a);

“indicative landscape mitigation plans” means those figures to the landscape chapter of the ES (document 7.12 – 7.16, ES figures 5.7.1.12 – 5.7.1.16);

“limits of deviation” means the limits of deviation referred to in article 5 (limits of deviation);

“mitigation planting scheme” means the scheme referenced at Requirement 9 and which provides detail on mitigation planting to be prepared for each stage of the authorised development;

“normal operation”, in the context of DCO Requirement 19, means normal operating conditions as set out within chapter 16 of the Environmental Statement (Document 5.16) section 9.4;

“part” means a given geographical section, component or location of the authorised development;

“relevant planning authority” means the relevant local planning authority for the area to which the requirement relates, and any successors to its function as planning authority for the area in which the land to which the provisions of this Order apply is situated;

“stage” means a defined stage of the authorised development, the extent of which is shown in a scheme submitted to the relevant planning authority pursuant to Requirement 5;

“start-up and close down activities” means—

- (a) arrival and departure of workforce and staff at site and movement to and from places of work;
- (b) general refuelling of plant;
- (c) site inspections and safety checks;
- (d) site meetings inspections and walkovers;
- (e) site clean-up (site housekeeping that does not require the use of plant);
- (f) general site maintenance; and
- (g) low key maintenance and safety checking of plant and machinery;

“tunnelling works” for the purpose of Requirement 8(2) means—

(a) 1974 c.40

- (a) works to safely excavate and advance tunnel, removal of excavated material, installation of ground support and final tunnel lining;
- (b) excavation of service tunnels, launch chambers, receive chambers and niches;
- (c) construction to sink shafts, to include drill and blast through the rock, with all necessary excavation, stability works, ground water control, construction of internal layout, primary support and secondary lining, grouting and repeated removal of excavated material and equipment from working levels to surface and return to base for each cycle of drill and blast;
- (d) the delivery, assembly operation and maintenance for a Tunnel Boring Machine including grouting, climatic control, moving around of tunnel segments, installation of rails for locomotives serving the works or alternatively multipurpose service vehicles which will run along the tunnel, power requirements;
- (e) surface ventilation fans and generators;
- (f) installation and operation of surface auxiliary measures, to include: ventilation, water and compressed air, ground support, electrical supplies, welfare and safety measures for miners, slurry handling with management system, and associated plant;
- (g) handling and lifting by cranes for tunnel and shaft, including gantry crane and associated lighting;
- (h) ground water control for construction of tunnel and shafts;
- (i) personnel welfare facilities;
- (j) concrete works, including pouring and spraying of concrete;

(2) Where under any of the Requirements the approval or agreement of the relevant planning authority is required, that approval or agreement must be given in writing.

(3) Where any Requirement requires the authorised development to be carried out in accordance or general accordance with matters including a plan, document, or details approved by the relevant planning authority, those matters are to be taken to include any amendments that may subsequently be approved in writing by the relevant planning authority.

(4) Where an approval or agreement is required under the terms of any requirement or a document referred to in a requirement, or any requirement specifies “unless otherwise approved” or “unless otherwise agreed” by the relevant highway authority or the relevant planning authority, such approval or agreement may only be given in relation to minor or immaterial changes and where it has been demonstrated to the satisfaction of the relevant highway authority or the relevant planning authority that the subject matter of the approval or agreement sought is unlikely to give rise to any materially new or materially different environmental effects from those assessed in the Environmental Statement.

Time Limits

2. The authorised development must be commenced within 5 years of the date of this Order.

Design and Limits of Deviation

3.—(1) The authorised development must be carried out in general accordance with the design drawings.

(2) The authorised development will not be in general accordance with the design drawings if any departure from the design drawings would give rise to any materially new or materially different environmental effects from those assessed in the Environmental Statement.

Tunnel Head House Design

4. Unless otherwise agreed with the relevant planning authority, the above ground elements of the authorised development comprised in Works No 8 (Braint Tunnel Head House and Cable Sealing End Compound to Tŷ Fodol Tunnel Head House and Cable Sealing End Compound) must be carried out in general accordance with the Key Design Principles set out in the “Tunnel Head House Design Guide”.

Stages of authorised development

5.—(1) The authorised development may not commence until a written scheme setting out all stages of the authorised development has been submitted to the relevant planning authority.

(2) Any revisions to the written scheme referred to in (1) above must be submitted to the relevant planning authority in advance of the commencement of the stage of the authorised development to which the revisions relate.

(3) Written notice of the commencement and completion of construction for each stage of the authorised development, and the operational use of that part of the authorised development, must be given to the relevant planning authority within 10 business days of the relevant event occurring.

(4) The authorised development shall be carried out in accordance with the written scheme submitted further to (1) or (2).

Construction Environmental Management Plan

6.—(1) All construction works forming part of the authorised development must be carried out in accordance with the CEMP and the other plans, schemes and strategies listed in paragraph (2) below, unless otherwise agreed with the relevant planning authority or other discharging authority as may be appropriate to the relevant plan, scheme or strategy concerned.

(2) The plans, schemes and strategies referred to in paragraph (1) above comprise the following—

- (a) Outline Materials Management Plan (OMMP);
- (b) Outline Waste Management Plan (OWMP);
- (c) Biodiversity Mitigation Strategy (BMS);
- (d) Archaeological Strategy;
- (e) Outline Construction Traffic Management Plan (OCTMP);
- (f) Public Rights of Way Management Plan (PRoWMP);
- (g) Noise and Vibration Management Plan (NVMP);
- (h) Outline Soil Management Plan (OSMP).

(3) Should any subsequent third-party CEMP, plan, scheme or strategy referred to in sub-paragraph (2) be proposed by a third-party for third-party works to be undertaken pursuant to this Order, then that CEMP, plan, scheme or strategy must be submitted to and approved by the relevant planning authority or other discharging authority as may be relevant to the third-party works referred to in the CEMP, plan, scheme or strategy submitted pursuant to this sub-paragraph (3), in advance of commencement of the third-party works to which the CEMP, plan, scheme or strategy relates. Any document approved under this sub-paragraph (3) will supersede the corresponding CEMP or plans, schemes and strategies referred to in sub-paragraph (2), as far as these relate to the third-party works specified in the document approved pursuant to this sub-paragraph.

(4) The CEMP and other plans, schemes and strategies referred to in sub-paragraphs (1), (2) and (3) must be implemented as approved unless otherwise agreed with the relevant planning authority or other discharging authority as may be appropriate to the relevant plan, scheme or strategy concerned.

Approval and implementation of construction mitigation plans

7.—(1) No stage of the authorised development may commence until, for that stage, the following plans, scheme, method statements and strategy, to minimise the impacts of construction works have been submitted to and approved by the relevant planning authority or other discharging authority as may be appropriate to the relevant plan, scheme or strategy concerned —

- (a) Stakeholder communications plan (SCP);
- (b) Safety Health and Environment (SHE) Plan;
- (c) Site Waste Management Plan;
- (d) Travel Plan;

- (e) Soil Management Plan (SMP);
- (f) Pollution Incident Control Plan (PICP);
- (g) Incident Response Plan (IRP);
- (h) Drainage Management Plan (DMP)
- (i) Invasive Non-native Species (INNS) Method Statement (INNSMS);
- (j) Flood Management Plan (FMP);
- (k) Tree and Hedgerow Protection Strategy (THPS)
- (l) Dust Management Plan (DuMP).

(2) The construction works for each stage of the authorised development and mitigation works to minimise the impact of construction must be carried out in accordance with the approved plans, scheme and strategy referred to in sub-paragraph (1) or with any amended plans, scheme or strategy that may subsequently be approved by the relevant planning authority or other discharging authority as may be appropriate to the relevant plan, scheme or strategy concerned.

Construction hours

8.—(1) Subject to sub-paragraphs (2), (3) and (4) work may only take place between 0700 and 1900 Monday to Saturday and between 0900 and 1700 on Sunday (the core working hours), unless otherwise approved by the relevant planning authority.

(2) Percussive piling works are limited to 07:00 to 19:00 hours Monday to Friday and 07:00 to 13:00 hours on Saturdays.

(3) Tunnelling works may take place outside of the core working hours subject to the following restrictions:

- (a) Blasting at tunnel shaft locations is limited to 10:00 to 16:00 hours Monday to Friday and 10:00 to 13:00 on Saturdays.
- (b) Surface drilling and curtain grouting associated with shaft construction is limited to Monday to Friday 07:00 to 19:00 hours and 07:00 to 13:00 hours on Saturdays.

(4) The following operations may take place outside the core working hours referred to in subparagraph (1)—

- (a) the installation and removal of conductors, pilot wires and associated protective netting across highways, railway lines or watercourses;
- (b) the completion of operations commenced during the core working hours which cannot safely be stopped;
- (c) any highway works requested by the highway authority to be undertaken on a Saturday or a Sunday or outside the core working hours;
- (d) security monitoring;
- (e) the testing or commissioning of any electrical plant installed as part of the authorised development;
- (f) the completion of works delayed or held up by severe weather conditions which disrupted or interrupted normal construction activities, and
- (g) activity necessary in the instance of an emergency where there is a risk to persons or property.

(5) The core working hours referred to in sub-paragraph (1) exclude start up and close down activities up to 1 hour either side of the core working hours.

(6) Notification must be provided to the local planning authority if working under sub-paragraphs (4)(a), (4)(b), (4)(f) and (4)(g) occurs within 28 days of the relevant event occurring.

Mitigation planting scheme

9.—(1) Unless otherwise agreed with the relevant planning authority, no stage of the authorised development may commence until, for that stage, a mitigation planting scheme for the planting of

trees, groups of trees, woodlands and hedgerows has been submitted to and approved by the relevant planning authority.

(2) The planting scheme submitted under sub-paragraph (1) must include details of—

- (a) Location of trees, groups of trees, woodlands and hedgerows with a schedule including numbers, species and sizes to be planted;
- (b) A landscape specification;
- (c) A maintenance and management plan.

(3) The planting scheme submitted under sub-paragraph (1) must be in general accordance with the indicative landscape mitigation plans.

Implementation of mitigation planting scheme

10.—(1) Unless otherwise agreed with the relevant planning authority, all mitigation planting works referred to in Requirement 9 must be implemented at the earliest opportunity and no later than by the first available planting season after that part of the authorised development to which the mitigation planting works apply is first brought into operational use.

(2) All mitigation planting works referred to in Requirement 9 must be carried out in accordance with the relevant mitigation scheme for that stage of the authorised development, and to a reasonable standard in accordance with the relevant recommendations of appropriate British Standard or other recognised codes of good practice.

Maintenance of implemented mitigation planting scheme

11. Any tree or shrub planted as part of an approved mitigation planting scheme that, within a period of 5 years after planting, is removed, dies or becomes in the opinion of the relevant planning authority seriously damaged or diseased, must be replaced in the first available planting season with a specimen of the same species and size as that originally planted, unless otherwise approved by the relevant planning authority.

Retention and protection of existing trees and hedgerows

12.—(1) No stage of the authorised development may commence until, for that stage, a Tree and Hedgerow Protection Strategy (THPS) as referred to in Requirement 7 identifying the trees, groups of trees and hedgerows to be retained during that stage has been submitted to and approved by the relevant planning authority.

(2) The THPS referred to in sub-paragraph (1) must include—

- (a) a schedule of all trees and hedgerows to be removed;
- (b) a schedule of all trees and hedgerows which require pruning, coppicing or pollarding;
- (c) a schedule of all trees and hedgerows to be retained including specification for temporary physical protection including clearly defined root protection areas to prevent damage / compaction of roots by machinery; and
- (d) details of an auditable system of compliance.

(3) The trees, groups of trees and hedgerows identified in the THPS referred to in sub-paragraph (1) must not be felled or otherwise removed in connection with the construction of the authorised development.

(4) The relevant works in proximity to the protected tree or hedgerow must not commence until the approved protection measures referred to in sub-paragraph (2) are in place, and they must thereafter be maintained during the construction of the relevant stage of the authorised development.

(5) The authorised development must proceed in accordance with the THPS referred to in sub-paragraph (1) unless otherwise approved by the relevant planning authority.

Reinstatement schemes

13.—(1) Subject to sub-paragraph (2), any land within the Order limits which is used temporarily for construction is to be reinstated to a condition suitable for its former use, or such condition as the relevant planning authority may approve, within 12 months of completion of the

construction of the stage of authorised development for which it was required, or such further time as may be approved by the relevant planning authority.

(2) The requirement to reinstate the land to a condition suitable for its former use is subject to the provisions of article 26 (temporary use of land by National Grid) and 27 (temporary use of land by SP Manweb).

Contaminated land and controlled waters

14.—(1) No stage of the authorised development may commence until, for that stage, a written scheme to deal with the ground conditions, including contamination of any land or groundwater within the Order limits which are likely to cause significant harm to persons or pollution of controlled waters or the environment, has been submitted to and approved by the relevant planning authority or other discharging authority as may be relevant.

(2) The scheme must accord with the approach set out in the Environmental Statement Land Contamination Desk Study, to identify the extent of any contamination and the remedial measures to be taken to render the land fit for its intended purpose, should remedial measures be required then the implementation and validation of these will be documented in a verification report, to be submitted to the relevant planning authority.

(3) If during any stage of the authorised development, contamination not identified in the Environmental Statement Land Contamination Desk Study or addressed in the scheme prepared in accordance with sub-paragraph (1) is found to be present within the Order limits and which is likely to cause a significant possibility of significant harm to persons or pollution of controlled waters or the environment then, except in the case of emergency, no further development in the vicinity of the contamination may be carried out until a written scheme to deal with the associated risks has been submitted to and approved by the relevant local planning authority, following consultation with Natural Resources Wales.

(4) Remediation measures must be carried out in accordance with the approved scheme referred to in sub-paragraph (1) or (3) as appropriate.

(5) In this Requirement, “controlled waters” has the same meaning as in Part 3 of the Water Resources Act 1991(a).

Inspection of temporary watercourses

15.—(1) No stage of the authorised development may commence until, for that stage, a written scheme for the inspection and clearance of debris from any temporary watercourse required in connection with that stage has been submitted to and approved by the relevant planning authority or other discharging authority as may be relevant.

(2) The approved scheme must be implemented for each temporary watercourse during the construction of that stage of the authorised development until such time as the temporary watercourse has been removed.

Removal of temporary bridges or culverts

16. Any temporary bridge or culvert required in connection with any stage of the authorised development must be removed within twelve months of completion of the construction of that stage of the authorised development for which it was required, or such further time as may be approved by the relevant planning authority.

Highway works

17.—(1) No work to construct, alter or temporarily alter any new or existing means of access to a highway to be used by vehicular traffic may commence until written details of design, layout and reinstatement of that means of access has been submitted to and approved by the local planning authority.

(2) The highway accesses must be constructed and reinstated in accordance with the details approved under sub-paragraph (1).

(a) 1991 c. 57.

Decommissioning

18.—(1) Excluding for substations, in the event that, at some future date, the authorised development, or part of it, is to be decommissioned, a written scheme of decommissioning must be submitted for approval by the relevant planning authority at least six months prior to any decommissioning works.

(2) The approved scheme must be implemented as approved as part of the decommissioning of the authorised development or relevant part of it.

Operational Noise

19.—(1) The rating level of noise emitted from the tunnel head-house sites during their normal operation must not exceed 30dB LArTr.

(2) The rating level referred to in sub-paragraph (1) relates to levels at the nearest residential premises.

(3) The measurement and assessment of the rating levels referred to in sub-paragraph (1) must be made in accordance with British Standard BS4142:2014.

SCHEDULE 4

Article 51

DISCHARGE OF REQUIREMENTS

Applications made under Requirements

1.—(1) Where an application has been made to a relevant authority for any consent, agreement or approval required by a Requirement, the relevant authority must give notice to the undertaker of its decision on the application within a period of 28 days beginning with—

- (a) where no further information is requested under sub-paragraph (2), the day immediately following that on which the application is received by the authority;
- (b) where further information is requested under sub-paragraph (2), the day immediately following that on which further information has been supplied by the undertaker; or
- (c) such longer period as may be agreed in writing by the undertaker and the relevant authority.

(2) Where an application has been made under sub-paragraph (1) the relevant authority may request such reasonable further information from the undertaker as it considers is necessary to enable it to consider the application.

(3) If the relevant authority considers further information is necessary and the Requirement does not specify that consultation with a requirement consultee is required, the relevant authority must, within 2 business days of receipt of the application, notify the undertaker in writing specifying the further information required.

(4) If the Requirement specifies that consultation with a requirement consultee is required, the relevant authority must issue the consultation to the requirement consultee within 2 business days of receipt of the application and must notify the undertaker in writing specifying any further information requested by the requirement consultee within 2 business days of receipt of such a request and in any event within 21 business days of receipt of the application.

(5) If the relevant authority does not give the notification mentioned in sub-paragraphs (3) or (4) it is deemed to have sufficient information to consider the application and is not thereafter entitled to request further information without the prior agreement of the undertaker.

Fees

2.—(1) Where an application is made to a relevant planning authority for any consent, agreement or approval required by a Requirement, a fee must be paid to the relevant planning authority as follows—

- (a) such fee as may be prescribed (under sections 303 and 333(2A) of the 1990 Act for the discharge of conditions attached to a planning permission); or
- (b) a fee of £97 per request.

(2) Any fee paid under this Schedule must be refunded to the undertaker within 35 days of—

- (a) the application being rejected as invalidly made; or
- (b) the relevant planning authority failing to determine the application within 28 days from the date on which it is received,

unless within that period the undertaker agrees in writing that the fee may be retained by the relevant planning authority and credited in respect of a future application.

Appeals

3.—(1) The undertaker may appeal if—

- (a) the relevant authority refuses an application for:
 - (i) any consent, agreement or approval required by a Requirement or any document referred to in any Requirement; or
 - (ii) any other consent, agreement or approval required under this Order,

- or grants it subject to conditions to which the undertaker objects;
 - (b) the relevant authority does not give notice of its decision to the undertaker within the period specified in paragraph 1(1);
 - (c) having received a request for further information under paragraph 1(3) the undertaker considers that either the whole or part of the specified information requested by the relevant authority is not necessary for consideration of the application; or
 - (d) having received any further information requested, the relevant authority notifies the undertaker that the information provided is inadequate and requests additional information which the undertaker considers is not necessary for consideration of the application.
- (2) The procedure for appeals is as follows—
- (a) the undertaker must submit to the Secretary of State a copy of the application submitted to the relevant authority and any supporting documents which the undertaker may wish to provide (“the appeal documents”);
 - (b) the undertaker must on the same day provide copies of the appeal documents to the relevant authority and the requirement consultee (if applicable);
 - (c) as soon as is practicable after receiving the appeals documents the Secretary of State must appoint a person to determine the appeal (“the appointed person”) and notify the appeal parties of the identity of the appointed person and the address to which all correspondence for the appointed person must be sent;
 - (d) the relevant authority and the requirement consultee (if applicable) may submit any written representations in respect of the appeal to the appointed person within 10 business days beginning with the first day immediately following the date on which the appeal parties are notified of the appointment of the appointed person and must ensure that copies of their written representations are sent to each other and to the undertaker on the day on which they are submitted to the appointed person;
 - (e) the appeal parties may make any counter-submissions to the appointed person within 10 business days beginning with the first day immediately following the date of receipt of written representations pursuant to sub-paragraph (d) above; and
 - (f) the appointed person must make a decision and notify it to the appeal parties, with reasons, as soon as reasonably practicable.
- (3) If the appointed person considers that further information is necessary to consider the appeal, the appointed person must as soon as practicable notify the appeal parties in writing specifying the further information required, the appeal party from whom the information is sought, and the date by which the information must be submitted.
- (4) Any further information required pursuant to sub-paragraph (3) must be provided by the party from whom the information is sought to the appointed person and to the other appeal parties by the date specified by the appointed person.
- (5) The appeal parties may submit written representations to the appointed person concerning matters contained in the further information.
- (6) Any such representations must be submitted to the appointed person and made available to all appeal parties within 10 business days of the date mentioned in sub-paragraph (3).

Outcome of appeals

- 4.—(1) On an appeal under paragraph 3, the appointed person may—
- (a) allow or dismiss the appeal; or
 - (b) reverse or vary any part of the decision of the relevant authority (whether the appeal relates to that part of it or not),
- and may deal with the application as if it had been made to the appointed person in the first instance.

(2) The appointed person may proceed to a decision on an appeal taking into account only such written representations as have been sent within the time limits prescribed or set by the appointed person under this paragraph.

(3) The appointed person may proceed to a decision even though no written representations have been made within those time limits if it appears to the appointed person that there is sufficient material to enable a decision to be made on the merits of the case.

(4) The decision of the appointed person on an appeal is final and binding on the parties, and a court may entertain proceedings for questioning the decision only if the proceedings are brought by a claim for judicial review.

(5) Any consent, agreement or approval given by the appointed person pursuant to this Schedule is deemed to be an approval for the purpose of Schedule 3 (Requirements) as if it had been given by the relevant authority.

(6) The relevant authority may confirm any determination given by the appointed person in identical form in writing but a failure to give such confirmation (or a failure to give it in identical form) does not affect or invalidate the effect of the appointed person's determination.

(7) Except where a direction is given pursuant to sub-paragraph (8) requiring the costs of the appointed person to be paid by the relevant authority, the reasonable costs of the appointed person must be met by the undertaker.

(8) On application by the relevant authority or the undertaker, the appointed person may give directions as to the costs of the appeal parties and as to the parties by whom the costs of the appeal are to be paid.

(9) In considering whether to make any such direction as to the costs of the appeal parties and the terms on which it is made, the appointed person must have regard to the DCLG Planning Practice Guidance (July 2013) or any guidance which may from time to time replace it.

Interpretation of Schedule 4

5. In this Schedule—

“the appeal parties” means the relevant authority, the requirement consultee and the undertaker;

“relevant authority” means the body responsible for giving and consent, agreement or approval under this schedule or relevant owner of a watercourse, sewer or drain as may be appropriate to the consent, agreement or approval sought; and

“requirement consultee” means any body named in a Requirement which is the subject of an appeal as a body to be consulted by the relevant authority in discharging that Requirement.

SCHEDULE 5

Article 11

STREETS SUBJECT TO STREET WORKS

<i>(1)</i> <i>Authority</i>	<i>(2)</i> <i>Streets subject to works</i>	<i>(3)</i> <i>Plan Reference</i>
Isle of Anglesey County Council	Unnamed Road 23 (UNR23) / Fishermen's car park access road	Section A Sheet 1 of the Access and Rights of Way and Traffic Regulation Order plans
	Unnamed Road 23A (UNR23A)	Section A Sheet 1 and Sheet 2 of the Access and Rights of Way and Traffic Regulation Order plans
	Unnamed Road 23B (UNR23B)	
	A5025	
	Ffordd Y Felin	Section A Sheet 2 of the Access and Rights of Way and Traffic Regulation Order plans
	Brynddu Road	Section A Sheet 2, Sheet 3, Sheet 4 and Sheet 5 of the Access and Rights of Way and Traffic Regulation Order plans
	Unnamed Road 3 (UNR3) / NCR 566	Section A Sheet 3 of the Access and Rights of Way and Traffic Regulation Order plans
	Unnamed Road 1 (UNR1) / High Street	Section A Sheet 5 and Section B Sheet 1 of the Access and Rights of Way and Traffic Regulation Order plans
	Unnamed Road 4 (UNR4)	Section A Sheet 5, Section B Sheet 1, Sheet 2 and Sheet 3 of the Access and Rights of Way and Traffic Regulation Order plans
	B5111	Section B Sheet 2 and Sheet 3 of the Access and Rights of Way and Traffic Regulation Order plans
	Unnamed Road 8 (UNR8)	Section B Sheet 3 and Sheet 4 of the Access and Rights of Way and Traffic Regulation Order plans
	Unnamed Road 18 (UNR18) / Lon Leidr	Section B Sheet 4 of the Access and Rights of Way and Traffic Regulation Order plans
	Unnamed Road 9 (UNR9)	Section C Option A and Option B Sheet 2 of the Access and Rights of Way and Traffic Regulation Order plans
	Unnamed Road 10 (UNR10)	Section C Option A and Option B Sheet 2, Sheet 3, Sheet 4 and Sheet 5 of the Access and Rights of Way and Traffic Regulation Order plans
Unnamed Road 19 (UNR19)	Section C Option A and Option B Sheet 5 and Sheet 6 of the Access and Rights of Way and Traffic Regulation Order plans	

<i>(1)</i> <i>Authority</i>	<i>(2)</i> <i>Streets subject to works</i>	<i>(3)</i> <i>Plan Reference</i>
	Unnamed Road 14A (UNR14A)	Section C Option A and Option B Sheet 7 of the Access and Rights of Way and Traffic Regulation Order plans
	B5110	Section C Option A and Option B Sheet 6 and Sheet 7 of the Access and Rights of Way and Traffic Regulation Order plans
	B5109	Section D Option A and Option B Sheet 1 and Sheet 2 of the Access and Rights of Way and Traffic Regulation Order plans
	B5420	Section D Option A and Option B Sheet 3 and Sheet 4 of the Access and Rights of Way and Traffic Regulation Order plans
	Unnamed Road 16 (UNR16)	Section E Sheet 1 of the Access and Rights of Way and Traffic Regulation Order plans
	Unnamed Road 17 (UNR17)	Section E Sheet 2 and Sheet 3 of the Access and Rights of Way and Traffic Regulation Order plans
	Unnamed Road 20 (UNR20)	
	Unnamed Road 21 (UNR21)	Section E Sheet 3 and Sheet 4 of the Access and Rights of Way and Traffic Regulation Order plans
	Llanddaniel Road / NCN 8	Section E Sheet 3 and Sheet 4 of the Access and Rights of Way and Traffic Regulation Order plans
	A5 / Holyhead Road	Section E Sheet 3, Sheet 4 and Section F Sheet 1 of the Access and Rights of Way and Traffic Regulation Order plans
	Unnamed Road 22 (UNR22) / Lon Pont Ronwy	Section F Sheet 1 of the Access and Rights of Way and Traffic Regulation Order plans
	A4080 / Brynsiencyn Road	Section F Sheet 1 and Sheet 2 of the Access and Rights of Way and Traffic Regulation Order plans
Gwynedd Council	B4547	Section F Sheet 4 and Sheet 5 of the Access and Rights of Way and Traffic Regulation Order plans
	Fodolydd Lane	
	Unnamed Road 24 (UNR24)	
	Unnamed Road 25 (UNR25)	
Welsh Government / UK Highways	A55 Layby ; eastings 250256.23, northing 372068.46	Section E Sheet 3 and Sheet 4 of the Access and Rights of Way and Traffic Regulation Order plans

SCHEDULE 6

Article 13

STREETS SUBJECT TO ALTERATION OF LAYOUT

PART 1

STREETS SUBJECT TO PERMANENT ALTERATION OF LAYOUT

Isle of Anglesey County Council

<i>(1)</i> <i>Street Subject to alteration of layout</i>	<i>(2)</i> <i>Description of alteration of layout</i>
UNR22 / Pont Ronwy	At bellmouth F1 as shown on Section F, Sheet 1 of the Access and Rights of Way plans the creation of an access point of sufficient size to accommodate access and egress of most onerous of vehicle for operation and maintenance requirements of the site. Works comprising site clearance, construction of a new road surface, white lining, kerbing and a suitable drainage system as required.
A4080	At bellmouth F2 as shown on Section F, Sheet 2 of the Access and Rights of Way plans the creation of an access point of sufficient size to accommodate access and egress of most onerous of vehicle for operation and maintenance requirements of the site. Works comprising site clearance, construction of a new road surface, white lining, kerbing and a suitable drainage system as required.

Gwynedd County Council

<i>(1)</i> <i>Street Subject to alteration of layout</i>	<i>(2)</i> <i>Description of alteration of layout</i>
B4547	Provision of carriageway widening to aid heavy goods vehicle manoeuvres and access/egress of the existing Pentir Substation as shown in Transport Assessment (TA) (Document 5.13.2.1) Annex M plan 60414717-MM-111 Works comprising site clearance, construction of a new road surface, white lining, kerbing and a suitable drainage system as required.
Fodolydd Lane (west)	At bellmouth F3 as shown on Section F, Sheet 4 of the Access and Rights of Way plans the creation of an access point of sufficient size to accommodate access and egress of most onerous of vehicle for construction, operation and maintenance requirements of the site. Works comprising site clearance, construction of a new road surface, white lining, kerbing and a suitable drainage system as required.

<i>(1)</i> <i>Street Subject to alteration of layout</i>	<i>(2)</i> <i>Description of alteration of layout</i>
Fodolydd Lane (east)	At bellmouth F4 as shown on Section F, Sheet 4 of the Access and Rights of Way plans the creation of an access point of sufficient size to accommodate access and egress of most onerous of vehicle for construction, operation and maintenance requirements of the site. Works comprising site clearance, construction of a new road surface, white lining, kerbing and a suitable drainage system as required.
Fodolydd Lane (west)	Carriageway widening as shown in Transport Assessment (TA) (Document 5.13.2.1) Annex N plan 60414717-OM-010 to facilitate heavy goods vehicle access for a 1in10/20 year operation or maintenance event. Works comprising the installation of a new road surface, white lining, retaining structure as required.
Fodolydd Lane (east)	Carriageway widening as shown in Transport Assessment (TA) (Document 5.13.2.1) Annex N plan 60414717-OM-011 facilitate heavy goods vehicle access for a 1in40 year operation, maintenance or unplanned event. Comprising the installation of a new road surface and white lining

PART 2

STREETS SUBJECT TO TEMPORARY ALTERATION OF LAYOUT

Isle of Anglesey County Council

<i>(1)</i> <i>Street Subject to alteration of layout</i>	<i>(2)</i> <i>Description of alteration of layout</i>
UNR23 / Fishermen's car park access road	At bellmouths A1, A2, A3, and A4 as shown on Section A, Sheet 1 of the Access and Rights of Way plans the creation of four temporary access points of sufficient size to accommodate access and egress of most onerous of vehicle. Works comprising site clearance, construction of a new road surface, white lining, kerbing and a suitable drainage system as required.
A5025	At bellmouth A5 as shown on Section A, Sheets 1 and 2 of the Access and Rights of Way plans the creation of two temporary access points of sufficient size to accommodate access and egress of most onerous of vehicle. Works comprising site clearance, construction of a new road surface, white lining, kerbing and a suitable drainage system as required.
UNR23B	At bellmouth A5A as shown on Section A, Sheets 1 and 2 of the Access and Rights of Way

(1) <i>Street Subject to alteration of layout</i>	(2) <i>Description of alteration of layout</i>
	plans the creation of two temporary access points of sufficient size to accommodate access and egress of most onerous of vehicle. Works comprising site clearance, construction of a new road surface, white lining, kerbing and a suitable drainage system as required.
Ffordd y Felin	At bellmouths A6 and A7 as shown on Section A, Sheet 2 of the Access and Rights of Way plans the creation of two temporary access points of sufficient size to accommodate access and egress of most onerous of vehicle. Works comprising site clearance, construction of a new road surface, white lining, kerbing and a suitable drainage system as required.
UNR3	At bellmouths A8 and A9 as shown on Section A, Sheet 3 of the Access and Rights of Way plans the creation of two temporary access points of sufficient size to accommodate access and egress of most onerous of vehicle. Works comprising site clearance, construction of a new road surface, white lining, kerbing and a suitable drainage system as required.
Brynddu Road	At bellmouth A10 as shown on Section A, Sheet 4 of the Access and Rights of Way plans the creation of one temporary access point of sufficient size to accommodate access and egress of most onerous of vehicle. Works comprising site clearance, construction of a new road surface, white lining, kerbing and a suitable drainage system as required.
UNR1 / High Street	At bellmouths B1 and B2 as shown on Section B, Sheet 1 of the Access and Rights of Way plans the creation of two temporary access points of sufficient size to accommodate access and egress of most onerous of vehicle. Works comprising site clearance, construction of a new road surface, white lining, kerbing and a suitable drainage system as required.
UNR4	At bellmouth B4 as shown on Section B, Sheet 1 and bellmouths B5 and B7 as shown on Section B, Sheet 2 of the Access and Rights of Way plans the creation of three temporary access points of sufficient size to accommodate access and egress of most onerous of vehicle. Works comprising site clearance, construction of a new road surface, white lining, kerbing and a suitable drainage system as required.
B5111	At bellmouths B8 and B9 as shown on Section B, Sheet 3 of the Access and Rights of Way plans the creation of two temporary access points of sufficient size to accommodate access and egress of most onerous of vehicle. Works comprising site clearance, construction

(1) <i>Street Subject to alteration of layout</i>	(2) <i>Description of alteration of layout</i>
	of a new road surface, white lining, kerbing and a suitable drainage system as required.
UNR8	At bellmouths B10 and B11 as shown on Section B, Sheet 4 of the Access and Rights of Way plans the creation of two temporary access points of sufficient size to accommodate access and egress of most onerous of vehicle. Works comprising site clearance, construction of a new road surface, white lining, kerbing and a suitable drainage system as required.
UNR18 / Lon Leider	At bellmouths B12 and B13 as shown on Section B, Sheet 4 of the Access and Rights of Way plans the creation of two temporary access points of sufficient size to accommodate access and egress of most onerous of vehicle. Works comprising site clearance, construction of a new road surface, white lining, kerbing and a suitable drainage system as required.
UNR9	At bellmouths C1 and C2 as shown on Section C, Sheet 2 of the Access and Rights of Way plans the creation of two temporary access points of sufficient size to accommodate access and egress of most onerous of vehicle. Works comprising site clearance, construction of a new road surface, white lining, kerbing and a suitable drainage system as required.
UNR10	At bellmouths C3, C4 and C5 as shown on Section C, Sheet 3 and 4 of the Access and Rights of Way plans the creation of three temporary access points of sufficient size to accommodate access and egress of most onerous of vehicle. Works comprising site clearance, construction of a new road surface, white lining, kerbing and a suitable drainage system as required.
UNR19	At bellmouths C6 and C7 as shown on Section C, Sheet 6 of the Access and Rights of Way plans the creation of two temporary access points of sufficient size to accommodate access and egress of most onerous of vehicle. Works comprising site clearance, construction of a new road surface, white lining, kerbing and a suitable drainage system as required.
B5110	At bellmouths C8, C9 and C10 as shown on Section C Sheet 7 of the Access and Rights of Way plans the creation of three temporary access points of sufficient size to accommodate access and egress of most onerous of vehicle. Works comprising site clearance, construction of a new road surface, white lining, kerbing and a suitable drainage system as required.
B5109	At bellmouths D1 and D2 as shown on Section D, Sheet 1 of the Access and Rights of Way

<i>(1)</i> <i>Street Subject to alteration of layout</i>	<i>(2)</i> <i>Description of alteration of layout</i>
	plans the creation of two temporary access points of sufficient size to accommodate access and egress of most onerous of vehicle. Works comprising site clearance, construction of a new road surface, white lining, kerbing and a suitable drainage system as required.
B5420	At bellmouths D3 and D4 as shown on Section D, Sheet 4 of the Access and Rights of Way plans the creation of two temporary access points of sufficient size to accommodate access and egress of most onerous of vehicle. Works comprising site clearance, construction of a new road surface, white lining, kerbing and a suitable drainage system as required.
UNR16	At bellmouths E1 and E2 as shown on Section E, Sheet 1 of the Access and Rights of Way plans the creation of two temporary temporary access points of sufficient size to accommodate access and egress of most onerous of vehicle. Works comprising site clearance, construction of a new road surface, white lining, kerbing and a suitable drainage system as required
UNR17	At bellmouths E3 and E4 as shown on Section E, Sheet 2 of the Access and Rights of Way plans the creation of two temporary temporary access points of sufficient size to accommodate access and egress of most onerous of vehicle. Works comprising site clearance, construction of a new road surface, white lining, kerbing and a suitable drainage system as required.
UNR21	At bellmouth E5 as shown on Section E, Sheet 3 of the Access and Rights of Way plans the creation of one temporary temporary access point of sufficient size to accommodate access and egress of most onerous of vehicle. Works comprising site clearance, construction of a new road surface, white lining, kerbing and a suitable drainage system as required.
UNR20	At bellmouth E5A as shown on Section E, Sheet 3 of the Access and Rights of Way plans the creation of one temporary temporary access point of sufficient size to accommodate access and egress of most onerous of vehicle. Works comprising site clearance, construction of a new road surface, white lining, kerbing and a suitable drainage system as required.
NCN8 / Llanddaniel Road	At bellmouths E6 and E7 as shown on Section E, Sheet 4 of the Access and Rights of Way plans the creation of two temporary access points of sufficient size to accommodate access and egress of most onerous of vehicle. Works comprising site clearance, construction of a new road surface, white lining, kerbing and

<i>(1)</i> <i>Street Subject to alteration of layout</i>	<i>(2)</i> <i>Description of alteration of layout</i>
	a suitable drainage system as required.
UNR22	At bellmouth F1C as shown on Section F, Sheet 1 of the Access and Rights of Way plans the creation of one temporary access points of sufficient size to accommodate access and egress of most onerous of vehicle. Works comprising site clearance, construction of a new road surface, white lining, kerbing and a suitable drainage system as required.
UNR23A	Junction modifications to facilitate heavy goods vehicle access and egress from A5A access as shown in Transport Assessment (TA) (Document 5.13.2.1) Annex M plan 60414717-MM-101 Works comprising site clearance, earthworks, new road surface, white lining, kerbing and a suitable drainage system.
Brynddu Road	Modifications at bellmouth A10 to facilitate visibility splays as shown in Transport Assessment (TA) (Document 5.13.2.1) Annex M plan 60414717-MM-101 Works comprising site clearance, earthworks, new road surface, white lining, kerbing and a suitable drainage system.
UNR21	Creation of a temporary passing place as shown in Transport Assessment (TA) (Document 5.13.2.1) Annex M plan 60414717-MM-106 Works comprising site clearance, construction of a new road surface, white lining, kerbing and a suitable drainage system as required.
NCN8 / Llanddaniel Road and A5/Holyhead Road priority junction	Junction modifications as shown in Transport Assessment (TA) (Document 5.13.2.1) Annex M plan 60414717-MM-107 Works comprising site clearance, construction of a new road surface, white lining, kerbing and a suitable drainage system as required to enable safe access and egress of heavy goods vehicles.
NCN8 / Llanddaniel Road	Carriageway widening as shown in Transport Assessment (TA) (Document 5.13.2.1) Annex M plan 60414717-MM-107 to aide passing HGVs. Works comprising site clearance, construction of a new road surface, white lining, kerbing and a suitable drainage system as required to enable safe access and egress of heavy goods vehicles.
UNR 22 and A5/Holyhead Road priority junction	Junction modifications as shown in Transport Assessment (TA) (Document 5.13.2.1) Annex M plan 60414717-MM-108 Works comprising site clearance, construction of a new road surface, white lining, kerbing and a suitable drainage system as required to enable safe access and egress of heavy goods vehicles.
UNR22	Creation of two temporary passing places as

(1) <i>Street Subject to alteration of layout</i>	(2) <i>Description of alteration of layout</i>
	<p>shown in Transport Assessment (TA) (Document 5.13.2.1) Annex M plan 60414717-MM-109</p> <p>Works comprising site clearance, construction of a new road surface, white lining, kerbing and a suitable drainage system as required.</p>

Gwynedd County Council

(1) <i>Street Subject to alteration of layout</i>	(2) <i>Description of alteration of layout</i>
B4547	<p>Provision of carriageway widening to aid heavy goods vehicle manoeuvres and access/egress of the existing Pentir Substation as shown in Transport Assessment (TA) (Document 5.13.2.1) Annex M plan 60414717-MM-111</p> <p>Works comprising site clearance, construction of a new road surface, white lining, kerbing and a suitable drainage system as required.</p>
Fodolydd Lane (east)	<p>At bellmouth F5 as shown on Section F, Sheet 4 of the Access and Rights of Way plans the creation of five temporary access points of sufficient size to accommodate access and egress of most onerous of vehicle.</p> <p>Works comprising site clearance, construction of a new road surface, white lining, kerbing and a suitable drainage system as required.</p>
Fodolydd Lane (east)	<p>At bellmouths F10 and F11 as shown on Section F, Sheet 4 of the Access and Rights of Way plans the creation of five temporary access points of sufficient size to accommodate access and egress of most onerous of vehicle.</p> <p>Works comprising site clearance, construction of a new road surface, white lining, kerbing and a suitable drainage system as required.</p>
UNR24	<p>At bellmouths F8 and F9, as shown on Section F, Sheet 5 of the Access and Rights of Way plans the creation of two temporary access points of sufficient size to accommodate access and egress of most onerous of vehicle.</p> <p>Works comprising site clearance, construction of a new road surface, white lining, kerbing and a suitable drainage system as required.</p>
UNR25	<p>At bellmouths F6 and F7 as shown on Section F, Sheet 5 of the Access and Rights of Way plans the creation of two temporary access points of sufficient size to accommodate access and egress of most onerous of vehicle.</p> <p>Works comprising site clearance, construction of a new road surface, white lining, kerbing and a suitable drainage system as required.</p>

<i>(1)</i> <i>Street Subject to alteration of layout</i>	<i>(2)</i> <i>Description of alteration of layout</i>
Fodolydd Lane (east)	Carriageway widening as shown in Transport Assessment (TA) (Document 5.13.2.1) Annex N plan 60414717-OM-011 to facilitate heavy goods vehicle access for a 40 year year operation, maintenance or unplanned event. Comprising the installation of a new road surface and white lining

SCHEDULE 7

Article 13

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

Isle of Anglesey County Council

<i>(1) Area</i>	<i>(2) Street or public right of way to be temporarily stopped up</i>	<i>(3) Extent of temporary stopping up</i>	<i>(4) Temporary diversion Route</i>
A	Coastal Path Permitted Route between 20/57/1 and 38/034A/2	Between points RW1.1 and RW1.2 as shown on Section A, Sheet 1 of the Access and Rights of Way plans.	Between points RWD1.1 and RWD1.3 via RWD1.2 as shown on Section A, Sheet 1 of the Access and Rights of Way plans.
	20/038/1	Between points RW2.1 and RW2.2 as shown on Section A, Sheet 1 of the Access and Rights of Way plans.	Between points RWD2.1 and RWD2.2 as shown on Section A, Sheet 1 of the Access and Rights of Way plans.
	20/029/1	Between points RW3.1 and RW3.2 as shown on Section A, Sheet 1 of the Access and Rights of Way plans.	Between points RWD3.1 and RWD3.2 as shown on Section A, Sheet 1 of the Access and Rights of Way plans.
	UNR23A	Between Points ST2.1 and ST2.2 shown Section A Sheet 1 of the Access and Rights of Way plans. To facilitate overhead line construction and access.	Between points DV1.2 and DV1.5 via DV1.3 and DV1.4 as shown on Section A Key Plan with Details of the Access and Rights of Way plans.
	UNR23B	Between Points ST2.3 and ST2.4 shown on Section A Sheet 1 of the Access and Rights of Way plans To facilitate overhead line construction and access.	Between points DV1.1 and DV1.5 via DV1.2, DV1.3 and DV1.4 as shown on Section A Key Plan with Details of the Access and Rights of Way plans.
	38/015/2	Between points RW7.1 and RW7.2, and between RW7.3 and RW7.4 as	Between points RWD7.1 and RWD7.2, and between

<i>(1) Area</i>	<i>(2) Street or public right of way to be temporarily stopped up</i>	<i>(3) Extent of temporary stopping up</i>	<i>(4) Temporary diversion Route</i>
		shown on Section A, Sheet 2 of the Access and Rights of Way plans.	RWD7.3 and RWD7.4 as shown on Section A, Sheet 2 of the Access and Rights of Way plans.
	UNR3	Between Points ST3.1 and ST3.2 shown in Section A, Sheet 3 the Access and Rights of Way plans.	Between points DV3.1 and DV3.5 via DV3.2, DV3.3 and DV3.4 or via DV3.6 and DV3.7 as shown on Section A Key Plan with Details of the Access and Rights of Way plans.
		Between Points ST3.3 and ST3.4 shown in Section A, Sheet 3 the Access and Rights of Way plans.	Between points DV3.1 and DV3.5 via DV3.2, DV3.3 and DV3.4 or via DV3.6 and DV3.7 as shown on Section A Key Plan with Details of the Access and Rights of Way plans.
B	44/027/1	Between points RW14.1 and RW14.2 as shown on Section B, Sheet 2 of the Access and Rights of Way plans.	Between points RWD14.1 and RWD14.2 as shown on Section B, Sheet 2 of the Access and Rights of Way plans.
	B5111	Between Points ST4.1 and ST4.2 as shown in Section B, Sheet 2 of the Access and Rights of Way plans.	Option 1 Between points DV4.1 and DV4.4 via DV4.2 and DV4.3 for LGVs and between points DV4.1 and DV4.4 via DV4.5, DV4.6, DV4.7 and DV4.8 for HGVs as shown on Section B Key Plan with Details of the Access and Rights of Way plans.
			Option 2 Between points DV4.1 and DV4.4 via DV4.9, DV4.10 and DV4.11 as shown on Section B Key Plan with Details of the Access and Rights of Way plans.
UNR18 / Lon Leidr	Between Points ST5.1 and ST5.2 shown in Section B, Sheet 4 of the	Between points DV5.1 and DV5.5 via DV5.2, DV5.3 and DV5.4 or	

<i>(1) Area</i>	<i>(2) Street or public right of way to be temporarily stopped up</i>	<i>(3) Extent of temporary stopping up</i>	<i>(4) Temporary diversion Route</i>
		Access and Rights of Way plans.	via DV5.6 and DV5.7 as shown on Section B and Section C Key Plan with Details of the Access and Rights of Way plans.
C	44/058/2	Between points RW19.3 and RW19.4 as shown on Section C, Sheet 1 of the Access and Rights of Way plans.	Between points RWD19.3 and RWD19.4 as shown on Section C, Sheet 1 of the Access and Rights of Way plans.
	UNR19	Between Points ST6.1 and ST6.2 shown in Section C, Sheet 6 of the Access and Rights of Way plans.	Between points DV6.1 and DV6.4 via DV6.2 and DV6.3 as shown on Section C Key Plan with Details of the Access and Rights of Way plans.
	UNR14A	Between Points ST7.1 and ST7.2 shown in Section C, Sheet 6 of the Access and Rights of Way plans.	Between points DV6.1 and DV6.4 via DV6.2 and DV6.3 as shown on Section C Key Plan with Details of the Access and Rights of Way plans.
D	23/017/1	Between points RW24.3 and RW24.4 as shown on Section D, Sheet 1 of the Access and Rights of Way plans.	Between points RWD24.3 and RWD24.4 as shown on Section D, Sheet 1 of the Access and Rights of Way plans.
	23/019/2 Option A	Between points RW25.3 and RW25.4 as shown on Section D Option A, Sheet 1 of the Access and Rights of Way plans.	Between points RWD25.3 and RWD25.4 as shown on Section D Option A, Sheet 1 of the Access and Rights of Way plans.
	23/019/2 Option B	Between points RWD25.3 and RWD25.4 as shown on Section D Option B, Sheet 1 of the Access and Rights of Way plans.	Between points RWD25.3 and RWD25.4 as shown on Section D Option B, Sheet 1 of the Access and Rights of Way plans.
	23/020/1 Option A	Between points RW26.1 and RW26.2 as shown on Section D Option A, Sheet 1 of the Access and Rights of Way plans.	Between points RWD26.1 and RWD26.2 as shown on Section D Option A, Sheet 1 of the Access and Rights of Way plans.

<i>(1) Area</i>	<i>(2) Street or public right of way to be temporarily stopped up</i>	<i>(3) Extent of temporary stopping up</i>	<i>(4) Temporary diversion Route</i>
	23/020/1 Option B	Between points RW26.1 and RW26.2 as shown on Section D Option B, Sheet 1 of the Access and Rights of Way plans.	Way plans. Between points RWD26.1 and RWD26.2 as shown on Section D Option B, Sheet 1 of the Access and Rights of Way plans.
E	UNR17	Between Points ST8.1 and ST8.2 shown in Section E, Sheet 2 of the Access and Rights of Way plans. Between Points ST8.2 and ST8.3 shown in Section E, Sheet 2 of the Access and Rights of Way plans.	Between points DV8.1 and DV8.5 via DV8.2, DV8.3 and DV8.4 or via DV8.6 and DV8.7 as shown on Section E Key Plan with Details of the Access and Rights of Way plans.
UNR20	Between Points ST8.2 and ST8.4 shown in Section E, Sheet 2 of the Access and Rights of Way plans.		
Llanddaniel Road / NCN 8	Between points NCN 1.1 and NCN 1.2 shown in Section E Key Plan with Details of the Access and Rights of Way plans.	Between points NCND1.1 and NCND1.5 via NCND 1.1, NCND 1.2, NCND 1.3 and NCND 1.4 shown in Section E Key Plan with Details of the Access and Rights of Way plans.	
F	UNR22 / Pont-Ronwy	Between Points ST9.1 and ST9.2 shown in Section F, Sheet 1 of the Access and Rights of Way plans. Between Points ST9.3 and ST9.4 shown in Section F, Sheet 1 of the Access and Rights of Way plans.	Between points DV9.1 and DV9.3 via DV9.2 as shown on Section F Key Plan with Details of the Access and Rights of Way plans.
Coastal Path Permitted Route between 21/010/1 and 31/018/1	Between points RW31.1 and RW31.2 as shown on Section F, Sheet 2 of the Access and Rights of Way plans.	Between points RWD31.1 and RWD31.2 as shown on Section F, Sheet 2 of the Access and Rights of Way plans.	

Gwynedd County Council

<i>(1)</i> Area	<i>(2)</i> Street or public right of way to be temporarily stopped up	<i>(3)</i> Extent of temporary stopping up	<i>(4)</i> Temporary diversion Route
F	Fodolydd Lane	Between Points ST10.1 and ST10.2 shown in Section F, Sheet 4 of the Access and Rights of Way plans	Between points DV10.1 and DV10.9 via DV10.2, DV10.3 (roundabout), DV10.2 and DV10.8 or via DV10.1 and DV10.9 as shown on Section F Key Plan with Details of the Access and Rights of Way plans.
		Between Points ST10.3 and ST10.4 shown in Section F, Sheet 4 of the Access and Rights of Way plans	
		Between Points ST10.5 and ST10.6 shown on Section F, Sheet 4 of the Access and Rights of Way plans	Between points DV10.1 and DV10.9 via DV10.8 (roundabout) and DV10.1 or via DV10.9 and DV10.1 as shown on Section F Key Plan with Details of the Access and Rights of Way plans.
		Between Points ST10.6 and ST10.7 shown on Section F, Sheet 4 of the Access and Rights of Way plans	
		Between Points ST10.7 and ST10.8 shown on Section F, Sheet 4 of the Access and Rights of Way plans	
		Between Points ST10.8 and ST10.9 shown on Section F, Sheet 4 of the Access and Rights of Way plans	
Pentir Rhif 14 (16678)	Between points RW32.3 and RW32.4 as shown on Section F, Sheet 4 of the Access and Rights of Way plans.	Between points RWD32.3 and RWD32.4 as shown on Section F, Sheet 4 of the Access and Rights of Way plans.	
UNR24	Between Points ST11.1 and ST11.2 shown on Section F,	Between points DV10.6 and DV10.9 via DV10.7 and DV10.8 as shown on	

<i>(1) Area</i>	<i>(2) Street or public right of way to be temporarily stopped up</i>	<i>(3) Extent of temporary stopping up</i>	<i>(4) Temporary diversion Route</i>
		Sheet 4 the Access and Rights of Way plans	Section F Key Plan with Details of the Access and Rights of Way plans.
	UNR25	Between Points ST12.1 and ST12.2 shown on Section F, Sheet 4 of the Access and Rights of Way plans	Between points DV10.5 to DV10.9 via DV10.1, DV10.2, DV10.3, DV10.4 and DV10.5 or via DV10.8, DV10.9, DV10.1, DV10.2, DV10.3, DV10.4 and DV10.5 as shown on Section F Key Plan with Details of the Access and Rights of Way plans.

PART 2

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

Isle of Anglesey County Council

<i>(1) Area</i>	<i>(2) Street or public right of way to be temporarily stopped up</i>	<i>(3) Extent of temporary stopping up</i>
A	UNR23	Between points TR1.1 and TR1.2 as shown on Section A Sheet 1 of the Traffic Regulation Order Plans To facilitate overhead line construction
	20/038/1	Between points RW2.3 and RW2.4 as shown on Section A Sheet 1 of the Access and Rights of Way plans.
	20/030/2	Between points RW4.1 and RW4.2 as shown on Section A Sheet 1 of the Access and Rights of Way plans.
	A5025	From its junction with Unnamed Road 23 travelling in a south westerly direction for 150m and a northerly easterly direction for 150m. To facilitate overhead line construction
	20/032/1	Between points RW5.1 and RW5.2 as shown on Section A Sheet 2 of the Access and Rights of Way plans.

<i>(1) Area</i>	<i>(2) Street or public right of way to be temporarily stopped up</i>	<i>(3) Extent of temporary stopping up</i>
	Fford y Felin	From its junction with Brynddu Road travelling in a north easterly direction for 125m. To facilitate overhead line construction
	20/054/1	Between points RW6.1 and RW6.2 as shown on Section A Sheet 2 of the Access and Rights of Way plans.
	38/015/2	Between points RW7.5 and RW7.6, between points RW7.7 and RW7.8, and between points RW7.9 and RW7.10 as shown on Section A Sheet 2 and Sheet 3 of the Access and Rights of Way plans.
	38/016/1	Between points RW8.1 and RW8.2 as shown on Section A Sheet 3 of the Access and Rights of Way plans.
	UNR3	From a point 450m east of its junction with Brynddu Road and a point 750m east of its junction with Brynddu Road To facilitate overhead line construction.
	38/072/1	Between points RW9.1 and RW9.2 as shown on Section A Sheet 4 of the Access and Rights of Way plans.
	38/065/4	Between points RW10.1 and RW10.2 as shown on Section A Sheet 4 of the Access and Rights of Way plans.
	38/067/2	Between points RW11.1 and RW11.2 as shown on Section A Sheet 5 of the Access and Rights of Way plans.
	38/085/1	Between points RW12.1 and RW12.2 as shown on Section A Sheet 5 of the Access and Rights of Way plans.
B	UNR1	From its junction with unnamed road 4 travelling in an easterly direction for 300m. To facilitate overhead line construction
	UNR4	From its junction with Unnamed Road 1 travelling in a south easterly direction for 500m. To facilitate overhead line

<i>(1) Area</i>	<i>(2) Street or public right of way to be temporarily stopped up</i>	<i>(3) Extent of temporary stopping up</i>
		construction
	44/031/1	Between points RW13.1 and RW13.2 as shown on Section B Sheet 1 of the Access and Rights of Way plans.
	UNR4	From a point 1,150m north west of its junction with the B5111 to a point 1,650m north west of its junction with the B5111. To facilitate overhead line construction
	44/027/1	Between points RW14.3 and RW14.4 as shown on Section B Sheet 2 of the Access and Rights of Way plans.
	UNR6	From its junction with unnamed road 4 travelling in an easterly direction for 300m. To facilitate overhead line construction
	44/023/1	Between points RW15.1 and RW15.2 as shown on Section B Sheet 2 of the Access and Rights of Way plans.
	B5111	From its junction with unnamed road 4 to a point travelling in a northerly direction for 800m To facilitate overhead line construction
	44/051/1	Between points RW16.1 and RW16.2 as shown on Section B Sheet 3 of the Access and Rights of Way plans.
	UNR8	From its junction with the B5111 in a north easterly direction for 1,500m to a point 1,800m from its junction with the B5111 To facilitate overhead line construction
	UNR18	From access B12 and B13 as shown on Section B, Sheet 4 of the Access and Rights of Way plans to a point 100m south and a point 300m north To facilitate overhead line construction
	44/056/2	Between points RW17.1 and RW17.2 as shown on Section B Sheet 4 of the Access and Rights of Way plans.
C	44/057/1	Between points RW18.1 and

<i>(1) Area</i>	<i>(2) Street or public right of way to be temporarily stopped up</i>	<i>(3) Extent of temporary stopping up</i>
		RW18.2 as shown on Section C Sheet 1 of the Access and Rights of Way plans.
	44/058/02	Between points RW19.1 and RW19.2 and RW19.5 and RW19.6 as shown on Section C Sheet 1 of the Access and Rights of Way plans.
	UNR9	From its junction with Unnamed road 10 travelling in a westerly direction for 400m to a point from its junction with unnamed road 10 travelling in a westerly direction for 900m To facilitate overhead line construction
	UNR10	From its junction with unnamed road 9 travelling in a southerly direction for 350m to a point from its junction with unnamed road 9 travelling in a southerly direction for 1,150m. To facilitate overhead line construction
	UNR 19	From its junction with B5110 travelling in a south westerly direction for 1,100m to a point from its junction travelling south westerly for 1,400m To facilitate overhead line construction
	23/030/1	Between points RW20.1 and RW20.2 as shown on Section C Sheet 6 of the Access and Rights of Way plans.
	23/030/2	Between points RW21.1 and RW21.2 as shown on Section C Sheet 6 of the Access and Rights of Way plans.
	23/031/1	Between points RW22.1 and RW22.2 as shown on Section C Sheet 6 of the Access and Rights of Way plans.
	B5110	From its junction with unnamed road 19 travelling in a southerly direction for 2000m to a point from its junction from unnamed road 19 travelling in a southerly direction for 3,250m To facilitate overhead line construction
	UNR 14	From its junction with the B5110

<i>(1) Area</i>	<i>(2) Street or public right of way to be temporarily stopped up</i>	<i>(3) Extent of temporary stopping up</i>
		travelling in an easterly direction for 250m To facilitate overhead line construction
	23/016/1	Between points RW23.1 and RW23.2 as shown on Section C Sheet 7 of the Access and Rights of Way plans.
D	23/017/1	Between points RW24.1 and RW24.2, and between points RW24.5 and RW24.6 as shown on Section D Sheet 1 of the Access and Rights of Way plans.
	23/020/2	Between points RW24.7 and RW24.8 as shown on Section D Sheet 1 of the Access and Rights of Way plans.
	23/019/2	Between points RW25.1 and RW25.2 , and RW25.5 and RW25.6 as shown on Section D Option A Sheet 1 of the Access and Rights of Way plans.
	23/019/2	Between points RW25.1 and RW25.2 and RW25.5 and RW25.6 as shown on Section D Option B Sheet 1 of the Access and Rights of Way plans.
	23/020/1	Between points RW26.3 and RW26.4 as shown on Section D Sheet 1 of the Access and Rights of Way plans.
	B5109	From a point 150m west of access D3 and D4 as shown on Section D, Sheet 4 of the Access and Rights of Way plans to a point 300m east of access D1 and D2 To facilitate overhead line construction
	B5420	From its junction with unnamed road 16 travelling in a westerly direction for a distance of 400m To facilitate overhead line construction
E	UNR16	From a point 250m south of its junction with B5420 to a point 600m from its junction with B5420. To facilitate overhead line construction
	33/022/1	Between points RW27.1 and RW27.2 as shown on Section E

<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Street or public right of way to be temporarily stopped up</i>	<i>(3)</i> <i>Extent of temporary stopping up</i>
		Sheet 1 of the Access and Rights of Way plans.
	33/020/1	Between points RW28.1 and RW28.2 as shown on Section E Sheet 2 of the Access and Rights of Way plans.
	UNR 17	From its junction with unnamed road 20 travelling in a north westerly direction for 250m and a south easterly direction for 200m To facilitate overhead line construction
	UNR 20	From its junction with unnamed road 17 travelling in a south westerly direction for 200m To facilitate overhead line construction
	A5 / Holyhead Road	From its junction with the A5152 travelling in an easterly direction for 1000m to a point from its junction with the A5152 travelling in a easterly direction for 1500m To facilitate overhead line construction
	33/006/2	Between points RW29.1 and RW29.2 as shown on Section E Sheet 2 of the Access and Rights of Way plans.
	NCN8 / Llandaniel Road	From its junction with the A5 travelling in a southerly direction for 350m to a point 750m from its junction with the A5 To facilitate overhead line construction
	29/009/1	Between points RW30.1 and RW30.2 as shown on Section E Sheet 4 of the Access and Rights of Way plans.

Gwynedd County Council

<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Street or public right of way to be temporarily stopped up</i>	<i>(3)</i> <i>Extent of temporary stopping up</i>
F	Pentir Rhif 14 (16678)	Between points RW32.1 and RW32.2, and between points RW32.5 and RW32.6 as shown on Section F Sheet 4 of the Access and Rights of Way plans.
	Pentir Rhif 14 (16679)	Between points RW33.1 and RW33.2 as shown on Section F

<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Street or public right of way to be temporarily stopped up</i>	<i>(3)</i> <i>Extent of temporary stopping up</i>
		Sheet 4 of the Access and Rights of Way plans.
	Pentir Rhif 111 (14265)	Between points RW34.1 and RW34.2 as shown on Section F Sheet 4 of the Access and Rights of Way plans.
	Pentir Rhif 17 (16680)	Between points RW35.1 and RW35.2 as shown on Section F Sheet 4 of the Access and Rights of Way plans.
	Fodolydd Lane	From its junction with B4547 travelling in a northerly direction for 500m To facilitate overhead line construction

Welsh Government / UK Highways

<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Street or public right of way to be temporarily stopped up</i>	<i>(3)</i> <i>Extent of temporary stopping up</i>
E	A55 Layby	Between points ST19.1 and ST19.2 as shown on shown in Section E, Sheet 3 of the Access and Rights of Way plans.

SCHEDULE 8

Article 15

ACCESS TO WORKS

Isle of Anglesey County Council

<i>(1)</i> <i>Street</i>	<i>(2)</i> <i>Access to works reference</i>	<i>(3)</i> <i>Plan Reference</i>
Unnamed Road 23 (UNR23)	Access A1, Access A2, Access A3 and Access A4	Section A, Sheet 1 of the Access and Rights of Way plans
A5025	Access A5	
Unnamed Road 23B (UNR23B)	Access A5A	Section A, Sheet 1 and Sheet 2 of the Access and Rights of Way plans
Ffordd Y Felin	Access A6 and Access A7	Section A Sheet 2 of the Access and Rights of Way plans
Unnamed Road 3 (UNR3)	Access A8 and A9	Section A Sheet 3 of the Access and Rights of Way plans
Brynddu Road	Access A10	Section A Sheet 4 of the Access and Rights of Way plans
Unnamed Road 1 / High Street (UNR1)	Access B1 and B2	Section A Sheet 5 and Section B Sheet 1 of the Access plans
Unnamed Road 4 (UNR4)	Access B4	Section B Sheet 1 of the Access and Rights of Way plans
	Access B5 and Access B7	Section B Sheet 2 of the Access and Rights of Way plans
B5111	Access B8 and Access B9	Section B Sheet 2 and Sheet 3 of the Access and Rights of Way plans
Unnamed Road 8 (UNR8)	Access B10 and Access B11	Section B Sheet 3 and Sheet 4 of the Access and Rights of Way plans
Unnamed Road 18 / Lon Leider (UNR18)	Access B12 and Access B13	Section B Sheet 4 of the Access and Rights of Way plans
Unnamed Road 9 (UNR9)	Access C1 and Access C2	Section C Section C Option A and Option B Sheet 2 of the Access and Rights of Way plans
Unnamed Road 10 (UNR10)	Access C3 and Access C4	Section C Section C Option A and Option B Sheet 2 and Sheet 3 of the Access and Rights of Way plans
	Access C5	Section C Section C Option A and Option B Sheet 4 of the Access and Rights of Way plans
Unnamed Road 19 (UNR19)	Access C6 and Access C7	Section C Option A and Option B Sheet 5 and Sheet 6 of the Access and Rights of Way plans
B5110	Access C8, Access C9 and Access C10	Section C Option A and Option B Sheet 7 of the Access and Rights of Way plans
B5109	Access D1 and Access D2	Section D Option A and Option B Sheet 1 and Sheet 2 of the Access and Rights of Way plans

<i>(1) Street</i>	<i>(2) Access to works reference</i>	<i>(3) Plan Reference</i>
B5420	Access D3	Section D Option A and Option B Sheet 3 and Sheet 4 of the Access and Rights of Way plans
	Access D4	Section D Option A and Option B Sheet 4 of the Access and Rights of Way plans
Unnamed Road 16 (UNR16)	Access E1 and Access E2	Section D Option A and Option B Sheet 4 and Section E Sheet 1 of the Access plans
Unnamed Road 17 (UNR17)	Access E3 and Access E4	Section E Sheet 2 of the Access and Rights of Way plans
Unnamed Road 21 (UNR21)	Access E5	Section E Sheet 3 and Sheet 4 of the Access and Rights of Way plans
Unnamed Road 20 (UNR20)	Access E5A	Section E Sheet 3 of the Access and Rights of Way plans
NCN8 / Llanddaniel Road	Access E6 and Access E7	Section E Sheet 4 of the Access and Rights of Way plans
Unnamed Road 22 (UNR22)	Access F1 and Access F1C	Section F Sheet 1 of the Access and Rights of Way plans
A4080	Access F2	Section F Sheet 2 of the Access and Rights of Way plans

Gwynedd County Council

<i>(1) Street</i>	<i>(2) Access to works reference</i>	<i>(3) Plan Reference</i>
Fodolydd Lane (west)	Access F3	Section F Sheet 4 of the Access and Rights of Way plans
Fodolydd Lane (east)	Access F4, Access F5, Access F10 and Access F11	Section F Sheet 4 and 5 of the Access and Rights of Way plans
Unnamed Road 24 (UNR24)	Access F8 and Access F9	
Unnamed Road 25 (UNR25)	Access F6 and Access F7	
B4547	Access F14	Section F Sheet 5 of the Access and Rights of Way plans

MODIFICATION OF COMPENSATION AND COMPULSORY PURCHASE ENACTMENTS FOR CREATION OF NEW RIGHTS

Compensation enactments

1. The enactments for the time being in force with respect to compensation for the compulsory purchase of land apply, with the necessary modifications as respects compensation, in the case of a compulsory acquisition under this Order of a right, by the creation of a new right or imposition of a restriction as they apply as respects compensation on the compulsory purchase of land and interests in land.

2.—(1) Without limitation on the scope of paragraph 1, the Land Compensation Act 1973(a) has effect subject to the modifications set out in sub-paragraph (2).

(2) In section 44(1) (compensation for injurious affection), as it applies to compensation for injurious affection under section 7 of the 1965 Act as substituted by paragraph 5—

- (a) for “land is acquired or taken from” substitute “a right or restrictive covenant over land is purchased from or imposed on”; and
- (b) for “acquired or taken from him” substitute “over which the right is exercisable or the restrictive covenant enforceable”.

3.—(1) Without limitation on the scope of paragraph 1, the 1961 Act has effect subject to the modification set out in sub-paragraph (2).

(2) For Section 5A(5A) (relevant valuation date) of the 1961 Act, after “If” substitute—

- “(a) the acquiring authority enters on land for the purpose of exercising a right in pursuance of a notice of entry under section 11(1) of the 1965 Act;
- (b) the acquiring authority is subsequently required by a determination under paragraph 13 of Schedule 2A to the 1965 Act (as substituted by paragraph 11 of Schedule 9 to the National Grid (North Wales Connection Project) Order 20[●]) to acquire an interest in the land; and
- (c) the acquiring authority enters on and takes possession of that land, the authority is deemed for the purposes of subsection (3)(a) to have entered on that land when it entered on that land for the purpose of exercising that right.”

Application of the 1965 Act

4.—(1) The 1965 Act has effect with the modifications necessary to make it apply to the compulsory acquisition under this Order of a right by the creation of a new right, or to the imposition under this Order of a restrictive covenant, as it applies to the compulsory acquisition under this Order of land, so that, in appropriate contexts, references in that Act to land must be read (according to the requirements of the particular context) as referring to, or as including references to—

- (a) the right acquired or to be acquired, or the restriction imposed or to be imposed; or
- (b) the land over which the right is or is to be exercisable, or the restriction is or is to be enforceable.

(2) Without limitation on the scope of sub-paragraph (1), Part 1 of the 1965 Act applies in relation to the compulsory acquisition under this Order of a right by the creation of a new right or,

(a) 1973 c. 26.

in relation to the imposition of a restriction, with the modifications specified in the following provisions of this Schedule.

- (3) Section 4 (time limit for giving notice to treat) is omitted.
- (4) In section 4A(1) (extension of time limit during challenge)—
 - (a) for “section 23 of the Acquisition of Land Act 1981 (application to High Court in respect of compulsory purchase order)” substitute “section 118 of the Planning Act 2008 (legal challenges relating to applications for orders granting development consent”); and
 - (b) for “the three year period mentioned in section 4” substitute “the eight year period mentioned in article 33 of the National Grid (North Wales Connection Project) Order 20[●]”.

5. For section 7 of the 1965 Act (measure of compensation) substitute—

“7. In assessing the compensation to be paid by the acquiring authority under this Act, regard must be had not only to the extent (if any) to which the value of the land over which the right is to be acquired or the restrictive covenant is to be imposed is depreciated by the acquisition of the right or the imposition of the covenant but also to the damage (if any) to be sustained by the owner of the land by reason of its severance from other land of the owner, or injuriously affecting that other land by the exercise of the powers conferred by this or the special Act.”.

6. The following provisions of the 1965 Act (which state the effect of a deed poll executed in various circumstances where there is no conveyance by persons with interests in the land), that is to say—

- (a) section 9(4) (failure by owners to convey);
- (b) paragraph 10(3) of Schedule 1 (owners under incapacity);
- (c) paragraph 2(3) of Schedule 2 (absent and untraced owners); and
- (d) paragraphs 2(3) and 7(2) of Schedule 4 (common land),

are modified to secure that, as against persons with interests in the land which are expressed to be overridden by the deed, the right which is to be compulsorily acquired or the restrictive covenant which is to be imposed is vested absolutely in the acquiring authority.

7. Section 11(a) of the 1965 Act (powers of entry) is modified to secure that, as from the date on which the acquiring authority has served notice to treat in respect of any right or restriction, it has power, exercisable in equivalent circumstances and subject to equivalent conditions, to enter for the purpose of exercising that right or enforcing that restrictive covenant (which is deemed for this purpose to have been created on the date of service of the notice); and sections 12(b) (penalty for unauthorised entry) and 13(c) (entry on warrant in the event of obstruction) of the 1965 Act are modified correspondingly.

8. Section 20(d) of the 1965 Act (protection for interests of tenants at will, etc.) applies with the modifications necessary to secure that persons with such interests in land as are mentioned in that section are compensated in a manner corresponding to that in which they would be compensated on a compulsory acquisition under this Order of that land, but taking into account only the extent (if any) of such interference with such an interest as is actually caused, or likely to be caused, by the exercise of the right or the enforcement of the restrictive covenant in question.

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- (a) Section 11 was amended by section 34(1) of, and Schedule 4 to, the Acquisition of Land Act 1981 (c. 67), section 3 of, and Part 1 of Schedule 1 to, the Housing (Consequential Provisions) Act 1985 (c. 71), section 14 of, and paragraph 12(1) of Schedule 5 to, the Church of England (Miscellaneous Provisions) Measure 2006 (No.1) and S.I. 2009/1307.
 - (b) Section 12 was amended by section 56(2) of, and Part 1 of Schedule 9 to, the Courts Act 1971 (c. 23).
 - (c) Section 13 was amended by sections 62(3), 139(4) to (9) and 146 of, and paragraphs 27 and 28 of Schedule 13 and Part 3 of Schedule 23 to, the Tribunals, Courts and Enforcement Act 2007 (c. 15).
 - (d) Section 20 was amended by paragraph 4 of Schedule 15 to the Planning and Compensation Act 1991 (c. 34) and S.I. 2009/1307.

9. Section 22 of the 1965 Act (interests omitted from purchase) is modified as to enable the acquiring authority, in circumstances corresponding to those referred to in that section, to continue to be entitled to exercise the right acquired or to enforce the restriction imposed, subject to compliance with that section as respects compensation.

10. In section 22(2) (expiry of time limit for exercise of compulsory purchase power not to affect acquisition of interests omitted from purchase) for “section 4 of this Act” substitute “article 33 of the National Grid (North Wales Connection Project Order) 20[●]”.

11. For Schedule 2A of the 1965 Act substitute—

“SCHEDULE 2A COUNTER-NOTICE REQUIRING PURCHASE OF LAND

Introduction

1. This Schedule applies where an acquiring authority serves a notice to treat in respect of a right over, or restrictive covenant affecting, the whole or part of a house, building or factory and have not executed a general vesting declaration under section 4 of the 1981 Act as applied by article 35 (application of the Compulsory Purchase (Vesting Declarations) Act 1981) of the National Grid (North Wales Connection Project) Order 20[●] in respect of the land to which the notice to treat relates.

2. In this Schedule, “house” includes any park or garden belonging to a house.

Counter-notice requiring purchase of land

3. A person who is able to sell the house, building or factory (“the owner”) may serve a counter-notice requiring the authority to purchase the owner’s interest in the house, building or factory.

4. A counter-notice under paragraph 3 must be served within the period of 28 days beginning with the day on which the notice to treat was served.

Response to counter-notice

5. On receiving a counter-notice, the acquiring authority must decide whether to—

- (a) withdraw the notice to treat,
- (b) accept the counter-notice, or
- (c) refer the counter-notice to the Upper Tribunal.

6. The authority must serve notice of its decision on the owner within the period of 3 months beginning with the day on which the counter-notice is served (“the decision period”).

7. If the authority decides to refer the counter-notice to the Upper Tribunal it must do so within the decision period.

8. If the authority does not serve notice of a decision within the decision period it is to be treated as if it had served notice of a decision to withdraw the notice to treat at the end of that period.

9. If the authority serves notice of a decision to accept the counter-notice, the compulsory purchase order and the notice to treat are to have effect as if they included the owner’s interest in the house, building or factory.

Determination by Upper Tribunal

10. On referral under paragraph 7, the Upper Tribunal must determine whether the acquisition of the right or the imposition of the restrictive covenant would—

- (a) in the case of a house, building or factory, cause medical detriment to the house, building or factory, or
- (b) in the case of a park or garden, seriously affect the amenity or convenience of the house to which the park or garden belongs.

11. In making its determination, the Upper Tribunal must take into account—

- (a) the effect of the acquisition of the right or the imposition of the covenant,
- (b) the use to be made of the right or covenant proposed to be acquired or imposed, and
- (c) if the right or covenant is proposed to be acquired or imposed for works or other purposes extending to other land, the effect of the whole of the works and the use of the other land.

12. If the Upper Tribunal determines that the acquisition of the right or the imposition of the covenant would have either of the consequences described in paragraph 10, it must determine how much of the house, building or factory the authority ought to be required to take.

13. If the Upper Tribunal determines that the authority ought to be required to take some or all of the house, building or factory, the compulsory purchase order and the notice to treat are to have effect as if they included the owner’s interest in that land.

14.—(1) If the Upper Tribunal determines that the authority ought to be required to take some or all of the house, building or factory, the authority may at any time within the period of 6 weeks beginning with the day on which the Upper Tribunal make its determination withdraw the notice to treat in relation to that land.

(2) If the acquiring authority withdraws the notice to treat under this paragraph they must pay the person on whom the notice was served compensation for any loss or expense caused by the giving and withdrawal of the notice.

15. Any dispute as to the compensation is to be determined by the Upper Tribunal.”

12. In this Schedule, references to entering on and taking possession of land do not include doing so under articles 19 (protective works), 26 (temporary use of land by National Grid) or 28 (temporary use of land for maintaining the authorised development) of this Order.

SCHEDULE 10

Article 25

LAND OF WHICH ONLY SUBSOIL MORE THAN 9 METRES
BENEATH THE SURFACE MAY BE REQUIRED

<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Plot number of land shown on Land Plans</i>
Isle of Anglesey	F1-113, F1-115, F1-118, F1-120, F1-122, F1-125, F1-126, F1-137, F1-138, F1-139, F1-140, F1-147, F1-148, F1-150, F1-154, F1-155, F1-158, F1-160, F2-002, F2-009, F2-024, F2-025, F2-031, F2-034, F2-035, F2-036, F2-038, F2-039
Menai Strait	F1-162, F2-037
County of Gwynedd	F2-040, F2-041, F2-042, F2-043, F2-044, F2-045, F2-046, F2-047, F2-048, F2-049, F3-001, F3-002, F3-003, F3-004, F3-005, F3-006, F3-007, F3-008, F3-009, F3-010, F3-011, F3-012, F3-013, F3-014, F3-015, F3-016, F3-017, F3-018, F3-019, F3-020, F3-021, F3-022, F3-023, F3-024, F4-003

SCHEDULE 11

Articles 26 and 27

LAND OF WHICH TEMPORARY POSSESSION MAY BE TAKEN

<i>(1)</i> <i>Plot number of land shown on Land Plan</i>	<i>(2)</i> <i>Purpose for which temporary possession may be taken</i>	<i>(3)</i> <i>Relevant part of the authorised development</i>	<i>(4)</i> <i>Element of Work in respect of which land is not required to be re-instated</i>
DA2-018	Construction of the authorised development and mitigation works	6	DA2-018
DA2-021, DA2-023, DA2-024, DA2-026, DA2-029, DA2-034, DA3-002	Access to land for the purpose of carrying out the authorised development including the power to carry out any ancillary works necessary to facilitate that access	6, 6, 6, 6, 6	
DA3-023	Construction of the authorised development and mitigation works	6	DA3-023
DB2-018	Construction of the authorised development and mitigation works	6	DB2-018
DB2-021, DB2-023, DB2-024, DB2-026, DB2-029, DB2-034, DB3-002	Access to land for the purpose of carrying out the authorised development including the power to carry out any ancillary works necessary to facilitate that access	6, 6, 6, 6, 6	
DB3-023	Construction of the authorised development and mitigation works	6	DB3-023
E3-093, E3-096, E3-099, E3-101, E3-110, E3-122, E3-128, E3-133, E4-015, E4-017, E4-018, E4-019, E4-031, E4-035, E4-045, E4-046, E4-048, E4-052, E4-053, F1-027	Construction of the authorised development and mitigation works	7 & 8, 7 & 8, 7 & 8, 7 & 8, 7 & 8, 7 & 8, 7 & 8, 7 & 8, 7 & 8, 7 & 8, 7 & 8, 7 & 8, 7 & 8, 7 & 8, 7 & 8, 7 & 8	E3-093, E3-096, E3-099, E3-101, E3-110, E3-122, E3-128, E3-133, E4-015, E4-017, E4-018, E4-019, E4-031, E4-035, E4-045, E4-046, E4-048, E4-052, E4-053, F1-027
F1-033	Access to land for the purpose of carrying out the authorised	7 & 8	

<i>(1) Plot number of land shown on Land Plan</i>	<i>(2) Purpose for which temporary possession may be taken</i>	<i>(3) Relevant part of the authorised development</i>	<i>(4) Element of Work in respect of which land is not required to be re-instated</i>
	development including the power to carry out any ancillary works necessary to facilitate that access		
F1-036	Construction of the authorised development and mitigation works	7 & 8	F1-036
F1-037	Access to land for the purpose of carrying out the authorised development including the power to carry out any ancillary works necessary to facilitate that access	7 & 8	
F1-039, F1-044, F1-047	Construction of the authorised development and mitigation works	7 & 8, 7 & 8, 7 & 8	F1-039, F1-044, F1-047
F1-049	Access to land for the purpose of carrying out the authorised development including the power to carry out any ancillary works necessary to facilitate that access	7 & 8	
F1-053, F1-082, F1-091	Construction of the authorised development and mitigation works	7 & 8, 7 & 8, 7 & 8	F1-053, F1-082, F1-091
F1-099	Access to land for the purpose of carrying out the authorised development including the power to carry out any ancillary works necessary to facilitate that access	7 & 8	
F1-103, F1-109, F1-110, F1-121, F1-127, F1-129, F1-131, F1-132, F1-134, F1-135, F3-042, F4-001	Construction of the authorised development and mitigation works	7 & 8, 7 & 8, 7 & 8, 8, 8, 8, 8, 8, 8	F1-103, F1-109, F1-110, F1-121, F1-127, F1-129, F1-131, F1-132, F1-134, F1-135, F3-042, F4-001
F4-008	Access to land for the purpose of carrying out the authorised development including	8 & 9	

<i>(1) Plot number of land shown on Land Plan</i>	<i>(2) Purpose for which temporary possession may be taken</i>	<i>(3) Relevant part of the authorised development</i>	<i>(4) Element of Work in respect of which land is not required to be re-instated</i>
	the power to carry out any ancillary works necessary to facilitate that access		
F4-010	Construction of the authorised development and mitigation works	8 & 9	F4-010
F4-015	Access to land for the purpose of carrying out the authorised development including the power to carry out any ancillary works necessary to facilitate that access	8 & 9	
F4-020, F4-024, F4-029	Construction of the authorised development and mitigation works	8 & 9, 8 & 9, 8 & 9	F4-020, F4-024, F4-029
F4-031	Access to land for the purpose of carrying out the authorised development including the power to carry out any ancillary works necessary to facilitate that access	8 & 9	
F4-033, F4-037	Construction of the authorised development and mitigation works	8 & 9, 8 & 9	F4-033, F4-037
F4-041	Access to land for the purpose of carrying out the authorised development including the power to carry out any ancillary works necessary to facilitate that access	8 & 9	
F4-042, F4-044, F4-046, F4-051, F4-052	Construction of the authorised development and mitigation works	8 & 9, 8 & 9, 8 & 9, 9, 9	F4-042, F4-044, F4-046, F4-051, F4-052
F4-084, F4-092	Access to land for the purpose of carrying out the authorised development including the power to carry out any ancillary works necessary to facilitate that access	8 & 9, 8 & 9 & 10	

<i>(1) Plot number of land shown on Land Plan</i>	<i>(2) Purpose for which temporary possession may be taken</i>	<i>(3) Relevant part of the authorised development</i>	<i>(4) Element of Work in respect of which land is not required to be re-instated</i>
F4-093, F4-102, F4-104, F4-106, F4-115, F4-120, F4-121	Construction of the authorised development and mitigation works	8 & 9 & 10, 9, 9, 9, 9, 9, 9 & 10	F4-093, F4-102, F4-104, F4-106, F4-115, F4-120, F4-121
F4-122, F4-124, F4-125	Access to land for the purpose of carrying out the authorised development including the power to carry out any ancillary works necessary to facilitate that access	9, 8 & 9 & 10 & 11, 9	
F4-126	Construction of the authorised development and mitigation works	9	F4-126
F4-128	Access to land for the purpose of carrying out the authorised development including the power to carry out any ancillary works necessary to facilitate that access	9 & 10	
F4-129	Construction of the authorised development and mitigation works	9	F4-129
F4-130, F4-131, F4-132	Access to land for the purpose of carrying out the authorised development including the power to carry out any ancillary works necessary to facilitate that access	9, 8 & 9 & 10 & 11, 9	
F4-133, F4-134, F4-136	Construction of the authorised development and mitigation works	9, 9, 9 & 10	F4-133, F4-134, F4-136
F4-140	Access to land for the purpose of carrying out the authorised development including the power to carry out any ancillary works necessary to facilitate that access	8 & 9 & 10 & 11	
F4-142, F4-144, F4-151	Construction of the authorised development and mitigation works	8 & 9 & 10 & 11, 8 & 9 & 10 & 11, 9 & 10	F4-142, F4-144, F4-151

<i>(1) Plot number of land shown on Land Plan</i>	<i>(2) Purpose for which temporary possession may be taken</i>	<i>(3) Relevant part of the authorised development</i>	<i>(4) Element of Work in respect of which land is not required to be re-instated</i>
F4-152, F5-012, F5-017, F5-021, F5-022, F5-027	Access to land for the purpose of carrying out the authorised development including the power to carry out any ancillary works necessary to facilitate that access	8 & 9 & 10 & 11, 11, 8 & 9 & 10 & 11, 8 & 9 & 10 & 11, 8 & 9 & 10 & 11, 8 & 9 & 10 & 11	
F5-029, F5-031, F5-033, F5-034, F5-035, F5-036, F5-038, F5-039	Construction of the authorised development and mitigation works	8 & 9 & 10 & 11, 11, 11, 11, 11, 11, 11	F5-029, F5-031, F5-033, F5-034, F5-035, F5-036, F5-038, F5-039
F5-040	Access to land for the purpose of carrying out the authorised development including the power to carry out any ancillary works necessary to facilitate that access	8 & 9 & 10 & 11	
F5-043, F5-045, F5-046, F5-048, F5-060	Construction of the authorised development and mitigation works	11, 11, 11 & 12, 11, 11 & 12	F5-043, F5-045, F5-046, F5-048, F5-060
F5-063, F5-065	Access to land for the purpose of carrying out the authorised development including the power to carry out any ancillary works necessary to facilitate that access	8 & 9 & 10 & 11 & 12, 8 & 9 & 10 & 11 & 12	
F5-070	Construction of the authorised development and mitigation works	8 & 9 & 10 & 11 & 12	F5-070

SCHEDULE 12

Article 40

EXTINGUISHMENT OF PRIVATE RIGHTS AND RESTRICTIVE COVENANTS RELATING TO APPARATUS BELONGING TO NATIONAL GRID OR SP MANWEB REMOVED FROM LAND SUBJECT TO TEMPORARY POSSESSION

<i>Area</i>	<i>Plot</i>
Isle of Anglesey	A1-005, B1-053, B1-054, B1-063, B1-070, B1-075, B1-076, B1-086, B1-089, B1-091, B1-093, B1-094, B1-095, B1-098, B1-103, B1-104, B1-105, B1-108, B2-012, B2-021, B2-028, B2-029, B2-030, B2-032, B2-033, B2-035, B2-037, B2-039, B2-040, B2-042, B2-043, B2-044, B2-052, B2-076, B2-086, B2-089, B2-090, B2-095, B2-098, B2-102, B4-021, CA1-035, CA1-036, CA1-040, CA1-043, CA1-046, CA2-004, CA2-013, CA2-017, CA2-019, CA2-027, CA2-032, CA2-049, CA2-052, CA2-054, CB1-035, CB1-036, CB1-040, CB1-043, CB1-046, CB2-004, CB2-013, CB2-017, CB2-019, CB2-027, CB2-032, CB2-049, CB2-052, CB2-054
County of Gwynedd	F4-056, F4-060, F4-070, F4-073, F4-074, F4-076, F4-077, F4-089, F4-096, F4-102, F4-104, F4-106, F4-115, F4-120, F4-121, F4-126, F4-129, F4-133, F4-134, F4-136

SCHEDULE 13

Article 47

TRAFFIC REGULATION ORDERS

PART 1

TEMPORARY RESTRICTION OF WAITING AND RESTRICTION OF SPEED

Isle of Anglesey County Council

<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Road</i>	<i>(3)</i> <i>Extent</i>	<i>(4)</i> <i>Note</i>
A	UNR 23	Between points TR1.1 and TR1.2 as shown on Section A Sheet 1 of the Traffic Regulation Order plans	Speed limit to be restricted to 30mph No waiting restriction between 7:00am to 7:00pm Monday to Sunday. To be implemented as required for duration of the construction of the authorised development
	A5025	Between points TR2.1 and TR2.2 as shown on Section A Key Plan with Details of the Traffic Regulation Order plans,	
	Fforrd y Felin	Between points TR5.1 and TR5.2 as shown on Section A Sheet 2 of the Traffic Regulation Order plans	
	UNR 3	Between points TR6.2 and TR6.7 as shown on Section A Sheet 3 of the Traffic Regulation Order plans	
	Brynddu Road	Between points TR7.1 and TR7.2 as shown on Section A Sheet 4 of the Traffic Regulation Order plans	
B	UNR 1 / High Street	Between points TR8.1 and TR8.2 as shown on Section B Sheet 1 of the Traffic Regulation Order plans	
	UNR 4	Between points TR9.1 and TR9.2 as shown on Section B Sheet 1 the Traffic Regulation Order plans	
	UNR 4	Between points TR9.1 and TR9.10 as shown on Section B Sheet 1 of the Traffic Regulation Order plans	
	UNR 4	Between points TR9.3 and	

(1) Area	(2) Road	(3) Extent	(4) Note
		TR9.4 as shown on Section B Sheet 1 of the Traffic Regulation Order plans	
	UNR 4	Between points TR9.5 and TR9.6 as shown on Section B Sheet 2 of the Traffic Regulation Order plans	
	UNR 4	Between points TR9.7 and TR9.8 as shown on Section B Sheet 2 of the Traffic Regulation Order plans	
	UNR 4	Between points TR9.9 and TR9.10 as shown on Section B Sheet 3 of the Traffic Regulation Order plans	
	B5111	Between points TR10.2 and TR10.7 as shown on Section B Sheet 2 and Sheet 3 of the Traffic Regulation Order plans	
	UNR8	Between points TR11.1 and TR11.2 as shown on Section B Sheet 4 of the Traffic Regulation Order plans	
	UNR 18 / Lon Leidr	Between points TR12.2 and TR12.5 as shown on Section B Sheet 4 of the Traffic Regulation Order plans	
C	UNR 9	Between points TR13.1 and TR13.2 and between TR13.2 and TR13.3 as shown on Section C Sheet 2 of the Traffic Regulation Order plans	Speed limit to be restricted to 30mph No waiting restriction between 07:00am to 07:00pm Monday to Sunday. To be implemented as required for duration of the construction of the authorised development
	UNR 10	Between points TR14.1 and TR14.2 and between TR14.2 and TR14.3 as shown on Section C Sheet 2 and Sheet 3 of the Traffic Regulation Order plans	
	UNR 10	Between points TR15.1 and TR15.2 as shown on Section C Sheet 4 of the Traffic Regulation Order plans	
	UNR 19	Between points TR16.2 and TR16.5 as shown on	

(1) <i>Area</i>	(2) <i>Road</i>	(3) <i>Extent</i>	(4) <i>Note</i>
		Section C Key Plan with Details of the Traffic Regulation Order plans	
	B5110	Between points TR17.1 and TR17.2 as shown on Section C Sheet 7 of the Traffic Regulation Order plans	
D	B5109	Between points TR19.1 and TR19.2 as shown on Section D Sheet 2 of the Traffic Regulation Order plans	
	B5420	Between points TR20.1 and TR20.2 as shown on Section D Sheet 4 of the Traffic Regulation Order plans	
E	UNR 16	Between points TR21.1 and TR21.2 as shown on Section E Sheet 1 of the Traffic Regulation Order plans	
	UNR 17	Between points TR22.2 and TR22.6 as shown on Section E Sheet 2 of the Traffic Regulation Order plans	
	UNR 21	Between points TR23.1 and TR23.2 as shown on Section E Sheet 4 of the Traffic Regulation Order plans	
	A5 / Holyhead Road	Between points TR25.1 and TR25.2 as shown on Section E Sheet 4 and Section F Sheet 1 of the Traffic Regulation Order plans	
	NCR8 / Llandaniel Road	Between points TR26.1 and TR26.2 as shown on Section E Sheet 4 of the Traffic Regulation Order plans	
	UNR 20	Between points TR34.1 and TR34.3 as shown on Section E Sheet 3 of the Traffic Regulation Order plans	
F	UNR 22 / Pont-Ronwy	Between points TR27.1 and TR27.5 as shown on Section F Sheet 1 of the Traffic Regulation Order plans	

<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Road</i>	<i>(3)</i> <i>Extent</i>	<i>(4)</i> <i>Note</i>
	A4080 / Brynsiencyn Road	Between points TR29.2 and TR29.3 as shown on Section F Sheet 1 and Sheet 2 of the Traffic Regulation Order plans	

Gwynedd County Council

<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Road</i>	<i>(3)</i> <i>Extent</i>	<i>(4)</i> <i>Note</i>
F	Fodolydd Lane	Between points TR30.3 and TR30.6 as shown on Section F Sheet 4 of the Traffic Regulation Order plans	Speed limit to be reduced to 30mph No waiting restriction between 07:00am to 07:00pm Monday to Sunday. To be implemented as required for duration of the construction of the authorised development
	Fodolydd Lane	Between points TR30.7 and TR30.12 shown on Section F sheet 4 of the Traffic Regulation Order plans	
	UNR 25	Between points TR31.1 and TR31.3 as shown on Section F Sheet 4 of the Traffic Regulation Order plans	
	UNR 24	Between points TR32.1 and TR32.3 as shown on Section F Sheet 5 of the Traffic Regulation Order plans	
	B4547	Between points TR33.1 and TR33.2 as shown on Section F Key Plan with Details of the Traffic Regulation Order plans	

PART 2

TEMPORARY RESTRICTION OF WAITING

Isle of Anglesey County Council

<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Road</i>	<i>(3)</i> <i>Extent</i>	<i>(4)</i> <i>Note</i>
B	UNR 1 / High Street	Between points TR8.2 and TR8.3 as shown on Section B Sheet 1 of the Traffic Regulation Order plans	No waiting restriction between 07:00am to 07:00pm Monday to Sunday.
F	A5 / Holyhead Road	Between points TR25.2 and TR25.3 as shown on Section F Sheet 1 of the Traffic Regulation Order plans	To be implemented as required for duration of the construction of the authorised development
	UNR 22 / Pont-Ronwy	Between points TR27.1 and TR27.4 as shown on Section F Sheet 1 of the Traffic Regulation Order plans	

PART 3

TEMPORARY RESTRICTION OF WAITING AND ACCESS

Isle of Anglesey County Council

<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Road</i>	<i>(3)</i> <i>Extent</i>	<i>(4)</i> <i>Note</i>
A	UNR 23A	Between points TR3.1 and TR3.2 as shown on Section A Sheet 1 of the Traffic Regulation Order plans	Restriction of vehicular access and waiting at any time. To be implemented as required for duration of the construction of the authorised development
	UNR 23B	Between points TR4.1 and TR4.2 as shown on Section A Sheet 1 of the Traffic Regulation Order plans	
	UNR3	Between points TR6.3 and TR6.4 and between points TR6.5 and TR6.6 as shown on Section A Sheet 3 of the Traffic Regulation Order plans	
B	B5111	Between points TR10.3 and TR10.4 and between points TR10.4 and TR10.5 as shown on Section B Sheet 2 and Sheet 3 of the Traffic	

<i>(1) Area</i>	<i>(2) Road</i>	<i>(3) Extent</i>	<i>(4) Note</i>
		Regulation Order plans	
	UNR 18 / Lon Leidr	Between points TR12.3 and TR12.4 as shown on Section B Sheet 4 of the Traffic Regulation Order plans	
C	UNR 19	Between points TR16.3 and TR16.4 as shown on Section C Sheet 5 of the Traffic Regulation Order plans	
	UNR 14A	Between points TR18.1 and TR18.2 as shown on Section C Sheet 7 of the Traffic Regulation Order plans	
E	UNR 17	Between points TR22.2 and TR22.3 and between points TR22.4 and TR22.5 as shown on Section E Sheet 2 of the Traffic Regulation Order plans	
	UNR 20	Between points TR34.4 and TR35.5 as shown on Section E Sheet 2 of the Traffic Regulation Order plans	
F	UNR 22 / Pont -Ronwy	Between points TR27.1 and TR27.4 as shown on Section F Sheet 1 of the Traffic Regulation Order plans	
	UNR 22 / Pont -Ronwy	Between points TR27.3 and TR27.4 as shown on Section F Sheet 1 of the Traffic Regulation Order plans	

Gwynedd County Council

<i>(1) Area</i>	<i>(2) Road</i>	<i>(3) Extent</i>	<i>(4) Note</i>
F	Fodolydd Lane	Between points TR30.1 and TR30.2, between points TR30.4 and TR30.5, between points TR30.8 and TR30.9 and between points TR30.10 and TR30.11 as shown on Section F Sheet 4 of the Traffic Regulation Order plans.	Restriction of vehicular access and waiting at any time To be implemented as required for duration of the construction of the authorised development

<i>(1) Area</i>	<i>(2) Road</i>	<i>(3) Extent</i>	<i>(4) Note</i>
	UNR 25	Between points TR31.2 and TR31.3 as shown on Section F Sheet 4 of the Traffic Regulation Order plans	
	UNR 24	Between points TR32.1 and TR32.2, as shown on Section F Sheet 5 of the Traffic Regulation Order plans	

Welsh Government

<i>(1) Area</i>	<i>(2) Road</i>	<i>(3) Extent</i>	<i>(4) Note</i>
E	A55 Layby (south of tower 4AP082)	Between points TR24.1 and TR24.2 as shown on Section E Sheet 3 of the Traffic Regulation Order plans	Restriction of vehicular access and waiting at any time To be implemented as required for duration of the construction of the authorised development

PART 4

TEMPORARY RESTRICTION OF ACCESS

Isle of Anglesey County Council

<i>(1) Area</i>	<i>(2) Road</i>	<i>(3) Extent</i>	<i>(4) Note</i>
A	UNR 3	Between points TR6.1 and TR6.3 and between TR6.6 and TR6.8 as shown on Section A Sheet 3 of the Traffic Regulation Order plans	Restriction of Access To be implemented as required for duration of the construction of the authorised development
B	B5111	Option 1 Between points TR10.1 and TR10.3 and between TR10.1 and TR10.4 and between TR10.4 and TR10.5 and between TR10.5 and TR10.6 and as shown on Section B Sheet 2 and Sheet 3 of the Traffic Regulation Order plans Option 2 Between points TR10.3 and TR10.9 and between points TR10.6 And TR10.8 As shown on Section B Key Plan with details.	
	UNR 18 / Lon Leidr	Between points TR12.1 and TR12.3 and between TR12.4	

<i>(1) Area</i>	<i>(2) Road</i>	<i>(3) Extent</i>	<i>(4) Note</i>
		and TR12.6 as shown on Section Section B and Section C Key Plan with Details of the Traffic Regulation Order plans	
C	UNR 19	Between points TR16.1 and TR16.3 and between TR16.4 and TR16.6 as shown on Section C Key Plan with Details of the Traffic Regulation Order plans	
E	UNR 17	Between points TR22.5 and TR22.7 and between TR22.1 and TR22.3 as shown on Section E Key Plan with Details of the Traffic Regulation Order plans	
	UNR 20	Between points TR34.2 and TR34.4 as shown on Section E Sheet 2 and Sheet 3 and Section E Key Plan with Details of the Traffic Regulation Order plans	
F	UNR 22 / Pont-Ronwy	Between points TR27.1 and TR27.3 as shown on Section F Sheet 1 of the Traffic Regulation Order plans	
	UNR 22 / Pont-Ronwy	Between points TR27.4 and TR27.5 as shown on Section F Sheet 1 of the Traffic Regulation Order plans	
	UNR 22 / Pont-Ronwy	Between points TR27.2 and TR27.5 as shown on Section F Sheet 1 of the Traffic Regulation Order plans	

Gwynedd County Council

<i>(1) Area</i>	<i>(2) Road</i>	<i>(3) Extent</i>	<i>(4) Note</i>
F	Fodolydd Lane	Between points TR30.2 and TR30.12 as shown on Section F sheet 4 of the Traffic Regulation Order plans	Restriction of Access. To be implemented as required for duration of the construction of the authorised development
	Fodolydd Lane	Between points TR30.1 and TR30.4 and between points TR30.5 and TR30.12 as shown on Section F Sheet 4 of the	

<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Road</i>	<i>(3)</i> <i>Extent</i>	<i>(4)</i> <i>Note</i>
		Traffic Regulation Order plans	
	Fodolydd Lane	Between points TR30.1 and TR30.8 and between points TR30.9 and TR30.12 as shown on Section F Sheet 4 of the Traffic Regulation Order plans	
	Fodolydd Lane	Between points TR30.1 and TR30.10 and between points TR30.11 and TR30.12 as shown on Section F Sheet 4 of the Traffic Regulation Order plans	
	UNR 25	Between points TR31.1 and TR31.2 as shown on Section F Sheet 4 of the Traffic Regulation Order plans	
	UNR 24	Between points TR32.3 and TR32.4 as shown on Section F Sheet 5 and Section F Key Plan with Details of the Traffic Regulation Order plans	

PART 5

TEMPORARY RESTRICTION OF MOVEMENT

Isle of Anglesey County Council

<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Road</i>	<i>(3)</i> <i>Extent</i>	<i>(4)</i> <i>Note</i>
F	UNR 22 / Lon Pont-Ronwy	Between points TR27.1 and TR27.5 as shown on Section F Key Plan with Details of the Traffic Regulation Order plans	One way movement restriction, to be either northbound or southbound dependant on preferred Traffic Management arrangements at the time. To be implemented as required for duration of the construction of the authorised development
	A5 Holyhead Road	At point TR27.1 as shown on Section F Key Plan with Details of the Traffic Regulation Order plans	Left or Right turn prohibited from A5 to Unnamed Road 22 / Lon Pont-Ronwy Except for construction traffic and emergency services. Access for residents and refuse vehicles to be provided as required.
	A4080 /	At point TR27.5 as shown on	Left or Right turn

<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Road</i>	<i>(3)</i> <i>Extent</i>	<i>(4)</i> <i>Note</i>
	Brynsiencyn Road	Section F Key Plan with Details of the Traffic Regulation Order plans	prohibited from A4080 to Unnamed Road 22 / Lon Pont-Ronwy Except for construction traffic and emergency services. Access for residents and refuse vehicles to be provided as required.

PART 6

TEMPORARY CLEARWAY

Isle of Anglesey County Council

<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Road</i>	<i>(3)</i> <i>Extent</i>	<i>(4)</i> <i>Note</i>
E	UNR 21	Between points TR23.1 and TR23.2 as shown on Section E Sheet 4 of the Traffic Regulation Order plans	Clearway order To be implemented as required for duration of the construction of the authorised development
E	A5152	Between A55 and A5/ Holyhead Road	
	NCR 8 / Llanddaniel Road	Between points TR26.1 and TR26.2 as shown on Section E Sheet 4 of the Traffic Regulation Order plans	
E/F	A4080 / Brynsiencyn Road	Between points TR29.1 and TR29.3 as shown on Section F Key Plan with Details of the Traffic Regulation Order plans	
E/F	A5 / Holyhead Road	Between points TR28.1 and TR28.2 as shown on Section F Key Plan with Details of the Traffic Regulation Order plans Between A5152 and A55 Junction 7A	

Gwynedd County Council

<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Road</i>	<i>(3)</i> <i>Extent</i>	<i>(4)</i> <i>Note</i>
F	A4244	Between A5 and B4547	Clearway order To be implemented as required for duration of the construction of the authorised development
	B4547	Between B4547 and access F14	

PART 7

TEMPORARY NO OVERTAKING ORDER

Isle of Anglesey County Council

<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Road</i>	<i>(3)</i> <i>Extent</i>	<i>(4)</i> <i>Note</i>
D	B5420	Between points TR20.1 and TR20.2 as shown on Section D Sheet 4 of the Traffic Regulation Order plans	To be implemented as required for the construction of the authorised development

Gwynedd County Council

<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Road</i>	<i>(3)</i> <i>Extent</i>	<i>(4)</i> <i>Note</i>
F	A4244	Between points TR33.1 and TR33.2 as shown on Section F Key Plan with Details of the Traffic Regulation Order plans	To be implemented as required for duration of the construction of the authorised development

SCHEDULE 14

Article 49

TREES SUBJECT TO TREE PRESERVATION ORDERS

<i>(1)</i> <i>Type of tree</i>	<i>(2)</i> <i>Number reference shown on Trees and Hedgerows to be Removed or Affected Plans</i>	<i>(3)</i> <i>Work to be carried out</i>	<i>(4)</i> <i>TPO reference</i>
Woodland – Sycamore, Beech, White Birch, Ash, Horse Chestnut, Elm, Scots Pine and Corsican Pine	W2039.12	Removal or height management of 550m2 of trees to facilitate the maintenance of a safe electrical clearance from the 400kV overhead electric line.	45/A7/5789 Brynddu Llanfechell
Woodland – Sycamore, Oak, Ash, Birch, Willow, Rowan	G6021.41 G6021.58 W101.02 G100.19 G100.20 G100.22 G117.01 G100.28 G100.29	Removal or height management of 6,600m2 of trees to facilitate the installation or conductors and maintenance of a safe electrical clearance from the 400kV overhead electric line.	TPO01433 – 3/TPO/A77 Nant Y Garth, Y Felinheli

PROTECTIVE PROVISIONS

PART 1

PROTECTION FOR ELECTRICITY, GAS, WATER AND SEWERAGE
UNDERTAKERS

1. For the protection of the statutory undertakers referred to in this Part of this Schedule the following provisions, unless otherwise agreed in writing between the undertaker and the statutory undertaker concerned, have effect.

2. In this Part of this Schedule—

“alternative apparatus” means alternative apparatus adequate to enable the statutory undertaker in question to fulfil its statutory functions in a manner not less efficient than previously; “apparatus” means—

- (a) in the case of an electricity undertaker, electric lines or electrical plant (as defined in the Electricity Act 1989(a)), belonging to or maintained by that electricity undertaker for the purposes of electricity supply;
- (b) in the case of a gas undertaker, any mains, pipes or other apparatus belonging to or maintained by that gas undertaker for the purposes of gas supply;
- (c) in the case of a water undertaker, mains, pipes or other water apparatus belonging to or maintained by that water undertaker for the purposes of water supply; and
- (d) in the case of a sewerage undertaker—
 - (i) any drain or works vested in the undertaker under the Water Industry Act 1991(b); and
 - (ii) any sewer which is so vested or is the subject of a notice of intention to adopt given under section 102(4) of that Act or an agreement to adopt made under section 104 of that Act,

and includes a sludge main, disposal main (within the meaning of section 219 of that Act) or sewer outfall and any manholes, ventilating shafts, pumps or other accessories forming part of any such sewer, drain or works, and in each case includes any structure in which apparatus is or is to be lodged or which gives or will give access to apparatus;

“functions” includes powers and duties;

“in” in a context referring to apparatus or alternative apparatus in land includes a reference to apparatus or alternative apparatus under, over or upon land; and

“statutory undertaker” means—

- (a) any licence holder within the meaning of Part 1 of the Electricity Act 1989;
- (b) a gas transporter within the meaning of Part 1 of the Gas Act 1986(c);
- (c) a water undertaker within the meaning of the Water Industry Act 1991; and
- (d) a sewerage undertaker within the meaning of Part 1 of the Water Industry Act 1991,

for the area of the authorised development, and in relation to any apparatus, means the statutory undertaker to whom it belongs or by whom it is maintained.

(a) 1989 c.29
 (b) 1991 c.56
 (c) 1986 c.44

3. This Part of this Schedule does not apply to apparatus in respect of which the relations between the undertaker and the statutory undertaker are regulated by the provisions of Part 3 of the 1991 Act.

4. Regardless of any provision in this Order or anything shown on the land plans, the undertaker must not acquire any apparatus otherwise than by agreement.

5.—(1) If, in the exercise of the powers conferred by this Order, the undertaker acquires any interest in any land in which any apparatus is placed, that apparatus must not be removed under this Part of this Schedule and any right of a statutory undertaker to maintain that apparatus in that land must not be extinguished until alternative apparatus has been constructed and is in operation to the reasonable satisfaction of the statutory undertaker in question.

(2) If, for the purpose of executing any works in, on or under any land purchased, held, appropriated or used under this Order, the undertaker requires the removal of any apparatus placed in that land, it must give to the statutory undertaker in question written notice of that requirement, together with a plan and section of the work proposed.

(3) If alternative apparatus or any part of such apparatus is to be constructed as a consequence of the removal of apparatus placed on the land referred to in sub-paragraph (2), the statutory undertaker in question, must on receipt of a written notice to that effect from the undertaker, as soon as reasonably possible use its best endeavours to obtain the necessary facilities and rights in other land in which the alternative apparatus is to be constructed.

(4) The statutory undertaker in question must, after the alternative apparatus to be provided or constructed has been agreed or settled by arbitration in accordance with article 58 (arbitration), and after the grant to the statutory undertaker of any such facilities and rights as are referred to in sub-paragraph (3), proceed without unnecessary delay to construct and bring into operation the alternative apparatus and subsequently to remove any apparatus required by the undertaker to be removed under the provisions of this Part of this Schedule.

(5) Regardless of anything in sub-paragraph (4), if the undertaker gives notice in writing to the statutory undertaker in question that it desires itself to execute any work, or part of any work in connection with the construction or removal of apparatus, that work, instead of being executed by the statutory undertaker, must be executed by the undertaker without unnecessary delay under the superintendence, if given, and to the reasonable satisfaction of the statutory undertaker.

(6) Nothing in sub-paragraph (4) authorises the undertaker to execute the placing, installation, bedding, packing, removal, connection or disconnection of any apparatus, or execute any filling around the apparatus (where the apparatus is laid in a trench) within 300 millimetres of the apparatus.

6.—(1) Not less than 28 days before starting the execution of any works of the type referred to in paragraph 5(2) that are near to, or will or may affect, any apparatus the removal of which has not been required by the undertaker under paragraph 5(2), the undertaker must submit to the statutory undertaker in question a plan, section and description of the works to be executed.

(2) Those works must be executed only in accordance with the plan, section and description submitted under sub-paragraph (1) and in accordance with such reasonable requirements as may be made in accordance with sub-paragraph (3) by the statutory undertaker for the alteration or otherwise for the protection of the apparatus, or for securing access to it, and the statutory undertaker is entitled to watch and inspect the execution of those works.

(3) Any requirements made by a statutory undertaker under sub-paragraph (2) must be made within a period of 28 days beginning with the date on which a plan, section and description under sub-paragraph (1) are submitted to it.

(4) If a statutory undertaker in accordance with sub-paragraph (3) and in consequence of the works proposed by the undertaker, reasonably requires the removal of any apparatus and gives written notice to the undertaker of that requirement, paragraphs 1 to 4 apply as if the removal of the apparatus had been required by the undertaker under paragraph 5(2).

(5) Nothing in this paragraph precludes the undertaker from submitting at any time or from time to time, but in no case less than 28 days before commencing the execution of any works, a new

plan, section and description instead of the plan, section and description previously submitted, and having done so the provisions of this paragraph apply to and in respect of the new plan, section and description.

(6) The undertaker is not required to comply with sub-paragraph (1) in a case of emergency but in that case it must give to the statutory undertaker in question notice as soon as is reasonably practicable and a plan, section and description of those works as soon as reasonably practicable subsequently and must comply with sub-paragraph (2) in so far as is reasonably practicable in the circumstances.

7.—(1) Subject to the following provisions of this paragraph, the undertaker must repay to the statutory undertaker in question the proper and reasonable expenses reasonably incurred by that statutory undertaker in, or in connection with, the inspection, removal, alteration or protection of any apparatus.

(2) The value of any apparatus removed under the provisions of this Part of the Schedule is to be deducted from any sum payable under sub-paragraph (1), that value being calculated after removal.

(3) If in accordance with the provisions of this Part of this Schedule—

- (a) apparatus of better type, of greater capacity or of greater dimensions is placed in substitution for existing apparatus of worse type, of smaller capacity or of smaller dimensions; or
- (b) apparatus (whether existing apparatus or apparatus substituted for existing apparatus) is placed at a depth greater than the depth at which the existing apparatus was, and the placing of apparatus of that type or capacity or of those dimensions or the placing of apparatus at that depth, as the case may be, is not agreed by the undertaker or, in default of agreement, is not determined by arbitration in accordance with article 58 (arbitration) to be necessary,

then, if such placing involves cost in the construction of works under this Part of this Schedule exceeding that which would have been involved if the apparatus placed had been of the existing type, capacity or dimensions, or at the existing depth, as the case may be, the amount which apart from this sub-paragraph would be payable to the statutory undertaker in question by virtue of sub-paragraph (1) is to be reduced by the amount of that excess.

(4) For the purposes of sub-paragraph (3)—

- (a) an extension of apparatus to a length greater than the length of existing apparatus is not to be treated as a placing of apparatus of greater dimensions than those of the existing apparatus; and
- (b) where the provision of a joint in a cable is agreed, or is determined to be necessary,

the consequential provision of a jointing chamber or of a manhole is to be treated as if it also had been agreed or had been so determined.

An amount which apart from this sub-paragraph would be payable to a statutory undertaker in respect of works by virtue of sub-paragraph (1) must, if the works include the placing of apparatus provided in substitution for apparatus placed more than 7 years and 6 months earlier so as to confer on the statutory undertaker in question any financial benefit by deferment of the time for renewal of the apparatus in the ordinary course, be reduced by the amount which represents that benefit.

PART 2

PROTECTION FOR OPERATORS OF ELECTRONIC COMMUNICATIONS CODE NETWORKS

8.—(1) For the protection of any operator, the following provisions, unless otherwise agreed in writing between the undertaker and the operator, have effect.

(2) In this Part of this Schedule—

“conduit system” has the same meaning as in the electronic communications code and references to providing a conduit system are to be construed in accordance with paragraph 1(3A) of that code;

“electronic communications apparatus” has the same meaning as in the electronic communications code;

“the electronic communications code” has the same meaning as in Chapter 1 of Part 2 of the Communications Act 2003(a);

“electronic communications code network” means—

- (a) so much of an electronic communications network or conduit system provided by an electronic communications code operator as is not excluded from the application of the electronic communications code by a direction under section 106 of the Communications Act 2003; and
- (b) an electronic communications network which the Secretary of State is providing or proposing to provide; “electronic communications code operator” means a person in whose case the electronic communications code is applied by a direction under section 106 of the Communications Act 2003; and “operator” means the operator of an electronic communications code network.

9. The exercise of the powers of article 43 (statutory undertakers) are subject to paragraph 23 of Schedule 2 to the Telecommunications Act 1984(b).

10.—(1) Subject to sub-paragraphs (2) to (3), if as the result of the authorised development or their construction, or of any subsidence resulting from any of those works any damage is caused to any electronic communications apparatus belonging to an operator (other than apparatus the repair of which is not reasonably necessary in view of its intended removal for the purposes of those works, or other property of an operator) the undertaker must bear and pay the cost reasonably and properly incurred by the operator in making good such damage.

(2) Nothing in sub-paragraph (1) imposes any liability on the undertaker with respect to any damage to the extent that it is attributable to the act, neglect or default of an operator, its officers, servants, contractors or agents.

(3) Any difference arising between the undertaker and the operator under this paragraph must be referred to and settled by arbitration under article 58 (arbitration).

11. This Part of this Schedule does not apply to—

- (a) any apparatus in respect of which the relations between the undertaker and an operator are regulated by the provisions of Part 3 of the 1991 Act; or
- (b) any damage, or any interruption, caused by electro-magnetic interference arising from the construction or use of the authorised development.

12. Nothing in this Part of this Schedule affects the provisions of any enactment or agreement regulating the relations between the undertaker and an operator in respect of any apparatus laid or erected in land belonging to the undertaker on the date on which this Order is made.

(a) 2003 c.21
(b) 1984 c.12

PUBLIC GENERAL LEGISLATION

Hedgerow Regulations 1997

1. For the purposes of regulation 6(1) of the Hedgerow Regulations 1997^(a), the removal of any hedgerow to which those regulations apply is permitted if it is required for the purposes set out in article 48 (felling or lopping) of this Order.

Local Government (Miscellaneous Provisions) Act 1976

2. Section 42 of the Local Government (Miscellaneous Provisions) Act 1976^(b) (certain future local Acts etc. to be subject to the planning enactments etc. except as otherwise provided) shall not apply to the extent that it would make provisions of this Order authorising the authorised development subject to other provisions.

Town and Country Planning Act 1990

3. For the purposes only of section 106(1) of the 1990 Act, the undertaker shall be deemed to be a person interested in the Order land or any part of it and for the avoidance of doubt section 106(3)(a) shall include any transferee under article 7 (consent to transfer benefit of Order) of this Order.

Neighbourhood Planning Act 2017

4. The provisions of the Neighbourhood Planning Act 2017^(c) in so far as they relate to temporary possession of land under articles 26 (Temporary use of land by National Grid), 27 (Temporary use of land by SP Manweb) and 28 (Temporary use of land for maintaining the authorised development) of this Order.

Building Act 1984

5. Nothing in Part 1 of the Building Act 1984^(d) with respect to building regulations, and nothing in any building regulations, shall apply in relation to a building used, altered or demolished, or intended for use, alteration, or demolition, by the undertaker for the purposes of the authorised development before completion of construction.

(a) S.I. 1997/1160

(b) 1976 c.57

(c) 2017 c.20

(d) 1984 c.55

SCHEDULE 17

Article 55

AMENDMENT OF LOCAL LEGISLATION

Local Enactments

<i>Year</i>	<i>Chapter</i>	<i>Title</i>	<i>Section</i>
Menai Strait			
1874	xviii	Oyster and Mussel Fisheries Orders Confirmation Act 1874	2, 3, 5
1886	lvi	Gas Orders Confirmation (No.1) Act 1886	5, 11, 12 and Schedule A
1894	clxxxii	Bangor Corporation (Pier, c.) Act 1894	8, 12, 60
1902	ccxxxviii	Menai Bridge Urban District Act 1902	29, 34
1962	-	Menai Strait Oyster and Mussel Fishery Order 1962	All
1964	-	Menai Strait Oyster and Mussel Fishery Amendment Order 1964	All
2012	-	The Caernarfon Harbour Trust (Constitution) Harbour Revision Order 2012	2(1), 13
Isle of Anglesey			
1863	li	Anglesey Central Railway Act 1863	All
1864	xx	Anglesey Central Railway (Deviation) Act 1864	All
1866	cxxviii	Anglesey Central Railway Act 1866	All
1944	cccxx	Anglesey County Council (Water, c.) Act 1944	29, 38, 39, 40, 42
1972	xxxiv	Anglesey Marine Terminal Act 1972	14, 15, 33

EXPLANATORY NOTE

(This note is not part of the Order)

This Order grants development consent to National Grid Electricity Transmission plc (“National Grid”) for authorised works to the national electricity transmission system in North Wales. The proposed development is required to provide sufficient transmission capacity to enable the connection of the proposed new nuclear power project at Wylfa Newydd, and to carry out all associated works.

In order to accommodate these works, this Order also grants development consent to SP Manweb Plc (“SP Manweb”), in addition to National Grid, for the reconfiguration of the local electricity network.

The Order also makes provision in connection with the maintenance of the authorised development.

The Order allows National Grid to acquire compulsorily or by agreement, land and rights in land and to use land for this purpose and for SP Manweb to acquire compulsorily rights in land and to use the land in connection with the reconfiguration of the local electricity network.

A copy of the plans and Book of Reference referred to in this Order and certified in accordance with article 56 of this Order may be inspected free of charge during working hours at the offices of National Grid Electricity Transmission plc, 1-3 Strand, London, WC2N 5EH.