HORIZON NUCLEAR POWER

WYLFA NEWYDD

ENERGY WORKING FOR BRITAIN

Wylfa Newydd Project

3.1 Development Consent Order

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STATUTORY INSTRUMENTS

2018 No. 123

INFRASTRUCTURE PLANNING

The Wylfa Newydd (Nuclear Generating Station) Order

Made - - - -	*12th March 2019*
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An application has been made to the Secretary of State under section 37 of the Planning Act 2008 ("the 2008 Act" (**a**)) and in accordance with the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009(**b**) for an Order under sections 114, 115 and 120 of the 2008 Act.

The application was examined by a Panel of 5 members ("the Panel") in accordance with Chapter 4 of Part 6 of the 2008 Act and the Infrastructure Planning (Examination Procedure) Rules 2010(**c**).

The Panel, having considered the application with the documents that accompanied it and the representations made and not withdrawn, has submitted a report with a recommendation to the Secretary of State.

The Secretary of State, having considered the report and recommendation of the Panel, has decided to make an Order granting development consent for the development described in the application [with modifications that in the opinion of the Secretary of State do not make any substantial changes to the proposals comprised in the application].

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

The Secretary of State, in exercise of the powers conferred by sections 114, 115 and 120 of the 2008 Act, makes the following Order—

PART 1

PRELIMINARY

Citation and commencement

1. This Order may be cited as the Wylfa Newydd (Nuclear Generating Station) Order and comes into force on [x].

Interpretation

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

"the 1847 Act" means the Harbours, Docks and Piers Clauses Act 1847(**d**);

"the 1961 Act" means the Land Compensation Act 1961(**e**);

"the 1965 Act" means the Compulsory Purchase Act 1965(**f**);

(**a**) 2008 c.29. Section 37 was amended by section 173(5) of, and paragraph 5 of Schedule 13 to the Localism Act 2011 (c.20). Parts 1 to 7 were amended by Chapter 6 of Part 6 of, and Part 1 of Schedule 13 to the Localism Act 2011 (c.20).

(**b**) S.I. 2009/2264, amended by S.I. 2010/439, S.I. 2010/602, S.I. 2012/635, S.I. 2012/1659, S.I. 2012/2654, S.I. 2012/2732, S.I. 2013/522, S.I. 2013/755, S.I. 2014/469, S.I. 2015/377, S.I. 2014/2381, S.I. 2015/1682, S.I. 2017/524 and S.I. 2017/572.

(**c**) S.I. 2010/103, amended by S.I. 2012/635.

(**d**) 1847 c.27. Sections 35 and 39 were amended by section 46 of the Criminal and Justice Act 1982 (c.48). There are other amendments made to the 1847 Act which are not relevant to this Order.

(**e**) 1961 c.33. Part 1 was amended by S.I. 2009/1307. There are other amendments to the 1961 Act which are not relevant to this Order.

(**f**) 1965 c.56. Section 5 was amended by section 67 of the Planning and Compensation Act 1961 (c.34), section 192(2) of the Housing and Planning Act 2016 (c.22) and S.I. 2009/1307. Section 11 was amended by sections 186, 187(2) and 188 of, paragraph 3 of Schedule 16 to and paragraph 6 of Schedule 14 to the Housing and Planning Act 2016 (c.22) and S.I. 2009/1307, by paragraphs 14(3)(a) and 14(3)(b) of Schedule 4 to the Acquisition of Land Act 1981 (c.67), and by section

"the 1980 Act" means the Highways Act 1980(**a**);

"the 1981 Act" means the Compulsory Purchase (Vesting Declarations) Act 1981(**b**);

"the 1984 Act" means the Road Traffic Regulation Act 1984(**c**);

"the 1990 Act" means the Town and Country Planning Act 1990(**d**);

"the 1991 Act" means the New Roads and Street Works Act 1991(**e**);

"the 1995 Order" means the Town and Country Planning (General Permitted Development) Order 1995(**f**);

"the 2008 Act" means the Planning Act 2008;

"the 2009 Act" means the Marine and Coastal Access Act 2009(**g**);

"A5025 Off-Line Highway Improvements sub-CoCP" means the document certified as the A5025 Off-Line Highway Improvements sub-Code of Construction Practice by the Secretary of State under article 76 (Certification of plans, etc.) and identified in Schedule 18 (Certified documents) for the purposes of this Order;

"Access Road Plan" means the document which shows the existing access and approach roads to the Power Station Site from the A5025, is certified as the access road plan by the Secretary of State under article 76 and identified in Schedule 18 for the purposes of this Order and identified in Part 6 of Schedule 2 (Approved plans);

"address" includes any number or address used for the purposes of electronic transmission;

"apparatus", unless otherwise provided for, has the same meaning as in Part 3 of the 1991 Act;

"area of seaward construction activity" means the area of the sea within the Order Limits shown on the Work Plans;

"authorised development" means the development and associated 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 (Meaning of 'development');

"Book of Reference" means the document certified by the Secretary of State as the book of reference under article 76 and identified in Schedule 18 for the purposes of this Order;

"building" includes any structure or erection or any part of a building, structure or erection;

"carriageway" has the same meaning as in the 1980 Act;

"commence" means beginning to carry out any material operation, as defined in section 155 of the 2008 Act (When development begins), forming part, or carried out for the purposes of, the authorised development other than operations consisting of—

(a) site preparation and clearance in relation to Work No.s 5, 6, 7, 8, 9, 10, 11, 13, 14 and 15;

(b) pre-construction archaeological works;

(c) environmental surveys and monitoring;

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14 of and paragraph 12(1) of Schedule 5 to the Church of England (Miscellaneous Provisions) Measure 2006 (2006 No.1). Section 13 was amended by sections 139(5) to (9) of paragraph 28 of Schedule 13 and paragraph 1 of Schedule 23 to the Tribunal, Courts and Enforcement Act 2007 (c.15). There are other amendments to the 1965 Act which are not relevant to this Order.

(**a**) 1980 c.66. Section 64 was amended by section 102 of and Schedule 17 to the Local Government Act 1985 (c.51) and paragraph 1 of Schedule 9 to the New Roads and Street Works Act 1991 (c.22). There are other amendments to the 1980 Act which are not relevant to this Order.

(**b**) 1981 c.66.

(**c**) 1984 c.27. Section 32 was amended by sections 1, 2 and 8(1) and paragraph 4(6)(d) of Schedule 5 to the Local Government Act 1985 (c.51). There are other amendments to the 1984 Act which are not relevant to this Order.

(**d**) 1990 c.8.

(**e**) 1991 c.22. Sections 48 and 50 were amended by section 124 of the Local Transport Act 2008 (c.26). Sections 51, 54, 55, 57, 59, 60, 65, 67, 68 to 70, 75, 76, 79 to 81 and 85 were amended by sections 40, 42, 49, 51, 52 and 54 of and Schedule 1 to the Traffic Management Act 2004 (c.18) and S.I. 2007/1951.

(**f**) S.I. 1995/418. Article 3 was amended by S.I. 1999/1783 and S.I. 2016/58. There are other amendments to S.I. 1995/418 which are not relevant to this Order.

(**g**) 2009 c.23.

(d) removal of hedgerows, trees and shrubs;

(e) investigations for the purpose of assessing ground conditions;

(f) diversion or laying of services;

(g) remedial work in respect of any contamination or adverse ground conditions;

(h) receipt and erection of construction plant and equipment;

(i) the temporary display of site notices and advertisements;

(j) erection of temporary buildings and structures (to a maximum height of two storeys for Work No.s 5, 6, 7, 13, 14 and 15) or enclosures related to any of the works listed above; and

the words "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 Method Statement" means the document certified as the construction method statement by the Secretary of State under article 76 and identified in Schedule 18 for the purposes of this Order;

"Dalar Hir Park and Ride sub-CoCP" means the document certified as the Dalar Hir Park and Ride sub-Code of Construction Practice by the Secretary of State under article 76 and identified in Schedule 18 for the purposes of this Order;

"Design and Access Statement" or "DAS" means the document certified as the design and access statement by the Secretary of State under article 76 and identified in Schedule 18 for the purposes of this Order;

"Detailed Design Drawings" means the drawings certified as the detailed design drawings by the Secretary of State under article 76 and identified in Schedule 18 for the purposes of this Order and identified in Part 6 of Schedule 2 of this Order or approved pursuant to a Requirement;

"discharging authority" means either or both IACC and NRW, where IACC's approval is required in respect of any Requirements in Schedule 3 (Requirements) of this Order relating to land above the MHWS, and NRW's approval is required in respect of any Requirements relating to land seaward of the MHWS;

"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 document submitted by the undertaker to support its application for development consent and certified as the environmental statement by the Secretary of State under article 76 and identified in Schedule 18 for the purposes of this Order and includes the Environmental Statement Addendum;

"Environmental Statement Addendum" means the addendum document comprising consolidated errata and changes to the Environmental Statement and certified as the Environmental Statement Addendum by the Secretary of State under article 76 and identified in Schedule 18 for the purposes of this Order;

"First Nuclear Concrete" means the pour of the structural reinforced concrete for buildings or structures with nuclear safety significance, which also represents commencement of first practicably irreversible nuclear construction;

"footpath" and "footway" have the same meanings as in the 1980 Act;

"footpath implementation plan" means a written plan agreed between the undertaker and the highway authority under article 15 (Status of footpaths created or improved) for creation or improvement of a footpath or combined footpath/cycleway to a specified standard;

"general direction" means a direction given by the undertaker under article 61 (General directions to vessels);

"harbour" means the harbour as comprised within the harbour limits and to be constructed by the undertaker in pursuance of the powers conferred on it by this Order, and all other works, land, buildings, ancillary works, plant, property and conveniences connected with it, as from time to time existing within the harbour limits;

"harbour authority", in relation to a harbour, means the harbour authority that has a statutory duty to manage, maintain or improve the harbour;

"harbour limits" means the limits of the harbour as specified in article 48 (Limits of harbour) and identified in Schedule 16 (Limits of harbour);

"harbour master" means the person appointed as such by the undertaker and includes that person's deputies and assistants and any other person for the time being authorised by the undertaker to act, either generally or for a specific purpose, in the capacity of harbour master;

"the harbour undertaking" means the harbour undertaking of the undertaker as authorised from time to time;

"highway", "highway authority" and "local highway authority" have the same meanings as in the 1980 Act;

"IACC" means the Isle of Anglesey County Council;

"Kitchen Garden" means the area marked within the WNDA as HLT2 – Cestyll Garden – Kitchen Garden, HLT2 – Cestyll Garden – Essential Setting, and HLT2 – Cestyll Garden on Figure D11-21 of the Environmental Statement;

"land" includes land covered by water, any interest in land or right in, to or over land;

"Land Plans" means the plans certified as the land plans by the Secretary of State under article 76 and identified in Schedule 18 for the purposes of this Order and identified in Part 3 of Schedule 2 of this Order;

"Landscape and Habitat Management Strategy" or "LHMS" means the document certified as the Landscape and Habitat Management Strategy by the Secretary of State under article 76 and identified in Schedule 18 for the purposes of this Order;

"level of high water" means the level of mean high water springs;

"level of low water" means the level of mean low water neaps;

"limits of deviation" means the limits of deviation referred to in article 4 (Limits of deviation) and shown on the Works Plans and Detailed Design Drawings;

"local planning authority" has the same meaning as in the 1990 Act;

"Magnox" means Magnox Limited (Company No. 02264251);

"Main Power Station Site sub-CoCP" means the document certified as the Power Station Main Site sub-Code of Construction Practice by the Secretary of State under article 76 and identified in Schedule 18 for the purposes of this Order;

"maintain" includes inspect, repair, adjust, alter, improve, landscape, preserve, remove, reconstruct, refurbish, relay, extend, enlarge or replace any part of the authorised development, provided such works do not give rise to any materially new or materially different environmental effects to those identified in the Environmental Statement, or vary the authorised development as described in Schedule 1, and any derivative of "maintain" must be construed accordingly;

"master", in relation to a vessel, means any person for the time being having or taking the command, charge or management of the vessel;

"Marine Off-Loading Facility" means the marine off-loading facility comprised in Work No. 1F as described in Schedule 1 of this Order;

"Marine Works" means Work No.s 1E, 1F, 1G, 1H described in Schedule 1 and any other Works authorised by this Order or, as the case may require, any part of those works and "Marine Work" refers to any one of the Marine Works;

"Marine Works sub-CoCP" means the document certified as the Marine Works sub-Code of Construction Practice by the Secretary of State under article 76 and identified in Schedule 18 for the purposes of this Order;

"the Maritime and Coastguard Agency" means the executive agency of the Department for Transport;

"mean high water springs" or "MHWS" means the highest level which spring tides reach on average over a period of time, unless otherwise agreed with NRW;

"National Grid" means National Grid Electricity Transmission plc. (Company No. 02366977) and its successors in title, assigns and any other person exercising its powers or performing the same functions;

"NDA" means the Nuclear Decommissioning Authority, a non-departmental public body established by the Energy Act 2004 and any successor with responsibility for carrying out the same or similar statutory functions;

"NRW" means Natural Resources Body for Wales;

"Off-Site Power Station Facilities sub-CoCP" means the document certified as the Off-Site Power Station Facilities sub-Code of Construction Practice by the Secretary of State under article 76 and identified in Schedule 18 for the purposes of this Order;

"operational period" means the period of time that the relevant part of the authorised development is in operation after construction and commissioning is complete pursuant to the relevant construction contract or contracts and "operation" and "operational" should be construed accordingly;

"Order Land" means the land identified by plot numbers on the Land Plans and described in the Book of Reference;

"Order Limits" means the limits shown on the Order Limits Plans and Works Plans within which the authorised development may be carried out;

"Order Limits Plans" means the plans certified as the order limits plans by the Secretary of State under article 76 and identified in Schedule 18 for the purposes of this Order and identified in Part 1 of Schedule 2 of this Order;

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

"Parameter Plans" means the plans certified as the parameter plans by the Secretary of State under article 76 and identified in Schedule 18 for the purposes of this Order and identified in Part 4 of Schedule 2 of this Order;

"Parc Cybi Logistics Centre sub-CoCP" means the document certified as the Parc Cybi Logistics Centre sub-Code of Construction Practice by the Secretary of State under article 76 and identified in Schedule 18 for the purposes of this Order;

"Phasing Strategy" means the document certified as the phasing strategy by the Secretary of State under article 76 and identified in Schedule 18 for the purposes of this Order;

"Power Station Site" means the area within the Work Areas for the Power Station Works and Marine Works as shown on the Work Plans;

"the relevant sub-CoCP" means the sub-Code of Construction Practice that is relevant to the site concerned;

"Requirement" means a requirement set out in Schedule 3 (Requirements), and a reference to a numbered Requirement is a reference to the Requirement set out in the paragraph of the same number in that Schedule;

(**a**) 1981 c.67. Section 7 was amended by Paragraph 9 of Part I of Schedule 15 to the Planning and Compensation Act 1991 (c.34). Part III of Schedule 2 was amended by S.I. 2009/1307. There are other amendments to the Acquisition of Land Act 1981 which are not relevant to this Order.

"Rights of Way Plans" means the plans certified as the rights of way plans by the Secretary of State under article 76 and identified in Schedule 18 for the purposes of this Order and identified in Part 5 of Schedule 2 of this Order;

"Secretary of State" means the Secretary of State for Business, Energy and Industrial Strategy, except that in article 71 (Removal of human remains) Secretary of State means the Secretary of State for Justice;

"SPC permission" means a planning permission for site preparation and clearance of land within the Wylfa Newydd Development Area under the 1990 Act;

"special direction" means a direction given by the harbour master under article 63 (Special directions to vessels);

"specific associated development works" means Work No.s 3, 6 and 7;

"statutory undertaker" means any person falling within section 127(8) of the 2008 Act (Statutory undertakers' land) and includes a public communications provider as defined in section 151(1) of the Communications Act 2003(**a**);

"street" means, irrespective of whether it is a thoroughfare, the whole or any part of any highway, road, lane, footway, alley, passage, square, court and any land laid out as a way whether it is for the time being formed as a footpath or not, together with land on the verge of a street or between two carriageways, and includes part of a street and any bridge, viaduct, overpass or underpass which a street passes over;

"street authority", in relation to a street, has the meaning given in Part 3 of the 1991 Act (The street authority and other relevant authorities);

"subsoil" means any stratum of land that is below the surface of the ground;

"the Tribunal" means the Lands Chamber of the Upper Tribunal;

"Trinity House" means the Corporation of Trinity House of Deptford Strond;

"undertaker" means Horizon Nuclear Power Wylfa Limited or the person who has the benefit of this Order in accordance with articles 8 (Benefit of Order) and 9 (Consent to transfer benefit of Order);

"vessel" means every description of vessel, however propelled or moved, and includes a non-displacement craft, a personal watercraft, a seaplane on the surface of the water, a hydrofoil vessel, a hovercraft or any other amphibious vehicle and any other thing constructed or adapted for movement through, in, on or over water and which is at the time in, on or over water;

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

"the Welsh Ministers" has the same meaning as in the Government of Wales Act 2006(**b**);

"Work" means a work identified as part of the authorised development in Schedule 1;

"Work Area" means the area shown for a work on the Work Plans in Schedule 2 of this Order;

"Work Plans" means the plans certified by the Secretary of State as Works Plans under article 76 and identified in Schedule 18 for the purposes of this Order and identified in Part 2 of Schedule 2 of this Order;

"Workforce Management Strategy" means the document certified as the Workforce Management Strategy by the Secretary of State under article 76 and identified in Schedule 18 for the purposes of this Order;

"working days" means Monday to Friday excluding bank holidays and other public holidays;

(**a**) 2003 c.21. The definition of "the electronic communications code" and section 106 were amended by sections 4(3) and (4) of the Digital Economy Act 2017 (c.30). There are other amendments to the Communications Act 2003 which are not relevant to this Order.

(**b**) 2006 c.32 as amended by the Wales Act 2017 c.4.

"Wylfa Newydd CoCP" means the document certified as the Wylfa Newydd Code of Construction Practice by the Secretary of State under article 76 and identified in Schedule 18 for the purposes of this Order; and

"Wylfa Newydd CoOP" means the document certified as the Wylfa Newydd Code of Operational Practice by the Secretary of State under article 76 and identified in Schedule 18 for the purposes of this Order.

(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 are references to restrictive covenants 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 and lengths referred to in this Order are approximate and distances between points on a Work comprised in the authorised development and shown on the Works Plans or Rights of Way Plans are to be taken to be measured along that Work.

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

(5) References to any statutory body includes that body's successor bodies from time to time that have jurisdiction over the authorised development.

(6) A reference in this Order to a Work designated by a number, or by a combination of letters and numbers (for example, "Work No. 9A"), is a reference to the Work so designated in Schedule 1 (Authorised development) and reference to—

(a) Work No. 1 includes Work No.s 1A-1O;

(b) Work No. 2 includes Work No.s 2A-D;

(c) Work No. 3 includes Work No.s 3A-B;

(d) Work No. 9 includes Work No.s 9A-B; and

(e) Work No. 10 includes Work No.s 10A-B.

(7) A reference in the Schedules to a "relevant site" is a reference to the site of that name shown in the Work Plans, Rights of Way Plans and Land Plans.

(8) References in the Schedules to points identified by letters or numbers are to be construed as references to points so lettered or numbered on the Rights of Way Plans or Land Plans.

(9) Grid references in the Schedules are references to points on the Ordnance Survey National Grid.

(10) In this Order, the expression "includes" or "include" is to be construed without limitation.

PART 2

PRINCIPAL POWERS

Development consent etc. granted by Order

3. Subject to the provisions of this Order and Schedule 3 (Requirements), the undertaker is granted development consent for the authorised development, to be carried out within the Order Limits.

Limits of deviation

4.—(1) Subject to Schedule 3 (Requirements) articles 11 (Power to alter layout etc. of streets) and 12 (Street works), the undertaker must construct and maintain the authorised development within the Order Limits and—

(a) in respect of any non-linear work, the undertaker may deviate laterally to the extent of the limits of deviation for that Work as shown on the Works Plan and vertically to any extent necessary;

(b) in respect of any linear work, the undertaker may deviate laterally within the lines or situations shown on the Work Plans, so that the centre line of that work may be situated up to 2 metres either side of the centre line of that work shown on the Works Plans;

(c) in respect of Work No.s 8, 9, 10 and 11 (excluding any viaduct, overbridge and underpass), the undertaker may deviate vertically from the levels shown or noted on the Detailed Design Drawings of any linear work—

(i) to a maximum of 0.5 metres upwards;

(ii) to any extent downwards as may be found necessary or convenient; and

(d) in respect of the viaduct, overbridge and underpass comprised in Work No.s 9, 10 and 11, deviate to any extent necessary.

(2) in this article, reference to—

(a) a "linear work" is a reference to Work No.s 8, 9, 10 and 11; and

(b) a "non-linear work" is a reference to Work No.s 1, 2, 3, 4, 5, 6, 7, 12, 13, 14, 15, and 16.

Effect of the Order on the site preparation permission

5.—(1) If the undertaker has implemented an SPC permission and subsequently intends to change to undertaking Work No. 12, the undertaker must serve notice on IACC that it intends to commence Work No. 12.

(2) If the undertaker serves a notice on IACC under paragraph (1) that it intends to commence Work No. 12—

(a) the undertaker must cease to carry out development under the SPC permission; and

(b) the conditions of the SPC permission will be unenforceable, except in respect of any breach that occurred prior to the undertaker serving notice under paragraph 5(1).

(3) The undertaker may not carry out Work No. 12 under this Order in the circumstances set out in paragraph (1) until notice has been served under paragraph (1).

(4) Notwithstanding paragraph (2), the undertaker may exercise any other powers under this Order in respect of any part of the authorised development prior to or following service of notice under paragraph (1).

(5) Without prejudice to the generality of paragraph (4), the undertaker may discharge any Requirement in Schedule 3 of this Order at any time prior to or following the service of notice under paragraph (1).

(6) Where details, documents, plans (except for those plans which are also the Detailed Design Drawings relating to Work No. 12), works or any other matters have been imposed as a condition, or approved or agreed pursuant to a condition of the SPC permission prior to the date on which the undertaker serves notice under paragraph (1), IACC and the undertaker will agree which details, documents, plans, works or other matters under the SPC permission will be deemed to have been discharged, approved, agreed, obtained or undertaken for the purposes of the Requirements relating to Work No. 12.

Maintenance of the authorised development

6. The undertaker may at any time maintain the authorised development, except to the extent that this Order or an agreement made under this Order provides otherwise.

Authorisation of use

7.—(1) The undertaker is authorised to operate and use the authorised development for which development consent is granted by this Order.

(2) Paragraph (1) does not relieve the undertaker of any requirement to obtain any permit, licence or other obligation under any other legislation that may be required from time to time to authorise the operation of any part of the authorised development.

Benefit of Order

8. Subject to article 9 (Consent to transfer benefit of Order), the provisions of this Order have effect solely for the benefit of the undertaker.

Consent to transfer benefit of Order

9.—(1) The undertaker 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 the undertaker and the transferee; or

(b) grant to another person ("the lessee") for a period agreed between the undertaker 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 the undertaker, except in paragraph (3), include references to the transferee or the lessee.

(3) The exercise by a person of any benefits or rights conferred in accordance with any transfer or grant under paragraph (1) will be subject to the same restrictions, liabilities and obligations (including development consent obligations within the meaning of section 106 of the 1990 Act (Planning obligations)) as would apply if those benefits or rights were exercised by the undertaker.

(4) Unless otherwise approved by the Secretary of State, the transferee approved under paragraph (1) is required to put in place at the time of the transfer an equivalent guarantee or other form of security to that in place at the time of the transfer under article 82 (Guarantees in respect of payment of compensation) of this Order.

Defence to proceedings in respect of statutory nuisance

10.—(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 (e), (fb), and (g) of section 79(1) of that Act (statutory nuisances and inspections therefor), no order may be made, and no fine may be imposed, under section 82(2) of that Act if the defendant shows that the nuisance—

(a) relates to premises used by the undertaker for the purposes of or in connection with the construction, maintenance or operation of the authorised development and that the nuisance is attributable to the carrying out and use of the authorised development in accordance with—

(i) a notice served under section 60 of the Control of Pollution Act 1974 (control of noise on construction sites)(**b**);

(ii) a consent given under section 61 of the Control of Pollution Act 1974 (prior consent for work on construction sites); or

(iii) the controls and measures relating to noise, vibration, dust or lighting as described in the Wylfa Newydd CoCP, Wylfa Newydd CoOP, the relevant sub-CoCP and scheme approved under Schedules 3 (Requirements) and 4 (Control documents and schemes) of this Order or in accordance with noise and lighting levels set out in an environmental permit relating to the operation of the authorised development; or

(b) is a consequence of the construction, maintenance or operation of the authorised development and that it cannot reasonably be avoided,

(2) Sections 61(9) of the Control of Pollution Act 1974 (consent for work on construction sites) as it relates to proceedings under section 82 of the Environmental Protection Act 1990 (summary

(**a**) 1990 c.43. Section 79(1)(fb) was inserted by section 102 of the Clean Neighbourhoods and Environment Act 2005 (c.16).
(**b**) 1974 c.40. Section 61 was amended by section 133 of and Schedule 7 to the Building Act 1984 (c.55), section 162(1) of and paragraph 15 of Schedule 15 to the Environmental Protection Act 1990 (c.43) and paragraph 1 of Schedule 24 to the Environment Act 1995 (c.25).

proceedings by persons aggrieved by statutory nuisances) will 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.

(3) In this article "premises" has the same meaning as in section 79 of the Environmental Protection Act 1990.

PART 3

STREETS

Power to alter layout, etc., of streets

11.—(1) The undertaker may, for the purposes of the authorised development, enter onto and alter the layout of or carry out any works in the street, as specified in column (2) of Part 1 or Part 2 of Schedule 5 (Streets subject to alteration of layout) and in the manner specified in relation to that street in column (3).

(2) Without prejudice to the specific powers conferred by paragraph (1) but subject to paragraph (3), the undertaker may, for the purposes of constructing, operating and maintaining the authorised development, alter the layout of or carry out any works on any street whether or not within the Order Limits and, without limiting the scope of this paragraph, the undertaker may—

(a) alter the level or increase the width of any kerb, street, footpath, footway, cycle track or verge or central reservation;

(b) make and maintain passing place(s);

(c) increase the width of the carriageway of the street by reducing the width of any kerb, footpath, footway, cycle track, verge or central reservation within the street;

(d) reduce the width of the carriageway of the street;

(e) execute any works to widen or alter the alignment of pavements;

(f) execute any works of surfacing or re-surfacing of the street; and

(g) execute any works necessary to alter existing facilities for the management and protection of pedestrians.

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

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

(5) If a street authority that receives an application for consent under paragraph (4) fails to notify the undertaker of its decision within 56 days beginning with the date on which the application was made, that authority will be deemed to have granted consent.

Street works

12.—(1) The undertaker may, for the purposes of the authorised development, enter on so much of any of the streets specified in column (2) of Schedule 6 (Streets subject to street works) as is within the Order Limits for the relevant site specified in column (1) of Schedule 6 without the consent of the street authority and—

(a) break up or open the street, or any sewer, drain or tunnel under it;

(b) tunnel or bore under the street or carry out works to strengthen or repair the carriageway;

(c) place or keep apparatus in the street;

(d) maintain, renew or alter apparatus in or on the street or change its position;

(e) demolish, remove, replace and relocate any bus shelter and associated bus stop infrastructure or other street furniture;

(f) execute any works to provide or improve sight lines;

(g) execute and maintain any works to provide hard and soft landscaping;

(h) carry out re-lining and placement of road markings;

(i) remove and install temporary and permanent signage; and

(j) execute any works required for or incidental to any works referred to in sub-paragraphs (a) to (i).

(2) Without limiting the scope of the powers conferred by paragraph (1) but subject to the consent of the street authority, which consent must not be unreasonably withheld or delayed, the undertaker may, for the purposes of the authorised development, enter on so much of any other street whether or not within the Order Limits, for the purposes of carrying out the works set out at paragraph (1) above.

(3) If a street authority that receives an application for consent under paragraph (2) fails to notify the undertaker of its decision within 56 days beginning with the date on which the application was made, that authority will be deemed to have granted consent.

Application of the 1991 Act

13.—(1) Where the undertaker carries out works under this Order in relation to a highway which consists of or includes a carriageway and the works carried out are—

(a) 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

(b) works which, had they been executed by the highway authority, could have been carried out in exercise of the powers conferred by section 64 of the 1980 Act (dual carriageway and roundabouts),

the works will be treated for the purposes of Part 3 of the 1991 Act (street works) as if they were major highway works carried out by the highway authority.

(2) The provisions of sections 54 to 106 of the 1991 Act (save insofar as dis-applied through the operation of article 80 (Application, disapplication and modification of legislative provisions) and Schedule 20 (Miscellaneous controls), apply in relation to the carrying out of street works under that Act and any regulations made or code of practice issued or approved under those provisions apply (with all necessary modifications) in relation to—

(a) carrying out of works under articles 11 (Power to alter layout, etc., of streets) and 12 (Street works);

(b) the permanent stopping up of a street by the undertaker under article 14 (Permanent stopping up of streets and extinguishment of private means of access); and

(c) the temporary stopping up, temporary alteration or temporary diversion of a street by the undertaker under article 16 (Temporary stopping up of streets), whether or not the carrying out of the works or the stopping up, alteration or diversion constitutes street works within the meaning of that Act.

(3) Sections 54 and 55 of the 1991 Act have effect as if references in section 57 of that Act to emergency works included a reference to a stopping up, alteration or diversion (as the case may be) required in a case of emergency.

(4) In Part 3 of the 1991 Act, provisions relating to major highway works which refer to the highway authority concerned will, in relation to works which are major highway works by virtue of paragraph (1), be construed as references to the undertaker.

Permanent stopping up of streets and extinguishment of rights

14.—(1) Subject to the provisions of this article, the undertaker may, in connection with the carrying out of the authorised development, stop up each of the streets and extinguish each private means of access specified in column (2) of Part 1 of Schedule 7 (Streets to be permanently stopped

up and private means of access to be extinguished) to the extent specified, by reference to the letters and numbers shown on the Rights of Way Plans, in column (3) of that Part of that Schedule.

(2) No street or private means of access specified in column (2) of Part 1 of Schedule 7 will be wholly or partly stopped up or extinguished under this article unless—

(a) the new street or private means of access to be substituted for it, which is specified in column (4) of that Part of that Schedule, is open for use and, in the case of a street, has been completed to the reasonable satisfaction of the street authority; or

(b) a temporary alternative route for the passage of such traffic as could have used the street or private means of access to be stopped up between the commencement and termination points for the stopping up of the street or extinguishment of private means of access is first provided and, in the case of a street, is subsequently maintained by the undertaker, to the reasonable satisfaction of the street authority, until the completion and opening of the new street in accordance with sub-paragraph (a).

(3) Where the undertaker provides a substitution under paragraph (2), the new or temporary alternative street or private means of access is not required to be of a higher standard than the stopped-up street or extinguished private means of access in column (2) of Part 1 of Schedule 7.

(4) No street or private means of access specified in column (2) of Part 2 of Schedule 7 will be wholly or partly stopped up or extinguished under this article unless at least one of the conditions specified in paragraph (5) is satisfied in relation to all the land which abuts on either side of the street to be stopped up or private means of access to be extinguished.

(5) The conditions referred to in paragraph (4) are that—

(a) the undertaker is in possession of the land; or

(b) there is no right of access to the land from the street, public of way or private means of access concerned; or

(c) there is reasonably convenient access to the land otherwise than from the street or private means of access concerned; or

(d) the owners and occupiers of the land have agreed to the stopping up or extinguishment.

(6) Where a street has been stopped up or private means of access extinguished under this article—

(a) all rights of way over or along the street or private means of access are extinguished; and

(b) the undertaker may appropriate and use for the purposes of the authorised development so much of the site of the street or private means of access as is bounded on both sides by land owned by the undertaker.

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

(8) This article is subject to article 38 (Apparatus and rights of statutory undertakers in stopped-up streets).

(9) For the purposes of this article and Schedule 7, the definition of "street" under article 2 (Interpretation) is extended to also include any other public right of way.

Status of footpaths created or improved

15.—(1) With effect from the date on which the highway authority has approved that the footpaths specified in column (2) of Schedule 8 (Status of footpaths created or improved) have been created or improved to the standard specified in a footpath implementation plan, the footpaths in question will be deemed to have the status specified in column (3) of that Schedule.

(2) For the purposes of this article and Schedule 8, the definition of "footpaths" under article 2 (Interpretation) is extended to also include combined footway/cycleways, footways and cycleways.

Temporary stopping up of streets

16.—(1) The undertaker, during and for the purposes of carrying out the authorised development, may temporarily stop up, alter or divert any street shown on the Rights of Way Plans and may for any reasonable time—

(a) divert the traffic from the street; and

(b) subject to paragraph (3), prevent all persons from passing along the street.

(2) Without limiting the scope of paragraph (1), the undertaker may use as a temporary working site any street 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 affected by the temporary stopping up, alteration or diversion of a street under this article if there would otherwise be no such access.

(4) Without prejudice to the generality of paragraph (1), the undertaker may temporarily stop up, alter or divert the streets specified in column (2) of Schedule 9 (Streets to be temporarily stopped up) to the extent specified, by reference to the letters and numbers shown on the Rights of Way Plans, in column (3) of that Schedule, and may provide a temporary diversion.

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

(a) any street specified as mentioned in paragraph (4) without first consulting the street authority; and

(b) any other street without the consent of the street authority, which may attach reasonable conditions to any consent, but such consent must not be unreasonably withheld or delayed.

(6) Where the undertaker provides a temporary diversion under paragraph (4), the new or temporary alternative route is not required to be of a higher standard than the temporarily stopped-up street or extinguished private means of access in column (2) of Schedule 9.

(7) Prior to the reopening of any street stopped up under paragraph (4), the undertaker must remove all temporary works and restore the street to its previous condition.

(8) 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 the case of dispute, under Part 1 of the 1961 Act.

(9) If a street authority that receives an application for consent under paragraph (5)(b) fails to notify the undertaker of its decision within 56 days of receiving the application, that street authority will be deemed to have granted consent.

(10) For the purposes of this article and Schedule 9, the definition of "street" under article 2 (Interpretation) is extended to also include any other public right of way.

Use of private roads for construction

17.—(1) The undertaker may use any private road within the Order Limits for the passage of persons or vehicles (with or without materials, plant and machinery) for the purposes of, or in connection with, the construction of the authorised development.

(2) The undertaker must compensate the person liable for the repair of a road to which paragraph (1) applies for any loss or damage which that person may suffer by reason of the exercise of the power conferred by paragraph (1).

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

Access to works

18.—(1) The undertaker may, for the purposes of the authorised development, form and lay out means of access, or improve existing means of access with the agreement of the street authority after consultation with the highway authority (such agreement not to be unreasonably withheld), at such locations within the Order Limits as the undertaker reasonably requires.

(2) If a street authority that receives an application for approval under paragraph (1) fails to notify the undertaker of its decision within 56 days of receiving the application, that authority will be deemed to have granted approval.

Maintenance of new and altered streets

19.—(1) The undertaker must maintain Work No.s 8, 9, 10 and 11 and any street that is altered or subject to street works under articles 11 (Power to alter layout, etc., of streets) or 12 (Street works) of this Order in accordance with Part 8 of Schedule 15 (Protective provisions) of this Order.

(2) Except for Works Nos 8, 9, 10 and 11, where land not previously part of the public highway comes to form part of the public highway by virtue of construction, diversion or alteration of a street under this Order, unless otherwise agreed with the highway authority, the land is deemed to have been dedicated as public highway immediately upon completion of the highway that has been constructed, altered or diverted.

(3) In any action against the undertaker in respect of loss or damage resulting from any failure by it to maintain a street in accordance with Schedule 15, it is 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.

(4) For the purposes of a defence under paragraph (3), the court must in particular have regard to the following matters—

(a) the character of the street including 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 that the undertaker had arranged for a competent person to carry out or supervise the maintenance of that part of the street to which the action relates unless it is also proved that the undertaker had given that person proper instructions with regard to the maintenance of the street and that those instructions had been carried out.

Agreements with street and highway authorities

20.—(1) The undertaker may enter into agreements with a street authority or highway authority with respect to—

(a) the construction of any new street authorised by this Order;

(b) any stopping up, alteration or diversion of a street authorised by this Order;

(c) the maintenance of the structure of any bridge or tunnel carrying a street over or under any part of the authorised development;

(d) the carrying out in the street of any of the works referred to in articles 11 (Power to alter layout, etc., of streets) or 12 (Street works); and

(e) such works as the parties may agree.

(2) Such an agreement may, without prejudice to the generality of paragraph (1)—

(a) make provision for the street authority or highway authority to carry out any function under this Order which relates to the street in question;

(b) specify a reasonable time for the completion of the works;

(c) make provision for the maintenance of the structure of any viaduct, underpass, overpass or bridge carrying a street; and

(d) contain such terms as to payment and other matters as the parties consider appropriate.

Traffic regulation measures

21.—(1) Subject to the provisions of this article, the undertaker may at any time, for the purposes of the authorised development—

(a) make provision, in respect of those streets specified in column (2) and (3) of Part 1 of Schedule 10 (Traffic regulation measures), as to the speed limit of those streets as specified in column (4) of that Part of that Schedule; and

(b) make provision, in respect of those streets specified in column (2) of Part 1 of Schedule 10, as to the clearway status of, and the application of other prohibitions to, those streets as 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 (such consent not to be unreasonably withheld) of the traffic authority in whose area the street is situated, which consent may be subject to reasonable conditions, the undertaker may, for the purposes or in connection with the authorised development—

(a) revoke, amend or suspend in whole or in part any order made, or having effect as if made, under the 1984 Act in so far as it is inconsistent with any prohibition, restriction or other provision made by the undertaker under this article;

(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 direction or priority of vehicular traffic on any road;

(e) permit or prohibit vehicular access to any road; and

(f) make provision, in respect of those streets as specified in column (2) and (3) of Part 2 of Schedule 10, as to the speed limits of those streets as specified in column (4) of that Part of that Schedule,

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

(3) Before complying with the provisions of paragraph (4) the undertaker must consult the chief officer of police and the traffic authority in whose area the street is situated.

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

(a) given not less than 28 days' notice in writing of its intention so to do to the chief officer of police and to the traffic authority in whose area the street 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 sub-paragraph (a).

(5) Any prohibition, restriction or other provision made by the undertaker under paragraphs (1) and (2) has effect as if duly made by—

(a) the traffic authority in whose area the street is situated as a traffic regulation order under the 1984 Act; or

(b) the local authority in whose area the street 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 10) to which the prohibition, restriction or other provision is subject,

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

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

(7) If the traffic authority fails to notify the undertaker of its decision within 28 days of receiving an application for consent under paragraph (2), that authority is deemed to have granted consent.

PART 4

SUPPLEMENTAL POWERS

Discharge of water

22.—(1) Subject to paragraphs (2) and (3), the undertaker may use any watercourse or any public sewer or drain for the drainage of water in connection with the carrying out, operation 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) 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.

(3) 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.

(4) Where the person to whom the sewer or drain belongs receives an application for consent under paragraph (2) or approval under sub-paragraph (3)(a) and fails to notify the undertaker of its decision within 28 days of receiving an application, that person will be deemed to have granted consent or given approval, as the case may be.

(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, subject to the Works that are authorised under this Order.

(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 pursuant to this article is as free as may be practicable from gravel, soil or other solid substance, oil or matter in suspension.

(7) 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) will be determined as if it were a dispute under section 106 of the Water Industry Act 1991 (Right to communicate with public sewers)(**b**).

(8) In this article—

(a) "public sewer or drain" means a sewer or drain which belongs to NRW, an internal drainage board, a local authority or a sewerage undertaker; and

(b) except as provided in article 2 (Interpretation), other expressions used both in this article and in the Water Resources Act 1991(**a**) have the same meaning as in that Act.

(**a**) 2004 c.18. Schedule 7 was amended by S.I. 2013/362 and S.I. 2018/488. There are other amendments made to the Traffic Management Act 2004 which are not relevant to this Order.

(**b**) 1991 c.56. Section 106 was amended by sections 35(8) and 43(2) of and paragraph 1 of Schedule 2 to the Competition and Service (Utilities) Act 1992 (c.43) and sections 36(2) and 99 of the Water Act 2003 (c.37). Section 102(4) was amended by section 96(1)(c) of the Water Act 2003 (c.37) and paragraph 90 of Schedule 7 to the Water Act 2014 (c.21). Section 104 was amended by section 96(4) of and paragraph 1 of Part 3 of Schedule 9 to the Water Act 2003 (c.37) and section 42(3) of the Flood and Water Management Act 2010 (c.29).

(9) 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**).

Protective work to buildings

23.—(1) Subject to the following provisions of this article, the undertaker may at its own expense carry out such protective works to any building lying within the Order Limits 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 building of any part of the authorised development; or

(b) after the completion of that part of the authorised development in the vicinity of the building 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 becomes operational.

(3) For the purpose of determining how the functions under this article are to be exercised, the undertaker may enter and survey any building falling within paragraph (1) and any land within its curtilage, and place on, leave on, and remove from the building any apparatus and equipment for use in connection with the survey.

(4) For the purpose of carrying out protective works under this article to a building the undertaker may (subject to paragraphs (5) and (6))—

(a) enter the building 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 building 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 a building;

(b) a right under paragraph (3) to enter and survey any building and any land within its curtilage and place on, leave on or remove any apparatus or equipment;

(c) a right under sub-paragraph (4)(a) to enter a building and land within its curtilage; or

(d) a right under sub-paragraph (4)(b) to enter land,

the undertaker will, 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 (d), the notice must specify the protective works proposed to be carried out.

(6) Where a notice is served under paragraph (5), the owner or occupier of the building or land 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 as to 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 77 (Arbitration).

(7) The undertaker must compensate the owners and occupiers of any building or land 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 a building; 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 building is first opened for use it appears that the protective works are inadequate to protect the building against damage caused by the carrying out or use of that part of the authorised development,

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(**a**) 1991 c.57.
(**b**) S.I. 2016/1154.

the undertaker must compensate the owners and occupiers of the building 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 (Further provision as to 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 a building means—

(a) underpinning, strengthening and any other works the purpose of which is to prevent damage which may be caused to the building 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 building by the carrying out, maintenance or use of the authorised development.

Authority to survey and investigate the land

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

(a) survey or investigate the land;

(b) without limiting sub-paragraph (a), make trial holes in such positions on the land as the undertaker thinks fit to investigate the nature of the surface layer and subsoil and remove soil samples;

(c) without limiting sub-paragraph (a), carry out ecological or archaeological investigations on such land; and

(d) place on, leave on and remove from the land apparatus for use in connection with the survey, investigation of land and making of trial holes.

(2) No land may be entered or equipment placed on, 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.

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

(a) must, if so required on entering the land, produce written evidence of their authority to do so; and

(b) may take with them such vehicles and equipment as are necessary to carry out the survey or investigation or to make the trial holes.

(4) No trial holes will be made under this article—

(a) in land located within the highway boundary without the consent of the 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.

(5) The undertaker must compensate the owners and occupiers of the land for any loss or damage arising by reason of the exercise of the authority 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).

(6) If either a highway authority or street authority which has received an application for consent under paragraph (4) fails to notify the undertaker of its decision within 28 days of receiving the application, that authority is deemed to have granted the consent.

PART 5

POWERS OF ACQUISITION AND POSSESSION OF LAND

Power of Acquisition

Compulsory acquisition of land

25.—(1) The undertaker may acquire compulsorily so much of Order Land described in the Book of Reference and shown on the Land Plans as is required for the construction, operation and maintenance of the authorised development or to facilitate it, or as is incidental to it.

(2) This article is subject to—

(a) article 27 (Compulsory acquisition of rights);

(b) article 28 (Time limit for exercise of authority to acquire land compulsorily);

(c) article 32 (Acquisition of land limited to subsoil lying more than 9 metres beneath the surface);

(d) article 35 (Temporary use of land for carrying out authorised development); and

(e) article 81 (Crown rights).

Compulsory acquisition of land – incorporation of the mineral code

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

(a) paragraph 8(3) is not incorporated; and

(b) for "the acquiring authority" substitute "the undertaker"; and

(c) for "undertaking" substitute "authorised development".

Compulsory acquisition of rights

27.—(1) The undertaker may acquire compulsorily the existing rights, create and acquire compulsorily the new rights, and impose such restrictive covenants described in the Book of Reference and shown on the Land Plans in, under or over the Order Land as may be required for any purpose for which that land may be acquired under article 25 (Compulsory acquisition of land).

(2) In the case of the Order Land specified in column (2) of Schedule 11 (Land in which rights, etc. may be acquired), the undertaker's powers of compulsory acquisition are limited to the acquisition of such new rights and the imposition of such restrictive covenants as may be required for the purpose specified in relation to that land in column (3) of that Schedule.

(3) Schedule 12 (Modification of compensation and compulsory purchase enactments for creation of new rights and restrictive covenants) 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 and acquisition of a new right or the imposition of a restrictive covenant.

(4) In any case where the acquisition of rights or imposition of a restrictive covenant under paragraph (1) is required for the purposes of diverting, replacing or protecting the 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 restrictive covenants to the statutory undertaker in question.

(5) The exercise by a statutory undertaker of any power in accordance with a transfer under paragraph (4) is subject to the same restrictions, liabilities and obligations as would apply under this Order if that power were exercised by the undertaker.

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

Time limit for exercise of authority to acquire land compulsorily

28.—(1) After the end of the period of 8 years beginning on the day on which this Order is made—

(a) no notice to treat is to be served under Part 1 of the 1965 Act; and

(b) no declaration may be executed under section 4 of the 1981 Act applied by article 30 (Application of the 1981 Act),

in relation to any part of the Order Land.

(2) The authority conferred by article 35 (Temporary use of land for carrying out authorised development) 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.

Private rights

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

(a) as from the date of acquisition of the land or right by the undertaker or the imposition 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 (power of entry),

whichever is the earlier.

(2) Subject to the provisions of this article, all private rights or restrictive covenants over land owned by the undertaker which, being within the Order Limits, are required for the purposes of this Order are extinguished or discharged on the appropriation of the land by the undertaker for any of those purposes.

(3) Subject to the provisions of this article, 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.

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

(5) This article does not apply in relation to any right that is a "relevant right" within the meaning of section 138 of the 2008 Act (Extinguishment of rights, and removal of apparatus, of statutory undertakers etc.) or where article 37 (Statutory undertakers) applies.

(6) Paragraphs (1) to (3) have effect subject to—

(a) any notice given by the undertaker before—

(i) the completion of the acquisition of the land or right or the imposition of the restrictive covenant 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 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.

(7) Where an agreement referred to in sub-paragraph (6)(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,

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

(8) 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 and adversely affecting other land, including any natural right to support and include restrictions as to the user of land arising by virtue of a contract having that effect.

(9) This article does not apply to any loss suffered under article 14 (Permanent stopping up of streets and extinguishment of rights).

Application of the 1981 Act

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

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

(3) In section 1 (Application of act) for subsection (2) there is substituted—

"(2) This section applies to any Minister, any local or other public authority or any other body or person authorised to acquire land by means of a compulsory purchase order."

(4) Omit section 5A (Time limit for general vesting declaration).

(5) In section 5B (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 (Legal challenges relating to applications for orders granting development consent)"; and

(b) For "the three year period mentioned in section 4" substitute "the 8 year period mentioned in article 28 (Time limit for exercise of authority to acquire land compulsorily) of the Wylfa Newydd (Nuclear Generating Station) Order 201[X]".

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

"(1) (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) In section 7 (Constructive notice to treat), in subsection (1)(a), omit "(as modified by section 4 of the Acquisition of Land Act 1981)".

(8) References to the 1965 Act in the Compulsory Purchase (Vesting Declarations) Act 1981 are to be construed as references to the 1965 Act as applied by section 125 of the 2008 Act (Application of compulsory acquisition provisions) to the compulsory acquisition of land under this Order.

Acquisition of subsoil only

31.—(1) The undertaker may acquire compulsorily so much of, or such rights in, the subsoil of the land referred to in paragraph (1) of article 25 (Compulsory acquisition of land) as may be required for any purpose for which that land may be acquired under that provision instead of acquiring the whole of the land.

(2) Where the undertaker acquires any part of, or rights in, the subsoil of 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 section 8 and Schedule 2A of the 1965 Act 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 the surface

32.—(1) This article applies to the land specified in Schedule 13 (Land of which only subsoil more than 9 metres beneath the surface may be acquired).

(2) In the case of land to which this article applies, the undertaker may only acquire compulsorily under article 25 (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.

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

(4) The following do not apply in connection with the exercise of the power under paragraph (1) in relation to subsoil only—

(a) Schedule 2A (Counter-notice requiring purchase of land not in notice to treat) to the 1965 Act;

(b) Schedule A1 (Counter-notice requiring purchase of land not in general vesting declaration) to the 1981 Act; and

(c) section 153(4A) (Blighted land: proposed acquisition of part interest; material detriment test) of the 1990 Act.

(5) References in this article to the subsoil of land are references to the subsoil 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.

Modification of the 1965 Act

33.—(1) Part 1 of the 1965 Act, as applied to this Order by section 125 (application of compulsory acquisition provisions) of the 2008 Act, is modified as follows—

(2) In section 4 (time limit for giving notice to treat) for "after the end of the period of 3 years beginning the day on which the compulsory purchase order becomes operative" substitute "after the end of the period stated in article 28 (Time limit for exercise of authority to acquire land compulsorily) of the Wylfa Newydd (Nuclear Generating Station) Order 201[X]".

(3) In section 4A(1) (Extension of time limit during challenge) for "section 23 of the Acquisition of Land Act 1981 (Application to High Court in respect of compulsory purchase order), the three year period mentioned in section 4" substitute "section 118 of the Planning Act 2008 (Legal challenges relating to applications for orders granting development consent), the eight year period mentioned in article 28 (Time limit for exercise of powers to acquire land compulsorily) of the Wylfa Newydd (Nuclear Generating Station) Order 201[X]".

(4) In section 11A (Powers of entry: further notice of entry)—

(a) in subsection (1)(a), after "land" insert" "under that provision";

(b) in subsection (2), after "land" insert" "under that provision".

(5) 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 28 (Time limit for exercise of powers to acquire land compulsorily) of the Wylfa Newydd (Nuclear Generating Station) Order 201[X]".

(6) In Schedule 2A (counter-notice requiring purchase of land not in notice to treat) after paragraph 29, end insert—

“PART 4

INTERPRETATION

“**30.** In this Schedule, references to entering on and taking possession of land do not include doing so under articles 23 (Protective works to buildings), 24 (Authority to survey and investigate land), 35 (Temporary use of land for carrying out the authorised development), 36 (Temporary use of land for maintaining the authorised development), or 42 (Rights over land) of the Wylfa Newydd (Nuclear Generating Station) Order 201[X]””

Rights under or over streets

34.—(1) The undertaker may enter on, appropriate and use so much of the subsoil of, or air-space over, any street within the Order Limits as may be required for those purposes or any other purpose ancillary or incidental to the authorised development.

(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 will not be 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.

Temporary Possession of Land

Temporary use of land for carrying out the authorised development

35.—(1) The undertaker may, in connection with the carrying out of the authorised development—

(a) enter on and take temporary possession of—

(i) the land specified in column (2) of Schedule 14 (Land of which only temporary possession may be taken) for the purpose specified in relation to that land in column (3) of that Schedule; and

(ii) any of the Order Land in respect of which no notice of entry has been served under section 11 of the 1965 Act (Powers of entry) other than in connection with the acquisition of rights only and no declaration has been made under section 4 of the 1981 Act (Execution of declaration);

(b) remove any electric line, electrical plant, structures, apparatus, buildings and vegetation from that land;

(c) construct temporary or permanent works comprised within the authorised development (including the provision of means of access and buildings or structures on that land); and

(d) construct any works specified in relation to that land in column (2) of Schedule 14, or any other mitigation works.

(2) Not less than 3 months before entering on 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.

(3) The undertaker may not, without the agreement of the owners of the land, remain in possession under this article—

(a) in the case of land specified in sub-paragraph (1)(a)(i) above, after the end of the period of 1 year beginning with the date of completion of the part of the authorised development specified in relation to that land in column (2) of Schedule 14 unless and to the extent that it is authorised to do so by the acquisition of rights over land or the creation of new rights over land pursuant to article 27 (Compulsory acquisition of rights); or

(b) in the case of land referred to in sub-paragraph (1)(a)(ii), after the end of the period of 1 year beginning with the date of completion of the work for which temporary possession of the land was taken unless the undertaker 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) Before giving up possession of land of which temporary possession has been taken under this article, the undertaker must either acquire the land under sub-paragraph (1)(a) or, unless otherwise agreed with the owners of the land, remove all temporary works and restore the land to the reasonable satisfaction of the owners of the land, except that the undertaker is not required to—

(a) replace a building removed under this article;

(b) restore the land on which any permanent works have been constructed under sub-paragraph (1)(d);

(c) restore the land to a condition better than the relevant land was in before temporary possession;

(d) remove any ground strengthening works which have been placed on the land to facilitate construction maintenance and operation of the authorised development;

(e) remove any measures installed over or around statutory undertakers' apparatus to protect that apparatus from the authorised development; or

(f) remove or reposition any apparatus belonging to statutory undertakers or necessary mitigation works.

(5) 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 provisions of any power conferred by this article and, for the avoidance of doubt, this will include compensation in respect of any loss or damage further to any ground strengthening works within sub-paragraph (4)(d) carried out by the undertaker in or on that land.

(6) Any dispute as to a person's entitlement to compensation under paragraph (5), or as to the amount of the compensation, will be determined under Part 1 of the 1961 Act.

(7) 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 (5).

(8) The undertaker may not compulsorily acquire under this Order the land referred to in sub-paragraph (1)(a)(i) except that the undertaker is not precluded from—

(a) acquiring existing and new rights or imposing any restrictive covenants over any part of that land under article 27 (Compulsory acquisition of rights);

(b) acquiring any part of the subsoil (or rights in the subsoil) of that land under article 31 (Acquisition of subsoil only) or in accordance with article 32 (Acquisition of land limited to subsoil lying more than 9 metres beneath the surface); or

(c) carrying out a survey of that land under article 24 (Authority to survey and investigate the land).

(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 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) Nothing in this article prevents the taking of temporary possession more than once in relation to any land specified in paragraph (1).

(12) Nothing in this article removes the need for a marine licence under Part 4 of the 2009 Act.

Temporary use of land for maintaining the authorised development

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

(a) enter on 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 structures and buildings on the land as may be reasonably necessary for that purpose; or

(c) enter onto any land within the Order Limits for the purpose of gaining 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;

(b) any building (other than a house) if it is for the time being occupied; or

(c) any highway land.

(3) Not less than 3 months before entering on 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.

(4) The undertaker is not required to serve notice under paragraph (3) where the undertaker has identified a potential risk to the safety of—

(a) the authorised development or any of its parts;

(b) the public; and/or

(c) the surrounding environment,

and in such circumstances, the undertaker may enter the land under paragraph (1) subject to giving such period of notice as is reasonably practicable in the circumstances.

(5) The undertaker may only remain in possession of land under this article 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.

(6) 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.

(7) 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 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, will be determined under Part 1 of the 1961 Act.

(9) Nothing in this article affects any liability to pay compensation under section 10(2) of the 1965 Act (Further provisions as to compensation for injurious affection) 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) of this Order.

(10) Where the undertaker takes possession of land under this article, the undertaker 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 removes the need for a marine licence under Part 4 of the 2009 Act.

Statutory undertakers

37.—(1) Subject to the provisions of Schedule 15 (Protective provisions), the undertaker may—

(a) acquire compulsorily the land belonging to statutory undertakers within the Order Limits and described in the Book of Reference;

(b) acquire existing rights, create and acquire new rights and impose restrictive covenants over the land belonging to statutory undertakers within the Order Limits and described in the Book of Reference;

(c) extinguish or suspend the rights of, remove, alter, renew, relocate or reposition the apparatus belonging to statutory undertakers over or within the Order Limits; and

(d) construct the authorised development in such a way as to interfere with any highway or cross underneath or over apparatus belonging to statutory undertakers and other like bodies within the Order Limits.

(2) Subject to the provisions of Schedule 15, the undertaker may, for the purposes of article 12 (Street works), remove or reposition apparatus belonging to statutory undertakers which is laid beneath any of the streets specified in Schedule 6 (Streets subject to street works).

(3) For the purposes of this article, the definition of "statutory undertaker" in article 2 (Interpretation) is extended to include Magnox and the NDA.

Apparatus and rights of statutory undertakers in stopped-up streets

38.—(1) Where a street is stopped up under article 14 (Permanent stopping up of streets and public rights of way and extinguishment of rights), any statutory undertaker whose apparatus is under, in, on, along or across the street or public right of way has the same powers and rights in respect of that apparatus, subject to the provisions of this article, as if this Order had not been made.

(2) Where a street is stopped up under article 14 (Permanent stopping up of streets and extinguishment of rights), any statutory undertaker whose apparatus is under, in, on, over, along or across the street or public right of way may, and if reasonably requested to do so by the undertaker must—

(a) remove the apparatus and place it or other apparatus provided in substitution for it in such other position as the utility may reasonably determine and have power to place it; or

(b) provide other apparatus in substitution for the existing apparatus and place it in such position as described in sub-paragraph (a).

(3) Subject to the following provisions of this article, the undertaker is to pay to any statutory undertaker an amount equal to the cost reasonably incurred by the utility in or in connection with—

(a) the execution of the relocation works required in consequence of the stopping up of the street or public right of way; and

(b) the doing of any other work or thing rendered necessary by the execution of the relocation works.

(4) If in the course of the execution of relocation works under paragraph (2)—

(a) apparatus of a better type, of greater capacity or of greater dimensions is placed in substitution for existing apparatus; 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 to be necessary, then, if it involves cost in the execution of the relocation works 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 paragraph, would be payable to the statutory utility by virtue of paragraph (3) is to be reduced by the amount of that excess.

(5) For the purposes of paragraph (4)—

(a) an extension of apparatus to a length greater than the length of existing apparatus will not 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 will be treated as if it also had been agreed or had been so determined.

(6) An amount which, apart from this paragraph, would be payable to a statutory undertaker in respect of works by virtue of paragraph (3) (and having regard, where relevant, to paragraph (4)) 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 utility 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.

(7) Paragraphs (3) to (6) do not apply where the authorised development constitutes major highway works, major bridge works or major transport works for the purposes of Part 3 of the 1991 Act, but instead—

(a) the allowable costs of the relocation works are to be determined in accordance with section 85 of that Act (Sharing of cost of necessary measures) and any regulations for the time being having effect under that section; and

(b) the allowable costs are to be borne by the undertaker and the statutory utility in such proportions as may be prescribed by any such regulations.

(8) In this article—

(a) "relocation works" means work executed, or apparatus provided, under paragraph (2); and

(b) "statutory utility" means a statutory undertaker for the purposes of the 1980 Act or a public communications provider as defined in section 151(1) of the Communications Act 2003 (Interpretation).

Recovery of costs of new connections

39.—(1) Where any apparatus of a public utility undertaker or public communications provider is removed under article 37 (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 37 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 sewage disposal plant.

(3) This article does not have effect in relation to apparatus to which article 38 (Apparatus and rights of statutory undertakers in stopped-up streets) or Part 3 of the 1991 Act applies.

(4) In this article—

(a) "public communications provider" has the meaning given in section 151(1) of the Communications Act 2003;(**a**) and

(b) "public utility undertaker" has the same meaning as in the 1980 Act.

No double recovery

40. Compensation will not be payable in respect of the same matter both under this Order and under any other enactment, any contract or any rule of law.

Protective provisions

41. Schedule 15 (Protective provisions) to this Order has effect.

Rights over land

42.—(1) The undertaker may enter into and use so much of the air-space over any land within the Order Limits as may be required for the construction and maintenance of the authorised development and may use the air-space for those purposes or any other purposes ancillary to the authorised development.

(2) The undertaker may exercise any power conferred by paragraph (1) in relation to land without being required to acquire any part of the land or any easement or right in the land.

(3) Subject to paragraph (4), any person who is an owner or occupier of land used 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.

(4) Compensation is not payable under paragraph (3) 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.

PART 6

MARINE WORKS

Incorporation of the 1847 Act

43.—(1) With the exception of sections 3A to 34, 36, 40 to 50, 59, 60, 67, 71-72, 77 to 82, 85, 89, 91 to 99, 101, 102 and 104, the 1847 Act is incorporated in this Order subject to the modifications stated in paragraphs (2) and (7).

(2) Section 35 of the 1847 Act (Masters to report arrival of vessel. Penalty for neglect) must have effect as if the words "liable to rates" were removed.

(3) Section 37 of the 1847 Act (Masters of vessels to give accounts of goods intended to be unshipped within the limits, &c) must have effect as if for the words "collector of rates" were substituted the words "harbour master".

(**a**) c.21.

(4) Section 39 of the 1847 Act (Shippers to give an account of goods intended to be shipped) must have effect as if for the words "collector of rates" were substituted the words "harbour master".

(5) Section 69 of the 1847 Act (Combustible matter on quays, &c., to be removed) must have effect as if for the words from "must forfeit" to the end of the section there were substituted the words "must be liable on summary conviction to a fine not exceeding level 3 on the standard scale."

(6) In construing the 1847 Act as so incorporated—

(a) the expression "the special Act" means this Order;

(b) the expressions "the Promoters of the undertaking" and "the undertakers" mean the undertaker;

(c) the expression "the harbour, dock or pier" means the harbour;

(d) the expressions "limits" and "prescribed limits" mean the harbour limits;

(e) the expression "near the pier" does not extend beyond the harbour limits;

(f) the expression "the harbour master" means, in relation to the harbour, the harbour authority; and

(g) the definition of "vessel" in article 2 (Interpretation) is substituted for the definition in section 3 of the 1847 Act (Interpretation).

(7) All fines and forfeitures recoverable under the provisions of the 1847 Act as incorporated within this Order may be recovered summarily.

Further powers as to works and extinguishment of rights

44.—(1) The undertaker may, in connection with the construction of the Marine Works—

(a) enclose or reclaim from the foreshore and bed of the sea; and

(b) hold and use as part of the Marine Works,

so much of the foreshore and bed of the sea as is situated within the limits of deviation and is required for, or in connection with, the construction of those works.

(2) As soon as the undertaker exercises the powers under paragraph (1), any right of navigation or other public rights over the part of the sea and the foreshore in respect of which it exercises those powers will be extinguished.

Harbour authority

45.—(1) The undertaker is the harbour authority in respect of the harbour.

(2) Without prejudice to any provision of the 1847 Act as incorporated in this Order by article 43 (Incorporation of the 1847 Act), the area within which the harbour authority may exercise its functions under this Order must be the harbour.

Agreements entered into by the undertaker

46. Any agreement or undertaking entered into by the undertaker before the coming into force of this Order in connection with the proposed exercise of its function as harbour authority must be binding upon the harbour authority notwithstanding that it was entered into by the undertaker before it was established as a harbour authority by article 45 (Harbour authority).

Application of Pilotage Act 1987

47. The undertaker is a competent harbour authority in respect of the harbour for the purposes of the Pilotage Act 1987(**a**).

Limits of harbour

48.—(1) The limits of the harbour within which the undertaker is permitted to exercise jurisdiction as the harbour authority and within which the powers of the harbour master are exercisable are the seaward and the landward areas described in Schedule 16 (Limits of harbour), with the seaward area of which is shown, for the purpose of identification only, edged by a red line referred to as the Statutory Authority Area on WN0902-HZDCO-MRN-DRG-00034 in Schedule 2 (Approved plans) of this Order.

(2) In the event that there is any discrepancy between the description of the seaward area in Schedule 16 and the area shown on WN0902-HZDCO-MRN-DRG-00034, the description in Schedule 16 will prevail.

Application of Marine and Coastal Access Act 2009

49.—(1) Articles 43 (Incorporation of the 1847 Act) to 70 (Saving provision for Trinity House) are subject to the provisions of Part 4 of the 2009 Act and any licence granted pursuant to that Part and are without prejudice to the powers of the Welsh Ministers under that Part.

(2) No provision of this Order obviates the need to obtain a marine licence under Part 4 of the 2009 Act or to comply with the conditions of any marine licence, and nothing in this Order in any way limits the enforcement powers in respect of a marine licence under Part 4 of the 2009 Act.

(3) In the event of any inconsistency between the provisions of this Order and a marine licence, then the terms of the marine licence will take precedence.

Obstruction of work

50.—(1) Any person who—

(a) intentionally obstructs any person acting under the authority of the undertaker in setting out the lines of, or in constructing, the Marine Works or authorised development; or

(b) without reasonable excuse interferes with, moves or removes any pole, stake, station point, bench mark or equipment used in the construction, maintenance or use of the Marine Works or authorised development,

is guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.

Obstruction of officers

51.—(1) Any person who—

(a) intentionally obstructs an officer of the harbour authority or other person acting in pursuance of this Order or of any enactment relating to the harbour limits;

(b) without reasonable excuse fails to comply with a requirement properly made by such an officer; or

(c) without reasonable excuse fails to give such an officer any information or produce any document which he may require for the purpose of performance of his functions,

must be liable on summary conviction of a fine not exceeding level 3 on the standard scale.

(**a**) 1987 c.21.

(2) Any person who, in giving such information as is mentioned in sub-paragraph 51(c), makes a statement which he knows to be false, must be guilty of an offence and liable on summary conviction to a fine not exceeding level 4 on the standard scale.

(3) Nothing in paragraph (1) applies to the harbour master or to any person acting under the authority of the harbour master.

Power to dredge

52.—(1) The undertaker may, for the purposes of constructing, maintaining and operating the Marine Works and of affording access to the Marine Works by vessels, from time to time deepen, dredge, scour, cleanse, alter and improve so much of the bed, shores and channels as lie within the harbour limits and may use, appropriate or dispose of the materials (other than wreck within the meaning of Part 9 of the Merchant Shipping Act 1995 (salvage and wreck))(**a**) from time to time dredged by them.

(2) No such materials must be laid down or deposited—

(a) in contravention of the provisions of any enactment as respects the disposal of waste; or

(b) in any place below the level of high water otherwise than in such position and under such conditions and restrictions as may be approved or prescribed by NRW.

Abatement of works abandoned or decayed

53.—(1) Where a Marine Work is abandoned, or falls into decay, the Welsh Ministers may by notice in writing require the undertaker at its own expense either to repair and restore that work or any part, or to remove that work and restore the site to its former condition, to such an extent and within such limits as the Welsh Ministers think proper.

(2) Where a work consisting partly of a Marine Work and partly of works on or over land above the level of high water is abandoned or suffered to fall into decay and that part of the work on or over land above the level of high water is in such condition as to interfere or to cause reasonable apprehension that it may interfere with the right of navigation or other public rights over the foreshore, the Welsh Ministers may include that part of the work, or any portion of it, in any notice under this article.

(3) If the undertaker fails to comply in any respect with a notice served under this article within the period of 30 days beginning with the date of service of the notice, the Welsh Ministers may take whatever steps the Welsh Ministers consider appropriate to achieve the result required by the notice; and any expenditure incurred by the Welsh Ministers in so doing will be recoverable from the undertaker.

Survey of Marine Works

54. If the Welsh Ministers consider it expedient to do so, the Welsh Ministers may order a survey and examination of a Marine Work or of the site on which it is proposed to construct the work, and any expenditure incurred by the Welsh Ministers in any such survey and examination will be recoverable from the undertaker.

Lights on Marine Works etc. during construction

55.—(1) The undertaker must at or near—

(a) any Marine Work, including any temporary work; or

(b) any plant, equipment or other obstruction placed, in connection with any authorised development within the area of seaward construction activity,

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(**a**) 1995 c.21.

during the whole time of the construction, reconstruction, extension, enlargement, replacement or relaying of such work or development, exhibit every night from sunset to sunrise and in periods of restricted visibility such lights, if any, and take such other steps for the prevention of danger to navigation, as Trinity House and the Welsh Ministers may from time to time direct.

Provision against danger to navigation

56. In case of damage to, or destruction or decay of, a Marine Work or any part of it, the undertaker must as soon as reasonably practicable notify Trinity House and must lay down such buoys, exhibit such lights, and take such other steps for preventing danger to navigation, as Trinity House may direct from time to time.

Permanent lights on Marine Works

57. After the completion of a Marine Work the undertaker must, as directed by Trinity House, exhibit every night from sunset to sunrise and in periods of restricted visibility such lights, if any, and take such other steps for the prevention of danger to navigation, as Trinity House may from time to time direct.

Safety of navigation

58.—(1) No Marine Works are to be commenced until a scheme to secure safety of navigation has been submitted to and approved by the Welsh Ministers following appropriate consultation with Trinity House and the Maritime and Coastguard Agency.

(2) The approved scheme must make provision for—

(a) additional aids to navigation and the reporting by the undertaker of aids to navigation to Trinity House;

(b) retention of safety vessels; and

(c) the circumstances where Her Majesty's Coastguard should be notified of any matter.

(3) The Marine Works are to be carried out in accordance with the approved scheme except to the extent that a variation to the approved scheme is approved by the persons mentioned in paragraph (1).

Rights to lease etc.

59.—(1) The undertaker may at any time lease or grant for the purposes of the harbour undertaking the use or occupation of, or any right or interest in, over or relating to, any lands, works, buildings, equipment or other property forming part of the harbour undertaking for such period or periods and on such terms and conditions as may be agreed between the undertaker and the person taking the same.

(2) A lease or grant made or given under paragraph (1) may include provisions delegating to the lessee or grantee any of the functions of the undertaker other than those specified in sub-paragraphs (a) to (f) of paragraph 9B of Schedule 2 to the Harbours Act 1964 (Object for whose achievement harbour revision orders may be made)(**a**).

(3) A person—

(a) exercising powers conferred by this Order; or

(b) carrying out any development under planning permission granted by article 3 (Development consent, etc. granted by Order) of, and Part 17 of Schedule 2 (Development by statutory undertakers) to, the 1995 Order,

in pursuance of a lease or grant under paragraph (1) ("the lessee or grantee") is subject to the same restrictions, liabilities and obligations as would apply under this Order or by virtue of any

(**a**) 1964 c.40.

agreement or undertaking by the undertaker if those "owners" were exercised, or the development carried out, by the undertaker.

(4) The provisions of this Order or of any such agreement or undertaking, as respects any such exercise of powers or carrying out of development by the lessee or grantee, have effect (where the context so permits) as if any reference in those provisions to the undertaker included a reference to the lessee or the grantee, as the case may be.

Byelaws

60.—(1) The undertaker may, from time to time, make and enforce byelaws regulating the use and operation of the authorised development or the harbour, the maintenance of order on and about the authorised development or the harbour and the conduct of all persons including employees of the undertaker while on and about the authorised development or the harbour.

(2) Without prejudice to the generality of paragraph (1), byelaws made under this article may provide for—

(a) regulating the use, operation and superintendence of the harbour and the berths, quays, piers, warehouses, sheds, landing places, equipment, works and conveniences (including moorings) in the harbour;

(b) regulating the admission to, the movement within, and the departure from, the harbour of vessels, or the removal of vessels;

(c) regulating the shipping and unshipping, landing, warehousing, stowing, depositing and removing of goods within the harbour;

(d) regulating the berthing and mooring of vessels within the harbour;

(e) preventing damage or injury to any goods, vehicles, plant, machinery, property or person within the harbour;

(f) regulating the conduct of all persons within the harbour not being members of a police force or officers or servants of the Crown whilst in the execution of their duties;

(g) regulating the placing and maintenance of moorings within the harbour;

(h) preventing and removing obstructions or impediments within the harbour;

(i) regulating in the harbour the use of yachts, sailing boats, sailboards, rowing boats, rowing punts, pleasure craft and other small craft;

(j) regulating or prohibiting the activities in the harbour of divers, surfers, water skiers and other persons engaged in similar recreational pursuits but not so as to prohibit the use for navigation of the vessels referred to in sub-paragraph (i);

(k) regulating the launching of vessels within the harbour;

(l) prohibiting persons in or entering the harbour, or any part of the harbour, from smoking in open spaces in the harbour;

(m) regulating the movement and parking of vehicles within the harbour;

(n) regulating the exercise of the powers vested in the harbour master;

(o) safety precautions to be observed by persons within the harbour, whether or not on board vessels;

(p) the protection and conservation of flora and fauna and other natural features;

(q) making the carrying out of specified harbour operations, or the conduct of persons in the harbour, subject to the approval (with or without conditions), control or direction of the harbour master, and for authorising the harbour master to take such action as may be reasonably required in default of compliance with any such condition, control or direction;

(r) regulating the admission and access to the Marine Works forming part of the authorised development;

(s) preventing and removing obstructions or impediments within the authorised development;

(t) preventing damage or injury to any goods, vehicles, plant, machinery, property or persons within the authorised development;

(u) regulating the activities of divers, surfers, water skiers and other persons engaged in recreational pursuits within the authorised development;

(v) prohibiting persons in or entering the authorised development from smoking in open spaces; and

(w) preventing nuisances on the authorised works.

(3) Byelaws made under this article may—

(a) provide for imposing upon persons found guilty on summary conviction of offending against them, or against any condition, requirement or direction imposed, made or given under them, fines not exceeding level 3 on the standard scale;

(b) relate to the whole of the harbour or the authorised development or to any part of the harbour and the authorised development; or

(c) make different provision for different parts of the harbour or in relation to different classes of vessels or vehicles.

(4) Byelaws made by the undertaker under this Order come into force only when they have been confirmed by the Welsh Ministers.

(5) Before applying for any byelaws to be confirmed under this article, the undertaker must publish a notice of its intention to apply for the byelaws to be confirmed once in each of 2 successive weeks in a local newspaper circulating in the area of the authorised development.

(6) The notice must state—

(a) the place at which and the times during which a copy of the proposed byelaws is to be available for public inspection; and

(b) that persons may make representations about the proposed byelaws to the Welsh Ministers in writing within the period specified in the notice being a period of not less than 28 days after the date of publication of the last notice required by paragraph (5).

(7) For at least 28 days after the publication of the last notice required by paragraph (5), a copy of the proposed byelaws must be available for public inspection without payment at the principal office of the undertaker in the area of the authorised development at all reasonable times.

(8) The undertaker must supply a copy of the proposed byelaws or part of the proposed byelaws to a person who applies for it on payment of a reasonable charge.

(9) During the period specified in the notice in accordance with paragraph (5), any person may make representations about the proposed byelaws to the Welsh Ministers in writing.

(10) The Welsh Ministers may, after the expiry of the period specified in the notice in accordance with sub-paragraph (6)(b), confirm with or without modification or may refuse to confirm any of the proposed byelaws submitted and may fix a date on which any byelaws so confirmed are to come into force, and, if no date is so fixed, the byelaws come into force after the expiry of 28 days after the date on which they were confirmed.

(11) The Welsh Ministers may charge the undertaker such fees in respect of any byelaws submitted for confirmation under this article as the Welsh Ministers may consider appropriate for the purpose of defraying any administrative expenses incurred by the Welsh Ministers in connection with confirmation, modification or refusal.

(12) A copy of any byelaws confirmed under this article must be printed and must be available for public inspection without payment at the principal office of the undertaker in the area of the authorised development at all reasonable times, and the undertaker must at the request of any person supply that person with a copy of such byelaws on payment of a reasonable charge.

(13) Byelaws under this article may vary or revoke any byelaws in respect of the authorised development made under any other provision at any time.

General directions to vessels

61.—(1) Subject to paragraph (3), the undertaker may give directions, or revoke or amend directions that it has previously given, for the purpose of—

(a) designating areas, routes or channels in the harbour and the approaches to the harbour which vessels are to use, or refrain from using, for movement or mooring;

(b) requiring the master of a vessel to give to the harbour master information relating to the vessel reasonably required by the harbour master to identify the vessel, its cargo and its likely time of arrival at and departure from the harbour; and

(c) the protection of property, flora and fauna.

(2) A direction given under paragraph (1) may apply—

(a) to all vessels or to a class of vessels designated in the direction;

(b) to the whole of the harbour and the approaches and channels leading to the harbour, or to a part designated in the direction; and

(c) at all times or at certain times or at certain states of tide designated in the direction,

and every direction given under this article must specify the extent of its application in relation to the matters referred to in sub-paragraphs (1)(a), (b) and (c).

(3) Before giving a direction, or revoking or amending a direction previously given, under paragraph (1), the undertaker must consult the Royal Yachting Association and the Chamber of Shipping.

Publication of general directions

62.—(1) Notice of the giving of a general direction or of any amendment or revocation of a general direction must, except in case of emergency, be published by the undertaker as soon as practicable once in Lloyd's List newspaper or some other newspaper specialising in shipping news; and, if the notice relates to the giving or amendment of a direction, the notice must state a place at which copies of the direction or the amended direction (as the case may be) may be inspected and bought, and the price of the direction or amended direction (as the case may be).

(2) In an emergency, notice of the giving of a general direction or of any amendment or revocation of a general direction may be given in any manner the undertaker considers appropriate.

Special directions to vessels

63.—(1) The harbour master may give a special direction under this article—

(a) requiring any vessel anywhere within the harbour or the approaches to the harbour to comply with a requirement made in or under a general direction;

(b) regulating the time at which and the manner in which any vessel must enter into, go out of, or lie in or at the harbour;

(c) for securing that vessels move only at certain times or during certain periods;

(d) prohibiting the mooring of vessels in any particular part or parts of the harbour;

(e) regulating or requiring the movement, mooring or unmooring of a vessel; and

(f) regulating the manner in which within the harbour a vessel takes in or discharges (from ship to shore or shore to ship) personnel, cargo, fuel, water, ship's stores or ballast in the harbour.

(2) A special direction may be given in any manner considered by the harbour master to be appropriate.

(3) The harbour master may revoke or amend a special direction at any time.

Master's responsibility to be unaffected

64. The giving of a general direction under article 61 (General direction to vessels) or a special direction under article 63 (Special directions to vessels) does not diminish or in any other way affect the responsibility of the master of the vessel to which the direction is given in relation to that vessel, persons on board, its cargo or any other person or property.

Failure to comply with directions

65. The master of a vessel who fails without reasonable excuse to comply with a general direction issued under article 61 (General direction to vessels) or a special direction issued under article 63 (Special directions to vessels) is guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.

Enforcement of special directions

66.—(1) Without prejudice to any other remedy available to the undertaker, if a special direction issued under article 63 (Special directions to vessels) is not complied with within a reasonable time the harbour master may, where practicable, put persons on board the vessel to carry out the direction or may otherwise cause the vessel to be handled in accordance with the direction.

(2) If there is no one on board the vessel to comply with a special direction, the harbour master may proceed as if the direction had been given and not complied with; but the harbour master must not do so unless, after reasonable inquiry has been made, the master of the vessel cannot be found.

(3) Expenses incurred in the exercise of the powers conferred by this article are recoverable by the undertaker from the owner of the vessel as if they were a charge of the undertaker in respect of the vessel.

Boarding of vessels

67.—(1) Any duly authorised officer of the undertaker may, on producing if so required his authority, enter and inspect a vessel in the harbour limits—

(a) for the purposes of any enactment relating to the harbour authority or of any byelaw relating to the harbour authority or of any direction or byelaw of the harbour authority, including the enforcement thereof; or

(b) to prevent or extinguish fire,

but, except in an emergency, no entry must be made under this article without notice first having been given to the owner or the person appearing to have charge of the vessel; and the notice must have annexed to it a copy of this article.

Charges

68.—(1) The undertaker may levy charges for any services performed by it in the exercise and performance of its statutory powers and duties at the harbour.

(2) The undertaker may confer total or partial exemption from, allow rebates to or make compositions with any person with respect to, charges and may vary or extinguish any such exemption, rebate or composition.

(3) In this article "charges" means any charges other than ship, passenger and goods dues.

Use of Marine Off-Loading Facility

69. The undertaker may only use the Marine Off-Loading Facility for the purposes of, or in connection with, the construction, operation, maintenance and decommissioning of the authorised development.

Saving for Trinity House

70. Nothing in this Order prejudices or derogates from any of the rights, duties or privileges of Trinity House.

PART 7

MISCELLANEOUS AND GENERAL

Removal of human remains

71.—(1) In this article "the specified land" means the land within the Order Limits.

(2) Before the undertaker carries out any development or works within the Order Limits which will or may disturb any human remains in the specified land it must 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 must 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 must send a copy of the notice to the local 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 must, 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 is to 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 must remove the remains and as to the payment of the costs of the application.

(8) The undertaker must pay the reasonable expenses 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 must 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 must be re-interred in individual containers which must 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 must 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 is to 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) is to be sent by the undertaker to the local authority mentioned in paragraph (4).

(12) The removal of the remains of any deceased person under this article must 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 the district judge of the court.

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

Application of landlord and tenant law

72.—(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 is to prejudice 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;

(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.

(**a**) 1857 c.81.

Operational land for purposes of the 1990 Act

73. Development consent granted by this Order is to 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).

Felling or lopping of trees and removal of hedgerows

74.—(1) The undertaker may fell or lop any tree or shrub 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 or shrub from—

(a) 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) constituting a danger to persons using the authorised development.

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

(3) The undertaker may, for the purposes of the authorised development—

(a) subject to paragraph (2), remove any hedgerows within the Order Limits that may be required for the purposes of carrying out the authorised development; and

(b) only remove important hedgerows identified in Schedule 17 (Removal of important hedgerows) to the extent shown on the plans identified in Schedule 17.

(4) The power conferred by paragraph (3) removes any obligation upon the undertaker to secure any consent under the Hedgerow Regulations 1997(**a**) in undertaking works pursuant to sub-paragraph 3(a) or (b).

(5) Nothing in this article authorises any works to any tree subject to a Tree Preservation Order.

(6) 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 (determination of questions of disputed compensation).

(7) In this article, "hedgerow" and "important hedgerow" have the meaning given in the Hedgerow Regulations 1997.

Service of notices

75.—(1) A notice served for the purposes of this Order must be provided in English and Welsh.

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

(a) by post; or

(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 consent of the recipient and subject to paragraphs (6) to (9), by electronic transmission.

(3) 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.

(4) For the purposes of section 7 of the Interpretation Act 1978(**b**) (references to service by post) as it applies for the purposes of this article, the proper address of any person in relation to the

(**a**) S.I. 1997/1160, amended by section 73(2) of the Countryside and Rights of Way Act 2000 (c.37) S.I. 2003/2155, S.I. 2006/1177, S.I. 2009/1307, S.I. 2013/755 and S.I. 2015/377.

(**b**) 1978 c.30. There are amendments made to the Interpretation Act 1978 which are not relevant to this Order.

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.

(5) Where for the purposes of this Order a notice or other document is required or authorised to be served on a person as having an 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.

(6) Paragraphs (6) to (9) apply where a person ("A") is required or authorised to serve or send a notice or other document for the purposes of this Order on or to another person ("B").

(7) A may serve or sending the notice or other document by electronic transmission if—

(a) B has sent A notice that B agrees to receive that notice or document (or notices and documents of a description including that notice or document) by electronic transmission;

(b) B has not subsequently withdrawn that agreement in accordance with paragraph (8); and

(c) A complies with any conditions as to addressing or mode of transmission that B has specified in agreeing to receive notices or other documents by electronic transmission.

(8) If B notifies A within 7 days of receiving a notice or other document by electronic transmission that B requires a paper copy of all or any part of the notice or other document, A must provide B with such a copy as soon as reasonably practicable.

(9) B may withdraw agreement to receive a notice or document (or notices or documents of a specified description) by electronic transmission by sending a notice to that effect to A.

(10) Notice under paragraph (8) is final and takes effect on a date specified by B in the notice but that date must not be less than 7 days after the date on which the notice is given.

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

(12) In this article "electronic transmission" means a communication transmitted—

(a) by means of an electronic communications network; or

(b) by other means but while in electronic form.

Certification of plans, etc.

76.—(1) The undertaker must, as soon as practicable after the date on which this Order is made, submit to the Secretary of State copies of the documents and plans identified in Schedule 18 (Certified documents) of this Order for certification that they are true copies of the documents referred to in this Order.

(2) A plan or document identified in Schedule 18 so certified is admissible in any proceedings as evidence of the contents of the document of which it is a copy.

Arbitration

77.—(1) Any difference or dispute under any provision of this Order, unless otherwise provided for in this Order or unless otherwise agreed between the parties, is to 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.

(2) This article must not apply to the provisions of the 1847 Act incorporated in this Order by article 43 (Incorporation of the 1847 Act) or to Trinity House in the exercise of its statutory functions.

(3) This article is without prejudice to article 70 (Saving for Trinity House).

Procedure in relation to certain approvals etc.

78.—(1) Schedule 19 (Procedure for approvals, consents and appeals) is to have effect in relation to all consents, agreement or approvals granted, refused or withheld in relation to the Requirements unless otherwise agreed between the undertaker and the discharging authority.

(2) The procedure set out in paragraph (1) relating to the appeal process of Schedule 19 has effect in relation to any other consent, agreement or approval required under this Order (including the Requirements in Schedule 3 of 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.

Application, exclusion and modification of legislative provisions

79. Part 1 of Schedule 20 (Miscellaneous controls) 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

80. Part 2 of Schedule 20 (Miscellaneous controls) to this Order, which makes provision applying, modifying and excluding a legal legislation which relates to matters for which provision may be made by this Order, has effect.

Crown rights

81.—(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 lessee or licensee—

(a) to enter upon, use and carry out the authorised development on or in any manner interfere with any land or rights of whatsoever description—

(i) 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;

(ii) 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

(iii) 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; or

(b) to exercise any right under this Order compulsorily to acquire an interest in any land which is Crown land (as defined in the 2008 Act) which 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 the 2008 Act).

(2) A consent under paragraph (1) may be given unconditionally or subject to terms and conditions and will be deemed to have been given in writing where it is sent electronically.

Guarantees in respect of payment of compensation

82.—(1) The undertaker must not exercise the powers conferred by the provisions referred to in paragraph (3) in relation to any land within the Order Limits unless—

(a) the Secretary of State has approved in writing a sum of money to cover the liabilities of the undertaker to pay compensation under this Order in respect of the exercise of the relevant power in relation to that land; and

(b) the undertaker has put in place either—

(i) a guarantee for the sum of money that has been approved by the Secretary of State under sub-paragraph (1)(a) above; or

(ii) an alternative form of security for the sum of money that has been approved under sub-paragraph (1)(a) above.

(2) The undertaker must provide the Secretary of State with such information as he or she may reasonably require to enable the Secretary of State to determine the adequacy of the sum of money referred to in sub-paragraph (1)(a) above, such information to include—

(a) the interests in land affected; and

(b) the undertaker's assessment of the proper level of compensation and its justification for the same.

(3) The provisions are—

(a) article 25 (Compulsory acquisition of land);

(b) article 27 (Compulsory acquisition of rights);

(c) article 29 (Private rights);

(d) article 31 (Acquisition of subsoil only);

(e) article 32 (Acquisition of land limited to subsoil lying more than 9 metres beneath the surface);

(f) article 34 (Rights under or over streets);

(g) article 35 (Temporary use of land for carrying out the authorised development); and

(h) article 36 (Temporary use of land for maintaining the authorised development).

(4) A guarantee or alternative form of security given in respect of any liability of the undertaker to pay compensation under this Order is to be treated as enforceable against the guarantor or person providing the alternative form of security by any person to whom such compensation is payable and must be in such a form as to be capable of enforcement by such a person.

(5) Nothing in this article requires a guarantee or alternative form of security to be in place for more than 10 years after the date on which the relevant power is exercised.

(6) The undertaker is entitled to reduce amount of the guarantee or alternative form of security to be maintained under paragraph (5) where—

(a) the undertaker has made a payment of compensation under paragraph (4) to a claimant and provided evidence to the Secretary of State that such payment has been made; and

(b) the Secretary of State is satisfied that the reduced amount of the guarantee or alternative form of security proposed by the undertaker will cover the remaining liabilities to pay compensation under this Order in respect of the exercise of the powers in paragraph (3) over the remaining affected land and interests within the Order Limits.

Funding for implementation of the authorised development

83.—(1) Except for Work No. 12, the authorised development must not be commenced unless and until—

(a) the undertaker has provided the Secretary of State with written information to enable the Secretary of State to be satisfied that the authorised development is likely to be undertaken and will not be prevented due to difficulties in sourcing and securing the necessary funding; and

(b) the Secretary of State has given the undertaker written confirmation that the Secretary of State is satisfied that the authorised development is likely to be undertaken and will not be prevented due to difficulties in sourcing and securing the necessary funding.

(2) Work No. 12 must not be commenced unless and until—

(a) the undertaker has provided a guarantee or an alternative form of security, the amount to be approved by the Secretary of State, in respect of liabilities under the restoration

scheme approved under Requirement SPC13 in Schedule 3 (Requirements) of this Order; or

(b) the Secretary of State has given written confirmation under sub-paragraph (1)(b) above.

Control documents and schemes

84. Schedule 4 (Control documents and schemes) to this Order has effect for the purposes of the identified Requirements in Schedule 3 (Requirements) of this Order.

National Trust Land

85. No rights or powers under this Order may be exercised in respect of Plot 61 identified in the Book of Reference.

Marine enforcement authority

86. For the purposes of section 173 of the 2008 Act, the Welsh Ministers will be the relevant local planning authority in respect of land seaward of the mean low water springs.

Signatory text

Name
Address — Parliamentary Under Secretary of State
Date — Department

SCHEDULES

SCHEDULE 1

Article 3

AUTHORISED DEVELOPMENT

Wylfa Newydd DCO Project: In the County of Anglesey/Ynys Mon

A nationally significant infrastructure project as defined in sections 14 (Nationally significant infrastructure projects: general) and 15(2) (Generating stations) of the 2008 Act comprising the works described in column (1) of the table below. Associated development within the meaning of sections 115(2) (Development for which development consent may be granted) and 15(3A) of the 2008 Act including the works described in column (2) of the table below. All bracketed numbers following a building or structure in the work packages below are the unique numbers that are used in the Requirements in Schedule 3 (Requirements).

(1) Works comprising a Nationally Significant Infrastructure Project as defined in sections 14 and 15(2) of the 2008 Act	*(2) Works comprising associated development within the meaning of sections 115(2) and s15(3A) of the 2008 Act*
Work No.s 1 (comprising Works No.s 1A, 1B, 1C, 1D, 1E, 1F, 1G, 1H, 1I, 1J, 1K, 1L, 1M, 1N and 1O), 4 and 5. *These Works are marked with an asterisk in the description below*	Work No.s 2 (comprising Works No.s 2A, 2B, 2C and 2D), 3 (comprising Works No.s 3A and 3B), 6, 7, 8, 9 (comprising Works No.s 9A and 9B), 10 (comprising Work No.s 10A and 10B), 11, 12, 13, 14, 15 and 16.

In this Schedule, † indicates the buildings that are listed under multiple work packages; however, the construction of these buildings will only occur under one work package. The final location of these buildings will be determined in the detailed design stage. This applies to the buildings 1-208 (Gas Cylinder Storage House), 2-208 (Gas Cylinder Storage House) and 9-308 (Vehicle Inspection Bay).

Work No. 1*

An electricity generating station with up to 3,100MW of total installed generation capacity generated by two nuclear reactor units, comprising the following works—

Work No. 1A:* A twin unit nuclear reactor (nuclear reactor building comprising units 1 and 2), associated balance of plant, below ground services and ancillary buildings including—

- — Two Reactor Buildings (1-101 and 2-101);
- — Two Control Buildings (1-102 and 2-102);
- — Two Turbine Buildings (1-108 and 2-108);
- — Two Heat Exchanger Buildings (1-103 and 2-103);
- — One Radioactive Waste Building (0-104);
- — One Service Building (0-109);
- — Six Emergency Diesel Generator Buildings (1-110a, 1-110b, 1-110c, 2-110a, 2-110b and 2-110c);
- — Two Filter Vent Buildings (1-105 and 2-105);
- — Two Switchgear Buildings (1-253 and 2-253);
- — Two sets of Cooling Towers (1-519 and 2-519);

— Two joined Back-up Buildings (1-107 and 2-107);
— Two Seal Pits (1-413 and 2-413);
— Two Ball Strainer Pits (1-419 and 2-419);
— Transformers (1-506 a-d, 2-506 a-d, 1-518, 2-518, 1-520, 2-520, 1-521, 2-521, 1-522, 2-522);
— Stacks (S1 – S12);
— Two Security Gatehouses (9-304 and 9-305);
— One Maintenance Facility (0-226);
— One Nitrogen Gas Supply Facility (0-507);
— Water Storage Tanks (0-239, 1-505, 2-505, 1-515 a-k and 2-515 a-k);
— Oil Storage Tanks (1-502 and 2-502);
— Two Discharge Water Sampling Buildings (1-210 and 2-210);
— Two Gas Cylinder Storage Houses (1-208† and 2-208†); and
— Cooling water service tunnels and culverts.

Work No. 1B:* Common power station (facilities to support units 1 and 2) buildings, associated balance of plant, below ground services and ancillary buildings including—

— One Auxiliary Boiler Building (0-218);
— Two Firewater Pump Houses (0-207a and 0-207b);
— One Domestic Water Pump House (0-255);
— One Make-up Water Treatment Plant (0-219);
— Water Storage Tanks (0-504a, 0-504b, 0-510a and 0-510b);
— Oil Storage Tank (0-513);
— One Lower Activity Waste Management Facility (9-246);
— One Conventional and Hazardous Waste Building (9-222);
— One Weighbridge (9-718) and associated gate post monitors;
— Stacks (S14 – S17); and
— Cooling water service tunnels and culverts.

Work No. 1C:* Support facilities, associated balance of plant, below ground services and ancillary buildings including—

— One Administration Building (9-220);
— Two Garages for Mobile Emergency Vehicles (0-204a and 0-204b);
— One Emergency Response Centre (9-242);
— One Gatehouse (9-306);
— One Main Outer Gate (9-306a);
— One Auxiliary Standby Generator Building (9-256);
— One Fuelling Station (9-206);
— One Cask Transporter Garage (9-248);
— Two Gas Cylinder Storage Houses (1-208† and 2-208†); and
— Stack (S13).

Work No. 1D:* Spent fuel and radioactive waste storage facilities, associated plant, below ground services and ancillary buildings including—

— One Intermediate Level Waste Storage Facility (9-202);
— One Spent Fuel Storage Facility (9-201);

Work No. 1E:* Marine Preparatory works, including—

— temporary access ramp; and

— dredging of superficial material and rock.

Work No. 1F:* Two breakwaters in Porth-y-Pistyll and a bulk MOLF, with associated below ground services including—

— the eastern breakwater;

— the western breakwater;

— temporary causeway and cofferdams;

— roll-on/roll-off MOLF;

— bulk MOLF comprising berthing platforms and mooring dolphins;

— temporary pontoon;

— lay-by berth;

— associated maritime navigation lights and markers; and

— related preparatory works including dredging and excavation of Porth-y-Pistyll for the intake channel and navigation to the MOLF, dredging and excavation for berthing pockets adjacent to the bulk MOLF; dredging and excavation of superficial deposits and rock; land reclamation, shore protection, temporary barge berth and associated works.

Work No. 1G:* A cooling water intake system, associated plant, below ground services ancillary buildings including—

— Works inland of the MHWS—

- One combined Intake Water Structure (1-411 and 2-411);
- Two Intake Screen Structures for Auxiliary Service Water System, comprising 2 sets of joined buildings (1-404a and 1-404b, 2-404a and 2-404b);
- Intake Tunnels; and
- Biocide Plant (0-237); and

— Works seaward of the MHWS—

- One combined Intake Water Structure (1-411 and 2-411) and associated intake channel;
- Two Intake Screen Structures for Auxiliary Service Water System, comprising 2 sets of joined buildings (1-404a and 1-404b, 2-404a and 2-404b); and
- One Intake Skimmer Wall (0-428).

Work No. 1H:* Cooling water outfall system, associated plant, below ground services, ancillary buildings including—

— Works inland of the MHWS—

- Outfall Facility (0-416); and
- Discharge tunnels; and

— Works seaward of the MHWS—

- Outfall Facility (0-416); and
- Temporary cofferdams.

Work No. 1I:* A Simulator and Training Building (9-904), car park area with a capacity of up to a maximum of 200 permanent spaces (9-709c), associated balance of plant and below ground services.

Work No. 1J:* A new access road and roundabout connecting to the A5025, associated laying, replacement and diversions of apparatus and associated works.

Work No. 1K:* A Vehicle Inspection Bay (9-308†), Plant Logistics Warehouse (9-254) and 2 Cylinder Storage Houses (1-208), associated balance of plant and below ground services.

Work No. 1L:* Other required buildings, structures and development on the Wylfa Newydd Development Area, including—

- Search Building Main Entrance (9-310);
- Car park area with a capacity of up to a maximum of 500 permanent spaces and 200 temporary spaces (9-709a);
- Vehicle Inspection Bay (9-308†);
- Two Gas Cylinder Storage Houses (1-208† and 2-208†);
- Connection to new site access roads and associated balance of plant; and
- Below ground services.

Work No. 1M:* Other required buildings, structures and development in the Wylfa Newydd Development Area, including—

- Outage Building (9-240);
- Two Gas Cylinder Storage Houses (1-208† and 2-208†);
- Secondary Gatehouse for Outer Fence (9-307);
- Search Building Secondary Entrance (9-311);
- Secondary Outer Gate (307a);
- Foul Water Pumping Station (9-724);
- Associated balance of plant and temporary buildings to support outages; and
- Below ground services.

Work No. 1N:* Other required buildings, structures and development in the Wylfa Newydd Development Area, including—

- Car park area with a capacity of up to a maximum of 800 temporary spaces (9-709b);
- Connection to new site access roads and associated balance of plant; and
- Below ground services.

Work No. 1O:* New site access roads, associated balance of plant and below ground services.

Work No. 2

Work No. 2A: Earthworks within the Wylfa Newydd Development Area to establish Landscape Mound A.

Work No. 2B: Earthworks within the Wylfa Newydd Development Area to establish Landscape Mounds B and C.

Work No. 2C: Earthworks within the Wylfa Newydd Development Area to establish Landscape Mound D.

Work No. 2D: Earthworks within the Wylfa Newydd Development Area to establish Landscape Mound E.

Work No. 3

Work No. 3A: A temporary Site Campus comprising the following works—

- workers, accommodation buildings, amenity building and associated ancillary structures and plant (including substations) and below ground services;
- internal access roads, hard standing and vehicle, motorcycle and bicycle parking areas;
- provision of surface water and foul water drainage systems and utility services;

— provision of fencing, landscaping works, including open space and multi-use games areas, and external lighting and security works; and

— site restoration, final landscaping, reinstatement of access to Fisherman's Car Park and footpaths.

Work No. 3B: A Site Campus Access Road from the existing Magnox site access road to the Site Campus.

Work No. 4*

Electrical connections from Transformer 1-506a and Transformer 2-506a to the existing 400kV National Grid substation and associated buildings, structures, plant and apparatus.

Work No. 5*

Off-Site Power Station Facilities at Llanfaethlu comprising the following works—

— the Mobile Emergency Equipment Garage and Alternative Emergency Control Centre;

— the Environmental Survey Laboratory;

— storage facilities for temporary buildings;

— provision of site access from the A5025;

— landscaping, drainage ditches and fencing; and

— all associated structures and plant (including a substation and fuel storage) and below ground services.

Work No. 6

A temporary Park and Ride facility at Dalar Hir comprising the following works—

— construction of bus terminal building, security buildings, bus waiting structures and stops, and associated temporary structures and plant;

— provision of surface water, storm water and foul water drainage systems (including a package treatment plant and underground storage); utility services; fencing and landscaping;

— improvements to existing highway;

— provision of an access road off the existing roundabout, internal roads, car parking areas and site egress; and

— site restoration and final landscaping.

Work No. 7

A temporary Logistics Centre at Parc Cybi comprising the following works—

— construction of temporary office/welfare and security buildings, associated temporary structures and plant;

— heavy vehicle parking areas, car parking and hard standing areas;

— provision of surface and foul water drainage systems, utility services, external lighting and fencing, security works and landscaping; and

— provision of site access from the Parc Cybi main access road.

Work No. 8

A5025 Off-Line Highway Improvement Works at Valley (Section 1) comprising a new four-arm roundabout and 1.06km bypass connecting the A5 with the A5025 to the east of the existing A5/A5025 signalised junction.

Work No. 9

A5025 Off-Line Highway Improvement Works at Llanfachraeth (Section 3) comprising—

- Work No. 9A: A new 2.28km highway, including an elevated viaduct and associated underpass, to provide a bypass to the east of Llanfachraeth village; and
- Work No. 9B: An overbridge to accommodate existing side roads.

Work No. 10

A5025 Off-Line Highway Improvement Works at Llanfaethlu (Section 5) comprising—

- Work No. 10A: A new 1.43km bypass; and
- Work No. 10B: An associated underpass.

Work No. 11

A5025 Off-Line Highway Improvement Works at Cefn Coch (Section 7) comprising a new 1.3km bypass and associated underpass and overbridge.

Work No. 12

Site preparation and clearance works, including—

- site clearance (including vegetation clearance, management and wildlife relocation, removal of fencing, walls, gates, field boundaries, existing structures (including buildings), and other above ground features);
- site establishment works (including installation of a new crossing of the existing Magnox power station access road, fencing, formalisation of existing vehicular crossing points and vehicular routing, and provision of temporary footpath links and fuel and material storage compounds);
- ground improvement works (including establishment of a remediation processing compound and associated fencing, storage of treated/processed material, establishment of associated access tracks, drainage, excavation and treatment of soils likely to be contaminated, and treatment and removal of invasive non-native species);
- temporary diversion and/or closure of Cemlyn Road with controlled access to Ty Croes (Fisherman's Car Park); and
- other associated works,

except that no Work No. 12 may be undertaken within the Kitchen Garden.

Work No. 13

Landscaping and drainage works at the Ecological Compensation Site at Cors Gwawr, comprising—

- vegetation clearance, soil strip and landscaping;
- drainage works; and
- planting.

Work No. 14

Landscaping and drainage works at the Ecological Compensation Site at Cae Canol-dydd, comprising—

- vegetation clearance, soil strip and landscaping;
- drainage works; and
- planting.

Work No. 15

Landscaping and drainage works at the Ecological Compensation Site at Tŷ Du, comprising—

— vegetation clearance, soil strip and landscaping;

— drainage works;

— planting.

Work No. 16

Diversion and realignment of a tributary (Nant Porth-y-Pistyll) to the Afon Cafnan with associated landscaping works.

Other associated development

And in connection with Work No.s 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, 14, 15 and 16 (unless otherwise indicated), to the extent that they do not otherwise form part of any such work, the following further works in connection with the construction, operation and maintenance of the authorised development within the Order Limits, being associated development within the meaning of section 115(2) of the 2008 Act (Development for which development consent may be granted)—

— earthworks and excavations (including tunnelling, soil stripping and storage, site levelling, vegetation clearance, spoil screening/storage for re-use on site and remediation); provision of spoil retaining structures, bunds and ground terracing to formation levels; and site ground preparation works including land remediation, vegetation clearance and groundwater de-watering;

— provision, protection, diversion and relocation of surface drainage systems (including swales, ditches, culverts, outfalls, ponds and water treatment and pumping); foul water drainage systems (including pipework, sewage treatment plant, pumps and outfalls); utilities, including electricity, telecommunications, water and power supplies (including substations, switchgear and transformers); cables, pipes, shafts, trenches and tunnels; and associated protective works for such infrastructure (including footbridges, barriers and grates);

— construction and provision of building compounds, external building plant and equipment, stacks and chimneys, access structures (including ladders, stairs and platforms) aerials and communication plant and equipment;

— works to create temporary or permanent landscaping (including temporary mounds); drainage and flood compensation (including flood attenuation works); finished ground levels; means of enclosure; and reinstatement/replacement of, or construction of, boundary walls and security fences (including gates and retaining walls);

— establishment of temporary construction areas and compounds at each Works site to include, as necessary—

- demolition and site clearance (including of existing buildings, vegetation, walls, fences, planters, and other above and below ground structures);
- site hoardings (including perimeter enclosures and security fencing) and provision of construction and traffic signage and notices;
- temporary vehicle parking;
- formation of construction vehicle access routes and provision of temporary gated or other site access routes and other works to streets;
- construction-related buildings, structures, facilities (including storage and manufacturing warehouse and temporary structures), plant, equipment, cranes, machinery (including concrete batching, concrete silos and construction bridges) and temporary bridges and access routes (including internal haulage routes); and

- provision of construction services and utilities, including electricity, telecommunications, water and power supplies (including substations) including means of enclosure, and construction lighting;

— provision of permanent and temporary hard-standing areas; welfare/office accommodation, workshops and stores; structures and plant; security kiosks, gates and barriers; vehicle and bicycle parking areas; vehicular and pedestrian access routes and internal roads; storage and handling areas; signage; CCTV poles and mountings; lighting poles and fittings; facilities and equipment for processing of excavated and construction materials; treatment enclosures; and any other temporary and permanent works required;

— in connection with the Marine Works, the following additional works—

- the provision of temporary moorings, berths and piers (including dolphins), other equipment and facilities, pontoons and other floating structures and temporary works platforms and apparatus (including as necessary piling for support of such structures) for use by vessels in construction and maintenance of the authorised development;
- dredging;
- shore protection works;
- temporary access ramps and slipways;
- temporary causeway and haul roads;
- provision of fish recovery and return outfall and acoustic fish deterrent systems;
- the provision of buoys, beacons, fenders and other navigational warning or ship impact protection works;

— in connection with Work No. 2, provision of new footpaths; walls and fencing; planting; and ecology ponds;

— in connection with Work No.s 3A, 5, 6 and 7 the following additional works—

- demolition/removal of temporary buildings, amenity buildings; hard-standing, parking areas; associated structures and plant; and associated post-operation phase work;
- perimeter and internal fencing (including ecological fencing where necessary); pedestrian/footpath connections; and signage; secured entrances, gates and barriers;

— in connection with Work No.s 1J, 6, 7, 8, 9, 10 and 11 the following additional works—

- alteration of layout of a street including widening the carriageway of a street, altering the level of any kerb footway, cycleway or verge within a street and surface treatments;
- relocation and provision of street lighting;
- works to place, alter, remove or maintain street furniture, transport infrastructure and apparatus, including the provision of temporary bus lay-bys;
- relocation and provision of road traffic signs and markings; and
- diversions or modifications (both temporary and permanent) of existing vehicle and pedestrian access routes (including footpaths and cycleways) and subsequent reinstatement of existing routes, and works to create permissive rights of way;

— works to trees, hedges and shrubs;

— habitat creation and management;

— permanent and temporary works for the benefit or protection of land or structures affected by the authorised development (including diversion or provision of utilities apparatus, private means of access and protective, survey and monitoring works to land, buildings and other structures);

— such other works as may be necessary or expedient for the purposes of or in connection with the construction, operation and maintenance of the authorised development which do not give rise to any materially new or materially different environmental effects from

those assessed as set out in the Environmental Statement, except that this paragraph will not apply to Work No.s 3, 6 and 7 once the decommissioning or restoration of those Works has commenced.

SCHEDULE 2

Article 2

APPROVED PLANS

PART 1

ORDER LIMITS PLANS

Drawing Number	*Rev*	*Drawing Title*	*Scale*	*Paper size*
Wylfa Newydd Development Area – Work No.s 1, 2, 3, 4, 12 and 16				
WN0902-HZDCO-RLB-DRG-00002	1.0	Wylfa Newydd Development Area, Order Limits, Sheet 1	1:2500	A0
WN0902-HZDCO-RLB-DRG-00003	1.0	Wylfa Newydd Development Area, Order Limits, Sheet 2	1:2500	A0
WN0902-HZDCO-RLB-DRG-00004	1.0	Wylfa Newydd Development Area, Order Limits, Sheet 3	1:2500	A0
WN0902-HZDCO-RLB-DRG-00005	1.0	Wylfa Newydd Development Area, Order Limits, Sheet 4	1:2500	A0
WN0902-HZDCO-RLB-DRG-00006	1.0	Wylfa Newydd Development Area, Order Limits, Sheet 5	1:2500	A0
A5025 Off-Line Highway Improvement Works – Work No.s 8, 9 and 11				
WN0902-HZDCO-RLB-DRG-00007	1.0	A5025 Off-line Highways Improvements, Section 1 - Valley, Order Limits	1:2500	A0
WN0902-HZDCO-RLB-DRG-00008	1.0	A5025 Off-line Highways Improvements, Section 3 - Llanfachraeth, Order Limits	1:2500	A0
WN0902-HZDCO-RLB-DRG-00011	1.0	A5025 Off-line Highways Improvements, Section 7 - Cefn Coch, Order Limits	1:2500	A0
Dalar Hir Park and Ride Facility – Work No. 6				
WN0902-HZDCO-RLB-DRG-00012	1.0	Park and Ride - Dalar Hir, Order Limits	1:1250	A0
Parc Cybi Logistics Centre – Work No. 7				
WN0902-HZDCO-RLB-DRG-00013	1.0	Logistics Centre - Parc Cybi, Order Limits	1:1250	A0
Ecological Compensation Sites – Work No.s 13, 14 and 15				
WN0902-HZDCO-RLB-DRG-00016	1.0	Ecological Compensation Site, Cors Gwawr, Order Limits	1:1250	A0
WN0902-HZDCO-RLB-DRG-00017	1.0	Ecological Compensation Site, Cae Canol-Dydd, Order Limits	1:1250	A0
WN0902-HZDCO-RLB-DRG-00018	1.0	Ecological Compensation Site, Ty Du, Order Limits	1:1250	A0
A5025 Off-Line Highway Improvement Works (Section 5 - Llanfaethlu) and Off-Site Power Station Facilities – Work No.s 5 and 10				
WN0902-HZDCO-RLB-DRG-00019	1.0	A5025 Off-line Highway Improvements, Section 5 and Off-Site Power, Station Facilities - Llanfaethlu, Order Limits	1:2500	A0

PART 2

WORK PLANS

Drawing Number	*Rev*	*Drawing Title*	*Scale*	*Paper size*
Wylfa Newydd Development Area – Work No.s 1, 2, 3, 4, 12 and 16				
WN0902-HZDCO-WPN-DRG-00001	3.0	Wylfa Newydd Development Area, Works Plan, Sheet 1	1:2500	A0
WN0902-HZDCO-WPN-DRG-00002	3.0	Wylfa Newydd Development Area, Works Plan, Sheet 2	1:2500	A0
WN0902-HZDCO-WPN-DRG-00003	3.0	Wylfa Newydd Development Area, Works Plan, Sheet 3	1:2500	A0
WN0902-HZDCO-WPN-DRG-00004	3.0	Wylfa Newydd Development Area, Works Plan, Sheet 4	1:2500	A0
WN0902-HZDCO-WPN-DRG-00005	3.0	Wylfa Newydd Development Area, Works Plan, Sheet 5	1:2500	A0
A5025 Off-Line Highway Improvement Works – Work No.s 8, 9, 10 and 11				
WN0902-HZDCO-WPN-DRG-00006	3.0	A5025 Off-line Highway Improvements, Section 1 - Valley, Works Plan	1:1000	A0
WN0902-HZDCO-WPN-DRG-00007	3.0	A5025 Off-line Highway Improvements, Section 3 - Llanfachraeth, Works Plan	1:1250	A0
WN0902-HZDCO-WPN-DRG-00008	3.0	A5025 Off-line Highway Improvements, Section 5 - Llanfaethlu, Works Plan	1:1250	A0
WN0902-HZDCO-WPN-DRG-00010	3.0	A5025 Off-line Highway Improvements, Section 7 - Cefn Coch, Works Plan	1:1250	A0
Off-Site Power Station Facilities – Work No. 5				
WN0902-HZDCO-WPN-DRG-00009	3.0	Off-Site Power Station Facilities - Llanfaethlu, Works Plan	1:1250	A0
Dalar Hir Park and Ride Facility – Work No. 6				
WN0902-HZDCO-WPN-DRG-00011	3.0	Park and Ride - Dalar Hir, Works Plan	1:1250	A0
Parc Cybi Logistics Centre – Work No. 7				
WN0902-HZDCO-WPN-DRG-00012	3.0	Logistics Centre - Parc Cybi, Works Plan	1:1250	A0
Ecological Compensation Sites – Work No.s 13, 14 and 15				
WN0902- HZDCO-WPN-DRG-00018	3.0	Ecological Compensation Site, Cors Gwawr, Works Plan	1:1250	A0
WN0902- HZDCO-WPN-DRG-00019	3.0	Ecological Compensation Site, Cae Canol-Dydd, Works Plan	1:1250	A0
WN0902- HZDCO-WPN-DRG-00020	3.0	Ecological Compensation Site, Ty Du, Works Plan	1:1250	A0

PART 3

LAND PLANS

Drawing Number	*Rev*	*Drawing Title*	*Scale*	*Paper size*
Wylfa Newydd Development Area – Work No.s 1, 2, 3, 4, 12 and 16				
WN0902-HZDCO-LPN-DRG-00002	5.0	Wylfa Newydd Development Area, Land Plan, Sheet 1	As shown	A0
WN0902-HZDCO-LPN-DRG-00003	5.0	Wylfa Newydd Development Area, Land Plan, Sheet 2	As shown	A0
WN0902-HZDCO-LPN-DRG-00004	5.0	Wylfa Newydd Development Area, Land Plan, Sheet 3	1:2500	A0
WN0902-HZDCO-LPN-DRG-00005	5.0	Wylfa Newydd Development Area, Land Plan, Sheet 4	As shown	A0
WN0902-HZDCO-LPN-DRG-00006	5.0	Wylfa Newydd Development Area, Land Plan, Sheet 5	1:2500	A0
A5025 Off-Line Highway Improvement Works – Work No.s 8, 9 and 11				
WN0902-HZDCO-LPN-DRG-00007	5.0	A5025 Off-line Highway Improvements, Section 1 - Valley, Land Plan	As shown	A0
WN0902-HZDCO-LPN-DRG-00008	5.0	A5025 Off-line Highway Improvements, Section 3 - Llanfachraeth, Land Plan	As shown	A0
WN0902-HZDCO-LPN-DRG-00011	5.0	A5025 Off-line Highway Improvements, Section 7 - Cefn Coch, Land Plan	As shown	A0
Dalar Hir Park and Ride Facility – Work No. 6				
WN0902-HZDCO-LPN-DRG-00012	5.0	Park and Ride – Dalar Hir, Land Plan	As shown	A0
Parc Cybi Logistics Centre – Work No. 7				
WN0902-HZDCO-LPN-DRG-00013	5.0	Logistics Centre – Parc Cybi, Land Plan	As shown	A0
Crown and Special Category Land				
WN0902-HZDCO-LPN-DRG-00014	5.0	Wylfa Newydd Development Area, Crown Land Plan	1:2500	A0
WN0902-HZDCO-LPN-DRG-00015	5.0	Wylfa Newydd Development Area, Special Category Land Plan	1:2500	A0
Ecological Compensation Sites – Works No.s 13, 14 and 15				
WN0902-HZDCO-LPN-DRG-00016	5.0	Ecological Compensation Site, Cors Gwawr, Land Plan	1:1250	A0
WN0902-HZDCO-LPN-DRG-00017	5.0	Ecological Compensation Site, Cae Canol-Dydd, Land Plan	1:1250	A0
WN0902-HZDCO-LPN-DRG-00018	5.0	Ecological Compensation Site, Ty Du, Land Plan	1:1250	A0
A5025 Off-Line Highway Improvement Works (Section 5 - Llanfaethlu) and Off-Site Power Station Facilities – Work No.s 5 and 10				
WN0902-HZDCO-LPN-DRG-00019	5.0	A5025 Off-line Highway Improvements, Section 5 and Off-Site Power, Station Facilities - Llanfaethlu, Land Plan	As shown	A0

PART 4

PARAMETER PLANS

Drawing Number	*Rev*	*Drawing Title*	*Scale*	*Paper size*
Wylfa Newydd Development Area – Work No.s 1 and 3				
WN0902-HZDCO-MSP-DRG-00002	4.0	Wylfa Newydd Development Area, Power Station Site, Parameter Plan	1:2500	A1
WN0902-HZDCO-MSP-DRG-00008	4.0	Wylfa Newydd Development Area, Power Station Site, Construction Parameter Plan	1:5000	A0
WN0902-HZDCO-SCA-DRG-00001	2.0	Wylfa Newydd Development Area, Site Campus, Parameter Plan	1:1250	A1
WN0902-HZDCO-MRN-DRG-00001	1.0	Wylfa Newydd Development Area, Marine Works, Parameter Plan, Permanent Works	1:2000	A1
WN0902-HZDCO-MRN-DRG-00002	1.0	Wylfa Newydd Development Area, Marine Works, Parameter Plan, Temporary Works	1:2000	A1
WN0902-HZDCO-MRN-DRG-00003	1.0	Wylfa Newydd Development Area, Marine Works, Parameter Plan, Dredging	1:2000	A1
Off-Site Power Station Facilities – Work No. 5				
WN0902-HZDCO-ADV-DRG-00001	1.0	Off-Site Power Station Facilities, - Llanfaethlu, Parameter Plan	1:500	A1
Dalar Hir Park and Ride Facility – Work No. 6				
WN0902-HZDCO-ADV-DRG-00032	4.0	Park and Ride – Dalar Hir, Parameter Plan	As shown	A1
Parc Cybi Logistics Centre – Work No. 7				
WN0902-HZDCO-ADV-DRG-00014	2.0	Logistics Centre - Parc Cybi, Parameter Plan	1:500	A1

PART 5

RIGHTS OF WAY PLANS

Drawing Number	*Rev*	*Drawing Title*	*Scale*	*Paper size*
Wylfa Newydd Development Area – Work No.s 1, 2, 3, 4, 12 and 16				
WN0902-HZDCO-ROW-DRG-00014	4.0	Wylfa Newydd Development Area, Rights of Way, Extinguishment and Stopping Up, For Construction - Sheet 1	1:2500	A0
WN0902-HZDCO-ROW-DRG-00015	4.0	Wylfa Newydd Development Area, Rights of Way, Extinguishment and Stopping Up, For Construction - Sheet 2	1:2500	A0
WN0902-HZDCO-ROW-DRG-00016	4.0	Wylfa Newydd Development Area, Rights of Way, Extinguishment and Stopping Up, For Construction - Sheet 3	1:2500	A0
WN0902-HZDCO-ROW-DRG-00017	4.0	Wylfa Newydd Development Area, Rights of Way, Extinguishment and Stopping Up, For Construction - Sheet 4	1:2500	A0
WN0902-HZDCO-ROW-DRG-00018	4.0	Wylfa Newydd Development Area, Rights of Way, Extinguishment and Stopping Up, For Construction - Sheet 5	1:2500	A0
WN0902-HZDCO-ROW-DRG-00019	4.0	Wylfa Newydd Development Area, Rights of Way, During Construction - Sheet 1	1:2500	A0
WN0902-HZDCO-ROW-DRG-00020	4.0	Wylfa Newydd Development Area, Rights of Way, During Construction - Sheet 2	1:2500	A0
WN0902-HZDCO-ROW-DRG-00021	4.0	Wylfa Newydd Development Area, Rights of Way, During Construction - Sheet 3	1:2500	A0
WN0902-HZDCO-ROW-DRG-00022	4.0	Wylfa Newydd Development Area, Rights of Way, During Construction - Sheet 4	1:2500	A0
WN0902-HZDCO-ROW-DRG-00023	4.0	Wylfa Newydd Development Area, Rights of Way, During Construction - Sheet 5	1:2500	A0
Wylfa Newydd Development Area (Power Station Access Junction) – Work No. 1J				
WN0902-HZDCO-ROW-DRG-00030	4.0	A5025 Off-line Highway Improvements, Section 9 Power Station Access Road Junction (Work No. 1J), Rights of Way	1:1000	A1
A5025 Off-Line Highway Improvement Works (Section 1 – Valley) – Work No.s 8, 9, 10 and 11				
WN0902-HZDCO-ROW-DRG-00007	4.0	A5025 Off-line Highway Improvements, Section 1 - Valley, Rights of Way	As shown	A1
WN0902-HZDCO-ROW-DRG-00008	4.0	A5025 Off-line Highway Improvements, Section 3 - Llanfachraeth, Rights of Way, Sheet 1	1:2500	A1
WN0902-HZDCO-ROW-DRG-00009	4.0	A5025 Off-line Highway Improvements, Section 3 - Llanfachraeth, Rights of Way, Sheet 2	As shown	A1
WN0902-HZDCO-ROW-DRG-00011	4.0	A5025 Off-line Highway Improvements, Section 5 - Llanfaethlu, Rights of Way	As shown	A1
WN0902-HZDCO-ROW-DRG-00029	4.0	A5025 Off-line Highway Improvements, Section 7 - Cefn Coch, Rights of Way	As shown	A1
Off-Site Power Station Facilities – Work No. 5				
WN0902-HZDCO-ROW-DRG-00010	4.0	Off-Site Power Station Facilities, Rights of Way	1:500	A1

Drawing Number	*Rev*	*Drawing Title*	*Scale*	*Paper size*
Dalar Hir Park and Ride Facility – Work No. 6				
WN0902-HZDCO-ROW-DRG-00012	4.0	Park and Ride - Dalar Hir, Rights of Way	As shown	A0
Parc Cybi Logistics Centre – Work No. 7				
WN0902-HZDCO-ROW-DRG-00013	4.0	Logistics Centre - Parc Cybi, Rights of Way	1:1000	A1
Ecological Compensation Sites – Work No.s 13, 14 and 15				
WN0902-HZDCO-ROW-DRG-00031	4.0	Ecological Compensation Site, Cors Gwawr, Rights of Way, Stopped Up or Diverted	1:1250	A0
WN0902-HZDCO-ROW-DRG-00032	4.0	Ecological Compensation Site, Cae Canol Dydd, Rights of Way, Stopped Up or Diverted	1:1250	A0
WN0902HZDCO-ROW-DRG-00033	4.0	Ecological Compensation Site, Ty Du, Rights of Way, Stopped Up or Diverted	1:1250	A0

PART 6

DETAILED DESIGN DRAWINGS

Drawing Number	*Rev*	*Drawing Title*	*Scale*	*Paper size*
Wylfa Newydd Development Area – Work No.s 1, 2, 3 and 4				
WN0902-HZDCO-LFM-DRG-00031	4.0	Wylfa Newydd Development Area, Landscaping Retention Plan, Sheet 1	As shown	A0
WN0902-HZDCO-LFM-DRG-00032	4.0	Wylfa Newydd Development Area, Landscaping Retention Plan, Sheet 2	1:2500	A0
WN0902-HZDCO-LFM-DRG-00033	4.0	Wylfa Newydd Development Area, Landscaping Retention Plan, Sheet 3	1:2500	A0
WN0902-HZDCO-LFM-DRG-00034	4.0	Wylfa Newydd Development Area, Landscaping Retention Plan, Sheet 4	1:2500	A0
WN0902-HZDCO-LFM-DRG-00035	4.0	Wylfa Newydd Development Area, Landscaping Retention Plan, Sheet 5	1:2500	A0
WN0902-HZDCO-LFM-DRG-00037	4.0	Wylfa Newydd Development Area, Important Hedgerow Removal, Sheet 1	As shown	A0
WN0902-HZDCO-LFM-DRG-00038	4.0	Wylfa Newydd Development Area, Important Hedgerow Removal, Sheet 2	1:2500	A0
WN0902-HZDCO-LFM-DRG-00039	4.0	Wylfa Newydd Development Area, Important Hedgerow Removal, Sheet 3	1:2500	A0
WN0902-HZDCO-LFM-DRG-00040	4.0	Wylfa Newydd Development Area, Important Hedgerow Removal, Sheet 4	1:2500	A0
WN0902-HZDCO-LFM-DRG-00041	4.0	Wylfa Newydd Development Area, Important Hedgerow Removal, Sheet 5	1:2500	A0
Wylfa Newydd Development Area (Power Station Access Junction) – Work No. 1J				
WN0902-HZDCO-OHW-DRG-00063	4.0	A5025 Off-line Highway Improvements Section 9 – Power Station Access Road Junction (Work No. 1J), Proposed General Arrangement	As Shown	A1
WN0902-HZDCO-OHW-DRG-00064	4.0	A5025 Off-line Highway Improvements Section 9 - Power Station Access Road Junction (Work No. 1J), Proposed Site Clearance Plan	1:1000	A1
WN0902-HZDCO-OHW-DRG-00065	4.0	A5025 Off-line Highway Improvements Section 9 - Power Station Access Road Junction (Work No. 1J), Proposed Drainage Plan	As Shown	A1
WN0902-HZDCO-OHW-DRG-00066	4.0	A5025 Off-line Highway Improvements Section 9 - Power Station Access Road Junction (Work No. 1J), Proposed Cross Section 9A-A & 9B-B	1:100	A1
WN0902-HZDCO-OHW-DRG-00067	4.0	A5025 Off-line Highway Improvements Section 9 - Power Station Access Road Junction (Work No. 1J), Proposed Cross Section 9C-C	1:100	A1
Parc Cybi Logistics Centre – Work No. 7				
WN0902-HZDCO-ADV-DRG-00016	2.0	Logistics Centre - Parc Cybi, General Arrangement and Finished Levels	As Shown	A1

Drawing Number	*Rev*	*Drawing Title*	*Scale*	*Paper size*
WN0902-HZDCO-ADV-DRG-00017	2.0	Logistics Centre - Parc Cybi, Proposed Highways General Arrangement Plan	As Shown	A1
WN0902-HZDCO-ADV-DRG-00019	2.0	Logistics Centre - Parc Cybi, Proposed Surface Water and Foul Water Drainage Plan	1:500	A1
WN0902-HZDCO-ADV-DRG-00020	2.0	Logistics Centre - Parc Cybi, Site Utilities and Proposed Connections to Existing Statutory Undertakers	1:500	A1
WN0902-HZDCO-ADV-DRG-00022	2.0	Logistics Centre - Parc Cybi, Existing and Proposed Site Cross Sections	1:500	A1
WN0902-HZDCO-ADV-DRG-00023	2.0	Logistics Centre - Parc Cybi - Office/Welfare Building, Plans and Sections	1:100	A1
WN0902-HZDCO-ADV-DRG-00024	2.0	Logistics Centre - Parc Cybi – Office/Welfare Building, Elevations	1:100	A1
WN0902-HZDCO-ADV-DRG-00025	2.0	Logistics Centre - Parc Cybi - Miscellaneous Buildings and Structures, Plans and Elevations	As shown	A1
WN0902-HZDCO-ADV-DRG-00029	2.0	Logistics Centre - Parc Cybi, Clearance and Demolition Plan	1:500	A1
Dalar Hir Park and Ride Facility – Work No. 6				
WN0902-HZDCO-ADV-DRG-00033	4.0	Park and Ride - Dalar Hir, Site Layout Plan	As shown	A1
WN0902-HZDCO-ADV-DRG-00034	4.0	Park and Ride - Dalar Hir, Clearance and Demolition Plan	1:1250	A1
WN0902-HZDCO-ADV-DRG-00035	4.0	Park and Ride - Dalar Hir, Proposed Landscape Masterplan and Finished Levels	1:1250	A1
WN0902-HZDCO-ADV-DRG-00036	4.0	Park and Ride - Dalar Hir, Proposed Highways General Arrangement Plan	1:1250	A1
WN0902-HZDCO-ADV-DRG-00038	4.0	Park and Ride - Dalar Hir, Proposed Surface Water and Foul Water Drainage Plan	1:1250	A0
WN0902-HZDCO-ADV-DRG-00039	4.0	Park and Ride - Dalar Hir, Site Utilities and Proposed Connections to Existing Statutory Undertakers	1:1250	A1
WN0902-HZDCO-ADV-DRG-00040	4.0	Park and Ride - Dalar Hir, Proposed Restoration Plan Post Operation	1:1250	A1
WN0902-HZDCO-ADV-DRG-00041	4.0	Park and Ride - Dalar Hir, Existing and Proposed Site Cross Sections, Sheet 1	1:500	A1
WN0902-HZDCO-ADV-DRG-00042	4.0	Park and Ride - Dalar Hir, Existing and Proposed Site Cross Sections, Sheet 2	1:500	A1
WN0902-HZDCO-ADV-DRG-00043	4.0	Park and Ride - Dalar Hir, Existing and Proposed Site Cross Sections, Sheet 3	1:500	A1
WN0902-HZDCO-ADV-DRG-00044	4.0	Park and Ride - Dalar Hir, Bus Transport Facility Building, Plans and Sections	1:100	A1
WN0902-HZDCO-ADV-DRG-00045	4.0	Park and Ride - Dalar Hir - Bus Transport Facility Building, Elevations	1:100	A1
WN0902-HZDCO-ADV-DRG-00046	4.0	Park and Ride - Dalar Hir, Bus Shelters, Roof Plan and Elevations	1:100	A1
WN0902-HZDCO-ADV-DRG-00047	4.0	Park and Ride - Dalar Hir, Miscellaneous Buildings and Structures	As shown	A1
A5025 Off-Line Highway Improvement Works (Section 1 – Valley) – Work No. 8				
WN0902-HZDCO-OHW-DRG-00002	1.0	A5025 Off-line Highway Improvements Section 1 - Valley, Proposed General Arrangement Plan (Sheet 1)	As shown	A1

Drawing Number	*Rev*	*Drawing Title*	*Scale*	*Paper size*
WN0902-HZDCO-OHW-DRG-00003	1.0	A5025 Off-line Highway Improvements Section 1 - Valley, Proposed General Arrangement Plan (Sheet 2)	As shown	A1
WN0902-HZDCO-OHW-DRG-00004	1.0	A5025 Off-line Highway Improvements Section 1 - Valley, Proposed Site Clearance Plan	1:2000	A1
WN0902-HZDCO-OHW-DRG-00005	1.0	A5025 Off-line Highway Improvements Section 1 - Valley, Proposed Drainage Plan, Sheet 1	As shown	A1
WN0902-HZDCO-OHW-DRG-00006	1.0	A5025 Off-line Highway Improvements Section 1 - Valley, Proposed Drainage Plan, Sheet 2	As shown	A1
WN0902-HZDCO-OHW-DRG-00008	1.0	A5025 Off-line Highway Improvements Section 1 - Valley, Proposed Cross Sections 1A-A and 1B-B	1:100	A1
A5025 Off-Line Highway Improvement Works (Section 3 – Llanfachraeth) – Work No. 9				
WN0902-HZDCO-OHW-DRG-00013	1.0	A5025 Off-line Highway Improvements Section 3 - Llanfachraeth, Proposed General Arrangement Plan (Sheet 1)	As shown	A1
WN0902-HZDCO-OHW-DRG-00014	1.0	A5025 Off-line Highway Improvements Section 3 - Llanfachraeth, Proposed General Arrangement Plan (Sheet 2)	As shown	A1
WN0902-HZDCO-OHW-DRG-00015	1.0	A5025 Off-line Highway Improvements Section 3 - Llanfachraeth, Proposed General Arrangement Plan (Sheet 3)	As shown	A1
WN0902-HZDCO-OHW-DRG-00016	1.0	A5025 Off-line Highway Improvements Section 3 - Llanfachraeth, Proposed General Arrangements Plan (Sheet 4)	As shown	A1
WN0902-HZDCO-OHW-DRG-00017	1.0	A5025 Off-line Highway Improvements Section 3 - Llanfachraeth, Proposed Site Clearance Plan, Sheet 1	1:1000	A1
WN0902-HZDCO-OHW-DRG-00018	1.0	A5025 Off-line Highway Improvements Section 3 - Llanfachraeth, Proposed Site Clearance Plan, Sheet 2	1:1000	A1
WN0902-HZDCO-OHW-DRG-00019	1.0	A5025 Off-line Highway Improvements Section 3 - Llanfachraeth, Proposed Site Clearance Plan, Sheet 3	1:1000	A1
WN0902-HZDCO-OHW-DRG-00020	1.0	A5025 Off-line Highway Improvements Section 3 - Llanfachraeth, Proposed Site Clearance Plan, Sheet 4	1:1000	A1
WN0902-HZDCO-OHW-DRG-00021	1.0	A5025 Off-line Highway Improvements Section 3 - Llanfachraeth, Proposed Drainage Plan, Sheet 1	As shown	A1
WN0902-HZDCO-OHW-DRG-00022	1.0	A5025 Off-line Highway Improvements Section 3 - Llanfachraeth, Proposed Drainage Plan, Sheet 2	As shown	A1
WN0902-HZDCO-OHW-DRG-00023	1.0	A5025 Off-line Highway Improvements Section 3 - Llanfachraeth, Proposed Drainage Plan, Sheet 3	As shown	A1
WN0902-HZDCO-OHW-DRG-00024	1.0	A5025 Off-line Highway Improvements Section 3 - Llanfachraeth, Proposed Drainage Plan, Sheet 4	As shown	A1

Drawing Number	*Rev*	*Drawing Title*	*Scale*	*Paper size*
WN0902-HZDCO-OHW-DRG-00026	1.0	A5025 Off-line Highway Improvements Section 3 - Llanfachraeth, Proposed Cross Section 3A-A & 3B-B	1:200	A1
WN0902-HZDCO-OHW-DRG-00027	1.0	A5025 Off-line Highway Improvements Section 3 - Llanfachraeth, Proposed Cross Section 3C-C & 3D-D	1:200	A1
WN0902-HZDCO-OHW-DRG-00028	1.0	A5025 Off-line Highway Improvements Section 3 - Llanfachraeth, Proposed Cross Section 3E-E & 3F-F	1:200	A1
WN0902-HZDCO-OHW-DRG-00029	1.0	A5025 Off-line Highway Improvements Section 3 - Llanfachraeth, Proposed Cross Section 3G-G and 3H-H	1:200	A1
WN0902-HZDCO-OHW-DRG-00030	1.0	A5025 Off-line Highway Improvements Section 3 - Llanfachraeth, Proposed Cross Section 3I-I	1:100	A1
A5025 Off-Line Highway Improvement Works (Section 5 – Llanfaethlu) – Work No. 10				
WN0902-HZDCO-OHW-DRG-00037	1.0	A5025 Off-line Highway Improvements Section 5 - Llanfaethlu, Proposed General Arrangement Plan - Sheet 1	As shown	A1
WN0902-HZDCO-OHW-DRG-00038	1.0	A5025 Off-line Highway Improvements Section 5 - Llanfaethlu, Proposed General Arrangement Plan - Sheet 2	As shown	A1
WN0902-HZDCO-OHW-DRG-00039	1.0	A5025 Off-line Highway Improvements Section 5 - Llanfaethlu, Proposed Site Clearance Plan, Sheet 1	1:1000	A1
WN0902-HZDCO-OHW-DRG-00040	1.0	A5025 Off-line Highway Improvements Section 5 - Llanfaethlu, Proposed Site Clearance Plan, Sheet 2	1:1000	A1
WN0902-HZDCO-OHW-DRG-00041	1.0	A5025 Off-line Highway Improvements Section 5 - Llanfaethlu, Proposed Drainage Plan, Sheet 1	As shown	A1
WN0902-HZDCO-OHW-DRG-00042	1.0	A5025 Off-line Highway Improvements Section 5 - Llanfaethlu, Proposed Drainage Plan, Sheet 2	As shown	A1
WN0902-HZDCO-OHW-DRG-00044	1.0	A5025 Off-line Highway Improvements Section 5 - Llanfaethlu, Proposed Cross Section 5A-A and 5B-B	1:200	A1
WN0902-HZDCO-OHW-DRG-00045	1.0	A5025 Off-line Highway Improvements Section 5 - Llanfaethlu, Proposed Cross Section 5C-C and 5D-D	1:200	A1
A5025 Off-Line Highway Improvement Works (Section 7 – Cefn Coch) – Work No. 11				
WN0902-HZDCO-OHW-DRG-00049	1.0	A5025 Off-line Highway Improvements Section 7 - Cefn Coch, Proposed General Arrangement, Sheet 1	As shown	A1
WN0902-HZDCO-OHW-DRG-00050	1.0	A5025 Off-line Highway Improvements Section 7 - Cefn Coch, Proposed General Arrangement, Sheet 2	As shown	A1
WN0902-HZDCO-OHW-DRG-00051	1.0	A5025 Off-line Highway Improvements Section 7 - Cefn Coch, Proposed General Arrangement, Sheet 3	As shown	A1
WN0902-HZDCO-OHW-DRG-00052	1.0	A5025 Off-line Highway Improvements Section 7 - Cefn Coch, Proposed Site Clearance Plan, Sheet 1	1:1000	A1

Drawing Number	*Rev*	*Drawing Title*	*Scale*	*Paper size*
WN0902-HZDCO-OHW-DRG-00053	1.0	A5025 Off-line Highway Improvements Section 7 - Cefn Coch, Proposed Site Clearance Plan, Sheet 2	1:1000	A1
WN0902-HZDCO-OHW-DRG-00054	1.0	A5025 Off-line Highway Improvements Section 7 - Cefn Coch, Proposed Drainage Plan, Sheet 1	As shown	A1
WN0902-HZDCO-OHW-DRG-00055	1.0	A5025 Off-line Highway Improvements Section 7 - Cefn Coch, Proposed Drainage Plan, Sheet 2	As shown	A1
WN0902-HZDCO-OHW-DRG-00056	1.0	A5025 Off-line Highway Improvements Section 7 - Cefn Coch, Proposed Drainage Plan, Sheet 3	As shown	A1
WN0902-HZDCO-OHW-DRG-00058	1.0	A5025 Off-line Highway Improvements Section 7 - Cefn Coch, Proposed Cross Section 7A-A & 7B-B	1:200	A1
WN0902-HZDCO-OHW-DRG-00059	1.0	A5025 Off-line Highway Improvements Section 7 - Cefn Coch, Proposed Cross Section 7C-C	1:200	A1
Site Preparation and Clearance – Work No. 12				
WN0902-HZDCO-SPC1-DRG-00001	1.0	Site Preparation and Clearance Works, Proposed Site Plan Work No. 12 (Site Preparation and Clearance Works)	1:5000	A0
WN0902-HZDCO-SPC1-DRG-00002	1.0	Site Preparation and Clearance Works, Proposed Main Site Compound Layout (Phase A)	1:500	A1
WN0902-HZDCO-SPC1-DRG-00004	1.0	Site Preparation and Clearance Works, Proposed Existing Power Station Road Crossing (Phase F)	1:200	A1
WN0902-HZDCO-SPC1-DRG-00005	1.0	Site Preparation and Clearance Works, Proposed Cemlyn Road Crossing (Phase F)	1:500	A1
WN0902-HZDCO-SPC1-DRG-00006	1.0	Site Preparation and Clearance Works, Proposed Site Plan (Phase G)	1:5000	A0
WN0902-HZDCO-SPC1-DRG-00007	1.0	Site Preparation and Clearance Works, Remediation Processing Compound Layout (Phase G)	As shown	A1
WN0902-HZDCO-SPC1-DRG-00009	1.0	Site Preparation and Clearance Works, Proposed Compound 1 Layout (Phase E)	1:200	A1
WN0902-HZDCO-SPC1-DRG-00010	1.0	Site Preparation and Clearance Works, Proposed Compound 2 Layout (Phase E)	1:200	A1
WN0902-HZDCO-SPC1-DRG-00011	1.0	Site Preparation and Clearance Works, Proposed Compound 3 Layout (Phase E)	1:200	A1
WN0902-HZDCO-SPC1-DRG-00012	1.0	Site Preparation and Clearance Works, Proposed Compound 4 Layout (Phase E)	1:200	A1
WN0902-HZDCO-SPC1-DRG-00013	1.0	Site Preparation and Clearance Works, Proposed Compound 5 Layout (Phase E)	1:200	A1
WN0902-HZDCO-SPC1-DRG-00014	1.0	Site Preparation and Clearance Works, Proposed Compound 6 Layout (Phase E)	1:200	A1
WN0902-HZDCO-SPC1-DRG-00015	1.0	Site Preparation and Clearance Works, Proposed Compound 7 Layout (Phase E)	1:200	A1
WN0902-HZDCO-SPC1-DRG-00016	1.0	Site Preparation and Clearance Works, Proposed Compound 8 Layout (Phase E)	1:200	A1
WN0902-HZDCO-SPC1-DRG-00017	1.0	Site Preparation and Clearance Works, Proposed Compound 9 Layout (Phase E)	1:200	A1

Drawing Number	*Rev*	*Drawing Title*	*Scale*	*Paper size*
WN0902-HZDCO-SPC1-DRG-00018	1.0	Site Preparation and Clearance Works, Proposed Compound 10 Layout (Phase E)	1:200	A1
WN0902-HZDCO-SPC1-DRG-00019	1.0	Site Preparation and Clearance Works, Proposed Site Plan (Phase B)	1:5000	A0
WN0902-HZDCO-SPC1-DRG-00022	1.0	Site Preparation and Clearance Works, Proposed Indicative Site Plan (Phase C)	1:5000	A0
WN0903-HZDCO-SPC1-DRG-00023	1.0	Site Preparation and Clearance Works, Proposed Temporary Construction Fencing	1:25	A3
WN0902-HZDCO-SPC1-DRG-00024	1.0	Site Preparation and Clearance Works, Proposed CPNI Fencing (Centre for Protection of National Infrastructure)	1:25	A3
WN0902-HZDCO-SPC1-DRG-00025	1.0	Site Preparation and Clearance Works, Proposed 0.9m High Temporary Internal Boundary Fencing, Elevation And Section	1:50	A3
WN0903-HZDCO-SPC1-DRG-00026	1.0	Site Preparation and Clearance Works, Miscellaneous Buildings and Structures, Elevations	As shown	A3
WN0902-HZDCO-SPC1-DRG-00028	1.0	Site Preparation and Clearance Works, Tree and Hedgerow Removal Plan, Sheet 1	As shown	A1
WN0902-HZDCO-SPC1-DRG-00029	1.0	Site Preparation and Clearance Works, Tree and Hedgerow Removal Plan, Sheet 2	As shown	A1
WN0902-HZDCO-SPC1-DRG-00030	1.0	Site Preparation and Clearance Works, Tree and Hedgerow Removal/Retention Plan, Sheet 3	As shown	A1
WN0902-HZDCO-SPC1-DRG-00031	1.0	Site Preparation and Clearance Works, Tree and Hedgerow Removal Plan, Sheet 4	1:2500	A1
Work No. 16 – Diversion Works				
WN0902-HZDCO-SPC1-DRG-00021	1.0	Proposed Afon Cafnan Tributary Diversion Plan and Section (Phase D)	As shown	A1
Wylfa Newydd Development Area Access Road				
WN0902-HZDCO-LFM-DRG-00042	1.0	Access Road Plan	1:5000	A1

SCHEDULE 3

Article 3

REQUIREMENTS

Interpretation

1.—(1) In addition to article 2 (Interpretation), the terms in this Schedule have the following meanings, unless the context provides otherwise—

"A5025 Off-Line Highway Improvements" means Work No.s 8-11 and any other associated development related to such works described in Schedule 1 (Authorised development) of this Order and any other Works authorised by this Order, and reference to any part of the A5025 Off-Line Highway Improvements is reference to any one of the Works comprising the A5025 Off-Line Highway Improvements;

"A5025 Off-Line Highway Improvements Archaeological Mitigation Scheme" means the scheme for archaeological investigations within the Order Limits of the A5025 Off-Line Highway Improvements to be submitted for approval under Requirement OH1 and Schedule 4 (Control documents and schemes) of this Order;

"A5025 Off-Line Highway Improvements Construction Lighting Scheme" means the lighting scheme for the construction of the A5025 Off-Line Highway Improvements to be submitted for approval under Requirement OH1 and Schedule 4 of this Order;

"Abnormal Indivisible Loads Management Scheme" means the scheme to be submitted for approval under Requirement WN1 and Schedule 4 of this Order;

"Base" means the base of the breakwater measured at the interface with the finished seabed;

"Cadw" means the Welsh Government's historic environment service;

"Community Safety Management Scheme" means scheme submitted for approval under Requirement PW7 and Schedule 4 of this Order;

"Crest" means the nominal level top of the breakwater;

"Digital Infrastructure Plan" means plan relating to broadband and mobile capacity prepared under Requirement PW11 and Schedule 4 of this Order;

"Ecological Compensation Site Works" means Work No.s 13-15 and any other authorised development related to such works described in Schedule 1 of this Order and any other Works authorised by this Order, and reference to any "Ecological Compensation Site" is a reference to any one of the Works comprising the Ecological Compensation Site Works;

"ECoW" means the ecological clerk of works;

"ESL Building" means the environmental survey laboratory building which forms part of the Off-Site Power Station Facilities as described in Schedule 1;

"European Protected Species" has the same meaning as in regulations 42 and 46 of the Conservation of Habitats and Species Regulations 2017(**a**);

"Existing Power Station" means the existing Magnox nuclear power station at Wylfa;

"Great Crested Newt Receptor Site" means a zone within the Cae Gwyn SSSI adjacent to the WNDA (as shown on Figure D9-4 of the Environmental Statement);

"Grid Connection" means Work No. 4 and any other authorised development related to such works described in Schedule 1 of this Order and any other Works authorised by this Order;

"HGV" means heavy goods vehicle;

"Holyhead North" means an offshore disposal site (IS043) located west of Holy Island, Anglesey, approximately 18km from the Marine Works at Porth-y-Pistyll, Anglesey;

(**a**) S.I. 2017/1012.

"HV" means high voltage;

"Key Mitigation" means the Park and Ride Facility, Logistics Centre, A5025 Off-Line Highway Improvements, Marine Off-Loading Facility, Ecological Compensation Sites, Site Campus and landscape mounds within the WNDA;

"Llanfachraeth Water Vole Enhancement Area" means the area between the Afon Alaw and its southern side channel;

"Logistics Centre" means Work No. 7 described in Schedule 1 of this Order and any other Works authorised by this Order or, as the case may require, any part of those works;

"Logistics Centre Archaeological Mitigation Scheme" means the scheme for archaeological investigations within the Order Limits of the Logistics Centre to be submitted for approval under Requirement LC1 and Schedule 4 of this Order;

"Logistics Centre Lighting Scheme" means the lighting scheme for the construction and operation of the Logistics Centre to be submitted for approval under Requirement LC1 and Schedule 4 of this Order;

"Magnox" means Magnox Limited (Company No. 2264251);

"marine works consultee" means either or both IACC and NRW, where IACC should be consulted in respect of any Marine Work Requirements relating to land seaward of the MHWS, and NRW should be consulted in respect of any Marine Work Requirements relating to land above the MHWS;

"Marine Works Requirement" means Requirements WN28 to WN32;

"MEEG/AECC Building" means the mobile emergency equipment garage and alternative emergency control centre building which forms part of the Off-Site Power Station Facilities as described in Schedule 1;

"MUGA" means multi-use games area which forms part of the Site Campus;

"Notable Wildlife Enhancement Area" means the 15 hectares of land at Pen Carreg, within the western part of the Order Limits for the WNDA (as shown on Figure D9-9 of the Environmental Statement);

"North Anglesey" means the area identified as Anglesey North on Figure C1-2 of the Environmental Statement;

"Off-Site Power Station Facilities" means Work No. 5 and any other associated development related to such work described in Schedule 1 (Authorised development) of this Order and any other Works authorised by this Order or, as the case may require, any part of those works;

"Off-Site Power Station Facilities Archaeological Mitigation Scheme" means the scheme for archaeological investigations within the Order Limits of the Off-Site Power Station Facilities to be submitted for approval under Requirement OPSF1 and Schedule 4 of this Order;

"Off-Site Power Station Facilities Construction Lighting Scheme" means the lighting scheme for the construction of the Off-Site Power Station Facilities to be submitted for approval under Requirement OPSF1 and Schedule 4 of this Order;

"Off-Site Power Station Facilities Operational Lighting Scheme" means the lighting scheme for the operation of the Off-Site Power Station Facilities to be submitted for approval under Requirement WN13 and Schedule 4 of this Order;

"Park and Ride Archaeological Mitigation Scheme" means the scheme for archaeological investigations within the Order Limits of the Park and Ride facility to be submitted for approval under Requirement PR1 and Schedule 4 of this Order;

"Park and Ride facility" means Work No. 6 and any other associated development related to such work described in Schedule 1 of this Order and any other Works authorised by this Order;

"Park and Ride Lighting Scheme" means the lighting scheme for the construction and operation of the Park and Ride facility to be submitted for approval under Requirement PR1 and Schedule 4 of this Order;

"Parking Phasing Scheme" means the scheme for the provision of parking during the construction of the authorised development to be submitted for approval under Requirement PW7 and Schedule 4 of this Order;

"platform" means any area of level surface;

"Power Station" means Work No.s 1-4 as described in Schedule 1 of this Order;

"Power Station Works" means Work No.s 1A-D, 1I-O, 2, 4 and 16 described in Schedule 1 of this Order and any other Works authorised by this Order or, as the case may require, any part of those works, and reference to any part of the Power Station Works is reference to any one of the Power Station Works;

"Protest Management Scheme" means the scheme to be submitted for approval under Requirement WN1 and Schedule 4 of this Order;

"Reptile Receptor Site" means the 5 hectares of land at Mynydd Ithel, within the south west of the Order Limits at the WNDA (as shown on Figure D9-8 of the Environmental Statement);

"site access arrangements" means the new junction comprising of two-lane entrance and single lane bus exit road for the Park and Ride facility from the existing A55-A5 junction northern roundabout (Junction 4) at the western tip of the Park and Ride facility;

"Site Campus" means Work No. 3A and any other associated development related to such work described in Schedule 1 of this Order and any other Works authorised by this Order or, as the case may require, any part of those works, and reference to "Site Campus site" means the area within the Works Area for Work No. 3A as shown on the Work Plans;

"Site Campus Access Road" means Work No. 3B and any other associated development related to such work described in Schedule 1 of this Order and any other Works authorised by this Order or, as the case may require, any part of those works;

"Site Campus Works" means Work No.s 3A and 3B and any other associated development related to such works described in Schedule 1 of this Order and any other Works authorised by this Order or, as the case may require, any part of those works;

"SSSI" means site of special scientific interest;

"Traffic Incident Management Scheme" means scheme submitted for approval under Requirement PW7 and Schedule 4 of this Order;

"Tre'r Gof and Cae Gwyn SSSI Hydro-ecological Monitoring and Mitigation Scheme" means the scheme submitted for approval under Requirement WN1 and Schedule 4 of this Order;

"Unit 1" or "Unit 2" means one of the twin unit nuclear reactors described in Work No. 1A of Schedule 1 of this Order and reference to "Unit" is to be construed as either unit;

"Unit 1 Commissioning Date" means the date on which first nuclear fuel assembly enters Unit 1;

"Unit 2 Commissioning Date" means the date on which first nuclear fuel assembly enters Unit 2;

"Valley Water Vole Enhancement Area" means the area to the north-west of Work No. 8;

"Wild Birds" has the same meaning as under the Wildlife and Countryside Act 1981(**a**);

"WNDA" means the area identified as the Wylfa Newydd Development Area Order Limits on WN0902-HZDCO-RLB-DRG-00002, WN0902-HZDCO-RLB-DRG-0003, WN0902-HZDCO-RLB-DRG-0004, WN0902-HZDCO-RLB-DRG-0005 and WN0902-HZDCO-RLB-DRG-0006 in Schedule 2 (Approved Plans);

"WNDA Archaeological Mitigation Scheme" means the scheme for archaeological investigations within the WNDA to be submitted for approval under Requirement WN1 and Schedule 4 of this Order;

"WNDA Operational Lighting Scheme" means the scheme for operational lighting within the WNDA to be submitted for approval under Requirement WN13 and Schedule 4 of this Order;

(**a**) 1981 c.69.

"WNDA Overarching Construction Drainage Scheme" means the drainage scheme for the WNDA during construction to be submitted for approval under Requirement WN1 and Schedule 4 of this Order;

"WNDA Overarching Construction Lighting Scheme" means the lighting scheme for the WNDA during construction to be submitted for approval under Requirement WN1 and Schedule 4 of this Order;

"Wylfa Newydd Code of Conduct" means the code of conduct prepared in accordance with the principles in the Workforce Management Strategy under Requirement PW8; and

"Wylfa Newydd Development Area Retention Plans" means the retention plans for the WNDA as listed in Schedule 2 of this Order comprising WN0902-HZDCO-LFM-DRG-00031, WN0902-HZDCO-LFM-DRG-00032, WN0902-HZDCO-LFM-DRG-00033, WN0902-HZDCO-LFM-DRG-00034 and WN0902-HZDCO-LFM-DRG-00035.

(2) Where, under any of the Requirements, the approval or agreement of the discharging authority or another person is required—

(a) the matter which requires approval or agreement must be submitted in writing for such approval or agreement; and

(b) the approval or agreement must be given in writing.

(3) Where any Requirement—

(a) refers to a scheme, drawing, document or plan, that scheme, document or plan will be taken to be the version certified by the Secretary of State under article 76 (Certification of plans, etc.) of this Order or to any subsequent version of that scheme, drawing, document or plan approved by the discharging authority under a Requirement; or

(b) provides that the authorised development is to be carried out in accordance with details, or a scheme, plan or other document approved by the discharging authority, the approved details, scheme, plan or other document must be taken to include any amendments or revisions subsequently approved by the discharging authority.

(4) Where an approval of details or other document is required under the terms of any Requirement or where compliance with a document contains the wording "unless otherwise agreed" by the discharging authority, such approval of details or of any other document (including any subsequent amendments or revisions) or agreement by the discharging authority is not to be given except in relation to minor or immaterial changes or deviations where it has been demonstrated to the satisfaction of the discharging authority that the subject matter of the approval or agreement sought does not give rise to any materially new or materially different environmental effects to those assessed in the Environmental Statement.

(5) Where any Requirement identifies a parameter for a building or structure, that parameter identifies the envelope for that building or structure and does not include any external projections including telecommunications infrastructure (including aerials and satellites), access structures and safety measures (including ladders and handrails), mechanical plant, utilities infrastructure (including solar panels), minor architectural features (including gutters and lighting), external surface level areas and associated compounds and storage areas.

(6) Unless otherwise provided in this Order, where a Requirement relates to a specific site or Works and it specifies "commencement of development", it refers to the commencement of development on that site or in relation to those Works only.

(7) For the purposes of Requirement OH6, the parameters for viaducts, overbridges and underpasses are to be measured as follows—

(a) In respect of viaducts and overbridges—

(i) length is to be measured as the inside horizontal dimension from abutment to abutment;

(ii) height is to be measured as the vertical dimension from existing ground level to the top of the highest part of the bridge structure; and

(iii) width is to be measured as the overall horizontal width of bridge at its midpoint.

(b) In respect of underpasses—

(i) length is to be measured as the overall horizontal dimension of the underpass structure;

(ii) height is to be measured as the internal vertical height of the underpass; and

(iii) width is to be measured as the internal horizontal width of the underpass.

(8) Unless otherwise provided in this Order, all maximum and minimum heights are to be measured from above finished ground level.

(9) For the purposes of these Requirements the authorised development is divided up into the following sites or Works, as shown on Works Plans WN0902-HZDCO-DRG-00001 to WN0902-HZDCO-DRG-0020—

(a) Project wide ("PW");

(b) Site preparation and clearance ("SPC") (Work No. 12);

(c) Works within the Wylfa Newydd Development Area ("WN")—

(i) Power Station Works (Work No.s 1A-D, 1I-O, 4 and 16);

(ii) Site Campus (Work No. 3); and

(iii) Marine Works (Work No.s 1E-1H);

(d) Off-Site Power Station Facilities ("OPSF") (Work No. 5);

(e) Park and Ride facility ("PR") (Work No. 6);

(f) Logistics Centre ("LC") (Work No. 7);

(g) A5025 Off-Line Highway Improvements ("OH") (Work No.s 8-11); and

(h) Ecological Compensation Site Works ("ECS") (Work No.s 13-15).

(10) For the purposes of discharging Requirements in phases, the undertaker may—

(a) submit a plan or plans to the discharging authority identifying a part or parts of any of the sites to which each phase or design relates; or

(b) submit notices to the discharging authority in respect of individual or combined work packages.

Project-wide Requirements

2.—(1) Requirements PW1 to PW11 relate to the whole of the authorised development, except where otherwise indicated—

(1) Ref	*(2) Requirement*
PW1	**Time limits for commencement of the authorised development** The authorised development must commence within 6 years of the date on which this Order is made.
PW2	**Phasing of the authorised development** (1) The delivery of Key Mitigation must be in accordance with the Phasing Strategy, unless otherwise approved by IACC in consultation with the Welsh Ministers. (2) Written notice of the commencement and completion of the Key Mitigation identified in the Phasing Strategy must be given to IACC at least 10 working days in advance of the Key Mitigation being commenced or completed, as the case may be.
PW3	**Construction Method Statement** (1) The construction of the Power Station Works, Site Campus Works and Marine Works must be carried out in general accordance with the phasing and construction methodologies set out in Construction Method Statement, unless otherwise approved by IACC in consultation with NRW. (2) The construction of Power Station Works, Site Campus Works, and Marine Works will not be in general accordance with the Construction Method Statement to the extent that any departure from the timing and methodologies identified in the

(1) Ref	*(2) Requirement*
	Construction Method Statement gives rise to any materially new or materially different environmental effects from those assessed in the Environmental Statement.
PW4	**Notice of completion and operational use** The undertaker must at least 10 working days in advance of the completion of any Work comprising the authorised development serve notice in writing to IACC as well as NRW (in respect of Marine Works), of the date of completion of construction and intended date of operation for that Work.
PW5	**European Protected Species: pre-commencement surveys** (1) Except for Work No. 12, no part of the authorised development may commence until pre-commencement surveys for that part have been carried out by or on behalf of the ECoW to establish whether any European Protected Species are present on any of the land affected, or are likely to be affected by that part of the authorised development or in any of the trees or shrubs to be lopped or felled as part of construction of that part. (2) Where a European Protected Species is shown to be present, construction of that part of the authorised development must not commence until, after consultation with NRW and IACC, the undertaker has obtained the necessary European Protected Species licence(s). (3) Any pre-commencement survey for European Protected Species undertaken in accordance with the Wylfa Newydd CoCP or relevant sub-CoCP will be deemed to be undertaken pursuant to this Requirement.
PW6	**Protection of breeding Wild Birds** (1) No on-site vegetation clearance works for any part of the authorised development may occur within the period of March to August (inclusive) of any year unless a pre-commencement survey for that part has been carried out by, or on behalf of, the ECoW to establish whether any nest, or habitat with the potential to support nesting birds (including ground nesting species), is present on any of the land affected, or likely to be present, within any part of the authorised development or in any of the trees or shrubs to be lopped or felled as part of clearance of that part. (2) Where any active nests are shown to be present, either through the pre-commencement survey under paragraph (1) or at any time when carrying out the authorised development— (a) clearance of that part of the authorised development must not commence or must cease (if already commenced) until a written scheme for the protection and mitigation measures for nesting birds has been submitted to and approved by IACC; (b) the written scheme submitted under sub-paragraph 2(a) must be prepared in consultation with the ECoW and provide that where nesting birds are identified, relevant clearance works should cease within an appropriate distance of the nest until the birds have fledged and the nest is no longer in use; and (c) vegetation clearance works will be undertaken in accordance with the written scheme approved under sub-paragraph 2(a), unless otherwise agreed with IACC. (2) Where no active nests are shown to be present following pre-commencement surveys under paragraph (1), vegetation clearance and demolition works on that part of the authorised development may commence under supervision of the ECoW. (3) Any pre-commencement survey undertaken in accordance with the Wylfa Newydd CoCP or relevant sub-CoCP will be deemed to be undertaken pursuant to this Requirement.

(1) Ref	*(2) Requirement*
PW7	**Wylfa Newydd CoCP and schemes** (1) The construction of the authorised development, and the operation of Work No.s 3, 6 and 7, must be carried out in accordance with the Wylfa Newydd CoCP, unless otherwise approved by the IACC in consultation with NRW. (2) Except for Work No. 12, prior to the commencement of the authorised development the following schemes must be submitted to and approved by IACC— (a) Community Safety Management Scheme; (b) Traffic Incident Management Scheme; and (c) Parking Phasing Scheme. (3) All schemes submitted under paragraph (2) must be prepared in accordance with the details identified in Part 1 of Schedule 4 (Control documents and schemes) of this Order. (4) No part of the authorised development may commence until the schemes submitted under paragraph (2) have been approved by IACC in consultation with the relevant consultee identified for that scheme in Part 1 of Schedule 4. (5) Construction of the authorised development must be in accordance with the schemes approved under paragraph (4), unless otherwise agreed by IACC in consultation with the consultee identified in Part 1 of Schedule 4.
PW8	**Wylfa Newydd workforce behaviour** (1) The undertaker must comply with the Workforce Management Strategy during the construction of the authorised development, unless otherwise approved by the IACC in consultation with North Wales Police. (2) Except for Work No. 12, no construction of the authorised development may commence until the undertaker has provided a copy of the Wylfa Newydd Code of Conduct to IACC and North Wales Police for information. (3) The Wylfa Newydd Code of Conduct provided under paragraph (2) must be prepared in accordance with the principles set out in the Workforce Management Strategy, and in consultation with IACC and North Wales Police, and implemented throughout the construction of the authorised development. (4) Any revisions to the Wylfa Newydd Code of Conduct must be submitted for information to IACC at least 2 months in advance of such revisions taking effect and must be in accordance with the principles set out in the Workforce Management Strategy. (5) Where any revisions are submitted to IACC under paragraph (4), the revised Wylfa Newydd Code of Conduct must be implemented for the remainder of the construction period.
PW9	**Date of commissioning and cessation** (1) The undertaker must notify IACC of the Unit 1 Commissioning Date and Unit 2 Commissioning Date and operational period of each Unit as soon as reasonably practicable and, in any event, within 5 working days after the occurrence of those dates. (2) The undertaker must notify IACC of the date the authorised development permanently ceases to generate power (either actively generating electricity or being available to generate electricity on a standby basis) as soon as reasonably practicable and, in any event, within 3 months after the occurrence of that date.
PW10	**Wylfa Newydd decommissioning scheme** (1) Within 24 months of the undertaker serving a notice under PW9, unless otherwise agreed with IACC, a decommissioning scheme for the demolition and removal of Work No.s 1, 4 and 5 and associated restoration works must be submitted to IACC for approval. (2) The decommissioning scheme submitted under paragraph (1) must include specific controls relating to— (a) lighting and effects on sensitive receptors; (b) groundwater flooding (including preliminary monitoring for a 2 year period

(1) Ref	*(2) Requirement*
	following decommissioning to identify any necessary mitigation measures); (c) landscaping and site restoration to the equivalent pre-construction land use (including provision for existing landscaping to remain in-situ and habitat enhancement and creation); (d) decommissioning buildings and structures (including treatment and management of hazardous substances or re-use in relation to Work No. 5); (e) appropriate site drainage and management (including retention and maintenance measures); (f) methods for long-term care and maintenance of the reactor buildings in accordance with applicable regulations; (g) monitoring including analysis of historical data of geomorphological receptors (i.e. Esgair Gemlyn); (h) restoration and maintenance of structures to remain within watercourse; (i) management of waste generated during decommissioning of the Power Station; (j) timeframes for decommissioning, removal and restoration works; and (k) any other matters necessary due to legislative and regulatory requirements. (3) No demolition, removal and restoration works for Work No.s 1, 4 and 5 may commence until the scheme submitted under paragraph (1) has been approved by IACC. (4) The scheme approved under paragraph (1) must be implemented for the duration of decommissioning works, unless otherwise approved by IACC. (5) The decommissioning scheme approved under paragraph (3) will not apply to the decommissioning of Work No.s 3, 6 and 7 which are subject to Requirements WN27, PR8 and LC8. (6) No decommissioning scheme is required in relation to Work No.s 2, 8, 9, 10, 11, 12, 13, 14, 15 and 16.
PW11	**Digital Infrastructure Plan** (1) Except for Work No. 12, prior to the commencement of the authorised development, the undertaker must carry out a technical assessment of availability and capacity of mobile and broadband networks across North Anglesey and provide the results of this assessment to the IACC and the Welsh Ministers. (2) Within 3 months of the completion of the assessment under paragraph (1), the undertaker must prepare, in consultation with IACC, and submit for information to IACC and the Welsh Ministers a Digital Infrastructure Plan which outlines the measures that the undertaker will implement to mitigate any impacts that the construction workforce of the authorised development will have on existing mobile and broadband availability and capacity across North Anglesey. (3) The plan provided under paragraph (2) must be implemented prior to occupation of the Site Campus and for the duration of construction of the authorised development. (4) Any revisions to the plan prepared under paragraph (2) must be submitted for information to IACC and the Welsh Ministers at least 1 month in advance of such revisions taking place and must ensure the ongoing provision of mobile and broadband availability and capacity across North Anglesey during construction of the authorised development. (5) Where any revisions are submitted to IACC and the Welsh Ministers under paragraph (4), the revised plan must be implemented for the remainder of the construction of the authorised development.

Site preparation and clearance – Work No. 12 (WNDA)

3.—(1) Unless otherwise indicated, requirements SPC1 to SPC13 only apply to Work No. 12 and where notice has been given pursuant to article 5 (Effect of the Order on the site preparation permission) of this Order that such works are being undertaken pursuant to this Order—

(1) Ref	*(2) Requirement*
SPC1	**Detailed Design Drawings** Subject to article 5(5), Work No. 12 must be carried in accordance with the approved Detailed Design Drawings relating to the Work No. 12 in Schedule 2 (Approved plans) of this Order, unless otherwise approved by IACC in consultation with NRW.
SPC2	**Construction car parking** The number of car parking spaces to be provided and available within the WNDA in respect of the Work No. 12 must not exceed 45 parking spaces, including spaces allocated for disabled staff, unless otherwise agreed with IACC.
SPC3	**Main Power Station Site sub-CoCP** The construction of Work No. 12 must be carried out in accordance with the Wylfa Newydd CoCP and the Main Power Station Site sub-CoCP, unless otherwise approved by IACC in consultation with NRW. In the event of conflict between the Wylfa Newydd CoCP and Main Power Station Site sub-CoCP, the Main Power Station Site sub-CoCP will prevail.
SPC6	**Demolition of alternative emergency control centre/district survey laboratory** Demolition of the existing Magnox alternative emergency control centre and district survey laboratory must not commence until an operational, replacement alternative emergency control centre and district survey laboratory have been provided.
SPC7	**Existing archaeological programme** Where Work No. 12 is required on land subject to an existing and ongoing archaeological programme, no works must commence until the archaeological works have been completed in accordance with the relevant written scheme of investigation.
SPC8	**Archaeological written scheme of investigation** (1) No part of Work No. 12 may commence until a written scheme of investigation, relating to archaeological remains, historic buildings and historic landscapes, has been submitted to and approved by IACC in consultation with Cadw. (2) Construction of Work No. 12 must be undertaken in accordance with the written scheme of investigation approved under paragraph (1), unless otherwise approved by IACC.
SPC9	**Water treatment scheme** (1) No construction of Work No. 12 may commence until a scheme for water treatment relating to the cess pool and holding tanks associated with welfare facilities at the Power Station Site compound and the remediation processing compound has been submitted to and approved by IACC in consultation with NRW. (2) Construction of Work No. 12 must be undertaken in accordance with the scheme approved under paragraph (1), unless otherwise agreed.
SPC11	**No surface water to highway** No surface water from hard surfaces approved as part of Work No. 12 may discharge onto the county highway.
SPC12	**Access** (1) The first 8 metres from the nearside edge of the county highway of each new access route must be completed with a bitumen/concrete surface, with its gradient not exceeding 1 in 20 for the first 8 metres. (2) Gates must be set back a distance of 8 metres from the nearside edge of the adjoining carriageway with the gates opening inwards.
SPC13	**Restoration scheme** (1) In the event that the undertaker elects not to continue with the construction of Work No. 12, the undertaker must, within 1 month of its decision, serve notice in writing to IACC of the date of cessation of construction. (2) Within 6 months of notice being served under paragraph (1), a restoration scheme must be submitted to IACC for approval in consultation with NRW. (3) The restoration scheme submitted under paragraph (2) must include a restoration code of construction practice which sets out the methods and strategies to be followed by the undertaker in undertaking the restoration of those parts of the WNDA affected

(1) Ref	*(2) Requirement*
	by Work No. 12. (4) No restoration of those parts of the WNDA affected by Work No. 12 may commence until IACC has approved the scheme submitted under paragraph (2). (5) Restoration of those parts of the WNDA affected by Work No. 12 must be undertaken in accordance with the restoration scheme approved under paragraph (2) and completed within 12 months of approval, unless otherwise approved by IACC.

Power Station Works – Work No. 1A-D, 1I-O, 2, 4 and 16 (WNDA)

4.—(1) Except for Work No. 12 and where otherwise indicated, Requirements WN1 to WN19 relate to the Power Station Works—

(1) Ref	*(2) Requirement*
WN1	**Main Power Station Site sub-CoCP and schemes** (1) Except for Work No. 1J, the construction of the Power Station Works must be carried out in accordance with the Wylfa Newydd CoCP and the Main Power Station Site sub-CoCP, unless otherwise approved by IACC. In the event of conflict between the Wylfa Newydd CoCP and Main Power Station Site sub-CoCP, the Main Power Station Site sub-CoCP will prevail. (2) The construction of Work No. 1J must be carried out in accordance with the Wylfa Newydd CoCP and the A5025 Off-Line Highway Improvements sub-CoCP, unless otherwise approved by IACC. In the event of conflict between the Wylfa Newydd CoCP and A5025 Off-Line Highway Improvements sub-CoCP, the A5025 Off-Line Highway Improvements sub-CoCP will prevail. (3) Prior to the commencement of the Power Station Works, Marine Works or Site Campus the following schemes must be submitted to and approved by IACC— (a) WNDA Archaeological Mitigation Scheme, including a written scheme of investigation; (b) Abnormal Indivisible Loads Management Scheme; (c) WNDA Overarching Construction Drainage Scheme; (d) Protest Management Scheme; (e) Tre'r Gof and Cae Gwyn SSSI Hydro-ecological Monitoring and Mitigation Scheme; and (f) WNDA Overarching Construction Lighting Scheme. (4) All schemes submitted under paragraph (3) must be prepared in accordance with the details identified in Part 2 of Schedule 4 (Control documents and schemes) of this Order. (5) No part of the Power Station Works, Marine Works or Site Campus Works may commence until the schemes submitted under paragraph (3) have been approved by IACC, in consultation with the relevant consultee identified for that scheme in Part 2 of Schedule 4. (6) Construction of the Power Station Works, Marine Works and Site Campus Works must be in accordance with the schemes approved under paragraph (5), unless otherwise agreed by IACC in consultation with the consultee identified for that scheme in Part 2 of Schedule 4.
WN2	**Phased construction drainage plans** (1) No phase of the Power Station Works may commence until a construction drainage plan for that phase has been submitted, for information, to IACC and NRW. (2) Any plan submitted under paragraph (1) must be prepared in accordance with the WNDA Overarching Construction Drainage Scheme approved under Requirement WN1 and implemented throughout the construction of that specific phase. (3) Any revisions to a construction drainage plan for a phase submitted under paragraph (1) must be submitted for information to IACC at least 2 months in advance of such revisions taking effect and must be in accordance with the approved WNDA

(1) Ref	*(2) Requirement*
	Overarching Construction Drainage Scheme.
WN3	**Phased construction lighting plans** (1) No phase of the Power Station Works may commence until a construction lighting plan for that phase has been submitted, for information, to IACC and NRW. (2) Any plan submitted under paragraph (1) must be prepared in accordance with the WNDA Overarching Construction Lighting Scheme approved under Requirement WN1 and implemented throughout the construction of that specific phase. (3) Any revisions to a construction phase lighting plan submitted under paragraph (1) must be submitted for information to IACC at least 2 months in advance of such revisions taking effect and must be in accordance with the approved WNDA Overarching Construction Lighting Scheme.
WN4	**Power Station Site Construction Parameter Plans** The construction landforms, buildings and other structures identified in Tables WN4A, WN4B and WN4C must only be constructed within the relevant parameter zones shown on the Power Station Site Construction Parameter Plan (WN0902-HZDCO-MSP-DRG-00008) in Schedule 2 (Approved plans) of this Order, and with maximum dimensions no greater than those shown in those tables for that landform, building or other structure—

Table WN4A

Parameter Zone	*Construction landform (temporary mounds)*	
	Maximum height (m AOD)	*Maximum gradient*
Zone C1	45	1:2
Zone C3	50	1:1
Zone C6	40	1:3

Table WN4B

Parameter Zone	*Construction landform (temporary mounds)*	*Temporary construction buildings and facilities*	*Cranes*
	Maximum height (m AOD)	*Maximum height (m AOD)*	*Maximum height (m AOD)*
Zone C2	45	60	265
Zone C5	35	60	255
Zone C7	22	52	292
Zone C8	14	20	234
Zone C9	14	48	234
Zone C10	22	37	242
Zone C11	23	33	243

Table WN4C

Parameter Zone	*Construction landform (temporary mounds)*	*Cranes*
	Maximum height (m AOD)	*Maximum height (m AOD)*
Zone C4	40	260

WN5 **Power Station detailed design approval**

(1) No construction may commence in respect of a building or other structure identified in Requirements WN6 and WN7 until plans and written details of the design

(including size, external appearance, siting and materials) and typical external materials and colour samples for that type of building or structure have been submitted to and approved by IACC.

(2) The plans, details and samples submitted under paragraph (1) must be in accordance with the parameters and parameter plans identified in Requirements WN6 and WN7 and the design and landscaping principles relating to the Power Station in volume 2 of the DAS.

(3) The construction of any building or other structure identified in Requirements WN6 and WN7 must be carried out in accordance with the details approved under paragraph (1), unless otherwise approved by IACC.

WN6 Power Station Works parameters – buildings and structures

(1) The buildings and other structures identified in Table WN6A may only be constructed within the relevant parameter zone shown on the Power Station Site Parameter Plan (WN0902-HZDCO-MSP-DRG-00002) and Marine Works Parameter Plan – Permanent Works (WN0902-HZDCO-MRN-DRG-00001) in Schedule 2 (Approved plans) of this Order, and in accordance with the minimum and maximum dimensions shown in that table for that building or other structure—

Table WN6A

No.	*Description*	*Parameter Zone*	*Maximum Parameter*				*Minimum Parameter*		
			L (m)	*W (m)*	*H (m)*	*H (m AOD)*	*L (m)*	*W (m)*	*H (m)*
1-208	Cylinder Storage House	1A, 1M, 1L, 1K or 1C	30	30	7	25	-	-	-
2-208	Cylinder Storage House	1A, 1M, 1L, 1K or 1C	30	30	7	25	-	-	-
1-210	Discharge Water Sampling Building	1A	15	12	6	24	-	-	-
2-210	Discharge Water Sampling Building	1A	15	12	6	24	-	-	-
0-226	Maintenance Facility	1A	100	55	20	38	-	-	-
0-239	Underground Water Storage Pit	1A	81	26	0*	-	-	-	-
9-304	Main Gatehouse for Inner Fence	1A	100	49	22	43	-	-	-
9-305	Secondary Gatehouse for Inner Fence	1A	45	40	16	34	-	-	-
1-413	Seal Pit	1A	26	27	0*	-	-	-	-
2-413	Seal Pit	1A	26	27	0*	-	-	-	-
1-419	Ball Strainer Pit	1A	19	29	0*		-	-	-
2-419	Ball Strainer Pit	1A	19	29	0*		-	-	-
1-502	BBG Light Oil Tank	1A	Dia 13	-	11	32	-	-	-
2-502	BBG Light Oil Tank	1A	Dia 13	-	11	32	-	-	-
0-507	Nitrogen Gas Supply System Facility	1A	20	26	23	41	-	-	-
1-515 (a-k)	FLSS Water Storage Tank	1A	Dia 17	-	15	36	-	-	-
2-515 (a-k)	FLSS Water Storage Tank	1A	Dia 17	-	15	36	-	-	-

No.	*Description*	*Parameter Zone*	*Maximum Parameter*				*Minimum Parameter*		
			L (m)	*W (m)*	*H (m)*	*H (m AOD)*	*L (m)*	*W (m)*	*H (m)*
1-518	Auxiliary Standby Transformer	1A	17	21	10	28	-	-	-
2-518	Auxiliary Standby Transformer	1A	17	21	10	28	-	-	-
1-519	Cooling Tower	1A	52	132	31	49	-	-	-
2-519	Cooling Tower	1A	52	132	31	49	-	-	-
1-101	Reactor Building	1A-1	77	78	49	67	66	67	38
2-101	Reactor Building	1A-1	76	76	49	67	65	65	38
1-102	Control Building	1A-1	76	50	49	67	65	39	19
2-102	Control Building	1A-1	76	50	49	67	66	39	19
1-103	Heat Exchanger Building	1A-1	69	77	49	67	42	66	20
2-103	Heat Exchanger Building	1A-1	69	77	49	67	42	66	20
0-104	Radioactive Waste Building	1A-1	82	68	49	67	-	-	-
1-105	Filter Vent Building	1A-1	23	28	49	67	-	-	-
2-105	Filter Vent Building	1A-1	23	28	49	67	-	-	-
1-108	Turbine Building	1A-1	96	121	49	67	80	109	34
2-108	Turbine Building	1A-1	96	121	49	67	80	109	34
0-109	Service Building	1A-1	88	41	49	67	79	40	28
1-110a	Emergency Diesel Generator Building	1A-1	26	37	49	67	-	-	-
1-110b	Emergency Diesel Generator Building	1A-1	35	49	49	67	-	-	-
1-110c	Emergency Diesel Generator Building	1A-1	26	36	49	67	-	-	-
2-110a	Emergency Diesel Generator Building	1A-1	35	55	49	67	-	-	-
2-110b	Emergency Diesel Generator Building	1A-1	26	36	49	67	-	-	-
2-110c	Emergency Diesel Generator Building	1A-1	26	36	49	67	-	-	-
2-506b	Auxiliary Normal Transformer	1A	22	37	11	29	-	-	-
1-506b	Auxiliary Normal Transformer	1A	22	37	11	29	-	-	-
2-506a	Generator Transformer	1A	59	24	16	34	-	-	-
2-506c	Excitation Transformer	1A	11	11	8	26	-	-	-
2-506d	Spare Generator Transformer	1A	21	22	12	30	-	-	-
1-506a	Generator Transformer	1A	59	24	16	34	-	-	-
1-506c	Excitation Transformer	1A	11	11	8	26	-	-	-

No.	*Description*	*Parameter Zone*	*Maximum Parameter*				*Minimum Parameter*		
			L (m)	*W (m)*	*H (m)*	*H (m AOD)*	*L (m)*	*W (m)*	*H (m)*
1-506d	Spare Generator Transformer	1A	21	22	12	30	-	-	-
1-107, 2-107	Back-up Building	1A-2	86	67	37	58	-	-	-
0-207a	Fire Water Pump House	1B-2	10	15	5	23	-	-	-
0-207b	Fire Water Pump House	1B-2	10	15	5	23	-	-	-
0-219	Makeup Water Treatment Building	1B	21	37	8	26	-	-	-
9-222	Conventional and Hazardous Waste Building	1B	74	44	14	35	-	-	-
9-246	Lower Activity Waste Management Facility	1B	151	66	18	39	-	-	-
0-504a	Domestic and Fire Water Storage Tank	1B	Dia 41	-	10	28	-	-	-
0-504b	Domestic Water and Fire Water Storage Tank	1B	Dia 41	-	10	28	-	-	-
0-510a	Purified Water Storage Tank	1B	Dia 19	-	15	33	-	-	-
0-510b	Purified Water Storage Tank	1B	Dia 19	-	15	33	-	-	-
0-513	Light Oil Storage Tank	1B	Dia 14	-	10	28	-	-	-
9-718	Weighbridge	1B	20	20	5	26	-	-	-
0-218	Auxiliary Boiler Building	1B-1	90	34	17	35	-	-	-
0-204a	Garage for Mobile Emergency Cooling Related Vehicles	1C	93	22	15	36	-	-	-
0-204b	Garage for Mobile Emergency Cooling Related Vehicles	1C	93	22	15	36	-	-	-
9-220	Administration Building	1C	158	45	23	44	-	-	-
9-242	Emergency Response Centre	1C	83	38	16	37	-	-	-
9-306	Main Gatehouse for Outer Fence	1C	84	48	22	43	-	-	-
9-256	Auxiliary Standby Generator Building	1C-1	40	30	22	43	-	-	-
9-201	Spent Fuel Storage Facility	1D	150	190	27	48	-	-	-

No.	*Description*	*Parameter Zone*	*Maximum Parameter*				*Minimum Parameter*		
			L (m)	*W (m)*	*H (m)*	*H (m AOD)*	*L (m)*	*W (m)*	*H (m)*
9-202	Intermediate Level Waste Storage Facility	1D	150	49	19	40	-	-	-
9-248	Cask Transporter Garage	1C	57	36	22	43	-	-	-
0-416	Outfall Facility	1H-1	38	25	0*	-	-	-	-
9-904	Simulator and Training Building	1I	145	85	21	52	-	-	-
9-308	Vehicle Inspection Bay	1K or 1L	61	51	12	40	-	-	-
9-310	Search Building Main Entrance	1L	45	38	10	31	-	-	-
9-240	Outage Building	1M	140	43	19	37	-	-	-
9-307	Secondary Gatehouse for Outer Fence	1M	45	45	10	28	-	-	-
9-311	Search Building Secondary Entrance	1M	45	38	10	28	-	-	-
1-253	Switchgear Building	1A-1	70	32	49	67	-	-	-
2-253	Switchgear Building	1A-1	70	32	49	67	-	-	-
1-411, 2-411	Intake Water Structure, includes Auxiliary Service Water Structure 404	1G-1	174	97	25	32	-	-	-
9-206	Fuelling Station	1C	41	38	11	32	-	-	-
0-237	Biocide Plant	1G	35	24	15	22	-	-	-
9-254	Plant Logistics Warehouse	1K	35	105	13	41	-	-	-
1-404a, 1-404b, 2-404a, 2-404b	Intake Screen Structure for Auxiliary Service Water System**	1G-1	** Dimensions included as part of 1-411, 2-411 above.						
1-505	HPCF Water Storage Tank	1A-1	40	40	17	35	-	-	-
2-505	HPCF Water Storage Tank	1A-1	40	40	17	35	-	-	-
1-520	Variable Speed Drive Transformer	1A	27	25	10	28	-	-	-
2-520	Variable Speed Drive Transformer	1A	27	25	10	28	-	-	-
1-521	Step-down Transformer for RIP ASD Panel	1A	27	25	10	28	-	-	-
2-521	Step-down Transformer for RIP ASD Panel	1A	27	25	10	28	-	-	-

No.	*Description*	*Parameter Zone*	*Maximum Parameter*				*Minimum Parameter*		
			L (m)	*W (m)*	*H (m)*	*H (m AOD)*	*L (m)*	*W (m)*	*H (m)*
1-522	Step-down Transformer for Class 1M/C	1A	35	16	10	28	-	-	-
2-522	Step-down Transformer for Class 1M/C	1A	35	16	10	28	-	-	-
0-255	Domestic Water Pump House	1B	12	12	7	28	-	-	-
9-724	Foul Water Pumping Station	1M	12	12	5	23	-	-	-
9-719	Outage Accommodation Laydown	1M	60	15	8	26	-	-	-

The symbol * indicates structures that are below ground.

(2) The stacks identified in Table WN6B may only be constructed within the locations identified for that stack on the Power Station Site Parameter Plan (WN0902-HZDCO-MSP-DRG-00002) in Schedule 2 (Approved plans) of this Order, and in accordance with the minimum and maximum dimensions shown in that table for those stacks—

Table WN6B

Stack Number Locations	*Description*	*Stack Location*		*Height (m AOD)*	
		Coordinates (BNG)(m)	*Stack Centre NS/EW Parameter – Maximum radius*	*Maximum Parameter*	*Minimum Parameter*
S1	Emergency Diesel Generator Building (EDG Stack)	NS: 393159 EW: 234889	5m radius	70	55
S2	Emergency Diesel Generator Building (EDG Stack)	NS: 393126 EW: 234938	5m radius	70	55
S3	Emergency Diesel Generator Building (EDG Stack)	NS: 393082 EW: 235024	5m radius	70	55
S4	Emergency Diesel Generator Building (EDG Stack)	NS: 393048 EW: 235072	5m radius	70	55
S5	Main Stack (1-106)	NS: 393152 EW: 234890	5m radius	98	94

Stack Number Locations	*Description*	*Stack Location*		*Height (m AOD)*	
		Coordinates (BNG)(m)	*Stack Centre NS/EW Parameter – Maximum radius*	*Maximum Parameter*	*Minimum Parameter*
S6	Main Stack (2-106)	NS: 393075 EW: 235024	5m radius	95	91
S7	Emergency Diesel Generator Building (EDG Stack)	NS: 393075 EW: 234902	5m radius	70	38
S8	Emergency Diesel Generator Building (EDG Stack)	NS: 392997 EW: 235036	5m radius	70	38
S9	Backup Building (BBG Stack)	NS: 392971 EW: 234823	5m radius	61	51
S10	Backup Building (BBG Stack)	NS: 392962 EW: 234839	5m radius	61	51
S11	Backup Building (BBG Stack)	NS: 392957 EW: 234847	5m radius	61	51
S12	Backup Building (BBG Stack)	NS: 392948 EW: 234863	5m radius	61	51
S13	Auxiliary Standby Generator Building	NS: 392864 EW: 234724	5m radius	51	42
S14	Auxiliary Boiler Building (North Stack)	NS: 393165 EW: 234746	5m radius	53	38
S15	Auxiliary Boiler Building (South Stack)	NS: 393135 EW: 234728	5m radius	53	38
S16	Fire Water Pumphouse (North Stack)	NS: 393171 EW: 234676	5m radius	26	21
S17	Fire Water Pumphouse (South Stack)	NS: 393158 EW: 234669	5m radius	26	21

WN7 Platform parameters

Any platform within the relevant parameter zone shown on the Power Station Site Parameter Plan (WN0902-HZDCO-MSP-DRG-00002) in Schedule 2 (Approved plans) of this Order, must be constructed in accordance with the minimum and maximum dimensions shown in Table WN7 for that zone—

Table WN5

Parameter Zone	*Platform height*	
	Minimum (m AOD)	*Maximum (m AOD)*
1A	+6	+22
1B	+6	+22
1C	+19	+22
1D	+19	+22
1G	+6	+20
1I	+30	+34
1K	+26	+30
1L	+19	+22
1M	+14	+20
1N	+14	+22

WN8 Grid Connection detailed design approval

(1) No construction may commence in respect of the Grid Connection until plans and written details of the design (including size, external appearance, siting and materials) have been submitted to and approved by IACC.

(2) The details submitted under paragraph (1) must be prepared in accordance with the parameters identified in Requirement WN9.

(3) The construction of the Grid Connection must be carried out in accordance with the details approved under paragraph (1), unless otherwise approved by IACC.

WN9 Grid connection parameters

The structures identified in Table WN9 may only be constructed in accordance with the minimum and maximum dimensions shown in that table for that structure—

Table WN9

Structure Name	*Maximum Parameter*		*Minimum Parameter*		
	H (m)	*W (m)*	*L (m)*	*W (m)*	*H (m)*
Conductor containment and support structures	15	7.5	-	-	-

WN10 Construction landscaping

Except for Work No. 12, any landscaping and habitat retained, created or enhanced during construction of the authorised development must be undertaken in accordance with Requirements PW3 and WN4, the Wylfa Newydd CoCP and Main Power Station Site sub-CoCP and the principles in Chapter 4 of the LHMS, unless otherwise approved by IACC.

WN11 Construction landscape and habitat management schemes

(1) Prior to the anticipated date of completion of the landscape and habitat works under Requirement WN10, management schemes relating to management, protection, monitoring and maintenance of landscape and habitat works must be submitted to and approved by IACC in consultation with NRW.

(2) The management schemes must be prepared and submitted under paragraph (1) for the following habitat and landscape works or features—

(a) existing habitats associated with watercourse diversions;

(b) retained and newly created habitats, boundary treatments and landscaping;

(c) drainage channels and ponds;

(d) Tre'r Gof SSSI;

(e) Cae Gwyn SSSI/Great Crested Newt Receptor Site (relating to the small portion which will be owned by the undertaker when option land is purchased);

(f) that part of the Arfordir Mynydd y Wylfa - Trwyn Penrhyn Wildlife Site that is within the Order Limits;

(g) woodland designed by Dame Sylvia Crowe for the Existing Power Station;
(h) retained ancient woodland;
(i) development buffer zones (around watercourses and designated sites); and
(j) wildlife structures (e.g. bat barns) and associated planting/buffers.
(3) Any management scheme submitted under paragraph (1) must be prepared in accordance with the management principles in Chapter 7 of the LHMS and must include details of the management, protection and maintenance measures relating to the specific habitat and landscape works and the monitoring of such measures.
(4) The management of habitat and landscape works identified under paragraph (2) must be carried out in accordance with the relevant management scheme approved under paragraph (1), unless otherwise approved by IACC, and implemented following completion of works under Requirement WN10.

WN12 Final landscape and habitat scheme

(1) Within 24 months of the First Nuclear Concrete for Unit 1, a final landscape and habitat scheme for the WNDA during the operational phase of the authorised development must be submitted to IACC for approval.
(2) The final landscape and habitat scheme submitted under paragraph (1) must be prepared in accordance with the overarching and operational principles in Chapter 4 of the LHMS and the Wylfa Newydd Development Area Retention Plans and include details of—
(a) the location, number, species, size and planting density of any proposed planting;
(b) proposed permanent ground levels;
(c) areas of permanent mounding and associated landscape treatments;
(d) proposed permanent public access and recreational facilities;
(e) proposed watercourse diversions and permanent drainage designs;
(f) details of any existing landscapes (wetland, woodland, grassland and trees) to be retained;
(g) details of any habitat created or enhanced.
(h) details of any hard landscaping, means of enclosure, lighting, street furniture and signage; and
(i) implementation timetables and maintenance proposals for all landscaping works.
(3) Commencement of the final landscape and habitat works must not commence until the scheme submitted under paragraph (1) has been approved by IACC in consultation with NRW.
(4) The final landscape and habitat works must be carried out in accordance with the final landscape and habitat scheme approved under paragraph (3), unless otherwise approved by IACC, and completed within 24 months of operation of Unit 2.
(5) Any tree, hedgerow or shrub planted as part of an approved landscaping and habitat scheme under paragraph (3) that, within a period of 5 years after planting, is removed, dies or becomes, in the opinion of IACC, seriously damaged or diseased, must be replaced in the first available planting season with a specimen of the same species and similar size of that being replaced, unless otherwise approved by IACC.
(6) Any vegetation sown as part of an approved landscaping and habitat scheme under paragraph (3) that, within a period of 5 years after sowing, is removed, dies or becomes, in the opinion of IACC, seriously damaged or diseased, must be reinstated in the first available sowing season with seeds of a species and provenance to be approved by IACC.

WN13 Wylfa Newydd CoOP and schemes

(1) The operation and maintenance of the Power Station Works must be carried out in accordance with the Wylfa Newydd CoOP, unless otherwise approved by IACC.
(2) Prior to the operation of the Power Station Works or the Off-Site Power Station Facilities, the following schemes must be submitted to IACC for approval—
(a) WNDA Operational Lighting Scheme; and
(b) Off-Site Power Station Facilities Operational Lighting Scheme.
(3) The schemes submitted under paragraph (2) must be in accordance with the details

identified in Part 2 of Schedule 4 (Control documents and schemes).

(4) Operation of the Power Station Works and the Off-Site Power Station Facilities must not commence until the scheme relating to that Work has been submitted under paragraph (2) has been approved by IACC in consultation with the relevant consultee identified for that scheme in Part 2 of Schedule 4 of this Order.

(5) Operation of the Power Station Works and the Off-Site Power Station Facilities must be in accordance with the scheme approved under paragraph (4), unless otherwise agreed by IACC in consultation with the consultee identified for that scheme in Part 2 of Schedule 4.

WN14 Operational landscape and habitat management schemes

(1) Prior to anticipated date of completion of the habitat and landscape works in accordance with the details approved under Requirement WN12(3), management schemes relating to management and maintenance of landscape and habitat works must be submitted to and approved by IACC in consultation with NRW.

(2) The management schemes must be prepared and submitted under paragraph (1) for the following landscape and habitat works or features—

(a) existing habitats associated with watercourse diversions;

(b) retained and newly created habitats, boundary treatments and landscaping;

(c) drainage channels and ponds;

(d) Tre'r Gof SSSI;

(e) Cae Gwyn SSSI /Great Crested Newt Receptor Site (relating to the small portion which will be owned by the undertaker when option land is purchased);

(f) that part of the Arfordir Mynydd y Wylfa - Trwyn Penrhyn Wildlife Site that is within the Order Limits;

(g) woodland designed by Dame Sylvia Crowe for the Existing Power Station;

(h) retained ancient woodland;

(i) development buffer zones (around watercourses and designated sites); and

(j) wildlife structures (e.g. bat barns) and associated planting/buffers.

(3) Any management scheme submitted under paragraph (1) must be prepared in accordance with the management principles in Chapter 7 of the LHMS and the relevant scheme approved under Requirement WN12 (for operation) and must include details of the management and maintenance measures relating to the specific landscape and habitat works and the monitoring of such measures.

(4) The management of landscape and habitat works identified under paragraph (2) must be carried out in accordance with the relevant management scheme approved under paragraph (1), unless otherwise approved by IACC, and implemented following completion of works under Requirement WN12.

WN15 Notable Wildlife Enhancement Area

(1) 12 months prior to the commencement of the authorised development, a management scheme for the management of the Notable Wildlife Enhancement Area must be submitted to IACC for approval.

(2) The management scheme submitted under paragraph (1) must be prepared in accordance with the management principles in Chapter 7 of the LHMS and include details of the management and maintenance of the Notable Wildlife Enhancement Area and the monitoring of such measures.

(3) No part of the authorised development may commence until the scheme submitted under paragraph (1) has been approved by IACC in consultation with NRW.

(4) The management of the Notable Wildlife Enhancement Area must be carried out in accordance with the management scheme approved under paragraph (3) for the duration of the undertaker's interest in the Notable Wildlife Enhancement Area, unless otherwise approved by IACC.

WN16 Reptile Receptor Site

(1) 12 months prior to the commencement of the authorised development, a management scheme for the management of the Reptile Receptor Site must be submitted to IACC for approval.

(2) The management scheme submitted under paragraph (1) must be prepared in accordance with the management principles in Chapter 7 of the LHMS and include details of the management and maintenance of the Reptile Receptor Site and the monitoring of such measures.

(3) No part of the authorised development may commence until the scheme submitted under paragraph (1) has been approved by IACC in consultation with NRW.

(4) The management of the Reptile Receptor Site must be carried out in accordance with the management scheme approved under paragraph (3) for the duration of the undertaker's interest in the Reptile Receptor Site, unless otherwise approved by IACC.

WN17 **Great Crested Newt Receptor Site**

(1) 12 months prior to the commencement of the authorised development, a management scheme for the management of the Great Crested Newt Receptor Site must be submitted to IACC for approval.

(2) The management scheme submitted under paragraph (1) must be prepared in accordance with the management principles in Chapter 7 of the LHMS and include details of the management and maintenance of the Great Crested Newt Receptor Site and the monitoring of such measures.

(3) No part of the authorised development may commence until the scheme submitted under paragraph (1) has been approved by IACC in consultation with NRW.

(4) The management of the Great Crested Newt Receptor Site must be carried out in accordance with the management scheme approved under paragraph (3) for the duration of the undertaker's interest in the Great Crested Newt Receptor Site, unless otherwise approved by IACC.

WN18 **Construction car parking**

The number of car parking spaces to be provided and available within the WNDA for the duration of the construction of the authorised development must not exceed 1,900, excluding spaces allocated for disabled staff, unless otherwise agreed with IACC.

WN19 **Operational car parking**

(1) The number of car parking spaces to be provided and available for the duration of the operation of the Power Station Site must not exceed—

(a) 500 permanent parking spaces, including spaces allocated for disabled operational staff, and 200 temporary spaces in the southern car park (9-709a);

(b) 800 temporary parking spaces in the northern car park (9-709b); and

(c) 200 permanent spaces at the simulator and training car park (9-709c),

unless otherwise approved by IACC.

Site Campus Works – Work No. 3 (WNDA)

5.—(1) Requirements WN20 to WN27 apply to the Site Campus Works within the WNDA—

(1) Ref	*(2) Requirement*
WN20	**Main Power Station Site sub-CoCP** The construction of the Site Campus Works must be carried out in accordance with the Wylfa Newydd CoCP and the Main Power Station Site sub-CoCP, unless otherwise approved by IACC. In the event of conflict between the Wylfa Newydd CoCP and Main Power Station Site sub-CoCP, the Main Power Station Site sub-CoCP will prevail.
WN21	**Site Campus medical centre** (1) The Site Campus must not be occupied until written details and designs for the provision of the Site Campus medical centre have been submitted to and approved by IACC, in consultation with Betsi Cadwaladr University Health Board. (2) The details and designs submitted under paragraph (1) must be developed in consultation with the nominated local health service provider and in accordance with applicable guidance and must include— (a) provision for GP and pharmacy dispensing services, primary care for minor injuries

(1) Ref	*(2) Requirement*
	and occupational healthcare and hygiene services and facilities; (b) details of proposed hours of operation and access; (c) details of proposed service levels and staffing requirements; and (d) details of proposed access and transfer arrangements for emergency services and vehicles. (3) The construction and operation of the Site Campus medical centre must be in accordance with the approved details and designs under paragraph (1), unless otherwise approved by IACC.
WN22	**Site Campus detailed design approval** (1) No construction of the Site Campus may commence in respect of a building or other structure identified in Requirement WN23 until plans and written details of the design (including size, external appearance, facilities, floorplans and siting) and external material and colour samples have been submitted to and approved by IACC in consultation with NRW. (2) The plans, details and samples submitted under paragraph (1) must be prepared in accordance with the parameters and parameter plan identified in Requirement WN23 and the design principles relating to the Site Campus in volume 3 of the DAS. (3) The construction of any building or other structure identified in Requirement WN23 must be in accordance with the details approved under paragraph (1), unless otherwise approved by IACC.
WN23	**Site Campus finished site parameter plans and maximum finished dimensions of buildings and other structures** The buildings and other structures identified in Table WN23 may only be constructed within the relevant parameter zone shown on the Site Campus Wylfa Newydd Development Area Parameter Plan (WN0902-HZDCO-SCA-DRG-00001) in Schedule 2 (Approved plans) of this Order, and no greater than the maximum dimensions shown in that table for that building or other structure—

Table WN23

Description	*Parameter Zone*	*Maximum Parameter*			*Minimum Parameter*		
		L (m)	*W (m)*	*H (m)*	*L (m)*	*W (m)*	*H (m)*
Accommodation Block	3A-1	75	13	18	-	-	-
Accommodation Block	3A-2	75	13	18	-	-	-
Accommodation Block	3A-3	75	13	18	-	-	-
Substation and bin enclosure	3A-4	10	5	5	-	-	-
Substation and bin enclosure	3A-5	10	5	5	-	-	-
Accommodation Block	3A-6	75	13	32	-	-	-
Accommodation Block	3A-7	75	13	18	-	-	-
Accommodation Block	3A-8	75	13	18	-	-	-
Substation and bin enclosure	3A-9	10	5	5	-	-	-
Substation and bin enclosure	3A-10	10	5	5	-	-	-
Substation and bin enclosure	3A-11	10	5	5	-	-	-
Accommodation Block	3A-12	75	13	32	-	-	-
Substation and bin enclosure	3A-13	10	5	5	-	-	-
Accommodation Block	3A-14	75	13	32	-	-	-
Substation and bin enclosure	3A-15	10	5	5	-	-	-
Accommodation Block	3A-16	75	13	18	-	-	-
Accommodation Block	3A-17	75	13	18	-	-	-
Substation and bin enclosure	3A-18	10	5	5	-	-	-
Substation	3A-19	10	6	5	-	-	-
Amenity Building	3A-19	95	63	14	-	-	-
Sprinkler Pump House,	3A-19	12	6	5	-	-	-

Description	*Parameter Zone*	*Maximum Parameter*			*Minimum Parameter*		
		L (m)	*W (m)*	*H (m)*	*L (m)*	*W (m)*	*H (m)*
Compactor and External Bin Store for Amenity Building							
Cycle Store	3A-20	8	5	4	-	-	-
Accommodation Block	3A-21	75	13	32	-	-	-
Substation and bin enclosure	3A-22	10	5	5	-	-	-
Accommodation Block	3A-23	75	13	18	-	-	-
Accommodation Block	3A-24	75	13	18	-	-	-
Accommodation Block	3A-25	75	13	18	-	-	-
Substation and bin enclosure	3A-26	10	5	5	-	-	-
Substation and bin enclosure	3A-27	10	5	5	-	-	-
Substation and bin enclosure	3A-28	10	5	5	-	-	-
MUGA	3A-29	Extent of Zone 3A-29			-	-	-
MUGA Equipment Store	3A-30	7	4	3	-	-	-
HV Switch Room	3A-31	11	4	5	-	-	-
Security Building	3A-32	7	5	4	-	-	-
Accommodation Block	3A-33	75	13	18	-	-	-
Accommodation Block	3A-34	75	13	23	-	-	-
Accommodation Block	3A-35	75	13	27	-	-	-
Accommodation Block-	3A-36	75	13	27	-	-	-
Substation and bin enclosure	3A-37	10	5	5	-	-	-
Substation and bin enclosure	3A-38	10	5	5	-	-	-
Substation and bin enclosure	3A-39	10	5	5	-	-	-
Substation and bin enclosure	3A-40	10	5	5	-	-	-
Accommodation Block	3A-41	75	13	23	-	-	-
Substation and bin enclosure	3A-42	10	5	5	-	-	-
Accommodation Block	3A-43	75	13	18	-	-	-
Accommodation Block	3A-44	75	13	27	-	-	-
Accommodation Block	3A-45	75	13	27	-	-	-
Accommodation Block	3A-46	75	13	23	-	-	-
Accommodation Block	3A-47	75	13	27	-	-	-
Substation and bin enclosure	3A-48	10	5	5	-	-	-
Substation and bin enclosure	3A-49	10	5	5	-	-	-
Substation and bin enclosure	3A-50	10	5	5	-	-	-
Substation and bin enclosure	3A-51	10	5	5	-	-	-
Substation and bin enclosure	3A-52	10	5	5	-	-	-
Accommodation Block	3A-53	75	13	18	-	-	-

WN24 Landscape detailed design

(1) Occupation of the Site Campus must not commence until plans and written details of the landscape design have been submitted to and approved by IACC in consultation with NRW.

(2) The details submitted under paragraph (1) must be prepared in accordance with the landscape principles relating to the Site Campus in volume 3 of the DAS and include details of—

(a) location, number, species, size, local provenance and planting density of any proposed planting;

(b) cultivation, importing of materials and other operations to ensure plant establishment;

(c) proposed finished ground levels;

(d) hard surfacing materials;
(e) hard landscape features and boundary treatments (including stone walls, cloddiau, fences and gates);
(f) details of any means of enclosure, external and street lighting, signage and street furniture;
(g) details of existing trees and hedges to be retained, with measures for their protection during the construction period; and
(h) implementation timetables and maintenance proposals for all landscaping works.
(3) The landscaping of the Site Campus must be undertaken in accordance with the details approved under paragraph (1) and maintained for the operational period of the Site Campus, unless otherwise approved by IACC.
(4) Any tree, hedgerow or shrub planted as part of an approved detailed design under paragraph (1) that, within the operational period of the Site Campus, is removed, dies or becomes, in the opinion of IACC, seriously damaged or diseased, must be replaced in the first available planting season with a specimen of the same species and similar size as that replaced, unless otherwise approved by IACC.
(5) Any vegetation sown as part of an approved landscaping and habitat scheme under paragraph (1) that, within the operational period of the Site Campus, is removed, dies or becomes, in the opinion of IACC, seriously damaged or diseased, must be reinstated in the first available sowing season with seeds of species and provenance to be approved by IACC.

WN25 Access to Site Campus

The Site Campus may not be occupied until the Site Campus Access Road has been established.

WN26 Occupation of the Site Campus following Unit 1 Commissioning Date

(1) Following the Unit 1 Commissioning Date, the number of bed spaces available for occupation at the Site Campus must not exceed 3,000.
(2) The Site Campus must not be occupied during the operational period of Unit 2.

WN27 Site Campus decommissioning scheme

(1) Decommissioning of the Site Campus must not commence until a decommissioning scheme has been submitted to and approved by IACC.
(2) A decommissioning scheme submitted under paragraph (1) must be submitted to IACC for approval no later than 6 months prior to the anticipated Unit 2 Commissioning Date, unless otherwise agreed with IACC, and must include details of—
(a) the timeframes and phasing of decommissioning, removal and restoration works; and
(b) proposals to restore the site in accordance with the principles in the LHMS including details of how the biodiversity of the site will be enhanced through the use of appropriate agricultural practices.
(3) Any decommissioning scheme submitted under paragraph (2) must be prepared in general accordance with the Wylfa Newydd CoCP and the Main Power Station Site sub-CoCP.
(4) Decommissioning of the Site Campus and restoration of the site must be undertaken in accordance with the decommissioning scheme approved under paragraph (1), unless otherwise approved by IACC.

Marine Works – Work No. 1E –H (Wylfa Newydd Development Area)

6.—(1) Requirements WN28 to WN32 apply to the Marine Work—

(1) Ref	*(2) Requirement*
WN28	**Marine sub-CoCP** (1) The construction and operation of the Marine Works must be carried out in accordance with the Wylfa Newydd CoCP and the Marine Works sub-CoCP, unless otherwise approved by NRW in consultation with IACC. (2) In the event of conflict between the Wylfa Newydd CoCP and Marine Works sub-CoCP, the Marine Works sub-CoCP will prevail.
WN29	**Marine Works detailed design approval** (1) No construction may commence in respect of a building, works or other structure identified in Requirement WN30 until plans and written details of the design (including size, external appearance and siting) have been submitted to and approved by the discharging authority in consultation with relevant marine works consultee. (2) The details submitted under paragraph (1) must be prepared in accordance with the parameters and parameter plans identified in Requirement WN30 and design principles relating to the Marine Works in volume 2 of the DAS. (3) Construction of any building, works or other structure must be carried out in accordance with the details approved under paragraph (1), unless otherwise approved by the discharging authority in consultation with relevant marine works consultee.
WN30	**Marine Works parameter plans and maximum finished dimension of buildings and other structures** (1) The buildings, works, or other structures identified in Tables WN30A to WN30D may only be constructed within the relevant parameter zone shown on the parameter plans and in accordance with the maximum and minimum dimensions shown for that building, works or other structure in those tables— (a) Within the relevant parameter zone shown on Marine Works Parameter Plan – Permanent Works (WN0902-HZDCO-MRN-DRG-00001) in Schedule 2 (Approved plans) of this Order, and in accordance with the maximum and minimum dimensions shown for the structures or works in Table WN30A—

Table WN30A

Breakwater	*Parameter Zone*	*Maximum Parameter*			*Minimum Parameter*		
		L (Crest) (m)	*W (Base) (m)*	*Height (Crest) (m AOD)*	*L (Crest) (m)*	*W (Base) (m)*	*Height (Crest) (m AOD)*
West Breakwater	1F-4	402	130	14	398	-	10
East Breakwater and Shore Protection	1F-5	240	100	13	150	-	9

(b) Within the relevant parameter zone shown on Marine Works Parameter Plan - Dredging (WN0902-HZDCO-MRN-DRG-00003) in Schedule 2 of this Order, and in accordance with the maximum dimensions shown for the structures or works in Table WN30B—

Table WN30B

Dredging	*Parameter Zone*	*Maximum Parameter*		
		Dredge (m AOD)	*Depth*	*Dredged volume (m3) in situ volume*
Intake channel	1F-1	-11		-
Berthing pockets	1F-6	-13		-
Superficial deposits	1E-1, 1E-2, 1E-3	-		220,000

(c) Within the relevant parameter zones shown on Marine Works Parameter Plan – Permanent Works (WN0902-HZDCO-MRN-DRG-00001) and Marine Works Parameter Plan – Temporary Works (WN0902-HZDCO-MRN-DRG-00002) in Schedule 2 of this Order, and in accordance with the maximum and minimum dimensions shown for the structures or works in Table WN30C—

Table WN30C

Marine Off-Loading Facilities and Associated Structures	*Parameter Zone*	*Maximum Parameter*			*Minimum Parameter*		
		L (m)	*W (m)*	*H (m AOD)*	*L (m)*	*W (m)*	*H (m AOD)*
Bulk MOLF	1F-7	To extent of Zone 1F-7		6	-	-	5
Land Reclamation	1F-7	To extent of Zone 1F-7		6	-	-	5
Mooring Dolphin	1F-7	6	6	6	2	2	5
Mooring Dolphin	1F-7	6	6	6	2	2	5
Mooring Dolphin	1F-7	6	6	6	2	2	5
Mooring Dolphin	1F-7	6	6	6	2	2	5
Mooring Dolphin	1F-7	6	6	6	2	2	5
Mooring Dolphin	1F-7	6	6	6	2	2	5
Mooring Dolphin	1F-7	6	6	6	2	2	5
Mooring Dolphin	1F-7	6	6	6	2	2	5
RoRo MOLF Quay	1F-7	To extent of Zone 1F-7		6	-	-	5
Lay-by Berth	1F-9	To extent of Zone 1F-9		6	-	-	5
Temporary Pontoon	1F-8	To extent of Zone 1F-8		-	-	-	-
Intake Skimmer Wall (0-428)	1G	210	10	10	-	-	-

(d) Within the relevant parameter zones shown on Marine Works Parameter Plan – Permanent Works (WN0902-HZDCO-MRN-DRG-00001) and Marine Works Parameter Plan – Temporary Works (WN0902-HZDCO-MRN-DRG-00002) in Schedule 2 of this Order, and in accordance with the maximum and minimum dimensions for the structures in Table WN30D—

Table WN30D

Temporary Structures	*Parameter Zone*	*Maximum Parameter*			*Minimum Parameter*		
		L (m)	*W (m)*	*H (m AOD)*	*L (m)*	*W (m)*	*H (m AOD)*
Bund Cofferdam	1F-2	To extent of Zone 1F-2		10	-	-	-
Temporary Barge Berth	1F-3	To extent of Zone 1F-3		6	-	-	3
Intake Cofferdam	1G	260	30	10	-	-	-
Outfall Cofferdam	1H	240	85	10	-	-	-
Temporary Access Ramp	1E-4	200	20	-		-	-

WN31 **Operation and use of the Marine Off-Loading Facility**

(1) The undertaker must ensure that during construction of the authorised development at least 60% of all materials required for the construction of the Power Station Works are delivered via the Marine Off-Loading Facility.

(2) The undertaker must undertake monthly monitoring of material deliveries and report compliance with paragraph (1) to IACC on a quarterly basis.

WN32 **Disposal of dredged material**

Any surplus dredged material arising from the authorised development that cannot be re-used must be disposed of at Holyhead North, unless otherwise agreed with NRW.

Off-Site Power Station Facilities – Work No. 5

7.—(1) Requirements OSPF1 to OPSF6 apply to the Off-Site Power Station Facilities at Llanfaethlu (Work No. 5)—

(1) Ref	*(2) Requirement*
OPSF1	**Off-Site Power Station Facilities Sub-CoCP and schemes** (1) The construction of the Off-Site Power Station Facilities must be carried out in accordance with the Wylfa Newydd CoCP and the Off-Site Power Station Facilities sub-CoCP, unless otherwise approved by IACC. In the event of conflict between the Wylfa Newydd CoCP and Off-Site Power Station Facilities sub-CoCP, the Off-Site Power Station Facilities sub-CoCP will prevail. (2) No construction of the Off-Site Power Station Facilities may commence until the following schemes have been submitted to and approved by IACC— (a) Off-Site Power Station Facilities Archaeological Mitigation Scheme, including a written scheme of investigation; and (b) Off-Site Power Station Facilities Construction Lighting Scheme. (3) All schemes submitted under paragraph (2) must be in accordance with the details identified in Part 2 of Schedule 4 (Control documents and schemes). (4) Construction of the Off-Site Power Station Facilities must not commence until the schemes submitted under sub-paragraph (2) have been approved by IACC, in consultation with the relevant consultee identified for that scheme identified in Part 2 of Schedule 4. (5) Construction of the Off-Site Power Station Facilities must be undertaken in accordance with the schemes approved under paragraph (2), unless otherwise approved by IACC in consultation with the consultee identified for that scheme in Part 2 of Schedule 4.
OPSF2	**Off-Site Power Station Facilities detailed design approval** (1) No construction may commence in respect of any building or other structure identified in Requirement OPSF3 until plans and written details of the design (including size, external appearance, siting and materials) and external material and

colour samples have been submitted to and approved by IACC.

(2) The plans, details and samples submitted under paragraph (1) must be in accordance with the parameters and parameter plan identified in Requirement OPSF3 and the design and landscaping principles relating to the Off-Site Power Station Facilities in volume 3 of the DAS.

(3) Construction of the Off-Site Power Station Facilities must be undertaken in accordance with the details approved under paragraph (1), unless otherwise approved by IACC.

OPSF3 Off-Site Power Station Facilities parameter plans and maximum dimensions of buildings and other structures

The buildings and other structures identified in the Table OPFS3 may only be constructed within the relevant parameter zone shown on Off-Site Power Station Facilities Llanfaethlu – Parameter Plan (WN0902-HZDCO-ADV-DRG-00001) in Schedule 2 (Approved plans) of this Order, and with maximum dimensions no greater than those shown in that table for that building or other structure—

Table OPSF3

Building Name	*Parameter Zone*	*Maximum Parameter*			*Minimum Parameter*		
		L (m)	*W (m)*	*H (m)*	*L (m)*	*W (m)*	*H (m)*
MEEG/AECC Building	5-1	55	25	14	-	-	-
ESL Building	5-2	30	19	8	-	-	-

OPSF4 Landscape detailed design

(1) 12 months prior to the operation of the Off-Site Power Station Facilities, plans and written details of the landscape design for the non-operational areas of the Off-Site Power Station Facilities must be submitted to and approved by IACC.

(2) The details submitted under paragraph (1) must be prepared in accordance with the landscape principles relating to the Off-Site Power Station Facilities in volume 3 of the DAS and include details of—

(a) location, number, species, size, mix, local provenance and density of any proposed planting;

(b) cultivation, importing of materials and other operations to ensure plant establishment;

(c) proposed finished ground levels;

(d) hard surfacing materials;

(e) hard landscape features and boundary treatments (including stone walls, cloddiau, fences and gates);

(f) details of any means of enclosure, external and street lighting, signage and street furniture;

(g) details of existing trees and hedgerows to be retained; and

(h) implementation timetables and maintenance proposals for all landscaping works that will apply during the operational period of the Off-Site Power Station Facility.

(3) No landscaping works may commence until the plans and written design submitted under paragraph (1) have been approved by IACC.

(4) Landscaping of the Off-Site Power Station Facilities must be undertaken in accordance with the details approved under paragraph (1), unless otherwise approved by IACC, and maintained for the duration of the operational period of the Off-Site Power Station Facilities.

(5) Any tree, hedgerow or shrub planted as part of an approved detailed design under paragraph (1) that, within the operational period of the Off-Site Power Station Facilities, is removed, dies or becomes, in the opinion of IACC, seriously damaged or diseased, must be replaced in the first available planting season with a specimen of the same species and similar size as that replaced, unless otherwise approved by IACC.

(6) For the purposes of this requirement, "non-operational areas" means any area of the Off-Site Power Station Facilities associated with the operation of the MEEG/AECC Building and ESL Building.

OPSF5 **Wylfa Newydd CoOP**

The Off-Site Power Station Facilities must be operated in accordance with the Wylfa Newydd CoOP, unless otherwise agreed by IACC.

OPSF6 **Operational car parking**

(1) Except in an emergency, the number of car parking spaces to be provided and available during the operation of the Off-Site Power Station Facilities must not exceed 67 spaces, including spaces allocated for disabled operational staff, unless otherwise approved by IACC.

(2) For the purposes of this requirement, an "emergency" means an event where the Off-Site Power Station Facilities will be operational due to an emergency event occurring at the Power Station Site, which makes the primary emergency response facilities at the Power Station Site inoperable or in use to support the emergency response on the Power Station Site and/or prevents access to the Power Station Site.

Park and Ride facility - Work No. 6

8.—(1) Requirements PR1 and PR8 apply to the Park and Ride facility—

(1) Ref	*(2) Requirement*
PR1	**Dalar Hir Park and Ride sub-CoCP and schemes** (1) The construction and operation of the Park and Ride facility must be carried out in accordance with the Wylfa Newydd CoCP and the Dalar Hir Park and Ride sub-CoCP, unless otherwise approved by IACC. In the event of conflict between the Wylfa Newydd CoCP and the Dalar Hir Park and Ride sub-CoCP, the Dalar Hir Park and Ride sub-CoCP will prevail. (2) No construction of any phase of the Park and Ride facility may commence until the following schemes have been submitted to and approved by IACC— (a) Park and Ride Archaeological Mitigation Scheme, including a written scheme of investigation; and (b) Park and Ride Lighting Scheme. (3) The scheme submitted under paragraph (2) must be in accordance with the details identified in Part 2 of Schedule 4 (Control documents and schemes). (4) The Park and Ride Lighting Scheme submitted under sub-paragraph (2)(b) may be submitted on a phased basis. (5) Construction of any phase of the Park and Ride facility must not commence until the schemes submitted under paragraph (2) have been approved by IACC in consultation with the relevant consultee identified in Part 2 of Schedule 4. (6) Construction of any phase of the Park and Ride facility must be undertaken in accordance with the schemes approved under paragraph (2) unless otherwise approved by IACC in consultation with the consultee identified for that scheme in Part 2 of Schedule 4.
PR2	**Detailed Design Drawings** (1) Except for the site access arrangements or where Requirements PR3 and PR4 apply, the construction of the Park and Ride facility must be carried out in accordance with the Detailed Design Drawings relating to the Park and Ride facility in Schedule 2 (Approved plans) of this Order. (2) Prior to construction of the Park and Ride facility in accordance with the Detailed Design Drawings under paragraph (1), the undertaker will submit external material and colour samples of all buildings and structures within the Park and Ride facility to IACC for approval. (3) The plans, details and samples submitted under paragraph (2) must be in accordance with the design and principles relating to the Park and Ride facility in volume 3 of the DAS.

(4) Where IACC receives samples under paragraph (2) for approval, IACC must notify the undertaker of its decision within 20 working days beginning the date on which the samples were submitted and, in the event no notification is received within this time period, IACC will be deemed to have given its approval.

(5) Construction of the Park and Ride facility must be undertaken in accordance with the plans and details approved under paragraph (2) unless otherwise approved by IACC.

PR3 **Park and Ride facility detailed design approval**

(1) In the event that the undertaker elects not to construct the Park and Ride facility in accordance with the approved Detailed Design Drawings relating to the Park and Ride facility in Schedule 2 (Approved plans) of this Order, no construction may commence in respect of a building or other structure identified within Requirement PR4 until plans and written details of the design of such building or other structure (including size, siting and external appearance) and external material and colour samples have been submitted to and approved by IACC.

(2) The plans, details and samples submitted under paragraph (1) must be prepared in accordance with the parameters and parameter plans identified in Requirement PR4 and the design and landscaping principles relating to the Park and Ride facility in volume 3 of the DAS.

(3) Construction of the Park and Ride facility must be undertaken in accordance with the details approved under paragraph (1).

PR4 **Park and Ride facility parameter plans and maximum dimension of buildings and other structures**

Where Requirement PR3 applies, the buildings and other structures identified in Table PR4 below may only be constructed within the parameter zone shown on the Park and Ride – Dalar Hir Parameter Plan (WN0902-HZDCO-ADV-DRG-00032) in Schedule 2 (Approved plans) of this Order, and in accordance with the maximum and minimum dimensions shown in that table for that building or other structure—

Table PR4

Building Name	*Parameter Zone*	*Maximum Parameter*			*Minimum Parameter*		
		L (m)	*W (m)*	*H (m)*	*L (m)*	*W (m)*	*H (m)*
Car Park Area 2	6-1	Extent of Zone 6-1		-	-	-	-
Car Park Area 3	6-2	Extent of Zone 6-2		-	-	-	-
Car Park Area 4	6-3	Extent of Zone 6-3		-	-	-	-
Bus Shelter – long	6-4	70	5	5	-	-	-
Bus Shelter – short	6-4	54	5	5	-	-	-
Bus waiting/pick up/drop off zone	6-4	Extent of Zone 6-4		-	-	-	-
Bus Terminal Building	6-5	30	13	5	-	-	-
Cycle Shelter/Bin Store	6-6	11	7	5	-	-	-
Staff and Accessible Parking Area	6-7	Extent of Zone 6-7		-	-	-	-
Car Park Area 1	6-8	Extent of Zone 6-8		-	-	-	-
Car Park Area 5	6-9	Extent of Zone 6-9		-	-	-	-

PR5 **Site Access Design**

(1) No construction of the Park and Ride facility may commence until plans and written details of the site access arrangements have been submitted to and approved

by IACC, in consultation with the Welsh Ministers where the design impacts on a strategic highway.

(2) The details submitted under paragraph (1) must be prepared in accordance with the design principles in volume 3 of the DAS and Part 8 of Schedule 15 (Protective provisions) of this Order.

(3) The construction of the site access arrangements must be carried out in accordance with the details approved under paragraph (1), unless otherwise approved by IACC.

PR6 **Landscape Detailed Design**

(1) 12 months prior to the operation of the Park and Ride facility, plans and written details of the landscape design must be submitted to and approved by IACC.

(2) The details submitted under paragraph (1) must be prepared in accordance with the landscape principles relating to the Park and Ride in volume 3 of the DAS and include details of—

(a) location, number, species, size, mix, local provenance and density of any proposed planting;

(b) cultivation, importing of materials and other operations to ensure plant establishment;

(c) proposed finished ground levels;

(d) hard surfacing materials;

(e) hard landscape features and boundary treatments (including stone walls, cloddiau, fences and gates);

(f) details of any means of enclosure, external and street lighting, signage and street furniture;

(g) details of existing trees and hedgerows to be retained; and

(h) implementation timetables and maintenance proposals for all landscaping works that will apply during the operational period of the Park and Ride Facility.

(3) No landscaping works may commence until the plans and written design submitted under paragraph (1) have been approved by IACC.

(4) Landscaping of the Park and Ride facility must be undertaken in accordance with the details approved under paragraph (1) and maintained for the duration of the operational period of the Park and Ride facility, unless otherwise approved by IACC.

(5) Any tree, hedgerow or shrub planted as part of an approved detailed design under paragraph (1) that, within the operational period of the Park and Ride facility, is removed, dies or becomes, in the opinion of IACC, seriously damaged or diseased, must be replaced in the first available planting season with a specimen of the same species and similar size as that replaced, unless otherwise approved by IACC.

PR7 **Operational car and cycle parking**

(1) The number of parking spaces to be provided and available during the operation of the Park and Ride facility must not exceed 1,900, including spaces allocated for disabled operational staff but excluding spaces for minibuses and motorcycles, unless otherwise approved by IACC.

(2) A total of 25 cycle storage spaces will be provided and available during the operation of the Park and Ride facility, unless otherwise approved by IACC.

PR8 **Park and Ride facility Decommissioning Scheme**

(1) No construction of the Park and Ride facility must commence unless an outline decommissioning scheme has been submitted to and approved by IACC, unless otherwise agreed with IACC.

(2) The outline decommissioning scheme submitted under paragraph (1) must outline the overarching principles for the decommissioning of the Park and Ride facility and restoration of the site to agricultural use.

(3) At least 6 months prior to the anticipated Unit 2 Commissioning Date, unless otherwise agreed with IACC, a detailed decommissioning scheme must be submitted to IACC for approval.

(4) The detailed decommissioning scheme submitted under paragraph (3) must

include details of—

(a) the timeframes for decommissioning, removal, restoration and maintenance works;

(b) restoration and maintenance of structures to remain within watercourse;

(c) reinstatement of habitats affected by the Park and Ride facility;

(d) proposed works to return the land to agricultural use for grazing, including a 1:6 gradient for side slopes of attenuation areas; and

(e) the handover environmental management plan (which must include an aftercare plan for a period of 5 years) agreed with IACC.

(5) Any detailed decommissioning scheme submitted under paragraph (2) must be in accordance with outline decommissioning scheme approved under paragraph (1) and the Wylfa Newydd CoCP and the Dalar Hir Park and Ride facility sub-CoCP.

(6) Decommissioning of the Park and Ride facility must not commence until a detailed decommissioning scheme has been submitted to and approved by IACC under paragraph (3).

(7) Decommissioning of the Park and Ride facility and restoration of the site must be undertaken in accordance with the detailed decommissioning scheme approved under paragraph (3), unless otherwise approved by IACC.

(8) A detailed decommissioning scheme will not be required to be submitted under paragraph (3) where IACC has granted, or resolved to grant, planning permission for the ongoing use of the Park and Ride facility.

Logistics Centre – Work No. 7

9.–(1) Requirements LC1 and LC8 apply to the Logistics Centre (Work No. 7)—

(1) Ref	*(2) Requirement*
LC1	**Parc Cybi Logistics Centre Sub-CoCP and schemes** (1) The construction and operation of the Logistics Centre must be carried out in accordance with the Wylfa Newydd CoCP and the Parc Cybi Logistics Centre sub-CoCP, unless otherwise approved by IACC. In the event of conflict between the Wylfa Newydd CoCP and the Parc Cybi Logistics Centre sub-CoCP, the Parc Cybi Logistics Centre sub-CoCP will prevail. (2) Prior to the construction of the Logistics Centre the following schemes must be submitted to and approved by IACC— (a) Logistics Centre Archaeological Mitigation Scheme, including a written scheme of investigation; and (b) Logistics Centre Lighting Scheme. (3) All schemes submitted under paragraph (2) must be in accordance with the details identified in Part 2 of Schedule 4 (Control documents and schemes) of this Order. (4) No part of the Logistics Centre may commence until the schemes submitted under paragraph (2) have been approved by IACC, in consultation with the relevant consultee identified for that scheme in Part 2 of Schedule 4. (5) Construction of the Logistics Centre must be in accordance with the schemes approved under paragraph (4), unless otherwise agreed by IACC in consultation with the consultee identified for that scheme in Part 2 of Schedule 4.
LC2	**Detailed Design Drawings** (1) The construction of the Logistics Centre must be carried out in accordance with the approved Detailed Design Drawings relating to the Logistics Centre in Schedule 2 (Approved plans) of this Order, except where Requirements LC3 and LC4 apply. (2) Prior to construction of the Logistics Centre in accordance with the Detailed Design Drawings under paragraph (1), the undertaker will submit external material and colour samples of all buildings and structures within the Logistics Centre to IACC for approval. (3) The plans, details and samples submitted under paragraph (2) must be in

(1) Ref	*(2) Requirement*
	accordance with the design and principles relating to the Logistics Centre in volume 3 of the DAS. (4) Where IACC receives samples under paragraph (2) for approval, IACC must notify the undertaker of its decision within 20 working days beginning the date on which the samples were submitted and, in the event no notification is received within this time period, IACC will be deemed to have given its approval. (5) Construction of the Logistics Centre must be undertaken in accordance with the plans and details approved under paragraph (2) unless otherwise approved by IACC.
LC3	**Logistics Centre detailed design approval** (1) In the event that the undertaker elects not to construct the Logistics Centre in accordance with the Detailed Design Drawings for the Logistics Centre in Schedule 2 (Approved plans) of this Order, no construction may commence in respect of any building or other structure identified within Requirement LC4 until plans, written details of the design of such building or other structure (including size, siting, external appearance and materials) and external material and colour samples have been submitted to and approved by IACC in consultation with Cadw in relation to heritage matters. (2) The plans, details and samples submitted under paragraph (1) must be in accordance with the parameters and parameter plan identified in Requirement LC4 and the design principles relating to the Logistics Centre in volume 3 of the DAS. (3) Construction of the Logistics Centre must be undertaken in accordance with the details approved under paragraph (1), unless otherwise approved by IACC.
LC4	**Logistics Centre parameter plans and maximum dimension of buildings and other structures** Where Requirement LC3 applies, the buildings and other structures identified in Table LC4 may only be constructed within the parameter zone shown on the Logistics Centre Parc Cybi – Parameter Plan (WN0902-HZDCO-ADV-DRG-00014) in Schedule 2 (Approved plans) of this Order, and in accordance with the maximum and minimum dimensions shown in that table for that building or other structure—

Table LC4

Building Name	*Parameter Zone*	*Maximum Parameter*			*Minimum Parameter*		
		L (m)	*W (m)*	*H (m)*	*L (m)*	*W (m)*	*H (m)*
Inspection Bay	7-1	23	13	6	-	-	-
Welfare/Security Building	7-2	29	16	4	-	-	-
Vehicle Scanner	7-3	10	10	7	-	-	-
HGV Information Kiosk	7-4	7	5	4	-	-	-
Site Entrance Kiosk	7-5	6	6	4	-	-	-

LC5 **Landscape detailed design**

(1) 12 months prior to the operation of the Logistics Centre, plans and written details of the landscape design and maintenance of non-operational areas of the Logistics Centre must be submitted to and approved by IACC, in consultation with Cadw.

(2) The details submitted under paragraph (1) must be prepared in accordance with the landscape principles relating to the Logistics Centre in volume 3 of the DAS and include details of—

(a) location, number, species, local provenance, size and planting density of any proposed planting;

(b) cultivation, importing of materials and other operations to ensure plant establishment;

(c) proposed finished ground levels;

(d) hard surfacing materials;

(e) hard landscape features (including stone walls, cloddiau, fences and gates);

(f) details of existing trees and hedgerows to be retained;

(g) details of any signage; and

(h) implementation timetables and maintenance proposals for all landscaping works that will apply during the operational period of the Logistics Centre.

(3) No landscaping works may commence until the plans and written design submitted under paragraph (1) have been approved by IACC.

(4) Landscaping of the Logistics Centre must be undertaken in accordance with the details approved under paragraph (1), unless otherwise approved by IACC, and maintained for the duration of the operational period of the Logistics Centre.

(5) Any tree, hedgerow or shrub planted as part of an approved detailed design under paragraph (1) that, within the operational period of the Logistics Centre, is removed, dies or becomes, in the opinion of IACC, seriously damaged or diseased during the operational period, must be replaced in the first available planting season with a specimen of the same species and similar size as that replaced, unless otherwise approved by IACC.

(6) For the purposes of this requirement, "non-operational areas" means any area of the Logistics Centre that is not used or associated with the processing, movement and holding of HGVs at the Logistics Centre.

LC6 **Operational car and cycle parking**

The number of car parking spaces to be provided and available during the operation of the Logistics Centre must not exceed 12 spaces, including spaces allocated for disabled operational staff, unless otherwise approved by IACC.

LC7 **Operational HGV parking**

(1) Except in an emergency, the number of parking spaces for HGVs provided and available during the operation of the Logistics Centre must not exceed 100 spaces, excluding spaces allocated for search and screening facilities, waiting and inspections.

(2) For the purposes of this Requirement, an emergency would be an event that prevents or seriously impacts on HGV movements on the A5025 or A55 (Junction 2 to Junction 3) and results in HGVs remaining at the Logistics Centre or WNDA until deliveries or movements can be resumed.

LC8 **Logistics decommissioning scheme**

(1) No construction of the Logistics Centre must commence unless an outline decommissioning scheme has been submitted to and approved by IACC, unless otherwise agreed with IACC.

(2) The outline decommissioning scheme submitted under paragraph (1) must outline the overarching principles for the decommissioning of the Logistics Centre facility and restoration of the site to legacy use.

(3) At least 6 months prior to the anticipated Unit 2 Commissioning Date, unless otherwise agreed with IACC, a detailed decommissioning scheme must be submitted to IACC for approval.

(4) The detailed decommissioning scheme submitted under paragraph (3) must include details of—

(a) the timeframes and hours of decommissioning, removal and restoration works for legacy use;

(b) retainment of views between the Ty Mawr Standing Stone and the Trefignath Burial Chamber Scheduled Monuments;

(c) the retention of any buildings or structures, where appropriate; and

(d) the retention of any existing landscaping works and features existing at the time of decommissioning.

(5) The detailed decommissioning scheme submitted under paragraph (3) must be in accordance with the approved outline decommissioning scheme under paragraph (1) and the Wylfa Newydd CoCP and Parc Cybi Logistics Centre sub-CoCP.

(6) Decommissioning of the Logistics Centre must not commence until a detailed decommissioning scheme has been submitted to and approved by IACC under

paragraph (3), in consultation with Cadw.

(7) Decommissioning of the Logistics Centre and restoration of the site must be undertaken in accordance with the detailed decommissioning scheme approved under paragraph (4), unless otherwise approved by IACC.

(8) A detailed decommissioning scheme will not be required to be submitted under paragraph (3) where IACC has granted, or resolved to grant, a planning permission for the ongoing use or redevelopment of the Logistics Centre.

A5025 Off-Line Highway Improvements (Work No.s 8-11)

10.—(1) Requirements OH1 to OH10 apply to the A5025 Off-Line Highways Improvement Works. Where a Requirement applies only to a particular Work comprising the A5025 Off-Line Highway Improvements, that Work is expressly referred to in the Requirement—

(1) Ref	*(2) Requirement*
OH1	**A5025 Off-Line Highway Improvements Sub-CoCP and Schemes** (1) The construction of the A5025 Off-Line Highway Improvements and Work No. 1J must be carried out in accordance with the Wylfa Newydd CoCP and the A5025 Off-Line Highway Improvements sub-CoCP, unless otherwise approved by IACC. In the event of conflict between the Wylfa Newydd CoCP and the A5025 Off-Line Highway Improvements sub-CoCP, the A5025 Off-Line Highway Improvements sub-CoCP will prevail. (2) No construction of any part of the A5025 Off-Line Highway Improvements and Work No. 1J may commence until the following schemes have been submitted to and approved by IACC— (a) A5025 Off-Line Highway Improvements Archaeological Mitigation Scheme, including a written scheme of investigation; and (b) A5025 Off-Line Highway Improvements Construction Lighting Scheme. (3) All schemes submitted under paragraph (2) must be in accordance with the details identified in Part 2 of Schedule 4 (Control documents and schemes) of this Order. (4) Construction of any part of the A5025 Off-Line Highway Improvements and Work No. 1J must not commence until the construction lighting scheme for that part has been approved by the discharging authority in consultation with the identified consultee in Part 2 of Schedule 4. (5) Construction of any part of the A5025 Off-Line Highway Improvements and Work No. 1J must be undertaken in accordance with the scheme approved for that part under paragraph (4), unless otherwise approved by IACC. (6) Where any revisions are submitted to IACC under paragraph (5), the revised construction lighting plan for that part must be implemented for the remainder of construction.
OH2	**Detailed Design Drawings – Work No.s 8, 9, 10 and 11** (1) The construction of Work No.s 8, 9, 10 and 11 must be carried out in accordance with the approved Detailed Design Drawings in Schedule 2 (Approved plans) of this Order, except where Requirement OH3 applies (2) Prior to construction of Work No.s 8, 9, 10 and 11 in accordance with the Detailed Design Drawings under paragraph (1), the undertaker will submit samples of external materials and colours to be used in the construction of that work to IACC for approval. (3) The samples submitted under paragraph (2) must be in accordance with the design principles relating to the A5025 Off-Line Highway Improvements in volume 3 of the DAS. (4) Where IACC receives samples under paragraph (2) for approval, IACC must notify the undertaker of its decision within 20 working days beginning the date on which the samples were submitted and, in the event no notification is received within this time period, IACC will be deemed to have given its approval. (5) Construction of any of Work No.s 8, 9, 10 or 11 must be undertaken in

(1) Ref	*(2) Requirement*
	accordance with the samples approved under paragraph (2) unless otherwise approved by IACC. (6) This requirement does not apply to the approval of detailed designs for any viaduct, overbridge and underpass comprised in Work No.s 9, 10 and 11.
OH3	**Detailed design approval** (1) In the event that the undertaker elects not to construct any of Work No.s 8, 9, 10 and 11 (excluding any viaduct, overbridge or underpass comprised in those Works) in accordance with the Detailed Design Drawings for those works in Schedule 2 (Approved plans) of this Order, construction of that work may not commence until plans and written details of the design (including size, external appearance, materials and siting) and external materials and samples have been submitted to and approved by IACC. (2) The plans, details and samples submitted under paragraph (1) must be in accordance with the limits of deviation for that work in article 4 (Limits of deviation) of the Order and the design and landscape principles relating to the A5025 Off-Line Highway Improvements in volume 3 of the DAS. (3) Construction of Work No.s 8, 9, 10 and 11 (excluding any viaduct, overbridge or underpass comprised in those Works) must be undertaken in accordance with the details approved under paragraph (1), unless otherwise approved by IACC.
OH4	**Boundary treatment design** (1) No construction of any boundary treatment along the boundaries of the A5025 Off-Line Highway Improvements may commence until plans and written details of the design (including size, siting and external appearance) have been submitted to and approved by IACC. (2) The details submitted under paragraph (1) must be prepared in accordance with the design principles relating to the A5025 Off-Line Highway Improvements in volume 3 of the DAS. (3) The construction of any boundary treatment comprised in the A5025 Off-Line Highway Improvements must be undertaken in accordance with the details approved under paragraph (1), unless otherwise approved by IACC.
OH5	**Detailed design approval: viaduct, overbridges and underpasses** (1) No construction may commence in respect of any viaduct, overbridge or underpass comprised in Work No.s 9, 10 or 11 until plans and written details of the design of that structure (including size, siting, and external appearance) have been submitted to and approved by IACC. (2) The details submitted under paragraph (1) must be prepared in accordance with— (a) the design principles relating to the A5025 Off-Line Highway Improvements in volume 3 of the DAS; (b) the limits of deviation for that work in article 4 (Limits of deviation) of the Order; and (c) the maximum dimensions identified in Requirement OH6. (3) The construction of any viaduct, overbridge or underpass comprised in Work No.s 9, 10 or 11 must be undertaken in accordance with the details approved under paragraph (1), unless otherwise approved by IACC.
OH6	**Maximum dimensions of structures: viaduct, overbridges and underpasses** The viaducts, overbridges and underpasses identified in Table OH6 may only be constructed in accordance with the maximum and minimum dimensions shown in that table for those structures—

Table OH6

Work No.	*Structure description*	*Maximum Parameter*			*Minimum Parameter*		
		L (m)	*W (m)*	*H (m above finished highway level)*	*L (m)*	*W (m)*	*H (m above finished highway level)*
9A	Viaduct	135	14	10	100	13	9
9A	Underpass	40	6	3.5	35	5	3
9B	Overbridge	30	11	8.5	20	10	8
10B	Underpass	50	6	3.5	40	5	3
11	Underpass	35	6	3.5	30	5	3
11	Overbridge	25	6.5	9.5	11	5.5	8.5

OH7 **Construction parking**

The number of parking spaces to be provided and available within the construction compound of each part of the A5025 Off-Line Highway Improvement Works must not exceed 60 spaces, unless otherwise approved by IACC.

OH8 **Landscape detailed design**

(1) 12 months prior to the operation of any part of the A5025 Off-Line Highway Improvement Works, the plans and written details of the landscape design and maintenance for that part must be submitted to IACC for approval.

(2) The details submitted under paragraph (1) must be prepared in accordance with the landscape principles relating to the A5025 Off-Line Highway Improvements in volume 3 of the DAS and include details of—

(a) location, number, species, size, local provenance and planting density of any proposed planting and seeded areas;

(b) cultivation, importing of materials and other operations to ensure plant establishment;

(c) proposed finished ground levels;

(d) hard surfacing materials;

(e) hard landscaping features (including stone walls, cloddiau, fences and gates);

(f) details of existing trees, hedgerows and other landscaping features to be retained;

(g) details of any street lighting and signage; and

(h) implementation timetables for all landscaping works.

(3) No landscaping of any part of the A5025 Off-Line Highway Improvement Works may commence until the plans and written details submitted for that part under paragraph (1) have been approved by IACC.

(4) The landscaping of any part of the A5025 Off-Line Highway Improvement Works must be undertaken in accordance with the details approved under paragraph (3), unless otherwise approved by IACC, and maintained for a period of 5 years.

(4) Any tree or shrub planted as part of the details approved under paragraph (3) that, within a period of 5 years after planting, is removed, dies or becomes, in the opinion of IACC, seriously damaged or diseased, must be replaced in the first available planting season with a specimen of the same species and similar size as that being replaced, unless otherwise approved by IACC.

OH9 **Water vole enhancement areas: Valley**

(1) Prior to completion of construction of Work No. 8, plans and written details of the design of the Valley Water Vole Enhancement Area will be submitted to and approved by IACC in consultation with NRW.

(2) The details submitted under paragraph (1) must be prepared in accordance with the principles relating to the Valley Water Vole Enhancement Area in the A5025 Off-Line Highway Improvements in volume 3 of the DAS.

(3) The construction of the Valley Water Vole Enhancement Area must be

	undertaken in accordance with the details approved under paragraph (1), unless otherwise approved by IACC.
OH10	**Water vole enhancement areas: Llanfachraeth** (1) Prior to completion of construction of Work No. 9, plans and written details of the design for the Llanfachraeth Vole Enhancement Area will be submitted to and approved by IACC in consultation with NRW. (2) The details submitted under paragraph (1) must be prepared in accordance with the principles relating to the Llanfachraeth Vole Enhancement Area in the A5025 Off-Line Highway Improvements in volume 3 of the DAS. (3) The construction of the Llanfachraeth Vole Enhancement Area must be undertaken in accordance with the details approved under paragraph (1), unless otherwise approved by IACC.

Ecological Compensation Sites – Work No.s 13, 14 and 15

11.—(1) Requirements ECS1 and ECS4 apply to the Ecological Compensation Sites at Cors Gwawr, Cae Canol-dydd and Tŷ Du—

(1) Ref	*(2) Requirement*
ECS1	**Wylfa Newydd CoCP** The construction of the Ecological Compensation Sites must be carried out in accordance with the Wylfa Newydd CoCP, unless otherwise approved by IACC.
ECS2	**Ecological Compensation Sites – detailed design approval** (1) No construction may commence in respect of any of the Ecological Compensation Sites until plans and written details of the habitat design (including location, species, planting density, finished ground levels and materials) have been submitted to and approved by IACC in consultation with NRW. (2) The details submitted under sub-paragraph (1) must be prepared in accordance with the habitat and landscape principles relating to the Ecological Compensation Sites in Chapter 4 of the LHMS and include details of— (a) constructed wetlands; (b) public access infrastructure; (c) access and management infrastructure; (d) adaptive management approach; (e) topsoil stripping, storage and reuse; (f) drainage modifications; (g) vegetation establishment methods; (h) disposal of hedgerow material; (i) timing of works; and (j) hydrology data and baseline information. (3) Construction of the Ecological Compensation Sites must be undertaken in accordance with the details approved for each work under paragraph (1), unless otherwise approved by IACC.
ECS3	**Landscape and habitat management schemes** (1) Prior to completion of the each of the Ecological Compensation Sites, management schemes relating to management and maintenance of each Ecological Compensation Site must be submitted to and approved by IACC in consultation with NRW. (2) Any management scheme submitted under paragraph (1) must be prepared in accordance with the management principles in Chapter 7 of the LHMS. (3) The management of each Ecological Compensation Site must be carried out in accordance with the relevant management scheme approved under paragraph (1), unless otherwise approved by IACC.
ECS4	**Pre-commencement monitoring** (1) Prior the construction of the Ecological Compensation Sites at Cae Canol-dydd or

(1) Ref	*(2) Requirement*
	Cors Gwawr, hydrological and hydrogeological monitoring must be undertaken comprising— (a) ground investigations to identify soils and geology of the sites; (b) hydrological monitoring comprising installation of boreholes, piezometers, surface water monitoring and any other relevant installations; and (c) hydrochemical monitoring (including nutrient and base status). (2) No construction of the Ecological Compensation Sites at Cae Canol-dydd or Cors Gwawr may commence until— (a) plans and written details of the design of the drainage works; and (b) a hydrogeological/ecological conceptual model to inform habitat design, have been submitted to and approved by IACC in consultation with NRW. (3) The details submitted under paragraph (2) must be prepared in accordance with the data collected as part of the monitoring undertaken under sub-paragraphs 1(a) to (c). (4) Construction of drainage works at Cae Canol-dydd or Cors Gwawr must be undertaken in accordance with the details approved under paragraph (2), unless otherwise approved by IACC.

SCHEDULE 4 Article 85 and Schedule 3

CONTROL DOCUMENTS AND SCHEMES

PART 1

PROJECT-WIDE SCHEMES

(1) Scheme	*(2) Detail*	*(3) Consultee*
Community Safety Management Scheme	The scheme will be prepared in accordance with Section 3.4 of the Wylfa Newydd CoCP	North Wales Police, Betsi Cadwaladr University Health Board, North Wales Fire and Rescue Service and Welsh Ambulance Service NHS Trust
Traffic Incident Management Scheme	Section 5.9 of the Wylfa Newydd CoCP	North Wales Police, Gwynedd Council and the Welsh Ministers.
Parking Phasing Scheme	The scheme will indicate how car parking across the construction phases of the authorised development will be delivered. This will include details on a quarterly basis of— (a) the proposed phased delivery of parking spaces to be provided at both the WNDA and Dalar Hir Park and Ride Facility to align with worker number profiles; (b) car parking locations and layouts; (c) the nature of the provision (i.e. visitor, disability or worker use and whether fitted with an electric vehicle charging point); (d) temporary and permanent car parking spaces; (e) the minimum and maximum number of car parks to be provided; and (f) monitoring and reviewing mechanisms and timeframes. Parking provision within the scheme must not exceed the maximum parking provision in Requirements SPC2, WN18, WN19, OPSF6, PR7, LC6, LC7 and OH7 in Schedule 3 (Requirements) of this Order.	-

PART 2

SITE-SPECIFIC SCHEMES

(1) Site	*(2) Scheme*	*(3) Detail*	*(4) Consultee*
Wylfa Newydd Development Area	Abnormal Indivisible Loads Management Scheme	The scheme will be prepared in accordance with Section 5.4 of the Wylfa Newydd CoCP.	North Wales Police, Gwynedd Council and the Welsh Ministers
Wylfa Newydd Development Area	Protest Management Scheme	The scheme will be prepared in accordance with Section 4.7 of the Wylfa Newydd CoCP	North Wales Police
Wylfa Newydd Development Area	WNDA Archaeological Mitigation Scheme	The scheme will be prepared in accordance with Sections 12 of the Wylfa Newydd CoCP and the Main Power Station Site Sub-CoCP. A written scheme of investigation must be prepared in accordance with the Chartered Institute for Archaeologists' standards and guidance and provide the following details— (a) The type of investigation proposed for the affected asset or group of assets, proportionate to its significance and the significance of the effect under the Environmental Statement; (b) Aims and objectives of investigation based on published research frameworks and agenda, if available; (c) Method and programme for fieldwork previously undertaken and to be undertaken and post-fieldwork assessment, and reporting assessment and reporting, analysis, publication, dissemination and archiving; and (d) Proposals for public engagement and participation.	Cadw
Wylfa Newydd Development Area	Tre'r Gof and Cae Gwyn SSSI Hydro-ecological Monitoring and Mitigation Scheme	The scheme will be prepared in accordance with the principles set out in Sections 10 and 11 of the Main Power Station Site sub-CoCP and will include details of— (a) A hydrogeological and hydrological conceptual model(s); (b) Continuous water level monitoring, locations and frequencies informed by the conceptual model in (a); (c) Triggers for identifying changes in groundwater levels which would be likely to affect (any of the flora, fauna or geological or physiographic features of) Tre'r Gof SSSI and Cae Gwyn SSSI; (d) Mitigation measures implemented pursuant to (c), to minimise likelihood of	NRW

(1) Site	*(2) Scheme*	*(3) Detail*	*(4) Consultee*
		damage to (any of the flora, fauna or geological or physiographic features of) Tre'r Gof SSSI and Cae Gwyn SSSI.	
Wylfa Newydd Development Area	Overarching Construction Drainage Scheme	The scheme will be prepared in accordance with the drainage principles in Sections 10 of the Wylfa Newydd COCP and the Main Power Station Site sub-CoCP, as well as the drainage principles set out in section 4 of the LHMS. The scheme will also be in general accordance with construction landform drainage design drawings presented in Wylfa Newydd Development Area – Power Station Site Plans (Part 1 of 2) in Schedule 2 (Approved plans) of this Order, and Appendix D8-A of the Environmental Statement Addendum. The scheme will provide the following details— (a) Drainage plans incorporating buffer zones; (b) Commitment to working practices guided by Guidance for Pollution Prevention 5; Works and maintenance in or near water; (c) Protections for Tre'r Gof and Cae Gwyn SSSI; (d) The location and indicative design parameters of the sewage treatment plant; (e) The location of siltbuster units; (f) Tables of flow rates; and (g) Tables of storage/attenuation volumes. *The scheme submitted would not detail water quality standards as these will be secured through an environmental permit application.	NRW, Welsh Ministers in respect of the location of the sewage treatment plant in relation to heritage assets
Wylfa Newydd Development Area	Overarching Construction Lighting Scheme	The scheme will be prepared in accordance with the principles set out in Section 4.4 of the Wylfa Newydd CoCP, and the Main Power Station Site sub-CoCP, Section 4.3 of the Marine Works sub-CoCP, the design principles for the Site Campus in volume 3 of the DAS and the lighting parameters set out in Appendix D10-10 of the Environmental Statement. The scheme will comprise general exterior area lighting, security lighting, car park and haul road lighting, and temporary lighting not associated with wall and roof construction during construction of the Power Station Works and Site Campus, and the operation of the Site Campus, and provide the following details—	NRW

(1) Site	*(2) Scheme*	*(3) Detail*	*(4) Consultee*
		(a) Lighting design, including location, height and tilt of proposed lighting; (b) Lighting controls, to enable variable lighting; (c) Illuminance levels by area (average and uniformity); (d) Plans displaying spill light contour lines on Ordnance Survey mapping, highlighting: (i) Light spill over construction boundaries; and (ii) Key sensitive receptors (such as the Tyn-y-Maes bat barn) with vertical grid lux plots at agreed locations; and (iii) Monitoring and review mechanisms to ensure compliance.	
Wylfa Newydd Development Area	WNDA Operational Lighting Scheme	The scheme will be prepared in accordance with Section 4.3 of the Wylfa Newydd CoCP, the design principles in volume 2 of the DAS, and the lighting parameters set out in Appendix D10-10 of the Environmental Statement. The scheme will comprise general exterior area lighting, security and car park lighting during the operation of the Power Station Works and will provide the following details— (a) Lighting design, including location, height and tilt of proposed lighting; (b) Lighting controls, to enable variable lighting; (c) Illuminance levels by area (average and uniformity); (d) Plans displaying spill light contour lines on Ordnance Survey mapping, highlighting: (i) Light spill from operational boundaries; and (ii) Key sensitive receptors with vertical grid lux plots at agreed locations; and (e) Monitoring and review mechanism to ensure compliance.	NRW
Off-Site Power Station Facilities	Off-Site Power Station Facilities Construction Lighting Scheme	The scheme will be prepared in accordance with the principles set out in Section 4.4 of the Wylfa Newydd CoCP. The scheme will comprise general exterior area lighting, security and carpark lighting, and the provide following details— (a) Lighting design, including location, height and tilt of proposed lighting; (b) Lighting controls, to enable variable lighting; (c) Illuminance levels by area (average	-

(1) Site	*(2) Scheme*	*(3) Detail*	*(4) Consultee*
		and uniformity); (d) Plans displaying spill light contour lines on Ordnance Survey mapping, highlighting: (i) Light spill over construction boundaries; and (ii) Key sensitive receptors with vertical grid lux plots at agreed locations; and (e) Monitoring mechanisms to ensure compliance.	
Off-Site Power Station Facilities	Off-Site Power Station Facilities Archaeology Mitigation Scheme	The scheme will be prepared in accordance with the principles set out in Sections 12 of the Wylfa Newydd CoCP and the Off-Site Power Station Site sub-CoCP. A written scheme of investigation must be prepared in accordance with the Chartered Institute for Archaeologists' standards and guidance and provide the following details— (a) The type of investigation proposed for the affected asset or group of assets, proportionate to its significance and the significance of the effect under the Environmental Statement; (b) Aims and objectives of investigation based on published research frameworks and agenda, if available; (c) Method and programme for fieldwork to be undertaken and post-fieldwork assessment, and reporting, analysis, publication, dissemination and archiving; and (d) Proposals for public engagement and participation.	Cadw
Off-Site Power Station Facilities	Off-Site Power Station Facilities Operational Lighting Scheme	The scheme will be prepared in accordance with Section 4.3 of the Wylfa Newydd CoOP and the design principles in volume 3 of the DAS. The scheme will comprise general exterior area lighting, security and car park lighting during operation and will provide the following details— (a) Lighting design, including location, height and tilt of proposed lighting; (b) Lighting controls, to enable variable lighting; (c) Illuminance levels by area (average and uniformity); (d) Plans displaying spill light contour lines on Ordnance Survey mapping, highlighting: (i) Light spill from operational boundaries; and (ii) Key sensitive receptors with vertical	NRW

(1) Site	*(2) Scheme*	*(3) Detail*	*(4) Consultee*
		grid lux plots at agreed locations; and (e) Monitoring and review mechanism to ensure compliance.	
Parc Cybi Logistics Centre	Logistics Centre Lighting Scheme	The scheme will be prepared in accordance with the principles set out in section 4.4 of the Wylfa Newydd CoCP. The scheme will comprise general exterior area lighting, security and car park lighting during construction and operation, and provide the following details— (a) Lighting design, including location, height and tilt of proposed lighting; (b) Lighting controls, to enable variable lighting; (i) Illuminance levels by area (average and uniformity); (ii) Plans displaying spill light contour lines on Ordnance Survey mapping, highlighting: (iii) Light spill over construction boundaries; and (iv) Key sensitive receptors with vertical grid lux plots at agreed locations; and (c) Monitoring mechanisms to ensure compliance.	Cadw NRW
Parc Cybi Logistics Centre	Logistics Centre Archaeology Mitigation Scheme	The scheme will be prepared in accordance with the principles set out in Sections 12 of the Wylfa Newydd CoCP and the Parc Cybi Logistics Centre sub-CoCP. A written scheme of investigation must be prepared in accordance with the Chartered Institute for Archaeologists' standards and guidance and provide the following details— (a) The type of investigation proposed for the affected asset or group of assets, proportionate to its significance and the significance of the effect under the Environmental Statement; (b) Aims and objectives of investigation based on published research frameworks and agenda, if available; (c) Method and programme for fieldwork to be undertaken and post-fieldwork assessment, and reporting, analysis, publication, dissemination and archiving; and (d) Proposals for public engagement and participation.	Cadw
Dalar Hir Park and Ride Facility	Park and Ride Facility Lighting Scheme	The scheme will be prepared in accordance with the principles set out in Section 4.4 of the Wylfa Newydd CoCP and Section 4.3 of the Dalar Hir Park and	-

(1) Site	*(2) Scheme*	*(3) Detail*	*(4) Consultee*
		Ride sub-CoCP. The scheme will comprise general exterior area lighting, security and car park lighting during construction and operation, and provide the following details— (a) Lighting design, including location, height and tilt of proposed lighting; (b) Lighting controls to enable parking areas to be closed and switched off when not required; (c) Illuminance levels by area (average and uniformity); (d) Plans displaying spill light contour lines on Ordnance Survey mapping, highlighting: (i) Light spill over construction boundaries; and (ii) Key sensitive receptors with vertical grid lux plots at agreed locations; and (e) Monitoring mechanisms to ensure compliance.	
Dalar Hir Park and Ride Facility	Park and Ride Archaeology Mitigation Scheme	The scheme will be prepared in accordance with the principles set out in Sections 12 of the Wylfa Newydd CoCP and the Dalar Hir Park and Ride sub-CoCP. A written scheme of investigation must be prepared in accordance with the Chartered Institute for Archaeologists' standards and guidance and provide the following details— (a) The type of investigation proposed for the affected asset or group of assets, proportionate to its significance and the significance of the effect under the Environmental Statement; (b) Aims and objectives of investigation based on published research frameworks and agenda, if available; (c) Method and programme for fieldwork to be undertaken and post-fieldwork assessment, and reporting, analysis, publication, dissemination and archiving; and (d) Proposals for public engagement and participation.	Cadw
A5025 Off-Line Highway Improvements	A5025 Off-Line Highway Improvements Construction Lighting Scheme	The scheme will be prepared in accordance with the principles set out in section 4.4 of the Wylfa Newydd CoCP and Section 4.4 of the A5025 Off-Line Highway Improvements sub-CoCP. The scheme will comprise general exterior area lighting, security and car park lighting during construction, and	-

(1) Site	*(2) Scheme*	*(3) Detail*	*(4) Consultee*
		include details such as— (a) Lighting design, including location, height and tilt of proposed lighting; (b) Lighting controls, to enable variable lighting; (c) Illuminance levels by area (average and uniformity); (d) Plans displaying spill light contour lines on Ordnance Survey mapping, highlighting: (i) Light spill over construction boundaries; and (i) Key sensitive receptors with vertical grid lux plots at agreed locations; (e) Monitoring mechanisms to ensure compliance.	
A5025 Off-Line Highway Improvements	A5025 Off-Line Highway Improvements Archaeology Mitigation Scheme	The scheme will be prepared in accordance with the principles set out in Sections 12 of the Wylfa Newydd CoCP and the A5025 Off-Line Highway Improvements sub-CoCP A written scheme of investigation must be prepared in accordance with the Chartered Institute for Archaeologist's standards and guidance and provide the following details— (a) The type of investigation proposed for the affected asset or group of assets, proportionate to its significance and the significance of the effect under the Environmental Statement; (b) Aims and objectives of investigation based on published research frameworks and agenda, if available; (c) Method and programme for fieldwork to be undertaken and post-fieldwork assessment, and reporting, analysis, publication, dissemination and archiving; and (d) Proposals for public engagement and participation.	Cadw

SCHEDULE 5

Article 11

STREETS SUBJECT TO ALTERATION OF LAYOUT

PART 1

STREETS SUBJECT TO ALTERATION OF LAYOUT

(1) Relevant Site	*(2) Streets subject to alteration*	*(3) Description of alteration*	*(4) Reference*
Off-site Power Station facility	A5025 - R1 to R2	Realignment of entrance off A5025	WN903-HXDCO-ROW-DRG-00010
A5025 Off-Line Highway Improvements – Section 1 – Valley	A5025	Construction of junction of realigned A5025 and A5 London Road and tie in of realigned A5025 to existing A5025	WN0902-HZDCO-ROW-DRG-00007
A5025 Off-Line Highway Improvements – Section 1 – Valley	A5 London Road	Construction of junction of realigned A5025 and A5 London Road	WN0902-HZDCO-ROW-DRG-00007
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	A5025	Construction of junction of realigned A5025 with the severed section of existing A5025 and tie in of realigned A5025 to existing A5025	WN0902-HZDCO-ROW-DRG-00008
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	C116	Construction of side road crossing of the realigned A5025, and tie ins to existing highway	WN0902-HZDCO-ROW-DRG-00008
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	Unclassified road known as 'Parc Llynnon'	Realignment to tie into realigned C116	WN0902-HZDCO-ROW-DRG-00008
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	A5025	Construction of junction of realigned A5025 with the severed section of existing A5025 and tie in of realigned A5025 to existing A5025	WN0902-HZDCO-ROW-DRG-00009
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	C213	Realignment of side road to tie in to the proposed junction of the realigned A5025 with the severed section of the A5025	WN0902-HZDCO-ROW-DRG-00009

(1) Relevant Site	*(2) Streets subject to alteration*	*(3) Description of alteration*	*(4) Reference*
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	U250	Realignment of side road to tie in to realigned A5025	WN0902-HZDCO-ROW-DRG-00009
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	A5025	Construction of junction of realigned A5025 with the severed sections of existing A5025 and tie in of realigned A5025 to existing A5025 Construction of turning head at end of severed section of A5025.	WN0902-HZDCO-ROW-DRG-00011
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	Unclassified service road adjacent to A5025	Construction of turning head at end of severed section of A5025	WN0902-HZDCO-ROW-DRG-00011
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	C115	Construction of junction with realigned A5025	WN0902-HZDCO-ROW-DRG-00011
A5025 Off-Line Highway Improvements – Section 7 – Cefn Coch	A5025	Construction of junctions of realigned A5025 with the severed sections of existing A5025 and tie in of realigned A5025 to existing A5025	WN0902-HZDCO-ROW-DRG-00029
A5025 Off-Line Highway Improvements – Section 7 – Cefn Coch	C111	Construction of junction with realigned A5025	WN0902-HZDCO-ROW-DRG-00029
A5025 Off-Line Highway Improvements – Section 9 – Power Station Access Road Junction (Work No. 1J)	A5025	Tie in of realigned A5025 to existing A5025. Provision of service road to maintain access to adjacent land	WN0902-HZDCO-ROW-DRG-00030
A5025 Off-Line Highway Improvements – Section 9 – Power Station Access Road Junction (Work No. 1J)	Unclassified service road adjacent to A5025	Construction of junction with the realigned A5025	WN0902-HZDCO-ROW-DRG-00030

(1) Relevant Site	*(2) Streets subject to alteration*	*(3) Description of alteration*	*(4) Reference*
Dalar Hir Park and Ride Facility	A5 – N2/1	Construction of new junction off A5 Northern Roundabout	WN903-HXDCO-ROW-DRG-00012
Dalar Hir Park and Ride Facility	A5 – N2/2	Construction of new junction off A5 Northern Roundabout	WN903-HXDCO-ROW-DRG-00012
Dalar Hir Park and Ride Facility	A5 – N2/2	Construction of new junction off A5 Northern Roundabout	WN903-HXDCO-ROW-DRG-00012

PART 2

STREETS SUBJECT TO TEMPORARY ALTERATION

(1) Relevant Site	*(2) Streets subject to alteration*	*(3) Description of alteration*	*(4) Reference*
A5025 Off-Line Highway Improvements – Section 1 – Valley	A5025	Temporary alterations as may be required during the execution of works to facilitate the permanent highway works, including, but not limited to, temporary diversions, changes in cross-section, signal control, stopping up, creation of highway works access routes or stopping up of adjacent footways	WN0902-HZDCO-ROW-DRG-00007
A5025 Off-Line Highway Improvements – Section 1 – Valley	A5 London Road		WN0902-HZDCO-ROW-DRG-00007
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	A5025		WN0902-HZDCO-ROW-DRG-00008
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	C116		WN0902-HZDCO-ROW-DRG-00008
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	Unclassified road known as 'Parc Llynnon'		WN0902-HZDCO-ROW-DRG-00008
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	A5025		WN0902-HZDCO-ROW-DRG-00009
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	C213		WN0902-HZDCO-ROW-DRG-00009
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	U250		WN0902-HZDCO-ROW-DRG-00009
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	A5025		WN0902-HZDCO-ROW-DRG-00011
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	Unclassified service road adjacent to A5025		WN0902-HZDCO-ROW-DRG-00011

(1) Relevant Site	*(2) Streets subject to alteration*	*(3) Description of alteration*	*(4) Reference*
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	C115		WN0902-HZDCO-ROW-DRG-00011
A5025 Off-Line Highway Improvements – Section 7 – Cefn Coch	A5025		WN0902-HZDCO-ROW-DRG-00029
A5025 Off-Line Highway Improvements – Section 7 – Cefn Coch	C111		WN0902-HZDCO-ROW-DRG-00029
A5025 Off-Line Highway Improvements – Section 9 – Power Station Access Road Junction (Work No. 1J)	A5025		WN0902-HZDCO-ROW-DRG-00030
A5025 Off-Line Highway Improvements – Section 9 – Power Station Access Road Junction (Work No. 1J)	Unclassified service road adjacent to A5025		WN0902-HZDCO-ROW-DRG-00030

SCHEDULE 6

Article 12

STREETS SUBJECT TO STREET WORKS

(1) Relevant site	*(2) Streets subject to street works*	*(3) Reference*
A5025 Off-Line Highway Improvements – Section 1 – Valley	A5025	WN0902-HZDCO-ROW-DRG-00007
A5025 Off-Line Highway Improvements – Section 1 – Valley	A5 London Road	WN0902-HZDCO-ROW-DRG-00007
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	A5025	WN0902-HZDCO-ROW-DRG-00008
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	C116	WN0902-HZDCO-ROW-DRG-00008
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	Unclassified road known as 'Parc Llynnon'	WN0902-HZDCO-ROW-DRG-00008
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	A5025	WN0902-HZDCO-ROW-DRG-00009
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	C213	WN0902-HZDCO-ROW-DRG-00009
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	U250	WN0902-HZDCO-ROW-DRG-00009
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	A5025	WN0902-HZDCO-ROW-DRG-00011
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	Unclassified service road adjacent to A5025	WN0902-HZDCO-ROW-DRG-00011
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	C115	WN0902-HZDCO-ROW-DRG-00011
A5025 Off-Line Highway Improvements – Section 7 – Cefn Coch	A5025	WN0902-HZDCO-ROW-DRG-00029
A5025 Off-Line Highway Improvements – Section 7 – Cefn Coch	C111	WN0902-HZDCO-ROW-DRG-00029
A5025 Off-Line Highway Improvements – Section 9 – Power Station Access Road Junction (Work No. 1J)	A5025	WN0902-HZDCO-ROW-DRG-00030
A5025 Off-Line Highway Improvements – Section 9 – Power Station Access Road Junction (Work No. 1J)	Unclassified service road adjacent to A5025	WN0902-HZDCO-ROW-DRG-00030

SCHEDULE 7

Article 14

STREETS OR PRIVATE MEANS OF ACCESS TO BE PERMANENTLY STOPPED UP OR EXTINGUISHED

PART 1

BEING A STREET TO BE STOPPED UP OR PRIVATE MEANS OF ACCESS TO BE EXTINGUISHED FOR WHICH A SUBSTITUTE IS TO BE PROVIDED

(1) Relevant site	*(2) Street to be stopped up or private means of access to be extinguished*	*(3) Extent of stopping up or extinguishment*		*(4) New street or private means of access to be substituted*		*(5) Reference*
Streets						
A5025 Off-Line Highway Improvements – Section 1 – Valley	A5025	229886, 379615 [S1/3]	230151, 379821 [S1/4]	229734, 379156 [N1/1]	230152 379820 [N1/2]	WN0902-HZDCO-ROW-DRG-00007
A5025 Off-Line Highway Improvements – Section 1 – Valley	A5 London Road	229611, 379177 [S1/1]	229825, 379055 [S1/2]	229732, 379155 [N1/3]	229732, 379155 [N1/4]	WN0902-HZDCO-ROW-DRG-00007
A5025 Off-Line Highway Improvements – Section 1 – Valley	A5 London Road	229611, 379177 [S1/1]	229825, 379055 [S1/2]	229611, 379177 [N1/5]	229694, 379136 [N1/6]	WN0902-HZDCO-ROW-DRG-00007
A5025 Off-Line Highway Improvements – Section 1 – Valley	A5 London Road	229611, 379177 [S1/1]	229825, 379055 [S1/2]	229738, 379121 [N1/7]	229825, 379055 [N1/8]	WN0902-HZDCO-ROW-DRG-00007
A5025 Off-Line Highway Improvements – Section 1 – Valley	A5025	229886, 379615 [S1/3]	230151, 379821 [S1/4]	229886, 379615 [N1/9]	229906, 379630 [N1/10]	WN0902-HZDCO-ROW-DRG-00007
A5025 Off-Line Highway Improvements – Section 1 – Valley	A5025	229886, 379615 [S1/3]	230151, 379821 [S1/4]	229896, 379623 [N1/11]	229909, 379607 [N1/12]	WN0902-HZDCO-ROW-DRG-00007
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	A5025	231750, 381505 [S2/1]	231744, 381673 [S2/2]	231750, 381505 [N2/1]	231676, 382667 [N2/2]	WN0902-HZDCO-ROW-DRG-00008

(1) Relevant site	*(2) Street to be stopped up or private means of access to be extinguished*	*(3) Extent of stopping up or extinguishment*		*(4) New street or private means of access to be substituted*		*(5) Reference*
				231744, 381673 [N2/3]	231790, 381628 [N2/4]	WN0902-HZDCO-ROW-DRG-00008
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	C116	231579, 382472 [S2/3]	231827, 382627 [S2/4]	231579, 382472 [N2/5]	231827, 382627 [N2/6]	WN0902-HZDCO-ROW-DRG-00008
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	Unclassified road known as 'Parc Llynnon'	231616, 382493 [S2/5]	231613, 382498 [S2/6]	231616, 382493 [N2/7]	231613, 382498 [N2/8]	WN0902-HZDCO-ROW-DRG-00008
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	A5025	231557, 383396 [S3/1]	231652, 383569 [S3/2]	231676, 382667 [N3/1]	231652, 383569 [N3/2]	WN0902-HZDCO-ROW-DRG-00009
				231557, 383396 [N3/3]	231616, 383417 [N3/4]	WN0902-HZDCO-ROW-DRG-00009
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	U250	231652, 383538 [S3/3]	231683, 383530 [S3/4]	231652, 383538 [N3/5]	231683, 383530 [N3/6]	WN0902-HZDCO-ROW-DRG-00009
A5025 Off-Line Highway Improvements – Section 3 - Llanfachraeth	C213	231563, 383412 [S3/5]	231551, 383418 [S3/6]	231563, 383412 [N3/7]	231551, 383418 [N3/8]	WN0902-HZDCO-ROW-DRG-00009
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	A5025	231912, 386170 [S4/1]	231527, 386852 [S4/2]	231910, 386169 [N4/1]	231640, 387243 [N4/2]	WN0902-HZDCO-ROW-DRG-00011
				231884, 386377 [N4/3]	231980, 386463 [N4/4]	WN0902-HZDCO-ROW-DRG-00011
				231932, 386378 [N4/5]	231932, 386354 [N4/6]	WN0902-HZDCO-ROW-DRG-00011
				231527, 386852 [N4/7]	231630, 386844 [N4/8]	WN0902-HZDCO-ROW-DRG-00011

(1) Relevant site	*(2) Street to be stopped up or private means of access to be extinguished*	*(3) Extent of stopping up or extinguishment*		*(4) New street or private means of access to be substituted*		*(5) Reference*
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	A5025	231509, 387055 [S4/3]	231640, 387243 [S4/4]	231509, 387055 [N4/9]	231551, 387115 [N4/10]	WN0902-HZDCO-ROW-DRG-00011
				231519, 387069 [N4/11]	231532, 387059 [N4/12]	WN0902-HZDCO-ROW-DRG-00011
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	Unclassified service road adjacent to A5025	231525, 387057 [S4/5]	231607, 387184 [S4/6]	231509, 387055 [N4/9]	231551, 387115 [N4/10]	WN0902-HZDCO-ROW-DRG-00011
				231519, 387069 [N4/11]	231532, 387059 [N4/12]	WN0902-HZDCO-ROW-DRG-00011
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	C115	231964, 386432 [S4/7]	231980, 386463 [S4/8]	231884, 386377 [N4/3]	231980, 386463 [N4/4]	WN0902-HZDCO-ROW-DRG-00011
A5025 Off-Line Highway Improvements – Section 7 – Cefn Coch	A5025	233752, 389689 [S5/1]	233895, 389790 [S5/2]	233752, 389689 [N5/1]	234179, 390825 [N5/2]	WN0902-HZDCO-ROW-DRG-00029
				233852, 389796 [N5/3]	233895, 389790 [N5/4]	WN0902-HZDCO-ROW-DRG-00029
A5025 Off-Line Highway Improvements – Section 7 – Cefn Coch	C111	234050, 390200 [S5/3]	234154, 390201 [S5/4]	234050, 390200 [N5/5]	234105, 390175 [N5/6]	WN0902-HZDCO-ROW-DRG-00029
A5025 Off-Line Highway Improvements – Section 7 – Cefn Coch	A5025	234229, 390543 [S5/5]	234179, 390825 [S5/6]	234171, 390659 [N5/7]	234229, 390543 [N5/8]	WN0902-HZDCO-ROW-DRG-00029
A5025 Off-Line Highway Improvements – Section 9 – Power Station Access Road Junction (Work No. 1J)	A5025	235109, 391666 [S6/1]	235321, 392003 [S6/2]	235109, 391666 [N6/1]	235190, 391854 [N6/2]	WN0902-HZDCO-ROW-DRG-00030

(1) Relevant site	*(2) Street to be stopped up or private means of access to be extinguished*	*(3) Extent of stopping up or extinguishment*		*(4) New street or private means of access to be substituted*		*(5) Reference*
				235202, 391886 [N6/3]	235321, 392003 [N6/4]	WN0902-HZDCO-ROW-DRG-00030
				235175, 391880 [N6/5]	235175, 391880 [N6/6]	WN0902-HZDCO-ROW-DRG-00030
				235251, 391918 [N6/7]	235246, 391897 [N6/8]	WN0902-HZDCO-ROW-DRG-00030
				235173, 391881 [N6/9]	235161, 391889 [N6/10]	WN0902-HZDCO-ROW-DRG-00030
A5025 Off-Line Highway Improvements – Section 9 – Power Station Access Road Junction (Work No. 1J)	Unclassified service road adjacent to A5025	235160, 391778 [S6/3]	235179, 391799 [S6/4]	235160, 391778 [N6/11]	235168, 391780 [N6/12]	WN0902-HZDCO-ROW-DRG-00030
A5025 Off-Line Highway Improvements – Section 9 – Power Station Access Road Junction (Work No. 1J)	Unclassified service road adjacent to A5025	235168, 391785 [S6/5]	235178, 391778 [S6/6]	235160, 391778 [N6/11]	235168, 391780 [N6/12]	WN0902-HZDCO-ROW-DRG-00030
Footpaths						
Dalar Hir Park and Ride Facility	-	-	-	232465, 378436 [NF2/1]	232497, 378439 [NF2/2]	WN0902-HZDCO-ROW-DRG-00012
Dalar Hir Park and Ride Facility	-	-	-	232507, 378433 [NF2/3]	232511, 378432 [NF2/4]	WN0902-HZDCO-ROW-DRG-00012
Dalar Hir Park and Ride Facility	-	-	-	232518, 378432 [NF2/5]	232853, 378293 [NF2/6]	WN0902-HZDCO-ROW-DRG-00012
Dalar Hir Park and Ride Facility	-	-	-	232790, 378291 [NF2/7]	232813, 378286 [NF2/8]	WN0902-HZDCO-ROW-DRG-00012

(1) Relevant site	*(2) Street to be stopped up or private means of access to be extinguished*	*(3) Extent of stopping up or extinguishment*		*(4) New street or private means of access to be substituted*		*(5) Reference*
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	49/014/2	231765, 381591 [X2/1]	231804, 381589 [X2/2]	231797, 381590 [NF2/1]	231804, 381589 [NF2/2]	WN0902-HZDCO-ROW-DRG-00008
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	27/018/1	231738, 382230 [X2/3]	231787, 382276 [X2/4]	231738, 382230 [NF2/3]	231787, 382276 [NF2/4]	WN0902-HZDCO-ROW-DRG-00008
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	27/020/1	231635, 382783 [X3/1]	231671, 382807 [X3/2]	231635, 382783 [NF3/1]	231644, 382774 [NF3/2]	WN0902-HZDCO-ROW-DRG-00009
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	27/012/1	231580, 383413 [X3/3]	231647, 383416 [X3/4]	231767, 383421 [NF3/7] (Footway)	231651, 383533 [NF3/8] (Footway)	WN0902-HZDCO-ROW-DRG-00009
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	27/012/1	231647, 383416 [X3/5]	231767, 383421 [X3/6]	231767, 383421 [NF3/7]	231651, 383533 [NF3/8]	WN0902-HZDCO-ROW-DRG-00009
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	29/009/1	231600, 387150 [X4/3]	231698, 387107 [X4/4]	231600, 387150 [NF4/1]	231698, 387107 [NF4/2]	WN0902-HZDCO-ROW-DRG-00011
A5025 Off-Line Highway Improvements – Section 7 – Cefn Coch	18/063/4	233739, 389707 [X5/1]	233756, 389702 [X5/2]	233739, 389707 [NF5/1]	233756, 389702 [NF5/2]	WN0902-HZDCO-ROW-DRG-00029
A5025 Off-Line Highway Improvements – Section 7 – Cefn Coch	18/018/1	234063, 390007 [X5/3]	234086, 390172 [X5/4]	234095, 390183 [NF5/3]	234117, 390224 [NF5/4]	WN0902-HZDCO-ROW-DRG-00029
				Replaced by footways NF5/5 to NF5/6, NF5/7 to NF5/8, and NF5/9 to NF5/10, as described below		WN0902-HZDCO-ROW-DRG-00029
				234117, 390224 [NF5/5]	234142, 390260 [NF5/6]	WN0902-HZDCO-ROW-DRG-00029

(1) Relevant site	*(2) Street to be stopped up or private means of access to be extinguished*	*(3) Extent of stopping up or extinguishment*		*(4) New street or private means of access to be substituted*		*(5) Reference*
				234150, 390258 [NF5/7]	234180, 390302 [NF5/8]	WN0902-HZDCO-ROW-DRG-00029
				234180, 390302 [NF5/9]	234065, 390006 [NF5/10]	WN0902-HZDCO-ROW-DRG-00029
Footways						
A5025 Off-Line Highway Improvements – Section 1 – Valley	Footway adjacent to northbound carriageway of the A5, between the access to the Freight Yard and Valley	229477, 379248 [X1/1]	229685, 379129 [X1/2]	229477, 379248 [NF1/1] (Footway/ Cycleway)	229696, 379118 [NF1/2] (Footway/ Cycleway)	WN0902-HZDCO-ROW-DRG-00007
A5025 Off-Line Highway Improvements – Section 1 – Valley	Footway adjacent to northbound carriageway of the A5, between the access to the Freight Yard and A55 J3	229723, 379108 [X1/3]	230033, 378878 [X1/4]	229712, 379110 [NF1/3] (Footway/ Cycleway)	230033, 378878 [NF1/4] (Footway/ Cycleway)	WN0902-HZDCO-ROW-DRG-00007
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	-	-	-	231739, 381673 [NF2/5]	231771, 381618 [NF2/6]	WN0902-HZDCO-ROW-DRG-00008
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	-	-	-	231794, 381617 [NF2/7]	231797, 381590 [NF2/8]	WN0902-HZDCO-ROW-DRG-00008
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	-	-	-	231644, 382774 [NF3/3]	231653, 382775 [NF3/4]	WN0902-HZDCO-ROW-DRG-00009
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	-	-	-	231663, 382776 [NF3/5]	231671, 382807 [NF3/6]	WN0902-HZDCO-ROW-DRG-00009

(1) Relevant site	*(2) Street to be stopped up or private means of access to be extinguished*	*(3) Extent of stopping up or extinguishment*		*(4) New street or private means of access to be substituted*		*(5) Reference*
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	Footway adjacent to the southbound carriageway of the A5025 to the north of Llanfachraeth	231565, 383399 [X3/7]	231648, 383531 [X3/8]	231570, 383419 [NF3/9]	231639, 383535 [NF3/10]	WN0902-HZDCO-ROW-DRG-00009
Footway/Cycleways						
A5025 Off-Line Highway Improvements – Section 1 – Valley	-	-	-	229685, 379149 [NF1/5]	229732, 379168 [NF1/6]	WN0902-HZDCO-ROW-DRG-00007
A5025 Off-Line Highway Improvements – Section 1 – Valley	-	-	-	229746, 379157 [NF1/7]	229752, 379121 [NF1/8]	WN0902-HZDCO-ROW-DRG-00007
A5025 Off-Line Highway Improvements – Section 1 – Valley	-	-	-	229712, 379110 [NF1/9]	229741, 379106 [NF1/10]	WN0902-HZDCO-ROW-DRG-00007
A5025 Off-Line Highway Improvements – Section 1 – Valley	-	-	-	229905, 379632 [NF1/11]	230016, 379718 [NF1/12]	WN0902-HZDCO-ROW-DRG-00007
A5025 Off-Line Highway Improvements – Section 1 – Valley	-	-	-	230016, 379718 [NF1/13]	230033, 379724 [NF1/14]	WN0902-HZDCO-ROW-DRG-00007
A5025 Off-Line Highway Improvements – Section 1 – Valley	-	-	-	230042, 379718 [NF1/15]	230075, 379751 [NF1/16]	WN0902-HZDCO-ROW-DRG-00007
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	-	-	-	231955, 386424 [NF4/3]	231890, 386409 [NF4/4]	WN0902-HZDCO-ROW-DRG-00011
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	-	-	-	231878, 386407 [NF4/5]	231610, 386826 [NF4/6]	WN0902-HZDCO-ROW-DRG-00011

(1) Relevant site	*(2) Street to be stopped up or private means of access to be extinguished*	*(3) Extent of stopping up or extinguishment*		*(4) New street or private means of access to be substituted*		*(5) Reference*
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	-	-	-	231549, 387116 [NF4/7]	231570, 387141 [NF4/8]	WN0902-HZDCO-ROW-DRG-00011
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu				231580, 387136 [NF4/9]	231588, 387148 [NF4/10]	WN0902-HZDCO-ROW-DRG-00011
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	-	-	-	231593, 387160 [NF4/11]	231614, 387198 [NF4/12]	WN0902-HZDCO-ROW-DRG-00011
A5025 Off-Line Highway Improvements – Section 9 – Power Station Access Road Junction (Work No. 1J)	-	-	-	235105, 391669 [NF6/1]	235119, 391688 [NF6/2]	WN0902-HZDCO-ROW-DRG-00030
A5025 Off-Line Highway Improvements – Section 9 – Power Station Access Road Junction (Work No. 1J)	-	-	-	235130, 391703 [NF6/3]	235165, 391776 [NF6/4]	WN0902-HZDCO-ROW-DRG-00030
A5025 Off-Line Highway Improvements – Section 9 – Power Station Access Road Junction (Work No. 1J)	-	-	-	235170, 391789 [NF6/5]	235158, 391878 [NF6/6]	WN0902-HZDCO-ROW-DRG-00030
Parc Cybi Logistics Centre	Footway / cycleway adjacent to Parc Cybi	225744, 380650 [S3/1]	225725, 380653 [S3/2]	235725, 380653 [NF 3/2]	225767, 380627 [NF 3/5]	WN0902-HZDCO-ROW-DRG-00013
Parc Cybi Logistics Centre	Footway/ cycleway adjacent to Parc Cybi	225748, 380644 [S3/5]	225779, 380573 [S3/6]	235768, 380629 [NF 3/1]	225784, 380600 [NF 3/3]	WN0902-HZDCO-ROW-DRG-00013
				235763, 380599 [NF 3/6]	235780, 380570 [NF 3/4]	

(1) Relevant site	*(2) Street to be stopped up or private means of access to be extinguished*	*(3) Extent of stopping up or extinguishment*		*(4) New street or private means of access to be substituted*		*(5) Reference*
Private means of access						
Parc Cybi Logistics Centre	Access to Logistics Centre with Parc Cybi	225733, 380637 [S3/3]	2225751, 380651 [S3/4]	225773, 380624 [N3/1]	225781, 380608 [N3/2]	WN0902-HZDCO-ROW-DRG-00013
				225781, 380608 [N3/3]	225763, 380595 [N3/4]	
A5025 Off-Line Highway Improvements – Section 1 – Valley	Access to Freight Yard from A5 London Road	229704, 379116 [AX1/1]	229692, 379102 [AX1/1]	229704, 379116 [A1/1]	229692, 379102 [A1/1]	WN0902-HZDCO-ROW-DRG-00007
A5025 Off-Line Highway Improvements – Section 1 – Valley	Land to east of A5 London Road severed by realigned A5025	-	-	229571, 379220 [A1/2]	229574, 379225 [A1/2]	WN0902-HZDCO-ROW-DRG-00007
A5025 Off-Line Highway Improvements – Section 1 – Valley	Land to east of A5 London Road severed by realigned A5025	-	-	229936, 379554 [A1/3]	229942, 379550 [A1/3]	WN0902-HZDCO-ROW-DRG-00007
A5025 Off-Line Highway Improvements – Section 1 – Valley	Land to east of A5 London Road severed by realigned A5025	-	-	229911, 379605 [A1/4]	229914, 379601 [A1/4]	WN0902-HZDCO-ROW-DRG-00007
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	Field access to land to the east of the A5025	231764, 381589 [AX2/1]	231767, 381589 [AX2/1]	231736, 381760 [A2/1]	231768, 381756 [A2/1]	WN0902-HZDCO-ROW-DRG-00008
				231768, 381756 [A2/2]	231771, 381755 [A2/2]	WN0902-HZDCO-ROW-DRG-00008
				231765, 381758 [A2/3]	231767, 381766 [A2/3]	WN0902-HZDCO-ROW-DRG-00008
				231775, 382074 [A2/4]	231800, 381584 [A2/4]	WN0902-HZDCO-ROW-DRG-00008
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	Access track to Bedo from C116	231776, 382569 [AX2/2]	231792, 382550 [AX2/2]	231790, 382553 [A2/5]	231792, 382550 [A2/5]	WN0902-HZDCO-ROW-DRG-00008

(1) Relevant site	*(2) Street to be stopped up or private means of access to be extinguished*	*(3) Extent of stopping up or extinguishment*		*(4) New street or private means of access to be substituted*		*(5) Reference*
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	Field access from the C116 to land to the north of the C116	231771, 382577 [AX2/3]	231771, 382582 [AX2/3]	231771, 382578 [A2/6]	231712, 382630 [A2/6]	WN0902-HZDCO-ROW-DRG-00008
				231712, 382630 [A2/7]	231709, 382634 [A2/7]	WN0902-HZDCO-ROW-DRG-00008
				231718, 382623 [A2/8]	231711, 382619 [A2/8]	WN0902-HZDCO-ROW-DRG-00008
				231649, 382508 [A2/9]	231646, 382511 [A2/9]	WN0902-HZDCO-ROW-DRG-00008
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	-	-	-	231640, 382480 [A2/10]	231641, 382477 [A2/10]	WN0902-HZDCO-ROW-DRG-00008
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	Part of access track from the existing A5025 to land to the south and east of the existing A5025	231540, 383369 [AX3/1]	231646, 383105 [AX3/1]	231660, 382969 [A3/1]	231656, 382971 [A3/1]	WN0902-HZDCO-ROW-DRG-00009
				231656, 382971 [A3/2]	231668, 383530 [A3/2]	WN0902-HZDCO-ROW-DRG-00009
				231668, 383521 [A3/3]	231675, 383517 [A3/3]	WN0902-HZDCO-ROW-DRG-00009
				231540, 383369 [A3/4]	231600, 383083 [A3/4]	WN0902-HZDCO-ROW-DRG-00009
				231577, 383253 [A3/5]	231573, 383251 [A3/5]	WN0902-HZDCO-ROW-DRG-00009
				231572, 383289 [A3/6]	231635, 383247 [A3/6]	WN0902-HZDCO-ROW-DRG-00009

(1) Relevant site	*(2) Street to be stopped up or private means of access to be extinguished*	*(3) Extent of stopping up or extinguishment*		*(4) New street or private means of access to be substituted*		*(5) Reference*
				231641, 383260 [A3/7]	231643, 383260 [A3/7]	WN0902-HZDCO-ROW-DRG-00009
				231643, 383410 [A3/8]	231646, 383410 [A3/8]	WN0902-HZDCO-ROW-DRG-00009
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	Field access to land to the west of the existing A5025	231900, 386199 [AX4/1]	231892, 386197 [AX4/1]	231917, 386654 [A4/1]	231885, 386209 [A4/1]	WN0902-HZDCO-ROW-DRG-00011
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	Field access to land to the west of the existing A5025	231889, 386526 [AX4/2]	231882, 386520 [AX4/2]	231887, 386514 [A4/2]	231895, 386507 [A4/2]	WN0902-HZDCO-ROW-DRG-00011
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	Field access to land to the west of the existing A5025	231836, 386582 [AX4/3]	231829, 386576 [AX4/3]	231854, 386482 [A4/3]	231849, 386502 [A4/3]	WN0902-HZDCO-ROW-DRG-00011
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	Field access to land to the west of the existing A5025	231830, 386593 [AX4/4]	231823, 386587 [AX4/4]	231809, 386611 [A4/4]	231699, 386567 [A4/4]	WN0902-HZDCO-ROW-DRG-00011
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	Field access to land to the east of the existing A5025	231725, 386745 [AX4/5]	231732, 386751 [AX4/5]	231632, 386880 [A4/5]	231646, 386879 [A4/5]	WN0902-HZDCO-ROW-DRG-00011
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	Access track to Tan-y-Bryn	231679, 386767 [AX4/6]	231674, 386760 [AX4/6]	231606, 386821 [A4/6]	231674, 386760 [A4/6]	WN0902-HZDCO-ROW-DRG-00011
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	Access track to sewage works	231600, 387150 [AX4/7]	231698, 387107 [AX4/7]	231600, 387150 [A4/7]	231698, 387107 [A4/7]	WN0902-HZDCO-ROW-DRG-00011
				231698, 387107 [A4/8]	231781, 387155 [A4/8]	WN0902-HZDCO-ROW-DRG-00011

(1) Relevant site	*(2) Street to be stopped up or private means of access to be extinguished*	*(3) Extent of stopping up or extinguishment*		*(4) New street or private means of access to be substituted*		*(5) Reference*
A5025 Off-Line Highway Improvements – Section 7 – Cefn Coch	Access track to Bod-hedd	233739, 389707 [AX5/1]	233756, 389702 [AX5/1]	233739, 389707 [A5/1]	233756, 389702 [A5/1]	WN0902-HZDCO-ROW-DRG-00029
A5025 Off-Line Highway Improvements – Section 7 – Cefn Coch	Field access to land to the west of the existing A5025	234081, 390174 [AX5/2]	234079, 390170 [AX5/2]	234085, 390182 [A5/2]	233981, 390005 [A5/2]	WN0902-HZDCO-ROW-DRG-00029
				234080, 390180 [A5/3]	234062, 390184 [A5/3]	WN0902-HZDCO-ROW-DRG-00029
A5025 Off-Line Highway Improvements – Section 7 – Cefn Coch	Field access to land to the west of the existing A5025	234186, 390329 [AX5/3]	234182, 390329 [AX5/3]	234142, 390489 [A5/5]	234154, 390422 [A5/5]	WN0902-HZDCO-ROW-DRG-00029
A5025 Off-Line Highway Improvements – Section 7 – Cefn Coch	Field access to land to the west of the existing A5025	234222, 390566 [AX5/4]	234218, 390565 [AX5/4]	234223, 390564 [A5/4]	234142, 390489 [A5/4]	WN0902-HZDCO-ROW-DRG-00029
A5025 Off-Line Highway Improvements – Section 7 – Cefn Coch	Field access to land to the west of the existing A5025	234190, 390681 [AX5/5]	234186, 390679 [AX5/5]	234159, 390646 [A5/6]	234154, 390645 [A5/6]	WN0902-HZDCO-ROW-DRG-00029
A5025 Off-Line Highway Improvements – Section 7 – Cefn Coch	-	-	-	233844, 389747 [A5/7]	233865, 389851 [A5/7]	WN0902-HZDCO-ROW-DRG-00029
A5025 Off-Line Highway Improvements – Section 9 – Power Station Access Road Junction (Work No. 1J)	Field access to land to the east of the existing A5025	235202, 391813 [AX6/1]	235204, 391812 [AX6/1]	235250, 391899 [A6/1]	235252, 391897 [A6/1]	WN0902-HZDCO-ROW-DRG-00030
A5025 Off-Line Highway Improvements – Section 9 – Power Station Access Road Junction (Work No. 1J)	-	-	-	235161, 391889 [A6/2]	235134, 391909 [A6/2]	WN0902-HZDCO-ROW-DRG-00030

PART 2

BEING A STREET TO BE STOPPED UP OR PRIVATE MEANS OF ACCESS TO BE EXTINGUISHED FOR WHICH NO SUBSTITUTE IS TO BE PROVIDED

(1) Relevant site	*(2) Street or public right of way to be stopped up or private means to be extinguished*	*(3) Extent of stopping up or extinguishment*		*(4) Reference*
Streets				
Wylfa Newydd Development Area	Cemlyn Road	234264, 393096 [S3/1]	235612, 393690 [S3/2]	WN0902-HZDCO-ROW-DRG-00014 WN0902-HZDCO-ROW-DRG-00015 WN0902-HZDCO-ROW-DRG-00016 WN0902-HZDCO-ROW-DRG-00017 WN0902-HZDCO-ROW-DRG-00018
Wylfa Newydd Development Area	Road to Fisherman's Car Park	235593, 393809 [S3/3]	235756, 392948 [S3/4]	WN0902-HZDCO-ROW-DRG-00015 WN0902-HZDCO-ROW-DRG-00016 WN0902-HZDCO-ROW-DRG-00018
Footpaths				
Wylfa Newydd Development Area	20/057/2	235558, 394154 [X3/1]	235515, 394093 [X3/2]	WN0902-HZDCO-ROW-DRG-00015 WN0902-HZDCO-ROW-DRG-00018
Wylfa Newydd Development Area	20/057/1	235516, 394093 [X3/3]	235594, 393810 [X3/4]	WN0902-HZDCO-ROW-DRG-00015 WN0902-HZDCO-ROW-DRG-00016 WN0902-HZDCO-ROW-DRG-00018
Wylfa Newydd Development Area	20/002/1	236096, 393681 [X3/5]	235591, 393815 [X3/6]	WN0902-HZDCO-ROW-DRG-00018 WN0902-HZDCO-ROW-DRG-00016 WN0902-HZDCO-ROW-DRG-00015
Wylfa Newydd Development Area	20/004/5	236437, 393581 [X3/7]	236631, 393744 [X3/8]	WN0902-HZDCO-ROW-DRG-00018
Wylfa Newydd Development Area	20/006/1	236437, 393581 [X3/9]	236268, 393734 [X3/10]	WN0902-HZDCO-ROW-DRG-00018 WN0902-HZDCO-ROW-DRG-00016 WN0902-HZDCO-ROW-DRG-00015
Wylfa Newydd Development Area	20/004/4	236593, 393484 [X3/11]	236437, 393581 [X3/12]	WN0902-HZDCO-ROW-DRG-00018
Wylfa Newydd Development Area	20/004/2	236765, 393429 [X3/13]	236579, 393473 [X3/14]	WN0902-HZDCO-ROW-DRG-00018
Wylfa Newydd Development Area	20/004/3	236579, 393474 [X3/15]	236593, 393484 [X3/16]	WN0902-HZDCO-ROW-DRG-00018

(1) Relevant site	*(2) Street or public right of way to be stopped up or private means to be extinguished*	*(3) Extent of stopping up or extinguishment*		*(4) Reference*
Wylfa Newydd Development Area	20/005/2	236579, 393474 [X3/17]	236292, 393240 [X3/18]	WN0902-HZDCO-ROW-DRG-00018 WN0902-HZDCO-ROW-DRG-00016 WN0902-HZDCO-ROW-DRG-00015
Wylfa Newydd Development Area	20/003/2	236292, 393239 [X3/19]	236243, 393350 [X3/20]	WN0902-HZDCO-ROW-DRG-00018 WN0902-HZDCO-ROW-DRG-00016 WN0902-HZDCO-ROW-DRG-00015
Wylfa Newydd Development Area	20/003/3	236243, 393350 [X3/21]	236096, 393682 [X3/22]	WN0902-HZDCO-ROW-DRG-00018 WN0902-HZDCO-ROW-DRG-00016 WN0902-HZDCO-ROW-DRG-00015
Wylfa Newydd Development Area	20/003/1	236330, 393133 [X3/23]	236292, 393239 [X3/24]	WN0902-HZDCO-ROW-DRG-00018 WN0902-HZDCO-ROW-DRG-00016 WN0902-HZDCO-ROW-DRG-00015
Wylfa Newydd Development Area	20/039/2	236243, 393350 [X3/25]	236073, 393299 [X3/26]	WN0902-HZDCO-ROW-DRG-00018 WN0902-HZDCO-ROW-DRG-00016 WN0902-HZDCO-ROW-DRG-00015
Wylfa Newydd Development Area	20/039/1	236073, 393299 [X3/27]	236121, 393173 [X3/28]	WN0902-HZDCO-ROW-DRG-00018 WN0902-HZDCO-ROW-DRG-00016 WN0902-HZDCO-ROW-DRG-00015
Wylfa Newydd Development Area	20/039A/1	236073, 393299 [X3/29]	235852, 393245 [X3/30]	WN0902-HZDCO-ROW-DRG-00018 WN0902-HZDCO-ROW-DRG-00016 WN0902-HZDCO-ROW-DRG-00015
Wylfa Newydd Development Area	20/038/2	235878, 392980 [X3/31]	235852, 393245 [X3/32]	WN0902-HZDCO-ROW-DRG-00018 WN0902-HZDCO-ROW-DRG-00016 WN0902-HZDCO-ROW-DRG-00015
Wylfa Newydd Development Area	20/038/1	235852, 393245 [X3/33]	235539, 393509 [X3/34]	WN0902-HZDCO-ROW-DRG-00018 WN0902-HZDCO-ROW-DRG-00016 WN0902-HZDCO-ROW-DRG-00015
Wylfa Newydd Development Area	20/030/2	235564, 392975 [X3/35]	235698, 392852 [X3/36]	WN0902-HZDCO-ROW-DRG-00018 WN0902-HZDCO-ROW-DRG-00016
Wylfa Newydd Development Area	20/029/1	235607, 393055 [X3/37]	235564, 392975 [X3/38]	WN0902-HZDCO-ROW-DRG-00018 WN0902-HZDCO-ROW-DRG-00016
Wylfa Newydd Development Area	20/029/2	235561, 392977 [X3/39]	235458, 392836 [X3/40]	WN0902-HZDCO-ROW-DRG-00018, WN0902-HZDCO-ROW-DRG-00016

(1) Relevant site	*(2) Street or public right of way to be stopped up or private means to be extinguished*	*(3) Extent of stopping up or extinguishment*		*(4) Reference*
Wylfa Newydd Development Area	20/030/1	235515, 393124 [X3/41]	235564, 392975 [X3/42]	WN0902-HZDCO-ROW-DRG-00018 WN0902-HZDCO-ROW-DRG-00016 WN0902-HZDCO-ROW-DRG-00015
Wylfa Newydd Development Area	20/031/1	235509, 393146 [X3/43]	235449, 393233 [X3/44]	WN0902-HZDCO-ROW-DRG-00018 WN0902-HZDCO-ROW-DRG-00016 WN0902-HZDCO-ROW-DRG-00015
Wylfa Newydd Development Area	38/034A/2	234884, 393352 [X3/45]	235449, 393233 [X3/46]	WN0902-HZDCO-ROW-DRG-00018 WN0902-HZDCO-ROW-DRG-00016 WN0902-HZDCO-ROW-DRG-00015 WN0902-HZDCO-ROW-DRG-00014
Wylfa Newydd Development Area	38/034/3	234755, 393333 [X3/47]	234867, 393137 [X3/48]	WN0902-HZDCO-ROW-DRG-00014 WN0902-HZDCO-ROW-DRG-00015 WN0902-HZDCO-ROW-DRG-00016
Wylfa Newydd Development Area	38/034A/1	234884, 393352 [X3/49]	234753, 393334 [X3/50]	WN0902-HZDCO-ROW-DRG-00014 WN0902-HZDCO-ROW-DRG-00015 WN0902-HZDCO-ROW-DRG-00016
Wylfa Newydd Development Area	38/034/2	234671, 393360 [X3/51]	234753, 393334 [X3/52]	WN0902-HZDCO-ROW-DRG-00014 WN0902-HZDCO-ROW-DRG-00015 WN0902-HZDCO-ROW-DRG-00016
Wylfa Newydd Development Area	38/035A/1	234705, 393437 [X3/53]	234881, 393552 [X3/54]	WN0902-HZDCO-ROW-DRG-00014 WN0902-HZDCO-ROW-DRG-00015 WN0902-HZDCO-ROW-DRG-00016
Wylfa Newydd Development Area	38/035/2	234791, 393629 [X3/55]	234705, 393437 [X3/56]	WN0902-HZDCO-ROW-DRG-00014 WN0902-HZDCO-ROW-DRG-00015 WN0902-HZDCO-ROW-DRG-00016
Wylfa Newydd Development Area	38/035/1	234705, 393437 [X3/57]	234671, 393360 [X3/58]	WN0902-HZDCO-ROW-DRG-00014 WN0902-HZDCO-ROW-DRG-00015 WN0902-HZDCO-ROW-DRG-00016
Wylfa Newydd Development Area	38/034/1	234511, 393397 [X3/59]	234671, 393360 [X3/60]	WN0902-HZDCO-ROW-DRG-00014 WN0902-HZDCO-ROW-DRG-00015 WN0902-HZDCO-ROW-DRG-00016
Wylfa Newydd Development Area	38/036/1	234389, 393080 [X3/61]	234133, 392307 [X3/62]	WN0902-HZDCO-ROW-DRG-00014 WN0902-HZDCO-ROW-DRG-00015 WN0902-HZDCO-ROW-DRG-00016
Wylfa Newydd Development Area	20/050/1	235456, 392609 [X3/63]	235577, 392596 [X3/64]	WN0902-HZDCO-ROW-DRG-00016 WN0902-HZDCO-ROW-DRG-00017 WN0902-HZDCO-ROW-DRG-00018

(1) Relevant site	*(2) Street or public right of way to be stopped up or private means to be extinguished*	*(3) Extent of stopping up or extinguishment*		*(4) Reference*
Wylfa Newydd Development Area	38/038/1	235456, 392609 [X3/65]	235386, 292613 [X3/66]	WN0902-HZDCO-ROW-DRG-00016 WN0902-HZDCO-ROW-DRG-00017 WN0902-HZDCO-ROW-DRG-00018
Wylfa Newydd Development Area	38/037/1	234909, 392527 [X3/67]	235360, 392855 [X3/68]	WN0902-HZDCO-ROW-DRG-00014 WN0902-HZDCO-ROW-DRG-00016 WN0902-HZDCO-ROW-DRG-00017 WN0902-HZDCO-ROW-DRG-00018
Dalar Hir Park and Ride Facility	Footway in layby on A5	232974, 378239 [S2/5]	233057, 378215 [S2/6]	WN0902-HZDCO-ROW-DRG-00012
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	27/017/1	231796, 382586 [X2/5]	231801, 382584 [X2/6]	WN0902-HZDCO-ROW-DRG-00008
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	27/012/1	231580, 383413 [X3/3]	231801, 382584 [X3/4]	WN0902-HZDCO-ROW-DRG-00009
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	27/012/1	231647, 383416 [X3/5]	231767, 383421 [X3/6]	WN0902-HZDCO-ROW-DRG-00009
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	29/014/2	231825, 386580 [X4/1]	231832, 386588 [X4/2]	WN0902-HZDCO-ROW-DRG-00011
Private Means of Access				
Dalar Hir Park and Ride Facility	Access to properties on the Dalar Hir site	232598, 378239 [AX2/1]	232555, 378405 [AX2/2]	WN0902-HZDCO-ROW-DRG-00012
Dalar Hir Park and Ride Facility	Access to properties on the Dalar Hir site	232564, 378471 [AX2/3]	232564, 378485 [AX2/4]	WN0902-HZDCO-ROW-DRG-00012
A5025 Off-Line Highway Improvements – Section 7 – Cefn Coch	Field access to land to the east of the existing A5025	234199, 390684 [AX5/6]	234200, 390684 [AX5/6]	WN0902-HZDCO-ROW-DRG-00029

SCHEDULE 8

Article 15

STATUS OF FOOTPATHS CREATED OR IMPROVED

(1) Relevant site	*(2) Existing or new footpath*	*(3) New status*	*(4) Reference*
Wylfa Newydd Development Area	NF3/1 to NF3/2	Footpath	WN0902-HZDCO-ROW-DRG-00019
Wylfa Newydd Development Area	NF3/3 to NF3/4	Footpath	WN0902-HZDCO-ROW-DRG-00019 and WN0902-HZDCO-ROW-DRG-00020
Wylfa Newydd Development Area	NF3/5 to NF3/6	Dual use footpath/ cyclepath	WN0902-HZDCO-ROW-DRG-00020
Wylfa Newydd Development Area	NF3/7 to NF3/8	Dual use footpath/ cyclepath	WN0902-HZDCO-ROW-DRG-00022 and WN0902-HZDCO-ROW-DRG-00021
Wylfa Newydd Development Area	NF3/9 to NF3/10	Footpath	WN0902-HZDCO-ROW-DRG-00023
Wylfa Newydd Development Area	NF3/11 to NF3/12	Footpath	WN0902-HZDCO-ROW-DRG-00023
Park and Ride	NF 2/1 to NF2/2	Footpath	WN0902-HZDCO-ROW-DRG-00012
Dalar Hir Park and Ride Facility	NF 2/3 to NF2/4	Footpath	WN0902-HZDCO-ROW-DRG-00012
Dalar Hir Park and Ride Facility	NF 2/5 to NF2/6	Footpath	WN0902-HZDCO-ROW-DRG-00012
Dalar Hir Park and Ride Facility	NF 2/7 to NF2/8	Footpath	WN0902-HZDCO-ROW-DRG-00012
Parc Cybi Logistics Centre	NF3/2 to NF 3/5	Footpath	WN0902-HZDCO-ROW-DRG-00012
Parc Cybi Logistics Centre	NF3/1 to NF3/3	Footpath	WN0902-HZDCO-ROW-DRG-00012
Parc Cybi Logistics Centre	NF3/6 to NF3/4	Footpath	WN0902-HZDCO-ROW-DRG-00012
A5025 Off-Line Highway Improvements – Section 1 – Valley	NF1/1 to NF1/2	Footway/cycleway	WN0902-HZDCO-ROW-DRG-00007
A5025 Off-Line Highway Improvements – Section 1 – Valley	NF1/3 to NF1/4	Footway/cycleway	WN0902-HZDCO-ROW-DRG-00007
A5025 Off-Line Highway Improvements – Section 1 – Valley	NF1/5 to NF1/6	Footway/cycleway	WN0902-HZDCO-ROW-DRG-00007
A5025 Off-Line Highway Improvements – Section 1 – Valley	NF1/7 to NF1/8	Footway/cycleway	WN0902-HZDCO-ROW-DRG-00007

(1) Relevant site	*(2) Existing or new footpath*	*(3) New status*	*(4) Reference*
A5025 Off-Line Highway Improvements – Section 1 – Valley	NF1/9 to NF1/10	Footway/cycleway	WN0902-HZDCO-ROW-DRG-00007
A5025 Off-Line Highway Improvements – Section 1 - Valley	NF1/11 to NF1/12	Footway/cycleway	WN0902-HZDCO-ROW-DRG-00007
A5025 Off-Line Highway Improvements – Section 1 – Valley	NF1/13 to NF1/14	Footway/cycleway	WN0902-HZDCO-ROW-DRG-00007
A5025 Off-Line Highway Improvements – Section 1 – Valley	NF1/15 to NF1/16	Footway/cycleway	WN0902-HZDCO-ROW-DRG-00007
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	NF2/1 to NF2/2	Footpath	WN0902-HZDCO-ROW-DRG-00008
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	NF2/3 to NF2/4	Footpath	WN0902-HZDCO-ROW-DRG-00008
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	NF2/5 to NF2/6	Footway	WN0902-HZDCO-ROW-DRG-00008
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	NF2/7 to NF2/8	Footway	WN0902-HZDCO-ROW-DRG-00008
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	NF3/1 to NF3/2	Footpath	WN0902-HZDCO-ROW-DRG-00009
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	NF3/3 to NF3/4	Footway	WN0902-HZDCO-ROW-DRG-00009
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	NF3/5 to NF3/6	Footway	WN0902-HZDCO-ROW-DRG-00009

(1) Relevant site	*(2) Existing or new footpath*	*(3) New status*	*(4) Reference*
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	NF3/7 to NF3/8	Footway	WN0902-HZDCO-ROW-DRG-00009
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	NF3/9 to NF/10	Footway	WN0902-HZDCO-ROW-DRG-00009
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	NF4/1 to NF4/2	Footpath	WN0902-HZDCO-ROW-DRG-00011
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	NF4/3 to NF4/4	Footway/cycleway	WN0902-HZDCO-ROW-DRG-00011
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	NF4/5 to NF4/6	Footway/cycleway	WN0902-HZDCO-ROW-DRG-00011
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	NF4/7 to NF4/8	Footway/cycleway	WN0902-HZDCO-ROW-DRG-00011
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	NF4/9 to NF4/10	Footway/cycleway	WN0902-HZDCO-ROW-DRG-00011
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	NF4/11 to NF4/12	Footway/cycleway	WN0902-HZDCO-ROW-DRG-00011
A5025 Off-Line Highway Improvements – Section 7 – Cefn Coch	NF5/1 to NF5/2	Footpath	WN0902-HZDCO-ROW-DRG-00029
A5025 Off-Line Highway Improvements – Section 7 – Cefn Coch	NF5/3 to NF5/4	Footpath	WN0902-HZDCO-ROW-DRG-00029
A5025 Off-Line Highway Improvements – Section 7 – Cefn Coch	NF5/5 to NF5/6	Footway	WN0902-HZDCO-ROW-DRG-00029

(1) Relevant site	*(2) Existing or new footpath*	*(3) New status*	*(4) Reference*
A5025 Off-Line Highway Improvements – Section 7 – Cefn Coch	NF5/7 to NF5/8	Footway	WN0902-HZDCO-ROW-DRG-00029
A5025 Off-Line Highway Improvements – Section 7 – Cefn Coch	NF5/9 to NF5/10	Footway	WN0902-HZDCO-ROW-DRG-00029
A5025 Off-Line Highway Improvements – Section 9 – Power Station Access Road Junction (Work No. 1J)	NF6/1 to NF6/2	Footway/cycleway	WN0902-HZDCO-ROW-DRG-00030
A5025 Off-Line Highway Improvements – Section 9 – Power Station Access Road Junction (Work No. 1J)	NF6/3 to NF6/4	Footway/cycleway	WN0902-HZDCO-ROW-DRG-00030
A5025 Off-Line Highway Improvements – Section 9 – Power Station Access Road Junction (Work No. 1J)	NF6/5 to NF6/6	Footway/cycleway	WN0902-HZDCO-ROW-DRG-00030

SCHEDULE 9

Article 16

STREETS TO BE TEMPORARILY STOPPED UP

(1) Relevant site	*(2) Street to be stopped up*	*(3) Extent of stopping up*		*(4) Reference*
Footpaths				
Ecological Compensation Site – Cors Gwawr	23/035/1	249526, 376959 [23/035/1 (North)]	249734, 376727 [23/035/1 (South)]	WN0902-HZDCO-ROW-DRG-00031
Ecological Compensation Site – Cors Gwawr	23/036/1	249734, 376727 [23/036/1 (East)]	249257, 376523 [23/036/1 (West)]	WN0902-HZDCO-ROW-DRG-00031
Ecological Compensation Site – Cae Canol-Dydd	23/016/1	247832, 378342 [23/016/1 (North)]	247380, 377472 [23/025/1 (South)]	WN0902-HZDCO-ROW-DRG-00032
Ecological Compensation Site – Tŷ Du	20/019/1	239392, 394147 [20/019/1 (North)]	239431, 393987 [20/019/1 (South)]	WN0902-HZDCO-ROW-DRG-00033
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	27/018/1	231643, 382202 [T2/1]	231738, 382230 [T2/2]	WN0902-HZDCO-ROW-DRG-00008
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	27/018/1	231787, 382276 [T2/3]	231905, 382357 [T2/4]	WN0902-HZDCO-ROW-DRG-00008
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	27/018/1	231905, 382357 [T2/5]	232144, 382404 [T2/6]	WN0902-HZDCO-ROW-DRG-00008
Highway				
Dalar Hir Park and Ride Facility	A5	232973, 378239 [S3/1]	233057, 378214 [S3/2]	WN0902-HZDCO-ROW-DRG-00012
Cyclepaths				
Parc Cybi Logistics Centre	Lôn Trefignath cycle path	225690, 380719 (North)	225690, 380719 (South)	WN0902-HZDCO-ROW-DRG-00013

SCHEDULE 10

Article 21

TRAFFIC REGULATION MEASURES

PART 1

TRAFFIC REGULATIONS MEASURES

(1) Relevant site	*(2) Street*	*(3) Extent*		*(4) Notes*
A5025 Off-Line Highway Improvements – Section 1 – Valley	Severed section of existing A5025	229883, 379613	229906, 379631	Permanent mandatory 30mph Speed Limit
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	Severed section of existing A5025	231775, 381634	231695, 381904	Permanent mandatory 40mph Speed Limit
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	Classified Road C116	231576, 382471	231828, 382628	Permanent mandatory 30mph Speed Limit
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	Severed section of existing A5025 and realigned carriageway to form a junction with the realigned A5025	231556, 383396	231604, 383419	Permanent mandatory 30mph Speed Limit
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	Realigned A5025	231772, 386683	231653, 387262	Permanent mandatory 40mph Speed Limit
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	Severed section of existing A5025 and realigned carriageway to form a junction with the realigned A5025	231619, 386836	231527, 386852	Permanent mandatory 30mph Speed Limit
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	Severed section of existing A5025	231509, 387055	231551, 387115	Permanent Mandatory 30mph Speed Limit

PART 2

STREETS SUBJECT TO TRAFFIC REGULATION MEASURES OUTSIDE THE ORDER LIMITS

(1) Relevant site	*(2) Street*	*(3) Extent*		*(4) Notes*
A5025 Off-Line Highway Improvements – Section 1 – Valley	Severed section of existing A5025	229565, 379365	229883, 379613	Permanent mandatory 30mph Speed Limit
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	Severed section of existing A5025	231695, 381904	231645, 382145	Permanent mandatory 40mph Speed Limit
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	Severed section of existing A5025	231432, 383253	231556, 383396	Permanent mandatory 30mph Speed Limit
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	Severed section of existing A5025	231527, 386852	231509, 387055	Permanent mandatory 30mph Speed Limit

SCHEDULE 11

Article 27

LAND IN WHICH ONLY RIGHTS ETC. MAY BE ACQUIRED

(1) Relevant site	*(2) Plot reference (as shown on the Land Plans)*	*(3) Purpose for which new rights may be acquired*	*(4) Total area (square metres)*
Wylfa Newydd Development Area	60	Drainage rights and access rights in relation to Work No. 2C	145
Wylfa Newydd Development Area	62	Drainage rights and access rights in relation to Work No. 2C	181
Wylfa Newydd Development Area	71	Access rights in relation to Work No. 4	2,063
Wylfa Newydd Development Area	72	Access rights in relation to Work No.s 1H and 4	25,139
Wylfa Newydd Development Area	73	Access rights in relation to Work No.s 1H, 4 and 12	1,841
Wylfa Newydd Development Area	74	Access rights in relation to Work No. 4	2257
Wylfa Newydd Development Area	76	Access rights in relation to Work No.s 1H and 4	6360
Wylfa Newydd Development Area	79	Access rights in relation to Work No. 4	1417
Wylfa Newydd Development Area	80	Access rights in relation to Work No. 4	3,434
Wylfa Newydd Development Area	81	Access rights in relation to Work No. 4	721
Wylfa Newydd Development Area	82	Access rights in relation to Work No. 4	3,428
Wylfa Newydd Development Area	83	Access rights in relation to Work No. 4	339
Wylfa Newydd Development Area	88	Access rights in relation to Work No.s 1H and 4	2316
Wylfa Newydd Development Area	119	Drainage rights and access rights in relation to Work No. 2A and Work No. 12	5982
Parc Cybi Logistics Centre	201	Drainage rights in relation to Work No. 7	1,217
Parc Cybi Logistics Centre	207	Drainage rights and access rights in relation to Work No. 7	137
Parc Cybi Logistics Centre	209	Drainage rights and access rights in relation to Work No. 7	270
Parc Cybi Logistics Centre	210	Drainage rights and access rights in relation to Work No. 7	485
Parc Cybi Logistics Centre	211	Drainage rights and access rights in relation to Work No. 7	257
Parc Cybi Logistics Centre	212	Drainage rights and access rights in relation to Work No. 7	35
Parc Cybi Logistics Centre	213	Drainage rights and access rights in relation to Work No. 7	247
Dalar Hir Park and Ride Facility	303	Access rights to carry out works in relation to Work No. 6	22

(1) Relevant site	*(2) Plot reference (as shown on the Land Plans)*	*(3) Purpose for which new rights may be acquired*	*(4) Total area (square metres)*
Dalar Hir Park and Ride Facility	304	Access rights in relation to Work No. 6	75
Dalar Hir Park and Ride Facility	327	Access rights in relation to Work No. 6	45
A5025 Off-Line Highway Improvements – Section 1 – Valley	419	Drainage rights in relation to Work No. 8	1,425
A5025 Off-Line Highway Improvements – Section 1 – Valley	421	Drainage rights and access to carry out flood mitigation works in relation to Work No. 8 Imposition of restrictive covenant in respect of such flood mitigation works	31,018
A5025 Off-Line Highway Improvements – Section 1 – Valley	422	Drainage rights in relation to Work No. 8	488
A5025 Off-Line Highway Improvements – Section 1 – Valley	429	Access rights to carry out flood mitigation works in relation to Work No. 8 Imposition of restrictive covenant in respect of such flood mitigation works	4,782
A5025 Off-Line Highway Improvements – Section 1 – Valley	444	Drainage rights and access to carry out flood mitigation works in relation to Work No. 8	466
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	509	Drainage and access rights in relation to Work No. 9	12,780
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	510	Access rights in relation to Work No. 9	840
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	511	Drainage rights in relation to Work No. 9	263
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	513	Drainage rights in relation to Work No. 9	1,312
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	514	Access rights to carry out flood mitigation works in relation to Work No. 9 Imposition of restrictive covenant in respect of such flood mitigation works	2,244
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	515	Access rights to carry out flood mitigation works in relation to Work No. 9 Imposition of restrictive covenant in respect of such flood mitigation works	123

(1) Relevant site	*(2) Plot reference (as shown on the Land Plans)*	*(3) Purpose for which new rights may be acquired*	*(4) Total area (square metres)*
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	516	Access rights to carry out flood mitigation works in relation to Work No. 9 Imposition of restrictive covenant in respect of such flood mitigation works	125
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	517	Access rights to carry out flood mitigation works in relation to Work No. 9 Imposition of restrictive covenant in respect of such flood mitigation works	4,851
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	518	Access rights to carry out flood mitigation works in relation to Work No. 9 Imposition of restrictive covenant in respect of such flood mitigation works	3,581
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	529	Access rights for drainage in relation to Work No. 9	618
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	557	Access rights in relation to Work No. 9	3,406
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	559	Drainage rights in relation to Work No. 9	470
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	560	Access rights in relation to Work No. 9	1,046
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	576	Access rights to carry out flood mitigation works in relation to Work No. 9 Imposition of restrictive covenant in respect of such flood mitigation works	43
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	577	Access rights to carry out flood mitigation works in relation to Work No. 9	330
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	578	Access rights to carry out flood mitigation works in relation to Work No. 9	323
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	623	Access rights to maintain structure in relation to Work No. 10	223
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	624	Access rights to attenuation pond in relation to Work No. 10	690
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	625	Access rights to construct and maintain drainage in relation to Work No. 10	48

(1) Relevant site	*(2) Plot reference (as shown on the Land Plans)*	*(3) Purpose for which new rights may be acquired*	*(4) Total area (square metres)*
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	628	Access rights to construct and maintain drainage in relation to Work No. 10	5,495
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	640	Access rights to construct and maintain drainage and retain access to drainage asset in relation to Work No. 10	1,164
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	667	Access rights to construct and maintain drainage and retain access to drainage asset in relation to Work No. 10	11
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	668	Access rights to construct and maintain drainage and retain access to drainage asset in relation to Work No. 10	644
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	670	Access and drainage rights in relation to Work No. 10	88
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	671	Access and drainage rights in relation to Work No. 10	32
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	673	Drainage rights to construct and maintain outfall in relation to Work No. 10	224
Off-Site Power Station Facilities	673	Drainage rights in relation to Work No. 5	224
Off-Site Power Station Facilities	676	Access rights in relation to Work No. 5	39
Off-Site Power Station Facilities	681	Access rights in relation to Work No. 5	1
A5025 Off-Line Highway Improvements – Section 7 – Cefn Coch	703	Access rights in relation to Work No. 11	293
A5025 Off-Line Highway Improvements – Section 7 – Cefn Coch	706	Access rights in relation to Work No. 11	146
A5025 Off-Line Highway Improvements – Section 7 – Cefn Coch	720	Access rights to construct and maintain drainage in relation to Work No. 11	34
A5025 Off-Line Highway Improvements – Section 7 – Cefn Coch	721	Access rights to construct and maintain drainage in relation to Work No. 11	38
A5025 Off-Line Highway Improvements – Section 7 – Cefn Coch	734	Access rights in relation to Work No. 11	286
A5025 Off-Line Highway Improvements – Section 7 – Cefn Coch	743	Access and maintenance rights for ecological mitigation works	4,126

SCHEDULE 12

Article 27

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

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 the imposition of a restrictive covenant as they apply in respects compensation on the compulsory purchase of land and interests in land.

2.—(1) Without limiting 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" 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 or the restrictive covenant enforceable".

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

(2) For section 5A(5A) 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 (as modified by paragraph 7 of Schedule 12 of the Wylfa Newydd (Nuclear Generating Station) Order 201[X]);

(b) the acquiring authority is subsequently required by a determination under Part 3 of Schedule 2A to the 1965 Act (as modified by paragraph 10 of Schedule 12 to the Wylfa Newydd (Nuclear Generating Station) Order 201[X]) to take the additional 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 where 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.

(**a**) 1973 c.26.

(2) Without limitation on the scope of 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, in relation to the imposition of a restriction, with the modifications specified in the following provisions of this Schedule.

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 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 11A (Powers of entry: further notices of entry), 11B (Counter-notice requiring possession to be taken on specified date), and sections 12 (Penalty for unauthorised entry) and 13 (Entry on warrant in the event of obstruction) of the 1965 Act are modified correspondingly.

8. Section 20 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.

9. Section 22 (Interests omitted from purchase) of the 1965 Act is modified so 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, subject to compliance with that section as respects compensation.

10. In Schedule 2A (Counter-notice requiring purchase of land not in notice to treat) of 1965 Act in Part 3 for "severance" or "severance on land" substitute "acquisition of a right by the creation of a new right or imposition of a restrictive covenant".

Application of the 1981 Act

11.—(1) The 1981 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 paragraph 10(3) of Schedule 1 (owners under incapacity);

(b) the land over which the right is or is to be exercisable, or the restriction is or is to be enforceable; or paragraphs 2(3) and 7(2) of Schedule 4 (common land),

(2) Without limiting the scope of paragraph (1), the 1981 Act applies in relation to the compulsory acquisition under this Order of a right by the creation of a new right or, in relation to the imposition of a restriction, with the modifications specified in the following provisions of this Schedule.

(3) In Schedule A1 (Counter-notice requiring purchase of land not in general vesting declaration) of the 1981 Act in Part 3 for "severance" or "severance on land" substitute "acquisition of a right by the creation of a new right or imposition of a restrictive covenant".

SCHEDULE 13

Article 32

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

(1) Relevant site	*(2) Plot reference (as shown on the Land Plans)*	*(3) Total area (square metres)*
Wylfa Newydd Development Area	88	2,316

SCHEDULE 14

Article 35 and 36

LAND OF WHICH ONLY TEMPORARY POSSESSION MAY BE TAKEN

(1) Relevant site	*(2) Plot reference (as shown on the Land Plans)*	*(3) Purpose for which temporary possession may be taken*
Wylfa Newydd Development Area	23, 24 and 25	Temporary access to ecological works
Wylfa Newydd Development Area	52, 53, 54, 55 and 56	Temporary possession for works in the public highway relating Work No. 1J
Wylfa Newydd Development Area	52, 53, 54, 55, 56 and 143	Temporary possession for works in the public highway relating Work No. 2B
Wylfa Newydd Development Area	75, 77, 84, 85, 87	Temporary access to carry out works in relation to Work No. 4
Wylfa Newydd Development Area	84	Temporary access to carry out works in relation to Work No. 4
Wylfa Newydd Development Area	75, 89	Temporary access to carry out works in relation to Work No. 1H
Wylfa Newydd Development Area	143, 148 and 173	Temporary possession for works in the public highway relating to Work No. 3B
Wylfa Newydd Development Area	168, 169, 171 and 172	Temporary possession for works in the public highway relating to other associated development
Wylfa Newydd Development Area	170, 173	Temporary possession for works in the public highway relating to Work No. 2A
Wylfa Newydd Development Area	143 and 170	Temporary possession for works in the public highway relating to Work No. 12
Parc Cybi Logistics Centre	202, 204, 206, 208 and 214	Temporary possession for works in the public highway for the provision of site access to Work No. 7
Parc Cybi Logistics Centre	203	Temporary lay down area and works to cycle path in relation to Work No. 7
Parc Cybi Logistics Centre	215	Temporary access to carry out works in respect of third party access in relation to Work No. 7
Dalar Hir Park and Ride Facility	300, 301, 302, 305, 306, 307, 308, 309, 311, 316, 317, 318, 319, 320, 321, 322, 323 ,324, 325, 326 and 328	Temporary possession for works in the public highway for the provision of site access to Work No. 6
A5025 Off-Line Highway Improvements – Section 1 – Valley	400, 401, 402, 403, 404, 413, 414, 415, 416, 417, 418, 437, 438, 439, 440, 441, 442, 443 and 445	Temporary possession for works in the public highway in relation to Work No. 8 and other associated development

(1) Relevant site	*(2) Plot reference (as shown on the Land Plans)*	*(3) Purpose for which temporary possession may be taken*
A5025 Off-Line Highway Improvements – Section 1 – Valley	409	Temporary access to carry out works in relation to Work No. 8
A5025 Off-Line Highway Improvements – Section 1 – Valley	412, 424 and 425	Temporary working area in relation to Work No. 8
A5025 Off-Line Highway Improvements – Section 1 – Valley	426	Temporary construction compound and access to works in relation to Work No. 8
A5025 Off-Line Highway Improvements – Section 1 – Valley	431, 433 and 434	Temporary working and construction compound in relation to Work No. 8
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	501 and 502	Temporary possession for works in the public highway in relation to Work No. 9 and other associated development
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	501, 502, 507, 508, 533, 534, 535, 536, 537, 538, 544, 545, 546, 547, 548, 549, 563, 564, 565, 570, 571, 572 and 573	Temporary possession for works in the public highway to carry out and maintain works in relation to Work No. 9
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	503, 504, 505, 541, 542, 543, 556, 568 and 569	Temporary access to carry out works in relation to Work No. 9
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	512	Temporary construction compound and access to works in relation to Work No. 9
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	523, 524, 526, 528, 550, 552, 554, 561, 562 and 574	Temporary working area in relation to Work No. 9
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	553	Temporary construction compound in relation to Work No. 9
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	600	Temporary working area and laydown area in relation to Work No. 10
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	602, 618, 620, 639, 641, 643 and 644	Temporary working area in relation to Work No. 10
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 630, 631, 631, 632, 633, 635, 636, 637, 653, 656, 657, 660 661, 662, 663, 677, 678, 679, 680 and 682	Temporary possession for works in the public highway in relation to Work No. 10, the provision of access to Work No. 5 and other associated development
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	621 and 622	Temporary working area and construction of embankment in relation to Work No. 10

(1) Relevant site	*(2) Plot reference (as shown on the Land Plans)*	*(3) Purpose for which temporary possession may be taken*
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	620, 626, 634, 645, 646, 647, 648 and 654	Temporary access to carry out works in relation to Work No. 10
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	627 and 629	Temporary construction compound in relation to Work No. 10
A5025 Off-Line Highway Improvements – Section 7 – Cefn Coch	700, 711, 712, 713, 725, 726, 728, 729, 740, 741 and 746	Temporary possession for works in the public highway in relation to Work No. 11 and other associated development
A5025 Off-Line Highway Improvements – Section 7 – Cefn Coch	701	Temporary access to construction compound in relation to Work No. 11
A5025 Off-Line Highway Improvements – Section 7 – Cefn Coch	702	Temporary construction compound in relation to Work No. 11
A5025 Off-Line Highway Improvements – Section 7 – Cefn Coch	705, 707, 708 and 710	Temporary access to carry out works in relation to Work No. 11
A5025 Off-Line Highway Improvements – Section 7 – Cefn Coch	714	Temporary working and laydown area in relation to Work No. 11
A5025 Off-Line Highway Improvements – Section 7 – Cefn Coch	716, 733, 735 and 742	Temporary working area in relation to Work No. 11

SCHEDULE 15

Article 41

PROTECTIVE PROVISIONS

PART 1

PROTECTION FOR ELECTRICITY, GAS, WATER AND SEWERAGE UNDERTAKERS

Application

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

Interpretation

2. In addition to article 2 (Interpretation), the terms in this Part have the following meanings—

"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 a statutory undertaker within paragraph (a) of the definition of that term, electric lines or electrical plant (as defined in the Electricity Act 1989(**a**)), belonging to or maintained by the statutory undertaker for the purposes of electricity supply;

(b) in the case of a statutory undertaker within paragraph (b) of the definition of that term, any mains, pipes or other apparatus belonging to or maintained by the statutory undertaker for the purposes of gas supply;

(c) in the case of a statutory undertaker within paragraph (c) of the definition of that term, mains, pipes or other water apparatus belonging to or maintained by the statutory undertaker for the purposes of water supply; and

(d) in the case of a sewerage undertaker—

(i) any drain or works vested in the sewerage undertaker under the Water Industry Act 1991; 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;

"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**) 1989 c.29. The definition of "electrical plant" in section 64(1) was amended by paragraph 38(3) of Part II of Schedule 6 to the Utilities Act 2000 (c.27). There are other amendments to the Electricity Act 1989 which are not relevant to this Order.

(**b**) c.29.

(b) a gas transporter within the meaning of Part 1 of the Gas Act 1986(**a**);

(c) a water undertaker within the meaning of the Water Industry Act 1991;

(d) a sewerage undertaker; and

(e) 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.

On-street apparatus

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

Acquisition of apparatus

4. Despite any provision in this Order or anything shown on the Land Plans, the undertaker must not acquire any apparatus otherwise than by agreement.

Removal of apparatus

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 and to gain access to it will not be extinguished until, if so required by the statutory undertaker, 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 28 days' written notice of that requirement, together with a plan and section of the work proposed and of the proposed position of the alternative apparatus to be provided or constructed and in that case (or if in consequence of the exercise of any of the powers conferred by this Order a statutory undertaker reasonably needs to remove any of its apparatus) the undertaker must, subject to sub-paragraph 5(3), afford to the statutory undertaker the necessary facilities and rights for the construction of alternative apparatus in other land of the undertaker and subsequently for the maintenance of that apparatus.

(3) If alternative apparatus or any part of such apparatus is to be constructed as a consequence of the removal of apparatus placed on land other than that of the undertaker, or the undertaker is unable to afford such facilities and rights as are mentioned in subparagraph 5(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) Any alternative apparatus to be constructed in land of the undertaker under this Part of this Schedule must be constructed in such manner and in such line or situation as may be agreed between the statutory undertaker in question and the undertaker or, in default of agreement, settled by arbitration in accordance with article 77 (Arbitration).

(5) 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 77, and after the grant to the statutory undertaker of any such facilities and rights as are referred to in sub-paragraphs 5(2) and (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 this Part of this Schedule.

(6) Despite anything in sub-paragraph 5(5), 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

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(**a**) 1986 c.44.

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.

(7) Nothing in sub-paragraph 5(6) 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 without the prior approval of the statutory undertaker (such approval not to be unreasonably withheld or delayed).

Facilities and rights for alternative apparatus

6.—(1) Where, in accordance with the provisions of this Part of this Schedule, the undertaker affords to a statutory undertaker facilities and rights for the construction and maintenance in land of the undertaker for alternative apparatus in substitution for apparatus to be removed, those facilities and rights will be granted upon such terms and conditions as may be agreed between the undertaker and the statutory undertaker in question or in default of agreement settled by arbitration in accordance with article 77 (Arbitration).

(2) In settling those terms and conditions in respect of alternative apparatus to be constructed in the land of the undertaker, the arbitrator will—

(a) give effect to all reasonable requirements of the undertaker for ensuring the safety and efficient operation of the authorised development and for securing any subsequent alterations or adaptations of the alternative apparatus which may be required to prevent interference with any proposed works of the undertaker; and

(b) so far as it may be reasonable and practicable to do so in the circumstances of the particular case, give effect to the terms and conditions, if any, applicable to the apparatus constructed in or the land for which the alternative apparatus is to be substituted.

(3) If the facilities and rights to be afforded by the undertaker in respect of any alternative apparatus, and the terms and conditions subject to which those facilities and rights are to be granted, are in the opinion of the arbitrator less favourable on the whole to the statutory undertaker in question than the facilities and rights enjoyed by it in respect of the apparatus to be removed and the terms and conditions to which those facilities and rights are subject, the arbitrator may make such provision for the payment of compensation by the undertaker to that statutory undertaker as appears to the arbitrator to be reasonable having regard to all the circumstances of the particular case.

Retained apparatus: protection

7.—(1) Not less than 28 days before starting the execution of any authorized works authorized by this Order that are near to, or will or may affect, or where construction access is to be taken over, any apparatus the removal of which has not been required by the undertaker under paragraph 6(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 7(1) and in accordance with such reasonable requirements as may be made in accordance with sub-paragraph 7(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 7(2) must be made within a period of 21 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 7(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, paragraph 6 applies as if the removal of the apparatus had been required by the undertaker under sub-paragraph (2) of that paragraph.

(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 7(2) 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 7(2) in so far as is reasonably practicable in the circumstances.

Compensation

8.—(1) Subject to sub-paragraphs (2) and (3), if by reason or in consequence of the construction of any of the works referred to in sub-paragraph 5(2), any damage is caused to any apparatus (other than apparatus the repair of which is not reasonably necessary in view of its intended removal for the purposes of those works) or property of a statutory undertaker, or there is any interruption in any service provided, or in the supply of any goods, by any statutory undertaker, the undertaker must—

(a) bear and pay on demand the cost reasonably incurred by that statutory undertaker in making good such damage or restoring the supply; and

(b) make reasonable compensation to that statutory undertaker for any other expenses, loss, demands or proceedings, damages, claims, penalty or costs incurred by the statutory undertaker,

by reason or in consequence of any such damage or interruption.

(2) Nothing in sub-paragraph 8(1) must impose any liability on the undertaker with respect to any damage or interruption to the extent that it is attributable to the neglect or default of a statutory undertaker, its officers, servants, contractors or agents.

(3) A statutory undertaker must give the undertaker reasonable prior written notice of any claim or demand, and no settlement or compromise may be made without the consent of the undertaker.

Expenses

9.—(1) Subject to the following provisions of this paragraph, the undertaker must pay to the statutory undertaker in question the reasonable expenses 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 this Part is to be deducted from any sum payable under sub-paragraph 9(1), that value being calculated after removal.

(3) If in accordance with this Part—

(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 77 (Arbitration) to be necessary, then, if such placing involves cost in the construction of works under this Part 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 9(1) is to be reduced by the amount of that excess.

(4) For the purposes of sub-paragraph 9(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.

(5) An amount which apart from this sub-paragraph would be payable to a statutory undertaker in respect of works by virtue of sub-paragraph 9(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.

Co-operation

10.—(1) Where, under this Part, the statutory undertaker is required to give its consent or approval in respect of any matter, that consent or approval must not be unreasonably withheld or delayed.

(2) In respect of any specified work or the acquisition of rights under or over or use of the statutory undertaker's property, the statutory undertaker must co-operate with the undertaker with a view to avoiding undue delay.

Enactments and agreements

11. Nothing in this Part affects the provisions of any enactment or agreement regulating the relations between the Undertaker and a utility undertaker in respect of any apparatus laid or erected in land belonging to the Undertaker on the date on which this Order is made.

PART 2

PROTECTION FOR OPERATORS OF ELECTRONIC COMMUNICATIONS NETWORKS

Application

12. The provisions of this Part have effect for the protection of operators unless otherwise agreed in writing between the undertaker and the operator in question.

Interpretation

13. In addition to article 2 (Interpretation), the terms in this Part have the following meanings—

"2003 Act" means the Communications Act 2003;(**a**)

"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;

"electronic communications code" has the same meaning as in Chapter 1 of Part 2 of the 2003 Act; and

"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 2003 Act; 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 2003 Act; and

"operator" means the operator of an electronic communications code network.

Electronic communications apparatus installed on, under or over any land

14. The exercise of the powers in article 37 (statutory undertakers) is subject to paragraph 23 of Schedule 2 to the Telecommunications Act 1984 (undertaker's works)(**b**).

Compensation

15.—(1) Subject to sub-paragraphs 15(2) to (3), if, as the result of the authorised development or its construction, 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 the property of an operator, the undertaker must—

(a) bear and pay on demand the cost reasonably incurred by that statutory undertaker in making good such damage or restoring the supply; and

(b) make reasonable compensation to that statutory undertaker for any other expenses, loss, demands or proceedings, damages, claims, penalty or costs incurred by the statutory undertaker,

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(**a**) c.21
(**b**) 1984 c.12.

by reason or in consequence of any such damage or interruption.

(2) Nothing in sub-paragraph 15(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, unless otherwise agreed in writing between the operator and the undertaker, be referred to and settled by arbitration under article 77 (Arbitration).

(4) The operator must give the undertaker reasonable notice of any such claim or demand and no settlement or compromise of the claim or demand is to be made without the consent of the undertaker which, if it withholds such consent, has the sole conduct of any settlement or compromise or of any proceedings necessary to resist the claim or demand.

Application

16.—(1) This Part does not apply to—

(a) any apparatus in respect of which the relations between the undertaker and an operator are regulated by 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.

Co-operation

17. In respect of any specified work or the acquisition of rights under or over or use of the statutory undertaker's property, the statutory undertaker must co-operate with the undertaker with a view to avoiding undue delay.

Enactments and agreements

18. Nothing in this Part affects the provisions of any enactment or agreement regulating the relations between the undertaker and a utility undertaker in respect of any apparatus laid or erected in land belonging to the undertaker on the date on which this Order is made.

PART 3

PROTECTION FOR THE NUCLEAR DECOMMISSIONING AUTHORITY

Application

19. The provisions of this Part have effect unless otherwise agreed in writing between the undertaker and NDA.

Interpretation

20. In addition to article 2 (Interpretation), the terms in this Part have the following meanings—

"access road" means the access and approach roads to the NDA Site from the A5025 as referenced by the brown line on the Access Road Plan;

"alternative installations" means appropriate alternative installations to the satisfaction of NDA to enable NDA and the relevant holder of the NSL for the NSL Site to fulfil its obligations under the Designating Directions and NSL in a manner not less efficient than previously;

"days" means any day other than a Saturday, a Sunday or a day on which commercial banks in London are required or authorised to be closed;

"Designating Directions" mean the nuclear site directions in force in respect of any part of the NDA Site and made by the Secretary of State in exercise of the powers contained in sections 3, 4 and 16 of the Energy Act 2004;

"include" or "includes" is to be interpreted in accordance with article 2(10) (Interpretation) of this Order;

"in" in a context referring to apparatus in land includes a reference to apparatus across, under, over or upon land;

"installation(s)" means any buildings, structures, cooling water infrastructure, services and any other uses and apparatus belonging to or maintained by or used by NDA or Magnox and includes the southern contractors' car park;

"NDA Site" means the site over plots 16, 28, 29, 30, 31, 32, 33, 34, 37, 38, 39, 40, 44, 62, 63, 64, 65, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 105, 106, 107, 108, 109, 110, 111, 112, 114, 118, 119, 122, 128, 129, 130, 131, 132, 133, 134, 135, 137, 138, 140, 141, 146, 147, 150, 153, 154, 159, 161, 176, 179, 181, 182, 183, 184 and 185 in the Book of Reference and shown on the Land Plans and in which NDA has an interest;

"NSL" means a nuclear site licence granted by the Office for Nuclear Regulation in exercise of powers contained in sections 1(1), 3 and 4 of the Nuclear Installations Act 1965;

"NSL Site" means those parts of the NDA Site in respect of which an NSL is in force from time to time;

"plans" includes sections, designs, design data, software, drawings, specifications, descriptions (including descriptions of methods of construction), method statements, soil reports, programmes, staging proposals and other supporting information that are reasonably necessary to properly and sufficiently describe the works to be executed;

"southern contractors' car park" means the car park located at plot 69 in the Book of Reference and shown on the Land Plans;

"specified works" means so much of any of the authorised development as is situated upon, across, under or over the NDA Site or that are near to, or will or may in any way adversely affect, the installations.

Acquisition of Land and Installations

21.—(1) Despite any provision of this Order or anything shown on the Land Plans or contained in the Book of Reference, the undertaker must not exercise any power to acquire any of the NDA Site, or any right, interest, or installations in the NDA Site, or override any easement or other interest in the NDA Site or extinguish any right or suspend any right of NDA in the NDA Site or impose any restrictions in the NDA Site otherwise than by agreement with NDA, and—

(a) only once the Designating Directions in respect the relevant part of the NDA Site have been modified or revoked to the satisfaction of NDA by the Secretary of State in accordance with section 5 of the Energy Act 2004; and

(b) subject to paragraph 21(2), only once the NSL in respect of the relevant part of the NSL Site has been surrendered by the holder of the NSL or revoked by the Office for Nuclear Regulation,

exercise any power to temporarily use any Order Land located within the NDA Site otherwise than by agreement with NDA.

(2) Where the undertaker and NDA agree under this paragraph that any land interest in the NSL Site, or installations in the NSL Site, may be acquired by agreement at a time when the NSL remains in force, such acquisition may only take place after the consent of the Office for Nuclear Regulation has first been obtained by the holder of the relevant NSL in accordance with the NSL.

Right of access

22.—(1) The undertaker must not stop up in whole or in part the access road or extinguish in whole or in part any right of NDA along the access road unless and until all necessary replacement access has been agreed by the undertaker and NDA and put in place to the satisfaction of NDA and in accordance with all safety and emergency response requirements and all necessary rights have been granted to NDA.

(2) The undertaker must ensure that a full right of access for all emergency, operational and user purposes is maintained at all times by means of the access road or replacement access as set out in sub-paragraph 22(1).

Removal of Installations and Execution of Specified Works

23. If, in the exercise of the powers conferred by this Order, the undertaker acquires any interest in any land in which any installation is located or placed, that installation must not be removed under this Part or under any other statutory power, and any right of NDA to use, access, maintain or renew installations on, in or over that land must not be extinguished until either alternative installations have been constructed and are in operation to the reasonable satisfaction of NDA or NDA provides its written consent to removal without alternative installations being required, constructed or in operation.

24.—(1) Not less than 56 days before the intended removal of installations and construction of alternative installations or execution of specified works, the undertaker must supply to NDA plans of the works to be executed for the reasonable approval of NDA and the removal of installations, construction of alternative installations and/or the execution of specified works must not be commenced except in accordance with plans approved in writing by NDA or settled by arbitration under article 77 (Arbitration) of this Order.

(2) The approval of NDA must not be unreasonably withheld and NDA must indicate its approval or disapproval of the plans submitted under sub-paragraph 24(1) within—

(a) a period of 56 days beginning with the day immediately following that on which the plans are received by NDA;

(b) a period of 56 days beginning with the day immediately following that on which the further information has been supplied in full by the undertaker following a request from NDA under paragraph 25; or

(c) such longer period than 56 days in sub-paragraph (2)(a) or (b) as may be agreed in writing by the undertaker and NDA before the end of such 56 day period.

(3) Any approval of NDA under this paragraph may be provided subject to such requirements as NDA considers reasonable.

(4) The removal of installations, construction of alternative installations or the execution of specified works must be executed only in accordance with the plans submitted and approved by NDA under this paragraph and in accordance with such reasonable requirements of NDA, and NDA is entitled to watch and inspect the execution of those works, and the undertaker must supply NDA with any additional information concerning such works as NDA may reasonably require.

(5) Where NDA requires any protective works under sub-paragraph 24(3) to be carried out either by itself or by the undertaker (whether of a permanent or temporary nature), the protective works must be carried out to NDA's reasonable satisfaction prior to the carrying out of the specified works.

(6) Nothing in this paragraph precludes the undertaker from submitting at any time or from time to time, but in no case less than 56 days before commencing the execution of any works, new plans instead of the plans previously submitted, and having done so the provisions of this paragraph apply again in respect of the new plans.

25.—(1) Following receipt of plans under paragraph 24 of this Part, NDA may request such reasonable further information from the undertaker as is necessary to enable it to consider the plans.

(2) Any request under sub-paragraph 25(1) must be made within a period of 28 days beginning with the day immediately following that on which the plans are received by NDA.

Expenses

26. The undertaker must pay to NDA the proper and reasonable expenses reasonably incurred by NDA in, or in connection with, the inspection, alteration or protection of any installations and approvals.

Indemnity

27.—(1) Subject to sub-paragraph 27(3), if by reason, or in consequence, of the construction, use, existence, operation or failure of any specified works or in consequence of the construction, use, existence, operation, maintenance or failure of any of the authorised development by or on behalf of the undertaker or in any consequence of any act or default of the undertaker (or any person employed or authorised by the undertaker) in the course of carrying out such works, any damage is caused to any installations or property of NDA, or to operations, or there is any interruption in any service provided to NDA or by NDA, or in the supply of any goods to NDA or by NDA or NDA becomes liable to pay any amount to any third party, the undertaker must—

(a) bear and pay on demand the proper and reasonable cost reasonably and properly incurred by NDA in making good such damage or restoring operations, services or supply; and

(b) indemnify NDA for any other expenses, loss (whether direct or indirect and including losses of an economic nature), demands, proceedings, damages, claims, penalty or costs incurred by or recovered from NDA by reason or in consequence of any such damage or interruption or NDA becoming so liable to any third party.

(2) The fact that any act or thing may have been done by NDA on behalf of the undertaker or in accordance with a plan approved by NDA or in accordance with any requirement of NDA or its supervision does not (subject to sub-paragraph 27(3)) excuse the undertaker from liability under sub-paragraph (1).

(3) Nothing in sub-paragraph 27(1) imposes any liability on the undertaker with respect to any loss, damage, injury or interruption to the extent that it is attributable to the neglect or default of NDA, its officers, servants, contractors or agents.

(4) NDA must give the undertaker reasonable notice (being not less than 28 days) of any claim or demand and, subject to paragraph 23, NDA may decide whether or not to pass conduct of any proceedings necessary to rest the claim or demand to the undertaker.

(5) Where NDA decides—

(a) to retain conduct of any proceedings necessary to rest the claim or demand, NDA must consult with the undertaker and have due regard to the undertakers' representations as to how the proceedings are to be conducted and no settlement or compromise may be made without the consent of the undertaker (not to be unreasonably withheld or delayed);

(b) to pass conduct of any proceedings necessary to rest the claim or demand to the undertaker, the undertaker must consult with NDA and have due regard to NDA's representations as to how the proceedings are to be conducted and no settlement or compromise may be made without the consent of NDA (not to be unreasonably withheld or delayed).

(6) Neither NDA nor the undertaker may make any public statement relating to any claim or demand or any settlement or compromise that may be made in respect of any claim or demand without the consent of NDA or the undertaker (as applicable).

28. Nothing in this Part affects the provisions of any enactment or agreement regulating the relations between the undertaker and NDA in respect of any installations located at or providing access into the NDA Site on the date on which this Order is made.

Co-operation

29. The undertaker must not exercise any power under this Order on any part of the NDA Site, unless the undertaker has entered into a co-operation agreement with NDA and Magnox to facilitate the decommissioning and delicensing of the NSL Site, the construction, operation and decommissioning of the authorised development and fulfilment of any statutory requirements by the parties.

PART 4

PROTECTION FOR MAGNOX

Application

30. The provisions of this Part have effect unless otherwise agreed in writing between the undertaker and Magnox.

Interpretation

31. In addition to article 2 (Interpretation), the terms in this Part have the following meanings—

"access road" means the access and approach roads to the NDA Site from the A5025 as referenced by the brown line on the Access Road Plan;

"alternative installations" means appropriate alternative installations to enable Magnox to fulfil its obligations under the NSD and NSL in a manner not less efficient than previously;

"days" means any day other than a Saturday, a Sunday or a day on which commercial banks in London are required or authorised to be closed;

"in" in a context referring to apparatus in land includes a reference to apparatus across, under, over or upon land;

"include" or "includes" is to be interpreted in accordance with article 2(10) (Interpretation) of this Order;

"installations" means any buildings, structures, cooling water infrastructure, services and any other apparatus belonging to or maintained by or used by NDA or Magnox and includes the southern contractors' car park;

"NSD" means the nuclear site designation in respect of the Site made under sections 3, 4 and 16 of the Energy Act 2004;

"NSL" means the nuclear site licence (site licence no. 58), as amended from time to time, for the Site granted by the Secretary of State in exercise of powers under sections 1(1), 3 and 4 of the Nuclear Installations Act 1965 on 28th November 1997 to Magnox;

"plans" includes sections, designs, design data, software, drawings, specifications, descriptions (including descriptions of methods of construction), staging proposals and construction programmes and other documents that are reasonably necessary to properly and sufficiently describe and assess the works to be executed;

"NSL Site" means the site subject to the NSL for the purposes of installing and operating the nuclear installations listed at Part II of Schedule 1 of the NSL together with any land in which Magnox has an interest in the vicinity of the NSL area; and

"specified works" means so much of any of the authorised development as is situated upon, across, under, or over parcels 64, 67, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 85, 86, 87, 88, 89, 91, 93, 94, 133, 134 and 137 in Volume 4.3.1 of the Book of Reference (being parcels in which Magnox has an interest) or that are near to, or will or may in any way adversely affect the installations.

"southern contractor's car park" means the car park located at Plot 69 in the Book of Reference and shown on the Land Plans.

Acquisition of land and installations

32.—(1) Despite any provision of this Order or anything shown on the Land Plans or contained in the Book of Reference, the undertaker must not—

(a) exercise any power to acquire any land interest or installations or override any easement or other interest of Magnox otherwise than by agreement; and

(b) exercise any power to temporarily use any Order Land located within the Site otherwise than by agreement.

(2) Where the undertaker and Magnox agree that any land interest or installations may be acquired by agreement, Magnox must seek the consent of the Office for Nuclear Regulation in accordance with the NSL.

(3) Subject to replacement access having been agreed by the undertaker and Magnox pursuant to paragraph 33, the undertaker must ensure that Magnox is able to enter and exit the Site at all times by means of the access road.

Right of access

33.—(1) The undertaker must not stop up in whole or in part the access road or extinguish in whole or in part any right of Magnox along the access road unless and until all necessary replacement access have been agreed by the undertaker and Magnox and put in place to the satisfaction of Magnox and in accordance with all safety and emergency response requirements and all necessary rights have been granted to Magnox.

(2) The undertaker must ensure that a full right of access for all emergency, operational and user purposes is maintained at all times by means of the access road or replacement access as set out in sub-paragraph 33(1).

Removal of installations and execution of specified works

34. If, in the exercise of the powers conferred by this Order, the undertaker acquires any interest in any land in which any installation is located or placed, that installation must not be removed under this Part or under any other statutory power, and any right of Magnox to use, access, maintain, or renew installations, in or over that land must not be extinguished until either alternative installations have been constructed and are in operation to the reasonable satisfaction of Magnox or Magnox provides its written consent to removal without alternative installations being required, constructed or in operation.

35.—(1) Not less than 56 days before the intended removal of installations and construction of alternative installations or execution of specified works, the undertaker must supply to Magnox plans of the works to be executed for the reasonable approval of Magnox and the removal of installations and construction of alternative installations or the execution of specified works must not be commenced except in accordance with plans approved in writing by Magnox or settled by arbitration under article 77 (Arbitration).

(2) The approval of Magnox must not be unreasonably withheld and Magnox must indicate its approval or disapproval of the plans submitted under sub-paragraph (1) within a period of 56 days beginning with the date on which Magnox receive the plans or receipt of such further information being supplied in full by the undertaker following a request by Magnox under paragraph 36, and if by the expiry of the 56 day period Magnox has not intimated approval or disapproval, Magnox is deemed to have approved the plans as submitted.

(3) The specified works must be executed only in accordance with the plans submitted under sub-paragraph 35(1) and in accordance with such reasonable requirements as may be made in accordance with sub-paragraph 35(4) by Magnox for the alteration or otherwise for the protection of any installations or for securing access to them (where appropriate), and Magnox is entitled to watch and inspect the execution of those works, and the undertaker must supply Magnox with any additional information concerning such works as Magnox may reasonably require.

(4) Any requirements made by Magnox under sub-paragraph 35(3) must be made within a period of 56 days beginning with the date on which the plans under sub-paragraph 35(1) are submitted to it.

(5) Where Magnox requires any protective works under sub-paragraph 35(3) to be carried out either by itself or by the undertaker (whether of a permanent or temporary nature), the protective works must be carried out to Magnox's reasonable satisfaction prior to the carrying out of the specified works.

(6) Nothing in this paragraph precludes the undertaker from submitting at any time or from time to time, but in no case less than 56 days before commencing the execution of any works, new plans instead of the plans previously submitted, and having done so the provisions of this paragraph apply to and in respect of the new plans.

36.—(1) Following receipt of plans under paragraph 35 of this Part, Magnox may request such reasonable further information from the undertaker as is necessary to enable it to consider the plans.

(2) Any request under sub-paragraph 35(1) must be made within a period of 28 days beginning with the day immediately following that on which the plans are received by Magnox.

Expenses

37. The undertaker must pay to Magnox the proper and reasonable expenses reasonably incurred by Magnox in, or in connection with, the inspection, alteration or protection of any installations and approvals.

Indemnity

38.—(1) Subject to sub-paragraph 38(3), if by reason, or in consequence, of the construction, use, existence, operation or failure of any specified works or in consequence of the construction, use, existence, operation, maintenance or failure of any of the authorised development by or on behalf of the undertaker or in any consequence of any act or default of the undertaker (or any person employed or authorised by the undertaker) in the course of carrying out such works, any damage is caused to any installations or property of Magnox, or to operations, or there is any interruption in any service provided to Magnox or by Magnox, or in the supply of any goods to Magnox or by Magnox or Magnox becomes liable to pay any amount to any third party, the undertaker must—

(a) bear and pay on demand the proper and reasonable cost reasonably and properly incurred by Magnox in making good such damage or restoring operations, services or supply; and

(b) indemnify Magnox for any other expenses, loss (whether direct or indirect and including losses of an economic nature), demands, proceedings, damages, claims, penalty or costs incurred by or recovered from Magnox by reason or in consequence of any such damage or interruption or Magnox becoming so liable to any third party.

(2) The fact that any act or thing may have been done by Magnox on behalf of the undertaker or in accordance with a plan approved by Magnox or in accordance with any requirement of Magnox or its supervision does not (subject to sub-paragraph 38(3)) excuse the undertaker from liability under sub-paragraph 38(1).

(3) Nothing in sub-paragraph (1) imposes any liability on the undertaker with respect to any loss, damage, injury or interruption to the extent that it is attributable to the neglect or default of Magnox, its officers, servants, contractors or agents.

(4) Magnox must give the undertaker reasonable notice (being not less than 28 days) of any claim or demand, and no settlement or compromise may be made without the consent of the undertaker (not to be unreasonably withheld or delayed) which, if it reasonably withholds such consent, has the sole conduct of any settlement or compromise or of any proceedings necessary to rest the claim or demand.

(5) Neither Magnox nor the undertaker must make any public statement relating to any claim or demand or any settlement or compromise that may be made in respect of any claim or demand without the consent of Magnox or the undertaker (as applicable).

Enactments and agreements

39. Nothing in this Part affects the provisions of any enactment or agreement regulating the relations between the undertaker and Magnox in respect of any installations located at or providing access into the Site on the date on which this Order is made.

Co-operation

40. The undertaker must not exercise any power under this Order on any part of the NDA Site, unless the undertaker has entered into a co-operation agreement with NDA and Magnox to facilitate the decommissioning and delicensing of the NSL Site, the construction, operation and decommissioning of the authorised development and fulfilment of any statutory requirements by the parties.

PART 5

PROTECTIONS FOR NATIONAL GRID

Application

41. For the protection of the undertaker referred to in this Part of this Schedule the following provisions will, unless otherwise agreed in writing between the promoter and the undertaker, have effect.

Interpretation

42. In addition to article 2 (Interpretation), the terms in this Part have the following meanings—

"acceptable credit provider" means a bank or financial institution with a credit rating that is not lower than: (i) "A-" if the rating is assigned by Standard & Poor's Ratings Group or Fitch Ratings; and "A3" if the rating is assigned by Moody's Investors Services Inc.;

"acceptable insurance" means a third party liability insurance effected and maintained by the promoter with a limit of indemnity of not less than £25,000,000.00 (twenty five million pounds) per occurrence or series of occurrences arising out of one event. Such insurance will be maintained for the construction period of the authorised works which constitute specified works and arranged with an internationally recognised insurer of repute operating in the London and worldwide insurance market underwriters whose security/credit rating meets the same requirements as an "acceptable credit provider". Such policy will include (but without limitation):

(a) National Grid Electricity Transmission Plc and National Grid Gas Plc as a co-insured;

(b) a cross-liabilities clause; and

(c) contractors' pollution liability for third party property damage and third party bodily damage arising from a pollution/contamination event with cover of £10,000,000.00 (ten million pounds) per event or £20,000,000.00 (twenty million pounds) in aggregate;

"acceptable security" means either:

(a) a parent company guarantee from a parent company in favour of National Grid Electricity Transmission Plc and National Grid Gas Plc to cover the promoter's liability to National Grid Electricity Transmission Plc and National Grid Gas Plc to a cap of not less than £10,000,000.00 (ten million pounds) per asset per event up to a total liability cap of £25,000,000.00 (twenty five million pounds) (in a form reasonably satisfactory to the undertaker and where required by the undertaker, accompanied with a legal opinion confirming the due capacity and authorisation of the parent company to enter into and be bound by the terms of such guarantee); or

(b) a bank bond or letter of credit from an acceptable credit provider in favour of National Grid Electricity Transmission Plc and National Grid Gas Plc to cover the promoter's liability to National Grid Electricity Transmission Plc and National Grid Gas Plc for an amount of not less than £10,000,000.00 (ten million pounds) per asset per event up to a total liability cap of £25,000,000.00 (twenty five million pounds) (in a form reasonably satisfactory to the undertaker);

"alternative apparatus" means appropriate alternative apparatus to the satisfaction of the undertaker to enable the undertaker to fulfil its statutory functions in a manner no less efficient than previously;

"apparatus" means electric lines or electrical plant as defined in the Electricity Act 1989, belonging to or maintained by the undertaker together with any replacement apparatus and such other apparatus constructed pursuant to the Order and/or otherwise in the undertaker's ordinary course of business (including, for the avoidance of doubt, any order granted pursuant to an application for development consent submitted by the undertaker to the Planning

Inspectorate for the construction of an electricity connection from the undertaker's substation at Wylfa to the national network) that becomes operational apparatus of the undertaker for the purposes of transmission, distribution and/or supply and includes any structure in which apparatus is or will be lodged or which gives or will give access to apparatus;

"authorised works" has the same meaning as is given to the term "authorised development" in article 2 (Interpretation) of this Order and includes any associated development authorised by the Order and, for the purposes of this Part of this Schedule, includes the use and maintenance of the authorised works and construction of any works authorised by this Schedule;

"deed of consent" means a deed of consent, crossing agreement, deed of variation or new deed of grant agreed between the parties acting reasonably in order to vary and/or replace existing easements, agreements, enactments and other such interests so as to secure land rights and interests as are necessary to carry out, maintain, operate and use the apparatus in a manner consistent with the terms of this Part of this Schedule;

"functions" includes powers and duties;

"ground mitigation scheme" means a scheme approved by the undertaker (such approval not to be unreasonably withheld or delayed) setting out the necessary measures (if any) for a ground subsidence event;

"ground monitoring scheme" means a scheme for monitoring ground subsidence which sets out the apparatus which is to be subject to such monitoring, the extent of land to be monitored, the manner in which ground levels are to be monitored, the timescales of any monitoring activities and the extent of ground subsidence which, if exceeded, will require the promoter to submit for the undertaker's approval a ground mitigation scheme;

"ground subsidence event" means any ground subsidence identified by the monitoring activities set out in the ground monitoring scheme that has exceeded the level described in the ground monitoring scheme as requiring a ground mitigation scheme;

"in" in a context referring to apparatus or alternative apparatus in land includes a reference to apparatus or alternative apparatus under, over, across, along or upon such land;

"maintain" and "maintenance" includes the ability and right to do any of the following in relation to any apparatus or alternative apparatus of the undertaker including construct, use, repair, alter, inspect, renew or remove the apparatus;

"plans" includes all designs, drawings, specifications, method statements, soil reports, programmes, calculations, risk assessments and other documents that are reasonably necessary properly and sufficiently to describe and assess the works to be executed;

"parent company" means a parent company of the promoter acceptable to and which will have been approved by the undertaker acting reasonably;

"promoter" means the undertaker as defined in article 2 (Interpretation) of this Order;

"undertaker" means National Grid Electricity Transmission plc, an electricity undertaker being a licence holder within the meaning of Part 1 of the Electricity Act 1989;

"specified works" means any of the authorised works or activities undertaken in association with the authorised works which:

(a) will or may be situated over, or within 15 metres measured in any direction of any apparatus the removal of which has not been required by the promoter under paragraph 47 or otherwise; and/or

(b) may in any way adversely affect any apparatus the removal of which has not been required by the promoter under sub-paragraph 46(2) or otherwise;

43. Except for paragraphs 44 (Apparatus of undertakers in stopped up streets), 49 (Retained apparatus: protection), 50 (Expenses) and 51 (Indemnity) of this Schedule which will apply in respect of the exercise of all or any powers under the Order affecting the rights and apparatus of the undertaker, the other provisions of this Schedule do not apply to apparatus in respect of which the relations between the promoter and the undertaker are regulated by the provisions of Part 3 of the 1991 Act.

Apparatus of undertakers in stopped-up streets

44.—(1) Without prejudice to the generality of any other protection afforded to the undertaker elsewhere in the Order, where any street is stopped up under article 14 (Permanent stopping up of streets and extinguishment of rights), if the undertaker has any apparatus in the street or accessed via that street, the undertaker will be entitled to the same rights in respect of such apparatus as it enjoyed immediately before the stopping up and the promoter will grant to the undertaker, or will procure the granting to the undertaker of, legal easements reasonably satisfactory to the undertaker in respect of such apparatus and access to it prior to the stopping up of any such street or highway.

(2) Notwithstanding the temporary stopping up or diversion of any highway under the powers of article 16 (Temporary stopping up of streets), an undertaker will be at liberty at all times to take all necessary access across any such stopped up highway and/or to execute and do all such works and things in, upon or under any such highway as may be reasonably necessary or desirable to enable it to maintain any apparatus which at the time of the stopping up or diversion was in that highway.

Protective works to buildings

45.—(1) The promoter, in the case of the powers conferred by article 23 (Protective work to buildings), must exercise those powers so as not to obstruct or render less convenient the access to any apparatus without the written consent of the undertaker and, if by reason of the exercise of those powers any damage to any apparatus (other than apparatus the repair of which is not reasonably necessary in view of its intended removal or abandonment) or property of the undertaker or any interruption in the supply of electricity and/or gas, as the case may be, by the undertaker is caused, the promoter must bear and pay on demand the cost reasonably incurred by the undertaker in making good such damage or restoring the supply; and, subject to sub-paragraph 45(2), will—

(a) pay compensation to the undertaker for any loss sustained by it; and

(b) indemnify the undertaker against all claims, demands, proceedings, costs, damages and expenses which may be made or taken against or recovered from or incurred by that undertaker, by reason of any such damage or interruption.

(2) Nothing in this paragraph imposes any liability on the promoter with respect to any damage or interruption to the extent that such damage or interruption is attributable to the act, neglect or default of an undertaker or its contractors or workmen; and the undertaker will give to the promoter reasonable notice of any claim or demand as aforesaid and no settlement or compromise thereof may be made by the undertaker, save in respect of any payment required under a statutory compensation scheme, without first consulting the promoter and giving the promoter an opportunity to make representations as to the claim or demand.

Acquisition of land

46.—(1) Regardless of any provision in this Order or anything shown on the land plans or contained in the Book of Reference to the Order, the promoter may not acquire any land interest or apparatus or override any easement and/or other interest of the undertaker otherwise than by agreement.

(2) As a condition of agreement between the parties in sub-paragraph 46(1), prior to the carrying out of any part of the authorised works (or in such other timeframe as may be agreed between the undertaker and the promoter) that are subject to the requirements of this Part of this Schedule that will cause any conflict with or breach the terms of any easement and/or other legal or land interest of the undertaker and/or affects the provisions of any enactment or agreement regulating the relations between the undertaker and the promoter in respect of any apparatus laid or erected in land belonging to or secured by the promoter, the promoter must as the undertaker reasonably requires enter into such deeds of consent upon such terms and conditions as may be agreed between the undertaker and the promoter acting reasonably and which must be no less favourable on the whole to the undertaker unless otherwise agreed by the undertaker, and it will be the responsibility of the promoter to procure and/or secure the consent and entering into of such deeds

and variations by all other third parties with an interest in the land at that time who are affected by such authorised works.

(3) The promoter and the undertaker agree that where there is any inconsistency or duplication between the provisions set out in this Part of this Schedule relating to the relocation and/or removal of apparatus (including but not limited to the payment of costs and expenses relating to such relocation and/or removal of apparatus) and the provisions of any existing easement, rights, agreements and licences granted, used, enjoyed or exercised by the undertaker and/or other enactments relied upon by the undertaker as of right or other use in relation to the apparatus, then the provisions in this Schedule will prevail.

(4) Any agreement or consent granted by the undertaker under paragraph 48 or any other paragraph of this Part of this Schedule, will not be taken to constitute agreement under sub-paragraph 46(1).

Removal of apparatus

47.—(1) If, in the exercise of the agreement reached in accordance with paragraph 46 or in any other authorised manner, the promoter 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 an 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 undertaker in question in accordance with sub-paragraphs 47(2) to (5) inclusive, unless the undertaker has confirmed in writing that no alternative apparatus is required.

(2) If, for the purpose of executing any works in, on, under or over any land purchased, held, appropriated or used under this Order, the promoter requires, due to the construction of the authorised development, the removal of any apparatus placed in that land, it must give to the undertaker 56 days' advance written notice of that requirement, together with a plan of the work proposed, and of the proposed position of the alternative apparatus to be provided or constructed and in that case (or if in consequence of the exercise of any of the powers conferred by this Order the undertaker reasonably needs to remove any of its apparatus) the promoter must, subject to sub-paragraph (3), afford to the undertaker to its satisfaction (taking into sub-account paragraph 48(1) below) the necessary facilities and rights:

(a) for the construction of alternative apparatus in other land of or land secured by the promoter; and

(b) subsequently for the maintenance of that apparatus.

(3) If alternative apparatus or any part of such apparatus is to be constructed elsewhere than in other land of or land secured by the promoter, or the promoter is unable to afford such facilities and rights as are mentioned in sub-paragraph 47(2), in the land in which the alternative apparatus or part of such apparatus is to be constructed, the undertaker must, on receipt of a written notice to that effect from the promoter, take such steps as are reasonable in the circumstances in an endeavour to obtain the necessary facilities and rights in the land in which the alternative apparatus is to be constructed save that this obligation will not extend to the requirement for the undertaker to use its compulsory purchase powers to this end unless it elects to so do.

(4) Any alternative apparatus to be constructed in land of or land secured by the promoter under this Part of this Schedule must be constructed in such manner and in such line or situation as may be agreed between the undertaker and the promoter.

(5) The undertaker must, after the alternative apparatus to be provided or constructed has been agreed, and subject to the grant to the undertaker of any such facilities and rights as are referred to in sub-paragraph 47(2) or (3), proceed without unnecessary delay to construct and bring into operation the alternative apparatus and subsequently to remove any apparatus required by the promoter to be removed under the provisions of this Part of this Schedule.

Facilities and rights for alternative apparatus

48.—(1) Where, in accordance with the provisions of this Part of this Schedule, the promoter affords to or secures for the undertaker facilities and rights in land for the construction, use,

maintenance and protection of alternative apparatus in substitution for apparatus to be removed, those facilities and rights must be granted upon such terms and conditions as may be agreed between the promoter and the undertaker and must be no less favourable on the whole to the undertaker than the facilities and rights enjoyed by it in respect of the apparatus to be removed unless otherwise agreed by the undertaker.

(2) If the facilities and rights to be afforded by the promoter and agreed with the undertaker under sub-paragraph 48(1) above in respect of any alternative apparatus, and the terms and conditions subject to which those facilities and rights are to be granted, are less favourable on the whole to the undertaker than the facilities and rights enjoyed by it in respect of the apparatus to be removed and the terms and conditions to which those facilities and rights are subject in the matter will be referred to arbitration in accordance with article 77 (Arbitration) of this Part of this Order and the arbitrator will make such provision for the payment of compensation by the promoter to the undertaker as appears to the arbitrator to be reasonable, having regard to all the circumstances of the particular case.

Retained apparatus: protection

49.—(1) Not less than 56 days before the commencement of any authorised works that are near to, or will or may affect, any apparatus the removal of which has not been required by the promoter under sub-paragraph 47(2) or otherwise, the promoter must submit to the undertaker a plan of the works to be executed and seek from the undertaker details of the underground extent of their electricity tower foundations.

(2) In relation to works which will or may be situated on, over, under or within (i) 15 metres measured in any direction of any apparatus, or (ii) involve embankment works within 15 metres of any apparatus, the plan to be submitted to the undertaker under sub-paragraph (1) must include a method statement and describe—

(a) the exact position of the works;

(b) the level at which these are proposed to be constructed or renewed;

(c) the manner of their construction or renewal including details of excavation, positioning of plant;

(d) the position of all apparatus;

(e) by way of detailed drawings, every alteration proposed to be made to or close to any such apparatus;

(f) any intended maintenance regimes; and

(g) an assessment of risks of rise of earth issues.

(3) In relation to any works which will or may be situated on, over, under or within 10 metres of any part of the foundations of an electricity tower or between any two or more electricity towers, the plan to be submitted under sub-paragraph (1) must, in addition to the matters set out in sub-paragraph 49(2), include a method statement describing;—

(a) details of any cable trench design including route, dimensions and clearance to pylon foundations;

(b) a demonstration that pylon foundations will not be affected prior to, during and post construction;

(c) details of load bearing capacities of trenches;

(d) details of cable installation methodology including access arrangements, jointing bays and backfill methodology;

(e) a written management plan for high voltage hazards during construction and ongoing maintenance of the cable route;

(f) written details of the operations and maintenance regime for the cable, including frequency and method of access;

(g) an assessment of earth rise potential if reasonably required by the undertaker’s engineers;

(h) evidence that trench bearing capacity is to be designed to 26 tonnes to take the weight of overhead line construction traffic

(4) The promoter must not commence any works to which sub-paragraphs 49(2) or (3) apply until the undertaker has given written approval of the plan so submitted.

(5) Any approval of the undertaker required under sub-paragraphs 49(2) or (3)—

(a) may be given subject to reasonable conditions for any purpose mentioned in sub-paragraphs 49(6) or (8); and

(b) will be given within 56 days (or such longer period as the undertaker and the promoter may agree) and, in any event, must not be unreasonably withheld.

(6) In relation to any work to which sub-paragraphs 49(2) or (3) apply, the undertaker may require such modifications to be made to the plans as may be reasonably necessary for the purpose of securing its apparatus against interference or risk of damage or for the purpose of providing or securing proper and convenient means of access to any apparatus.

(7) Works to which this paragraph applies must only be executed in accordance with the plan, submitted under sub-paragraph 49(1) or as relevant sub-paragraph 49(5), as approved or as amended from time to time by agreement between the promoter and the undertaker and in accordance with such reasonable requirements as may be made in accordance with sub-paragraph 49(6) or (8) by the undertaker for the alteration or otherwise for the protection of the apparatus, or for securing access to it, and the undertaker will be entitled to watch and inspect the execution of those works.

(8) Where the undertaker requires any protective works to be carried out by itself or by the promoter (whether of a temporary or permanent nature), such protective works, inclusive of any measures or schemes required and approved as part of the plan approved pursuant to this paragraph, must be carried out to the undertakers' satisfaction prior to the commencement of any authorised works (or any relevant part thereof) for which protective works are required and the undertaker must give 56 days' notice of such works from the date of submission of a plan pursuant to this paragraph (except in an emergency).

(9) If the undertaker in accordance with sub-paragraph 49(6) or (8) and in consequence of the works proposed by the promoter reasonably requires the removal of any apparatus and gives written notice to the promoter of that requirement, paragraphs 1 to 3 and 6 to 8 apply as if the removal of the apparatus had been required by the promoter under sub-paragraph 44(2).

(10) Nothing in this paragraph precludes the promoter from submitting at any time or from time to time, but in no case less than 56 days before commencing the execution of the authorised works, a new plan, instead of the plan previously submitted, and having done so the provisions of this paragraph will apply to and in respect of the new plan.

(11) The promoter will not be required to comply with sub-paragraph (1) where it needs to carry out emergency works as defined in the 1991 Act but in that case it must give to the undertaker notice as soon as is reasonably practicable and a plan of those works and must—

(a) comply with sub-paragraphs 49(6), (7) and (8) insofar as is reasonably practicable in the circumstances; and

(b) comply with sub-paragraph 49(12) at all times.

(12) At all times when carrying out any works authorised under the Order, the promoter must comply with the undertaker's policies for development near overhead lines EN43-8 and HSE's guidance note 6 "Avoidance of Danger from Overhead Lines".

Expenses

50.—(1) Subject to the following provisions of this paragraph, the promoter must pay to the undertaker on demand all charges, costs and expenses reasonably anticipated or incurred by the undertaker in, or in connection with, the inspection, removal, relaying or replacing, alteration or protection of any apparatus or the construction of any new or alternative apparatus which may be required in consequence of the execution of any authorised works as are referred to in this Part of this Schedule including, without limitation—

(a) any costs reasonably incurred by or compensation properly paid by the undertaker in connection with the acquisition of rights or the exercise of statutory powers for such apparatus including without limitation all costs incurred by the undertaker as a consequence of the undertaker—

(i) using its own compulsory purchase powers to acquire any necessary rights under sub-paragraph 47(3); and/or

(ii) exercising any compulsory purchase powers in the Order transferred to or benefitting the undertaker;

(b) in connection with the cost of the carrying out of any diversion work or the provision of any alternative apparatus;

(c) the cutting off of any apparatus from any other apparatus or the making safe of redundant apparatus;

(d) the approval of plans;

(e) the carrying out of protective works, plus a capitalised sum to cover the cost of maintaining and renewing permanent protective works; and

(f) the survey of any land, apparatus or works, the inspection and monitoring of works or the installation or removal of any temporary works reasonably necessary in consequence of the execution of any such works referred to in this Part of this Schedule.

(2) There will be deducted from any sum payable under sub-paragraph 50(1) the value of any apparatus removed under the provisions of this Part of this Schedule and which is not re-used as part of the alternative apparatus, 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 situated,

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 promoter or, in default of agreement, is not determined by arbitration in accordance with article 77 (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 undertaker by virtue of sub-paragraph (1) will be reduced by the amount of that excess save where it is not possible in the circumstances to obtain the existing type of apparatus at the same capacity and dimensions or place at the existing depth in which case full costs will be borne by the promoter.

(4) For the purposes of sub-paragraph 50(3)—

(a) an extension of apparatus to a length greater than the length of existing apparatus will not 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 pipe or cable is agreed, or is determined to be necessary, the consequential provision of a jointing chamber or of a manhole will be treated as if it also had been agreed or had been so determined.

(5) An amount which apart from this sub-paragraph would be payable to an undertaker in respect of works by virtue of sub-paragraph 50(1) will, 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 undertaker 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.

Indemnity

51.—(1) Subject to sub-paragraphs 51(2) and (3), if by reason or in consequence of the construction of any such works authorised by this Part of this Schedule or in consequence of the construction, use, maintenance or failure of any of the authorised works by or on behalf of the promoter or in consequence of any act or default of the promoter (or any person employed or authorised by it) in the course of carrying out such works, including without limitation works carried out by the promoter under this Part of this Schedule or any subsidence resulting from any of these works, any damage is caused to any apparatus or alternative apparatus (other than apparatus the repair of which is not reasonably necessary in view of its intended removal for the purposes of the authorised works) or property of the undertaker, or there is any interruption in any service provided, or in the supply of any goods by the undertaker, or the undertaker becomes liable to pay any amount to any third party, the promoter will—

(a) bear and pay on demand the cost reasonably incurred by the undertaker in making good such damage or restoring the supply; and

(b) indemnify the undertaker for any other expenses, loss, demands, proceedings, damages, claims, penalty or costs incurred by or recovered from the undertaker, by reason or in consequence of any such damage or interruption or the undertaker becoming liable to any third party as aforesaid other than arising from any default of the undertaker.

(2) The fact that any act or thing may have been done by the undertaker on behalf of the promoter or in accordance with a plan approved by the undertaker or in accordance with any requirement of the undertaker or under its supervision will not (unless sub-paragraph 51(3) applies), excuse the promoter from liability under the provisions of this sub-paragraph 51(2) unless the undertaker fails to carry out and execute the works properly with due care and attention and in a skilful and workmanlike manner or in a manner that does not accord with the approved plan.

(3) Nothing in sub-paragraph 51(1) imposes any liability on the promoter in respect of—

(a) any damage or interruption to the extent that it is attributable to the neglect or default of the undertaker, its officers, servants, contractors or agents; and

(b) any authorised works and/or any other works authorised by this Part of this Schedule carried out by the undertaker as an assignee, transferee or lessee of the undertaker with the benefit of the Order pursuant to section 156 of the Planning Act 2008 article 9 (Consent to transfer benefit of order) subject to the proviso that once such works become apparatus ("new apparatus"), any authorised works yet to be executed and not falling within this sub-paragraph 51(b) will be subject to the full terms of this Part of this Schedule including this paragraph 51.

(4) The undertaker must give the promoter reasonable notice of any such third party claim or demand and no settlement or compromise must, unless payment is required in connection with a statutory compensation scheme, be made without first consulting the promoter and considering its representations.

(5) The promoter is not to commence construction (and not to permit the commencement of such construction) of the authorised works on any land owned by the undertaker or in respect of which the undertaker has an easement or wayleave for its apparatus or any other interest or to carry out any works within 15 metres of the undertaker's apparatus until the following conditions are satisfied—

(a) unless and until the undertaker is satisfied acting reasonably (but subject to all necessary regulatory constraints) that the promoter has first provided the acceptable security (and provided evidence that it will maintain such acceptable security for the construction period of the authorised works from the proposed date of commencement of construction of the authorised works) and the undertaker has confirmed the same to the promoter in writing; and

(b) unless and until the undertaker is satisfied acting reasonably (but subject to all necessary regulatory constraints) that the promoter has procured acceptable insurance (and provided evidence to the undertaker that it will maintain such acceptable insurance for the

construction period of the authorised works from the proposed date of commencement of construction of the authorised works) and undertaker has confirmed the same in writing to the promoter.

(6) In the event that the promoter fails to comply with sub-paragraph 51(5) of this Part of this Schedule, nothing in this Part of this Schedule prevents the undertaker from seeking injunctive relief (or any other equitable remedy) in any court of competent jurisdiction.

Enactments and agreements

52. Save to the extent provided for to the contrary elsewhere in this Part of this Schedule or by agreement in writing between the undertaker and the promoter, nothing in this Part of this Schedule affects the provisions of any enactment or agreement regulating the relations between the promoter and the undertaker in respect of any apparatus laid or erected in land belonging to the promoter on the date on which this Order is made.

Co-operation

53.—(1) Where in consequence of the proposed construction of any of the authorised works the promoter or an undertaker requires the removal of apparatus under sub-paragraph 4(2), or an undertaker makes requirements for the protection or alteration of apparatus under paragraph 49, the promoter must use its best endeavours to co-ordinate the execution of the works in the interests of safety and the efficient and economic execution of the authorised development and taking into account the need to ensure the safe and efficient operation of the undertaker's undertaking, and each undertaker will use its best endeavours to co-operate with the promoter for that purpose.

(2) For the avoidance of doubt, whenever the undertaker's consent, agreement or approval is required in relation to plans, documents or other information submitted by the undertaker or the taking of action by, it must not be unreasonably withheld or delayed.

Access

54. If in consequence of the agreement reached in accordance with sub-paragraph 46(1) or the powers granted under this Order the access to any apparatus is materially obstructed, the promoter must provide such alternative means of access to such apparatus as will enable the undertaker to maintain or use the apparatus no less effectively than was possible before such obstruction.

Arbitration

55. Save for differences or disputes arising under sub-paragraphs 47(2), 47(4) and 48(1), paragraph 49 and sub-paragraph 51(5), any difference or dispute arising between the promoter and the undertaker under this Part of this Schedule must, unless otherwise agreed in writing between the promoter and the undertaker, be determined by arbitration in accordance with article 77 (Arbitration).

Notices

56. The plans submitted to the undertaker by the promoter pursuant to sub-paragraph 49(1) must be sent to National Grid Plant Protection at plantprotection@nationalgrid.com or such other address as the undertaker may from time to time appoint instead for that purpose and notify to the promoter in writing.

Consent not to be unreasonably withheld

57. Where under any provision of this Part the consent or agreement of any person is required, such consent must not be unreasonably withheld or delayed, may be given subject to reasonable conditions and may be given by the duly authorised representative of that person.

PART 6

PROTECTIONS FOR WELSH WATER

Application

58. For the protection of the protected person referred to in this Part of this Schedule the following provisions will, unless otherwise agreed in writing between the undertaker and the protected person concerned, have effect.

Interpretation

59. In addition to article 2 (Interpretation), the terms in this Part have the following meanings—

"acceptable insurance" means a policy of public liability/third party liability insurance effected and maintained by the undertaker and available in the market on commercially reasonable terms having regard (inter alia) to premiums required and the policy terms obtainable, with a level of insurance cover to be agreed between the undertaker and DCC, during the construction of the works pursuant to this Order with a reputable insurer and with DCC named as an insured party under the policy;

"accessories" has the same meaning as that set out in section 219 WIA 1991 but will also include any feature or aspect of a design that is intended to receive or facilitate the receipt of rainwater or surface and which is part of a sustainable drainage system;

"clearance area" means the area of land:

(a) within 3 metres either side of the centre line of any public sewer or public water main that is less than 300mm in diameter;

(b) within 6 metres either side of a public sewer or public water main where the public sewer or public water main is 300mm in diameter or more;

(c) within 3 metres either side of a rising main; or

(d) within 3 metres either side of the centre line of the outfall;

"DCC" means Dŵr Cymru Cyfyngedig, a limited company registered in Wales under Company No. 2366777 and having its registered office at Pentwyn Road, Nelson, Treharris, Mid Glamorgan CF46 6LY or its properly authorised agents or sub-contractors;

"DCC apparatus" means all apparatus or accessories vested in or belonging to the protected person for the purpose of carrying on its statutory undertaking including an outfall, reservoirs, water treatment works and waste water treatment works;

"draft specification" means a detailed plan, cross-section and description of the works to be prepared by the undertaker (including, without limitation, a method statement and risk assessment setting out the intention in respect of the works, construction methods and programmes, position of the affected DCC apparatus and intended works and a statement that to the best of the undertaker's knowledge, and having used all reasonable care and skill to plan the works, the works will not cause damage to the DCC apparatus);

"functions" has the same meaning as in section 219 WIA 1991 and includes powers and duties;

"in" in a context referring to DCC apparatus in land includes a reference to DCC apparatus under, over or upon land;

"outfall" means the existing outfall pipeline from Cemaes Bay Wastewater Treatment Works;

"outfall works" means Work No. 1H and such other works required for its provision under the powers of this Order;

"reasonable conditions" includes the imposition of conditions relating to any specification dealing with:

(a) the commencement date and completion date of the specified works;

(b) the reasonable removal, extension and alteration of apparatus necessitated by the works;

(c) works for the protection of the apparatus necessitated as a result of the works;

(d) provision for access to any apparatus; or

(e) an advance warning system providing for liaison between the undertaker and DCC in respect of potential performance operational issues affecting, or damage to, apparatus arising from the works;

"sustainable drainage system" means any structure designed to receive rainwater and other surface water where such structure includes any feature or aspect of design that is intended to receive or facilitate the receipt of rainwater except a public sewer or a natural watercourse;

"WIA 1991" means the Water Industry Act 1991(**a**) as amended; and

"works" means any works forming part of the authorised development, including the outfall works, in, on, over or under any land purchased, held or used under this Order that are near to, or will or may in any way affect any DCC apparatus together with all ancillary actions relating hereto.

(2) Regardless of any provision in the Order or anything shown on the land plans or contained in the Book of Reference, the undertaker will not acquire any DCC apparatus or its accessories or override or extinguish any easement or other interest of DCC or acquire any land or other interest of DCC identified in the Book of Reference or create any new rights over the same otherwise than by agreement with DCC in accordance with this Schedule.

(3) Sub-paragraph 59(1) does not apply to the powers conferred on the undertaker by this Order to interfere temporarily with DCC's rights to access DCC apparatus or accessories, but subject always to paragraphs 64 of this Part and to the undertaker giving DCC 28 days' notice of such interference.

Consent not to be unreasonably withheld

60. Where under any provision of this Part the consent or agreement of any person is required, such consent not to be unreasonably withheld or delayed, may be given subject to reasonable conditions and may be given by the duly authorised representative of that person.

Precedence of the WIA 1991

61.—(1) Regardless of this Order and this Schedule the undertaker will comply fully with all provisions of the WIA 1991 in relation to any use of, any connection with or any actions or omissions which in any way affect the DCC apparatus and nothing in this Order releases the undertaker from the requirement to comply with the provisions of the WIA 1991 in relation to any use of, any connection with or any actions or omissions which in any way affect the DCC apparatus, including without limitation—

(a) sections 41-44 of the WIA 1991 in respect of water main requisitions;

(b) section 45 of the WIA 1991 in respect of any connections to a water main;

(c) sections 98-101 of the WIA 1991 in respect of sewer requisitions;

(d) section 102 of the WIA 1991 in respect of the adoption of sewers and sewage disposal works;

(e) section 104 of the WIA 1991 in respect of the adoption of any sewers, drains or sewage disposal works as part of the development;

(f) sections 106 to 109 of the WIA 1991 (inclusive) in respect of any connections to public sewers;

(g) section 111 of the WIA 1991 in respect of the restrictions on use of public sewers;

(**a**) c.56

(h) sections 158 and 159 of the WIA 1991 in respect of statutory rights of access to DCC apparatus;

(i) section 174 of the WIA 1991 in respect of offences of interference with works etc.;

(j) section 178 of the WIA 1991 in respect of obstruction of sewerage etc.; and

(k) section 185 of the WIA 1991 in respect of the removal, diversion or alteration of DCC apparatus.

(2) The arbitration provisions at article 77 (Arbitration) of this Order will not apply where DCC uses a warrant of entry in accordance with the provisions of the WIA 1991.

Protection of DCC apparatus

62.—(1) Not less than 28 days before starting the execution of any specified works that are within the clearance area or will, or could reasonably foreseeably affect, any DCC apparatus the removal or alteration of which has not been required by the undertaker under paragraph 61(k), the undertaker must submit to DCC written notice together with a draft specification.

(2) DCC will examine the draft specification submitted under sub-paragraph 62(1) and give its written consent or propose amendments to the draft specification (including the proposed commencement date and anticipated completion date) within 28 days from the date of receipt (and in the event of amendments the process in this sub-paragraph 62(2) will be repeated where those amendments are not accepted). For the avoidance of doubt, DCC's proposed amendments may include such reasonable conditions for the alteration (including but not limited to the extension) of DCC apparatus or otherwise for the protection of DCC apparatus, or for securing access to it.

(3) Once approved under sub-paragraph 62(2), the draft specification will become the specification and the works must be executed only in accordance with the specification and such reasonable requirements as may be made in accordance with sub paragraph 62(2) and DCC will be entitled to watch and inspect the execution of those works.

(4) 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 replacement draft specification instead of the draft specification previously submitted, and having done so the provisions of this paragraph will apply to and in respect of the new draft specification.

(5) The undertaker will not be required to comply with sub-paragraph (1) in a case of emergency provided it has complied with paragraph 65 below save that the undertaker must comply with sub-paragraphs 62(1) and (3) above in so far as is reasonably practicable in the circumstances.

(6) DCC may, as a result of the authorised development, opt to carry out any necessary temporary and/or protective works specified under sub-paragraph 62(2) to DCC apparatus, and if DCC opts to do so it will:

(a) agree the scope and timings of the works with the undertaker;

(b) provide an invoice together with supporting evidence of the estimated costs of the works on the basis of which it will agree with undertaker the reasonable costs of the works to be met by the undertaker;

(c) following agreement and payment of the costs, DCC must as soon as reasonably practicable carry out and complete the works; and

(d) notify the undertaker immediately in writing upon completion of the temporary and/or protective works.

(7) Only those contractors that satisfy DCC's reasonable health and safety requirements are permitted to make openings into and/or connections with and/or carry out any works on or within any public sewer or drain vested in DCC unless otherwise agreed with DCC.

(8) Only DCC is permitted to make openings into and/or connections with and/or carry out any works on or within any public water main vested in DCC unless otherwise agreed with DCC.

(9) Where DCC apparatus will be affected by the works, the undertaker must determine the exact location of DCC apparatus prior to any works being carried out by the undertaker and the undertaker should contact DCC where trial holes are required at the undertaker's expense.

(10) Any affected DCC apparatus which is no longer required by DCC but is not removed will be transferred to the undertaker by way of a deed of transfer from DCC at the undertaker's expense and on such terms as DCC reasonably requires.

Suspension of works

63.—(1) DCC will be entitled to instruct the undertaker to suspend the works if in DCC's reasonable opinion the actions of the undertaker, or those of its contractor(s) or subcontractor(s) in carrying out the works, have caused damage to any DCC apparatus and/or are likely to cause or result in damage to any DCC apparatus and/or have caused or are likely to cause damage to the environment arising as a result of damage to DCC apparatus. In the event of such instruction being given by DCC:

(a) the undertaker will procure that it and its contractor(s) and subcontractor(s) will forthwith suspend or cease the works having due regard to health and safety factors and will discuss and agree with DCC the remedial actions required prior to resuming the works;

(b) the undertaker and DCC will act reasonably and without delay in discussing and agreeing any remedial actions required prior to resuming the works;

(c) DCC will submit to the undertaker within 5 days following the suspension, a written notice specifying the reasons for suspending the works;

(d) in the event that DCC fails to supply the written notice within 10 days of suspension, DCC's instruction to suspend the works will be void and the undertaker will be entitled to recommence the works;

(e) DCC will commence, carry out and complete any remedial works pursuant to sub-paragraph (1), as soon as reasonably practicable, and DCC must give the undertaker notice immediately upon completion of such remedial works and on receipt of such notice the undertaker will be entitled to resume the works; and

(f) DCC will be entitled to reclaim all reasonable costs of all remedial works undertaken in accordance with this paragraph 63.

Emergency works

64.—(1) The undertaker is permitted to carry out emergency works provided that it first notifies DCC of the proposed emergency works. For the avoidance of doubt, in the event that DCC suffers any loss, cost or damage as a result of the emergency action taken by the undertaker without prior notification the indemnity in paragraph 66 will apply.

(2) DCC will at all times be permitted to carry out any emergency works in relation to its DCC apparatus within the Order Limits in accordance with Part II Schedule 6 WIA 1991.

(3) Emergency works required in order for DCC to fulfil its statutory functions under sub-paragraph (2) will take precedence over works to be carried out by the undertaker and, in such circumstances, the undertaker will reschedule its works accordingly.

(4) In respect of the references to 'work' and 'works' in this paragraph, to the extent that this is 'work' or 'works' to be undertaken by DCC, the definition of works in paragraph 59 of this Part does not apply.

Insurance

65. The undertaker must not commence any works under paragraph 62(1) to this Part unless and until the undertaker has procured acceptable insurance

Damage to DCC apparatus

66.—(1) Subject to sub-paragraph 66(3), (4) (5) and (6), the undertaker will indemnify and hold harmless DCC against all claims, demands, costs, damages, expenses, penalties and losses which

DCC may have or sustain or become liable for in consequence of works under paragraph 62(1) of this Part in respect of:

(a) the commencement, carrying out, execution or retention of the works or any breach of this Part relating to the performance of the works and must pay compensation for loss, damage or injury caused by the actions or default of the undertaker, its contractors, subcontractors, licensees, agents and invitees relating to the performance of the works; and

(b) damage to the environment caused by the undertaker during any works including but not limited to pollution and/or contamination;

(c) any breach of any stipulation or otherwise of any deeds of grant (or any renewal of any of the deeds of grant made on substantially the same terms provided that DCC has supplied the undertaker with a copy of the new document) arising from the works; and

(2) subject to sub-paragraphs 66(3), (4), (5) and (6), the undertaker will bear and pay the costs reasonably incurred by DCC in making good damage to DCC apparatus or restoring an interruption in the supply provided by DCC.

(3) Nothing in sub-paragraph (1) imposes any liability on the undertaker with respect to any damage or interruption to the extent that it is attributable to the act, neglect or default of DCC, its officers, servants, contractors or agents.

(4) DCC will give the undertaker reasonable notice of any such claim or demand and no settlement or compromise may be made without the consent of the undertaker and DCC will use all reasonable endeavours to mitigate any claims, demands, costs, damages, expenses and losses for which the undertaker may be liable under this paragraph.

(5) Neither the undertaker nor any of its officers, employees or agents will in any circumstances whatsoever be liable to DCC for any indirect or consequential loss.

(6) Nothing in this Part affects the provisions of any enactment or agreement regulating the relations between the undertaker and DCC in respect of any DCC apparatus laid or erected in land belonging to the undertaker on the date on which the Order is made.

PART 7

PROTECTION FOR RAILWAY INTERESTS

67. The following provisions of this Part have effect, unless otherwise agreed in writing between the promoter and Network Rail and, in the case of paragraph [x] any other person on whom rights or obligations are conferred by that paragraph.

68.—(1) In this Schedule—

"construction" includes execution, placing, alteration and reconstruction and "construct" and "constructed" have corresponding meanings;

"the engineer" means an engineer appointed by Network Rail for the purposes of this Order;

"network licence" means the network licence, as the same is amended from time to time, granted to Network Rail Infrastructure Limited by the Secretary of State in exercise of his or her powers under section 8 of the Railways Act l993;(**a**)

"Network Rail" means Network Rail Infrastructure Limited and any associated company of Network Rail Infrastructure Limited which holds property for railway purposes, and for the purpose of this definition "associated company" means any company which is (within the meaning of section 1159 of the Companies Act 2006)(**b**) the holding company of Network Rail Infrastructure Limited, a subsidiary of Network Rail Infrastructure Limited or another subsidiary of the holding company of Network Rail Infrastructure Limited;

"plans" includes sections, designs, design data, software, drawings, specifications, soil reports, calculations, descriptions (including descriptions of methods of construction), staging proposals, programmes and details of the extent, timing and duration of any proposed occupation of railway property;

"promoter" means the undertaker as defined in article 2 (interpretation) of this Order;

"railway operational procedures" means procedures specified under any access agreement (as defined in the Railways Act 1993) or station lease;

"railway property" means any railway belonging to Network Rail Infrastructure Limited and—

(a) any station, land, works, apparatus and equipment belonging to Network Rail Infrastructure Limited or connected with any such railway; and

(b) any easement or other property interest held or used by Network Rail Infrastructure Limited for the purposes of such railway or works, apparatus or equipment; and

"specified work" means so much of any of the authorised development as is situated upon, across, under, over or within 15 metres of, or may in any way adversely affect, railway property.

69.—(1) Where under this Schedule Network Rail is required to give its consent or approval in respect of any matter, that consent or approval is subject to the condition that Network Rail complies with any relevant railway operational procedures and any obligations under its network licence or under statute.

(2) In so far as any specified work or the acquisition or use of railway property is or may be subject to railway operational procedures, Network Rail must-

(a) co-operate with the promoter with a view to avoiding undue delay and securing conformity as between any plans approved by the engineer and requirements emanating from those procedures; and

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(**a**) c.43
(**b**) c.46

(b) use its reasonable endeavours to avoid any conflict arising between the application of those procedures and the proper implementation of the authorised development pursuant to this Order.

(3) The promoter must not in the exercise of the powers conferred by this Order prevent pedestrian or vehicular access to any railway property, unless preventing such access is with the consent of Network Rail.

(4) The promoter must not exercise the powers conferred by sections 271 or 272 of the 1990 Act, or article 37 (Statutory undertakers), in relation to any right of access of Network Rail to railway property, but such right of access may be diverted with the consent of Network Rail.

(5) Where Network Rail is asked to give its consent pursuant to this paragraph, such consent must not be unreasonably withheld but may be given subject to reasonable conditions and the promoter recognizes that Network Rail may need to seek the consent of any lessee benefitting from such railway property or any regulator or stakeholder as necessary before it can grant consent pursuant to this paragraph.

70.—(1) The promoter must before commencing construction of any specified work supply to Network Rail proper and sufficient plans of that work for the reasonable approval of the engineer, and the specified work must not be commenced except in accordance with such plans as have been approved in writing by the engineer or settled by arbitration.

(2) The approval of the engineer under sub-paragraph 70(1) must not be unreasonably withheld, and if, by the end of the period of 28 days beginning with the date on which such plans have been supplied to Network Rail, the engineer has not intimated his or her disapproval of those plans and the grounds of such disapproval the promoter may serve upon the engineer written notice requiring the engineer to intimate approval or disapproval within a further period of 28 days beginning with the date upon which the engineer receives written notice from the promoter. If by the expiry of the further 28 days the engineer has not intimated approval or disapproval, the engineer will be deemed to have approved the plans as submitted.

(3) When signifying his or her approval of the plans the engineer may specify any protective works (whether temporary or permanent) which in the engineer's opinion should be carried out before the commencement of the construction of a specified work to ensure the safety or stability of railway property or the continuation of safe and efficient operation of the railways of Network Rail or the services of operators using the same (including any relocation, de-commissioning and removal of works, apparatus and equipment necessitated by a specified work and the comfort and safety of passengers who may be affected by the specified works), and such protective works as may be reasonably necessary for those purposes must be constructed by Network Rail or by the promoter, if Network Rail so desires, and such protective works must be carried out at the expense of the promoter in either case without unnecessary delay and the promoter must not commence the construction of the specified works until the engineer has notified the promoter that the protective works have been completed to his or her reasonable satisfaction.

71.—(1) Any specified work and any protective works to be constructed by virtue of paragraph 70 must, when commenced, be constructed-

(a) without unnecessary delay in accordance with the plans approved or deemed to have been approved or settled under paragraph 70;

(b) under the supervision (where appropriate and if given) and to the reasonable satisfaction of the engineer;

(c) in such manner as to cause as little damage as is possible to railway property; and

(d) so far as is reasonably practicable, so as not to interfere with or obstruct the free, uninterrupted and safe use of any railway of Network Rail or the traffic thereon and the use by passengers of railway property.

(2) If any damage to railway property or any such interference or obstruction is caused by the carrying out of or in consequence of the construction of a specified work, the promoter must, notwithstanding the approval under paragraph 79, make good such damage and must pay to Network Rail all reasonable expenses to which Network Rail may be put and compensation for any loss which it may sustain by reason of any such damage, interference or obstruction.

(3) Nothing in this Part of this Schedule imposes any liability on the promoter with respect to any damage, costs, expenses or loss attributable to the negligence of Network Rail or its servants, contractors or agents or any liability on Network Rail with respect to any damage, costs, expenses or loss attributable to the negligence of the promoter or its servants, contractors or agents.

72.—(1) The promoter must—

(a) at all times afford reasonable facilities to the engineer for access to a specified work during its construction; and

(b) supply the engineer with all such information as he or she may reasonably require with regard to a specified work or the method of constructing it.

73.—(1) If any permanent or temporary alterations or additions to railway property are reasonably necessary in consequence of the construction of a specified work, or during a period of 24 months after the completion of that work in order to ensure the safety of railway property or the continued safe operation of the railway of Network Rail, such alterations and additions may be carried out by Network Rail and if Network Rail gives to the promoter reasonable notice of its intention to carry out such alterations or additions (which must be specified in the notice), the promoter must pay to Network Rail the reasonable cost of those alterations or additions including, in respect of any such alterations and additions as are to be permanent, a capitalised sum representing the increase of the costs which may be expected to be reasonably incurred by Network Rail in maintaining, working and, when necessary, renewing any such alterations or additions.

(2) If the cost of maintaining, working or renewing railway property is reduced in consequence of any such alterations or additions a capitalised sum representing such saving must be set off against any sum payable by the promoter to Network Rail under this paragraph.

74.—(1) The promoter must repay to Network Rail all reasonable fees, costs, charges and expenses reasonably incurred by Network Rail—

(a) in constructing any protective works under the provisions of paragraph 70 including, in respect of any permanent protective works, a capitalised sum representing the cost of maintaining and renewing those works;

(b) in respect of the approval by the engineer of plans submitted by the promoter and the supervision by the engineer of the construction of a specified work;

(c) in respect of the employment or procurement of the services of any inspectors, signallers, watch-persons and other persons whom it may be reasonably necessary to appoint for inspecting, signalling, watching and lighting railway property;

(d) in respect of railway property and for preventing, so far as may be reasonably practicable, interference, obstruction, danger or accident arising from the construction or failure of a specified work;

(e) in respect of any special traffic working resulting from any speed restrictions which may, in the opinion of the engineer, require to be imposed by reason or in consequence of the construction or failure of a specified work or from the substitution or diversion of services which may be reasonably necessary for the same reason; and

(f) in respect of any additional temporary lighting of railway property in the vicinity of the specified works, being lighting made reasonably necessary by reason or in consequence of the construction or failure of a specified work.

75. If at any time after the completion of a specified work, not being a work vested in Network Rail, Network Rail gives notice to the promoter informing it that the state of maintenance of any part of the specified work appears to be such as adversely affects the operation of railway property, the promoter must, on receipt of such notice, take such steps as may be reasonably necessary to put that specified work in such state of maintenance as not adversely to affect railway property.

76. The promoter must not provide any illumination or illuminated sign or signal on or in connection with a specified work in the vicinity of any railway belonging to Network Rail unless

it has first consulted Network Rail and it must comply with Network Rail's reasonable requirements for preventing confusion between such illumination or illuminated sign or signal and any railway signal or other light used for controlling, directing or securing the safety of traffic on the railway.

77. Any additional expenses which Network Rail may reasonably incur in altering, reconstructing or maintaining railway property under any powers existing at the making of this Order by reason of the existence of a specified work must, provided that 56 days' previous notice of the commencement of such alteration, reconstruction or maintenance has been given to the promoter, be repaid by the promoter to Network Rail.

78.—(1) The promoter must pay to Network Rail all reasonable costs, charges, damages and expenses not otherwise provided for in this Part of this Schedule (subject to article 40 (No double recovery)) which may be occasioned to or reasonably incurred by Network Rail-

(a) by reason of the construction or maintenance of a specified work or the failure thereof; or

(b) by reason of any act or omission of the promoter or of any person in its employ or of its contractors or others whilst engaged upon a specified work,

and the promoter must indemnify and keep indemnified Network Rail from and against all claims and demands arising out of or in connection with a specified work or any such failure, act or omission; and the fact that any act or thing may have been done by Network Rail on behalf of the promoter or in accordance with plans approved by the engineer or in accordance with any requirement of the engineer or under the engineer's supervision will not (if it was done without negligence on the part of Network Rail or of any person in its employ or of its contractors or agents) excuse the promoter from any liability under the provisions of this sub-paragraph.

(2) Network Rail must give the promoter reasonable written notice of any such claim or demand and no settlement or compromise of such a claim or demand may be made without the prior consent of the promoter.

(3) The sums payable by the promoter under sub-paragraph 78(1) will if relevant include a sum equivalent to the relevant costs.

(4) Subject to the terms of any agreement between Network Rail and a train operator regarding the timing or method of payment of the relevant costs in respect of that train operator, Network Rail must promptly pay to each train operator the amount of any sums which Network Rail receives under sub-paragraph (3) which relates to the relevant costs of that train operator.

(5) The obligation under sub-paragraph (3) to pay Network Rail the relevant costs shall, in the event of default, be enforceable directly by any train operator concerned to the extent that such sums would be payable to that operator pursuant to sub-paragraph (4).

(6) In this paragraph—

"the relevant costs" means the costs, direct losses and expenses (including loss of revenue) reasonably incurred by each train operator as a consequence of any restriction of the use of Network Rail's railway network as a result of the construction, maintenance or failure of a specified work or any such act or omission as mentioned in subparagraph 78(1); and

"train operator" means any person who is authorised to act as the operator of a train by a licence under section 8 of the Railways Act 1993.

79. Network Rail must, on receipt of a request from the promoter, from time to time provide the promoter free of charge with written estimates of the costs, charges, expenses and other liabilities for which the promoter is or will become liable under this Schedule (including the amount of the relevant costs mentioned in paragraph 78 and with such information as may reasonably enable the promoter to assess the reasonableness of any such estimate or claim made or to be made pursuant to this Schedule (including any claim relating to those relevant costs).

80. In the assessment of any sums payable to Network Rail under this Part of this Schedule there must not be taken into account any increase in the sums claimed that is attributable to any action taken by or any agreement entered into by Network Rail if that action or agreement was not

reasonably necessary and was taken or entered into with a view to obtaining the payment of those sums by the promoter under this Schedule or increasing the sums so payable.

81.—(1) The promoter and Network Rail may, subject in the case of Network Rail to compliance with the terms of its network licence, enter into, and carry into effect, agreements for the transfer to the promoter of-

(a) any railway property shown on the works and Land Plans and described in the Book of Reference;

(b) any lands, works or other property held in connection with any such railway property; and

(c) any rights and obligations (whether or not statutory) of Network Rail relating to any railway property or any lands, works or other property referred to in this paragraph.

82. Nothing in this Order, or in any enactment incorporated with or applied by this Order, prejudices or affects the operation of Part I of the Railways Act 1993.

83.—(1) The promoter must give written notice to Network Rail if any application is proposed to be made by the promoter for the Secretary of State's consent under article 9 (Consent to transfer of benefit of Order) of this Order, and any such notice must be given no later than 28 days before any such application is made and must describe or give (as appropriate)—

(a) the nature of the application to be made;

(b) the extent of the geographical area to which the application relates; and

(c) the name and address of the person acting for the Secretary of State to whom the application is to be made.

84. In relation to any dispute arising under this part of this Schedule the provisions of Article 77 (Arbitration) shall not apply and any such dispute, unless otherwise provided for, 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) to the President of the Institution of Civil Engineers.

85. The promoter must no later than 28 days from the date that the plans submitted to and certified by the Secretary of State in accordance with article 76 (Certification of plans etc.) are certified by the Secretary of State, provide a set of those plans to Network Rail in a form specified by Network Rail.

PART 8

PROTECTIONS FOR HIGHWAYS

CHAPTER 1

FOR THE PROTECTION OF HIGHWAYS AND TRAFFIC

86. The provisions of this Part of this Schedule have effect unless otherwise agreed in writing between the undertaker and the relevant highway authority.

87. In addition to article 2 (Interpretation), the terms in this Chapter have the following meanings—

"A5025 Off-Line Highway Tie-in" means any elements of the A5025 Off-Line Highway Improvements which are necessary to connect the new highway to be constructed to the existing public highway, in so far as those works take place within the boundary of the existing public highway only;

"Detailed Design and Construction Information" means to the extent relevant for the particular works to the public highway the following drawings, specifications and other information which must be in accordance with the relevant Detailed Design Drawings and the Design and Access Statement:

(a) site clearance details;

(b) boundary environmental and mitigation fencing;

(c) road restraint systems (vehicle and pedestrian);

(d) drainage and ducting;

(e) earthworks;

(f) road pavements;

(g) kerbs, footways and paved areas;

(h) traffic signs and road markings;

(i) road lighting (including columns and brackets);

(j) electrical work for road lighting and traffic signs;

(k) highway structures;

(l) landscaping, planting and any boundary features that will form part of the highway;

(m) utility diversions within the boundaries of the highway;

(n) a schedule of timings for the works, including dates and durations for any closures of any part of the public highway;

(o) traffic management proposals including any diversionary routes;

(p) construction traffic management proposals including any provision for wheel washing; access and egress routes; and time restrictions, the scope of which will be agreed between the undertaker and the relevant highway authority prior to this information being submitted for approval;

(q) a schedule of condition of any affected public highway;

(r) a schedule of any departures from the standards set out in the relevant sections of the Design Manual for Roads and Bridges; and

(s) where highway is occupied under this Order in connection with any works but is not itself subject to works, specification of the condition in which the occupied parts of that highway will be returned post occupation.

"Fisherman's Access Road and Carpark" means the replacement Fisherman's carpark and associated access road providing access to the carpark from the A5025 secured through the Landscape and Habitat Management Strategy;

"highway" has the same meaning as in the 1980 Act and for the avoidance of doubt includes the A5025 Off-line Highway Tie-in;

"relevant highway authority" in relation to a highway, means the highway authority for the area in which the highway is situated.

88.—(1) The undertaker will allow and facilitate an appropriately qualified officer of the relevant highway authority to participate in the design process for any work authorised by this Order which involves interference with a highway and will have reasonable regard to any views of that officer in finalising the Detailed Design and Construction Information prior to any element reaching design fix or freeze provided always that it will be the decision of the undertaker whether it implements such views and for the avoidance of doubt any such view shared by the officer will not be an instruction, requirement or authorisation under this Order.

(2) Any involvement by the relevant highway authority (or its appropriately qualified officer) will be at the cost of the relevant highway authority.

89.—(1) Before commencing the construction of, or the carrying out of any work authorised by this Order which involves interference with, a highway (including interference with the use by the public of a highway), the undertaker will submit to the relevant highway authority for its approval Detailed Design and Construction Information relating to the interference, and the works must not be carried out except in accordance with the Detailed Design and Construction Information submitted to and approved by the relevant highway authority or as otherwise agreed between the undertaker and the relevant highway authority. The submission and consideration of the Detailed Design and Construction Information (or any part thereof) will be accompanied by a fee payable by the undertaker to the relevant highway authority in accordance with Schedule 19 (Procedure for approvals, consents and appeals).

(2) The relevant highway authority will consult the North Wales Police and may consult any other person on all applications for approval of Detailed Design and Construction Information submitted under sub-paragraph 89(1) before issuing any approval.

(3) If within 28 days after the Detailed Design and Construction Information and the relevant fee has been submitted to the relevant highway authority the relevant highway authority has not approved or disapproved them, it will be deemed to have approved the Detailed Design and Construction Information as submitted.

90.—(1) Before commencing the construction of the Fisherman's Access Road and Carpark authorised by this Order, the undertaker will submit to the relevant highway authority for its approval Detailed Design and Construction Information for the works, and the works must not be carried out except in accordance with the Detailed Design and Construction Information submitted to and approved by the relevant highway authority or as otherwise agreed between the undertaker and the relevant highway authority. The submission and consideration of the Detailed Design and Construction Information (or any part thereof) will be accompanied by a fee payable by the undertaker to the relevant highway authority in accordance with Schedule 19.

(2) The relevant highway authority may consult any person on any application for approval of Detailed Design and Construction Information submitted under sub-paragraph 90(1) before issuing any approval.

(3) If within 28 days after the Detailed Design and Construction Information and the relevant fee has been submitted to the relevant highway authority the relevant highway authority has not approved or disapproved them, it will be deemed to have approved Detailed Design and Construction Information as submitted.

91.—(1) Any officer of the relevant highway authority duly appointed for the purpose may at all reasonable times, on giving to the undertaker such notice as may in the circumstances be reasonable, enter upon and inspect any part of the authorised development which—

(a) is in, over or under any highway, or

(b) which may affect any highway or any property of the relevant highway authority,

during the carrying out of the work, and the undertaker will give to such officer all reasonable facilities for such inspection and, if he is of the opinion that the construction of the work poses

danger to any highway or to any property of the relevant highway authority on or under any highway, the undertaker will adopt such measures and precautions as may be reasonably practicable for the purpose of preventing any damage or injury to the highway.

(2) The testing of materials used in any works affecting public highways will be carried out to the requirements of the relevant highway authority and at the expense of the undertaker. The relevant highway authority will receive copies of all test certificates and results which have been requested by it in writing as soon as reasonably practicable. The relevant highway authority may in its reasonable discretion reject any materials plant or workmanship which is reasonably and properly found to be unsatisfactory or improper on the basis of test certificates, results or testing. The undertaker must as soon as practicable replace or repair any materials plant or works which have been found unsatisfactory with such as will reasonably satisfy the relevant highway authority.

92.—(1) The undertaker will not, except with the consent of the relevant highway authority, deposit any soil, subsoil or materials, or stand any plant, on or over any highway (except on so much of the highway as is for the time being temporarily stopped up or occupied under the powers conferred by this Order or within the street works approved under article 12(2) of the Order or for which consent to interference with that part under paragraph 89 of this Schedule has been granted) so as to obstruct the use of the highway by any person, or, except with the like consent, deposit any soil, subsoil or materials on any highway outside a hoarding, but if within 28 days after request for it any such consent is neither given nor refused it will be deemed to have been given.

(2) Provision will be made in accordance with the relevant highway authority's reasonable requirements at the site of the works to prevent mud and other materials from being carried on to the adjacent highway by vehicles and plant. The highway in the vicinity of the site of the works will be swept as reasonably required to ensure its proper and continued use as a public highway.

93. The undertaker will not, except with the consent of the relevant highway authority, erect or retain on or over a highway to which the public continues to have access any scaffolding or other structure which obstructs the highway.

94.—(1) The undertaker will not alter, disturb or in any way interfere with any property of the relevant highway authority on or under any highway, or the access thereto (except to the extent authorised under the powers conferred by this Order), without the consent of the relevant highway authority, and any alteration, diversion, replacement or reconstruction of any such property which may be necessary will be made by the relevant highway authority or the undertaker as the relevant highway authority thinks fit, and the expense reasonably incurred by the relevant highway authority in so doing will be repaid to the highway authority by the undertaker.

(2) If within 28 days after a request for consent has been submitted the relevant highway authority has not given or refused such consent, it will be deemed to have consented to the request as submitted.

95.—(1) Except in an emergency or where necessary to secure the safety of the public no direction or instruction may be given by the relevant highway authority to the contractors, servants or agents of the undertaker regarding any highway operations without the prior consent in writing of the undertaker.

(2) Where, at any time it appears to the relevant highway authority that the works are being carried out in any manner which constitutes or is likely to constitute a danger to any person or class of persons or to affect the stability or integrity of any structure or apparatus including the highway it may give notice to the undertaker, requiring the immediate cessation of the execution of all or any part of the works pending agreement as to the appropriate method of proceeding. If such agreement is not reached within 4 hours of giving of such notice then the undertaker will make such arrangements as are necessary to restore the works to a safe and acceptable manner or for the expeditious completion of the works or for the affected structure or apparatus including the highway to be restored to a safe and acceptable condition.

96.—(1) In exercising the powers conferred by the Order in relation to any highway the undertaker will have regard to the potential disruption of traffic which may be caused, will seek to

minimise such disruption so far as is reasonably practicable and will at no time prevent or unreasonably impede access by emergency service vehicles to any property.

(2) The undertaker must, if reasonably so required by the relevant highway authority, provide and maintain during such time as the undertaker may occupy any part of a highway for the purpose of the construction of any part of the authorised development, temporary ramps for vehicular or pedestrian traffic, or both, and any other traffic measures required to protect the safety of road users in accordance with chapter 8 of the Traffic Signs Manual as may be necessary to prevent undue interference with the flow of traffic in the highway.

97. The undertaker may not acquire compulsorily any relevant highway authority interest in any highway vested in the relevant highway authority under section 263(1) of the Highways Act 1980 which is to remain public highway maintainable at the public expense post completion of the works.

98.—(1) The undertaker will, if reasonably so requested by the relevant highway authority, execute and complete a transfer to the relevant highway authority any land and rights within the highway compulsorily acquired by the undertaker pursuant to articles 25, 27 and 31 of the Order for the construction, operation and maintenance of the highway or to facilitate it, or as is incidental to it, with full title guarantee and at nil consideration PROVIDED THAT the undertaker has completed all necessary works within the highway for which that land and rights were compulsorily acquired.

(2) Paragraph 98(1) above does not apply in relation to any land within the highway compulsorily acquired by the undertaker that has been or is proposed to be permanently stopped up and rights extinguished pursuant to article 14 of the Order.

99.—(1) Where the undertaker carries out any works to any highway it will make good any defects in those works notified to it by the relevant highway authority within the period of twelve (12) months after the date of its removal from occupation of that area of highway to the reasonable satisfaction of that relevant highway authority.

(2) The carrying out of any remedial works required under sub-paragraph 99(1) are works under this Order.

(3) The carrying out of any remedial works required under sub-paragraph 99(1) will require the submission for approval under paragraph 89(1) of such items of Detailed Design and Construction Information as the undertaker deems to be reasonable in the circumstances but always including a description of the works to be carried out, a schedule of timings for the works, including dates and durations for any closures of any part of the public highway and traffic management proposals.

(4) The undertaker may, at its sole discretion and in place of carrying out any works to remedy any defects under sub-paragraph 99(1), pay to the relevant highway authority a sum equal to the reasonable cost to the relevant highway authority of carrying out the required works (including time of its officers). The relevant highway authority must apply any funds received under this provision to remediation of the defects for which they were paid.

(5) The undertaker will notify the relevant highway authority of the date of its removal of occupation from any area of highway within 5 working days of such removal.

100. Subject to article 19(4) the undertaker will hold the relevant highway authority harmless and indemnified from and against any liability, loss, cost or claim arising out of or incidental to the carrying out of the works under this Chapter 1 (other than those arising out of or in consequence of any negligent act, default or omission of the relevant highway authority) provided that no claim may be settled or liability accepted by the highway authority without first obtaining the written approval of the undertaker, such approval not to be unreasonably withheld or delayed. Any difference arising between the undertaker and the relevant highway authority under this Chapter 1 of this Part of this Schedule (other than in difference as to the meaning or construction of this Part of this Schedule) will be resolved by arbitration under article 77 (arbitration).

101. Where any consent, permission, agreement or approval is required and is to be given by the relevant highway authority under this Chapter 1 of this Part of this Schedule in respect of any part or parts of the works and/or the Detailed Design and Construction Information and/or the

execution thereof such consent, permission, agreement or approval will not be unreasonably withheld or delayed.

CHAPTER 2

FOR THE PROTECTION OF IACC IN RESPECT OF THE A5025 OFF-LINE HIGHWAY IMPROVEMENTS

102. The following provisions will apply for the protection of the IACC as the relevant highway authority in respect of the A5025 Off-Line Highway Improvements, unless otherwise agreed in writing between the undertaker and IACC.

103. In addition to article 2 (Interpretation), the terms set out in this Chapter 2 of this Part have the following meaning—

"A5025 Highway Land" means the land comprising the A5025 Off-Line Highway Improvements;

"A5025 Off-Line Highway Tie-in" means any elements of the A5025 Off-Line Highway Improvements which are necessary to connect the new highway to be constructed to the existing public highway, in so far as those works take place within the boundary of the existing public highway only.

"Detailed Design and Construction Information" means to the extent relevant for the A5025 Off-Line Highway Improvements the following drawings, specifications and other information which must be in accordance with the relevant Detailed Design Drawings and the Design and Access Statement:

(a) site clearance details;

(b) boundary environmental and mitigation fencing;

(c) road restraint systems (vehicle and pedestrian);

(d) drainage and ducting;

(e) earthworks;

(f) road pavements;

(g) kerbs, footways and paved areas;

(h) traffic signs and road markings;

(i) road lighting (including columns and brackets);

(j) electrical work for road lighting and traffic signs;

(k) highway structures;

(l) a schedule of all assets which will transfer to the relevant highway authority including structures, drainage features, noise barriers and any boundary features that will form part of the highway;

(m) a schedule of timings for the works;

(n) a schedule of any departures from the standards set out in the relevant sections of the Design Manual for Roads and Bridges;

(o) proposed speed limit and their extents; and

(p) construction traffic management proposals including any provision for wheel washing; access and egress routes; and time restrictions, the scope of which is to be agreed between the undertaker and the relevant highway authority prior to this information being submitted for approval.

"Director" means the Head of Service (Highways, Waste and Property) or any successor post responsible for the highway authority function of the Isle of Anglesey County Council;

"Final Certificate" means the final certificate issued by the Director for each phase of the highway works in accordance with paragraph 111;

"Maintenance Period" means 12 months from the date of issue of the provisional certificate;

"Provisional Certificate" means the provisional certificate of completion issued by the Director for any section of the highway works in accordance with paragraph 106;

"highway" has the same meaning as in the 1980 Act;

"relevant highway authority" in relation to the A5025 Off-Line Highway Improvements means the IACC being the highway authority for the area in which the A5025 Off-line Highway Improvements are situated.

Finalisation of Detailed Design and Construction Information

104.—(1) The undertaker will consider all reasonable requests by the relevant highway authority to allow an appropriately qualified officer of the relevant highway authority to participate in the design process for the A5025 Off-Line Highway Improvements and if permitted will have reasonable regard to any views of that officer in finalising the Detailed Design and Construction Information prior to any element reaching design fix or freeze provided always that it will be the decision of the undertaker whether it implements such views and for the avoidance of doubt any such views shared by officer will not be an instruction, requirement or authorisation under this Order.

(2) Any involvement by the relevant highway authority (or its appropriately qualified officer) will be at the cost of the relevant highway authority and paragraph 122 of this Chapter 2 of this Part of this Schedule does not apply.

Approval of Detailed Design and Construction Information

105.—(1) Before commencing the construction of, or the carrying out of any A5025 Off-Line Highway Improvements authorised by this Order, the undertaker will submit to the relevant highway authority for its approval Detailed Design and Construction Information for the works, and the works must not be carried out except in accordance with the Detailed Design and Construction Information submitted to and approved by the relevant highway authority or as otherwise agreed between the undertaker and the relevant highway authority. The submission and consideration of the Detailed Design and Construction Information (or any part thereof) will be accompanied by a fee payable by the undertaker to the relevant highway authority in accordance with Schedule 19.

(2) The relevant highway authority may consult any person on any application for approval of Detailed Design and Construction Information submitted under sub-paragraph 105(1) before issuing any approval.

(3) If within 28 days after the Detailed Design and Construction Information and the relevant fee has been submitted to the relevant highway authority the relevant highway authority has not approved or disapproved them, it will be deemed to have approved Detailed Design and Construction Information as submitted.

Provisional Certificate

106. The undertaker must apply to the Director in writing for a Provisional Certificate.

107. Within fifteen (15) working days following receipt of a written application from the undertaker for the issue of a Provisional Certificate, the Director or any officer of the relevant highway authority duly appointed for the purpose will inspect the works to which the application relates.

108. When and so soon as the A5025 Off-Line Highway Improvements have been completed including such road safety audits as required in accordance with paragraph 127 to the reasonable satisfaction of the Director, the Director must issue a Provisional Certificate, such certificate not to be unreasonably withheld or delayed.

109. The undertaker may apply to the Director for a Provisional Certificate for any part of the A5025 Off-Line Highway Improvements, and subject to paragraph 107 the Director may issue a separate Provisional Certificate for that part of the A5025 Off-Line Highway Improvements.

Maintenance period

110.—(1) The undertaker will for a period of twelve (12) months after the date of the issue of the Provisional Certificate make good any defects in the A5025 Off-Line Highway Improvements to the reasonable satisfaction of the Director.

(2) The carrying out of any remedial works required under sub-paragraph 110(1) are works under this Order.

(3) The carrying out of any remedial works required under sub-paragraph 110(1) will require the submission to and approval by IACC of a description of the works to be carried out, a schedule of timings for the works, including dates and durations for any closures of any part of the highway and traffic management proposals prior to any such works commencing.

(4) The undertaker may, at its sole discretion and in place of carrying out any works to remedy any defects under sub-paragraph 110(1), pay to the relevant highway authority a sum equal to the reasonable cost to the relevant highway authority of carrying out the required works (including time of its officers). The relevant highway authority must apply any funds received under this provision to remediation of the defects for which they were paid.

Final certificate

111.—(1) The Director will issue a Final Certificate at the expiration of the Maintenance Period referred to in paragraph 110 in respect of the A5025 Off-Line Highway Improvements or any part of the A5025 Off-Line Highway Improvements as the case may be provided that:

(a) any defects arising during the Maintenance Period have been made good to the reasonable satisfaction of the Director;

(b) any works identified by any road safety audit as being required in accordance with paragraph 125 have been completed;

(c) a commuted sum towards the reasonable maintenance costs of any structures and assets that will form part of the highway but excluding the road surface in the amount agreed by the parties has been paid by the undertaker to the relevant highway authority; and

(d) any grant of easements under paragraph 112 of this schedule has been completed.

(2) From the date of issue of any Final Certificate for the A5025 Off-Line Highway Improvements or for any part of the A5025 Off-Line Highway Improvements, the A5025 Off-Line Highway Improvements or that part of the A5025 Off-Line Highway Improvements as the case may be, becomes highway maintainable at the public expense.

Grant of easements

112.—(1) Before the Director issues a Final Certificate, the undertaker will, without cost to the highway authority, execute and complete or procure the execution and completion of:

(a) any deeds of easement that are necessary to secure for the highway authority full drainage rights to such parts of the surface water drainage system of the A5025 Off-Line Highway Improvements within the Order Land;

(b) access rights to all sections or sides of new highway structures built as part of the A5025 Off-Line Highway Improvements (including overbridges, underpasses and culverts) and to surface water attenuation ponds (including ancillary features), all with such vehicles or machinery as is required to maintain the same; and

(c) any other deeds of easement required by the highway authority for the future maintenance by the highway authority of any street furniture relating to the A5025 Off-Line Highway Improvements within the Order Land.

Transfer of A5025 Highway Land

113. When and so soon as the Director issues a Final Certificate, the undertaker will without delay and at its own cost, execute and complete a transfer to the highway authority of any land and

rights within the A5025 Highway Land acquired by the undertaker pursuant to articles 25, 27 and 31 of the Order for the construction, operation and maintenance of the A5025 Off-Line Highway Improvements with full title guarantee and at nil consideration.

114. The undertaker will assist in any application to the Chief Land Registrar for the registration of the highway authority with title absolute with respect of any A5025 Highway Land transferred pursuant to paragraph 113.

Indemnity

115.—(1) The undertaker must indemnify the highway authority from and against all costs, loss or claim arising out of or incidental to any breach or non-observance of the undertaker's obligations in respect of the design, carrying out and maintenance of the A5025 Off-Line Highway Improvements provided that-

(a) the foregoing indemnity must not extend to any costs, expenses, liabilities, damages, loss or claims caused by or arising out of the negligent act, default or omission of the highway authority or its officers, servants, agents or contractors or any person or body for whom the relevant highway authority is responsible;

(b) the highway authority must notify the undertaker straight away upon receipt of any claim;

(c) no claim may be settled, or liability accepted by the highway authority without first obtaining the written approval of the undertaker, such approval not to be unreasonably withheld or delayed;

(d) upon acceptance of any claim in accordance with sub-paragraph 115(1)(c), the highway authority must notify the quantum of the claim to the undertaker in writing and the undertaker must within 14 days of the receipt of such notification pay to the highway authority the amount specified as the quantum of such claim.

Construction (Design and Management) Regulations 2015

116. The undertaker will ensure that the A5025 Off-Line Highway Improvements are carried out in accordance with the Construction (Design and Management) Regulations 2015 (S.I. 2015/51) and in particular to ensure that all obligations imposed on the client (as defined in those Regulations being "the person for whom the project is carried out") are satisfied and must indemnify the highway authority against any breach of the undertaker's obligations in respect of this.

Privately and publicly owned apparatus

117. For the avoidance of doubt it is expressly declared that the undertaker in carrying out the A5025 Off-Line Highway Improvements must at its own expense divert or protect all or any pipes, wires, cables or equipment belonging to any person having power or consent to undertake street works under the 1991 Act as may be necessary to enable such works to be properly carried out or may be reasonably directed by the Director and all alterations to existing services must be carried out to the reasonable satisfaction of the appropriate persons, authorities and statutory undertakers.

Traffic and safety control

118. In carrying out A5025 Off-Line Highway Improvements in or adjoining the public highway the undertaker must comply in all respects with chapter 8 of the Traffic Signs Manual.

Inspection

119. The undertaker must permit and must require any contractor or sub-contractor engaged on the A5025 Off-Line Highway Improvements to permit at all reasonable times persons authorised by the highway authority whose identity has been previously notified to the undertaker to gain

access to the site of the highway works for the purpose of inspection to verify compliance with the provisions of this Schedule in accordance with the highway authority's inspection policy.

120. While carrying out any inspection under paragraph 119, the highway authority officer will comply with any reasonable health and safety requirements notified to them by the undertaker.

121. During construction of the A5025 Off-Line Highway Improvements, a highway authority officer may in his reasonable discretion and to the extent reasonably necessary require the undertaker to open up or expose any of the works that have been covered up without previously being inspected by a highway authority officer. If the undertaker unreasonably fails to comply with any such request, the highway authority may take up or expose the relevant part of the works causing as little damage or inconvenience as possible to or in respect of any other part or parts of the works. The undertaker will meet the highway authority's reasonable and proper costs of such taking up, exposure and reinstatement.

Works fees reimbursement

122.—(1) The undertaker must reimburse the highway authority all proper and reasonable works fees incurred by it acting as a highway authority (including without limitation all reasonable and proper costs of the highway authority's professional advisors) in relation to the following:

(a) the making of any necessary traffic regulation orders in relation to the A5025 Off-Line Highway Improvements; and

(b) checking, inspecting and testing of the A5025 Off-Line Highway Improvements.

Power to execute works in default or emergency

123. Nothing in this Chapter 2 of this Part of this Schedule prevents the relevant highway authority from carrying out any work or taking such action as deemed appropriate forthwith without prior notice to the undertaker in the event of an emergency or danger to the public, the cost to the highway authority of such work or action being chargeable to and recoverable from the undertaker.

Insurance

124. The undertaker must, prior to commencement of the A5025 Off-Line Highway Improvements, ensure that there is in place public liability insurance with an insurer against any legal liability for damage, loss or injury to any property or any persons as a direct result of the execution and maintenance of the A5025 Off-Line Highway Improvements or any part of them by the undertaker or its contractors.

Road Safety Audits

125. The undertaker will have procured that an independent safety auditor has undertaken road safety audit stages 1, 2, 3 and 4 on the A5025 Off-Line Highway Improvements in accordance with DMRB Volume 5 Section 2 Part 2 (GG 119) or any replacement or modification of that standard.

Disputes

126. Any difference arising between the undertaker and the relevant highway authority under this Chapter 2 of this Part of this Schedule (other than in difference as to the meaning or construction of this Chapter 2 of this Part of this Schedule) will be resolved by arbitration under article 77 (Arbitration).

Consent

127. Where any consent, permission, agreement or approval is required and is to be given by the relevant highway authority under Part B of this Schedule in respect of any part or parts of the works and/or the Construction Drawings and/or the execution thereof such consent, permission, agreement or approval will not be unreasonably withheld or delayed.

CHAPTER 3

FOR THE PROTECTION OF LEAD LOCAL FLOOD AUTHORITY

128. The provisions of this Part of this Schedule have effect unless otherwise agreed in writing between the undertaker and the Idle of Anglesey County Council as Lead Local Flood Authority.

129. In addition to article 2 (Interpretation), the terms in this Part have the following meaning—

"A5025 Highway Land" means the land comprising the A5025 Off-Line Highway Improvements;

130.—(1) Where it is proposed to connect into an existing ordinary watercourse for any part of the drainage design for the A5025 Highway Land or the A5025 Off-Line Highway Improvements the undertaker must obtain the approval of the Lead Local Flood Authority before commencing the construction of, or the carrying out of any work which would drain to that existing ordinary watercourse.

(2) If within 28 days after an application for approval is made under sub-paragraph 130(1) the Lead Local Flood Authority has not approved or disapproved that application, it will be deemed to have approved it.

SCHEDULE 16

Article 48

LIMITS OF HARBOUR

The limits of the harbour within which the undertaker must exercise jurisdiction as the harbour authority and within which the powers of the harbour master are exercisable must be the area bounded by an imaginary line commencing at the Northerly point of Cerrig Brith at 53.413810N, -4.497950W (SHA001), then extending in a straight line to a point at 53.418460’N, -4.497900’W (SHA002), then extending in a straight line to a point at 53.424820’N, -4.491660’W (SHA003), then in a straight line to the Westerly point of Mynydd y Wylfa at 53.421670’N, -4.479720’W (SHA004), then following the level of high water to the point of commencement following construction of the authorised development.

SCHEDULE 17

Article 74

REMOVAL OF IMPORTANT HEDGEROWS

(1) Relevant site	*(2) Important hedgerow reference*	*(3) Reference*
Wylfa Newydd Development Area	IH01, IH02, IH03, IH04, IH05, IH06, IH07	WN0902-HZDCO-LFM-DRG-00037
Wylfa Newydd Development Area	IH10, IH51(a)	WN0902-HZDCO-LFM-DRG-00037 WN0902-HZDCO-LFM-DRG-00039
Wylfa Newydd Development Area	IH51 (b)	WN0902-HZDCO-LFM-DRG-0037 WN0902-HZCO-LFM-DRG-00040 WN0902-HZDCO-LFM-DRG-00040
Wylfa Newydd Development Area	IH12, IH13, IH14, IH15, IH16, IH17	WN0902-HZDCO-LFM-DRG-00037 WN0902-HZDCO-LFM-DRG-00038 WN0902-HZDCO-LFM-DRG-00039
Wylfa Newydd Development Area	IH18	WN0902-HZDCO-LFM-DRG-00038 WN0902-HZDCO-LFM-DRG-00039
Wylfa Newydd Development Area	IH19, IH20, IH21, IH22	WN0902-HZDCO-LFM-DRG-00038 WN0902-HZDCO-LFM-DRG-00039 WN0902-HZDCO-LFM-DRG-00041
Wylfa Newydd Development Area	IH23, IH24, IH26	WN0902-HZDCO-LFM-DRG-00038 WN0902-HZDCO-LFM-DRG-00039 WN0902-HZDCO-LFM-DRG-00041
Wylfa Newydd Development Area	IH27, IH28, IH29, IH30, IH31, IH32, IH33	WN0902-HZDCO-LFM-DRG-00038 WN0902-HZDCO-LFM-DRG-00039 WN0902-HZDCO-LFM-DRG-00041
Wylfa Newydd Development Area	IH34	WN0902-HZDCO-LFM-DRG-00039 WN0902-HZDCO-LFM-DRG-00041
Wylfa Newydd Development Area	IH35, IH36	WN0902-HZDCO-LFM-DRG-00037 WN0902-HZDCO-LFM-DRG-00039
Wylfa Newydd Development Area	IH37, IH70	WN0902-HZDCO-LFM-DRG-00037 WN0902-HZDCO-LFM-DRG-00039
Wylfa Newydd Development Area	IH38	WN0902-HZDCO-LFM-DRG-00037 WN0902-HZDCO-LFM-DRG-00039 WN0902-HZDCO-LFM-DRG-00040
Wylfa Newydd Development Area	IH39, IH40	WN0902-HZDCO-LFM-DRG-00039 WN0902-HZDCO-LFM-DRG-00041
Wylfa Newydd Development Area	IH41, IH42, IH43	WN0902-HZDCO-LFM-DRG-00039 WN0902-HZDCO-LFM-DRG-00040
Wylfa Newydd Development Area	IH46	WN0902-HZDCO-LFM-DRG-00039 WN0902-HZDCO-LFM-DRG-00040 WN0902-HZDCO-LFM-DRG-00041
Wylfa Newydd Development Area	IH47(a)	WN0902-HZDCO-LFM-DRG-00038 WN0902-HZDCO-LFM-DRG-00039 WN0902-HZDCO-LFM-DRG-00041
Wylfa Newydd Development Area	IH47(b)	WN0902-HZDCO-LFM-DRG-00039 WN0902-HZDCO-LFM-DRG-00040
Wylfa Newydd Development Area	IH48(a)	WN0902-HZDCO-LFM-DRG-00037 WN0902-HZDCO-LFM-DRG-00038 WN0902-HZDCO-LFM-DRG-00039 WN0902-HZDCO-LFM-DRG-00041

(1) Relevant site	*(2) Important hedgerow reference*	*(3) Reference*
Wylfa Newydd Development Area	IH49	WN0902-HZDCO-LFM-DRG-00037 WN0902-HZDCO-LFM-DRG-00038 WN0902-HZDCO-LFM-DRG-00039
Wylfa Newydd Development Area	IH50(a)	WN0902-HZDCO-LFM-DRG-00037 WN0902-HZDCO-LFM-DRG-00038 WN0902-HZDCO-LFM-DRG-00039
Wylfa Newydd Development Area	IH50(b)	WN0902-HZDCO-LFM-DRG-00037 WN0902-HZDCO-LFM-DRG-00039 WN0902-HZDCO-LFM-DRG-00040
Wylfa Newydd Development Area	IH52	WN0902-HZDCO-LFM-DRG-00039 WN0902-HZDCO-LFM-DRG-00040
Wylfa Newydd Development Area	IH53	WN0902-HZDCO-LFM-DRG-00040
Dalar Hir Park and Ride Facility	IH60, IH61, IH62, IH63, IH64, IH65, IH66, IH67, IH68, IH69	WN0902-HZDCO-LFM-DRG-00034
A5025 Off-Line Highway Improvements – Section 1 – Valley	IH101, IH102, IH103	WN0902-HZDCO-ADV-DRG-00004
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	IH301	WN0902-HZDCO-OHW-DRG-00017
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	IH302, IH303, IH304	WN0902-HZDCO-OHW-DRG-00018 WN0902-HZDCO-OHW-DRG-00019
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	IH305	WN0902-HZDCO-OHW-DRG-00019
A5025 Off-Line Highway Improvements – Section 3 – Llanfachraeth	IH306, IH307	WN0902-HZDCO-OHW-DRG-00020
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	IH501, IH502, IH503, IH504, IH505, IH506, IH507, IH508, IH509	WN0902-HZDCO-OHW-DRG-00039
A5025 Off-Line Highway Improvements – Section 5 – Llanfaethlu	IH510, IH511	WN0902-HZDCO-OHW-DRG-00040
A5025 Off-Line Highway Improvements – Section 7 – Cefn Coch	IH701, IH702	WN0902-HZDCO-OHW-DRG-00052
A5025 Off-Line Highway Improvements – Section 7 – Cefn Coch	IH703	WN0902-HZDCO-OHW-DRG-00052 WN0902-HZDCO-OHW-DRG-00053
A5025 Off-Line Highway Improvements – Section 7 – Cefn Coch	IH704, IH705	WN0902-HZDCO-OHW-DRG-00053

SCHEDULE 18

Article 76

CERTIFIED DOCUMENTS

(1) Document Name	*Document*	
	(2) Revision	*(3) Reference*
Order Limits Plans	1.0	2.1
Works Plans	3.0	2.3
Land Plans	5.0	2.2
Rights of Way Plans	4.0	2.4
Wylfa Newydd Development Area – Power Station Site Plans	4.0	2.6.1
Wylfa Newydd Development Area – Site Campus Plans	2.0	2.6.2
Wylfa Newydd Development Area – Marine Works Plans	1.0	2.6.3
Wylfa Newydd Development Area – Site Preparation and Clearance Plans	1.0	2.6.4
A5025 Offline Highways Section 1 – Valley Plans	1.0	2.7
A5025 Offline Highways Section 3 – Llanfachraeth Plans	1.0	2.8
A5025 Offline Highways Section 5 – Llanfaethlu Plans	1.0	2.9
A5025 Offline Highways Section 7 – Cefn Coch Plans	1.0	2.10
Park and Ride – Dalar Hir Plans	4.0	2.11
Logistics Centre – Parc Cybi Plans	2.0	2.12
Off-site Power Station Facilities – Llanfaethlu Plans	1.0	2.13
Site of Special Scientific Interest Compensation Site – Cors Gwawr – Plans	1.0	2.14
Site of Special Scientific Interest Compensation Site – Cae Canol-Dydd - Plans	1.0	2.15
Site of Special Scientific Interest Compensation Site – Ty Du – Plans	1.0	2.16
Book of Reference (Part 1 of 3)	5.0	4.3
Book of Reference (Part 2 of 3)	5.0	4.3
Book of Reference (Part 3 of 3)	5.0	4.3
Design and Access Statement (Volume 1) – Project-wide	4.0	8.2.3
Design and Access Statement (Volume 2) – Power Station Site	4.0	8.2.3
Design and Access Statement (Volume 3) – Associated Developments and Off-Site Power Station Facilities	4.0	8.2.3
Wylfa Newydd CoCP	6.0	8.6
Wylfa Newydd CoOP	6.0	8.13
Main Power Station Site sub-CoCP	6.0	8.7
Marine Works sub-CoCP	6.0	8.8
Off-Site Power Station Facilities sub-CoCP	6.0	8.9
Parc Cybi Logistics Centre sub-CoCP	6.0	8.11
Dalar Hir Park and Ride sub-CoCP	6.0	8.10
A5025 Off-Line Highway Improvements sub-CoCP	6.0	8.12
Environmental Statement (Volume A) – Introduction to the project and approach to the EIA	1.0	6.1.1 – 6.1.10
Environmental Statement (Volume B) – Introduction to the environmental assessments	1.0	6.2.1 – 6.2.22
Environmental Statement (Volume C) – Project-wide effects	1.0	6.3.1 – 6.3.31
Environmental Statement (Volume D) – WNDA Development	1.0	6.4.1 – 6.4.101
Environmental Statement (Volume E) – Off-Site Power Station Facilities	1.0	6.5.1 – 6.5.27
Environmental Statement (Volume F) – Park and Ride	1.0	6.6.1 – 6.6.38

(1) Document Name	*Document*	
	(2) Revision	*(3) Reference*
Environmental Statement (Volume G) – A5025 Off-line Highway Improvements	1.0	6.7.1 – 6.7.48
Environmental Statement (Volume H) – Logistics Centre	1.0	6.8.1 – 6.8.29
Environmental Statement (Volume I) – Cumulative effects	1.0	6.9.1 – 6.9.14
Environmental Statement (Volume J) – Environmental commitments and summary of residual effects	1.0	6.10.1 – 6.10.3
Environmental Statement Addendum	1.0	
Landscape and Habitat Management Strategy (Part 1 of 2)	4.0	6.11
Landscape and Habitat Management Strategy (Part 2 of 2)	4.0	8.16
Workforce Management Strategy	3.0	8.16
Phasing Strategy	6.0	8.29
Construction Method Statement	3.0	6.4.17
Access Road Plan	1.0	2.6.1

SCHEDULE 19

Article 78

PROCEDURE FOR APPROVALS, CONSENTS AND APPEALS

Discharge programme

1.—(1) The undertaker must notify the discharging authority not less than 6 months prior to the anticipated date of the undertaker making its first application to that discharging authority for discharge of a Requirement (the "discharge notification date").

(2) No later than the discharge notification date the undertaker must provide the discharging authority with a programme of discharge of Requirements which will set out—

(a) the proposed programme for discharging the Requirements taking into account the time frames set out in paragraph 2 of this Schedule; and

(b) the associated relevant key dates including commencement and the start of the operational period,

which will form the basis for identification of the schedule of and programme for the discharging authorities' discharge of the Requirements including the programme for the agreement of activity orders with IACC in accordance with paragraph 1(3) and the programme may be updated from time to time.

(3) Following receipt of the programme of discharge of Requirements (pursuant to paragraph 1(2))-

(a) IACC will provide the undertaker with a draft activity order or orders in respect of the major detailed requirements which will require the engagement of external consultants in order to discharge a major detailed requirement or otherwise require additional IACC resource above the resource specified in paragraph 1(4) in order to discharge a major detailed requirement within the timeframes set out in paragraph 2 of this Schedule;

(b) any draft activity order will relate to one or more requirements and may be issued by the IACC in accordance with the programme, so that a draft activity order for each stage of the programme will be issued not less than 15 working days (or such other time frame agreed) before the application for discharge of the requirement to which it relates is due to be submitted in accordance with the programme of discharge of Requirements; and

(c) the IACC and the undertaker will thereafter use reasonable endeavours to agree the activity order or orders within 15 working days (or the time frame agreed in sub-paragraph 1(3)(b)).

(4) The undertaker is obliged to pay the costs agreed by an activity order provided that the undertaker will not be liable for any costs associated with the appointment or instruction of an external consultant without an agreed activity order in place, unless otherwise agreed in writing in advance by the undertaker.

(5) Each activity order prepared and agreed in accordance with paragraph 1(3) must-

(a) be in the form set out in paragraph 1(6), unless otherwise agreed in writing in advance by the undertaker;

(b) contain the scope of work and the terms and conditions of procuring the work from the external consultant (including rates);

(c) contain invoicing and payment arrangements;

(d) enable variations to the activity order which will be in the form set out in sub-paragraph 1(7), unless otherwise agreed in writing in advance by the undertaker;

(e) enable termination of the activity order by the undertaker and suspension of costs to the undertaker under such activity order within not less than of 20 working days;

(f) ensure the method of procurement of any consultant input to IACC-

(i) delivers best value in accordance with IACC's standing orders, section 3 of the Local Government Act 1999, and complies with relevant procurement law;

(ii) ensures any appointment is capable of being varied, suspended terminated on reasonable notice and in accordance with sub-paragraph 1(5)(e).

(6) The activity order agreed under paragraph 1(3) must be in the following form—

Form A

Activity Order Form

<table>
<tr><td>Activity Order Ref.</td><td></td><td colspan="2">Title:</td></tr>
<tr><td>Work Package Lead</td><td></td><td>Approved budget (cap)</td><td>£</td></tr>
<tr><td>Programmed application submission date</td><td></td><td>Programmed end of determination period</td><td></td></tr>
<tr><td colspan="4">Requirements to be discharged
•
•</td></tr>
<tr><td colspan="4">How activity will be delivered:
•
•</td></tr>
<tr><td colspan="4">Pricing Schedule
•
•</td></tr>
<tr><td colspan="4">Resources/Procurement
Internal—
External—</td></tr>
<tr><td colspan="4">Terms & Conditions: [General outline of key terms]
•

Notice Period for Termination:</td></tr>
<tr><td colspan="4">Assumptions:
•
•</td></tr>
<tr><td colspan="4">Comments:</td></tr>
<tr><td colspan="3">Approval, for and on behalf of:

The undertaker:

Isle of Anglesey County Council:</td><td>Date:</td></tr>
</table>

(7) The variation order agreed under paragraph 1(3) must be in the following form—

Form B

Variation Order Form

<table>
<tr><td>Variation Order Ref.</td><td></td><td colspan="2">Title:</td></tr>
<tr><td>Type of Variation Required:</td><td colspan="3">[Budget / Start date / Completion Date / Scope] delete as applicable</td></tr>
<tr><td rowspan="3">Work Package Lead</td><td rowspan="3"></td><td>original approved budget (cap)</td><td>£</td></tr>
<tr><td>variation required (if applicable)</td><td>£</td></tr>
<tr><td>revised budget</td><td>£</td></tr>
<tr><td>Programmed application submission date</td><td></td><td>Programmed end of determination period</td><td></td></tr>
<tr><td>Revised submission date (if applicable)</td><td></td><td>proposed scheduled completion date (if applicable)
End of determination period(if applicable)</td><td></td></tr>
<tr><td colspan="4">Description & Justification of Variation(s):
•
•</td></tr>
<tr><td colspan="4">Revised Pricing Schedule (if applicable):
•
•</td></tr>
<tr><td colspan="4">Additional Resources Required (if applicable)
Internal—
External—</td></tr>
<tr><td colspan="4">Revised Assumptions (if applicable)
•
•</td></tr>
<tr><td colspan="4">Comments:</td></tr>
<tr><td colspan="3">Approval, for and on behalf of:

The undertaker:

Isle of Anglesey County Council:</td><td>Date:</td></tr>
</table>

Applications made under Requirement

2.—(1) Except where otherwise specified within Schedule 3 (Requirements) of this Order, where an application has been made to a discharging authority for any agreement or approval required by a Requirement included in this Order the discharging authority must give notice to the undertaker of its decision on the application before the end of the decision period.

(2) For the purposes of sub-paragraph (1), the decision period is—

(a) in the case of a major detailed Requirement—

(i) where no further information is requested under paragraph 3 of this Schedule (Further information), 56 days from the day immediately following that on which the application is received by the authority;

(ii) where further information is requested under paragraph 3 of this Schedule, 56 days from the day immediately following that on which further information has been supplied by the undertaker under paragraph 3; or

(iii) such longer period as may be agreed by the undertaker and the discharging authority in writing before the end of the period in sub-paragraph 2(2)(a)(i) or (ii); and

(b) in the case of a minor detailed Requirement—

(i) where no further information is requested under paragraph 3 of this Schedule, 35 days from the day immediately following that on which the application is received by the authority;

(ii) where further information is requested under paragraph 2 of this Schedule, 35 days from the day immediately following that on which further information has been supplied by the undertaker under paragraph 3; or

(iii) such longer period as may be agreed by the undertaker and the discharging authority in writing before the end of the period in sub-paragraph 2(2)(b)(i) or (ii).

(3) Where an application is made to the discharging authority for any consent, agreement or approval required by an article or Requirement in this Order, the discharging authority may consult any statutory consultee in relation to that application that it considers relevant and the undertaker must as soon reasonably practicable comply with any direction from the discharging authority to provide a copy of the materials provided in support of the application to the relevant statutory consultee.

(4) Prior to the commencement of any Work which has more than one discharging authority, IACC and NRW will enter into a memorandum of understanding which will contain the following minimum requirements-

(a) the co-operation and collaboration between the IACC and NRW in the approval of discharge applications for the intertidal area or works which extend over the MHWS and the achievement of their respective statutory duties;

(b) the consultation process that will be followed between the discharging authority and the marine works consultee;

(c) the mechanisms and timeframes for resolving any inconsistencies between approvals to be granted by IACC or NRW or any differences of opinion;

(d) opportunities for IACC and NRW to collaborate, share information and conjoin reviews of information, inspections and approvals in respect of discharge applications where possible; and

(e) the notification process to the undertaker in respect of approvals made by IACC and NRW.

(5) IACC and NRW will seek to agree the memorandum of understanding under paragraph 2(4) within 30 working days of the first notice being served under paragraph 1(1) and provide a copy of the agreed memorandum of understanding to the undertaker for information.

(6) Where an application is made in relation to a Work that has more than one discharging authority, the discharge of those applications will be managed in accordance with a memorandum of understanding agreed between IACC and NRW in accordance with paragraph 2(4).

(7) An indicative milestone schedule of all applications that the undertaker intends to submit under sub-paragraph 2(1) must be submitted to the discharging authority every 6 months following the commencement of the authorised development until the commencement of the operational period, unless otherwise agreed with the discharging authority.

Further information

3.—(1) In relation to any application to which this Schedule applies, the discharging authority must have the right to request such further information from the undertaker as is necessary to enable it to consider the application.

(2) If the discharging authority considers such further information to be necessary and the Requirement does not specify that consultation with a Requirement consultee is required or the discharging authority has determined it does not need to consult with any other statutory consultee in the discharge of the application submitted under paragraph 2 of this Schedule, the discharging authority must, within 3 working days of receipt of the application, notify the undertaker in writing specifying any further information required.

(3) Where the discharging authority has determined it will consult with a statutory consultee in the discharge of the application submitted under paragraph 2 or a statutory body is identified within the Requirement, the discharging authority must issue the consultation to the consultee within 5 working days of receipt of the application. Where the consultee requires further information they must notify the discharging authority in writing specifying the further information required within 5 working days of receipt of the consultation. The discharging authority must notify the undertaker in writing specifying any further information requested by the consultee within 3 working days of receipt of such a request. In the event the consultee does not require any further information, then they must respond to the consultation within 20 working days from receipt of the consultation notification from the relevant planning authority.

(4) If the discharging authority does not give notification as specified in sub-paragraph 3(2) or 3(3), it must be deemed to have sufficient information to consider the application and must not thereafter be entitled to request further information without the prior agreement of the undertaker.

Provision of information by Consultees

4.—(1) Subject to subparagraph (2), any consultee who receives a consultation under paragraph 2(3) must respond to that request within 28 days from receipt in order for their response to be considered.

(2) Where any consultee requests further information in accordance with the timescales set out in paragraph 3(3) then they must respond to the consultation within 20 days from the receipt of the further information requested for their response to be considered.

Fees

5.—(1) For all applications made to IACC for agreement or approval in respect of a Requirement, the undertaker will pay an annual review fee to IACC in the following instalments—

(a) the first annual review fee of £120,000 must be paid prior to the date three months from the discharge notification date (being the "first approval date");

(b) the second and subsequent payments each of £120,000 must be paid annually on the anniversary of the first approval date thereafter until the undertaker has paid to IACC the first payment of the service level contribution due to be paid in accordance with paragraph 1 of schedule 16 of the Section 106 Agreement;

(c) payments each of £60,000 must be paid annually from the first anniversary of date of the last payment at sub-paragraph 5(1)(b) until the start of the operational period, and

the figures set out in paragraph 5(1)(a), (b) and (c) will be increased annually by an amount equivalent to the increase in the consumer price index from the date of this Order until the first day of January in each year.

(2) The annual review fee will be utilised by IACC for establishment and staffing of a discharging office whose roles will be-

(a) the discharge of minor detailed requirements within the timeframes set out in the Order; and

(b) the management of the activity orders (in accordance with paragraphs 1(3) and (4)) to enable the discharge of major detailed requirements within the timeframes set out in the Order;

(c) working within the programme office when established by IACC under Schedule 16 of the Section 106 Agreement in relation to the Order to ensure integrated management of the authorised development.

(3) 12 months following the date of the last payment made pursuant to sub-paragraph 5(1)(c) the undertaker must pay a fee of £1250 in respect of any application made to amend an approved control document or any approved scheme, plans, or written details approved under paragraph 1(4) of Schedule 3 (Requirements) of this Order.

(4) The figure set out in paragraph 5(3) will be increased by an amount equivalent to the increase in the consumer price index from the date of this Order until the first day of January in each year.

6.—(1) Where an application is made to NRW as the discharging authority for agreement or approval in respect of a minor detailed requirement or a major detailed requirement, NRW may charge a fee to discharge such application only if the work required to discharge such application or part of such application precedes work required, or reasonably requires material additional work to that required to discharge any equivalent application under the Marine Licence.

(2) The fees charged pursuant to sub-paragraph 6(1) shall be charged at a rate established for monitoring and discharge of licence conditions under the Marine Licensing (Fees) (Wales) Regulations 2017 or any subsequent amendment for replacement of those Regulations under the relevant fee band for the marine licence application.

(3) Where NRW seeks to charge any fees under sub-paragraph 6(1) it must provide the undertaker with an itemised invoice which—

(a) states the time spent on discharging such application or part of such application; and

(b) where relevant, identifies any equivalent application under the Marine Licence and states the time spent on discharging such equivalent application; and

(c) describes the work undertaken to discharge the application or, where sub-paragraph 6(3)(b) applies, describes the additional work required to discharge the application.

(4) Within 30 working days of receiving an invoice under sub-paragraph 6(3) ("Invoice"), the undertake shall either—

(a) pay the Invoice; or

(b) in the event the Invoice is not agreed, notify NRW in writing that it disagrees with the Invoice, giving reasons ("notice of disagreement").

(5) Where the undertaker has serviced a notice of disagreement the parties will meet within 30 working days and use reasonable endeavours to agree an amount to be paid to NRW.

(6) If agreement cannot be reached within the 30 working days specified in sub-paragraph 6(5), the amount to be paid to NRW will be determined in accordance with the arbitration process under article 77 (Arbitration) of this Order which will be binding on the parties.

Appeals

7.—(1) The undertaker may appeal in the event that—

(a) the discharging authority refuses an application for any agreement or approval required by a Requirement included in this Order or grants it subject to conditions;

(b) on receipt of a request for further information pursuant to paragraph 3 of this Schedule the undertaker considers that either the whole or part of the specified information

requested by the discharging authority is not necessary for consideration of the application;

(c) on receipt of any further information requested, the discharging 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; or

(d) the discharging authority does not give notice to the undertaker of its decision on an application submitted under sub-paragraph 2(1) of this Schedule within the periods specified under sub-paragraph 2(2).

(2) The appeal process must be as follows—

(a) the undertaker must submit to the Secretary of State a copy of the application submitted to the discharging authority and any supporting documentation which the undertaker may wish to provide ("the appeal documentation");

(b) the undertaker must on the same day provide copies of the appeal documentation to the discharging authority and the Requirement consultee (if applicable);

(c) as soon as is practicable after receiving the appeal documentation, the Secretary of State must appoint a person to determine the appeal ("the appointed person") and must notify the appeal parties of the identity of the appointed person and the address to which all correspondence for that person's attention should be sent;

(d) the discharging authority and the Requirement consultee (if applicable) must submit written representations to the appointed person in respect of the appeal within 10 working days of the date on which the appeal parties are notified of the appointment of a person under sub-paragraph 7(2)(c) 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 must make any counter-submissions to the appointed person within 10 working days of receipt of written representations pursuant to sub-paragraph 7(2)(d); 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 enable the appointed person to consider the appeal, he 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 is to be submitted.

(4) Any further information required pursuant to sub-paragraph 7(3) must be provided by the party from whom the information is sought to the appointed person and to other appeal parties by the date specified by the appointed person. Any written representations concerning matters contained in the further information must be submitted to the appointed person, and made available to all appeal parties within 10 working days of that date.

(5) On an appeal under this paragraph, the appointed person may—

(a) allow or dismiss the appeal; or

(b) reverse or vary any part of the decision of the discharging 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.

(6) 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.

(7) 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.

(8) The decision of the appointed person on an appeal must be 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.

(9) If an approval is given by the appointed person pursuant to this Schedule, it must be deemed to be an approval for the purpose of Schedule 3 (Requirements) of this Order as if it had been given by the discharging authority. The discharging 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) must not be taken to affect or invalidate the effect of the appointed person's determination.

(10) Save where a direction is given pursuant to sub-paragraph 7(11) requiring the costs of the appointed person to be paid by the discharging authority, the reasonable costs of the appointed person must be met by the undertaker.

(11) On application by the discharging 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. In considering whether to make any such direction and the terms on which it must be made, the appointed person must have regard to Department of Communities and Local Government guidance on appeals or any guidance which may from time to time replace it.

Interpretation of this Schedule

8.—(1) In this paragraph—

"the appeal parties" means the discharging authority, the Requirement consultee and the undertaker;

"major detailed requirements" means Requirements PW7; PW10; WN1; WN5; WN8; WN11; WN12; WN13; WN14; WN22; WN27; WN29; OPSF1; OPSF2; OPSF4; PR1; PR3; PR6; LC1; LC3; LC5; OH1; OH3; OH5 and OH8;

"minor detailed requirements" means Requirements, other than major detailed requirements, which require any agreement or approval of a discharging authority or permit the discharging authority to agree or approve matters otherwise than provided for in the Requirement;

"Section 106 Agreement" means the section 106 agreement between the undertaker and IACC dated [X] April 2019; and

"Requirement consultee" means any statutory consultee consulted by the discharging authority in discharge of a Requirement which is the subject of an appeal.

SCHEDULE 20

Articles 79 and 80

MISCELLANEOUS CONTROLS

PART 1

PUBLIC GENERAL LEGISLATION

Introduction

1. This Part 1 of this Schedule applies, modifies and excludes statutory provisions which relate to matters for which provision may be made in this Order.

Highways Act 1980

2.—(1) Section 141 of the 1980 Act (Restriction on planting trees etc. in or near carriageway) must not apply to any tree or shrub planted in the course of the authorised development before completion of construction.

(2) Sections 169, 171A and 173 of the 1980 Act (Control of scaffolding on highways; works under section 169 or 171; and hoardings to be securely erected) must not apply to anything done in the course of the authorised development before completion of construction.

Community Infrastructure Levy Regulations 2010

3.—(1) Notwithstanding the provisions of section 208 of the 2008 Act for the purposes of regulation 6 of the Community Infrastructure Levy Regulations 2010(**a**) any building comprised in the authorised development must be deemed to be—

(a) a building into which people do not normally go; or

(b) a building into which people go only intermittently for the purpose of inspecting or maintaining fixed plant or machinery.

New Roads and Street Works Act 1991

4.—(1) Sections 56(1), 56(1A), 56A, 61(1), 62(2), 62(4), 63(1), 64, 66, 71 to 74A, 77, 78, 82(1) to 84 and 86 to 106 of the 1991 Act will not apply in relation to the authorised development or the placement of apparatus in the course of the authorised development.

(2) Schedule 3A to the 1991 Act (Restriction on works following substantial street works) must not apply where a notice under section 54 (Advance notice of certain works) or 55 (Notice of starting date of works) of that Act has been given in respect of the authorised development.

(3) No notice under paragraph 2(1)(d) of that Schedule 3A (Power by notice to require notification of works which an undertaker proposes to carry out in a part of a highway to which a proposed restriction applies) will have effect to require notice to be given of works proposed to be carried out as part of the authorised development.

(4) No directions under paragraph 3 of that Schedule (Completion of notified works) may be issued to the undertaker.

(5) Paragraph 3(4) of that Schedule (under which it is an offence for an undertaker to execute street works before the completion of other street works) will not apply in relation to the execution of works in the course of the authorised development.

(**a**) S.I. 2010/948. Regulation 6 was amended by S.I. 2011/987

(6) Paragraph 5(1) of that Schedule (effect of direction imposing restriction) will not apply in relation to the execution of works in the course of the authorised development.

Town and Country Planning Act 1990

5.—(1) Section 57(2) of the 1990 Act (Planning permission required for development) will apply to specific associated development works as if the development consent granted for those works under this Order were a planning permission granted for a limited period.

(2) For the purposes only of section 106(1) of the 1990 Act (Planning obligations), the undertaker must 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) of that Act must include any transferee under article 9 (Consent to transfer benefit of Order) of the Order.

(3) Section 239 of the 1990 Act (Burial grounds) will 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 the construction, operation and maintenance by the undertaker in accordance with the provisions of this Order; and

(b) In relation to a right over land so acquired for the purposes of the authorised development (whether or not by agreement), or the temporary use of land pursuant to articles 35 (Temporary use of land for carrying out the authorised development) and 36 (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.

Control of Pollution Act 1974

6.—(1) Where a local planning authority is acting in accordance with section 60(4) (Control of noise on construction sites) and section 61(4) (Prior consent for work on construction sites) of the Control of Pollution Act 1974 in relation to the construction of the authorised development, then that local authority will also have regard to the noise levels referred to in the Wylfa Newydd CoCP and the relevant sub-CoCP for that site.

(2) Underground tunnelling works must be regulated by sections 60 and 61 of the Control of Pollution Act 1974.

Local Government (Miscellaneous Provisions) Act 1976

7.—(1) Section 42 of the Local Government (Miscellaneous Provisions) Act 1976 (certain future local Acts, etc., to be subject to the planning enactments, etc., except as otherwise provided)(**a**) will not apply to the extent that it would make provisions of this Order authorising the construction, operation and maintenance of the authorised development subject to other provisions.

PART 2

LOCAL BYELAWS

Introduction

8. The following local byelaws must have no effect in relation to the authorised development—

Reference	*Title*
1952	Twrcelyn Rural District Council Foreshore Byelaw 1952

(**a**) 1976 c.57.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order authorises Horizon Nuclear Power Wylfa Limited (referred to in this Order as the undertaker) to construct, operate and maintain a nuclear powered generating station at Wylfa Head, Isle of Anglesey to be known as Wylfa Newydd and comprising two UK Advanced Boiling Water Reactors, as well as associated development. The Order imposes requirements in connection with the nuclear power station and the associated development, together the authorised development.

The Order permits the undertaker to acquire or create and acquire, compulsorily or by agreement, rights in land, and to use land for this purpose.

A copy of the plans and Book of Reference referred to in this Order and certified in accordance with article 76 (Certification of plans, etc.) of this Order may be inspected free of charge at [*].