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STATUTORY INSTRUMENTS

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**2013 No. 648**

**INFRASTRUCTURE PLANNING**

**The Hinkley Point C (Nuclear Generating Station) Order 2013**

*Made* - - - - - *18th March 2013*

*Coming into force* *9th April 2013*

**THE HINKLEY POINT C (NUCLEAR  
GENERATING STATION) ORDER 2013**

PART 1

*Preliminary*

1. Citation and commencement
2. Interpretation

*Principal powers*

3. Development consent for authorised development etc.
4. Effect of the Order on the site preparation permission
5. Maintenance of authorised project
6. Authorisation of use
7. Benefit of Order
8. Consent to transfer benefit of Order
9. Application of the 1991 Act
10. Application of the 1990 Act
11. Application of the 2010 Regulations
12. Defence to proceedings in respect of statutory nuisance

*Streets*

13. Street works
14. Stopping up of footpaths on HPC development site
15. Permanent stopping up of streets
16. Status of footpaths created or improved
17. Temporary stopping up of streets
18. Access to works
19. Construction and maintenance of new, altered or diverted streets
20. Agreements with street authorities

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*Supplemental powers*

21. Discharge of water
22. Protective work to buildings
23. Authority to survey and investigate the land

*Powers of acquisition*

24. Compulsory acquisition of land
25. Statutory authority to override easements and other rights
26. Time limit for exercise of authority to acquire land compulsorily
27. Compulsory acquisition of rights
28. Private rights of way
29. Application of the Compulsory Purchase (Vesting Declarations) Act 1981
30. Acquisition of subsoil only
31. Acquisition of part of certain properties
32. Rights under or over streets
33. Temporary use of land for carrying out authorised project
34. Temporary use of land for maintaining authorised project
35. Apparatus and rights of statutory undertakers in land acquired or used
36. Apparatus and rights of statutory undertakers in stopped-up streets
37. Recovery of costs of new connections

*Miscellaneous and general*

38. Suspension of restriction on development of Bridgwater C
39. Application of landlord and tenant law
40. Operational land for purposes of the 1990 Act
41. Felling or lopping of trees
42. Trees subject to tree preservation orders
43. Certification and construction of plans and documents
44. Service of notices
45. Arbitration
46. Procedure in relation to certain approvals etc.
47. For the protection of the Environment Agency (Part 1)
48. Crown rights

PART 2

*Preliminary*

49. Interpretation of Part 2
50. Commencement of Part 2
51. Duration of temporary jetty powers
52. Effect of Order on temporary jetty harbour empowerment order
53. Incorporation of the Harbours, Docks and Piers Clauses Act 1847

*Principal powers*

54. Development consent etc. for temporary jetty works
55. Power to deviate
56. Further powers as to works and extinguishment of rights
57. Period for completion of works and termination of works powers
58. Limits of harbour
59. Maintenance of temporary jetty works

- 60. Subsidiary works
- 61. Obstruction of work

*Supplemental powers*

- 62. Right to dredge
- 63. Abatement of works abandoned or decayed
- 64. Survey of tidal works
- 65. Lights on tidal works etc. during construction
- 66. Provision against danger to navigation
- 67. Permanent lights on tidal works
- 68. Rights to lease etc.

*Harbour Regulations*

- 69. Byelaws
- 70. Confirmation of byelaws
- 71. General directions to vessels
- 72. Publication of general directions
- 73. Special directions to vessels
- 74. Master's responsibility to be unaffected
- 75. Failure to comply with directions
- 76. Enforcement of special directions
- 77. Charges

*Miscellaneous and general*

- 78. Use of temporary jetty
  - 79. Saving for Trinity House
  - 80. Application and termination of permitted development rights
  - 81. For the Protection of the Environment Agency (Part 2)
  - 82. Closure of jetty
  - 83. Saving for termination of Part 2
- Signature

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SCHEDULE 1 — Authorised project  
PART 1 — Authorised development

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HPC Development Site

*In the District of West Somerset and the County of Somerset*

HPC Development Site: cooling water infrastructure

*In the District of West Somerset and the County of Somerset and the territorial sea*

HPC Development Site: HPC Accommodation Campus

*In the District of West Somerset and the County of Somerset*

Bridgwater A

*In the District of Sedgemoor and the County of Somerset*

Bridgwater C

*In the District of Sedgemoor and the County of Somerset*

Cannington Bypass

*In the District of Sedgemoor and the County of Somerset*

Cannington Park and Ride

*In the District of Sedgemoor and the County of Somerset*

Combwich

*In the District of Sedgemoor and the County of Somerset*

Junction 23

*In the District of Sedgemoor and the County of Somerset*

Junction 24

*In the District of Sedgemoor and the County of Somerset*

Williton

*In the District of West Somerset and the County of Somerset*

C182 Farringdon Hill Lane, horse crossing

*In the District of West Somerset and the County of Somerset*

Claylands Corner junction

*In the Districts of West Somerset, Sedgemoor and the County of Somerset*

A39 New Road/B3339 Sandford Hill Roundabout

*In the District of Sedgemoor and the County of Somerset*

Washford Cross Roundabout

*In the District of West Somerset and the County of Somerset*

*In the District of West Somerset and the County of Somerset and the territorial sea*

PART 3 — Approved plans

*HPC Development Site*

*HPC accommodation campus*

*Bridgwater A*

*Bridgwater C*

*Cannington Bypass*

*Cannington Park and Ride*

*Combwich*

*Junction 23*

*Junction 24*

*Williton*

*Highway improvements*

SCHEDULE 2 — Requirements

*Interpretation*

1. (1) In this Schedule— “commencement” means the carrying out of...

*Project wide*

2. Unless otherwise indicated, requirements PW1 to PW36 relate to the...

*HPC Development Site: site preparation works*

3. Requirements P1 to P26 relate to Work No. 1A(a) to...

*HPC Development Site: Work Nos. 1A, 1B and 1C*

4. For the purpose of requirements MS1 to MS40, the “site”...

*HPC Development Site: temporary jetty*

5. For the purpose of requirements J1 to J5, the “site”...

*HPC Development Site: cooling water infrastructure*

6. For the purpose of requirements CW1 and CW2, the “site”...

*HPC Development Site: HPC Accommodation Campus*

7. For the purpose of requirements OS1 to OS8, the “site”...

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*Bridgwater A Accommodation Campus*

8. For the purpose of requirements BRIA1 to BRIA21, the “site”...

*Bridgwater C Accommodation Campus*

9. For the purpose of requirements BRIC1 to BRIC18, the “site”...

*Cannington Bypass*

10. For the purpose of requirements CB1 to CB12, the “site”...

*Cannington Park and Ride*

11. For the purpose of requirements CP1 to CP15, the “site”...

*Combwich Wharf and Freight Laydown facility*

12. For the purpose of requirements C1 to C30, the “site”...

*Junction 23*

13. For the purpose of requirements J23-1 to J23-16, the “site”...

*Junction 24*

14. For the purpose of requirements J24-1 to J24-10, the “site”...

*Williton*

15. For the purpose of requirements WP1 to WP12, the “site”...

SCHEDULE 3 — Deemed approval of matters referred to in requirements

SCHEDULE 4 — Streets subject to street works

SCHEDULE 5 — Footpaths to be stopped up on HPC Development Site

PART 1 — Footpaths to be permanently stopped up on HPC Development Site

PART 2 — Footpaths to be temporarily stopped up on HPC Development Site

SCHEDULE 6 — Streets to be permanently stopped up

PART 1 — Streets for which a substitute is to be provided

PART 2 — Streets for which no substitute is to be provided

SCHEDULE 7 — Status of footpaths created or improved

SCHEDULE 8 — Streets to be temporarily stopped up

SCHEDULE 9 — Access to works

SCHEDULE 10 — Land or interests in or rights over land not to be acquired compulsorily

SCHEDULE 11 — Modification of compensation and compulsory purchase enactments for creation of new rights

*Compensation enactments*

1. The enactments for the time being in force with respect...
2. (1) Without limitation on the scope of paragraph 1, the...

*Application of the 1965 Act*

3. (1) The 1965 Act has effect with the modifications necessary...
4. For section 7 of the 1965 Act (measure of compensation)...
5. For section 8 of the 1965 Act (provisions as to...
6. The following provisions of the 1965 Act (which state the...
7. Section 11 of the 1965 Act (powers of entry) is...
8. Section 20 of the 1965 Act (protection for interests of...
9. Section 22 of the 1965 Act (protection of acquiring authority's...

SCHEDULE 12 — Land of which temporary possession may be taken

SCHEDULE 13 — Trees subject to Tree Preservation Orders

SCHEDULE 14 — Procedure for discharge of requirements

1. Applications made under requirement
2. Further information
3. Fees
4. Appeals
5. Interpretation of Schedule 14

SCHEDULE 15 — For the protection of the Environment Agency

1. (1) The following provisions shall apply for the protection of...
2. Surveys and maintenance of drainage works
3. Impairment of efficiency of drainage work for flood defence purposes
4. Indemnity as to costs and expenses
5. The fact that any work or thing has been executed...
6. Disputes and differences

SCHEDULE 16 — Limits of harbour

Explanatory Note