
WELSH STATUTORY INSTRUMENTS

2021 No. 1478 (W. 380)

TRANSPORT AND WORKS, WALES

The Morlais Demonstration Zone Order 2021

Made - - - - 17 December 2021

Coming into force 22 December 2021

THE MORLAIS DEMONSTRATION ZONE ORDER 2021

PART 1

Preliminary

1. Citation and Commencement
2. Interpretation

PART 2

Works Provisions

Principal powers

3. Power to construct maintain, repower and decommission works
4. Power to deviate
5. Power to operate
6. Benefit of the Order

Streets Application of the 1991 Act

7. Power to execute street works
8. Temporary stopping up of streets
9. Access to works
10. Agreements with street authorities
11. Use of private roads for construction

Supplemental powers

12. Discharge of water
13. Protective works to buildings
14. Power to survey and investigate land
15. Saving for Marine and Coastal Access Act 2009
16. Power to dredge

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

17. Provision against danger to navigation
18. Abatement of tidal works abandoned or destroyed
19. Survey of tidal works
20. Lights on tidal works
21. Safety of navigation

PART 3

Acquisition and Possession of Land

Powers of acquisition

22. Power to acquire land
23. Power to acquire new rights and impose restrictive covenants
24. Application of Part 1 of the Compulsory Purchase Act 1965
25. Application of the 1981 Act
26. Power to Acquire Subsoil Only
27. Rights under or over streets

Temporary Possession of Land

28. Temporary use of land for construction of works
29. Temporary use of land for maintenance of works
30. Incorporation of the mineral code
31. Protection of rights to fish

Compensation

32. Disregard of certain interests and improvements
33. Set-off for enhancement in value of retained land

Supplementary

34. Power to override easements and other rights
35. Private rights over land
36. Time limit for exercise of powers of acquisition

PART 4

Miscellaneous and General

37. Disapplication of legislative provisions
38. Defence to proceedings in respect of statutory nuisance
39. Planning permission and supplementary matters
40. Power to lop trees overhanging the authorised works and removal of hedgerows
41. Application of landlord and tenant law
42. Obstruction of construction of authorised works
43. Safety zones for navigation, trawling and anchoring
44. Statutory undertakers and protective provisions etc
45. Protection of interests
46. Certification of plans etc
47. Service of notices
48. No double recovery
49. Arbitration
50. Saving for Trinity House
51. The Neighbourhood Planning Act 2017

Signature

SCHEDULE

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PART 1 — Authorised Works

PART 2 — Further Works

CHAPTER 1

1. The undertaker may within the offshore Order limits construct maintain...
2. The undertaker may within the onshore Order limits construct maintain...

CHAPTER 2

PART 3 — Area for Tidal Works

Array Area, export cable corridor, and restricted areas

PART 4 — Documents to be submitted and approved by the Welsh Ministers

SCHEDULE Additional land which may be acquired or used

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SCHEDULE Streets Subject to Street Works

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SCHEDULE Streets to be Temporarily Stopped Up

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SCHEDULE Access to Works

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SCHEDULE

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PART 1 — Land in which only new rights may be acquired

PART 2 — Land over which restrictive covenants may be imposed

SCHEDULE Modification of Compensation and Compulsory Purchase

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Enactments for Creation of New Rights and the Imposition of Restrictive Covenants

1. Compensation enactments
2. (1) Without limitation on the scope of paragraph 1, the...
3. (1) Without prejudice to the generality of paragraph 1, the...
4. Application of the 1965 Act
5. (1) For section 7 of the 1965 Act (measure of...
6. The 1981 Act
7. (1) The modifications referred to in paragraph 6(1)(a) are as...

SCHEDULE Land of which only subsoil more than 9 metres beneath surface may be acquired

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SCHEDULE Land of which Temporary Possession may be taken

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SCHEDULE Provisions relating to Statutory Undertakers etc

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1. Apparatus of statutory undertakers etc on land acquired

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2. Apparatus of statutory undertakers etc in stopped up streets
 3. Railway and navigation undertakings
- SCHEDULE Protective Provisions
- 11
- PART 1 — Protection of electricity, gas, water and sewerage undertakers
1. The provisions of this Part have effect unless otherwise agreed...
 2. In this Part— “alternative apparatus” means alternative apparatus adequate to...
 3. This Part does not apply to— (a) apparatus in respect...
 4. Despite any provision in this Order or anything shown on...
 5. (1) If, in the exercise of the powers conferred by...
 6. (1) Where, in accordance with this Part, the undertaker affords...
 7. (1) Not less than 28 days before starting the execution...
 8. (1) Subject to the provisions of this paragraph, the undertaker...
 9. (1) Subject to sub-paragraphs (2) and (3), if by reason...
 10. Nothing in this Part affects the provisions of any enactment...
- PART 2 — Protection of Network Rail Infrastructure Limited
11. The provisions of this Part have effect unless otherwise agreed...
 12. In this Part— “construction” includes execution, placing, alteration and reconstruction...
 13. (1) Where under this Part Network Rail is required to...
 14. (1) The undertaker must not exercise the powers conferred by...
 15. (1) The undertaker must before commencing construction of any specified...
 16. (1) Any specified work and any protective works to be...
 17. The undertaker must— (a) at all times afford reasonable facilities...
 18. Network Rail must at all times afford reasonable facilities to...
 19. (1) If any permanent or temporary alterations or additions to...
 20. The undertaker must repay to Network Rail all reasonable fees,...
 21. (1) In this paragraph— “EMI” means, subject to sub-paragraph (2),...
 22. If at any time after the completion of a specified...
 23. The undertaker must not provide any illumination or illuminated sign...
 24. Any additional expenses that Network Rail may reasonably incur in...
 25. (1) The undertaker must pay to Network Rail all reasonable...
 26. Network Rail must, on receipt of a request from the...
 27. In the assessment of any sums payable to Network Rail...
 28. The undertaker and Network Rail may, subject in the case...
 29. Nothing in this Order, or in any enactment incorporated with...
 30. The undertaker must, no later than 28 days from the...
- PART 3 — Protection of operators of electronic communications code networks
31. (1) The provisions of this Part have effect unless otherwise...
 32. The temporary stopping up or diversion of any street under...
 33. (1) Subject to sub-paragraphs (2) to (4), if as the...
- Explanatory Note