

**2010 No. 411**

**ELECTRICITY, ENGLAND AND WALES**

**The Electricity (Exemption from the Requirement for a  
Generation Licence) (Keadby) (England and Wales) Order 2010**

<i>Made</i> - - - -	<i>22nd February 2010</i>
<i>Laid before Parliament</i>	<i>24th February 2010</i>
<i>Coming into force</i> - -	<i>31st March 2010</i>

The Secretary of State makes the following Order in exercise of the powers conferred by section 5 of the Electricity Act 1989(a).

In accordance with section 5(2) of that Act the Secretary of State has given notice of the proposal to make the Order. No representations in respect of the proposal have been made.

**Citation, commencement and extent**

1.—(1) This Order may be cited as the Electricity (Exemption from the Requirement for a Generation Licence) (Keadby) (England and Wales) Order 2010 and shall come into force on 31st March 2010.

(2) This Order extends to England and Wales only.

**Interpretation**

2. In this Order—

“the Act” means the Electricity Act 1989;

“Keadby Wind Farm” means the onshore wind farm of that name located at Ordnance Survey map reference SE823130, approximately 1.5 kilometres north-west of Keadby;

“Keadby Wind Farm Limited” means the company of that name registered in England and Wales with number 06852112;

“total system in England and Wales” has the same meaning as it has in the Electricity (Class Exemptions from the Requirement for a Licence) Order 2001(b).

**Exemption from section 4(1)(a) of the Act**

3. Exemption is granted from section 4(1)(a) of the Act (prohibition of unlicensed generation of electricity for supply) to Keadby Wind Farm Limited in respect of Keadby Wind Farm.

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(a) 1989 c.29; section 5 was substituted by section 29 of the Utilities Act 2000 (c.27).

(b) S.I. 2001/3270; the definitions of “total system in England and Wales”, “total system in Scotland” and “total system in Great Britain” were substituted for the definition of “total system” by the Electricity (Class Exemption from the Requirement for a Licence) (Amendment) Order 2005 (S.I. 2005/488), article 3.

### Conditions on exemption

4. The exemption granted by article 3 to Keadby Wind Farm Limited is subject to compliance with the following conditions—

- (a) that Keadby Wind Farm Limited does not hold a licence under section 6(1)(a) of the Act<sup>(a)</sup> (a generation licence);
- (b) that Keadby Wind Farm is connected to the total system in England and Wales; and
- (c) that, except in circumstances outside the reasonable control of Keadby Wind Farm Limited, Keadby Wind Farm does not export more than 100 megawatts of electrical power to the total system in England and Wales.

22nd February 2010

*Hunt of Kings Heath*  
Minister of State,  
Department of Energy and Climate Change

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(a) Section 6 was substituted by section 30 of the Utilities Act 2000.

## **EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order grants exemption from the requirements of section 4(1)(a) of the Electricity Act 1989 (which prohibits the generation of electricity for supply without a licence) to Keadby Wind Farm Limited in relation to Keadby Wind Farm, which is located approximately 1.5 kilometres north-west of Keadby.

A regulatory impact assessment in respect of exemptions from the requirements of section 4(1)(a) of the Electricity Act 1989 was prepared in 2001 and can be obtained from the Department of Energy and Climate Change, Energy Markets Unit, 4th Floor, 3 Whitehall Place, London, SW1A 2AW. Copies have been placed in the libraries of both Houses of Parliament.

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