
EXPLANATORY NOTE

(This note is not part of the Order)

This Order comes into force on 16th August 2012 and on a date (“the termination date”) to be determined under article 1(3) it ceases to have effect (article 1(2)).

This Order enables NNB Generation Company Limited (“the Company”) to carry out works for the construction, maintenance and use in Bridgwater Bay and on adjacent land in the district of West Somerset, of a harbour comprising a jetty (defined in article 2(1)) and harbour-related works to facilitate the construction of a nuclear generating station at Hinkley Point in that district.

The construction of the works (defined in article 2(1)) and the planning permission for the works conferred by the Town and Country Planning (General Permitted Development) Order 1995 (S.I. 1995/418) are subject to the conditions in Schedule 1 (planning and works conditions) (article 18).

Time limits are imposed for the construction, maintenance and use of the works and any existing powers conferred in that respect still existing will cease to have effect on a date to be determined under article 39 (closure of the jetty and reinstatement) (article 15); the planning consent under the 1995 Order is also subject to time limits and will also cease to have effect on that date save in respect of the dismantling, demolition and removal of the jetty and related works and the reinstatement of the site of the works in accordance with that article (article 17).

The Order authorises the Company to stop up footpaths and extinguish all rights of way over them (articles 19 and 20), requires it to provide substituted public rights of way (article 19) except in respect of the footpath specified in article 20 and provides for compensation (articles 19 and 20). As required by section 16(7A) of the Harbours Act 1964 (c.40) (inserted by the Transport and Works Act 1992 (c.42), Schedule 3, paragraph 2(5)) these footpaths and new public rights of way are shown on the footpaths maps in Schedule 3.

The Company is to be the statutory harbour authority for the harbour, the limits of which are defined by the Order (article 21).

The Company may make byelaws for the efficient management and regulation of the harbour (article 22).

The Company may, for the purposes of the harbour, lease, or grant the use or occupation of, land, works, buildings, equipment or other property forming part of the harbour (article 31).

Copies of the environmental statement furnished by the applicant for this Order pursuant to paragraph 8 of Schedule 3 to the Harbours Act 1964 and the deposited plans and sections may be inspected, free of charge, at the offices of the Company at 14 King Square, Bridgwater, Somerset TA6 3DG between 10:00 and 16:30 (Monday to Friday, excluding public holidays).

A full impact assessment has not been produced for this instrument as no impact on business or the private or voluntary sectors is foreseen.