



## **The Transport and Works Act 1992**

### **The Transport and Works (Applications and Objections Procedure) (England and Wales) Rules 2006**

#### **The Morlais Demonstration Zone Order**

#### **NOTICE OF APPLICATION FOR AN ORDER**

Menter Môn Morlais Limited of Llangefni Town Hall, Llangefni, Anglesey, LL77 7LR has applied to the Welsh Government under section 6 of the Transport and Works Act 1992 for the above-mentioned Order under sections 3 and 5 of that Act on September the 16<sup>th</sup>, 2019.

The Order would authorise the construction and operation of tidal energy devices and associated infrastructure within an offshore demonstration zone known as the Morlais Demonstration Zone ("MDZ") which covers an area of 35 square kilometres of the Irish Sea to the west of Holy Island, Anglesey.

The Order would also authorise export cables on the seabed within an export cable corridor covering an area of 4.75 square kilometres between the MDZ and a landfall site on the western coast of Holy Island known as Abraham's Bosom.

In addition to the offshore works, the Order would also authorise onshore works between a proposed electricity substation at the landfall site and a site to the east of Holyhead adjacent to the A55 to provide a grid connection with the existing electricity network infrastructure.

The Order would confer power to transfer the benefit of the Order to another person and powers to execute street works, to temporarily stop up streets, to create or improve existing means of access,

to enter into agreements with street authorities, to use private roads for the construction of the works, to discharge water into watercourses and public sewers or drains, to carry out protective works to buildings and to survey and investigate land.

The Order also provides a saving for the Marine and Coastal Access Act 2009, a power to dredge, provision against danger to navigation and in relation to the abatement of tidal works abandoned or destroyed, for the survey of, and lights on, tidal works and relating to safety of navigation. A separate application for a marine licence in respect of the offshore works is being made to Natural Resources Wales and is subject to a separate consultation exercise.

In connection with the onshore works, the Order seeks to confer powers for the compulsory acquisition and use of land for the purposes of those works and for ancillary purposes. The Order would confer powers to acquire easements or other rights in land and impose restrictive covenants, to acquire the subsoil only of land, to appropriate the subsoil or airspace of streets, to use land temporarily for the purposes of constructing and maintaining the works, provision for the incorporation of the mineral code, to disregard certain interests and improvements in land, to set-off for any enhancement in the value of retained land in assessing compensation and to override, extinguish or suspend easements and other rights. The Order also provides for the application and modification of compulsory purchase enactments and a time limit of five years for the exercise of the powers of compulsory acquisition conferred under the Order.

The Order provides for the disapplication of section 36 of the Electricity Act 1989 and section 23 of the Land Drainage Act 1991, a defence relating to proceedings in respect of statutory nuisance, power to lop trees and remove hedgerows, for overriding the application of landlord and tenant law, would make it an offence to obstruct the construction of the works, provides for safety zones for navigation, trawling and anchoring, provisions for the protection of statutory undertakers and other interests, savings for Trinity House and the Crown, the disapplication of certain provisions of the Neighbourhood Planning Act 2017 and includes ancillary provisions.

The application is to be made subject to an environmental impact assessment.

The application contains a statement that a direction for deemed planning permission is being applied for.

A copy of the application for the Order, and of all plans and other documents submitted with it, may be inspected free of charge from *16<sup>th</sup> of September 2019* to *31<sup>st</sup> of October 2019* at the places and at the times set out in the Schedule to this notice.

A copy of the application for the Order, and of all plans and other documents submitted with it, may also be viewed at [www.morlaisenergy.com](http://www.morlaisenergy.com)

Copies of that information may be obtained from Menter Môn by emailing [info@morlaisenergy.com](mailto:info@morlaisenergy.com) or through phoning 01248 725 722. A charge may be payable.

Any objections to, or other representations about, the proposals in the application should be sent to the Welsh planning Inspectorate either via email or through the post:

**Email:** [TWA.Morlaistidalarray@planninginspectorate.gov.uk](mailto:TWA.Morlaistidalarray@planninginspectorate.gov.uk)

**Post:**

The Planning Inspectorate

Crown Buildings

Cathays Park

Cardiff

CF10 3N

**Reference:** 3234121 -Transport & Works Act

An objection or other representation MUST (i) be received by the Welsh Ministers on or before the *31<sup>st</sup> of October 2019*, (ii) be made in writing (whether sent by post or e-mail), (iii) state the grounds of the objection or other representation, (iv) indicate who is making the objection or other representation, and (v) give an address to which correspondence relating to the objection or other representation may be sent. (If you are sending your objection or other representation by e-mail, please provide a postal address.)

The Welsh Ministers may publish copies of the objections and other representations on their website, excluding any personal information contained in them, and will copy them to the applicant for the Order including personal details.

Eversheds Sutherland (International) LLP, Solicitors and Parliamentary Agents, One Wood Street, London EC2V 7WS

Solicitors and Parliamentary Agents on behalf of Menter Môn Cyf.

Dated: 16th of September, 2019

### SCHEDULE

ADDRESS	TIMES FOR INSPECTION
Menter Môn, Llangefni Town Hall, Llangefni, Anglesey, LL77 7LR	Monday – Friday between 10:00am 16:00pm
Anglesey Business Centre, Isle of Anglesey County Council, Bryn Cefni Business Park, Llangefni, Anglesey LL77 7XA	Monday – Friday between 9:00am – 17:00pm
Holyhead Library Market Hall Stanley Street Holyhead LL65 1HH	Monday 09.30-18.00 Tuesday 09.30-18.00 Wednesday 09.30-13.00 Thursday 09.30-18.00 Friday 09.30-18.00 Saturday 09.30-12.30