STATUTORY INSTRUMENTS

2009 No. 2344

ELECTRICITY, ENGLAND AND WALES

The Electricity (Exemption from the Requirement for a Generation Licence) (Lynn and Inner Dowsing) (England and Wales) Order 2009

Made - - - -	*28th August 2009*
Laid before Parliament	*3rd September 2009*
Coming into force - -	*25th September 2009*

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) (Lynn and Inner Dowsing) (England and Wales) Order 2009 and shall come into force on 25th September 2009.

(2) This Order does not extend to Scotland.

Interpretation

2. In this Order—

"the Act" means the Electricity Act 1989;

"Centrica (IDW) Limited" means the company of that name registered in Scotland with number SC213642;

"Centrica (LW) Limited" means the company of that name registered in England and Wales with number 04155137;

"Inner Dowsing Wind Farm" means the offshore wind farm known as Inner Dowsing Wind Farm located at Ordnance Survey map reference TF635688, approximately 5 kilometres off the coast of Skegness in Lincolnshire, and approximately 2 kilometres north of Lynn Wind Farm;

"Lynn Wind Farm" means the offshore wind farm known as Lynn Wind Farm located at Ordnance Survey map reference TF645627, approximately 5 kilometres off the coast of Skegness in Lincolnshire, and approximately 2 kilometres south of Inner Dowsing Wind Farm; and

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

"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(**a**).

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—

(a) Centrica (IDW) Limited in respect of Inner Dowsing Wind Farm; and

(b) Centrica (LW) Limited in respect of Lynn Wind Farm.

Conditions on exemption

4. The exemption granted by article 3(a) to Centrica (IDW) Limited is subject to compliance with the following conditions—

(a) that Centrica (IDW) Limited does not hold a licence under section 6(1)(a) of the Act(**b**) (a generation licence);

(b) that Inner Dowsing Wind Farm is connected to the total system in England and Wales; and

(c) that, except in circumstances outside the reasonable control of Centrica (IDW) Limited, Inner Dowsing Wind Farm does not export more than 100 megawatts of electrical power to the total system in England and Wales.

5. The exemption granted by article 3(b) to Centrica (LW) Limited is subject to compliance with the following conditions—

(a) that Centrica (LW) Limited does not hold a licence under section 6(1)(a) of the Act;

(b) that Lynn Wind Farm is connected to the total system in England and Wales; and

(c) that, except in circumstances outside the reasonable control of Centrica (LW) Limited, Lynn Wind Farm does not export more than 100 megawatts of electrical power to the total system in England and Wales.

David Kidney
Parliamentary Under Secretary of State,
Department of Energy and Climate Change

28th August 2009

(**a**) 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.

(**b**) 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 Centrica (IDW) Limited and Centrica (LW) Limited in relation to Inner Dowsing Wind Farm and Lynn Wind Farm respectively. Both wind farms are located approximately 5 kilometres off the coast of Skegness in Lincolnshire, and are approximately 2 kilometres apart from each other at their closest point, with Inner Dowsing Wind Farm just north of Lynn Wind Farm.

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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