STATUTORY INSTRUMENTS

2017 No. 731

ELECTRICITY

The Electricity (Exemptions from the Requirement for a Generation Licence) Order 2017

Made - - - -	*10th July 2017*
Laid before Parliament	*11th July 2017*
Coming into force - -	*4th August 2017*

The Secretary of State makes the following Order in exercise of the powers conferred by section 5 of the Electricity Act 1989(**1**).

The Secretary of State has given notice of the proposal to make this Order in accordance with section 5(2) and (3) of that Act and has considered representations made in respect of the proposal.

The Secretary of State has consulted with the Scottish Ministers about the exemptions granted by this Order in respect of electricity generating stations in Scotland(**2**).

Citation and commencement

1. This Order may be cited as the Electricity (Exemptions from the Requirement for a Generation Licence) Order 2017 and comes into force on 4th August 2017.

Interpretation

2. In this Order—

"the Act" means the Electricity Act 1989;

"the total system" means all transmission systems and distribution systems, located in Great Britain, of holders of licences under section 6(1)(b) and (c) of the Act(**3**).

(**1**) 1989 c. 29. Section 5 was substituted by section 29 of the Utilities Act 2000 (c. 27).

(**2**) Under article 4 of, and Schedule 3 to, the Scotland Act 1998 (Transfer of Functions to the Scottish Ministers etc.) Order 1999 (S.I. 1999/1750), functions under section 5(1) of the Electricity Act 1989 are, in so far as they are exercisable in or as regards Scotland, exercisable only after consultation with the Scottish Ministers.

(**3**) Section 6 was substituted by section 30 of the Utilities Act 2000, and section 6(1)(b) was further substituted by section 136(1) of the Energy Act 2004 (c. 20).

Exemptions from section 4(1)(a) of the Act

3.—(1) Subject to paragraph (2), each company named in the first column of the following table is granted exemption from section 4(1)(a) of the Act (prohibition of unlicensed generation of electricity for supply) in respect of the electricity generating station described in the corresponding entry in the second column.

Company	*Description of electricity generating station*
Banks Renewables (Kype Muir Wind Farm) Limited, a company registered in England and Wales with company number 06917667.	Kype Muir Wind Farm, whose entrance is located at Ordnance Survey map reference NS 690 401, approximately 5 kilometres south of Strathaven, South Lanarkshire.
Banks Renewables (Middle Muir Wind Farm) Limited, a company registered in England and Wales with company number 07376956.	Middle Muir Wind Farm, whose entrance is located at Ordnance Survey map reference NS 867 273, approximately 2 kilometres north of Crawfordjohn, South Lanarkshire.
Brockloch Rig Windfarm Limited, a company registered in Scotland with company number SC149100.	Brockloch Rig Windfarm (also known as Windy Standard 2 Windfarm), located at Ordnance Survey map reference NS 601 043, approximately 11 kilometres north-northeast of Carsphairn, Dumfries and Galloway.
Heck Fen Wind Park Limited, a company registered in England and Wales with company number 08323021.	Heckington Fen Wind Park, whose entrance is located at Ordnance Survey map reference TF 205 457, at East Heckington, Lincolnshire.
Innogy Renewables UK Limited, a company registered in England and Wales with company number 02550622.	Brechfa Forest West Wind Farm, whose entrance is located at Ordnance Survey map reference SN 460 349, approximately 2 kilometres south east of Pencader, Carmarthenshire.
Ray Wind Farm Limited, a company registered in England and Wales with company number 09397602.	Ray Wind Farm, whose entrance is located at Ordnance Survey map reference NY 965 884, at Ray Estate, approximately 5 kilometres north west of Kirkwhelpington, Northumberland.
RWE Cogen UK Limited, a company registered in England and Wales with company number 02624987.	Cheshire Power Station, whose entrance is located at Ordnance Survey map reference SJ 392 783, Ellesmere Port, South Wirral, Cheshire CH65 1AF.
Snowdonia Pumped Hydro Limited, a company registered in England and Wales with company number 08644844.	Glyn Rhonwy Pumped Hydro, whose entrance is located at Ordnance Survey map reference SH 567 608, approximately 1 kilometre north west of Llanberis, Gwynedd.

(2) Each of the exemptions granted by paragraph (1) is subject to compliance with the conditions specified in the Schedule in relation to that exemption.

Richard Harrington
Parliamentary Under Secretary of State
Department for Business, Energy and Industrial Strategy

10th July 2017