The Great Grid Upgrade

North Humber to High Marnham

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S T A T U T O R Y I N S T R U M E N T S

202* No. ***

INFRASTRUCTURE PLANNING

The [Draft] National Grid (North Humber to High Marnham) Order 202*

Made - - - - ***

Coming into force ***

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An application under section 37 of the Planning Act 2008(**a**) (the "2008 Act") and in accordance with the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009(**b**) has been made to the Secretary of State for an order granting development consent.

The application has been examined by a panel of [xx] members ("the Panel"), pursuant to Chapter 2 of Part 6 of the 2008 Act and carried out in accordance with Chapter 4 of Part 6 of the 2008 Act, and the Infrastructure Planning (Examination Procedure) Rules 2010(**c**).

The Panel, having examined the application with the documents that accompanied the application, and the representations made and not withdrawn, has, in accordance with section 74(2) of the 2008 Act(**d**), made a report and recommendation to the Secretary of State.

The Secretary of State, has considered the report and recommendation of the Panel, has taken into account the environmental information in accordance with regulation 4 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017(**e**) and has had regard to the documents and matters referred to in section 104(2) of the 2008 Act(**f**).

The Secretary of State is satisfied that the special category land within the Order limits, when burdened with the rights imposed by this Order, will be no less advantageous than it was before to the persons in whom it is vested, other persons, if any, entitled to rights of common or other rights, and to the public; and that, accordingly, section 132(3) of the 2008 Act applies.

The Secretary of State, having decided the application, has determined to make an Order granting development consent for the development described in the application on terms that in the opinion of the Secretary of State are not materially different from those proposed in the application.

Accordingly, the Secretary of State, in exercise of the powers in sections 114(**g**), 115(**h**), 117(**i**), 120(**j**), 122(**k**) and 123(**l**) of the 2008 Act, makes the following Order:

(**a**) 2008 (c. 29). Section 37 was amended by section 137(5) of Chapter 6 of Part 6, and paragraph 5 of Schedule 13 of the Localism Act 2011 (c. 20), and section 6(2) of the Planning and Infrastructure Act 2025 (c. 34).
(**b**) S.I. 2009/2264, amended by S.I. 2010/602, S.I. 2012/635, S.I. 2012/2732, S.I. 2013/522, S.I. 2014/2381, S.I. 2017/572, S.I 2020/1534, S.I. 2022/634, S.I. 2023/1071 and S.I. 2024/332, S.I. 2026/735, and section 5(a) of the Planning and Infrastructure Act 2025 (c. 34).
(**c**) S.I. 2010/103, amended by S.I. 2012/635 and S.I. 2024/317.
(**d**) 2008 (c. 29). Section 74(2) was amended by paragraph 29(3) of Part 1 to Schedule 13 of the Localism Act 2011 (c. 20).
(**e**) S.I. 2017/572, amended by S.I. 2017/1012, S.I. 2018/695, S.I. 2018/834, S.I. 2018/942, S.I. 2018/1232, S.I. 2020/764 and S.I. 2020/1534, and S.I. 2025/82.
(**f**) 2008 (c. 29). Section 104(2) amended by section 58(5) of Chapter 4 of Part 3 of the Marine and Coastal Access Act 2009 (c. 23) and paragraph 49(3)(a), (b) and (c) of Part 1 of Schedule 13 of the Localism Act 2011 (c. 20).
(**g**) Section 114 was amended by paragraph 55 of Part 1 of Schedule 13 to the Localism Act 2011 (c. 20).
(**h**) Section 115 was amended by paragraph 1 of Part 20 of Schedule 25 of the Localism Act 2011 (c. 20), section 160 of Part 6 to the Housing and Planning Act 2016 (c. 22).
(**i**) Section 117 was amended by paragraph 58 of Part 1 of Schedule 13 and paragraph 1 of Part 20 of Schedule 25 of the Localism Act 2011 (c. 20).
(**j**) Section 120 was amended by section 140 of Chapter 6 of Part 6 and paragraph 60 of Part 1 of Schedule 13 of the Localism Act 2011 (c. 20), and paragraph 8 of Part 2 of Schedule 15 of the Environment Act 2021 (c. 30).
(**k**) Section 122 was amended by paragraph 62 of Part 1 of Schedule 13 of the Localism Act 2011 (c. 20).
(**l**) Section 123 was amended by paragraph 62 of Part 1 of Schedule 13 of the Localism Act 2011 (c. 20).

PART 1

PRELIMINARY

Citation and commencement

1. This Order may be cited as the National Grid (North Humber to High Marnham) Order 202* and comes into force on [**] 202*.

Interpretation

2.—(1) In this Order, unless the context requires otherwise—

"1961 Act" means the Land Compensation Act 1961(**a**);

"1965 Act" means the Compulsory Purchase Act 1965(**b**);

"1980 Act" means the Highways Act 1980(**c**);

"1981 Act" means the Compulsory Purchase (Vesting Declarations) Act 1981(**d**);

"1984 Act" means the Road Traffic Regulation Act 1984(**e**);

"1989 Act" means the Electricity Act 1989(**f**);

"1990 Act" means the Town and Country Planning Act 1990(**g**);

"1991 Act" means the New Roads and Street Works Act 1991(**h**);

"2003 Act" means the Communications Act 2003(**i**);

"2008 Act" means the Planning Act 2008(**j**);

"2016 Regulations" means The Environmental Permitting (England and Wales) Regulations 2016(**k**);

"access land" has the same meaning as in the Countryside and Rights of Way Act 2000(**l**);

"access, rights of way and public rights of navigation plans" means the plans of that name identified in the table at Schedule 15 (certified documents) and which are certified by the Secretary of State as the access, rights of way and public rights of navigation plans for the purposes of this Order under article 58 (certification of documents);

"authorised development" means the development described in Schedule 1 (authorised development), and any other development authorised by this Order, which is development within the meaning of section 32 of the 2008 Act;

"bank holiday" means a bank holiday in England and Wales under section 1 of the Banking and Financial Dealings Act 1971(**m**);

"biodiversity net gain report" means the document of that name identified in the table at Schedule 15 (certified documents) and which is certified by the Secretary of State as the biodiversity net gain report for the purposes of this Order under article 58 (certification of documents);

(**a**) 1961 (c. 33).
(**b**) 1965 (c. 56).
(**c**) 1980 (c. 66).
(**d**) 1981 (c. 66).
(**e**) 1984 (c. 27).
(**f**) 1989 (c. 29).
(**g**) 1990 (c. 8).
(**h**) 1991 (c. 22).
(**i**) 2003 (c. 21).
(**j**) 2008 (c. 29).
(**k**) S.I. 2016/1154.
(**l**) 2000 (c. 37).
(**m**) 1971 (c. 80).

"book of reference" means the document of that name identified in the table at Schedule 15 (certified documents) and which is certified by the Secretary of State as the book of reference for the purposes of this Order under article 58 (certification of documents);

"BT" means British Telecommunications Limited (registered company number 01800000);

"BT Works" means those works to BT assets or equipment forming part of the authorised development;

"building" includes any structure or erection or any part of a building, structure or erection;

"business day" means Monday to Friday excluding bank holidays and other public holidays;

"carriageway" has the same meaning as in the 1980 Act;

"commence" means the carrying out of any material operation (as defined in section 155(2) (when development begins) of the 2008 Act) forming part of the authorised development other than the pre-commencement operations and "commencement" and "commenced" are to be construed accordingly;

"Crown land plans" means the plans of that name identified in the table at Schedule 15 (certified documents) and which are certified by the Secretary of State as the Crown land plans for the purposes of this Order under article 58 (certification of documents);

"design approach document" means the document of that name identified in the table at Schedule 15 (certified documents) and which is certified by the Secretary of State as the design approach document for the purposes of this Order under article 58 (certification of documents);

"DESNZ unit" means a group or body set up by or on behalf of the Secretary of State for the purpose of providing any consent, agreement or approval required by requirements contained in development consent orders including the requirements in this Order;

"electric line" has the meaning set out in section 64(1) (interpretation etc. of Part 1) of the 1989 Act(**a**) which includes but is not limited to new pylons, foundations and steelwork, conductors, insulators and fittings, fibre optic earthwire conductors, joint boxes, joint pits, joint bays, cables, cable ducts and link pillars;

"electronic transmission" means a communication transmitted—

(a) by means of an electronic communications network; or

(b) by other means but while in electronic form

and in this definition "electronic communications network" has the same meaning as in section 32(1) (meaning of electronic communications networks and services) of the 2003 Act(**b**);

"environmental statement" means the document of that name identified in the table at Schedule 15 (certified documents) together with any supplemental or additional environmental information which is certified by the Secretary of State under article 58 (certification of documents) and any environmental statement submitted for the purposes of complying with and/or discharging the requirements;

"framework construction surface water management plan" means Appendix B of the flood risk assessment as identified in the table at Schedule 15 (certified documents) and which is certified by the Secretary of State as the framework surface construction water management plan for the purposes of this Order under article 58 (certification of documents);

"highway" and "highway authority" have the same meaning as in the 1980 Act;

(**a**) 1989 (c. 29). Section 64(1) was amended by article 24(c) of Part 2 of S.I. 1999/506, paragraph 38 of Part 2 of Schedule 6, and paragraph 1 of Schedule 8 of the Utilities Act 2000 (c. 27), section 102(4)(a) and (b) of Chapter 2 of Part 2, sections 89(4) and 147(7) of Chapter 2 of Part 3, section 180(1) of Chapter 4 of Part 3, paragraph 15(2) of Schedule 19, and paragraph 1 of Part 1 of Schedule 23 of the Energy Act 2004 (c. 20), regulation 48 of Part 10 of S.I. 2011/2746, article 13 of Part of S.I. 2012/2400, paragraph 43 of Part 1 of Schedule 6 of the Enterprise and Regulatory Reform Act 2013 (c. 24), regulation 60(2), (3), (4), (5) and (7) of Part 2 of S.I. 2019/530, regulation 3(8)(a), (b) and (c) of Part 2 of S.I. 2020/96, and paragraph 9 of Part 1 of Schedule 15 of the Energy Act 2023 (c. 52).

(**b**) 2003 (c21). Section 32(1) was amended by paragraph 9(a) of Schedule 1 of S.I. 2011/1210.

"indicative pylon schedule" means Appendix 4.1 Indicative Pylon Schedule of the environmental statement as identified in the table at Schedule 15 (certified documents) and which is certified by the Secretary of State as the indicative pylon schedule for the purposes of this Order under article 58 (certification of documents);

"land plans" means the plans of that name identified in the table at Schedule 15 (certified documents) and which are certified by the Secretary of State as the land plans for the purposes of this Order under article 58 (certification of documents);

"limits of deviation" means the limits of deviation referred to in article 5 (limits of deviation) and shown on the works plans;

"main river" has the same meaning as in Part 4 of the Water Resources Act 1991(**a**);

"maintain" includes inspect, repair, adjust, alter, dismantle, remove, clear, refurbish, re-tension, paint, surface treat, decommission, improve, reconstruct or replace any part but not remove, reconstruct or replace the whole, of the authorised development including through the use of robots, helicopters, drones, gadgets or similar devices either remotely controlled or autonomous, provided such works do not give rise to any materially new or materially different environmental effects to those identified in the environmental statement, and any derivative of "maintain" must be construed accordingly;

"National Grid" means National Grid Electricity Transmission plc (registered company number 02366977);

"NGED" means National Grid Electricity Distribution plc (registered company number 09223384);

"NGED Works" means those works to NGED assets or equipment forming part of the authorised development;

"NPG" means Northern Powergrid Yorkshire Plc (registered company number 04112320);

"NPG Works" means those works to NPG assets or equipment forming part of the authorised development;

"operational use" occurs when the relevant part of the authorised development first transmits electricity after the date of its final commissioning;

"Order land" means the land shown on the land plans and described in the book of reference;

"Order limits" means the limits shown on the works plans within which the authorised development may be carried out;

"outline archaeological written scheme of investigation" means the document of that name identified in the table at Schedule 15 (certified documents) and which is certified by the Secretary of State as the outline archaeological written scheme of investigation for the purposes of this Order under article 58 (certification of documents);

"outline code of construction practice" means the document of that name identified in the table at Schedule 15 (certified documents) and which is certified by the Secretary of State as the outline code of construction practice for the purposes of this Order under article 58 (certification of documents);

"outline construction traffic management plan" means the document of that name identified in the table at Schedule 15 (certified documents) and which is certified by the Secretary of State as the outline construction traffic management plan for the purposes of this Order under article 58 (certification of documents);

"outline cultural heritage management plan" means the document of that name identified in the table at Schedule 15 (certified documents) and certified by the Secretary of State as the outline cultural heritage management plan for the purposes of this Order under article 58 (certification of documents);

"outline landscape and ecology management plan" means the document of that name identified in the table at Schedule 15 (certified documents) and which is certified by the

(**a**) 1991 (c. 57).

Secretary of State as the outline landscape and ecology management plan for the purposes of this Order under article 58 (certification of documents);

"outline noise and vibration management plan" means the document of that name identified in the table at Schedule 15 (certified documents) and which is certified by the Secretary of State as the outline noise and vibration management plan for the purposes of this Order under article 58 (certification of documents);

"outline public rights of way management plan" means the document of that name identified in the table at Schedule 15 (certified documents) and which is certified by the Secretary of State as the outline public rights of way management plan for the purposes of this Order under article 58 (certification of documents);

"outline soil management plan" means the document of that name identified in the table at Schedule 15 (certified documents) and which is certified by the Secretary of State as the outline soil management plan for the purposes of this Order under article 58 (certification of documents);

"owner", in relation to land, has the same meaning as in section 7 of the Acquisition of Land Act 1981(**a**);

"permit scheme" means any scheme made under Part 3 of the Traffic Management Act 2004(**b**) as in force at the date on which this Order is made including the East Riding of Yorkshire Council Permit Scheme, the North and North East Lincolnshire Permit Scheme and the Nottinghamshire County Council Permit Scheme for street works and road works;

"pre-commencement operations" means operations consisting of engineering investigations and surveys, environmental (including archaeological) investigations and ongoing monitoring, surveys and monitoring investigations for the purpose of assessing ground conditions, environmental mitigation measures and works to facilitate delivery of environmental compensation, offsetting and biodiversity net gain, vegetation clearance, diversion and laying of services, protection works comprising utilities protection works or fencing and protection slabs, demolition of existing buildings, site clearance, remediation in respect of any contamination or other adverse ground conditions, set up works associated with the establishment of construction compounds, temporary hardstanding areas and temporary laydown areas, receipt and erection of construction plant and equipment, temporary accesses including the laying down of access tracks and roads to compounds, erection of any temporary means of enclosure or temporary demarcation fencing marking out site boundaries and the temporary display of site notices or advertisements;

"register of environmental actions and commitments" means the document of that name identified in the table at Schedule 15 (certified documents) and which is certified by the Secretary of State as the register of environmental actions and commitments for the purposes of this Order under article 58 (certification of documents);

"relevant highway authority" means, in any given provision of this Order, the local or national highway authority for the area to which the provision relates;

"relevant planning authority" means, in any given provision of this Order, the local planning authority for the area to which the provision relates;

"relevant street authority" in relation to a street has the same meaning as in section 49 (the street authority and other relevant authorities) of the 1991 Act;

"requirements" means the requirements listed in Schedule 2 (requirements), and any reference to a numbered requirement is to be construed accordingly;

"special category land plans" means the plans of that name identified in the table at Schedule 15 (certified documents) and which are certified by the Secretary of State as the special

(**a**) 1981 (c. 67). Section 7 was amended by paragraph 3 of Schedule 18 of the Levelling-up and Regeneration Act 2003 (c. 55), and Section 181(2) of Part 9 of the Levelling-up and Regeneration Act 2023 (c. 55). There are other amendments to the 1981 Act which are not relevant to this Order.

(**b**) 2004 (c. 18).

category land plans for the purposes of this Order under article 58 (certification of documents);

"statutory undertaker" means any person falling within section 127(8) of the 2008 Act;

"street" means a street within the meaning of section 48 of the 1991 Act(**a**), together with land on the verge of a street or between two carriageways, and includes part of a street;

"street authority", in relation to a street, has the same meaning as in Part 3 of the 1991 Act;

"temporary construction works" means those works of a temporary nature only required for the construction of the authorised development as described in Schedule 1 (authorised development) to the Order;

"traffic" has the same meaning as in section 329(1) of the 1980 Act(**b**);

"traffic authority" has the same meaning as in the 1984 Act;

"traffic regulation order plans" means the plans of that name identified in the table at Schedule 15 (certified documents) and which are certified by the Secretary of State as the traffic regulations order plans for the purposes of this Order under article 58 (certification of documents);

"trees and important hedgerows to be removed or managed plans" means the plans of that name identified in the table at Schedule 15 (certified documents) and which are certified by the Secretary of State as the trees and important hedgerows to be removed or managed plans for the purposes of this Order under article 58 (certification of documents);

"the tribunal" means the Lands Chamber of the Upper Tribunal;

"undertaker"—

(a) in relation to the authorised development, means National Grid;

(b) in relation to the NGED Works and subject to paragraph (5) of article 6 (benefit of Order), includes NGED;

(c) in relation to the NPG Works and subject to paragraph (8) of article 6 (benefit of the Order) includes NPG; and

(d) in relation to the BT Works and subject to paragraph (11) of article 6 (benefit of the Order) includes BT;

"water bodies in the river basin management plan" means the plan of that name identified in the table at Schedule 15 (certified documents) and which is certified by the Secretary of State as the water bodies in the river basin management plan for the purposes of this Order under article 58 (certification of documents);

"watercourse" includes all rivers, streams, ditches, drains, canals, cuts, culverts, dykes, sluices, rhynes, sewers and passages through which water flows except a public sewer or drain; and

"works plans" means the plans of that name identified in the table at Schedule 15 (certified documents) and which are certified by the Secretary of State as the works plans for the purposes of this Order under article 58 (certification of documents).

(2) References in this Order to rights over land include references to rights to do or restrain, or to place and maintain, anything in, on or under land or in the airspace above its surface and references in this Order to the imposition of restrictions in respect of land are references to restrictions over land which interfere with the interests or rights of another and are for the benefit of land which is acquired under this Order, or over which rights are created or acquired, under this Order or is otherwise comprised in the Order limits.

(**a**) Section 48 was amended by section 124(2) of Part 7 of the Local Transport Act 2008 (c. 26), and section 49 of Chapter 3 of Part 1 of the Planning and Infrastructure Act 2025 (c. 34).

(**b**) Section 329(1) was amended by paragraph 16(a) of Part 2 of Schedule 5 of the Countryside and Rights of Way Act 2000 (c. 37), paragraph 15(2) of Part 3 of Schedule 2 of the Civil Contingencies Act 2004 (c. 36), paragraph 29(2) and (3) of Schedule 2 of the Planning Act 2008 (c 29), paragraph 104(a) and (b) of Part 3 of Schedule 12 of Postal Services Act 2011 (c. 5), paragraph 60(2)(a) and (b) of Part 1 of Schedule 1 of the Infrastructure Act 2015 (c. 7), and Part 1 of Schedule 2 of S.I. 2013/755.

(3) All distances, directions, levels, heights and lengths referred to in this Order and in any plans and documents certified under article 58 (certification of documents), are approximate. Distances between points on a work comprised in the authorised development are taken to be measured along that work. All distances for scheduled linear works referred to in this Order are measured along the centre line of the limits of deviation for that work. All pylon identification numbers set out in this Order are identified by reference to the pylon locations along the centre line of such works, and are subject to the limits of deviation for that work, such that the number of pylons, the pylon numbering and the height and location of pylons may adjust in accordance with the limits of deviation identified in article 5 (limits of deviation). Unless otherwise specified in article 5 (limits of deviation) and Schedule 1 (authorised development), heights and depths in this Order or on the works plans are measured from the proposed final ground level.

(4) All areas described in square metres in the book of reference are approximate.

(5) References in this Order to points identified by letters or numbers are to be construed as references to points so lettered or numbered on the plans to which the reference relates.

(6) References in this Order to numbered Works are references to the Works as numbered in Schedule 1 (authorised development).

(7) References in this Order to "document" followed by a number or numbers are references to documents submitted by National Grid in support of the application for development consent that resulted in the making of this Order.

(8) References in this Order to any statutory body includes that body's successor in respect of functions which are relevant to this Order.

(9) References in this Order to any statute, order, regulation or similar instrument are to be construed as a reference to the statute, order, regulation or instrument as amended by any subsequent statute, order, regulation or instrument or as contained in any subsequent re-enactment.

(10) References in this Order to materially new or materially different environmental effects to those identified in the environmental statement are not to be construed so as to include the avoidance, removal or reduction of an adverse environmental effect or positive environmental effect, or the increase of an assessed positive environmental effect, that was reported in the environmental statement as a result of the authorised development.

PART 2

PRINCIPAL POWERS

Development consent etc. granted by the Order

3.—(1) Subject to the provisions of this Order (including the requirements) National Grid is granted development consent for the authorised development set out in Schedule 1 (authorised development).

(2) National Grid may—

(a) install and keep installed the authorised development;

(b) remove or replace any electric line including pylons or poles that may require removal as part of the authorised development.

(3) NGED may—

(a) Subject to paragraphs (3), (4) and (5) of article 6 (benefit of Order) carry out the NGED Works; and

(b) remove or replace any electric line including pylons or poles that may require removal in relation to the NGED Works.

(4) NPG may—

(a) Subject to paragraphs (6), (7) and (8) of article 6 (benefit of Order) carry out the NPG Works; and

(b) remove or replace any electric line including pylons or poles that may require removal in relation to the NPG Works.

(5) BT may—

(a) Subject to paragraphs (9), (10) and (11) of article 6 (benefit of Order) carry out the BT Works; and

(b) remove or replace any electric line including pylons or poles that may require removal in relation to the BT Works.

(6) National Grid may operate and use the authorised development (excluding the NGED Works, NPG Works and the BT Works) as part of the high-voltage electricity transmission system.

(7) NGED may operate and use the electric line and any other elements of the NGED Works as part of the electricity distribution network.

(8) NPG may operate and use the electric line and any other elements of the NPG Works as part of the electricity distribution network.

(9) BT may operate and use the electric line and any other elements of the BT Works as part of the telecommunications network.

(10) For the purposes of the authorised development, development consent granted by this Order is to include and permit the alteration, removal, clearance, refurbishment, reconstruction and demolition of any buildings or other structures within the Order limits to the extent that they relate to, are required by or are incidental to the carrying out of the authorised development.

(11) The authorised development must be constructed and installed in the lines and situations shown on the works plans, subject to article 5 (limits of deviation) and to Schedule 2 (requirements).

(12) Any enactment applying to land within or adjacent to the Order limits has effect subject to the provisions of this Order.

(13) Schedule 2 (requirements) has effect.

Maintenance of authorised development

4.—(1) National Grid may at any time maintain the authorised development (excluding the NPG Works, NGED Works and BT Works), except to the extent that this Order, or an agreement made under this Order, provides otherwise.

(2) NPG may at any time maintain the NPG Works, except to the extent that this Order, or an agreement made under this Order, provides otherwise.

(3) NGED may at any time maintain the NGED Works, except to the extent that this Order, or an agreement made under this Order, provides otherwise.

(4) BT may at any time maintain the BT Works, except to the extent that this Order, or an agreement made under this Order, provides otherwise.

Limits of deviation

5.—(1) Subject to paragraph (3), in carrying out, maintaining or diverting the authorised development for which it is granted development consent by paragraph (1) of article 3 (development consent etc. granted by the Order), the undertaker may—

(a) deviate from the lines or situations shown on the works plans within the limits of deviation relating to that work shown on those plans;

(b) in respect of the overhead lines and any pylon deviate vertically from the levels for each pylon upwards to the individual limit as set out in the indicative pylon schedule;

(c) deviate vertically for the linear works to such extent downwards as the undertaker considers necessary or convenient; and

(d) carry out construction activities for the purposes of the authorised development anywhere within the Order limits.

(2) Without prejudice to article 3(11) (development consent etc. granted by the Order) the removal, clearance, decommissioning and demolition of any existing electric line may take place within the Order limits.

(3) The maximum limits of vertical deviation as set out in paragraph (1) do not apply where it is demonstrated by the undertaker to the Secretary of State's satisfaction and the Secretary of State, following consultation with the relevant planning authority and any other person the Secretary of State considers appropriate having regard to the proposed deviation in question and the statutory roles and responsibilities of such person, certifies accordingly that a deviation in excess of these limits would not give rise to any materially new or materially different environmental effects to those identified in the Environmental Statement.

Benefit of Order

6.—(1) Subject to article 7 (consent to transfer benefit of Order), the provisions of this Order have effect solely for the benefit of—

(a) National Grid in respect of the authorised development;

(b) Subject to paragraph (5), NGED in respect of the NGED Works;

(c) Subject to paragraph (8), NPG in respect of the NPG Works; and

(d) Subject to paragraph (11), BT in respect of the BT Works.

(2) Paragraph (1) does not apply to the benefit of the consent granted by this Order for works carried out by the undertaker for the benefit or protection of land or persons (including statutory undertakers) affected by the authorised development.

(3) NGED may not carry out the NGED Works under article 3(3)(a) (development consent etc. granted by the Order) except in accordance with the written consent of National Grid, which may be granted subject to reasonable conditions.

(4) If NGED fails to carry out any of the NGED Works in accordance with National Grid's consent, National Grid may give NGED and the Secretary of State notice that National Grid intends to carry out those NGED Works under article 3(3)(a) (development consent etc. granted by the Order) from a date specified in the notice.

(5) On the date specified in any notice under paragraph (4) of this article—

(a) NGED is to cease to have the benefit of article 3(3)(a) (development consent etc. granted by the Order) and sub-paragraph (1)(b) of this article;

(b) NGED is to cease to be an undertaker for the installation of the NGED Works but remains an undertaker for the purposes of keeping installed and maintaining the electric lines included in the NGED Works; and

(c) references to NGED in article 28 (temporary use of land by NGED) are to be read as including National Grid.

(6) NPG may not carry out the NPG Works under article 3(4)(a) (development consent etc. granted by the Order) except in accordance with the written consent of National Grid, which may be granted subject to reasonable conditions.

(7) If NPG fails to carry out any of the NPG Works in accordance with National Grid's consent, National Grid may give NPG and the Secretary of State notice that National Grid intends to carry out those NPG Works under article 3(4)(a) (development consent etc. granted by the Order) from a date specified in the notice.

(8) On the date specified in any notice under paragraph (7) of this article—

(a) NPG is to cease to have the benefit of article 3(4)(a) (development consent etc. granted by the Order) and sub-paragraph (1)(c) of this article;

(b) NPG is to cease to be an undertaker for the installation of the NPG Works but remains an undertaker for the purposes of keeping installed and maintaining the electric lines included in the NPG Works; and

(c) references to NPG in article 29 (temporary use of land by NPG) are to be read as including National Grid.

(9) BT may not carry out the BT Works under article 3(5)(a) (development consent etc. granted by the Order) except in accordance with the written consent of National Grid, which may be granted subject to reasonable conditions.

(10) If BT fails to carry out any of the BT Works in accordance with National Grid's consent, National Grid may give BT and the Secretary of State notice that National Grid intends to carry out those BT Works under article 3(5)(a) (development consent etc. granted by the Order) from a date specified in the notice.

(11) On the date specified in any notice under paragraph (10) of this article—

(a) BT is to cease to have the benefit of article 3(5)(a) (development consent etc. granted by the Order) and sub-paragraph (1)(d) of this article;

(b) BT is to cease to be an undertaker for the installation of the BT Works but remains an undertaker for the purposes of keeping installed and maintaining the electric lines included in the BT Works; and

(c) references to BT in article 30 (temporary use of land by BT) are to be read as including National Grid.

(12) No person may be—

(a) held liable in any manner for breaching or otherwise failing to comply with a term of this Order except where they are the person who (as applicable) has carried out, or caused to be carried out, that part of the authorised development to which the breach or failure relates or has exercised, or caused to be exercised, the provision of this Order to which the breach or failure relates; or

(b) required to comply with a term of this Order except where they are the person who (as applicable) has carried out, or caused to be carried out, that part of the authorised development to which the term relates or has exercised, or caused to be exercised, the provision of this Order to which the term relates.

(13) Article 60 (arbitration) has effect in relation to any dispute under the terms of this article.

Consent to transfer benefit of Order

7.—(1) National Grid in relation to the authorised development (not including the NGED Works), and NGED in relation to the NGED Works, may, with the consent of the Secretary of State—

(a) transfer to another person ("the transferee") any or all of the benefit of the provisions of this Order and such related statutory rights as may be agreed between National Grid or NGED and the transferee;

(b) grant to another person ("the lessee") for a period agreed between National Grid or NGED and the lessee any or all of the benefit of the provisions of this Order and such related statutory rights as may be so agreed.

(2) National Grid in relation to the authorised development (not including the NPG Works), and NPG in relation to the NPG Works, may, with the consent of the Secretary of State—

(a) transfer to another person ("the transferee") any or all of the benefit of the provisions of this Order and such related statutory rights as may be agreed between National Grid or NPG and the transferee;

(b) grant to another person ("the lessee") for a period agreed between National Grid or NPG and the lessee any or all of the benefit of the provisions of this Order and such related statutory rights as may be so agreed.

(3) National Grid in relation to the authorised development (not including the BT Works), and BT in relation to the BT Works, may, with the consent of the Secretary of State—

(a) transfer to another person ("the transferee") any or all of the benefit of the provisions of this Order and such related statutory rights as may be agreed between National Grid or BT and the transferee;

(b) grant to another person ("the lessee") for a period agreed between National Grid or BT and the lessee any or all of the benefit of the provisions of this Order and such related statutory rights as may be so agreed.

(4) Where a transfer or grant has been made in accordance with paragraph (1) references in this Order to National Grid or NGED (as the case may be), except in paragraphs (7) and (8), are to include references to the transferee or the lessee.

(5) Where a transfer or grant has been made in accordance with paragraph (2) references in this Order to National Grid or NPG (as the case may be), except in paragraphs (9) and (10), are to include references to the transferee or the lessee.

(6) Where a transfer or grant has been made in accordance with paragraph (3) references in this Order to National Grid or BT (as the case may be), except in paragraphs (11) and (12), are to include references to the transferee or the lessee.

(7) The exercise by a person of any benefits or rights transferred or granted in accordance with any transfer or grant under paragraph (1) is subject to the same restrictions, liabilities and obligations as would apply under this Order if those benefits or rights were exercised by National Grid or NGED, save where those benefits or rights are exercised by a statutory undertaker, or by an owner or occupier of land pursuant to paragraph (2) of article 24 (compulsory acquisition of rights) of this Order, in which case liability for the payment of compensation on the terms of this Order remains with National Grid.

(8) Any rights or benefits in relation to the NGED Works that are transferred or granted by NGED under paragraph (1) are subject to paragraphs (3) to (5) of article 6 (benefit of Order) as if they had remained exercisable by NGED.

(9) The exercise by a person of any benefits or rights transferred or granted in accordance with any transfer or grant under paragraph (2) is subject to the same restrictions, liabilities and obligations as would apply under this Order if those benefits or rights were exercised by National Grid or NPG, save where those benefits or rights are exercised by a statutory undertaker, or by an owner or occupier of land pursuant to paragraph (2) of article 24 (compulsory acquisition of rights) of this Order, in which case liability for the payment of compensation on the terms of this Order remains with National Grid.

(10) Any rights or benefits in relation to the NPG Works that are transferred or granted by NPG under paragraph (2) are subject to paragraphs (6) to (8) of article 6 (benefit of Order) as if they had remained exercisable by NPG.

(11) The exercise by a person of any benefits or rights transferred or granted in accordance with any transfer or grant under paragraph (3) is subject to the same restrictions, liabilities and obligations as would apply under this Order if those benefits or rights were exercised by National Grid or BT, save where those benefits or rights are exercised by a statutory undertaker, or by an owner or occupier of land pursuant to paragraph (2) of article 24 (compulsory acquisition of rights) of this Order, in which case liability for the payment of compensation on the terms of this Order remains with National Grid.

(12) Any rights or benefits in relation to the BT Works that are transferred or granted by BT under paragraph (3) are subject to paragraphs (9) to (11) of article 6 (benefit of Order) as if they had remained exercisable by BT.

(13) Where a transfer or grant has been made in accordance with paragraph (1), (2) or (3) the undertaker must notify the relevant planning authority of the same.

(14) The consent of the Secretary of State under this article is not required where the powers of article 24 (compulsory acquisition of rights) are, with the consent of the undertaker, proposed to be exercised by a statutory undertaker rather than by National Grid.

Application of the 1990 Act

8.—(1) In respect of the temporary construction works, section 57(2) of the 1990 Act (planning permission required for development) applies as if the development consent granted by this Order were planning permission granted for a limited period.

(2) Development consent granted by this Order is to be treated as specific planning permission for the purposes of section 264(3)(a) of the 1990 Act (cases in which land is to be treated as not being operational land).

(3) In the exercise of the power under paragraphs (1) and (2) of article 12 (street works) the undertaker is to be deemed to be the highway authority for the purposes of section 55(2)(b) of the 1990 Act(**a**).

Application of the Community Infrastructure Levy Regulations 2010

9. Notwithstanding the provisions of section 208 (liability) of the 2008 Act, for the purposes of regulation 6 of the Community Infrastructure Levy Regulations 2010(**b**) any building comprised in the authorised development is deemed to be—

(a) a building into which people do not normally go; or

(b) a building into which people go only intermittently for the purpose of inspecting or maintaining fixed plant or machinery.

Planning Permission and other consents

10.—(1) If planning permission is issued pursuant to the 1990 Act for development any part of which is within the Order limits that is—

(a) not itself a nationally significant infrastructure project under the 2008 Act or part of such a project; and

(b) required to complete or enable the construction, use or operation of any part of the development authorised by this Order,

then the carrying out, use or operation of such development pursuant to the terms of the planning permission does not constitute a breach of the terms of this Order.

(2) To the extent any development carried out or used pursuant to a planning permission granted under the 1990 Act or development consent granted under the 2008 Act or compliance with any conditions of that permission or requirements of that development consent is inconsistent with the exercise of any power or right under this Order or the authorised development—

(a) that inconsistency is to be disregarded for the purposes of establishing whether any development which is the subject matter of that planning permission or development consent is capable of physical implementation; and

(b) in respect of that inconsistency, no enforcement action under the 1990 Act or the 2008 Act may be taken in relation to development carried out or used pursuant to that planning permission or development consent whether inside or outside the Order limits.

(3) Any development or any part of a development within the Order limits which is constructed or used under the authority of a planning permission granted under the 1990 Act or of a development consent granted under the 2008 Act, including permissions falling under paragraph (1) or (2) or otherwise, is deemed not to be a breach of, or inconsistent with, this Order and will not prevent the authorised development being carried out or used or any other power or right under this Order being exercised.

(**a**) Section 55(2)(b) was amended by regulation 35(1) of Part 9 of S.I. 1999/293, and Schedule 9 of the Planning and Compulsory Purchase Act 2004 (c. 5).

(**b**) S.I. 2010/948. Regulation 6 was amended by section 49 of the Planning and Compulsory Purchase Act 2000, and regulation 4(1) of S.I. 2011/987.

Application and modification of statutory provisions

11.—(1) The following provisions do not apply in relation to the carrying out of any operation required for the purposes of, or in connection with, the authorised development—

(a) section 23 (prohibition of obstructions, etc. in watercourses) of the Land Drainage Act 1991(**a**);

(b) section 30 (authorisation of drainage works in connection with a ditch) of the Land Drainage Act 1991(**b**);

(c) section 32 (variation of awards) of the Land Drainage Act 1991(**c**);

(d) the provisions of any byelaws made under section 66 (powers to make byelaws) of the Land Drainage Act 1991(**d**);

(e) the provisions of any byelaws made under, or having effect as if made under, paragraphs 5, 6 or 6A of Schedule 25 (byelaw making powers of authority) to the Water Resources Act 1991(**e**);

(f) the provisions of the Neighbourhood Planning Act 2017(**f**) insofar as they relate to the temporary possession of land under articles 27 (temporary use of land by National Grid), 28 (temporary use of land by NGED), 29 (temporary use of land by NPG), 30 (temporary use of land by BT) and 31 (temporary use of land for maintaining the authorised development) of this Order;

(g) section 42 of the Local Government (Miscellaneous Provisions) Act 1976(**g**);

(h) sections 141 (restriction of planting of trees etc. in or near carriageway), 169 (control of scaffolding on highways) and 171 (control of deposit of building materials and making of excavations in streets) of the 1980 Act.

(2) For the purposes of section 9 (requirement of licence for felling) of the Forestry Act 1967(**h**), any felling comprised in the carrying out of any work or operation required for the purposes of the authorised development is deemed to be felling immediately required for the purposes of carrying out development authorised by planning permission granted under the 1990 Act.

(3) Regulation 6 of the Hedgerows Regulations 1997(**i**) is modified so as to read for the purposes of this Order only as if there were inserted after paragraph (1)(j) the following—

"or

(k) for carrying out development which has been authorised by an order granting development consent pursuant to the Planning Act 2008.".

(4) Regulation 14 of the Town and Country Planning (Tree Preservation) (England) Regulations 2012(**j**) is modified so as to read for the purposes of this Order only as if there were inserted after paragraph 14(1)(a)(ix) the following—

"or

(x) so far as such work is necessary to implement development which has been authorised by an order granting development consent pursuant to the Planning Act 2008."

(5) Nothing in Part 1 of the Building Act 1984(**k**) with respect to building regulations, and nothing in any building regulations, will apply in relation to a building used, altered or

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(**a**) 1991 (c. 59). Section 23 was amended by paragraph 32 of Schedule 2 to the Flood and Water Management Act (c. 29) and paragraph 192 of Schedule 22 to the Environment Act 1995 (c. 25).
(**b**) 1991 (c. 59).
(**c**) 1991 (c. 59).
(**d**) 1991 (c. 59).
(**e**) 1991 (c. 57).
(**f**) 2017 (c. 20).
(**g**) 1976 (c. 57).
(**h**) 1967 (c. 10).
(**i**) S.I. 1997/1160.
(**j**) S.I. 2012/605.
(**k**) 1984 (c. 55).

demolished, or intended for use, alteration, or demolition, by the undertaker for the purposes of the authorised development before completion of construction.

PART 3

STREETS

Street works

12.—(1) The undertaker may, for the purposes of the authorised development, or for purposes ancillary to it, enter upon so much of any of the streets specified in column 2 of Schedule 4 (streets subject to street works) as is within the Order limits and may without the consent of the street authority—

(a) break up or open the street, or any sewer, drain or tunnel within or under it;

(b) tunnel, drill or bore under the street, or carry out any works to strengthen or repair the carriageway;

(c) remove or use all earth, materials and vegetation in or under the street;

(d) place and keep apparatus in the street (including signage);

(e) maintain, renew, divert, lower, protect or alter apparatus or furniture (including signage) in or on the street or change its position;

(f) reinstate or construct new pavement and kerbs;

(g) execute any works to install temporary footbridges or crossings of watercourses;

(h) execute any works to provide or improve sight lines required by the highway authority;

(i) execute and maintain any works to provide, renew or alter hard and soft landscaping, drainage and any other works for the benefit or protection of the environment, including the culverting of watercourses;

(j) carry out re-lining and placement of new temporary markings; and

(k) execute any works required for or incidental to any works referred to in sub-paragraphs (a) to (j).

(2) Without limiting the scope of the powers conferred by paragraph (1) but subject to the consent of the street authority, which consent must not be unreasonably withheld or delayed, the undertaker may, for the purposes of the authorised development, or for purposes ancillary to it, enter on so much of any other street whether or not within the Order limits, for the purposes set out at paragraph (1)(a) to (k) and paragraph (3) of article 8 (application of the 1990 Act) applies.

(3) If a street authority that receives an application for consent under paragraph (2) fails to notify the undertaker of its decision within 28 days, unless the period set out in the relevant permit scheme is shorter, (or such other period as agreed by the street authority and the undertaker) beginning with the date on which the application was received, that authority will be deemed to have granted consent.

(4) Any application for consent under paragraph (2) must include a statement that the provisions of paragraph (3) apply to that application.

(5) If an application for consent under paragraph (2) does not include the statement required under paragraph (4) then the provisions of paragraph (3) will not apply to that application.

(6) The authority given by paragraph (1) or (2) is a statutory right for the purposes of sections 48(3) (streets, street works and undertakers) and 51(1) (prohibition of unauthorised street works) of the 1991 Act.

(7) The powers conferred in paragraphs (1) and (2) are without limitation of the powers of the undertaker under the 1989 Act(**a**)).

(**a**) 1989 (c. 29).

(8) In this article "apparatus" has the meaning given in Part 3 of the 1991 Act.

Application of the Permit Schemes

13.—(1) The permit schemes apply to the construction and maintenance of the authorised development and will have effect in connection with the exercise by the undertaker of any powers conferred by this Part.

(2) For the purposes of this Order—

(a) a permit may not be refused or granted subject to conditions which relate to the imposition of moratoria;

(b) a permit may not be granted subject to conditions where compliance with those conditions would constitute a breach of this Order or where the undertaker would be unable to comply with those conditions through the exercise of the powers conferred by this Order;

(c) a permit may not be refused where the proposed reason for refusal is the inability to impose a condition which will not comply with sub-paragraph (b).

(3) References to moratoria in paragraph (2) mean restrictions imposed under section 58 of the 1991 Act (restrictions on works following substantial road works) (**a**) or section 58A (restrictions on works following substantial street works) of the 1991 Act(**b**).

(4) Without restricting the undertaker's recourse to any alternative appeal mechanism which may be available under the permit schemes or otherwise, the undertaker may appeal any decision to refuse to grant a permit or to grant a permit subject to conditions pursuant to the permit schemes in accordance with the mechanism set out in Schedule 3 (discharge of requirements) of this Order.

Application of the 1991 Act

14.—(1) Works carried out under this Order in relation to a highway which consists of or includes a carriageway must be treated for the purposes of Part 3 of the 1991 Act (street works in England and Wales) as major highway works if—

(a) they are of a description mentioned in any of paragraphs (a), (c) to (e), (g) and (h) of section 86(3) of the 1991 Act (highway authorities, highways and related matters); or

(b) they are works which, had they been executed by the relevant highway authority, might have been carried out in exercise of the powers conferred by section 64 (dual carriageways and roundabouts) or section 184 (vehicle crossings over footways and verges) of the 1980 Act.

(2) In Part 3 of the 1991 Act, in relation to works which are major highway works by virtue of paragraph (1), references to the highway authority concerned are to be construed as references to the undertaker.

(3) The following provisions of the 1991 Act do not apply in relation to any works executed under the powers of this Order—

(a) section 56 (power to give directions as to timing of street works);

(b) section 56A (power to give directions as to placing of apparatus);

(c) section 58 (restrictions on works following substantial road works);

(d) section 58A (restriction on works following substantial street works);

(e) section 73A (power to require undertaker to re-surface street);

(f) section 73B (power to specify timing etc. of re-surfacing);

(g) section 73C (materials, workmanship and standard of re-surfacing);

(**a**) 1991 (c. 22). Section 58 was amended by section 51 of Part 4 and paragraph 1 of Schedule 1 of the Traffic Management Act 2004 (c. 18).

(**b**) Section 58A was amended by section 52(1) of Part 4 by the Traffic Management Act 2004 (c. 18).

(h) section 74 (charge for occupation of the highway where works unreasonably prolonged);

(i) section 74A (charge determined by reference to duration of works);

(j) section 75 (inspection fees);

(k) section 76 (liability for cost of temporary traffic regulation);

(l) section 77 (liability for cost of use of alternative route);

(m) section 78A (contributions to costs of re-surfacing by undertaker); and

(n) Schedule 3A (restriction on works following substantial street works).

(4) In addition to the above, the following provisions of the 1991 Act do not apply in relation to any works executed under article 13 (application of the Permit Schemes) of this Order—

(a) section 53 (the street works register);

(b) section 54 (advance notice of certain works);

(c) section 55 (notice of starting date of certain works);

(d) section 57 (notice of emergency works); and

(e) section 66 (avoidance of unnecessary delay or obstruction).

(5) The provisions of the 1991 Act mentioned in paragraph (6) (which, together with other provisions of that Act, apply in relation to the carrying out of street works) and any regulations made, or code of practice issued or approved under those provisions, apply (with necessary modifications) in relation to any closure, alteration or diversion of a street of a temporary nature by the undertaker under the powers conferred by article 16 (temporary closure of streets and public rights of way) whether or not the closure, alteration or diversion constitutes street works within the meaning of that Act.

(6) The provisions of the 1991 Act referred to in paragraph (5) are—

(a) Section 57 (notice of emergency works)(**a**)

(b) section 59 (general duty of street authority to co-ordinate works)(**b**);

(c) section 60 (general duty of undertakers to co-operate)(**c**);

(d) section 68 (facilities to be afforded to street authority)(**d**);

(e) section 69 (works likely to affect other apparatus in the street)(**e**);

(f) section 71 (materials, workmanship and standard of reinstatement)(**f**); and

(g) all such other provisions as apply for the purposes of the provisions mentioned in sub-paragraphs (a) to (f).

Power to alter layout, etc. of streets

15.—(1) The undertaker may, without the consent of the street authority, and for the purposes of carrying out the authorised development temporarily alter the layout of, or carry out any works in, a street specified in column 1 of Schedule 5 (streets subject to alteration of layout) in the manner specified in relation to that street in column 2.

(2) Without limitation on the specific powers conferred by paragraph (1), but subject to paragraph (4), the undertaker may, for the purposes of constructing and maintaining the authorised development, permanently or temporarily alter the layout of any street (and carry out works ancillary to such alterations) whether or not within the Order limits and the layout of any street having a junction with such a street and, without limiting the scope of this paragraph, the undertaker may—

(**a**) Section 57 was amended by sections 40 and 52 of Part 4 of the Traffic Management Act 2004 (c. 18).
(**b**) Section 59 was amended by section 42 of Part 4 of the Traffic Management Act 2004 (c. 18).
(**c**) Section 60 was amended by paragraph 1 of Schedule 1 of the Traffic Management Act 2004 (c. 18).
(**d**) Section 68 was amended by paragraph 1 of Schedule 1 of the Traffic Management Act 2004 (c. 18).
(**e**) Section 69 was amended by paragraph 1 of Schedule 1 of the Traffic Management Act 2004 (c. 18).
(**f**) Section 71 was amended by paragraph 1 of Schedule 1 of the Traffic Management Act 2004 (c. 18).

(a) increase the width of the carriageway of the street by reducing the width of any kerb, footpath, footway, cycle track, central reservation or verge within the street;

(b) alter the level or increase the width of any such kerb, footpath, footway, cycle track, central reservation or verge;

(c) reduce the width of the carriageway of the street;

(d) execute any works to widen or alter the alignment of pavements;

(e) make and maintain crossovers, turning lanes and passing places;

(f) execute any works of surfacing or resurfacing of the highway;

(g) carry out works for the provision or alteration of parking places, loading bays, footpath, footway, and cycle tracks;

(h) execute any works necessary to alter or provide facilities for the management and protection of pedestrians; and

(i) execute any works to provide or improve sight lines required by the highway authority.

(3) The undertaker must restore to the reasonable satisfaction of the street authority any street that has been temporarily altered under this article.

(4) The powers conferred by paragraph (2) may not be exercised without the consent of the street authority (such consent not to be unreasonably withheld or delayed).

(5) If a street authority which receives an application for consent under paragraph (4) fails to notify the undertaker of its decision before the end of the period of 28 days (or such other period as agreed by the street authority and the undertaker) beginning with the date on which the application was made, it is deemed to have granted consent.

(6) Any application for consent under paragraph (4) must include a statement that the provisions of paragraph (5) apply to that application.

(7) If an application for consent under paragraph (4) does not include the statement required under paragraph (6) then the provisions of paragraph (5) will not apply to that application.

Temporary closure of streets and public rights of way

16.—(1) During and for the purposes of carrying out or maintaining the authorised development, the undertaker may temporarily close, alter or divert any street or public right of way shown on the access, rights of way and public rights of navigation plans or within the Order limits and may for any reasonable time—

(a) divert the traffic from the street or public right of way; and

(b) subject to paragraph (3), prevent all persons from passing along the street or public right of way.

(2) Without limitation on the scope of paragraph (1), the undertaker may, with the consent of the street authority (such consent not to be unreasonably withheld or delayed), use as a temporary working site any street or public right of way which has been temporarily closed, altered or diverted under the powers conferred by this article.

(3) The undertaker must provide reasonable access for pedestrians going to or from premises abutting a street or public right of way affected by the temporary closure, alteration or diversion under this article if there would otherwise be no reasonable access.

(4) Without limitation on the scope of paragraph (1), the undertaker may temporarily close, alter or divert the streets or public rights of way specified in column 2 of Schedule 6 (streets or public rights of way to be temporarily closed) to the extent specified, by reference to the letters and numbers shown on the access, rights of way and public rights of navigation plans, in column 3 of that Schedule, and, if it does so in respect of a street or public right of way specified in Parts 1 and 3 of Schedule 6 (streets or public rights of way to be temporarily closed), must provide the temporary diversion as specified in column 4 of that Part.

(5) The undertaker must not temporarily close, alter or divert—

(a) any street or public right of way specified as mentioned in paragraph (4) without first consulting the street authority; or

(b) any other street or public right of way without the consent of the street authority (such consent not to be unreasonably withheld or delayed) which may attach reasonable conditions to any consent.

(6) Where the undertaker provides a temporary diversion under paragraph (4), the temporary alternative route is not required to be of a higher standard than the temporarily closed street or public right of way in column 2 of Parts 1 and 3 of Schedule 6 (streets or public rights of way to be temporarily closed).

(7) Any person who suffers loss by the suspension of any private right of way under this article is entitled to compensation to be determined, in case of dispute, under Part 1 of the 1961 Act.

(8) If a street authority which receives an application for consent under paragraph (2) or sub-paragraph (5)(b) fails to notify the undertaker of its decision before the end of the period of 28 days (or such other period as agreed by the relevant street authority and the undertaker) beginning with the date on which the application was made, it is deemed to have granted consent.

(9) Any application for consent under paragraph (2) or sub-paragraph (5)(b) must include a statement that the provisions of paragraph (8) apply to that application.

(10) If an application for consent under paragraph (2) or sub-paragraph (5)(b) does not include the statement required under paragraph (9) then the provisions of paragraph (8) will not apply to that application.

Access to works

17.—(1) The undertaker may, for the purposes of the authorised development—

(a) form and lay out means of access, or improve existing means of access, in the location specified in column 2 of Schedule 7 (access to works); and

(b) with the consent of the relevant street authority (such consent not to be unreasonably withheld or delayed), form and lay out such other means of access or improve existing means of access, at such locations within the Order limits as the undertaker reasonably requires for the purposes of the authorised development.

(2) If a relevant street authority which receives an application for consent under paragraph (1)(b) fails to notify the undertaker of its decision before the end of the period of 28 days (or such other period as agreed by the relevant street authority and the undertaker) beginning with the date on which the application was made, it is deemed to have granted consent.

(3) Any application for consent under sub-paragraph (1)(b) must include a statement that the provisions of paragraph (2) apply to that application.

(4) If an application for consent under paragraph (2) does not include the statement required under paragraph (3), then the provisions of paragraph (2) will not apply to that application.

Construction, alteration and maintenance of streets and other structures

18.—(1) Any street (other than any private streets) to be constructed under this Order must be completed to the reasonable satisfaction of the street authority and must, unless otherwise agreed with the street authority, be maintained to the same condition (including any culverts or other structures laid under that part of the highway) by and at the expense of the undertaker for a period of 12 months from its completion and at the expiry of that period by and at the expense of the street authority.

(2) Where a street is altered or diverted under this Order, the altered or diverted part of the street must be completed to the reasonable satisfaction of the street authority and must, unless otherwise agreed with the street authority, be maintained to the same condition (including any culverts or other structures laid under that part of the highway) by and at the expense of the undertaker for a period of 12 months from its completion and at the expiry of that period by and at the expense of the street authority.

(3) Where new land not previously part of the public highway is to form part of the public highway further to the provisions of this Order it must unless otherwise agreed with the street authority, be deemed as dedicated as part of the public highway on the expiry of the period of 12 months from its completion.

(4) In any action against the undertaker in respect of loss or damage resulting from any failure by it to maintain a street under this article, it is a defence (without prejudice to any other defence or the application of the law relating to contributory negligence) to prove that the undertaker had taken such care as in all the circumstances was reasonably required to secure that the part of the street to which the action relates was not dangerous to traffic.

(5) For the purposes of a defence under paragraph (4), the court must in particular have regard to the following matters—

(a) the character of the street and the traffic which was reasonably to be expected to use it;

(b) the standard of maintenance appropriate for a street of that character and used by such traffic;

(c) the state of repair in which a reasonable person would have expected to find the street;

(d) whether the undertaker knew, or could reasonably have been expected to know, that the condition of the part of the street to which the action relates was likely to cause danger to users of the street; and

(e) where the undertaker could not reasonably have been expected to repair that part of the street before the cause of action arose, what warning notices of its condition had been displayed,

but for the purposes of such a defence it is not relevant to prove that the undertaker had arranged for a competent person to carry out or supervise the maintenance of the part of the street to which the action relates unless it is also proved that the undertaker had given the competent person proper instructions with regard to the maintenance of the street and that the competent person had carried out those instructions.

(6) In determining who is the street authority in relation to a street for the purposes of Part III of the 1991 Act, any obligation of the undertaker to maintain the street under paragraph (1) or (2) is to be disregarded.

Agreements with street authorities

19.—(1) A street authority and the undertaker may enter into agreements with respect to—

(a) the construction of any new street including any structure carrying the street over or under an electric line authorised by this Order;

(b) the maintenance of the structure of any bridge or tunnel carrying a street over or under an electric line authorised by this Order;

(c) any closure, alteration or diversion of a street authorised by this Order;

(d) the carrying out in the street of any of the works referred to in article 12 (street works);

(e) such other matters as the parties may agree, including such matters as may be included in agreements made pursuant to section 38 or section 278 of the 1980 Act.

(2) Such an agreement may, without limitation on the scope of paragraph (1)—

(a) make provision for the street authority to carry out any function under this Order which relates to the street in question;

(b) include an agreement between the undertaker and the street authority specifying a reasonable time for the completion of the works;

(c) provide for the dedication of any new street as public highway;

(d) contain such terms as to payment as the parties consider appropriate; and

(e) contain such other terms as the parties may agree.

PART 4

SUPPLEMENTAL POWERS

Discharge of water

20.—(1) The undertaker may use any watercourse or any public sewer or drain for the drainage of water in connection with the carrying out or maintenance of the authorised development, and for that purpose may lay down, take up and alter pipes and may, on any land within the Order limits, make openings into, and connections with, the watercourse, public sewer or drain.

(2) Any dispute arising from the making of connections to or the use of a public sewer or drain by the undertaker pursuant to paragraph (1) must be determined as if it were a dispute under section 106 of the Water Industry Act 1991(**a**) (right to communicate with public sewers).

(3) The undertaker must not discharge any water into any watercourse, public sewer or drain except with the consent of the person to whom it belongs; and such consent may be given subject to such terms and conditions as that person may reasonably impose, but must not be unreasonably withheld or delayed.

(4) The undertaker must not make any opening into any public sewer or drain except—

(a) in accordance with plans approved by the person to whom the sewer or drain belongs, but such approval must not be unreasonably withheld or delayed; and

(b) where that person has been given the opportunity to supervise the making of the opening.

(5) The undertaker must not, in carrying out or maintaining works pursuant to this article, damage or interfere with the bed or banks of any watercourse forming part of a main river.

(6) The undertaker must, unless otherwise authorised under the provisions of this Order or any environmental permit relating to the discharge of water in connection with the authorised development, take such steps as are reasonably practicable to secure that any water discharged into a watercourse or public sewer or drain under the powers conferred by this article is as free as may be practicable from gravel, soil or other solid substance, oil or matter in suspension; but nothing in this Order requires the undertaker to maintain a watercourse or public sewer or drain or the drainage works.

(7) Nothing in this article overrides the requirement for an environmental permit under regulation 12(1)(b) of the 2016 Regulations.

(8) This article does not permit any activity listed in paragraph 3(1) of Schedule 21 to the 2016 Regulations.

(9) If a person who receives an application for consent under paragraph (3) or approval under sub-paragraph (4)(a) fails to notify the undertaker of a decision within 28 days (or such other period as agreed by the person receiving the application and the undertaker) of receiving an application, that person is deemed to have granted consent or given approval, as the case may be.

(10) Any application for consent under paragraph (3) or approval under sub-paragraph (4)(a) must include a statement that the provisions of paragraph (9) apply to that application.

(11) If an application for consent under paragraph (3) or approval under sub-paragraph (4)(a) does not include the statement required under paragraph (10) then the provisions of paragraph (9) will not apply to that application.

(12) In this article—

(a) "public sewer or drain" means a sewer or drain which belongs to Homes England, the Environment Agency, a harbour authority within the meaning of section 57 of the

(**a**) 1991 (c. 56). Section 106 was amended by sections 35(8) of Part I and 42 of Part II and Schedule 2 of the Competition and Service (Utilities) Act 1992 (c. 43), sections 36 of Part 2 and 99 of Part 3 of the Water Act 2003 (c. 37), and paragraph 16(1) of Schedule 16 of the Flood and Water Management Act 2010 (c. 29).

Harbours Act 1964(**a**), an internal drainage board, a joint planning board, a local authority, a National Park Authority, a sewerage undertaker or an urban development corporation; and

(b) other expressions, excluding watercourse, used both in this article and in the 2016 Regulations have the same meaning as in those Regulations.

Protective works

21.—(1) Subject to the following provisions of this article, the undertaker may at its own expense carry out such protective works to any land, building, structure, apparatus or equipment, lying within the Order limits or which may be affected by the authorised development , as the undertaker considers necessary or expedient.

(2) Protective works may be carried out—

(a) at any time before or during the carrying out in the vicinity of the land, building, structure, apparatus or equipment, of any part of the authorised development or works ancillary to it; or

(b) after the completion of any part of the authorised development in the vicinity of the land, building, structure, apparatus or equipment, at any time up to the end of the period of 5 years beginning with the day on which that part of the authorised development is first brought into operational use.

(3) For the purpose of determining how the functions under this article are to be exercised, the undertaker may enter and/or survey—

(a) any land, building, structure, apparatus or equipment, falling within paragraph (1) and any land within its curtilage; and

(b) where reasonably necessary, any land which is adjacent to the land, building, structure, apparatus or equipment, whether or not within the Order limits,

and place on, leave on and remove from the building, structure, apparatus or equipment any apparatus and equipment for use in connection with the survey.

(4) For the purpose of carrying out protective works under this article to any land, building, structure, apparatus or equipment, the undertaker may (subject to paragraphs (5) and (6)—

(a) enter the land, building or structure and any land within its curtilage; and

(b) where the works cannot be carried out reasonably conveniently without entering land which is adjacent to the land, building or structure but outside its curtilage, enter the adjacent land (but not any building erected on it).

(5) Before exercising—

(a) a right under paragraph (1) to carry out protective works to any land, building, structure, apparatus or equipment;

(b) a right under paragraph (3) to enter and/or survey any land, building, structure, apparatus or equipment, and land within its curtilage or any adjacent land;

(c) a right under paragraph (4)(a) to enter the land, building or structure and land within its curtilage;

(d) a right under paragraph (4)(b) to enter land;

the undertaker must, except in the case of emergency, serve on the owners and occupiers of the building or land not less than 14 days' notice of its intention to exercise that right and, in a case falling within sub-paragraph (a), (c) or (d) specify the protective works proposed to be carried out.

(**a**) 1964 (c. 40). Section 57 was amended by paragraph 1 of Part 1 of Schedule 1 of S.I. 2006/1177, paragraph 12(3) of Schedule 1 of S.I. 2009/1941, paragraph 2(6) of Part 1 of Schedule 3 of S.I. 2012/1659, sections 5(3) and 6(3) of Marine Navigation Act 2013 (c. 23). There are other amendments to section 57 that are not relevant to this Order.

(6) Where a notice is served under sub-paragraph (5)(a), (c) or (d) , the owner or occupier of the land, building, structure, apparatus or equipment concerned may, by serving a counter-notice within the period of 10 days beginning with the day on which the notice was served, require the question whether it is necessary or expedient to carry out the protective works or to enter the building or land to be referred to arbitration under article 60 (arbitration).

(7) The undertaker must compensate the owners and occupiers of any land, building, structure, apparatus or equipment, in relation to which rights under this article have been exercised, for any loss or damage arising to them by reason of the exercise of those rights.

(8) Where—

(a) protective works are carried out under this article to any land, building, structure, apparatus or equipment; and

(b) within the period of 5 years beginning with the day on which the part of the authorised development carried out in the vicinity of the land, building, structure, apparatus or equipment is first brought into operational use it appears that the protective works are inadequate to protect the land, building, structure, apparatus or equipment against damage caused by the carrying out or use of that part of the authorised development,

the undertaker must compensate the owners and occupiers of the land, building, structure, apparatus or equipment for any loss or damage sustained by them.

(9) Subject to article 56 (no double recovery), nothing in this article relieves the undertaker from any liability to pay compensation under section 152(**a**) of the 2008 Act (compensation in case where no right to claim in nuisance).

(10) Section 13(**b**) (refusal to give possession to acquiring authority) of the 1965 Act applies to the entry onto, or possession of, land under this article to the same extent as it applies to the compulsory acquisition of land under this Order by virtue of section 125(**c**) (application of compulsory acquisition provisions) of the 2008 Act.

(11) Any compensation payable under paragraph (7) or (8) must be determined, in case of dispute, under Part 1 of the 1961 Act (determination of questions of disputed compensation).

(12) In this article "protective works" in relation to any land, building, structure, apparatus, equipment or the authorised development means—

(a) underpinning, strengthening, ground strengthening, earthing and any other works the purpose of which is to prevent damage which may be caused to the land, building, structure, apparatus, equipment or the authorised development by the carrying out, maintenance or use of the authorised development; and

(b) any works the purpose of which is to remedy any damage which has been caused to the land, building, structure, apparatus or equipment by the carrying out, maintenance or use of the authorised development.

Authority to survey and investigate the land

22.—(1) The undertaker may for the purposes of this Order enter on any land either shown within the Order limits or land which may be affected by the authorised development and—

(a) survey, monitor or investigate the land (including any watercourses, groundwater, static water bodies or vegetation on the land);

(b) without prejudice to the generality of sub-paragraph (a), survey, monitor or investigate the land and any buildings on that land for the purpose of investigating the potential effects of the authorised development on that land or buildings on that land or for enabling the construction, use and maintenance of the authorised development;

(**a**) Section 152 was amended by paragraph 293 of Schedule 1 of S.I. 2009/1307.
(**b**) Section 13 was amended by sections 62(3) and 139(5) to (9) of, and paragraph 28 of Schedule 13 and Part 3 of Schedule 23 to, the Tribunals, Courts and Enforcement Act 2007 (c. 15).
(**c**) Section 125 was amended by paragraph 17 of Schedule 16 to the Housing and Planning Act 2016 (c. 22).

(c) without limitation on the scope of sub-paragraph (a), make trial holes, boreholes, excavations or take horizontal cores in such positions on the land as the undertaker thinks fit to investigate the nature of the surface layer, subsoil, groundwater and other materials below ground level and/or remove soil, rock, water and/or other material samples and discharge water from sampling operations on to the land;

(d) without limitation on the scope of sub-paragraph (a), carry out ecological or archaeological investigations and monitoring on the land, including making any excavations or trial holes on the land for such purposes; and

(e) place on, leave on and remove from the land apparatus (including but not limited to welfare facilities, security facilities and apparatus attached to buoys) for use in connection with the survey, monitoring or investigation of land, making of trial holes, boreholes, excavations, cores, and/or the carrying out of ecological or archaeological investigations or monitoring.

(2) The power conferred by paragraph (1) includes without prejudice to the generality of that paragraph the power to take, and process, samples of or from any of the following found on, in or over the land—

(a) water;

(b) air;

(c) soil or rock;

(d) flora;

(e) bodily excretions, or dead bodies, of non-human creatures; or

(f) any non-living thing present as a result of human action.

(3) No land may be entered or equipment placed or left on or removed from the land under paragraph (1), unless at least 14 days' notice has been served on every owner and occupier of the land.

(4) Any person entering land under this article on behalf of the undertaker—

(a) must, if so required, before or after entering the land, produce written evidence of their authority to do so;

(b) must, before entering the land, provide in the notice details of the purpose specified in paragraph (1) to survey and investigate the land; and

(c) may take onto the land such vehicles and equipment as are necessary to carry out the survey, monitoring or investigation or to make the trial holes.

(5) No trial holes, boreholes, excavations or horizontal cores may be made under this article—

(a) on land located within the highway boundary without the consent of the relevant highway authority; or

(b) in a private street without the consent of the street authority,

but such consent must not be unreasonably withheld or delayed.

(6) As soon as reasonably practicable following the completion of any activities or programme of activities carried out under paragraph (1), the undertaker must remove any apparatus and restore the land to its original condition as far as is reasonably practicable.

(7) The undertaker must compensate the owners and occupiers of the land for any loss or damage arising by reason of the exercise of the powers conferred by this article, such compensation to be determined, in case of dispute, under Part 1 of the 1961 Act (determination of questions of disputed compensation).

(8) If a highway authority or street authority which receives an application for consent fails to notify the undertaker of its decision within 28 days (or such other period as agreed by the relevant highway authority or street authority and the undertaker) of receiving the application for consent—

(a) under sub-paragraph (5)(a) in the case of a highway authority; or

(b) under sub-paragraph (5)(b) in the case of a street authority,

that authority is deemed to have granted consent.

(9) Any application for consent under either sub-paragraph (5)(a) or sub-paragraph (5)(b) must include a statement that the provisions of paragraph (8) apply to that application.

(10) If an application for consent under either sub-paragraph (5)(a) or sub-paragraph (5)(b) does not include the statement required under paragraph (9), then the provisions of paragraph (8) will not apply to that application.

(11) Section 13 of the 1965 Act(**a**) (refusal to give possession to acquiring authority) applies to the temporary use of land pursuant to this article to the same extent as it applies to the compulsory acquisition of land under this Order by virtue of section 125 of the 2008 Act (application of compulsory acquisition provisions)(**b**).

PART 5

ACQUISITION AND POSSESSION OF LAND

Powers of acquisition

Compulsory acquisition of land

23. National Grid may acquire compulsorily so much of the Order land described in the book of reference as is required for the construction, operation and maintenance of the authorised development (including the NGED Works, the NPG Works and the BT Works) or is incidental to it or required to facilitate it.

Compulsory acquisition of rights

24.—(1) Subject to the provisions of this article, the undertaker may acquire compulsorily the rights, and impose the restrictions, over the Order land, described in the book of reference, and detailed in Schedule 10 (land in which only new rights and restrictive covenants etc. may be acquired) including rights and restrictive covenants for the benefit of a statutory undertaker or any other person, by creating them as well as by acquiring rights and the benefits of restrictions already in existence.

(2) Subject to section 8 of the 1965 Act(**c**) (other provisions as to divided land) as substituted by Schedule 8 to this Order (modification of compensation and compulsory purchase enactments), where the undertaker acquires a right over land or imposes a restriction under paragraph (1), the undertaker is not required to acquire a greater interest in that land.

(3) Schedule 8 to this Order (modification of compensation and compulsory purchase enactments) has effect for the purpose of modifying the enactments relating to compensation and the provisions of the 1965 Act in their application in relation to the compulsory acquisition under this article of a right over land by the creation of a new right or the imposition of a restriction.

(4) In any case where the acquisition of rights or the imposition of a restriction under paragraph (1) is required for the purpose of diverting, replacing or protecting apparatus of a statutory undertaker, the undertaker may, with the consent of the Secretary of State, transfer the power to acquire such rights or impose such restrictions to the relevant statutory undertaker other than in respect of the NGED Works, the NPG Works and the BT Works where no such consent is required.

(5) The exercise by a statutory undertaker of any power in accordance with a transfer under paragraph (4) is subject to the same restrictions, liabilities and obligations as would apply under this Order if that power were exercised by the undertaker.

(**a**) Section 13 was amended by sections 62(3) and 139(5) to (9) of, and paragraph 28 of Schedule 13 and Part 3 of Schedule 23 to, the Tribunals, Courts and Enforcement Act 2007 (c. 15).
(**b**) Section 125 was amended by paragraph 17 of Schedule 16 to the Housing and Planning Act 2016 (c. 22).
(**c**) Section 8 was amended by paragraphs 1 and 2 of Schedule 17 to the Housing and Planning Act 2016 (c. 22), and paragraph 62(b) and (c) of Schedule 1 of S.I. 2009/1307.

Acquisition of subsoil or airspace only

25.—(1) The undertaker may compulsorily acquire so much of, or such rights in, the subsoil of, or the airspace of, the land referred to in article 23 (compulsory acquisition of land) and article 24 (compulsory acquisition of rights) as may be required for any purpose for which that land may be acquired or for which rights over or under the land may be acquired under those provisions instead of acquiring the whole of the land.

(2) Where the undertaker acquires any part of, or rights in, the subsoil of or the airspace over land under paragraph (1) the undertaker is not required to acquire an interest in any other part of the land.

(3) The following do not apply in connection with the exercise of the power under paragraph (1) in relation to subsoil or airspace only—

(a) Schedule 2A (counter-notice requiring purchase of land not in notice to treat) to the 1965 Act(**a**) (as modified by article 37 (application of Part 1 of the 1965 Act));

(b) Schedule A1 (counter-notice requiring purchase of land not in general vesting declaration) to the 1981 Act(**b**); and

(c) section 153(4A) (reference of objection to Upper Tribunal: general; blighted land: proposed acquisition of part interest; material detriment test) of the 1990 Act(**c**).

(4) Subject to paragraph (5), any person who is an owner or occupier of land appropriated under paragraph (1) without the undertaker acquiring any part of that person's interest in the land, and who suffers loss as a result, is entitled to compensation to be determined, in case of dispute, under Part 1 of the 1961 Act.

(5) Compensation is not payable under paragraph (4) to any person who is a statutory undertaker to whom section 85 (sharing of cost of necessary measures) of the 1991 Act applies in respect of measures of which the allowable costs are to be borne in accordance with that section.

Use of subsoil under or airspace over streets

26.—(1) The undertaker may enter on and use so much of the subsoil of, or airspace over, any street within the Order limits as may be required for the purposes of the authorised development or for any other purpose ancillary to the authorised development and may use the subsoil or airspace for those purposes.

(2) Subject to paragraph (3), the undertaker may exercise any power conferred by paragraph (1) in relation to a street without being required to acquire any part of the street or any easement or right in the street.

(3) Paragraph (2) does not apply in relation to—

(a) any subway or underground building; or

(b) any cellar, vault, arch or other construction in, on or under a street which forms part of a building fronting onto the street.

(4) Subject to paragraph (5), any person who is an owner or occupier of land appropriated under paragraph (2) without the undertaker acquiring any part of that person's interest in the land, and who suffers loss as a result, is entitled to compensation to be determined, in case of dispute, under Part 1 of the 1961 Act.

(5) Compensation is not payable under paragraph (4) to any person who is an undertaker to whom section 85 of the 1991 Act (sharing cost of necessary measures) applies in respect of measures of which the allowable costs are to be borne in accordance with that section.

(**a**) 1965 (c. 56). Schedule 2A was added by paragraph 3 of Part 1 of Schedule 17 of the Housing and Planning Act 2016 (c. 22).
(**b**) Schedule A1 was added by paragraph 6 of Part 1 of Schedule 18 of the Housing and Planning Act 2016 (c. 22).
(**c**) Section 153(4A) was added by section 200(2) of Part 7 of the Housing and Planning Act 2016 (c. 22)

Temporary use of land by National Grid

27.—(1) National Grid may, in connection with the carrying out of the authorised development—

(a) enter on and take temporary possession of—

(i) so much of the land specified in column (1) of Part 1 of Schedule 9 (land of which temporary possession may be taken) to exercise the powers described in the book of reference for the purpose specified in relation to that land in column (2) of that Part of that Schedule relating to the part of the authorised development specified in column (3) of that Part of that Schedule; and

(ii) any other Order land in respect of which no notice of entry has been served under section 11 of the 1965 Act(**a**) (other than in connection with the acquisition of rights only) and no declaration has been made under section 4 of the 1981 Act(**b**);

(b) remove or alter any electric line, electrical plant, electronic telecommunications apparatus, buildings, structures, pylons, apparatus, equipment, archaeological artefact, vegetation or any other thing from that land;

(c) construct temporary or permanent works (including the provision of means of access, drainage, security fencing, storage areas structures, scaffolding, protective measures and buildings) on that land; and

(d) in relation to temporary possession of land taken under sub-paragraph (a)(i) construct any works specified in relation to that land in column (2) of Part 1 of Schedule 9 (land of which temporary possession may be taken) or any other mitigation works and in relation to temporary possession of land taken under sub-paragraph (a)(ii) construct any of the authorised development or any other mitigation works; and

(e) temporarily possess:

(i) the land identified as parcels A12-001, A12-002, A12-003 and A12-009 in the book of reference for the temporary diversion of vehicular traffic; or

(ii) any other land (including land specified in Part 1 of Schedule 9) (land of which temporary possession may be taken)) for the temporary diversion of vehicular traffic or the temporary diversion of non-motorised traffic over public and private rights of way where required in the exercise of powers under article 16 (temporary closure of streets and public rights of way) or otherwise required to avoid prejudice to the use of land within the Order limits by land owners during construction of the authorised development.

(2) Not less than 14 days before entering on and taking temporary possession of land under this article, National Grid must serve notice of the intended entry on the owners and occupiers of the land.

(3) National Grid may not, without the agreement of the owners of the land, remain in possession of any land under this article—

(a) in the case of land referred to in sub-paragraph (1)(a)(i), after the end of the period of 12 months beginning with the date of completion of the part of the authorised development specified in relation to that land in column (3) of Part 1 of Schedule 9 (land of which temporary possession may be taken), or

(b) in the case of land referred to in sub-paragraph (1)(a)(ii), after the end of the period of 12 months beginning with the date of completion of the work for which temporary possession of the land was taken unless National Grid has, by the end of that period,

(**a**) Section 11 was inserted by the Housing and Planning Act 2016 (c. 22).
(**b**) Section 4 was amended by section 184 and 185 of Part 7 and paragraph 2 of Part 1 of Schedule 18 to the Housing and Planning Act 2016 (c. 22) and section 107(3) of Part 5 of the Planning and Infrastructure Act 2025.

served a notice of entry under section 11 of the 1965 Act or made a declaration under section 4 of the 1981 Act in relation to that land.

(4) National Grid must provide the owners of any land of which temporary possession has been taken under this article with written notice of the date of completion of the works for which temporary possession was taken within 28 days of the completion of those works.

(5) Before giving up possession of land of which only temporary possession has been taken under sub-paragraph (1)(a)(i), unless otherwise agreed with the owners of the land, National Grid must remove all temporary works and restore the land to the reasonable satisfaction of the owners of the land, but National Grid is not required to—

(a) replace a building, structure, apparatus, equipment, electric line, electrical plant or pylon removed under this article;

(b) restore the land on which any works or mitigation works have been carried out under sub-paragraph (1)(d);

(c) remove any foundations below 1.2 metres which had been placed in that land to support pylons and electric lines constructed upon those foundations;

(d) remove any permanent work including pylons, electric lines, underground electric line, or other permanent services, constructed or installed on, over, under or in that land as part of the authorised development;

(e) remove any ground-strengthening works (being either works listed in Part 1 of Schedule 9 (land of which temporary possession may be taken) of this Order or other works to provide safe and stable ground conditions) which have been placed in that land to facilitate construction of the authorised development;

(f) remove or reposition any apparatus belonging to statutory undertakers;

(g) remove any drainage works; or

(h) restore ground levels adjusted as part of the authorised development.

(6) Before giving up possession of land of which temporary possession has been taken under sub-paragraph (1)(a)(ii), unless otherwise agreed by the owners of the land, National Grid must either acquire the land or the interest on, over, or in the land in accordance with the provisions of sub-paragraph (3)(b) or remove all temporary works and restore the land to the reasonable satisfaction of the owners of the land; but National Grid is not required to—

(a) replace a building, structure, apparatus, equipment, electric line, electrical plant or pylon removed under this article;

(b) restore the land on which any mitigation works have been carried out under sub-paragraph (1)(d);

(c) remove any foundations below 1.2 metres which had been placed in that land to support pylons and electric lines constructed upon those foundations;

(d) remove any permanent work including pylons, electric lines, underground electric line, or other permanent services, constructed or installed on, over, under or in that land as part of the authorised development;

(e) remove any ground-strengthening works (being works to provide safe and stable ground conditions) which have been placed in that land to facilitate construction of the authorised development;

(f) remove or reposition any apparatus belonging to statutory undertakers;

(g) remove any drainage works; or

(h) restore ground levels adjusted as part of the authorised development.

(7) National Grid must pay compensation to the owners and occupiers of land of which temporary possession is taken under this article for any loss or damage arising from the exercise in relation to the land of the provisions of this article.

(8) Any dispute as to a person's entitlement to compensation under paragraph (7), or as to the amount of the compensation, must be determined under Part 1 of the 1961 Act.

(9) Nothing in this article affects any liability to pay compensation under section 152 of the 2008 Act (compensation in case where no right to claim in nuisance) or under any other enactment in respect of loss or damage arising from the carrying out of the authorised development, other than loss or damage for which compensation is payable under paragraph (7).

(10) Where National Grid takes possession of land under this article, National Grid is not required to acquire the land or any interest in it.

(11) Section 13 of the 1965 Act (refusal to give possession to acquiring authority) applies to the temporary use of land pursuant to this article to the same extent as it applies to the compulsory acquisition of land under this Order by virtue of section 125 of the 2008 Act (application of compulsory acquisition provisions).

(12) Nothing in this article prevents National Grid from taking temporary possession more than once in relation to any land specified in sub-paragraph (1)(a).

Temporary use of land by NGED

28.—(1) NGED may, in connection with the carrying out of the NGED Works—

(a) enter on and take temporary possession of—

(i) so much of the land specified in column (1) of Part 3 of Schedule 9 (land of which temporary possession may be taken) to exercise the powers described in the book of reference for the purpose specified in relation to that land in column (2) of that Part of that Schedule relating to the part of the authorised development specified in column (3) of that Part of that Schedule; and

(ii) any other Order land in respect of the NGED Works in respect of which no notice of entry has been served under section 11 of the 1965 Act (other than in connection with the acquisition of rights only) and no declaration has been made under section 4 of the 1981 Act;

(b) remove any electric line, electrical plant, buildings, structures, pylons, apparatus, equipment, vegetation or any other thing from that land;

(c) construct temporary or permanent works (including the provision of means of access, drainage and buildings or structures on that land); and

(d) construct any works specified in relation to that land in column (2) of Part 3 of Schedule 9 (land of which temporary possession may be taken) or any other mitigation works.

(2) Not less than 14 days before entering on and taking temporary possession of land under this article, NGED must serve notice of the intended entry on the owners and occupiers of the land.

(3) NGED may not, without the agreement of the owners of the land, remain in possession of any land under this article—

(a) in the case of land referred to in sub-paragraph (1)(a)(i), after the end of the period of 12 months beginning with the date of completion of the part of the authorised development specified in relation to that land in column (3) of Part 3 of Schedule 10 (land of which only new rights may be acquired), or

(b) in the case of land referred to in sub-paragraph (1)(a)(ii), after the end of the period of 12 months beginning with the date of completion of the work for which temporary possession of the land was taken unless NGED has, by the end of that period, served a notice of entry under section 11 of the 1965 Act or made a declaration under section 4 of the 1981 Act in relation to that land

(4) NGED must provide the owners of any land of which temporary possession has been taken under this article with written notice of the date of completion of the works for which temporary possession was taken within 28 days of the completion of those works.

(5) Before giving up possession of land of which temporary possession has been taken under sub-paragraph (1)(a)(i), unless otherwise agreed with the owners of the land NGED must remove all temporary works and restore the land to the reasonable satisfaction of the owners of the land, but NGED is not required to—

(a) replace a building, structure, electric line, electrical plant or pylon removed under this article;

(b) restore the land on which any works or mitigation have been carried out under sub-paragraph (1)(d);

(c) remove any foundations below 1.2 metres which had been placed in that land to support pylons and electric lines constructed upon those foundations; or

(d) remove any pylons or electric lines or underground cables constructed or installed on, over, under or in that land as part of the NGED Works.

(6) Before giving up possession of land of which temporary possession has been taken under sub-paragraph (1)(a)(ii), unless otherwise agreed by the owners of the land, NGED must either acquire the land or the interest on, over, or in the land in accordance with the provisions of sub-paragraph (3)(b) or remove all temporary works and restore the land to the reasonable satisfaction of the owners of the land; but NGED is not required to—

(a) replace a building, structure, electric line, electrical plant or pylon removed under this article;

(b) restore the land on which any mitigation has been carried out under sub-paragraph (1)(d);

(c) remove any foundations below 1.2 metres which had been placed in that land to support pylons and electric lines constructed upon those foundations; or

(d) remove any pylons or electric lines or underground cables constructed or installed on, over, under or in that land as part of the NGED Works.

(7) NGED must pay compensation to the owners and occupiers of land of which temporary possession is taken under this article for any loss or damage arising from the exercise in relation to the land of the provisions of this article.

(8) Any dispute as to a person's entitlement to compensation under paragraph (7), or as to the amount of the compensation, must be determined under Part 1 of the 1961 Act.

(9) Nothing in this article affects any liability to pay compensation under section 152 of the 2008 Act (compensation in case where no right to claim in nuisance) or under any other enactment in respect of loss or damage arising from the carrying out of the authorised development, other than loss or damage for which compensation is payable under paragraph (7).

(10) Where NGED takes possession of land under this article, NGED is not required to acquire the land or any interest in it.

(11) Section 13 of the 1965 Act (refusal to give possession to acquiring authority) applies to the temporary use of land pursuant to this article to the same extent as it applies to the compulsory acquisition of land under this Order by virtue of section 125 of the 2008 Act (application of compulsory acquisition provisions).

(12) Nothing in this article prevents—

(a) NGED from taking temporary possession more than once in relation to any land specified in sub-paragraph (1)(a); or

(b) National Grid from taking temporary possession more than once in relation to any land specified in article 27(1)(a).

Temporary use of land by NPG

29.—(1) NPG may, in connection with the carrying out of the NPG Works—

(a) enter on and take temporary possession of—

(i) so much of the land specified in column (1) of Part 2 of Schedule 9 (land of which temporary possession may be taken) to exercise the powers described in the book of reference for the purpose specified in relation to that land in column (2) of that Part of that Schedule relating to the part of the authorised development specified in column (3) of that Part of that Schedule; and

(ii) any other Order land in respect of the NPG Works in respect of which no notice of entry has been served under section 11 of the 1965 Act (other than in connection with the acquisition of rights only) and no declaration has been made under section 4 of the 1981 Act;

(b) remove any electric line, electrical plant, buildings, structures, pylons, apparatus, equipment, vegetation or any other thing from that land;

(c) construct temporary or permanent works (including the provision of means of access, drainage and buildings or structures on that land); and

(d) construct any works specified in relation to that land in column (2) of Part 2 of Schedule 9 (land of which temporary possession may be taken) or any other mitigation works.

(2) Not less than 14 days before entering on and taking temporary possession of land under this article, NPG must serve notice of the intended entry on the owners and occupiers of the land.

(3) NPG may not, without the agreement of the owners of the land, remain in possession of any land under this article—

(a) in the case of land referred to in sub-paragraph (1)(a)(i), after the end of the period of 12 months beginning with the date of completion of the part of the authorised development specified in relation to that land in column (3) of Part 2 of Schedule 10 (land in which only new rights may be taken), or

(b) in the case of land referred to in sub-paragraph (1)(a)(ii), after the end of the period of 12 months beginning with the date of completion of the work for which temporary possession of the land was taken unless NPG has, by the end of that period, served a notice of entry under section 11 of the 1965 Act or made a declaration under section 4 of the 1981 Act in relation to that land.

(4) NPG must provide the owners of any land of which temporary possession has been taken under this article with written notice of the date of completion of the works for which temporary possession was taken within 28 days of the completion of those works.

(5) Before giving up possession of land of which temporary possession has been taken under sub-paragraph (1)(a)(i), unless otherwise agreed with the owners of the land NPG must remove all temporary works and restore the land to the reasonable satisfaction of the owners of the land, but NPG is not required to—

(a) replace a building, structure, electric line, electrical plant or pylon removed under this article;

(b) restore the land on which any works or mitigation have been carried out under sub-paragraph (1)(d);

(c) remove any foundations below 1.2 metres which had been placed in that land to support pylons and electric lines constructed upon those foundations; or

(d) remove any pylons or electric lines or underground cables constructed or installed on, over, under or in that land as part of the NPG Works.

(6) Before giving up possession of land of which temporary possession has been taken under sub-paragraph (1)(a)(ii), unless otherwise agreed by the owners of the land, NPG must either acquire the land or the interest on, over, or in the land in accordance with the provisions of sub-paragraph (3)(b) or remove all temporary works and restore the land to the reasonable satisfaction of the owners of the land; but NPG is not required to—

(a) replace a building, structure, electric line, electrical plant or pylon removed under this article;

(b) restore the land on which any mitigation has been carried out under sub-paragraph (1)(d);

(c) remove any foundations below 1.2 metres which had been placed in that land to support pylons and electric lines constructed upon those foundations; or

(d) remove any pylons or electric lines or underground cables constructed or installed on, over, under or in that land as part of the NPG Works.

(7) NPG must pay compensation to the owners and occupiers of land of which temporary possession is taken under this article for any loss or damage arising from the exercise in relation to the land of the provisions of this article.

(8) Any dispute as to a person's entitlement to compensation under paragraph (7), or as to the amount of the compensation, must be determined under Part 1 of the 1961 Act.

(9) Nothing in this article affects any liability to pay compensation under section 152 of the 2008 Act (compensation in case where no right to claim in nuisance) or under any other enactment in respect of loss or damage arising from the carrying out of the authorised development, other than loss or damage for which compensation is payable under paragraph (7).

(10) Where NPG takes possession of land under this article, NPG is not required to acquire the land or any interest in it.

(11) Section 13 of the 1965 Act (refusal to give possession to acquiring authority) applies to the temporary use of land pursuant to this article to the same extent as it applies to the compulsory acquisition of land under this Order by virtue of section 125 of the 2008 Act (application of compulsory acquisition provisions).

(12) Nothing in this article prevents—

(a) NPG from taking temporary possession more than once in relation to any land specified in sub-paragraph (1)(a); or

(b) National Grid from taking temporary possession more than once in relation to any land specified in article 27(1)(a).

Temporary use of land by BT

30.—(1) BT may, in connection with the carrying out of the BT Works—

(a) enter on and take temporary possession of any Order land in respect of the BT Works in respect of which no notice of entry has been served under section 11 of the 1965 Act (other than in connection with the acquisition of rights only) and no declaration has been made under section 4 of the 1981 Act;

(b) remove any electric line, electrical plant, buildings, structures, pylons, apparatus, equipment, vegetation or any other thing from that land;

(c) construct temporary or permanent works (including the provision of means of access, drainage and buildings or structures on that land); and

(d) construct any mitigation works.

(2) Not less than 14 days before entering on and taking temporary possession of land under this article, BT must serve notice of the intended entry on the owners and occupiers of the land.

(3) BT may not, without the agreement of the owners of the land, remain in possession of any land under this article after the end of the period of 12 months beginning with the date of completion of the work for which temporary possession of the land was taken unless BT has, by the end of that period, served a notice of entry under section 11 of the 1965 Act or made a declaration under section 4 of the 1981 Act in relation to that land.

(4) BT must provide the owner(s) of any land of which temporary possession has been taken under this article with written notice of the date of completion of the works for which temporary possession was taken within 28 days of the completion of those works.

(5) Before giving up possession of land of which temporary possession has been taken under sub-paragraph (1)(a), unless otherwise agreed with the owners of the land BT must remove all temporary works and restore the land to the reasonable satisfaction of the owners of the land, but BT is not required to—

(a) replace a building, structure, electric line, electrical plant or pylon removed under this article;

(b) restore the land on which any works or mitigation have been carried out under sub-paragraph (1)(d);

(c) remove any foundations below 1.2 metres which had been placed in that land to support pylons and electric lines constructed upon those foundations; or

(d) remove any pylons or electric lines or underground cables constructed or installed on, over, under or in that land as part of the BT Works.

(6) Before giving up possession of land of which temporary possession has been taken under sub-paragraph (1)(a), unless otherwise agreed by the owners of the land, BT must either acquire the land or the interest on, over, or in the land in accordance with the provisions of paragraph (3) or remove all temporary works and restore the land to the reasonable satisfaction of the owners of the land; but BT is not required to—

(a) replace a building, structure, electric line, electrical plant or pylon removed under this article;

(b) restore the land on which any mitigation has been carried out under sub-paragraph (1)(d);

(c) remove any foundations below 1.2 metres which had been placed in that land to support pylons and electric lines constructed upon those foundations; or

(d) remove any pylons or electric lines or underground cables constructed or installed on, over, under or in that land as part of the BT Works.

(7) BT must pay compensation to the owners and occupiers of land of which temporary possession is taken under this article for any loss or damage arising from the exercise in relation to the land of the provisions of this article.

(8) Any dispute as to a person's entitlement to compensation under paragraph (7), or as to the amount of the compensation, must be determined under Part 1 of the 1961 Act.

(9) Nothing in this article affects any liability to pay compensation under section 152 of the 2008 Act (compensation in case where no right to claim in nuisance) or under any other enactment in respect of loss or damage arising from the carrying out of the authorised development, other than loss or damage for which compensation is payable under paragraph (7).

(10) Where BT takes possession of land under this article, BT is not required to acquire the land or any interest in it.

(11) Section 13 of the 1965 Act (refusal to give possession to acquiring authority) applies to the temporary use of land pursuant to this article to the same extent as it applies to the compulsory acquisition of land under this Order by virtue of section 125 of the 2008 Act (application of compulsory acquisition provisions).

(12) Nothing in this article prevents—

(a) BT from taking temporary possession more than once in relation to any land specified in sub-paragraph (1)(a); or

(b) National Grid from taking temporary possession more than once in relation to any land specified in article 27(1)(a).

Temporary use of land for maintaining the authorised development

31.—(1) Subject to paragraph (2), at any time during the maintenance period relating to any part of the authorised development, the undertaker may—

(a) enter upon and take temporary possession of any land within the Order limits if such possession is reasonably required for the purpose of maintaining the authorised development;

(b) construct such temporary works (including the provision of means of access) and buildings on the land as may be reasonably necessary for that purpose; and

(c) enter on any land within the Order limits for the purpose of gaining such access as is reasonably required for the purpose of maintaining the authorised development.

(2) Paragraph (1) does not authorise the undertaker to take temporary possession of—

(a) any house or garden belonging to a house; or

(b) any building (other than a house) if it is for the time being occupied.

(3) Not less than 14 days before entering upon and taking temporary possession of land under this article the undertaker must serve notice of the intended entry on the owners and occupiers of the land and that notice must explain the purpose for which entry is taken, except as provided in paragraph (11).

(4) The undertaker may remain in possession of land under this article only for so long as may be reasonably necessary to carry out the maintenance of the part of the authorised development for which possession of the land was taken.

(5) Before giving up possession of land of which temporary possession has been taken under this article, the undertaker must remove all temporary works and restore the land to the reasonable satisfaction of the owners of the land.

(6) The undertaker must pay compensation to the owners and occupiers of land of which temporary possession is taken under this article for any loss or damage arising from the exercise in relation to the land of the powers conferred by this article.

(7) Any dispute as to a person's entitlement to compensation under paragraph (6), or as to the amount of the compensation, must be determined under Part 1 of the 1961 Act.

(8) Nothing in this article affects any liability to pay compensation under section 152 of the 2008 Act (compensation in case where no right to claim in nuisance) or under any other enactment in respect of loss or damage arising from the maintenance of the authorised development, other than loss or damage for which compensation is payable under paragraph (6).

(9) Where the undertaker takes possession of land under this article, the undertaker is not required to acquire the land or any interest in it.

(10) Section 13 of the 1965 Act (refusal to give possession to the acquiring authority) applies to the temporary use of land pursuant to this article to the same extent as it applies to the compulsory acquisition of land under this Order by virtue of section 125 of the 2008 Act (application of compulsory acquisition provisions).

(11) Where the undertaker has identified a potential risk to the safety of—

(a) the authorised development or any part of it; or

(b) the public; or

(c) the surrounding environment,

the requirement to serve not less than 14 days' notice under paragraph (3) does not apply and the undertaker may enter the land pursuant to paragraph (1) subject to giving such period of notice (if any) as is reasonably practicable in all the circumstances.

(12) In this article "the maintenance period" in relation to any part of the authorised development means the period of five years beginning with the date on which that part of the authorised development is brought into operational use, except where the authorised development is replacement or landscape planting where "the maintenance period" means the period of five years beginning with the date on which that part of the replacement or landscape planting is completed.

Compensation

Disregard of certain interests and improvements

32.—(1) In assessing the compensation payable to any person on the acquisition from that person of any land or right over any land under this Order, the tribunal must not take into account—

(a) any interest in land; or

(b) any enhancement of the value of any interest in land by reason of any building erected, works executed or improvement or alteration made on relevant land,

if the tribunal is satisfied that the creation of the interest, the erection of the building, the execution of the works or the making of the improvement or alteration as part of the authorised development

was not reasonably necessary and was undertaken with a view to obtaining compensation or increased compensation.

(2) In paragraph (1) "relevant land" means the land acquired from the person concerned or any other land with which that person is, or was at the time when the building was erected, the works executed or the improvement or alteration made as part of the authorised development, directly or indirectly concerned.

Set-off for enhancement in value of retained land

33.—(1) In assessing the compensation payable to any person in respect of the acquisition from that person under this Order of any land (including any subsoil) the tribunal must set off against the value of the land so acquired any increase in value of any contiguous or adjacent land belonging to that person in the same capacity which will accrue to that person by reason of the construction of the authorised development.

(2) In assessing the compensation payable to any person in respect of the acquisition from that person of any new rights over land (including the subsoil), under article 24 (compulsory acquisition of rights), the tribunal must set off against the value of the rights so acquired—

(a) any increase in the value of the land over which the new rights are required; and

(b) any increase in value of any contiguous or adjacent land belonging to that person in the same capacity,

which will accrue to that person by reason of the construction of the authorised development.

(3) The 1961 Act has effect, subject to paragraphs (1) and (2), as if this Order were a local enactment for the purposes of that Act.

Supplementary

Compulsory acquisition of land – incorporation of the mineral code

34. Parts 2 and 3 of Schedule 2 to the Acquisition of Land Act 1981(**a**) (minerals) are incorporated into this Order subject to the modifications that—

(a) paragraph 8(3) is not incorporated;

(b) for "the acquiring authority" substitute "the undertaker";

(c) for "undertaking" substitute "authorised development"; and

(d) for "compulsory purchase order" substitute "this Order".

Time limit for exercise of authority to acquire land and rights compulsorily

35.—(1) After the end of the period of seven years beginning with the day on which this Order comes into force—

(a) no notice to treat may be served under Part 1 of the 1965 Act; and

(b) no declaration may be executed under section 4 of the 1981 Act as applied by article 36 (application of the 1981 Act).

(2) The authority conferred by article 27 (temporary use of land by National Grid), article 28 (temporary use of land by NGED), article 29 (temporary use of land by NPG) and article 30 (temporary use of land by BT) ceases at the end of the period referred to in paragraph (1), save that nothing in this paragraph prevents the undertaker remaining in possession of land after the end of that period, if the land was entered and possession was taken before the end of that period.

(3) If any proceedings are begun to challenge the validity of this Order, the period specified in paragraph (1) is extended for the period specified in paragraph (4).

(**a**) 1981 (c. 67). Sub-paragraph (5) of paragraph 1 of Part 1 of Schedule 2 was amended by section 67 of, and paragraph 27(3) of Schedule 9 to, the Coal Industry Act 1994 (c. 21) and paragraph 8 of Part 3 of Schedule 2 was amended by section 46 of the Criminal Justice Act 1982 (c. 48). There are other amendments to the 1981 Act which are not relevant to this Order.

(4) Under paragraph (3) the period is taken to be extended by—

(a) a period equivalent to the period beginning with the day the proceedings are filed and ending on the day they are withdrawn or finally determined, or

(b) if shorter, one year.

(5) Proceedings are not finally determined for the purposes of paragraph (4)(a) if any appeal—

(a) could be brought (ignoring any possibility of an appeal out of time with permission), or

(b) has been made and not withdrawn or finally determined.

Application of the 1981 Act

36.—(1) The 1981 Act applies as if this Order were a compulsory purchase order.

(2) The 1981 Act, as so applied, has effect with the following modifications.

(3) In section 1 (application of Act) for subsection (2) there is substituted —

"(2) This section applies to any Minister, any local or other public authority or any other body or person authorised to acquire land by means of a compulsory purchase order."

(4) In section 5(2)(**a**) (earliest date for execution of declaration), omit the words from "and this subsection" to the end.

(5) Section 5A(**b**) (time limit for general vesting declaration) is omitted.

(6) In section 5B(**c**) (extension of time limit during challenge)—

(a) for "section 23 of the Acquisition of Land Act 1981 (application to High Court in respect of compulsory purchase order)" substitute "section 118(**d**) of the Planning Act 2008 (legal challenges relating to applications for orders granting development consent)"; and

(b) for "the applicable period for the purposes of section 5A" substitute "the seven year period mentioned in article 35 (time limit for exercise of authority to acquire land and rights compulsorily) of the National Grid (North Humber to High Marnham) Order 202*".

(7) In section 6(1)(b)(**e**) (notices after execution of declaration) substitute—

"(b) on every other person who has given information to the acquiring authority with respect to any of that land further to the invitation published and served under section 134(**f**) (notice of authorisation of compulsory acquisition) of the Planning Act 2008."

(8) In section 7(1)(a)(**g**) (constructive notice to treat), omit "(as modified by section 4 of the Acquisition of Land Act 1981)".

(9) In Schedule A1 (counter-notice requiring purchase of land not in general vesting declaration), for paragraph 1(2) substitute—

"(2) But see article 25(3) (acquisition of subsoil or airspace only) of the National Grid (North Humber to High Marnham) Order 202*, which excludes the acquisition of subsoil or airspace only from this Schedule."

(10) References to the 1965 Act in the 1981 Act must be construed as references to the 1965 Act as applied by section 125 of the 2008 Act (application of compulsory acquisition provisions) and

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(**a**) Section 5 was amended by section 183 of, and paragraphs 4 and 6 of Schedule 15 to, the Housing and Planning Act 2016 (c. 22).
(**b**) Section 5A was inserted by section 182(2) of Part 7 of the Housing and Planning Act 2016 (c. 22).
(**c**) Section 5B was inserted by section 202(2) of the Housing and Planning Act 2016 (c. 22).
(**d**) Section 118 was amended by paragraph 59 of Schedule 13, and Part 20 of Schedule 25, to the Localism Act 2011 (c. 20) and section 92(4) of the Criminal Justice and Courts Act 2015 (c. 2).
(**e**) Section 6(1)(b) was amended paragraph 7 of Schedule 15 to the Housing and Planning Act 2016 (c. 22).
(**f**) Section 134 was amended by section 142 of Chapter 6 of Part 6, and Part 21 of Schedule 25 to, the Localism Act 2011 (c. 20) and paragraph 6(1) of Schedule 1 S.I. 2017/16.
(**g**) Section 7 was substituted by paragraph 3 of Part 1 Schedule 18 to the Housing and Planning Act 2016 (c. 22).

as modified by article 37 (application of Part 1 of the 1965 Act) to the compulsory acquisition of land under this Order.

Application of Part 1 of the 1965 Act

37.—(1) Part 1 of the 1965 Act as applied to this Order by section 125 (application of compulsory acquisition provisions) of the 2008 Act is modified as follows.

(2) In section 4 (time limit for giving notice to treat)(**a**) for "after the end of the applicable period beginning with the day on which the compulsory purchase order becomes operative" substitute "after the end of the period stated in article 35 (time limit for exercise of authority to acquire land and rights compulsorily) of the National Grid (North Humber to High Marnham) Order 202*; and

(3) in section 4A(1) (extension of time limit during challenge)(**b**)—

(a) for "section 23 of the Acquisition of Land Act 1981 (grounds for application to the High Court in respect of compulsory purchase order)(**c**)" substitute "section 118 of the Planning Act 2008 (legal challenges relating to applications for orders granting development consent)"; and

(b) for "the applicable period for the purposes of section 4" substitute "the seven year period mentioned in article 35 (time limit for exercise of authority to acquire land and rights compulsorily) of the National Grid (North Humber to High Marnham) Order 202*".

(4) In section 11A (powers of entry: further notice of entry)(**d**)—

(a) in subsection (1)(a), after "land" insert "under that provision"; and

(b) in subsection (2), after "land" insert "under that provision".

(5) In section 22(2) (expiry of time limit for exercise of compulsory purchase power not to affect acquisition of interests omitted from purchase), for "section 4 of this Act" substitute "article 35 (time limit for exercise of authority to acquire land and rights compulsorily) of the National Grid (North Humber to High Marnham) Order 202*".

(6) In Schedule 2A (counter-notice requiring purchase of land not in notice to treat)—

(a) for paragraphs 1(2) and 14(2) substitute—

"(2) But see article 25(3) (acquisition of subsoil or airspace only) of the National Grid (North Humber to High Marnham) Order 202*, which excludes the acquisition of subsoil or airspace only from this Schedule"; and

(b) after paragraph 29, insert—

"PART 4

INTERPRETATION

30. In this Schedule, references to entering on and taking possession of land do not include doing so under article 21 (protective works), 27 (temporary use of land by National Grid), 28 (temporary use of land by NGED), 29 (temporary use of land by NPG), 30 (temporary use of land by BT) or 31 (temporary use of land for maintaining the authorised development) of the National Grid (North Humber to High Marnham) Order 202*."

(**a**) Section 4 was amended by section 182(1) of Part 7 of the Housing and Planning Act 2016 (c. 22)
(**b**) Section 4A was amended by section 202(1) of Part 7 of the Housing and Planning Act 2016 (c. 22) and section 185(2) of Part 9 of the Levelling-Up and Regeneration Act 2023 (c. 55).
(**c**) Section 23 amended by paragraph 14 of Schedule 3 of the Tribunals and Inquiries Act 1992 (c. 53).
(**d**) Section 11A added by section 186(3) of Part 7 of the Housing and Planning Act 2016 (c. 22)

Extinguishment and suspension of private rights

38.—(1) Subject to the provisions of this article, all private rights and restrictive covenants over land subject to compulsory acquisition under this Order are extinguished or suspended—

(a) as from the date of acquisition of the land by the undertaker, whether compulsorily or by agreement; or

(b) on the date of entry on the land by the undertaker under section 11(1) of the 1965 Act (power of entry),

whichever is the earlier.

(2) Subject to the provisions of this article, all private rights and restrictive covenants over land owned by the undertaker which, being within the Order limits, is required for the purposes of this Order, are extinguished on the start of any activity authorised by this Order which interferes with or breaches such rights or such restrictive covenants.

(3) Subject to the provisions of this article, all private rights and restrictive covenants over land subject to the compulsory acquisition of rights or the imposition of restrictions under this Order are extinguished in so far as their continuance would be inconsistent with the exercise of the right acquired or the burden of the restriction imposed—

(a) as from the date of the acquisition of the right or the benefit of the restriction by the undertaker, whether compulsorily or by agreement; or

(b) on the date of entry on the land by the undertaker under section 11(1) of the 1965 Act in pursuance of the right; or

(c) on commencement of any activity authorised by the Order which interferes with or breaches those rights,

whichever is the earlier.

(4) Subject to the provisions of this article and article 41 (extinguishment of private rights and restrictive covenants relating to apparatus belonging to National Grid, NGED,NPG or BT removed from land subject to temporary possession), all private rights or restrictive covenants over land of which the undertaker takes temporary possession under this Order are suspended and unenforceable for as long as the undertaker remains in lawful possession of the land and in so far as their continuation would be inconsistent with the exercise of the powers under this Order or a breach of a restriction as to the user of land arising by virtue of a contract.

(5) Any person who suffers loss by the extinguishment or suspension of any private right or restrictive covenant under this article is entitled to compensation in accordance with the terms of section 152 of the 2008 Act (compensation in case where no right to claim in nuisance) to be determined, in case of dispute, under Part 1 of the 1961 Act.

(6) This article does not apply in relation to any right to which section 138 of the 2008 Act (extinguishment of rights, and removal of apparatus, of statutory undertakers etc.) or article 44 (statutory undertakers) applies.

(7) Paragraphs (1) to (4) have effect subject to—

(a) any notice given by the undertaker before—

(i) the completion of the acquisition of the land or rights or the imposition of restrictive covenants over or affecting the land;

(ii) the undertaker's appropriation of it;

(iii) the undertaker's entry onto it; or

(iv) the undertaker's taking temporary possession of it,

that any or all of those paragraphs do not apply to any right specified in the notice; and

(b) any agreement made, in so far as it relates to the authorised development, at any time between the undertaker and the person in or to whom the right or restrictive covenant in question is vested, belongs or benefits.

(8) If any such agreement as is referred to in sub-paragraph (7)(b)—

(a) is made with a person in or to whom the right is vested or belongs; and

(b) is expressed to have effect also for the benefit of those deriving title from or under that person,

it is effective in respect of the persons so deriving title, whether the title was derived before or after the making of the agreement.

(9) A reference in this article to private rights and restrictive covenants over land includes any trust, incident, easement, wayleave, liberty, privilege, right or advantage annexed to land (including any land forming part of a common, open space or fuel or field garden allotment) and adversely affecting other land, including any natural right to support, and including restrictions as to the user of land arising by virtue of a contract.

Power to override easements and other rights

39.—(1) Any authorised activity which takes place on land within the Order limits (whether the activity is undertaken by the undertaker or by any person deriving title from the undertaker or by any servants or agents of the undertaker) is authorised by this Order if it is done in accordance with the terms of this Order, notwithstanding that it involves—

(a) an interference with an interest or right to which this article applies; or

(b) a breach of a restriction as to the user of land arising by virtue of a contract.

(2) In this article "authorised activity" means—

(a) the erection, construction or maintenance of any part of the authorised development;

(b) the exercise of any power authorised by this Order; or

(c) the use of any land (including the temporary use of land).

(3) The interests and rights to which this article applies include any trust, incident, easement, wayleave, liberty, privilege, right or advantage annexed to land (including any land forming part of a common, open space or fuel or field garden allotment) and adversely affecting other land, including any natural right to support, and including restrictions as to the user of land arising by virtue of a contract.

(4) Where an interest, right or restriction is overridden by paragraph (1), compensation—

(a) is payable under section 7 (measure of compensation in case of severance)(**a**) or 10 (further provision as to compensation for injurious affection)(**b**) of the 1965 Act; and

(b) is to be assessed in the same manner and subject to the same rules as in the case of other compensation under those sections where—

(i) the compensation is to be estimated in connection with a purchase under that Act; or

(ii) the injury arises from the execution of works on or use of land acquired under that Act.

(5) Where a person deriving title under the undertaker by whom the land in question was acquired—

(a) is liable to pay compensation by virtue of paragraph (4), and

(b) fails to discharge that liability,

the liability is to be enforceable against that undertaker in accordance with section 204(3) of the Housing and Planning Act 2016(**c**).

(**a**) Section 7 was amended by section 9(3) and paragraph 5 of Part II of the Gas Act 1986 (c. 44) (applied with modifications by several other Acts).There are other amendments to section 7 which do not apply to this Order.

(**b**) Section 10 was amended by section 4 and paragraph 13(2) of Schedule 2 to the Planning (Consequential Provisions) Act 1990 (c. 11) and paragraph 63 of Schedule 1 of S.I 2009/1307.

(**c**) 2016 (c. 22).

(6) Nothing in this article is to be construed as authorising any act or omission on the part of any person which is actionable at the suit of any person on any grounds other than such an interference or breach as is mentioned in paragraph (1) of this article.

Statutory authority to override easements and other rights

40.—(1) The carrying out or use of development authorised by this Order and the doing of anything else authorised by this Order is authorised by virtue of section 158 (nuisance — statutory authority) of the 2008 Act, notwithstanding that it involves—

(a) an interference with an interest or right to which this article applies; or

(b) a breach of a restriction as to user of land arising by virtue of contract.

(2) The undertaker must pay compensation to any person whose land is injuriously affected by—

(a) an interference with an interest or right to which this article applies; or

(b) a breach of a restriction as to user of land arising by virtue of contract,

authorised by virtue of this Order and the operation of section 158 of the 2008 Act.

(3) The interests and rights to which this article applies include any trust, incident, easement, wayleave, liberty, privilege, right or advantage annexed to land (including any land forming part of a common, open space or fuel or field garden allotment) and adversely affecting other land, including any natural right to support, and including restrictions as to the user of land arising by virtue of a contract.

(4) Subsection (2) of section 10 (further provision as to compensation for injurious affection) of the 1965 Act applies to paragraph (2) by virtue of section 152(5) of the 2008 Act.

(5) Any rule or principle applied to the construction of section 10 of the 1965 Act will be applied to the construction of paragraph (2) (with any necessary modifications).

Extinguishment of private rights and restrictive covenants relating to apparatus belonging to National Grid, NGED, NPG or BT removed from land subject to temporary possession

41.—(1) This article applies to any Order land of which National Grid takes temporary possession under article 27 (temporary use of land by National Grid), NGED takes temporary possession under article 28 (temporary use of land by NGED), NPG takes temporary possession under article 29 (temporary use of land by NPG) or BT takes temporary possession under article 30 (temporary use of land by BT).

(2) All private rights or restrictive covenants in relation to apparatus belonging to National Grid, NGED, NPG or BT removed from any land to which this article applies are extinguished from the date on which National Grid, NGED, NPG or BT gives up temporary possession of that land under article 27 (temporary use of land by National Grid), article 28 (temporary use of land by NGED), article 29 (temporary use of land by NPG) or article 30 (temporary use of land by BT) as the case may be.

(3) The extinguishment of rights by paragraph (2) does not give rise to any cause of action relating to the presence on or in the land of any foundations (save for those which lie less than 1.2 metres underground) referred to in article 27(5)(c), article 27(6)(c), article 28(5)(c), article 28(6)(c), article 29(5)(c), article 29(6)(c), article 30(5)(c) or article 30(6)(c) (National Grid, NGED, NPG and BT not required to remove foundations when giving up temporary possession).

Crown rights

42.—(1) Nothing in this Order affects prejudicially any estate, right, power, privilege, authority or exemption of the Crown and, in particular, nothing in this Order authorises the undertaker or any licensee to take, use, enter on or in any manner interfere with any land or rights of any description (including any part of the shore or bed of the sea or any river, channel, creek, bay or estuary)—

(a) belonging to His Majesty in right of the Crown and forming part of the Crown Estate, without the consent in writing of the Crown Estate Commissioners;

(b) belonging to His Majesty in right of the Crown and not forming part of the Crown Estate, without the consent in writing of the government department having the management of that land; or

(c) belonging to a government department or held in trust for His Majesty for the purposes of a government department, without the consent in writing of that government department.

(2) Paragraph (1) does not apply to the exercise of any right under this Order for the compulsory acquisition of an interest in any Crown land (as defined in section 227 of the 2008 Act(**a**)) that is for the time being held otherwise than by or on behalf of the Crown.

(3) A consent under paragraph (1)—

(a) may be given unconditionally or subject to terms and conditions; and

(b) is deemed to have been given in writing where it is sent electronically.

Special category land

43.—(1) So much of the special category land that is required for the purposes of the exercising by the undertaker of the Order rights must be discharged from all rights, trusts and incidents to which it was previously subject so far as their continuance would be inconsistent with the exercise of the Order rights.

(2) In this article—

"Order rights" means the rights exercisable over the special category land by the undertaker under article 24 (compulsory acquisition of rights); and

"special category land" means the land identified as forming part of a common, open space, or fuel or field allotment in the book of reference and marked as such on the special category land plans.

Statutory undertakers

44.—(1) Subject to the provisions of Schedule 14 (protective provisions) the undertaker may—

(a) further to the power in article 23 (compulsory acquisition of land), acquire compulsorily the Order land belonging to statutory undertakers, and described in the book of reference;

(b) extinguish or suspend the rights of, remove or reposition apparatus belonging to statutory undertakers where such apparatus is anywhere over or within the Order limits notwithstanding that repositioning may be outside of the Order limits;

(c) further to the power in article 24 (compulsory acquisition of rights), acquire compulsorily existing rights, create and acquire the new rights and impose restrictive covenants over land belonging to statutory undertakers described in the book of reference and indicated on the land plans;

(d) construct the authorised development in such a way as to cross underneath or over apparatus belonging to statutory undertakers and other like bodies within the Order limits; and

(e) construct over existing apparatus belonging to statutory undertakers any necessary track or roadway (whether temporary or permanent) together with the right to maintain or remove the same, and install such service media under or over the existing apparatus needed in connection with the authorised development.

(2) Paragraph (1)(b) has no effect in relation to apparatus in respect of which Part 3 (street works in England and Wales) of the 1991 Act applies.

(**a**) Section 227 was amended by paragraph 40 of Part 1 of Schedule 5 of S.I. 2017/52.

Recovery of costs of new connections

45.—(1) Where any apparatus of a public utility undertaker or of a public communications provider is removed under article 44 (statutory undertakers), any person who is the owner or occupier of premises to which a supply was given from that apparatus is entitled to recover from the undertaker compensation in respect of expenditure reasonably incurred by that person, in consequence of the removal, for the purpose of effecting a connection between the premises and any other apparatus from which a supply is given.

(2) Paragraph (1) does not apply in the case of the removal of a public sewer, but where such a sewer is removed under article 44 (statutory undertakers) any person who is—

(a) the owner or occupier of premises the drains of which communicated with that sewer; or

(b) the owner of a private sewer which communicated with that sewer,

is entitled to recover from the undertaker compensation in respect of expenditure reasonably incurred by that person, in consequence of the removal, for the purpose of making the drain or sewer belonging to that person communicate with any other public sewer or with a private sewerage disposal plant.

(3) In this article—

"public communications provider" has the same meaning as in section 151(1) of the 2003 Act(**a**); and

"public utility undertaker" has the same meaning as in the 1980 Act.

PART 6

MISCELLANEOUS AND GENERAL

Application of landlord and tenant law

46.—(1) This article applies to—

(a) any agreement for leasing to any person (except the undertaker) the whole or any part of the authorised development or the right to operate the same; and

(b) any agreement entered into by the undertaker with any person for the construction, maintenance, use or operation of the authorised development, or any part of it,

so far as any such agreement relates to the terms on which any land which is the subject of a lease granted by or under that agreement is to be provided for that person's use.

(2) No enactment or rule of law regulating the rights and obligations of landlords and tenants prejudices the operation of any agreement to which this article applies.

(3) Accordingly, no such enactment or rule of law applies in relation to the rights and obligations of the parties to any lease granted by or under any such agreement so as to—

(a) exclude or in any respect modify any of the rights and obligations of those parties under the terms of the lease, whether with respect to the termination of the tenancy or any other matter;

(b) confer or impose on any such party any right or obligation arising out of or connected with anything done or omitted on or in relation to land which is the subject of the lease, in addition to any such right or obligation provided for by the terms of the lease; or

(c) restrict the enforcement (whether by action for damages or otherwise) by any party to the lease of any obligation of any other party under the lease.

(**a**) 2003 (c. 21). Section 151(1) was amended by paragraph 90(a)(iii) of Schedule 1 of S.I. 2011/1210, paragraph 61(2) of Schedule 1 of S.I. 2020/1419, sections 1(3), 15(3), 16(3), 18(4), 19(4), 21(3) of the Telecommunications (Security) Act 2021 (c. 31).

Defence to proceedings in respect of statutory nuisance

47.—(1) Where proceedings are brought under section 82(1) of the Environmental Protection Act 1990(**a**) (summary proceedings by person aggrieved by statutory nuisance) in relation to a nuisance falling within paragraphs (g) (noise emitted from premises so as to be prejudicial to health or a nuisance) and (ga) (noise from vehicles, machinery or equipment in a street) of section 79(1) of that Act no order must be made, and no fine must be imposed, under section 82(2) of that Act if—

(a) the defendant shows that the nuisance—

(i) relates to premises used by the undertaker for the purposes of or in connection with the construction or maintenance of the authorised development and that the nuisance is attributable to the carrying out of the authorised development in accordance with a notice served under section 60 (control of noise on construction site) or a consent given under section 61 (prior consent for work on construction site) of the Control of Pollution Act 1974(**b**); or

(ii) relates to premises used by the undertaker for the purposes of or in connection with the construction or maintenance of the authorised development and that the nuisance is attributable to the carrying out of the authorised development in accordance with the controls and measures relating to noise as described in the relevant code of construction practice or the relevant construction traffic management plan approved under Schedule 2 (requirements) in accordance with the noise levels set out in an environmental permit relating to the operation of the authorised development; or

(iii) is a consequence of the construction or maintenance of the authorised development and that it cannot reasonably be avoided; or

(iv) is a consequence of complying with a requirement of this Order and that it cannot reasonably be avoided; or

(b) the defendant shows that the nuisance—

(i) relates to premises used by the undertaker for the purposes of or in connection with the use of the authorised development and that the nuisance is attributable to the use of the authorised development which is being used in accordance with the controls and measures relating to noise as described in the relevant code of construction practice approved under Schedule 2 (requirements); or

(ii) is a consequence of the use of the authorised development and that it cannot reasonably be avoided.

(2) For the purposes of paragraph (1) above, compliance with the controls and measures relating to noise described in the code of construction practice will be sufficient, but not necessary, to show that an alleged nuisance could not reasonably be avoided.

(3) Where a relevant planning authority is acting in accordance with section 60(4) and section 61(4) of the Control of Pollution Act 1974(in relation to the construction of the authorised development then the local authority must also have regard to the controls and measures relating to noise referred to in the code of construction practice approved under Schedule 2 (requirements).

(4) Section 61(9) (prior consent for work on construction sites) of the Control of Pollution Act 1974 does not apply where the consent relates to the use of premises by the undertaker for the purposes of or in connection with the construction or maintenance of the authorised development.

(**a**) 1990 (c. 43). Section 82(1) was amended by paragraph 6(5) of Part 1 of Schedule 3 of S.I. 2015/664 and section 103 of Part 9 of the Clean Neighbourhoods and Environment Act 2005, (c. 16). There are other amendments to this Act which are not relevant to this Order.

(**b**) 1974 (c. 40). Section 61 was amended by section 133(2) of the Building Act 1984 (c. 55), section 162(1) of, and paragraph 15(3) of Schedule 15 to, the Environmental Protection Act 1990 (c. 43), and Schedule 24 of the Environment Act 1995 (c. 25). There are other amendments to section 61 which are not relevant to this Order.

(5) In this article "premises" has the same meaning as in section 79 of the Environmental Protection Act 1990(**a**).

Traffic regulation

48.—(1) Subject to the provisions of this article, the undertaker may at any time for the purposes of the authorised development or for purposes ancillary to the construction or maintenance of the authorised development—

(a) prohibit use of roads by through traffic and/or regulate the direction of vehicular movements in the manner specified in Part 1 of Schedule 11 (traffic regulation orders) on the roads specified in column (2) and along the lengths and between the points specified in column (3) in the manner specified in column (4) of that Part of that Schedule;

(b) prohibit waiting of vehicles and regulate vehicular speed by imposing a speed restriction on vehicles in the manner specified in Part 2 of Schedule 11 (traffic regulation orders) on a road specified in column (2) and along the lengths and between the points specified in column (3) in the manner specified in column (4) of that Part of that Schedule;

(c) prohibit overtaking in the manner specified in Part 3 of Schedule 11 (traffic regulation orders) on the roads specified in column (2) and along the lengths and between the points specified in column (3) in the manner specified in column (4) of that Part of that Schedule.

(2) Without limiting the scope of the specific powers conferred by paragraph (1) but subject to the provisions of this article and the consent of the traffic authority in whose area the road concerned is situated, which consent must not be unreasonably withheld or delayed, the undertaker may, in so far as may be expedient or necessary for the purposes of or in connection with construction or maintenance of the authorised development, or for purposes ancillary to it, at any time—

(a) revoke, amend or suspend in whole or in part any order made, or having effect as if made, under the 1984 Act;

(b) permit, prohibit or restrict the stopping, parking, waiting, loading or unloading of vehicles on any road;

(c) authorise the use as a parking place of any road;

(d) make provision as to the maximum speed, direction or priority of vehicular traffic on any road; and

(e) permit, prohibit or restrict vehicular access to any road,

either at all times or at times, on days or during such periods as may be specified by the undertaker.

(3) The undertaker must not exercise the powers in paragraphs (1) or (2), unless it has—

(a) given not less than four weeks' notice in writing of its intention so to do to the chief officer of police and to the traffic authority in whose area the road is situated; and

(b) advertised its intention in such manner as the traffic authority may specify in writing within five business days of its receipt of notice of the undertaker's intention as provided for in sub-paragraph (a).

(4) Any prohibition, restriction or other provision made by the undertaker under paragraph (1) or (2)—

(a) has effect as if duly made by—

(i) the traffic authority in whose area the road is situated as a traffic regulation order under the 1984 Act; or

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(**a**) 1990 (c. 43). Section 79 was amended by paragraph 89 of Schedule 22 of the Environment Act 1995 (c. 25), sections 101 and 102 of Part 9 of the Clean Neighbourhoods and Environment Act 2005 (c. 16), and paragraph 25 of Part 3 of Schedule 12 of the Environment Act 2021 (c. 30).

(ii) the local authority in whose area the road is situated as an order under section 32 of the 1984 Act (power of local authorities to provide parking places),

and the instrument by which it is effected may specify savings and exemptions (in addition to those mentioned in Schedule 11 (traffic regulation orders) to which the prohibition, restriction or other provision is subject; and

(b) is deemed to be a traffic order for the purposes of Schedule 7 to the Traffic Management Act 2004(**a**) (road traffic contraventions subject to civil enforcement)

(5) Any prohibition, restriction or other provision made under paragraphs (1) or (2) of this article may at any time be suspended, varied or revoked by the undertaker from time to time by subsequent exercise of the powers conferred by paragraphs (1) and (2).

(6) Any prohibition, restriction or other provision made by the undertaker under paragraphs (1) or (2) will cease to have effect on the expiry of the period of five years beginning with the date on which that part of the authorised development is commenced, except where the authorised development is replacement or landscape planting in which case the period of five years will begin with the date on which that part of the replacement or landscape planting is completed.

(7) Expressions used in this article and in the 1984 Act have the same meaning in this article as in that Act.

(8) If the traffic authority fails to notify the undertaker of its decision within 28 days (or such other period as agreed by the traffic authority and the undertaker) of receiving an application for consent under paragraph (2) the traffic authority is deemed to have granted consent.

(9) Any application for consent under paragraph (2) must include a statement that the provisions of paragraph (8) apply to that application.

(10) If an application for consent under paragraph (2) does not include the statement required under paragraph (9) then the provisions of paragraph (8) will not apply to that application.

Felling or lopping of trees and removal of hedgerows

49.—(1) Subject to article 50 (trees subject to tree preservation orders), the undertaker may fell, lop, prune, cut, trim, coppice, pollard, or reduce in height or width, any tree, shrub, shrubbery, hedgerow, or important hedgerow under or within or overhanging or near any part of the authorised development, or cut back its roots, if it reasonably believes it to be necessary to do so to prevent the tree, shrub, shrubbery, hedgerow or important hedgerow—

(a) from obstructing or interfering with the construction, maintenance or operation of the authorised development or any apparatus used in connection with the authorised development; or

(b) from constituting a danger to persons constructing, maintaining, or operating the authorised development.

(2) In carrying out any activity authorised by paragraph (1), the undertaker must not cause any unnecessary damage to any tree, shrub, shrubbery or hedgerow, or important hedgerow and must pay compensation to any person for any loss or damage arising from such activity.

(3) Any dispute as to a person's entitlement to compensation under paragraph (2), or as to the amount of compensation, is to be determined under Part 1 of the 1961 Act.

(4) Development consent granted by this Order is to be treated as planning permission pursuant to Part 3 of the 1990 Act for the purposes of regulation 14 (exceptions) of the Town and Country Planning (Tree Preservation) (England) Regulations 2012 and the duty contained in section 206(1) (replacement of trees) of the 1990 Act does not apply.

(5) Subject at all times to paragraph (9), the undertaker must not pursuant to paragraph (1) fell, lop, prune, cut, trim, coppice, pollard, or reduce in height or width a tree within or overhanging the extent of the public highway without the consent of the relevant highway authority.

(**a**) 2004 (c. 18(b)). S.I. 1997/1160.

(6) If the relevant highway authority fails to notify the undertaker of its decision within 28 days (or such other period as agreed by the relevant highways authority and the undertaker) of receiving an application for consent under paragraph (5) the relevant highway authority is deemed to have granted consent.

(7) Any application for consent under paragraph (5) must include a statement that the provisions of paragraph (6) apply to that application.

(8) If an application for consent under paragraph (5) does not include the statement required under paragraph (7), then the provisions of paragraph (6) will not apply to that application.

(9) The consent of the relevant highway authority is not required under paragraph (5) where the tree to be felled, lopped, pruned, cut, trimmed, coppiced, pollarded, or reduced in height or width, is described or shown as 'removed, affected managed or potentially affected' on the trees and important hedgerows to be removed or managed plans.

(10) The power conferred by paragraph (1) removes any obligation upon the undertaker to secure any consent to remove hedgerows under the Hedgerows Regulations 1997(**a**).

(11) In this article "hedgerow" and "important hedgerow" have the same meaning as in the Hedgerow Regulations 1997.

Trees subject to Tree Preservation Orders

50.—(1) The undertaker may fell, lop, prune, cut, trim, coppice, pollard or reduce in height or width any tree described in Schedule 12 (trees subject to tree preservation orders) and identified on the trees and important hedgerows to be removed or managed plans, or cut back its roots, if it reasonably believes it to be necessary in order to do so to prevent the tree—

(a) from obstructing or interfering with the construction, maintenance or operation of the authorised development or any apparatus used in connection with the authorised development; or

(b) from constituting a danger to persons constructing, maintaining, or operating the authorised development.

(2) The undertaker may fell, lop, prune, cut, trim, coppice, pollard, or reduce in height or width, any tree within overhanging land within, or near the Order limits subject to a tree preservation order which was made or published after February 2026, or cut back its roots, if it reasonably believes it to be necessary to do so in order to prevent the tree—

(a) from obstructing or interfering with the construction, maintenance or operation of the authorised development or any apparatus used in connection with the authorised development; or

(b) from constituting a danger to persons constructing, maintaining, or operating the authorised development.

(3) In carrying out any activity authorised by paragraph (1) and (2)—

(a) the undertaker must do no unnecessary damage to any tree and must pay compensation to any person for any damage arising from such activity; and

(b) the duty in section 206(1) of the 1990 Act (replacement of trees) does not apply.

(4) The authority given by paragraphs (1) or (2) constitutes a deemed consent under the relevant tree preservation order.

(5) Any dispute as to a person's entitlement to compensation under paragraph (3), or as to the amount of compensation, must be determined under Part 1 of the 1961 Act.

(**a**) S.I. 1997/1160.

Temporary suspension of navigation in connection with the authorised development

51.—(1) The undertaker may, in connection with the construction and maintenance of the authorised development, temporarily interfere with the relevant part of the watercourse.

(2) Without limitation on the powers conferred by paragraph (1) but subject to paragraph (4) the undertaker may, in connection with the construction and maintenance of the authorised development—

(a) temporarily moor or anchor barges or other vessels or craft in the relevant part of the watercourse and may load or unload into and from such barges, other vessels or craft equipment, machinery, soil and any other materials in connection with the construction or maintenance of the authorised development; and

(b) temporarily close to navigation the relevant part of the watercourse; and

(c) deploy such measures for the management of the watercourse outside the relevant part of the watercourse as may be necessary for, or in connection with, facilitating the exercise of the powers conferred by paragraphs (1) and (2).

(3) The power conferred by paragraphs (1) and (2) will be exercised in such a way which secures—

(a) that no more of the relevant part of the watercourse is closed to navigation at any time than is necessary in the circumstances; and

(b) that, if complete closure to navigation of the relevant part of the watercourse becomes necessary, all reasonable steps are taken to secure that the period of closure is kept to a minimum and that the minimum obstruction, delay or interference is caused to vessels or craft which may be using or intending to use the part so closed.

(4) Any person who suffers loss as a result of the suspension of any private right of navigation under this article is entitled to be paid compensation for such loss by the undertaker, to be determined, in case of dispute, under Part 1 of the 1961 Act.

(5) In this article, "the relevant part of the watercourse" means as shown on the access, rights of way and public rights of navigation plans so much of the River Ouse as is shown shaded yellow and given a "NAV1" reference, so much of the Stainforth and Keadby Canal as is shown shaded yellow and given a "NAV2" reference, so much of the Chesterfield Canal and Market Weighton Canal as is shown shaded yellow and given a "NAV3" reference and such other watercourses as shown on the access, rights of way and public rights of navigation plans.

Temporary suspension of public access to access land

52.—(1) This provision applies to the access land shown on the special category land) plans.

(2) The undertaker may, in connection with the authorised development temporarily—

(a) interfere with such parts of the access land as are affected by the authorised development by constructing, maintaining or decommissioning the relevant part of the authorised development as the undertaker considers necessary or expedient; and

(b) close to the public such parts of the access land as are affected by the authorised development during construction, maintenance or decommissioning of the relevant part of the authorised development.

Protection of interests

53. Schedule 14 (protective provisions) has effect.

Procedure regarding certain approvals etc.

54.—(1) Where an application or request is submitted to a relevant planning authority, a highway authority, (including where the relevant planning authority or the relevant highway authority is the DESNZ unit for the purposes of a requirement), a street authority or the owner of a watercourse, sewer or drain for any consent, agreement or approval required or contemplated by

any of the provisions of this Order such consent, agreement or approval, if given, must be given in writing and must not be unreasonably withheld or delayed.

(2) Schedule 3 (discharge of requirements) has effect in relation to all consents, agreements or approvals granted, refused or withheld in relation to the requirements, and any document referred to in any requirement.

(3) Subject to paragraph (4), the procedure set out in paragraphs 3, 4 and 5 of Schedule 3 (discharge of requirements) has effect in relation to any other consent, agreement or approval required under this Order where such consent, agreement or approval is granted subject to any condition to which the undertaker objects, or is refused or is withheld.

(4) Paragraphs 3, 4 and 5 of Schedule 3 (discharge of requirements) do not have effect in respect of any consent, agreement or approval required by the provisions of Schedule 14 (protective provisions) to which article 60 (arbitration) instead applies.

Safeguarding

55.—(1) Save in respect of exempt applications, before granting planning permission for development to which this article applies, a relevant planning authority must consult the undertaker.

(2) This article applies to development which would be wholly or partly within the Order limits.

(3) Where this article requires a relevant planning authority to consult the undertaker before granting planning permission—

(a) they must give the undertaker notice of the application for planning permission (unless the applicant has served a copy of the application on the undertaker); and

(b) they may not determine the application before the end of the period of 21 days, beginning two business days after the relevant planning authority has sent the notice to the undertaker by first class post or by such other means of service as may be agreed with the relevant planning authority, which will be deemed to be the date on which the undertaker receives the notice or copy of the application.

(4) But a relevant planning authority may determine an application during that period if the undertaker has—

(a) made representations to the relevant planning authority about the application, or

(b) notified the relevant planning authority that it does not intend to make representations.

(5) In determining an application for planning permission a relevant planning authority must take into account any representations received in accordance with this article.

(6) The requirement to consult under this article is a local land charge.

(7) The requirement to consult will cease to have effect upon completion of the decommissioning of the authorised development or the final part of it.

(8) In this article—

"exempt applications" means—

(a) an application for planning permission which relates to development that—

(i) consists of an alteration to an existing building, or the change of use of an existing building or land; and

(ii) does not involve, or is not likely to involve, any construction engineering or other operations below existing ground level;

(b) an application for planning permission which is to be determined by a relevant planning authority in the period of 21 days beginning on the day after the date on which the Order comes into force; and

"relevant planning authority" means the planning authority in receipt of an application for planning permission to which this article applies.

No double recovery

56. Compensation is not payable in respect of the same matter both under this Order and under any other enactment, contract or deed or rule of law, or under two or more different provisions of this Order.

Amendment of local legislation

57.—(1) Any statutory provision of local application and, in particular, the local enactments specified in Schedule 13 (amendment of local legislation), and any byelaws or other provisions made under any of those enactments, are hereby excluded and do not apply insofar as inconsistent with a provision of, or a power conferred by, this Order.

(2) In particular, a power conferred by this Order may be exercised despite, and without having regard to, a provision made by or by virtue of a specified enactment, or any other statutory provision of local application, that—

(a) requires or permits a specified road, path, passage, bridge, parapet, fence or other place or structure to be kept open or maintained generally or in a specified manner;

(b) requires or permits the provision and maintenance of lights or other apparatus or structures generally or in a specified manner;

(c) prohibits or restricts (or imposes conditions or penalties on or in relation to) the obstruction or removal of, or the causing of damage to, a specified place or structure (or class of places or structures);

(d) prohibits or restricts (or imposes conditions on or in relation to) the erection of structures, or the undertaking of other works, in a specified place or structure (or class of places or structures);

(e) permits or requires a specified place or structure to be closed;

(f) makes provision about the conduct of persons using a specified walkway or other place or structure (or class of places or structures) whether by prohibiting or restricting movement (of persons, vehicles or animals) or otherwise;

(g) specifies a minimum or maximum depth for, or otherwise restricts or imposes conditions in relation to, the laying of pipes or the carrying out of any other works;

(h) prohibits the laying of pipes or the carrying out of any other works generally or without the consent of a specified person;

(i) makes provision about the construction or maintenance of, or any other matter relating to, pipes, drains or other means of connecting with sewers; or

(j) in any other way would or might apply in relation to anything done, or omitted to be done, in the exercise of a power conferred by this Order.

(3) For the purpose of paragraph (1) a provision is inconsistent with the exercise of a power conferred by this Order if and insofar as (in particular)—

(a) it would make it an offence to take action, or not to take action, in pursuance of the power;

(b) action taken in pursuance of the power would cause the provision to apply so as to enable a person to require the taking of remedial or other action or so as to enable remedial or other action to be taken; or

(c) action taken in pursuance of a power or duty under the provision would or might interfere with the exercise of any work authorised by this Order.

(4) Where any person notifies the undertaker in writing that anything done or proposed to be done by the undertaker or by virtue of this Order would amount to a contravention of a statutory provision of local application, the undertaker must as soon as reasonably practicable, and in any event within 14 days of receipt of the notice, respond in writing setting out—

(a) whether the undertaker agrees that the action taken or proposed does or would contravene the provision of local application;

(b) if the undertaker does agree, the grounds (if any) on which the undertaker believes that the provision is excluded by this article; and

(c) the extent of that exclusion.

Certification of documents

58.—(1) National Grid must, as soon as practicable after the making of this Order, submit to the Secretary of State copies of the plans and documents identified in Schedule 15 (certified documents) of this Order for certification as true copies of those plans and documents referred to in this Order.

(2) A plan or document so certified is admissible in any proceedings as evidence of the contents of the document of which it is a copy

(3) Where any plan or document identified in Schedule 15 (certified documents) is required to be amended to reflect the terms of the Secretary of State's decision to make this Order, that plan or document in the form amended to the Secretary of State's satisfaction is the version of the plan or document required to be certified under paragraph (1).

(4) Where a plan or document certified under paragraph (1)—

(a) refers to a provision in this Order (including any specified requirement) when it was in draft form; and

(b) identifies the provision by number or combination of numbers and letters, which is different from the number or combination of numbers or letters by which the corresponding provision of this Order is identified in the Order as made;

the reference in the plan or document concerned must be construed for the purposes of the Order as referring to the provisions (if any) corresponding to that provision in the Order as made.

(5) The undertaker must, following certification of the plans or documents in accordance with paragraph (1), make those plans or documents available in electronic form for inspection by members of the public.

Service of notices

59.—(1) A notice or other document required or authorised to be served for the purposes of this Order may be served—

(a) by post;

(b) by delivering it to the person on whom it is to be served or to whom it is to be given or supplied; or

(c) with the written consent of the recipient and subject to paragraphs (5) to (8), by electronic transmission.

(2) Where the person on whom a notice or other document to be served for the purposes of this Order is a body corporate, the notice or document is duly served if it is served on the secretary or clerk of that body.

(3) For the purposes of section 7 of the Interpretation Act 1978(**a**) as it applies for the purposes of this article, the proper address of any person in relation to the service on that person of a notice or document under paragraph (1) is, if that person has given an address for service, that address, and otherwise—

(a) in the case of the secretary or clerk of a body corporate, the registered or principal office of that body; and

(b) in any other case, the last known address of that person at the time of service.

(**a**) 1978 (c. 30).

(4) Where for the purposes of this Order a notice or other document is required or authorised to be served on a person as having any interest in, or as the occupier of, land and the name or address of that person cannot be ascertained after reasonable enquiry, the notice may be served by—

(a) addressing it to that person by name or by the description of "owner", or as the case may be "occupier", of the land (describing it); and

(b) either leaving it in the hands of a person who is or appears to be resident or employed on the land or leaving it conspicuously affixed to some building or object on or near the land.

(5) Where a notice or other document required to be served or sent for the purposes of this Order is served or sent by electronic transmission the requirement is taken to be fulfilled only where—

(a) the recipient of the notice or other document to be transmitted has given consent to the use of electronic transmission in writing or by electronic transmission;

(b) the notice or document is capable of being accessed by the recipient;

(c) the notice or document is legible in all material respects; and

(d) the notice or document is in a form sufficiently permanent to be used for subsequent reference.

(6) Where the recipient of a notice or other document served or sent by electronic transmission notifies the sender within seven days of receipt that the recipient requires a paper copy of all or part of that notice or other document, the sender must provide such a copy as soon as reasonably practicable.

(7) Any consent to the use of electronic communication given by a person may be revoked by that person in accordance with paragraph (8).

(8) Where a person is no longer willing to accept the use of electronic transmission for any of the purposes of this Order—

(a) that person must give notice in writing or by electronic transmission revoking any consent given by that person for that purpose; and

(b) such revocation is final and takes effect on a date specified by the person in the notice but that date must not be less than seven days after the date on which the notice is given.

(9) This article does not exclude the employment of any method of service not expressly provided for by it.

(10) In this article "legible in all material respects", in relation to a notice or document, means that the information contained in the notice or document is available to that person to no lesser extent than it would be if served, given or supplied by means of a notice or document in printed form.

Arbitration

60.—(1) Subject to article 54 (procedures regarding certain approvals, etc.) and except where otherwise expressly provided for in this Order or unless otherwise agreed between the parties, any difference under any provision of this Order must be referred to and settled by a single arbitrator to be agreed between the parties or, failing agreement, to be appointed on the application of either party (after giving notice in writing to the other) by the Secretary of State.

(2) Any matter for which the consent or approval of the Secretary of State is required under any provision of this Order is not to be subject to arbitration.

Signed by authority of the Secretary of State for Energy Security and Net Zero.

Name
[title]
Date Department for Energy Security and Net Zero

SCHEDULES

SCHEDULE 1

Article 3

AUTHORISED DEVELOPMENT

A nationally significant infrastructure project as defined in sections 14 and 16 of the 2008 Act and associated development within the meaning of section 115(2) of the 2008 Act, comprising—

400kV OVERHEAD ELECTRIC LINE – In the district of East Riding of Yorkshire Council

Work No. 1 – overhead electric line from Birkhill Wood Substation to Riplingham

Works shown commencing on Section A Sheet 1 and terminating on Section A Sheet 6 of the works plans to construct and install line entries associated with the overhead electric line (Route 4AF) to the two gantries (4AF1 and 4AF2) within the proposed Birkhill Wood Substation, and to construct and install a new overhead electric line (Route 4AF) between the two gantries at the proposed Birkhill Wood Substation and Pylon 4AF33, including—

(a) the installation of conductors, insulators and fittings including downleads and downdroppers at each gantry to facilitate connection to the equipment within the Birkhill Wood Substation;

(b) the installation of fibre optic conductors, with optical fibre terminated in joint boxes;

(c) the foundations and steelwork to construct new pylons;

(d) the installation of approximately 10 kilometres of overhead electric line between the two gantries at Birkhill Wood Substation and Pylon 4AF33; and

(e) the installation of one temporary construction compound.

Work No. 2 – overhead electric line from Riplingham to Ellerker

Works shown commencing on Section A Sheet 6 and terminating on Section A Sheet 9 of the works plans to construct and install a new overhead electric line and modify existing overhead electric line (Route 4AF) between Pylon 4AF33 and Pylon 4AF52, and to install new overhead electric line, and reconfigure and modify an existing overhead electric line (Route 4ZQ) between Pylon 4ZQ80 and Pylon 4ZQ63 including—

(a) works to approximately 6.4 kilometres of overhead electric line between Pylon 4AF33 and Pylon 4AF52 including—

(i) the installation of approximately 1.2 kilometres of new overhead electric line between Pylon 4AF33 and 4AF37;

(ii) the modification of approximately 3.9 kilometres of existing overhead line between Pylon 4AF37 and Pylon 4AF48;

(iii) the installation of approximately 1.3 kilometres of new overhead electric line between Pylon 4AF48 and Pylon 4AF52; and

(iv) the removal of approximately 1.3 kilometres of existing overhead electric line between Pylon 4AF48 and Pylon 4ZQ63, including removal of Pylons 4ZQ64T, 4ZQ65T, 4ZQ66T and 4ZQ67T with partial removal of foundations, and removal of conductors, insulators and fittings;

(b) works to approximately 6 kilometres of overhead electric line between Pylon 4ZQ81 and Pylon 4ZQ63 including—

(i) the installation of approximately 5.4 kilometres of new overhead electric line between Pylon 4ZQ79A and 4ZQ63;

(ii) the modification of approximately 0.6 kilometres of existing overhead line between Pylon 4ZQ80 and Pylon 4ZQ79A;

(iii) the removal of approximately 0.2 kilometres of existing overhead line between Pylon 4ZQ79A and 4AF37; and

(iv) the construction and installation (and subsequent decommissioning and removal) of approximately 0.8 kilometres of temporary overhead line between 4ZQ80 and 4AF37;

(c) the foundations and steelwork to construct new pylons and modifications to existing apparatus including foundations, steelwork, replacement of conductors, insulators and fittings;

(d) the installation of fibre optic conductors and associated joint boxes; and

(e) the installation of one temporary construction compound.

Work No. 3 –overhead electric line from Ellerker to Yokefleet

Works shown commencing on Section A Sheet 9 and terminating on Section A Sheet 16 of the works plans to construct and install a new overhead electric line (Route 4AF) between Pylon 4AF52 and Pylon 4AF76, including—

(a) the foundations and steelwork to construct new pylons;

(b) the installation of approximately 8.3 kilometres of overhead electric line between Pylon 4AF52 and Pylon 4AF76;

(c) the installation of conductors, insulators and fittings;

(d) the installation of fibre optic conductors;

(e) the installation of one temporary construction compound; and

(f) modification of fittings and conductor on Pylon 4ZQ62 to facilitate the works to Route 4ZQ in Works No 2.

400kV OVERHEAD ELECTRIC LINE – In the districts of East Riding of Yorkshire Council and North Lincolnshire Council

Work No. 4 –overhead electric line from Yokefleet to Crowle

Works shown commencing on Section A Sheet 16 and terminating on Section B Sheet 8 of the works plans to construct and install a new overhead electric line (Route 4AF) between Pylon 4AF76 and Pylon 4AF114, including—

(a) the foundations and steelwork to construct new pylons;

(b) the installation of approximately 13.8 kilometres of overhead electric line between Pylon 4AF76 and Pylon 4AF114;

(c) the installation of conductors, insulators and fittings;

(d) the installation of fibre optic conductors; and

(e) the installation of one temporary construction compound

Work No. 5 – overhead electric line from Crowle to Woodhouse

Works shown commencing on Section B Sheet 8 and terminating on Section C Sheet 5 of the works plans to construct and install a new overhead electric line (Route 4AF) between Pylon 4AF114 to Pylon 4AF128 and to install a new overhead electric line and reconfigure and modify an existing overhead electric line (Route ZDA) between Pylon ZDA116 and Pylon ZDA123 including—

(a) the foundations and steelwork to construct new pylons;

(b) the installation of approximately 4.7 kilometres of overhead electric line between Pylon 4AF114 and Pylon 4AF128;

(c) the installation of fibre optic conductors and associated joint boxes;

(d) the installation of one temporary construction compound;

(e) the reconfiguration and modification of the existing overhead electric line (Route ZDA) between Pylon ZDA116 and Pylon ZDA123 including:

(i) the removal of approximately 0.5 kilometres of existing overhead electric line between Pylons ZDA119A and ZDA120 including the dismantling of existing Pylons ZDA119 and ZDA120, with partial removal of foundations, and removal of conductors, insulators and fittings;

(ii) the construction and installation of new Pylons ZDA119A, ZDA119B, ZDA119C, ZDA120A, ZDA120B and ZDA120C;

(iii) the installation of approximately 0.5 kilometres of new overhead electric line between Pylons ZDA119A and ZDA120C via Pylons ZDA119B and ZDA119C, and approximately 0.53 kilometres between Pylons ZDA119A and ZDA120C via Pylons ZDA120A and ZDA120B;

(iv) the foundations and steelwork to construct new Pylons;

(v) the replacement of approximately 1.93 kilometres of conductors, earthwire, insulators and fittings between and at Pylons ZDA116 to ZDA119A and Pylons ZDA120C to ZDA123, including connections at Pylons ZDA116 and ZDA123;

(vi) the modification of foundations and steelwork; and

(vii) the installation of fibre optic conductors and associated joint boxes.

(f) the construction and installation (and subsequent decommissioning and removal) of approximately 1.4 kilometres of temporary overhead electric line, between existing Pylon ZDA117 and existing Pylon ZDA121.

400kV OVERHEAD ELECTRIC LINE – In the districts of North Lincolnshire Council and Bassetlaw District Council

Work No. 6 – overhead electric line from Woodhouse to High Marnham Substation

Works shown commencing on Section C Sheet 5 and terminating on Section F Sheet 3 of the works plans to construct and install a new overhead electric line (Route 4AF) between Pylon 4AF128 and the two gantries (4AF259 and 4AF260) at High Marnham Substation, and to construct and install the line entries associated with the overhead electric line (Route 4AF) and the two new gantries at the proposed High Marnham Substation, including—

(a) the foundations and steelwork to construct new pylons;

(b) the installation of approximately 45.2 kilometres of overhead electric line between pylon 4AF128 and the two gantries at High Marnham Substation;

(c) the installation of conductors, insulators and fittings including downleads and downdroppers at each gantry to facilitate connection to the equipment within the High Marnham Substation;

(d) the installation of fibre optic conductors, with optical fibre terminated in joint boxes; and

(e) the installation of four temporary construction compounds.

ASSOCIATED DEVELOPMENT

Such associated development not listed above, within the Order limits, as may be necessary or expedient for the purposes of or in connection with the construction or maintenance of the above Work Nos. or any of them, including—

(a) ramps, means of access, footpaths, cycleways, bridleways, trackways, temporary vehicular access road(s), hardstanding, drainage (including attenuation ponds), and site

services and utilities connections, including power supply to temporary construction compounds;

(b) embankments, bridges, aprons, abutments, foundations, retaining walls, drainage, wing walls, headwalls, culverts and fencing including stock-proof fencing;

(c) works to alter the course of, or otherwise interfere with a watercourse, drainage works, attenuation ponds, and culverts;

(d) temporary crossings of footpaths, bridleways, footways, cycle tracks, carriageways, watercourses and navigable waterways with associated plant crossings or bridging structures (at grade or grade separated);

(e) works to alter the position of apparatus, including mains, sewers, drains, conductors and cables;

(f) landscaping and other works to mitigate any adverse effects of construction, maintenance, operation or use of the authorised development, together with means of access;

(g) tree, hedgerow and vegetation planting, retention of deadwood, and maintenance works;

(h) bird diverters and associated apparatus;

(i) works for the benefit or protection of the environment including works to facilitate the delivery of compensation, offsetting and biodiversity net gain;

(j) works for the benefit or protection of land, structures, apparatus or equipment affected by the authorised development (including arcing horns, earthing and works for monitoring);

(k) works required for the strengthening, improvement, maintenance, or reconstruction of any streets;

(l) works to streets and any alteration, removal or installation of road furniture, traffic signage and signals, and road lining, pavement works, kerbing and paved areas works, signing, signals, road markings works, traffic management measures, temporary roads, temporary widening of carriageways and such other works as are associated with the construction of the authorised development and including where required to facilitate the construction of temporary accesses;

(m) site preparation works, site clearance (including scaffolding, fencing, vegetation removal, demolition of existing buildings or structures and the creation of alternative footpaths, cycleways, bridleways and trackways);

(n) earthworks (including soil stripping and storage, land remediation, site levelling, ground improvement, berms and bunding);

(o) works within temporary construction compounds comprising earthworks, soil stripping and storage, ground improvement, car parking, hard standing, roadways, haulage and access roads (including construction site services and temporary bridges), drainage works, attenuation ponds, office and staff welfare facilities, utility service connections for electricity, communications and potable water and/or connection of power supply made from temporary generators, utility service connection or on site storage for later disposal of grey water and sanitation, emergency electrical generator, materials, tools and fuel storage and laydown areas, assembly areas, plant and equipment storage areas, wheel cleaning facilities, security cabin and fencing, gates and hoarding, perimeter enclosure, temporary vehicle parking, construction and security lighting, construction related buildings, biosecurity measures and construction waste management facilities;

(p) establishment of temporary construction compounds, temporary laydown, assembly and storage areas, temporary offices, security cabins, temporary vehicle parking, construction fencing, gates and hoarding, perimeter enclosure, security fencing, construction related buildings, welfare facilities, construction and security lighting and haulage roads, provision of services and utility connections, generators, lighting, waste management facilities, drainage works, attenuation ponds, access roads, biosecurity measures, wheel cleaning facilities;

(q) works to allow for the provision of services, including power supplies, electric vehicle charging points and communication equipment;

(r) installation of wires, cables, ducts, pipes and conductors including establishment of winching points;

(s) the changing of name plates;

(t) works to place, alter, divert, relocate, protect, decommission, remove or maintain apparatus (including statutory undertakers' apparatus), services, plant and other equipment in, under or above a street or other land, including mains, sewers, drains, pipes, lights, electric lines, conductors, cables, conduits, ducts, fencing, other boundary treatments and above ground furniture, including lighting, CCTV, radar, traffic detection equipment and speed cameras; and

(u) such other works, including scaffolding and crossing protection, working areas, and works of demolition (which includes but is not limited to demolition of residential properties), as may be necessary or expedient for the purposes of or in connection with the construction, installation, operation or maintenance of the authorised development and which do not give rise to any materially new or materially different environmental effects from those assessed in the environmental statement.

SCHEDULE 2

Article 3

REQUIREMENTS

Interpretation

1.—(1) In this Schedule unless the context requires otherwise—

"indicative bridge and culvert schedule" means Appendix 4.2 Indicative Bridge and Culvert Schedule of the environmental statement as identified in the table at Schedule 15 (certified documents) and which is certified by the Secretary of State as the indicative bridge and culvert schedule for the purposes of this Order under article 58 (certification of documents);

"biodiversity metric" means version 1.0.4 of the statutory biodiversity metric calculation tool published by the Department for Environment, Food and Rural Affairs that can be used to measure the biodiversity value or relative biodiversity value of habitat or habitat enhancement for the purposes of biodiversity net gain;

"biodiversity offsetting scheme" means a scheme which demonstrates how the authorised development will achieve at least an overall percentage of 10% biodiversity net gain compared with the pre-development biodiversity value, having regard to both on-site and off-site biodiversity enhancements;

"final biodiversity net gain assessment" means an assessment which will use the biodiversity metric to calculate the actual biodiversity value upon completion of construction of the authorised development as compared with the pre-development biodiversity value;

"interim biodiversity net gain assessment" means an assessment which will use the biodiversity metric to calculate the predicted biodiversity value upon completion of the authorised development as compared with the pre-development biodiversity value;

"intrusive" means an activity which requires or is facilitated by breaking the surface of the ground;

"lead local flood authority" has the same meaning as in section 6(7) of the Flood and Water Management Act 2010;

"part" means a given geographical section, component or location of the authorised development;

"reinstatement planting" includes, unless otherwise agreed with the relevant planning authority, embedded planting, reinstatement hedgerow or other planting and mitigation planting as each are described in the outline landscape and ecology management plan (or the final landscape and ecology management plan if approved pursuant to requirement 4);

"reinstatement planting plan" means the plan referenced at requirement 9 which provides detail on reinstatement planting to be prepared for each stage of the authorised development;

"stage" means a defined stage of the authorised development, the extent of which is shown in a scheme submitted to the relevant planning authority pursuant to requirement 3;

"start-up and close down activities" means—

(a) arrival and departure of workforce and staff at site and movement to and from places of work;

(b) general refuelling of plant;

(c) site inspections and safety checks;

(d) site meetings, inspections and walkovers;

(e) site clean-up (site housekeeping that does not require the use of plant);

(f) general site maintenance; and

(g) low key maintenance and safety checking of plant and machinery.

"temporary construction works figure" means Figure 4.3 temporary construction works of the environmental statement as identified in the table at Schedule 15 (certified documents) and which is certified by the Secretary of State as the temporary construction works figure for the purposes of this Order under article 58 (certification of documents);

"third party works figure" means Figure 4.4 third party works of the environmental statement as identified in the table at Schedule 15 (certified documents) and which is certified by the Secretary of State as the third party works figure for the purposes of this Order under article 58 (certification of documents);

(2) Where under any of the requirements the approval or agreement of the relevant planning authority or the relevant highway authority is required, that approval or agreement must be given in writing.

(3) Where any requirement requires the authorised development to be carried out in accordance or in general accordance with, any document, plan, drawing, strategy, statement, details or other information approved by the relevant planning authority or relevant highway authority, such document, plan, drawing, strategy, statement, details or other information are to be taken to include any amendments that have been subsequently approved in writing by the relevant planning authority or the relevant highway authority in question.

(4) Where an approval or agreement is required under the terms of any requirement or a document referred to in a requirement, or any requirement specifies "unless otherwise approved" or "unless otherwise agreed" by the relevant discharging authority, such approval or agreement may only be given where it has been demonstrated to the relevant discharging authority that the subject matter of the approval or agreement sought will not give rise to any materially new or materially different environmental effects from those identified in the environmental statement.

(5) Unless otherwise provided in this Order, where a requirement relates to a specific site, work or stage and it specifies "commencement of development", it refers to the commencement of development on that site or in relation to that work or stage only.

(6) From the date of receipt by the undertaker of written notice from the Secretary of State that the DESNZ unit has been established, for the purposes of each requirement in this Schedule 2 (requirements) the "relevant planning authority" or as the case may be the "relevant highway authority" shall mean either the DESNZ unit or the body that would otherwise have been the relevant planning authority or relevant highway authority if not for the establishment of the DESNZ unit, in each case as identified by the undertaker pursuant to paragraph 1(1) of Schedule 3 (discharge of requirements).

Time Limits

2.—(1) The authorised development must commence no later than the expiration of five years beginning with the date on which this Order comes into force.

(2) If any proceedings are begun to challenge the validity of this Order, the period specified in sub-paragraph (1) is extended for the period specified in sub-paragraph (3).

(3) Under sub-paragraph (2) the period is taken to be extended by—

(a) a period equivalent to the period beginning with the day the proceedings are filed and ending on the day they are withdrawn or finally determined, or

(b) if shorter, one year.

(4) Proceedings are not finally determined for the purposes of sub-paragraph (3)(a) if any appeal—

(a) could be brought (ignoring any possibility of an appeal out of time with permission), or

(b) has been made and not withdrawn or finally determined.

Stages of authorised development

3.—(1) The authorised development may not commence until a written scheme setting out the stages of the authorised development has been submitted to the relevant planning authority, such scheme may subsequently be amended from time to time as notified to the relevant planning authority.

(2) The authorised development must be constructed in accordance with the written scheme setting out the stages of the authorised development submitted under sub-paragraph (1).

Construction Management Plans

4.—(1) No stage of the authorised development may commence until, for that stage, the following plans as relevant to that stage have been submitted to and approved by the relevant planning authority (following consultation with Natural England in the case of the landscape and ecology management plan and relevant highway authority in the case of the construction traffic management plan and public rights of way management plan). The relevant plans are—

(a) code of construction practice (which must be substantially in accordance with the outline code of construction practice);

(b) construction traffic management plan (which must be substantially in accordance with the outline construction traffic management plan);

(c) landscape and ecology management plan including a landscape maintenance and management plan (which must be substantially in accordance with the outline landscape and ecology management plan); and

(d) public rights of way management plan (which must be substantially in accordance with the outline public rights of way management plan);

(e) soil management plan (which must be substantially in accordance with the outline soil management plan);

(f) noise and vibration management plan (which must be substantially in accordance with the outline noise and vibration management plan);

(g) archaeological written scheme of investigation (which must be substantially in accordance with the outline archaeological written scheme of investigation); and

(h) cultural heritage management plan (which must be substantially in accordance with the outline cultural heritage management plan).

(2) Each stage of the authorised development must be carried out in accordance with the approved plans referred to in sub-paragraph (1), unless otherwise agreed with the relevant planning authority or other discharging authority as may be appropriate to the relevant plan concerned.

(3) For the avoidance of doubt, all pre-commencement operations must be carried out in accordance with the outline plans as listed in sub-paragraph (1) above unless otherwise agreed with the relevant planning authority or other discharging authority as may be appropriate to the relevant plan concerned.

Register of Environmental Actions and Commitments

5. Each stage of the authorised development, including any pre-commencement operations, must be carried out in accordance with the register of environmental actions and commitments unless otherwise agreed with the relevant planning authority or other discharging authority as may be appropriate.

Construction hours

6.—(1) Subject to sub-paragraphs (2) to (5) work may only take place between the hours of 07.00 and 19.00 Monday to Friday and 0800 and 1700 on Saturdays, Sundays, bank holidays and other public holidays (the core working hours), unless otherwise approved by the relevant planning authority.

(2) Subject to sub-paragraphs (4) and (5), no heavy goods vehicle deliveries may be made to site outside of the hours of 06.00 to 19.00 Monday to Friday and 07.00 to 17.00 on Saturdays, Sundays and public holidays, unless otherwise approved by the relevant highway authority.

(3) The following operations may take place outside the core working hours referred to in sub-paragraphs (1) and (2)—

(a) trenchless crossing operations including beneath highways, utilities, pipelines, railway lines, woodlands, nature reserves, or watercourses;

(b) the installation and removal of conductors, pilot wires and associated protective netting (included but not limited to) across highways, railway lines or watercourses;

(c) the jointing of underground cables;

(d) the completion of operations commenced during the core working hours which cannot safely be stopped;

(e) any highway works requested by the relevant highway authority or the DESNZ unit to be undertaken outside the core working hours;

(f) the testing or commissioning of any electrical plant installed as part of the authorised development including undertaking of any identified corrective activities;

(g) the completion of works delayed or held up by severe weather conditions which disrupted or interrupted normal construction activities;

(h) activity necessary in the instance of an emergency where there is a risk to persons or property;

(i) security monitoring;

(j) non-intrusive surveys;

(k) intrusive surveys;

(l) the installation and removal of temporary bridges including the installation of any safety systems;

(m) delivery of abnormal indivisible loads; and

(n) mechanical and electrical installation works within buildings once erected and enclosed.

(4) The core working hours exclude start-up and close down activities up to 1 hour either side of the core working hours.

(5) The severe weather conditions referred to in sub-paragraph (3)(g) means any weather which prevents work from taking place during the core working hours referred to in sub-paragraph (1) and, as the case may be, the hours referred to in sub-paragraph (2) by reason of physical incapacity (whether for reasons of visibility, ground conditions, power availability, site access or otherwise) or being contrary to safe working practices.

Retention and removal of trees, woodland and hedgerows

7.—(1) Unless otherwise agreed with the relevant planning authority, no stage of the authorised development may commence until, for that stage, an arboricultural method statement, including a

tree protection plan, showing the trees, groups of trees, woodlands and hedgerows to be retained and/or removed during that stage has been submitted to and approved by the relevant planning authority.

(2) The statement referred to in sub-paragraph (1) must include—

(a) schedule of all proposed tree and hedgerow removal and management;

(b) specification for temporary physical protection including clearly defined root protection areas to prevent damage / compaction of roots by machinery; and

(c) details of an auditable system of compliance.

(3) The relevant works in proximity to the protected tree or hedgerow must not commence until the approved protection measures referred to in sub-paragraph (2) are in place, and they must thereafter be maintained during the construction of the relevant stage of the authorised development.

(4) The authorised development must proceed in accordance with the statement referred to in sub-paragraph (1) unless otherwise approved by the relevant planning authority.

Reinstatement planting plan

8.—(1) Unless otherwise agreed with the relevant planning authority, no stage of the authorised development may be brought into operational use until, for that stage, a reinstatement planting plan for trees, groups of trees, woodlands and hedgerows to be reinstated during that stage has been submitted to and approved by the relevant planning authority.

(2) The reinstatement planting plan submitted under sub-paragraph (1) must include a schedule of trees, hedgerows or other plants or seedlings to be planted, noting numbers, species, sizes and planting density of any proposed planting or seedlings.

(3) The reinstatement planting plan submitted under sub-paragraph (1) must be in general accordance with the outline landscape and ecology management plan (or the final landscape and ecology management plan if approved pursuant to requirement 4).

(4) Unless otherwise agreed with the relevant planning authority, all reinstatement planting works approved under sub-paragraph (1) must be implemented at the earliest opportunity and no later than by the first available planting season after that part of the authorised development to which the reinstatement planting works apply is first brought into operational use.

(5) All reinstatement planting works approved under sub-paragraph (1) must be carried out in accordance with the approved reinstatement planting plan for that stage of the authorised development, unless otherwise approved by the relevant planning authority.

(6) All reinstatement planting works approved under sub-paragraph (1) must be implemented, monitored and maintained in accordance with the 'Aftercare' section of the landscape and ecology management plan approved pursuant to requirement 4.

(7) Any trees or hedgerows planted as part of an approved reinstatement planting plan that, within a period of five years after planting (or such other period as is specified in the landscape and ecology management plan approved pursuant to requirement 4), are removed, die or become in the opinion of the relevant planning authority seriously damaged or diseased, must be replaced in the first available planting season with a specimen of the same species and size as that originally planted, unless otherwise approved by the relevant planning authority.

Reinstatement schemes

9.—(1) Subject to sub-paragraphs (2) and (3), any land within the Order limits which is used temporarily for construction is to be reinstated to a condition suitable for its former use, or such condition as the relevant planning authority may approve, within 21 months of completion of the construction of the stage of authorised development for which it was required, or such further time as may be approved by the relevant planning authority.

(2) The requirement to reinstate the land to a condition suitable for its former use does not apply to land above or within 10 metres of underground cables installed as part of the authorised development.

(3) The requirement to reinstate the land to a condition suitable for its former use is subject to the provisions of article 27 (temporary use of land by National Grid), article 28 (temporary use of land by NGED), article 29 (temporary use of land by NPG), article 30 (temporary use of land by BT) and article 31 (temporary use of land for maintaining the authorised development).

Decommissioning

10.—(1) In the event that, at some future date, the authorised development, or part of it, is to be decommissioned, a written scheme of decommissioning must be submitted to the relevant planning authority for its approval at least six months prior to decommissioning works.

(2) The approved scheme must be implemented as approved as part of the decommissioning of the authorised development or relevant part of it.

(3) This requirement does not apply to the part of the authorised development and associated development described in Schedule 1 (authorised development) which relates to the dismantling and removal of existing infrastructure or apparatus.

(4) The written scheme of decommissioning submitted under sub-paragraph (1) must include environmental assessment undertaken in accordance with the laws and regulations applicable at the time it is submitted to the relevant planning authority.

Approval and implementation of Surface Water Management Plan

11.—(1) Unless otherwise agreed with the relevant planning authority, no stage of the authorised development may commence until, for that stage, a surface water management plan prepared substantially in accordance with the framework construction surface water management plan has been submitted to and approved by the relevant planning authority.

(2) Each stage of the authorised development must be carried out in accordance with the approved surface water management plan referred to in sub-paragraph (1) or with any amended surface water management plan that may subsequently be approved by the relevant planning authority.

Contamination of land or groundwater and controlled waters

12.—(1) If during any stage of the authorised development, contamination within the Order limits is identified as a result of the confirmatory ground investigations or unexpected contamination discovery procedures described in chapter 12, Geology and Hydrogeology, of the environmental statement and the code of construction practice, and this contamination is considered to present a significant possibility of significant harm to persons or pollution of controlled waters or the environment then, except in the case of emergency, no further development in the vicinity of the contamination may be carried out until a written scheme to identify the extent of the contamination and any mitigation or remedial measures to be taken to render the land fit for its intended purpose has been submitted to and approved by the relevant planning authority, following consultation with the Environment Agency.

(2) Should mitigation or remedial measures be required then they must be carried out in accordance with the approved scheme referred to in sub-paragraph (1) and, if remedial measures are required, their implementation and validation documented in a verification report submitted to the planning authority.

(3) In this requirement (contamination of land or groundwater and controlled waters), "controlled waters" has the same meaning as in Part 2A of the Environmental Protection Act 1990(**a**)."

(**a**) 1990 (c. 4).

Biodiversity Net Gain

13.—(1) Prior to the commencement of the authorised development, the interim biodiversity net gain assessment must be submitted to each relevant planning authority.

(2) Within six months of the date on which the construction period ends for the authorised development, a final biodiversity net gain assessment must be submitted to each relevant planning authority.

(3) In the event that the final biodiversity net gain assessment demonstrates that less than 10% biodiversity net gain has been achieved overall across the Order land following construction of the authorised development, a biodiversity offsetting scheme, which must be substantially in accordance with the biodiversity net gain report, shall be submitted to each relevant planning authority.

(4) Within 18 months of the date on which the construction period ends for the authorised development, the undertaker must secure the delivery of any identified onsite shortfall across the Order land in accordance with the biodiversity offsetting scheme by the undertaker acquiring biodiversity units.

(5) Within two months of completion of the biodiversity offsetting scheme, the undertaker must submit a report confirming completion to the relevant planning authority.

Access Options

14.—(1) Prior to commencement of the relevant part of the authorised development the undertaker must provide written notification to the relevant planning authority of its preferred option for each of the access points as set out in sub-paragraph (2) below which are to be constructed as part of the authorised development.

(2) The options referred to in sub-paragraph (1) are:

(a) Two alternative options for temporary construction access between Pennyhill Cottages Primary Access Route (PAR 34) and proposed pylon 4AF82 and satellite construction compound S-3:

(i) Option 1: Bellmouths BM-040 and BM-041 as shown on the temporary construction works figure, associated construction access track and watercourse crossings C-169 and BC-11 as shown in the indicative bridge and culvert schedule; or

(ii) Option 2: Bellmouths BM-040A and BM-41A off Pennyhill Cottages (PAR 34) as shown on the temporary construction works figure, associated construction access tracks and watercourse crossings C-220A, C-169A and BC-11A as shown in the indicative bridge and culvert schedule.

(b) Two alternative options for temporary construction access tracks to proposed pylon 4AF88:

(i) Option 3: Watercourse crossing BC-36 and BC-37 as shown in the indicative bridge and culvert schedule; or

(ii) Option 4: Watercourse crossing B-06A as shown in the indicative bridge and culvert schedule.

(c) Two alternative options for the construction access track between proposed pylons 4AF130 and 4AF131:

(i) Option 5: Watercourse crossing BC-29 as shown in the indicative bridge and culvert schedule; or

(ii) Option 6: Watercourse crossings BC-26A and BC-29B as shown in the indicative bridge and culvert schedule.

(d) Two alternative options for taking access off High Melwood (PAR 63) and the associated construction access track:

(i) Option 7: Bellmouth BM-078 as shown on the temporary construction works figure; or

(ii) Option 8: Bellmouth BM-110 as shown on the temporary construction works figure.

(e) Two alternative options for power supply connection points to the proposed main construction compound M-1:

(i) Option 9: Connection point NPG-09A as shown on the third party works figure; or

(ii) Option 10: Connection point NPG-09B as shown on the third party works figure.

(3) Subject to sub-paragraph (4), the undertaker must only construct the relevant options notified under sub-paragraph (1).

(4) The undertaker must not change from a notified option to an alternative option after the notification has been made under sub-paragraph (1) unless the undertaker has first provided written notice of that change to the relevant planning authority and provided that the undertaker has not yet commenced the option originally notified under sub-paragraph (1).

SCHEDULE 3

Article 54

DISCHARGE OF REQUIREMENTS

Applications made under requirements

1.—(1) Where notice has been received by the undertaker pursuant to paragraph 1(6) of Schedule 2 (requirements)—

(a) the undertaker may make an application for any consent, agreement or approval required by a requirement (including consent, agreement or approval in respect of part of a requirement) or any document referred to in any requirement to either, at the undertaker's discretion—

(i) the DESNZ unit as if it were the relevant planning authority for the purposes of the requirement in question (or in paragraph 6(2) of the "relevant highway authority"); or

(ii) the body that would otherwise have been the relevant planning authority as defined in article 2 (interpretation) and in paragraph 6(2) of Schedule 2 (requirements) the body that would otherwise have been the relevant highway authority as defined in article 2 (interpretation) if not for the establishment of the DESNZ unit; and

(b) in the case of any requirement (including part of a requirement) pursuant to which the undertaker has made such application to the DESNZ unit as the relevant authority, the DESNZ unit must consult with the body that would otherwise have been the relevant authority as if it had been named as a body to be consulted in that requirement and such body shall be treated as a "requirement consultee" for the purposes of this Schedule.

(2) Where an application has been made to a relevant authority for any consent, agreement or approval required by a requirement (including consent, agreement or approval in respect of part of a requirement), the relevant authority must give notice to the undertaker of its decision on the application within a period of 25 business days beginning with—

(a) where no further information is requested under paragraph (2), the day immediately following that on which the application is received by the authority;

(b) where further information is requested under paragraph (2), the day immediately following that on which further information has been supplied by the undertaker; or

(c) such longer period as may be agreed in writing by the undertaker and the relevant authority.

(3) Subject to sub-paragraph (4), in the event that the relevant authority does not determine an application within the period set out in sub-paragraph (2), the relevant authority is taken to have granted all parts of the application (without any condition or qualification) at the end of that period.

(4) Where—

(a) an application has been made to the relevant authority for any consent, agreement or approval required by a requirement included in this Order;

(b) the relevant authority does not determine such application within the period set out in sub-paragraph (2); and

(c) the application is accompanied by a report that considers it likely that the subject matter of the application is to give rise to any materially new or materially different environmental effects to those identified in the environmental statement,

then the application is taken to have been refused by the relevant authority at the end of that period.

Further information

2.—(1) Where an application has been made under paragraph 1 the relevant authority may request such reasonable further information from the undertaker as it considers is necessary to enable it to consider the application.

(2) If the relevant authority considers further information is necessary and the requirement does not specify that consultation with a requirement consultee is required, the relevant authority must, within five business days of receipt of the application, notify the undertaker in writing specifying the further information required.

(3) If the requirement specifies that consultation with a requirement consultee is required, the relevant authority must issue the consultation to the requirement consultee within five business days of receipt of the application and must notify the undertaker in writing specifying any further information requested by the requirement consultee within five business days of receipt of such a request and in any event within 15 business days of receipt of the application.

(4) If the relevant authority does not give the notification mentioned in sub-paragraphs (2) or (3) it is deemed to have sufficient information to consider the application and is not thereafter entitled to request further information without the prior agreement of the undertaker.

(5) Where further information is requested under this paragraph in relation to part only of an application, that part is treated as separate from the remainder of the application for the purposes of calculating the time periods referred to in paragraph 1 and in this paragraph.

Fees

3.—(1) Other than when the relevant authority is the DESNZ unit, where an application is made to a relevant authority for any consent, agreement or approval required by a requirement (including consent, agreement or approval in respect of part of a requirement), a fee must be paid to the relevant authority as follows—

(a) such fee as may be prescribed (under sections 303 and 333(2A) of the 1990 Act for the discharge of conditions attached to a planning permission); or

(b) a fee of £298 per request unless a bespoke arrangement has been agreed between the applicant and discharging authority and legally secured.

(2) Any fee paid under this Schedule must be refunded to the undertaker within 28 days of—

(a) the application being rejected as invalidly made; or

(b) the relevant authority failing to determine the application within 28 days from the date on which it is received,

unless within that period the undertaker agrees in writing that the fee may be retained by the relevant authority and credited in respect of a future application.

Appeals

4.—(1) The undertaker may appeal if—

(a) the relevant authority refuses an application for—

(i) any consent, agreement or approval required by a requirement or any document referred to in any requirement; or

(ii) (except as provided in article 54(4)) any other consent, agreement or approval required under this Order,

or grants it subject to conditions to which the undertaker objects;

(b) the relevant authority does not give notice of its decision to the undertaker within the period specified in paragraph 1(2);

(c) having received a request for further information under paragraph 2(1) the undertaker considers that either the whole or part of the specified information requested by the relevant authority is not necessary for consideration of the application; or

(d) having received any further information requested, the relevant authority notifies the undertaker that the information provided is inadequate and requests additional information which the undertaker considers is not necessary for consideration of the application.

(2) The procedure for appeals is as follows—

(a) the undertaker must within six weeks of the date of the notice of the decision or determination, or (where no determination has been made, expiry of the decision period under paragraph 1(2)), submit to the Secretary of State a copy of the application submitted to the relevant authority and any supporting documents which the undertaker may wish to provide ("the appeal documents");

(b) the undertaker must on the same day provide copies of the appeal documents to the relevant authority and the requirement consultee (if applicable);

(c) as soon as is practicable after receiving the appeals documents the Secretary of State must appoint a person to determine the appeal ("the appointed person") and notify the appeal parties of the identity of the appointed person and the address to which all correspondence for the appointed person must be sent;

(d) the relevant authority and the requirement consultee (if applicable) may submit any written representations in respect of the appeal to the appointed person within 10 business days beginning with the first day immediately following the date on which the appeal parties are notified of the appointment of the appointed person and must ensure that copies of their written representations are sent to each other and to the undertaker on the day on which they are submitted to the appointed person;

(e) the appeal parties may make any counter-submissions to the appointed person within 10 business days beginning with the first day immediately following the date of receipt of written representations pursuant to sub-paragraph (d) above; and

(f) the appointed person must make a decision and notify it to the appeal parties, with reasons, as soon as reasonably practicable.

(3) If the appointed person considers that further information is necessary to consider the appeal, the appointed person must as soon as practicable notify the appeal parties in writing specifying the further information required, the appeal party from whom the information is sought, and the date by which the information must be submitted.

(4) Any further information required pursuant to sub-paragraph (3) must be provided by the party from whom the information is sought to the appointed person and to the other appeal parties by the date specified by the appointed person.

(5) The appeal parties may submit written representations to the appointed person concerning matters contained in the further information.

(6) Any such representations must be submitted to the appointed person and made available to all appeal parties within 10 business days of the date mentioned in sub-paragraph (3).

Outcome of appeals

5.—(1) On an appeal under paragraph 4, the appointed person may—

(a) allow or dismiss the appeal; or

(b) reverse or vary any part of the decision of the relevant authority (whether the appeal relates to that part of it or not),

and may deal with the application as if it had been made to the appointed person in the first instance.

(2) The appointed person may proceed to a decision on an appeal taking into account only such written representations as have been sent within the time limits prescribed or set by the appointed person under this paragraph.

(3) The appointed person may proceed to a decision even though no written representations have been made within those time limits if it appears to the appointed person that there is sufficient material to enable a decision to be made on the merits of the case.

(4) The decision of the appointed person on an appeal is final and binding on the parties, and a court may entertain proceedings for questioning the decision only if the proceedings are brought by a claim for judicial review.

(5) Any consent, agreement or approval given by the appointed person pursuant to this Schedule is deemed to be an approval for the purpose of Schedule 2 (requirements) or the relevant other consent, agreement or approval required under this Order as if it had been given by the relevant authority.

(6) The relevant authority may confirm any determination given by the appointed person in identical form in writing but a failure to give such confirmation (or a failure to give it in identical form) does not affect or invalidate the effect of the appointed person's determination.

(7) Except where a direction is given pursuant to sub-paragraph (8) requiring the costs of the appointed person to be paid by the relevant authority, the reasonable costs of the appointed person must be met by the undertaker.

(8) On application by the relevant authority or the undertaker, the appointed person may give directions as to the costs of the appeal parties and as to the parties by whom the costs of the appeal are to be paid.

(9) In considering whether to make any such direction as to the costs of the appeal parties and the terms on which it is made, the appointed person must have regard to the Planning Practice Guidance Appeals published by the Ministry of Housing, Communities and Local Government (2 April 2026) or any circular or guidance which may from time to time replace it.

Interpretation of Schedule 3

6. In this Schedule—

"the appeal parties" means the relevant authority, the requirement consultee and the undertaker;

"relevant authority" means the person or body responsible for giving any consent, agreement or approval required by a requirement, or any document referred to in any requirement, under this Order or (except as provided in article 54(4) any other consent, agreement or approval required under this Order (including the relevant owner of a watercourse, sewer or drain as may be appropriate to the consent, agreement or approval sought)); and

"requirement consultee" means any body named in a requirement as a body to be consulted by the relevant authority in discharging that requirement.

SCHEDULE 4

Article 12

STREETS SUBJECT TO STREET WORKS

(1) *Authority*	*(2)* *Street subject to Street Works*	*(3)* *Access, Rights of Way & Public Rights of Navigation Plans Reference*
East Riding of Yorkshire Council	A1079	Section A, Sheet 1
East Riding of Yorkshire	A164	Section A, Sheet 2

Council		
East Riding of Yorkshire Council	Dunflat Road	Section A, Sheet 3
East Riding of Yorkshire Council	Little Weighton Road	Section A, Sheet 4
East Riding of Yorkshire Council	Rowley Road	Section A, Sheet 6
East Riding of Yorkshire Council	Riplingham Road	Section A, Sheet 6
East Riding of Yorkshire Council	Lambwell Hill	Section A, Sheet 6
East Riding of Yorkshire Council	Dale Road	Section A, Sheet 6
East Riding of Yorkshire Council	Ellerker Road	Section A, Sheet 8
East Riding of Yorkshire Council	Brough Road	Section A, Sheet 8
East Riding of Yorkshire Council	Ellerker Lane	Section A, Sheet 8
East Riding of Yorkshire Council	Sands Lane	Section A, Sheet 8 and Sheet 9
East Riding of Yorkshire Council	Norfolk Bank Lane	Section A, Sheet 9
East Riding of Yorkshire Council	Ings Lane (Eastern Section)	Section A, Sheet 10
East Riding of Yorkshire Council	Ings Lane (West Section)	Section A, Sheets 10 and 11
East Riding of Yorkshire Council	Wallingfen Lane	Section A, Sheet 10
East Riding of Yorkshire Council	Common Road	Section A, Sheet 10
East Riding of Yorkshire Council	Carr Lane	Section A, Sheet 10
East Riding of Yorkshire Council	Landing Lane	Section A, Sheet 13, Sheet 14 and Sheet 15
East Riding of Yorkshire Council	Tongue Lane	Section A, Sheets 13 and 14
East Riding of Yorkshire Council	Staddlethorpe Broad Lane	Section A, Sheet 16 and Section B, Sheet 1
East Riding of Yorkshire Council	Blacktoft Lane	Section B, Sheet 1
East Riding of Yorkshire Council	Pennyhill Cottages	Section B, Sheets 1 and 2
East Riding of Yorkshire Council	Narrow Lane	Section B, Sheet 3
East Riding of Yorkshire Council	A161 Kings Causeway	Section B, Sheet 4
East Riding of Yorkshire Council	Pasture Lane	Section B, Sheet 5
North Lincolnshire Council	Luddington Road	Section B, Sheet 6
North Lincolnshire Council	Carr Lane	Section B, Sheet 6
North Lincolnshire Council	Meredyke Road	Section B, Sheet 7

North Lincolnshire Council	Carr Lane	Section B, Sheet 7
North Lincolnshire Council	Washinghall Lane	Section B, Sheet 8
North Lincolnshire Council	Outgate	Section C, Sheet 1 and Sheet 2
North Lincolnshire Council	Bonnyhale Moor Road	Section C, Sheet 1
North Lincolnshire Council	Bonnyhale Road	Section C, Sheet 3 and Sheet 4
North Lincolnshire Council	A18	Section C, Sheet 4 and Sheet 5
North Lincolnshire Council	A161	Section C, Sheet 5
North Lincolnshire Council	Belton Road	Section D, Sheet 1 and Sheet 2
North Lincolnshire Council	Bracon	Section D, Sheet 1
North Lincolnshire Council	Epworth Road	Section D, Sheet 2
North Lincolnshire Council	Melwood Hill	Section D, Sheet 4
North Lincolnshire Council	Newland Lane	Section D, Sheet 4
North Lincolnshire Council	Low Hall Road	Section D, Sheet 5
North Lincolnshire Council	Burnham Road	Section D, Sheet 5
North Lincolnshire Council	Ferry Road	Section D, Sheet 6
North Lincolnshire Council	Stockwith Road	Section D, Sheet 6
North Lincolnshire Council	A161 Station Road	Section D, Sheet 7
North Lincolnshire Council	A161 Haxey Gate Road	Section D, Sheet 7
North Lincolnshire Council	Tindale Bank Road	Section D, Sheet 7 and Sheet 8
Nottinghamshire County Council	Cornley Road	Section E, Sheet 1 and Sheet 2
Nottinghamshire County Council	Carr Lane	Section E, Sheet 2
Nottinghamshire County Council	Cattle Road	Section E, Sheet 2
Nottinghamshire County Council	B1403	Section E, Sheet 4
Nottinghamshire County Council	Walkeringham Road	Section E, Sheet 4
Nottinghamshire County Council	A631	Section E, Sheet 5
Nottinghamshire County Council	Wood Lane	Section E, Sheet 5
Nottinghamshire County Council	Gainsborough Road	Section E, Sheet 7
Nottinghamshire County	Gainsborough Road	Section E, Sheet 8

Council		
Nottinghamshire County Council	Station Road	Section E, Sheet 8
Nottinghamshire County Council	Retford Road	Section E, Sheet 10
Nottinghamshire County Council	Forewood Lane	Section E, Sheet 11
Nottinghamshire County Council	Ashley Lane	Section E, Sheet 12
Nottinghamshire County Council	Retford Road	Retford Road
Nottinghamshire County Council	Main Street	Main Street
Nottinghamshire County Council	Retford Road	Retford Road
Nottinghamshire County Council	Darlton Road	Darlton Road
Nottinghamshire County Council	A57 Broad Gate	A57 Broad Gate
Nottinghamshire County Council	Far Road	Far Road
Nottinghamshire County Council	Main Street	Main Street
Nottinghamshire County Council	Fledborough Road	Fledborough Road

SCHEDULE 5

Article 15

STREETS SUBJECT TO ALTERATION OF LAYOUT

(1) *Street subject to Alteration of Layout*	*(2)* *Description of Alteration of Layout as shown on the Access, Rights of Way and Public Rights of Navigation Plans*
East Riding of Yorkshire Council	
A1079	At access point BM-001 (as shown on Section A, Sheet 1), a temporary bellmouth will be provided. Works comprising vegetation clearance, the installation of a new road surface, road markings, kerbing, a suitable drainage system and utility works as required.
A1079	Provision of carriageway widening between CW-001 and CW-002 (as shown on Section A, Sheet 1). Works comprising site clearance, construction of new road surface, white lining, kerbing and a suitable drainage system as required.
A164	At access point BM-002 (as shown on Section A, Sheet1), a temporary bellmouth will be provided. Works comprising vegetation clearance, the installation of a new road surface, road markings, kerbing, a suitable drainage system and utility works as required.
Dunflat Road	At access point BM-003 (as shown on Section A, Sheet 3), a temporary bellmouth will be provided. Works comprising vegetation clearance, the installation of a new road surface, road markings, kerbing, a suitable drainage system and utility works as required.
Little Weighton Road	At access points BM-005 and BM-006 (as shown on Section A, Sheet 4), a temporary bellmouth will be provided. Works comprising vegetation clearance, the installation of a new road surface, road markings, kerbing, a suitable drainage system and utility works as

	required.
Rowley Road	At access point BM-007 (as shown on Section A, Sheet 5), a temporary bellmouth will be provided. Works comprising vegetation clearance, the installation of a new road surface, road markings, kerbing, a suitable drainage system and utility works as required.
Rowley Road	At access point BM-008 (as shown on Section A, Sheet 6), a temporary bellmouth will be provided. Works comprising vegetation clearance, the installation of a new road surface, road markings, kerbing, a suitable drainage system and utility works as required.
Rowley Road	Provision of carriageway widening between CW-003 and CW-004 (as shown on Section A, Sheet 6). Works comprising site clearance, construction of new road surface, white lining, kerbing and a suitable drainage system as required.
Lambwell Hill	At access points BM-009 and BM-010 (as shown on Section A, Sheet 6), a temporary bellmouth will be provided. Works comprising vegetation clearance, the installation of a new road surface, road markings, kerbing, a suitable drainage system and utility works as required.
Lambwell Hill	Provision of carriageway widening and junction widening between CW-005 and CW-006 (as shown on Section A, Sheet 6). Works comprising site clearance, construction of new road surface, white lining, kerbing and a suitable drainage system as required.
Dale Road	At access points BM-011 and BM-012, (as shown on Section A, Sheet 6), a temporary bellmouth will be provided. Works comprising vegetation clearance, the installation of a new road surface, road markings, kerbing, a suitable drainage system and utility works as required.
Ellerker Road	At access point BM-013 (as shown on Section A, Sheet 8), a temporary bellmouth will be provided. Works comprising vegetation clearance, the installation of a new road surface, road markings, kerbing, a suitable drainage system and utility works as required.
Brough Road	At access points BM-016 and BM-018, (as shown on Section A, Sheet 8), a temporary bellmouth will be provided. Works comprising vegetation clearance, the installation of a new road surface, road markings, kerbing, a suitable drainage system and utility works as required.
Brough Road	At access point BM-017 (as shown on Section A, Sheet 8), a temporary bellmouth will be provided. Works comprising vegetation clearance, the installation of a new road surface, road markings, kerbing, a suitable drainage system and utility works as required.
Sands Lane	At access points BM-019 and BM-020, (as shown on Section A, Sheet 8) a temporary bellmouth will be provided. Works comprising vegetation clearance, the installation of a new road surface, road markings, kerbing, a suitable drainage system and utility works as required.
Ellerker Lane	Provision of carriageway widening and junction widening between CW-007 and CW-008 (as shown on Section A, Sheet 8). Works comprising site clearance, construction of new road surface, white lining, kerbing and a suitable drainage system as required.
Norfolk Bank Lane	Provision of carriageway widening, junction widening and passing places between CW-008 and CW-009(as shown on Section A, Sheet 8 and Sheet 9). Works comprising site clearance, construction of new road surface, white lining, kerbing and a suitable drainage system as required.
Ings Lane (East Section)	At access points BM-021 and BM-022 (as shown on Section A, Sheet 9), a temporary bellmouth will be provided. Works comprising

	vegetation clearance, the installation of a new road surface, road markings, kerbing, a suitable drainage system and utility works as required.
Ings Lane (East Section)	Provision of carriageway widening between CW-009 and CW-010 (as shown on Section A, Sheet 9). Works comprising site clearance, construction of new road surface, white lining, kerbing and a suitable drainage system as required.
Ings Lane (West Section	At access point BM-026 (as shown on Section A, Sheet 10), a temporary bellmouth will be provided. Works comprising vegetation clearance, the installation of a new road surface, road markings, kerbing, a suitable drainage system and utility works as required.
Ings Lane (West Section	At access point BM-027 (as shown on Section A, Sheet 10), a temporary bellmouth will be provided. Works comprising vegetation clearance, the installation of a new road surface, road markings, kerbing, a suitable drainage system and utility works as required.
Ings Lane (West Section)	Provision of passing places between CW-015 and CW-016 (as shown on Section A, Sheet 10). Works comprising site clearance, construction of new road surface, white lining, kerbing and a suitable drainage system as required.
Wallingfen Lane	Provision of passing places between CW-011 and CW-012 (as shown on Section A, Sheets 10 and 11). Works comprising site clearance, construction of new road surface, white lining, kerbing and a suitable drainage system as required.
Common Road	Provision of passing places between CW-012 and CW-013 (as shown on Section A, Sheet 10). Works comprising site clearance, construction of new road surface, white lining, kerbing and a suitable drainage system as required.
Carr Lane	Provision of carriageway widening and passing places between CW-013 and CW-014 (as shown on Section A, Sheet 10). Works comprising site clearance, construction of new road surface, white lining, kerbing and a suitable drainage system as required.
Carr Lane	At access point BM-014 (as shown on Section A, Sheet 10), a temporary bellmouth will be provided. Works comprising vegetation clearance, the installation of a new road surface, road markings, kerbing, a suitable drainage system and utility works as required.
Carr Lane	At access points BM-029 and BM-030 (as shown on Section A, Sheet 10), a temporary bellmouth will be provided. Works comprising vegetation clearance, the installation of a new road surface, road markings, kerbing, a suitable drainage system and utility works as required.
Landing Lane	At access points BM-031 and BM-032 (as shown on Section A, Sheet 12), a temporary bellmouth will be provided. Works comprising vegetation clearance, the installation of a new road surface, road markings, kerbing, a suitable drainage system and utility works as required.
Tongue Lane	At access points BM-033 and BM-035 (as shown on Section A, Sheet 12), a temporary bellmouth will be provided. Works comprising vegetation clearance, the installation of a new road surface, road markings, kerbing, a suitable drainage system and utility works as required.
Tongue Lane	At access point BM-102 (as shown on Section A, Sheet 13), a temporary bellmouth will be provided. Works comprising vegetation clearance, the installation of a new road surface, road markings, kerbing, a suitable drainage system and utility works as required.
Staddlethorpe Broad Lane	At access points BM-036 and BM-037 (as shown on Section A, Sheet 13), a temporary bellmouth will be provided. Works comprising

	vegetation clearance, the installation of a new road surface, road markings, kerbing, a suitable drainage system and utility works as required.
Tongue Lane	Provision of carriageway widening and passing places between CW-017 and CW-018 (as shown on Section A, Sheet 13, Sheet 14 and Sheet 15). Works comprising site clearance, construction of new road surface, white lining, kerbing and a suitable drainage system as required.
Tongue Lane	At access point BM-034 (as shown on Section A, Sheet 14), a temporary bellmouth will be provided. Works comprising vegetation clearance, the installation of a new road surface, road markings, kerbing, a suitable drainage system and utility works as required.
Staddlethorpe Broad Lane	Provision of passing places between CW-019 and CW-020 (as shown on Section A, Sheets 13 and 14). Works comprising site clearance, construction of new road surface, white lining, kerbing and a suitable drainage system as required.
Blacktoft Lane	At access points BM-038 and BM-039 (as shown on Border between Section A and B, Sheet 16), a temporary bellmouth will be provided. Works comprising vegetation clearance, the installation of a new road surface, road markings, kerbing, a suitable drainage system and utility works as required.
Pennyhill Cottages	At access points BM-040 and BM-041 (as shown on Section B, Sheet 1), a temporary bellmouth will be provided. Works comprising vegetation clearance, the installation of a new road surface, road markings, kerbing, a suitable drainage system and utility works as required.
Pennyhill Cottages	At access points BM-040A and BM-041A (as shown on Section B, Sheet 1), a temporary bellmouth will be provided. Works comprising vegetation clearance, the installation of a new road surface, road markings, kerbing, a suitable drainage system and utility works as required.
A161 Kings Causeway	At access points BM-042 and BM-043 (as shown on Section B, Sheet 3), a temporary bellmouth will be provided. Works comprising vegetation clearance, the installation of a new road surface, road markings, kerbing, a suitable drainage system and utility works as required.
Pasture Lane	At access points BM-044 and BM-045 (as shown on Section B, Sheet 4), a temporary bellmouth will be provided. Works comprising vegetation clearance, the installation of a new road surface, road markings, kerbing, a suitable drainage system and utility works as required.
North Lincolnshire Council	
Luddington Road	At access points BM-046 and BM-047 (as shown on Section B, Sheet 5), a temporary bellmouth will be provided. Works comprising vegetation clearance, the installation of a new road surface, road markings, kerbing, a suitable drainage system and utility works as required.
Carr Lane	At access points BM-048 and BM-049 (as shown on Section B, Sheet 6), a temporary bellmouth will be provided. Works comprising vegetation clearance, the installation of a new road surface, road markings, kerbing, a suitable drainage system and utility works as required.
Meredyke Road	At access points BM-050 and BM-051 (as shown on Section B, Sheet 6), a temporary bellmouth will be provided. Works comprising vegetation clearance, the installation of a new road surface, road markings, kerbing, a suitable drainage system and utility works as required.

Meredyke Road	Provision of carriageway widening and passing places between CW-021 and CW-022 (as shown on Section B, Sheet 6). Works comprising site clearance, construction of new road surface, white lining, kerbing and a suitable drainage system as required.
Carr Lane	At access point BM-056 (as shown on Section B, Sheet 7), a temporary bellmouth will be provided. Works comprising vegetation clearance, the installation of a new road surface, road markings, kerbing, a suitable drainage system and utility works as required.
Carr Lane	Provision of carriageway widening between CW-023and CW-024 (as shown on Section B, Sheet 7). Works comprising site clearance, construction of new road surface, white lining, kerbing and a suitable drainage system as required.
Carr Lane	Provision of carriageway widening between CW-024 and CW-025 (as shown on Section B, Sheet 7). Works comprising site clearance, construction of new road surface, white lining, kerbing and a suitable drainage system as required.
Washinghall Lane	At access points BM-057 and BM-058 (as shown on Section B, Sheet 8), a temporary bellmouth will be provided. Works comprising vegetation clearance, the installation of a new road surface, road markings, kerbing, a suitable drainage system and utility works as required.
Washinghall Lane	At access point BM-074 (as shown on Section B, Sheet 8 and Section C, Sheet 1), a temporary bellmouth will be provided. Works comprising vegetation clearance, the installation of a new road surface, road markings, kerbing, a suitable drainage system and utility works as required.
Washinghall Lane	Provision of carriageway widening, junction widening and passing places between CW-027 and CW-028 (as shown on Section B, Sheet 8 and Section C, Sheet 1). Works comprising site clearance, construction of new road surface, white lining, kerbing and a suitable drainage system as required.
Bonnyhale Moor Road	At access point BM-063 (as shown on Section C, Sheet 1), a temporary bellmouth will be provided. Works comprising vegetation clearance, the installation of a new road surface, road markings, kerbing, a suitable drainage system and utility works as required.
Outgate	At access point BM-059 (as shown on Section C, Sheet 1), a temporary bellmouth will be provided. Works comprising vegetation clearance, the installation of a new road surface, road markings, kerbing, a suitable drainage system and utility works as required.
Outgate	At access point BM-060 (as shown on Section C, Sheet 2), a temporary bellmouth will be provided. Works comprising vegetation clearance, the installation of a new road surface, road markings, kerbing, a suitable drainage system and utility works as required.
Outgate	At access point BM-062 (as shown on Section C, Sheet 2), a temporary bellmouth will be provided. Works comprising vegetation clearance, the installation of a new road surface, road markings, kerbing, a suitable drainage system and utility works as required.
Outgate, Bonnyhale Moor Road	Provision of passing places between CW-029 and CW-030 (as shown on Section C, Sheet 1, Sheet 2 and Sheet 3). Works comprising site clearance, construction of new road surface, white lining, kerbing and a suitable drainage system as required.
Bonnyhale Road	At access point BM-064 (as shown on Section C, Sheet 2), a temporary bellmouth will be provided. Works comprising vegetation clearance, the installation of a new road surface, road markings, kerbing, a suitable drainage system and utility works as required.
Bonnyhale Road	Provision of passing places between CW-031 and CW-032 (as shown

	on Section C, Sheet 3). Works comprising site clearance, construction of new road surface, white lining, kerbing and a suitable drainage system as required.
A18	At access point BM-065 (as shown on Section C, Sheet 4), a temporary bellmouth will be provided. Works comprising vegetation clearance, the installation of a new road surface, road markings, kerbing, a suitable drainage system and utility works as required
A18	At access point BM-066 (as shown on Section C, Sheet 4), a temporary bellmouth will be provided. Works comprising vegetation clearance, the installation of a new road surface, road markings, kerbing, a suitable drainage system and utility works as required
A18	At access point BM-068 (as shown on Section C, Sheet 4), a temporary bellmouth will be provided. Works comprising vegetation clearance, the installation of a new road surface, road markings, kerbing, a suitable drainage system and utility works as required
A161	At access point BM-015 (as shown on Section C, Sheet 5), a temporary bellmouth will be provided. Works comprising vegetation clearance, the installation of a new road surface, road markings, kerbing, a suitable drainage system and utility works as required.
Belton Road	Provision of carriageway widening and passing places between CW-033 and CW-034 (as shown on Section D, Sheet 1), Works comprising site clearance, construction of new road surface, white lining, kerbing and a suitable drainage system as required.
Belton Road	At access points BM-069 and BM-070 (as shown on Section D, Sheet 1), a temporary bellmouth will be provided. Works comprising vegetation clearance, the installation of a new road surface, road markings, kerbing, a suitable drainage system and utility works as required.
Epworth Road	At access points BM-071 and BM-072 (as shown on Section D, Sheet 2), a temporary bellmouth will be provided. Works comprising vegetation clearance, the installation of a new road surface, road markings, kerbing, a suitable drainage system and utility works as required.
Newland Lane	At access points BM-075 and BM-073 (as shown on Section D, Sheet 3), a temporary bellmouth will be provided. Works comprising vegetation clearance, the installation of a new road surface, road markings, kerbing, a suitable drainage system and utility works as required.
Newland Lane	At access point BM-077 (as shown on Section D, Sheet 4), a temporary bellmouth will be provided. Works comprising vegetation clearance, the installation of a new road surface, road markings, kerbing, a suitable drainage system and utility works as required.
Newland Lane	Provision of carriageway widening between CW-035 and CW-036 (as shown on Section D, Sheet 4), Works comprising site clearance, construction of new road surface, white lining, kerbing and a suitable drainage system as required
Melwood Hill	At access point BM-110 (as shown on Section D, Sheet 4), a temporary bellmouth will be provided. Works comprising vegetation clearance, the installation of a new road surface, road markings, kerbing, a suitable drainage system and utility works as required.
Melwood Hill	At access point BM-078 (as shown on Section D, Sheet 4), a temporary bellmouth will be provided. Works comprising vegetation clearance, the installation of a new road surface, road markings, kerbing, a suitable drainage system and utility works as required.
Melwood Hill	At access point BM-079 (as shown on Section D, Sheet 4), a temporary bellmouth will be provided. Works comprising vegetation clearance, the

	installation of a new road surface, road markings, kerbing, a suitable drainage system and utility works as required.
Melwood Hill	Provision of carriageway widening between CW-037 and CW-038 (as shown on Section D, Sheet 4). Works comprising site clearance, construction of new road surface, white lining, kerbing and a suitable drainage system as required.
Burnham Road	At access points BM-080 and BM-081 (as shown on Section D, Sheet 5), a temporary bellmouth will be provided. Works comprising vegetation clearance, the installation of a new road surface, road markings, kerbing, a suitable drainage system and utility works as required.
Low Hall Road	At access points BM-082 and BM-083 (as shown on Section D, Sheet 5), a temporary bellmouth will be provided. Works comprising vegetation clearance, the installation of a new road surface, road markings, kerbing, a suitable drainage system and utility works as required.
Low Hall Road	Provision of carriageway widening, junction widening and passing places between CW-039 and CW-040 (as shown on Section D Sheet 5). Works comprising site clearance, construction of new road surface, white lining, kerbing and a suitable drainage system as required.
Ferry Road	At access point BM-084 (as shown on Section D, Sheet 6), a temporary bellmouth will be provided. Works comprising vegetation clearance, the installation of a new road surface, road markings, kerbing, a suitable drainage system and utility works as required.
Ferry Road	At access point BM-085 (as shown on Section D, Sheet 6), a temporary bellmouth will be provided. Works comprising vegetation clearance, the installation of a new road surface, road markings, kerbing, a suitable drainage system and utility works as required.
Ferry Road	Provision of carriageway widening, junction widening and passing places between CW-041 and CW-043 (as shown on Section D, Sheet 6). Works comprising site clearance, construction of new road surface, white lining, kerbing and a suitable drainage system as required.
Ferry Road	Provision of carriageway widening, junction widening and passing places between CW-042 and CW-043 (as shown on Section D, Sheet 6). Works comprising site clearance, construction of new road surface, white lining, kerbing and a suitable drainage system as required.
Stockwith Road	At access point BM-086 (as shown on Section D, Sheet 6), a temporary bellmouth will be provided. Works comprising vegetation clearance, the installation of a new road surface, road markings, kerbing, a suitable drainage system and utility works as required.
Stockwith Road	At access points BM-087 and BM-088 (as shown on Section D, Sheet 6), a temporary bellmouth will be provided. Works comprising vegetation clearance, the installation of a new road surface, road markings, kerbing, a suitable drainage system and utility works as required.
Stockwith Road	Provision of carriageway widening and passing places between CW-043 and CW-044 (as shown on Section D, Sheet 6). Works comprising site clearance, construction of new road surface, white lining, kerbing and a suitable drainage system as required.
A161 Station Road	At access point BM-089 (as shown on Section D, Sheet 7), a temporary bellmouth will be provided. Works comprising vegetation clearance, the installation of a new road surface, road markings, kerbing, a suitable drainage system and utility works as required.
Tindale Bank Road	At access points BM-091 and BM-092 (as shown on Section D, Sheet 7), a temporary bellmouth will be provided. Works comprising vegetation clearance, the installation of a new road surface, road

	markings, kerbing, a suitable drainage system and utility works as required.
Tindale Bank Road	Provision of carriageway widening and junction widening between CW-045 and CW-046 (as shown on Section D, Sheet 7). Works comprising site clearance, construction of new road surface, white lining, kerbing and a suitable drainage system as required.
Nottinghamshire County Council	
Cornley Road	At access points BM-093 and BM-094 (as shown on Section E, Sheet 1), a temporary bellmouth will be provided. Works comprising vegetation clearance, the installation of a new road surface, road markings, kerbing, a suitable drainage system and utility works as required.
Cornley Road, Carr Lane	Provision of carriageway widening, junction widening and passing places between CW-047 and CW-048 (as shown on Section E, Sheet 1 and Sheet 2). Works comprising site clearance, construction of new road surface, white lining, kerbing and a suitable drainage system as required.
Cattle Road	At access points BM-095 and BM-096 (as shown on Section E, Sheet 2), a temporary bellmouth will be provided. Works comprising vegetation clearance, the installation of a new road surface, road markings, kerbing, a suitable drainage system and utility works as required.
B1403	At access points BM-097 and BM-098 (as shown on Section E, Sheet 4), a temporary bellmouth will be provided. Works comprising vegetation clearance, the installation of a new road surface, road markings, kerbing, a suitable drainage system and utility works as required.
A631	At access points BM-099 and BM-101 (as shown on Section E, Sheet 5), a temporary bellmouth will be provided. Works comprising vegetation clearance, the installation of a new road surface, road markings, kerbing, a suitable drainage system and utility works as required.
Gainsborough Road	At access points BM-104 and BM-105 (as shown on Section E, Sheet 7), a temporary bellmouth will be provided. Works comprising vegetation clearance, the installation of a new road surface, road markings, kerbing, a suitable drainage system and utility works as required.
Gainsborough Road	At access point BM-103 (as shown on Section E, Sheet 8), a temporary bellmouth will be provided. Works comprising vegetation clearance, the installation of a new road surface, road markings, kerbing, a suitable drainage system and utility works as required.
Gainsborough Road	At access point BM-106 (as shown on Section E, Sheet 8), a temporary bellmouth will be provided. Works comprising vegetation clearance, the installation of a new road surface, road markings, kerbing, a suitable drainage system and utility works as required.
Station Road	At access points BM-107 and BM-108 (as shown on Section E, Sheet 8), a temporary bellmouth will be provided. Works comprising vegetation clearance, the installation of a new road surface, road markings, kerbing, a suitable drainage system and utility works as required.
Retford Road	At access points BM-113 and BM-114 (as shown on Section E, Sheet 10), a temporary bellmouth will be provided. Works comprising vegetation clearance, the installation of a new road surface, road markings, kerbing, a suitable drainage system and utility works as required.
Forewood Lane	At access points BM-111 and BM-112 (as shown on Section E, Sheet

	11), a temporary bellmouth will be provided. Works comprising vegetation clearance, the installation of a new road surface, road markings, kerbing, a suitable drainage system and utility works as required.
Ashley Lane	At access points BM-055 and BM-061 (as shown on Section E, Sheet 12), a temporary bellmouth will be provided. Works comprising vegetation clearance, the installation of a new road surface, road markings, kerbing, a suitable drainage system and utility works as required.
Retford Road	At access points BM-090 and BM-109 (as shown on Section E, Sheet 12), a temporary bellmouth will be provided. Works comprising vegetation clearance, the installation of a new road surface, road markings, kerbing, a suitable drainage system and utility works as required.
Main Street	At access points BM-004 and BM-023 (as shown on Section E, Sheet 13), a temporary bellmouth will be provided. Works comprising vegetation clearance, the installation of a new road surface, road markings, kerbing, a suitable drainage system and utility works as required.
Retford Road	At access points BM-024 and BM-067 (as shown on Section E, Sheet 14), a temporary bellmouth will be provided. Works comprising vegetation clearance, the installation of a new road surface, road markings, kerbing, a suitable drainage system and utility works as required.
Darlton Road	At access points BM-025 and BM-028 (as shown on Section E, Sheet 15), a temporary bellmouth will be provided. Works comprising vegetation clearance, the installation of a new road surface, road markings, kerbing, a suitable drainage system and utility works as required.
A57 Broad Gate	At access points BM-052 and BM-053 (as shown on Section E, Sheet 15 and Section F Sheet 1), a temporary bellmouth will be provided. Works comprising vegetation clearance, the installation of a new road surface, road markings, kerbing, a suitable drainage system and utility works as required.
Main Street	At access point BM-076 (as shown on Section F, Sheet 2), a temporary bellmouth will be provided. Works comprising vegetation clearance, the installation of a new road surface, road markings, kerbing, a suitable drainage system and utility works as required.
Fledborough Road	At access points BM-054 and BM-100 (as shown on Section F, Sheet 3), a temporary bellmouth will be provided. Works comprising vegetation clearance, the installation of a new road surface, road markings, kerbing, a suitable drainage system and utility works as required.

SCHEDULE 6

Article 16

STREETS OR PUBLIC RIGHTS OF WAY TO BE TEMPORARILY CLOSED

PART 1

STREETS TO BE TEMPORARILY CLOSED FOR WHICH A DIVERSION IS TO BE PROVIDED

(1) *Area*	*(2)* *Street to be temporarily closed*	*(3)* *Extent of temporary closure as shown on the Access, Rights of Way and Public Rights of Navigation Plans*	*(4)* *Temporary diversion as shown on the Access, Rights of Way and Public Rights of Navigation Plans*
East Riding of Yorkshire Council	A164	Between points SM-005 and SM-007 as shown on Section A, Sheet 1	Clockwise diversion route via: SMD-019, SMD-024, SMD-025, SMD-035, SMD-045, SMD-046, SMD-052, SMD-066, SMD-093, SMD-106, SMD-111, SMD-113, SMD-091, SMD-118, SMD-130, SMD-141, SMD-137, SMD-135, SMD-136, SMD-133, SMD-073 as shown on Section A, Plan B, C, D and E Anticlockwise diversion route via: SMD-073, SMD-133, SMD-136, SMD-139, SMD-141, SMD-130, SMD-118, SMD-091, SMD-113, SMD-110, SMD-093, SMD-066, SMD-052, SMD-046, SMD-045, SMD-035, SMD-025, SMD-024, SMD-019 as shown on Section A, Plan B, E, D and C
East Riding of Yorkshire Council	Dunflat Road	Between points SM-003 and SM-004 as shown on Section A, Sheet 3	Diversion route via SMD-020, SMD-017, SMD-011, SMD-007, SMD-008, SMD-012, SMD-016, SMD-023, SMD-028, SMD-027, SMD-033, SMD-073, SMD-020 as shown on Section A, Plan B
East Riding of Yorkshire Council	Little Weighton Road	Between points SM-009 and SM-010 as shown on Section A, Sheet 4	Diversion route via SMD-028, SMD-023, SMD-016, SMD-012, SMD-008, SMD-007, SMD-011, SMD-017, SMD-020, SMD-073, SMD-033, SMD-027 as shown on Section A, Plan B
East Riding of Yorkshire Council	Rowley Road	Between points SM-013 and SM-014, as shown on Section A, Sheet 6	Diversion route via SMD-058, SMD-047, SMD-030, SMD-029, SMD-041, SMD-051 as shown on Section A, Plan E
East Riding of Yorkshire Council	Riplingham Road	Between points SM-014 and SM-016, as shown on Section A, Sheet 6	Diversion route via SMD-061, SMD-069, SMD-070, SMD-057, SMD-042, SMD-033, SMD-027, SMD-028, SMD-031, SMD-041, SMD-051 as shown on Section A, Plan E
East Riding of Yorkshire	Riplingham Road	Between points SM-017 and SM-018, as	Diversion route via SMD-058, SMD-047, SMD-030, SMD-

Council		shown on Section A, Sheet 6	029, SMD-041, SMD-051, SMD-058 as shown on Section A, Plan E
East Riding of Yorkshire Council	Riplingham Road	Between points SM-015 and SM-016, as shown on Section A, Sheet 6	Diversion route via SMD-058, SMD-047, SMD-030, SMD-029, SMD-031, SMD-028, SMD-027, SMD-033, SMD-042, SMD-057, SMD-070, SMD-069, SMD-061 as shown on Section A, Plan E
East Riding of Yorkshire Council	Lambwell Hill	Between points SM-019 and SM-020, as shown on Section A, Sheet 6	Diversion route via SMD-067, SMD-109, SMD-125, SMD-127, SMD-128, SMD-124, SMD-120, SMD-115, SMD-108, SMD-098, SMD-071, SMD-059 as shown on Section A, Plan E
East Riding of Yorkshire Council	Dale Road	Between points SM-022 and SM-023, as shown on Section A, Sheet 6	Diversion route via SMD-071, SMD-048 SMD-056, SMD-063, SMD-077, SMD-096, SMD-112, SMD-108, SMD-098, SMD-071 as shown on Section A, Plan E and F
East Riding of Yorkshire Council	Ellerker Road	Between points SM-025 and SM-027, as shown on Section A, Sheet 8	Diversion route via: SMD-094, SMD-096, SMD-112, SMD-108, SMD-100 as shown on Section A Plan E
East Riding of Yorkshire Council	A63 Petuaria Way	Between points SM-028 and SM-029, as shown on Section A, Sheet 8	Clockwise diversion route via SMD-079, SMD-078, SMD-077, SMD-063, SMD-053, SMD-038, SMD-022, SMD-009, SMD-006, SMD-005, SMD-004, SMD-003, SMD-002, SMD-013, SMD-0730, SMD-133, SMD-136, SMD-137, SMD-139 as shown on Section A Plan F, A, B, C and D Anticlockwise diversion route via SMD-140, SMD-137, SMD-135, SMD-136, SMD-133, SMD-073, SMD-015, SMD-014, SMD-002, SMD-003, SMD-004, SMD-005, SMD-006, SMD-009, SMD-022, SMD-038, SMD-053, SMD-063, SMD-077, SMD-080 as shown on Section A Plan D, E, B, A and F.
East Riding of Yorkshire Council	Brough Road	Between points SM-035 and SM-036, as shown on Section A Sheet 8	Diversion route via SMD-112, SMD-108, SMD-100, SMD-094, SMD-096 as shown on Section A, Sheet 8
East Riding of Yorkshire Council	Ellerker Lane	Between points SM-030 and SM-031, as shown on Section A,	Diversion route via SMD-083, SMD-084 as shown on Section A, Plan F

		Sheet 8	
East Riding of Yorkshire Council	Norfolk Bank Lane	Between points SM-031 and SM-032, as shown on Section A, Sheet 8 and Sheet 9	Diversion route via SMD-085, SMD-097, SMD-099, as shown on Section A, Plan F
East Riding of Yorkshire Council	Ings Lane (East)	Between points SM-032 and SM-033, as shown on Section A, Sheet 9	Diversion route via SMD-117, SMD-099, SMD-097, SMD-114, SMD-123, SMD-126, SMD-121, SMD-117, as shown on Section A, Plan F and G
East Riding of Yorkshire Council	Ings Lane (West Section)	Between points SM-040 and SM-041, as shown on Section A, Sheet 10	Diversion route via SMD-117, SMD-099, SMD-097, SMD-114, SMD-123, SMD-126, SMD-121 as shown on Section A Plan F and G
East Riding of Yorkshire Council	Wallingfen Lane	Between points SM-42 and SM-43, as shown on Section A, Sheets 10 and 11	Diversion route via SMD-114, SMD-097, SMD-082, SMD-076, SMD-074, SMD-075, SMD-068, SMD-062, SMD-055, SMD-049, SMD-050, SMD-060, SMD-065, SMD-072 as shown on Section A, Plan F
East Riding of Yorkshire Council	Common Road	Between points SM-043 and SM-044, as shown on Section A, Sheet 10	Diversion route via SMD-123, SMD-126, SMD-121, SMD-117, SMD-095, SMD-085, SMD-097, SMD-114 as shown on Section A, Plan F and G
East Riding of Yorkshire Council	Carr Lane	Between points SM-44 and SM-45, as shown on Section A, Sheet 10	Diversion route via SMD-114, SMD-097, SMD-085, SMD-095, SMD-117, SMD-121, SMD-126, SMD-123 as shown on Section A, Plan F and G
East Riding of Yorkshire Council	Tongue Lane	Between points SM-052 and SM-053, as shown on Section A, Sheet 13, Sheet 14 and Sheet 15	Diversion route via SMD-102, SMD-103, SMD-116, SMD-131, SMD-143, SMD-146, SMD-142 as shown on Section A Plan G
East Riding of Yorkshire Council	Staddlethorpe Broad Lane	Between points SM-054 and SM-055, as shown on Section A, Sheets 13 and 14	Diversion route via SMD-116, SMD-103, SMD-102, SMD105, SMD-129, SMD-142, SMD-146, SMD-143, SMD-131 as shown Section A Plan G
East Riding of Yorkshire Council	Blacktoft Lane	Between points SM-056 and SM-057, as shown on Section A and B, Sheet 16	Diversion route via SMD-144, SMD-138, SMD-119, SMD-102, SMD-105, SMD-129, SMD-142, SMD-146, SMD-145 as shown on Section A Plan G
East Riding of Yorkshire Council	Pennyhill Cottages	Between points SM-058 and SM-060, as shown on Section B, Sheet 1	Diversion route via SMD-147, SMD-148, SMD-154, SMD-157, SMD-158, SMD-160, SMD-161, SMD-162, SMD-164, SMD-166, SMD-170, SMD-172, SMD-178, SMD-

			180, SMD-177, SMD-176, SMD-171, SMD-167, SMD-165, SMD-159, SMD-156, SMD-155, SMD-153, SMD-152, SMD-151, SMD-149, SMD-150 as shown on Section B Plan A and B
North Lincolnshire Council	Luddington Road	Between points SM-068 and SM-069, as shown on Section B, Sheet 5	Diversion route via SMD-166, SMD-170, SMD-172, SMD-174, SMD-175, SMD-168, SMD-163, SMD-162, SMD-164 as shown on Section B Plan A
North Lincolnshire Council	Carr Lane	Between points SM-070 and SM-071, as shown on Section B, Sheet 6	Diversion route via SMD-173, SMD-175, SMD-174, SMD-172, SMD-170, SMD-166, SMD-169 as shown on Section B, Plan A
North Lincolnshire Council	Meredyke Road	Between points SM-072 and SM-073, as shown on Section B, Sheet 6	Diversion route via SMD-175, SMD-184, SMD-189, SMD-192, SMD-200, SMD-214, SMD-215, SMD-213, SMD-209, SMD-204, SMD-198, SMD-195, SMD-193, SMD-190, SMD-188, SMD-187, SMD-182, SMD-179, SMD-177, SMD-180, SMD-178, SMD-174 as shown on Section B, Plan B and Section C, Plan A
North Lincolnshire Council	Carr Lane	Between points SM-074 and SM-077, as shown on Section B, Sheet 7	Diversion route via SMD-180, SMD-177, SMD-183, SMD-186, SMD-185 as shown on Section B, Plan B
North Lincolnshire Council	Ox Pasture Lane	Between points SM-075 and SM-076, as shown on Section B, Sheet 7	Diversion route via SMD-181, SMD-174, SMD-178, SMD-180, SMD-177, SMD-183, SMD-186, SMD-185 as shown on Section B, Plan B
North Lincolnshire Council	Washinghall Lane	Between points SM-078 and SM-079, as shown on Section B, Sheet 8	Diversion route via SMD-183, SMD-179, SMD-182, SMD-187, SMD-188, SMD-190, SMD-193, SMD-195, SMD-198, SMD-201, SMD-197, SMD-196, SMD-191 as shown on Section B, Plan B and Section C, Plan A
North Lincolnshire Council	Bonnyhale Moor Road and Outgate	Between points SM-081 and SM-082, as shown on Section C, Sheet 1 and Sheet 2	Diversion route via SMD-191, SMD-183, SMD-179, SMD-182, SMD-187, SMD-188, SMD-190, SMD-193, SMD-195, SMD-198, SMD-201 as shown on Section B, Plan B and Section C, Plan A
North Lincolnshire Council	Washinghall Lane and Bonnyhale Moor	Between points SM-080 and SM-161, as shown on Section C,	Diversion route via SMD-191, SMD-183, SMD-179, SMD-182, SMD-187, SMD-188,

	Road	Sheet 1	SMD-190, SMD-193, SMD-195, SMD-198, SMD-201, SMD-197, SMD-196 as shown on Section B Plan B and Section C, Plan A
North Lincolnshire Council	South Cross Moors Road	Between points SM-083 and SM-084, as shown on Section C, Sheet 3	Diversion route via SMD-199, SMD-197, SMD-202, SMD-208, SMD-203 as shown on Section C, Plan A
North Lincolnshire Council	Bonnyhale Road	Between points SM-085 and SM-086, as shown on Section C, Sheet 3	Diversion route via SMD-203, SMD-199, SMD-197, SMD-202, SMD-208 as shown on Section C, Plan A
North Lincolnshire Council	A18	Between points SM-087 and SM-088, as shown on Section C, Sheet 4	Clockwise diversion via route SMD-215, SMD-214, SMD-211, SMD-207, SMD-205, SMD-216, SMD-224, SMD-227, SMD-232, SMD-333, SMD-217, SMD-213 as shown on Section C, Plan A Anticlockwise diversion via route SMD-213, SMD-217, SMD-206, SMD-232, SMD-226, SMD-224, SMD-216, SMD-205, SMD-207, SMD-211, SMD-214, SMD-215 as shown on Section C Plan A. LGV only diversion via route SMD-213, SMD-209, SMD-204, SMD-198, SMD-194, SMD-190, SMD-188, SMD-187, SMD-182, SMD-179, SMD-177, SMD-180, SMD-178, SMD-174, SMD-175, SMD-184, SMD-189, SMD-192, SMD-200, SMD-214, SMD-215 as shown on Section C, Plan A and Section B, Plan B
North Lincolnshire Council	M180, Junction 2-3	Between points SM-091 and SM-092, as shown on Section C, Plan A	Clockwise diversion via route SMD-220, SMD-217, SMD-213, SMD-215, SMD-214, SMD-211, SMD-207, SMD-205, SMD-216, SMD-224, SMD-229 as shown on Section C, Plan A Anticlockwise diversion via route SMD-230, SMD-228, SMD-224, SMD-216, SMD-205, SMD-207, SMD-211, SMD-214, SMD-215, SMD-213, SMD-217, SMD-222, SMD-219 as shown on Section C, Plan A

North Lincolnshire Council	Belton Road	Between points SM-095 and SM-097, as shown on Section D, Sheet 1 and 2	Diversion route via SMD-234, SMD-237, SMD-238, SMD-242, SMD-245, SMD-246, SMD-244, SMD-241, SMD-240, SMD-236, SMD-231, SMD-233 as shown on Section D, Plan A
North Lincolnshire Council	Epworth Road	Between points SM-099 and SM-100, as shown on Section D, Sheet 2 and 3	Diversion route via SMD-237, SMD-234, SMD-233, SMD-231, SMD-236, SMD-240, SMD-241, SMD-244, SMD-246, SMD-245, SMD-242, SMD-238 as shown on Section D, Plan A
North Lincolnshire Council	Melwood Hill	Between points SM-103 and SM-104, as shown on Section D, Sheet 4	Diversion route via SMD-252, SMD-251, SMD-248, SMD-247, SMD-249, SMD-250, SMD-423, SMD-256, SMD-264, SMD-263, SMD-261, SMD-257, SMD-258, SMD-255, SMD-254 as shown on Section D, Plan A and C
North Lincolnshire Council	Melwood Hill	Between points SM-105 and SM-106, as shown on Section D, Sheet 4	Diversion route via SMD-252, SMD-251, SMD-248, SMD-247, SMD-249, SMD-250, SMD-423, SMD-256, SMD-264, SMD-263, SMD-261, SMD-257, SMD-258, SMD-255, SMD-254 as shown on Section D, Plan A and C
North Lincolnshire Council	Low Hall Road	Between points SM-109 and SM-110, as shown on Section D, Sheet 5	Diversion route via SMD-257, SMD-258, SMD-259, SMD-262, SMD-273, SMD-276, SMD-275, SMD-270, SMD-265, SMD-264, SMD-263as shown on Section D, Plan C
North Lincolnshire Council	Ferry Road	Between points SM-111 and SM-113, as shown on Section D, Sheet 6	Diversion route via SMD-273, SMD-262, SMD-259, SMD-258, SMD-257, SMD-261, SMD-263, SMD-264, SMD-265, SMD-270, SMD-275, SMD-276 as shown on Section D, Plan C
North Lincolnshire Council	Stockwith Road	Between points SM-112 and SM-118, as shown on Section D, Sheet 6	Diversion route via SMD-276, SMD-275, SMD-279, SMD-286, SMD-290, SMD-289, SMD-285 as shown on Section D, Plan C
North Lincolnshire Council	Gunthorpe Rd	Between points SM-119 and SM-120, as shown on Section D, Sheet 6	Diversion route via SMD-280, SMD-284, SMD-285, SMD-282 as shown on Section D, Plan C
North Lincolnshire Council	A161 Station Road	Between points SM-121 and SM-122, as shown on Section D, Sheet 7	Diversion route via SMD-279, SMD-270, SMD-265, SMD-256, SMD-423, SMD-250, SMD-241, SMD-240, SMD-236, SMD-223, SMD-217,

			SMD-211, SMD-210, SMD-212, SMD-218, SMD-221, SMD-225, SMD-239, SMD-243, SMD-253, SMD-260, SMD-266, SMD-268, SMD-288, SMD-269, SMD-277, SMD-287, SMD-291, SMD-297, SMD-300, SMD-301, SMD-304, SMD-305, SMD-307, SMD-312, SMD-314, SMD-319, SMD-320, SMD-318, SMD-313, SMD-309, SMD-302, SMD-298, SMD-293, SMD-292, SMD-286 as shown on Section D, Plan C and A, Section C, Plan A and B, Section D, Plan B, Section E, Plan A, C and B
North Lincolnshire Council	A161 Haxey Gate Road	Between points SM-123 and SM-125, as shown on Section D, Sheet 7	Diversion route via SMD-279, SMD-270, SMD-265, SMD-256, SMD-423, SMD-250, SMD-241, SMD-240, SMD-236, SMD-223, SMD-217, SMD-211, SMD-210, SMD-212, SMD-218, SMD-221, SMD-225, SMD-239, SMD-243, SMD-253, SMD-260, SMD-266, SMD-268, SMD-288, SMD-269, SMD-277, SMD-287, SMD-291, SMD-297, SMD-300, SMD-301, SMD-304, SMD-305, SMD-307, SMD-312, SMD-314, SMD-319, SMD-320, SMD-318, SMD-313, SMD-309, SMD-302, SMD-298, SMD-293, SMD-292, SMD-286 as shown on Section C, Plan A and B, Section D, Plan A, B and C, Section E Plan A, B and C
North Lincolnshire Council	Tindale Bank Road	Between points SM-126 and SM-128, as shown on Section D, Sheet 7 and Sheet 8	Diversion route via SMD-283, SMD-281, SMD-278, SMD-272, SMD-267, SMD-271, SMD-274, SMD-279 as shown on Section D, Plan C
Nottinghamshire County Council	B1403	Between points SM-135 and SM-138, as shown on Section E, Sheet 4	Diversion route via SMD-309, SMD-302, SMD-298, SMD-293, SMD-294, SMD-295, SMD-299, SMD-303, SMD-311, SMD-316, SMD-323, SMD-322, SMD-321, SMD-313 as shown on Section E, Plan B
Nottinghamshire County Council	Walkeringham Road	Between points SM-137 and SM-141, as shown on Section E,	Diversion route via SMD-309, SMD-302, SMD-298, SMD-293, SMD-294, SMD-295,

		Sheet 4	SMD-296, SMD-299, SMD-303, SMD-308, SMD-310 as shown on Section E, Plan B
Nottinghamshire County Council	A631	Between points SM-142 and SM-146, as shown on Section E, Sheet 5	Diversion route via SMD-322, SMD-321, SMD-318, SMD-320, SMD-319, SMD-314, SMD-312, SMD-307, SMD-305, SMD-306, SMD-315, SMD-329, SMD-336, SMD-349, SMD-351, SMD-353, SMD-358, SMD-356, SMD-355, SMD-354, SMD-352, SMD-350, SMD-348, SMD-342, SMD-337, SMD-334, SMD-331, SMD-328, SMD-326, SMD-325, SMD-323, SMD-322 as shown on Section E, Plan B, A, C, E and D.
Nottinghamshire County Council	Gainsborough Road	Between points SM-150 and SM-152, as shown on Section E, Sheet 7	Diversion route via SMD-334, SMD-331, SMD-328, SMD-326, SMD-325, SMD-323, SMD-332, SMD-322, SMD-321, SMD-324, SMD-327, SMD-330, SMD-332, SMD-339, SMD-347, SMD-348, SMD-342, SMD-337 as shown on Section E Plan B and D.
Nottinghamshire County Council	Station Road	Between points SM-158 and SM-159, as shown on Section E, Sheet 8	Diversion route via SMD-343, SMD-341, SMD-340, SMD-337, SMD-334, SMD-335, SMD-338, SMD-344, SMD-346 as shown on Section E, Plan D
Nottinghamshire County Council	Retford Road	Between points SM-165 and SM-166, as shown on Section E, Sheet 10	Diversion route via SMD-357, SMD-360, SMD-362, SMD-367, SMD-368, SMD-366, SMD-365, SMD-363, SMD-361, SMD-357 as shown on Section E, Plan F
Nottinghamshire County Council	Forewood Lane	Between points SM-167 and SM-168, as shown on Section E, Sheet 11	Northern diversion route via Diversion route via SMD-366, SMD-365, SMD-363, SMD-361, SMD-357, SMD-360, SMD-362, SMD-367, SMD-368, SMD-366. as shown on Section E, Plan F Southern diversion Diversion route via SMD-366, SMD-370, SMD-374, SMD-376, SMD-372, SMD-364, SMD-363, SMD-365, SMD-366 as shown on Section E, Plan F
Nottinghamshire County Council	Ashley Lane	Between points SM-173 and SM-174, as shown on Section E,	Diversion route via SMD-368, SMD-371, SMD-373, SMD-370 as shown on Section E,

		Sheet 12	Plan F
Nottinghamshire County Council	Retford Road	Between points SM-176 and SM-178, as shown on Section E, Sheet 12	Diversion route via SMD-370, SMD-368, SMD-371, SMD-373 as shown on Section E, Plan F
Nottinghamshire County Council	Main Street	Between points SM-180 and SM-181, as shown on Section E, Sheet 13	Diversion route via SMD-378, SMD-374, SMD-373, SMD-377, SMD-380, SMD-378 as shown on Section E, Plan F
Nottinghamshire County Council	Retford Road	Between points SM-183 and SM-184, as shown on Section E, Sheet 14	Diversion route via SMD-390, SMD-387, SMD-384, SMD-382, SMD-379, SMD-378, SMD-380, SMD-383, SMD-386, SMD-391, SMD-392 as shown on Section E, Plan F
Nottinghamshire County Council	Darlton Road	Between points SM-185 and SM-186, as shown on Section E, Sheet 15	Diversion route via SMD-397, SMD-396, SMD-394, SMD-395, SMD-400, SMD-406, SMD-403 as shown on Section F, Plan A
Nottinghamshire County Council	A57 Broad Gate	Between points SM-187 and SM-189, as shown on Section F, Sheet 1	Diversion route via SMD-402, SMD-398, SMD-389, SMD-385, SMD-381, SMD-380, SMD-378, SMD-376, SMD-372, SMD-369, SMD-375, SMD-388, SMD-399, SMD-401, SMD-407, SMD-408, SMD-409, SMD-406 as shown on Section F, Plan A
Nottinghamshire County Council	Far Road	Between points SM-191 and SM-192, as shown on Section F, Sheet 2	Diversion route via SMD-413, SMD-411, SMD-406, SMD-402, SMD-405, SMD-410, SMD-414, SMD-419, SMD-422, SMD-421, SMD-418, SMD-415 as shown on Section F, Plan A
Nottinghamshire County Council	Main Street	Between points SM-194 and SM-195, as shown on Section F, Sheet 2	Diversion route via SMD-414, SMD-410, SMD-405, SMD-402, SMD-406, SMD-412, SMD-416, SMD-417, SMD-420, SMD-421, SMD-422, SMD-419 as shown on Section F, Plan A
Nottinghamshire County Council	Fledborough Road	Between points SM-197 and SM-199, as shown on Section F, Sheet 3	Diversion route via SMD-414, SMD-410, SMD-405, SMD-402, SMD-406, SMD-412, SMD-416, SMD-417, SMD-420, SMD-421, SMD-422, SMD-419 as shown on Section F, Plan A

PART 2

STREETS TO BE TEMPORARILY CLOSED FOR WHICH NO DIVERSION IS TO BE PROVIDED

(1) *Area*	*(2)* *Street to be temporarily closed*	*(3)* *Extent of temporary closure as shown on the Access, Rights of Way and Public Rights of Navigation Plans*
East Riding of Yorkshire Council	A1079	Between points SM-001 and SM-002, as shown on Section A, Sheet 1
East Riding of Yorkshire Council	A164	Between points SM-006 and SM-008, as shown on Section A, Sheet 3
East Riding of Yorkshire Council	Riplingham Road	Between points SM-018 AND SM-019, as shown on Section A, Sheet 6
East Riding of Yorkshire Council	Lambwell Hill	Between points SM-019 AND SM-021, as shown on Section A, Sheet 6
East Riding of Yorkshire Council	Ellerker Road	Between points SM-024 and SM-026, as shown on Section A, Sheet 8
East Riding of Yorkshire Council	Brough Road	Between points SM-034 and SM-037, as shown on Section A, Sheet 8
East Riding of Yorkshire Council	Sands Lane	Between points SM-038 and SM-039, as shown on Section A, Sheet 8
East Riding of Yorkshire Council	Landing Lane	Between points SM-048 and SM-049, as shown on Section A, Sheet 12
East Riding of Yorkshire Council	Landing Lane	Between points SM-050 and SM-051, as shown on Section A, Sheet 12
East Riding of Yorkshire Council	Pennyhill Cottages	Between points SM-059 and SM-061, as shown on Section B, Sheet 1
East Riding of Yorkshire Council	Narrow Lane	Between points SM-062 and SM-063, as shown on Section B, Sheets 1 and 2
East Riding of Yorkshire Council	A161 Kings Causeway	Between points SM-064 and SM-065, as shown on Section B Sheet 3
East Riding of Yorkshire Council	Pasture Lane	Between points SM-066 and SM-067, as shown on Section B, Sheet 4
East Riding of Yorkshire Council	A18	Between points SM-087 and SM-088, as shown on Section C, Sheet 4
North Lincolnshire Council	A161	Between points SM-089 and SM-090, as shown on Section C, Sheet 5
North Lincolnshire Council	Belton Road	Between points SM-096 and SM-098, as shown on Section D, Sheet 1 and 2
North Lincolnshire Council	Newland Lane	Between points SM-101 and SM-102, as shown on Section D, Sheet 3 and 4
North Lincolnshire Council	Burnham Road	Between points SM-107 and SM-108, as shown on Section D, Sheet 5
North Lincolnshire Council	Main Street	Between points SM-114 and SM-115, as shown on Section D, Plan C
North Lincolnshire Council	Stockwith Road	Between points SM-116 and SM-117, as shown on Section D, Sheet 6
North Lincolnshire Council	A161 Haxey Gate Road	Between points SM-124 and SM-127, as shown on Section D, Sheet 7
Nottinghamshire County Council	Cornley Road	Between points SM-129 and SM-130, as shown on Section E, Sheet 1 and Sheet 2
Nottinghamshire County Council	Cattle Road	Between points SM-131 and SM-132, as shown on Section E, Sheet 2
Nottinghamshire County Council	B1403	Between points SM-133 and SM-134, as shown on Section E, Sheet 4
Nottinghamshire County Council	B1403	Between points SM-136 and SM-139, as shown on Section E, Sheet 4
Nottinghamshire	Walkeringham Road	Between points SM-137 and SM-140, as shown

County Council		on Section E, Sheet 4
Nottinghamshire County Council	A631	Between points SM-143 and SM-144, as shown on Section E, Sheet 5
Nottinghamshire County Council	A631	Between points SM-145 and SM-147, as shown on Section E, Sheet 5
Nottinghamshire County Council	Wood Lane	Between points SM-148 and SM-149, as shown on Section E, Sheet 5
Nottinghamshire County Council	Gainsborough Road	Between points SM-151 and SM-153, as shown on Section E, Sheet 7
Nottinghamshire County Council	Gainsborough Road	Between points SM-154 and SM-155, as shown on Section E, Sheet 8
Nottinghamshire County Council	Gainsborough Road	Between points SM-156 and SM-157, as shown on Section E, Sheet 8
Nottinghamshire County Council	Retford Road	Between points SM-175 and SM-177, as shown on Section E, Sheet 12
Nottinghamshire County Council	Main Street	Between points SM-179 and SM-182, as shown on Section E, Sheet 13
Nottinghamshire County Council	A57	Between points SM-188 and SM-190, as shown on Section E, Sheet 15
Nottinghamshire County Council	Main Street	Between points SM-193 and SM-195, as shown on Section F, Sheet 2
Nottinghamshire County Council	Fledborough Road	Between points SM-196 and SM-198, as shown on Section F, Sheet 3

PART 3

PUBLIC RIGHTS OF WAY TO BE TEMPORARILY CLOSED FOR WHICH A DIVERSION IS TO BE PROVIDED

(1) *Area*	*(2)* *Public Right of Way to be temporarily closed*	*(3)* *Extent of temporary closure as shown on the Access, Rights of Way and Public Rights of Navigation Plans*	*(4)* *Temporary diversion as shown on the Access, Rights of Way and Public Rights of Navigation Plans*
East Riding of Yorkshire Council	Woodmansey Footpath No.7	Between points ER-BR-6.1 and ER-BR-6.2 as shown on Section A, Sheet 1	Diversion route via ER-FP-6D1 as shown on Section A, Sheet 2
East Riding of Yorkshire Council	Rowley Footpath No.12	Between points ER-FP-7.2 and ER-FP-7.3 as shown on Section A, Sheet 1	Diversion route via ER-FP-7D1 as shown on Section A, Sheet 1
East Riding of Yorkshire Council	Rowley Bridleway No.7	Between points ER-BR-8.2 and ER-BR-8.3 as shown on Section A, Sheet 3	Diversion route via ER-BR-9D1 as shown on Section A, Sheet 3
East Riding of Yorkshire Council	Skidby Bridleway No.4	Between points ER-BR-9.1 and ER-BR-9.2 as shown on Section A, Sheet 3	Diversion route via ER-BR-9D1 as shown on Section A, Sheet 3
East Riding of Yorkshire Council	Rowley Footpath No.15	Between points ER-FP-10.2 and ER-FP-10.3 as shown on Section A, Sheet 3	Diversion route via ER-FP-10D1 as shown on Section A, Sheet 3
East Riding of Yorkshire Council	Rowley Footpath No.3	Between points ER-FP-17.1 and ER-FP-17.2 as shown on Section A, Sheet 5	Diversion route via ER-FP-17D1 as shown on Section A, Sheet 5

East Riding of Yorkshire Council	Ellerker Footpath No.4	Between points ER-FP-20.3 and ER-FP-20.4 as shown on Section A, Sheet 8	Diversion route via ER-FP-20D1 as shown on Section A, Sheet 8
East Riding of Yorkshire Council	Broomfleet Footpath No.5	Between points ER-FP-23.1 and ER-FP-23.2 as shown on Section A, Sheet 10	Diversion route via ER-FP-23D1 as shown on Section A, Sheet 10
East Riding of Yorkshire Council	Broomfleet Footpath No.10	Between points ER-FP-24.1 and ER-FP-24.2 as shown on Section A, Sheet 12	Diversion route via ER-FP-24D1 as shown on Section A, Sheet 12
East Riding of Yorkshire Council	Former Parish of Ousefleet Bridleway No.1	Between points ER-BR-28.1 as shown on Section B, Sheet 2 and ER-BR-28.2 as shown on Section B, Sheet 3	Diversion route via ER-BR-28D1 as shown on Section B, Sheet 2 and Section B, Sheet 3
East Riding of Yorkshire Council	Former Parish of Ousefleet Bridleway No.2	Between points ER-BR-29.2 and ER-BR-29.3 as shown on Section B, Sheet 2	Diversion route via ER-BR-29D1 as shown on Section B, Sheet 2
North Lincolnshire Council	RESTRICTED BYWAY LUDD5A	Between points NL-BW-6.2 and NL-BW-6.3 as shown on Section B, Sheet 7	Diversion route via NL-BW-6D1 as shown on Section B, Sheet 7
North Lincolnshire Council	FOOTPATH LUDD9	Between points NL-FP-7.2 and NL-FP-7.3 and between points NL-FP-7.4 and NL-FP-7.5 as shown on Section B, Sheet 8	Diversion route via NL-FP-7D1 and via NL-FP-7D2 as shown on Section B, Sheet 8
North Lincolnshire Council	RESTRICTED BYWAY BELT2	Between points NL-BW-12.1 and NL-BW-12.2 as shown on Section D, Sheet 1	Diversion route via NL-BW-12D1 as shown on Section D, Sheet 1 and Section D, Sheet 2
North Lincolnshire Council	FOOTPATH EPWO60	Between points NL-FP-19.1 and NL-FP-19.2 as shown on Section D, Sheet 3	Diversion route via NL-FP-19D1 as shown on Section D, Sheet 3 and Section D, Sheet 4
Nottinghamshire County Council	MistertonFP11	Between points N-FP-1.4 and N-FP-1.5 as shown on Section D, Sheet 8	Diversion route via N-FP-1D1 as shown on Section D, Sheet 8
Nottinghamshire County Council	Gringley On The HillFP13	Between points N-FP-5.2 and N-FP-5.3 as shown on Section E, Sheet 4	Diversion route via N-FP-5D1as shown on Section E, Sheet 4
Nottinghamshire County Council	BeckinghamFP12	Between points N-FP-8.4 and N-FP-8.5 as shown on Section E, Sheet 5	Diversion route via N-FP-8D1 as shown on Section E, Sheet 5
Nottinghamshire County Council	SaundbyFP3	Between points N-FP-10.2 and N-FP-10.3 as shown on Section E, Sheet 5	Diversion route via N-FP-10D1 as shown on Section E, Sheet 5
Nottinghamshire County Council	West BurtonFP8	Between points N-FP-16A.1 and N-FP-16A.2 as shown on Section E, Sheet 7	Diversion route via N-FP-16D1 as shown on Section E, Sheet 7
Nottinghamshire County Council	Sturton Le SteepleFP20	Between points N-FP-17.2 and N-FP-17.3 as shown on Section E, Sheet 8	Diversion route via N-FP-17D1as shown on Section E, Sheet 8
Nottinghamshire County Council	Sturton Le SteepleBW25	Between points N-BR-21.2 and N-BR-21.3 as shown on Section E, Sheet 9	Diversion route via N-BR-21D1as shown on Section E, Sheet 9

Nottinghamshire County Council	South LevertonFP8	Between points N-FP-25.3 and N-FP-25.4 as shown on Section E, Sheet 10	Diversion route via N-FP-25D1as shown on Section E, Sheet 10 and Section E, Sheet 11
Nottinghamshire County Council	South LevertonFP11	Between points N-FP-28.2 and N-FP-28.3 as shown on Section E, Sheet 11	Diversion route via N-FP-28D1 as shown on Section E, Sheet 11
Nottinghamshire County Council	TreswellBW11	Between points N-BR-29.1 and N-BR-29.2 as shown on Section E, Sheet 11	Diversion route via N-FP-28D1 as shown on Section E, Sheet 11
Nottinghamshire County Council	East DraytonFP3	Between points N-FP-35.3 and N-FP-35.4 as shown on Section E, Sheet 15	Diversion route via N-FP-35D1 as shown on Section E, Sheet 15
Nottinghamshire County Council	FledboroughFP7	Between points N-FP-38.2 and N-FP-38.3 as shown on Section F, Sheet 2	Diversion route via N-FP-38D1 as shown on Section F, Sheet 2

PART 4

PUBLIC RIGHTS OF WAY TO BE TEMPORARILY CLOSED FOR WHICH NO DIVERSION IS TO BE PROVIDED

(1) *Area*	*(2)* *Public Right of Way to be temporarily closed*	*(3)* *Extent of temporary closure as shown on the Access, Rights of Way and Public Rights of Navigation Plans*
East Riding of Yorkshire Council	Rowley Bridleway No.13	Between points ER-BR-1.1 and ER-BR-1.2 as shown on Section A, Sheet 1
East Riding of Yorkshire Council	Woodmansey Bridleway No.30	Between points ER-BR-2.1 and ER-BR-2.2 as shown on Section A, Sheet 1
East Riding of Yorkshire Council	Skidby Bridleway No.7	Between points ER-BR-3.1 and ER-BR-3.2 and between points ER-BR 3.3 and ER-BR-3.4 as shown on Section A, Sheet 1
East Riding of Yorkshire Council	Skidby Footpath No.11	Between points ER-FP-4.1 and ER-FP-4.2 as shown on Section A, Sheet 1
East Riding of Yorkshire Council	Rowley Footpath No.12	Between points ER-FP 7.1 and ER-FP-7.2 and between points ER-FP-7.3 and ER-FP-7.4 and between points ER-FP-7.5 and ER-FP-7.6 as shown on Section A, Sheet 1
East Riding of Yorkshire Council	Skidby Footpath No.17	Between points ER-FP-5.1 and ER-FP-5.2 as shown on Section A, Sheet 2
East Riding of Yorkshire Council	Rowley Bridleway No.7	Between points ER-BR-8.1 and ER-BR-8.2 as shown on Section A, Sheet 3
East Riding of Yorkshire Council	Skidby Bridleway No.4	Between points ER-BR-9.2 and ER-BR-9.3 as shown on Section A, Sheet 3
East Riding of Yorkshire Council	Rowley Footpath No.15	Between points ER-FP-10.1 and ER-FP-10.2 and between points ER-FP-10.3 and ER-FP-10.4 as shown on Section A, Sheet 3
East Riding of Yorkshire Council	Skidby Footpath No.13	Between points ER-FP-11.1 and ER-FP-11.2 as shown on Section A, Sheet 3
East Riding of Yorkshire Council	Skidby Bridleway No.1	Between points ER-BR-12.1 and ER-BR-12.2 as shown on Section A, Sheet 4
East Riding of	Skidby Bridleway No.2	Between points ER-BR-13.1 and ER-BR-13.2

Yorkshire Council		and between points ER-BR-13.3 and ER-BR-13.4 as shown on Section A, Sheet 4
East Riding of Yorkshire Council	Skidby Bridleway No.15	Between points ER-BR14.1 and ER-BR-14.2 as shown on Section A, Sheet 5
East Riding of Yorkshire Council	Rowley Bridleway No.4	Between points ER-BR-15.1 and ER-BR-15.2 as shown on Section A, Sheet 5
East Riding of Yorkshire Council	Rowley Bridleway No.5	Between points ER-BR-16.1 and ER-BR-16.2 as shown on Section A, Sheet 5
East Riding of Yorkshire Council	Ellerker Footpath No.2	Between points ER-FP-18.1 and ER-FP-18.2 as shown on Section A, Sheet 7
East Riding of Yorkshire Council	Ellerker Footpath No.3	Between points ER-FP-19.1 and ER-FP-19.2 as shown on Section A, Sheet 7
East Riding of Yorkshire Council	Ellerker Footpath No.4	Between points ER-FP-20.1 and ER-FP-20.2 as shown on Section A, Sheet 8
East Riding of Yorkshire Council	Broomfleet Footpath No.12	Between points ER-FP-21.2 and 21.2 as shown on Section A, Sheet 10
East Riding of Yorkshire Council	Broomfleet Footpath No.8	Between points ER-FP-22.1 and ER-FP-22.2 and between ER-FP-22.3 and ER-FP-22.4 as shown on Section A, Sheet 10
East Riding of Yorkshire Council	Blacktoft Bridleway No.5	Between points ER-BR-25.1 and ER-BR-25.2 as shown on Section A, Sheet 16.
East Riding of Yorkshire Council	Blacktoft Footpath No.9	Between points ER-FP-26.1 and ER-FP-26.2 as shown on Section A, Sheet 16
East Riding of Yorkshire Council	Twin Rivers Footpath No. 5	Between points ER-FP-27.1 and ER-FP-27.2 as shown on Section B, Sheet 1
East Riding of Yorkshire Council	Former Parish of Ousefleet Bridleway No.2	Between points ER-BR-29.1 and ER-BR-29.2 as shown on Section B, Sheet 2
East Riding of Yorkshire Council	Former Parish of Adlingfleet Bridleway No.1	Between points ER-BR-30.1 and ER-BR-30.2 as shown on Section B, Sheet 3
East Riding of Yorkshire Council	Twin Rivers Bridleway No. 3	Between points ER-BR-31.1 and 31.2 as shown on Section B, Sheet 9
East Riding of Yorkshire Council	Twin Rivers Footpath No. 1	Between points ER-FP-32.1 and ER-FP-32.2 as shown on Section B, Sheet 9
East Riding of Yorkshire Council	Twin Rivers Footpath No. 2	Between points ER-FP-33.1 and ER-FP-33.2 as shown on Section B. Sheet 9
East Riding of Yorkshire Council	Twin Rivers Bridleway No. 4	Between points ER-BR-34.1 and ER-BR-34.2 and between points ER-BR-34.3 and ER-BR-34.4 as shown on Section B, Sheet 9
North Lincolnshire Council	BRIDLEWAY GART1A	Between points NL-BR-1.1 and NL-BR-1.2 as shown on Section B, Sheet 4
North Lincolnshire Council	FOOTPATH GART3	Between points NL-FP-2.1 and NL-FP-2.2 as shown on Section B, Sheet 5
North Lincolnshire Council	FOOTPATH LUDD4	Between points NL-FP-3.1 and NL-FP-3.2 as shown on Section B, Sheet 6
North Lincolnshire Council	FOOTPATH AMCO5	Between points NL-FP-4.1 and NL-FP-4.2 as shown on Section B, Sheet 6
North Lincolnshire Council	FOOTPATH LUDD5	Between points NL-FP-5.1 and NL-FP-5.2 as shown on Section B, Sheet 6
North Lincolnshire Council	RESTRICTED BYWAY LUDD5A	Between points NL-BW-6.1 as shown on Section B Sheet 6 and NL-BW-6.2 as shown on Section B, Sheet 7
North Lincolnshire Council	RESTRICTED BYWAY LUDD5A	Between points NL-BW-6.3 and NL-BW-6.4 as shown on Section B, Sheet 7

North Lincolnshire Council	FOOTPATH LUDD9	Between points NL-FP-7.1 and NL-FP-7.2 and between NL-FP-7.3 and Nl-FP-7.4 and between NL-FP-7.5 and NL-FP-7.6 as shown on Section B, Sheet 8
North Lincolnshire Council	BRIDLEWAY CROW11	Between points NL-BR-8.1 and NL-BR-8.2 as shown on Section C, Sheet 1 and between points NL-BR-8.3 and NL-BR-8.4 as shown on Section C, Sheet 3 and between points NL-BR-8.5 and NL-BR-8.6 as shown on Section C, Sheet 3
North Lincolnshire Council	BRIDLEWAY CROW13	Between points NL-BR-9.1 and NL-BR-9.2 as shown on Section C, Sheet 2 and between points NL-BR-9.3 and NL-BR-9.4 as shown on Section C, Sheet 2
North Lincolnshire Council	BRIDLEWAY CROW12	Between points NL-BR-10.1 and NL-BR-10.2 as shown on Section C, Sheet 2 and between points NL-BR-10.2 and NL-BR-10.3 as shown on Section C, Sheet 2, and between points NL-BR-10.4 and NL-BR-10.5 as shown on Section C, Sheet 3
North Lincolnshire Council	BRIDLEWAY CROW14	Between points NL-BR-11.1 and NL-BR-11.2 as shown on Section C, Sheet 2
North Lincolnshire Council	RESTRICTED BYWAY BELT2	Between points NL-BW-12.3 as shown on Section D, Sheet 1 and NL-BW-12.4 as shown on Section D, Sheet 2
North Lincolnshire Council	BRIDLEWAY BELT28A	Between points NL-BR-13.1 and NL-BR-13.2 as shown on Section D, Sheet 1
North Lincolnshire Council	FOOTPATH BELT25	Between points NL-FP-14.1 and NL-FP-14.2 as shown on Section D, Sheet 1
North Lincolnshire Council	BRIDLEWAY BELT28B	Between points NL-BR-15.1 and NL-BR-15.2 as shown on Section D, Sheet 1
North Lincolnshire Council	FOOTPATH BELT148	Between points NL-FP-16.1 and NL-FP16.2 as shown on Section D, Sheet 1
North Lincolnshire Council	BRIDLEWAY BELT29	Between points NL-BR-17.1 and NL-BR-17.2 as shown on Section D, Sheet 1
North Lincolnshire Council	FOOTPATH EPWO77	Between points NL-FP-18.1 and NL-FP-18.2 as shown on Section D, Sheet 3
North Lincolnshire Council	FOOTPATH EPWO78	Between points NL-FP-20.1 and NL-FP-20.2 and between points NL-FP-20.3 and NL-FP-20.4 as shown on Section D, Sheet 4
Nottinghamshire County Council	MistertonFP11	Between points N-FP-1.1 and N-FP-1.2 and between points N-FP-1.3 and N-FP-1.4 and between points N-FP-1.5 and N-FP-1.6 as shown on Section D, Sheet 8
Nottinghamshire County Council	MistertonBOAT18	Between points N-BT-2.1 and N-BT-2.2 and between points N-BT-2.2 and N-BT-2.3 and between points N-BT-2.3 and N-BT-2.4 as shown on Section E, Sheet 1
Nottinghamshire County Council	MistertonFP17	Between points N-FP-3.1 and N-FP-3.2 as shown on Section E, Sheet 1
Nottinghamshire County Council	Gringley On The HillBW15	Between points N-BR-4.1 and N-BR-4.2 as shown on Section E, Sheet 3
Nottinghamshire County Council	Gringley On The HillFP13	Between points N-FP-5.1 and N-FP-5.2 and between points N-FP-5.3 and N-FP-5.4 as shown on Section E, Sheet 4
Nottinghamshire	BeckinghamBOAT16	Between points N-BT-6.1 and N-BT-6.2 as

County Council		shown on Section E, Sheet 5
Nottinghamshire County Council	BeckinghamFP3	Between points N-FP-7.1 and N-FP-7.2 as shown on Section E, Sheet 5
Nottinghamshire County Council	BeckinghamFP12	Between points N-FP-8.1 and N-FP-8.2 and between points N-FP-8.3 and N-FP-8.4 as shown on Section E, Sheet 5
Nottinghamshire County Council	BeckinghamFP4	Between points N-FP-9.1 and N-FP-9.2 and between points N-FP-9.3 and N-FP-9.4 and between points N-FP-9.5 and N-FP-9.6 as shown on Section E, Sheet 5
Nottinghamshire County Council	SaundbyFP3	Between points N-FP-10.1 and N-FP-10.2 and between points N-FP-10.3 and N-FP-10.4 as shown on Section E, Sheet 5
Nottinghamshire County Council	SaundbyFP4	Between points N-FP-11.1 and N-FP-11.2 as shown on Section E, Sheet 6
Nottinghamshire County Council	North WheatleyFP5	Between points N-FP-12.1 and N-FP-12.2 as shown on Section E, Sheet 6
Nottinghamshire County Council	North WheatleyFP1	Between points N-FP-13.1 and N-FP-13.2 as shown on Section E, Sheet 6
Nottinghamshire County Council	North WheatleyFP4	Between points N-FP-14.1 and N-FP-14.2 as shown on Section E, Sheet 7
Nottinghamshire County Council	North WheatleyFP8	Between points N-FP-15.1 and N-FP-15.2 as shown on Section E, Sheet 7
Nottinghamshire County Council	North WheatleyFP3	Between points N-FP-16.1 and N-FP-16.2 as shown on Section E, Sheet 7
Nottinghamshire County Council	Sturton Le SteepleFP20	Between points N-FP-17.1 and N-FP-17.2 and between points N-FP-17.3 and N-FP-17.4 and between points N-FP-17.5 and N-FP-17.6 as shown on Section E, Sheet 8
Nottinghamshire County Council	Sturton Le SteepleFP19	Between points N-FP-18.1 and N-FP-18.2 and between points N-FP-18.3 and N-FP-18.4 as shown on Section E, Sheet 8
Nottinghamshire County Council	Sturton Le SteepleRB31	Between points N-FP-19.1 and N-FP-19.2 and between points N-FP-20.1 and N-FP-20.2 as shown on Section E, Sheet 9
Nottinghamshire County Council	Sturton Le SteepleBW25	Between points N-FP-21.1 and N-FP-21.2 and between points N-FP-21.3 and N-FP-21.4 as shown on Section E, Sheet 9
Nottinghamshire County Council	Sturton Le SteepleFP41	Between points N-FP-22.1 and N-FP-22.2 as shown on Section E, Sheet 9
Nottinghamshire County Council	North Leverton With HabblesthorpeFP24	Between points N-FP-23.1 and N-FP-23.2 as shown on Section E, Sheet 10
Nottinghamshire County Council	North Leverton With HabblesthorpeBW10	Between points N-BR-24.1 and N-BR-24.2 as shown on Section E, Sheet 10
Nottinghamshire County Council	South LevertonFP8	Between points N-FP-25.1 and N-FP-25.2 as shown on Section E, Sheet 10
Nottinghamshire County Council	South LevertonFP21	Between points N-FP-26.1 and N-FP-26.2 as shown on Section E, Sheet 10
Nottinghamshire County Council	South LevertonBW9	Between points N-BR-27.1 and N-BR-27.2 as shown on Section E, Sheet 11
Nottinghamshire County Council	South LevertonFP11	Between points N-FP-28.1 and N-FP-28.2 as shown on Section E, Sheet 11
Nottinghamshire County Council	TreswellBW11	Between points N-BR-29.2 and N-BR-29.3 as shown on Section E, Sheet 11
Nottinghamshire	TreswellBW14	Between points N-BR-30.1 as shown on

County Council		Section E, Sheet 11 and N-BR-30.2 as shown on Section E, Sheet 12 and between points N-BR-30.3 and N-BR-30.4 as shown on Section E, Sheet 12
Nottinghamshire County Council	East DraytonBW11	Between points N-BR-31.1 and N-BR-31.2 as shown on Section E, Sheet 14
Nottinghamshire County Council	East DraytonFP13	Between points N-FP-32.1 and N-FP-32.2 as shown on Section E, Sheet 14
Nottinghamshire County Council	East DraytonFP12	Between points N-FP-33.1 and N-FP-33.2 as shown on Section E, Sheet 14
Nottinghamshire County Council	East DraytonFP14	Between points N-FP-34.1 and N-FP-34.2 as shown on Section E, Sheet 14
Nottinghamshire County Council	East DraytonFP3	Between points N-FP-35.1 and N-FP-35.2 and between points N-FP-35.5 and N-FP-35.6 as shown on Section E, Sheet 15
Nottinghamshire County Council	DarltonFP3	Between points N-FP-36.1 and N-FP-36.2 as shown on Section E, Sheet 15
Nottinghamshire County Council	DarltonBW1	Between points N-BR-37.1 and N-BR-37.2 and between points N-BR-37.3 as shown on Section F, Sheet 1 and N-BR-37.4 as shown on Section F, Sheet 2
Nottinghamshire County Council	FledboroughFP7	Between points N-FP-38.1 and N-FP-38.2 as shown on Section F, Sheet 2
Nottinghamshire County Council	MarnhamBOAT8	Between points N-BT-39.1 and N-BT-39.2 and between points N-BT-39.3 and N-BT-39.4 as shown on Section F, Sheet 2

SCHEDULE 7

Article 17

ACCESS TO WORKS

(1) *Street*	*(2)* *Access to works reference*	*(3)* *Access, Rights of Way and Public Rights of Navigation Plans Reference*
East Riding of Yorkshire Council		
A1079	BM-001	Section A, Sheet 1
A164	BM-002	Section A, Sheet 1
Dunflat Road	BM-003	Section A, Sheet 3
Little Weighton Road	BM-005	Section A, Sheet 4
Little Weighton Road	BM-006	Section A, Sheet 4
Rowley Road	BM-007	Section A, Sheet 5
Rowley Road	BM-008	Section A, Sheet 6
Lambwell Hill	BM-009	Section A, Sheet 6
Lambwell Hill	BM-010	Section A, Sheet 6
Dale Road	BM-011	Section A, Sheet 6
Dale Road	BM-012	Section A, Sheet 6
Ellerker Road	BM-013	Section A, Sheet 8
Brough Road	BM-016	Section A, Sheet 8
Brough Road	BM-017	Section A, Sheet 8
Brough Road	BM-018	Section A, Sheet 8
Sands Lane	BM-019	Section A, Sheet 8
Sands Lane	BM-020	Section A, Sheet 8
Ings Lane	BM-021	Section A, Sheet 9

Ings Lane	BM-022	Section A, Sheet 9
Ings Lane	BM-026	Section A, Sheet 10
Ings Lane	BM-027	Section A, Sheet 10
Carr Lane	BM-014	Section A, Sheet 10
Carr Lane	BM-029	Section A, Sheet 10
Carr Lane	BM-030	Section A, Sheet 10
Landing Lane	BM-031	Section A, Sheet 12
Landing Lane	BM-032	Section A, Sheet 12
Tongue Lane	BM-033	Section A, Sheet 12
Tongue Lane	BM-034	Section A, Sheet 14
Tongue Lane	BM-035	Section A, Sheet 12
Tongue Lane	BM-102	Section A, Sheet 13
Staddlethorpe Broad Lane	BM-036	Section A, Sheet 13
Staddlethorpe Broad Lane	BM-037	Section A, Sheet 13
Blacktoft Lane	BM-038	Section A, Sheet 16 and Section B Sheet 1
Blacktoft Lane	BM-039	Section A, Sheet 16 and Section B Sheet 1
Pennyhill Cottages	BM-040	Section B, Sheet 1
Pennyhill Cottages	BM-040A	Section B, Sheet 1
Pennyhill Cottages	BM-041	Section B, Sheet 1
Pennyhill Cottages	BM-041A	Section B, Sheet 1
A161 Kings Causeway	BM-042	Section B, Sheet 3
A161 Kings Causeway	BM-043	Section B, Sheet 3
Pasture Lane	BM-044	Section B, Sheet 4
Pasture Lane	BM-045	Section B, Sheet 4
North Lincolnshire Council		
Luddington Road	BM-046	Section B, Sheet 5
Luddington Road	BM-047	Section B, Sheet 5
Carr Lane	BM-048	Section B, Sheet 6
Carr Lane	BM-049	Section B, Sheet 6
Meredyke Road	BM-050	Section B, Sheet 6
Meredyke Road	BM-051	Section B, Sheet 6
Carr Lane	BM-056	Section B, Sheet 7
Washinghall Lane	BM-057	Section B, Sheet 8
Washinghall Lane	BM-058	Section B, Sheet 8
Washinghall Lane	BM-074	Section B, Sheet 8 and Section C, Sheet 1
Bonnyhale Moor Road	BM-063	Section C, Sheet 1
Outgate	BM-059	Section C, Sheet 1
Outgate	BM-060	Section C, Sheet 2
Outgate	BM-062	Section C, Sheet 2
Bonnyhale Road	BM-064	Section C, Sheet 2
A18	BM-065	Section C, Sheet 4
A18	BM-066	Section C, Sheet 4
A18	BM-068	Section C, Sheet 4
A161	BM-015	Section C, Sheet 5
Belton Road	BM-069	Section D, Sheet 1
Belton Road	BM-070	Section D, Sheet 1
Epworth Road	BM-071	Section D, Sheet 2
Epworth Road	BM-072	Section D, Sheet 2

Newland Lane	BM-073	Section D, Sheet 3
Newland Lane	BM-075	Section D, Sheet 3
Newland Lane	BM-077	Section D, Sheet 4
Melwood Hill	BM-110	Section D, Sheet 4
Melwood Hill	BM-078	Section D, Sheet 4
Melwood Hill	BM-079	Section D, Sheet 4
Burnham Road	BM-080	Section D, Sheet 5
Burnham Road	BM-081	Section D, Sheet 5
Low Hall Road	BM-082	Section D, Sheet 5
Low Hall Road	BM-083	Section D, Sheet 5
Ferry Road	BM-084	Section D, Sheet 5
Ferry Road	BM-085	Section D, Sheet 5
Stockwith Road	BM-086	Section D, Sheet 6
Stockwith Road	BM-087	Section D, Sheet 6
Stockwith Road	BM-088	Section D, Sheet 6
A161 Station Road	BM-089	Section D, Sheet 7
Tindale Bank Road	BM-091	Section D, Sheet 7
Tindale Bank Road	BM-092	Section D, Sheet 7
Nottinghamshire County Council		
Cornley Road	BM-093	Section E, Sheet 1
Cornley Road	BM-094	Section E, Sheet 1
Cattle Road	BM-095	Section E, Sheet 2
Cattle Road	BM-096	Section E, Sheet 2
B1403	BM-097	Section E, Sheet 4
B1403	BM-098	Section E, Sheet 4
A631	BM-099	Section E, Sheet 5
A631	BM-101	Section E, Sheet 5
Gainsborough Road	BM-104	Section E, Sheet 7
Gainsborough Road	BM-105	Section E, Sheet 7
Gainsborough Road	BM-103	Section E, Sheet 8
Gainsborough Road	BM-106	Section E, Sheet 8
Station Road	BM-107	Section E, Sheet 8
Station Road	BM-108	Section E, Sheet 8
Retford Road	BM-113	Section E, Sheet 10
Retford Road	BM-114	Section E, Sheet 10
Forewood Lane	BM-111	Section E, Sheet 11
Forewood Lane	BM-112	Section E, Sheet 11
Ashley Lane	BM-055	Section E, Sheet 12
Ashley Lane	BM-061	Section E, Sheet 12
Retford Road	BM-090	Section E, Sheet 12
Retford Road	BM-109	Section E, Sheet 12
Main Street	BM-004	Section E, Sheet 13
Main Street	BM-023	Section E, Sheet 13
Retford Road	BM-024	Section E, Sheet 14
Retford Road	BM-067	Section E, Sheet 14
Darlton Road	BM-025	Section E, Sheet 15
Darlton Road	BM-028	Section E, Sheet 15
A57 Broad Gate	BM-052	Section E, Sheet 15
A57 Broad Gate	BM-053	Section F, Sheet 1
Main Street	BM-076	Section F, Sheet 2
Fledborough Road	BM-054	Section F, Sheet 3
Fledborough Road	BM-100	Section F, Sheet 3

SCHEDULE 8

Article 24

MODIFICATION OF COMPENSATION AND COMPULSORY PURCHASE ENACTMENTS FOR CREATION OF NEW RIGHTS

Compensation enactments

1. The enactments for the time being in force with respect to compensation for the compulsory purchase of land apply, with the necessary modifications as respects compensation, in the case of a compulsory acquisition under this Order of a right, by the creation of a new right or imposition of a restriction as they apply as respects compensation on the compulsory purchase of land and interests in land.

2.—(1) Without limitation on the scope of paragraph 1, the Land Compensation Act 1973(**a**) has effect subject to the modifications set out in sub-paragraphs (2) and (3).

(2) In section 44(1) (compensation for injurious affection), as it applies to compensation for injurious affection under section 7 of the 1965 Act as substituted by paragraph 5—

(a) for "land is acquired or taken from" substitute "a right or restrictive covenant over land is purchased from or imposed on"; and

(b) for "acquired or taken from him" substitute "over which the right is exercisable or the restrictive covenant enforceable".

(3) For section 58(1) (determination of material detriment where part of house etc. proposed for compulsory acquisition), as it applies to determinations under section 8 of the 1965 Act as substituted by paragraph 6 of this Schedule, substitute—

"(1) In determining under section 8(1) or 34(2) of the Compulsory Purchase Act 1965, or section 166(2) of the Town and Country Planning Act 1990 whether—

(a) a right over or a restrictive covenant affecting land consisting of a house, building or factory can be taken or imposed without material detriment or damage to the house, building or factory; or

(b) a right over or a restrictive covenant affecting land consisting of a park or garden belonging to a house can be taken or imposed without seriously affecting the amenity or convenience of the house,

the Upper Tribunal must take into account not only the effect of the acquisition of the right or imposition of the restrictive covenant but also the use to be made of the right or restrictive covenant proposed to be acquired or imposed, and, in a case where the right or restrictive covenant is proposed to be acquired or imposed for works or other purposes extending to other land, the effect of the whole of the works and the use to be made of the other land."

3.—(1) Without limitation on the scope of paragraph 1, the 1961 Act has effect subject to the modification set out in sub-paragraph (2).

(2) For Section 5A(5A) (relevant valuation date) of the 1961 Act, after "If" substitute—

"(a) the acquiring authority enters on land for the purpose of exercising a right in pursuance of a notice of entry under section 11(1) of the 1965 Act;

(b) the acquiring authority is subsequently required by a determination under paragraph 13 of Schedule 2A to the 1965 Act (as substituted by paragraph 12 of Schedule 8 to the National Grid (North Humber to High Marnham) Order 202* to acquire an interest in the land; and

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(**a**) 1973 (c. 26).

(c) the acquiring authority enters on and takes possession of that land, the authority is deemed for the purposes of subsection (3)(a) to have entered on that land when it entered on that land for the purpose of exercising that right."

Application of the 1965 Act

4.—(1) The 1965 Act has effect with the modifications necessary to make it apply to the compulsory acquisition under this Order of a right by the creation of a new right, or to the imposition under this Order of a restrictive covenant, as it applies to the compulsory acquisition under this Order of land, so that, in appropriate contexts, references in that Act to land must be read (according to the requirements of the particular context) as referring to, or as including references to—

(a) the right acquired or to be acquired, or the restriction imposed or to be imposed; or

(b) the land over which the right is or is to be exercisable, or the restriction is or is to be enforceable.

(2) Without limitation on the scope of sub-paragraph (1), Part 1 of the 1965 Act applies in relation to the compulsory acquisition under this Order of a right by the creation of a new right or, in relation to the imposition of a restriction, with the modifications specified in the following provisions of this Schedule.

(3) Section 4 (time limit for giving notice to treat) is omitted.

(4) In section 4A(1) (extension of time limit during challenge)—

(a) for "section 23 of the Acquisition of Land Act 1981 (application to High Court in respect of compulsory purchase order)" substitute "section 118 of the Planning Act 2008 (legal challenges relating to applications for orders granting development consent"; and

(b) for "the three year period mentioned in section 4" substitute "the seven year period mentioned in article 35 (time limit for exercise of authority to acquire land and rights compulsorily) of the National Grid (North Humber to High Marnham) Order 202*]".

5. For section 7 of the 1965 Act (measure of compensation in case of severance) substitute—

"**7.** In assessing the compensation to be paid by the acquiring authority under this Act, regard must be had not only to the extent (if any) to which the value of the land over which the right is to be acquired or the restrictive covenant is to be imposed is depreciated by the acquisition of the right or the imposition of the covenant but also to the damage (if any) to be sustained by the owner of the land by reason of its severance from other land of the owner, or injuriously affecting that other land by the exercise of the powers conferred by this or the special Act."

6. For section 8 of the 1965 Act (provisions as to divided land) substitute—

"**8.**—(1) Where in consequence of the service on a person under section 5 of this Act of a notice to treat in respect of a right over land consisting of a house, building or factory or of a park or garden belonging to a house ("the relevant land")—

(a) a question of disputed compensation in respect of the purchase of the right or the imposition of the restrictive covenant would apart from this section fall to be determined by the tribunal; and

(b) before the tribunal has determined that question the tribunal is satisfied that the person has an interest in the whole of the relevant land and is able and willing to sell that land and—

(i) where that land consists of a house, building or factory, that the right cannot be purchased or the restrictive covenant imposed without material detriment to that land; or

(ii) where that land consists of such a park or garden, that the right cannot be purchased or the restrictive covenant imposed without seriously affecting the amenity or convenience of the house to which that land belongs,

the National Grid (North Humber to High Marnham) Development Consent Order 202* ("the Order") ceases, in relation to that person, to authorise the purchase of the right or imposition of a restriction and is deemed to authorise the purchase of that person's interest in the whole of the relevant land including, where the land consists of such a park or garden, the house to which it belongs, and the notice is deemed to have been served in respect of that interest on such date as the tribunal directs.

(2) Any question as to the extent of the land in which the Order is deemed to authorise the purchase of an interest by virtue of subsection (1) of this section must be determined by the tribunal.

(3) Where in consequence of a determination of the tribunal that it is satisfied as mentioned in subsection (1) of this section the Order is deemed by virtue of that subsection to authorise the purchase of an interest in land, the acquiring authority may, at any time within the period of 6 weeks beginning with the date of the determination, withdraw the notice to treat in consequence of which the determination was made; but nothing in this subsection prejudices any other power of the authority to withdraw the notice."

7. The following provisions of the 1965 Act (which state the effect of a deed poll executed in various circumstances where there is no conveyance by persons with interests in the land), that is to say—

(a) section 9(4) (failure by owners to convey);

(b) paragraph 10(3) of Schedule 1 (owners under incapacity);

(c) paragraph 2(3) of Schedule 2 (absent and untraced owners); and

(d) paragraphs 2(3) and 7(2) of Schedule 4 (common land),

are modified to secure that, as against persons with interests in the land which are expressed to be overridden by the deed, the right which is to be compulsorily acquired or the restrictive covenant which is to be imposed is vested absolutely in the acquiring authority.

8. Section 11(**a**) of the 1965 Act (powers of entry) is modified to secure that, as from the date on which the acquiring authority has served notice to treat in respect of any right or restriction, it has power, exercisable in equivalent circumstances and subject to equivalent conditions, to enter for the purpose of exercising that right or enforcing that restrictive covenant (which is deemed for this purpose to have been created on the date of service of the notice); and sections 12(**b**) (penalty for unauthorised entry) and 13(**c**) (entry on warrant in the event of obstruction) of the 1965 Act are modified correspondingly.

9. Section 20(**d**) of the 1965 Act (protection for interests of tenants at will, etc.) applies with the modifications necessary to secure that persons with such interests in land as are mentioned in that section are compensated in a manner corresponding to that in which they would be compensated on a compulsory acquisition under this Order of that land, but taking into account only the extent (if any) of such interference with such an interest as is actually caused, or likely to be caused, by the exercise of the right or the enforcement of the restrictive covenant in question.

10. Section 22 of the 1965 Act (interests omitted from purchase) is modified as to enable the acquiring authority, in circumstances corresponding to those referred to in that section, to continue to be entitled to exercise the right acquired or to enforce the restriction imposed, subject to compliance with that section as respects compensation.

(**a**) Section 11 was amended by section 34(1) of, and Schedule 4 to the Acquisition of Land Act 1981 (c. 67, section 3 of, and Part 1 of Schedule 1 to, the Housing (Consequential Provisions) Act 1985 (c. 71), section 14 of, and paragraph 12(1) of Schedule 5 to, the Church of England (Miscellaneous Provisions) Measure 2006 (No.1) and S.I. 2009/1307.

(**b**) Section 12 was amended by section 56(2) of, and Part 1 of, Part 1 of Schedule 9 to the Courts Act 1971 (c. 23).

(**c**) Section 13 was amended by sections62(3), 139(4) to (9) and 146 of, and paragraphs 27 and 28 of Schedule 13 and Part 3 of Schedule 23 to, the Tribunals, Courts and Enforcement Act 2007 (c. 15).

(**d**) Section 20 was amended by paragraph 4 of Schedule 15 to the Planning and Compensation Act 1991 (c. 34) and S.I. 2009/1307.

11. In section 22(2) (expiry of time limit for exercise of compulsory purchase power not to affect acquisition of interests omitted from purchase) for "section 4 of this Act" substitute "article 35 (time limit for exercise of authority to acquire land and rights compulsorily) of the National Grid (North Humber to High Marnham) Order 202* ".

12. For Schedule 2A of the 1965 Act substitute—

"SCHEDULE 2A

COUNTER-NOTICE REQUIRING PURCHASE OF LAND

Introduction

1. This Schedule applies where an acquiring authority serves a notice to treat in respect of a right over, or restrictive covenant affecting, the whole or part of a house, building or factory and have not executed a general vesting declaration under section 4 of the 1981 Act as applied by article 36 (application of the 1981 Act) of the National Grid (North Humber to High Marnham) Order 202* in respect of the land to which the notice to treat relates.

2. In this Schedule, "house" includes any park or garden belonging to a house.

Counter-notice requiring purchase of land

3. A person who is able to sell the house, building or factory ("the owner") may serve a counter-notice requiring the authority to purchase the owner's interest in the house, building or factory.

4. A counter-notice under paragraph 3 must be served within the period of 28 days beginning with the day on which the notice to treat was served.

Response to counter-notice

5. On receiving a counter-notice, the acquiring authority must decide whether to—

(a) withdraw the notice to treat,

(b) accept the counter-notice, or

(c) refer the counter-notice to the Upper Tribunal.

6. The authority must serve notice of its decision on the owner within the period of 3 months beginning with the day on which the counter-notice is served ("the decision period").

7. If the authority decides to refer the counter-notice to the Upper Tribunal it must do so within the decision period.

8. If the authority does not serve notice of a decision within the decision period it is to be treated as if it had served notice of a decision to withdraw the notice to treat at the end of that period.

9. If the authority serves notice of a decision to accept the counter-notice, the compulsory purchase order and the notice to treat are to have effect as if they included the owner's interest in the house, building or factory.

Determination by Upper Tribunal

10. On referral under paragraph 7, the Upper Tribunal must determine whether the acquisition of the right or the imposition of the restrictive covenant would—

(a) in the case of a house, building or factory, cause material detriment to the house, building or factory, or

(b) in the case of a park or garden, seriously affect the amenity or convenience of the house to which the park or garden belongs.

11. In making its determination, the Upper Tribunal must take into account—

(a) the effect of the acquisition of the right or the imposition of the covenant,

(b) the use to be made of the right or covenant proposed to be acquired or imposed, and

(c) if the right or covenant is proposed to be acquired or imposed for works or other purposes extending to other land, the effect of the whole of the works and the use of the other land.

12. If the Upper Tribunal determines that the acquisition of the right or the imposition of the covenant would have either of the consequences described in paragraph 10, it must determine how much of the house, building or factory the authority ought to be required to take.

13. If the Upper Tribunal determines that the authority ought to be required to take some or all of the house, building or factory, the compulsory purchase order and the notice to treat are to have effect as if they included the owner's interest in that land.

14.—(1) If the Upper Tribunal determines that the authority ought to be required to take some or all of the house, building or factory, the authority may at any time within the period of 6 weeks beginning with the day on which the Upper Tribunal make its determination withdraw the notice to treat in relation to that land.

(2) If the acquiring authority withdraws the notice to treat under this paragraph they must pay the person on whom the notice was served compensation for any loss or expense caused by the giving and withdrawal of the notice.

15. Any dispute as to the compensation is to be determined by the Upper Tribunal."

13. In this Schedule, references to entering on and taking possession of land do not include doing so under articles 16 (temporary closure of streets and public rights of way), 21 (protective works), 27 (temporary use of land by National Grid), 28 (temporary use of land by NGED), 29 temporary use of land by NPG, 30 (temporary use of land by BT), 31 (temporary use of land for maintaining the authorised development), 41 (extinguishment of private rights and restrictive covenants relating to apparatus belonging to National Grid, NGED, NPG or BT removed from land subject to temporary possession), 51 (temporary suspension of navigation in connection with the authorised development) or 52 (temporary suspension of public access to access land) of this Order.

SCHEDULE 9

Articles 27, 28, 29 and 30

LAND OF WHICH TEMPORARY POSSESSION MAY BE TAKEN

PART 1

NATIONAL GRID

(1) *Plot number for land shown on Land Plans*	*(2)* *Purpose for which temporary possession may be taken*	*(3)* *Relevant part of the authorised development*
A1-004, A1-011, A1-012, A1-014, A1-015, A1-016, A1-018, A1-019, A1-021, A1-022, A1-024, A1-025, A1-030, A1-033, A1-035, A1-041, A1-042, A1-047, A1-049, A1-050, A1-052, A1-058, A1-063, A1-066, A1-069,	Temporary use of Land for: construction, maintenance, dismantling and/or decommissioning of redundant infrastructure	Work No. 1

A1-070, A1-071, A1-072, A1-073, A1-074, A1-075, A1-077, A1-078, A1-079, A1-081, A1-083, A1-084, A2-001, A2-002, A2-003, A2-004, A2-005, A2-006, A2-007, A3-001, A3-005, A3-008, A3-013, A4-001, A4-004, A4-005, A4-006, A4-011, A4-015, A4-019, A4-020, A5-003, A5-004, A5-007, A5-011, A5-012, A5-013, A5-018, A5-022, A5-024, A5-028, A5-031, A6-002, A6-014, A6-016, A6-021, A6-029, A6-031, A6-033, A6-036, A6-037, A6-038, A6-041		
A1-001, A1-002, A1-003, A1-008, A1-010, A6-010, A6-013	Temporary use of Land for Access	Work No. 1
A6-048, A6-050, A7-008, A7-010, A7-012, A7-014, A7-015, A7-016, A7-017, A7-021, A7-039, A7-043, A7-045, A7-051, A7-054, A8-003, A8-005, A8-008, A8-012, A8-014, A8-020, A8-023, A8-027, A8-028, A8-032, A8-036, A8-038, A8-040, A8-041, A8-043, A8-046, A8-047, A8-054, A8-060, A8-070, A8-074, A8-077, A8-079, A8-081, A8-083, A8-085, A8-086, A8-087, A8-089, A8-090, A8-094, A8-097, A8-098, A8-099, A8-102, A8-103, A8-104, A8-105, A8-106, A8-107, A8-108, A8-114, A8-115, A8-116, A8-117, A8-122, A8-123, A8-124, A8-125, A8-130, A8-133, A8-134, A9-012, A9-013, A9-014, A9-015, A9-018, A9-022, A9-023, A9-029, A9-038, A9-041, A9-042, A9-044, A9-052, A9-056, A9-058, A9-059, A9-060, A9-074, A9-075, A9-076, A9-078, A9-086	Temporary use of Land for: construction, maintenance, dismantling and/or decommissioning of redundant infrastructure	Work No. 2
A8-001, A8-002, A8-042	Temporary use of Land for Access	Work No. 2
A9-085, A10-008, A10-011, A10-012, A10-015, A10-028, A10-030, A10-036, A10-043, A10-044, A10-046, A10-047, A10-048, A10-049, A10-052, A10-054, A10-056, A10-057, A10-058, A10-060, A10-061, A10-062, A10-063, A10-064, A10-071, A10-072, A10-073, A10-076, A10-077, A10-080, A10-081, A10-085, A10-089, A10-092, A10-097, A10-099, A10-100, A10-106, A10-107, A10-110, A10-111, A10-112, A12-001, A12-002, A12-006, A12-009, A12-012, A12-021, A12-022, A12-029, A12-030, A12-032, A12-033, A12-035, A12-036, A12-037, A12-038, A12-043, A12-044, A12-050, A12-051, A12-053, A12-056, A12-057, A12-059, A12-062, A12-063, A12-065, A13-006, A13-007, A13-010, A13-011, A13-013, A13-015, A13-019, A13-023, A13-024, A13-030, A13-033, A13-037, A14-006, A14-007, A14-009, A14-012, A14-014, A14-017, A16-005, A16-011, A16-014, A16-015	Temporary use of Land for: construction, maintenance, dismantling and/or decommissioning of redundant infrastructure	Work No. 3
A10-002, A10-004, A10-005, A10-018, A10-020, A10-022, A10-087, A11-004, A12-003, A12-061, A12-069, A13-001, A15-001, A15-006, A15-010	Temporary use of Land for Access	Work No. 3

A10-002, A10-004, A10-005, A10-018, A10-020, A10-022, A10-087, A11-004, A12-003, A12-061, A12-069, A13-001, A15-001, A15-006, A15-010	Temporary use of Land for: construction, maintenance, dismantling and/or decommissioning of redundant infrastructure	Work No. 4
B1-003, B1-011, B1-016, B1-019, B1-023, B1-024, B1-035, B1-043, B1-047, B1-051, B1-053, B1-054, B1-055, B1-057, B1-059, B2-001, B2-002, B2-003, B2-004, B2-006, B2-008, B2-009, B2-012, B2-014, B2-017, B2-019, B2-024, B2-026, B2-027, B2-031, B2-035, B2-037, B2-047, B2-048, B2-050, B2-051, B2-055, B2-056, B3-002, B3-003, B3-004, B3-005, B3-006, B3-010, B3-011, B3-012, B3-015, B3-016, B3-019, B3-020, B3-022, B3-025, B3-031, B3-032, B3-033, B3-035, B3-036, B3-037, B3-039, B3-041, B3-045, B3-046, B3-048, B3-049, B3-050, B4-008, B4-010, B4-011, B4-012, B4-014, B4-017, B4-022, B5-002, B5-003, B5-004, B5-007, B5-010, B5-011, B5-018, B5-022, B5-023, B5-028, B5-031, B5-037, B5-051, B5-057, B5-062, B6-001, B6-003, B6-006, B6-008, B6-013, B6-017, B6-018, B6-020, B6-021, B6-022, B6-023, B6-045, B6-047, B7-004, B7-005, B7-006, B7-007, B7-010, B7-019, B7-020, B7-023, B7-024, B7-026, B7-030, B7-032, B7-037, B7-038, B7-040, B7-042, B7-043, B8-013, B8-014, B8-016, B8-018, B8-020, B8-023, B8-024, B8-027, B8-028, B8-029, B8-040, B8-042, B8-048, B8-051, B8-054, B8-055, B8-057, B8-070, B8-071, B8-072, B8-073, B8-077, B8-079, B8-080, B8-081, B8-083, B8-084, B8-087, B8-088, B8-095, B8-096, B8-097, B8-099, B8-108, B8-113	Temporary use of Land for: construction, maintenance, dismantling and/or decommissioning of redundant infrastructure	Work No. 4
B6-027, B7-018, B8-091, B8-102, B8-109, B8-111	Temporary use of Land for Access	Work No. 4
B8-103, B8-104, B8-110, B8-113, B8-114, B8-115, B8-116, B8-117, B8-118, B8-119, B8-122	Temporary use of Land for: construction, maintenance, dismantling and/or decommissioning of redundant infrastructure	Work No. 5
B8-109, B8-111	Temporary use of Land for Access	Work No. 5
C1-001, C1-002, C1-003, C1-004, C1-009, C1-010, C1-011, C1-012, C1-013, C1-014, C1-015, C1-016, C1-018, C1-021, C1-022, C1-024, C1-026, C1-029, C1-030, C1-031, C1-032, C1-034, C1-035, C1-036, C1-038, C1-044, C1-050, C1-053, C1-054, C1-066, C1-072, C1-073, C1-077, C1-078, C1-082, C1-084, C1-089, C1-091, C1-092, C1-095, C2-008, C2-010, C2-011, C2-012, C2-013, C2-022, C2-051, C2-056, C2-058, C2-064, C2-065, C2-066, C2-067, C2-071, C2-075, C2-077, C2-079, C2-083, C2-084, C2-085, C2-	Temporary use of Land for: construction, maintenance, dismantling and/or decommissioning of redundant infrastructure	Work No. 5

087, C2-089, C2-090, C2-093, C2-095, C2-097, C2-098, C2-099, C2-102, C2-104, C2-106, C2-109, C2-112, C2-117, C2-122, C2-132, C3-005, C3-006, C3-008, C3-009, C3-013, C3-014, C3-017, C3-018, C3-019, C3-020, C3-022, C3-039, C3-040, C3-041, C3-046, C3-048, C3-049, C3-050, C3-051, C4-001, C4-002, C4-003, C4-007, C4-017, C4-018, C4-019, C4-021, C4-022, C4-023, C4-024, C4-027, C4-029, C4-030, C4-032, C4-034, C4-036, C4-037, C4-038, C4-040, C4-041, C4-044, C4-045, C4-048, C4-049, C4-050, C4-051, C4-053, C4-059, C5-001, C5-002, C5-003, C5-005, C5-007, C5-008		
C1-041, C1-045, C1-048, C1-051, C1-085, C1-086, C1-093, C2-053, C2-059, C2-063, C2-108, C2-110, C2-111, C2-113	Temporary use of Land for Access	Work No. 5
C4-059, C5-009, C5-010, C5-011, C5-012	Temporary use of Land for: construction, maintenance, dismantling and/or decommissioning of redundant infrastructure	Work No. 6
D1-002, D1-004, D1-006, D1-009, D1-011, D1-013, D1-015, D1-019, D1-020, D1-021, D1-023, D1-025, D1-026, D1-027, D1-031, D1-038, D1-045, D1-052, D1-060, D1-061, D1-068, D1-069, D2-001, D2-002, D2-003, D2-004, D2-005, D2-015, D2-018, D2-025, D2-026, D2-027, D2-031, D2-033, D2-042, D3-008, D3-016, D3-022, D3-024, D3-028, D3-032, D3-034, D3-035, D3-036, D3-038, D3-039, D3-042, D3-050, D3-052, D3-053, D3-054, D3-055, D3-058, D3-062, D3-071, D4-002, D4-007, D4-008, D4-013, D4-018, D4-021, D4-024, D4-025, D4-027, D4-029, D4-032, D4-033, D4-034, D4-052, D4-058, D4-068, D4-071, D4-072, D4-076, D4-077, D4-078, D4-079, D4-081, D4-082, D4-086, D4-088, D4-094, D5-001, D5-002, D5-003, D5-005, D5-010, D5-012, D5-019, D5-020, D5-023, D5-026, D5-031, D5-039, D5-082, D5-083, D5-085, D5-088, D5-089, D5-092, D5-096, D5-098, D6-004, D6-005, D6-032, D6-034, D6-037, D6-040, D6-070, D6-074, D6-077, D7-001, D7-002, D7-003, D7-007, D7-008, D7-009, D7-022, D7-046, D7-048, D7-053, D7-054, D8-005, D8-008, D8-011, D8-019, D8-020, D8-022, D8-023, D8-025, D8-026, D8-034, D8-035, D8-037, D8-038, D8-040, D8-041, D8-050, D8-053, D8-056 D1-050, D1-055, D3-072, D4-006, D4-062, D5-025, D5-097, D6-031, D6-058, D6-063, D7-049, D7-051	Temporary use of Land for: construction, maintenance, dismantling and/or decommissioning of redundant infrastructure	Work No. 6
E1-004, E1-010, E1-012, E1-015, E1-017, E2-010, E2-015, E2-018, E2-034, E2-035, E2-036, E3-003, E3-006, E3-008, E3-011, E3-022, E3-027, E3-033, E3-039, E3-040, E3-046, E3-047,	Temporary use of Land for: construction, maintenance, dismantling and/or decommissioning of	Work No. 6

E4-002, E4-004, E4-005a, E4-014, E4-015, E4-016, E4-034, E4-040, E4-044, E4-045, E4-046, E4-048, E4-051, E4-052, E4-053, E4-054, E4-055, E5-001, E5-006, E5-008, E5-009, E5-011, E5-012, E5-014, E5-015, E5-016, E5-017, E5-018, E5-022, E5-023, E5-054, E5-056, E5-062, E5-066, E5-080, E5-085, E6-012, E6-029, E6-031, E6-035, E6-038, E7-001, E7-002, E7-007, E7-008, E7-010, E7-014, E7-017, E7-020, E7-022, E7-024, E7-035, E7-036, E7-045, E7-049, E7-051, E7-055, E7-056, E8-002, E8-005, E8-006, E8-008, E8-013, E8-020, E8-023, E8-029, E8-030, E8-032, E8-037, E8-040, E8-048, E8-057, E8-061, E8-064, E8-070, E8-072, E8-078, E9-001, E10-010, E10-012, E10-014, E10-016, E10-018, E10-021, E10-024, E10-025, E10-033, E10-036, E10-037, E10-040, E10-042, E10-043, E10-045, E10-046, E10-048, E10-049, E10-051, E10-052, E10-055, E10-057, E10-059, E10-061, E10-065, E10-066, E10-068, E10-069, E10-071, E10-073, E10-076, E10-078, E10-080, E10-082, E10-086, E11-001, E11-011, E11-016, E11-017, E11-019, E11-021, E11-026, E11-040, E11-047, E12-007, E12-015, E12-018, E12-027, E12-030, E12-031, E12-032, E12-033, E12-036, E12-038, E12-039, E13-004, E13-005, E13-006, E13-008, E13-013, E13-024, E13-025, E13-026, E14-002, E14-013, E14-020, E14-027, E14-029, E14-035, E14-037, E14-047, E14-053, E14-057, E15-003, E15-004, E15-006, E15-010, E15-019, E15-020, E15-021, E15-022, E15-023, E15-024, E15-027, E15-032, E15-033, E15-035, E15-037, E15-041, E15-042, E15-047, E15-048, E15-050, E15-051, E15-055	redundant infrastructure	
E1-021	Temporary use of Land for Access	Work No. 6
F1-010, F1-013, F2-001, F2-002, F2-004, F2-006, F2-022, F2-024, F2-026, F2-027, F2-029, F2-042, F2-046, F2-049, F2-050, F2-052, F2-053, F3-001, F3-013, F3-015, F3-016, F3-020, F3-022, F3-040, F3-043	Temporary use of Land for: construction, maintenance, dismantling and/or decommissioning of redundant infrastructure	Work No. 6

PART 2

NPG

(1) *Plot number for land shown on Land Plans*	*(2)* *Purpose for which temporary possession may be taken*	*(3)* *Relevant part of the authorised development*
A1-030, A1-033	Temporary use of Land for: construction, maintenance, dismantling and/or decommissioning of redundant infrastructure	Work No. 1

A8-083, A8-085, A8-090, A8-094, A8-099, A8-103, A8-106, A8-123, A8-124, A8-125, A8-126, A8-134	Temporary use of Land for: construction, maintenance, dismantling and/or decommissioning of redundant infrastructure	Work No. 2
A12-022, A14-007, A14-012	Temporary use of Land for: construction, maintenance, dismantling and/or decommissioning of redundant infrastructure	Work No. 3
B1-043, B1-047, B1-051, B1-054, B1-057, B2-002, B2-006, B2-008	Temporary use of Land for: construction, maintenance, dismantling and/or decommissioning of redundant infrastructure	Work No. 4
C1-066, C1-068, C1-072, C1-073, C1-078, C1-082, C1-092	Temporary use of Land for: construction, maintenance, dismantling and/or decommissioning of redundant infrastructure	Work No. 5
D7-053, D7-054, D8-005, D8-008, D8-009, D8-011, D8-012, D8-015	Temporary use of Land for: construction, maintenance, dismantling and/or decommissioning of redundant infrastructure	Work No. 6

PART 3

NGED

(1) *Plot number for land shown on Land Plans*	*(2)* *Purpose for which temporary possession may be taken*	*(3)* *Relevant part of the authorised development*
E4-044, E4-048, E4-053, E4-055, E5-001, E5-002, E5-004, E5-006, E5-008, E5-009, E5-011, E5-012, E5-014, E5-015, E5-016, E5-017, E5-022, E5-084, E5-085, E5-087, E10-048, E10-052, E10-053, E10-055, E10-056, E10-058, E10-059, E10-060, E10-061, E10-062, E10-064, E10-065, E10-066, E10-067, E10-068, E10-069, E10-070, E10-071, E10-072, E10-075, E10-076, E10-078	Temporary use of Land for: construction, maintenance, dismantling and/or decommissioning of redundant infrastructure	Work No. 6
F2-024, F2-026	Temporary use of Land for: construction, maintenance, dismantling and/or decommissioning of redundant infrastructure	Work No. 6

PART 4

BT

(1) *Plot number for land shown on Land Plans*	*(2)* *Purpose for which temporary possession may be taken*	*(3)* *Relevant part of the authorised development*
No Plots	No Plots	No Plots

SCHEDULE 10 Articles 24, 28, 29 and 30

LAND IN WHICH ONLY NEW RIGHTS AND RESTRICTIVE COVENANTS ETC. MAY BE ACQUIRED

PART 1

NATIONAL GRID

Section A

(1) *Plot number for land shown on Land Plans*	*(2)* *Purpose for which rights over land may be acquired or restrictive covenants imposed*	*(3)* *Relevant part of the authorised development*
A1-026, A1-027, A1-028, A1-029, A1-031, A1-032, A1-034, A1-036, A1-039, A1-040, A1-044, A1-045, A1-048, A1-051, A1-053, A1-054, A1-055, A1-056, A1-057, A1-059, A1-060, A1-061, A1-062, A1-068, A3-002, A3-004, A3-012, A3-015, A3-017, A3-019, A3-020, A3-022, A4-002, A4-003, A4-007, A4-008, A4-010, A4-013, A4-014, A4-022, A4-024, A4-027, A4-029, A4-032, A4-033, A4-034, A4-035, A4-036, A4-041, A4-042, A4-043, A4-046, A4-047, A4-048, A4-049, A4-053, A5-009, A5-010, A5-016, A5-017, A5-020, A5-025, A5-026, A5-027, A5-030, A5-032, A5-033, A5-034, A5-035, A5-036, A5-037, A5-038, A5-040, A5-041, A6-004, A6-005, A6-008, A6-009, A6-011, A6-017, A6-022, A6-024, A6-025, A6-026, A6-030, A6-032, A6-034, A6-040, A6-042, A6-044, A6-047, A6-049, A6-054, A6-055, A6-063	Compulsory Acquisition of Rights: Overhead Line	Work No. 1
A1-046, A5-029	Compulsory Acquisition of Rights: Overhead Line with Environmental Mitigation Areas	Work No. 1
A1-006, A1-013, A1-017, A1-020, A1-023, A1-038, A1-065, A1-067, A1-076, A1-080, A1-082, A1-085, A3-003, A3-006, A3-007, A3-009, A3-010, A3-011, A3-014, A3-016, A3-018, A3-021, A4-009, A4-012, A4-016, A4-017, A4-018, A4-021, A4-023, A4-025, A4-026, A4-028, A4-030, A4-031, A4-037, A4-038, A4-039, A4-040, A4-044, A4-045, A4-050, A4-051, A4-052, A4-054, A5-001, A5-002, A5-005, A5-006, A5-008, A5-014, A5-015, A5-019, A5-021, A5-023, A5-039, A5-042, A5-044, A6-001, A6-003, A6-006, A6-007, A6-012, A6-015, A6-018, A6-019, A6-020, A6-023, A6-027, A6-028, A6-039, A6-043, A6-045, A6-046, A6-052	Compulsory Acquisition of Rights: Access	Work No. 1
A1-043, A5-043	Compulsory Acquisition of Rights: Environmental	Work No. 1

	Mitigation	
A6-051, A6-053, A6-054, A6-055, A6-056, A6-057, A6-058, A6-059, A6-060, A6-061, A6-062, A7-003, A7-004, A7-007, A7-009, A7-011, A7-019, A7-022, A7-023, A7-026, A7-027, A7-029, A7-031, A7-034, A7-035, A7-037, A7-038, A7-040, A7-041, A7-046, A7-055, A7-056, A8-004, A8-006, A8-007, A8-011, A8-013, A8-016, A8-017, A8-018, A8-019, A8-024, A8-025, A8-029, A8-030, A8-031, A8-033, A8-035, A8-048, A8-049, A8-051, A8-053, A8-055, A8-056, A8-057, A8-058, A8-059, A8-061, A8-062, A8-063, A8-064, A8-066, A8-068, A8-072, A8-075, A8-076, A8-078, A8-082, A8-084, A8-088, A8-092, A8-093, A8-095, A8-096, A8-101, A8-109, A8-111, A8-112, A8-119, A8-127, A8-128, A8-129, A8-131, A8-132, A9-011, A9-020, A9-021, A9-024, A9-028, A9-030, A9-031, A9-032, A9-033, A9-034, A9-035, A9-036, A9-037, A9-039, A9-043, A9-045, A9-046, A9-047, A9-048, A9-049, A9-050, A9-051, A9-053, A9-054, A9-055, A9-057, A9-061, A9-062, A9-063, A9-064, A9-065, A9-066, A9-067, A9-068, A9-069, A9-070, A9-071, A9-072, A9-073, A9-077, A9-080, A9-081, A9-082, A9-083, A9-084, A9-087, A9-088, A9-089, A9-090, A9-091, A9-092, A9-093, A9-094, A9-095, A9-102, A9-103	Compulsory Acquisition of Rights: Overhead Line	Work No. 2
A6-028, A6-035, A6-043, A7-001, A7-002, A7-006, A7-013, A7-018, A7-020, A7-024, A7-025, A7-028, A7-030, A7-032, A7-033, A7-044, A7-047, A7-048, A7-050, A7-052, A7-053, A7-057, A8-009, A8-015, A8-021, A8-022, A8-026, A8-034, A8-037, A8-039, A8-044, A8-045, A8-050, A8-052, A8-065, A8-067, A8-069, A8-071, A8-073, A8-080, A8-100, A8-110, A8-113, A8-118, A8-120, A8-121, A9-010, A9-016, A9-017, A9-040, A9-079, A9-096, A9-099	Compulsory Acquisition of Rights: Access	Work No. 2
A7-042	Compulsory Acquisition of Rights: Access with Environmental Mitigation Areas	Work No. 2
A7-005, A7-036, A7-049, A8-091, A8-126, A9-026, A9-027	Compulsory Acquisition of Rights: Environmental Mitigation	Work No. 2
A9-077, A9-087, A9-097, A9-101, A10-006, A10-010, A10-013, A10-014, A10-016, A10-017, A10-021, A10-024, A10-026, A10-027, A10-029, A10-032, A10-034, A10-038, A10-039, A10-041, A10-042, A10-051, A10-059, A10-065, A10-066, A10-068, A10-069, A10-070, A10-079, A10-083, A10-086, A10-093, A10-095, A10-096, A10-102, A10-103, A10-104, A10-105, A10-108, A10-109, A10-113, A10-114, A12-004, A12-005, A12-007, A12-008, A12-010, A12-011, A12-013, A12-014, A12-015, A12-016, A12-019, A12-020, A12-023, A12-	Compulsory Acquisition of Rights: Overhead Line	Work No. 3

026, A12-027, A12-031, A12-039, A12-040, A12-041, A12-042, A12-046, A12-054, A12-055, A12-060, A12-071, A12-072, A12-073, A12-074, A13-012, A13-017, A13-018, A13-020, A13-021, A13-022, A13-025, A13-027, A13-028, A13-029, A13-032, A13-034, A13-038, A13-040, A13-041, A16-002, A16-003, A16-006, A16-008, A16-013, A16-018		
A9-098, A9-100, A10-009, A10-025, A10-033, A10-035, A10-037, A10-040, A10-045, A10-050, A10-053, A10-055, A10-067, A10-074, A10-075, A10-078, A10-082, A10-084, A10-088, A10-090, A10-091, A10-094, A10-098, A10-101, A12-017, A12-018, A12-024, A12-025, A12-028, A12-034, A12-047, A12-049, A12-064, A12-066, A12-067, A12-070, A13-004, A13-005, A13-009, A13-014, A13-026, A13-031, A13-035, A13-036, A13-039, A13-042, A13-043, A14-016, A14-020, A16-001, A16-007, A16-009, A16-010, A16-012, A16-016, A16-017	Compulsory Acquisition of Rights: Access	Work No. 3
A16-004	Compulsory Acquisition of Rights: Environmental Mitigation	Work No. 3
A16-018, A16-020, A16-021, A16-022, A16-025, A16-029, A16-030, A16-032, A16-033, A16-034, A16-035	Compulsory Acquisition of Rights: Overhead Line	Work No. 4
A16-019, A16-036	Compulsory Acquisition of Rights: Access	Work No. 4
B1-001, B1-002, B1-004, B1-014, B1-017, B1-020, B1-022, B1-025, B1-026, B1-028, B1-030, B1-036, B1-039, B1-040, B1-041, B1-042, B1-045, B1-046, B1-048, B1-049, B1-052, B1-058, B2-005, B2-013, B2-015, B2-016, B2-018, B2-023, B2-030, B2-032, B2-033, B2-034, B2-039, B2-040, B2-041, B2-042, B2-053, B2-054, B2-057, B3-007, B3-008, B3-009, B3-021, B3-026, B3-027, B3-028, B3-029, B3-030, B3-038, B3-042, B3-043, B3-044, B4-009, B4-013, B4-015, B4-018, B4-023, B5-001, B5-005, B5-006, B5-012, B5-014, B5-015, B5-016, B5-019, B5-030, B5-036, B5-038, B5-039, B5-040, B5-041, B5-042, B5-045, B5-046, B5-047, B5-049, B5-050, B5-052, B5-055, B5-058, B5-059, B5-060, B5-061, B6-002, B6-005, B6-007, B6-012, B6-014, B6-015, B6-016, B6-019, B6-031, B6-036, B6-039, B6-040, B6-041, B6-043, B6-044, B6-046, B6-048, B6-049, B6-050, B7-008, B7-009, B7-011, B7-012, B7-013, B7-014, B7-015, B7-016, B7-021, B7-022, B7-025, B7-027, B7-033, B7-036, B7-041, B7-044, B7-045, B7-046, B7-048, B7-049, B7-050, B8-003, B8-004, B8-005, B8-006, B8-007, B8-008, B8-009, B8-010, B8-015, B8-017, B8-021, B8-022, B8-025, B8-026, B8-033, B8-037, B8-041, B8-043, B8-062, B8-066, B8-068, B8-078, B8-082, B8-086, B8-092, B8-093, B8-094, B8-098, B8-101	Compulsory Acquisition of Rights: Overhead Line	Work No. 4
B1-009, B1-012, B1-021, B5-054, B5-056	Compulsory	Work No. 4

	Acquisition of Rights: Overhead Line with Environmental Mitigation Areas	
B1-005, B1-007, B1-010, B1-013, B1-015, B1-027, B1-029, B1-031, B1-032, B1-033, B1-034, B1-037, B1-038, B1-044, B1-050, B1-056, B2-010, B2-011, B2-020, B2-021, B2-022, B2-025, B2-028, B2-029, B2-036, B2-038, B2-046, B2-052, B3-001, B3-013, B3-014, B3-017, B3-018, B3-023, B3-024, B3-034, B3-040, B3-047, B4-006, B4-007, B4-016, B4-019, B4-020, B4-021, B5-013, B5-017, B5-020, B5-021, B5-024, B5-025, B5-026, B5-027, B5-029, B5-032, B5-033, B5-034, B5-035, B5-043, B6-004, B6-009, B6-010, B6-011, B6-025, B6-028, B6-032, B6-033, B6-034, B6-035, B6-037, B6-038, B6-042, B7-001, B7-002, B7-003, B7-028, B7-029, B7-031, B7-035, B7-039, B7-047, B8-001, B8-002, B8-011, B8-012, B8-019, B8-030, B8-031, B8-032, B8-034, B8-035, B8-036, B8-038, B8-039, B8-044, B8-047, B8-052, B8-053, B8-056, B8-058, B8-059, B8-061, B8-063, B8-065, B8-067, B8-069, B8-074, B8-075, B8-076, B8-085, B8-089, B9-001, B9-002, B9-003, B9-004, B9-010	Compulsory Acquisition of Rights: Access	Work No. 4
B8-060	Compulsory Acquisition of Rights: Access with Environmental Mitigation Areas	Work No. 4
B1-006, B1-008, B1-018, B5-008, B5-009, B5-044, B5-048, B5-053, B8-045, B8-046, B8-049, B8-050, B8-064	Compulsory Acquisition of Rights: Environmental Mitigation	Work No. 4
B8-094, B8-098, B8-107, B8-112, B8-121	Compulsory Acquisition of Rights: Overhead Line	Work No. 5
B8-120	Compulsory Acquisition of Rights: Access	Work No. 5
C1-017, C1-019, C1-020, C1-023, C1-033, C1-043, C1-046, C1-056, C1-058, C1-061, C1-063, C1-065, C1-067, C1-070, C1-071, C1-076, C1-087, C1-090, C1-094, C1-096, C2-001, C2-005, C2-006, C2-007, C2-019, C2-020, C2-021, C2-025, C2-027, C2-028, C2-029, C2-030, C2-031, C2-032, C2-033, C2-034, C2-035, C2-036, C2-037, C2-038, C2-040, C2-042, C2-043, C2-044, C2-045, C2-047, C2-049, C2-050, C2-055, C2-060, C2-061, C2-062, C2-068, C2-074, C2-076, C2-078, C2-088, C2-092, C2-094, C2-096, C2-100, C2-107, C2-115, C2-118, C2-119, C2-121, C2-123, C2-126, C2-129, C2-131, C3-001, C3-002, C3-003, C3-004, C3-012, C3-015, C3-016, C3-034, C3-036, C4-006, C4-008, C4-009, C4-010, C4-011, C4-012, C4-013, C4-014, C4-020, C4-025, C4-026, C4-028, C4-042, C4-046, C4-054, C4-055, C4-056, C4-060, C5-004, C5-006	Compulsory Acquisition of Rights: Overhead Line	Work No. 5
C1-006	Compulsory	Work No. 5

	Acquisition of Rights: Overhead Line with Environmental Mitigation Areas	
C1-007, C1-008, C1-025, C1-027, C1-028, C1-039, C1-052, C1-069, C1-074, C1-075, C1-079, C1-080, C1-081, C1-088, C2-014, C2-015, C2-016, C2-017, C2-023, C2-024, C2-026, C2-039, C2-046, C2-048, C2-052, C2-054, C2-057, C2-069, C2-070, C2-072, C2-073, C2-080, C2-081, C2-082, C2-086, C2-091, C2-101, C2-103, C2-105, C2-114, C2-116, C2-120, C2-124, C2-125, C2-127, C2-128, C2-130, C3-007, C3-010, C3-011, C3-023, C3-025, C3-026, C3-027, C3-028, C3-029, C3-031, C3-032, C3-033, C3-035, C3-037, C3-038, C3-042, C3-043, C3-044, C3-045, C3-047, C3-052, C4-004, C4-005, C4-015, C4-016, C4-031, C4-033, C4-035, C4-039, C4-043, C4-047, C4-052, C4-057, C4-058	Compulsory Acquisition of Rights: Access	Work No. 5
C1-005, C3-024	Compulsory Acquisition of Rights: Environmental Mitigation	Work No. 5
C4-060	Compulsory Acquisition of Rights: Overhead Line	Work No. 6
C4-058	Compulsory Acquisition of Rights: Access	Work No. 6
D1-001, D1-005, D1-007, D1-008, D1-010, D1-012, D1-014, D1-017, D1-033, D1-034, D1-035, D1-037, D1-040, D1-046, D1-059, D1-071, D2-013, D2-017, D2-019, D2-021, D2-022, D2-028, D2-030, D2-032, D2-034, D2-035, D2-038, D2-039, D2-043, D2-044, D2-051, D3-002, D3-004, D3-005, D3-006, D3-012, D3-013, D3-014, D3-015, D3-018, D3-020, D3-021, D3-023, D3-025, D3-026, D3-029, D3-031, D3-037, D3-040, D3-044, D3-047, D3-056, D3-057, D3-059, D3-060, D3-061, D3-063, D3-073, D4-010, D4-011, D4-012, D4-017, D4-023, D4-028, D4-030, D4-031, D4-041, D4-042, D4-043, D4-044, D4-045, D4-046, D4-047, D4-048, D4-049, D4-053, D4-054, D4-055, D4-056, D4-057, D4-059, D4-064, D4-067, D4-070, D4-074, D4-075, D4-080, D4-084, D4-087, D4-091, D4-092, D4-095, D4-096, D4-097, D5-004, D5-008, D5-011, D5-013, D5-016, D5-022, D5-027, D5-029, D5-030, D5-032, D5-042, D5-043, D5-044, D5-047, D5-049, D5-050, D5-051, D5-053, D5-054, D5-055, D5-056, D5-057, D5-059, D5-062, D5-067, D5-069, D5-070, D5-072, D5-073, D5-074, D5-075, D5-076, D5-077, D5-078, D5-079, D5-080, D5-081, D5-084, D5-086, D5-090, D5-099, D6-001, D6-035, D6-038, D6-039, D6-042, D6-045, D6-046, D6-052, D6-055, D6-059, D6-060, D6-062, D6-064, D6-067, D6-068, D6-069, D6-071, D6-072, D6-073, D6-075, D6-076, D6-078, D6-083, D6-084, D6-	Compulsory Acquisition of Rights: Overhead Line	Work No. 6

085, D6-086, D6-087, D6-088, D6-089, D7-004, D7-005, D7-006, D7-010, D7-011, D7-014, D7-018, D7-021, D7-025, D7-026, D7-027, D7-028, D7-029, D7-030, D7-031, D7-032, D7-033, D7-034, D7-035, D7-036, D7-038, D7-039, D7-040, D7-041, D7-042, D7-043, D7-044, D7-045, D7-047, D7-060, D8-003, D8-004, D8-006, D8-010, D8-013, D8-016, D8-018, D8-027, D8-028, D8-029, D8-030, D8-031, D8-032, D8-033, D8-042, D8-048, D8-049, D8-052, D8-054, D8-059, D8-060		
D2-036, D2-037, D2-040, D2-041, D3-030, D3-065, D3-066, D3-067, D3-068, D4-090, D5-045, D5-048, D5-052, D5-093, D6-050, D6-054, D7-023, D8-044, D8-045, D8-058	Compulsory Acquisition of Rights: Overhead Line with Environmental Mitigation Areas	Work No. 6
D1-003, D1-016, D1-018, D1-022, D1-024, D1-028, D1-029, D1-030, D1-036, D1-039, D1-041, D1-042, D1-043, D1-044, D1-047, D1-063, D1-073, D2-006, D2-008, D2-009, D2-010, D2-012, D2-014, D2-016, D2-020, D2-023, D2-024, D2-029, D2-052, D2-055, D3-001, D3-003, D3-007, D3-009, D3-010, D3-011, D3-017, D3-019, D3-033, D3-041, D3-043, D3-045, D3-046, D3-048, D3-049, D3-051, D4-004, D4-014, D4-016, D4-019, D4-020, D4-022, D4-026, D4-035, D4-036, D4-037, D4-038, D4-039, D4-040, D4-050, D4-051, D4-061, D4-063, D4-073, D4-083, D4-085, D4-093, D5-006, D5-007, D5-009, D5-014, D5-015, D5-018, D5-028, D5-033, D5-034, D5-035, D5-036, D5-037, D5-038, D5-040, D5-041, D5-046, D5-058, D5-060, D5-061, D5-063, D5-064, D5-065, D5-066, D5-068, D5-071, D5-087, D5-094, D6-036, D6-043, D6-048, D6-051, D6-057, D6-079, D6-080, D6-081, D6-082, D7-012, D7-013, D7-015, D7-017, D7-024, D7-037, D7-055, D7-056, D7-057, D7-058, D7-059, D8-001, D8-002, D8-007, D8-009, D8-012, D8-014, D8-015, D8-017, D8-021, D8-024, D8-036, D8-039, D8-043, D8-051	Compulsory Acquisition of Rights: Access	Work No. 6
D6-049, D7-016	Compulsory Acquisition of Rights: Access with Environmental Mitigation Areas	Work No. 6
D1-032, D1-067, D1-070, D2-007, D2-011, D2-053, D2-054, D3-027, D3-069, D3-070, D4-089, D5-091, D5-095, D6-047, D6-053, D6-056, D6-061, D7-019, D7-020, D8-046, D8-047, D8-055, D8-057	Compulsory Acquisition of Rights: Environmental Mitigation	Work No. 6
E1-009, E1-014, E1-016, E1-018, E1-019, E1-023, E1-026, E1-027, E1-028, E2-002, E2-004, E2-005, E2-008, E2-009, E2-014, E2-017, E2-020, E2-022, E2-025, E2-026, E2-027, E2-028, E2-029, E2-030, E2-031, E2-032, E2-039, E3-004, E3-007, E3-009, E3-012, E3-013, E3-018, E3-020, E3-023, E3-028, E3-044, E3-048, E3-050, E4-001, E4-003, E4-005, E4-006, E4-007, E4-008, E4-010, E4-012, E4-017,	Compulsory Acquisition of Rights: Overhead Line	Work No. 6

E4-027, E4-036, E4-037, E4-038, E4-039, E4-041, E4-047, E4-049, E4-056, E5-003, E5-007, E5-010, E5-013, E5-019, E5-020, E5-021, E5-025, E5-026, E5-028, E5-029, E5-030, E5-032, E5-033, E5-038, E5-039, E5-041, E5-042, E5-046, E5-047, E5-050, E5-051, E5-060, E5-061, E5-067, E5-074, E5-078, E5-079, E5-081, E5-082, E5-083, E5-086, E6-002, E6-006, E6-007, E6-008, E6-009, E6-011, E6-013, E6-014, E6-021, E6-024, E6-036, E6-040, E6-041, E7-005, E7-006, E7-009, E7-011, E7-013, E7-016, E7-018, E7-021, E7-023, E7-026, E7-027, E7-028, E7-031, E7-032, E7-033, E7-034, E7-039, E7-047, E7-048, E7-054, E7-057, E8-003, E8-004, E8-007, E8-009, E8-010, E8-014, E8-017, E8-018, E8-019, E8-022, E8-024, E8-028, E8-042, E8-047, E8-049, E8-063, E8-065, E8-066, E8-067, E8-068, E8-069, E8-076, E8-079, E8-081, E8-082, E8-083, E8-087, E9-006, E9-015, E9-017, E9-018, E10-001, E10-005, E10-008, E10-009, E10-011, E10-022, E10-023, E10-026, E10-030, E10-032, E10-034, E10-039, E10-044, E10-047, E10-050, E10-054, E10-060, E10-062, E10-063, E10-072, E10-075, E10-077, E10-079, E10-081, E10-083, E10-088, E11-002, E11-004, E11-005, E11-007, E11-009, E11-010, E11-012, E11-014, E11-023, E11-025, E11-027, E11-028, E11-029, E11-031, E11-032, E11-033, E11-034, E11-035, E11-036, E11-038, E11-041, E11-042, E11-045, E11-050, E11-053, E11-054, E11-055, E11-058, E11-059, E11-062, E12-003, E12-004, E12-005, E12-006, E12-008, E12-009, E12-010, E12-011, E12-013, E12-014, E12-016, E12-017, E12-019, E12-020, E12-021, E12-022, E12-024, E12-025, E12-026, E12-028, E12-035, E12-041, E12-045, E12-048, E12-051, E12-052, E13-001, E13-007, E13-010, E13-012, E13-014, E13-015, E13-016, E13-017, E13-018, E13-023, E13-027, E13-028, E13-031, E14-001, E14-003, E14-004, E14-005, E14-006, E14-007, E14-008, E14-009, E14-010, E14-011, E14-015, E14-018, E14-024, E14-030, E14-031, E14-032, E14-036, E14-038, E14-039, E14-040, E14-045, E14-046, E14-048, E14-051, E14-052, E14-054, E14-055, E14-056, E14-058, E15-001, E15-007, E15-008, E15-009, E15-013, E15-014, E15-015, E15-017, E15-025, E15-026, E15-028, E15-039, E15-044, E15-045, E15-046, E15-049, E15-052, E15-053, E15-056, E15-061, E15-062, E15-063, E15-064		
E1-007, E3-016, E3-029, E3-030, E3-031, E3-032, E4-022, E4-023, E4-029, E4-031, E7-019, E8-025, E8-026, E8-038, E8-039, E8-045, E8-046, E8-050, E8-051, E8-053, E8-056, E9-007, E10-019, E10-028, E10-085, E11-013, E11-015, E11-020, E11-024, E11-057, E12-042, E12-043, E12-049, E12-050, E13-029, E15-011, E15-012	Compulsory Acquisition of Rights: Overhead Line with Environmental Mitigation Areas	Work No. 6
E1-001, E1-002, E1-003, E1-005, E2-001, E2-003, E2-006, E2-007, E2-011, E2-012, E2-013, E2-016,	Compulsory Acquisition of Rights:	Work No. 6

E2-019, E2-021, E2-023, E2-024, E2-033, E2-037, E2-038, E3-001, E3-002, E3-005, E3-010, E3-014, E3-015, E3-019, E3-021, E3-026, E3-037, E3-041, E3-042, E3-043, E3-045, E4-009, E4-011, E4-013, E4-018, E4-021, E4-024, E4-025, E4-026, E4-028, E4-033, E4-035, E4-042, E4-043, E4-050, E5-002, E5-004, E5-024, E5-027, E5-031, E5-034, E5-035, E5-036, E5-037, E5-040, E5-043, E5-044, E5-045, E5-049, E5-052, E5-053, E5-055, E5-057, E5-058, E5-063, E5-064, E5-065, E5-068, E5-069, E5-072, E5-084, E5-087, E6-001, E6-003, E6-004, E6-005, E6-010, E6-015, E6-016, E6-017, E6-018, E6-019, E6-020, E6-022, E6-023, E6-025, E6-026, E6-027, E6-028, E6-030, E6-032, E6-033, E6-034, E6-037, E6-039, E6-042, E7-003, E7-004, E7-012, E7-015, E7-025, E7-029, E7-030, E7-038, E7-040, E7-042, E7-043, E7-044, E7-046, E7-050, E7-052, E7-053, E7-058, E8-001, E8-011, E8-012, E8-015, E8-016, E8-027, E8-031, E8-034, E8-035, E8-041, E8-043, E8-044, E8-058, E8-060, E8-062, E8-071, E8-073, E8-074, E8-075, E8-077, E8-080, E8-086, E9-002, E9-003, E9-004, E9-005, E9-009, E9-010, E9-011, E9-016, E9-019, E10-002, E10-003, E10-004, E10-006, E10-007, E10-013, E10-015, E10-017, E10-029, E10-035, E10-038, E10-041, E10-053, E10-056, E10-058, E10-064, E10-067, E10-070, E10-074, E10-084, E10-089, E11-003, E11-006, E11-008, E11-022, E11-030, E11-037, E11-039, E11-043, E11-044, E11-048, E11-049, E11-051, E11-052, E11-060, E11-061, E12-001, E12-002, E12-012, E12-023, E12-029, E12-034, E12-037, E12-040, E13-002, E13-003, E13-009, E13-011, E13-019, E13-020, E13-021, E13-022, E14-012, E14-014, E14-016, E14-017, E14-019, E14-021, E14-022, E14-023, E14-025, E14-026, E14-028, E14-033, E14-034, E14-041, E14-042, E14-043, E14-044, E14-049, E14-050, E15-002, E15-005, E15-016, E15-018, E15-029, E15-030, E15-031, E15-034, E15-036, E15-038, E15-040, E15-043, E15-054, E15-057, E15-058, E15-059, E15-060	Access	
E3-017, E3-024, E3-025, E3-034, E3-035, E3-036, E3-038, E4-019, E4-020, E4-030, E4-032, E5-048, E5-070, E5-071, E5-073, E5-075, E5-076, E5-077, E7-037, E7-041, E8-021, E8-033, E8-036, E8-052, E8-059, E8-084, E8-085, E9-008, E9-012, E9-013, E9-014, E10-020, E10-027, E10-031, E10-087, E11-018, E11-056, E12-044, E12-046, E12-047, E13-030	Compulsory Acquisition of Rights: Environmental Mitigation	Work No. 6
F1-002, F1-004, F1-006, F1-007, F1-008, F1-012, F1-014, F1-016, F2-009, F2-011, F2-012, F2-013, F2-015, F2-016, F2-017, F2-020, F2-021, F2-025, F2-028, F2-031, F2-032, F2-033, F2-035, F2-036, F2-040, F2-041, F2-043, F2-044, F2-045, F2-047, F2-048, F3-002, F3-004, F3-005, F3-007, F3-012, F3-019, F3-024, F3-025, F3-028, F3-029, F3-030, F3-031, F3-032, F3-033, F3-034, F3-035, F3-036, F3-037, F3-038, F3-039	Compulsory Acquisition of Rights: Overhead Line	Work No. 6

F2-037	Compulsory Acquisition of Rights: Overhead Line with Environmental Mitigation Areas	Work No. 6
F1-001, F1-003, F1-005, F1-009, F1-011, F1-015, F2-003, F2-005, F2-007, F2-008, F2-010, F2-014, F2-018, F2-019, F2-023, F2-030, F2-034, F2-039, F2-051, F2-054, F3-003, F3-006, F3-008, F3-009, F3-010, F3-011, F3-014, F3-017, F3-018, F3-021, F3-023, F3-027, F3-041, F3-042	Compulsory Acquisition of Rights: Access	Work No. 6
F2-038	Compulsory Acquisition of Rights: Environmental Mitigation	Work No. 6

PART 2

NPG

(1) *Plot number for land shown on Land Plans*	*(2)* *Purpose for which rights over land may be acquired or restrictive covenants imposed*	*(3)* *Relevant part of the authorised development*
A1-027, A1-031, A1-032, A1-034, A1-039, A1-040, A1-044, A1-061, A1-062, A1-068, A4-032, A4-033, A4-034, A4-036, A4-041, A4-042, A5-010, A5-025, A5-026, A5-030, A5-035, A5-036, A5-040, A5-041, A6-004, A6-005, A6-008, A6-034	Compulsory Acquisition of Rights: Overhead Line	Work No. 1
A8-051, A8-056, A8-061, A8-111, A8-112, A8-119, A8-127, A8-128, A9-011, A9-021, A9-028, A9-043, A9-047, A9-048, A9-051, A9-057, A9-061, A9-063, A9-067, A9-068, A9-069, A9-070, A9-071, A9-073, A9-080, A9-081, A9-083, A9-084, A9-091, A9-102, A9-103	Compulsory Acquisition of Rights: Overhead Line	Work No. 2
A8-110	Compulsory Acquisition of Rights: Overhead Line	Work No. 2
A10-024, A12-005, A12-023, A12-026, A12-031, A12-071, A12-072, A12-073, A13-041	Compulsory Acquisition of Rights: Overhead Line	Work No. 3
B1-036, B1-039, B1-040, B1-041, B1-045, B1-046, B1-049, B1-052, B2-030, B2-034, B2-041, B3-021, B3-026, B3-027, B3-029, B3-030, B5-038, B5-039, B5-040, B5-042, B5-045, B5-046, B5-047, B5-049, B6-039, B6-040, B6-041, B6-043, B6-044, B6-046, B6-048, B6-049, B6-050, B7-008, B7-011	Compulsory Acquisition of Rights: Overhead Line	Work No. 4
C1-061, C1-064, C1-065, C1-070, C1-076, C1-090, C4-056	Compulsory Acquisition of Rights: Overhead Line	Work No. 5

C1-069, C1-074, C1-075	Compulsory Acquisition of Rights: Overhead Line	Work No. 5
D1-001, D1-007, D1-014, D2-019, D2-021, D2-022, D4-042, D4-043, D4-044, D4-045, D4-046, D4-047, D4-048, D4-049, D4-054, D4-055, D4-056, D4-057, D4-059, D4-097, D5-029, D5-030, D5-032, D5-050, D5-051, D5-070, D5-074, D5-077, D5-080, D5-081, D5-084, D5-086, D6-035, D6-045, D6-059, D6-060, D6-062, D6-064, D6-071, D6-072, D6-075, D7-027, D7-039, D7-042, D7-060, D8-003, D8-004, D8-006, D8-013, D8-016	Compulsory Acquisition of Rights: Overhead Line	Work No. 6

PART 3

NGED

(1) *Plot number for land shown on Land Plans*	*(2)* *Purpose for which rights over land may be acquired or restrictive covenants imposed*	*(3)* *Relevant part of the authorised development*
E2-004, E2-009, E2-017, E2-020, E2-026, E2-027, E2-029, E2-030, E3-009, E3-012, E3-048, E3-050, E4-001, E4-006, E4-007, E4-036, E4-039, E4-041, E4-047, E4-049, E5-010, E5-013, E5-020, E5-021, E5-025, E5-028, E5-038, E5-039, E5-041, E5-046, E5-050, E5-051, E5-060, E5-067, E5-082, E5-083, E5-086, E6-002, E6-006, E6-007, E6-009, E6-013, E6-021, E7-018, E7-019, E7-026, E7-027, E7-028, E7-031, E8-039, E8-045, E8-051, E8-053, E8-056, E8-063, E8-065, E8-066, E8-068, E8-069, E8-076, E8-079, E8-081, E8-082, E8-083, E10-081, E11-024, E11-025, E11-027, E11-028, E11-029, E11-034, E11-038, E11-041, E11-045, E11-050, E11-053, E11-055, E12-009, E12-010, E12-011, E12-014, E12-019, E12-020, E12-021, E12-022, E12-024, E12-025, E12-026, E13-010, E13-012, E13-014, E13-015, E13-016, E13-017, E13-018, E14-003, E14-004, E14-005, E14-006, E14-007, E14-008, E14-009, E14-010, E14-011, E14-039, E14-040, E14-045, E14-046, E14-051, E14-056, E15-061, E15-062, E15-063	Compulsory Acquisition of Rights: Overhead Line	Work No. 6
E5-053	Compulsory Acquisition of Rights: Access	Work No. 6
F2-011, F2-015, F2-020, F2-021, F2-028, F2-031, F2-032, F2-035, F2-036, F2-037, F2-040, F2-043, F2-044, F3-004, F3-005, F3-019, F3-025, F3-028, F3-029, F3-030, F3-031, F3-032, F3-035, F3-037, F3-039	Compulsory Acquisition of Rights: Overhead Line	Work No. 6

PART 4

BT

(1) *Plot number for land shown on Land Plans*	*(2)* *Purpose for which rights over land may be acquired or restrictive covenants imposed*	*(3)* *Relevant part of the authorised development*
A8-093, A8-109, A8-131, A8-132	Compulsory Acquisition of Rights: Overhead Line	Work No. 2
C3-034, C3-036	Compulsory Acquisition of Rights: Overhead Line	Work No. 5
D2-030, D2-032, D4-042, D4-043, D4-044, D4-045, D4-046, D4-047, D4-048, D4-049, D4-097	Compulsory Acquisition of Rights: Overhead Line	Work No. 6
E14-030, E14-031, E14-032	Compulsory Acquisition of Rights: Overhead Line	Work No. 6
F3-029, F3-030, F3-032, F3-035, F3-036, F3-038	Compulsory Acquisition of Rights: Overhead Line	Work No. 6

SCHEDULE 11

Article 48

TRAFFIC REGULATION ORDERS

PART 1

TEMPORARY RESTRICTION OF ACCESS AND RESTRICTION OF MOVEMENT

(1) *Area*	*(2)* *Road*	*(3)* *Extent as shown on the Traffic Regulation Order Plans*	*(4)* *Note*
East Riding of Yorkshire Council	A1079	Between points TRO-A-001 and TRO-A-002, as shown on Section A, Sheet 1	Prohibition of vehicular access
East Riding of Yorkshire Council	A164	Between points TRO-A-003 and TRO-A-004, as shown on Section A, Sheet 2	Prohibition of vehicular access
East Riding of Yorkshire Council	Dunflat Road	Between points TRO-A-005 and TRO-A-006, as shown on Section A, Sheet 3	Prohibition of vehicular access
East Riding of Yorkshire Council	Little Weighton Road	Between points TRO-A-007 and TRO-A-008, as shown on Section A, Sheet 4	Prohibition of vehicular access
East Riding of Yorkshire Council	Main Street	Between points TRO-A-009 and TRO-A-010, as shown on Section A Key Plan With Details and Section A, Sheet 3	Prohibition of vehicular access
East Riding of Yorkshire Council	Rowley Road	Between points TRO-A-011 and TRO-A-012, as shown on Section A, Sheet 6	Prohibition of vehicular access
East Riding of	Riplingham Road	Between points TRO-A-013	Prohibition of

Yorkshire Council		and TRO-A-014, as shown on Section A, Sheet 6	vehicular access
East Riding of Yorkshire Council	Riplingham Road	Between points TRO-A-015 and TRO-A-017, as shown on Section A, Sheet 6	Prohibition of vehicular access
East Riding of Yorkshire Council	Lambwell Hill	Between points TRO-A-017 and TRO-A-018, as shown on Section A, Sheet 6	Prohibition of vehicular access
East Riding of Yorkshire Council	Dale Road	Between points TRO-A-019 and TRO-A-020, as shown on Section A, Sheet 6	Prohibition of vehicular access
East Riding of Yorkshire Council	Ellerker Road	Between points TRO-A-023 and TRO-A-024, as shown on Section A, Sheet 8	Prohibition of vehicular access
East Riding of Yorkshire Council	A63 Petuaria Way	Between points TRO-A-025 and TRO-A-026, as shown on Section A, Sheet 8	Prohibition of vehicular access
East Riding of Yorkshire Council	Brough Road, Roman Road	Between points TRO-A-027 and TRO-A-028, as shown on Section A Key Plan With Details and Section A, Sheet 8	Prohibition of vehicular access
East Riding of Yorkshire Council	Ellerker Lane	Between points TRO-A-029 and TRO-A-030, as shown on Section A, Sheet 8	Prohibition of vehicular access
East Riding of Yorkshire Council	Norfolk Bank Lane	Between points TRO-A-030 and TRO-A-031, as shown on Section A, Sheet 8 and Sheet 9	Prohibition of vehicular access
East Riding of Yorkshire Council	Sands Lane	Between points TRO-A-033 and TRO-A-034, as shown on Section A, Sheet 8	Prohibition of vehicular access
East Riding of Yorkshire Council	Ings Lane	Between points TRO-A-031 and TRO-A-032, as shown on Section A, Sheet 9	Prohibition of vehicular access
East Riding of Yorkshire Council	Ings Lane	Between points TRO-A-035 and TRO-A-036, as shown on Section A, Sheet 10	Prohibition of vehicular access
East Riding of Yorkshire Council	Common Road	Between points TRO-A-038 and TRO-A-39, as shown on Section A, Sheet 10	Prohibition of vehicular access
East Riding of Yorkshire Council	Carr Lane	Between points TRO-A-039 and TRO-A-040, as shown on Section A, Sheet 10	Prohibition of vehicular access
East Riding of Yorkshire Council	Wallingfen Lane	Between points TRO-A-037 and TRO-A-038, as shown on Section A, Sheet 10 and Sheet 11	Prohibition of vehicular access
East Riding of Yorkshire Council	Landing Lane	Between Points TRO-A-041 and TRO-A-042, as shown on Section A, Sheet 12	Prohibition of vehicular access
East Riding of Yorkshire Council	Tongue Lane	Between points TRO-A-043 and TRO-A-044, as shown on Section A, Sheet 13, Sheet 14 and Sheet 15	Prohibition of vehicular access
East Riding of Yorkshire Council	Staddlethorpe Broad Lane	Between points TRO-A-048 and TRO-A-049, as shown on	Prohibition of vehicular

		Section A, Sheet 13 and Sheet 14	access
East Riding of Yorkshire Council	Blacktoft Lane	Between points TRO-A-050 and TRO-A-051, as shown on the border between Section A and B, shown on Section A, Sheet 16	Prohibition of vehicular access
East Riding of Yorkshire Council	Pennyhill Cottages	Between points TRO-B-001 and TRO-B-002, as shown on Section B, Sheet 1	Prohibition of vehicular access
East Riding of Yorkshire Council	Narrow Lane	Between points TRO-B-003 and TRO-B-004, as shown on Section B, Sheet 1 and Sheet 2	Prohibition of vehicular access
East Riding of Yorkshire Council	A161 Kings Causeway	Between points TRO-B-005 and TRO-B-006, as shown on Section B Key Plan With Details and Section B, Sheet 3	Prohibition of vehicular access
North Lincolnshire Council	Pasture Lane	Between points TRO-B-007 and TRO-B-008, as shown on Section B, Sheet 4	Prohibition of vehicular access
North Lincolnshire Council	Luddington Road	Between points TRO-B-009 and TRO-B-010, as shown on Section B, Sheet 5	Prohibition of vehicular access
North Lincolnshire Council	Carr Lane	Between points TRO-B-011 and TRO-B-012, as shown on Section B, Sheet 6	Prohibition of vehicular access
North Lincolnshire Council	Meredyke Road	Between points TRO-B-013 and TRO-B-014, as shown on Section B, Sheet 6	Prohibition of vehicular access
North Lincolnshire Council	Carr Lane	Between points TRO-B-017 and TRO-B-019, as shown on Section B, Sheet 7	Prohibition of vehicular access
North Lincolnshire Council	Ox Pasture Lane	Between points TRO-B-018 and TRO-B-020, as shown on Section B, Sheet 7	Prohibition of vehicular access
North Lincolnshire Council	Washinghall Lane	Between points TRO-B-021 and TRO-C-001, as shown on Section B, Sheet 8	Prohibition of vehicular access
North Lincolnshire Council	Bonnyhale Moor Road, Outgate	Between points TRO-C-002 and TRO-C-003, as shown on Section C, Sheet 1 and Sheet 2	Prohibition of vehicular access
North Lincolnshire Council	South Cross Moors Road	Between points TRO-C-004 and TRO-C-005, as shown on Section C, Sheet 3	Prohibition of vehicular access
North Lincolnshire Council	Bonnyhale Road	Between points TRO-C-006 and TRO-C-007, as shown on Section C, Sheet 3	Prohibition of vehicular access
North Lincolnshire Council	A18	Between points TRO-C-008 and TRO-C-009, as shown on Section C, Sheet 4	Prohibition of vehicular access
North Lincolnshire Council	A161	Between points TRO-C-010 and TRO-C-011, as shown on Section C, Sheet 5	Prohibition of vehicular access
North Lincolnshire Council	M180, Junction 2-3	Between points TRO-D-001 and TRO-D-002, as shown on Section D Key Plan With	Prohibition of vehicular access

		Details	
North Lincolnshire Council	King Edward Street, Bracon, Belton Road	Between points TRO-D-003 and TRO-D-004, as shown as shown on Section D Key Plan With Details and Section D, Sheet 1 and Sheet 2	Prohibition of vehicular access
North Lincolnshire Council	Epworth Road	Between points TRO-D-005 and TRO-D-006, as shown on Section D, Sheet 3	Prohibition of vehicular access
North Lincolnshire Council	Newland Lane	Between points TRO-D-007 and TRO-D-008, as shown on Section D, Sheet 4	Prohibition of vehicular access
North Lincolnshire Council	Melwood Hill	Between points TRO-D-011 and TRO-D-012, as shown on Section D, Sheet 4	Prohibition of vehicular access
North Lincolnshire Council	Melwood Hill	Between points TRO-D-013 and TRO-D-014, as shown on Section D, Sheet 4	Prohibition of vehicular access
North Lincolnshire Council	Burnham Road	Between points TRO-D-015 and TRO-D-016, as shown on Section D, Sheet 5	Prohibition of vehicular access
North Lincolnshire Council	East Lound Road, Low Hall Road, Brackenhill Road	Between points TRO-D-017 and TRO-D-018, as shown on Section D Key Plan With Details and Sheet 5	Prohibition of vehicular access
North Lincolnshire Council	Ferry Road	Between points TRO-D-019 and TRO-D-021, as shown on Section D, Sheet 6	Prohibition of vehicular access
North Lincolnshire Council	Ferry Road, Main Street	Between Points TRO-D-020 and TRO-D-021, as shown on Section D Key Plan With Details and Section D, Sheet 6	Prohibition of vehicular access
North Lincolnshire Council	Stockwith Road	Between points TRO-D-021 and TRO-D-022, as shown on Section D, Sheet 6	Prohibition of vehicular access
North Lincolnshire Council	Gunthorpe Rd	Between points TRO-D-023 and TRO-D-024, as shown on Section D, Sheet 6	Prohibition of vehicular access
North Lincolnshire Council	A161 Station Road	Between points TRO-D-025 and TRO-D-026, as shown on Section D, Sheet 7	Prohibition of vehicular access
North Lincolnshire Council / Nottinghamshire County Council	A161 Haxey Gate Road	Between points TRO-D-027 and TRO-D-029, as shown on Section D, Sheet 7	Prohibition of vehicular access
North Lincolnshire Council	Tindale Bank Road	Between points TRO-D-029 and TRO-D-030, as shown on Section D, Sheet 7 and Sheet 8	Prohibition of vehicular access
Nottinghamshire County Council	Cornley Road, Carr Lane	Between points TRO-E-001 and TRO-E-002, as shown on Section E Key Plan With Details, Section E, Sheet 1 and Sheet 2	Prohibition of vehicular access
Nottinghamshire County Council	Cattle Road	Between points TRO-E-005 and TRO-E-006, as shown on	Prohibition of vehicular

		Section E, Sheet 2	access
Nottinghamshire County Council	B1403	Between points TRO-E-009 and TRO-E-012, as shown on Section E, Sheet 4	Prohibition of vehicular access
Nottinghamshire County Council	Walkeringham Road	Between points TRO-E-010 toTRO-E-011, as shown on Section E, Sheet 4	Prohibition of vehicular access
Nottinghamshire County Council	A631	Between points TRO-E-013 and TRO-E-014, as shown on Section E, Sheet 5	Prohibition of vehicular access
Nottinghamshire County Council	Wood Lane	Between points TRO-E-017 and TRO-E-018, as shown on Section E, Sheet 5	Prohibition of vehicular access
Nottinghamshire County Council	Gainsborough Road	Between points TRO-E-019 and TRO-E-046, as shown on Section E, Sheet 7	Prohibition of vehicular access
Nottinghamshire County Council	Gainsborough Road	Between points TRO-E-020 and TRO-E-021, as shown on Section E, Sheet 8	Prohibition of vehicular access
Nottinghamshire County Council	Gainsborough Road	Between points TRO-E-022 and TRO-E-023, as shown on Section E, Sheet 8	Prohibition of vehicular access
Nottinghamshire County Council	Station Road	Between points TRO-E-023 and TRO-E-024, as shown on Section E, Sheet 8	Prohibition of vehicular access
Nottinghamshire County Council	Sturton Road	Between points TRO-E-026 and TRO-E-027, as shown on Section E Key Plan With Details	Prohibition of vehicular access
Nottinghamshire County Council	Main Street	Between Points TRO-E-027 and TRO-E-028, as shown on Section E Key Plan With Details	Prohibition of vehicular access
Nottinghamshire County Council	Retford Road	Between points TRO-E-029 and TRO-E-030, as shown on Section E, Sheet 10	Prohibition of vehicular access
Nottinghamshire County Council	Forewood Lane	Between points TRO-E-031 and TRO-E-032, as shown on Section E, Sheet 11	Prohibition of vehicular access
Nottinghamshire County Council	Town Street	Between points TRO-E-033 and TRO-E-035 as shown on Section E, Key Plan With Details and Section E, Sheet 11	Prohibition of vehicular access
Nottinghamshire County Council	Cocking Lane	Between points TRO-E-034 and TRO-E-047 as shown on Section E, Key Plan With Details and Sheet 11	Prohibition of vehicular access
Nottinghamshire County Council	Ashley Lane	Between Points TRO-E-036 and TRO-E-037, as shown on Section E, Sheet 12	Prohibition of vehicular access
Nottinghamshire County Council	Retford Road	Between Points TRO-E-038 and TRO-E-039, as shown on Section E, Sheet 12	Prohibition of vehicular access
Nottinghamshire County Council	Main Street	Between points TRO-E-040 and TRO-E-041, as shown on	Prohibition of vehicular

		Section E, Sheet 13	access
Nottinghamshire County Council	Retford Road	Between points TRO-E-042 and TRO-E-043, as shown on Section E, Sheet 14	Prohibition of vehicular access
Nottinghamshire County Council	Darlton Road	Between points TRO-E-044 and TRO-E-045, as shown on Section E, Sheet 15	Prohibition of vehicular access
Nottinghamshire County Council	A57 Broad Gate	Between points TRO-F-001 and TRO-F-002, as shown on Section F, Sheet 1	Prohibition of vehicular access
Nottinghamshire County Council	Far Road	Between points TRO-F-003 and TRO-F-004, as shown on Section F, Sheet 2	Prohibition of vehicular access
Nottinghamshire County Council	Main Street, Fledborough Road	Between points TRO-F-005 and TRO-F-006, as shown on Section F, Sheet 3	Prohibition of vehicular access

PART 2

TEMPORARY RESTRICTION OF WAITING AND RESTRICTION OF SPEED

(1) *Area*	*(2)* *Road*	*(3)* *Extent as shown on the Traffic Regulation Order Plans*	*(4)* *Note*
East Riding of Yorkshire Council	A1079	Between points TRO-A-001 and TRO-A-002, as shown on Section A, Sheet 1	Speed limit to be restricted to 30mph.
East Riding of Yorkshire Council	A164	Between points TRO-A-003 and TRO-A-004, as shown on Section A, Sheet 2	Speed limit to be restricted to 30 mph
East Riding of Yorkshire Council	Dunflat Road	Between points TRO-A-005 and TRO-A-006, as shown on Section A, Sheet 3	Speed limit to be restricted to 30 mph
East Riding of Yorkshire Council	Little Weighton Road, Main Street	Between points TRO-A-009 and TRO-A-010, as shown on Section A Key Plan With Details and Section A, Sheet 3	No waiting restriction 7:00am to 7:00pm Monday to Sunday. Suspension of onstreet parking.
East Riding of Yorkshire Council	Riplingham Road	Between points TRO-A-015 and TRO-A-016, as shown on Section A, Sheet 6	Speed limit to be restricted to 30 mph
East Riding of Yorkshire Council	Lambwell Hill	Between points TRO-A-017 and TRO-A-018, as shown on Section A, Sheet 6	Speed limit to be restricted to 30 mph
East Riding of Yorkshire Council	Ellerker Road	Between points TRO-A-023 and TRO-A-024, as shown on Section A, Sheet 8	Speed limit to be restricted to 50 mph
East Riding of	Brough Road,	Between points TRO-A-	Speed limit to be

Yorkshire Council	Roman Road	027 and TRO-A-028, as shown on Section A Key Plan With Details and Section A, Sheet 8	restricted to 30mph.
East Riding of Yorkshire Council	Sands Lane	Between points TRO-A-033 and TRO-A-034, as shown on Section A, Sheet 8	Speed limit to be restricted to 40 mph
East Riding of Yorkshire Council	Ings Lane	Between points TRO-A-031 and TRO-A-032, as shown on Section A, Sheet 9	Speed limit to be restricted to 40 mph
East Riding of Yorkshire Council	Ings Lane	Between points TRO-A-035 and TRO-A-036, as shown on Section A, Sheet 10	Speed limit to be restricted to 30 mph
East Riding of Yorkshire Council	Carr Lane	Between points TRO-A-039 and TRO-A-040, as shown on Section A, Sheet 10	Speed limit to be restricted to 40 mph
East Riding of Yorkshire Council	Wallingfen Lane	Between points TRO-A-037 and TRO-A-038, as shown on Section A, Sheet 10 and Sheet 11	No waiting restriction 7:00am to 7:00pm Monday to Sunday. Suspension of onstreet parking.
East Riding of Yorkshire Council	Landing Lane	Between points TRO-A-041 and TRO-A-042, as shown on Section A, Sheet 12	Speed limit to be restricted to 40 mph
East Riding of Yorkshire Council	Tongue Lane	Between points TRO-A-043 and TRO-A-044, as shown on Section A, Sheet 13, Sheet 14 and Sheet 15	Speed limit to be restricted to 50 mph
East Riding of Yorkshire Council	Thornton Dam Lane, Scalby Lane,	Between points TRO-A-045 and TRO-A-046, as shown on Section A, Sheet 15	No waiting restriction 7:00am to 7:00pm Monday to Sunday. Suspension of onstreet parking.
East Riding of Yorkshire Council	Station Road, Staddlethorpe Broad Lane	Between points TRO-A-046 and TRO-A-047, as shown on Section A, Sheet 15	No waiting restriction 7:00am to 7:00pm Monday to Sunday. Suspension of onstreet parking.
East Riding of Yorkshire Council	Blacktoft Lane	Between Points TRO-A-050 and TRO-A-051, as shown on the border between Section A and B, shown on Section A, Sheet 16	Speed limit to be restricted to 30 mph
East Riding of Yorkshire Council	Pennyhill Cottages	Between points TRO-B-001 and TRO-B-002, as shown on Section B, Sheet 1	Speed limit to be restricted to 30mph.
East Riding of Yorkshire Council	A161 Kings Causeway	Between points TRO-B-005 and TRO-B-006, as	Speed limit to be restricted to 30 mph

		shown on Section B Key Plan With Details and Section B, Sheet 3	
North Lincolnshire Council	Eastoft Road, Meredyke Road	Between points TRO-B-015 and TRO-B-016, as shown on Section B Key Plan with Details and Section B, Sheet 6	Speed limit to be restricted to 20 mph
North Lincolnshire Council	Eastoft Road, Meredyke Road	Between points TRO-B-015 and TRO-B-016, as shown on Section B Key Plan with Details and Sheet 6	No waiting restriction 7:00am to 7:00pm Monday to Sunday. Suspension of onstreet parking.
North Lincolnshire Council	Carr Lane	Between points TRO-B-017 and TRO-B-019 on Section B, Sheet 7	Speed limit to be restricted to 40 mph
North Lincolnshire Council	Ox Pasture Lane	Between points TRO-B-018 and TRO-B-020 on Section B, Sheet 7	Speed limit to be restricted to 40 mph
North Lincolnshire Council	Bonnyhale Moor Road, Outgate	Between points TRO-C-002 and TRO-C-003, as shown on Section C, Sheet 1 and Sheet 2	Speed limit to be restricted to 30 mph
North Lincolnshire Council	A18	Between points TRO-C-008 and TRO-C-009, as shown on Section C, Sheet 4	Speed limit to be restricted to 30 mph
North Lincolnshire Council	A161	Between points TRO-C-010 and TRO-C-011, as shown on Section C, Sheet 5	Speed limit to be restricted to 30 mph
North Lincolnshire Council	King Edward Street, Bracon, Belton Road	Between points TRO-D-003 and TRO-D-004, as shown on Section D Key Plan With Details and Section D, Sheet 1	Speed limit to be restricted to 30mph. No waiting restriction 7:00am to 7:00pm Monday to Sunday. Suspension of onstreet parking.
North Lincolnshire Council	Newland Lane	Between points TRO-D-007 and TRO-D-008, as shown on Section D, Sheet 4	Speed limit to be restricted to 30 mph
North Lincolnshire Council	Blow Row, Mowbray Street, Rectory Street	Between points TRO-D-009 and TRO-D-010, as shown on Section D Key Plan With Details and Section D, Sheet 4	No waiting restriction 7:00am to 7:00pm Monday to Sunday. Suspension of onstreet parking.
North Lincolnshire Council	Melwood Hill	Between points TRO-D-011 and TRO-D-012, as shown on Section D, Sheet 4	Speed limit to be restricted to 30 mph
North Lincolnshire Council	Melwood Hill	Between Points TRO-D-013 and TRO-D-014, as shown on Section D, Sheet 4	Speed limit to be restricted to 30 mph

North Lincolnshire	East Lound Road, Low Hall Road, Brackenhill Road	Between points TRO-D-017 and TRO-D-018, as shown on Section D, Key Plan With Details and Section D, Sheet 5	Speed limit to be restricted to 50 mph No waiting restriction 7:00am to 7:00pm Monday to Sunday. Suspension of onstreet parking.
North Lincolnshire	East Lound Road, Low Hall Road, Brackenhill Road	Between points TRO-D-017 and TRO-D-018, as shown on Section D, Key Plan With Details and Section D, Sheet 5	Speed limit to be restricted to 20 mph
North Lincolnshire	Ferry Road	Between points TRO-D-019 and TRO-D-021, as shown on Section D, Sheet 6	Speed limit to be restricted to 30 mph
North Lincolnshire Council	Ferry Road, Main Road	Between Points TRO-D-020 and TRO-D-021, as shown on Section D Key Plan With Details and Section D, Sheet 6	No waiting restriction 7:00am to 7:00pm Monday to Sunday. Suspension of onstreet parking.
North Lincolnshire Council	Stockwith Road	Between Points TRO-D-021 and TRO-D-022, as shown on Section D, Sheet 6	Speed limit to be restricted to 30 mph
North Lincolnshire Council / Nottinghamshire County Council	A161 Haxey Gate Road	Between points TRO-D-027 and TRO-D-028, as shown on Section D, Sheet 7	Speed limit to be restricted to 30 mph
Nottinghamshire County Council	Cornley Road, Carr Lane	Between points TRO-E-001 and TRO-E-002, as shown on Section E, Key Plan With Details and Section E, Sheet 1 and Sheet 2	No waiting restriction 7:00am to 7:00pm Monday to Sunday. Suspension of onstreet parking.
Nottinghamshire County Council	Church Street, Gringley Road	Between points TRO-E-003 and TRO-E-004, as shown on Section E, Key Plan With Details	Speed limit to be restricted to 20 mph No waiting restriction 7:00am to 7:00pm Monday to Sunday. Suspension of onstreet parking.
Nottinghamshire County Council	Cattle Road	Between points TRO-E-005 and TRO-E-006, as shown on Section E, Sheet 2	Speed limit to be restricted to 40 mph
Nottinghamshire County Council	B1403	Between points TRO-E-009 and TRO-E-012, as shown on Section E, Sheet 4	Speed limit to be restricted to 30 mph
Nottinghamshire County Council	Walkeringham Road	Between points TRO-E-010 and TRO-E-011 as shown on Section E, Sheet 4	Speed limit to be restricted to 30mph.

Nottinghamshire County Council	A631	Between points TRO-E-013 and TRO-E-014, as shown on Section E, Sheet 5	Speed limit to be restricted to 40 mph
Nottinghamshire County Council	A631	Between points TRO-E-013 and TRO-E-014, as shown on Section E, Sheet 5	Speed limit to be restricted to 30mph.
Nottinghamshire County Council	Gainsborough Road	Between points TRO-E-019 and TRO-E-046, as shown on Section E, Sheet 7	Speed limit to be restricted to 40 mph
Nottinghamshire County Council	Gainsborough Road	Between points TRO-E-019 and TRO-E-046, as shown on Section E, Sheet 7	Speed limit to be restricted to 30 mph
Nottinghamshire County Council	Gainsborough Road	Between points TRO-E-020 and TRO-E-021, as shown on Section E, Sheet 8	Speed limit to be restricted to 50 mph
Nottinghamshire County Council	Gainsborough Road	Between points TRO-E-020 and TRO-E-021, as shown on Section E, Sheet 8	Speed limit to be restricted to 30 mph
Nottinghamshire County Council	Gainsborough Road	Between points TRO-E-022 and TRO-E-023, as shown on Section E Sheet 8	Speed limit to be restricted to 30 mph No waiting restriction 7:00am to 7:00pm Monday to Sunday. Suspension of onstreet parking.
Nottinghamshire County Council	Station Road, Cross Street	Between points TRO-E-024 and TRO-E-025, as shown on Section E Key Plan With Details and Section E, Sheet 8	No waiting restriction 7:00am to 7:00pm Monday to Sunday. Suspension of onstreet parking.
Nottinghamshire County Council	Sturton Road	Between Points TRO-E-026 and TRO-E-027, as shown on Section E Key Plan With Details	No waiting restriction 7:00am to 7:00pm Monday to Sunday. Suspension of onstreet parking.
Nottinghamshire County Council	Main Street	Between Points TRO-E-027 and TRO-E-028, as shown on Section E Key Plan With Details	No waiting restriction 7:00am to 7:00pm Monday to Sunday. Suspension of onstreet parking.
Nottinghamshire County Council	Retford Road	Between points TRO-E-029 and TRO-E-030, as shown on Section E, Sheet 10	Speed limit to be restricted to 40 mph
Nottinghamshire County Council	Forewood Lane	Between points TRO-E-031 and TRO-E-032, as shown on Section E, Sheet 11	Speed limit to be restricted to 30 mph
Nottinghamshire	Town Street	Between points TRO-E-	No waiting

County Council		033 and TRO-E-034 as shown on Section E Key Plan With Details and Section E, Sheet 11	restriction 7:00am to 7:00pm Monday to Sunday. Suspension of onstreet parking.
Nottinghamshire County Council	Cocking Lane	Between points TRO-E-034 and TRO-E-047 as shown on Section E Key Plan With Details and Section E, Sheet 11	No waiting restriction 7:00am to 7:00pm Monday to Sunday. Suspension of onstreet parking.
Nottinghamshire County Council	Ashley Lane	Between points TRO-E-036 and TRO-E-037, as shown on Section E, Sheet 12	Speed limit to be restricted to 40 mph
Nottinghamshire County Council	Retford Road	Between points TRO-E-038 and TRO-E-039, as shown on Section E, Sheet 12	Speed limit to be restricted to 30 mph
Nottinghamshire County Council	Main Street	Between points TRO-E-040 and TRO-E-041, as shown on Section E, Sheet 13	Speed limit to be restricted to 30 mph
Nottinghamshire County Council	Retford Road	Between points TRO-E-042 and TRO-E-043, as shown on Section E, Sheet 14	Speed limit to be restricted to 40 mph
Nottinghamshire County Council	Darlton Road	Between points TRO-E-044 and TRO-E-045, as shown on Section E, Sheet 15	Speed limit to be restricted to 30 mph
Nottinghamshire County Council	A57 Broad Gate	Between points TRO-F-001 and TRO-F-002, as shown on Section F, Sheet 1	Speed limit to be restricted to 30 mph
Nottinghamshire County Council	Main Street, Fledborough Road	Between points TRO-F-005 and TRO-F-006, as shown on Section F, Sheet 3	Speed limit to be restricted to 30 mph

PART 3

TEMPORARY NO OVERTAKING ORDER

(1) *Area*	*(2)* *Road*	*(3)* *Extent as shown on the Traffic Regulation Order Plans*	*(4)* *Note*
East Riding of Yorkshire Council	A1079	Between points TRO-A-001 and TRO-A-002, as shown on Section A, Sheet 1	Prohibition of vehicular overtaking
East Riding of Yorkshire Council	A164	Between points TRO-A-003 and TRO-A-004, as shown on Section A, Sheet 2	Prohibition of vehicular overtaking
East Riding of Yorkshire Council	Dunflat Road	Between points TRO-A-005 and TRO-A-006, as shown on Section A, Sheet 3	Prohibition of vehicular overtaking

East Riding of Yorkshire Council	Little Weighton Road	Between points TRO-A-007 and TRO-A-008, as shown on Section A, Sheet 4	Prohibition of vehicular overtaking
East Riding of Yorkshire Council	Rowley Road	Between points TRO-A-011 and TRO-A-012, as shown on Section A, Sheet 6	Prohibition of vehicular overtaking
East Riding of Yorkshire Council	Lambwell Hill	Between points TRO-A-017 and TRO-A-018, as shown on Section A, Sheet 6	Prohibition of vehicular overtaking
East Riding of Yorkshire Council	Dale Road	Between points TRO-A-019 and TRO-A-020, as shown on Section A, Sheet 6	Prohibition of vehicular overtaking
East Riding of Yorkshire Council	Ellerker Road	Between points TRO-A-023 and TRO-A-024, as shown on Section A, Sheet 8	Prohibition of vehicular overtaking
East Riding of Yorkshire Council	Brough Road, Roman Road	Between points TRO-A-027 and TRO-A-028, as shown on Section A Key Plan With Details and Section A, Sheet 8	Prohibition of vehicular overtaking
East Riding of Yorkshire Council	Sands Lane	Between points TRO-A-033 and TRO-A-034, as shown on Section A, Sheet 8	Prohibition of vehicular overtaking
East Riding of Yorkshire Council	Ings Lane	Between points TRO-A-031 and TRO-A-032, as shown on Section A, Sheet 9	Prohibition of vehicular overtaking
East Riding of Yorkshire Council	Ings Lane	Between points TRO-A-035 and TRO-A-036, as shown on Section A, Sheet 10	Prohibition of vehicular overtaking
East Riding of Yorkshire Council	Carr Lane	Between points TRO-A-039 and TRO-A-040, as shown on Section A, Sheet 10	Prohibition of vehicular overtaking
East Riding of Yorkshire Council	Landing Lane	Between points TRO-A-041 and TRO-A-042, as shown on Section A, Sheet 12	Prohibition of vehicular overtaking
East Riding of Yorkshire Council	Tongue Lane	Between Points TRO-A-043 and TRO-A-044, as shown on Section A, Sheet 13, Sheet 14 and Sheet 15	Prohibition of vehicular overtaking
East Riding of Yorkshire Council	Staddlethorpe Broad Lane	Between points TRO-A-048 and TRO-A-049, as shown on Section A, Sheet 13 and Sheet 14	Prohibition of vehicular overtaking
East Riding of Yorkshire Council	Blacktoft Lane	Between Points TRO-A-050 and TRO-A-051, as shown on the border between Section A and B, shown on Section A, Sheet 16	Prohibition of vehicular overtaking
East Riding of Yorkshire Council	Pennyhill Cottages	Between points TRO-B-001 and TRO-B-002, as shown on Section B, Sheet 1	Prohibition of vehicular overtaking
East Riding of Yorkshire Council	A161 Kings Causeway	Between points TRO-B-005 and TRO-B-006, as shown on Section B Key Plan With Details and Section B, Sheet 3	Prohibition of vehicular overtaking
North Lincolnshire Council	Pasture Lane	Between points TRO-B-007 and TRO-B-008, as shown on Section B, Sheet 4	Prohibition of vehicular overtaking

North Lincolnshire Council	Luddington Road	Between points TRO-B-009 and TRO-B-010, as shown on Section B, Sheet 5	Prohibition of vehicular overtaking
North Lincolnshire Council	Carr Lane	Between points TRO-B-011 and TRO-B-012, as shown on Section B, Sheet 6	Prohibition of vehicular overtaking
North Lincolnshire Council	Meredyke Road	Between points TRO-B-013 and TRO-B-014, as shown on Section B, Sheet 6	Prohibition of vehicular overtaking
North Lincolnshire Council	Carr Lane	Between points TRO-B-017 and TRO-B-019, as shown on Section B, Sheet 7	Prohibition of vehicular overtaking
North Lincolnshire Council	Ox Pasture Lane	Between points TRO-B-018 and TRO-B-020, as shown on Section B, Sheet 7	Prohibition of vehicular overtaking
North Lincolnshire Council	Washinghall Lane	Between points TRO-B-021 to TRO-C-001 as shown on Section B, Sheet 8	Prohibition of vehicular overtaking
North Lincolnshire Council	Bonnyhale Moor Road, Outgate	Between Points TRO-C-002 and TRO-C-003, as shown on Section C, Sheet 1 and Sheet 2	Prohibition of vehicular overtaking
North Lincolnshire Council	Bonnyhale Road	Between points TRO-C-006 and TRO-C-007, as shown on Section C, Sheet 3	Prohibition of vehicular overtaking
North Lincolnshire Council	A18	Between points TRO-C-012 and TRO-C-013, as shown on Section C, Sheet 4	Prohibition of vehicular overtaking
North Lincolnshire Council	A161	Between points TRO-C-010 and TRO-C-011, as shown on Section C, Sheet 5	Prohibition of vehicular overtaking
North Lincolnshire Council	King Edward Street, Bracon, Belton Road	Between points TRO-D-003 and TRO-D-004, as shown as shown on Section D Key Plan With Details and Section D, Sheet 1 and Sheet 2	Prohibition of vehicular overtaking
North Lincolnshire Council	Epworth Road	Between points TRO-D-005 and TRO-D-006, as shown on Section D, Sheet 3	Prohibition of vehicular overtaking
North Lincolnshire Council	Newland Lane	Between points TRO-D-007 and TRO-D-008, as shown on Section D, Sheet 4	Prohibition of vehicular overtaking
North Lincolnshire Council	Melwood Hill	Between points TRO-D-011 and TRO-D-012, as shown on Section D, Sheet 4	Prohibition of vehicular overtaking
North Lincolnshire Council	Melwood Hill	Between points TRO-D-013 and TRO-D-014, as shown on Section D, Sheet 4	Prohibition of vehicular overtaking
North Lincolnshire Council	Burnham Road	Between points TRO-D-015 and TRO-D-016, as shown on Section D, Sheet 5	Prohibition of vehicular overtaking
North Lincolnshire Council	East Lound Road, Low Hall Road, Brackenhill Road	Between points TRO-D-017 and TRO-D-018, as shown on Section D Key Plan with Details and Section D, Sheet 5	Prohibition of vehicular overtaking
North Lincolnshire Council	Ferry Road	Between points TRO-D-019 and TRO-D-021, as shown on	Prohibition of vehicular

		Section D, Sheet 6	overtaking
North Lincolnshire Council	Stockwith Road	Between points TRO-D-021 and TRO-D-022, as shown on Section D, Sheet 6	Prohibition of vehicular overtaking
North Lincolnshire Council	A161 Station Road	Between points TRO-D-025 and TRO-D-026, as shown on Section D, Sheet 7	Prohibition of vehicular overtaking
North Lincolnshire Council	Tindale Bank Road	Between points TRO-D-029 and TRO-D-030, as shown on Section D, Sheet 7 and Sheet 8	Prohibition of vehicular overtaking
Nottinghamshire County Council	Cornley Road, Carr Lane	Between points TRO-E-001 and TRO-E-002, as shown on Section E Key Plan With Details and Section E, Sheet 1 and Sheet 2	Prohibition of vehicular overtaking
Nottinghamshire County Council	Cattle Road	Between points TRO-E-005 and TRO-E-006, as shown on Section E, Sheet 2	Prohibition of vehicular overtaking
Nottinghamshire County Council	B1403	Between points TRO-E-009 and TRO-E-012, as shown on Section E, Sheet 4	Prohibition of vehicular overtaking
Nottinghamshire County Council	Walkeringham Road	Between points TRO-E-010 to TRO-E-011, as shown on Section E, Sheet 4	Prohibition of vehicular overtaking
Nottinghamshire County Council	A631	Between points TRO-E-013 and TRO-E-014, as shown on Section E, Sheet 5	Prohibition of vehicular overtaking
Nottinghamshire County Council	Gainsborough Road	Between points TRO-E-019 and TRO-E-046, as shown on Section E, Sheet 7	Prohibition of vehicular overtaking
Nottinghamshire County Council	Gainsborough Road	Between points TRO-E-020 and TRO-E-021, as shown on Section E, Sheet 8	Prohibition of vehicular overtaking
Nottinghamshire County Council	Gainsborough Road	Between points TRO-E-022 and TRO-E-023, as shown on Section E, Sheet 8	Prohibition of vehicular overtaking
Nottinghamshire County Council	Station Road	Between points TRO-E-023 and TRO-E-024, as shown on Section E, Sheet 8	Prohibition of vehicular overtaking
Nottinghamshire County Council	Retford Road	Between points TRO-E-029 and TRO-E-030, as shown on Section E, Sheet 10	Prohibition of vehicular overtaking
Nottinghamshire County Council	Forewood Lane	Between points TRO-E-031 to TRO-E-032, as shown on Section E, Sheet 11	Prohibition of vehicular overtaking
Nottinghamshire County Council	Ashley Lane	Between points TRO-E-036 and TRO-E-037, as shown on Section E, Sheet 11	Prohibition of vehicular overtaking
Nottinghamshire County Council	Retford Road	Between points TRO-E-038 and TRO-E-039, as shown on Section E, Sheet 12	Prohibition of vehicular overtaking
Nottinghamshire County Council	Main Street	Between points TRO-E-040 and TRO-E-041, as shown on Section E, Sheet 13	Prohibition of vehicular overtaking
Nottinghamshire County Council	Retford Road	Between points TRO-E-042 and TRO-E-043, as shown on	Prohibition of vehicular

		Section E, Sheet 14	overtaking
Nottinghamshire County Council	Darlton Road	Between points TRO-E-044 and TRO-E-045, as shown on Section E, Sheet 15	Prohibition of vehicular overtaking
Nottinghamshire County Council	A57 Broad Gate	Between points TRO-F-001 and TRO-F-002, as shown on Section F, Sheet 1	Prohibition of vehicular overtaking
Nottinghamshire County Council	Main Street, Fledborough Road	Between points TRO-F-005 and TRO-F-006, as shown on Section F, Sheet 3	Prohibition of vehicular overtaking

SCHEDULE 12

Article 50

TREES SUBJECT TO TREE PRESERVATION ORDERS

(1) *Type of tree*	*(2)* *Location as shown on Trees and Important Hedgerows to be Removed or Managed Plans*	*(3)* *TPO reference*
East Riding of Yorkshire Council		
Group of trees subject to tree preservation order, various not specified species	Ousefleet Section B Sheet 3 of 8	tpo1294

(1) *Type of tree*	*(2)* *Location as shown on Trees and Important Hedgerows to be Removed or Managed Plans*	*(3)* *TPO reference*
North Lincolnshire Council		
Horse Chestnut	Wharf Road, Crowle Section C Sheet 2 of 5	TPO/2006/0098
Group of trees subject to tree preservation order, mainly horse chestnut, sycamore, hawthorn, crack willow and ash.	Beltoft Section D Sheet 2 of 8	TPO/1998/0028

(1) *Type of tree*	*(2)* *Location as shown on Trees and Important Hedgerows to be Removed or Managed Plans*	*(3)* *TPO reference*
Bassetlaw District Council		
Multiple individual trees subject to tree preservation order, ash.	Land At Debdhill Road Misterton Section E Sheet 1 of 15	B000082
Tree preservation order group – Species not specified	Lane North Of Greenacres Darlton Road East Drayton Nottinghamshire Section E Sheet 14 of 15 and	B000481

SCHEDULE 13

Article 57

AMENDMENT OF LOCAL LEGISLATION

1. The following local enactments and local byelaws do not apply insofar as they are inconsistent with a provision of, or a power conferred by, this Order—

(a) Goole Urban District Council Nuisances Byelaws 1906;

(b) Urban District Council of Hornsea Nuisances Byelaws 1925;

(c) Administrative County of the East Riding of Yorkshire Good Rule and Government of the County – Uprooting Plants 1929;

(d) County of Lincoln Parts of Lindsey Destruction of Wild Plants Byelaws 1929;

(e) County of Lincoln Parts of Lindsey Noisy Conduct Byelaws 1935;

(f) Borough of Goole New Streets Byelaws 1937;

(g) Borough of Bridlington Nuisances Byelaws 1938;

(h) The County of York, East Riding (Deposit of Litter Etc.) Byelaws 1939;

(i) Borough of Goole Apparatus On or Over Street Byelaws 1946;

(j) County of Lincoln Parts of Lindsey Carrying of Mud Soil Etc. on to Highways Byelaws 1950;

(k) The County of York, East Riding (Removal of Mud Etc. from Wheels of Vehicles) Byelaws 1952;

(l) The County of York, East Riding (Dropping of Water and Loose Substances from Vehicles on Highways) Byelaws 1961;

(m) Borough of Bridlington New Streets Byelaws 1965;

(n) The County of York, East Riding (Protection of Safety Lamps and Barriers) Byelaws 1965;

(o) County of Lincoln Parts of Lindsey Preservation of Road Margins Byelaws 1968;

(p) Boothferry Borough Council Prevention of Nuisances Byelaws 1978;

(q) The River Ouse and Foss Navigation Byelaws 1979;

(r) Isle of Axholme and North Nottinghamshire Water Level Management Board Byelaws 2018;

(s) Trent Valley Internal Drainage Board Byelaws 2018;

(t) Ouse and Humber Drainage Board Byelaws 2022.

SCHEDULE 14

Article 53

PROTECTIVE PROVISIONS

PART 1

PROTECTION FOR ELECTRICITY, GAS, WATER AND SEWERAGE UNDERTAKERS

1. For the protection of the statutory undertakers referred to in this Part of this Schedule the following provisions, unless otherwise agreed in writing between the undertaker and the statutory undertaker concerned, have effect.

2. In this Part of this Schedule—

"alternative apparatus" means alternative apparatus adequate to enable the statutory undertaker in question to fulfil its statutory functions in a manner not less efficient than previously; "apparatus" means—

(a) in the case of an electricity undertaker, electric lines or electrical plant (as defined in the 1989 Act(**a**)), belonging to or maintained by that electricity undertaker for the purposes of electricity supply;

(b) in the case of a gas undertaker, any mains, pipes or other apparatus belonging to or maintained by that gas undertaker for the purposes of gas supply;

(c) in the case of a water undertaker, mains, pipes or other water apparatus belonging to or maintained by that water undertaker for the purposes of water supply; and

(d) in the case of a sewerage undertaker—

(i) any drain or works vested in the undertaker under the Water Industry Act 1991(**b**); and

(ii) any sewer which is so vested or is the subject of a notice of intention to adopt given under section 102(4) of that Act or an agreement to adopt made under section 104 of that Act,

and includes a sludge main, disposal main (within the meaning of section 219 of that Act) or sewer outfall and any manholes, ventilating shafts, pumps or other accessories forming part of any such sewer, drain or works, and in each case includes any structure in which apparatus is or is to be lodged or which gives or will give access to apparatus;

"functions" includes powers and duties;

"in" in a context referring to apparatus or alternative apparatus in land includes a reference to apparatus or alternative apparatus under, over or upon land; and

"statutory undertaker" means—

(e) any licence holder within the meaning of Part 1 of the 1989 Act;

(f) a gas transporter within the meaning of Part 1 of the Gas Act 1986(**c**);

(g) a water undertaker within the meaning of the Water Industry Act 1991; and

(h) a sewerage undertaker within the meaning of Part 1 of the Water Industry Act 1991,

for the area of the authorised development, and in relation to any apparatus, means the statutory undertaker to whom it belongs or by whom it is maintained.

3. This Part of this Schedule does not apply to apparatus in respect of which the relations between the undertaker and the statutory undertaker are regulated by the provisions of Part 3 of the 1991 Act.

4. Regardless of any provision in this Order or anything shown on the land plans, the undertaker must not acquire any apparatus otherwise than by agreement.

5.—(1) If, in the exercise of the powers conferred by this Order, the undertaker acquires any interest in any land in which any apparatus is placed, that apparatus must not be removed under this Part of this Schedule and any right of a statutory undertaker to maintain that apparatus in that land must not be extinguished until alternative apparatus has been constructed and is in operation to the reasonable satisfaction of the statutory undertaker in question.

(2) If, for the purpose of executing any works in, on or under any land purchased, held, appropriated or used under this Order, the undertaker requires the removal of any apparatus placed in that land, it must give to the statutory undertaker in question written notice of that requirement, together with a plan and section of the work proposed.

(**a**) 1989 c.29.
(**b**) 1991 c.56.
(**c**) 1991 c.56.

(3) If alternative apparatus or any part of such apparatus is to be constructed as a consequence of the removal of apparatus placed on the land referred to in sub-paragraph (2), the statutory undertaker in question, must on receipt of a written notice to that effect from the undertaker, as soon as reasonably possible use its best endeavours to obtain the necessary facilities and rights in other land in which the alternative apparatus is to be constructed.

(4) The statutory undertaker in question must, after the alternative apparatus to be provided or constructed has been agreed or settled by arbitration in accordance with article 60 (arbitration), and after the grant to the statutory undertaker of any such facilities and rights as are referred to in sub-paragraph (3), proceed without unnecessary delay to construct and bring into operation the alternative apparatus and subsequently to remove any apparatus required by the undertaker to be removed under the provisions of this Part of this Schedule.

(5) Regardless of anything in sub-paragraph (4), if the undertaker gives notice in writing to the statutory undertaker in question that it desires itself to execute any work, or part of any work in connection with the construction or removal of apparatus, that work, instead of being executed by the statutory undertaker, must be executed by the undertaker without unnecessary delay under the superintendence, if given, and to the reasonable satisfaction of the statutory undertaker.

(6) Nothing in sub-paragraph (4) authorises the undertaker to execute the placing, installation, bedding, packing, removal, connection or disconnection of any apparatus, or execute any filling around the apparatus (where the apparatus is laid in a trench) within 300 millimetres of the apparatus.

6.—(1) Not less than 28 days before starting the execution of any works of the type referred to in paragraph 5(2) that are near to, or will or may affect, any apparatus the removal of which has not been required by the undertaker under paragraph 5(2), the undertaker must submit to the statutory undertaker in question a plan, section and description of the works to be executed.

(2) Those works must be executed only in accordance with the plan, section and description submitted under sub-paragraph (1) and in accordance with such reasonable requirements as may be made in accordance with sub-paragraph (3) by the statutory undertaker for the alteration or otherwise for the protection of the apparatus, or for securing access to it, and the statutory undertaker is entitled to watch and inspect the execution of those works.

(3) Any requirements made by a statutory undertaker under sub-paragraph (2) must be made within a period of 28 days beginning with the date on which a plan, section and description under sub-paragraph (1) are submitted to it.

(4) If a statutory undertaker in accordance with sub-paragraph (3) and in consequence of the works proposed by the undertaker, reasonably requires the removal of any apparatus and gives written notice to the undertaker of that requirement, paragraphs 13 to 16 apply as if the removal of the apparatus had been required by the undertaker under paragraph 5(2).

(5) Nothing in this paragraph precludes the undertaker from submitting at any time or from time to time, but in no case less than 28 days before commencing the execution of any works, a new plan, section and description instead of the plan, section and description previously submitted, and having done so the provisions of this paragraph apply to and in respect of the new plan, section and description.

(6) The undertaker is not required to comply with sub-paragraph (1) in a case of emergency but in that case it must give to the statutory undertaker in question notice as soon as is reasonably practicable and a plan, section and description of those works as soon as reasonably practicable subsequently and must comply with sub-paragraph (2) in so far as is reasonably practicable in the circumstances.

7.—(1) Subject to the following provisions of this paragraph, the undertaker must repay to the statutory undertaker in question the proper and reasonable expenses reasonably incurred by that statutory undertaker in, or in connection with, the inspection, removal, alteration or protection of any apparatus.

(2) The value of any apparatus removed under the provisions of this Part of the Schedule is to be deducted from any sum payable under sub-paragraph (1), that value being calculated after removal.

(3) If in accordance with the provisions of this Part of this Schedule—

(a) apparatus of better type, of greater capacity or of greater dimensions is placed in substitution for existing apparatus of worse type, of smaller capacity or of smaller dimensions; or

(b) apparatus (whether existing apparatus or apparatus substituted for existing apparatus) is placed at a depth greater than the depth at which the existing apparatus was, and the placing of apparatus of that type or capacity or of those dimensions or the placing of apparatus at that depth, as the case may be, is not agreed by the undertaker or, in default of agreement, is not determined by arbitration in accordance with article 60 (arbitration) to be necessary,

then, if such placing involves cost in the construction of works under this Part of this Schedule exceeding that which would have been involved if the apparatus placed had been of the existing type, capacity or dimensions, or at the existing depth, as the case may be, the amount which apart from this sub-paragraph would be payable to the statutory undertaker in question by virtue of sub-paragraph (1) is to be reduced by the amount of that excess.

(4) For the purposes of sub-paragraph (3)—

(a) an extension of apparatus to a length greater than the length of existing apparatus is not to be treated as a placing of apparatus of greater dimensions than those of the existing apparatus; and

(b) where the provision of a joint in a cable is agreed, or is determined to be necessary, the consequential provision of a jointing chamber or of a manhole is to be treated as if it also had been agreed or had been so determined.

(5) An amount which apart from this sub-paragraph would be payable to a statutory undertaker in respect of works by virtue of sub-paragraph (1) must, if the works include the placing of apparatus provided in substitution for apparatus placed more than 7 years and 6 months earlier so as to confer on the statutory undertaker in question any financial benefit by deferment of the time for renewal of the apparatus in the ordinary course, be reduced by the amount which represents that benefit.

PART 2

PROTECTION FOR OPERATORS OF ELECTRONIC COMMUNICATIONS CODE NETWORKS

8.—(1) For the protection of any operator, the following provisions, unless otherwise agreed in writing between the undertaker and the operator, have effect.

(2) In this Part of this Schedule—

"conduit system" has the same meaning as in the electronic communications code and references to providing a conduit system are to be construed in accordance with paragraph 1(3A) of that code;

"electronic communications apparatus" has the same meaning as in the electronic communications code;

"the electronic communications code" has the same meaning as in Chapter 1 of Part 2 of the 2003 Act(**a**);

"electronic communications code network" means—

(a) so much of an electronic communications network or conduit system provided by an electronic communications code operator as is not excluded from the application of the electronic communications code by a direction under section 106 of the 2003 Act; and

(**a**) 2003 c.21.

(b) an electronic communications network which the Secretary of State is providing or proposing to provide; "electronic communications code operator" means a person in whose case the electronic communications code is applied by a direction under section 106 of the 2003 Act; and "operator" means the operator of an electronic communications code network.

9. The exercise of the powers of article 44 (statutory undertakers) are subject to paragraph 23 of Schedule 2 to the Telecommunications Act 1984(**a**).

10.—(1) Subject to sub-paragraphs (2) to (3), if as the result of the authorised development or their construction, or of any subsidence resulting from any of those works any damage is caused to any electronic communications apparatus belonging to an operator (other than apparatus the repair of which is not reasonably necessary in view of its intended removal for the purposes of those works, or other property of an operator) the undertaker must bear and pay the cost reasonably and properly incurred by the operator in making good such damage.

(2) Nothing in sub-paragraph (1) imposes any liability on the undertaker with respect to any damage to the extent that it is attributable to the act, neglect or default of an operator, its officers, servants, contractors or agents.

(3) Any difference arising between the undertaker and the operator under this paragraph must be referred to and settled by arbitration under article 60 (arbitration).

11. This Part of this Schedule does not apply to—

(a) any apparatus in respect of which the relations between the undertaker and an operator are regulated by the provisions of Part 3 of the 1991 Act; or

(b) any damage, or any interruption, caused by electro-magnetic interference arising from the construction or use of the authorised development.

12. Nothing in this Part of this Schedule affects the provisions of any enactment or agreement regulating the relations between the undertaker and an operator in respect of any apparatus laid or erected in land belonging to the undertaker on the date on which this Order is made.

PART 3

FOR THE PROTECTION OF DRAINAGE AND FLOOD AUTHORITIES

Application

13. The provisions of this Part have effect for the protection of the drainage authority and flood authority unless otherwise agreed in writing between the undertaker, the drainage authority and flood authority.

Interpretation

14. In this Part of this Schedule—

"construction" includes execution, placing, altering, replacing, relaying and removal; and "construct" and "constructed" must be construed accordingly;

"drainage authority" means in relation to an ordinary watercourse, the drainage board concerned within the meaning of section 23 (prohibition on obstructions etc. in watercourses) of the Land Drainage Act 1991(**b**);

"drainage work" means any ordinary watercourse and includes any bank, wall, embankment or other structure, or any appliance, constructed or used for land drainage or flood defence in connection with an ordinary watercourse;

(**a**) 1984 c.12.
(**b**) 1991 (c.59).

"flood authority" the relevant planning authority (as lead local flood authority within the meaning of the Flood and Water Management Act 2010(**a**))

"ordinary watercourse" has the meaning given by section 72 (interpretation) of the Land Drainage Act 1991(**b**);

"plan" or "plans" include all designs, drawings, specifications, method statements, soil reports, programmes, calculations, risk assessments and other documents that are reasonably necessary to properly and sufficiently describe and assess the works to be executed;

"relevant authority" means, in any given provision of this Part of this Schedule, the drainage authority or flood authority for the area to which the provision relates;

"specified work" means any of the following works carried out in relation to any ordinary watercourse—

(a) erecting any mill dam, weir or other similar obstruction to the flow of the watercourse, or raising or otherwise altering any such obstruction;

(b) the construction or alteration of a bridge or other crossing structure;

(c) erecting a culvert in the watercourse; or

(d) altering a culvert in a manner that would be likely to affect the flow of the watercourse.

Approval of plans

15.—(1) The undertaker must not make any opening into or connections with any watercourse or drain in connection with the authorised development or carry out any specified work except –

(a) in accordance with plans approved by the relevant authority in accordance with this Part of this Schedule or determined under paragraph 23 (disputes); and

(b) where the relevant authority has been given the opportunity to supervise the making of the opening or connection,

and no discharge of water under article 20 (discharge of water) shall be made until details of the location and maximum rate of discharge have been submitted to and approved in writing by the relevant authority (unless such location or maximum rate of discharge is in accordance with a drainage strategy approved by the relevant authority).

(2) Before commencing construction of a specified work, the undertaker must submit to the relevant authority plans of the specified work and such further particulars available to it as the relevant authority may reasonably request within 14 days of the submission of the plans.

(3) A specified work must not be constructed except in accordance with such plans as may be approved in writing by the relevant authority or determined under paragraph 23 (disputes).

(4) Any approval of the relevant authority required under this paragraph—

(a) must not be unreasonably withheld or delayed;

(b) is deemed to have been given if it is neither given nor refused within 28 days of the later of:

(i) submission of the plans for approval under sub-paragraph (1);

(ii) submission of such further particulars as the relevant authority may reasonably require under sub-paragraph (2); or

(c) may be given subject to such reasonable requirements as the relevant authority may make for the protection of any drainage work or for the prevention of flooding.

(5) Any refusal under this paragraph must be accompanied by a statement of the reasons for refusal and if such a statement is not provided within 28 days of that refusal it is deemed to be approved. Any refusal under this paragraph may be referred to a single arbiter in accordance with paragraph 23 (disputes).

(**a**) 2010 (c.29).
(**b**) 1991 (c.59).

(6) Nothing shall preclude the undertaker from submitting at any time or from time to time, in accordance with the timings required by this Part of this Schedule, a new plan, instead of a plan previously submitted, and having done so the provisions of this Part of this Schedule will apply to and in respect of the new plan.

(7) The undertaker will not be required to comply with this paragraph, or with sub-paragraphs 17(1) to 17(3) where it needs to carry out emergency works, but in that case it must give to the relevant authority notice as soon as is reasonably practicable with a plan of those works, and must comply with the provisions of this Part of this Schedule insofar as is reasonably practicable in the circumstances.

16. Without limiting paragraph 15, the requirements which the relevant authority may make under that paragraph include conditions requiring the undertaker at its own expense to construct such protective works, whether temporary or permanent, during the construction of the specified work (including the provision of flood banks, walls or embankments or other new works and the strengthening, repair or renewal of existing banks, walls or embankments) as are reasonably necessary—

(a) to safeguard any drainage work against damage by reason of any specified work; or

(b) to secure that the efficiency of any drainage work for flood defence is not impaired, and that the risk of flooding is not otherwise increased, by reason of any specified work.

Specified and protective works

17.—(1) Subject to sub-paragraph (2), if commenced, any specified work, and all protective works required by the relevant authority under paragraph 16, must be constructed—

(a) without unreasonable delay in accordance with the plans approved or deemed to have been approved or settled under this Part of this Schedule; and

(b) to the reasonable satisfaction of the relevant authority, and an officer of the relevant authority is entitled to watch and inspect the construction of such works at all reasonable times and on giving reasonable notice.

(2) The undertaker must give to the relevant authority—

(a) notice in writing of its completion not later than 7 days after the date on which it is brought into use.

(3) If the relevant authority reasonably requires, the undertaker must construct all or part of the protective works so that they are in place before commencing construction of the specified work to which the protective works relate.

(4) If any part of a specified work or any protective work required by the relevant authority is constructed otherwise than in accordance with the requirements of this Part of this Schedule, or as otherwise agreed between the undertaker and the relevant authority, the relevant authority may by notice in writing require the undertaker at the undertaker's expense to comply with the requirements of this Part of this Schedule or (if the undertaker so elects and the relevant authority in writing consents, such consent not to be unreasonably withheld or delayed) to remove, alter or pull down the work and, where removal is agreed, to restore the site to its former condition to such extent and within such limits as the relevant authority reasonably requires.

(5) Subject to sub-paragraph (6) and paragraph 15, if within a reasonable period, being not less than 28 days from the date when a notice under sub-paragraph (4) is served on the undertaker, the undertaker has failed to begin taking steps to comply with the requirements of the notice and subsequently to make reasonably expeditious progress towards their implementation, the relevant authority may execute the works specified in the notice, subject to the undertaker having the right to supervise the planning and execution of such works to the extent they may affect the authorised development, and any reasonable expenditure incurred by the relevant authority in so doing is recoverable from the undertaker.

(6) In the event of any dispute as to whether sub-paragraph (4) is properly applicable to any work in respect of which notice has been served under that sub-paragraph, or as to the reasonableness of any requirement of such a notice, the relevant authority must not, except in an

emergency, exercise the powers conferred by sub-paragraph (5) until the dispute has been finally determined.

Maintenance of drainage works

18.—(1) Subject to sub-paragraph (5), the undertaker must from the commencement of the construction of any specified work until the date falling 12 months from the date of completion of the specified work ("the maintenance period") maintain in good repair and condition and free from obstruction any part of a drainage work which is situated within land held or occupied by the undertaker for the purpose of or in connection with the specified work, whether the drainage work is constructed under the powers conferred by this Order or is already in existence.

(2) If any drainage work which the undertaker is liable to maintain is not maintained during the maintenance period to the reasonable satisfaction of the relevant authority, the relevant authority may by notice in writing require the undertaker to repair and restore the drainage work, or any part of the drainage work, or (if the undertaker so elects and the relevant authority in writing consents, such consent not to be unreasonably withheld or delayed), to remove the specified work and restore the site to its former condition, to such extent and within such limits as the relevant authority reasonably requires.

(3) Subject to sub-paragraph (4) and paragraphs 20 and 21 if, within a reasonable period, being not less than 28 days from the date when a notice under sub-paragraph (2) is served on the undertaker, the undertaker has failed to begin taking steps to comply with the reasonable requirements of the notice and has not subsequently made reasonably expeditious progress towards their implementation, the relevant authority may do what is reasonably necessary for such compliance, subject to the undertaker having the right to supervise the planning and execution of such works to the extent they may affect the authorised development, and may recover any expenditure reasonably incurred by it in so doing from the undertaker.

(4) In the event of any dispute as to the reasonableness of any requirement of a notice served under sub-paragraph (2), the relevant authority must not, except in a case of emergency, exercise the powers conferred by sub-paragraph (3) until the dispute has been finally determined.

(5) This paragraph does not apply to—

(a) drainage works which are vested in the relevant authority, or which the relevant authority or another person is liable to maintain and is not prevented by this Order from so doing; and

(b) any obstruction of a drainage work for the purpose of a work or operation authorised by this Order and carried out in accordance with the provisions of this Part of this Schedule provided that any obstruction is removed as soon as reasonably practicable.

Expenses and indemnity

19. Subject to paragraphs 20 and 21, if, by reason of the construction of a specified work or of the failure of any such work the efficiency of any drainage work for flood defence and/or land drainage purposes is impaired, or that drainage work is otherwise damaged so as to require remedial action, such impairment or damage must be made good by the undertaker at its own expense as soon as reasonably practicable to the reasonable satisfaction of the relevant authority, and if the undertaker fails to do so the relevant authority may make good the impairment or damage and recover from the undertaker the expense reasonably incurred by it in doing so.

20. The undertaker shall provide reasonable compensation to the relevant authority for the costs, charges and expenses which the relevant authority may reasonably and properly incur in—

(a) the examination or approval of plans under this Part of this Schedule;

(b) inspecting the construction of a specified work or any protective works reasonably required by the relevant authority under this Part of this Schedule; and

(c) subject at all times to receiving the prior written approval of the undertaker, carrying out any surveys or tests which are reasonably required in connection with the construction of the specified work.

21.—(1) Without limiting the other provisions of this Part of this Schedule, the undertaker must make reasonable compensation to the relevant authority from all claims, demands, proceedings, costs, damages, expenses or loss, which may be made or taken against, recovered from, or incurred by, the relevant authority by reason of—

(a) any damage to any drainage work arising out of construction of the specified work or any act or omission of the undertaker, its contractors, agents or employees whilst engaged upon the work so as to impair its efficiency for the purposes of flood defence;

(b) any flooding or increased flooding of any such land which is caused by, or results from, the construction of the specified work or any act or omission of the undertaker, its contractors, agents or employees whilst engaged upon the work.

(2) The relevant authority must give to the undertaker reasonable notice of any claims, demands, proceedings, costs, damages, expenses or loss and no settlement or compromise may be made without the agreement of the undertaker, such agreement not to be unreasonably withheld or delayed.

(3) The relevant authority must at all times take reasonable steps to prevent and mitigate any such claims, demands, proceedings, costs, damages, expenses or losses.

(4) Nothing in sub-paragraph (1) imposes any liability on the undertaker with respect to any damage or loss to the extent that it is attributable to the act, neglect or default of the relevant authority, its officers, servants, contractors or agents.

(5) In no circumstances will the undertaker be liable to the relevant authority under or in connection with this Part of this Schedule for loss of profit.

22. The fact that any work or thing has been executed or done by the undertaker in accordance with a plan approved or deemed to be approved by the relevant authority or to its satisfaction does not (in the absence of negligence on the part of the relevant authority, its officers, contractors or agents), relieve the undertaker from any liability under this Part of this Schedule.

Disputes

23. Any difference or dispute arising between the undertaker and the relevant authority under this Part of this Schedule must, unless otherwise agreed in writing between the undertaker and the relevant authority, be determined by arbitration under article 60 (arbitration) of this Order.

PART 4

FOR THE PROTECTION OF NATIONAL HIGHWAYS LIMITED

24.—(1) The provisions of this Part of this Schedule apply for the protection of National Highways and have effects unless otherwise agreed in writing between the undertaker and National Highways.

(2) Except where expressly amended by the Order the operation of the powers and duties of National Highways or the Secretary of State under the 1980 Act, the 1984 Act, the 1991 Act, the Transport Act 2000, or the Town and Country Planning (General Permitted Development) (England) Order 2015 shall continue to apply in respect of the exercise of all National Highways' statutory functions.

(3) This Part of this Schedule does not apply to any works or activities that are regulated by the provisions of Part 3 of the 1991 Act or articles 12(1) (street works), 15(1) (power to alter layout, etc. of streets), 17(1) (access to works) and 48 (traffic regulation) of this Order.

Interpretation

25.—(1) Where the terms defined in this Part of this Schedule are inconsistent with the terms defined in article 2 (interpretation) of this Order, the former prevail.

(2) In this Part of this Schedule—

"as built information" means one electronic copy of the following information where National Highways deems necessary—

(a) as constructed drawings in both PDF and AutoCAD DWG formats for anything designed by the undertaker; in compliance with Interim Advice Note 184 or any successor document;

(b) list of suppliers and materials used, as well as any relevant test results and CCTV surveys (if required to comply with DMRB standards);

(c) product data sheets and technical specifications for all materials used;

(d) as constructed information for any utilities discovered or moved during the works;

(e) method statement for the works carried out;

(f) in relation to road lighting, signs, and traffic signals any information required by Series 1300 and 1400 of the specification for highway works or any replacement or modification of it;

(g) organisation and method manuals for all products used;

(h) as constructed programme;

(i) test results and records as required by the detailed design information and during construction phase of the project;

(j) a stage 3 road safety audit subject to any exceptions to the road safety audit standard as agreed by the undertaker and National Highways;

(k) the health and safety file; and

(l) such other information including CCTV surveys as is required by National Highways to be used to update all relevant databases and to ensure compliance with National Highway's Asset Data Management Manual as is in operation at the relevant time or any successor of it;

"bond" means a bond duly executed by the undertaker and a reputable UK surety company or other UK financial institution to be previously approved in writing by National Highways (such approval not to be unreasonably withheld or delayed);

"the bond sum" means 200% of the cost of carrying out the phase of the specified works (to include all costs plus any commuted sum for such phase), or such other sum agreed between the undertaker and National Highways, to be provided to National Highways in the form of—

(a) a bond; or

(b) a cash surety; or

(c) where agreed by National Highways a combination of a bond and a cash surety;

"cash surety" means a cash deposit to be paid by the undertaker into an account specified by National Highways;

"commuted sum" means such sum calculated as provided for in paragraph 39 of this Part of this Schedule to be used to fund the future cost of maintaining any new National Highways assets, structures or apparatus provided under the Order;

"condition survey" means a survey of the condition of National Highways structures and assets that in the reasonable opinion of National Highways may be affected by the specified works and further to include a CCTV survey of specified drains that National Highways reasonably considers may be materially and adversely affected by a specified work;

"contractor" means any contractor or subcontractor appointed by the undertaker to carry out the specified works;

"defects period" means the period from the date of the provisional certificate to the date of the final certificate which shall be no less than 12 months from the date of the provisional certificate;

"detailed design information" means such of the following drawings specifications and calculations as are relevant to the specified works—

(a) site clearance details;

(b) boundary, environmental and mitigation fencing;

(c) road restraints systems and supporting road restraint risk appraisal process assessment;

(d) drainage and ducting as required by DMRB CD 535 Drainage asset data and risk management and DMRB CS551 Drainage surveys – standards for Highways;

(e) earthworks including supporting geotechnical assessments required by DMRB CD622 Managing geotechnical risk and any required strengthened earthworks appraisal form certification;

(f) pavement, pavement foundations, kerbs, footways and paved areas;

(g) traffic signs and road markings;

(h) traffic signal equipment and associated signal phasing and timing detail;

(i) road lighting (including columns and brackets);

(j) regime of California Bearing Ratio testing;

(k) electrical work for road lighting, traffic signs and signals;

(l) motorway communications as required by DMRB;

(m) highway structures and any required structural approval in principle;

(n) landscaping;

(o) proposed departures from DMRB standards;

(p) walking, cycling and horse riding assessment and review report;

(q) stage 1 and stage 2 road safety audits and exceptions agreed;

(r) utilities diversions;

(s) topographical survey;

(t) maintenance and repair strategy in accordance with DMRB GD304 Designing health and safety into maintenance or any replacement or modification of it;

(u) health and safety information including any asbestos survey required by GG105 or any successor document; and

(v) other such information that may be required by National Highways to be used to inform the detailed design of the specified works;

"DBFO contract" means the design build finance operate contract between National Highways and the highway operations and maintenance contractor for the maintenance and operation of parts of the strategic road network which are within the Order limits or any successor or replacement contract that may be current at the relevant time;

"DMRB" means the Design Manual for Roads and Bridges or any replacement or modification of it;

"final certificate" means the certificate relating to those aspects of the specified works that have resulted in any alteration to the strategic road network to be issued by National Highways pursuant to paragraph 37;

"the health and safety file" the file or other permanent record containing the relevant health and safety information for the authorised development required by the Construction Design and Management Regulations 2015 (or such updated or revised regulations as may come into force from time to time);

"highway operations and maintenance contractor" means the contractor appointed by National Highways under the DBFO contract;

"nominated persons" means the undertaker's representatives or the contractor's representatives on site during the carrying out of the specified works as notified to National Highways from time to time;

"programme of works" means a document setting out the sequence and timetabling of the specified works;

"provisional certificate" means the certificate of provisional completion relating to those aspects of the specified works that have resulted in any alteration to the strategic road network to be issued by National Highways in accordance with paragraph 33 when it considers the specified works are substantially complete and may be opened for traffic;

"road safety audit" means an audit carried out in accordance with the road safety audit standard and "road safety audits" shall be construed accordingly;

"road safety audit standard" means DMRB Standard HD GG119 or any replacement or modification of it;

"road space booking" means road space bookings in accordance with National Highways' Asset Management Operational Requirements (AMOR) including Network Occupancy Management System (NOMS) used to manage road space bookings and network occupancy and "road space bookings" shall be construed accordingly;

"specification for highways works" means the specification for highways works forming part of the manual of contract documents for highway works published by National Highways and setting out the requirements and approvals procedures for work, goods or materials used in the construction, improvement or maintenance of the strategic road network or any successor of it;

"specified works" means so much of any work, including highway works, street works, surveys and signalisation or part thereof, authorised by this Order including any maintenance of that work, as is undertaken in on under or over the strategic road network or land in which National Highways has an interest and "specified work" shall be construed accordingly;

"strategic road network" means any part of the road network including trunk roads, special roads or streets for which National Highways is the highway authority including structures, drainage infrastructure, street furniture, verges and vegetation and all other highway assets together with all land, apparatus and rights located in, on, over or under the highway for which National Highways is the highway authority;

"utilities" means any pipes wires cables or equipment belonging to any person or body having power or consent to undertake street works under the New Roads and Street Works Act 1991 (or such updated or revised legislation as may come into force from time to time); and

"winter maintenance" means maintenance of the road surface to deal with snow and ice.

General

26. In respect of any part of the strategic road network that is managed under a DBFO contract both National Highways and the highway operations and maintenance contractor shall have the benefit of this Part of this Schedule but for the purposes of any approvals required under this Part of this Schedule the undertaker shall liaise directly with National Highways.

27. Notwithstanding the limits of deviation permitted pursuant to article 5 (limits of deviation) of this Order, no works in carrying out, maintaining or diverting the authorised development may be carried out in on under or over the strategic road network unless such works are agreed in writing with National Highways at the absolute discretion of National Highways.

28. References to any standards, manuals, contracts, regulations and directives including to specific standards forming part of the DMRB are, for the purposes of this Part of this Schedule, to be construed as a reference to the same as amended, substituted or replaced, and with such modifications as are required in those circumstances.

Works outside the Order limits

29. If the undertaker proposes to carry out works to the strategic road network that are outside of the Order limits in connection with the authorised development, the undertaker must enter into an agreement with National Highways in respect of the carrying out of those works prior to the commencement of those works.

Prior approvals and security

30.—(1) The specified works must not commence until—

(a) a stage 1 and stage 2 road safety audit has been carried out and all recommendations raised by them or any exceptions are approved by National Highways;

(b) the programme of works has been approved by National Highways;

(c) the detailed design of the specified works comprising of the following details, insofar as considered relevant by National Highways, has been submitted to and approved by National Highways—

(i) the detailed design information, incorporating all recommendations and any exceptions approved by National Highways under sub-paragraph (a);

(ii) details of the proposed road space bookings and at the same time as submitting the relevant details the undertaker shall be entitled to submit its application for road space bookings to National Highways;

(iii) the identity and qualifications of the contractor and nominated persons;

(iv) a process for stakeholder liaison, with key stakeholders to be identified and agreed between National Highways and the undertaker; and

(v) information demonstrating that the walking, cycling and horse riding assessment and review process undertaken by the undertaker in relation to the specified works has been adhered to in accordance with DMRB GG142 – Designing for walking, cycling and horse riding or any successor document;

(d) where necessary, a scheme of traffic management has been submitted by the undertaker and approved by National Highways such scheme to be capable of amendment by agreement between the undertaker and National Highways from time to time;

(e) stakeholder liaison has taken place in accordance with the process for such liaison agreed between the undertaker and National Highways under sub-paragraph (c)(v) above;

(f) National Highways has approved the audit brief and CVs for all road safety audits and exceptions to items raised in accordance with the road safety audit standard;

(g) the undertaker has agreed the estimate of the commuted sum with National Highways;

(h) the scope of all maintenance operations (routine inspections, incident management, reactive and third party damage) to be carried out by the undertaker during the construction of the specified works (which must include winter maintenance) has been agreed in writing by National Highways;

(i) the undertaker has procured to National Highways collateral warranties in a form approved by National Highways from the contractor and designer of the specified works in favour of National Highways to include covenants requiring the contractor and designer to exercise all reasonable skill care and diligence in designing and constructing the specified works, including in the selection of materials, goods, equipment and plant;

(j) any further information that National Highways may reasonably request within 10 business days of the submission of the detailed design of a specified works has been supplied to National Highways; and

(k) a condition survey and regime of monitoring has been agreed in writing by National Highways.

(2) The undertaker must not exercise—

(a) article 16 (temporary closure of streets and public rights of way);

(b) article 20 (discharge of water);

(c) article 21 (protective works);

(d) article 22 (authority to survey and investigate the land),

over any part of the strategic road network or land in which National Highways has an interest without the consent of National Highways, and National Highways may in connection with any

such exercise require the undertaker to provide details of any proposed road space bookings and submit a scheme of traffic management for National Highways' approval.

(3) National Highways must prior to the commencement of the specified works or the exercise of any power referenced in sub-paragraph (2) inform the undertaker of the identity of the person who will act as a point of contact on behalf of National Highways for consideration of the information required under sub-paragraphs (1) or (2).

(4) Any approval or consent of National Highways required under this paragraph—

(a) must not be unreasonably withheld;

(b) must be given in writing; and

(c) may be subject to any conditions as National Highways considers necessary

(5) Any change to the identity of the contractor and/or designer of the specified works will be notified to National Highways immediately and details of their suitability to deliver the specified works will be provided on request along with collateral warranties in a form agreed by National Highways.

(6) Any change to the detailed design of the specified works must be approved by National Highways in accordance with paragraph (1) of this Part.

(7) Any reference to deemed consent in any of the articles of this Order shall not apply to any application for consent, agreement or approval required or contemplated to be given by National Highways.

Construction of the specified works

31.—(1) The undertaker must give National Highways 3 months' notice in writing of the date on which the specified works will start unless otherwise agreed by National Highways provided that nothing in this paragraph 31(1) shall prevent the undertaker from commencing a specified work pursuant to a road space booking that has been secured from National Highways in accordance with sub-paragraph (2).

(2) The undertaker must comply National Highways' road space booking procedures when booking road space on the strategic road network prior to and during the carrying out of the specified works and no specified works for which a road space booking is required shall commence without a road space booking having first been secured from National Highways.

(3) The specified works must be carried out by the undertaker to the satisfaction of National Highways in accordance with—

(a) the relevant detailed design information and programme of works approved pursuant to paragraph 30(1) above or as subsequently varied by agreement between the undertaker and National Highways;

(b) the DMRB, the Manual of Contract Documents for Highway Works, including the specification for highway works, together with all other relevant standards as required by National Highways to include, inter alia; all relevant interim advice notes, the Traffic Signs Manual and the Traffic Signs Regulations and General Directions 2016 save to the extent that exceptions from those standards apply which have been approved by National Highways; and

(c) all aspects of the Construction (Design and Management) Regulations 2015 or any statutory amendment or variation of the same and in particular the undertaker, as client, must ensure that all client duties (as defined in the said regulations) are undertaken to the satisfaction of National Highways. For the avoidance of doubt no approval or consent issued by National Highways shall be taken to be a consent or approval pursuant to the Construction (Design and Management) Regulations 2015.

(4) The undertaker must ensure that (where possible) without entering the highway the highway is kept free from mud, soil and litter as a result of carrying out a Specified Work.

(5) The undertaker must permit and must require the contractor to permit at all reasonable times persons authorised by National Highways (whose identity must have been previously notified to

the undertaker by National Highways) to gain access to the specified works pursuant to the Order including all land in which National Highways has an interest for the purposes of inspection and supervision of the specified works.

(6) If any part of the specified works is constructed—

(a) other than in accordance with the requirements of this Part of this Schedule; or

(b) in a way that causes damage to the highway, highway structure or asset or any other land of National Highways,

National Highways may by notice in writing require the undertaker, at the undertaker's own expense, to comply promptly with the requirements of this Part of this Schedule or remedy any damage notified to the undertaker under this Part of this Schedule, to the satisfaction of National Highways.

(7) If during the carrying out of the authorised development the undertaker or its appointed contractors or agents causes damage to the strategic road network then National Highways may by notice in writing require the undertaker, at its own expense, to remedy the damage.

(8) If within 20 business days on which a notice under sub-paragraph (6) or sub-paragraph (7) is served on the undertaker (or in the event of there being, in the opinion of National Highways, a danger to road users, within such lesser period as National Highways may stipulate), the undertaker has failed to take the steps required by that notice, National Highways may carry out the steps required of the undertaker and may recover any expenditure incurred by National Highways in so doing, such sum to be payable within 20 business days of demand.

(9) Nothing in this Part of this Schedule prevents National Highways from carrying out any work or taking any such action as it reasonably believes to be necessary as a result of or in connection with the carrying out or maintenance of the authorised development without prior notice to the undertaker in the event of an emergency or to prevent the occurrence of danger to the public and National Highways may recover any expenditure it reasonably incurs in so doing.

(10) In constructing the specified works, the undertaker must at its own expense divert or protect all utilities and all agreed alterations and reinstatement of highway over existing utilities must be constructed to the satisfaction of National Highways.

(11) Until such time that National Highways issues the provisional certificate the undertaker must carry out all maintenance (including winter maintenance) in accordance with the scope of maintenance operations agreed by National Highways pursuant to paragraph 30(1)(h) and the undertaker must carry out such maintenance at its own cost.

(12) The undertaker must notify National Highways if it fails to complete the specified works in accordance with the agreed programme pursuant to paragraph 30(1)(b) of this Part or suspends the carrying out of any specified work beyond a reasonable period of time and National Highways reserves the right to withdraw any road space booking granted to the undertaker to ensure compliance with its network occupancy requirements.

Payments

32.—(1) The undertaker must pay to National Highways a sum equal to the costs and expenses which National Highways reasonably and properly incurs (including costs and expenses for using internal or external staff and costs relating to any work which becomes abortive) in relation to the specified works and in relation to any approvals sought under this Order, or otherwise incurred under this Part, including—

(a) the checking and approval of the information required under paragraph 30(1);

(b) the supervision of the specified works;

(c) contractual costs properly payable to the highway operations and maintenance contractor as a consequence of carrying out the tasks referred to in sub-paragraphs (a) and (b) of this paragraph, in which case National Highways will be responsible for the payment of any sums received from the undertaker under this paragraph to the highway operations and maintenance contractor;

(d) the checking and approval of the information required to determine approvals under this Order;

(e) all legal and administrative costs and disbursements incurred by National Highways in connection with the Order and sub-paragraphs (a) - (d); and

(f) any value added tax which is payable by National Highways in respect of such costs and expenses arising under this paragraph and for which it cannot obtain reinstatement from HM Revenue and Customs

together comprising "the NH costs".

(2) The undertaker must pay to National Highways upon demand and prior to such costs being incurred the total costs that National Highways believe will be properly and necessarily incurred by National Highways in undertaking any statutory procedure or preparing and bringing into force any traffic regulation order or orders necessary to carry out or for effectively implementing the authorised development.

(3) National Highways must provide the undertaker with a schedule showing its estimate of the NH costs prior to the commencement of the specified works and the undertaker must pay to National Highways the estimate of the NH costs prior to commencing the specified works and in any event prior to National Highways incurring any cost.

(4) If at any time after the payment referred to in sub-paragraph (3) has become payable, National Highways reasonably believes that the NH costs will exceed the estimated NH costs it may give notice to the undertaker of the amount that it believes the NH costs will exceed the estimate (the excess) and the undertaker must pay to National Highways within 20 business days of the date of the notice a sum equal to the excess.

(5) National Highways must give the undertaker a final account of the NH costs referred to in sub-paragraph (1) above within 65 business days of the issue of the provisional certificate issued pursuant to paragraph 33(4).

(6) Within 20 business days of the issue of the final account:

(a) If the final account shows a further sum as due to National Highways the undertaker must pay to National Highways the sum shown due to it;

(b) if the account shows that the payment or payments previously made by the undertaker have exceeded the costs incurred by National Highways, National Highways must refund the difference to the undertaker.

(7) If any payment due under any of the provisions of this Part of this Schedule is not made on or before the date on which it falls due the party from whom it was due must at the same time as making the payment pay to the other party interest at 3% above the Bank of England base lending rate from time to time being in force for the period starting on the date upon which the payment fell due and ending with the date of payment of the sum on which interest is payable together with that interest.

Provisional certificate

33.—(1) Following the completion of any phase of the specified works or prior to reopening any part of the strategic road network following any closure or partial closure, whichever shall be sooner, the undertaker shall notify National Highways who will carry out a site inspection to satisfy itself that the strategic road network is, in its opinion, safe for traffic and the undertaker must comply with any requirements of National Highways following the site inspection.

(2) As soon as the undertaker considers that the provisional certificate may be properly issued it must apply to National Highways for the provisional certificate.

(3) Following an application for a provisional certificate, National Highways must as soon as reasonably practicable:

(a) inspect the specified works; and

(b) provide the undertaker with a written list of works that are required for the provisional certificate to be issued or confirmation that no further works are required for this purpose.

(4) When—

(a) a stage 3 road safety audit for the specified works has been carried out and all recommendations raised including remedial works have (subject to any exceptions agreed) been approved by National Highways;

(b) the specified works incorporating the approved remedial works under sub-paragraph (4)(a) and any further works notified to the undertaker pursuant to sub-paragraph (3)(b) have been completed to the satisfaction of National Highways;

(c) the as built information has been provided to National Highways; and

(d) the undertaker has paid the commuted sum to National Highways,

(e) National Highways must issue the provisional certificate.

(5) following the issue of the provisional certificate, National Highways shall reduce the bond sum in writing to 20% of the total bond sum for that phase provided that in the event any claim or claims have been made against the undertaker or liability on its part has arisen under the bond sum (which here shall also include any claim or claims to which National Highways are joined howsoever they arise) before that date National Highways will be at liberty to retain a sufficient sum in addition to the 20% to ensure it does not have to meet any costs for and/or arising from and/or in connection with the specified works.

(6) The undertaker must submit a stage 4 road safety audit as required by and in line with the timescales stipulated in the road safety audit standard. The undertaker must comply with the findings of the stage 4 road safety audit and must pay all costs of and incidental to such and provide updated as-built information to National Highways.

Opening

34. Unless otherwise agreed in writing by National Highways the undertaker must notify National Highways not less than 40 business days in advance of the intended date of opening to the public of the strategic road network and the undertaker must notify National Highways of the actual date the strategic road network will be opened to the public within 10 business days of that date and must not open the strategic road network to the public prior to the expiration of the requisite notice period.

Final condition survey

35.—(1) The undertaker must, as soon as reasonably practicable after making its application for a provisional certificate pursuant to paragraph 33(2), arrange for the highways structures and assets that were the subject of the condition survey to be re-surveyed and must submit the re-survey to National Highways for its approval. The re-survey will include a renewed geotechnical assessment required by DMRB CD622 if the phase of specified works include any works beneath the strategic road network.

(2) If the re-surveys carried out pursuant to paragraph (1) indicates that any damage has been caused to a structure or asset, the undertaker must submit a scheme for remedial works in writing to National Highways for its approval in writing and the undertaker must carry out the remedial works at its own cost and in accordance with the scheme submitted and such programme as National Highways may require..

(3) If the undertaker fails to carry out the remedial work in accordance with the approved scheme and programme pursuant to paragraph (2) or fails to submit a scheme for remedial works to National Highways, National Highways may carry out the steps required of the undertaker and may recover on written demand any expenditure from the undertaker it reasonably incurs in so doing.

(4) National Highways may, at its discretion, at the same time as giving its approval to the re-surveys pursuant to paragraph (1) give notice in writing that National Highways will remedy any damage identified in the re-surveys and National Highways may recover on written demand any expenditure from the undertaker it reasonably incurs in so doing.

(5) The undertaker must make available to National Highways upon request copies of any survey or inspection reports produced pursuant to any inspection or survey of any specified work following its completion that the undertaker may from time to time carry out.

Defects period

36.—(1) The undertaker must at its own expense remedy any defects in the strategic road network as are reasonably required by National Highways to be remedied during the defects period for the relevant phase. All identified defects must be remedied in accordance with the following timescales—

(a) in respect of matters of urgency, within 24 hours of receiving notification for the same (urgency to be determined at the absolute discretion of National Highways);

(b) in respect of matters which National Highways considers to be serious defects or faults, within 10 business days of receiving notification of the same; and

(c) in respect of all other defects notified to the undertaker, within 4 weeks of receiving notification of the same.

(2) Following the issuing of the provisional certificate National Highways has responsibility for routine maintenance of the strategic road network save for any soft landscaping works which must be established and which must thereafter be maintained for a period of 3 years by and at the expense of the undertaker.

Final Certificate

37.—(1) The undertaker must apply to National Highways for the final certificate for each phase of the specified works no sooner than 12 months from the date of the provisional certificate for that phase.

(2) Following receipt of the application for the final certificate, National Highways must as soon as reasonably practicable:

(a) inspect the strategic road network; and

(b) provide the undertaker with a written list of any further works required to remedy or make good any defect or damage in the strategic road network or confirmation that no such works are required for this purpose.

(3) The undertaker must carry out such works notified to it pursuant to sub-paragraph (2).

(4) When National Highways is satisfied that:

(a) any defects or damage arising from defects during the defects period and any defects notified to the undertaker pursuant to sub-paragraph (2) and any remedial works required as a result of the stage 4 road safety audit have been made good to the satisfaction of National Highways; and

(b) the NH costs have been paid to National Highways in full;

(c) National Highways must issue the final certificate and upon the issue of the final certificate the bond sum for that phase is released in full provided that in the event any claim or claims have been made against the undertaker or liability on its part has arisen under the bond sum (which here shall also include any claim or claims to which National Highways are joined howsoever they arise) National Highways will be at liberty to retain a sufficient sum to ensure it does not have to meet any costs for and/or arising from and/or in connection with the specified works.

(5) The undertaker must pay to National Highways within 20 business days of demand the costs incurred by National Highways in identifying the defects and supervising and inspecting the undertaker's work to remedy the defects that it is required to remedy pursuant to this paragraph 37.

Security

38.—(1) No phase of the specified works must not commence until the undertaker procures that the specified works are secured by the bond sum to indemnify National Highways against all losses, damages, costs or expenses arising from any breach of any one or more of the obligations of the undertaker in respect of the exercise of the powers under this Order and the specified works under the provisions of this Part of this Schedule.

(2) If at any time the undertaker is in breach of these provisions of this Part of this Schedule or becomes insolvent without prejudice to any other remedy National Highways is entitled upon giving 5 business days notice to the undertaker to allow the undertaker to rectify any breach to use such parts of the bond sum as National Highways considers necessary. For the avoidance of doubt should National Highways have to carry out works pursuant to this Part of this Schedule it may, at its sole discretion, use the bond sum to forward fund such works.

Commuted sums

39.—(1) National Highways must provide to the undertaker an estimate of the commuted sum, calculated in accordance with FS Guidance S278 Commuted Lump Sum Calculation Method dated 18 January 2010 or any successor guidance, prior to the commencement of the specified works.

(2) The undertaker must pay to National Highways the commuted sum in respect of each phase prior to the issue of the provisional certificate for that phase.

Insurance

40. Prior to the commencement of the specified works the undertaker must effect public liability insurance with an insurer in the minimum sum of £10,000,000.00 (10 million pounds) in respect of any one claim against any legal liability for damage loss or injury to any property or any person as a direct result of the execution of specified works or use of the strategic road network by the undertaker.

Indemnity

41.—(1) Subject to sub-paragraph (2) below, the undertaker fully indemnifies National Highways from and against all costs, claims, expenses, damages, losses and liabilities suffered by National Highways directly arising from or in connection to the construction, maintenance or use of the specified works or exercise of or failure to exercise any power under this Order and any such costs shall be paid to National Highways within 10 business days of demand save for any loss arising out of or in consequence of any negligent act or default of National Highways.

(2) The relevant highway authority shall:

(a) notify the undertaker upon receipt of any costs, claims, expenses, damages, losses and liabilities referred to in sub-paragraph (1);

(b) not accept or compromise any costs, claims, expenses, damages, losses and liabilities to which this indemnity relates without first seeking comments from the undertaker to its validity and as to the amount of the settlement and considering the same; and

(3) The undertaker's duty to indemnify National Highways pursuant to sub-paragraph (1) above shall apply in full and further the undertaker's duty to indemnify shall continue in full force and effect until all such claims have been determined, settled and discharged and National Highways reimbursed in full notwithstanding the issue of the final certificate.

Maintenance of the specified works

42.—(1) The undertaker must, prior to the commencement of any works of maintenance to the specified works, give National Highways 20 business days' notice in writing of the date on which those works will start unless otherwise agreed by National Highways, acting reasonably.

(2) If, for the purposes of maintaining the specified works, the undertaker needs to occupy any road space, the undertaker must comply with National Highways' road space booking requirements and no maintenance of the specified works for which a road space booking is required shall commence without a road space booking having first been secured provided that nothing in this paragraph 42(2) shall prevent the undertaker from undertaking emergency maintenance works in accordance with section 57 of the New Roads and Street Works Act 1991.

(3) During any maintenance works, the undertaker must comply with any requirements that National Highways may notify to the undertaker, such requirements to be notified to the undertaker not less than 5 business days' in advance of the planned commencement date of the maintenance works.

(4) The provisions of paragraph 34 shall apply to the opening of any part of the strategic road network following occupation of any road space under this paragraph. The undertaker must pay to National Highways the commuted sum in respect of each phase prior to the issue of the provisional certificate for that phase.

Land

43. The undertaker must not exercise the powers of this Order:

(a) acquire Class 1 land forming part of; or

(b) seek to impose any restrictive covenants which conflict with the use of the strategic road network over

any part of the strategic road network or extinguish any existing rights of or interfere with apparatus of National Highways in respect of any third party property, except with the consent of National Highways by written request to legalservicesinbox@nationalhighways.co.uk save for the avoidance of doubt these provisions do not apply to, with the exclusion of 43(b) above, article 24 (compulsory acquisition of rights) which may be exercised without the consent of National Highways.

Maintenance of the specified works

44.—(1) Article 60 (arbitration) of the Order does not apply to this Part of this Schedule.

(2) Any difference under this Part of this Schedule may be referred to and settled by a single independent and suitable person who holds appropriate professional qualifications and is a member of a professional body relevant to the matter in dispute acting as an expert, such person to be agreed by the differing parties or, in the absence of agreement, identified by the President of the Institution of Civil Engineers.

(3) On notification by either party of a dispute, the parties must jointly instruct an expert within 10 business days of notification of the dispute.

(4) All parties involved in settling any difference must use best endeavours to do so within 15 business days from the date that an expert is appointed.

(5) The expert must—

(a) invite the parties to make submission to the expert in writing and copied to the other party to be received by the expert within 5 business days of the expert's appointment;

(b) permit a party to comment on the submissions made by the other party within 5 business days of receipt of the submission;

(c) issue a decision within 5 business days of receipt of the submissions under sub-paragraph (b); and

(d) give reasons for the decision.

(6) Any determination by the expert is final and binding, except in the case of manifest error in which case the difference that has been subject to expert determination may be referred to and settled by arbitration under article 60 (arbitration).

(7) The fees of the expert are payable by the parties in such proportions as the expert may determine or, in the absence of such determination, equally.

PART 5

FOR THE PROTECTION OF THE CANAL & RIVER TRUST

Interpretation

45.—(1) For the protection of the Canal & River Trust the following provisions of this Part of this Schedule have effect, unless otherwise agreed in writing between the undertaker and the Canal & River Trust.

(2) In this Part of this Schedule—

"Code of Practice" means the Code of Practice for Works Affecting the Canal & River Trust (April 2026) or any updates or amendments thereto;

"construction", in relation to any specified work or protective work, includes—

(a) the execution and placing of that work; and

(b) any relaying, renewal, or maintenance of that work; and "construct" and "constructed" have corresponding meanings;

"Canal & River Trust's network" means the Canal & River Trust's network of waterways;

"detriment" means any damage to the waterway or any other property of the Canal & River Trust caused by the presence of the authorised development and, without prejudice to the generality of that meaning, includes—

(c) any obstruction of, or interference with, or hindrance or danger to, navigation or to any use of the waterway (including towing paths);

(d) the erosion of the bed or banks of the waterway, or the impairment of the stability of any works, lands or premises forming part of the waterway;

(e) the deposit of materials or the siltation of the waterway so as to damage the waterway;

(f) the pollution of the waterway;

(g) any significant alteration in the water level of the waterway, or significant interference with the supply of water thereto, or drainage of water therefrom;

(h) any significant harm to the ecology of the waterway; and

(i) any interference with the exercise by any person of any lawful rights over Canal & River Trust's network;

"the engineer" means an engineer appointed by the Canal & River Trust for the purpose in question;

"the Order Limits" has the definition as included in the Order;

"plans" includes navigational risk assessments, sections, designs, drawings, specifications, soil reports, calculations, descriptions (including descriptions of methods of construction) and programmes;

"practical completion" means practical completion of all of the specified work notwithstanding that items which would ordinarily be considered snagging items remain outstanding, and the expression "practically complete" and "practically completed" is to be construed accordingly;

"protective work" means a work constructed under paragraph 47(4)(a), (approval of plans, protective works etc.) below;

"specified work" means so much of the authorised development as is, may be, or takes place in, on, under or over the surface of land below the water level forming part of the waterway; or may affect the waterway or any function of the Canal & River Trust, including any projection over the waterway by any authorised work or any plant or machinery;

"the waterway" means each and every part of the Chesterfield Canal and Stainforth and Keadby Canal within the Order Limits and includes any works, lands or premises belonging to the Canal & River Trust, or under its management or control, and held or used by the Canal & River Trust in connection with its statutory functions.

(3) Where the Code of Practice applies to any works or matters that are part of the authorised development or that form part of the protective works and there is an inconsistency between these protective provisions and the Code of Practice, the part of the Code of Practice that is inconsistent with these protective provisions will not apply and these protective provisions will apply. The undertaker will identify and agree with the Canal & River Trust those parts of the Code of Practice which are not applicable to the construction of the specified works and for the avoidance of doubt the undertaker will not be required to comply with those agreed parts of the Code of Practice.

Powers requiring the Canal & River Trust's consent

46.—(1) The undertaker must not in the exercise of the powers conferred by this Order obstruct or interfere with pedestrian or vehicular access to the waterway unless such obstruction or interference with such access is with the consent of the Canal & River Trust.

(2) Article 5 (limits of deviation) shall not apply in relation to the waterway unless such exercise is with the consent of the Canal & River Trust.

(3) The undertaker must not exercise any power conferred by this Order to discharge water into the waterway under article 20 (discharge of water) or in any way interfere with the supply of water to or the drainage of water from the waterway unless such exercise is with the consent of the Canal & River Trust.

(4) The undertaker must not exercise the powers conferred by article 22 (authority to survey and investigate the land) or section 11(3) of the 1965 Act, in relation to the waterway unless such exercise is with the consent of the Canal & River Trust.

(5) The undertaker must not exercise any power conferred by article 27 (temporary use of land by National Grid) or article 31 (temporary use of land for maintaining the authorised development) in respect of the waterway unless such exercise is with the consent of the Canal & River Trust.

(6) The undertaker must not exercise any power conferred by article 23 (compulsory acquisition of land), article 24 (compulsory acquisition of rights), 25 (acquisition of subsoil or airspace only) or 44 (statutory undertakers) in respect of the Canal & River Trust's interests in the waterway unless such exercise is with the consent of the Canal & River Trust.

(7) The consent of the Canal & River Trust pursuant to sub-paragraphs (1) to (6) must not be unreasonably withheld or delayed but may be given subject to reasonable terms and conditions provided that it will not be reasonable for the Canal & River Trust to withhold or delay consent or impose terms and conditions that would prevent the undertaker from complying with the protective provisions in this Part of this Schedule or any condition contained in Schedule 2 (requirements) to this Order.

(8) The undertaker must not under the powers of this order do anything which would directly result in the waterway being incapable of being used or maintained or which would affect the safe operation of the Canal & River Trust's Network, in the Canal & River Trust's reasonable opinion.

Approval of plans, protective works etc.

47.—(1) The undertaker must before commencing construction of any specified work including any temporary works supply to the Canal & River Trust proper and sufficient plans of that work, on the Canal & River Trust forms (to be provided in advance by the Canal & River Trust), having regard to the Canal & River Trust's Code of Practice and such further particulars available to it as the Canal & River Trust may within 15 business days of the submission of the plans reasonably require for the approval of the engineer and must not commence such construction of a specified work until plans of that work have been approved in writing by the engineer, deemed to be approved in accordance with sub-paragraph (2) below or settled by arbitration.

(2) The approval of the engineer under sub-paragraph (1) must not be unreasonably withheld or delayed, and if within 25 business days after such plans (including any other particulars reasonably required under sub-paragraph (1)) have been received by the Canal & River Trust the engineer has not intimated disapproval of those plans and the grounds of disapproval, the engineer is deemed to have approved the plans as submitted.

(3) An approval of the engineer under this paragraph 47 is not deemed to have been unreasonably withheld if approval within the time limited by sub-paragraph (2) has not been given pending the outcome of any consultation on the approval in question that the Canal & River Trust is obliged to carry out in the proper exercise of its functions, provided prior written notice of such consultation has been provided by the Canal & River Trust to the undertaker.

(4) When signifying approval of the plans the engineer may specify on land held or controlled by the Canal & River Trust or the undertaker and subject to such works being authorised by this Order or being development permitted by an Act of Parliament or general development order made under the 1990 Act—

(a) any protective work (whether temporary or permanent) which in the reasonable opinion of the engineer should be carried out before the commencement of a specified work to prevent detriment; and

(b) such other requirements as may be reasonably necessary to prevent detriment;

and such protective works must be constructed by the undertaker or by the Canal & River Trust at the undertaker's request with all reasonable dispatch and the undertaker must not commence the construction of a specified work until the engineer has notified the undertaker that the protective works have been completed to the engineer's reasonable satisfaction provided that if the undertaker has not been notified within 15 business days from when the engineer was notified that the protective works are complete then it is deemed that the protective works have been completed to the engineer's reasonable satisfaction.

(5) The withholding of an approval of the engineer under this paragraph 47 will be deemed to be unreasonable if it would prevent the undertaker from complying with any condition contained in Schedule 2 (requirements) to this Order or with the undertaker's best practice for construction.

(6) In the event that the undertaker fails to complete the construction of, or part of, the specified works the Canal & River Trust may, if it is reasonably required in order to avoid detriment, serve on the undertaker a notice in writing requesting that construction be completed. Any notice served under this sub-paragraph must state the works that are to be completed by the undertaker and lay out a reasonable timetable for the completion of the works. If the undertaker fails to comply with this notice within 35 business days, the Canal & River Trust may construct any of the specified works, or part of such works, (together with any adjoining works) in order to complete the construction of, or part of, the specified works or make such works and the undertaker must reimburse the Canal & River Trust all costs, fees, charges and expenses it has reasonably and properly incurred in carrying out such works.

Design of works

48. Without prejudice to its obligations under the foregoing provisions of this Part of this Schedule the undertaker must consult, collaborate and respond constructively to any reasonable approach, suggestion, proposal or initiative made by the Canal & River Trust on—

(a) the design and appearance of the specified works; and

(b) the environmental effects of those works; and must have regard to such views as may be expressed by the Canal & River Trust in response to such consultation pursuant in particular to the requirements imposed on the Canal & River Trust by section 22 (general environmental and recreational duties) of the British Waterways Act 1995 and to the interest of the Canal & River Trust in preserving and enhancing the environment of its waterways.

Fencing

49. Where so required by the engineer acting reasonably the undertaker must, to the reasonable satisfaction of the engineer, fence off a specified work or a protective work or take such other steps as the engineer may require to be taken for the purpose of separating a specified work or a protective work from the waterway, whether on a temporary or permanent basis or both.

Notice of works

50. The undertaker must give to the engineer 30 days' notice of its intention to commence the construction of any of the specified works or protective works, or, in the case of repair carried out in an emergency, such notice as may be reasonably practicable so that, in particular the Canal & River Trust may where appropriate arrange for the publication of notices bringing those works to the attention of users of the Canal & River Trust's network.

Lighting

51. Provided that such lighting does not result in any adverse environmental effects, the undertaker must provide and maintain at its own expense in the vicinity of the specified works or protective works such temporary lighting and such signal lights for the control of navigation as the engineer may reasonably require during the construction or failure of the specified works or protective works.

Survey of waterway

52.—(1) Before the commencement of the initial construction of any part of the specified works and again following practical completion of the specified works the undertaker must bear the reasonable and proper cost of the carrying out by a qualified engineer (the "surveyor"), to be approved by the Canal & River Trust and the undertaker (such approval not to be unreasonably withheld or delayed), of a survey to measure the navigational depth of the waterway and profile of the river bed ("the survey") of so much of the waterway and of any land which may provide support for the waterway as will or may be affected by the specified works.

(2) The design of, and methods proposed to be used for, the survey, are to be approved by the Canal & River Trust and the undertaker (such approval not to be unreasonably withheld or delayed).

(3) For the purposes of the survey the undertaker must—

(a) on being given reasonable notice (save in case of emergency, when immediate access must be afforded) afford reasonable facilities to the surveyor for access to the site of the specified works and to any land of the undertaker which may provide support for the waterway as will or may be affected by the specified works; and

(b) supply the surveyor as soon as reasonably practicable with all such information as they may reasonably require and which the undertaker holds with regard to the specified works or the method of their construction.

(4) Copies of the survey results must be provided to both the Canal & River Trust and the undertaker at no cost to the Canal & River Trust.

(5) The surveyor must undertake the survey required under sub-paragraph (1) in a timely manner so as to cause no unreasonable delay to the initial construction or, to the extent that it would affect the waterway or any function of the Canal & River Trust or maintenance of any part of the specified work.

Construction of works

53.—(1) Any specified works or protective works must, when commenced, be constructed—

(a) with all reasonable dispatch in accordance with the plans approved or deemed to have been approved or settled as aforesaid and with any specifications made under paragraph 47 (approval of plans, protective works etc) of this Part of this Schedule;

(b) under the supervision (if given) and to the reasonable satisfaction of the engineer;

(c) in such manner as to cause as little detriment as is reasonably practicable;

(d) in such manner as to cause as little inconvenience as is reasonably practicable to the Canal & River Trust, its officers and agents and all other persons lawfully using the waterways, except to the extent that temporary obstruction has otherwise been agreed by the Canal & River Trust;

(e) in such a manner as to ensure that no materials are discharged or deposited into the waterway otherwise than in accordance with article 20 (discharge of water); and

(f) in compliance with the Code of Practice (where appropriate and where consistent with the exercise of powers pursuant to this Order and for the timely, safe, economic and efficient delivery of the authorised works);

(2) Nothing in this Order authorises the undertaker to make or maintain any permanent works in or over the waterway so as to impede or prevent (whether by reducing the width of the waterway or otherwise) the passage of any vessel which is of a kind (as to its dimensions) for which the Canal & River Trust is required by section 105(1)(b) and (2) of the Transport Act 1968 to maintain the waterway.

(3) Following the completion of the construction of the specified works the undertaker must restore the waterway to a condition no less satisfactory than its condition immediately prior to the commencement of those works unless otherwise agreed between the undertaker and the Canal & River Trust and save to the extent that any deterioration to the condition of the waterway is not caused by the construction of the specified works.

(4) In assessing whether the condition of the waterway is no less satisfactory than immediately prior to the specified works pursuant to sub-paragraph (3), the Canal & River Trust and the undertaker must take account of any survey issued pursuant to paragraph 52 (survey of waterway) and any other information agreed between them pursuant to this Part of this Schedule.

Prevention of pollution

54. The undertaker must not in the course of constructing a specified work or a protective work or otherwise in connection therewith do or permit anything which may result in the pollution of the waterway or the deposit of materials therein (unless otherwise permitted by the Order or the protective provisions in this Part of this Schedule) and must take such steps as the engineer may reasonably require to avoid or make good any breach of its obligations under this paragraph.

Access to work – provision of information

55.—(1) The undertaker on being given reasonable notice must—

(a) at all reasonable times allow reasonable facilities to the engineer for access to a specified work during its construction; and

(b) supply the engineer with all such information as the engineer may reasonably require with regard to a specified work or the method of constructing it.

(2) The Canal & River Trust on being given reasonable notice must—

(a) at all reasonable times afford reasonable facilities to the undertaker and its agents for access to any works carried out by the Canal & River Trust under this Part of this Schedule during their construction; and

(b) supply the undertaker with such information as it may reasonably require with regard to such works or the method of constructing them and the undertaker must reimburse the Canal & River Trust's reasonable costs in relation to the supply of such information.

Maintenance of works

56. If at any time after the practical completion of a specified work or a protective work, not being a work vested in the Canal & River Trust, the Canal & River Trust gives notice to the undertaker informing it that it reasonably considers that the state of maintenance of the specified work or protective work appears to be such that the work is causing or likely to cause detriment, the undertaker must, on receipt of such notice, take such steps as may be reasonably necessary to put the work in such state of maintenance as not to cause such detriment.

Repayment of the Canal & River Trust's fees, etc.

57.—(1) The undertaker must repay to the Canal & River Trust in accordance with the Code of Practice all fees, costs, charges and expenses reasonably incurred by the Canal & River Trust—

(a) in constructing any protective works under the provisions of paragraph 47(4)(a) (approval of plans, protective works etc);

(b) in respect of the approval by the engineer of plans submitted by the undertaker and the supervision by the engineer of the construction or repair of a specified work and any protective works;

(c) in respect of the employment during the construction of the specified works or any protective works of any inspectors, watchmen and other persons whom it is reasonably necessary to appoint for inspecting, watching and lighting any waterway and for preventing, so far as may be reasonably practicable, interference, obstruction, danger or accident arising from the construction or failure of the specified works or any protective works;

(d) in bringing the specified works or any protective works to the notice of users of the Canal & River Trust's network; and

(e) in constructing and/or carrying out any measures related to any specified works or protective works which are reasonably required by the Canal & River Trust to ensure the safe navigation of the waterway save that nothing is to require the Canal & River Trust to construct and/or carry out any measures.

(2) If the Canal & River Trust considers that a fee, charge, cost or expense will be payable by the undertaker pursuant to sub-paragraph (1), the Canal & River Trust will first provide an estimate of that fee, charge, cost or expense and supporting information in relation to the estimate to the undertaker along with a proposed timescale for payment for consideration and the undertaker may, within a period of 15 days—

(a) provide confirmation to the Canal & River Trust that the estimate is agreed and pay to the Canal & River Trust, by the date stipulated, that fee, charge, cost or expense; or

(b) provide confirmation to the Canal & River Trust that the estimate is not accepted along with a revised estimate and a proposal as to how or why the undertaker considers that the estimate can be reduced and or paid at a later date.

(3) The Canal & River Trust must take in to account any representations made by the undertaker in accordance with this paragraph 57 and must, within 15 business days of receipt of the information pursuant to sub-paragraph (2), confirm the amount of the fee, charge, cost or expense to be paid by the undertaker (if any) and the date by which this is to be paid.

(4) The Canal & River Trust must, when estimating and incurring any charge, cost or expense pursuant this paragraph 57, do so with a view to being reasonably economic and acting as if the Canal & River Trust were itself to fund the relevant fee, charge, cost or expense.

Making good of detriment; compensation, etc.

58.—(1) If any detriment is caused by the construction or failure of the specified works or the protective works if carried out by the undertaker, the undertaker (if so required by the Canal & River Trust) must make good such detriment and must pay to the Canal & River Trust all

reasonable expenses incurred by the Canal & River Trust, and compensation for any loss sustained by the Canal & River Trust in making good or otherwise by reason of the detriment.

(2) The undertaker must be responsible for and make good to the Canal & River Trust all costs, charges, damages, expenses and losses not otherwise provided for in this Part which may be occasioned to and reasonably incurred by the Canal & River Trust—

(a) by reason of the construction of a specified work or a protective work or the failure of such a work; or

(b) by reason of any act or omission of the undertaker or of any person in its employ or of its contractors or others whilst engaged upon the construction of a specified work or protective work, and

(c) subject to sub-paragraph (4) the undertaker must effectively indemnify and hold harmless the Canal & River Trust from and against all claims and demands arising out of or in connection with any of the matters referred to in sub-paragraphs (a) and (b) (provided that the Canal & River Trust is not entitled to recover from the undertaker any consequential losses which are not reasonably foreseeable) subject to sub-paragraph (7) below).

(3) The fact that any act or thing may have been done by the Canal & River Trust on behalf of the undertaker or in accordance with plans approved by the engineer or in accordance with any requirement of the engineer or under the engineer's supervision or in accordance with any directions or awards of an arbitrator is not to (if it was done without negligence on the part of the Canal & River Trust or of any person in its employ or of its contractors or agents) excuse the undertaker from any liability under the provisions of this paragraph.

(4) Nothing in sub-paragraph (2) imposes any liability on the undertaker with respect to any detriment, loss or interruption to the extent that it is attributable to the act, neglect or default of the Canal & River Trust, its officers, servants, contractors or agents.

(5) The Canal & River Trust must give the undertaker reasonable notice of any such claim or demand as aforesaid and no settlement or compromise of such a claim or demand is to be made without the prior consent of the undertaker.

(6) The Canal & River Trust must use its reasonable endeavours to mitigate in whole or in part and to minimise any costs, expenses, loss, demands, and penalties to which this paragraph applies. If requested to do so by the undertaker, the Canal & River Trust must provide an explanation of how the claim has been minimised.

(7) The aggregate cap of the undertaker's gross liability shall be limited to £10,000,000 (10 million pounds) for any one occurrence or all occurrences of a series arising out of the one original cause.

Arbitration

59. Any difference arising between the undertaker and the Canal & River Trust under this Part (other than a difference as to the meaning or construction of this Part) must be referred to and settled by arbitration in accordance with article 60 (arbitration) of this Order.

Decommissioning

60. Where the written scheme of decommissioning identifies activities which may impact the waterway, the protective provisions in this Part 5 of Schedule 14 will, so far as appropriate, apply to those activities as if they were a specified work.

PART 6

FOR THE PROTECTION OF ANGLIAN WATER SERVICES LIMITED

Application

61. For the protection of Anglian Water the following provisions have effect, unless otherwise agreed in writing between the undertaker and Anglian Water (registered company number 02366656).

Interpretation

62. In this Part of this Schedule—

"1991 Act" means the New Roads and Street Works Act 1991(**a**);

"alternative apparatus" means alternative apparatus adequate to enable Anglian Water to fulfil its statutory functions in a manner no less efficient than previously;

"Anglian Water" means Anglian Water Services Limited;

"apparatus" means:

(a) works, mains, pipes or other apparatus belonging to or maintained by Anglian Water for the purposes of water supply and sewerage;

(b) any drain or works vested in Anglian Water under the Water Industry Act 1991(**b**);

(c) any sewer which is vested in Anglian Water or is the subject of a notice of intention of Anglian Water to adopt given under section 102(4) of the Water Industry Act 1991 or an agreement to adopt made under section 104 of that Act,

(d) any drainage system constructed for the purpose of reducing the volume of surface water entering any public sewer belonging to Anglian Water, and

(e) includes a sludge main, disposal main or sewer outfall and any manholes, ventilating shafts, pumps or other accessories forming part of any such sewer, drain or works, and includes any structure in which apparatus is or is to be lodged or which gives or will give access to apparatus;

and for the purpose of this definition, where words are defined by section 219 of the Water Industry Act1991, they shall be taken to have the same meaning;

"functions" includes powers and duties;

"in", in a context referring to apparatus or alternative apparatus in land, includes a reference to apparatus or alternative apparatus under, over or upon land;

"plan" includes all designs, drawings, specifications, method statements, soil reports, programmes, calculations, risk assessments and other documents that are reasonably necessary properly and sufficiently to describe the works to be executed.

Apparatus in closed streets

63.—(1) Where any street is temporarily stopped up under article 16 (Temporary closure of streets and public rights of), where Anglian Water has apparatus in the street or accessed by virtue of that street, it has the same powers and rights in respect of that apparatus as it enjoyed immediately before the temporary closure but nothing in this paragraph affects any right of the undertaker or of Anglian Water to require the removal of that apparatus under paragraph 66 or the power of the undertaker to carry out works under paragraph 68.

(2) Regardless of the temporary closure or diversion of any highway under the powers conferred by article 17 (Construction, alteration and maintenance of streets and other structures), Anglian

(**a**) 1991 (c.22).
(**b**) 1991 (c.56).

Water is at liberty at all times to take all necessary access across any such temporarily stopped up highway and to execute and do all such works and things in, upon or under any such highway as may be reasonably necessary or desirable to enable it to maintain any apparatus which at the time of the temporary stopping up or diversion was in that highway subject to provision of reasonable prior notice to the undertaker (except in the case of emergency) and compliance at all times with the undertaker's reasonable site safety rules and health and safety law.

Protective works

64. The undertaker, in the case of the powers conferred by article 21 (protective works), must exercise those powers so as not to obstruct or render less convenient the access to any apparatus.

Acquisition of land

65. Regardless of any provision in this Order or anything shown on the land plans, the undertaker must not acquire any apparatus otherwise than by agreement (such agreement not to be unreasonably withheld or delayed.

Removal of apparatus

66.—(1) If, in the exercise of the powers conferred by this Order, the undertaker acquires any interest in any land in which any apparatus is placed or requires that Anglian Water's apparatus is relocated or diverted, that apparatus must not be removed under this Part of this Schedule, and any right of Anglian Water to maintain that apparatus in that land must not be extinguished, until

(a) alternative apparatus has been constructed and is in operation to the reasonable satisfaction of Anglian Water in accordance with sub-paragraphs (2) to (8); and

(b) facilities and rights have been secured for that alternative apparatus in accordance with paragraph 67.

(2) If, for the purpose of executing any works in, on or under any land purchased, held, appropriated or used under this Order, the undertaker requires the removal of any apparatus placed in that land, the undertaker must give to Anglian Water 28 days' written notice of that requirement, together with a plan of the work proposed, and of the proposed position of the alternative apparatus to be provided or constructed and in that case (or if in consequence of the exercise of any of the powers conferred by this Order an undertaker reasonably needs to remove any of its apparatus) the undertaker must, subject to sub-paragraph (3), afford to Anglian Water the necessary facilities and rights for the construction of alternative apparatus in other land of the undertaker and subsequently for the maintenance of that apparatus.

(3) If alternative apparatus or any part of such apparatus is to be constructed elsewhere than in other land of the undertaker, or the undertaker is unable to afford such facilities and rights as are mentioned in sub-paragraph (2) in the land in which the alternative apparatus or part of such apparatus is to be constructed Anglian Water must, on receipt of a written notice to that effect from the undertaker, as soon as reasonably possible use its best endeavours to obtain the necessary facilities and rights in the land in which the alternative apparatus is to be constructed.

(4) Any alternative apparatus to be constructed in land of the undertaker under this Part of this Schedule must be constructed in such manner and in such line or situation as may be agreed between Anglian Water and the undertaker or in default of agreement settled by arbitration in accordance with article 60 (arbitration).

(5) Anglian Water must, after the alternative apparatus to be provided or constructed has been agreed or settled by arbitration in accordance with article 60 (arbitration), and after the grant to Anglian Water of any such facilities and rights as are referred to in sub-paragraphs (2) or (3), proceed without unnecessary delay to construct and bring into operation the alternative apparatus and subsequently to remove any apparatus required by the undertaker to be removed under the provisions of this Part of this Schedule.

(6) Regardless of anything in sub-paragraph (5), if Anglian Water gives notice in writing to the undertaker that it desires the undertaker to execute any work, or part of any work in connection

with the construction or removal of apparatus in any land of the undertaker or to the extent that Anglian Water fails to proceed with that work in accordance with sub-paragraph (5) or the undertaker and Anglian Water otherwise agree, that work, instead of being executed by Anglian Water, must be executed by the undertaker without unnecessary delay under the superintendence, if given, and to the reasonable satisfaction of Anglian Water.

(7) If Anglian Water fails either reasonably to approve, or to provide reasons for its failure to approve along with an indication of what would be required to make acceptable, any proposed details relating to required removal works under sub-paragraph (2) within 28 days of receiving a notice of the required works from the undertaker, then such details are deemed to have been approved. For the avoidance of doubt, any such "deemed consent" does not extend to the actual undertaking of the removal works, which shall remain the sole responsibility of Anglian Water or its contractors.

(8) Whenever alternative apparatus is to be or is being substituted for existing apparatus, the undertaker shall, before taking or requiring any further step in such substitution works, use best endeavours to comply with Anglian Water's reasonable requests for a reasonable period of time to enable Anglian Water to:

(a) make network contingency arrangements; or

(b) bring such matters as it may consider reasonably necessary to the attention of end users of the utility in question.

Facilities and rights for alternative apparatus

67.—(1) Where, in accordance with the provisions of this Part of this Schedule, the undertaker affords to a utility undertaker facilities and rights for the construction and maintenance in land of the undertaker of alternative apparatus in substitution for apparatus to be removed, those facilities and rights are to be granted upon such terms and conditions as may be agreed between the undertaker and Anglian Water or in default of agreement settled by arbitration in accordance with article 60 (arbitration).

(2) If the facilities and rights to be afforded by the undertaker in respect of any alternative apparatus, and the terms and conditions subject to which those facilities and rights are to be granted, are in the opinion of the arbitrator less favourable on the whole to Anglian Water than the facilities and rights enjoyed by it in respect of the apparatus to be removed and the terms and conditions to which those facilities and rights are subject, the arbitrator must make such provision for the payment of compensation by the undertaker to Anglian Water as appears to the arbitrator to be reasonable having regard to all the circumstances of the particular case.

(3) Such facilities and rights as are set out in this paragraph are deemed to include any statutory permits granted to the undertaker in respect of the apparatus in question, whether under the Environmental Permitting Regulations 2016 or other legislation.

Retained apparatus

68.—(1) Not less than 28 days before starting the execution of any works in, on or under any land purchased, held, appropriated or used under this Order that are near to, or will or may affect, any apparatus (or any means of access to it) the removal of which has not been required by the undertaker under paragraph 66(2), the undertaker must submit to Anglian Water a plan of the works to be executed.

(2) Those works must be executed only in accordance with the plan submitted under sub-paragraph (1) and in accordance with such reasonable requirements as may be made in accordance with sub-paragraph (3) by Anglian Water for the alteration or otherwise for the protection of the apparatus, or for securing access to it, and Anglian Water is entitled to watch and inspect the execution of those works.

(3) Any requirements made by Anglian Water under sub-paragraph (2) must be made within a period of 21 days beginning with the date on which a plan under sub-paragraph (1) is submitted to it.

(4) If Anglian Water in accordance with sub-paragraph (3) and in consequence of the works proposed by the undertaker, reasonably requires the removal of any apparatus and gives written notice to the undertaker of that requirement, paragraphs 62 to 64 and 67 to 69 apply as if the removal of the apparatus had been required by the undertaker under paragraph 66(2).

(5) Nothing in this paragraph precludes the undertaker from submitting at any time or from time to time, but in no case less than 28 days before commencing the execution of any works, a new plan instead of the plan previously submitted, and having done so the provisions of this paragraph apply to and in respect of the new plan.

(6) The undertaker is not required to comply with sub-paragraph (1) in a case of emergency but in that case must give to Anglian Water notice as soon as is reasonably practicable and a plan of those works as soon as reasonably practicable subsequently and must comply with sub-paragraph (3) in so far as is reasonably practicable in the circumstances, using its best endeavours to keep the impact of those emergency works on Anglian Water's apparatus, on the operation of its water and sewerage network and on end-users of the services Anglian Water provides to a minimum.

(7) For the purposes of sub-paragraph (1) and without prejudice to the generality of the principles set out in that sub-paragraph, works are deemed to be in land near Anglian Water's apparatus (where it is a pipe) if those works fall within the following distances measured from the media line of such apparatus:

(a) 4 metres where the diameter of the pipe is less than 250 millimetres;

(b) 5 metres where the diameter of the pipe is between 250 and 400 millimetres, and

(c) a distance to be agreed on a case by case basis and before the submission of the Plan under sub-paragraph (1) is submitted where the diameter of the pipe exceeds 400 millimetres.

Expenses and costs

69.—(1) Subject to the following provisions of this paragraph, the undertaker must repay to Anglian Water all expenses reasonably and properly incurred by Anglian Water in, or in connection with, the inspection, removal, alteration or protection of any apparatus or the construction of any new apparatus which may be required in consequence of the execution of any such works as are referred to in this Part of this Schedule.

(2) There must be deducted from any sum payable under sub-paragraph (1) the value of any apparatus removed under the provisions of this Part of this Schedule and which is not re-used as part of any new or alternative apparatus that value being calculated after removal by the undertaker (who will provide reasonable evidence of such value).

(3) If in accordance with the provisions of this Part of this Schedule—

(a) apparatus of better type, of greater capacity or of greater dimensions is placed in substitution for existing apparatus of worse type, of smaller capacity or of smaller dimensions; or

(b) apparatus (whether existing apparatus or apparatus substituted for existing apparatus) is placed at a depth greater than the depth at which the existing apparatus was situated, and the placing of apparatus of that type or capacity or of those dimensions or the placing of apparatus at that depth, as the case may be, is not agreed by the undertaker or, in default of agreement, is not determined by arbitration in accordance with article 60 (arbitration) to be necessary, then, if such placing involves cost in the construction of works under this Part of this Schedule exceeding that which would have been involved if the apparatus placed had been of the existing type, capacity or dimensions, or at the existing depth, as the case may be, the amount which apart from this sub-paragraph would be payable to Anglian Water by virtue of sub-paragraph (1) must be reduced by the amount of that excess.

(4) For the purposes of sub-paragraph (3)—

(a) an extension of apparatus to a length greater than the length of existing apparatus is not to be treated as a placing of apparatus of greater dimensions than those of the existing apparatus; and

(b) where the provision of a joint in a pipe or cable is agreed, or is determined to be necessary, the consequential provision of a jointing chamber or of a manhole is to be treated as if it also had been agreed or had been so determined.

(5) An amount which, apart from this sub-paragraph, would be payable to Anglian Water in respect of works by virtue of sub-paragraph (1) must, if the works include the placing of apparatus provided in substitution for apparatus placed more than seven years and six months earlier so as to confer on Anglian Water any financial benefit by deferment of the time for renewal of the apparatus in the ordinary course, be reduced by the amount which represents that benefit, the amount being calculated by Anglian Water (who will provide reasonable evidence of such amount) and agreed between the undertaker and Anglian Water or settled by arbitration in accordance with article 60 (arbitration).

(6) Subject to sub-paragraphs (2) and (3), if by reason or in consequence of the construction of any such works referred to in paragraphs 64 or 66(2), or by reason of any subsidence resulting from such development or works, any damage is caused to any apparatus or alternative apparatus (other than apparatus the repair of which is not reasonably necessary in view of its intended removal for the purposes of those works) or property of Anglian Water, or there is any interruption in any service provided, or in the supply of any goods, by Anglian Water, the undertaker must—

(a) bear and pay the cost reasonably incurred by Anglian Water in making good such damage or restoring the supply; and

(b) make reasonable compensation to Anglian Water for any other expenses, loss, damages, penalty or costs incurred by the undertaker,

by reason or in consequence of any such damage or interruption.

(7) Anglian Water must use its reasonable endeavours to mitigate in whole or in part and to minimise any costs, expenses, loss, demands, penalties and costs to which the provisions of sub-paragraph (6) applies. If requested to do so by the undertaker, Anglian Water will provide an explanation of how any claim has been minimised. The undertaker will not be liable under sub-paragraph (6) for claims unreasonably incurred by Anglian Water.

(8) The fact that any act or thing may have been done by Anglian Water on behalf of the undertaker or in accordance with a plan approved by Anglian Water or in accordance with any requirement of Anglian Water or under its supervision does not, subject to sub-paragraph (3), excuse the undertaker from liability under the provisions of sub-paragraph (1) unless Anglian Water fails to carry out and execute the works properly with due care and attention and in a skilful and professional like manner or in a manner that does not accord with the approved plan.

(9) Nothing in sub-paragraph (1) imposes any liability on the undertaker with respect to any damage or interruption to the extent that it is attributable to the unlawful or unreasonable act, neglect or default of Anglian Water, its officers, servants, contractors or agents.

(10) Anglian Water must give the undertaker reasonable notice of any such claim or demand and no settlement or compromise is to be made, without the consent of the undertaker (such consent not to be unreasonably withheld or delayed) who, if withholding such consent, has the sole conduct of any settlement or compromise or of any proceedings necessary to resist the claim or demand.

Cooperation

70.—(1) Where in consequence of the proposed construction of any of the authorised development, the undertaker or Anglian Water requires the removal of apparatus under paragraph 66(2) or Anglian Water makes requirements for the protection or alteration of apparatus under paragraph 68, the undertaker must use all reasonable endeavours to co-ordinate the execution of the works in the interests of safety and the efficient and economic execution of the authorised development and taking into account the need to ensure the safe and efficient operation of Anglian Water's undertaking, using existing processes where requested by Anglian Water, provided it is

appropriate to do so, and Anglian Water must use all reasonable endeavours to co-operate with the undertaker for that purpose.

(2) Where the undertaker identifies any apparatus which may belong to or be maintainable by Anglian Water but which does not appear on any statutory map kept for the purpose by Anglian Water, it shall inform Anglian Water of the existence and location of the apparatus as soon as reasonably practicable.

(3) Nothing in this Part of this Schedule affects the provisions of any enactment or agreement regulating the relations between the undertaker and Anglian Water in respect of any apparatus laid or erected in land belonging to the undertaker on the date on which this Order is made.

(4) The undertaker and Anglian Water may by written agreement substitute any period of time for those periods set out in this Part of this Schedule.

PART 7

FOR THE PROTECTION OF NETWORK RAIL

71. The provisions of this Part of this Schedule have effect, unless otherwise agreed in writing between the undertaker and Network Rail and, in the case of paragraph 85 of this Part of this Schedule any other person on whom rights or obligations are conferred by that paragraph.

72. In this Part of this Schedule—

"asset protection agreement" means an agreement to regulate the construction and maintenance of the specified work in a form reasonably prescribed from time to time by Network Rail;

"construction" includes execution, placing, alteration and reconstruction and "construct" and "constructed" have corresponding meanings;

"the engineer" means an engineer appointed by Network Rail for the purposes of this Order;

"network licence" means the network licence, as the same is amended from time to time, granted to Network Rail Infrastructure Limited by the Secretary of State in exercise of their powers under section 8 (licences) of the Railways Act 1993;

"Network Rail" means Network Rail Infrastructure Limited (company number 02904587, whose registered office is at Waterloo General Office, London, SE1 8SW) and any associated company of Network Rail Infrastructure Limited which holds property for railway purposes, and for the purpose of this definition "associated company" means any company which is (within the meaning of section 1159 of the Companies Act 2006) the holding company of Network Rail Infrastructure Limited, a subsidiary of Network Rail Infrastructure Limited or another subsidiary of the holding company of Network Rail Infrastructure Limited and any successor to Network Rail Infrastructure Limited's railway undertaking;

"plans" includes sections, designs, design data, software, drawings, specifications, soil reports, calculations, descriptions (including descriptions of methods of construction), staging proposals, programmes and details of the extent, timing and duration of any proposed occupation of railway property;

"railway operational procedures" means procedures specified under any access agreement (as defined in the Railways Act 1993) or station lease "railway property" means any railway belonging to Network Rail and—

(a) any station, land, works, apparatus and equipment belonging to Network Rail or connected with any such railway; and

(b) any easement or other property interest held or used by Network Rail or a tenant or licencee of Network Rail for the purposes of such railway or works, apparatus or equipment;

"regulatory consents" means any consent or approval required under—

(a) the Railways Act 1993;

(b) the network licence; and/or

(c) any other relevant statutory of regulatory provisions;

by either the Office of Rail and Road or the Secretary of State for Transport or any other competent body including change procedures and any other consents, approvals of any access or beneficiary that may be required in relation to the authorised development;

"specified work" means so much of any of the authorised development as is situated upon, across, under, over or within 15 metres of, or reasonably may in any way adversely affect, railway property and, for the avoidance of doubt, includes the maintenance of such works under the powers conferred by article 4 (maintenance of the authorised development) in respect of such works.

73.—(1) Where under this Part of this Schedule Network Rail is required to give its consent or approval in respect of any matter, that consent or approval is subject to the condition that Network Rail complies with any relevant railway operational procedures and any obligations under its network licence or under statute and must at all times act reasonably and without delay.

(2) In so far as any specified work or the acquisition or use of railway property is or may be subject to railway operational procedures, Network Rail must—

(a) co-operate with the undertaker with a view to avoiding undue delay and securing conformity as between any plans approved by the engineer and requirements emanating from those procedures; and

(b) use their reasonable endeavours to avoid any conflict arising between the application of those procedures and the proper implementation of the authorised development pursuant to this Order.

74.—(1) Subject to sub-paragraph (2) the undertaker must not exercise the powers conferred by—

(a) article 20 (discharge of water);

(b) article 22 (authority to survey and investigate the land),

in respect of any railway property unless the exercise of such powers is with the consent of Network Rail.

(2) The powers in sub-paragraph (1) shall not be exercised in respect of any railway property unless the exercise of such powers is with the consent of Network Rail such consent not to be unreasonably withheld and if by the end of the period of 14 days beginning with the date on which such request for Network Rail's consent was made Network Rail has not intimated their refusal together with the grounds of any such refusal of such consent the undertaker may serve upon Network Rail written notice requiring Network Rail to intimate approval or disapproval within a further period of 7 days beginning with the date upon which Network Rail receives written notice from the undertaker. If by the expiry of the further 7 days Network Rail has not intimated consent or refusal of consent, Network Rail is deemed to have given consent for the exercise of the respective powers.

(3) The undertaker must not in the exercise of any of the powers conferred by this Order prevent pedestrian or vehicular access to any railway property, unless preventing such access is with the consent of Network Rail such consent not to be unreasonably withheld and if by the end of the period of 14 days beginning with the date on which such request for Network Rail's consent was made Network Rail has not intimated their refusal together with the grounds of any such refusal of such consent the undertaker may serve upon Network Rail written notice requiring Network Rail to intimate approval or disapproval within a further period of 7 days beginning with the date upon which Network Rail receives written notice from the undertaker. If by the expiry of the further 7 days Network Rail has not intimated consent or refusal of consent, Network Rail is deemed to have given consent for the exercise of the respective powers.

(4) The undertaker must not exercise the powers conferred by sections 271 or 272 of the 1990 Act, article 44 (statutory undertakers), article 38 (extinguishment and suspension of private rights) and article 39 (power to override easements and other rights), in relation to any right of access of

Network Rail to railway property, but such right of access may be diverted with the consent of Network Rail.

(5) The undertaker must not under the powers of this Order do anything which would result in railway property being incapable of being used or maintained or which would affect the safe running of trains on the railway.

(6) Where Network Rail is asked to give its consent pursuant to this paragraph, such consent must not be unreasonably withheld or delayed but may be given subject to reasonable conditions but it shall never be unreasonable to withhold consent for reasons of operational or railway safety (such matters to be in Network Rail's absolute discretion).

(7) The undertaker must enter into an asset protection agreement prior to the carrying out of any specified work, which the undertaker and Network Rail shall use reasonable endeavours to procure the completion of with all reasonable speed and diligence.

75.—(1) The undertaker must before commencing construction of any specified work supply to Network Rail proper and sufficient plans of that work for the reasonable approval of the engineer and the specified work must not be commenced except in accordance with such plans as have been approved in writing by the engineer or settled by arbitration under article 60 (arbitration).

(2) The approval of the engineer under sub-paragraph (1) must not be unreasonably withheld, and if by the end of the period of 14 days beginning with the date on which such plans have been supplied to Network Rail the engineer has not intimated their disapproval and the grounds of such disapproval the undertaker may serve upon the engineer written notice requiring the engineer to intimate approval or disapproval within a further period of 7 days beginning with the date upon which the engineer receives written notice from the undertaker. If by the expiry of the further 7 days the engineer has not intimated approval or disapproval, the engineer shall be deemed to have approved the plans as submitted.

(3) If by the end of the period of 14 days beginning with the date on which written notice was served upon the engineer under sub-paragraph (2), Network Rail gives notice to the undertaker that Network Rail desires itself to construct any part of a specified work which in the opinion of the engineer will or may affect the stability of railway property or the safe operation of traffic on the railways of Network Rail then, if the undertaker desires such part of the specified work to be constructed, Network Rail must construct it without unnecessary delay on behalf of and to the reasonable satisfaction of the undertaker in accordance with the plans approved or deemed to be approved or settled under this paragraph, and under the supervision (where appropriate and if given) of the undertaker and if reasonably required by the undertaker upon reasonable prior written notice Network Rail will construct any adjoining part of the specified work ("adjoining work") without unnecessary delay on behalf of and to the reasonable satisfaction of the undertaker in accordance with the plans approved or deemed to be approved or settled under this paragraph, and under the supervision (where appropriate and if given) of the undertaker subject to—

(a) such adjoining work being located on railway property;

(b) Network Rail having sufficient rights to carry out such adjoining work;

(c) the undertaker first providing Network Rail with the requisite plans, specifications and any other information reasonably required by Network Rail to enable it to carry out such adjoining work;

(d) the engineer's approval of such adjoining work; and

(e) Network Rail being able to recover its costs of carrying out such adjoining work pursuant to paragraph 79(1).

(4) When signifying their approval of the plans the engineer may specify any protective works (whether temporary or permanent) which in the engineer's professional opinion should be carried out before the commencement of the construction of a specified work to ensure the safety or stability of railway property or the continuation of safe and efficient operation of the railways of Network Rail or the services of operators using the same (including any relocation de-commissioning and removal of works, apparatus and equipment necessitated by a specified work and the comfort and safety of passengers who may be affected by the specified works), and such protective works as may be reasonably necessary for those purposes must be constructed by

Network Rail or by the undertaker, if Network Rail so desires, and the reasonable cost and expense of such protective works shall be paid by the undertaker in either case without unnecessary delay and the undertaker must not commence the construction of the specified works until the engineer has notified the undertaker (within 14 days of the undertaker notifying Network Rail that the protective works are complete) that the protective works have been completed to their reasonable satisfaction and if the engineer has not notified the undertaker within this timeframe then it is deemed that the protective works have been completed to the engineer's reasonable satisfaction.

76.—(1) Any specified work and any protective works to be constructed by virtue of paragraph 75(4) must, when commenced, be constructed—

(a) without unnecessary delay in accordance with the plans approved or deemed to have been approved or settled under paragraph 75;

(b) under the supervision (where appropriate and if given) and to the reasonable satisfaction of the engineer;

(c) in such manner as to cause as little damage as is possible to operational railway property; and

(d) so far as is reasonably practicable, so as not to interfere with or obstruct the free, uninterrupted and safe use of any railway of Network Rail or the traffic thereon and the use by passengers of railway property.

(2) If any damage to railway property or any such interference or obstruction shall be caused by the carrying out of, or in consequence of the construction of a specified work, the undertaker must, notwithstanding any such approval, make good such damage and must pay to Network Rail all reasonable expenses to which Network Rail may be put and compensation for any loss which it may sustain by reason of any such damage, interference or obstruction, provided that Network Rail take all reasonable steps to mitigate any loss.

(3) Nothing in this Part of this Schedule imposes any liability on the undertaker with respect to any damage, costs, expenses or loss attributable to the negligence of Network Rail or its servants, contractors or agents or any liability on Network Rail with respect of any damage, costs, expenses or loss attributable to the negligence of the undertaker or its servants, contractors or agents.

77. The undertaker must—

(a) at all times afford reasonable facilities to the engineer for access to a specified work during its construction; and

(b) supply the engineer with all such information as the engineer may reasonably require with regard to a specified work or the method of constructing it.

78. Network Rail must at all times afford reasonable facilities to the undertaker and its agents for access to any works carried out by Network Rail under this Part of this Schedule during their construction and must supply the undertaker with such information as it may reasonably require with regard to such works or the method of constructing them.

79.—(1) If any permanent or temporary alterations or additions to railway property are reasonably necessary in consequence of the construction of a specified work, in order to ensure the safety of railway property or the continued safe operation of the railway of Network Rail, such alterations and additions may be carried out by Network Rail and if Network Rail gives to the undertaker 56 days' notice (or in the event of an emergency or safety critical issue such notice as is reasonable in the circumstances) of its intention to carry out such alterations or additions (which must be specified in the notice) , and within 42 days of receipt of an invoice (or other evidence of the liability incurred in carrying out the alterations and additions) from Network Rail the undertaker must pay to Network Rail the reasonable cost of those alterations or additions.

(2) If during the construction of a specified work by the undertaker, Network Rail gives notice to the undertaker that Network Rail desires itself to construct that part of the specified work which in the opinion of the engineer is endangering the stability of railway property or the safe operation of traffic on the railways of Network Rail then, if the undertaker decides that part of the specified work is to be constructed, Network Rail must assume construction of that part of the specified

work and the undertaker must, notwithstanding any such approval of a specified work under paragraph 75(3), pay to Network Rail all reasonable and proper expenses to which Network Rail may be put and compensation for any loss which it suffers by reason of the execution by Network Rail of that specified work.

80. The undertaker must repay to Network Rail all reasonable and proper fees, costs, charges and expenses reasonably incurred by Network Rail—

(a) in constructing any part of a specified work on behalf of the undertaker as provided by paragraph 75(3) or in constructing any protective works under the provisions of paragraph 75(4);

(b) in respect of the approval by the engineer of plans submitted by the undertaker and the supervision by the engineer of the construction of a specified work;

(c) in respect of the employment or procurement of the services of any inspectors, signallers, watch-persons and other persons whom it is reasonably necessary to appoint for inspecting, signalling, watching and lighting railway property and for preventing, so far as may be reasonably practicable, interference, obstruction, danger or accident arising from the construction or failure of a specified work;

(d) in respect of any special traffic working resulting from any speed restrictions which may in the reasonable opinion of the engineer, need to be imposed by reason or in consequence of the construction or failure of a specified work or from the substitution or diversion of services which may be reasonably necessary for the same reason; and

(e) in respect of any additional temporary lighting of railway property in the vicinity of the specified works, being lighting made reasonably necessary by reason or in consequence of the construction or failure of a specified work,

provided that any costs incurred arising from an act or omission of Network Rail, will not be paid by the undertaker.

81.—(1) In this paragraph—

"EMI" means, subject to sub-paragraph (2), electromagnetic interference with Network Rail apparatus generated by the operation of the authorised development where such interference is of a level which adversely affects the safe operation of Network Rail's apparatus; and

"Network Rail's apparatus" means any lines, circuits, wires, apparatus or equipment (whether or not modified or installed as part of the authorised development) which are owned or used by Network Rail for the purpose of transmitting or receiving electrical energy or of radio, telegraphic, telephonic, electric, electronic or other like means of signalling or other communications.

(2) This paragraph applies to EMI only to the extent that such EMI is not attributable to any change to Network Rail's apparatus carried out after approval of plans under paragraph 75(1) for the relevant part of the authorised development giving rise to EMI (unless the undertaker has been given notice in writing before the approval of those plans of the intention to make such change).

(3) Subject to sub-paragraph (5), the undertaker must in the design and construction of the authorised development take all reasonable measures necessary to prevent EMI and must establish with Network Rail (both parties acting reasonably) appropriate arrangements to verify their effectiveness.

(4) In order to facilitate the undertaker's compliance with sub-paragraph (3)—

(a) the undertaker must consult with Network Rail as early as reasonably practicable to identify all Network Rail's apparatus which may be at risk of EMI, and thereafter continue to consult with Network Rail (both before and after formal submission of plans under paragraph 75(1)) in order to identify all potential causes of EMI and the measures required to eliminate them;

(b) Network Rail must make available to the undertaker all information in the possession of Network Rail reasonably requested by the undertaker in respect of Network Rail's apparatus identified pursuant to sub-paragraph (a); and

(c) Network Rail must allow the undertaker reasonable facilities for the inspection of Network Rail's apparatus identified pursuant to sub-paragraph (a).

(5) In any case where it is established that EMI can only reasonably be prevented by modifications to Network Rail's apparatus, Network Rail must not withhold its consent unreasonably to modifications of Network Rail's apparatus, but the means of prevention and the method of their execution must be selected in the reasonable discretion of Network Rail, and in relation to such modifications paragraph 75(1) has effect subject to this sub-paragraph.

(6) The undertaker shall use reasonable endeavours not to allow the use or operation of the authorised development in a manner that causes EMI and which introduces an intolerable risk to the operation of the railway or the safety of the track workers (such intolerable risk would include introducing exposure to electric and magnetic fields in excess of the requirements of the Control of Electromagnetic field at Work Regulations 2016, unacceptable transferred voltage potentials and interference impacting the safe operation of the signalling equipment), until measures have been taken in accordance with this paragraph to reduce the risk to tolerable levels of EMI.

(7) In the event of EMI having occurred—

(a) the undertaker must afford reasonable facilities to Network Rail for access to the undertaker's apparatus in the investigation of such EMI;

(b) Network Rail must afford reasonable facilities to the undertaker for access to Network Rail's apparatus in the investigation of such EMI; and

(c) Network Rail must make available to the undertaker any additional material information in its possession reasonably requested by the undertaker in respect of Network Rail's apparatus or such EMI.

(8) Where Network Rail approves modifications to Network Rail's apparatus pursuant to sub-paragraphs (5) or (6)—

(a) Network Rail must allow the undertaker reasonable facilities for the inspection of the relevant part of Network Rail's apparatus; and

(b) Any modifications to Network Rail's apparatus approved pursuant to those sub-paragraphs must be carried out and completed by the undertaker in accordance with paragraph 76.

(9) For the purpose of paragraph 80(a) any modifications to Network Rail's apparatus under this paragraph shall be deemed to be protective works referred to in that paragraph.

(10) In relation to any dispute arising under this paragraph the reference in article 60 (arbitration) to the Institute of Civil Engineers shall be read as a reference to the President of the Institution of Engineering and Technology.

82. If at any time after the completion of a specified work, not being a work vested in Network Rail, Network Rail gives notice to the undertaker informing it that the state of maintenance of any part of the specified work appears to be such as adversely affects the operation of railway property, the undertaker must, on receipt of such notice, take such steps as may be reasonably necessary to put that specified work in such state of maintenance as not adversely to affect railway property.

83. The undertaker must not provide any illumination or illuminated sign or signal on or in connection with a specified work in the vicinity of any railway belonging to Network Rail unless it has first consulted Network Rail and it must comply with Network Rail's reasonable requirements for preventing confusion between such illumination or illuminated sign or signal and any railway signal or other light used for controlling, directing or securing the safety of traffic on the railway.

84. Any additional expenses which Network Rail may reasonably incur in altering, reconstructing or maintaining railway property under any powers existing at the making of this Order by reason of the existence of a specified work must, provided that 21 days' previous notice of the commencement of such alteration, reconstruction or maintenance has been given to the undertaker, be repaid by the undertaker to Network Rail within 42 days of receipt of a VAT invoice.

85. Network Rail must, on receipt of a request from the undertaker, from time to time provide the undertaker free of charge with written estimates of the costs, charges, expenses and other liabilities for which the undertaker is or will become liable under this Part of this Schedule and with such information as may reasonably enable the undertaker to assess the reasonableness of any such estimate or claim made or to be made pursuant to this Part of this Schedule.

86. In the assessment of any sums payable to Network Rail under this Part of this Schedule there must not be taken into account any increase in the sums claimed that is attributable to any action taken by or any agreement entered into by Network Rail if that action or agreement was not reasonably necessary and was taken or entered into with a view to obtaining the payment of those sums by the undertaker under this Part of this Schedule or increasing the sums so payable.

87. The undertaker and Network Rail may, subject in the case of Network Rail to compliance with the terms of its network licence, enter into, and carry into effect, agreements for the transfer to the undertaker (with reasonable endeavours used by the undertaker and Network Rail to procure the completion of such agreements with all due reasonable diligence and speed) of—

(a) any property shown on the works and land plans and described in the book of reference;

(b) any lands, works or other property held in connection with any such railway property; and

(c) any rights and obligations (whether or not statutory) of Network Rail relating to any railway property or any lands, works or other property referred to in this paragraph.

88. Nothing in this Order, or in any enactment incorporated with or applied by this Order, prejudices or affects the operation of Part I of the Railways Act 1993.

89. The undertaker must give written notice to Network Rail if any application is proposed to be made by the undertaker for the Secretary of State's consent, under article 7 (consent to transfer of benefit of Order) of this Order and any such notice must be given no later than 14 days before any such application is made and must describe or give (as appropriate)—

(a) the nature of the application to be made;

(b) the extent of the geographical area to which the application relates; and

(c) the name and address of the person acting for the Secretary of State to whom the application is to be made.

90. The undertaker must no later than 28 days from the date that the plans submitted to the Secretary of State in accordance with article 58 (certification of documents) are certified by the Secretary of State, provide an electronic set of those plans to Network Rail.

91. Any difference or dispute arising between the undertaker and Network Rail under this Part of this Schedule must, unless otherwise agreed in writing between the undertaker and Network Rail, be determined by arbitration in accordance with article 60 (arbitration).

PART 8

FOR THE PROTECTION OF EXOLUM PIPELINE SYSTEM

Application

92. For the protection of Exolum, the following provisions, unless otherwise agreed in writing at any time between the undertaker and Exolum, have effect.

Interpretation

93. In this Part of this Schedule, the following terms shall have the following meanings—

"additional rights" means rights for the construction and for access to and for the use, protection, inspection, maintenance, repair and renewal of retained apparatus including any

restrictions on the landowner and occupiers for the protection of the retained apparatus and to allow Exolum to perform its functions;

"apparatus" means the pipeline and storage system and any ancillary apparatus owned and/or operated by Exolum and includes—

(a) any structure in which apparatus is or is to be lodged or which gives or will give access to apparatus;

(b) any ancillary works, all protective wrappings, valves, sleeves and slabs, cathodic protection units, together with ancillary cables and markers;

(c) such legal interest, and benefit of property rights and covenants as are vested in in respect of these items;

"authorised development" has the same meaning as that given in article 2 (interpretation) of this Order;

"commence" has the same meaning as that given in article 2 (interpretation) of this Order (and "commencing" must be construed accordingly);

"Exolum" means Exolum Pipeline System Ltd and for the purpose of enforcing the benefit of any provisions in this Part of this Schedule, any group company of Exolum Pipeline System Ltd and in all cases any successor in title;

"functions" includes powers, duties and commercial undertakings;

"in" in a context referring to apparatus in land includes a reference to apparatus under, over or upon land;

"parties" means the undertaker and Exolum and "party" shall be construed accordingly;

(a) "premises" means the land that Exolum owns, occupies or otherwise has rights to use including but not limited to storage facilities, administrative buildings and jetties;

(b) "protective works" means works for the inspection and protection of apparatus;

"restricted works" means any works that are near to, or will or may affect any apparatus or premises including—

(a) all works within 3 metres measured in any direction of any apparatus including embankment works and those that involve a physical connection or attachment to any apparatus;

(b) the crossing of apparatus by other utilities;

(c) the use of explosives within 400 metres of any apparatus or premises;

(d) piling, undertaking of a 3D seismic survey or the sinking boreholes within 30 metres of any apparatus or premises;

(e) all works that impose a load directly upon the apparatus, wherever situated

(f) whether carried out by the undertaker or any third party in connection with the authorised development;

"restricted works plan" includes all designs, drawings, sections, specifications, method statements, soil reports, programmes, calculations, risk assessments and other documents that are reasonably necessary to allow Exolum to assess the relevant works to be executed properly and sufficiently and in particular must describe—

(a) the exact position of the works;

(b) the level at which the works are proposed to be constructed or renewed;

(c) the manner of the works' construction or renewal including details of excavation, positioning of plant etc.;

(d) the position of the affected apparatus and/or premises and any other apparatus belonging to another undertaker;

(e) by way of detailed drawings, every alteration proposed to be made to or close to any such apparatus;

(f) any intended maintenance regime;

(g) details of the proposed method of working and timing of execution of works; and

(h) details of vehicle access routes for construction and operational traffic;

Acquisition of Apparatus

94. Regardless of any other provision in this Order or anything shown on the land plans or if this Order covers any premises or interest in any land in which any apparatus is placed or over which access to any apparatus is enjoyed—

(1) the undertaker must not, otherwise than by agreement with Exolum, acquire any apparatus, Exolum's rights in respect of apparatus, any premises or any of Exolum's interests in land;

(2) the undertaker must not, in acquiring its own new rights, override, extinguish or otherwise affect any of Exolum's rights without their consent;

(3) the undertaker must not, otherwise than in accordance with this Part of this Schedule—

(a) obstruct or render less convenient the access to any apparatus or premises;

(b) interfere with or affect Exolum's ability to carry out its functions as an oil pipeline operator;

(c) require that apparatus is relocated or diverted; or

(d) remove or required to be removed any apparatus; and

(4) any right of Exolum to access the Exolum operations shall not be extinguished until necessary alternative access has been provided to Exolum's reasonable satisfaction.

95. Where the undertaker acquires land which is subject to any existing rights, the undertaker must—

(1) retain any notice of the existing rights on the title to the relevant land when registering the undertaker's title to such acquired land; and

(2) provide up to date official entry copies to Exolum within 20 business days of receipt of such up to date official entry copies.

96. Where the undertaker takes temporary possession of any land or carries out survey works on land in respect of which Exolum has an easement, right, asset, interest, apparatus or premises:

(1) Where reasonably necessary, Exolum may exercise its rights to access such land:

(a) in an emergency, without notice but in all such instances Exolum will notify the undertaker as soon as reasonably possible and until service of such notice, entry will be at Exolum's own risk; and

(b) in non-emergency circumstances, having first given prior written notice to the undertaker in order to allow the parties to agree the timing of their respective works during the period of temporary possession; and

(2) the undertaker shall not remove or in any way alter Exolum's rights in such land, unless in accordance with the provisions of this Order.

Retained Apparatus: Protection

97. Before commencing the execution of any restricted works, the undertaker must submit to Exolum a restricted works plan and any other information that Exolum may reasonably require to allow Exolum to assess the restricted works.

98. No restricted works are to be commenced until the restricted works plan to be submitted to Exolum under paragraph 97 has been approved by Exolum in writing and are to be carried out only in accordance with the details submitted under paragraph 97 and in accordance with such reasonable requirements as may be notified to the undertaker in writing in accordance with paragraph 99 by Exolum.

99. Any approval by Exolum of the restricted works plan submitted under paragraph 97 must not be unreasonably withheld or delayed provided that:

(a) it shall not be unreasonable for Exolum to withhold or delay approval in the event that in Exolum's reasonable opinion the proposed restricted works may affect the safety or operation of any apparatus or premises or Exolum's access to it; and

(b) in all other cases approval will be deemed to be given if it is neither given nor refused within 28 days of the later of:

(i) submission of the restricted works plan for approval under paragraph 97; or

(ii) submission of such further information as Exolum may reasonably require.

100. Exolum must communicate its approval or refusal of the plans within 28 days of the date of submission of the restricted works plan under paragraph 97 and any approval of the restricted works plan may be given subject to such reasonable requirements as Exolum may require to be made for:

(1) the continuing safety and operational viability of any apparatus and/or premises; and

(2) the requirement for Exolum to have reasonable access with or without vehicles to inspect, repair, replace, maintain and ensure the continuing safety and operation or viability of any apparatus and/or premises providing such reasonable requirements shall be notified to the undertaker in writing.

101. Exolum shall be entitled to watch and inspect the execution of restricted works at any time.

102. Where reasonably required by either party, in view of the complexity of any proposed works, timescales, phasing or costs, the parties shall with due diligence and good faith negotiate a works agreement for the carrying out of protective works.

103. Nothing in paragraphs 97 to 102 precludes the undertaker from submitting prior to the commencement of works to protect retained apparatus (unless otherwise agreed in writing between the undertaker and Exolum) a new restricted works plan, instead of the restricted works plan previously submitted, in which case the parties shall re-run the procedure from paragraph 97 onwards.

104. Where Exolum reasonably requires protective works, the parties shall use their reasonable endeavours to produce a plan of the work proposed and a plan of the proposed position of any physical features to be provided or constructed.

105. The undertaker shall afford to Exolum the necessary facilities and rights for the construction of any protective works as agreed between the parties (acting reasonably).

106. Any protective works are to be constructed in land owned by the undertaker or in land in respect of which additional rights have been or are guaranteed to be granted to Exolum. The protective works shall be constructed in such manner and in such line or situation as may be agreed between Exolum and the undertaker or in default of agreement settled in accordance with article 60 (arbitration) of this Order.

107. After the details for the protective works to be provided or constructed have been agreed or settled in accordance with article 60 (arbitration) of this Order, and after the grant to Exolum of any such facilities and rights as are agreed, Exolum must proceed as soon as reasonably practicable using reasonable endeavours to construct and bring into operation the protective works.

108. Where the undertaker needs to carry out emergency works on land in which Exolum has apparatus or rights:

(1) it must give to Exolum notice before such works commence, or as soon as is reasonably practicable after the works have commenced where it is not reasonably practicable to provide notice prior to commencement;

(2) the parties will work together to co-ordinate their respective works and agree a plan of those works before such works commence, or as soon as is practicable after the works have commenced where it is not reasonably practicable to provide notice prior to commencement; and

(3) it must comply with the requirements imposed under paragraph 98 insofar as is reasonably practicable in the circumstances.

Cathodic protection testing

109. Where in the reasonable opinion of Exolum or the undertaker:

(1) the authorised development might interfere with the cathodic protection forming part of apparatus; or

(2) any apparatus might interfere with the proposed or existing cathodic protection forming part of the authorised development;

(3) Exolum and the undertaker must co-operate in undertaking the tests which they consider reasonably necessary for ascertaining the nature and extent of such interference and measures for providing or preserving cathodic protection.

110. the parties shall carry out the works and enter into such agreements as are necessary to implement the measures for providing or preserving cathodic protection.

Expenses

111. Subject to the following provisions of these paragraphs 111 to 113, the undertaker must pay to Exolum the reasonable and properly incurred costs and expenses (including reasonable staffing costs if work is carried out in-house) incurred by Exolum in, or in connection with:

(1) the negotiation of the provisions of this Part this Schedule;

(2) undertaking its obligations under this Part this Schedule including:

(a) the installation, inspection, removal, alteration, testing or protection of any apparatus, and/or protective works;

(b) the execution of any other works under this Part of this Schedule; and

(c) the review and assessment of restricted works plans;

(3) the watching of and inspecting the execution of the authorised development, any restricted works and any works undertaken by third parties as a result of authorised development (including the assessment of restricted works plans); and

(4) imposing reasonable requirements for the protection or alteration of apparatus affected by the authorised development or works as a consequence of the authorised development in accordance with paragraph 99; together with any administrative costs properly and reasonably incurred by Exolum.

112. There will be no deduction from any sum payable under paragraph 111 as a result of:

(1) the placing of apparatus of a better type, greater capacity or of greater dimensions, or at a greater depth than the existing apparatus;

(2) the placing of apparatus in substitution of the existing apparatus that may defer the time for renewal of the existing apparatus in the ordinary course; or

(3) the scrap value (if any) of any apparatus removed.

113. Upon the submission of proper and reasonable estimates of costs and expenses to be incurred by Exolum, the undertaker shall pay Exolum sufficiently in advance to enable Exolum to undertake its obligations under this Part of this Schedule in a manner that is neutral to its cash flow provided that in the event that the costs incurred by Exolum are less than the amount paid by the undertaker pursuant to this paragraph 113 then Exolum shall promptly repay any overpayment to the undertaker within 56 days of those costs actually being incurred by Exolum.

Damage to property and other losses

114. Subject to paragraphs 115 to 120, the undertaker shall:

(1) indemnify Exolum for all reasonably foreseeable loss, damage, liability, costs and expenses suffered or incurred by Exolum arising out of:

(a) the carrying out of works under this Part of this Schedule;

(b) the carrying out of the authorised development;

(c) the use or occupation of land over or in the vicinity of any apparatus or in the vicinity of any premises in connection with the carrying out of the authorised development;

(d) any injury or damage whatsoever to any property, real or personal, including the property of Exolum; and

(e) any matters arising out of or in connection with this Order;

(2) indemnify Exolum against any claim made against, or loss suffered by, Exolum as a result of any act or omission committed by the undertaker's officers, employees, contractors or agents whilst on or in the vicinity of any apparatus or premises;

(3) pay to Exolum on demand the cost reasonably incurred by Exolum in making good any damage to the apparatus (other than apparatus the repair of which is not reasonably necessary in view of its intended removal or abandonment) arising out of the carrying out of works under this Part of this Schedule and arising out of the carrying out of the authorised development; and

(4) pay to Exolum the cost reasonably incurred by Exolum in stopping, suspending and restoring the supply though its apparatus in consequence of the carrying out of works under this Part of this Schedule or the carrying out of the authorised development;

(5) and make reasonable compensation to Exolum for any other expenses, losses, damages, penalty or costs incurred by Exolum by reason or in consequence of any such damage or interruption including all claims by third parties

115. The fact that any act or thing may have been done by Exolum on behalf of the undertaker or in accordance with a restricted works plan approved by Exolum or in accordance with any requirement of Exolum or under its supervision shall not, (in the absence of negligence on the part of Exolum, its officers, contractors or agents) subject to paragraph 116, excuse the undertaker from liability under the provisions of paragraph 114.

116. The undertaker and Exolum shall at all times take reasonable steps to prevent and mitigate any loss, damage, liability, claim, cost or expense (whether indemnified or not) which either suffers in connection with this Part of this Schedule.

117. The undertaker warrants that:

(1) the information it or any of its employees, agents or contractors provide to Exolum about the restricted works plans or the authorised development and on which Exolum relies in the design of and carrying out of any works is accurate; and

(2) the undertaker or any of its employees, agents or contractors have exercised all the reasonable skill, are and diligence to be expected of a qualified and experienced member of their respective profession.

118. Exolum shall give to the undertaker notice as soon as reasonably possible of any claim or demand to which paragraph 114 applies and no settlement or compromise may be made without the agreement of the undertaker, such agreement not to be unreasonably withheld or delayed.

Insurance

119. The undertaker must not commence the authorised development or any intrusive environmental (including archaeological) surveys and investigation or intrusive site or soil surveys on any land in respect of which Exolum has an easement, right, operations, assets or other interests or carry out any restricted works unless and until Exolum has confirmed to the undertaker in writing that it is satisfied acting reasonably (but subject to all necessary regulatory constraints) that the undertaker (or its contractor) has procured acceptable professional indemnity insurance and public liability insurance with minimum cover of £25 million per event, with respect to the carrying out of the works.

120. The undertaker shall maintain such insurance for the construction period of the restricted works, being from the proposed date of commencement of the authorised development to the completion of any restricted works or protective works, whichever is later.

Co-operation and reasonableness

121. Where apparatus is required to be protected, altered, diverted or removed under this Part of this Schedule, both parties must use reasonable endeavours to co-ordinate the execution of any works under this Part of this Schedule:

(1) in the interests of safety;

(2) in the interest of the efficient and economic execution of both Exolum's works and the authorised development; and

(3) taking into account the need to ensure the safe and efficient operation of apparatus and carrying out of Exolum's functions.

122. The undertaker and Exolum shall act reasonably in respect of any given term of this Part of this Schedule and, in particular, (without prejudice to generality) where any approval, consent or expression of satisfaction is required by this Part of this Schedule it shall not be unreasonably withheld or delayed.

Emergency circumstances

123. The undertaker acknowledges that Exolum provides services to His Majesty's Government, using the apparatus, which may affect any works to be carried under this Part of this Schedule and the authorised development.

124. In the following circumstances, Exolum may on written notice to the undertaker immediately suspend all works that necessitate the stopping or suspending of the supply of product through any apparatus under this Part of this Schedule and Exolum shall not be in breach of its obligations under this Part of this Schedule:

(1) circumstances in which, in the determination of the Government, there subsists a material threat to national security, or a threat or state of hostility or war or other crisis or national emergency (whether or not involving hostility or war); or

(2) circumstances in which a request has been received, and a decision to act upon such request has been taken, by the Government for assistance in relation to the occurrence or anticipated occurrence of a major accident, crisis or natural disaster; or

(3) circumstances in which a request has been received from or on behalf of NATO, the EU, the UN, the International Energy Agency (or any successor agency thereof) or the government of any other state for support or assistance pursuant to the United Kingdom's international obligations and a decision to act upon such request has been taken by the Government; or

(4) any circumstances identified as such by the COBRA committee of the Government (or any successor committee thereof); or

(5) any situation in connection with which the Government requires fuel capacity, including where the United Kingdom is engaged in any planned or unplanned military operations within the United Kingdom or overseas.

125. The parties agree to act in good faith and in all reasonableness to agree any revisions to any schedule, programme or costs estimate (which shall include costs of demobilising and remobilising any workforce, and any costs to protect the apparatus "mid-works") to account for the suspension.

126. Exolum shall not be liable for any costs, expenses, losses or liabilities the undertaker incurs as a result of the suspension of any activities under paragraph 124 or delays caused by it.

Escalation of difference

127. The undertaker and Exolum shall use their reasonable endeavours to secure the amicable resolution of any dispute or difference arising between them out of or in connection with this Part of this Schedule in accordance with the following provisions.

128. The undertaker and Exolum shall each nominate a representative who shall meet to try to resolve the matter. If the matter is not resolved at that level within ten business days of either the undertaker or Exolum requesting such a meeting (or such longer period as may be agreed between the undertaker and Exolum) the matter may at the request of either the undertaker or Exolum be referred for discussion at a meeting to be attended by a senior executive from each party.

129. If the meeting between senior executives fails to result in a settlement within 20 business days of the date of the request for such a meeting (or if it is not possible to convene a meeting within this period) then either the undertaker or Exolum may refer the matter to arbitration under article 60 of the this Order.

SCHEDULE 15

Article 58

CERTIFIED DOCUMENTS

(1) *Document Title*	*(2)* *Document Reference*
Access, Rights of Way and Public Rights of Navigation Plans	2.6
Biodiversity Net Gain Report	7.1
Book of Reference	4.3
Crown Land Plans	2.15
Design Approach Document	5.10
Environmental Statement (together with any supplemental or additional environmental information)	6.1 – 6.22
Framework Construction Surface Water Management Plan	Appendix B, 7.13 Flood Risk Assessment
Indicative Bridge and Culvert Schedule	6.4.A2
Indicative Pylon Schedule	6.4.A1
Land Plans	2.3
Outline Archaeological Written Scheme of Investigation	7.9
Outline Code of Construction Practice	7.2
Outline Construction Traffic Management Plan	7.4
Outline Cultural Heritage Management Plan	7.10
Outline Landscape and Ecology Management Plan	7.8
Outline Noise and Vibration Management Plan	7.7
Outline Public Right of Way Management Plan	7.6
Outline Soil Management Plan	
Register of Environmental Actions and Commitments	7.3
Special Category Land Plans	2.14
Temporary Construction Works Figure	6.4.F3
Third Party Works Figure	6.4.F4
Traffic Regulation Order Plans	2.5
Trees and Important Hedgerows to be	2.13

Removed or Managed Plans	
Water Bodies In the River Basin Management Plan	2.11
Works Plans	2.4

EXPLANATORY NOTE

(This note is not part of the Order)

This Order grants development consent to National Grid Electricity Transmission plc ("National Grid") for a new electricity transmission connection of approximately 90 kilometres (km) in overall length between two proposed new substations: the 400 kV Birkhill Wood Substation and 400 kV High Marnham Substation. The proposed new substations are subject to separate planning permissions, which were granted by the relevant local planning authorities in February 2026 (Birkhill Wood) and June 2026 (High Marnham) respectively. The proposed development is required as part of the wider need to reinforce the electricity transmission system and to carry out all associated works.

In order to accommodate these works, this Order also grants development consent to National Grid Electricity Distribution plc (''NGED''), Northern Powergrid Yorkshire plc (''NPG'') and British Telecommunications Limited (''BT'') in addition to National Grid, for the reconfiguration of the local electricity distribution network and telecommunications network. The Order also makes provision in connection with the maintenance of the authorised development.

The Order allows National Grid to acquire compulsorily or by agreement, land and rights in land and to use land for this purpose and for NGED, NPG and BT to acquire, compulsorily or by agreement, rights in land and to use the land in connection with the reconfiguration of the local electricity distribution network and telecommunications network. A copy of the plans and book of reference referred to in this Order and certified in accordance with article 58 of this Order may be inspected in electronic form in accordance with article 58(4) of this Order.