

SCHEDULES

SCHEDULE 10

PROTECTIVE PROVISIONS

PART 2

PROTECTION OF NATIONAL GRID GAS PLC

Protection of apparatus

23.—(1) Not less than 56 days before commencing 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 the removal of which has not been required by the undertaker under paragraph 21(2), the undertaker shall submit to the company plans of the works to be executed.

(2) Those works shall be executed only in accordance with the plans submitted under sub-paragraph (1) and in accordance with such reasonable requirements as may be made in accordance with sub-paragraph (3) by the company for the alteration or otherwise for the protection of the apparatus, or for securing access thereto, and the company shall be entitled by its officer to watch and inspect the execution of those works.

(3) Any requirements made by the company under sub-paragraph (2) shall be made within a period of 42 days beginning with the date on which the plans under sub-paragraph (1) are received by it.

(4) If the company 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, the foregoing provisions of this Part of this Schedule shall apply as if the removal of the apparatus had been required by the undertaker under paragraph 21(2).

(5) Nothing in this paragraph shall preclude 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, new plans in lieu of the plans previously submitted, and thereupon the provisions of this paragraph shall apply to and in respect of the new plans.

(6) The undertaker shall not be required to comply with sub-paragraph (1) in a case of emergency, but in that case it shall give to the company notice as soon as is reasonably practicable and plans of those works as soon as reasonably practicable thereafter and shall comply with sub-paragraph (2) in so far as is reasonably practicable in the circumstances.