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STATUTORY INSTRUMENTS

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**2014 No. 1052**

**The National Grid (North London  
Reinforcement Project) Order 2014**

**PART 1**

**PRELIMINARY**

**Citation and Commencement**

1. This Order may be cited as the National Grid (North London Reinforcement Project) Order 2014 and shall come into force on 7th May 2014.

**Interpretation**

2.—(1) In this Order—

“the 1961 Act” means the Land Compensation Act 1961(1);

“the 1965 Act” means the Compulsory Purchase Act 1965(2);

“the 1980 Act” means the Highways Act 1980(3);

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- (1) 1961 c. 33. Sections 1 and 4 were amended by the Transfer of Tribunal Functions (Lands Tribunal and Miscellaneous Amendments) Order 2009 (S.I. 2009/1307). Sections 2 and 3 were repealed by that Order. There are other amendments to the 1961 Act which are not relevant to this Order.
- (2) 1965 c. 56. Section 3 was amended by section 70 of, and paragraph 3 of Schedule 15 to, the Planning and Compensation Act 1991 (c. 34). Section 4 was amended by section 3 of, and Part 1 of Schedule 1 to, the Housing (Consequential Provisions) Act 1985 (c. 71). Section 5 was amended by section 67 of the Planning and Compensation Act 1991; section 80 of, and Part 2 of Schedule 18 to, the Planning and Compensation Act 1991 make provisions in respect of interest payable on compensation. Sections 9, 25 and 29 were amended by the Statute Law (Repeals) Act 1973 (c. 39). Section 11(1) and sections 31 and 32 were amended, and section 30 was substituted, by section 34(1) of, and Schedule 4 to, the Acquisition of Land Act 1981 (c. 67); sections 11(1) and 31 were also amended by section 14 of, and paragraph 12 of Schedule 5 to, the Church of England (Miscellaneous Provisions) Measure 2006 (2006 No. 1). Section 12 was amended by section 56(2) of, and Part 1 of Schedule 9 to, the Courts Act 1971 (c. 23). Section 13 was amended by section 139 of the Tribunals, Courts and Enforcement Act 2007 (c. 15). Section 20 was amended by section 70 of, and paragraph 4 of Schedule 15 to, the Planning and Compensation Act 1991. Section 31 was also amended by section 70 of, and paragraph 19 of Schedule 15 to, the Planning and Compensation Act 1991. Section 125 of the Planning Act 2008 applies Part 1 of the 1965 Act with modifications. There are other amendments to the 1965 Act which are not relevant to this Order.
- (3) 1980 c. 66. Section 1(1) was amended by section 21(2) of the New Roads and Street Works Act 1991 (c. 22); sections 1(2), (3) and (4) were amended by section 8 of, and paragraph 1 of Schedule 4 to, the Local Government Act 1985 (c. 51); section 1(2A) was inserted, and section 1(3) was amended, by section 259 (1), (2) and (3) of the Greater London Authority Act 1999 (c. 29); sections 1(3A) and 1(5) were inserted by section 22(1) of, and paragraph 1 of Schedule 7 to, the Local Government (Wales) Act 1994 (c. 19). Section 36(2) was amended by section 4(1) of, and paragraphs 47(a) and (b) of Schedule 2 to, the Housing (Consequential Provisions) Act 1985, by S.I. 2006/1177, by section 4 of, and paragraph 45(3) of Schedule 2 to, the Planning (Consequential Provisions) Act 1990 (c. 11), by section 64(1), (2) and (3) of the Transport and Works Act 1992 (c. 42) and by section 57 of, and paragraph 5 of Part 1 of Schedule 6 to, the Countryside and Rights of Way Act 2000 (c. 37); section 36(3A) was inserted by section 64(4) of the Transport and Works Act 1992 and was amended by S.I. 2006/1177; section 36(6) was amended by section 8 of, and paragraph 7 of Schedule 4 to, the Local Government Act 1985; and section 36(7) was inserted by section 22(1) of, and paragraph 4 of Schedule 7 to, the Local Government (Wales) Act 1994. Section 329 was amended by section 112(4) of, and Schedule 18 to, the Electricity Act 1989 (c. 29) and by section 190(3) of, and Part 1 of Schedule 27 to, the Water Act 1989 (c. 15). There are other amendments to the 1980 Act which are not relevant to this Order.

- “the 1981 Act” means the Compulsory Purchase (Vesting Declarations) Act 1981(4);
- “the 1990 Act” means the Town and Country Planning Act 1990(5);
- “the 1991 Act” means the New Roads and Street Works Act 1991(6);
- “the 2008 Act” means the Planning Act 2008;
- “the access/rights of way plans” means the plans submitted with the application (A1/PTD/6283/027 (rev D), A1/PTD/6283/93 (rev E), A1/PTD/6283/94 (rev D), A1/PTD/6283/95 (rev D), A1/PTD/6283/96 (rev D), A1/PTD/6283/97 (rev D), A1/PTD/6283/98 (rev D), A1/PTD/6283/99 (rev D), A1/PTD/6283/100 (rev D), A1/PTD/6283/101 (rev D) and A1/PTD/6283/102 (rev D) ) and certified as the access/rights of way plans by the Secretary of State for the purposes of this Order”;
- “authorised development” means the development and associated development described in Schedule 1 (authorised development) or any part thereof and any other development authorised by this Order or part thereof, which is development within the meaning of section 32 of the 2008 Act;
- “the book of reference” means the book of reference certified by the Secretary of State as the book of reference for the purposes of this Order;
- “building” includes any structure or erection or any part of a building, structure or erection;
- “the canal” means the River Lee Navigation;
- “carriageway” has the same meaning as in the 1980 Act;
- “the design drawings and sections” means the drawings and sections submitted with the application (WALX4-00-N0-032 (rev C), WALX4-00-N0-033 (rev A), WALX4-00-N0-34 (rev B), WALX4-00-N0-35 (rev B), WALX4-00-N0-36 (rev B), BRIM4-00-N0-001 (rev A), BRIM4-00-N0-002 (rev C), BRIM4-00-N0-003 (rev B), PN/CSED/8106 (issue N), PN/CSED/8106 (issue M), BRIM4-00-N0-004 (rev C), PN/CSED/8107 (issue M), PN/CSED/8107 (issue H), PN/CSED/8111 (issue H) and PN/CSED/8172 (issue G)) and certified as the design drawings and sections by the Secretary of State for the purposes of this Order;
- “electronic transmission” means communication transmitted—
- (a) by means of an electronic communications network; or
  - (b) by other means but while in electronic form;
- “the environmental measures document” means the document approved and certified by the Secretary of State as the environmental measures document for the purposes of this Order;
- “the environmental statement” means the statement submitted with the application and certified as the environmental statement by the Secretary of State for the purposes of this Order;
- “highway” and “highway authority”, except in Part 2 of Schedule 13, have the same meaning as in the 1980 Act;

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- (4) 1981 c. 66. Sections 2(3), 6(2) and 11(6) were amended by section 4 of, and paragraph 52 of Schedule 2 to, the Planning (Consequential Provisions) Act 1990. Section 15 was amended by sections 56 and 321(1) of, and Schedules 8 and 16 to, the Housing and Regeneration Act 2008 (c. 17). Paragraph 1 of Schedule 2 was amended by section 76 of, and Part 2 of Schedule 9 to, the Housing Act 1988 (c. 50); section 161(4) of, and Schedule 19 to, the Leasehold Reform, Housing and Urban Development Act 1993 (c. 28); and sections 56 and 321(1) of, and Schedule 8 to, the Housing and Regeneration Act 2008. Paragraph 3 of Schedule 2 was amended by section 76 of, and Schedule 9 to, the Housing Act 1988 and section 56 of, and Schedule 8 to, the Housing and Regeneration Act 2008. Paragraph 2 of Schedule 3 was repealed by section 277 of, and Schedule 9 to, the Inheritance Tax Act 1984 (c. 51). There are other amendments to the 1981 Act which are not relevant to this Order.
  - (5) 1990 c. 8. Section 206(1) was amended by section 192(8) of, and paragraphs 7 and 11 of Schedule 8 to, the Planning Act 2008. There are other amendments to the 1990 Act which are not relevant to this Order.
  - (6) 1991 c. 22. Section 48(3A) was inserted by section 124 of the Local Transport Act 2008 (c. 26). Sections 79(4), 80(4), and 83(4) were amended by section 40 of, and Schedule 1 to, the Traffic Management Act 2004 (c. 18). There are other amendments to the 1991 Act which are not relevant to this Order.

“the land plans” means the plans submitted with the application (A1/PTD/6283/020 (rev D), A1/PTD/6283/12 (rev D), A1/PTD/6283/13 (rev E), A1/PTD/6283/14 (rev D), A1/PTD/6283/15 (rev D), A1/PTD/6283/16 (rev E), A1/PTD/6283/17 (rev D), A1/PTD/6283/18 (rev D), A1/PTD/6283/19 (rev E), A1/PTD/6283/22 (rev D), A1/PTD/6283/23 (rev D), A1/PTD/6283/136 (rev D), A1/PTD/6283/103 (rev D), A1/PTD/6283/104 (rev D), A1/PTD/6283/105 (rev D), A1/PTD/6283/106 (rev D), A1/PTD/6283/107 (rev D), A1/PTD/6283/108 (rev D), A1/PTD/6283/109 (rev D), A1/PTD/6283/110 (rev D), A1/PTD/6283/111 (rev D) and A1/PTD/6283/112 (rev D)) and certified as the land plans by the Secretary of State for the purposes of this Order;

“Lee Valley Regional Park and “Lee Valley Regional Park Authority” have the same meaning as in the Lee Valley Regional Park Act 1966(7);

“limits of deviation” means the limits of deviation referred to in article 6 (limits of deviation);

“maintain” includes to inspect, repair, adjust, alter, remove, reconstruct and replace or relay, but not so as to vary from the description of the authorised development in Schedule 1 and any derivative of “maintain” shall be construed accordingly;

“Order land” means the land shown on the land plans which is within the Order limits and described in the book of reference;

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

“owner”, in relation to land, has the same meaning as in section 7 of the Acquisition of Land Act 1981(8);

“relevant highway authority” means, in any provision of this Order, the highway authority for any area of land to which that provision relates;

“relevant local authority” means, in any provision of this Order, the local authority for any area of land to which that provision relates;

“relevant planning authority” means, in any provision of this Order, the local planning authority for any area of land to which that provision relates;

“relevant street authority” means, in any provision of this Order, the street authority for any area of land to which that provision relates;

“the replacement land” means the land identified as replacement land in the book of reference and on the special category land/replacement land plans;

“the sections” means the sections shown in the design drawings and sections;

“the special category land/replacement land plans” means the plans submitted with the application (A1/PTD/6283/137 (rev D), A1/PTD/6283/123 (rev D), A1/PTD/6283/124 (rev D), A1/PTD/6283/125 (rev D), A1/PTD/6283/126 (rev D), A1/PTD/6283/127 (rev D), A1/PTD/6283/128 (rev D), A1/PTD/6283/129 (rev D), A1/PTD/6283/130 (rev D), A1/PTD/6283/131 (rev D) and A1/PTD/6283/132 (rev D)) and certified as the special category land/replacement land plans by the Secretary of State for the purposes of this Order;

“statutory undertaker” means any person falling within section 127(8), 128(5) or 129(2) of the 2008 Act;

“street” means a street within the meaning of section 48 of the 1991 Act, 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;

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(7) 1966 c. xli.

(8) 1981 c. 67. Section 7 was amended by section 70 of, and paragraph 9 of Schedule 15 to, the Planning and Compensation Act 1991. Paragraph 1(5) 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). There are other amendments to this Act which are not relevant to this Order.

“traffic” has the same meaning as in section 329(1) of the 1980 Act;

“the tribunal” means the Lands Chamber of the Upper Tribunal;

“undertaker” means the person who has the benefit of this Order in accordance with article 7(1) (benefit of Order);

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

“the works plans” means the plans submitted with the application (A1/PTD/6283/021 (rev D), A1/PTD/6283/83 (rev D), A1/PTD/6283/84 (rev D), A1/PTD/6283/85 (rev D), A1/PTD/6283/86 (rev D), A1/PTD/6283/87 (rev D), A1/PTD/6283/88 (rev D), A1/PTD/6283/89 (rev D), A1/PTD/6283/90 (rev D), A1/PTD/6283/91 (rev D) and A1/PTD/6283/92 (rev D)) and certified as the works plans by the Secretary of State for the purposes of this Order.

(2) References in this Order to rights over land include references to rights to do, or to place and maintain, anything in, on or under land or in the air-space above its surface and references in this Order to the imposition of restrictive covenants 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.

(3) All distances, directions and lengths referred to in this Order are approximate and distances between points on a work comprised in the authorised development shall be taken to be measured along that work.

(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, shall be construed as references to points so lettered or numbered on the access/rights of way plans and references to pylons identified by letters and numbers shall be construed as references to pylons so lettered and numbered on the works plans.

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

### **Application and modification of legislative provisions**

**3.** Subject to the modifications set out in Schedule 10 the enactments for the time being in force with respect to compensation for compulsory purchase of land shall apply in the case of the compulsory acquisition under this Order of a right by the creation of a new right as they apply with respect to compensation for the compulsory purchase of land and interests in land.