
STATUTORY INSTRUMENTS

2013 No. 675

**The Lancashire County Council (Torrisholme to the M6 Link
(A683 Completion of Heysham to M6 Link Road)) Order 2013**

PART 2

PRINCIPAL POWERS

Development consent etc. granted by the Order

3.—(1) Subject to the provisions of this Order and to the requirements in Schedule 2 (requirements) the undertaker is granted development consent for the authorised development to be carried out within the Order limits.

(2) Subject to article 5 (limits of deviation) the works numbered in Schedule 1 (authorised development) may only be constructed in the lines and situations shown on the works plans and in accordance with the levels shown on the sections.

Maintenance of authorised development

4. The undertaker may at any time maintain the authorised development, except to the extent that this Order or an agreement made under this Order, provides otherwise.

Limits of deviation

5. In carrying out the authorised development the undertaker may

- (a) deviate vertically from the levels shown on the sections to any extent not exceeding 0.5 metres upwards or downwards; and
- (b) deviate laterally from the lines or situations shown on the works plans to any extent not exceeding 1 metre in any direction within the Order limits.

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 Lancashire County Council.

(2) Paragraph (1) does not apply to the works for which consent is granted by this Order for the express benefit of owners and occupiers of land, statutory undertakers and other persons affected by the authorised development.

Consent to transfer benefit of Order

7.—(1) The undertaker may—

- (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 the undertaker and the transferee; or

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- (b) grant to another person (“the lessee”) for a period agreed between the undertaker 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) Where an agreement has been made in accordance with paragraph (1) references in this Order to the undertaker, except in paragraph (3), include references to the transferee or the lessee.
- (3) The exercise by a person of any benefits or rights conferred in accordance with any transfer or grant under paragraph (1) are subject to the same restrictions, liabilities and obligations as would apply under this Order if those benefits or rights were exercised by the undertaker.
- (4) The consent of the Secretary of State is required for a transfer or grant under this article, except where the transfer or grant is made—
 - (a) to National Grid for the purposes of undertaking works numbered 1(xxii) and 1(xxxi) ; or
 - (b) to the Secretary of State.