

SCHEDULE 1

Article 2 and 4

AUTHORISED DEVELOPMENT

In Epping Forest District Council, London Borough of Enfield, London Borough of Waltham Forest and London Borough of Haringey

UPRATING OF ZBC OVERHEAD ELECTRIC LINE

Work No. 1 — Uprating of the existing ZBC overhead electric line between pylon ZBC2 and pylon ZBC43 from 275 kilovolts (kV) to 400kV including—

- (a) uprating the existing phase conductors, insulators and fittings;
- (b) steel work replacement; and
- (c) replacing existing earthwire.

In Epping Forest District Council

WALTHAM CROSS SUBSTATION

Work No. 2A — Construction and installation of a new transmission pylon 4ZM1R, installation of new phase conductors, insulators, fittings and an earthwire conductor from pylon 4ZM1R to pylon 4ZM2, and installation of new connections from pylon 4ZM1R into the new gas insulated switchgear substation at Waltham Cross.

Work No. 2B — Removal of existing transmission pylon 4ZM1, the phase and earthwire conductors between pylon 4ZM1 and pylon 4ZM2 and the connections between pylon 4ZM1 and the existing Waltham Cross substation.

Work No. 3A — Construction and installation of two new transmission pylons ZBC1A and ZBC1B, installation of new phase conductors, insulators, fittings and an earthwire from pylon ZBC2 to pylon ZBC1B and pylon ZBC1A, and installation of new connections from pylon ZBC1A into the new gas insulated switchgear substation at Waltham Cross.

Work No. 3B — Removal of existing transmission pylon ZBC1, the phase and earthwire conductors between pylon ZBC1 and pylon ZBC2, and the connections from pylon ZBC1 to Waltham Cross substation.

Work No. 4 — Construction of a new gas insulated switchgear substation at Waltham Cross including the following works—

- (a) construction of a gas insulated switchgear building comprising the following—
 - (i) a steel and fibre board clad building;
 - (ii) up to ten bays of gas insulated switchgear;
 - (iii) low voltage mechanical and electrical equipment;
 - (iv) electrical control panels; and
 - (v) gas insulated bus bar tubes to transfer electricity; and
- (b) construction of up to nine ancillary plant modules;
- (c) construction of gas insulated bus bar tubes;
- (d) construction of a welfare block for operations welfare and installation of a new foul cess pit to facilitate the new welfare block;
- (e) construction of an equipment garage;
- (f) construction of up to four landing gantries to a maximum height of 15m for terminal overhead electric line connections into the substation;

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (g) installation of electrical air insulated switchgear between termination points of substation building and overhead electric line connections to landing gantries;
- (h) installation of troughing and below ground services;
- (i) installation of lamp posts for street lighting and other site furniture;
- (j) part demolition of the existing 275kV substation associated with the 275kV circuits being uprated and removal of two decommissioned cable sealing end compounds;
- (k) dismantling and removal of two existing 275–400kV transformers;
- (l) disconnection of two 400–275kV transformers and relocation of the transformers to an on-site storage location;
- (m) construction of perimeter and internal fencing, signage, secured entrance, CCTV poles, gates, barriers and bollards; and
- (n) construction of a permanent access road up to 4m wide connecting the existing substation to the new gas insulated switchgear building.

Work No. 5 — Establishment of a material holding facility and laydown area with construction related buildings and welfare facilities off Stubbins Hall Lane.

In the London Borough of Enfield

BRIMSDOWN SUBSTATION

Work No. 6 — Works to extend the existing 275–132kV substation at Brimsdown to facilitate the uprating of the 275–400kV overhead electric line including the following—

- (a) earthworks including site levelling, trenches, below ground services and drainage system;
- (b) construction of two 400–132kV transformer bays including foundations;
- (c) installation of air insulated switchgear to facilitate termination of overhead electric line into substation;
- (d) installation of a new diesel generator and concrete foundation as a backup low voltage electricity supply to the substation;
- (e) demolition of two existing 275–132kV transformers, foundations and ancillary equipment; and
- (f) diversion of existing 132kV cable to facilitate new works.

Work No. 7A — Construction of a new bridge over the Small River Lee (Turkey Brook) to accommodate a new access and cable route from the existing Brimsdown substation to the new cable sealing end compounds at pylon ZBC19.

Work No. 7B — Installation of two new cable sealing end compounds at pylon ZBC19, installation of up to six 400kV cables underground from the new compounds to Brimsdown substation over the new bridge constructed as part of Work No. 7A, establishment of laydown area, remodelling of bund and removal of two cable sealing end compounds at pylon ZBC20 and removal of cables between pylon ZBC20 and Brimsdown substation.

Work No. 7C — Remodelling existing bund and works to temporarily divert footpath.

Work No. 7D — Creation of new permanent footpath linking footpath at dismantled railway to Footpath No. 103.

Work No. 7E — Creation of new permanent diversion to Footpath No. 103.

LEE PARK WAY

Work No. 8 — Establishment of a material holding facility and laydown area with construction related buildings and welfare facilities in the car park off Lee Park Way.

In the London Borough of Haringey

TOTTENHAM SUBSTATION

Work No. 9 — Modifications to existing protection and control equipment to facilitate the bypass of Tottenham substation by the newly uprated 400kV overhead electricity line.

Work No. 10 — Works to facilitate bypassing of Tottenham substation including the following works—

- (a) removal of existing phase and earthwire conductors from pylon ZBC43 to existing anchor blocks;
- (b) installation of new phase and earthwire conductors to gantries within new northern cable sealing end compound and removal of existing cables connecting ZBC43 to Tottenham substation;
- (c) installation of new cable sealing end compounds at pylons ZBC43 and VC1R;
- (d) the installation of up to twelve 400kV cables predominantly underground from the northern cable sealing end compound at pylon ZBC43 to the southern cable sealing end compound at pylon VC1R; and
- (e) installation of two cable bridges across Pymmes Brook.

Work No. 11 — Installation of a new transmission pylon VC1R, new phase and earthwire conductors, insulators and fittings between VC1R and VC2 and new connections from pylon VC1R to the gantries in the new southern cable sealing end compound.

Work No. 12 — Removal of existing transmission pylon VC1 and phase and earthwire conductors between pylon VC1 and pylon VC2 and removal of connections from between pylon VC1 and the existing Tottenham substation.

Work No. 13 — Establishment of material holding facility and laydown area with construction related buildings and welfare facilities, and in connection with such works further associated development within the Order limits consisting of—

- (a) ramps, means of access, footpaths, bridleways, trackways and pontoons;
- (b) embankment, viaducts, aprons, abutments, shafts, foundations, retaining walls, drainage, wing walls, fencing and culverts;
- (c) works to alter the position of apparatus, including mains, sewers, drains and cables;
- (d) works to alter the course of, or otherwise interfere with a watercourse;
- (e) landscaping and other works to mitigate any adverse effects of the construction, maintenance or operation of the authorised development;
- (f) works for the benefit or protection of land affected by the authorised development;
- (g) works required for the strengthening, improvement, maintenance, or reconstruction of any streets;
- (h) works to alter or remove road furniture;

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (i) site preparation works, site clearance (including fencing, vegetation removal, demolition of existing structures and the creation of alternative footpaths); earthworks (including soil stripping and storage, site levelling);
- (j) establishment of site construction compounds, temporary vehicle parking, construction fencing, perimeter enclosure, security fencing, construction related buildings, welfare facilities, construction lighting and haulage roads;
- (k) installation of wires, cables, ducts, pipes and conductors; and
- (l) such other works, including working sites storage areas, and works of demolition, as may be necessary or expedient for the purposes of or in connection with the construction of the authorised development.

SCHEDULE 2

Article 45

REQUIREMENTS

Interpretation

1. In this Schedule—

“approved details” means the design drawings and sections certified under article 43 by the Secretary of State for the purposes of this Order;

“commence” means begin to carry out a material operation, and any derivative of “commence” shall be construed accordingly;

“material operation” means a material operation as defined in section 155 of the 2008 Act (when development begins) which is comprised in or carried out for the purposes of the authorised development, or any part of the authorised development, but does not include any remediation, environmental (including archaeological) investigation, site or soil survey, erection of contractors’ work compound, erection of site office, erection of fencing to site boundaries or marking out of site boundaries; and

“stage” means a defined section or part of the authorised development, the extent of which is shown in a scheme submitted to and approved by the relevant planning authority pursuant to requirement 3.

Time Limits

- 2.** The authorised development must be commenced within 5 years of the date of this Order.

Stages of authorised development

3. The authorised development shall not commence until a written scheme setting out all the stages of the authorised development has, after consultation with the relevant highway authority and Lee Valley Regional Park Authority, been submitted to and approved by the relevant planning authority.

In accordance with approved details

4. The authorised development shall be carried out in accordance with the approved details unless otherwise agreed by the relevant planning authority.

Landscaping

5.—(1) No stage of the authorised development shall commence until a written landscaping scheme for that stage has, after consultation with the Lee Valley Regional Park Authority where the scheme refers to any land within the boundary of the Lee Valley Regional Park, been submitted to and approved by the relevant planning authority.

(2) Each landscaping scheme submitted under requirement 5(1) shall reflect the environmental measures set out in the environmental measures document.

(3) Where submitted for land in the designated Enfield Lock Conservation Area, a landscaping scheme submitted under requirement 5(1) shall include measures that preserve the character and appearance of the Enfield Lock Conservation Area, to the satisfaction of the relevant planning authority.

(4) Each landscaping scheme submitted under requirement 5(1) shall include details of—

- (a) retained landscape features;
- (b) location, number, species, size and planting density of any proposed planting;
- (c) cultivation, importing of materials and other operations to ensure plant establishment;
- (d) implementation timetables for all landscaping;
- (e) temporary fencing that complies with current best practice to protect trees and hedgerows adjacent to the works;
- (f) the dimensions and materials for new sections of pedestrian or cycle paths where applicable; and
- (g) the colour of permanent security fencing around infrastructure.

Implementation and maintenance of landscaping

6.—(1) All landscaping work shall be carried out in general accordance with the relevant landscaping scheme and implementation timetable approved under requirement 5.

(2) Any tree or shrub planted as part of a landscaping scheme approved under requirement 5 that, within a period of five years after planting, is removed, dies or becomes 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.

Highway accesses

7.—(1) No stage of the authorised development shall commence until for that stage written details of the siting, design and layout of any new permanent or temporary means of access to a highway to be used by vehicular traffic, or any alteration to an existing means of access to a highway used by vehicular traffic, has, after consultation with the relevant highway authority, been submitted to and approved by the relevant planning authority.

(2) The highway accesses must be constructed in accordance with the approved details unless otherwise agreed with the relevant planning authority.

(3) No stage of the authorised development shall commence until for that stage, a written access management scheme for the arrangements for the use and maintenance of highway accesses during construction of that stage has been submitted to and approved by the relevant highway authority.

(4) The access management scheme must be carried out in accordance with the approved details unless otherwise agreed with the relevant highway authority.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Public rights of way

8.—(1) No authorised development that would affect footpath V at Angel Road North Circular Road, London N18 3SB shall commence until a written implementation plan and specification for the making up of an alternative right of way has been submitted to and approved by the relevant highway authority.

(2) The alternative footpath between FP74 and FP76 via FP75 as shown on Sheet 8 of the access/rights of way plans shall be implemented in accordance with the approved plan and specification unless otherwise agreed with the relevant highway authority.

Construction traffic management plan

9.—(1) No stage of the authorised development shall commence until a construction traffic management plan for that stage has been submitted to and approved by the relevant highway authority. The construction traffic management plan for that stage shall include—

- (a) construction vehicle routing plans;
- (b) site access plans;
- (c) means of managing shared use routes, including pedestrian and cycling safety measures where applicable;
- (d) proposals for the scheduling and timing of movements of delivery vehicles;
- (e) proposals for assessing the existing condition of affected highways;
- (f) proposals for the making good of any incidental damage to highways by construction traffic associated with that stage of the authorised development including street furniture, structures, drainage features, highway verge and carriageway surfaces; and
- (g) construction laydown area details affecting highways.

(2) Each construction traffic management plan shall be implemented as approved unless otherwise agreed with the relevant highway authority.

Surface water drainage

10.—(1) No stage of the authorised development shall commence until for that stage, written details of the surface and foul water drainage system (including means of pollution control) have, after consultation with the sewerage and drainage authority, been submitted to and approved by the relevant planning authority.

(2) The surface and foul water drainage system must be constructed in general accordance with the details approved in accordance with requirement 10(1) unless otherwise agreed with the relevant planning authority.

Contaminated land and groundwater

11.—(1) No stage of the authorised development shall commence until a written scheme applicable to that stage, to deal with the contamination of any land, including groundwater, within the Order limits which is likely to cause significant harm to persons or pollution of controlled waters or the environment has, after consultation with the Environment Agency, been submitted to and approved by the relevant planning authority.

(2) Each scheme submitted under requirement 11(1) shall include an investigation and assessment plan and relevant reports, prepared by a specialist consultant approved by the relevant planning authority in consultation with the Environment Agency, to identify the extent of any contamination and the remedial measures to be taken to render the land fit for its intended purpose, together with a management plan which sets out immediate and long-term remedial measures with respect

to any contaminants found to be remaining on the site. The plan shall include a scheme of post-remedial monitoring, as necessary to demonstrate that the remediation works have been carried out appropriately and site remediation criteria have been met.

(3) Remedial measures must be carried out in general accordance with the scheme approved in accordance with requirement 11(1) unless otherwise agreed with the relevant planning authority. Where provided for in the scheme, post-remedial monitoring must be carried out to demonstrate that the remediation works have been carried out appropriately and the site remediation criteria have been met.

Ecological Management Strategy

12.—(1) No stage of the authorised development shall commence until a written ecological management strategy applicable to that stage, reflecting the ecological measures included in the environmental measures document, has after consultation with the Environment Agency, Natural England and, where it refers to any land within the boundary of the Lee Valley Regional Park, Lee Valley Regional Park Authority, been submitted to and approved by the relevant planning authority.

(2) Each ecological management strategy prepared in accordance with requirement 12(1) shall include an implementation timetable and must be carried out as approved unless otherwise agreed with the relevant planning authority.

Construction environmental management plan

13.—(1) No stage of the authorised development shall commence until a construction environmental management plan for that stage specifying measures to be used to minimise the impacts of construction works, such as means of minimising pollution from dust, noise, vibration and lighting, wheel cleansing facilities, routes for construction traffic and working hours and reflecting the measures included in the environmental measures document has, after consultation with the Lee Valley Regional Park Authority where it refers to any land within the boundary of the Lee Valley Regional Park, been approved by the relevant planning authority.

(2) All construction works shall be undertaken in accordance with the construction environmental management plan prepared in accordance with requirement 13(1), unless otherwise agreed by the relevant planning authority.

Archaeology

14.—(1) No stage of the authorised development shall commence until for that stage, a written scheme for the investigation of areas of archaeological interest (as identified in the environmental measures document) has, after consultation with the Historic Buildings and Monuments Commission for England, been approved by the relevant planning authority.

- (2) Each scheme submitted under requirement 14(1) shall identify areas where one or more of—
- (a) field work; and
 - (b) a watching brief

are required, and the measures to be taken to protect, record or preserve any significant archaeological remains that may be found.

(3) Any archaeological works or watching brief carried out under the scheme submitted under requirement 14(1) must be by a suitably qualified person or body.

(4) Any archaeological works or watching brief must be carried out in general accordance with the scheme approved under requirement 14(1) unless otherwise agreed with the relevant planning authority.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Flood Storage

15.—(1) Work No. 7A and 7B shall not commence until a written scheme for compensatory flood storage has been submitted to and has, after consultation with the Environment Agency, been approved by the Enfield London Borough Council.

(2) The compensatory flood storage shall be constructed in accordance with the approved scheme.

(3) The written scheme of flood compensation shall include—

- (a) a schedule of staging and timing relating to the construction of Work No. 7A, 7B and the compensatory flood storage;
- (b) flood storage up to and including the modelled 1 to 100 chance in any year including a 20% allowance for climate change flood level; and
- (c) no increase in flood risk off site.

Works within the Lee Valley Regional Park

16. Where an application for consent or agreement is required under requirements 12, 13 or 14 and the application relates to land within the boundary of the Lee Valley Regional Park, the undertaker must give written notice to the Lee Valley Regional Park Authority that an application has been submitted.

Approvals given

17.—(1) Any approval or agreement which is given by the relevant planning authority or relevant highway authority under these requirements must be given in writing.

(2) Where the words “unless otherwise approved by the relevant planning authority” or “unless otherwise agreed with the relevant planning authority” or “unless otherwise agreed with the relevant highway authority” are used in these requirements such approval or agreement may only be given in relation to immaterial changes where it has been demonstrated to the satisfaction of the relevant planning authority or relevant highway authority that the subject matter of the approval or agreement sought is unlikely to give rise to any materially new or materially different environmental effects from those assessed in the environmental statement.

Amendments to approved details

18.—(1) With respect to any requirement which requires the authorised development to be carried out in accordance with the details approved by the relevant planning authority or relevant highway authority, the approved details shall be taken to include any amendments that may subsequently be approved in writing by the relevant planning authority or relevant highway authority.

(2) Where any amendments are proposed to approved details in relation to any requirement in this Schedule and that requirement requires prior consultation with a third party the undertaker shall consult with that third party prior to submitting an application to amend the approved details.

(3) Where amendments are proposed to approved details in relation to any requirement in this Schedule they must be submitted in writing to the relevant planning authority or relevant highway authority.

SCHEDULE 3

Article 45

DISCHARGE OF REQUIREMENTS

Applications made under requirements

1.—(1) Where an application has been made to a relevant authority for any consent, agreement or approval required by a requirement included in Schedule 2, the relevant authority must give notice to the undertaker of its decision on the application within a period of 28 days beginning with—

- (a) the first business day immediately following that on which the application is received by the relevant authority; or
- (b) such longer period as may be agreed by the undertaker and the relevant authority.

(2) Where an application has been made under sub-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.

(3) If the relevant authority considers further information is necessary the relevant authority must, within 7 business days of receipt of the application, notify the undertaker in writing specifying the further information required.

(4) If notification is given under sub-paragraph (3) the undertaker must, within 7 business days of receipt of the notification either—

- (a) supply the further information requested, or
- (b) provide an explanation as to why such a request for further information is unreasonable or cannot be provided.

(5) If the relevant authority does not give the notification mentioned in sub-paragraph (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.

Fees

2.—(1) Where an application is made to a relevant planning authority for any consent, agreement or approval in respect of one or more requirements included in Schedule 2 to this Order, a fee of £97 or such other 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) shall be paid to the relevant planning authority.

(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 planning 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 planning authority and credited in respect of a future application.

Appeals

3.—(1) The undertaker may appeal if—

- (a) the relevant authority refuses an application for any consent, agreement or approval required by articles 11, 14, 15 or 17 or required by a requirement included in Schedule 2 or grants it subject to conditions; or
- (b) the relevant authority does not give notice of its decision to the undertaker within the time period specified in paragraph 1;

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (c) having received a request for further information under paragraph 1(3) 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 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 (or persons appointed by the Secretary of State for this purpose) must appoint a person to determine the appeal (“the appointed person”) and must forthwith notify the appeal parties of the identity of the appointed person and the address to which all correspondence for the appointed person should 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 a period of 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 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 a period of 10 business days beginning with the first day immediately following the date of receipt by them of written representations pursuant to sub-paragraph (2)(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 enable them 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 other appeal parties by the date specified by the appointed person. Any written representations concerning matters contained in the further information may be submitted to the appointed person within a period of 10 business days beginning with the first day immediately following that date and any person submitting any such written representation must ensure that a copy of it is sent to all other appeal parties on the day on which it is submitted to the appointed person.

Outcome of appeals

- 4.—(1) On an appeal under paragraph 3, 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 when deciding an appeal may disregard such written representations as have been sent after the deadline prescribed or set by the appointed person under paragraph 3.

(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 within 6 weeks of the date of the decision.

(5) Any consent, agreement or approval referred to in paragraph 1(1) given by the appointed person pursuant to this Schedule is deemed to be an approval for the purpose of this Order as if it had been given by the relevant authority.

(6) Except where a direction is given pursuant to sub-paragraph (7) 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.

(7) 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. In considering whether to make any such direction and the terms on which it is made, the appointed person must have regard to such guidance (if any) as issued by the Secretary of State as guidance to decision-makers on applications for costs in appeals made under the 1990 Act.

Interpretation of Schedule 3

5. In this Schedule—

“the appeal parties” means the relevant authority, requirement consultee and the undertaker;

“business day” means a day which is not a Saturday or a Sunday, Christmas Day, Good Friday or a day which under the Banking and Financial Dealings Act 1971(1) is a bank holiday in England and Wales;

“relevant authority” means the relevant planning authority, relevant highway authority, relevant street authority, Environment Agency or relevant owner of a watercourse, sewer or drain as may be appropriate to the consent or approval sought; and

“requirement consultee” means any body named in a requirement included in Schedule 2 or required by articles 11, 14, 15 or 17 which is the subject of an appeal as a body to be consulted in discharging that requirement.

(1) 1971 c. 80. There are amendments to this Act not relevant to this Order.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

SCHEDULE 4

Article 11

STREETS SUBJECT TO ALTERATION OF LAYOUT

PART 1

STREETS SUBJECT TO PERMANENT ALTERATION OF LAYOUT

<i>(1)</i> <i>Street subject to alteration of layout</i>	<i>(2)</i> <i>Description of alteration</i>
<p>District of Epping Forest</p> <p>Beaulieu Drive</p>	<p>At AC16 (shown on Sheet 2 of the Access/Rights of Way Plans) the creation of a bellmouth access to the pylon with sufficient size to accommodate a rigid HGV. Comprising an alteration of the level of the kerb line and verge on the westward side approximately 60 metres from the junction with Highbridge Street and Meridian Way.</p>
<p>London Borough of Enfield</p> <p>A1055 Mollison Avenue</p> <p>A406 Angel Road Exit Slip/Advent Way</p>	<p>Between AC32 and AC33 (shown on Sheet 5 of the Access/Rights of Way Plans) the replacement of the existing dropped kerb with a new bellmouth access to the Prince of Wales playing field with sufficient size to accommodate a rigid HGV. Comprising the realignment of the existing kerb line and reduction of the pedestrian footway and the installation of a new road surface between the road and gated access to the Prince of Wales playing field approximately 515 metres south of the Smeaton Road/A1055 Mollison Avenue/ Ordnance Road signal controlled crossroads.</p> <p>Between AC51 and AC52 (shown on Sheet 8 of the Access/Rights of Way Plans) the creation of a new drop kerb to allow access to the pylon with sufficient size to accommodate a rigid HGV. Comprising an alteration of the level of the kerb line and pedestrian footway approximately 50 metres before the Cooks Ferry roundabout.</p>

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

PART 2

STREETS SUBJECT TO TEMPORARY ALTERATION OF LAYOUT

<i>(1)</i> <i>Street subject to alteration of layout</i>	<i>(2)</i> <i>Description of alteration</i>
<p>London Borough of Haringey</p> <p>A1055 Watermead Way</p>	<p>Between AC71 and AC72 (shown on Sheet 10 of the Access/Rights of Way Plans) the realignment of the kerb line and part of the pedestrian footway to create a wider access to accommodate a rigid HGV. Comprising the realignment of the existing kerb line and reduction of the pedestrian footway and the installation of a new road surface between the road and access track at the junction of Marigold Way and Watermead Way into Tottenham Marshes.</p>

SCHEDULE 5

Article 12

STREETS TO BE PERMANENTLY STOPPED UP

<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Street to be permanently stopped up</i>	<i>(3)</i> <i>Extent of stopping up</i>	<i>(4)</i> <i>New street to be substituted</i>
<p>London Borough of Enfield</p>	<p>Part of Footpath T on the dismantled railway at Brimsdown</p>	<p>From FP50 to FP51 shown on Sheet 5 of the Access/Rights of Way Plans</p>	<p>A footpath between FP50 and FP51 via FP54 and FP56 shown on Sheet 5 of the Access/Rights of Way Plans.</p> <p>On completion of Work No. 7D new Footpath U will be created across the Prince of Wales Playing Field linking Footpath T to Footpath No. 103 between FP44 and FP50 via FP55 and</p>

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Street to be permanently stopped up</i>	<i>(3)</i> <i>Extent of stopping up</i>	<i>(4)</i> <i>New street to be substituted</i>
	Section of Footpath No. 103 at Brimsdown between Small River Lee and Brancroft Way	From FP45 to FP46 shown on Sheet 5 of the Access/Rights of Way Plans	FP54 and between FP44 and FP51 via FP55 and FP56 shown on Sheet 5 of the Access/Rights of Way Plans. A footpath between FP45 and FP46 via FP48 shown on Sheet 5 of the Access/Rights of Way Plans.

SCHEDULE 6

Article 14

STREETS TO BE TEMPORARILY STOPPED UP

PART 1

STREETS TO BE TEMPORARILY STOPPED UP
FOR WHICH A SUBSTITUTE IS TO BE PROVIDED

<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Street to be temporarily stopped up</i>	<i>(3)</i> <i>Extent of stopping up</i>	<i>(4)</i> <i>Temporary diversion</i>
District of Epping Forest	Footpath A east and south of Waltham Cross substation in Lee Valley Regional Park, between the Fisherman’s car park and the bridge over the River Lee Footpath B south of Waltham Cross substation along the banks of the River Lee	From FP1 to FP2 as shown on Sheet 1 of the Access/Rights of Way Plan From FP3 to FP4 as shown on Sheet 1 the Access/Rights of Way Plan	A footpath from FP1 to FP2 via FP3, FP6 and FP5 shown on Sheet 1 of the Access/Rights of Way Plans A footpath between FP3 and FP4 via FP6 and FP5 shown on

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(1) <i>Area</i>	(2) <i>Street to be temporarily stopped up</i>	(3) <i>Extent of stopping up</i>	(4) <i>Temporary diversion</i>
	within the Lee Valley Regional Park		Sheet 1 of the Access/Rights of Way Plans
District of Epping Forest and Borough of Broxbourne	Footpath C in Lee Valley Regional Park, alongside Horsemill Stream, known as Walton's Walk, National Cycle Route 1 and the Lee Valley Pathway part of which is Footpath No. 16	From FP7 as shown on Sheet 1 to FP26 as shown on Sheet 2 of the Access/Rights of Way Plans	A footpath between FP5 and FP21 via FP6, FP10, FP11, FP12, FP13, FP18, FP19 and FP20 shown on Sheets 1 and 2 of the Access/Rights of Way Plans
London Borough of Enfield	Footpath M across Open Space at Enfield Island to Fogerty Close	From FP29 to FP30 shown on Sheet 5 of the Access/Rights of Way Plans	A footpath between FP29 and FP30 via FP31 and FP33 shown on Sheet 5 of the Access/Rights of Way Plans
	Footpath N from Fogerty Close to Manton Road	From FP30 to FP32 shown on Sheet 5 of the Access/Rights of Way Plans	A footpath between FP30 and FP32 via FP33 shown on Sheet 5 of the Access/Rights of Way Plans
	Footpath P across Open Space at Enfield Island from Manton Road to McClintock Place	From FP34 to FP35 shown on Sheet 5 of the Access/Rights of Way Plans	A footpath between FP34 and FP35 via FP36 shown on Sheet 5 of the Access/Rights of Way Plans
	Footpath Q across Open Space at Enfield Island to Haldane Close	From FP38 to FP39 shown on Sheet 5 of the Access/Rights of Way Plans	A footpath between FP38 and FP39 via FP37 and FP36 shown on Sheet 5 of the Access/Rights of Way Plans
	Part of Footpath T on the dismantled railway at Brimsdown	From FP49 to FP50 shown on Sheet 5 of the	A footpath between FP49 and FP53 shown on Sheet 5 of the

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(1) <i>Area</i>	(2) <i>Street to be temporarily stopped up</i>	(3) <i>Extent of stopping up</i>	(4) <i>Temporary diversion</i>
	<p>Section of Footpath No. 103 at Brimsdown between Small River Lee and Brancroft Way</p> <p>Section of Footpath No. 103 at Brimsdown between Small River Lee and Brancroft Way</p> <p>Section of Footpath No. 109 known as part of the Lee Valley Walk, Lee Valley Pathway and National Cycle Route 1</p> <p>Part of Ostell Crescent between Numbers 1 and 17 (uneven numbers only)</p> <p>Section of Footpath No. 109 known as part of the Lee Valley Walk, Lee Valley Pathway and National Cycle Route 1</p> <p>Section of Footpath No. 109 known as part of the Lee Valley Walk, Lee Valley Pathway</p>	<p>Access/Rights of Way Plans</p> <p>From FP44 to FP45 shown on Sheet 5 of the Access/Rights of Way Plans</p> <p>From FP46 to FP47 shown on Sheet 5 of the Access/Rights of Way Plans</p> <p>From FP60 to FP61 shown on Sheet 5 of the Access/Rights of Way Plans</p> <p>Between points TS1 and TS2 shown on Sheet 5 of the Access/Rights of Way Plans</p> <p>From FP63 to FP64 shown on Sheet 7 of the Access/Rights of Way Plans</p> <p>From FP64 shown on Sheet 7 to FP67 shown on Sheet 8 of the</p>	<p>Access/Rights of Way Plans</p> <p>A footpath between FP44, FP57, FP58, FP59 and FP47 shown on Sheet 5 of the Access/Rights of Way Plans</p> <p>A footpath between FP44, FP57, FP58, FP59 and FP47 shown on Sheet 5 of the Access/Rights of Way Plans</p> <p>A pontoon walkway for pedestrians and dismounted cyclists between FP60 and FP61 via FP62 shown on Sheet 5 of the Access/Rights of Way Plans</p> <p>From TS1 to TS2 via TS3</p> <p>A water taxi between FP65 and FP66 shown on Sheet 7 of the Access/Rights of Way Plans</p> <p>A footpath between FP64 and FP67 via FP68 and FP69 shown on Sheets 7 and 8 of the</p>

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(1) <i>Area</i>	(2) <i>Street to be temporarily stopped up</i>	(3) <i>Extent of stopping up</i>	(4) <i>Temporary diversion</i>
	and National Cycle Route 1	Access/Rights of Way Plans	Access/Rights of Way Plans
London Borough of Enfield and London Borough of Waltham Forest	Section of Footpath No. 274	From FP70 to FP71 shown on Sheet 8 of the Access/Rights of Way Plans	To travel northwards, a footpath between FP71, FP72, FP73, FP69, FP68 and FP64 shown on Sheets 8 and 7 of the Access/Rights of Way Plans and to travel southwards a footpath between FP71, FP72, FP73, FP69 and FP67 shown on Sheet 8 of the Access/Rights of Way Plans
London Borough of Enfield	Footpath V at Angel Road	From FP74 to FP77 shown on Sheet 8 of the Access/Rights of Way Plans	A footpath between FP74 and FP76 via FP75 shown on Sheet 8 of the Access/Rights of Way Plans
London Borough of Haringey	Footpath X known as part of the Lee Valley Walk, Lee Valley Pathway and National Cycle Route 1	From FP80 to FP81 shown on Sheet 10 of the Access/Rights of Way Plans	A footpath between FP80 and FP81 via FP82, FP83, FP93, FP84 and FP85 shown on Sheet 10 of the Access/ Rights of Way Plans
	Footpath Y on the west of Watermead Way	From FP86 to FP87 shown on Sheet 10 of the Access/Rights of Way Plans	A footpath between FP86 and FP87 via FP88 and FP89 shown on Sheet 10 of the Access/Rights of Way Plans
	Footpath Z on the Tottenham Marshes	From FP90 to FP91 shown on Sheet 10 of the Access/Rights of Way Plans	A footpath between FP92 and FP94 via FP83 and FP93 shown on Sheet 10 of the

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Street to be temporarily stopped up</i>	<i>(3)</i> <i>Extent of stopping up</i>	<i>(4)</i> <i>Temporary diversion</i>
			Access/Rights of Way Plans

PART 2

STREETS TO BE TEMPORARILY STOPPED UP FOR WHICH NO SUBSTITUTE IS TO BE PROVIDED

<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Street to be temporarily stopped up</i>	<i>(3)</i> <i>Extent of stopping up</i>
District of Epping Forest	Footpath D in the Lee Valley Regional Park known as Powdermill Cut	From FP9 to FP10 shown on Sheet 2 of the Access/Rights of Way Plans
	Footpath E in the Lee Valley Regional Park known as Powdermill Cut	From FP8 to FP11 shown on Sheet 2 of the Access/Rights of Way Plans
	Footpath F in the Lee Valley Regional Park off the footpath known as Walton’s Walk	From FP15 to FP17 shown on Sheet 2 of the Access/Rights of Way Plans
	Footpath G in the Lee Valley Regional Park off the footpath known as Walton’s Walk	From FP16 to FP13 shown on Sheet 2 of the Access/Rights of Way Plans
	Footpath H in the Lee Valley Regional Park between Hall Marsh and Waltham Marsh	From FP14 to FP18 shown on Sheet 2 of the Access/Rights of Way Plans
	Footpath J in the Lee Valley Regional Park off the footpath known as Walton’s Walk to Waltham Marsh	From FP22 to FP23 shown on Sheet 2 of the Access/Rights of Way Plans

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Street to be temporarily stopped up</i>	<i>(3)</i> <i>Extent of stopping up</i>
	Footpath K within the Highbridge Street Anglers with Disabilities Site	From FP24 to FP25 shown on Sheet 2 of the Access/Rights of Way Plans
London Borough of Enfield	Footpath L across Open Space at Enfield Island	From FP27 to FP28 shown on Sheet 4 of the Access/Rights of Way Plans
	Footpath R across Open Space at Enfield Island	From FP40 to FP41 shown on Sheet 5 of the Access/Rights of Way Plans
	Footpath S across Open Space at Enfield Island	From FP42 to FP43 shown on Sheet 5 of the Access/Rights of Way Plans
	Part of Footpath T on the dismantled railway at Brimsdown	From FP51 to FP52 shown on Sheet 5 of the Access/Rights of Way Plans
London Borough of Waltham Forest	Footpath W between Harbet Road and ending prior to, but not connecting to, the A406 Angel Road (North Circular)	From FP78 to FP79 shown on Sheet 9 of the Access/Rights of Way Plans

SCHEDULE 7

Article 15

ACCESS TO WORKS

<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Subject to works</i>
District of Epping Forest	<p>Improved access route from Holyfield Road beginning at AC1 and continuing to AC2, AC3 and AC4 shown on Sheet 1 of the Access/Rights of Way Plans</p> <p>Improved access route between AC5 and AC6 shown on Sheet 1 of the Access/Rights of Way Plans</p>

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Subject to works</i>
	<p>Improved access route between AC7 and AC8 on Sheet 1 of the Access/Rights of Way Plans</p> <p>Improved access between AC9 shown on Sheet 1 and AC17 shown on Sheet 2 of the Access/Rights of Way Plans</p> <p>Improved access between AC17A and AC17B shown on Sheet 2 of the Access/Rights of Way Plans</p> <p>Improved access at AC10 shown on Sheet 2 of the Access/Rights of Way Plans</p> <p>Improved access at AC11 shown on Sheet 2 of the Access/Rights of Way Plans</p> <p>Improved access route between AC12 and AC13 shown on Sheet 2 of the Access/Rights of Way Plans</p> <p>Improved access route between AC14 and AC15 shown on Sheet 2 of the Access/Rights of Way Plans</p> <p>Improved access and bellmouth off Beaulieu Drive at AC16 on Sheet 2 of the Access/Rights of Way Plans</p> <p>Improved access and roadway from Highbridge Street at AC18 shown on Sheet 2 to AC19 shown on Sheet 3 of the Access/Rights of Way Plans</p> <p>Improved access between AC19A shown on Sheet 3 to AC19B shown on Sheet 4 of the Access/Rights of Way Plans</p> <p>Improved access between AC19C and AC19D shown on Sheet 4 of the Access/Rights of Way Plans</p> <p>Improved access off Meridian Way at AC20 shown on Sheet 3 of the Access/Rights of Way Plans</p>

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(1) Area	(2) Subject to works
	Improved access off Meridian Way at AC21 shown on Sheet 3 of the Access/Rights of Way Plans
London Borough of Enfield	<p>Improved access route between AC22 and AC23 shown on Sheet 4 of the Access/Rights of Way Plans</p> <p>Improved access off George Lovell Drive between AC24 and AC25 shown on Sheet 4 of the Access/Rights of Way Plans</p> <p>Improved access off Fisher Close at AC26 to AC27 shown on Sheet 5 of the Access/Rights of Way Plans</p> <p>Improved access off Ostell Crescent at AC28 shown on Sheet 5 of the Access/Rights of Way Plans</p> <p>Improved access off Ostell Crescent at AC29 shown on Sheet 5 of the Access/Rights of Way Plans</p> <p>Access off Swan and Pike Road at AC30 shown on Sheet 5 of the Access/Rights of Way Plans</p> <p>Access between AC30A and AC30B shown on Sheet 5 of the Access/Rights of Way Plans</p> <p>Improved access between AC30C and AC30D shown on Sheet 6 of the Access/Rights of Way Plans</p> <p>Improved access between AC30E and AC31 shown on Sheet 6 of the Access/Rights of Way Plans</p> <p>Improved access and bellmouth off Mollison Avenue between AC32 and AC33 shown on Sheet 5 of the Access/Rights of Way Plans</p> <p>Access off Mollison Avenue at AC34 shown on Sheet 5 of the Access/Rights of Way Plans</p>

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Subject to works</i>
	<p>Access off Mollison Avenue at AC35 shown on Sheet 5 of the Access/Rights of Way Plans</p> <p>Improved access off Brancroft Way between AC36 and AC37 shown on Sheet 5 of the Access/Rights of Way Plans</p> <p>Improved access between AC38 and AC39 shown on Sheet 5 of the Access/Rights of Way Plans</p> <p>Improved access between AC40 and AC41 shown on Sheet 6 of the Access/Rights of Way Plans</p> <p>Improved access off Wharf Road at AC42 shown on Sheet 6 of the Access/Rights of Way Plans</p> <p>Improved access off Pickett’s Lock Lane between AC43 and AC44 shown on Sheet 7 of the Access/Rights of Way Plans</p> <p>Access points from Waterway for construction traffic at AC100, AC101, AC102, AC103, AC104, AC105 and AC106 shown on Sheet 7 and at AC107 shown on Sheet 8 of the Access/Rights of Way Plans</p> <p>Improved access off Lee Park Way at AC45 shown on Sheet 8 of the Access/Rights of Way Plans</p> <p>Improved access off Lower Hall Lane between AC46 and AC47 shown on Sheet 8 of the Access/Rights of Way Plans</p> <p>Improved access off Lower Hall Lane between AC46 and AC48 via AC49 shown on Sheet 8 of the Access/Rights of Way Plans</p> <p>Improved access off Lower Hall Lane between AC46 and AC50 via AC49 shown on Sheet 8 of the Access/Rights of Way Plans</p>

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(1) <i>Area</i>	(2) <i>Subject to works</i>
	<p>Improved access including a new drop kerb off Angel Road between AC51 and AC52 shown on Sheet 8 of the Access/Rights of Way Plans</p> <p>Improved access northwards off Harbet Road between AC53 and AC54 shown on Sheet 8 of the Access/Rights of Way Plans</p>
London Borough of Waltham Forest	<p>Improved access northwards off Harbet Road between AC55 and AC58 via AC56 shown on Sheet 9 of the Access/Rights of Way Plans</p> <p>Improved access northwards off Harbet Road between AC55 and AC57 via AC56 shown on Sheet 9 of the Access/Rights of Way Plans</p> <p>Improved access southwards off Harbet Road between AC59 and AC60 shown on Sheet 9 of the Access/Rights of Way Plans</p> <p>Improved access between AC61 and AC62 shown on Sheet 9 of the Access/Rights of Way Plans</p> <p>Segregation of pedestrians from traffic along access at Banbury Road between AC63 and AC64 shown on Sheet 9 of the Access/Rights of Way Plans</p> <p>Improved access between AC65 and AC66 shown on Sheet 9 of the Access/Rights of Way Plans</p>
London Borough of Haringey	<p>Access at AC67 shown on Sheet 10 of the Access/Rights of Way Plans</p> <p>Improved access between AC68 and AC69 shown on Sheet 10 of the Access/Rights of Way Plans</p> <p>Access off Watermead Way at AC70 shown on Sheet 10 of the Access/Rights of Way Plans</p>

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Subject to works</i>
	<p>Improved access and bellmouth with segregation of pedestrians from traffic off Watermead Way between AC71 and AC72 shown on Sheet 10 of the Access/Rights of Way Plans</p> <p>Improved access from Watermead Way at AC73 shown on Sheet 10 of the Access/Rights of Way Plans</p>

SCHEDULE 8

Article 20

TEMPORARY CLOSURE OF, AND WORKS IN, THE CANAL

<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Land to be temporarily stopped up</i>	<i>(3)</i> <i>Extent of temporary stopping up</i>
London Borough of Enfield	<p>Restriction of width of River Lee Navigation</p> <p>Restriction of width of River Lee Navigation</p> <p>Part of River Lee Navigation south of Pickett's Lock (waiting area for the lock)</p>	<p>A canal lane closure between CC1 and CC2 shown on Sheet 5 of the Access/Rights of Way Plans</p> <p>A canal lane closure between CC3 and CC4 shown on Sheet 7 of the Access/Rights of Way Plans</p> <p>A canal lane closure between CC5 and CC6 shown on Sheet 7 of the Access/Rights of Way Plans</p>

SCHEDULE 9

Article 22

LAND TO BE ACQUIRED COMPULSORILY

<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Number of land shown on land plans</i>
District of Epping Forest	10

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(1) <i>Area</i>	(2) <i>Number of land shown on land plans</i>
London Borough of Enfield	186 188 189 190 191 191A 206
London Borough of Haringey	378 379 380 381 384 388

SCHEDULE 10

Article 25

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 shall 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 as they apply as respects compensation on the compulsory purchase of land and interests in land.

2.—(1) Without prejudice to the generality of paragraph 1, the Land Compensation Act 1973(2) shall have 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 4—

(a) for the words “land is acquired or taken from” there shall be substituted the words “a right or restrictive covenant over land is purchased from or imposed on”; and

(2) 1973 c. 26. Section 20 was amended by subsection (6) and (12) of section 146 of, and Schedule 13 to, the Road Traffic Regulation Act 1984. Subsection (10) of section 20 was repealed by section 343(3) of, and Schedule 25 to, the Highways Act 1980 and subsection (11) was repealed by section 155 of, and Schedule 25 to, the Rent Act 1977 (c. 42). Section 44 was amended by Schedule 24 to the Highways Act 1980, by section 67(1) and Schedule 7 to the Gas Act 1986 (c. 44), and Schedule 1 to the Water Consolidation (Consequential Provisions) Act 1991 (c. 60). There are other amendments to this Act not relevant to this Order.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (b) for the words “acquired or taken from him” there shall be substituted the words “over which the right is exercisable or the restrictive covenant enforceable”.
- (3) In 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 5—
 - (a) for the word “part” in paragraphs (a) and (b) there shall be substituted the words “a right over or restrictive covenant affecting land consisting”;
 - (b) for the word “severance” there shall be substituted the words “right or restrictive covenant over or affecting the whole of the house, building or manufactory or of the house and the park or garden”;
 - (c) for the words “part proposed” there shall be substituted the words “right or restrictive covenant proposed”; and
 - (d) for the words “part is” there shall be substituted the words “right or restrictive covenant is”.

Application of the 1965 Act

3.—(1) The 1965 Act shall have 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 are 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
- (b) the land over which the right is or is to be exercisable or the restrictive covenant is or is to be enforceable.

(2) Without prejudice to the generality of sub-paragraph (1), Part 1 of the 1965 Act shall apply in relation to the compulsory acquisition under this Order of a right by the creation of a new right with the modifications specified in the following provisions of this Schedule.

4. For section 7 of the 1965 Act (measure of compensation) there shall be substituted the following section—

“7. In assessing the compensation to be paid by the acquiring authority under this Act, regard shall 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.”.

5. For section 8 of the 1965 Act (provisions as to divided land) there shall be substituted the following section—

“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, or a restrictive covenant affecting land consisting of a house, building or manufactory 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 Upper Tribunal (“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 manufactory, 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 London Reinforcement Project) Order 2014 (“the Order”) shall, in relation to that person, cease to authorise the purchase of the right or the imposition of the covenant and be 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 shall be 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) shall be determined by the tribunal.

(3) Where in consequence of a determination of the tribunal that it is satisfied as mentioned in subsection (1) 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.”

6. 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),

shall be so modified as 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.

7. Section 11 of the 1965 Act (powers of entry) shall be so modified as to secure that, as from the date on which the acquiring authority has served notice to treat in respect of any right 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 shall be deemed for this purpose to have been created on the date of service of the notice); and sections 12 (penalty for unauthorised entry) and 13 (entry on warrant in the event of obstruction) of the 1965 Act shall be modified correspondingly.

8. Section 20 of the 1965 Act (protection for interests of tenants at will, etc.) shall apply 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.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

9. Section 22 of the 1965 Act (protection of acquiring authority's possession where by inadvertence an estate, right or interest has not been got in) shall be so 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 restrictive covenant imposed, subject to compliance with that section as respects compensation.

SCHEDULE 11

Article 31

LAND OF WHICH TEMPORARY POSSESSION MAY BE TAKEN

<i>(1)</i> Area	<i>(2)</i> Plot number of land shown on land plan	<i>(3)</i> Purpose for which temporary possession may be taken	<i>(4)</i> Relevant part of the authorised development
District of Epping Forest	14	Access to work area	Work No. 4
	15	Construction authorised development	of Work No. 4
	22 & 24	Access to work area	Work No. 5
	23	Construction authorised development	of Work No. 5
	75	Temporary footpath	Work No. 1
London Borough of Enfield	207	Construction authorised development	of Work No. 7B
	209, 210 & 211	Access to work area	Work No. 7B
	220	Access to work area	Work No. 6 and Work No. 7B
	208	Temporary footpath	Work No. 7C
	235	Temporary footpath	Work No. 1

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Plot number of land shown on land plan</i>	<i>(3)</i> <i>Purpose for which temporary possession may be taken</i>	<i>(4)</i> <i>Relevant part of the authorised development</i>
London Borough of Haringey	378	Construction authorised development	of Work No. 10
	391	Construction authorised development	of Work No. 13

SCHEDULE 12

Article 41

TRAFFIC REGULATION

<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Lane to be temporarily stopped up</i>	<i>(3)</i> <i>Extent of temporary stopping up</i>
District of Epping Forest	Meridian Way	A single lane closure between TL1 and TL2 shown on Sheet 3 of the Access/Rights of Way Plans
	Westbound M25	A closure of the hard shoulder and part of the inside lane between TL3 and TL4 shown on Sheet 3 of the Access/Rights of Way Plans
	Meridian Way	A single lane closure between TL5 and TL6 shown on Sheet 3 of the Access/Rights of Way Plans
London Borough of Enfield	Advent Way to the Cooks Ferry roundabout	A single lane closure between TL7 and TL8 shown on Sheet 8 of the Access/Rights of Way Plans

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Lane to be temporarily stopped up</i>	<i>(3)</i> <i>Extent of temporary stopping up</i>
London Borough of Haringey	Watermead Way	A single lane closure between TL9 and TL10 shown on Sheet 10 of the Access/Rights of Way Plans

SCHEDULE 13

Article 34 and 42

PROTECTIVE PROVISIONS

PART 1

FOR THE PROTECTION OF OPERATORS OF
ELECTRONIC COMMUNICATIONS CODE NETWORKS

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—

“the 2003 Act” means the Communications Act 2003;

“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;

“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
- (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 or paragraph 17 of Schedule 18 to the 2003 Act; and

“operator” means the operator of an electronic communications code network.

3. The exercise of the powers in article 34 (statutory undertakers) is subject to paragraph 23 of Schedule 2 to the Telecommunications Act 1984(3).

4.—(1) Subject to sub-paragraphs (2) and (3), if as the result of the authorised development or its 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) shall impose 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 Part of this Schedule is to be referred to and settled by arbitration under article 46 (arbitration).

5. This Part of this Schedule shall 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 caused by electro-magnetic interference arising from the construction or use of the authorised development.

6. Nothing in this Part of this Schedule shall affect 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 2

PROTECTION FOR HIGHWAYS AND TRAFFIC

7.—(1) The provisions of this Part of this Schedule shall have effect subject to any changes agreed in writing between the undertaker and TfL which are immaterial to the purpose of protecting highways and traffic.

(2) In this Part of this Schedule—

“highway” means any highway of which TfL is the highway authority;

“plans” includes sections, designs, drawings, specifications, soil reports, staging proposals, programmes, calculations, methods of construction, risk assessments and details of the extent, timing and duration of any proposed occupation of any highway and “approved plans” means plans approved or deemed to be approved or settled by arbitration in accordance with the provisions of this Part of this Schedule;

“property of TfL” means any apparatus or street furniture of TfL affixed to or placed under any highway; and

“TfL” means Transport for London.

(3) Wherever in this Part of this Schedule provision is made with respect to the approval or consent of TfL, that approval or consent shall be in writing and subject to such reasonable terms and conditions as TfL may require, but shall not be unreasonably withheld.

(3) 1984 c. 12. There are amendments to this Act not relevant to this Order.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(4) In exercising the powers conferred by this Order in relation to any highway the undertaker shall have regard to the potential disruption of traffic which may be caused and shall seek to minimise such disruption so far as is reasonably practicable.

(5) The undertaker shall not, without the consent of TfL, construct any part of the works authorised by this Order under and within 50 metres of the surface of any highway which comprises a carriageway except in accordance with plans submitted to, and approved by, TfL; and if within 28 days after such plans have been submitted TfL has not approved or disapproved them, it shall be deemed to have approved the plans as submitted.

(6) In the construction of any part of the said works under a highway no part of it shall, except with the consent of TfL, be so constructed as to interfere with the provision of proper means of drainage of the surface of the highway or be nearer than two metres to the surface of the highway.

(7) The undertaker shall not under the powers conferred by or under this Order without the consent of TfL, acquire or enter upon, take or use whether temporarily or permanently or acquire any new rights over any part of any highway, including subsoil beneath the surface of any highway.

8.—(1) The provisions of this paragraph have effect in relation to, and to the construction of, any new bridge, or any extension or alteration of an existing bridge, carrying any part of the works authorised by this Order over a highway or carrying a highway over any part of those works; and any such new bridge, or (as the case may be) any bridge so extended or altered, is in this paragraph referred to as “the bridge”.

(2) Before commencing the construction of, or the carrying out of any work in connection with, the bridge which involves interference with a highway, the undertaker shall submit to TfL for its approval plans, drawings and particulars (in this paragraph referred to as “plans”) relating thereto, and the bridge shall not be constructed and the works shall not be carried out except in accordance with the plans submitted to, and approved by, TfL.

(3) If within 28 days after the plans have been submitted TfL has not approved or disapproved them, it shall be deemed to have approved the plans as submitted.

9. The undertaker shall secure that so much of the works authorised by this Order as is constructed under any highway shall be so designed, constructed and maintained as to carry the appropriate loading recommended for highway bridges by the Secretary of State at the time of construction of the works, and the undertaker shall indemnify TfL against, and make good to TfL, the expenses which TfL may reasonably incur in the maintenance or repair of any highway, or any tunnels, sewers, drains or apparatus therein, by reason of non-compliance with the provisions of this paragraph.

10. Any officer of TfL duly appointed for the purpose may at all reasonable times, on giving to the undertaker such notice as may in the circumstances be reasonable, enter upon and inspect any part of the works authorised by this Order which—

- (a) is in, over or under any highway, or
- (b) which may affect any highway or any property of TfL,

during the carrying out of the work, and the undertaker shall give to such officer all reasonable facilities for such inspection and, if the officer shall be of the opinion that the construction of the work is attended with danger to any highway or to any property of TfL on or under any highway, the undertaker shall adopt such measures and precautions as may be reasonably practicable for the purpose of preventing any damage or injury to the highway.

11.—(1) The undertaker shall not alter, disturb or in any way interfere with any property of TfL on or under any highway, or the access thereto, without the consent of TfL, and any alteration, diversion, replacement or reconstruction of any such property which may be necessary shall be made by TfL or the undertaker as TfL thinks fit, and the expense reasonably incurred by TfL in so doing shall be repaid to TfL by the undertaker.

(2) If within 28 days after a request for consent has been submitted TfL has not given or refused such consent, it shall be deemed to have consented to the request as submitted.

12. The undertaker shall not remove any soil or material from any highway except so much as must be excavated in the carrying out of the works authorised by this Order.

13.—(1) If TfL, after giving to the undertaker not less than 28 days' notice (or, in case of emergency, such notice as is reasonably practicable) of its intention to do so, incurs any additional expense in the signposting of traffic diversions, in the diversion of footpaths, in the taking of other measures in relation thereto, or in the repair of any highway by reason of the diversion thereto of traffic from a road of a higher standard, in consequence of the construction of the works authorised by this Order, the undertaker shall repay to TfL the amount of any such expense reasonably so incurred.

(2) An amount which apart from this sub-paragraph would be payable to TfL by virtue of this paragraph in respect of the repair of any highway shall, if the highway fell or would have fallen due for repair as part of the maintenance programme of TfL at any time within ten years of the repair being carried out by the undertaker, so as to confer on TfL financial benefit (whether by securing the completion of overdue maintenance work for which TfL is liable or by deferment of the time for such work in the ordinary course), be reduced by the amount which represents that benefit.

14.—(1) The undertaker shall not, except with the consent of TfL, deposit any soil or materials, or stand any plant, on or over any highway so as to obstruct or render less safe the use of the highway by any person, or, except with the like consent, deposit any soil or materials on any highway outside a hoarding, but if within 28 days after request for it any such consent is neither given nor refused it shall be deemed to have been given.

(2) The expense reasonably incurred by TfL in removing any soil or materials deposited on any highway in contravention of this paragraph shall be repaid to TfL by the undertaker.

15. The undertaker shall not, except with the consent of TfL, erect or retain on or over a highway to which the public continues to have access any scaffolding or other structure which obstructs the highway.

16. The undertaker shall, if reasonably so required by TfL, provide and maintain to the reasonable satisfaction of TfL, during such time as the undertaker may occupy any part of a highway for the purpose of the construction of any part of the works authorised by this Order, temporary bridges and temporary ramps for vehicular or pedestrian traffic over any part of the works or in such other position as may be necessary to prevent undue interference with the flow of traffic in the highway.

17.—(1) Where any part of any highway has been broken up or disturbed by the undertaker and not permanently stopped up or diverted, the undertaker shall make good the subsoil, foundations and surface of that part of the highway to the reasonable satisfaction of TfL, and shall maintain the same to the reasonable satisfaction of TfL for such time as may reasonably be required for the permanent reinstatement of the highway.

(2) The reinstatement of that part of the highway shall be carried out by the undertaker to the reasonable satisfaction of TfL in accordance with such requirements as to specification of material and standards of workmanship as may be prescribed for equivalent reinstatement work by regulations made under section 71 of the 1991 Act.

18. If any damage to any highway or any property of TfL on or under any highway is caused by, or results from, the construction of any work authorised by this Order or any order or omission of the undertaker, its contractors, agents or employees whilst engaged upon such work, the undertaker may, in the case of damage to a highway, make good such damage to the reasonable satisfaction of TfL and, where the undertaker does not make good, or in the case of damage to property of TfL, the undertaker shall make compensation to TfL.

Status: *This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

19. The fact that any act or thing may have been done in accordance with plans approved by TfL shall not (if it was not attributable to the act, neglect or default of TfL or of any person in its employ or its contractors or agents) exonerate the undertaker from any liability, or affect any claim for damages, under this Part or otherwise.

20. Any difference arising between the undertaker and TfL under this Part of this Schedule (other than in difference as to the meaning or construction of this Part of this Schedule) shall be resolved by arbitration under article 46 above.