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STATUTORY INSTRUMENTS

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**2016 No. 779**

**INFRASTRUCTURE PLANNING**

**The Meaford Gas Fired Generating Station Order 2016**

*Made* - - - - *19th July 2016*

*Coming into force* *2nd August 2016*

**THE MEAFORD GAS FIRED GENERATING STATION ORDER 2016**

PART 1

1. Citation and commencement
2. Interpretation

PART 2

3. Development consent etc. granted by the Order
4. Maintenance of authorised development
5. Operation of authorised development
6. Benefit of Order
7. Consent to transfer benefit of Order
8. Application and modification of legislative provisions
9. Defence to proceedings in respect of statutory nuisance

PART 3

10. Power to alter layout, etc. of streets
11. Street works
12. Temporary prohibition or restriction of use of streets
13. Traffic Regulation
14. Access to works
15. Agreements with street authorities

PART 4

16. Discharge of water
17. Authority to survey and investigate the land

*Status: This is the original version (as it was originally made).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

## PART 5

18. Compulsory acquisition of rights
19. Application of the Compulsory Purchase (Vesting Declarations) Act 1981
20. Time limit for exercise of authority to acquire rights compulsorily
21. Statutory authority to override easements and other rights
22. Acquisition of subsoil or airspace only
23. Private rights
24. Rights under or over streets
25. Temporary use of land for carrying out the authorised development
26. Statutory Undertakers
27. Apparatus and rights of statutory undertakers in streets subject to temporary prohibition or restriction
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## PART 6

29. Felling or lopping of trees
30. Application of landlord and tenant law
31. Operational land for purposes of the 1990 Act
32. Protective provisions
33. Certification of plans etc.
34. Service of notices
35. Procedure in relation to certain approvals
36. Arbitration  
Signature

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## SCHEDULES

### SCHEDULE 1 — AUTHORISED DEVELOPMENT

### SCHEDULE 2 — REQUIREMENTS

1. Interpretation
2. Time limits
3. Detailed design
4. Provision of and implementation and maintenance landscaping
5. Construction and Environment Management Plan
6. Ground investigation
7. Piling
8. Fencing and other means of enclosure
9. Habitat management plan
10. Construction traffic
11. Travel plan during operational phase
12. Construction hours
13. Foul and surface water drainage
14. Artificial lighting
15. Emergency Access
16. Bridge plinths
17. Highway works
18. Local economic benefit
19. Amendments to approved details

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20. Combined heat and power
21. Decommissioning strategy
22. Requirements for written approval, etc.

### SCHEDULE 3 — 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...
2. (1) Without prejudice to the generality of paragraph 1, the...

#### *Application of the 1965 Act*

3. (1) The 1965 Act has effect with the modifications necessary...
4. For section 7 of the 1965 Act (measure of compensation)...
5. For section 8 of the 1965 Act (provisions as to...
6. The following provisions of the 1965 Act (which state the...
7. Section 11 of the 1965 Act (powers of entry) is...
8. Section 20 of the 1965 Act (protection for interests of...
9. Section 22 of the 1965 Act (protection of acquiring authority's...

### SCHEDULE 4 — STREETS SUBJECT TO PERMANENT ALTERATION OF LAYOUT

### SCHEDULE 5 — STREETS SUBJECT TO STREET WORKS

### SCHEDULE 6 — TEMPORARY PROHIBITION OR RESTRICTION OF THE USE OF STREETS

### SCHEDULE 7 — PROTECTIVE PROVISIONS

#### PART 1 — FOR THE PROTECTION OF NATIONAL GRID

1. Application
2. Interpretation
3. Except for paragraphs 4 (apparatus in streets subject to temporary...
4. Apparatus of National Grid in streets subject to temporary prohibition or restriction
5. Acquisition of land
6. Removal of apparatus
7. Facilities and rights for alternative apparatus
8. Retained apparatus: protection of National Grid as Gas Undertaker
9. Expenses
10. Indemnity
11. Enactments and agreements
12. Co-operation
13. Access
14. Arbitration

#### PART 2 — FOR THE PROTECTION OF ELECTRICITY, GAS, WATER AND SEWERAGE UNDERTAKERS

15. For the protection of the utility undertakers referred to in...
16. In this part of this Schedule—“alternative apparatus” means alternative...
17. This part of this Schedule does not apply to apparatus...
18. Regardless of the temporary prohibition or restriction of use of...
19. Regardless of any provision in this Order or anything shown...

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20. (1) If, in the exercise of the powers conferred by...
21. (1) Where, in accordance with the provisions of this part...
22. (1) Not less than 28 days before starting the execution...
23. (1) Subject to the following provisions of this paragraph, the...
24. (1) Subject to sub-paragraphs (2) and (3), if by reason...
25. Nothing in this part of this Schedule affects the provisions...  
PART 3 — FOR THE PROTECTION OF RAILWAY INTERESTS
26. The following provisions of this Schedule have effect, unless otherwise...
27. In this Schedule— “construction” includes execution, placing, alteration and reconstruction...
28. (1) Where under this part of this Schedule Network Rail...
29. (1) The undertaker must not exercise the powers conferred by...
30. (1) The undertaker must before commencing construction of any specified...
31. (1) Any specified work and any protective works to be...
32. The undertaker must— (a) at all times afford reasonable facilities...
33. Network Rail must at all times afford reasonable facilities to...
34. (1) If any permanent or temporary alterations or additions to...
35. The undertaker must repay to Network Rail all reasonable fees,...
36. (1) In this paragraph— “EMI” means, subject to sub-paragraph (2),...
37. If at any time after the completion of a specified...
38. The undertaker must not provide any illumination or illuminated sign...
39. Any additional expenses which Network Rail may reasonably incur in...
40. (1) The undertaker must pay to Network Rail all reasonable...
41. Network Rail must, on receipt of a request from the...
42. In the assessment of any sums payable to Network Rail...
43. The undertaker and Network Rail may, subject in the case...
44. Nothing in this Order, or in any enactment incorporated with...
45. The undertaker must give written notice to Network Rail if...
46. The undertaker must no later than 28 days from the...  
PART 4 — FOR THE PROTECTION OF THE CANAL AND RIVER TRUST
47. Interpretation
48. Powers requiring Canal & River Trust consent
49. Vehicles, plant and machinery
50. Fencing
51. Survey of waterway
52. Approval of plans, protective works etc.
53. Design of works
54. Notice of works
55. Lighting
56. Construction of specified works
57. Prevention of pollution
58. Access to work: provision of information
59. Maintenance of works
60. Repayment of Canal & River Trust fees, etc.
61. Making good of detriment; compensation etc.
62. Arbitration  
PART 5 — FOR THE PROTECTION OF OPERATORS OF ELECTRONIC COMMUNICATIONS CODE NETWORKS
63. (1) For the protection of any operator, the following provisions...
64. (1) Subject to sub-paragraphs (2) to (4), if as the...
65. This Part of this Schedule does not apply to—
66. Nothing in this Part of this Schedule affects the provisions...

PART 6 — FOR THE PROTECTION OF SP MANWEB

- 67. The following provisions of this Schedule have effect for the...
- 68. Nothing in this Order must prevent SP Manweb from accessing...

PART 7 — FOR THE PROTECTION OF BT GROUP PLC

- 69. (1) For the protection of BT Group Plc the following...
- 70. (1) Subject to sub-paragraphs (2) to (4), if as the...
- 71. This part of this Schedule does not apply to—
- 72. Nothing in this part of this Schedule affects the provisions...
- 73. The undertaker must not enter into any underground structures owned...
- 74. The undertaker must confirm the location and nature of works...
- 75. Prior to any works commencing or the moving of heavy...
- 76. In the event that any BT apparatus within or immediately...
- 77. In the event that works undertaken by the undertaker pursuant...
- 78. Where the BT apparatus map(s) show(s) BT apparatus within or...
- 79. Protection measures for BT apparatus within or immediately adjacent to...
- 80. Prior written notice must be provided to Click Before You...
- 81. All excavation works undertaken by the undertaker immediately adjacent to...
- 82. To prevent any movement of BT apparatus within or immediately...
- 83. The undertaker must notify Click Before You Dig in advance...
- 84. The undertaker will keep clear and unobstructed access to BT...
- 85. In the event of any damage to BT apparatus, the...

PART 8 — FOR THE PROTECTION OF WPD

- 86. For the protection of WPD referred to in this part...
- 87. (1) In this part of this Schedule:- “alternative apparatus” means...
- 88. Notwithstanding the temporary prohibition or restriction under the powers of...
- 89. Regardless of any provision in this Order or anything shown...
- 90. (1) If, in the exercise of the powers conferred by...
- 91. (1) Where, in accordance with the provisions of this part...
- 92. (1) Not less than 60 days before the undertaker intends...
- 93. (1) Subject to sub-paragraphs (2) and (3), if by reason...
- 94. The undertaker must repay to WPD the reasonable expenses incurred...
- 95. Nothing in this part of this Schedule affects the provisions...
- 96. (1) Subject to paragraph 96(2), any difference or dispute arising...

SCHEDULE 8 — PROCEDURE FOR DISCHARGE OF REQUIREMENTS

- 1. Applications made under requirements
- 2. Further information
- 3. Appeals
- 4. In this Schedule— “relevant authority” means the relevant planning authority,...

SCHEDULE 9 — LAND OF WHICH TEMPORARY POSSESSION MAY BE TAKEN

Explanatory Note