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STATUTORY INSTRUMENTS

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**2016 No. 853**

**The River Humber Gas Pipeline Replacement Order 2016**

**PART 3**

**Acquisition and possession of land**

**Power to override easements and other rights**

**25.**—(1) Any authorised activity which takes place on land within the Order limits (whether the activity is undertaken by the undertaker or by any person deriving title from the undertaker or by any servants or agents of the undertaker) is authorised by this Order if it is done in accordance with the terms of this Order, notwithstanding that it involves—

- (a) an interference with an interest or right to which this article applies; or
- (b) a breach of a restriction as to the user of land arising by virtue of a contract.

(2) In this article “authorised activity” means—

- (a) the erection, construction or carrying out, operation or maintenance of any part of the authorised project;
- (b) the exercise of any power authorised by this Order; or
- (c) the use of any land (including the temporary use of land).

(3) The interests and rights to which this article applies include any easement, liberty, privilege, right or advantage annexed to land and adversely affecting other land, including any natural right to support and include restrictions as to the user of land arising by virtue of a contract.

(4) Where an interest, right or restriction is overridden by paragraph (1), compensation—

- (a) is payable under section 7 or 10 of the 1965 Act<sup>(1)</sup>; and
- (b) must be assessed in the same manner and subject to the same rules as in the case of other compensation under those sections where—
  - (i) the compensation is to be estimated in connection with a purchase under that Act; or
  - (ii) the injury arises from the execution of works on or use of land acquired under that Act.

(5) Nothing in this article may be construed as authorising any act or omission on the part of any person which is actionable at the suit of any person on any grounds other than such an interference or breach as is mentioned in paragraph (1) of this article.

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**Commencement Information**

**II** Art. 25 in force at 15.9.2016, see [art. 1](#)

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<sup>(1)</sup> There are amendments that are not relevant to this Order.

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**Changes to legislation:** There are currently no known outstanding effects for the The River  
Humber Gas Pipeline Replacement Order 2016, Section 25. (See end of Document for details)

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**Changes to legislation:**

There are currently no known outstanding effects for the The River Humber Gas Pipeline Replacement Order 2016, Section 25.