
STATUTORY INSTRUMENTS

2017 No. 215

**The North London Heat and Power
Generating Station Order 2017**

Discharge of water

16.—(1) The undertaker may use any watercourse, public sewer or drain on any land within the Order limits for the drainage of water in connection with the construction, operation or maintenance of the authorised development and for that purpose may lay down, take up and alter pipes and may make openings into, and connections with, the watercourse, public sewer or drain, on any land within the Order limits.

(2) The undertaker must not discharge any water into any watercourse, public sewer or drain on any land within the Order limits except with the consent of the person to whom it belongs, such consent not to be unreasonably withheld or delayed but may be given subject to such terms and conditions as that person may reasonably impose.

(3) The undertaker must not make any opening into any public sewer or drain on any land within the Order limits except—

- (a) in accordance with plans approved by the person to whom the sewer or drain belongs and such approval must not be unreasonably withheld or delayed; and
- (b) where that person has been given the opportunity to supervise the making of the opening.

(4) The undertaker must not, in carrying out or maintaining works under this article, damage or interfere with the bed or banks of any watercourse forming part of a main river, subject to the works that are authorised under this Order.

(5) The undertaker must take such steps as are reasonably practicable to secure that any water discharged into a watercourse, public sewer or drain under this article is as free as may be practicable from gravel, soil or other solid substance, oil or matter in suspension.

(6) Any dispute arising from the making of connections to or the use of a public sewer or drain by the undertaker pursuant to paragraph (1) must be determined as if it were a dispute under section 106 of the Water Industry Act 1991(1) (right to communicate with public sewers).

(7) In this article—

- (a) “public sewer or drain” means a sewer or drain which belongs to the Environment Agency, an internal drainage board, a local authority, or a sewerage undertaker; and
- (b) other expressions, excluding “watercourse”, used both in this article and in the Water Resources Act 1991(2) have the same meaning as in that Act.

(8) This article does not relieve the undertaker of any obligation to obtain from the Environment Agency any permit, licence or any other obligation under any other legislation that may be required to authorise the making of a connection to or the use of a public sewer or drain by the undertaker

(1) 1991 c.56. Section 106 has been amended by sections 35, 43 and 56 of the Competition and Service (Utilities) Act 1992 (c.43), sections 36 and 99 of the Water Act 2003 (c.37) and section 32 of, and paragraph 16(1) of Schedule 3 to, the Flood and Water Management Act 2010 (c.29). There are other amendments to this Act that are not relevant to this Order.

(2) 1991 c.57. There are other amendments to this Act that are not relevant to this Order.

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under paragraph 16(1) or the discharge of any water into any watercourse, sewer or drain under paragraph (2).