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STATUTORY INSTRUMENTS

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**2017 No. 215**

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

**Rights under or over streets**

**24.**—(1) The undertaker may enter on and appropriate so much of the subsoil of, or airspace over, any street within the Order limits as may be required for the construction, operation or maintenance of the authorised development and may use the subsoil or airspace for those purposes or any other purpose ancillary to the authorised development.

(2) The undertaker may exercise any power conferred by paragraph (1) in relation to a street without being required to acquire any part of the street or any easement or right in the street.

(3) Subject to paragraph (4), any person who is an owner or occupier of land appropriated under paragraph (1) without the undertaker acquiring any part of that person's interest in the land, and who suffers loss as a result, is entitled to compensation to be determined, in case of dispute, under Part 1 of the 1961 Act (determination of questions of disputed compensation).

(4) Compensation is not payable under paragraph (3) to any person who is an undertaker to whom section 85 of the 1991 Act (sharing cost of necessary measures) applies in respect of measures of which the allowable costs are to be borne in accordance with that section.