
STATUTORY INSTRUMENTS

2017 No. 215

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

Rights over land

25.—(1) The undertaker may enter into and appropriate so much of the airspace over any land within the Order limits and over land indicated on drawing number E_0011 Rev 00 of the design code principles as may be required for the construction and maintenance of the authorised development and may use the airspace for those purposes or any other purposes ancillary to the authorised development.

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

(3) Subject to paragraph (4), any person who is an owner or occupier of land appropriated under paragraph 25(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.

(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.