

STATUTORY INSTRUMENTS

2022 No. 432

The East Anglia ONE North Offshore Wind Farm Order 2022

PART 5

Powers of acquisition

Rights under or over streets

25.—(1) The undertaker may enter on and appropriate so much of the subsoil of or air-space over any street within the Order limits as may be required for the purposes of the authorised project and may use the subsoil or air-space for those purposes or any other purpose ancillary to the authorised project.

(2) Subject to paragraph (3), 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) Paragraph (2) does not apply in relation to—

- (a) any subway or underground building; or
- (b) any cellar, vault, arch or other construction in, on or under a street which forms part of a building fronting onto the street.

(4) Subject to paragraph (5), 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 (determination of [F1] questions of disputed compensation) of the 1961 Act.

(5) Compensation is not payable under paragraph (4) 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.

Textual Amendments

- F1** Words in art. 25(4) substituted (22.12.2022) by [The East Anglia ONE North Offshore Wind Farm \(Correction\) Order 2022 \(S.I. 2022/1398\)](#), art. 1(2), [Sch.](#)

Commencement Information

- I1** Art. 25 in force at 22.4.2022, see [art. 1\(2\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The East Anglia ONE North Offshore Wind Farm Order 2022, Section 25.