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STATUTORY INSTRUMENTS

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**2023 No. 923**

**The A38 Derby Junctions Development Consent Order 2023**

**PART 2**

**PRINCIPAL POWERS**

**Consent to transfer benefit of Order**

**10.**—(1) Subject to paragraph (4), the undertaker may—

- (a) transfer to another person (“the transferee”) any or all of the benefit of the provisions of this Order and such related statutory rights as may be agreed between the undertaker and the transferee; or
- (b) grant to another person (“the lessee”) for a period agreed between the undertaker and the lessee any or all of the benefit of the provisions of this Order and such related statutory rights as may be so agreed.

(2) Where an agreement has been made in accordance with paragraph (1) references in this Order to the undertaker, except in paragraph (3), include references to the transferee or the lessee.

(3) The exercise by a person of any benefits or rights conferred in accordance with any transfer or grant under paragraph (1) is subject to the same restrictions, liabilities and obligations as would apply under this Order if those benefits or rights were exercised by the undertaker.

(4) The consent of the Secretary of State is required for a transfer or grant under this article except where the transfer or grant is made to—

- (a) Western Power Distribution (East Midlands) PLC (company number 02366923, whose registered office is at Avonbank, Feeder Road, Bristol BS2 0TB) for the purposes of undertaking Work Nos. 9, 21, 22 and 35;
- (b) Cadent Gas Limited (company number 10080864, whose registered office is at Ashbrook Court Prologis Park, Central Boulevard, Coventry CV7 8PE for the purposes of undertaking Work Nos. 9, 21 and 35;
- (c) Openreach Limited (company number 10690039, whose registered office is at Kelvin House, 123 Judd Street, London WC1H 9NP) for the purposes of undertaking Work Nos. 9, 21, 22 and 35;
- (d) Severn Trent Water Limited (company number 02366686, whose registered office is at Severn Trent Centre, 2 St John’s Street, Coventry, CV1 2LZ) for the purposes of undertaking Work Nos. 9, 21, 22, 31 and 35;
- (e) Virgin Media Limited (company number 02591237, whose registered office is at 500 Brook Drive, Reading, RG2 6UU) for the purposes of undertaking Work Nos. 9, 21, 22 and 35; or
- (f) Hutchison 3G UK Holdings Limited (company number 03918124, whose registered office is at Star House, 20 Grenfell Road, Maidenhead, Berkshire SL6 1EH) for the purposes of undertaking Work No. 16.