
STATUTORY INSTRUMENTS

2014 No. 1599

The East Anglia ONE Offshore Wind Farm Order 2014

PART 3

Streets

Street works

8.—(1) The undertakers may, for the purposes of the authorised project, enter on so much of any of the streets specified in Schedule 2 (streets subject to street works) as is within the Order limits and may—

- (a) break up or open the street, or any sewer, drain or tunnel under it;
- (b) tunnel or bore under the street;
- (c) place apparatus under the street;
- (d) maintain apparatus under the street or change its position; and
- (e) execute any works required for or incidental to any works referred to in sub-paragraphs (a), (b), (c) and (d).

(2) The authority given by paragraph (1) is a statutory right for the purposes of sections 48(3) (streets, street works and undertakers) and 51(1) (prohibition of unauthorised street works) of the 1991 Act.

(3) The provisions of sections 54 to 106 of the 1991 Act apply to any street works carried out under paragraph (1).

(4) In this article “apparatus” has the same meaning as in Part 3 of the 1991 Act.

Temporary stopping up of public rights of way

9.—(1) Subject to the provisions of this article, the undertakers may, in connection with the carrying out of the authorised project temporarily stop up each of the public rights of way specified in columns (2) to (3) of Schedule 3 (public rights of way to be temporarily stopped up) to the extent specified in column (4), by reference to the letters and numbers shown on the public rights of way plan.

(2) The public rights of way specified in Part 1 of Schedule 3 (public rights of way to be temporarily stopped up) shall not be temporarily stopped up under this article unless the diversion route specified on the public rights of way plan is first provided by the undertakers, to the reasonable satisfaction of the relevant highway authority.

(3) The relevant diversion route provided under paragraph (2) shall be subsequently maintained by the undertakers until the re-opening of the relevant public right of way specified in paragraph (1).

Temporary stopping up of streets

10.—(1) Subject to paragraph (4), the undertakers, during and for the purposes of carrying out the authorised project, may temporarily stop up, alter or divert any street within the Order limits and may for any reasonable time—

- (a) divert the traffic or a class of traffic from the street; and
- (b) subject to paragraph (2), prevent all persons from passing along the street.

(2) The undertakers shall provide reasonable access for pedestrians going to or from premises abutting a street affected by the temporary stopping up, alteration or diversion of a street under this article if there would otherwise be no such access.

(3) Without prejudice to the generality of paragraph (1) the undertakers may temporarily stop up, alter or divert the streets specified in column (1) and (2) of Schedule 4 (streets to be temporarily stopped up) to the extent specified, by reference to the letters and numbers shown on the public rights of way plan, in column (4) of that Schedule.

(4) The undertakers shall not temporarily stop up, alter or divert—

- (a) any street without the consent of the street authority which may attach reasonable conditions to any consent; and
- (b) any other street without the consent of the street authority which may attach reasonable conditions to any consent.

(5) Any person who suffers loss by the suspension of any private right of way under this article shall be entitled to compensation to be determined, in case of dispute, under Part 1 of the 1961 Act.

Access to works

11. The undertakers may, for the purposes of the authorised project—

- (a) form and lay out means of access, or improve existing means of access, in the locations specified in columns (1) and (2) of Schedule 5 (access to works); and
- (b) with the approval of the relevant planning authority after consultation with the highway authority, form and lay out such other means of access or improve existing means of access, at such locations within the Order limits as the undertakers reasonably requires for the purposes of the authorised project.

Agreements with street authorities

12.—(1) A street authority and the undertakers may enter into agreements with respect to—

- (a) any temporary stopping up, alteration or diversion of a street authorised by this Order; or
- (b) the carrying out in the street of any of the works referred to in article 8(1) (street works).

(2) Such an agreement may, without prejudice to the generality of paragraph (1)—

- (a) make provision for the street authority to carry out any function under this Order which relates to the street in question;
- (b) include an agreement between the undertakers and street authority specifying a reasonable time for the completion of the works; and
- (c) contain such terms as to payment and otherwise as the parties consider appropriate.