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STATUTORY INSTRUMENTS

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**2015 No. 1592**

**The Dogger Bank Teesside A and  
B Offshore Wind Farm Order 2015**

**PART 3**

**Streets**

**Street works**

**14.**—(1) The undertaker 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 shown on the streets and public rights of way plan 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) to (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) Sections 54 to 106 of the 1991 Act<sup>(1)</sup> 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<sup>(2)</sup>.

**Temporary stopping up of streets**

**15.**—(1) The undertaker, during and for the purposes of carrying out the authorised project, may temporarily stop up, alter or divert any street and may for any reasonable time—

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

(2) The undertaker must 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 limiting paragraph (1), the undertaker may temporarily stop up, alter or divert the streets specified in Schedule 3 (streets to be temporarily stopped up) to the extent specified by reference to the letters and numbers shown on the streets and public rights of way plan.

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(1) A number of these provisions are amended, including by the Traffic Management Act 2004 (c.18).

(2) “Apparatus” is defined in sections 89(3) and 105(1).

- (4) The undertaker must not temporarily stop up, alter or divert—
  - (a) any street specified as mentioned in paragraph (3) without first consulting the street authority; 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 is entitled to compensation to be determined, in case of dispute, under Part 1 of the 1961 Act.

#### **Access to works**

- 16. The undertaker 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 Schedule 4 (access to works);
  - (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 undertaker reasonably requires.

#### **Agreements with street authorities**

- 17.—(1) A street authority and the undertaker may enter into agreements with respect to—
  - (a) the construction of a new street (including any structure carrying the street over or under the authorised development) under the powers conferred by this Order;
  - (b) the maintenance of the structure of a bridge or tunnel carrying a street over or under the authorised development;
  - (c) the stopping up, alternation or diversion of a street under the powers conferred by this Order; or
  - (d) the execution in a street referred to in article 14 (street works) of any of the works referred to in that article.
- (2) Such an agreement may, without limiting paragraph (1),—
  - (a) provide for the street authority to carry out any function under this Order that relates to the street in question;
  - (b) include an agreement between the undertaker and the street authority specifying a reasonable time for the completion of the works; and
  - (c) contains such terms as to payment and otherwise as the parties consider appropriate.