
STATUTORY INSTRUMENTS

2015 No. 680

The Knottingley Power Plant Order 2015

PART 3

OPERATIONS

Benefit of the Order

7.—(1) The undertaker may with the consent of the Secretary of State—

- (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

except where paragraph (5) applies in which case no such consent is required.

(2) Consent under paragraph (1) may not be unreasonably withheld or delayed.

(3) Where an agreement has been made in accordance with paragraph (1) references in this Order to the undertaker, except in paragraph (4), include references to the transferee or lessee.

(4) 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.

(5) This paragraph applies where—

- (a) the transferee or lessee is a person who holds a licence under section 6 of the Electricity Act 1989⁽¹⁾ or section 7 of the Gas Act 1986⁽²⁾; or
- (b) the time limits for claims for compensation in respect of the acquisition of land or effects upon land under this Order have elapsed and—
 - (i) no such claims have been made;
 - (ii) any such claims have been made and have been compromised or withdrawn;
 - (iii) compensation has been paid in final settlement of any such claims;
 - (iv) payment of compensation into court has taken place in lieu of settlement of any such claims; or
 - (v) it has been determined by the tribunal or court of competent jurisdiction in respect of any such claims that no compensation is payable.

(1) 1989 c.29. Section 6 was amended by section 30 of the Utilities Act 2000 (c.27), and section 6(10) amended by section 89(3) of the Energy Act 2004 (c.20). There are other amendments to this section that are not relevant to this Order.

(2) 1986 c.44. Section 7 was amended by section 5 of the Gas Act 1995 (c.45) and section 76(2) of the Utilities Act 2000 (c.27). There are other amendments to this section that are not relevant to this Order.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(6) The provisions of articles 10 (street works), 12 (public rights of way), 18 (compulsory acquisition of land), 21 (compulsory acquisition of rights and imposition of restrictive covenants), 27 (temporary use of land for carrying out the authorised development) and 28 (temporary use of land for maintaining the authorised development) have effect only for the benefit of the named undertaker and a person who is a transferee or lessee and also holds a licence under section 6 of the Electricity Act 1989 or section 7 of the Gas Act 1986.

(7) The provisions of article 10 (street works) in addition only have effect for the benefit of the named undertaker and a person who is a transferee or lessee and is also a street authority.