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STATUTORY INSTRUMENTS

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**2023 No. 110**

**INFRASTRUCTURE PLANNING**

The East Northamptonshire Resource  
Management Facility Order 2023

*Made - - - - 23rd January 2023*

*Coming into force 13th February 2023*

THE EAST NORTHAMPTONSHIRE RESOURCE  
MANAGEMENT FACILITY ORDER 2023

PART 1

PRELIMINARY

1. Citation and commencement
2. Interpretation

PART 2

PRINCIPAL POWERS

3. Development consent etc. granted by this Order
4. Effect of this Order on the original order
5. Limits of deviation
6. Benefit of this Order
7. Consent to transfer benefit of this Order
8. Power to construct and maintain the authorised development
9. Maintenance of drainage works

PART 3

SUPPLEMENTAL POWERS

10. Access to works
11. Discharge of water
12. Authority to survey and investigate the land
13. Felling or lopping of trees and removal of hedgerows

*Status: This is the original version (as it was originally made).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

## PART 4

### MISCELLANEOUS AND GENERAL

14. Application of landlord and tenant law
15. Procedure for Approvals and Protective Provisions
16. Planning permission
17. Defence to proceedings in respect of statutory nuisance
18. Certification of plans etc
19. Service of Notices
20. Arbitration  
Signature

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## SCHEDULES

### SCHEDULE 1 — Authorised Development

#### SCHEDULE 2 — Requirements

1. Interpretation
2. Time limits
3. Detailed design
4. Phasing, landscaping and restoration
5. Noise
6. Stockpiles and soil
7. Disposal of waste
8. Quantities of waste
9. Archaeological mitigation strategy
10. Vehicular access
11. Control of vehicular movements
12. Site security
13. Wheel cleaning
14. Hours of operation
15. Gas flare structures
16. Floodlighting
17. Cessation of development
18. Removal of plant and machinery
19. Amendments to approved details

#### SCHEDULE 3 — Procedure for approvals under requirements

1. In this Schedule “discharging authority” means the relevant planning authority...
2. Applications made under Requirements
3. Decision Period
4. Further Information
5. Fees
6. Appeal to the Secretary of State (procedure)
7. Appeal to the Secretary of State (powers of the appointed person)
8. Appeal to the Secretary of State (supplementary)

#### SCHEDULE 4 — Design parameters

#### SCHEDULE 5 — Removal of important hedgerows

SCHEDULE 6 — Protective Provisions

PART 1 — For the protection of Anglian Water Services Limited

1. Application
2. Interpretation
3. Acquisition of land
4. Retained apparatus
5. Expenses and costs
6. (1) Subject to sub-paragraphs (2) and (3), if by reason...
7. Cooperation
8. Monitoring
9. Expert Determination

PART 2 — For the protection of Western Power Distribution (East Midlands)  
Plc

10. Application
11. Interpretation
12. Precedence of 1991 Act in respect of apparatus in streets
13. No acquisition except by agreement
14. Removal of apparatus
15. Facilities and rights for alternative apparatus
16. Retained apparatus
17. Expenses and costs
18. (1) Subject to sub-paragraph (2), if by reason or in...
19. Expert determination

PART 3 — For the protection of National Grid as Gas Undertaker

20. Application
21. Interpretation
22. On Street Apparatus
23. Acquisition of land
24. Removal of apparatus
25. Facilities and rights for alternative apparatus
26. Retained apparatus: protection of gas undertaker
27. Expenses
28. Indemnity
29. Enactments and agreements
30. Co-operation
31. Access
32. Arbitration
33. Notices

Explanatory Note