



Town and Country Planning Act 1990

1990 CHAPTER 8

PART XI

STATUTORY UNDERTAKERS

Extension or modification of statutory undertakers' functions

275 Extension or modification of functions of statutory undertakers.

- (1) The powers conferred by this section shall be exercisable where, on a representation made by statutory undertakers, it appears to the Secretary of State and the appropriate Minister to be expedient that the powers and duties of those undertakers should be extended or modified, in order—
- (a) to secure the provision of services which would not otherwise be provided, or satisfactorily provided, for any purpose in connection with which a local authority or Minister may be authorised under Part IX of this Act or under Chapter V of Part I of the ^{M1}Planning (Listed Buildings and Conservation Areas) Act 1990 to acquire land or in connection with which any such person may compulsorily acquire land under any other enactment; or
 - (b) to facilitate an adjustment of the carrying on of the undertaking necessitated by any of the acts and events mentioned in subsection (2).
- (2) The said acts and events are—
- (a) the acquisition under Part IX of this Act or that Chapter or compulsorily under any other enactment of any land in which an interest was held, or which was used, for the purpose of the carrying on of the undertaking of the statutory undertakers in question;
 - (b) the extinguishment of a right or the imposition of any requirement by virtue of section 271 or 272;
 - (c) a decision on an application made by the statutory undertakers for planning permission to develop any such land as is mentioned in paragraph (a);
 - (d) the revocation or modification of planning permission granted on any such application;

Status: Point in time view as at 03/10/2018. This version of this provision has been superseded.

Changes to legislation: Town and Country Planning Act 1990, Section 275 is up to date with all changes known to be in force on or before 16 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (e) the making of an order under section 102 or paragraph 1 of Schedule 9 in relation to any such land.
- (3) The powers conferred by this section shall also be exercisable where, on a representation made by a local authority or Minister, it appears to the Secretary of State and the appropriate Minister to be expedient that the powers and duties of statutory undertakers should be extended or modified in order to secure the provision of new services, or the extension of existing services, for any purpose in connection with which the local authority or Minister making the representation may be authorised under Part IX of this Act or under Chapter V of Part I of the Planning (Listed Buildings and Conservation Areas) Act 1990 to acquire land or in connection with which the local authority or Minister may compulsorily acquire land under any other enactment.
- (4) Where the powers conferred by this section are exercisable, the Secretary of State and the appropriate Minister may, if they think fit, by order provide for such extension or modification of the powers and duties of the statutory undertakers as appears to them to be requisite in order—
- (a) to secure the services in question, as mentioned in subsection (1)(a) or (3), or
- (b) to secure the adjustment in question, as mentioned in subsection (1)(b), as the case may be.
- (5) Without prejudice to the generality of subsection (4), an order under this section may make provision—
- (a) for empowering the statutory undertakers—
- (i) to acquire (whether compulsorily or by agreement) any land specified in the order, and
- (ii) to erect or construct any buildings or works so specified;
- (b) for applying in relation to the acquisition of any such land or the construction of any such works enactments relating to the acquisition of land and the construction of works;
- (c) where it has been represented that the making of the order is expedient for the purposes mentioned in subsection (1)(a) or (3), for giving effect to such financial arrangements between the local authority or Minister and the statutory undertakers as they may agree, or as, in default of agreement, may be determined to be equitable in such manner and by such tribunal as may be specified in the order;
- (d) for such incidental and supplemental matters as appear to the Secretary of State and the appropriate Minister to be expedient for the purposes of the order.

Modifications etc. (not altering text)

- C1** S. 275 extended (19.9.1995) by 1995 c. 25, ss. 65(7), 125(2), **Sch. 8 para. 2(3)(b)** (with ss. 7(6), 115, 117, **Sch. 8 para. 7**)
Ss. 275-278, 279(2)-(4), 280, 282 modified (3.6.1999) by S.I. 1999/1555, art. 11, **Sch. 2 para. 1**
Ss. 275-278, 279(2)-(4), 280, 282 modified (21.7.1999) by S.I. 1999/2129, art. 20, **Sch. 3 para. 1**
Ss. 275-278, 279(2)-(4), 280, 282 modified (20.8.1999) by S.I. 1999/2336, art. 25, **Sch. 6 para. 1**
Ss. 275-278, 279(2)-(4), 280, 282 modified (23.8.1999) by S.I. 1999/2981, art. 29, **Sch. 11 para. 1**
Ss. 275-278 applied (with modifications) (18.7.2001) by S.I. 2001/2870, art. 25, **Sch. 4**
Ss. 275-278 applied (24.7.2001) by S.I. 2001/3627, arts. 63, 64, **Sch. 11 paras. 1, 2, Sch. 12 para. 5(3)**.
- C2** Ss. 275-278 modified (16.12.2015) by **The Network Rail (Tinsley Chord) Order 2015 (S.I. 2015/1876)**, art. 1, **Sch. 7 paras. 2-5**

Status: Point in time view as at 03/10/2018. This version of this provision has been superseded.

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- C3** Ss. 275-278 applied (with modifications) (19.12.2017) by [The Network Rail \(Buxton Sidings Extension\) Order 2017 \(S.I. 2017/1150\)](#), art. 1, **Sch. 11 para. 1** (with art. 32(2), Sch. 11 para. 3)
- C4** Ss. 275-278 applied (with modifications) (2.1.2018) by [The Boston Barrier Order 2017 \(S.I. 2017/1329\)](#), art. 1, **Sch. 6 para. 1** (with arts. 55-57, Sch. 8 para. 13)

Marginal Citations

- M1** 1990 c.9.

Status:

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