

Status: Point in time view as at 05/07/2018.

Changes to legislation: Housing and Regeneration Act 2008, Cross Heading: Opposed notices and Ministerial orders is up to date with all changes known to be in force on or before 04 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)

SCHEDULES

SCHEDULE 4

POWERS IN RELATION TO, AND FOR, STATUTORY UNDERTAKERS

Modifications etc. (not altering text)

- C1** Sch. 4 applied (with modifications) by 1999 c. 29, s. 333ZB(3)(4) (as inserted (15.1.2012) by [Localism Act 2011 \(c. 20\)](#), **ss. 187(3)**, 240(2); S.I. 2012/57, art. 4(1)(w) (with arts. 6, 7, 9-11))
- C1** Sch. 4 applied (with modifications) (15.1.2012) by [Localism Act 2011 \(c. 20\)](#), **ss. 208(4)(5)**, 240(1)(l)
- C1** Schs. 2-4 applied (with modifications) (17.3.2017) by [The Liverpool City Region Combined Authority \(Functions and Amendment\) Order 2017 \(S.I. 2017/430\)](#), arts. 1(2), 9(3), **Sch. 3 Pt. 2**

PART 2

POWERS FOR UNDERTAKERS TO CARRY OUT WORKS

Opposed notices and Ministerial orders

- 12 (1) This paragraph applies if—
- (a) a notice is served under paragraph 9, and
 - (b) a counter-notice is served under paragraph 10.
- (2) The statutory undertakers may—
- (a) withdraw the notice served under paragraph 9, or
 - (b) apply to the Secretary of State and the appropriate Minister for an order under sub-paragraph (3).
- (3) The Secretary of State and the appropriate Minister may by order confer on the statutory undertakers—
- (a) the rights claimed in the notice under paragraph 9, or
 - (b) such modified rights as the Secretary of State and the appropriate Minister consider it appropriate to confer on the statutory undertakers.
- (4) The fact that a notice has been withdrawn under sub-paragraph (2)(a) does not prejudice the service of a further notice.

Commencement Information

- I1** Sch. 4 para. 12 in force at 1.12.2008 by [S.I. 2008/3068](#), **art. 2(1)(g)** (with arts. 6-13)

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