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STATUTORY INSTRUMENTS

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**2014 No. 3328**

**INFRASTRUCTURE PLANNING**

**The Wellington C Gas Pipeline Order 2014**

*Made - - - - 16th December 2014*

*Coming into force 7th January 2015*

**THE WELLINGTON C GAS PIPELINE ORDER 2014**

PART 1

1. Citation and commencement
2. Interpretation
3. Application and modification of legislative provisions

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4. Development consent granted by Order
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9. Consent to transfer benefit of Order

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13. Agreements with street authorities

PART 4

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PART 5

16. Compulsory acquisition of existing rights in land

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17. Time limit for exercise of authority to acquire land compulsorily
18. Compulsory acquisition of new rights, etc.
19. Power to override easements and other rights
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21. Application of Compulsory Purchase (Vesting Declarations) Act 1981
22. Acquisition of subsoil
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- Signature

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#### PART 1 — AUTHORISED DEVELOPMENT

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4. Section 11 of the 1965 Act (powers of entry) is...

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PART 1 — FOR THE PROTECTION OF ELECTRICITY, GAS, WATER AND SEWERAGE STATUTORY UNDERTAKERS

1. The provisions of this Part have effect for the protection...
2. In this Part— “alternative apparatus” means alternative apparatus adequate to...
3. This Part does not apply to apparatus in respect of...
4. Despite any provision in this Order or anything shown on...
5. (1) If, in the exercise of the powers conferred by...
6. (1) Not less than 28 days before starting the execution...
7. (1) Subject to the following provisions of this paragraph, the...
8. (1) Subject to sub-paragraphs (2) and (3), if by reason,...

PART 2 — FOR THE PROTECTION OF OPERATORS OF ELECTRONIC COMMUNICATIONS CODE NETWORKS

1. The provisions of this Part have effect for the protection...
2. In this Part— “2003 Act” means the Communications Act 2003;...
3. The exercise of the powers conferred by article 27 (statutory...
4. (1) Subject to sub-paragraphs (2) to (4), if, as the...
5. This Part does not apply to— (a) any apparatus in...
6. Nothing in this Part affects the provisions of any enactment...

PART 3 — FOR THE PROTECTION OF NETWORK RAIL

1. The provisions of this Part have effect unless otherwise agreed...
2. In this Part— “construction” includes execution, placing, alteration and reconstruction...
3. (1) Where under this Part Network Rail is required to...
4. (1) The undertaker must not exercise the powers conferred by...
5. (1) The undertaker must before commencing construction of any specified...
6. (1) Any specified work and any protective works to be...
7. The undertaker must— (a) at all times afford reasonable facilities...
8. Network Rail must at all times afford reasonable facilities to...

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9. (1) If any permanent or temporary alterations or additions to...
10. The undertaker must repay to Network Rail all reasonable fees,...
11. (1) In this paragraph— “EMI” means, subject to sub-paragraph (2),...
12. If at any time after the completion of a specified...
13. The undertaker must not provide any illumination or illuminated sign...
14. Any additional expenses which Network Rail may reasonably incur in...
15. (1) The undertaker must pay to Network Rail all reasonable...
16. Network Rail must, on receipt of a request from the...
17. In the assessment of any sums payable to Network Rail...
18. The undertaker and Network Rail may, subject in the case...
19. Nothing in this Order, or in any enactment incorporated with...
20. The undertaker must give written notice to Network Rail if...
21. The undertaker must, no later than 28 days from the...

#### PART 4 — FOR THE PROTECTION OF THE CANAL & RIVER TRUST

1. The provisions of this Part have effect for the protection...
2. In this Part— “construction” includes execution, placing, alteration and reconstruction,...
3. (1) Where, under this Part or anywhere else under this...
4. (1) The undertaker must not exercise the powers conferred by...
5. (1) The undertaker must, before commencing construction of any specified...
6. (1) Any specified work and any protective works to be...
7. The undertaker must— (a) at all times afford reasonable facilities...
8. Canal & River Trust must at all times afford reasonable...
9. The undertaker must repay to Canal & River Trust all...
10. If at any time during or after the completion of...
11. (1) The undertaker must pay to Canal & River Trust...
12. Canal & River Trust must, on receipt of a written...
13. In the assessment of any sums payable to Canal &...
14. The undertaker and Canal & River Trust may enter into,...
15. This Part does not apply to apparatus in respect of...
16. The undertaker must repay to Canal & River Trust all...
17. (1) If any permanent or temporary alterations or additions to...

#### PART 5 — FOR THE PROTECTION OF NATIONAL GRID GAS PLC AND NATIONAL GRID ELECTRICITY TRANSMISSION PLC

1. Application
2. Interpretation
3. Certain provisions not to apply where relations regulated by Part 3 of 1991 Act
4. Acquisition of apparatus and overriding of easements, etc.
5. Removal of apparatus
6. Facilities and rights for alternative apparatus
7. Retained apparatus: protection of National Grid Gas
8. Retained apparatus: protection of National Grid Electricity
9. Expenses
10. Indemnity
11. Ground subsidence monitoring scheme in respect of statutory undertaker’s apparatus
12. Enactments and agreements
13. Co-operation
14. Access
15. Arbitration

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## Explanatory Note