

2010 No. 124

INFRASTRUCTURE PLANNING

The Planning Act 2008 (Railways Designation) Order 2010

Made - - - - - *24th January 2010*

Laid before Parliament *29th January 2010*

Coming into force - - - *1st March 2010*

The Secretary of State for Transport makes this Order in exercise of the powers conferred by section 25(6) of the Planning Act 2008(a).

Citation and commencement

1. This Order may be cited as the Planning Act 2008 (Railways Designation) Order 2010 and comes into force on 1st March 2010.

Designation

2. Each of the following is designated for the purposes of section 25 of the Planning Act 2008—
- (a) Network Rail Infrastructure Limited(b);
 - (b) Network Rail (CTRL) Limited(c).

Signed by authority of the Secretary of State for Transport

24th January 2010

C.D. Mole
Parliamentary Under Secretary of State
Department for Transport

(a) 2008 c.29.
(b) Company number 02904587.
(c) Company number 04434562.

EXPLANATORY NOTE

(This note is not part of the Order)

Section 25 of the Planning Act 2008 (when read with section 14) provides for the construction or alteration of a railway to be, in certain circumstances, a nationally significant infrastructure project for the purposes of the Act. Article 2 of this Order designates Network Rail Infrastructure Limited and Network Rail (CTRL) Limited for the purposes of section 25.

In addition to designation, in order to be an approved operator within the meaning of section 25, a person must also fulfil the requirement in section 25(5), being either a person who is authorised to be the operator of a network by a licence granted under section 8 of the Railways Act 1993 (c.43) (licences for operation of railway assets) or a wholly-owned subsidiary of a company which is such a person.

An Explanatory Memorandum is available alongside the instrument on the OPSI website (www.opsi.gov.uk). An impact assessment has not been produced as no additional impact on business, charities or the public sector is foreseen beyond that examined in the impact assessment that accompanied the Planning Act 2008.

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