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STATUTORY INSTRUMENTS

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**2013 No. 343**

**The Kentish Flats Extension Order 2013**

**Consent to transfer benefit of Order**

7.—(1) Except as provided for in this article, section 156(1) of the 2008 Act applies to the grant of development consent by this Order.

(2) Subject to paragraph (5), the undertaker may—

- (a) transfer to another person (the “transferee”) any or all of the benefit of the provisions of this Order and such related statutory rights as may be agreed between the undertaker and the transferee; or
- (b) grant to another person (the “lessee”) for a period agreed between the undertaker and the lessee any or all of the benefit of the provisions of this Order and such related statutory rights as may be so agreed.

(3) Where a transfer or grant has been made in accordance with this article references in this Order to the undertaker, except in paragraphs (4) and (5) shall include references to the transferee or the lessee.

(4) The exercise by a person of any benefits or rights conferred in accordance with any transfer or grant under this article shall be subject to the same restrictions, liabilities and obligations as would apply under this Order if those benefits or rights were exercised by the undertaker.

(5) Not later than 21 days after entering into any transfer or grant under paragraph (1) the undertaker shall give written notice to the Secretary of State, Trinity House, the PLA, the MCA and the MMO stating the name and address of the person to whom the benefits or rights were conferred and the date when the transfer or grant is to take effect (which shall not be earlier than the date of receipt of the notice by whichever of the Secretary of State, Trinity House, the PLA, the MCA or the MMO is the last to be notified).