
STATUTORY INSTRUMENTS

2015 No. 129

The A160/A180 (Port of Immingham Improvement) Development Consent Order 2015

PART 1

PRELIMINARY

Citation and commencement

1. This Order may be cited as the A160/A180 (Port of Immingham Improvement) Development Consent Order 2015 and comes into force on 25th February 2015.

Interpretation

2.—(1) In this Order—

“the 1961 Act” means the Land Compensation Act 1961**(1)**;

“the 1965 Act” means the Compulsory Purchase Act 1965**(2)**;

“the 1980 Act” means the Highways Act 1980**(3)**;

“the 1981 Act” means the Compulsory Purchase (Vesting Declarations) Act 1981**(4)**;

“the 1984 Act” means the Road Traffic Regulation Act 1984**(5)**;

“the 1990 Act” means the Town and Country Planning Act 1990**(6)**;

“the 1991 Act” means the New Roads and Street Works Act 1991**(7)**;

“the 2008 Act” means the Planning Act 2008**(8)**;

“address” includes any number or address for the purposes of electronic transmission;

“Air Products (BR) Limited” means the company of that name, company number 02532156, whose registered office is at Hershams Place Technology Park, Molesey Road, Walton on Thames, Surrey, KT12 4RZ;

“Anglian Water” means Anglian Water Services Limited, company number 02366656, whose registered office is at Lancaster House, Lancaster Way, Ermine Business Park, Huntingdon, Cambridgeshire PE29 6YJ;

“apparatus” has the same meaning as in Part 3 of the 1991 Act;

“authorised development” means the development and associated development described in Schedule 1 (authorised development) or any part of them and any other development authorised

(1) 1961 c. 33.
(2) 1965 c. 56.
(3) 1980 c. 66.
(4) 1981 c. 66.
(5) 1984 c. 27.
(6) 1990 c. 8.
(7) 1991 c. 22.
(8) 2008 c. 29.

by this Order or part of it, which is development within the meaning of section 32 (meaning of development) of the 2008 Act;

“the book of reference” means the book of reference certified by the Secretary of State as the book of reference for the purposes of this Order;

“building” includes any structure or erection or any part of a building, structure or erection;

“carriageway” has the same meaning as in the 1980 Act;

“cycle track” has the same meaning as in section 329(1) (further provisions as to interpretation) of the 1980 Act⁽⁹⁾;

“E.ON UK Gas Limited” means the company of that name, company number 02436332, whose registered office is at Westwood Way, Westwood Business Park, Coventry, CV4 8LG;

“electronic transmission” means a communication transmitted—

(a) by means of an electronic communications network; or

(b) by other means but while in electronic form;

“the engineering drawings and sections” means the documents certified as the engineering drawings and sections by the Secretary of State for the purposes of this Order;

“environmental statement” means the document submitted alongside the application for this Order, together with any addendums submitted, and certified as the environmental statement by the Secretary of State for the purposes of this Order;

“escorted vehicles” means Part 2 vehicles and Part 2 vehicle-combinations as defined in article 3 of the Road Vehicles (Authorisation of Special Types) (General) Order 2003⁽¹⁰⁾, and any attendants employed in accordance with Schedule 6 to that Order;

“footway” and “footpath” have the same meaning as in the 1980 Act;

“Heron Wind Limited” means the company of that name, company number 07640868, whose registered office is at 11th Floor, 140 London Wall, London, EC2Y 5DN;

“highway”, “highway authority” and “local highway authority” have the same meaning as in the 1980 Act;

“the land plans” means the plans certified as the land plans by the Secretary of State for the purposes of this Order;

“limits of deviation” means the limits of deviation referred to in article 5 (limits of deviation);

“maintain” and any of its derivatives include inspect, repair, adjust, alter, remove or reconstruct in relation to the authorised development and any derivative of “maintain” is to be construed accordingly;

“National Grid Gas plc” means the company of that name, company number 02006000, whose registered office is at 1-3 Strand, London, WC2N 5EH;

“Northern Powergrid” means Northern Powergrid Limited, company number 03271033, whose registered office is at Lloyds Court, 78 Grey Street, Newcastle upon Tyne, NE1 6AF;

“Order land” means the land shown on the land plans which is within the limits of land to be acquired or used permanently or temporarily, and described in the book of reference;

“the Order limits” means the limits of deviation shown on the works plans within which the authorised development may be carried out;

⁽⁹⁾ The definition of “cycle track” was amended by section 1 of the Cycle Tracks Act 1984 (c. 38) and paragraph 21(2) of Schedule 3 to the Road Traffic (Consequential Provisions) Act 1988 (c. 54).

⁽¹⁰⁾ S.I. 2003/1998.

“owner”, in relation to land, has the same meaning as in section 7 (interpretation) of the Acquisition of Land Act 1981(11);

“relevant planning authority” means the local planning authority for the land in question;

“rights of way and access plans” means the plans certified as the rights of way and access plans by the Secretary of State for the purposes of this Order;

“Secretary of State” means the Secretary of State for Transport;

“statutory undertaker” means any statutory undertaker for the purposes of section 127(8) (statutory undertakers’ land) of the 2008 Act;

“street” means a street within the meaning of section 48 (streets, street works and undertakers) of the 1991 Act, together with land on the verge of a street or between two carriageways, and includes part of a street;

“street authority”, in relation to a street, has the same meaning as in Part 3 of the 1991 Act;

“the tribunal” means the Lands Chamber of the Upper Tribunal;

“traffic regulation plans” means the plans certified as the traffic regulation plans by the Secretary of State for the purposes of this Order;

“trunk road” means a highway which is a trunk road by virtue of—

- (a) section 10(12) or 19(1) of the 1980 Act (provisions as to trunk roads);
- (b) an order or direction under section 10 of that Act; or
- (c) an order granting development consent; or
- (d) any other enactment;

“Vitol Power Immingham” means VPI Immingham LLP, company number OC300980, whose registered office is at Belgrave House, 76 Buckingham Palace Road, London SW1W 9TQ;

“watercourse” includes all rivers, streams, ditches, drains, canals, cuts, culverts, dykes, sluices, sewers and passages through which water flows except a public sewer or drain; and

“the works plans” means the plans certified as the works plans by the Secretary of State for the purposes of this Order.

(2) References in this Order to rights over land include references to rights to do or to place and maintain, anything in, on or under land or in the air-space above its surface.

(3) All distances, directions and lengths referred to in this Order are approximate and distances between points on a work comprised in the authorised development are taken to be measured along that work.

(4) For the purposes of this Order, all areas described in square metres in the book of reference are approximate.

(5) References in this Order to points identified by letters or numbers are to be construed as references to points so lettered or numbered on the rights of way and access plans.

(6) References in this Order to numbered works are references to the works as numbered in Schedule 1.

(11) 1981 c. 67. The definition of “owner” was amended by paragraph 9 of Schedule 15 to the Planning and Compensation Act 1991 (c. 34). There are other amendments to section 7 which are not relevant to this Order.

(12) As amended by section 22(2) of the 1991 Act and paragraph 22 of Schedule 2 to the 2008 Act.