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## STATUTORY INSTRUMENTS

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**2016 No. 853**

# INFRASTRUCTURE PLANNING

## The River Humber Gas Pipeline Replacement Order 2016

*Made - - - - 25th August 2016*

*Coming into force 15th September 2016*

### THE RIVER HUMBER GAS PIPELINE REPLACEMENT ORDER 2016

#### PART 1

##### Preliminary

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

#### PART 2

##### Works Provisions

4. Development consent, etc. granted by Order
5. Maintenance of authorised project
6. Operation of authorised project
7. Limits of deviation
8. Defence to proceedings in respect of statutory nuisance
9. Benefit of Order
10. Transfer of benefit of Order
11. Street Works
12. Power to alter layout, etc. of streets
13. Construction and maintenance of new, altered or diverted streets
14. Temporary stopping up of streets and public rights of way
15. Access to works
16. Traffic Regulation
17. Agreements with street authorities
18. Discharge of water
19. Authority to survey and investigate the land
20. Removal of human remains

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### PART 3

#### Acquisition and possession of land

21. Compulsory acquisition of land
22. Compulsory acquisition of rights
23. Extinguishment and suspension of private rights
24. Acquisition of subsoil only
25. Power to override easements and other rights
26. Application of the Compulsory Purchase (Vesting Declarations) Act 1981
27. Temporary use of land for carrying out the authorised project
28. Temporary use of land for maintaining the authorised project
29. Disregard of certain interests and improvements
30. Set-off for enhancement in value of retained land
31. No double recovery
32. Acquisition of part of certain properties
33. Statutory undertakers
34. Recovery of costs of new connections
35. Time limit for exercise of authority to acquire land compulsorily
36. Rights under or over streets
37. Incorporation of the mineral code

### PART 4

#### Miscellaneous and general

38. Application of landlord and tenant law
39. Deemed consent under Part 4 (marine licensing) of the Marine and Coastal Access Act 2009
40. Operational land for purposes of the 1990 Act
41. Felling or lopping of trees or shrubs
42. Protective provisions
43. Crown rights
44. Certification of plans etc.
45. Service of notices
46. Arbitration
47. Procedure in relation to certain approvals etc.  
Signature

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#### SCHEDULE 1 — Authorised project

##### PART 1 — Authorised development

1. A nationally significant infrastructure project as defined in sections 14...  
PART 2 — Further associated development and ancillary works
2. Such associated development and ancillary works within the Order limits...

#### SCHEDULE 2 — Plans

##### PART 1 — Works plans

##### PART 2 — Land plans

##### PART 3 — Access and rights of way plans

##### PART 4 — Environmental statement

#### SCHEDULE 3 — Requirements

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1. Interpretation
2. Time limits
3. Stages of the authorised project
4. Detailed design approval
5. Site Water Management Plan
6. Site Waste Management Plan
7. Removal of trees and hedgerows
8. Hard landscaping and drainage
9. Agricultural land drainage
10. Archaeology
11. Construction hours
12. Construction Environmental Management Plan
13. Noise
14. Contaminated land and groundwater
15. Construction traffic and accesses
16. Restoration of land used temporarily for construction
17. Temporary external lighting
18. Environmental mitigation land
19. Ecological Surveys
20. Requirement for written approval
21. Approved details and amendments to approved details

SCHEDULE 4 — Streets subject to street works

SCHEDULE 5 — Streets subject to alteration of layout

SCHEDULE 6 — Streets and public rights of way to be temporarily stopped up

SCHEDULE 7 — Access to works

SCHEDULE 8 — Land of which temporary possession may be taken

SCHEDULE 9 — Deemed marine licence under Part 4 (Marine licensing) of the Marine and Coastal Access Act 2009

PART 1 — Introduction

1. Interpretation
2. Addresses
3. (1) Subject to the licence conditions in Part 4 of...

PART 3 — Conditions

4. The licence holder must inform the MMO in writing of...
5. Should the licence holder become aware that any of the...
6. The licence holder must ensure that any coatings and treatments...
7. The licence holder must ensure that any equipment, temporary structures,...
8. The licence holder must ensure that the MMO local Marine...
9. The licence holder must notify the MMO in writing of...

SCHEDULE 10 — Protective provisions

PART 1 — For the protection of electricity, gas, water and sewerage undertakers

1. Application
2. Interpretation
3. On-street apparatus
4. Acquisition of apparatus

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5. Removal of apparatus
6. Retained apparatus: protection
7. Cathodic protection testing
8. Expenses
9. Co-operation
10. Arbitration
  - PART 2 — For the protection of operators of Electronic Communication Code Networks
    1. Effect
    2. Interpretation
    3. On-street apparatus
    4. Enactments and agreements in respect of apparatus in the undertaker's land
    5. Arbitration
      - PART 3 — For the protection of the Environment Agency
        1. (1) The following provisions apply for the protection of the...
        2. (1) Before beginning to construct any specified work, the undertaker...
        3. Without limiting the scope of paragraph 17, the requirements which...
        4. (1) Subject to sub-paragraph (2), any specified work, and all...
        5. (1) Subject to sub-paragraph (5) the undertaker must from the...
        6. If by reason of the construction of any specified work...
        7. (1) The undertaker must indemnify the Agency in respect of...
        8. The fact that any work or thing has been executed...
        9. (1) The undertaker will not in the exercise of any...
        10. Any dispute arising between the undertaker and the Agency under...
        11. (1) Any specified work capable of interfering with or risking...
        12. Within the Order limits on the south bank of the...
          - PART 4 — For the protection of Anglian Water
            1. (1) For the protection of Anglian Water, the following provisions...
          - PART 5 — For the protection of Centrica
            1. For the protection of Centrica the following provisions, unless otherwise...
            2. Interpretation
            3. Creation of rights and access for Centrica
            4. Apparatus
            5. Ground Subsidence Monitoring Scheme
            6. Cathodic Protection Testing
            7. (1) In the event that the undertaker uses an alternative...
            8. Removal of apparatus
            9. Facilities and rights for alternative apparatus
            10. Costs
            11. Requirement for agreement
            12. Disputes

SCHEDULE 11 — Modification of compensation and compulsory purchase enactments for the creation of new rights

1. Compensation enactments
2. (1) Without prejudice to the generality of paragraph 1, the...
3. Application of the 1965 Act
4. For section 7 of the 1965 Act (measure of compensation)...
5. The following provisions of the 1965 Act (which state the...
6. Section 11 of the 1965 Act (powers of entry) is...
7. Section 20 of the 1965 Act (protection for interests of...
8. Section 22 of the 1965 Act (protection of acquiring authority's...

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SCHEDULE 12 — Procedure in relation to certain approvals etc.

1. Determination of applications for specified consents
2. Fees
3. Appeals
4. Outcome of Appeals
5. Interpretation of this Schedule

Explanatory Note

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