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## STATUTORY INSTRUMENTS

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# 2020 No. 325

## The Reinforcement to the North Shropshire Electricity Distribution Network Order 2020

### PART 1

#### PRELIMINARY

#### Interpretation

2.—(1) In this Order—

“the 1961 Act” means the Land Compensation Act 1961 <sup>M1</sup>;

“the 1965 Act” means the Compulsory Purchase Act 1965 <sup>M2</sup>;

“the 1980 Act” means the Highways Act 1980 <sup>M3</sup>;

“the 1981 Act” means the Compulsory Purchase (Vesting Declarations) Act 1981 <sup>M4</sup>;

“the 1984 Act” means the Road Traffic Regulation Act 1984 <sup>M5</sup>;

“the 1989 Act” means the Electricity Act 1989 <sup>M6</sup>;

“the 1990 Act” means the Town and Country Planning Act 1990 <sup>M7</sup>;

“the 1991 Act” means the New Roads and Street Works Act 1991 <sup>M8</sup>;

“the 2003 Act” means the Communications Act 2003 <sup>M9</sup>;

“the 2008 Act” means the Planning Act 2008 <sup>M10</sup>;

“the A5(T)” means the A5 Trunk Road between to the north, the junction with the A495 and the B4590, and, to the south, the junction with the A483;

“access and rights of way plans” means the plans certified as the access and rights of way plans by the Secretary of State under article 35 (certification of plans etc.) and Schedule 9 (documents to be certified) for the purposes of this Order;

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

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

“authorised development” means the development of a 132kV overhead line comprising the nationally significant infrastructure project (Work No.3) and associated development described in Schedule 1 (authorised development), and any other development authorised by this Order, which is development within the meaning of section 32 of the 2008 Act (meaning of development);

“the book of reference” means the book of reference certified as the book of reference by the Secretary of State under article 35 and Schedule 9 for the purposes of this Order;

“the Canal & River Trust” means a company limited by guarantee (company registration number 07807276) whose registered office is at First Floor, North Station House, 500 Elder

Gate, Milton Keynes MK9 1BB and a registered charity registered with the charity commission number 1146792;

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

“compulsory acquisition notice” means a notice served in accordance with section 134<sup>M11</sup> of the 2008 Act (notice of authorisation of compulsory acquisition);

“construction report” means the construction report certified as the construction report by the Secretary of State under article 35 and Schedule 9 for the purposes of this Order;

“date of final commissioning” means the date on which the authorised development first comes into use by distributing electricity at 132kV on a commercial basis;

“electronic transmission” means a communication transmitted—

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

(b) by other means in electronic form;

“the environmental statement” means the documents of that description listed in Schedule 9 and certified by the Secretary of State under article 35 and Schedule 9 as the environmental statement for the purposes of this Order;

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

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

“Highways England” means Highways England Company Limited (company registration number 9346363) of Bridge House, 1 Walnut Tree Close, Guildford, GU1 4LZ;

“land plans” means the plans certified as the land plans by the Secretary of State under article 35 and Schedule 9 for the purposes of this Order;

“limits of deviation” means the limits of deviation referred to in article 4 (limits of deviation);

“maintain” includes inspect, repair, adjust, alter, remove, reconstruct or replace the authorised development, provided such works do not give rise to any materially new or materially different environmental effects to those identified in the environmental statement and any derivative of “maintain” must be construed accordingly;

“Order land” means the land shown on the land plans and described in the book of reference within which the authorised development is taking place;

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

“owner”, in relation to land, has the same meaning as in section 7 of the Acquisition of Land Act 1981(interpretation)<sup>M12</sup>;

“plans of important hedgerows affected” means the plans certified as the plans of important hedgerows affected by the Secretary of State under article 35 and Schedule 9 for the purposes of this Order;

“relevant highway authority” means Shropshire Council, or Highways England in relation to the A5(T);

“relevant planning authority” means Shropshire Council;

“requirements” means those matters set out in Schedule 2 to this Order and any numbered requirement must be construed accordingly;

“SP Manweb PLC” means SP Manweb PLC (company registration number 02366937) whose registered office is at 3 Prenton Way, Prenton, CH43 3ET;

“statutory undertaker” means (except in Schedule 6, Part 2) any person falling within section 127(8) of the 2008 Act (statutory undertakers' land) or a public communications provider as defined in section 151 of the 2003 Act (interpretation of Chapter 1);

“street” means a street within the meaning of section 48 of the 1991 Act <sup>M13</sup> (streets, street works and undertakers), together with land on the verge of a street or between two carriageways, and includes any footpath and “street” includes any part of a street;

“street authority”, in relation to a street, has the same meaning as in Part 3 of the 1991 Act <sup>M14</sup>;

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

“traffic authority” has the same meaning as in section 121A of the 1984 Act (traffic authorities);  
<sup>M15</sup>

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

“undertaker” means SP Manweb PLC or any other person who has the benefit of this Order in accordance with article 7 (benefit of the Order) or article 8 (consent to transfer benefit of the Order);

“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 under article 35 and Schedule 9 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 airspace above its surface and references in this Order to the imposition of restrictions are references to restrictions over land which interfere with the interests or rights of another and are for the benefit of land over which rights are acquired and created under this Order.

(3) All distances, directions and lengths referred to in this Order are approximate and distances between points are taken to be measured between the referenced points.

(4) All areas described in square metres in the book of reference are approximate.

(5) References in this Order to numbered works are references to the works comprising the authorised development as numbered in Schedule 1 and shown on the works plans.

### Commencement Information

**II** Art. 2 in force at 14.4.2020, see [art. 1](#)

### Marginal Citations

**M1** 1961 c.33.

**M2** 1965 c.56.

**M3** 1980 c.66.

**M4** 1981 c.66.

**M5** 1984 c.27.

**M6** 1989 c.29.

**M7** 1990 c.8.

**M8** 1991 c.22.

**M9** 2003 c.21.

**M10** 2008 c.29.

**M11** Section 134 was amended by the Localism Act 2011, sections 142(1) to (4), section 237 and Schedule 25 Part 21 and by [S.I.2017/16](#).

**M12** 1981 c.67. A relevant amendment to section 7 was made by the Planning and Compensation Act 1991 [c.34](#), [section 70](#), [Schedule 15](#), [paragraph 9](#).

**M13** A relevant amendment to section 48 was made by Local Transport Act 2008, section 124(1), (2).

**M14** A relevant amendment to the 1991 Act was made by the Infrastructure Act 2015, section 1(6), Schedule 1, paragraphs 113 and 117.

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**Changes to legislation:** *There are currently no known outstanding effects for the The Reinforcement to the North Shropshire Electricity Distribution Network Order 2020, Section 2. (See end of Document for details)*

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**M15** [Section 121A](#) was inserted by the 1991 Act, section 168(1), schedule 8 paragraph 70 and relevant amendments were made by the Infrastructure Act 2015, section 1(6), Schedule 1 paragraphs 70 and 95(1) to (3) and by [S.I. 2001/1400](#) and S.I. 200/1400.

**Changes to legislation:**

There are currently no known outstanding effects for the The Reinforcement to the North Shropshire Electricity Distribution Network Order 2020, Section 2.