

## SCHEDULE 17

### Protective Provisions

## PART 3

### For the Protection of Cadent Gas Limited as Gas Undertaker

#### On Street Apparatus

**30.**—(1) Except for paragraphs 31 (apparatus of undertakers in stopped up streets), 33 (removal of apparatus) in so far as sub-paragraph 30(2) applies, 34 (facilities and rights for alternative apparatus) in so far as sub-paragraph 30(2) applies, 35 (retained apparatus: protection), 36 (expenses) and 37 (compensation) of this Schedule which will apply in respect of the exercise of all or any powers under the Order affecting the rights and apparatus of Cadent, the other provisions of this Schedule do not apply to apparatus in respect of which the relations between the promoter and Cadent are regulated by the provisions of Part 3 of the 1991 Act.

(2) Paragraphs 34 and 35 of this Schedule apply to diversions where carried out under the 1991 Act, in circumstances where any apparatus is diverted from an alignment within the existing adopted public highway but not wholly replaced within existing adopted public highway

(3) Notwithstanding Art 25(5) or any other powers in the Order generally, s85 of the 1991 Act in relation to costs sharing and the powers in respect of cost sharing generally including the regulations made thereunder does not apply in relation to any diversion of apparatus of Cadent under the 1991 Act.

#### Commencement Information

**II** Sch. 17 para. 30 in force at 1.1.2022, see [art. 1](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The Norfolk Boreas Offshore Wind Farm Order 2021, Paragraph 30.