
STATUTORY INSTRUMENTS

2022 No. 475

The M54 to M6 Link Road Development Consent Order 2022

PART 2

PRINCIPAL POWERS

Consent to transfer benefit of Order

8.—(1) Subject to paragraph (4), 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.

(2) Where an agreement has been made in accordance with paragraph (1) references in this Order to the undertaker, except in paragraph (3), include references to the transferee or the lessee.

(3) The exercise by a person of any benefits or rights conferred in accordance with any transfer or grant under paragraph (1) is subject to the same restrictions, liabilities and obligations as would apply under this Order if those benefits or rights were exercised by the undertaker.

(4) The consent of the Secretary of State is required for a transfer or grant under this article, except where the transfer or grant is made to—

- (a) Western Power Distribution Plc for the purposes of undertaking Work Nos. 67(i) and 70;
- (b) Severn Trent Water Ltd for the purposes of undertaking Work Nos. 67(iii) and 69(i);
- (c) South Staffordshire Plc for the purposes of undertaking Work No. 69(i);
- (d) British Telecommunications Plc (or a related or subsidiary company) for the purposes of undertaking Work No. 67(ii); or
- (e) Cadent Gas Ltd for the purposes of undertaking Work No. 68.