
STATUTORY INSTRUMENTS

2023 No. 218

The A47 Wansford to Sutton Development Consent Order 2023

PART 2

PRINCIPAL POWERS

Consent to transfer benefit of Order

10.—(1) Subject to paragraph (5) the undertaker may with the written consent of the Secretary of State—

- (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 (5), 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) If the benefit of the provisions of this Order relating to compulsory acquisition is transferred or granted to a transferee or lessee pursuant to this article and the transferee or lessee exercises those powers then the undertaker alone is liable for any compensation that is payable to another party as a consequence of the exercise of those powers by the transferee or lessee.

(5) 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) Anglian Water for the purposes of undertaking Work Nos. 27 and 49;
- (b) NGED for the purposes of undertaking Work Nos. 3, 5, 8, 9, 14, 18, 26, 29, 36, 48, 52, 54, 57 and 58; or
- (c) NGG for the purposes of undertaking Work No. 4.

Commencement Information

II Art. 10 in force at 10.3.2023, see [art. 1](#)

Status:

Point in time view as at 10/03/2023.

Changes to legislation:

There are currently no known outstanding effects for the The A47 Wansford to Sutton Development Consent Order 2023, Section 10.