
STATUTORY INSTRUMENTS

2024 No. 393

The National Grid (Yorkshire Green Energy Enablement Project) Development Consent Order 2024

PART 2

PRINCIPAL POWERS

Consent to transfer benefit of the Order

7.—(1) National Grid in relation to the authorised development, NPG in relation to the NPG Works and NGN in relation to the NGN Works, may, with the 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 National Grid, NPG or NGN and the transferee; or
- (b) grant to another person (“the lessee”) for a period agreed between National Grid, NPG or NGN 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 a transfer or grant has been made in accordance with paragraph (1) references in this Order to National Grid, NPG or NGN (as the case may be), except in paragraphs (4) and (5), is to 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) are subject to the same restrictions, liabilities and obligations as would apply under this Order if those benefits or rights were exercised by the undertaker, save where those benefits or rights are exercised by a statutory undertaker (which for the purposes of this article includes any entity listed in paragraph (7)), or by an owner or occupier of land pursuant to paragraph (2) of article 25 (compulsory acquisition of rights) of this Order, in which case liability for the payment of compensation remains with National Grid.

(4) Any rights or benefits in relation to the NPG Works that are transferred or granted by NPG under paragraph (1) are subject to Schedule 5 (benefit of the Order rules) as if they had remained exercisable by NPG.

(5) Any rights or benefits in relation to the NGN Works that are transferred or granted by NGN under paragraph (1) are subject to Schedule 5 (benefit of the Order rules) as if they had remained exercisable by NGN.

(6) The consent of the Secretary of State under this article is not required where the powers of article 25(1) (compulsory acquisition of rights) are, with the consent of the undertaker given under article 25(2) (compulsory acquisition of rights), proposed to be exercised by a statutory undertaker rather than by National Grid.

(7) The consent of the Secretary of State is not required under this article, where the transfer or grant is made, for the purpose of diverting or replacing their owned or managed structures, apparatus or equipment which forms part of the authorised development described in Schedule 1 and contained within the Order limits, to—

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (a) Openreach Limited (Company Number 10690039) whose registered office is at Kelvin House 123 Judd Street London WC1H 9NP;
- (b) EE Limited (Company Number 02382161) whose registered office is at 1 Braham Street, London, United Kingdom, E1 8EE;
- (c) Hutchison 3G UK Limited (Company Number 03885486) whose registered office is at 450 Longwater Avenue, Green Park, Reading, Berkshire, England, RG2 6GF;
- (d) Vodafone Limited (Company Number 01471587), whose registered office is at Vodafone House, The Connection, Newbury, Berkshire RG14 2FN; and
- (e) Yorkshire Water Services Limited (Company Number 02366682) whose registered office is at Western House, Halifax Road, Bradford, West Yorkshire, BD6 2SZ.