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STATUTORY INSTRUMENTS

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**2015 No. 1570**

**INFRASTRUCTURE PLANNING**

**The Progress Power (Gas Fired Power Station) Order 2015**

*Made - - - - 23rd July 2015*

*Coming into force 14th August 2015*

**THE PROGRESS POWER (GAS FIRED  
POWER STATION) ORDER 2015**

PART 1

1. Citation and commencement
2. Interpretation

PART 2

3. Development consent etc. granted by the Order
4. Maintenance of authorised development
5. Operation of authorised development
6. Benefit of the Order
7. Guarantees in respect of payment of compensation
8. Application and modification of legislative provisions

PART 3

9. Power to alter layout, etc., of streets
10. Street works
11. Construction and maintenance of new or altered means of access
12. Temporary prohibition or restriction of use of streets
13. Access to works
14. Agreements with street authorities

PART 4

15. Discharge of water
16. Authority to survey and investigate the land
17. Removal of human remains

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## PART 5

18. Compulsory acquisition of land
19. Statutory authority to override easements and other rights
20. Time limit for exercise of authority to acquire land compulsorily
21. Compulsory acquisition of rights etc.
22. Private rights
23. Application of the Compulsory Purchase (Vesting Declarations) Act 1981
24. Acquisition of subsoil only
25. Acquisition of part of certain properties
26. Rights under or over streets
27. Temporary use of land for carrying out the authorised development
28. Temporary use of land for maintaining the authorised development
29. Statutory undertakers
30. Apparatus and rights of statutory undertakers in streets subject to temporary prohibition or restriction
31. Recovery of costs of new connections

## PART 6

32. Felling or lopping of trees and removal of hedgerows

## PART 7

33. Application of landlord and tenant law
34. Cases in which land is to be treated as not being operational land
35. Defence to proceedings in respect of statutory nuisance
36. Protective provisions
37. Certification of plans etc.
38. Service of notices
39. Procedure in relation to certain approvals etc.
40. Arbitration  
Signature

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## SCHEDULE 1 — AUTHORISED DEVELOPMENT

### SCHEDULE 2 — REQUIREMENTS

1. Time limits
2. Numbered Works
3. Detailed Design
4. Provision of landscaping
5. Implementation and maintenance of landscaping
6. Highway accesses
7. Fencing and other means of enclosure
8. Surface and foul water drainage
9. Archaeology
10. Ecological management plan
11. Construction Environment Management Plan
12. Land contamination
13. Construction traffic

14. Construction Travel Plan
15. Travel plan during operational phase
16. Construction hours
17. Control of noise during operational phase
18. Control of artificial light emissions during operational phase
19. European protected species
20. Operation of the authorised development
21. Decommissioning strategy
22. Amendments to approved details
23. Date of final commissioning and cessation

SCHEDULE 3 — STREETS SUBJECT TO PERMANENT AND TEMPORARY ALTERATION OF LAYOUT

- PART 1 — PERMANENT ALTERATION OF LAYOUT  
PART 2 — TEMPORARY ALTERATION OF LAYOUT

SCHEDULE 4 — STREETS SUBJECT TO STREET WORKS

SCHEDULE 5 — TEMPORARY PROHIBITION OR RESTRICTION OF THE USE OF STREETS

SCHEDULE 6 — ACCESS

- PART 1 — THOSE PARTS OF THE ACCESSES TO BE MAINTAINED AT THE PUBLIC EXPENSE  
PART 2 — THOSE PARTS OF THE ACCESSES TO BE MAINTAINED BY THE STREET AUTHORITY  
PART 3 — THOSE WORKS TO RESTORE TEMPORARY ACCESSES WHICH WILL BE MAINTAINED BY THE STREET AUTHORITY

SCHEDULE 7 — MODIFICATION OF COMPENSATION AND COMPULSORY PURCHASE ENACTMENTS FOR CREATION OF NEW RIGHTS

*Compensation enactments*

1. The enactments for the time being in force with respect...
2. (1) Without prejudice to the generality of paragraph 1, the...

*Application of the 1965 Act*

3. (1) The 1965 Act has effect with the modifications necessary...
4. For section 7 of the 1965 Act (measure of compensation)...
5. For section 8 of the 1965 Act (provisions as to...
6. The following provisions of the 1965 Act (which state the...
7. Section 11 of the 1965 Act (powers of entry) is...
8. Section 20 of the 1965 Act (protection for interests of...
9. Section 22 of the 1965 Act (protection of acquiring authority's...

SCHEDULE 8 — LAND OF WHICH TEMPORARY POSSESSION MAY BE TAKEN

SCHEDULE 9 — PROTECTIVE PROVISIONS

- PART 1 — FOR THE PROTECTION OF NATIONAL GRID

1. Application

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2. Interpretation
3. Except for paragraphs 4 (apparatus in streets subject to temporary...
4. Apparatus of National Grid in streets subject to temporary prohibition or restriction
5. Acquisition of land
6. Removal of apparatus
7. Facilities and rights for alternative apparatus
8. Retained apparatus: protection of National Grid as Gas Undertaker
9. Retained apparatus: protection of National Grid as Electricity Undertaker
10. Expenses
11. Indemnity
12. Enactments and agreements
13. Co-operation
14. Access
15. Arbitration

**PART 2 — FOR THE PROTECTION OF ELECTRICITY, GAS, WATER AND SEWERAGE UNDERTAKERS**

16. For the protection of the utility undertakers referred to in...
17. In this Part of this Schedule— “alternative apparatus” means alternative...
18. This Part of this Schedule does not apply to apparatus...
19. Regardless of the temporary prohibition or restriction of use of...
20. Regardless of any provision in this Order or anything shown...
21. (1) If, in the exercise of the powers conferred by...
22. (1) Where, in accordance with the provisions of this Part...
23. (1) Not less than 28 days before starting the execution...
24. (1) Subject to the following provisions of this paragraph, the...
25. (1) Subject to sub-paragraphs (2) and (3), if by reason...
26. Nothing in this Part of this Schedule affects the provisions...

**PART 3 — FOR THE PROTECTION OF OPERATORS OF ELECTRONIC COMMUNICATIONS CODE NETWORKS**

27. (1) For the protection of any operator, the following provisions...
28. The exercise of the powers of article 29 (statutory undertakers)...
29. (1) Subject to sub-paragraphs (2) to (4), if as the...
30. This Part of this Schedule does not apply to—
31. Nothing in this Part of this Schedule affects the provisions...

**PART 4 — FOR THE PROTECTION OF EASTERN POWER NETWORKS**

32. For the protection of Eastern Power Networks as referred to...
33. In this Part of this Schedule— “alternative apparatus” means alternative...
34. This Part of this Schedule does not apply to apparatus...
35. Regardless of the temporary prohibition or restriction of use of...
36. Regardless of any provision in this Order or anything shown...
37. (1) If, in the exercise of the powers conferred by...
38. (1) Where, in accordance with the provisions of this Part...
39. (1) Not less than 28 days before starting the execution...
40. (1) Subject to the following provisions of this paragraph, the...
41. (1) Subject to sub-paragraphs (2) and (3), if by reason...
42. Nothing in this Part of this Schedule affects the provisions...

**SCHEDULE 10 — PROCEDURE FOR DISCHARGE OF REQUIREMENTS**

1. Applications made under Requirements
2. Further information
3. Appeals

Document Generated: 2023-07-02

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## SCHEDULE 11 — REMOVAL OF IMPORTANT HEDGEROWS

### Explanatory Note