
STATUTORY INSTRUMENTS

2016 No. 880

The Triton Knoll Electrical System Order 2016

PART 6

Miscellaneous and general

Guarantees in respect of payment of compensation

37.—(1) The undertaker must not exercise the powers conferred by the provisions referred to in paragraph (2) in relation to any land unless it has first put in place—

- (a) a guarantee approved by the Secretary of State in respect of the liabilities of the undertaker to pay compensation under this Order in respect of the exercise of the relevant power in relation to that land; or
- (b) an alternative form of security for that purpose approved by the Secretary of State.

(2) The provisions are—

- (a) article 15 (compulsory acquisition of land);
- (b) article 16 (compulsory acquisition of land: minerals);
- (c) article 18 (compulsory acquisition of rights);
- (d) article 19 (private rights);
- (e) article 21 (acquisition of subsoil only);
- (f) article 22 (rights under or over streets);
- (g) article 24 (temporary use of land for carrying out authorised project);
- (h) article 25 (temporary use of land for maintaining authorised project); and
- (i) article 27 (statutory undertakers).

(3) A guarantee or alternative form of security given in respect of any liability of the undertaker to pay compensation under this Order must be treated as enforceable against the guarantor or person providing the alternative form of security by any person to whom such compensation is payable and must be in such a form as to be capable of enforcement by such a person.

(4) Nothing in this article requires a guarantee or alternative form of security to be in place for more than 15 years after the date on which the relevant power is exercised.