

## **NOTICE OF COMPULSORY ACQUISITION UNDER SECTION 134 OF THE PLANNING ACT 2008**

### **THE NORTH LONDON HEAT AND POWER GENERATING STATION DEVELOPMENT CONSENT ORDER 2017 ("THE ORDER")**

#### **NOTICE OF AUTHORISATION OF COMPULSORY ACQUISITION**

The Order, made under the Planning Act 2008 by the Secretary of State for Business, Energy and Industrial Strategy ("the SOS") and published on 24 February 2017 includes provision authorising the compulsory acquisition of land, existing rights over land, and of rights over land by creating new rights over it as described in Schedule 1.

The Order includes provision authorising the acquisition for the purpose of the development of an Energy Recovery Facility (to replace the existing Energy from Waste facility at the Edmonton EcoPark) which will generate electricity using residual waste as a fuel and be capable of an electrical output of around 70MW, and associated development, at the Edmonton EcoPark, Advent Way, Edmonton, London N18 3AG (as defined in article 2 of the Order as the "authorised development").

A copy of the Order and supporting documentation (including the applicant's Statement of Reasons, SOS's Decision Letter, the Book of Reference, the Land Plans and the Environmental Statement) have been deposited at the locations below and may be inspected at the times of the day outlined below.

<b>Location</b>	<b>Opening times</b>
North London Waste Authority, 1b, Berol House, 25 Ashley Road, London N17 9LJ	Mon to Fri: 09:00 – 17:00 Saturday and Sunday: closed
LondonWaste Limited, Security Office, Edmonton EcoPark, Advent Way, London N18 3AG	Mon to Fri: 09:00 – 17:00 Saturday: 09:00 – 17:00 Sunday: closed

A copy of the Order and other relevant documentation is also available through the Planning Inspectorate's website at: <https://infrastructure.planninginspectorate.gov.uk/projects/london/north-london-heat-and-power-project/>.

A person aggrieved by the Order may challenge the Order only in accordance with section 118 of the Planning Act 2008, which stipulates that any proceeding must be brought by filing a claim form for judicial before the end of the period of 6 weeks beginning with the day after the day on which the Order is published (or, if later, the day on which the Statement of Reasons for making the Order is published).

Once the provision in the Order authorising compulsory acquisition comes into force, the North London Waste Authority may acquire any of the land (including any existing rights and / or new rights) described in Schedule 1 below by executing a general vesting declaration under section 4 of the Compulsory Purchase (Vesting Declarations) Act 1981. A statement on the effect of Parts 2 and 3 of that Act is set out in Schedule 2.

Any person who would be entitled to claim compensation if a general vesting declaration were executed is invited to give the North London Waste Authority at 1b, Berol House, 25 Ashley Rd, London N17 9LJ (marked for the attention of the Managing Director) information about the person's name, address and interest in land, using a prescribed form. The prescribed form is set out in Schedule 3.

## **SCHEDULE 1**

### **DESCRIPTION OF THE LAND, EXISTING RIGHTS, AND THE NEW RIGHTS**

The Order grants compulsory acquisition powers over a site of approximately 22 hectares located wholly within Edmonton in the London Borough of Enfield, located approximately 1km from the border with London Borough of Haringey to the south and adjacent to London Borough of Waltham Forest to the east, and comprises the existing waste management site known as the Edmonton EcoPark on Advent Way London N18 3AG, part of Ardra Road, land around the existing water pumping station at Ardra Road, Deephams Farm Road, part of Lee Park Way, land to the west of the River Lee Navigation, and land to the north of Advent Way and East of the River Lee Navigation (part of which would form the temporary laydown area and proposed Lee Park Way access road). The location of this land is shown outlined in red on Land Plan drawing number B\_0002 Rev 2.

The Order grants powers to compulsorily acquire existing rights and create new rights in the land described above. The Order also authorises the interference with existing rights and the breach of existing restrictive covenants over the land described above and provides for the extinguishment, temporary suspension or discharge of such rights or restrictive covenants.

The new rights, in summary, include: rights of access to execute works for the purposes of or incidental to the construction, operation and maintenance of the authorised development; rights to divert, reposition, decommission, remove, replace, modify or upgrade existing pipes, cables, systems and associated apparatus; rights to lay, install, use and maintain new pipes, cables, systems and associated apparatus; rights to create, use and maintain new connection to existing and new pipes, cables, systems and associated apparatus; right of way over Ardra Road; right of way over Lee Park Way; rights of access in connection with the maintenance of Ardra Road and Lee Park Way and any works ancillary to such maintenance; rights to maintain the existing bridge over the River Lee Navigation; rights of access in connection with the maintenance of the new access way to be constructed into the east of the Edmonton EcoPark from Lee Park Way; and rights of access in connection with the maintenance of landscaping works authorised by the Order.

The existing rights over the land described above, in summary, include (but are not limited to): rights granted by legislation; rights of way; easements; quasi-easements; privileges; liberties; advantages; rights to park vehicles; rights relating to the installation, clearance, relocation, replacement, retention, renewal, maintenance and repair of apparatus, services and utilities; rights to remove trees and fences; rights to landscape; rights to connect to and use services, apparatus and utilities; rights of support and protection; rights of passage of services; rights of access and entry; rights of light; rights to take possession; rights to inspect land, services and apparatus; rights to clear land; rights to use and connect to drainage ditches; rights to require the relocation of services; rights relating to mines and minerals; rights to construct, erect, replace and maintain fencing, roads, bridges and footbridges (including accesses and approaches to bridges); rights of support and protection for roads, bridges and footbridges; fishing rights; rights to attach iron pipes to bridges; options to purchase land; rights to survey land; and rights to facilitate the discharge of statutory functions. A full description of existing rights over the land affected by compulsory acquisition powers under the Order is set out in the Book of Reference.

## **SCHEDULE 2**

### **STATEMENT OF EFFECT OF PARTS 2 AND 3 OF THE COMPULSORY PURCHASE (VESTING DECLARATIONS) ACT 1981**

#### **Power to execute a general vesting declaration**

1. Once the provision in the Order which authorises compulsory acquisition comes into force, North London Waste Authority may acquire any of the land (including any existing rights and / or new rights) described in Schedule 1 above by executing a general vesting declaration under section 4 of the Compulsory Purchase (Vesting Declarations) Act 1981 ("the Act"). This has the effect, subject to paragraphs 3 and 5 below, of vesting the land (including any existing rights and / or new rights) in North London Waste Authority at the end of the period mentioned in paragraph 2 below.

#### **Notices concerning general vesting declaration**

2. As soon as may be after North London Waste Authority executes a general vesting declaration, they must serve notice of it on every occupier of any of the land specified in the declaration (except land where there is one of the tenancies described in paragraph 4) and on every person who gives them information relating to the land in pursuance of the invitation contained in the notice of the authorisation of the compulsory acquisition. When the service of notices of the general vesting declaration is completed, a period specified in the declaration, of not less than three months, will begin to run. On the first day after the end of this period the land or right described in the declaration will, subject to what is said in paragraphs 3 and 5, vest in North London Waste Authority

together with the right to enter on the land and take possession of it. Every person on whom North London Waste Authority could have served a notice to treat in respect of his interest in the land (other than a tenant under one of the tenancies described in paragraph 4) will be entitled to claim compensation for the acquisition of his interest in the land, with interest on the compensation from the vesting date.

3. The "vesting date" for any land specified in a declaration will be the first day after the end of the period mentioned in paragraph 2 above, unless a counter-notice is served under Schedule A1 to the Act within that period. In such circumstances, the vesting date for the land which is the subject of the counter-notice will be determined in accordance with Schedule A1.

#### **Modifications with respect to certain tenancies**

4. In the case of certain tenancies, the position stated above is subject to modifications. The modifications apply where the tenancy is either a "minor tenancy", i.e. a tenancy for a year or a yearly tenancy or a lesser interest, or "a long tenancy which is about to expire". The latter expression means a tenancy granted for an interest greater than a minor tenancy but having on the vesting date a period still to run which is not more than the period specified in the declaration for this purpose (which must be more than a year). In calculating how long a tenancy has still to run, where any option to renew or to terminate it is available to either party, it shall be assumed that the landlord will take every opportunity open to him to terminate the tenancy while the tenant will use every opportunity to retain or renew his interest.
5. The modifications are that North London Waste Authority may not exercise the right of entry referred to in paragraph 2 in respect of land subject to a tenancy described in paragraph 4 unless they first serve notice to treat in respect of the tenancy and then serve every occupier of the land with a notice of their intention to enter and take possession after the period (not less than three months from the service of the notice) specified in the notice. The right of entry will be exercisable at the end of that period. The vesting of the land or right will be subject to the tenancy until the end of that period or until the tenancy comes to an end, whichever happens first.

### **SCHEDULE 3 FORM FOR GIVING INFORMATION**

#### **North London Heat and Power Generating Station Development Consent Order 2017**

To: The North London Waste Authority

[I] [We] being [a person] [persons] who, if a general vesting declaration were executed under section 4 of the Compulsory Purchase (Vesting Declarations) Act 1981 in respect of all the land comprised in the Order cited above in respect of which notice to treat has not been given, would be entitled to claim compensation in respect of [all] [part of] that land, give you the following information, pursuant to the provisions of section 134(7)(cza) of the Planning Act 2008.

- 1 Name and address of informant(s) (i) .....
  - 2 Land in which an interest is held by informant(s) (ii) .....
  - 3 Nature of interest (iii) .....
- Signed .....
- [on behalf of] .....
- Date .....

- (i) In the case of a joint interest insert the names and addresses of all the informants.
- (ii) The land should be described concisely.
- (iii) If the interest is leasehold, the date of commencement and length of term should be given. If the land is subject to a mortgage or other incumbrance, details should be given, e.g. name of building society and roll number.

**North London Waste Authority**  
1 March 2017