
**LIFT & SHIFT PROVISIONS FOR CABLES
FOR INCLUSION IN A TRANSFER**

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LIFT & SHIFT PROVISIONS CABLES TRANSFER

1. RELOCATION

- 1.1 In this clause the expression **Alternative Route(s)** means such cable route(s) within the Retained Land as shall be approved by the Transferee (such approval not to be unreasonably withheld) and approved by any relevant authority.
- 1.2 If at any time the Transferor intends to develop any part of the Retained Land the following provisions of this clause shall apply.
- 1.3 The Transferor shall give to the Transferee not less than twelve months' notice in writing of its intention to implement the procedure set out in this clause.
- 1.4 On or before expiry of the notice, the Transferor shall grant rights in respect of the Alternative Route(s) and Cables to the Transferee subject to the following conditions:
 - 1.4.1 the rights shall be granted with full title guarantee and for nil consideration;
 - 1.4.2 the rights shall be granted in fee simple;
 - 1.4.3 the grant shall contain like provisions and covenants as a this Transfer.
- 1.5 Subject to all necessary labour and materials being available but as soon as practicable after the grant of rights in respect of the Alternative Route(s) the Transferee shall:
 - 1.5.1 complete the laying, construction and installation of Cables and ancillary apparatus along the Alternative Route(s);
 - 1.5.2 decommission the existing Cables; and
 - 1.5.3 once done, so far as necessary, offer to surrender the rights granted under this Transfer to the Transferor.
- 1.6 The Transferor shall pay to the Transferee within fourteen days of demand all internal and external costs charges and expenses incurred or anticipated by the Transferee in connection with:
 - 1.6.1 the Transferee's obligations in clause 1.5.1 and 1.5.2;
 - 1.6.2 the preparation and completion of all documentation required in respect of the grant of the rights in respect of the Alternative Route(s) and the surrender so far as is necessary, of the rights granted under this Transfer including stamp duty land tax, Land Registry fees, surveyors' and legal fees, VAT and disbursements.