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STATUTORY RULES OF NORTHERN IRELAND

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**2015 No. 388**

**The Storage of Carbon Dioxide (Access to Infrastructure) Regulations (Northern Ireland) 2015**

**Pipe-line variation notices**

7.—(1) Where a person proposes to make an application for the grant of planning permission for the construction of a relevant pipe-line or, in the case of an offshore relevant pipe-line, the grant of a Crown lease, the person shall give not less than six months' notice to the Department that such application is to be made.

(2) The notice under paragraph (1) shall give particulars of the proposal and shall—

- (a) specify the points between which the proposed pipe-line is to run and be accompanied by a map on which is delineated the route which it is proposed to take;
- (b) specify the length, diameter and capacity of the proposed pipe-line.

(3) Subject to paragraph (5), the Department may (whether or not notice has been given to it under paragraph (1)), at any time before planning permission or a Crown lease for the construction of the pipe-line is granted, serve a notice (a “pipe-line variation notice”) on the person who proposes to make, or has made, the application for planning permission or a Crown lease if the Department is satisfied that—

- (a) there is evidence of demand existing or likely to arise for the construction of further pipe-lines to be designed for the conveyance of carbon dioxide;
- (b) the whole or any part of the route to be taken by a further pipe-line will be substantively the same as the route or any part of the route to be taken by the pipe-line to which the application relates;
- (c) compliance with the pipe-line variation notice will not prejudice the safety or environmental integrity of the relevant pipe-line concerned; and
- (d) compliance with the pipe-line variation notice will not prejudice the efficient operation of the relevant pipe-line concerned.

(4) A pipe-line variation notice may direct that—

- (a) the capacity of the relevant pipe-line to which it relates or of any part of that relevant pipe-line shall be greater than that proposed in the application for the grant of planning permission or a Crown lease;
- (b) the design of the relevant pipe-line to which it relates should be modified, including by the addition of a junction through which another pipe-line may be connected to the pipe-line; or
- (c) any of the route of the pipe-line to be different from that so proposed.

(5) Before exercising the powers conferred by paragraph (3) and regulation 8(1), the Department shall—

- (a) consult the planning authority or, in the case of a proposed offshore relevant pipe-line, the Crown Estate Commissioners; and
- (b) give an opportunity to be heard to—

- (i) the person who proposes to make, or has made, the application for the grant of planning permission or a Crown lease;
  - (ii) any other person who made representations to the Department as to the matters set out in paragraph (3) or (4);
  - (iii) any person with a right to have carbon dioxide conveyed by the proposed relevant pipe-line;
  - (iv) the Health and Safety Executive for Northern Ireland.
- (6) The Department shall serve a copy of the pipe-line variation notice on the planning authority or, in the case of an offshore relevant pipe-line, the Crown Estate Commissioners.

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**Commencement Information**

**II** [Reg. 7](#) in operation at 4.1.2016, see [reg. 1](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The Storage of Carbon Dioxide (Access to Infrastructure) Regulations (Northern Ireland) 2015, Section 7.