

2024 No. 674

INFRASTRUCTURE PLANNING

**The Keuper Underground Gas Storage Facility (Amendment)
Order 2024**

Made - - - - *15th May 2024*
Coming into force - - *16th May 2024*

An application has been made to the Secretary of State under paragraph 2 of Schedule 6 to the Planning Act 2008(a) (“2008 Act”) in accordance with the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011(b) (“2011 Regulations”) for a non-material change to the Keuper Underground Gas Storage Facility Order 2017(c) (“2017 Order”).

The Secretary of State, having considered the application and the responses to the publicity and consultation carried out in accordance with regulations 6 and 7 of the 2011 Regulations, has decided to make this Order amending the 2017 Order.

Accordingly, the Secretary of State, in exercise of the powers conferred by section 153 of, and paragraph 2 of Schedule 6 to, the 2008 Act, makes the following Order.

Citation and commencement

1. This Order may be cited as the Keuper Underground Gas Storage Facility (Amendment) Order 2024 and shall come into force on 16th May 2024.

Amendment of the Keuper Underground Gas Storage Facility Order 2017

2. The Keuper Underground Gas Storage Facility Order 2017 (“the 2017 Order”) is amended in accordance with this Order.

Amendments to Article 2 (Interpretation)

3. Article 2 (Interpretation) of Part 1 is amended as follows—

- (a) in the definition of “Canal & River Trust”, for “whose address is Navigation Road, Northwich, Cheshire CW8 1BH” substitute “whose address is National Waterway

(a) 2008 c. 29. Paragraph 2 of Schedule 6 was amended by paragraphs 1 and 72 of Schedule 13 and paragraph 1 of Schedule 25 to the Localism Act 2011 (c. 20), and by section 28 of the Infrastructure Act 2015 (c. 7). There are other amendments to the Act that are not relevant to this Order.

(b) S.I. 2011/2055 as amended by S.I. 2012/635, S.I. 2015/760 and S.I. 2020/1534. There are other amendments to the instrument which are not relevant to this Order.

(c) S.I. 2017/433 as amended by S.I. 2017/820.

Museum, Ellesmere Port, South Pier Road, Ellesmere Port, Cheshire, England, CH65 4FW”; and

- (b) in the definition of “undertaker”, for “whose registered office is at Runcorn Site HQ, South Parade, PO Box 9, Runcorn, Cheshire, WA7 4JE” substitute “whose registered office is at Bankes Lane Office, Bankes Lane, PO Box 9, Runcorn, Cheshire, WA7 4JE”.

Amendments to Article 35 (Certification of plans etc.)

4. Article 35 (Certification of plans etc.), is amended as follows—

- (a) in paragraph (1)(e)—
- (i) for “13-03-01/HOL/24/500-506/B1” substitute “13-03-01/HOL/24/500-503/B1, 13-03-01/HOL/24/504/B2, 13-03-01/HOL/24/505-506/B1”; and
 - (ii) for “13-03-01/HOL/24/510/B2” substitute “13-03-01/HOL/24/510/B3”;
- (b) in paragraph (1)(i)(ii)—
- (i) for “13-03-01/HOL/24/270/B4” substitute “13-03-01/HOL/24/270/B5”; and
 - (ii) for “13-03-01/HOL/24/274/B1” substitute “13-03-01/HOL/24/274/B2”;
- (c) in paragraph (1)(j) for “the seismic survey report (document ref: 9.1)” substitute “the seismic survey report (document ref: 9.1) Revision A”;
- (d) in paragraph (1)(k) for “the sub-surface safety assessment report (document ref: 9.2)” substitute “the sub-surface safety assessment report (document ref: 9.2) Revision B”;
- (e) in paragraph (1)(l) for “the preliminary study of gas design capacity (document ref: 9.3)” substitute “the preliminary study of gas design capacity (document ref: 9.3) Revision B”;
- and
- (f) in paragraph (1)(m)—
- (i) for “13-03-01/HOL/24/240-264/B1” substitute “13-03-01/HOL/24/240-262/B1, 13-03-01/HOL/24/263-264/B2”; and
 - (ii) for “13-03-01/HOL/24/266-268/B1” substitute “13-03-01/HOL/24/266/B2 and 13-03-01/HOL/24/267-268/B1”.

Amendment to Schedule 9 (Protective Provisions)

5. In Part 5 (for the protection of Holford Gas Storage limited) of Schedule 9 (Protective Provisions) in paragraph 62(10), for “the undertaker must comply with” substitute “the promoter must comply with”.

Certification of new, revised or substituted plans

6.—(1) The undertaker must, as soon as practicable after the making of this Order, submit copies of any new, revised or substituted plans to the Secretary of State for certification that they are true copies of the plans referred to in this Order.

(2) A plan so certified by the Secretary of State is admissible in any proceedings as evidence of the contents of the document of which it is a copy.

(3) In paragraph (1), the “undertaker” has the same meaning as in Article 2 of the 2017 Order.

Signed by authority of the Secretary of State for Energy Security and Net Zero.

Victoria Dawe
Director of Energy Development
Department for Energy Security and Net Zero

15th May 2024

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Keuper Underground Gas Storage Facility Order 2017 (“the 2017 Order”), a development consent order under the Planning Act 2008.

This Order follows an application under paragraph 2 of Schedule 6 to the Planning Act 2008 for a non-material change to allow the inclusion of hydrogen gas storage in the definition of gas storage, the substitution (update of) various Certified Plans and the update to the registered address of the Undertaker.

The changes to the 2017 Order take effect from the date specified in this Order.

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