
STATUTORY INSTRUMENTS

2024 No. 70

INFRASTRUCTURE PLANNING

**The Drax Power Station Bioenergy with Carbon
Capture and Storage Extension Order 2024**

Made - - - - *16th January 2024*

Coming into force - - *7th February 2024*

An application has been made to the Secretary of State for an order granting development consent under section 37 of the Planning Act 2008(1) (“the 2008 Act”) in accordance with the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009(2).

The application has been examined by the Examining Authority appointed by the Secretary of State pursuant to chapter 2 of Part 6 of the 2008 Act and carried out in accordance with chapter 4 of Part 6 of that Act and with the Infrastructure Planning (Examination Procedure) Rules 2010(3).

The Examining Authority, having considered the application together with the documents that accompanied it, and the representations made and not withdrawn, has, in accordance with section 74(2)(4) of the 2008 Act made a report and recommendation to the Secretary of State.

The Secretary of State has considered the report and recommendation of the Examining Authority, has taken into account the environmental information in accordance with regulation 4 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017(5) and has had regard to the documents and matters referred to in section 104(2) of the 2008 Act.

The Secretary of State, having decided the application, has determined to make an Order giving effect to the proposals comprised in the application on the terms that in the opinion of the Secretary of State are not materially different from those proposed in the application.

The Secretary of State, in exercise of the powers conferred by sections 114(6), 115(7), 120(8), 122 and 123 of the 2008 Act, makes the following Order—

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- (1) 2008 c. 29. Section 37 was amended by section 137(5) of, and paragraph 5 of Schedule 13 to, the Localism Act 2011 (c. 20).
(2) S.I. 2009/2264.
(3) S.I. 2010/103, amended by S.I. 2012/635.
(4) Section 74 was amended by sections 128(2) and 237 and by Schedule 13, paragraph 29 and Schedule 25, paragraph 1, to the Localism Act 2011 (c. 20).
(5) S.I. 2017/572, amended by S.I. 2018/695, S.I. 2018/834 and S.I. 2018/942.
(6) Section 114 was amended by paragraph 55 of Part 1 of Schedule 13 to the Localism Act 2011(c. 20).
(7) Section 115 was amended by section 160 of the Housing and Planning Act 2016 (c. 22) and section 43 of the Wales Act 2017 (c. 4).
(8) Section 120 was amended by section 140 and paragraph 60 of Part 1 of Schedule 13 to the Localism Act 2011 (c. 20).