

2022 No.

INFRASTRUCTURE PLANNING

The Riverside Energy Park (Amendment) Order 2022

Made - - - - ***

Coming into force - - ***

An application has been made, under paragraph 2 of Schedule 6 to the Planning Act 2008(a), to the Secretary of State in accordance with the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations(b) for non-material changes to the Riverside Energy Park Order 2020(c).

The Secretary of State, having considered the application, the responses to the publicity and consultation required by regulations 6 and 7 of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011, has decided to make the changes on terms that in the opinion of the Secretary of State are not materially different from those proposed in the application.

Accordingly, the Secretary of State, in exercise of the powers conferred by paragraphs 2(1) and (9) of Schedule 6 to the Planning Act 2008, makes the following Order—

Citation and commencement

1. This Order may be cited as the Riverside Energy Park (Amendment) Order 2022 and comes into force on *** 202*.

Amendment to the Riverside Energy Park Order 2020

2. The Riverside Energy Park Order 2020 (“the 2020 Order”) is amended in accordance with this Order.

Amendments to article 2(1) of the 2020 Order

3. Insert the following new definitions into article 2(1) of the 2020 Order in the appropriate place in the alphabetical order—

““RRRF 2021 planning permission” means the planning permission granted under the 1990 Act by the Secretary of State for the RRRF and dated 17 December 2021;

(a) 2008 c.29. Paragraph 2 was amended by paragraph 4 of Schedule 8 to the Marine and Coastal Access Act 2009 (c.23), by paragraphs 1 and 72 of Schedule 13 of the Localism Act 2011 (c.20) and by section 28 of the Infrastructure Act 2015 (c.7).
(b) S.I. 2011/2055. Relevant amendments to this instrument were made by S.I. 2012/635, S.I. 2013/552, S.I. 2015/760 and S.I. 2017/314.
(c) S.I. 2020/419. The Riverside Energy Park Order 2020 was corrected by the Riverside Energy Park (Correction) Order 2021 (S.I. 2021/273).

“RRRF 2021 condition” means a condition to the RRRF 2021 planning permission and where a condition is referred to by a number, that reference is to the corresponding numbered condition on the RRRF 2021 planning permission;”.

Amendments to article 6(4) of the 2020 Order

4. For article 6(4) of the 2020 Order substitute—

“(4) To the extent that there is an inconsistency on the land coloured brown identified on the REP and RRRF Applications Boundaries Plan between any provision of this Order and all or any of RRRF condition 1, RRRF condition 22 or RRRF condition 32; or RRRF 2021 condition 1, RRRF 2021 condition 22 or RRRF 2021 condition 32 then, in respect of such inconsistency only, there is deemed to be no breach of all or any of RRRF condition 1, RRRF condition 22 or RRRF condition 32; or RRRF 2021 condition 1, RRRF 2021 condition 22 or RRRF 2021 condition 32 (as applicable) and no enforcement action can be taken following the carrying out of the pre-commencement works, commencement or operation of the authorised development.”.

Signed by authority of the Secretary of State for Business, Energy and Industrial Strategy

	<i>Name</i>
Address	Title
Date	Department for Business, Energy and Industrial Strategy

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Riverside Energy Park Order 2020, a development consent order under the Planning Act 2008, following an application made in accordance with the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011 for a non-material amendment under paragraph 2 of Schedule 6 to the Planning Act 2008. This Order amends articles 2 and 6 of the 2020 Order so that its provisions apply to a newly granted planning consent for the adjacent Riverside Resource Recovery Facility in Belvedere in the London Borough of Bexley.