

**2022 No.**

**INFRASTRUCTURE PLANNING**

**The Keuper Underground Gas Storage Facility (Amendment)  
Order 2022**

<i>Made</i>	- - - -	2022
<i>Coming into force</i>	- -	2022

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 2022 and shall come into force on [•][•]2022.

**Amendment of the Keuper Underground Gas Storage Facility Order 2017**

2. The Keuper Underground Gas Storage Facility Order 2017 (“the 2017 Order”) is amended as follows

**Amendments to Part 1 (PRELIMINARY), Article 2 (Interpretation)**

3.—(1) In Part 1 (PRELIMINARY), Article 2 (Interpretation), the definition of “gas” is amended as follows:

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(a) 2008. c.29. Paragraph 2 of Schedule 6 was amended by paragraph 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.

(2) for “has the same meaning as natural gas in section 235 (interpretation) of the 2008 Act” substitute “has the same meaning as natural gas in section 235 (interpretation) of the 2008 Act or means hydrogen gas”.

**4.—**(1) In Part 1 (PRELIMINARY), Article 2 (Interpretation), the definition of “undertaker” is amended as follows:

(2) 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 Part 6 (MISCELLANEOUS AND GENERAL), Article 35 (Certification of plans etc.)**

**5.—**(1) In Part 6 (MISCELLANEOUS AND GENERAL), Article 35 (Certification of plans etc.), is amended as follows:

(2) For the approved plans and documents listed in paragraph (3) substitute the approved plans and documents listed in the Schedule to this Order.

(3) The approved plans referred to in paragraph (2) are the specific plans listed under the following headings in Part 6 (MISCELLANEOUS AND GENERAL), Article 35 (Certification of plans etc.) to the 2017 Order:

- (a) 35(1)(e) “the works plans drawing nos”: 13-03-01/HOL/24/504/B1 and 13-03-01/HOL/24/510/B2;
- (b) 35(1)(i)(ii) “the elevation drawing nos”: 13-03-01/HOL/24/270/B4 and 13-03-01/HOL/24/274-B1;
- (c) 35(1)(j) the seismic survey report (document ref: 9.1);
- (d) 35(1)(k) the sub-surface safety assessment report (document ref: 9.2);
- (e) 35(1)(l) the preliminary study of gas design capacity (document ref: 9.3); and
- (f) 35(1)(m) “the landscaping plans drawing nos”: 13-03-01/HOL/24/263/B1, 13-03-01/HOL/24/264/B1, and 13-03-01/HOL/24/266/B1.

#### **Amendments to Schedule 1 (AUTHORISED DEVELOPMENT)**

**6.—**(1) Schedule 1 (Authorised Development) to the 2017 Order is amended as follows:

(2) In description of Work No.5D (network of buried electrical power and communication cables) omit the word “national”;

(3) In description of Work No. 7 (site access road) omit the word “national”;

(4) In description of Work No. 12 (fenced compound) for “A fenced compound and connection to the National Grid’s national gas transmission system high pressure gas pipe adjacent to King Street (A530).” substitute “A fenced compound and connection to the gas transmission system pipeline network.”; and

(5) In description of Work No. 13 (buried gas pipeline) omit the word “national”.

#### **Amendments to Schedule 2 (REQUIREMENTS)**

**7.—**(1) Schedule 2 (Requirements) to the 2017 Order is amended as follows:

(2) In Requirement 2 Table 11 omit the word “National” from the title;

- (3) In Requirement 4 (1)(a)(iii) (fenced compound) omit the word “national”;
- (4) In Requirement 22 (Conveyance of gas, water and brine) for the word “natural” substitute “natural gas or hydrogen”.

**Certification of new, revised or substituted plans**

**8.**—(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 Business, Energy and Industrial Strategy

[Date]

Head of National Infrastructure Consents  
Department of Business, Energy and Industrial Strategy

## SCHEDULE

### SCHEDULE

Article [5]

**Approved plans and documents to be substituted into Article 35  
(Certification of plans etc) of Part 6 (MISCELLANEOUS AND  
GENERAL) to the 2017 Order**

Drawing Number	Revision	Drawing Title	Scale	Paper Size	Replacing revision
35 (1) (e) the works plans drawing nos:					
13-03-01/HOL/24/504	B2	Holford Brinefield – KGSP - Below Ground Works Plan [Regulation 5(2)(j)] - Sheet 4 of 9.	1:2500	A1	B1
13-03-01/HOL/24/510	B3	Holford Brinefield – KGSP - Above Ground Works Plan [Regulation 5(2)(j)] - Sheet 7 of 9.	1:2500	A1	B2
35 (1) (i) (ii) the elevation drawing nos:					
13-03-01/HOL/24/270	B5	Holford Brinefield – KGSP – Elevations on Gas Processing Plant (G.P.P.)	1:750	A3	B4
13-03-01/HOL/24/274	B2	Holford Brinefield – KGSP – Elevations on Transmission System Compound.	1:200	A3	B1
35 (1) (j) the seismic survey report (document ref: 9.1) Revision A					
35 (1) (k) the sub-surface safety assessment report (document ref: 9.2) Revision B					
35 (1) (l) the preliminary study of gas design capacity (document ref: 9.3) Revision B					
35 (1) (m) the landscaping plans drawing nos:					
13-03-01/HOL/24/263	B2	Holford Brinefield – KGSP Project – Gas Processing Plant and NTS Compound Area – Construction of Access Roads	1:1000	A1	B1
13-03-01/HOL/24/264	B2	Holford Brinefield – KGSP – Gas Processing Plant and NTS Compound Area – Gas Infrastructure Construction	1:1000	A1	B1
13-03-01/HOL/24/266	B2	Holford Brinefield – KGSP – Final Landscaping Details Sheet 1 of 3	1:2500	A1	B1

## **EXPLANATORY NOTE**

*(This note is not part of the Order)*

### **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 Act 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.