
S T A T U T O R Y I N S T R U M E N T S

2017 No. 0000

INFRASTRUCTURE PLANNING

The Ferrybridge Multifuel 2 Power Station (Amendment) Order 2018

Made - - - - [date]

Coming into force - - [date]

An application has been made under paragraph 2 (4) 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 2011^b (“the 2011 Regulations”) for a non-material change to the Ferrybridge Multifuel 2 Power Station Order 2015^c.

The Secretary of State, having considered the application, and the responses to the consultation under regulation 7(1) of the 2011 Regulations, has determined to make this Order giving effect to the proposed changes comprised in the application which in the opinion of the Secretary of State does not make any material change to the Ferrybridge Multifuel 2 Power Station Order 2015.

Accordingly, the Secretary of State, in exercise of the powers conferred by paragraph 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 Ferrybridge Multifuel 2 Power Station (Amendment) Order 2018 and comes into force on 2018.

Amendment to the Ferrybridge Multifuel 2 Power Station Order 2015

2. The Ferrybridge Multifuel 2 Power Station Order 2015 (“the 2015 Order”) is amended as follows.

Amendment to the 2015 Order

3. --(1) Schedule 2 to the 2015 Order is amended as set out in the table in the Schedule to this Order, where –

- (a) column 1 sets out where the amendment is made;
- (b) column 2 sets out how the amendment is to be made; and
- (c) column 3 sets out the text to be substituted, inserted or omitted.

(2) The Schedule to this Order has effect.

^a 2008 c.29. Paragraph 2 of Schedule 6 was amended by paragraph 4 of Schedule 8 to the Marine and Coastal Access Act 2009 (c 23); by paragraph 72 of Schedule 13 and by Schedule 25 to the Localism Act 2011 (c.20); by section 28 of the Infrastructure Act 2015 (c. 7). There are other amendments to paragraph 2 that are not relevant to this Order.

^b S.I 2011/2055. Regulations 6 and 7 were amended by S.I 2012/635 and S.I. 2015/760

^c S.I. 2015/1832, as corrected by S.I. 2016/737.

Certification of revised or substituted plans

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

(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(1) of the 2015 Order.

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

SCHEDULE

Non-material amendments

Provision	How change is to be made	Text to be substituted, inserted or omitted
Requirement 7(1)	For “Each part of the authorised development must not be commissioned until a written detailed landscaping scheme for that part has been” substitute	“Within 12 months of the Commissioning of the authorised development a written detailed landscaping scheme for each part shall be”
Requirement 7 (3)	For “indicative landscaping, the biodiversity strategy”	“revised indicative landscaping plan, the revised biodiversity strategy”
Requirement 17 (1)	For “The authorised development must not be commissioned until a written biodiversity and management plan has been”	“Within 12 months of commissioning of the authorised development a written biodiversity enhancement and management plan shall be”
Requirement 17 (2) (a)	Before “survey results and mitigation and enhancement measures included in chapter 14 of the environmental statement” insert	“relevant”
Requirement 17 (2) (a)	For “biodiversity strategy and the indicative landscaping strategy”	“revised biodiversity strategy and the revised indicative landscaping strategy”
Requirement 31 (1)	For “The authorised development must not be brought”	“Within 12 months of bringing the authorised development”
Requirement 31 (2)	For “the authorised development is brought into commercial use”	“the written scheme referred to in subparagraph (1) is approved”
Requirement 49 definition of “indicative landscaping plan”	Before “indicative” insert	“revised”
Requirement 49 definition of “biodiversity strategy”	Before “biodiversity” insert	“revised”