STATUTORY INSTRUMENTS

2025 No. 622

INFRASTRUCTURE PLANNING

The Immingham Open Cycle Gas Turbine (Amendment) (No. 3) Order 2025

Made - - - -	*22nd May 2025*
Coming into force - -	*23rd May 2025*

An application has been made, under paragraph 2 of Schedule 6 of 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**) for a non-material change to the Immingham Open Cycle Gas Turbine 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 in 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 Immingham Open Cycle Gas Turbine (Amendment) (No. 3) Order 2025 and comes into force on 23rd May 2025.

Amendment to the Immingham Open Cycle Gas Turbine Order 2020

2. The Immingham Open Cycle Gas Turbine Order 2020 is amended in accordance with this Order.

Amendment to Part 1 (preliminary), article 2 (interpretation)

3. In article 2 (interpretation) of Part 1 (preliminary) replace ""book of reference" means the document of that description set out in Schedule 11 (documents to be certified) certified by the Secretary of State as the book of reference under article 39 for the purposes of this Order;" with ""book of reference" means the document of that description set out in Schedule 11 (documents

(**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 paragraph 1 of Schedule 25 to the Localism Act 2011 (c. 20), and by section 28 of the Infrastructure Act 2015 (c. 7).

(**b**) S.I. 2011/2055, as amended by S.I. 2012/635, S.I. 2012/2654, S.I. 2012/2732, S.I. 2013/522, S.I. 2013/755, S.I. 2015/377, S.I. 2015/760, S.I. 2015/1682, S.I. 2017/314, S.I. 2017/524, S.I. 2018/378, S.I. 2019/734, S.I. 2020/764 and S.I.2020/1534.

(**c**) S.I. 2020/847.

and plans to be certified) certified by the Secretary of State as the book of reference under article 39 for the purposes of this Order and the document which is certified by the Secretary of State as the supplemental book of reference under article 39 for the purposes of this Order;".

4. In article 2 (interpretation) of Part 1 (preliminary) replace ""Order land" means the land which is required for, or is required to facilitate, or is incidental to, or is affected by, the authorised development shown coloured pink, blue and yellow on the land plans and described in the book of reference;" with ""Order land" means the land which is required for, or is required to facilitate, or is incidental to, or is affected by, the authorised development shown coloured pink, blue, yellow and orange on the land plans and described in the book of reference;".

5. In article 2 (interpretation) of Part 1 (preliminary) before ""traffic authority" insert ""supplemental land" means the land which is required for, or is required to facilitate, or is incidental to, or is affected by, the authorised development shown coloured orange on the land plans and described in the book of reference;".

Amendment to Part 5 (powers of acquisition)

6. In Part 5 (powers of acquisition), article 18 (compulsory acquisition of land) omit sub-paragraph (1) and replace with—

> "(1) Subject to sub-paragraph (3), the undertaker may acquire compulsorily so much of the Order land as is required for the authorised development, or to facilitate it, or as is incidental to it.".

7. In Part 5 (powers of acquisition), article 18 (compulsorily acquisition of land) insert a new sub-paragraph (3) as follows—

> "(3) The undertaker may not compulsorily acquire any interest in or take temporary possession pursuant to articles 18, 19, 21, 22, 26, 27, and 28 of any part of the supplemental land.".

Amendment to Schedule 6 (land in which only new rights etc. may be acquired)

8. In Schedule 6 (land in which only new rights etc. may be acquired) Table 6 is omitted and replaced with the following—

"Table 6

(1) *Plot*	*(2)* *Class of rights listed in Table 5 applicable to the plot*
2	(a), (b), (h), (i) and (j)
6	(a) and (g)
7	(a) and (g)
8	(a), (b), (h), (i) and (j)
9	(a), (b), (h), (i) and (j)
10	(a), (b), (h), (i) and (j)
12	(a), (e) and (j)
14	(a), (e), (b), (h), (i) and (j)
15	(a), (b), (h), (i) and (j)
16	(a), (c) and (j)
17	(a), (d), (e), (c) and (j)
17a	(a), (d), (e), (c) and (j)
18	(a), (e) and (j)
20	(a), (b), (c), (h), (i) and (j)
21	(a), (b), (h), (i) and (j)
22	(a), (b), (e), (h), (i) and (j)

23	(a), (b), (c), (d), (e), (h), (i) and (j)
23a	(a), (b), (c), (d), (e), (h), (i) and (j)
24	(a), (d) and (j)
24a	(a), (d) and (j)
25	(a), (b), (h), (i) and (j)
26	(a), (b), (h), (i) and (j)
27	(a), (e) and (j)
28	(a), (b), (c), (e), (h), (i) and (j)
29	(a), (b), (c), (e), (h), (i) and (j)
30	(a), (b), (d), (h), (i) and (j)
30a	(a), (b), (d), (h), (i) and (j)
31	(a), (b), (h), (i) and (j)
32	(a), (e), (b), (h), (i) and (j)
34	(a), (b), (h), (i) and (j)
35	(a), (b), (c) (h), (i) and (j)
33, 37-111	(a) and (f)”

Amendment to Schedule 11 (documents and plans to be certified)

9. In Schedule 11 (documents and plans to be certified) Table 8 is omitted and replaced with the following—

“Table 8

(1) *Document name*	*(2)* *Document reference*	*(3)* *Revision number*	*(4)* *Date*
access and rights of way plans	4.4	4 (sheets 1, 2 and 3) 5 (key plan and sheet 4)	1 November 2019
book of reference	3.5	4	1 November 2019
supplemental book of reference	3.1a	1	26 February 2025
commitments registers	6.4.32	1	April 2019
environmental statement	Volume 1, 6.2 Volume 2, 6.3 Volume 3, 6.4	1 1 1	April 2019
flood risk assessment	6.4.26	1	April 2019
Framework biodiversity enhancement and management plan	6.4.17	1	April 2019
Framework construction environmental management plan	6.4.3	1	April 2019
framework construction traffic management plan	6.4.7	1	April 2019
framework construction worker travel plan	6.4.6	1	April 2019
framework written scheme of	6.4.31	2	October 2019

investigation			
indicative lighting strategy	5.6	1	April 2019
land plans	4.2	1 (sheets 1, 2 and 3) 2 (key plan and sheet 4) 3 (sheets 1, 2, 3 and 4, and inset sheet 1a)	1 November 2019 (key plan and sheet 4) 27 March 2019 (sheets 1 and 3) 28 March 2019 (sheet 2) 3 March 2025 (sheet 2) 4 March 2025 (sheets 1, 3 and 4, and inset sheet 1a)
works plans	4.3	1 (sheets 1, 2 and 3) 4 (sheets 4, 5 and 6)	April 2019 March 2025
statement to inform appropriate assessment	7.17	2	October 2019”

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

John Wheadon
Head of Energy Infrastructure Planning Delivery
Department for Energy Security and Net Zero

22nd May 2025

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Immingham Open Cycle Gas Turbine Order 2020, a development consent order made 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 change under paragraph 2 of Schedule 6 to the Planning Act 2008.

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