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*Changes to legislation: There are currently no known outstanding effects for the Gas Act 1965, Cross Heading: Orders varying nature of gas stored. (See end of Document for details)*

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## SCHEDULES

### SCHEDULE 2

#### STORAGE AUTHORISATION ORDERS

#### PART III

##### CASES WHERE PROCEDURE UNDER PART II NEED NOT BE FOLLOWED

##### *Orders varying nature of gas stored*

- 15 Part II of this Schedule shall not apply to an order which varies a storage authorisation order and the sole purpose of which is to vary the provisions of the storage authorisation order as to the nature of the gas which may be stored in the gas storage area.
- 16 (1) If any such order is an order the effect of which is to authorise the storage of gas of a nature which would not be authorised apart from that order, the procedure for making the order shall be that prescribed in the following provisions of this paragraph.
- (2) The <sup>[F1]</sup>public gas supplier] may apply to the Minister to make the order after serving notice of their application—
- (a) on every local planning <sup>[F2]</sup>authority, <sup>[F3]</sup>every local authority who are not a local planning authority and every <sup>[F2]</sup>river authority within <sup>[F2]</sup>authority and every local authority who are not a local planning authority, being, in either case, an authority within] whose area any part of the storage area or of the protective area lies,
  - (b) on all statutory water undertakers within whose <sup>[F4]</sup>limits of supply <sup>[F4]</sup>area] any part of the storage area or the protective area lies, or who are the holders of a statutory licence to abstract water within either of those areas, and
  - <sup>[F5]</sup>(bb) on the Environment Agency if any part of the storage area or protective area is in England, and on the Natural Resources Body for Wales if any part of either of those areas is in Wales, and]
  - (c) <sup>[F6]</sup>on every person who falls within sub-paragraph (2A)]
- stating that representations by any of those persons may be made to the Minister within twenty-eight days of the date on which the notice is served.
- <sup>[F7]</sup>(2A) A person falls within this sub-paragraph if he is—
- (a) an owner, lessee, tenant (whatever the tenancy period) or occupier of any land within the storage area or within the protective area;
  - (b) a person to whom the applicant would, if it were proceeding to purchase that land under section 5(1) of the Compulsory Purchase Act 1965, be required to give notice to treat; or
  - (c) a person who the applicant thinks would be likely to be entitled to make a claim for compensation under section 10 of that Act if that land were

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purchased under a compulsory purchase order, so far as he is known to the applicant after making diligent inquiry.]

- (3) [<sup>F8</sup>The applicant] shall inform the Minister of the dates of service of notice under this paragraph.
- (4) The Minister shall take into consideration the application and all representations with respect to the application which are duly made within the period specified in the notices and may, if he thinks fit, and if he is satisfied that the proper notices have been served under the foregoing provisions of this paragraph, make the order applied for.
- (5) If the order is made, the [<sup>F1</sup>public gas supplier] shall serve a copy of the order on every person on whom notice of the application is required to be served under this paragraph.

#### Textual Amendments

- F1** Words substituted by virtue of [Gas Act 1986 \(c. 44, SIF 44:2\)](#), s. 67(1)(3), [Sch. 7 para. 6\(2\)](#), **Sch. 8 para. 33**
- F2** Words from “authority and every” to “within” substituted (E.W.) for the words from “authority, every” to “within” by virtue of [Water Act 1989 \(c. 15, SIF 130\)](#), s. 190(1), **Sch. 25 para. 32(6)(a)** (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), [Sch. 26 paras. 3\(1\)\(2\)](#), 17, 40(4), 57(6), 58.
- F3** Words substituted by [Local Government Act 1972 \(c. 70, SIF 81:1\)](#), **Sch. 29 Pt. II para. 20(1)**
- F4** Word “area” substituted (E.W.) for words “limits of supply” by [Water Act 1989 \(c.15, SIF 130\)](#), s. 190(1), **Sch. 25 para. 32(6)(b)**(with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), [Sch. 26 paras. 3\(1\)\(2\)](#), 17, 40(4), 57(6), 58.
- F5** [Sch. 2 para. 16\(2\)\(bb\)](#) substituted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(S.I. 2013/755\)](#), art. 1(2), **Sch. 2 para. 37(4)** (with [Sch. 7](#))
- F6** [Sch. 2 para. 16\(2\)\(c\)](#) substituted (E.W.) (24.5.2007) by [The Planning and Compulsory Purchase Act 2004 \(Corresponding Amendments\) Order 2007 \(S.I. 2007/1519\)](#), art. 1(1), **Sch. para. 6(5)(a)** (with art. 1(3))
- F7** [Sch. 2 para. 16\(2A\)](#) inserted (E.W.) (24.5.2007) by [The Planning and Compulsory Purchase Act 2004 \(Corresponding Amendments\) Order 2007 \(S.I. 2007/1519\)](#), art. 1(1), **Sch. para. 6(5)(b)** (with art. 1(3))
- F8** Words substituted by [Gas Act 1986 \(c. 44, SIF 44:2\)](#), s. 67(1)(3), [Sch. 7 para. 6\(26\)\(a\)](#), **Sch. 8 para. 33**

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