
Changes to legislation: There are currently no known outstanding effects for the Gas Act 1965, Cross Heading: Preliminary submission of proposals. (See end of Document for details)

SCHEDULES

SCHEDULE 2

STORAGE AUTHORISATION ORDERS

PART II

PROCEDURE FOR MAKING ORDERS

Preliminary submission of proposals

- 3 (1) [F1The applicant]shall before making the application formally in accordance with paragraph 6 of this Schedule submit [F2his proposals]in writing to the Minister.
- (2) The written proposals shall include the name and address of [F1the applicant]and shall—
- (a) specify by reference to a large-scale map the perimeter of the storage area and of any protective area,
 - (b) state the depth or depths below which it is proposed that the Minister’s control over workings and borings is to have effect in the various parts of the storage and protective areas,
 - (c) state the nature and volume of the gas which it is proposed to store, and the depths and nature of the stratum in which it is to be stored, and of the strata contiguous to that stratum,
 - (d) include information as to the proposed method of operating the storage, including the methods of injecting and withdrawing gas, and
 - (e) state what exploratory work has been carried out to prove the proposed storage, and the results obtained from the work.
- (3) The Minister may require [F1the applicant]to furnish further information in writing concerning [F2his proposals].

Textual Amendments

- F1** 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](#)
- F2** Words substituted by [Gas Act 1986 \(c. 44, SIF 44:2\)](#), s. 67(1)(3), Sch. 7 para. 6(26)(b), [Sch. 8 para. 33](#)

- 4 (1) [F3The applicant]shall publish in two successive weeks in the Gazette, and in one or more local newspapers circulating in the locality of the storage area, a notice of the submission of the proposals to the Minister, naming a place in the locality where copies of the proposals, and of the accompanying map, can be inspected, describing the surface area of the storage and protective areas, and stating the nature and volume of gas proposed to be stored and the minimum depth below the surface of the ground of the stratum in which it is to be stored.

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- (2) ^{F3}The applicant]shall serve a notice containing all the particulars in the notice published under the foregoing provisions of this paragraph, and such further information as the Minister may direct,—
- (a) on every local planning ^{F4}authority, ^{F5}every local authority who are not a local planning authority and every]river authority within]^{F4}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 protective area lies, and
 - (b) on all statutory water undertakers within whose ^{F6}limits of supply]^{F6}area] any part of the storage area or protective area lies, or who are holders of a statutory licence to abstract water within either of those areas, and
 - ^{F7}(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) on such other bodies or individuals as the Minister may direct.

Textual Amendments

- F3** 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**
- F4** Words from “authority and every” to “within” substituted (E.W.) for the words from “authority, every” to “within” by 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.
- F5** Words substituted by Local Government Act 1972 (c. 70, SIF 81:1), **Sch. 29 Pt. II para. 20(1)**
- F6** 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.
- F7** Sch. 2 para. 4(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(2)** (with Sch. 7)

- 5 (1) The Minister, after taking the proposals into consideration, may refuse to allow ^{F8}the applicant]to proceed with the proposals, or may allow ^{F8}the applicant]to proceed with the proposals in a formal application under the following provisions of this Schedule, with or without any modifications specified by the Minister.
- (2) Any such modifications shall not vary the storage area so as to include any area which was not so included in ^{F9}the applicant’s]proposals submitted to the Minister.
- (3) The Minister shall inform ^{F8}the applicant]of his decision under this paragraph, and if the decision is to refuse to allow ^{F8}the applicant]to proceed with the proposals, the Minister shall at the request in writing of ^{F8}the applicant]furnish a written statement of the reasons for his decision.

Textual Amendments

- 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**
- F9** Words substituted by Gas Act 1986 (c. 44, SIF 44:2), s. 67(1)(3), Sch. 7 para. 6(26)(e), **Sch. 8 para. 33**

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