
STATUTORY INSTRUMENTS

2013 No. 2696

**The Carbon Capture Readiness (Electricity
Generating Stations) Regulations 2013**

Section 36 consent: determination of carbon capture readiness and conditions to be imposed where CCR conditions are met

5.—(1) The appropriate authority must not grant a relevant section 36 consent unless the appropriate authority has determined whether the CCR conditions are met in relation to the combustion plant to which the section 36 consent relates.

(2) The appropriate authority's determination under paragraph (1) must be made on the basis of—

- (a) a CCR assessment of the combustion plant prepared by the person who made the application for the relevant section 36 consent; and
- (b) any other available information, particularly concerning the protection of the environment and human health.

(3) If the appropriate authority—

- (a) determines that the CCR conditions are met in relation to a combustion plant; and
- (b) decides to grant a relevant section 36 consent in respect of that plant,

it must include in the relevant section 36 consent a condition that suitable space is set aside for the equipment necessary to capture and compress all of the CO₂ that would otherwise be emitted from the plant.

(4) In this regulation, in the case of a section 36 consent for a relevant extension, references to a “combustion plant” are references to that plant as extended.