

2023 No. 1038

INFRASTRUCTURE PLANNING

**The Manston Airport Development Consent (Amendment)
Order 2023**

Made - - - - - *22nd September 2023*

Coming into force *23rd September 2023*

An application has been made under paragraph 2 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) for a non-material change to the Manston Airport Development Consent Order 2022(c).

The Secretary of State, having considered the application and the responses to the publicity and consultation carried out in accordance with regulations 6 and 7 of the Infrastructure Planning (Change to, and Revocation of, Development Consent Orders) Regulations 2011, has decided to make this Order amending the Manston Airport Development Consent Order 2022.

The Secretary of State, in exercise of the powers conferred by paragraph 2 of Schedule 6 to the Planning Act 2008, makes the following Order—

Citation and commencement

1. This Order may be cited as the Manston Airport Development Consent (Amendment) Order 2023 and comes into force on 23rd September 2023.

Amendment of the Manston Airport Development Consent Order 2022

2.—(1) The Manston Airport Development Consent Order 2022 is amended as follows.

(2) In article 9(1)(a) (guarantees in respect of payment of compensation, etc.), for “£13.1 million” substitute “£6.2 million”.

(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. 2022/922.

(3) In article 21(3) (time limit for exercise of authority to acquire land compulsorily), for “the later of: (a) the end of the period of one calendar year beginning on the day after” substitute “the end of the period of one calendar year beginning on the day after the later of: (a)”.

Signed by authority of the Secretary of State for Transport

22nd September 2023

Gareth Leigh
Head of the Transport and Works Act Orders Unit
Department for Transport

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Manston Airport Development Consent Order 2022 (“the 2022 Order”), a development consent order under the Planning Act 2008 (“the Act”).

This Order follows an application under paragraph 2 of the Schedule 6 to the Act for a non-material change to allow an alteration to the amount of funds to be available before the use of compulsory acquisition powers, to reflect the significantly reduced compulsory acquisition powers.

It also corrects a drafting error in article 21 to make clear that the 1 year period only starts to run from the expiry of the challenge period, or the final determination of any challenge to the 2022 Order.

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