



Maritime &
Coastguard
Agency

Sam Chudley
Maritime and Coastguard Agency
Bay 2/24
Spring Place
105 Commercial Road
Southampton
SO15 1EG

www.gov.uk/mca

Your Ref: EN010114

Keadby 3 Low Carbon Gas Power Station Project

1st February 2022

Via email: keadby3@planninginspectorate.gov.uk

Dear Examining Authority,

Thank you for the opportunity to comment on the Examining Authority's written questions at deadline 2 on the Development Consent Order (DCO) Deemed Marine Licence (DML). The Maritime and Coastguard Agency's response to Q1.16.69 is as follows:

Q1.16.69 Marine and Coastguard Agency

• Schedule 13 (DML...) - *The RR of the Marine and Coastguard Agency (MCA) [RR-007] is noted. The ExA notes that the RR states a Marine Licence may be required under the Marine and Coastal Access Act 2009, at which time the MCA will be invited to comment on the licence application from the safety of navigation safety perspective. However, a DML, under the Marine and Coast Access Act 2009, would potentially form part of the DCO should it be made. Please see Art 41 and Schedule 13 of the dDCO [APP-005]. As such the ExA invites the MCA to comment in regard to the dDCO, particularly Art 41 and Schedule 13, especially from the safety of navigation safety perspective.*

The MCA can confirm that the conditions of the draft DCO, including DML (**APP-005**), which has been subject to review and agreement by the Marine Management Organisation and ABP as harbour authority, appropriately control the impacts of the Proposed Development, including mitigation proposed, in relation to matters of interest to the MCA. It is agreed that no changes to the draft DCO including DML are considered necessary from MCA's perspective and would defer to the MMO and the SHA on this occasion.

The MCA would however recommend compliance with the Port Marine Safety Code (PMSC), which sets out a national standard for every aspect of port marine safety. The Code is not mandatory; however, it is endorsed by the UK Government, devolved administrations and representatives from across the marine industry sector. It is applicable to both Statutory Harbour Authorities (SHA) and non-SHAs including marinas, terminals, marine berths and jetties. The Department for Transport also publishes the PMSC Guide to Good Practice which provides useful information and detailed guidance on the safe management of these facilities and is intended to supplement the Code.

Yours faithfully,

[Redacted Signature]

*Sam Chudley
Maritime Licence Advisor
UK Technical Services Navigation*