

PLANNING ACT 2008

THE ABLE MARINE ENERGY PARK DEVELOPMENT CONSENT ORDER 2012

COMMENTS ON RELEVANT REPRESENTATIONS

PLANNING INSPECTORATE REFERENCE NUMBER: TR030001

PLANNING INSPECTORATE REFERENCE NUMBER FOR MMO: ABLE – 0016

MMO INTERNAL REFERENCE NUMBER: DC9172

Contents

1. The Able Marine Energy Park.....	1
2. Scope of these representations.....	1
3. MMO's comments on Relevant Representations	1

1. The Able Marine Energy Park

- 1.1. On 23 February 2012, the Marine Management Organisation (the “MMO”) received notice under section 56 of the Planning Act 2008 (the “2008 Act”) that the Infrastructure Planning Commission (the “IPC”) had, on 12 January 2012, accepted an application made by Able Humber Ports Limited (the “Applicant”) for an order granting development consent (the “DCO Application”) (MMO ref: DC9172; IPC ref: TR030001).
- 1.2. Amongst other things, the DCO Application includes a draft development consent order (the “DCO”) and an environmental statement (the “ES”). The draft DCO includes a draft Deemed Consent under the Marine and Coastal Access Act 2009 (the “2009 Act”) (the “Deemed Marine Licence”).
- 1.3. The DCO Application seeks authorisation for the Able Marine Energy Park (AMEP), which involves a quay of solid construction on the south bank of the river Humber together with an ecological compensation scheme comprising both temporary and permanent habitat creation on the north bank. Associated development includes dredging and land reclamation, onshore facilities for the manufacture, assembly and storage of marine energy installation components. Ancillary matters include compulsory purchase of land, harbour regulation and the diversion of two footpaths (the “Project”).
- 1.4. The Project would comprise a range of terrestrial and marine developments and several work items have the potential to impact on the marine area.

2. Scope of these representations

- 2.1. This document comprises the MMO’s comments on relevant representations available on the Planning Inspectorates (PINS) website¹.
- 2.2. This is without prejudice to any future representation the MMO may make about the DCO Application throughout the examination process. This is also without prejudice to any decision the MMO may make on any associated application for consent, permission, approval or any other type of authorisation submitted to the MMO either for the works in the marine area or for anything else.
- 2.3. The MMO will continue to consider the DCO Application and reserves the right to add to, amend or withdraw, from time to time, part or all of these representations.

3. MMO’s comments on Relevant Representations

- 3.1. The MMO has reviewed those relevant representations available to view on the PINS website. Several relevant representations contain comments which would be relevant considerations for applications made for a marine licence under s66 of the 2009 Act.

¹ Submitted in pursuance of Rule 8(1)(c)(i) and d(i) and Rule 3(2)(b) of the Infrastructure Planning (Examination Procedure) Rules 2010.

- 3.2. The Applicant has included provisions for marine licences required under the 2009 Act to be deemed within the DCO Application.
- 3.3. The MMO requests that when considering comments made in all forms of representations, that the Examining Authority consider the requirements for post-consent monitoring, variation and enforcement. Should it be determined that comments made would most appropriately be dealt with through conditions on the Deemed Marine Licence, the MMO would wish to be informed and be consulted on the drafting of additional conditions to ensure they are appropriate for the MMO's role and responsibilities post-consent.

Marine Management Organisation

22 June 2012