



Department
for Environment
Food & Rural Affairs

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Martin Woods
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Date: 16 July 2013

Dear Martin

PLANNING ACT 2008 - PROPOSED ABLE MARINE ENERGY PARK SECRETARY OF STATE'S DISCHARGE OF FUNCTIONS IN RESPECT OF ACQUISITION OF LAND HELD BY STATUTORY UNDERTAKERS – ANGLIAN WATER

Thank you for providing a copy of the Planning Inspector's (PINS) report of 24 February 2013 and seeking Defra's views on matters in relation to the acquisition of land owned by Anglian Water. Having considered the recommendation by the Section 127 examiner in Appendix D of the PINS report I can confirm that the Secretary of State is satisfied that Anglian Water's land described in the report could be acquired in accordance with the protective provisions in the proposed Development Consent Order and without serious detriment to the carrying out of Anglian Water's statutory functions as a water and sewerage undertaker.

Accordingly, I attach a section 127(2)(b) certificate and draft Notice required for the purposes of section 127(7) of the Planning Act 2008.

I can also confirm for the purposes of section 138(4)(b) that the Secretary of State is content to authorise the extinguishment of rights as set out in the 127 certificate as being necessary for the purposes of the scheme.

Yours sincerely


Sonia Phippard

Director for Water and Flood Risk Management
Department for Environment, Food and Rural Affairs



INVESTORS
IN PEOPLE

The Able Marine Energy Park Development Consent Order 2013

The Planning Act 2008

Certificate under Section 127 (2) (b)

1. The Able Marine Energy Park Development Consent Order 2013 which has been submitted by Able Humber Ports Limited to the Secretary of State includes the land described in the schedule.
2. The land was acquired by the statutory undertaker (Anglian Water) for the purpose of their undertaking and the Secretary of State is satisfied that it is used for the purposes of the carrying out of their undertaking.
3. The Secretary of State in exercise of his powers under section 127 of the Planning Act 2008 certifies that the land described in the schedule can be purchased and not replaced without serious detriment to the carrying on of the undertaking.

SCHEDULE

Plot No 04012	All interests in 5558.72 square metres of land comprising trees, shrubbery, hedgerows, drain and bed thereof, scrubland and hardstanding to the east of Rosper Road and Burkinshaw's Covert, North Killingholme, Immingham.
Plot No 04013	All interests in 9771.99 square metres of land comprising drain and bed thereof, scrubland and hardstanding to the east of Rosper Road and Burkinshaw's Covert, North Killingholme, Immingham.
Plot No 04016	All interests in 3651.11 square metres of land comprising drain and bed thereof, trees, shrubbery and hardstanding to the east of Rosper Road, North Killingholme, Immingham.
Plot No 04018	All interests in 934.59 square metres of land comprising drain and bed thereof, trees, shrubbery, pond and bed thereof and scrubland to the east of Rosper Road, North Killingholme, Immingham.

Plot No 04019

All interests in 55.65 square metres of land comprising hardstanding and public footpath (FP 50) to the east of Rosper Road, North Killingholme, Immingham.

Date: 16 July 2013



Sonia Phippard
Director for Water and Flood Risk Management
Department for Environment, Food and Rural Affairs

The Able Marine Energy Park Development Consent Order 2013

The Planning Act 2008

Notice under Section 127 (7)

1. The Able Marine Energy Park Development Consent Order 2013 which has been submitted by Able Humber Ports Limited to the Secretary of State includes the land described in the schedule.
2. This land was acquired by the statutory undertaker (Anglian Water) for the purpose of their undertaking and the Secretary of State is satisfied that it is used for the purposes of the carrying out of their undertaking.
3. Notice is hereby given that the Secretary of State in exercise of his powers under section 127 of the Planning Act 2008 has certified that the land described in the schedule can be purchased and not replaced without serious detriment to the carrying on of the undertaking.
4. Notice of authorisation of compulsory acquisition of the new rights will be made by the prospective purchaser (Able Humber Ports Limited) in accordance with Section 134 of the Planning Act 2008.

SCHEDULE

Plot No 04012	All interests in 5558.72 square metres of land comprising trees, shrubbery, hedgerows, drain and bed thereof, scrubland and hardstanding to the east of Rosper Road and Burkinshaw's Covert, North Killingholme, Immingham.
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