

201[] No. []

INFRASTRUCTURE PLANNING

The Able Marine Energy Park (Amendment) Order 201[]

Made - - - - 201[]

Coming into force - - 201[]

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 Able Marine Energy Park Development Consent Order 2014(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 (Changes to, and Revocation of, Development Consent Orders) Regulations 2011, has decided to make this Order amending The Able Marine Energy Park Development Consent Order 2014.

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

Citation and commencement

1. This Order may be cited as The Able Marine Energy Park (Amendment) Order 201[] and comes into force on [] 201[].

Amendment of The Able Marine Energy Park Development Consent Order 2014

2.—(1) The Able Marine Energy Park Development Consent Order 2014 (“the Order”) is amended as follows.

(2) In article 2 (Interpretation)—

(a) the following definition is added: “former Mitigation Area A” means the area bounded by co-ordinates (53°38.543’N, 00°14.155’W), (53°38.793’N, 00°13.413’W), (53°38.543’N, 00°13.138’W), (53°38.473’N, 00°13.341’W), (53°38.461’N, 00°13.346’W) and (53°38.270’N, 00°13.886’W); and

(b) to the definition of “the Order limits” is added ‘, save for former Mitigation Area A’.

(2) In Schedule 1 (Authorised Development)—

- (a) delete paragraph 3(g); and
- (b) insert new paragraph 5—

“5. In the district of North Lincolnshire ecological mitigation works in accordance with the environmental management and monitoring plans.”

(3) In paragraph 6(a) of Schedule 11 (Requirements)—

- (a) in subparagraph (i) for “AME–02006” substitute “AME–02006 (Rev ~~EE~~)”;

- (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 paragraphs 1 and 72 of Schedule 13 to the Localism Act 2011 (c. 20), and by section 28 of the Infrastructure Act 2015 (c. 7). There are other amendments to the Act that are not relevant to this Order.
 - (b) S.I. 2011/2055. Regulations 6 and 7 were both amended by S.I. 2012/635 and S.I. 2015/760.
 - (c) S.I. 2014 No.2935.
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- (b) in subparagraph (ii) for “AME–02007” substitute “AME–02007 (Rev C)”;
- (c) in subparagraph (iii) for “AME–02008” substitute “AME–02008 (Rev B)”;
- (d) in subparagraph (v) for “AME–02010” substitute “AME–02010 (Rev B)”;
- (e) in subparagraph (xi) at end delete “and”;
- (f) in subparagraph (xii) at end insert “and”; and
- (g) insert new subparagraph (xiii)—

“(xiii) drawing “ALP–002–00011 (Rev ~~A~~D)”;

Certification of revised or substituted plans

3.—(1) The undertaker must, as soon as practicable after the making of this Order, submit copies of any revised or substituted plans to the Secretary of State for certification that they are true copies of the plans referred to in this Order.

(2) A plan so certified by the Secretary of State is admissible in any proceedings as evidence of the contents of the document of which it is a copy.

(3) In paragraph (1), “the undertaker” has the same meaning as in article 2(1) of the Order.

Signed on behalf of the Secretary of State for Transport

Date

Name
Designation
Department for Transport

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends The Able Marine Energy Park Development Consent Order 2014 (“the 2014 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 location of the mitigation sites provided for in the 2014 Order.

This Order, in article 3(2), provides for the certification of revised or substituted plans for use as evidence in any proceedings.

The changes to the 2014 Order take effect from the date specified in this Order.

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