

**2021 No. 000**

**INFRASTRUCTURE PLANNING**

**HARBOURS, DOCKS, PIERS AND FERRIES**

**The Able Marine Energy Park Development Consent  
(Amendment) Order 2021**

*Made* - - - - *13th May 2021*

*Coming into force* - - *14th May 2021*

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 (Change 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 to the Planning Act 2008, makes the following Order—

**Citation and commencement**

1. This Order may be cited as the Able Marine Energy Park Development Consent (Amendment) Order 2021 and comes into force on 14th May 2021.

**Amendment of the Able Marine Energy Park Development Consent Order 2014**

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

(2) In article 2 (interpretation)—

- (a) after the definition of “E.ON” insert ““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°13.341W), (53°38.461’N, 00°13.346’W) and (53°38.270’N, 00°13.886’W)”;

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(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. 2014/2935.

(b) at the end of the definition of “the Order limits” insert “, save for former Mitigation Area A”.

(3) In Schedule 1 (authorised development)—

(a) omit paragraph 3(g); and

(b) after paragraph 4 insert—

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

(4) In paragraph 1 of Schedule 11 (requirements) in the definition of “environmental statement” after “the Environment Agency” insert “, any further environmental documents certified by the Secretary of State pursuant article 55A (certification of further environmental documents)”.

(5) In paragraph 6(a) of Schedule 11—

(a) in sub-paragraph (i) for ““AME-02006”” substitute ““AME-02006 (Rev E)””;

(b) in sub-paragraph (ii) for ““AME-02007”” substitute ““AME-02007 (Rev C)””;

(c) in sub-paragraph (iii) for ““AME-02008”” substitute ““AME-02008 (Rev B)””;

(d) in sub-paragraph (v) for ““AME-02010”” substitute ““AME-02010 (Rev B)””;

(e) at the end of sub-paragraph (xi) omit “and”; and

(f) at the end of sub-paragraph (xii) insert—

“and

(xiii) drawing “ALP-002-00011 (Rev D)””.

(6) After article 55 (certification of plans etc), insert—

#### “**Certification of further environmental documents**

**55A.**—(1) The undertaker must, as soon as practicable after the making of the Able Marine Energy Park Development Consent (Amendment) Order 2021, submit copies of—

(a) Application Statement Incorporating Environmental Information (Revision D – November 2020); and

(b) Revised Shadow Habitats Regulations Assessment (November 2020),

for certification as further environmental documents.

(2) A document 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.”.

Signed by authority of the Secretary of State for Transport

*Natasha Kopala*

Head of the Transport and Works Act Orders Unit

Department for Transport

13th May 2021

#### **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 environmental mitigation sites provided for in the 2014 Order. It also provides for the certification of further environmental documents.