



## Meeting note

<b>File reference</b>	TR030005
<b>Status</b>	<b>Final</b>
<b>Author</b>	The Planning Inspectorate
<b>Date</b>	22 October and 4 November 2020
<b>Meeting with</b>	Able Marine Energy Park (the Applicant)
<b>Venue</b>	Microsoft Teams Meeting
<b>Meeting objectives</b>	To discuss potential Material Change Application to the made 2014 Development Consent Order
<b>Circulation</b>	All present

### Summary of key points discussed and advice given:

The Planning Inspectorate explained the duties placed upon it under section 51 of the Planning Act 2008. A note of the meeting would be taken recording the key points discussed and any advice issued by the Planning Inspectorate. The note would be published on the Planning Inspectorate's website. Any advice issued by the Planning Inspectorate would not constitute legal advice upon which the Applicant, or others, could rely.

### Project Introduction

The Applicant introduced their proposed change to the Able Marine Energy Park Development Consent Order (DCO) 2014, confirming that this was separate to the ongoing Non-material Change Application.

The Applicant explained that the change was in relation to a single parcel of land which contains a public footpath (the diversion of which was authorized under the 2014 Order) and private road and forms part of the riverbank. The Applicant advised that the land is required for development of a pumping station outfall and is required as part of associated development to the made Order. The Applicant stated that it had been unable to acquire the land by agreement.

Compulsory Acquisition of the parcel of land (03023) as identified on the Land Plan (Sheet 3) of the original application was granted by the 2014 Order. The compulsory acquisition powers under article 33 of the Order expired in January 2019, but there remains an interest in the land which has not yet been acquired by the Applicant. The Applicant requires compulsory acquisition powers to enable it to acquire this interest in the land, should it not be possible to acquire it by agreement. The Applicant is proposing an amendment to Article 33 of the DCO to extend the time limit for exercise

of compulsory acquisition powers which is, in the Applicant's opinion, a Material Change.

The Applicant asked about reducing the consultee list from the original Order. The Inspectorate advised the Applicant to seek this through an application to the Secretary of State for Transport (DfT).

The Applicant asked about timing of Screening requests. The Inspectorate confirmed that there is a statutory deadline of 21 days to complete Screening. However, if further information was required, once that information had been submitted, the 21-day period would start from here.

### **Anticipated Submission**

The Applicant confirmed that they expect to submit an application for the Material Change towards the end of Q4 2020 although following discussion on the timescales the Applicant has advised it is likely to be submitted in Q1 2021.

### **Specific decisions / follow up required?**

- Inspectorate to set up webpage
- Inspectorate to provide the Applicant with details of the application fees
- Applicant to send request to DfT for reduced list of consultees and reduced list of persons to be notified of the application
- Applicant to provide to the Inspectorate a list of application documents