



The Planning Inspectorate
National Infrastructure Directorate
By email only

Your reference: EN010083
Our reference: DCO/2018/00017

12 February 2020

Dear Sir/Madam

THE PROPOSED WHEELABRATOR KEMSLEY (K3) GENERATING STATION AND THE WHEELABRATOR KEMSLEY NORTH (WKN) WASTE TO ENERGY FACILITY - RESPONSE TO SECTION 88 OF THE PLANNING ACT 2008 (AS AMENDED) AND RULE 6 OF THE INFRASTRUCTURE PLANNING (EXAMINATION PROCEDURE) RULES 2010

The Marine Management Organisation (“MMO”) confirms receipt of your letter dated 21 January 2020, giving notice of appointment of the Examining Authority and date, time and place of the Preliminary Meeting and subsequent Issue Specific Hearing One.

Please note that the MMO was not informed under Section 56 of the Planning Act 2008, by WTI/EFW Holdings Ltd (the “Applicant”), of the notification of decision to accept an application for Examination for an Order Granting Development Consent. As such, the MMO has not submitted relevant representations and has yet to comment on the DCO application. The MMO has approached the Applicant to commence discussions with the aim of agreeing a Statement of Common Ground which supports our position. The MMO is still awaiting a response from the Applicant.

Please further note that, under Part 4 of the Marine and Coastal Access Act 2009, the MMO issued a marine licence in December 2017 (marine licence ref L/2017/00482), which was subsequently varied in May 2019, for the construction of 2x outfalls in relation to the Wheelabrator Kemsley (K3) Generating Station and the Wheelabrator Kemsley North (WKN) Waste to Energy Facility.

The MMO observes the content of the agenda for the Preliminary Meeting and feels that, due to the specifics of our involvement in the application to date (as set out above), attendance at the Preliminary Meeting is not required. The MMO will monitor the progress of the Examination, engage with the applicant to agree a Statement of Common Ground, and submit Written Representations when appropriate.

If you have any queries on the above response please do not hesitate to contact me.

Yours faithfully,

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Marine Licensing Case Officer

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