



Marine
Management
Organisation

Marine Licensing
Lancaster House
Hampshire Court
Newcastle upon Tyne
NE4 7YH

T +44 (0)300 123 1032
F +44 (0)191 376 2681
www.gov.uk/mmo

Keadby 3 Case Team
Case Team
Planning Inspectorate
keadby3@planninginspectorate.gov.uk

(Email only)

MMO Reference: DCO/2020/00002
Planning Inspectorate Reference: EN010114

06 June 2022

Dear Sir/Madam,

**Planning Act 2008, Proposed Keadby Low Carbon Gas Power Station
Deadline 7a Submission**

This document comprises the Marine Management Organisation's (MMO) Deadline 7a response in respect to the above Development Consent Order (DCO) Application. This is without prejudice to any future representation the MMO may make about the DCO Application throughout the examination process. This is also without prejudice to any decision the MMO may make on any associated application for consent, permission, approval or any other type of authorisation submitted to the MMO either for the works in the marine area or for any other authorisation relevant to the proposed development.

The MMO reserves the right to modify its present advice or opinion in view of any additional matters or information that may come to our attention.

Yours Faithfully

Nicola Wilkinson
Marine Licensing Case Officer

Copies to:
Adam Chumbley (MMO) – Case Manager: [REDACTED]
Lindsey Mullan (MMO) – Senior Case Manager:
[REDACTED]



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1 Comments on any information submitted for Deadline 7

1.1 REP7-014 Keadby Generation Limited Deadline 7 Submission - 9.23 Response to Rule 17 Questions dated 12 May 2022 and Additional Submission published 16 May 2022

1.1.1 It is noted that the Applicant has highlighted that they have addressed the final point outstanding with the MMO, which is in regard to conditions discharge within the draft Deemed Marine Licence (Part 3 (28)). While the MMO understands revisions to the wording of the condition were made for Deadline 7, there still remains a constraint within the wording which limits the MMO to a timeframe of three months in which to discharge a condition. While some flexibility has been provided within the wording in which this can be extended if “agreed in writing” with the undertaker, the MMO’s position on this remains in that it hinders the ability of the MMO to carry out its regulatory responsibility.

1.2 REP7-021 Natural England Deadline 7 Submission - Comments on the Report on the Implications for European Sites (RIES).

1.2.1 With regard to paragraph 4.2.10 – The MMO notes that the Applicant and Natural England have agreed that there is no longer a need to update the Deemed Marine Licence to confirm the avoidance of impact piling for cofferdam installation, given requirement 5(4)(s) requires the timings of installations/removals to be approved prior to the commencement of works. Paragraph 4.2.10 states that an amendment to the DCO will be made to state that the avoidance of the wintering period will also be for wintering birds. While the MMO is unsure of what this means with regards to amendments to the DCO, the MMO is hesitant to remove any mitigation from the DML as this would hinder regulatory and enforcement capabilities.

Yours Faithfully

Nicola Wilkinson
Marine Licensing Case Officer

