



Marine Management Organisation

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The Planning Inspectorate
National Infrastructure Directorate

Your reference: TR010016
Our internal reference:
DCO/2018/00021
Our Planning Inspectorate
Reference: A63HULL-
SP086

[By Email only]

28 June 2019

Dear Mr Willows,

THE PLANNING ACT 2008 (AS AMENDED) – SECTION 89: A63 CASTLE STREET IMPROVEMENT – HULL ORDER. DEADLINE 4 AND ISSUE SPECIFIC HEARING: DRAFT DCO AND ANY OUTSTANDING MATTERS

In accordance with the deadlines specified under the Examination Timetable for the proposed A63 Castle Street Improvement – Hull Order, I am writing to provide the Marine Management Organisation's response to the Examining Authority's (ExA) Deadline 4.

Deadline 4 consists of:

- Comments on the Applicant's revised dDCO;
- Comments on any revised/updated SoCGs (if any);
- Comments on any additional information/submissions received by D3; and Monday 01 July
- Responses to any further information requested by the ExA for this deadline.

Of these items, the MMO considers the following relevant for inclusion in this response:

- Comments on the Applicant's revised dDCO;
- Comments on any revised/updated SoCGs (if any);

In addition on 19 June 2019 the Marine Management Organisation (MMO) received a notification from the Planning Inspectorate (PINS) for the forthcoming Issue Specific Hearing dealing with the draft Development Consent Order (DCO) and any outstanding matters to be held on 18 July 2019 in Hull.

Whilst the MMO remains an Interested Party for the Examination of the A63 Castle Street improvement – Hull Order, I am writing to inform you that we do not intend to attend the Issue Specific Hearing.



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In lieu of our attendance at the Issue Specific Hearing and in response to deadline 4, the MMO wishes to raise a number of issues to the Examining Authority (ExA) for their consideration ahead of the scheduled event. Whilst these issues have been consistently raised by the MMO during the examination, they are briefly outlined in this letter for ease of reference. For full details of our concerns and issues please refer to the following submissions:

- RR-012
- REP2-014
- Marine Management Organisation Deadline 3 Submission (not yet referenced in the examination library document)

1. Comments on draft Development Consent Order

1.1 The MMO submitted its Deadline 3 response to the ExA on 17 June 2019. Broadly speaking, the content of our Deadline 3 response mirrored that which was also submitted to the ExA under Deadline 2. The main points of our Deadline 2 and Deadline 3 responses are summarised below:

- a) The MMO noted the intention of Highways England (“the Applicant”) to remove the Deemed Marine Licence (DML) from the next iteration of the draft DCO, as detailed with their ‘Comments on Relevant Representations’ (**REP1-016**); and
- b) The MMO confirmed that the DCO, as drafted, no longer appeared to be associated with any other licensable activities beyond those that have already been permitted for the construction of the Princes Quay Footbridge, under Marine Licence Application **MLA/2018/00358** (licence number: **L/2018/00390/1**).

1.2 When drafting our response to the ExA’s Deadline 3, the MMO had regard for the Applicant’s latest version of the draft DCO (**REP2-005**). From our review of **REP2-005**, the MMO made the following broad observations.

- a) Part 7(41) of the draft DCO made reference to a DML;
- b) A DML was included under Schedule 9 of the draft DCO; and
- c) Part 2(2) of the DML referred to maintenance works associated with the Princes Quay Footbridge aspects of the proposed development.

1.3 Due to the fact that the works associated with the construction of Princes Quay Bridge (i.e. Work no. 31 of Schedule 1 of the draft DCO) have already been licensed under **MLA/2018/00358**, the MMO considers that the works must be completely removed from the DCO, including the DML. Comments to this effect were submitted to the ExA in response to their Written Questions (**REP2-014**).

1.4 Further to **paragraph 1.3**, the MMO recommends that the DML, and all references to it, be removed from the DCO in their entirety for the following reasons:

- a) The Applicant has confirmed that they do “not foresee any further works requiring a Marine Licence being undertaken on the Scheme other than those at Princes Quay Bridge for which a Marine Licence has been granted” (see **12.02**, **12.22**, and **12.30** of the Applicant’s Comments on Relevant Representations; **REP1-016**).
- b) The Applicant has confirmed their intention to remove the DML from the “next iteration of the DCO application” (see **12.22** of the Applicant’s Comments on Relevant Representations; **REP1-016**).

1.5 Having now reviewed the most recent version of the draft DCO, submitted by the Applicant under Deadline 3 (not yet referenced in the examination library), the MMO notes that document has remained unchanged, with respect to its inclusion of a DML. Consequently, the MMO wishes to highlight to the ExA that our position on the drafting of the DCO has not changed from that detailed within our Deadline 2 and Deadline 3 responses.

2. Comments on any revised/updated SoCGs (if any)

2.1 The MMO wishes to highlight to the ExA that the MMO have had no engagement with the Applicant since the submission of our Relevant Representation on 17 December 2018. Most recently, the MMO attempted to engage directly with the Applicant on 17 June 2019 in order to gain some clarity on their intentions regarding the drafting of the dDCO and the inclusion a DML. To this end, the MMO sent an enquiry email to the A63castlestreet@pins.gsi.gov.uk and left a voice mail message with the Applicant (as detailed on relevant PINS webpage). Presently, the MMO has received no response from the Applicant to our requests for clarification. As a result no SoCG have been produced.

If you would like to discuss any specific matter further or require additional clarity, please do not hesitate to contact me directly.

Yours sincerely,



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Marine Licensing Case Officer

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