
From: Broadbent, Richard (NE) Contact details removed
Sent: Friday, July 27, 2012 11:21 AM
To: Able Marine Energy Park
Cc: Hearle, Andrew (NE)
Subject: Able MEP

<<12.07.27 Letter to PINS.pdf>>

Dear Sirs

Able Marine Energy Park

PINS Reference: TR030001

Natural England Unique Reference Number: Ref No. remo...

Further to this matter, please see attached.

Please confirm safe receipt.

Kind regards

Richard

Richard Broadbent

Senior Solicitor

Natural England

Floor 7, Hercules House

Hercules Road

London SE1 7DU

Contact details removed

Natural England is here to conserve and enhance the natural environment, for its intrinsic value, the wellbeing and enjoyment of people and the economic prosperity that it brings.

This email and any attachments is intended for the named recipient only. If you have received it in error you have no authority to use, disclose, store or copy any of its contents and you should destroy it and inform the sender. Nothing in the email amounts to a legal commitment on our part unless confirmed by a signed communication. Whilst this email and associated attachments will have been checked for known viruses whilst within the

Natural England systems, we can accept no responsibility once it has left our systems. Communications on Natural England systems may be monitored and/or recorded to secure the effective operation of the system and for other lawful purposes.

Correspondents should note that all communications to Department for Communities and Local Government may be automatically logged, monitored and/or recorded for lawful purposes.

Date: 27 July 2012

Our ref: RMB/JAL/LEG 01-13/010/Able MEP

Your ref: TR030001



Mr M Harris
National Infrastructure Directorate
Temple Quay House
Temple Quay
Bristol
BS1 6PN

Richard Broadbent
7th Floor
Hercules House
Hercules Road
London
SE1 7DU

Contact details remo...
F

SENT BY EMAIL ONLY TO: ablemarineenergypark@infrastructure.gsi.gov.uk

Dear Mr Harris

Able Marine Energy Park

PINS Reference: TR030001

Natural England Unique Reference Number: *Ref No. removed*

Further to the Examining Authority's letter rule 8 letter, and the timetable for examination of the application contained within this, Natural England would seek to keep open the facility to cross-examine the Applicant on its proposals for compensatory measures at one of the issue specific hearings on compensation. The reasons for this are as follows:

- First, Natural England has serious concerns about the detail and the adequacy of what is proposed by way of compensation and it may be necessary to test the proposals against the criteria laid out in EU guidance and reflected in Natural England's Written Representations.
- Secondly, the scientific background is complex, both in terms of sedimentary morphology and ornithology. The compensation proposals therefore raise difficult issues that may benefit from oral examination.
- Thirdly, there are and have been other compensation sites in the Humber Estuary upon which reliance may be placed, and it may be necessary to test the Applicant's proposal against these.

It is possible that, as a result of the provision of detailed information, there will be no need for Natural England to ask many, if any, questions of the Applicant on this matter, however, it is simply not possible to know that at this stage. It is understood that detailed modelling will not be provided to Natural England until the 3 August 2012. Accordingly Natural England seeks the facility for cross-examination at this stage and will let the Examining Authority know in due course if it is able to indicate that this will not be required. The scope of any cross-examination is likely to be confined to a few particular contentious issues in any event.

If the Examining Authority decides that Natural England experts can be cross-examined by any of the parties then Natural England would expect to be given advanced warning of this and to have the opportunity to respond to any such questioning.

Yours sincerely

Richard Broadbent
Senior Solicitor
For and on behalf of Natural England

Contact details removed