



3/18 Eagle Wing
Temple Quay House
2 The Square
Bristol, BS1 6PN

Help line: 0303 444 5000
e-mail: ablemarineenergypark@infrastructure.gsi.gov.uk

Mr Richard Cram
Able Humber Ports Ltd
By email only

Our Ref: TR030001

Date: 24 September 2012

Dear Mr Cram

**APPLICATION FOR DEVELOPMENT CONSENT BY ABLE HUMBER PORTS LTD FOR
THE PROPOSED ABLE MARINE ENERGY PARK**

**THE INFRASTRUCTURE PLANNING (EXAMINATION PROCEDURE) RULES 2010 –
RULE 17 FURTHER INFORMATION**

The Examining Authority wishes to ask you for further information under Rule 17 of the Infrastructure Planning (Examination Procedure) Rules 2010.

Compensation Site

The Panel would be grateful if you would –

- (a) confirm the date on which the further Report by Black & Veatch on the proposed compensation site at Cherry Cobb Sands is to be produced;
- (b) state what if any consultation arrangements are proposed either during or after the production of this Report
- (c) clarify the nature and extent of any legal agreements you consider necessary to deliver the proposed compensation, the parties that would be involved and the means of enforcement.

The Panel would be grateful to receive this information **by 28 September**.

Section 106 or other agreements

The Panel notes the statement in paragraph 15.2.3 of the Local Impact Report submitted by North Lincolnshire Council that -

Accordingly, under Section 106 of the Town & Country Planning Act 1990 the council will, by agreement with Able UK, provide the Examining Authority with an Agreement which will only become effective in the event of the DCO being granted, before the end of the Examination Period to secure the sum of £1.32m or other suitable figure to be agreed for the specified highway works.

The Panel would be grateful if you would –

- (a) state what s.106 or other agreements with local authorities you consider necessary to deliver the proposed development;

(b) set out the progress of negotiations, and specify the date by which you intend to conclude these agreements.

Rail Safety

The Panel would be grateful if you would –

(a) explain what safety case you consider necessary to meet jointly the requirements of both the International Safety and Port Security Code (ISPS) and Network Rail;

(b) how and when this is to be agreed.

The Panel would be grateful to receive this information **by 4 October**.

Yours faithfully

Robert Upton

Lead member of the Panel of Examining Inspectors

Advice may be given about applying for an order granting development consent or making representations about an application (or a proposed application). This communication does not however constitute legal advice upon which you can rely and you should obtain your own legal advice and professional advice as required.

A record of the advice which is provided will be recorded on the Planning Inspectorate website together with the name of the person or organisation who asked for the advice. The privacy of any other personal information will be protected in accordance with our Information Charter which you should view before sending information to the Planning Inspectorate.