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Dear Sirs,

RE: ABLE MARINE ENERGY PARK DEVELOPMENT CONSENT ORDER 2014 – PROPOSED NON-MATERIAL CHANGE APPLICATION

Thank you for your e-mail and attachments of 8 June 2018 requesting the Secretary of State's written consent under regulation 7(3) of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011 (as amended) ("the 2011 Regulations") to not consult those listed in the Excel workbook titled 'Able non-material change application' (the spreadsheet tab named "Previous – no consultation") about the proposals for changes to the Able Marine Energy Park Development Order 2014 ("the Able Marine Order"), as it is considered by Able Humber Ports Limited ("the Applicant") that they are not directly affected by the proposed changes to the consented Able Marine Order.

Thank you also for your email on 13 August 2018 providing clarification on the references to consultees in your letter dated 5 June 2018. It is noted that the references to consultees highlighted in green in this letter are to be read as references to the tabs of the spreadsheet named "Previous - yes consultation" and "New – yes consultation". The references consultees highlighted in red in that letter are to be read as references to the spreadsheet tab named "Previous – no consultation".

The Secretary of State has considered the request under regulation 7(3). He is satisfied with the reasons provided to exclude the organisations listed on the spreadsheet with the tab named "Previous – no consultation". The Secretary of State therefore agrees that the Applicant need not consult those listed on that spreadsheet because they are directly affected, either because the changes proposed will not affect their interests or because their interests related to a different part of the scheme.

Accordingly, the Secretary of State gives written consent, to the extent set out above, under regulation 7(3) of the 2011 Regulations.

In taking this decision, the Secretary of State notes that while those listed in the spreadsheet with the tab named "Previous – no consultation" will not be consulted directly in relation to the proposed changes, there will be a public consultation on them in line with the requirements set out in regulation 6 of the 2011 Regulations.

Finally, the Secretary of State's written consent in this matter should not be taken as indicating approval for any other aspects of the proposed changes to the Able Marine Order which fall to him for consideration and determination, or whether the proposed changes will ultimately be regarded as material or not.

Yours sincerely

Natasha Kopala