



Department for Transport

Natasha Kopala
Head of the TWA Orders Unit
Department for Transport
Zone 1/14-18
Great Minster House
33 Horseferry Road
LONDON
SW1P 4DR

The Applicant and other interested parties

Enquiries: 020 7944 3196
Email: transportandworksact@dft.gov.uk

Web Site: www.gov.uk/dft/twa

29th April 2019

Dear Sir or Madam,

PLANNING ACT 2008

APPLICATION TO MAKE NON-MATERIAL CHANGES TO THE ABLE MARINE ENERGY PARK ORDER 2014

I refer to the Application submitted by the Able Humber Ports Limited (“the Applicant”) dated 17 September 2018 which is seeking proposed changes to the Able Marine Energy Park Order 2014 (“the Order”).

The Secretary of State considers it necessary to undertake a Habitats Regulations Assessment (“HRA”) to assess the materiality of the changes being sought in the Application. The Secretary of State notes that the need for an Appropriate Assessment as part of the HRA is not necessarily of itself determinative of whether a change should be considered material.

In these circumstances, the Secretary of State requests that the Applicant provides further information, which could be in the form of an updated shadow HRA/report, to assist the Secretary of State in undertaking the HRA. This HRA will then inform the Secretary of State’s decision on the materiality of the change being applied for, which will include the possible effects on designated European Sites of moving Mitigation Area A to a new site outside the Order limits.

The Secretary of State also invites interested parties who provided responses to the consultation on the notice of the Application and who have questioned the adequacy of the information in the Applicant’s updated Environmental Statement to set out the areas considered to be inadequate and, if possible, provide supporting evidence.

The deadline for response is 17th May 2019

The response should be submitted by email to:
ablemarineenergypark@pins.gsi.gov.uk

Please also send any hard copy response to the Able Marine Energy Park Project Team, the Secretary of State for Transport, c/o the Planning Inspectorate, Eagle Wing 3/18, Temple Quay

House, Temple Quay, Bristol BS1 6PN. If you consider you will have difficulties in submitting a response by the consultation deadline, please inform the Project Team as soon as possible.

Responses will be published on the Able Marine Energy Park project page of the Planning Inspectorate's National Infrastructure Planning Portal website as soon as possible after 17th May 2019.

This letter is without prejudice to the Secretary of State's decision on whether or not to grant the changes sought to the Able Marine Energy Park Order 2014, and nothing in this letter is to be taken to imply what that decision might be.

Yours faithfully

Natasha Kopala

cc Bircham Dyson Bell