

The Examining Authority
The Planning Inspectorate
3/01 Kite Wing
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Temple Quay
Bristol BS1 6PN

Date: 20 January 2016 (**SECOND LETTER**)

Your ref: TR030002

Our ref: HUTTON\212082-000007

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BY EMAIL AND POST (YorkPotashHarbour@pins.gsi.gov.uk)

Dear Sir

**THE PLANNING ACT 2008 (AS AMENDED) - APPLICATION FOR YORK POTASH LIMITED FOR AN ORDER GRANTING DEVELOPMENT CONSENT FOR THE YORK POTASH HARBOUR FACILITIES
REPRESENTATION BY BURNES PAULL**

I have been provided with a copy of the submission made by Burnes Paull on behalf of the CATS Parties dated today but which, presumably, should have been submitted for Deadline 8 (13 January), giving the Applicant an opportunity to comment.

Without discussing the merits of the points that are made, I feel obliged to correct an incorrect assertion made in the letter stating that the Applicant has led new evidence or advanced a new line of argument, said to be encapsulated in the italic words at the top of page 2 of the submission.

The Examining Authority is referred to Appendix 2 of Document 8.5 submitted for Deadline 3 (2nd October 2015), and in particular paragraphs 10 – 12, from which the Examining Authority will note that no new arguments were raised by the Applicant as alleged by Burnes Paull. These paragraphs deal with the same subject matter as is referred to in the italicised words.

From this it can be seen that the Applicant's concerns in relation to the choice of route are not confined to the drafting of the DCO, again, contrary to the assertion of Burnes Paull.

Yours sincerely



Morag Thomson

Partner

Planning and Infrastructure Consenting

Eversheds LLP