



Preliminary Meeting Note

Application: Application by Able Humber Ports Ltd for a Material Change to the Able Marine Energy Park Development Consent Order 2014

Reference: TR030006

Time and date: 10:00am and 2:00pm (if required)

Venue: Royal Humber Hotel, Littlecoates Road, Grimsby, DN34 4LX and virtually via Microsoft Teams

This meeting note is not a full transcript of the Preliminary Meeting. It is a summary of the key points discussed.

<https://infrastructure.planninginspectorate.gov.uk/projects/Yorkshire%20and%20the%20Humber/Able-Marine-Energy-Park-Material-Change-2/>

1. Welcome and Introduction

Alan Novitzky welcomed those present and introduced himself as the single Examining Body (ExB) appointed to Examine the Able Marine Energy Park Material Change 2 application (the proposed changes) application.

AN explained the appointment was made by delegation from the Secretary of State (SoS) (for the Department of Transport, on 23 September 2021).

AN explained that the ExB would be examining the application made by Able Humber Ports Ltd ('the Applicant') before making a recommendation to the Secretary of State who will decide whether the draft Able Marine Energy Park (Amendment) Order, which is an amendment to a Nationally Significant Infrastructure Project (NSIP) Development Consent Order (DCO), should be made.

AN explained the purpose of the Preliminary Meeting (PM) and noted that the Examination will commence immediately after the PM closes.

The ExB confirmed that all documents and submissions received and accepted during the Examination will be published on the project-specific page of the National Infrastructure Planning website.

2. Audio recording

The full audio recording of this Preliminary Meeting is available on the National Infrastructure Planning website and can be accessed here:

<https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/projects/TR030006/TR030006-000282-Able%20Marine%20MC2%20-%20PM.html>

3. General Data Protection Regulation

The ExB explained the Planning Inspectorate's duties under General Data Protection Regulation (GDPR).

Further info relating to the GDPR can be found in the Planning Inspectorate's [Privacy Note](#).

4. Examination Process

The ExB briefly explained the Examination process under the Planning Act 2008 (PA2008), further info can be found in the [Advice Note 8.4](#), and explained the shorter examination period set out in The Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011 (the Material Change Regulations), which can be found here:

<https://www.legislation.gov.uk/ukxi/2011/2055/contents>

5. Initial Assessment of Principal Issues

The ExB explained the purpose of the Initial Assessment of Principal Issues (regulation 27 of the MC Regs), which can be found in Annex C (<https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR030006/TR030006-000268-Reg%2027%2028%20Letter.pdf>) of the Regulation 27 and 28 letter of 19 October 2021 and asked for any observations on them.

Angus Walker (AW), acting for the applicant made the following observations regarding the Principal Issues:

- Items 2 and 10 regarding dredging, deposits as far as they relate to the Deemed Marine License are not matters for the SoS to consider, they are matters for the Marine Management Organisation (MMO) and should be considered by the ExB as any other consent required outside the Planning Act 2008.
- Item 5, drainage. AW did not consider this to be suitable as a principal issue as it related to the main project, not the material change application.
- AW noted that the MMO have introduced a policy excluding themselves from arbitration and thus commented on the Article in the draft Amendment Order (DAO) but the MMO's relevant representation related to the made DCO rather than the Material Change DAO.

The ExB confirmed that he would consider these comments.

6. Examination Timetable

The ExB welcomed suggestions to amend the draft Examination Timetable contained in Annex C of the Regulation 27 and 28 letter and would consider any suggestions made.

The final version of the Examination Timetable will be published in the Regulation 30 letter, due to be published on 22 November 2021.

7. Hearings and Site Inspections

The ExB clarified the purpose of:

- Issue Specific Hearings
- Open Floor Hearings
- Accompanied Site Inspections
- Unaccompanied Site Inspections

The ExB sought comments on the arrangements for the above events, although none were received. Further information relating to hearings and site inspections can be found in our [Advice Note 8.5](#)

8. Procedural Decisions

The ExB clarified that the Material Change Regulations did not allow for any procedural decisions to be made in advance of the Preliminary Meeting. The ExB made the following procedural decisions at the Preliminary Meeting:

- That all interested parties have until Deadline 1 (14 December 2021) to comment on the submitted plans in case any confusion was caused by the Planning Inspectorate inadvertently publishing and subsequently withdrawing earlier (superseded) versions of the plans.
- That Associated British Ports in its statutory role as Harbour Authority is an Interested Party and that Associated British Ports in its role as commercial operator will be treated as if it were an Interested Party.
- The Applicant had notified the Planning Inspectorate that it wished to submit plans with alternative construction methods. The ExB confirmed that a Procedural Decision on whether to accept the change to the application would be made when the Applicant's assessment of whether the change would have any significant environmental effects is available and has been considered. This has now been received and the ExB confirms that the change is accepted.