



National Infrastructure Planning
Temple Quay House
2 The Square
Bristol, BS1 6PN

Customer
Services: 0303 444 5000
e-mail: AbleMarineEnergyPark@planninginspectorate.gov.uk

To Interested Parties, Statutory Parties
and Other Persons invited to the
Preliminary Meeting

Your Ref:

Our Ref: TR030006

Date: 20 December 2021

Dear Sir/ Madam

Planning Act 2008 (as amended) and the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011 – Regulation 29 and 30 (3)

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

Notification of Procedural Decisions, Examination Timetable and procedure

Further to the Regulation 29 and regulation 30 (3) letters issued on 23 November 2021 and 2 December 2021, the Examining Body (ExB) did not receive any requests to be heard at an Open Floor or Issue Specific Hearing by the specified deadline. Having reviewed the written representations and answers to First Written Questions, the ExB has decided that the dates reserved for hearings 11 to 14 January 2021 are not necessary.

However, I have made a Procedural Decision to amend the Examination Timetable to bring forward Second Written Questions to 18 January 2021 and subsequent deadlines for responses. Please see the amended timetable attached at Annex A.

I have also made a Procedural Decision to accept a late submission for Deadline 1 from Historic England and an Additional Submission from the Marine Management Organisation. These have been published and added to the [Examination Library](#).

Finally, my letter of 23 November 2021 stated that I had made a Procedural Decision to accept the Applicant's proposed change to the construction sequence together with accompanying plans. Regretfully, these were not published on the website at the same time as the Regulation 29 and 30 letter but have [now been published](#). Therefore, I have made a Procedural Decision that all Interested Parties have until Deadline 2 (6 January 2022) to comment on them.

Yours faithfully

Alan Novitzky

Examining Body

Annexes

A Examination Timetable

This communication does not constitute legal advice.
Please view our [Privacy Notice](#) before sending information to the Planning Inspectorate.

Examination Timetable

The Examining Authority (ExA) is under a duty to **complete** the examination of the application by the end of the period of four months beginning with the day after the close of the Preliminary Meeting.

Item	Matters	Due Dates
1.	Preliminary Meeting	16 November 2021
2.	Publication by the ExB of: The ExB's Written Questions (ExQ1)	19 November 2021
3.	Issue by the ExB of: <ul style="list-style-type: none"> • The Examination Timetable 	23 November 2021
4.	Deadline 1 For receipt by the ExB of: <ul style="list-style-type: none"> • Responses to ExQ1 • Comments on any updates to Application documents submitted by the Applicant before the PM • Comments on Relevant Representations (RR) • Written Representations (WRs) • Summaries of any WRs and RR exceeding 1500 words • Applicant's revised draft Amendment Order (DAO) to be submitted in an editable format with any revisions made to the preceding version shown using track changes (if required) • Revised Protective Provisions • Draft SoCGs • Notification by Statutory Parties of wish to be considered as Interested Parties (IP) by the ExB • Submission by IPs of suggested locations and justifications for an Accompanied Site Inspection (ASI) • Notification of requests to be present at the ASI • Notification of wish to speak at any future Issue Specific Hearings (ISH) • Notification of wish to speak at an Open Floor Hearing (OFH) • Responses to any further information requested by the ExB • Any requests from the ExB for further written information (if required) 	14 December 2021
5.	Deadline 2	6 January 2022

	<p>For receipt by the ExB of:</p> <ul style="list-style-type: none"> • Applicant’s draft ASI itinerary • Comments on Applicant’s proposed change to construction sequence. 	
6.	<p>Publication by the ExB of:</p> <ul style="list-style-type: none"> • ExB’s further written questions (ExQ2) 	18 January 2022
7.	<p>Deadline 3</p> <p>For receipt by the ExB of:</p> <ul style="list-style-type: none"> • Comments on WRs and responses to comments on RRs • Comments on any amendments made to the DAO by the Applicant at Deadline 1 (if required) • Updated SoCGs • Responses to any further information requested by the ExB • Any requests from the ExB for further information (if required) 	18 January 2022
8.	Date reserved for Accompanied Site Inspection (ASI)	10 February 2022
9.	<p>Deadline 4</p> <p>For receipt by the ExB of:</p> <ul style="list-style-type: none"> • Responses to ExQ2 • Applicant’s revised DAO to be submitted in an editable format with any revisions to the preceding version shown using tracked changes (if required) • Updated SoCGs • Comments on any additional information/submissions received • Any further written information requested by the ExB 	1 February 2022
10.	<p>Publication by the ExB of:</p> <ul style="list-style-type: none"> • The Report on the Implications for European Sites (RIES) 	15 February 2022
11.	Dates reserved for ISHs and OFHs (if required)	22 and 23 February 2022
12.	Alternative date for ASI (if required)	24 February 2022
13.	Deadline 5	1 March 2022

	<p>For receipt by the ExB of:</p> <ul style="list-style-type: none"> • Post-Hearing submissions, including written submissions of oral cases (if required) • Final DAO to be submitted by the Applicant in the SI template with the SI validation report • Final Explanatory Memorandum • Final SocGs • Any further written information requested by the ExB • Comments on any additional information or submissions received at Deadline 3 	
14.	<p>Deadline 6</p> <ul style="list-style-type: none"> • Deadline for the receipt by the ExB of: • Comments on any additional information/submissions received at Deadline 4 • Comments on the RIES 	8 March 2022
15.	The ExB is under a duty to complete the Examination of the application by the end of the period of 4 months	16 March 2022

Publication dates

All information received will be published on the project page of the National Infrastructure Planning website as soon as practicable after each deadline for submissions.

Hearing agendas

We will aim to publish a draft agenda for each hearing on the project page of the National Infrastructure Planning website at least five working days in advance of the hearing date. The actual agenda on the day of each hearing may be subject to change at the discretion of the ExA.

Report on the Implications for European Sites

Where the Applicant has provided a No Significant Effects Report or a Habitats Regulations Assessment (HRA) Report with the DCO application, the ExA may decide to issue a Report on the Implication for European Sites (RIES) during the Examination. The RIES is a factual account of the information and evidence provided to the ExA on HRA matters during the Examination up to the date of the publication of the RIES, for the purposes of enabling the Secretary of State, as competent authority, to undertake its HRA. It is not the ExA's opinion on HRA matters. Comments on the RIES will be invited by the ExA and any received will be taken into account as part of the ExA's Recommendation to the relevant Secretary of State.

The Secretary of State may rely on the consultation on the RIES to meet its obligations under Regulation 63(3) of the Habitats Regulations¹ and/ or Regulation 28 of the Offshore Marine Regulations.

¹ The Conservation of Habitats and Species Regulations 2017