



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

Your Ref:

Our Ref: TR030006

Date: 26 January 2022

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, 2 and 20 December 2021, the Examining Body (ExB) has made a Procedural Decision that it is not necessary to hold any Issue Specific Hearings or Open Floor Hearings on the dates reserved of 22 and 23 February 2022.

Furthermore, if required, the Examining Body's Third Written Questions and requests for information (ExQ3) may be published no later than 15 February 2022, with responses due by Deadline 5, 1 March 2022. Please see the amended timetable attached at Annex A.

The Accompanied Site Inspection (ASI) will, at the time of writing, proceed on 10 February 2022. I have not been informed of any parties who have requested to attend the ASI. Interested Parties who want to attend the ASI should confirm their attendance to the Case Team at AbleMarineEnergyPark@planninginspectorate.gov.uk no later than 3 February 2022.

Yours faithfully

Alan Novitzky

Alan Novitzky

Examining Body

Annexes

A Examination Timetable

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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.	<p>Deadline 1</p> <p>For receipt by the ExB of:</p> <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.	<p>Deadline 2</p> <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 January 2022
6.	<p>Publication by the ExB of:</p> <ul style="list-style-type: none"> • ExB’s further Written Questions (ExQ2) 	11 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) • ExB’s Third Written Questions (ExQ3) (if required) 	15 February 2022
12.	Alternative date for ASI (if required)	24 February 2022

13.	<p>Deadline 5</p> <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 • Responses to ExQ3 (if required) 	1 March 2022
14.	<p>Deadline 6</p> <p>For the receipt by the ExB of:</p> <ul style="list-style-type: none"> • 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.

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