



Able Marine Energy Park Material Change 2 Case Team  
National Infrastructure Planning  
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**By email only**

MMO Reference: DCO/2013/00020  
Planning Inspectorate Reference: TR030006

1 March 2022

Dear Sir or Madam,

**Planning Act 2008 and the Infrastructure Planning Regulations - Application by Able Humber Ports Ltd for a Material Change to the Able Marine Energy Park Development Consent Order 2014**

**Deadline 5 Submission**

On 29 September 2021, the Marine Management Organisation (MMO) received notice under Planning Act 2008 that the Planning Inspectorate (PINS) had accepted an application made by Able Humber Ports Ltd (Applicant) for determination of a Material Change 2 to the development consent order (DCO) for the construction and operation of Able Marine Energy Park (The Able Marine Energy Park Development Consent Order 2014) (MMO ref: DCO/2013/00020; PINS ref: TR030006).

The Applicant seeks authorisation for a Material Change 2 to the Able Marine Energy Park Development Consent Order 2014. This will consist of the following changes:

- a realignment of the proposed quay (within its existing limits of deviation) to remove a berth pocket at the southern end and introduce a setback at the northern end;
- changes to the construction methodology to allow the relieving slab at the rear of the quay to be at the surface as an alternative to being buried or to be omitted altogether, and the use of anchor piles as an alternative to flap anchors;
- consequential changes to dredging; and
- unrelated to the quay changes, the realignment of a footpath diversion to the north west of the site to go round the end of a railway track instead of crossing it.

The MMO received notification that the Examining Body's further written questions had been published on 15 February 2022, and that responses to Deadline 4 had been published on 2 February 2022. In response to this letter, the MMO submits the following within Annex 1:



1. Response to the Examining Body's written questions and requests for information (ExQ3).
2. Comments on any additional information or submissions received at Deadline 4

Yours faithfully



Katherine White  
Marine Licensing Case Officer



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**Copies of Deadline 5 response have been sent to:**

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## Annex 1

### 1. Response to the Examining Body's written questions and requests for information (ExQ3)

Q1.0.6	The MMO	Is the MMO content with the Applicant's response in REP4-009 to its DL3 submission [REP3-019]?	Yes, the MMO is content with the Applicant's response in REP4-009 to its DL3 submission [REP3-019]. The Applicant has clearly answered each question. The MMO has no further questions.
Q1.0. General and Cross-topic Questions	The MMO The Applicant	Please report on the outcome of the meeting with the MMO to discuss changes to the DML.	<p>The Applicant and MMO met Thursday 3 February 2022 to discuss proposed changes to the DML. At the meeting it was agreed that '<i>marine environment</i>' would be defined; the number of tonnes in condition 46. (b) would be corrected from 1,500,000 to 1,250,100; condition 48 would be amended to state '<i>no man-made materials that are dredged and/or removed from the marine environment are to be disposed to sea;</i>' and condition 52 would be retained.</p> <p>It was also agreed that out of date information, for instance email addresses and office contact details in Part 1, section 2 will be discussed and agreed after the examination period and before the MMO make a</p>



			<p>determination on the current DML variation request, which it is currently processing.</p> <p>The Applicant sent a copy of the updated DML to the MMO 14 February 2022. This copy included new changes to reflect the alternative construction methodologies. The MMO has reviewed the updated changes to the DML and has confirmed to the Applicant that the MMO is in agreement with all the shown changes. The MMO has informed the Applicant that <i>'The Deemed Marine Licence'</i> can now be moved to the <i>'Matters which are fully agreed between the parties'</i> section of the SoCG.</p>
Q1.0.8	The MMO	<p>Re: ExQ2: 5.0.7 and 4.0.1, is the MMO content with the process of ascertaining the suitability of supplementary/amended monitoring within the MEMMP?</p>	<p>Yes, the MMO is content with the process of ascertaining the suitability of supplementary/ amended monitoring within the MEMMP. The Applicant has stated that the supplementary monitoring will sit within the MEMMP and that other parties with a potential interest will be consulted. The MMO is also pleased to see that the Applicant confirms that the MEMMP would include an amended monitoring regime to</p>



			reflect the use of HU081.
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## 2. Comments on any additional information/submissions received

### **2.1 Able Humber Ports Ltd Deadline 4 Submission - Applicant's Response to the Marine Management Organisation's Deadline 3 Submission (REP3-019) [Examination Library Reference REP4-009]**

The MMO welcomes the responses from Able Humber Ports Ltd to the written representation presented by the MMO at Deadline 3 on the “Modelling of sediment plume dispersion from AMEP construction activities” by HR Wallingford [Examination Library Reference AS-005]. The MMO has no further comments to make at this time.

