

## **PD Ports Teesport**

### **THE TEESPORT HARBOUR REVISION ORDER 2008**

#### **APPLICATION FOR EXTENSION OF PERIOD FOR COMPLETION OF WORKS**

#### **APPLICATION FOR AN EIA CONSENT UNDER THE MARINE WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2007, AS AMENDED ("THE 2007 REGULATIONS")**

**NOTICE IS HEREBY GIVEN THAT** PD Teesport ("PD Teesport") has applied to the Marine Management Organisation ("MMO") under article 6 of S.I. 2008 No. 1160, the Teesport Harbour Revision Order 2008 ("the Order"), for an extension of the period for completion of the works authorised by the Order by 10 years, thus setting a new deadline of 7 May 2028 for the completion of the works.

The works authorised by the Order constitute a deep sea container terminal at the River Tees, Redcar comprising capital dredging, construction of a new quay wall, reclamation and the disposal of dredged material.

The contents page of the Order can be found at the following link:

<http://www.legislation.gov.uk/ukxi/2008/1160/contents/made>

The above link contains a further link which enables the whole of the original Order to be viewed. A copy of the Order is also available for inspection free of charge within the period of 42 days starting with the date on the foot of this notice between the hours of 9am to 4pm, Monday to Friday at the offices of PD Teesport at the address at the foot of this notice.

PD Teesport remain convinced of the need for direct deep sea container capacity at Teesport. However PD Teesport considers that the recession has led to a downturn in demand in the short term such that it is now envisaged that the authorised works will not be completed within the timescale currently permitted. PD Teesport has therefore applied for a 10 year extension.

The 2008 Order relates to a project which falls under Annex II of Council Directive 2011/92/EU. Due to the period of time from the making of the 2008 Order and receipt of the application to extend the period for completion of works, the application was subject to screening under the 2007 Regulations:

The MMO has given a screening opinion that the proposed works are capable of falling under Schedule A2 of the 2007 Regulations, specifically, paragraphs:

*63. Construction of harbours and port installations including fishing harbours (unless included in Schedule A1).*

and

*89. Any change to or extension of development of a description listed in paragraphs 1 to 87 of this Schedule where that development is already authorised, executed or in the process of being executed;*

and has determined that an environmental impact assessment (EIA) is required for the proposed works and that accordingly an EIA consent is required under the 2007 Regulations in relation to the application for the extension.

An Environmental Statement (“the 2006 ES”) and a supplement to that Environmental Statement (“the 2007 Supplement to the 2006 ES”) were prepared by PD Teesport and submitted in support of the application for the Order. In a scoping opinion of 12 December 2017 the MMO determined that further information is needed in support of the application for the extension to supplement and update the 2006 ES and the 2007 Supplement to the 2006 ES.

In pursuance to the Scoping Opinion, PD Teesport have prepared a 2018 Supplementary Environmental Information Report (“the 2018 ES Addendum”) in support of the application.

The application for the extension of the period for completion of works and accompanying documents (including the screening opinion, the scoping opinion, the 2006 ES, the 2007 Supplement to the 2006 ES and the 2018 ES Addendum) may be inspected free of charge within the period of 42 days starting with the date at the foot of this notice between the hours of 9am to 4pm, Monday to Friday at the offices of PD Teesport and by prior agreement at the office of the MMO at the addresses given below or viewed on the MMO’s website at <https://www.gov.uk/government/collections/harbour-orders-public-register>

None of the above will affect the existing 2008 Order which will remain in full force, or permit works to commence in the marine environment without a marine licence.

The MMO is minded to grant the extension, subject to consideration of any written comments received on it. Any person desiring to make any written representation concerning the application for an extension of the period for completion of works and the 2006 ES, the 2007 Supplement to the 2006 ES and the 2018 ES Addendum should write to the Harbour Orders Team, Marine Management Organisation, Lancaster House, Hampshire Court, Newcastle Upon Tyne, NE4 7YH or email [harbourorders@marinemanagement.org.uk](mailto:harbourorders@marinemanagement.org.uk). Any representation should:

- i. be received before the expiry of the period of 42 days starting with the date at the foot of this notice;
- ii. be made in writing quoting reference DC10120;
- iii. state the grounds of the representation;
- iv. indicate who is making the representation; and
- v. give an address to which correspondence relating to the representation may be sent.

The MMO will pass to the applicant a copy of any representations received.

In accordance with Schedule 5 to the 2007 Regulations, the MMO:

- (i) will consider in relation to any representation received whether it is a relevant representation i.e. whether it has been validly made and is relevant to the EIA decision or is otherwise relevant to the works authorised by the Order;
- (ii) where it appears to it that a relevant representation is capable of being addressed by an arrangement, may invite the applicant and the person making the representation to enter into discussions with a view to making the arrangement; and

(iii) where it appears to it that a relevant representation gives rise to a dispute that calls for resolution of a question of fact to enable it to make its EIA consent decision, may instigate a public inquiry or appoint an expert to report to it on the question of fact after the expert has given the applicant and the person making the representation an opportunity to address the expert orally or in writing, or both, as the expert considers expedient for the purpose of making the report.

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Marine Management Organisation, Lancaster House, Hampshire Court, Newcastle Upon Tyne, NE4 7YH

29 January 2018