



Able UK Ltd

Head Office: Able House
Billingham Reach Industrial
Estate
Haverton Hill Road
Billingham
Teesside TS23 1PX
United Kingdom

Tel: 01642-806080
Fax: 01642-655655
Email: info@ableuk.com

Marine Management Organisation
Lancaster House
Hampshire Court
Newcastle upon Tyne
NE4 7YJ

Your Ref:

Our Ref: AMEP MC3 L001

Date: 28 January 2025

By Email:

Christie.Powell@marinemanagement.org.uk

Dear Sir

APPLICATION FOR A VARIATION TO THE ABLE MARINE ENERGY PARK (AMEP) DEVELOPMENT CONSENT ORDER DEEMED MARINE LICENCE UNDER SECTION 72(3)(d) OF THE MARINE AND COASTAL ACCESS ACT

1.0 BACKGROUND

The Development Consent Order (DCO) for the Able Marine Energy Park (AMEP) was made on 13th January 2014, laid before Parliament on 10th February 2014 and subsequently came into force on 29th October 2014 (Statutory Instrument 2014 No. 2935), ("the 2014 Order").

The DCO permits, *inter alia*, the development of a new quay and associated development at Killingholme in North Lincolnshire, on the south bank of the Humber Estuary. Briefly, the development on the south bank comprises a quay, reclaimed estuarine habitat and the provision of onshore facilities for the manufacture, assembly and storage of components relating to the offshore renewable energy sector. The DCO further permits other associated development including environmental habitat on the north bank of the Humber in the East Riding of Yorkshire authoritative area.

The Deemed Marine Licence (DML) at Schedule 8 of the DCO has been varied on three occasions by the Marine Management Organisation (MMO). Variation No. 1 was issued on 23 June 2017, Variation No. 2 was issued on 16 September 2020 and Variation No. 3 was issued on 1 August 2023. The first two amendments to the DML, *inter alia*, extended the time limits in the licence to allow the construction and capital dredge activities. The third amendment also extended the time limits but incorporated various other changes to reflect the material changes to the development approved pursuant to the AMEP Development Consent (Amendment) Order 2022. A link to the latest DML, which is the extant DML for the DCO, is provided in Section 6 this letter.



2.0 AMENDMENT TO TIME LIMITS IN THE DCO

On 11 October 2023, Able Humber Ports Limited (AHPL) issued a request to the Secretary of State for Transport ("the SoS") in accordance with Article 7 of the 2014 Order to extend the time limit for completion of the development. In short, Article 7 allows the SoS to extend the time limit for completion if the Development is not completed within 10 years. On 28 October 2024, the SoS confirmed her decision to extend the completion period by one year to 28 October 2025 with a provision to extend the time period further subject to the provision by AHPL of some additional environmental information. AHPL is in the process of agreeing the additional environmental information with Natural England and reasonably anticipates that once this information is agreed and submitted, then a further extension of time will be granted.

3.0 DML VARIATION 3

Paragraph 14 of the DML Variation 3 states:

- (3) This licence is for 10 years from the date of coming into force of this Order whereby—*
- (a) the construction and capital dredge activities are carried out within the first 10 years and;*
- (b) maintenance dredging is permitted following capital dredging until the expiry of this licence.*

Accordingly, the time limits of the DML are now inconsistent with the extended time limit granted by the SoS.

4.0 APPLICATION TO FURTHER VARY THE DML

Under paragraph 5(6) of Schedule 6 to the 2008 Planning Act, the SoS cannot make changes to a DML or the conditions attached to a DML. This submission therefore constitutes an application to the MMO for a variation of the DML under section 72 of the Marine and Coastal Access Act 2009.

AHPL request a variation to the DML to reflect the extension of time for completion of the works permitted by the SoS on 28 October 2024. Specifically AHPL request that Paragraph 14 (3) is amended to read:

- (3) This licence is for **11** years from the date of coming into force of this Order whereby—*
- (a) the construction and capital dredge activities are carried out within the first **11** years and;*
- (b) maintenance dredging is permitted following capital dredging until the expiry of this licence.*

The proposed amendments are identified in red font.

5.0 SUPPORTING INFORMATION

- a) DML Variation 3 : [Able Marine Energy Park variation 3 - GOV.UK](#)
- b) AHPL Environmental Review Report: [TR030001-003533-Environmental Review Report.pdf](#)
- c) AHPL Environmental Review Report Appendices: [Microsoft Word - APPENDIX COVER SHEET.docx](#)
- d) AHPL HRA Report Part 1: [AMEP DCO Lifetime Extension HRA report Part 1 LSE CONSULTATION.pdf - Google Drive](#)
- e) AHPL HRA Report Part 2: [AMEP DCO Lifetime Extension HRA report Part 2 App Asst CONSULTATION.pdf - Google Drive](#)
- f) AHPL HRA Report Parts 3 and 4: [Microsoft Word - 240910 416.065702.00001 Alternatives and IROPI - FINAL.docx](#)
- g) AHPL HRA Report Parts 5: [Microsoft Word - Part 5 Compensation Measures](#)
- h) SoS Decision Letter extending the Time for completion of the works: [TR030001-003588-Able Marine Energy Park Decision letter.pdf](#)

6.0 CLOSURE

We trust that the above provides sufficient information to allow the DML Variation to be duly considered and determined by the MMO. However, should you have any queries or require any additional information, please do not hesitate to contact either Richard Cram (Engineering Director, Able UK Ltd) via the following contact details:

Able UK Ltd
Able House
Billingham Reach Industrial Estate
Billingham
Teesside
TS23 1PX

Tel: 01642 806 080
Mob: 07980 772 440
Email: rcram@ableuk.com
Web: www.ableuk.com

Yours faithfully,



Richard Cram
Engineering Director