North Lincolnshire Council – SHBEE-1 Further Submission

ABP Triangle

Marcus Walker – Head of Planning & Regeneration (22 January 2015)
AMEP TIMELINES

• From 2003 - ABLE interaction with offshore wind sector
• Jan 2009 – initial feasibility (with YF)
• June 2009 – initial environmental surveys/design
• July 2010 – informal consultation
• Jan-March 2011 – formal consultation
• Dec 2011 – application submitted
• Jan 2012 – application ‘accepted’ examination commences
• Nov 2012 – examination concludes
• Feb 2013 – ExA passes recommendation to Secretary of State Transport (SoS)
• May 2013 – SoS decision delayed – conclude arrangements with Crown Estate
• Aug 2013 – SoS ‘minded to approve’ – seeks clarification re Network Rail/Natural England
• Dec 2013 – SoS authorises the granting of the AMEP Development Consent Order (DCO)
• Feb 2014 – permission ‘laid’ before Parliament
• March 2014 – ABP ‘petitions’ in respect of Special Parliamentary Procedure (SPP)
• April 2014 – hearing to determine whether SPP progresses
AMEP TIMELINES

- **October 2014** – Commencement of examination into SPP for CPO of ABP land
- **October 2014** – Joint Committee rejects ABP petition 5 to 1 - ‘no case for Able UK to answer’
- **November** – Secretary of State Transport confirms AMEP DCO
- **December 2014** – ABP application for Judicial review of AMEP DCO
- **February 2015** – Court to consider Judicial Review
THE ABP TRIANGLE

- 4.8 ha (11.8 acres)
- Farmland
- 1955 – Zoned for Industrial Use
- 1967 – Ownership of British Transport Dock Board
- 1979 – Humberside Structure Plan
- 1987 – Revised Structure Plan
THE IMMINGHAM WESTERN DEEPWATER JETTY (IWDJ)

- 2010 (undated) Draft Masterplan
- 2010 Masterplan – the only version subject to consultation
- Immingham Deep Water Jetty - a 2030 possibility
- Only 3 References to IDWJ
THE IMMINGHAM WESTERN DEEPWATER JETTY

- 2012 (13th October)
- During AMEP Hearing
- ABP acknowledge: “hurried through” (John Fitzgerald – ABP Port Director) revised Masterplan and amended for the AMEP examination
- No consultation revised Masterplan
- 9 References
- IWDJ Immediate Priority (from 2030)
IWDJ PLANNING

• 20th Nov 2013 – HRO application to MMO
• Application acknowledges that AMEP and IWDJ cannot both happen
• IWDJ only needed if HIT3 progresses
• HIT3 not subject to any permission/application – needs an HRO as a minimum
• Dependent on ‘uncertain’ biomass market
• IWDJ jobs – up to 50
• Secretary of State Transport (authorizing AMEP DCO):

‘while he recognises the progress made by ABP in its development of this [IWDJ] project since the close of the [AMEP] examination, he remains of the view that it is appropriate to issue the section 127 as it is not certain that the IWDJ will proceed or that it must occupy the triangle site. He is accordingly satisfied that the acquisition of the triangle site for the purposes of the [AMEP] project would not cause serious detriment to the carrying on of ABP’s undertaking.’

Secretary of State  Transport - referring to AMEP (18 December 2014)

“the scale of the opportunity offered by the AMEP development to transform the Humberside economy by establishing a super cluster of marine energy activities, and the inclusion of manufacturing facilities at AMEP, are important and distinctive features which set it apart from other schemes.”
IWDJ PLANNING

- Likely that HRO application to MMO is not appropriate (NSIP?)
- Need not established – save for possibility of HIT3
- HIT3 has many alternative locations (IROPI case)
- Natural England assert IWDJ Habitats Assessment inadequate
- IWDJ no IROPI and no compensation scheme
- NLC Planning Committee (15th January 2014) unanimous objection to ABP IDWJ proposals:

  ‘The IWDJ is in no way, shape or form, close to AMEP in what it offers to the local and regional economy’ - NLC Planning Committee

- IDWJ ‘suspended’ pending the pending the outcome of the AMEP decision

  AMEP Public Examination Inspectors report (ABP Triangle p.136)

- ‘On that basis the Panel concludes that powers of compulsory acquisition should be given to the applicant (Able UK) for these two parcels. They are clearly required to facilitate the development. The public interest is that the scheme will be wholly frustrated if the applicant does not acquire them, and all the public benefit will be forfeit’ (para 18.185).
THE SO-CALLED ABP COMPROMISE

• ABP proposed compromise would reduce AMEP Quay by c. one third!
• It would Override SoS and ExA!
• A material change!
• Compromise would kill off AMEP scheme as not viable
• Compromise rejected by SoS Transport & Joint Committee for Special Parliamentary procedures
AMEP THE OPPORTUNITY

• Secretary of State for Transport (18th Dec 2013):

“the scale of the opportunity offered by the AMEP development to transform the Humberside economy by establishing a super cluster of marine energy activities, and the inclusion of manufacturing facilities at AMEP, are important and distinctive features which set it apart from other schemes.”