



# Trinity House

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DCO 1.9

By email to Email: [yorkpotashharbour@pins.gsi.gov.uk](mailto:yorkpotashharbour@pins.gsi.gov.uk)

**Registration Identification Number 10031179.**

21 August 2015

Dear Sir/ Madam,

## **Re: TR030002 – YORK POTASH HARBOUR FACILITIES**

Thank you for your letter of 27<sup>th</sup> July (ref. TR030002).

Trinity House is the General Lighthouse Authority (GLA) for England, Wales, the Channel Islands and Gibraltar. Trinity House is a corporation established by Royal Charter, and its powers as a GLA are principally derived from the Merchant Shipping Act 1995, as amended. Our primary role is to deliver a reliable, efficient and cost-effective aids to navigation service for the benefit and safety of all mariners commensurate with the level of risk. This includes the superintendence and management of all lighthouses, buoys and beacons within our area.

### Responses to first round of written questions.

With regard to the first round of written questions we would comment as follows:

#### **Question: DCO 1.9**

*“Are the bodies responsible for maritime licences and navigational safety satisfied with the these provisions, that there are no conflicts between the draft Deemed Marine Licence and the remainder of the draft DCO and that the various provisions are correctly located within articles or the deemed Marine Licence?”*

<b>Article</b>	<b>Comment</b>
2 - “Interpretation”	“Trinity House” is correctly defined.
17 – “Tidal works not to be executed without approval of Secretary of State”	Standard provision. Satisfactory.
18 – “Abatement of	Standard provision. Satisfactory.

works abandoned or decayed”	
19 – “Lights on tidal works etc. during construction”	19 (1) is the standard provision.  In other recent DCOs, such as the Able Marine Energy Park DCO 2014 (SI 2014: 2935), if the undertaker fails to comply in any respect with any requirements of a direction given under this article, it is guilty of an offence. We note that no such provision exists in this Article.
20 – “Provision against danger to navigation”	20 (1) is the standard provision.  In other recent DCOs, such as SI 2014:2935, if the undertaker fails to notify the competent authority as required by this article or to comply in any respect with any requirements of a direction given under this article, it is guilty of an offence. We note that no such provision exists in this Article.
21 – “Permanent lights on tidal works”	21 (1) is the standard provision.  In other recent DCOs, such as SI 2014:2935, if the undertaker fails to comply in any respect with any requirements of a direction given under this article, it is guilty of an offence. We note that no such provision exists in this Article.
31 – “Deemed marine licence”	Standard provision. Satisfactory.
35 – “Saving for Trinity House”	Standard provision. Satisfactory.
Schedule 5 Part 4 – “Conditions” Paragraph 20 (b)	This paragraph refers to the Construction Design and Management (CDM) Regulations 2007. We understand that the these regulations have been revoked by the Construction (Design and Management) Regulations 2015.

Yours faithfully,

**T.L. Arculus LLB(Hons) MRICS**

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