

The Secretary of State for Transport  
c/o Natasha Kopala  
Head of Transport Infrastructure Planning Unit  
Department for Transport  
3rd Floor  
Great Minister House  
33 Horseferry Road  
London  
SW1P 4DR

**Date:** 9 February 2022  
**Your ref:**  
**Our ref:** HUTTONL\212082-000011

By e mail: [transportinfrastructure@dft.gov.uk](mailto:transportinfrastructure@dft.gov.uk)

Dear Madam

**The York Potash Harbour Facilities Order 2016 S.I. No 772 – Proposed non-material change**

On behalf of York Potash Limited and Anglo American Woodsmith Limited (previously Sirius Minerals plc) (together referred to as the Applicant) please find enclosed an application for a non-material change to the above mentioned Development Consent Order (“DCO”).

The enclosed application has been prepared in accordance with the Planning Act 2008, the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011<sup>1</sup> (as amended) (and references to a Regulation number in this letter are references to these Regulations) and Guidance on Changes to Development Consent Orders<sup>2</sup>.

The enclosures with this letter are:

1. An Application Statement prepared by Lichfields explaining the proposal. This statement includes:
  - (a) Background to the application;
  - (b) The nature and materiality of the change sought;
  - (c) The statement required pursuant to Regulation 7A(1) concerning publicising and the duty to consult; and
  - (d) The correspondence with the Secretary of State pursuant to an application under Regulation 7(3) confirming that a reduced list of consultees was appropriate.
2. A copy of the Regulation 6 notice, which is to be published in the Northern Echo and The Gazette (Teesside) on 11 February and 18 February 2022 with a consultation response end date of 21 March 2022.

<sup>1</sup> S.I. 2011 No. 2055

<sup>2</sup> Issued by the then named Department for Communities and Local Government in December 2015.

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3. A draft amendment order.
4. A tracked changed version of the DCO showing the amendments sought.
5. A land interests plan (referred to below at point (h)).

In respect of the information required by Regulation 4(2) we advise as follows:

- (a) The Applicant is York Potash Limited (Company Number 07251600 and Anglo American Woodsmith Limited (Company Number 04948435, previously Sirius Minerals plc) both of whose registered offices are at 17 Charterhouse Street London EC1N 6RA. These entities are the specified as the "undertaker" in the DCO.
- (b) Eversheds Sutherland (International) LLP of Water Court, 116 – 118 Canal Street, Nottingham, NG1 7HF are the appointed agent.
- (c) The DCO reference was TRO30002.
- (d) Details of the change applied for are contained in the Application Statement.
- (e) The documentation considered necessary to support the application is contained in the Application Statement.
- (f) The Applicant comprises the entities who applied for the DCO and also have an interest in the majority of the land to which the DCO relates.
- (g) The statement referred to in Regulation 7A is contained within the Application Statement.
- (h) The interests of the Applicant in the land affected by the DCO are shown on the enclosed plan (previously submitted to the Secretary of State under cover of a letter dated 29 November 2021 in connection with the application pursuant to Regulation 7(3)). The plan identifies the area covered by the DCO and the extensive areas which are either owned by the Applicant (identified as YPL on the plan) or over which they have the benefit of an option or other form of agreement.
- (i) No paper copies of the application have been requested.

We will provide confirmation of the publication of the notices in the press following their publication and will be writing to all consultees on the first date of publication (11 February), advising of the submission of the application and providing them with the required details to enable them to respond. As indicated above the response deadline is 21 March 2022.

We can confirm that arrangements are being made for the payment of the requisite fee of £6,891.00.

We look forward to receiving confirmation of your receipt of the application. If there is anything further you require please do not hesitate to contact Laura Beth Hutton on [REDACTED] or by email [REDACTED]

Yours faithfully

[REDACTED]

**Eversheds Sutherland (International) LLP**  
Encs.