

(24th September 2012)

Planning Act 2008 and the Infrastructure Planning (Examination Procedure) Rules 20120

Proposed Able Marine Energy Park, Killingholme

Associated British Ports (10015525)

Summary of Oral Representations by Associated British Ports at Rail Transport Hearing

14th September 2012

Anticipated Increased in Volume of Rail Traffic

1. Associated British Ports (ABP) explained that it expected volumes of rail traffic of nationally significant cargo (primarily destined for power generation) to increase substantially over the next 5 years, thus rendering it imperative that the option to provide the Killingholme Loop be retained.
 - (i) Plans were already advanced for the development of a specialist biomass handling facility which would be capable of ship discharge and train loading for biomass cargos. The burning of imported biomass in power stations is viewed by the UK Government as an essential part of its strategy to meet its climate-change obligations. The initial phase will be carried out within the existing port area without any marine works. A later phase (Humber International Terminal 3) will be within the port area but will require marine works. Biomass cargo, being less dense and of lower calorific value as compared to coal, would generate greater volume of freight traffic by a factor of as much as 2:1. This translates into a requirement for more trainloads of biomass to be transported from the Port of Immingham to nearby power stations on the Trent and Aire Valleys.
 - (ii) ABP explained that increased levels of train traffic would not be consequent solely on the introduction of biomass as a fuel stock. The Port of Immingham is expected to capture a greater share of the reducing national demand for coal, as a result of

declining domestic production of coal and a commensurate need to rely more heavily on imports. Furthermore, the reassessment of rail track-access charging arrangements has resulted in a drive to eliminate the long-distance rail haulage of coal and will promote those ports which are closest to power stations. Increasingly, this will result in the Port of Immingham being an attractive option for the landing of coal destined for the local Trent and Aire Valley power stations, in order to avoid increasing the 'delivered cost' of coal at the power station gate. In this context it should be noted that the Trent and Aire Valley power stations have, historically, generated around half of the UK's electricity-from-coal although, taking into account planned power station closures in the next 3 years, this dominance is set to increase further. Rail capacity from the Port of Immingham is, therefore, an essential ingredient of safeguarding UK energy security.

Both these propositions were endorsed by Network Rail.

Terms of Lease

2. Network Rail confirmed that they were in negotiation with the applicant regarding a lease for parts of the Killingholme Line. No details were available as these negotiations are still ongoing. ABP indicated that it wished to be informed regarding the detail of these arrangements so that it could comment upon them, since the terms of any lease would prove critical in assessing likely changes and the status of the Killingholme Line and prospect of delivery of the Killingholme Loop. ABP is also interested in the detail of proposed bridging and crossing arrangements, to ensure that the capacity of the Killingholme Loop can be effectively realised.

Optimum Solution – The Public Interest

3. ABP observed that the option which appeared to best serve the public interest was that discussed by the applicant in answer to Question 29 of the ExA's Second Set of Questions. In answering that question the applicant confirmed that it could still proceed with its proposal in the event that compulsory acquisition of Network Rail land within the development site were not approved, and indicated by means of Figure 6.1 how it could erect 4 bridges over the Killingholme Line.
4. The construction of 4 such bridges would enable the Killingholme Line to operate as currently, and would enable Network Rail to bring forward and operate the Killingholme Loop

as soon as the decision is taken to proceed with it, while making continued, uninterrupted provision for users of the manufacturing facilities at AMEP to have access to the quay.

Obligation of Licensed Network Operator

5. ABP explained the licensing requirements for a facility owner to hold a full Network License or a Network Licence Exemption. A facility owner must hold one or other of these options to be a Licensed Network Operator.
6. ABP also explained how parties holding a Network License Exemption were nevertheless obliged to conform with the safety/operational requirements of the Office of Rail Regulation

Request for Further Plans

- The Applicant's Proposal

7. The applicant indicated that its plans were to develop a loop for the discharge of their trains within the AMEP site. Such loop, it was stated, would be connected to but be outside the Network and would be operated by the applicant. Plans showing this infrastructure were requested by various parties, including ABP. In order to be of any value, such plans must indicate, for example, the proposed position of turn-outs, cargo loading / unloading areas and road access / egress routes, in order to enable ABP's rail specialist to comment on the extent to which the Killingholme Loop has been effectively safeguarded for the needs of the Port of Immingham.
8. ABP agrees with C.RO/CGEN, in that it remains uncertain regarding the detailed plans of how the applicant intends to operate and control rail operations.

- HIT Headshunt Plans

ABP requested drawings confirming that the removal of the HIT headshunt land for compulsory purchase be provided. The applicant indicated to the hearing that such plans had already been made available to ABP. On clarification with the applicant's representatives outside the Hearing, it transpired that the plans had not in fact been provided as the applicant suggested. Until such plans have actually been provided, ABP reserves its position in this respect.

