

# IMMINGHAM EASTERN RO-RO TERMINAL



Consultation Report – Appendices

Document Reference 6.2

**APPENDIX L – RELEVANT RESPONSE TABLES**

<b>APPENDIX L</b>	<b>RELEVANT RESPONSE TABLES</b>
L.1	RESPONSES RELATING TO MATTERS NOT ADDRESSED IN THE ES
L.2	RESPONSES RELATING TO MATTERS ADDRESSED IN ES CHAPTERS

L.1

RESPONSES RELATING TO MATTERS NOT ADDRESSED IN  
THE ES

## Contents

Introduction	1
1. Original Statutory Consultation – Detailed responses	1
2. Supplementary Statutory Consultation – Detailed responses	9

### Introduction

The following consultation tables present the summary of comments received in response to consultation and details of how the comments have been addressed or considered for matters raised during the Original Statutory Consultation and Supplementary Statutory Consultation but which are not addressed in the Environmental Statement (“ES”).

#### 1. Original Statutory Consultation – Detailed responses

The following table documents ABP’s detailed responses to matters raised during the Original Statutory Consultation but which are not addressed in Environmental Statement chapters.

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Application
<b>Consultation and DCO Process</b>			
Q70	Statutory Consultation - 19th Jan - 23rd Feb 2022	Local people have not been consulted early enough and have not been taken into consideration sufficiently.	The IERRT project team has undertaken consultation with the local community in accordance with the statutory requirements set out in the Planning Act 2008. Details of the activities undertaken and how comments have been taken into account are contained within the Consultation Report.
Q78	Statutory Consultation - 19th Jan - 23rd Feb 2022	Ensure any information on updates and changes to the proposal are transmitted to all.	Noted and it is confirmed that project updates will be communicated directly to those who have responded to the consultation and will also be available to view on the project website.

T1	Statutory Consultation - 19th Jan - 23rd Feb 2022	A tenant felt that the questionnaire was not tailored to port users.	Noted and in addition to the questionnaire ABP has tried to engage directly with port operators regarding the IERRT project.
PI 1, PI 5, PI 6	Statutory Consultation - 19th Jan - 23rd Feb 2022	Requested involvement in any webinars or any planned engagement sessions.	Noted and requests for further involvement were followed up as necessary.
PI 2, PI 7, PI 30, PI 41	Statutory Consultation - 19th Jan - 23rd Feb 2022	Disappointed with lack of consultation with commercial interests on the project.	The IERRT project team has undertaken consultation in accordance with the statutory requirements set out in the Planning Act 2008. Details are contained within the Consultation Report.
PI 8	Statutory Consultation - 19th Jan - 23rd Feb 2022	A query was raised as to whether there will be any further public proceedings later in the planning process.	An explanation of the DCO process and the role the public can play within this is outlined in the Consultation Report.
Q82, Q92, Q93	Statutory Consultation - 19th Jan - 23rd Feb 2022	A point was made that all necessary consents should be applied for by ABP.	Noted and it is confirmed that all necessary consents will be applied for by ABP either as part of the DCO process or separately and at the appropriate time.
PTC1, PTC4	Statutory Consultation - 19th Jan - 23rd Feb 2022	Explanations of the project and DCO process were requested.	Explanations were provided at the exhibition and further information is contained within Chapters 2 and 3 of the ES and in the Consultation Report.
<b>General Support</b>			
Q20, Q23, Q52, Q72, Q73, Q75, Q76, Q90, Ex15, T1, PI 19	Statutory Consultation - 19th Jan - 23rd Feb 2022	General support for the proposals.	The support for the project is noted.
<b>Project Detail Query</b>			
Q20, Q21, Q27, Q35,	Statutory Consultation - 19th	Positive response to the layout and the use	Noted.

Q38, Q39, Q67, Q72, Q73, Q75, Q76, Q82, Q90	Jan - 23rd Feb 2022	of existing land within the port rather than use of greenfield land.	
Q64	Statutory Consultation - 19th Jan - 23rd Feb 2022	Concern was raised regarding the layout in respect of the Stevedoring ops management.	ABP are in discussions with the relevant interest.
Q70	Statutory Consultation - 19th Jan - 23rd Feb 2022	Storage on dock is a problem due to lack of space. A query was raised as to whether this will impact on local off site cheaper storage.	Sufficient additional storage will be provided to address the requirements of the project. The impact on the cost of local off-site storage is outside of the scope of this project.
Q74	Statutory Consultation - 19th Jan - 23rd Feb 2022	It was considered that because of the land available it is not an ideal terminal operation and will increase the time of operation.	Sufficient additional storage is available within the terminal to address the requirements of the project. An increase in the time of the operation is not anticipated.
Q77	Statutory Consultation - 19th Jan - 23rd Feb 2022	A question was raised regarding the proposed development and the location of the effluent pump house and waste treatment plant, whether this had been considered and if mitigation measures are proposed.	The effluent pumphouse and water treatment area in the southern portion of the trailer park will remain in situ. The pumphouse in particular was recently updated/upgraded and indeed forms part of ABP's proposed Drainage Strategy for the IERRT.
Ex14, PI 5	Statutory Consultation - 19th Jan - 23rd Feb 2022	The Layout is not ideal but conceded that this was due to the need to fit onto a substantially brownfield site. Acknowledged it is a good use of what is available within the land holdings.	Noted.
Ex14	Statutory Consultation - 19th Jan - 23rd Feb 2022	Queries was raised regarding the location of the gate house and the lack of overflow space.	The terminal has been designed around the future operator's specifications including booking in and out infrastructure and capacity requirements. As such

			therefore it represents a bespoke solution for the business need.
Ex1	Statutory Consultation - 19th Jan - 23rd Feb 2022	Further detail on the layout of the landside and marine works was requested.	Information was provided at the exhibition, but further detail is contained within the Works Plans submitted with the DCO.
PI 2	Statutory Consultation - 19th Jan - 23rd Feb 2022	A query was raised as to whether the proposal related to the in dock/europort	One of the operator's Ro-Ro services to use the new IERRT infrastructure is currently using 'common user' berthing space - albeit with a smaller ship - within the enclosed dock at Immingham.
PI 3	Statutory Consultation - 19th Jan - 23rd Feb 2022	Confirmation that where it is a requirement to provide access for high reach appliances, the route and hardstanding should be constructed to provide a minimum carrying capacity of 24 tonnes.	ABP confirm that all appropriate safety standards and requirements will be met.
PI 11	Statutory Consultation - 19th Jan - 23rd Feb 2022	Evidence was requested to confirm that there will be no detrimental impact upon Northern Powergrid infrastructure either during construction or once development is operational.	Whilst the precise terms are under negotiation, appropriate protective provisions for Northern Powergrid will be put in place in the draft DCO.
PI 15	Statutory Consultation - 19th Jan - 23rd Feb 2022	Request consideration of 'Roads Policing' having a place of work within the dock footprint for road safety related checks on HGV's and as a potential location for a South Bank Traffic Base.	Road safety forms an important part of ABP's overall safety culture at the port. Random road safety checks have been completed in the past, ABP. Project personnel will pass on this suggestion – to continue road safety policing – to ABP's Safety Department.
PI 15	Statutory Consultation - 19th	Request information regarding how the site will be secured and	The terminal will be designed to adhere to all required British standards

	Jan - 23rd Feb 2022	how an increased risk of cargo related crime will be addressed.	and associated UKBF/security standards as specified under the ISPS Code.
PI 19	Statutory Consultation - 19th Jan - 23rd Feb 2022	Notes that the proposal is acceptable if DB Cargo and NWR's access rights to the freehold owned site adjacent to this development are unaffected.	Whilst the precise terms are under negotiation, appropriate protective provisions for DB Cargo and NWR will be put in place in the draft DCO. In addition, negotiations in respect of changes to the access for DB Cargo and NWR are ongoing and ABP will continue to seek to reach agreement with the parties.
PI 21, PI 29	Statutory Consultation - 19th Jan - 23rd Feb 2022	Confirmation of whether there are sufficient measures in place, including boundary treatments, to prevent trespass and vehicle incursion onto the operational railway line either by accident or by means of a deliberate act.	The new rail crossing will be designed to the latest standards to reduce the risks of incursion onto the ABP rail network, whilst ISPS compliant security fencing will surround the development.
PI 29	Statutory Consultation - 19th Jan - 23rd Feb 2022	Discussion and resolution of issues relating to the protection of NWR land interests and railway operations is requested.	Whilst the precise terms are under negotiation, appropriate protective provisions for NWR will be put in place in the draft DCO.
PI 43	Statutory Consultation - 19th Jan - 23rd Feb 2022	Discussion and resolution of several issues relating to Anglian Water assets within the Port and use of protective provisions is requested.	Whilst the precise terms are under negotiation, appropriate protective provisions for Anglian Water will be put in place in the draft DCO Further detailed discussions have also taken place about specific assets.
<b>Commercial and Operational Matters</b>			
Ex2	Statutory Consultation - 19th Jan - 23rd Feb 2022	Queries were raised regarding the definition of Ro-Ro freight	A response was provided at the exhibition, but a further description is included in Chapter 2 of the ES.



Ex3	Statutory Consultation - 19th Jan - 23rd Feb 2022	Request was made to speak to ABP regarding land within a tenant's ownership which could potentially be useful to ABP.	ABP is in discussions with the relevant interests to address the matter.
Ex5	Statutory Consultation - 19th Jan - 23rd Feb 2022	Further information on how the proposal will affect the chandlery business that provides supplies to ships was requested.	It is envisaged that additional trade through the port can only benefit value added service providers within the port community.
Ex16	Statutory Consultation - 19th Jan - 23rd Feb 2022	Query raised regarding whether the tug berths will be moved from the Eastern Jetty.	This matter is under review with a clear preference being to retain this berthing capacity as far as it is possible to do so.
Ex16	Statutory Consultation - 19th Jan - 23rd Feb 2022	Request was made that marine accessibility to Eastern Jetty should remain as it is, with no change to infrastructure (inc. mooring dolphin), and the tug mooring point to be moved.	Marine accessibility to the Eastern Jetty will remain unchanged. The status of the tug moorings is under review with a clear preference for this to be retained where it is.
T5	Statutory Consultation - 19th Jan - 23rd Feb 2022	A tenant has indicated that they would be interested in supplying fuel via shoreline pipework as opposed to bunker barges.	ABP is in discussions with the relevant interests to address the matter.
T5	Statutory Consultation - 19th Jan - 23rd Feb 2022	Question was asked as to whether the former Rowlinson Timber site was included in the proposed development.	Yes, the majority of this area will be incorporated within the Northern Trailer Park with the exception of a currently tenanted area which will not fall within the project boundary.
Ex18, Ex19, T1, T2	Statutory Consultation - 19th Jan - 23rd Feb 2022	Concern was raised in respect of the current operations of existing companies. As well as the costs and timescales required for them to relocate.	ABP is in discussions with the relevant interests to address the matter.
Ex19	Statutory Consultation - 19th	Concern was raised regarding the potential for nonroad-legal	This concern was predicated upon the new site in question – for an

	Jan - 23rd Feb 2022	equipment to have to go to the new site off-dock. Support was requested with the dispensation for this.	engineering, maintenance and fabrication yard being located on ABP land but for which access over public highway would be required. This tenant is not now moving to an 'off-dock' location and is remaining largely within their current footprint, so the concern no longer applies.
T1	Statutory Consultation - 19th Jan - 23rd Feb 2022	A question was raised as to why ABP do not already have alternative areas in mind for relocating stockpiles?	Specific locations have now been identified for the relocation of the bulk stockpiles.
T3	Statutory Consultation - 19th Jan - 23rd Feb 2022	No queries as the facility used by the tenant is outside of the proposed development.	Noted.
T4	Statutory Consultation - 19th Jan - 23rd Feb 2022	No queries or comments at this point.	Noted.
PI 2	Statutory Consultation - 19th Jan - 23rd Feb 2022	Legal representatives have been appointed.	Noted.
PI 20	Statutory Consultation - 19th Jan - 23rd Feb 2022	Clarification was requested on whether the project: 1. Will this disrupt discharge of bulk vessels up to 25kmt DWAT within the Inner Harbour? 2. Will the material on the inter-freight pad be affected and how? i.e., moved to alternative and any disruption to out loading. 3. If the inter-freight pad is to be vacated what timescale is required?	ABP does not envisage any disruption to any port operations, either whilst the IERRT project is under construction or during operation. Enclosed dock operations in particular are a little distance from the IERRT site so no disruption to cargo operations will occur. Material on the former Interfreight pad will need to be removed, ABP is in discussions with the operator as to how this can be facilitated with minimal business disruption. Appropriate

			alternative common user storage areas within the port estate have now been identified. As regards timescales, ABP is in ongoing discussions but clearly there is sufficient time to ensure the site can be cleared ready for construction to start in 2024.
PI 30	Statutory Consultation - 19th Jan - 23rd Feb 2022	Confirmation is needed that access to, and protection of the pipelines will be secured during the construction and operational phase. Appropriate protective provisions are requested.	Whilst the precise terms are under negotiation, appropriate protective provisions for Exolum will be put in place in the draft DCO.
PI 30	Statutory Consultation - 19th Jan - 23rd Feb 2022	Clarification on how the proposed development will impact the use of the barge mooring buoy is requested.	Discussions are ongoing as regards the relocation of the sinker buoy, but this can be easily moved to a mutually acceptable location.
<b>Other</b>			
Q91	Statutory Consultation - 19th Jan - 23rd Feb 2022	A point was made that because the port is located in the centre of the town, Immingham needs cleaning up.	Noted. This issue is beyond the scope of the IERRT project.
East Lindsey District Council (PI 23)	Statutory Consultation - 19th Jan - 23rd Feb 2022	The Council have no comments to make on the Preliminary Environmental Information Report.	Noted.
West Lindsey District Council (PI 10)	Statutory Consultation - 19th Jan - 23rd Feb 2022	The Council have no comments to make on the Preliminary Environmental Information Report.	Noted.

## 2. Supplementary Statutory Consultation – Detailed responses

The following table documents ABP's detailed responses to matters raised during the Supplementary Statutory Consultation but which are not addressed in Environmental Statement chapters.

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Application
<b>Consultation and DCO Process</b>			
EX7	Supplementary Statutory Consultation – 28th Oct – 27 <sup>th</sup> Nov 2022	Query regarding the consultation process and what has to be done in terms of advertising to comply with Planning Act.	Information regarding the NSIP process and the requirements for advertising the application can be found on the Planning Inspectorates website: <a href="https://infrastructure.planninginspectorate.gov.uk/application-process/the-process/">https://infrastructure.planninginspectorate.gov.uk/application-process/the-process/</a> At the time that the comment was offered the stakeholder was made aware of the requirements of the 2008 Act and the means of communication specified under those stipulations. The main thrust of the comment was that social media should be employed more extensively, a suggestion that project personnel said would be passed on to PINS.
<b>General Support</b>			
Q1	Supplementary Statutory Consultation – 28th Oct – 27 <sup>th</sup> Nov 2022	General support for the proposals.	The support for the project is noted.
<b>Project Detail Query</b>			
UK Border Force (EX3)	Supplementary Statutory	Discussion relating to UKBF requirements.	Discussions continue with Border Force and

	Consultation – 28th Oct – 27 <sup>th</sup> Nov 2022		their representatives as to the scope and form of the infrastructure they will require at IERRT. The consultee who made the comment was content for those discussions to continue with the currently identified BF representatives.
<b>Commercial and Operational Matters</b>			
PI 1	Supplementary Statutory Consultation – 28th Oct – 27 <sup>th</sup> Nov 2022	Query relating to passenger services on the north bank of the Humber.	It was confirmed that the IERRT project proposes a small element of passenger use, for a limited number of passengers travelling by vehicle, and only at limited times as it is principally designed to accommodate commercial traffic.
<b>Other</b>			
Natural England (PI 3)	Supplementary Statutory Consultation – 28th Oct – 27 <sup>th</sup> Nov 2022	Requested clarity on where information relating to the proposed amendments could be found.	Directed towards the Supplementary Statutory Consultation Report, which contains the relevant information.
West Lindsey District Council (PI 4)	Supplementary Statutory Consultation – 28th Oct – 27 <sup>th</sup> Nov 2022	No Observations or objections to make.	Noted.
JNCC (PI 6)	Supplementary Statutory Consultation – 28th Oct – 27 <sup>th</sup> Nov 2022	The IERRT project is not within the JNCC's remit as its function as a statutory consultee is for offshore waters.	Noted.
Selby District Council (PI 13)	Supplementary Statutory Consultation – 28th Oct – 27 <sup>th</sup> Nov 2022	Confirming no comments on the proposed development.	Noted.

Canal and Rivers Trust (PI 18)	Supplementary Statutory Consultation – 28th Oct – 27th Nov 2022	No objections raised.	Noted.
Ryedale District Council (PI20)	Supplementary Statutory Consultation – 28th Oct – 27th Nov 2022	Confirming no comments on the proposed development.	Noted.
EX6	Supplementary Statutory Consultation – 28th Oct – 27th Nov 2022	Confusion between the IERRT and IGET projects.	An explanation provided at the exhibition that both projects were separate and IGET was much further behind in the consenting process
EX4, Q3, Q2	Supplementary Statutory Consultation – 28th Oct – 27th Nov 2022	Query relating to the impact on local amenities including access to banking services.	ABP to raise through an appropriate corporate responsibility engagement forum with local authority representatives.
North Lincolnshire Council (PI 26)	Supplementary Statutory Consultation – 28th Oct – 27th Nov 2022	No further comments in addition to those raised in response to the initial round of consultation.	Noted.
North East Lincolnshire Council (PI 27)	Supplementary Statutory Consultation – 28th Oct – 27th Nov 2022	No further comments to make over and above those made on the first consultation.	Noted.
Scarborough Borough Council (PI 28)	Supplementary Statutory Consultation – 28th Oct – 27th Nov 2022	Confirming no comments on the proposed development.	Noted.

L.2

RESPONSES RELATING TO MATTERS ADDRESSED IN ES  
CHAPTERS

## Contents

<b>1. Environmental Statement Consultation Tables .....</b>	<b>3</b>
Introduction .....	3
Chapter 4 – Needs and Alternatives – Consultation Table .....	3
Chapter 6 – Impact Assessment Approach – Consultation Table.....	6
Chapter 7 – Physical Processes – Consultation Table.....	35
Chapter 8 – Water and Sediment Quality – Consultation Table .....	50
Chapter 9 – Nature Conservation and Marine Ecology – Consultation Table.....	55
Chapter 10 – Commercial and Recreational Navigation .....	112
Chapter 11 – Coastal Protection, Flood Defence and Drainage – Consultation Table ...	141
Chapter 12 – Ground Conditions including Land Quality – Consultation Table .....	163
Chapter 13 – Air Quality – Consultation Table .....	173
Chapter 14 – Airborne Noise and Vibration – Consultation Table .....	180
Chapter 15 – Cultural Heritage and Marine Archaeology – Consultation Table.....	185
Chapter 16 – Socio-Economic Receptors – Consultation Table.....	191
Chapter 17 – Traffic and Transport – Consultation Table.....	202
Chapter 18 – Land Use Planning – Consultation Table.....	239
Chapter 19 – Climate Change – Consultation Table .....	253
Chapter 20 – Cumulative and In-Combination Effects - Consultation Table.....	258



# 1. Environmental Statement Consultation Tables

## Introduction

The following consultation tables present the summary of comments received in response to consultation and details of how the comments have been addressed or considered in the Environmental Statement (“ES”) on a Chapter by Chapter basis. The tables also detail what stage of pre-application consultation the comments were received in response to - i.e. Scoping, Statutory Consultation, Supplementary Statutory Consultation or as part of ongoing pre-application consultation.

References to sections within a Chapter within each of the following consultation tables are to the Chapter indicated unless otherwise specified.

## Chapter 4 – Needs and Alternatives – Consultation Table

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed or Considered in this Chapter
Planning Inspectorate (PINS)	Scoping Opinion, paragraphs 2.3.5 and 2.3.6, October 2021	The Scoping Opinion references the EIA Regulations requirements in respect of the consideration of alternatives and indicates that the ES should provide a discrete section providing details of the reasonable alternatives studied and the reasons to selecting the chosen option including a comparison of environmental effects.	Section 4.3 of this chapter provides the information on alternatives the scoping opinion indicates should be provided.
Associated Petroleum Terminals (APT)	Statutory Consultation Response, Section 6, February 2022	Whilst the NPSfP contains a presumption in favour of granting consent for applications for port development this is subject to other policies within the NPSfP.	Matters relating to the ‘presumption in favour’ point being raised are considered in Section 4.2 of this chapter. The wider policy compliance point is not a matter for the ES but is addressed in a separate application document – Application Document Reference 5.1.

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed or Considered in this Chapter
APT	Statutory Consultation - 19 Jan - 23 Feb 2022, Section 6, February 2022	Although the Immingham Oil Terminal (IOT) operators do not suggest that the IERRT development is, as a matter of principle, incompatible with the IOT, ABP should give significant consideration in the design of the IERRT development in respect of its potential impacts on IOT.	Paragraphs 4.3.91 and following paragraphs summarise the consideration ABP has given to the design of the IERRT. Further details of the potential implications for IOT are considered through various of the detailed assessment chapters of this ES – see in particular Chapter 10 and accompanying appendices of the ES, and Chapter 16 of the ES.
DFDS	Statutory Consultation - 19 Jan - 23 Feb 2022, paragraphs 11 and 12	The IERRT project will almost certainly have an adverse effect on the integrity of the Humber Estuary European Marine site. ABP must, therefore, demonstrate that there are no alternatives and that the project is needed for imperative reasons of overriding public interest.	As explained elsewhere in this ES – see Chapter 9 – and the separate Habitats Regulations Assessment (Application Document Reference 9.6) the IERRT development as applied for will not have an adverse effect on the integrity of the European Marine site. The legal tests identified by the consultee do not, therefore, apply. Even if they did, however, it is ABP's view that the evidence as presented in this chapter demonstrates that those tests would be met.
Consultation Questionnaire Response Q86	Statutory Consultation - 19 Jan - 23 Feb 2022	There is enough development on the waterfront already. The development will only take trade from other UK ports, and it will destroy wildlife.	As explained within this chapter there is a very clear and specific need for the proposed development. The wider assessment undertaken also demonstrates the acceptability of the location for the development proposed.

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed or Considered in this Chapter
Consultation Questionnaire Responses Q3, Q8, Q9 and Q37	Statutory Consultation - 19 Jan - 23 Feb 2022	The proposed terminal should be rail connected.	The nature of the Ro-Ro cargo to be handled by the terminal is such that it currently cannot be moved to and from the facility by rail. However, this potential means of moving cargo would not be precluded in the future.
Consultation Questionnaire Response Q26	Statutory Consultation - 19 Jan - 23 Feb 2022	A general point raised that due to the traffic that will be generated the development should be considered at another – albeit unspecified – location.	As the ES Traffic and Transport chapter demonstrates, the traffic implications of the proposed development are not unacceptable. As explained in this chapter, there is no alternative location.

## Chapter 6 – Impact Assessment Approach – Consultation Table

Consultee	Comment Reference	Comment	Action	Chapter or Section of ES
Proposed Development				
PINS	Scoping Opinion Paragraph 1.2.3	It is recommended that a table is provided in the ES summarising the scoping responses from the consultation bodies and how they are, or are not, addressed in the ES.	Tables have been provided summarising how scoping responses have been addressed.	Chapter 6, Section 6.2, Table 6.1 (this table). Chapters 7 to 19 (sub-section 4 of each chapter).
PINS	Scoping Opinion Paragraph 2.3.1	The ES should include information on the site, design, size and other relevant features of the development, diagram(s) which provide clearly labelled locations for the various structures proposed for the marine environment, and a description of the location and physical characteristics of the whole development, including any requisite demolition works and land-use requirements during construction and operation phases.	Information has been provided.	Chapters 1 to 3
PINS	Scoping Opinion Paragraph 2.3.2	Information should be provided on the location and dimensions of the landside structures in the project description of the ES (or, if not confirmed, the ES should clearly explain the	Information has been provided.	Chapters 2 and 3

Consultee	Comment Reference	Comment	Action	Chapter or Section of ES
		assumptions used to provide a robust assessment of the Proposed Development's effects on the environment).		
PINS	Scoping Opinion Paragraph 2.3.3	If the development consent order (DCO) makes provision for the decommissioning of the Proposed Development then the ES should provide an assessment of the effects on the environment.	The DCO does not make provision for the decommissioning of the proposed development as explained in the ES.	Chapter 3
PINS	Scoping Opinion Paragraph 2.3.4	The ES should include a comprehensive glossary to aid the understanding of the Examining Authority and the general reader. The Applicant may also wish to include diagrams or figures within the project description chapter of the ES where this would provide greater clarity.	Information has been provided in the Glossary of each chapter of the ES.	Glossary of each chapter
PINS	Scoping Opinion Paragraph 2.3.6	The Inspectorate would expect to see a discrete section in the ES that provides details of the reasonable alternatives studied and the reasoning for the selection of the chosen option(s), including a comparison of the	Information has been provided.	Chapter 4

Consultee	Comment Reference	Comment	Action	Chapter or Section of ES
		environmental effects.		
PINS	Scoping Opinion Paragraph 2.3.7	In the event that some elements of the Proposed Development have not been fixed the ES must explain the parameters which have been used in the assessment and how these represent the worst case scenario that would arise during all phases of the Proposed Development (see Advice Note Nine 'Rochdale Envelope' on the approach to follow when incorporating flexibility into a draft DCO).	The information provided in this ES is based on the design described in Chapters 2 and 3. Where elements of the proposed development have not been fixed, a reasonable worst case scenario has been adopted and described in this ES, following the 'Rochdale Envelope' approach.	Chapters 2 and 3
Environment Agency	Scoping Opinion Appendix 2 Environment Agency response	The applicant suggests there could be some beneficial use of the arisings from the capital dredge for habitat enhancement. We are supportive of this, should a suitable opportunity arise.	A Waste Hierarchy Assessment (WHA) has been completed to consider the best practicable environmental option (BPEO) for the dredge arisings.	Appendix 2.1. Chapters 2 and 3.
Anglian Water	Scoping Opinion Appendix 2 Anglian Water response	Anglian Water would welcome the instigation of discussions with ABP prior to the project layout and initial	ABP has consulted Anglian Water with a view to establishing	Further reference to surface and foul water drainage is

Consultee	Comment Reference	Comment	Action	Chapter or Section of ES
		design fix for the onshore infrastructure and to assist the applicant before the submission of the Draft DCO for examination.	and subsequently agreeing that no existing Anglian Water assets will be affected by the proposed scheme, confirming also that ABP is not connecting to Anglian Water surface or foul water drainage systems. Protective Provisions have been provided by Anglian Water for inclusion in the draft DCO.	provided in Chapter 11.
Anglian Water	Scoping Opinion Appendix 2 Anglian Water response	It is recommended that the ES should include reference to identified impacts on the water supply, sewerage network and sewage treatment both during construction and operation.	The on-shore Ro-Ro infrastructure, which will be owned by ABP, has been detailed in the two statutory consultations.	
Anglian Water	Scoping Opinion Appendix 2 Anglian Water response	The location and design of the onshore Ro-Ro infrastructure should be refined by the applicant and will need to be defined with the assistance of Anglian Water.	Copies of the draft Drainage Strategy and Construction Environment	
Anglian Water	Scoping Opinion Appendix 2 Anglian Water response	We would expect that the ES would include reference to existing water supply infrastructure managed by Anglian Water and, if necessary, water supply and wastewater infrastructure near the site in terms of construction impacts, the provision of replacement infrastructure and the requirements for new infrastructure.		

Consultee	Comment Reference	Comment	Action	Chapter or Section of ES
			al Management Plan (CEMP) were provided to Anglian Water as requested, prior to submission of the DCO	
Natural England	Scoping Opinion Appendix 2 Natural England response	The EIA should consider potential impacts on access land, public open land, rights of way and coastal access routes in the vicinity of the development. We would encourage any proposed development to include provision for the England Coast Path, where appropriate, to maximise the benefits this can bring to the area.	The Port of Immingham is not accessible to the public. The England Coast Path is routed inland of the port estate and will not interact with the proposed development .	N/A
Natural England	Scoping Opinion Appendix 2 Natural England response	The proposed development is within an area that Natural England considers could benefit from enhanced green infrastructure provision. As such, Natural England would encourage the incorporation of green infrastructure into this development.	Biodiversity enhancement measures are proposed as part of the development.	Chapter 2, Section 2.3. Woodland Enhancement and Management Plan (WEMP) (Application Document Reference number 9.4).



Consultee	Comment Reference	Comment	Action	Chapter or Section of ES
ES approach				
PINS	Scoping Opinion Paragraph 3.1.4	Where relevant, the ES should provide reference to how the delivery of measures proposed to prevent/ minimise adverse effects is secured through DCO requirements (or other suitably robust methods) and whether relevant consultation bodies agree on the adequacy of the measures proposed.	<p>Proposed mitigation measures have been included in each of the individual topic assessment chapters, including reference to consultations that has taken place and how they will be secured where appropriate.</p> <p>A Schedule of Mitigation is also submitted with the DCO application which details where and how proposed mitigation measures will</p>	<p>Chapters 7 to 19 (subsection 9 of each chapter).</p> <p>Schedule of Mitigation (Application Document Reference number 9.7).</p>
PINS	Scoping Opinion Paragraph 3.3.1	The Inspectorate recommends that in order to assist the decision-making	Tables have been used throughout the ES.	Throughout ES.

Consultee	Comment Reference	Comment	Action	Chapter or Section of ES
		<p>process, the Applicant uses tables: to demonstrate how the assessment has taken account of this Opinion; to identify and collate the residual effects after mitigation for each of the aspect chapters, including the relevant interrelationships and cumulative effects; to set out the proposed mitigation and/ or monitoring measures including cross-reference to the means of securing such measures; to describe any remedial measures that are identified as being necessary following monitoring; and to identify where details are contained in the Habitats Regulations Assessment (HRA) (where relevant), such as descriptions of National Site Network sites and their locations,</p>		

Consultee	Comment Reference	Comment	Action	Chapter or Section of ES
		together with any mitigation or compensation measures, that inform the findings of the ES.		
PINS	Scoping Opinion Paragraph 3.3.2	The ES should include a description of the baseline scenario with and without implementation of the development as far as natural changes from the baseline scenario can be assessed with reasonable effort on the basis of the availability of environmental information and scientific knowledge. Future baselines used in the ES assessments should be clearly defined and justified.	A description of the existing and future baseline environment has been included in each assessment chapter in the ES.	Chapters 7 to 19 (sub-section 7 of each chapter)
PINS	Scoping Opinion Paragraph 3.3.3	The ES should clearly explain how the zones of influence for each assessment have been defined and how they relate to the study area.	The study area has been described in each assessment chapter in the ES.	Chapters 7 to 19 (sub-section 2 of each chapter)
PINS	Scoping Opinion Paragraph 3.3.4	The Applicant should clearly state which developments will be assumed to be under construction or operational as part of the future baseline.	The approach to considering other developments has been described in the cumulative and in-combination	Chapter 20

Consultee	Comment Reference	Comment	Action	Chapter or Section of ES
			effects assessment.	
PINS	Scoping Opinion Paragraph 3.3.5	The Applicant is referred to the advice in section 3.1 of the Inspectorate's Advice Note 17 on using the zone of influence of the Proposed Development to identify other developments which could lead to cumulative environmental effects (rather than a distance of 2 km, as stated in the Scoping Report).	The study area has been defined for each topic as the spatio-temporal coverage of all the potential effects associated with the proposed development. Zones of influence have been used in the cumulative and in-combination effects assessment to identify other developments which could lead to cumulative environmental effects. Full note has been taken of PINS Advice Note 17.	Chapter 20
PINS	Scoping Opinion Paragraph 3.3.6	The ES should contain the timescales upon which the surveys which underpin the technical assessments have been based. For clarity, this information should be	This has been provided in each assessment chapter, where relevant.	Chapters 7 to 19

Consultee	Comment Reference	Comment	Action	Chapter or Section of ES
		provided either in the introductory chapters of the ES (with confirmation that these timescales apply to all chapters), or in each aspect chapter.		
PINS	Scoping Opinion Paragraph 3.3.7	The Inspectorate expects the ES to include a chapter setting out the overarching methodology for the assessment, which clearly distinguishes effects that are 'significant' from 'non-significant' effects. Any departure from that methodology should be described in individual aspect assessment chapters. Each aspect chapter of the ES should explain the specific criteria used to determine the significance of effects.	The overarching approach to the assessment has been provided. In addition, topic specific assessment methodologies have been included in each assessment chapter.	Chapter 6 (Section 6.3) and Chapters 7 to 19 (sub-section 3)
PINS	Scoping Opinion Paragraph 3.3.8	The ES should include details of difficulties (for example technical deficiencies or lack of knowledge) encountered compiling the required information and the main uncertainties involved.	A description of the assumptions and limitations associated with the assessment has been included in the topic assessment chapters.	Chapters 7 to 19 (sub-section 10)
PINS	Scoping Opinion	The EIA Regulations require an estimate, by type and quantity,	This information has been	Chapters 2, 3, 7, 8, 9,

Consultee	Comment Reference	Comment	Action	Chapter or Section of ES
	Paragraph 3.3.9	of expected residues and emissions (water, air, soil and subsoil pollution, noise, vibration, light, heat, radiation and quantities and types of waste produced). This information should be provided in a clear and consistent fashion and may be integrated into the relevant aspect assessments.	provided in the 'Proposed Development' chapter and 'Details of Project Construction and Operation' chapter, as well as in relevant assessment chapters.	11, 12, 13 and 14
PINS	Scoping Opinion Paragraphs 3.3.11 and 3.3.12	The National Policy Statement for Ports (NPSfP) states that applicants should set out the arrangements proposed for managing any waste produced and prepare a Site Waste Management Plan. The ES should include an assessment of the types of waste to be produced by the construction and operation of the Proposed Development and the effects related to its disposal, final use or a justification as to why no Likely Significant Effect (LSE) would arise.	The generation of waste during construction is considered in the 'Details of Project Construction and Operation' chapter, and an assessment of the effects related to the dredge and disposal of marine sediment are included in the relevant topic chapters.  A WHA, and a Site Waste Management Plan have also been prepared and are submitted with the ES	Chapters 3, 7, 8, and 9.  WHA (Appendix 2.1 to this ES)  Site Waste Management Plan appended to Construction Environmental Management Plan (CEMP) (Application Document reference number 9.2).  Chapter 6, Section 6.2 (section headed

Consultee	Comment Reference	Comment	Action	Chapter or Section of ES
			<p>and DCO application, respectively.</p> <p>The potential for an LSE as a result of operational waste is considered in the 'Final ES scope' section in this chapter.</p>	'Final ES scope')
PINS	Scoping Opinion Paragraph 3.3.13	Any mitigation relied upon for the purposes of the assessment should be explained in detail within the ES. The likely efficacy of the mitigation proposed should be explained with reference to residual effects. The ES should also address how any mitigation proposed is secured, with reference to specific DCO requirements or other legally binding agreements.	<p>Mitigation measures, and how they will be secured, and residual effects have been considered in each assessment chapter.</p> <p>A Schedule of Mitigation is also submitted with DCO application which details where and how proposed mitigation measures are secured.</p>	<p>Chapters 7 to 19 (sub-section 9 and 11, respectively).</p> <p>Schedule of Mitigation (Application Document Reference number 9.7).</p>
PINS	Scoping Opinion Paragraph 3.3.14	The ES should identify and describe any proposed monitoring of significant adverse effects and how the	Proposed monitoring of effects has been considered as part of the	Chapters 7 to 19 (sub-section 9 and 11, respectively)

Consultee	Comment Reference	Comment	Action	Chapter or Section of ES
		<p>results of such monitoring would be utilised to inform any necessary remedial actions.</p>	<p>identification of mitigation measures and presented in each assessment chapter, where relevant.</p>	
PINS	<p>Scoping Opinion Paragraph 3.3.15 and 3.1.16</p>	<p>The ES should include a description and assessment (where relevant) of the likely significant effects resulting from accidents and disasters applicable to the Proposed Development. The description and assessment should consider the vulnerability of the Proposed Development to a potential accident or disaster and also the Proposed Development's potential to cause an accident or disaster. The assessment should specifically assess significant effects resulting from the risks to human health, cultural heritage or the environment. Any measures that will be employed to prevent and control significant effects should be presented in the ES. Where appropriate, this description</p>	<p>Potential accidents and disasters have been considered in relation to land use planning, commercial and recreational navigation, coastal protection, flood defence and drainage, cultural heritage, and climate change.</p>	<p>Chapters 10, 11, 15, 18 and 19</p>



Consultee	Comment Reference	Comment	Action	Chapter or Section of ES
		should include measures envisaged to prevent or mitigate the significant adverse effects of such events on the environment and details of the preparedness for and proposed response to such emergencies.		
PINS	Scoping Opinion Paragraph 3.3.17	The ES should include a description and assessment (where relevant) of the likely significant effects the Proposed Development has on climate (for example having regard to the nature and magnitude of greenhouse gas emissions) and the vulnerability of the project to climate change. Where relevant, the ES should describe and assess the adaptive capacity that has been incorporated into the design of the Proposed Development.	The effect of the proposed development on the climate and the vulnerability of the proposed development to climate change has been considered in the assessment chapters on climate change and coastal protection (including adaptive capacity), flood defence and drainage.	Chapters 11 and 19
PINS	Scoping Opinion Paragraph 3.3.20	The Inspectorate recommends that the ES should identify whether the Proposed Development has the potential for significant transboundary impacts and if so,	The Secretary of State was of the initial view that the proposed development is likely to have significant	Chapter 6, Section 6.2 (Final ES scope)  Chapter 9

Consultee	Comment Reference	Comment	Action	Chapter or Section of ES
		what these are, and which European Economic Area (EEA) States would be affected.	impacts on the environment in an EEA State, namely Iceland and Denmark. However, the detailed assessments undertaken indicate that effects to EEA states are not anticipated given the predicted localised and insignificant effects of the proposed development.	
PINS	Scoping Opinion Paragraph 3.3.21	A reference list detailing the sources used for the descriptions and assessments must be included in the ES.	A reference list has been provided at the end of each chapter.	Throughout ES
PINS	Scoping Opinion Paragraph 3.4.1	The ES should explain any limitations in obtaining relevant environmental information in light of measures adopted in response to COVID-19, and any assumptions made relating to the environmental information on which it relies.	A description of the limitations and assumptions associated with the assessment have been included in assessment chapters.	Chapters 7 to 19 (sub-section 10)
North Lincolnshire Council	Scoping Opinion North Lincolnshire	It is recommended the applicant submit a light impact assessment with any	A Concept Lighting Design Stage Summary	Concept Lighting Design Stage

Consultee	Comment Reference	Comment	Action	Chapter or Section of ES
	Council response	subsequent planning applications.	Report has been prepared and is included as an appendix to the ES. It presents the proposed lighting scheme with methods of mitigation against potential light pollution onto neighbouring properties and infrastructure and details compliance with various guidance documents. The impact of lighting is also considered within the Preliminary Ecological Appraisal (PEA) and marine ecology assessment.	Summary Report (Appendix 2.2 to this ES)  PEA (Appendix 6.2 to this ES)  Chapter 9, Section 9.8, Table 9.25
North Lincolnshire Council (PI 38)	Statutory Consultation - 19 Jan - 23 Feb 2022	It remains unclear whether lighting is to be included within the proposals. However, if lighting is proposed this should be factored into the ES.	See above.	See above.
South Killingholme Parish	Statutory Consultation - 19 Jan - 23 Feb 2022	There is a need to improve the lighting on A160, especially near the roundabout.	The comment has been passed to the National	N/A

Consultee	Comment Reference	Comment	Action	Chapter or Section of ES
Council (PTC 3)			Highways and local highway authority. The IERRT project does not include works to the A160.	
Network Rail (PI 29)	Statutory Consultation - 19 Jan - 23 Feb 2022	Any lighting on the site should be designed so that it does not cause glare/distraction to train drivers.	The proposed Lighting Strategy has been sent to Network Rail for comment. The new lighting concept design has been prepared to limit any light pollution onto neighbouring properties, including the rail lines operated by Network Rail. Negotiations are ongoing with Network Rail in the context of a Protective Provision.	N/A
EX20	Statutory Consultation - 19 Jan - 23 Feb 2022	Suggest amending the direction of the Border Control Post (BCP) lights as currently they create a dark area.	The existing BCP does not part of the IERRT project, however, the comment has been noted by ABP.	N/A
Terrestrial ecology				

Consultee	Comment Reference	Comment	Action	Chapter or Section of ES
PINS	Scoping Opinion Table ID 4.4.1	The Scoping Report does not consider the potential for indirect effects on ecological receptors within the Proposed Development's zone of influence. The Scoping Report states that potential air quality impacts on ecological receptors from both construction and operational activities will be assessed. The ES should include an assessment of these matters or information demonstrating agreement with the relevant consultation bodies and the absence of an LSE.	Potential air quality impacts on ecological receptors from both construction and operational activities are assessed in the air quality chapter.	Chapter 13
Natural England	Scoping Opinion Appendix 2 Natural England response	The ES should assess the impact of all phases of the proposal on terrestrial protected species (including, for example, great crested newts, reptiles, birds, water voles, badgers and bats).	A PEA has been undertaken by an ecologist in accordance with Chartered Institute of Environmental Management (CIEEM) guidance (CIEEM, 2017). This PEA underpins the conclusion to scope out terrestrial	Chapter 6, Section 6.2 (Final ES scope)  Appendix 6.2

Consultee	Comment Reference	Comment	Action	Chapter or Section of ES
Natural England	Scoping Opinion Appendix 2 Natural England response	Natural England notes that a Phase 1 Habitat survey and Preliminary Ecological Appraisal have been carried out and have reported low ecological value of the habitats identified. Without the detailed results presented, Natural England advises that a habitat survey (equivalent to Phase 2) may be required, in order to identify any important habitats present. In addition, ornithological, botanical and invertebrate surveys should be carried out at appropriate times in the year, to establish whether any scarce or priority species are present.	ecology from the ES.  The PEA has been included as an appendix to this ES and underpins the conclusion to scope out terrestrial ecology from the ES.	Chapter 6, Section 6.2 (Final ES scope)  Appendix 6.2
Natural England	Scoping Opinion Appendix 2 Natural England response	The Environmental Statement should include details of: Any historical data for the site affected by the proposal (e.g., from previous surveys); Additional surveys carried out as part of this proposal; The habitats and species present; The status of these habitats	Terrestrial ecology has been scoped out of the ES following the conclusions reached in the PEA. Habitats and species present, their status, the potential effects from the development, and details of	Chapter 6, Section 6.2 (Final ES scope)  Appendix 6.2

Consultee	Comment Reference	Comment	Action	Chapter or Section of ES
		<p>and species (e.g., whether priority species or habitat);  The direct and indirect effects of the development upon those habitats and species;  Full details of any mitigation or compensation that might be required.</p>	<p>mitigation measures have been provided in the PEA.</p>	
<p>North Lincolnshire Council  Natural Environment Policy Specialist</p>	<p>Scoping Opinion  North Lincolnshire Council response</p>	<p>In terms of landscape and terrestrial ecology, the proposal is not likely to have any significant effects of relevance to North Lincolnshire.</p>	<p>Noted.</p>	<p>N/A</p>
<p>Landscape/seascape and visual impact</p>				
<p>PINS</p>	<p>Scoping Opinion  Table ID 4.13.1</p>	<p>The Inspectorate agrees that impacts on landscape/seascape character and visual amenity can be scoped of further assessment but advises the Applicant to provide a comprehensive project description in the ES including the maximum dimensions of all structures associated with the Proposed Development and visual representations to give the Examining Authority confidence that no significant environmental effects would arise.</p>	<p>A comprehensive project description which includes dimensions of structures and visual representations of the proposed development is provided.</p>	<p>Chapters 2 and 3</p>

Consultee	Comment Reference	Comment	Action	Chapter or Section of ES
Natural England	Scoping Opinion Appendix 2 Natural England response	<p>Natural England would wish to see details of local landscape character areas mapped at a scale appropriate to the development site as well as any relevant management plans or strategies pertaining to the area. The EIA should include assessments of visual effects on the surrounding area and landscape together with any physical effects of the development, such as changes in topography. The EIA should include a full assessment of the potential impacts of the development on local landscape character using landscape assessment methodologies. The assessment should refer to the relevant National Character Areas</p>	<p>In line with the Scoping Opinion from PINS and comments provided by West Lindsey District Council and North Lincolnshire Council (NLC), and North East Lincolnshire Council (NELC), landscape/visual impacts have been scoped out of the ES. This approach was also confirmed and agreed with Natural England during a subsequent pre-application meeting on 28 April 2022.</p>	Chapter 6, Section 6.2 (Final ES scope)
Natural England	Scoping Opinion Appendix 2 Natural England response	<p>Natural England encourages all new development to consider the character and distinctiveness of the area, with the siting and design of the proposed development</p>	<p>See above. The need and alternatives for the IERRT project are also provided in the ES.</p>	Chapter 6, Section 6.2 (Final ES scope)  Chapter 4



Consultee	Comment Reference	Comment	Action	Chapter or Section of ES
		<p>reflecting local design characteristics and, wherever possible, using local materials.</p> <p>The EIA process should detail the measures to be taken to ensure the building design will be of a high standard, as well as detail of layout alternatives together with justification of the selected option in terms of landscape impact and benefit.</p>		
West Lindsey District Council	Scoping Opinion Appendix 2 West Lindsey District Council response	<p>The location of the proposed Ro-Ro Terminal would be approximately 3.3 miles (5.4 kilometres) from the shared North East Lincolnshire and West Lindsey district boundary. The scale of the development in terms of height is unknown but it is considered that the development would be in context with the existing Immingham Port Structures and the large settlement of Immingham sits between Immingham Port and parts of West Lindsey. It would therefore be highly unlikely to be in view from any parts of the West Lindsey District. Therefore, it is not considered that any viewpoints from West Lindsey are</p>	Noted.	N/A

Consultee	Comment Reference	Comment	Action	Chapter or Section of ES
		necessary and no residential properties in West Lindsey would be affected.		
North Lincolnshire Council Natural Environment Policy Specialist	Scoping Opinion North Lincolnshire Council response	In terms of landscape and terrestrial ecology, the proposal is not likely to have any significant effects of relevance to North Lincolnshire.	Noted.	N/A
North East Lincolnshire Council	Scoping Opinion North East Lincolnshire Council response	From a landscape perspective there are no concerns about [the proposed development]. Given the location of the docks and the proposal, the impacts on the landscape character are very low on the priority list.	Noted.	N/A
North East Lincolnshire Council (PI 45)	Statutory Consultation - 19 Jan - 23 Feb 2022	No major concerns were raised but opportunities to improve visual amenity should not be overlooked.	Being part of the statutory and operational port estate, the vast majority of the landside area associated with the IERRT project will only require a simple upgrade. The proposed buildings have also been designed to generally resemble the style of	N/A

Consultee	Comment Reference	Comment	Action	Chapter or Section of ES
			buildings that already exist within the port estate. The marine infrastructure will also be similar to existing port infrastructure extending into the Humber Estuary.	
EX10	Statutory Consultation - 19 Jan - 23 Feb 2022	Suggest tree planting along A160 to act as a visual and acoustic barrier.	The comment has been passed to the National Highways and local highway authority. The IERRT project does not include works to the A160.	N/A
<b>Other</b>				
UK Health Security Agency	Scoping Opinion October 2021	We request that the ES clarifies whether the application will require the installation or redirection of electric substations or transmission lines and if necessary, the proposer should confirm either that the proposed development does not impact any receptors from potential sources of Electric Magnetic Fields (EMF); or ensure that an	Noted. The project will not be changing any over-head mains cables/transmission lines or Northern Powergrid Substations. It will only be altering internal port substations and small power distribution networks.	N/A

Consultee	Comment Reference	Comment	Action	Chapter or Section of ES
		adequate assessment of the possible impacts is undertaken and included in the ES.	Hence, it is not anticipated that the proposed development will impact any receptors from potential sources of EMF.	
UK Health Security Agency (PI 37)	Statutory Consultation - 19 Jan - 23 Feb 2022	The current submission does not consider any risk of impacts that might arise as a result of electric and magnetic fields associated with the development; we acknowledge that this is unlikely to occur but would prefer to see this formally addressed as previously detailed in our scoping submission.	See above.	N/A
Humberside Police (PI 15)	Statutory Consultation - 19 Jan - 23 Feb 2022	Query raised regarding the contingency if ordnance is discovered during dredging.	Initial geophysical surveys have been undertaken including magnetometry surveys to reduce the risk of unexploded ordnance (UXO) discovery during the works. The main contractor will carry out further	N/A

Consultee	Comment Reference	Comment	Action	Chapter or Section of ES
			detailed surveys on pile locations and dredged area prior to works commencing.	
National Air Traffic Services (NATS)	Statutory Consultation - 19 Jan - 23 Feb 2022	Anticipate no impact from the proposal and no comments to make on the application.	Noted.	N/A
National Grid Electricity Transmission PLC (PI 7)	Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022	Confirm that National Grid Electricity Transmission PLC has no existing apparatus within or in close proximity to the proposed site boundary. Highlighted projects proposed and outlined in the Holistic Network Design that fall within close proximity to the proposed site boundary – would like to be kept informed as this proposal progresses.	Noted.	N/A
Environment Agency (PI 11)	Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022	We also request the final Environmental Statement confirms the difference in the number of piles that was originally thought to be required, as opposed to the 58 now required for the realigned/lengthened access jetty from shore to linkspan and pontoons.	The maximum number of piles required for the proposed development in the marine environment totals 214 (6 for the abutment structure, 46 for the approach jetty, 6 for the linkspan	Chapter 2

Consultee	Comment Reference	Comment	Action	Chapter or Section of ES
			bankseat, 28 for the pontoon restraint dolphins, 54 for each finger pier, 20 for vessel impact protection (if required)). At PEIR stage, the number of piles were not specified.	
Northern Powergrid (PI 14)	Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022	In reviewing the latest proposals, little has changed with regard to where the Ro-Ro proposals may interact with Northern Powergrid assets, therefore we were not looking to respond to the latest consultation.	Noted.	N/A
Natural England (PI 22)	Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022	Natural England welcomes the commitment by ABP to include one hectare of land owned by ABP within the Skeffling managed realignment site as a marine environmental enhancement (for clarity, this will not be compensation or mitigation). It will be important to include this marine environmental enhancement within the overall objectives for ABP's section of Skeffling managed	Noted.	Further information is provided in Chapter 2, Section 2.3.

Consultee	Comment Reference	Comment	Action	Chapter or Section of ES
		realignment site to ensure that the site can be monitored effectively and to avoid 'double counting' for other objectives such as compensation.		
Natural England (PI 22)	Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022	Natural England welcome the inclusion of woodland enhancement through the proposed development of a targeted management plan. The 'Long wood' is an area of woodland that is noted as part of a much larger strip of Priority habitat that grows towards the Humber Estuary. It is also part of the National Forest Inventory; therefore, we would advise consultation with Forestry England when considering management principles.	The WEMP submitted as part of the DCO has been discussed and agreed with the Local Planning Authority (LPA). This included a meeting on the site between the applicant, the applicant's ecologist and the LPA tree officer, prior to the development of the document.	Woodland Enhancement and Management Plan (WEMP) (Application Document Reference number 9.4)
North Lincolnshire Council (PI 26)	Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022	North Lincolnshire Council has reviewed the Supplementary Consultation Report (SCR). Having considered this document and the proposed changes to the project NLC has no additional comments to raise in addition to those raised in our response to the initial round of statutory	Noted.	N/A

Consultee	Comment Reference	Comment	Action	Chapter or Section of ES
		<p>consultation dated 23 February 2022.</p> <p>Overall, the revisions to the scheme will reduce the scale of the development and are considered to be positive changes that are unlikely to result in any additional or materially different impacts.</p>		
North East Lincolnshire Council (PI 27)	Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022	<p>Following this consultation, it is confirmed that NELC has no further comments to make over and above those made on the first consultation. NELC welcome the ongoing engagement and collaborative working with ABP throughout the DCO process.</p>	Noted.	N/A
Scarborough Borough Council (PI 28)	Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022	<p>Scarborough Borough Council in its role as a Local Planning Authority has no comment to make.</p>	Noted.	N/A
Selby District Council (PI 28)	Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022	<p>The District Council can confirm that they have no comments to make.</p>	Noted.	N/A



## Chapter 7 – Physical Processes – Consultation Table

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Chapter
Planning Inspectorate (PINS) Environment Agency	Scoping Opinion, October 2021 (ABPmer, 2021)  Table ID 4.1.2  Appendix 2 Environment Agency response  Environment Agency Pre-application meeting, 29 November 2021	The ES must clearly describe the receptors to be considered in the assessment and explain how/why they were identified. The assessment should consider effects on the existing jetties near the Proposed Development site, the existing Immingham tidal level gauge and any other telemetry devices in the area of Immingham Docks.	Identified receptors (including adjacent jetties and existing telemetry devices) have been listed in Section 7.1 of this chapter of the ES with further detail on the assessment undertaken for each receptor provided within the relevant parts of Section 7.8.
PINS Marine Management Organisation (MMO)	Scoping Opinion, October 2021  Table ID 4.1.3  Appendix 2 MMO response	The assessments in the ES should address the potential effects on physical processes as a result of vessel movement and vessel wash in the shallow nearshore area.	Sensitivity testing of the presence of vessels on-berth has been included in the assessment, as described in Section 7.8 of this chapter of the ES.
PINS	Scoping Opinion, October 2021  Table ID 4.1.4	The Applicant should seek to agree the methodology used to assess changes in coastal processes, suspended sediment concentrations (SSC) and erosion and accretion patterns and waves with the MMO and other relevant stakeholders as far as possible.	The approach to the assessment has been discussed with the MMO and the Environment Agency and is described in Section 7.8 of this chapter of the ES.

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Chapter
PINS	<p>Scoping Opinion, October 2021</p> <p>Table ID 4.1.5</p>	<p>It is not clear from the Scoping Report if any ground investigations are planned as part of the assessment. The ES must explain how the baseline data is derived and (in the event that no further ground investigations are undertaken) provide a justification as to why the data is adequate for the assessment of effects from the Proposed Development</p>	<p>Geophysical data collected in January 2022 has informed this assessment in the ES (Appendix 7.2 of this ES).</p>
Environment Agency	<p>Scoping Opinion, October 2021</p> <p>Appendix 2 Environment Agency response</p> <p>Environment Agency Pre-application meeting, 29 November 2021</p>	<p>The dredge disposal impact assessment should include any impact on physical processes (e.g. erosion/deposition) and any change on channel morphology, even if expected to be temporary.</p>	<p>This has been assessed in Section 7.8 of this chapter of the ES.</p>
Environment Agency	<p>Scoping Opinion, October 2021</p> <p>Appendix 2 Environment Agency response</p> <p>Environment Agency Pre-application meeting, 29 November 2021</p>	<p>The Environment Agency is supportive of the proposed assessment methodology, and data/models to be used within that assessment. We are also pleased to see, and are in agreement with, paragraph 6.2.38 in that <i>“at the current stage there is considered to be insufficient evidence to exclude any potential</i></p>	<p>Noted.</p>

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Chapter
		<i>pathways from further assessment within the EIA”.</i>	
MMO	Scoping Opinion, October 2021  Appendix 2 MMO response	It is important that the assessment of sediment disposal is framed in terms of sediment budget and temporal variation in sediment flux i.e., not just a blanket annual figure. The MMO view disposal within the sediment system of the estuary an acceptable measure in the absence of other forms of beneficial reuse. It would be useful however to illustrate the temporal variability of this relative to the licensed disposal volumes and past quantities, i.e., whether the cycling of dredge and disposal is a significant contribution to short or long-term sediment flux.	The sediment budget has been described in Section 7.6 of this chapter of the ES and the assessment of impact of dredge and disposal activities has been included in Section 7.8.
MMO	Scoping Opinion, October 2021  Appendix 2 MMO response	The MMO consider that the definition of processes as a receptor is possible if the assessor simply chooses to define it as one. The MMO consider this a good idea in cases where the overall importance of a physical process in affecting the state of another receptor is not fully understood i.e., where the effect of a change in the process cannot be quantified. If the opposite approach is taken, the MMO would	The impact of the scheme on the identified physical processes has been assessed in Section 7.8 of this chapter of the ES. The potential effect on the defined impact pathways has been assessed in terms of exposure to change, combining magnitude and likelihood of predicted effect.

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Chapter
		expect the ES to demonstrate that the effect of process changes is well understood which is likely to be possible in the present case.	
MMO	Scoping Opinion, October 2021  Appendix 2 MMO response	Section 6.2.5 gives extensive verbal description of the setting and zone of interest but lacks reference to any image or mapping of the named features which would greatly aid interpretation.	Figure 7.1 to this ES provides a general location map and includes locations of features named within this ES chapter.
Associated Petroleum Terminals (APT) (PI30)	Statutory Consultation – 19 Jan – 23 Feb 2022	The IOT Operators are concerned that the area will suffer from siltation or scouring during the construction [and operation] phase of the IERRT Development and need to be satisfied that changes to the physical processes of the port area during the construction [and operation] phase of the IERRT Development will not affect the IOT jetty or impede its ability to operate its business. The IOT Operators therefore seek further information from ABP on the data used to inform the studies relied upon by ABP.	The potential impact of the IERRT project on the IOT terminals has been assessed within this ES chapter, with the findings described in Section 7.8 for both Construction and Operation Phases. The list of data sources used to inform this assessment is provided in Section 7.3 of this chapter.
Environment Agency (PI34)	Statutory Consultation – 19 Jan – 23 Feb 2022	The physical processes assessment should consider the nature and likelihood of impacts upon the existing Immingham tide level gauge, which is situated	The potential impacts on the existing Immingham tide gauge have been included in the physical processes assessment, with the findings described in Section 7.8

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Chapter
		on the eastern jetty near the dock walls.	of this chapter.
Marine Management Organisation (MMO) (PI35)	Statutory Consultation – 19 Jan – 23 Feb 2022	Some named features within the wider Chapter are not included on map/figures. This would be useful to provide context to location described.	Figure 7.1 to this ES provides a general location map and includes locations of features named within this ES chapter.
Marine Management Organisation (MMO) (PI35)	Statutory Consultation – 19 Jan – 23 Feb 2022	Construction traffic impacts from ship wash/vessel propulsion to be included.	The assessment of potential impacts from construction vessel ship wash/vessel propulsion has been included, with the findings provided in Section 7.8 of this chapter.
Marine Management Organisation (MMO) (PI35)	Statutory Consultation – 19 Jan – 23 Feb 2022	Net sediment budget estimates have been included (Table 7.5) but reference to these values do not appear in the assessments.	The assessment section of this physical processes chapter of the ES (Section 7.8) includes discussion of potential impacts in the context of (and with reference to) the wider estuary sediment budget.
Marine Management Organisation (MMO) (PI35)	Statutory Consultation – 19 Jan – 23 Feb 2022	In comparison with the mixed presentation of wave and tide, suspended sediment concentration (SSC) data are described in the text, but the data are not plotted. It would be instructive to understand the temporal distribution and duration of different SSC levels.	Additional timeseries plots of predicted excess SSC (and associated sedimentation) have been included at Figure 7.7 to this ES, informing an updated description of SSC provided in the text in Section 7.8 of this ES chapter.

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Chapter
Marine Management Organisation (MMO) (PI35)	Statutory Consultation – 19 Jan – 23 Feb 2022	The MMO, in consultation with Cefas, consider that the required dredges are all additional interventions in coastal processes so should be presented as a percentage increase to the existing levels of disturbance.	The physical processes assessment in Section 7.8 of this chapter of the ES includes percentage increases in dredge volume against annual average existing (baseline) levels.
Marine Management Organisation (MMO) (PI35)	Statutory Consultation – 19 Jan – 23 Feb 2022	The chapter refers frequently to impacts and mitigation (dependent on significance), and also described effects on impact pathways; it is an assessment of impact significance in all but name.	The impact of the scheme on the identified physical processes has been assessed in Section 7.8 of this chapter of the ES. The potential effect on the defined impact pathways has been assessed in terms of exposure to change, combining magnitude and likelihood of predicted effect.
North Lincolnshire Council (NLC) (PI38)	Statutory Consultation – 19 Jan – 23 Feb 2022	NLC do not wish to raise any objection to the principle of the proposed scheme, although it should be noted that NLC do not have expertise in this area.	Noted.
Natural England (PI40)	Statutory Consultation – 19 Jan – 23 Feb 2022	Advise that your assessment consider the potential impact of the proposed development on estuarine geomorphology, including the adjacent intertidal profile, banks and channel morphology.	The physical processes assessment in Section 7.8 of this chapter of the ES includes consideration of potential impacts of the proposed development on local and regional features,

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Chapter
Natural England (PI40)	Statutory Consultation – 19 Jan – 23 Feb 2022	The list of receptors does not include significant morphological features within the Zone of Influence (Zol), such as intertidal banks, channel systems and navigation channels. These features should be identified and considered in the impact assessment. It would be useful to provide a figure showing the Zol of the proposed development.	including estuary banks and channels.  The physical processes assessment in Section 7.8 of this chapter of the ES includes consideration of potential impacts on local and regional features, including estuary banks and channels. Zol for each of the different physical process elements is provided on the respective map plots for hydrodynamics, sediment transport and plume dispersion as shown in Figures 7.5 to 7.24 to the ES.
Natural England (PI40)	Statutory Consultation – 19 Jan – 23 Feb 2022	The impact pathways set out in section 7.3.9 should be refined. For example, spatial extent should consider national, regional, local and site-specific scales. Duration should also be more specific; it is not clear what is meant by short, intermediate and long-term. Similarly for frequency, it is not clear what is meant by routine, intermittent, occasional, rare.	Descriptions of the various impact pathway elements for spatial, temporal, duration, frequency have been provided in order to give additional context and refinement in Section 7.3 of this chapter to the ES.
Natural England (PI40)	Statutory Consultation – 19 Jan – 23 Feb 2022	We recommend the assessment consider the influence of long-term tidal cycles on patterns of sedimentation and channel migration within	The longer-term morphological trends across the wider area are described in Section 7.6 of this chapter to the ES. The physical processes

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Chapter
		the Zol as well as the tidal prism in this location.	assessment in Section 7.8 of this chapter has been updated to include consideration of potential impacts on longer-term tidal cycles and tidal prism.
Natural England (PI40)	Statutory Consultation – 19 Jan – 23 Feb 2022	No sub-surface data has been presented in Chapter 7. Natural England advises that these data are important for informing understanding of any geological constraints, the potential seabed mobility, and the nature of sub-surface material that may be disturbed during the project construction.	Summary results from the recent geophysical survey (including sub-bottom profiling) have been included within the physical processes assessment at Section 7.6 of this chapter to the ES.
Natural England (PI40)	Statutory Consultation – 19 Jan – 23 Feb 2022	Deposits at HU060 have been assessed. However, it is not clear what the sedimentary character at this, or other, potential disposal sites is, and this should be provided.	The baseline description of the sediments in and around the proposed disposal sites has been provided in Section 7.6 of this chapter, Table 7.6 to this chapter and Figures 7.3 and 7.4 to this ES.
Natural England (PI40)	Statutory Consultation – 19 Jan – 23 Feb 2022	The modelled period with continuous dredging operations and disposal every 4 hours equates to around 35% of the total required berth dredge volume. The maximum SSC and sedimentation from dredge and disposal across the study area should be modelled for	The final scheme design requires a smaller dredge volume than was assessed at the time of the PEIR, meaning the assessment now covers approximately 73% of the total required berth dredge volume. The assessment in



Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Chapter
		100% of the total required berth dredge volume.	Section 7.8 of this chapter has also been updated (with inclusion of timeseries plots of SSC and sedimentation at Figure 7.7 to this ES) to enhance the description of the temporal nature of the impacts and provide consideration of the potential for successive dredge/disposal operations to result in a cumulative impact.
Natural England (PI40)	Statutory Consultation – 19 Jan – 23 Feb 2022	It is not clear how bed shear stress, sediment erosion and/or deposition potential and water column properties would be affected within and adjacent to the disposal site(s) due to disposal of material. Nor is it clear if bed levels at the disposal site would be monitored.	The physical processes assessment in Section 7.8 of this chapter includes consideration of potential impacts from disposal at the disposal site(s) along with consideration of the continuation of ongoing bed level monitoring.
Natural England (PI40)	Statutory Consultation – 19 Jan – 23 Feb 2022	Changes to bed shear stress as a result of the proposed development, and the implications of this for sediment accumulation and/or erosion within and adjacent to the proposed development, particularly around the dredged area, should be considered within the assessment.	The physical processes assessment in Section 7.8 of this chapter includes consideration of changes to bed shear stress (including map and timeseries outputs at Figures 7.10 to 7.16 and Figure 7.20 of this ES) along with associated changes to

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Chapter
			sediment transport (including map outputs of bed level change at Figure 7.19 of this ES) due to accretion/erosion as a result of the IERRT development.
Anglian Water (PI43)	Statutory Consultation – 19 Jan – 23 Feb 2022	Request that the assessment of construction dredging on the Immingham Sea Outfall is provided to Anglian Water and agreement reached on the design and mitigation steps required to safeguard its continued operation.	The Immingham Sea Outfall has been included as a receptor within this physical processes chapter of the ES and the potential impacts from IERRT are described in Section 7.8. There is not predicted to be an increase in bed sedimentation along the foreshore as a result of the dredging (and disposal) activity and therefore no mitigation is required.
North East Lindsey Drainage Board (c/o Witham Internal Drainage Board) (PI44)	Statutory Consultation – 19 Jan – 23 Feb 2022	North East Lindsey Internal Drainage Board (IDB) want reassurance that the new structures won't cause accretion/restrictions to flow at the Habrough Marsh Drain outfall.	The North East Lindsey IDB Habrough Marsh Drain outfall has been included as a receptor within this physical processes chapter of the ES and the potential impacts from IERRT are described in Section 7.8.
Q1	Statutory Consultation – 19 Jan – 23 Feb 2022	Perception that the existing dredging practices are not removing material from the system and are, subsequently, leading to	Description of the wider sediment budget (which includes the existing dredging practices) and the potential impacts arising from the

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Chapter
		siltation around the wider estuary.	proposed IERRT are described in Sections 7.6 and 7.8 of this chapter of the ES.
Q16	Statutory Consultation – 19 Jan – 23 Feb 2022	The only concern about the construction of the development is the effect it will have further down the coast on the beaches at Cleethorpes and Humberston.	The physical processes assessment in this chapter of the ES includes the wider far-field study area across the whole Humber Estuary and its Approaches. The consideration of impacts from IERRT across the wider study area, including on hydrodynamics and sediment transport, area is described in Section 7.8 of this chapter of the ES.
EX21	Statutory Consultation – 19 Jan – 23 Feb 2022	General concern regarding sediment accretion in main channels and perceived lack of dredging by ABP.	Baseline description at Section 7.6 of this chapter of the ES includes consideration of average existing levels of dredging undertaken at the existing Immingham berths and the associated disposal volumes at the identified disposal sites.
Q65	Statutory Consultation – 19 Jan – 23 Feb 2022	Concern about the impacts of the amount of maintenance dredging that is required was raised.	The potential impacts arising from the maintenance dredging required for the IERRT project are described 7.8 of this chapter of the ES.

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Chapter
MMO and Cefas	Pre-application meeting, 6 April 2022	Discussion was had around the MMO's response to the statutory consultation on the PEIR, and preliminary outcomes of the assessment of changes to physical processes. The MMO did not have major concerns regarding impacts to physical processes or the assessment that has been presented in the PEIR. The MMO and Cefas reaffirmed that there were no major concerns with the assessment presented in the PEIR	The specific responses to the MMO's comments on the PEIR are noted in this table in the rows above.
Environment Agency	Pre-application meeting, 20 May 2022	Discussion was had around the Environment Agency's response to the statutory consultation on the PEIR, and preliminary outcomes of the assessment of changes to physical processes. The Environment Agency did not have major concerns regarding impacts to physical processes or the assessment that has been presented in the PEIR. The Environment Agency had no further comments to make in relation to the physical processes assessment or to the proposed approach to responding to the comments made on the PEIR.	The specific responses to the Environment Agency's comments on the PEIR are noted in this table in the rows above.
MMO (PI 10)		Previous comments	Noted.

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Chapter
	Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022	<p>raised relating to coastal processes on 23 February 2022 remain unchanged.</p> <p>The MMO consider it would be useful to see the assessment of impact of additional material considering the volume and the physical and chemical nature of the material at the disposal sites in combination with other disposal events.</p>	<p>The assessment of dredge disposal detailed in Section 7.8 of this chapter includes consideration of the increased volume arising from the newly dredged berth pocket and also provides assessment of the potential for relative changes to future maintenance dredging.</p>
Environment Agency (PI 11)	Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022	<p>This consultation has alerted us to the potential for additional impacts on siltation to the Harborough Marsh Drain outfall and that these impacts were not specifically assessed as a separate impact pathway in the original Preliminary Environmental Impact Report (Table 1, Page 42). It is our view that these potential impacts should be assessed for both the construction phase and the future operation of the terminal. If the assessment concludes that the development will (or may) have a detrimental impact on the operation of the existing outfall then details of appropriate</p>	<p>Impacts on the existing infrastructure (including the Habrough Marsh Drain) have been considered (for both construction and operation phases) within Section 7.8 of this chapter.</p>

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Chapter
		monitoring and mitigation measures, and the mechanism for securing these, should be included in the Environmental Statement.	
North East Lindsey Internal Drainage Board (c/o Witham Internal Drainage Board) (PI 12)	Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022	The Board is still concerned of the effects of the new infrastructure in the Humber over and near to the gravity outfall of Habrough Marsh Drain, there is concern that this will result in siltation which will impede the discharge. The Flood Risk Assessment and Drainage Strategy should address this and put in place measures to mitigate it.	Siltation (and longer-term morphological) impacts on the existing infrastructure (including the Habrough Marsh Drain) have been considered (for both construction and operation phases) within Section 7.8 of this chapter.
Natural England (PI 22)	Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022	As stated in our previous response Natural England broadly agrees with the scope of the assessment and we welcome any changes to design whereby impacts on any physical process are reduced. Natural England advise that our previous response sets out clearly the potential impacts and any clarification that should be made when finalising your ES prior to Development Consent Order (DCO) submission.	Noted.
BDB Pitmans LLP on behalf of Able Marine	Supplementary Statutory Consultation –	Able is concerned that the effects of the IERRT may cause siltation or scouring at Able's	The potential impact of the IERRT project on siltation and scouring has been assessed

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Chapter
Energy Park (PI 29)	28 Oct – 27 Nov 2022	Marine Energy Park once constructed, and would wish to see this assessed and an undertaking from ABP for financial compensation for any additional dredging or other works required to mitigate such effects.	within this ES chapter, with the findings described in Section 7.8 for both Construction and Operation phases. Changes to physical processes are anticipated to be small in both magnitude and extent, and are not anticipated to affect the Able Marine Energy Park once constructed.

## Chapter 8 – Water and Sediment Quality – Consultation Table

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Chapter
Planning Inspectorate (PINS)	Scoping Opinion, October 2021  Table ID 4.2.1	The ES should include an assessment of changes to levels of contaminants in water during construction and operation or the information referred to demonstrating agreement with the relevant consultation bodies and the absence of a Likely Significant Effect (LSE).	An assessment has been undertaken of these potential impacts and is included within the impact pathways on 'Changes to chemical water quality as a result of potential sediment-bound contaminants being released' during construction and operation (Section 8.8 of this chapter).
PINS MMO	Scoping Opinion, October 2021  Table ID 4.2.2  Appendix 2 MMO response	The ES should assess the potential for chemical contamination to accumulate at the dredge disposal sites.	An assessment of this potential impact has been undertaken and is included within the impact pathways on the 'Redistribution of sediment-bound contaminants' during construction and operation (Section 8.8 of this chapter).
Natural England	Scoping Opinion, October 2021  Appendix 2 Natural England response	The ES should include information on the sediment quality and potential for any effects on water quality through suspension of contaminated sediments. The EIA should also consider whether increased suspended sediment concentrations resulting are likely to impact upon the interest features and supporting habitats of the designated sites.	An assessment is included within the impact pathways on 'Changes to chemical water quality as a result of potential sediment-bound contaminants being released' during construction and operation (Section 8.8 of this chapter). The outputs of this assessment have also been used to inform the Nature Conservation and Marine Ecology assessment (Chapter 9 of this ES).



Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Chapter
Natural England	Scoping Opinion, October 2021  Appendix 2 Natural England response	The ES should consider whether there will be an increase in the pollution risk as a result of the construction or operation of the development.	This has been assessed within the impact pathways on 'Changes to chemical water quality as a result of potential sediment-bound contaminants being released' during construction and operation (Section 8.8 of this chapter).
Natural England	Scoping Opinion, October 2021  Appendix 2 Natural England response	For activities in the marine environment up to 1 nautical mile out at sea, a Water Framework Directive (WFD) assessment is required as part of any application. The ES should draw upon and report on the WFD assessment considering the impact the proposed activity may have on the immediate water body and any linked water bodies.	A WFD Compliance Assessment has been undertaken and is included within Appendix 8.1 in Volume 3 of the ES (Application Document Reference number 8.4).
Environment Agency	Scoping Opinion, October 2021  Appendix 2 Environment Agency response	We are in agreement with the aspects of water and sediment quality, which are scoped in for assessment.	N/A

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Chapter
Environment Agency	Pre-application meeting, 29 November 2021	Discussion was had around the Environment Agency's response to the Scoping Report, and the proposed approach to the water and sediment quality assessment. The proposed scope and approach to the assessment was considered suitable for the proposed development.	N/A
Environment Agency (PI34)	Statutory Consultation 19 Jan – 23 Feb 2022	No concerns regarding the preliminary conclusions on the residual effects and look forward to reviewing the full assessment in due course.	The full assessment is provided in this ES chapter and the WFD Compliance Assessment is provided in Appendix 8.1 to this ES.
MMO (PI35)	Statutory Consultation 19 Jan – 23 Feb 2022	All sediment sampling data should be presented in the MMO Results Template alongside the ES.	The completed MMO Results Template has been provided with the DCO application (Application Document reference number 9.5).
North Lincolnshire Council (NLC) (PI38)	Statutory Consultation 19 Jan – 23 Feb 2022	NLC do not have any objections to the approach set out in the PEIR at this stage. However, it should be noted that NLC does not have expertise in the methods used in the study of disciplines such as water and sediment quality within the marine environment.	Noted.

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Chapter
MMO	Pre-application meeting, 24 February 2022	Discussion was had around the MMO's response to the statutory consultation on the PEIR, and preliminary outcomes of the impact assessment on water and sediment quality assessment. The MMO did not have major concerns regarding impacts to water and sediment quality or the assessment that has been presented in the PEIR.	Noted.
Member of public (PI 5)	Supplementary Statutory Consultation 28 Oct – 27 Nov 2022	Concerns regarding toxins in dredge material and the disposal of material at sea impacting fish and crustaceans.	The impact of the disposal of capital and maintenance dredge material at sea is assessed in Section 8.8. This considers a review of the concentrations of contaminants within sediment samples from the area to be dredged. Given the relatively low concentrations of contaminants, the impacts are assessed as insignificant.

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Chapter
MMO (PI 10)	Supplementary Statutory Consultation 28 Oct – 27 Nov 2022	<p>The impact pathways seem appropriate and proportionate; however, the MMO are not able to fully comment at this stage from this high-level review as to whether we agree with this conclusion without view of this supporting information that will be provided in the ES. The MMO recommend this impact pathway is fully considered as to whether it should be included in the Environmental Impact Assessment (EIA).</p>	<p>The assessment of impact pathways relating to water and sediment quality are provided in Section 8.8 of this chapter.</p>
		<p>As per previous advice, all data should be presented in the MMO Results Template alongside the ES.</p>	<p>The completed MMO Results Template has been provided with the DCO application (Application Document reference number 9.5).</p>

## Chapter 9 – Nature Conservation and Marine Ecology – Consultation Table

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed In this Chapter
<p>Planning Inspectorate (PINS)</p> <p>Marine Management Organisation (MMO)</p> <p>Natural England</p>	<p>Scoping Opinion, October 2021</p> <p>Table ID 4.3.1</p> <p>Appendix 2 MMO response</p> <p>Appendix 2 Natural England response</p>	<p>The Inspectorate agrees that changes to seabed habitats and species as a result of sediment deposition during piling which could affect all marine ecological receptors can be scoped out of further assessment.</p>	<p>Noted.</p>
<p>PINS</p>	<p>Scoping Opinion, October 2021</p> <p>Table ID 4.3.2</p>	<p>The ES should include an assessment of indirect changes to seabed habitats and species as a result of changes to hydrodynamic and sedimentary processes caused by the presence of piled structures which could affect all marine ecological receptors or information demonstrating agreement with the relevant consultation bodies and the absence of a Likely Significant Effect (LSE).</p>	<p>This pathway has been scoped in to the assessment (Section 9.8 of this chapter).</p>
<p>PINS</p> <p>Natural England</p>	<p>Scoping Opinion, October 2021</p> <p>Table ID 4.3.3</p> <p>Appendix 2 Natural England response</p>	<p>The ES should include an assessment of changes in water and sediment quality during piling which could affect all marine ecological receptors or information demonstrating agreement with the relevant consultation</p>	<p>This pathway has been scoped out of the assessment with a rationale for this provided in the ES (Section 9.8 of this chapter).</p>

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed In this Chapter
		bodies and the absence of an LSE.	
PINS Natural England	Scoping Opinion, October 2021  Table ID 4.3.4  Appendix 2 Natural England response	The Inspectorate agrees that changes to marine mammal foraging habitat and prey resources during dredging and dredge disposal can be scoped out of further assessment.	Noted.
PINS	Scoping Opinion, October 2021  Table ID 4.3.5	The Inspectorate agrees that the additional traffic is unlikely to substantially increase collision risk to marine mammals during construction and operation.	Noted.
PINS	Scoping Opinion, October 2021  Table ID 4.3.6	The ES should include an assessment of water quality impacts during dredging/dredge disposal and operational berth vessel movements on marine mammals or information demonstrating agreement with the relevant consultation bodies and the absence of an LSE.	Water quality impacts on marine mammals have been scoped out of the assessment with a rationale for this provided in the ES (Section 9.8 of this chapter).
PINS	Scoping Opinion, October 2021  Table ID 4.3.7	If smelt are a feature of an MCZ likely to be affected by the Proposed Development then this should be assessed in the ES. It should be made clear in the assessment what protections are given by law and policy for Features of Conservation Importance.	The Holderness Inshore Marine Conservation Zone (MCZ) is the nearest MCZ to the proposed development (located approximately 20 km away). This is considered to be beyond the zone of potential effects of the proposed development. Consequently, reference to Feature of

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed In this Chapter
			Conservation Importance (FOCI) has been removed from the baseline section for the ES.
PINS Natural England	Scoping Opinion, October 2021  Table ID 4.3.8  Appendix 2 Natural England response	The Applicant's attention is drawn to the comments from Natural England, where they highlight the potential for effects on North Killingholme Haven Pits Site of Special Scientific Interest (SSSI), The Lagoons SSSI and the Greater Wash Special Protection Area (SPA). The ES should clearly present and justify the zones of influence of the Proposed Development. Evidence should be presented of agreement wherever possible with relevant stakeholders, particularly Natural England.	It is noted that the North Killingholme Haven Pits SSSI which is located approximately 5 km away from the proposed development could be functionally linked to the mudflat habitat in the proposed development footprint with local populations of species such as Dunlin and Black-tailed Godwit potentially utilising both areas. However, Killingholme Haven Pits is considered too distant to be impacted directly by the Proposed development (such as through potential disturbance effects). Based on the predicted magnitude of potential effects and proposed mitigation, indirect impacts on the SSSI (e.g., changes in local population levels resulting from changes in distribution) would also be expected to be negligible. On this basis this designated site is not considered further in the assessment.  Potential effects on the Greater Wash SPA

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed In this Chapter
			<p>(located approximately 20 km from the proposed development) is considered within the HRA (Application Document Reference number 9.6). In summary, it is considered highly unlikely that interest features of the Greater Wash SPA will overlap with any potential direct or indirect changes resulting from the construction and operational activities associated with the proposed development which are limited to within the vicinity of the Port of Immingham. On this basis this designated site is not considered further in the assessment.</p> <p>The Lagoons SSSI is located approximately 20 km from the proposed development with Little Tern a notified feature of the SSSI. However, data suggests that this species forages within 5 km of nesting sites (Woodward <i>et al.</i>, 2019b) with this species considered very rare within the Immingham area. On this basis, this notified feature will not overlap with any potential direct or indirect changes resulting from the</p>



Consultee	Reference, Date	Summary of Response	How Comments have been Addressed In this Chapter
			construction and operational activities associated with the proposed development which are limited to within the vicinity of the Port of Immingham. This designated site is not, therefore, considered further in the assessment.
PINS Natural England	Scoping Opinion, October 2021  Table ID 4.3.9  Appendix 2 Natural England response	Natural England has identified the potential for the new piers to lead to changes in foraging and roosting habitat which could affect the ecological function of the mudflats. The ES should either include an assessment of these effects or a justification (supported by evidence) that no LSE would arise as a result of this effect pathway.	This pathway has been considered in the assessment (Section 9.8 of this chapter).
PINS Natural England	Scoping Opinion, October 2021  Table ID 4.3.10  Appendix 2 Natural England response	Natural England has identified the potential for direct changes to benthic habitats and species beneath the pier structures to affect the ecological function of the mudflats. The ES should either include an assessment of these effects or a justification (supported by evidence) that no LSE would arise as a result of this effect pathway.	This pathway has been considered in the assessment (Section 9.8 of this chapter).
PINS MMO	Scoping Opinion, October 2021  Table ID 4.3.11	The ES should either include an assessment of effects of noise and vibration associated with the additional vessel movements in	Potential disturbance to coastal waterbirds resulting from noise and visual stimuli in operation (including vessel movements) has

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed In this Chapter
	Appendix 2 MMO response	and out of the port (i.e., during operation) or a justification as to why significant effects are unlikely, supported by evidence of agreement to this approach from Natural England and the MMO.	been considered in the assessment (Section 9.8 of this chapter). Operational underwater noise effects have been scoped out with a rationale provided in the ES (Section 9.8 of this chapter).
PINS MMO	Scoping Opinion, October 2021  Table ID 4.3.12  Appendix 2 MMO response	The MMO agree that a simple modelling approach in this instance is appropriate (though there are some limitations). The ES should provide full details of the underwater noise modelling used and a justification as to why the approach is considered to be robust.	Noted.
PINS MMO	Scoping Opinion, October 2021  Table ID 4.3.13  Appendix 2 MMO response	The MMO does not agree that the data sources identified in the Scoping Report are adequate to provide accurate abundance information on any shellfish species. To ensure the assessments in the ES are robust, the Inspectorate requires that they should either be based on a presence/absence approach or additional baseline data should be collected through desk studies or through field surveys. The Applicant is advised to agree the approach to collecting baseline data and undertaking the assessment of effects on shellfish with the	There are no classified commercial shellfish (bivalve) beds in the Humber Estuary (Cefas, 2021) and the areas around the proposed IERRT project and associated disposal sites do not support other commercial shellfisheries (such as crab/lobsters using creels or the collection of whelks). On this basis, commercial shellfisheries have been scoped out of the assessment. However, relevant fauna which are considered shellfish species (such as cockles or clams) are considered within the

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed In this Chapter
<p>PINS Natural England</p>	<p>Scoping Opinion, October 2021  Table ID 4.3.14  Appendix 2 Natural England response</p>	<p>MMO and other relevant stakeholders.  The Applicant's attention is drawn to the comments from Natural England about the adequacy of existing ornithological datasets, particularly in relation to the need to cover the autumn passage period, low tide as well as high tide and information on the way birds are using the area. The ES must provide a robust assessment of the effects of the Proposed Development on bird populations, particularly those species associated with designated sites. Failure to include baseline data which fully covers the periods when significant numbers of birds are using the area affected by the Proposed Development may bring the adequacy of the ES into question.</p>	<p>benthic habitats and species assessment.  The IOH surveys which overlap with the proposed Development cover low and high tide period.  In addition, the 2021/22 survey season started in August rather than October (as per previous years). The surveys have been continued on a monthly basis in 2022 rather than stopping in March as per previous years. On this basis, the results from passage and summer months (August and September 2021 and April to September 2022) have also been presented. As a result it is considered that the baseline data is fully representative of birds that are using the area affected by the IERRT project.</p>
<p>Natural England</p>	<p>Scoping Opinion, October 2021  Appendix 2 Natural England response</p>	<p>We note that intertidal benthic invertebrate surveys are proposed. If birds are foraging in the development area, it would be beneficial to alter the methodology, so that they could also assess bird prey availability. This could be done through extending the core depths to 30 cm rather than 15 cm, to replicate</p>	<p>The intertidal survey was undertaken prior to receiving scoping responses in September 2021. Taking cores to 15 cm is the standard technique used in current sampling guidelines (such as for Environment Agency TrAC monitoring and in the Marine Monitoring Handbook) as well as</p>

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed In this Chapter
		<p>probing depths of larger wading bird species and record the number and biomass of benthic prey species within size classes (this would determine the proportion that are a suitable prey size, i.e., not too small, for foraging birds). Ideally these surveys would take place in late summer, prior to the passage period, to provide an assessment of the prey availability prior to its depletion from foraging passage/wintering birds.</p>	<p>previous surveys in the local area. The survey was therefore based on this standardised approach.</p> <p>Prey size class analysis has been undertaken.</p>
PINS	<p>Scoping Opinion, October 2021</p> <p>Table ID 4.3.15</p>	<p>The Inspectorate notes that the Applicant intends to undertake subtidal and intertidal benthic habitat surveys using the sampling methodology presented in the Scoping Report. The Applicant is advised to agree the methodology and the number of samples to be collected with Natural England and the MMO.</p>	<p>It was proposed that a sample plan would be submitted to Natural England to agree on the methods and number of samples in advance of the surveys. However, Natural England were not providing a Discretionary Advice Service during the period prior to sampling and as such this was not possible. However, the methods used were based on standardised methods for ecological surveys and is considered sufficient for the assessment.</p>
Environment Agency	<p>Scoping Opinion, October 2021</p> <p>Appendix 2 Environment</p>	<p>We are pleased to see that site specific sediment quality and benthic ecology surveys are planned; this will inform the quality of the</p>	<p>Section 9.8 of this chapter provides an assessment of habitat loss as a result of the proposed development.</p>

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed In this Chapter
	<p>Agency response</p> <p>Consultation meeting, 29 November 2021</p>	<p>habitat to be lost and inform the Biodiversity Net Gain (BNG) metric.</p>	<p>As an NSIP, this project is not at this time subject to the requirement to deliver 10% BNG under The Environment Act 2021, as the requirement is yet to come into practical effect. Furthermore, as per subsequent Natural England advice during statutory consultation (summarised below in this table), the Defra metric should not be used to assess impacts and calculate compensation for habitat damage or loss in designated sites or irreplaceable habitat.</p>
<p>Environment Agency</p>	<p>Scoping Opinion, October 2021</p> <p>Appendix 2 Environment Agency response</p> <p>Pre-application meeting, 29 November 2021</p>	<p>We note the capital dredge location overlaps with the intertidal habitat, which will result in a loss of intertidal habitat in this location - we would expect the loss to be compensated for.</p>	<p>Section 9.6 of this chapter provides further information on the specific habitat and species interest features of the Humber Estuary and Section 9.8 includes consideration of the effects of the proposed development on these features.</p> <p>A HRA has been undertaken alongside the ES (Application Document Reference number 9.6).</p> <p>The loss of intertidal habitat as a result of the IERRT project is considered <i>de minimis</i> in extent (0.012 ha direct loss and 0.01 ha</p>

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed In this Chapter
			indirect loss) following a change to the scheme design in order to reduce the loss and consequently is not considered to result in an adverse effect on site integrity. On this basis, compensatory habitat is not required.
MMO	Scoping Opinion, October 2021  Appendix 2 MMO response	The MMO supports the intended approach of using the results of the relevant physical processes assessments to confirm whether it is appropriate to screen out these impact pathways.	Noted.
MMO	Scoping Opinion, October 2021  Appendix 2 MMO response	The MMO agree with the proposals regarding the collection of new, site-specific benthic ecology data.	Noted.
MMO	Scoping Opinion, October 2021  Appendix 2 MMO response	The MMO would expect the effects of changes to Suspended Sediment Concentrations (SSC) and sediment deposition on benthic ecology receptors to be assessed in the ES.	These pathways have been considered in the assessment (Section 9.8 of this chapter).
MMO	Scoping Opinion, October 2021  Appendix 2 MMO response	The MMO recommend that a summary table should be included, including relevant developments' current stage, location and timing of the proposed works. This will help to identify potential overlaps between activities that could lead to cumulative impacts on fish receptors.	This information has been included in the cumulative and in-combination effects assessment (Chapter 20 of this ES).

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed In this Chapter
MMO	<p>Scoping Opinion, October 2021</p> <p>Appendix 2 MMO response</p>	<p>The MMO note that site-specific surveys are not considered necessary given that the existing available data sources are appropriate to characterise fish receptors on the study area. The MMO agree with this approach, however, would expect that the limitations of data sources used (e.g., gear selectivity and the timing of surveys) to be acknowledged.</p>	<p>This is described in Section 9.6 of this chapter.</p>
Natural England	<p>Scoping Opinion, October 2021</p> <p>Appendix 2 Natural England response</p>	<p>Under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended) an appropriate assessment (AA) needs to be undertaken. Should a Likely Significant Effect on a European/Internationally designated site be identified or be uncertain, the competent authority may need to prepare an AA, in addition to consideration of impacts through the EIA process.</p>	<p>A HRA has been undertaken alongside the ES (Application Document Reference number 9.6).</p>
Natural England	<p>Scoping Opinion, October 2021</p> <p>Appendix 2 Natural England response</p>	<p>The Environmental Statement (ES) should include a full assessment of the direct and indirect effects of the development on the designated sites' features of special interest and should identify such mitigation measures as may be</p>	<p>Potential effects on designated sites are considered in the assessment in Section 9.8 of this chapter, and proposed any mitigation is listed in Section 9.9.</p>

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed In this Chapter
		required in order to avoid, minimise or reduce any adverse significant effects.	
Natural England	Scoping Opinion, October 2021  Appendix 2 Natural England response	The development is in proximity to the Holderness Inshore MCZ. The ES should consider including information on the impacts of this development on MCZ interest features, to inform the assessment of impacts on habitats and species of principle importance for this location.	The nearest MCZ (Holderness Inshore) is located approximately 20 km from the proposed development and does not overlap with the zone of influence. Furthermore, there are no mobile FOCI that could overlap with any of the marine effects resulting from the proposed development. Overall, therefore, there is considered to be no potential for direct or indirect impacts on FOCI of this site. On this basis an MCZ Assessment is not considered to be required.
Natural England	Scoping Opinion, October 2021  Appendix 2 Natural England response	The EIA will need to consider any impacts upon local wildlife and geological sites. The assessment should include proposals for mitigation of any impacts and if appropriate, compensation measures.	The assessment has considered potential effects on local sites. Potential effects on nature conservation destinations are considered further in Section 9.8 and mitigation in Section 9.9.
Natural England	Scoping Opinion, October 2021  Appendix 2 Natural England response	The ES should also assess the impact of all phases of the proposal on marine protected species (including, for example, pinnipeds (seals), cetaceans (including dolphins, porpoises whales), fish	Relevant protected marine species (such as marine mammals and certain fish species) have been considered within the impact assessment (Section 9.8).



Consultee	Reference, Date	Summary of Response	How Comments have been Addressed In this Chapter
		(including seahorses, sharks and skates), marine turtles, marine invertebrates etc.).	
Natural England	Scoping Opinion, October 2021  Appendix 2 Natural England response	The ES should thoroughly assess the impact of the proposals on habitats and/or species listed as 'Habitats and Species of Principal Importance' within the England Biodiversity List, published under the requirements of S41 of the Natural Environment and Rural Communities (NERC) Act 2006. Consideration should also be given to those species and habitats included in the relevant Local BAP.	Habitats and/or species listed as 'Habitats and Species of Principal Importance'/BAP have been considered within the impact assessment (Section 9.8).
Natural England	Scoping Opinion, October 2021  Appendix 2 Natural England response	The development should seek if possible to avoid adverse impact on sensitive areas for wildlife within the site, and if possible provide opportunities for overall wildlife gain.	A number of mitigation measures have been identified to reduce potential adverse impacts on marine ecology receptors and are described in more detail Section 9.9.
Natural England	Scoping Opinion, October 2021  Appendix 2 Natural England response	In June Government announced their response to the Dasgupta review which introduced amendments to the Environment Bill. A key feature of this announcement is the amendment to require Nationally Significant Infrastructure Projects (NSIPs) to deliver a 10% BNG outcome. The changes to bring these	As an NSIP, this project is not subject to the requirement to deliver 10% BNG under The Environment Act 2021, in that the obligation is yet to come into force.  As per subsequent Natural England advice during statutory consultation (summarised in this table), the Defra metric

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed In this Chapter
		<p>projects into scope for mandatory BNG is reliant on the timing of the Environment Bill, and until amendments have been made to National Policy Statements for all scenarios net gain remains voluntary. However, Natural England considers that major infrastructure developments should set the highest environmental standards and deliver significant gains. The Biodiversity Metric 3.0 (Natural England) has been developed as a tool for 'Biodiversity accounting' and should be used by the developer to assess the biodiversity impact of the development.</p>	<p>should not be used to assess impacts and calculate compensation for habitat damage or loss in designated sites or irreplaceable habitat.</p>
<p>North Lincolnshire Council Natural Environment Policy Specialist</p>	<p>North Lincolnshire Council scoping response, 28 October 2021</p>	<p>For the in-combination assessment within the HRA, it is advised the applicant makes use of the Humber Nature Partnership In-combination Database.</p>	<p>The database has been reviewed, and used as advised, for the in-combination assessment within the HRA (Application Document Reference 9.6).</p>
<p>North East Lincolnshire Council Ecologist</p>	<p>North East Lincolnshire Council scoping response, 23 November 2021</p>	<p>I can confirm that I'm happy with [the approach set out in the Scoping Report]. Interest will lie in the HRA, but protected species and habitats outside of the qualifying features of the Humber Estuary designation have been dealt with here.</p>	<p>A HRA has been undertaken alongside the ES (Application Document Reference 9.6).</p>

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed In this Chapter
Royal Society for the Protection of Birds (RSPB)	Pre-application meeting, 12 November 2021	A discussion was had on the proposed development, bird survey data, and cumulative effects.	A description of bird survey data is provided in Section 9.3 and 9.6 of this chapter. An assessment of cumulative effects is provided in the ES (Chapter 20).
Natural England (PI40)	Statutory Consultation 19/01/22 - 23/02/22	<i>Internationally and nationally designated sites:</i> The consultation documents do not include a Habitats Regulations Assessment (HRA). It is Natural England's advice that the proposal is not directly connected with or necessary for the management of the European site. You should therefore determine whether the proposal is likely to have a significant effect on any European site, proceeding to the Appropriate Assessment stage where significant effects cannot be ruled out.	A HRA has been undertaken alongside the ES (Application Document Reference number 9.6).
Natural England	Statutory Consultation 19/01/22 - 23/02/22	Based on our current understanding of the nature and scale of the development, and the information provided within the consultation, Natural England broadly agrees with the scope of the assessment set out in Table 9.17 and Table 9.19, within Chapter 9 of the PEIR. However, further justification is	More detailed information on potential effects during the operation phase has been included in Table 9.25 of this chapter to address this.  A HRA has been undertaken alongside the ES (Application Document Reference number 9.6).

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed In this Chapter
		<p>needed where impact pathways have been scoped out of further assessment for the operation phase, while the same impact pathway has been scoped in for the construction phase. This is discussed in more detail in the sections below.</p> <p>We recommend you consider potential likely significant effects on international designated sites arising from the impact pathways identified in Table 9.17 and Table 9.19, in addition to any other potential impact pathways identified within this consultation response and during your assessment.</p>	
Natural England	Statutory Consultation 19/01/22 - 23/02/22	We note that Table 9.1 refers to sensitivity as 'moderate' while section 9.3.12 defines it as 'medium'. Natural England recommends using terms consistently to avoid potential confusion.	The terminology employed has now been made consistent in the ES.
Natural England	Statutory Consultation 19/21/22 - 23/02/22	Table 9.1 summarises the sensitivity level of marine ecology receptors. Natural England does not consider that enough detail has been included in this table. We would expect to see sensitivity characterised in more depth in the text. For	Further rationale for the sensitivity levels that have been assigned are included for each pathway in the impact assessment (Section 9.8).

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed In this Chapter
		example, marine mammal sensitivity to underwater noise could vary depending on the pathway being assessed e.g. disturbance versus injury.	
Natural England	Statutory Consultation 19/01/22 - 23/02/22	<i>Assessment of loss of intertidal and subtidal habitat:</i> Natural England notes that the proposed development will result in a loss of 1.65 ha of intertidal habitat as a result of the proposed capital dredge and jetty. In addition, it is assumed that there will be a loss of subtidal habitat as a result of piling associated with the proposed floating pontoons and finger pier structures. The potential for loss of subtidal habitat has not been considered in the PEIR. Natural England advises that the HRA considers the potential for likely significant effects as a result of loss of both intertidal and subtidal habitat. This should include loss of SAC habitat (i.e. Estuaries and Mudflats and sandflats not covered by seawater at low tide) as well as the loss of supporting habitat for SPA bird species.	A HRA has been undertaken alongside the ES (Application Document Reference number 9.6). Both the ES and HRA have considered intertidal and subtidal loss including effects on designated features. The loss of intertidal habitat as a result of the proposed development is considered <i>de minimis</i> in extent (0.012 ha direct loss and 0.01 ha indirect loss). This is following optimisation of the scheme design in order to reduce the loss and consequently is not considered to result in an adverse effect on site integrity.
Natural England	Statutory Consultation 19/01/22 - 23/02/22 .	<i>Assessment of loss of intertidal and subtidal habitat:</i> Natural England considers that any	The HRA (Application Document Reference number 9.6) has assessed the potential

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed In this Chapter
		<p>credible risk of a measurable loss of marine or terrestrial habitat, no matter how small, from within a European site is a 'likely significant effect' and the full significance of its impact on site integrity should be screened-in and further tested by an Appropriate Assessment. It is Natural England's advice that a lasting and irreparable loss of European Site habitat will prevent a conclusion of no adverse effect on site integrity being reached unless an Appropriate Assessment can clearly ascertain otherwise.</p>	<p>for an adverse effect on site integrity as a result of the proposed development.</p> <p>The loss of intertidal habitat as a result of the proposed development is considered <i>de minimis</i> in extent (following a change to the scheme design in order to reduce the loss) and consequently is not considered to result in an adverse effect on site integrity.</p>
Natural England	Statutory Consultation 19/01/22. - 23/02/22	<p><i>Assessment of loss of intertidal and subtidal habitat:</i> We note that section 9.8.172 states that, in the context of the Humber Estuary SPA, the loss of 1.65 ha of intertidal habitat as a result of the proposed development is considered negligible. Natural England advises that further assessment is required within an Appropriate Assessment.</p>	<p>The HRA (Application Document Reference number 9.6) has assessed the potential for an adverse effect on site integrity as a result of the proposed development.</p> <p>The loss of intertidal habitat as a result of the proposed development is considered <i>de minimis</i> in extent (following a refinement to the scheme design) and consequently is not considered to result in an adverse effect on site integrity.</p>
Natural England	Statutory Consultation	<i>Appropriate Assessment:</i> An	An HRA has been undertaken in view of

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed In this Chapter
	19/01/22 - 23/02/22	appropriate assessment should be made in view of the European sites' conservation objectives, which provides a list of attributes contributing to site integrity that can provide a checklist for the assessment process, the detailed supplementary advice and advice on operations should also inform the conclusion.	the European sites' conservation objectives and with the supplementary advice and advice on operations used to inform the assessment (Application Document Reference 9.6).
Natural England	Statutory Consultation 19/01/22 - 23/02/22	<i>Assessment of impacts on benthic habitats and species:</i> At this time, Natural England have not fully considered the potential impacts on benthic habitats and species due to lack of expertise availability and we will provide detailed comments on the ES.	Noted.
Natural England	Statutory Consultation 19/01/22- 23/02/22	<i>Assessment of impacts on benthic habitats and species:</i> During the construction phase, potential changes to benthic habitats and species as a result of the proposed capital dredge have been scoped in, on the basis that dredging could result in changes in species' abundance and distribution through damage, mortality or relocation to a disposal site. It is not clear why the same impact pathway has been scoped out for the proposed maintenance	More detailed information on potential effects has been included in Table 9.25 of this chapter.

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed In this Chapter
		<p>dredging. In addition, Table 9.19 acknowledges that the predicted impacts on benthic ecology receptors as a result of maintenance dredging could be equivalent to the predicted impacts as a result of the capital dredge regime. We consider that changes in species' abundance and distribution are also possible during the maintenance dredging through the same mechanisms identified for the capital dredge. Therefore, please provide further justification for your rationale on this impact pathway.</p>	
Natural England	Statutory Consultation 19/01/22 - 23/02/22	<p><i>Assessment of impacts on fish:</i> At this time, Natural England have not fully considered the potential impacts on fish species due to lack of expertise availability. We will provide detailed comments on the ES.</p> <p>We note however that the assessment has correctly identified fish species included in the Humber Estuary SAC designation; namely sea lamprey <i>Petromyzon marinus</i> and river lamprey <i>Lampetra fluviatilis</i>. When assessing the likely significant effect on the SAC, Natural England</p>	A HRA has been undertaken alongside the ES (Application Document Reference number 9.6). This considers the impact on lamprey at different life stages.



Consultee	Reference, Date	Summary of Response	How Comments have been Addressed In this Chapter
		advises you have consideration for the potential impacts on lamprey species at the different life stages.	
Natural England	Statutory Consultation 19/01/22 - 23/02/22	<i>Assessment of impacts on fish:</i> As outlined above, under “ <i>Assessment of impacts on benthic habitats and species</i> ”, it is not clear why impact pathways for maintenance dredging have been scoped out while the same impact pathways have been assessed for capital dredging. Either further justification should be provided, or this impact pathway should be assessed.	More detailed information on potential effects during operation/maintenance dredging, and which impact pathways are assessed in detail, has been included in Table 9.25 of this chapter.
Natural England	Statutory Consultation 19/01/22 - 23/02/22	<i>Assessment of impacts on fish:</i> The justification included in Table 9.19 for underwater noise disturbance from vessel operations states that the impact pathway has been “... <i>scoped into the assessment</i> ”. However, the impact pathway appears to have been scoped out of the assessment. This should be clarified.	This pathway has been scoped out of the assessment. A detailed rationale has been included in Table 9.25 of this chapter.
Natural England	Statutory Consultation 19/01/22- 23/02/22	<i>Assessment of impacts on fish:</i> Section 9.8.130 states that works will take place between 7 am and 7 pm, therefore reducing the risk to migratory fish. This has not been included as mitigation in section 9.9. It is our advice that night time working is	River lamprey migrate at night (Environment Agency, 2013) and so it is assumed that the Natural England statement ‘It is our advice that night time working is beneficial to lamprey species and therefore should be considered mitigation’

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed In this Chapter
		beneficial to lamprey species and therefore should be considered mitigation.	is an error. Restricting piling at night is proposed as a mitigation measure (see Section 9.9).
Natural England	Statutory Consultation 19/01/22 - 23/02/22	<i>Assessment of impacts on marine mammals:</i> While we agree with the scope of the assessment, we consider that it could benefit from greater quantification of the impact parameters. For example, when considering potential collision risk, it would be helpful to consider typical vessel speeds and the number of vessel movements. We do not consider habituation provides sufficient justification for scoping out collision risk. Marine mammals are highly mobile and will not remain only in the Humber Estuary. Therefore, they will not necessarily be habituated to the level of vessel presence here.	Potential collision risk including vessel speeds and the number of vessel movements is considered in more detail in Tables 9.21 and Table 9.25.
Natural England	Statutory Consultation 19/01/22- 23/02/22	<i>Assessment of impacts on marine mammals:</i> Natural England advises that the assessment should also consider potential barrier effects caused by underwater noise. This should include consideration of whether marine mammals are excluded	Potential barrier effects caused by underwater noise including displacement effects are considered in more detail in the assessment (paragraph 9.8.195).

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed In this Chapter
		from certain areas as a result of the proposed development, and whether this exclusion limits their normal movements.	
Natural England	Statutory Consultation 9/01/22- 23/02/22	<i>Assessment of impacts on marine mammals:</i> The stated impact pathway being assessed in section 9.8.144 is “disturbance”. However, the assessment presented only considers permanent threshold shifts (PTS) and temporary threshold shifts (TTS), which are both types of auditory impact, and do not necessarily correspond directly to disturbance or behavioural responses. In the case of PTS specifically, we consider this to be an injury, not a form of disturbance.	There are no equivalent behavioural response criteria that would represent the sources of underwater noise associated with the proposed development. Behavioural responses are less predictable and difficult to quantify as reactions are highly variable and context specific. The assessment, therefore, includes a review of the behavioural responses of marine mammals to different activities from published field studies (Section 9.8).
Natural England	Statutory Consultation 19/01/22 - 23/02/22	<i>Assessment of impacts on marine mammals:</i> Section 9.8.150 refers to “a review of the available evidence on the behavioural responses” of marine mammals in Appendix 9.2. We advise that information from this review should be included in the main body of the ES. In particular, it should include any identified disturbance and behavioural impact ranges. There should	The review on behavioural responses has been included in the main body of the ES in the ‘General Scientific Context’ section of the underwater noise effects during construction pathway (paragraphs 9.8.175 to 9.8.186). However, it is worth noting that existing evidence is typically from the larger tubular piles used in offshore windfarms or other activities such as

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed In this Chapter
		<p>also be a separate assessment of the impact significance of disturbance. This is particularly important as disturbance effects cannot be mitigated in the same way as injury effects.</p>	<p>seismic survey. Evidence on the behavioural responses of marine mammals to small percussive driven piles in port or harbour areas is limited and therefore it is not possible to provide a conclusive assessment of the significance of potential disturbance effects.</p>
Natural England	Statutory Consultation 19/01/22 - 23/02/22	<p><i>Assessment of impacts on marine mammals:</i> The ES should include information on the distance between the proposed works (including any possible vessel transits due to dredge disposal) and seal haul out sites. If the works or vessel transits are close enough to any haul outs so that disturbance might occur, then the impact of disturbance due to physical presence of the vessel should also be considered.</p>	<p>The proximity to seal haul out sites is considered further in Table 9.21 and Table 9.25 of this chapter.</p>
Natural England	Statutory Consultation 19/01/22 - 23/02/22	<p><i>Assessment of impacts on marine mammals:</i> The justification included in Table 9.19 for underwater noise disturbance from vessel operations states that the impact pathway has been "...scoped into the assessment". However, the impact pathway appears to have been scoped out of the assessment. This should be clarified.</p>	<p>This pathway has been scoped out of the assessment. A detailed rationale has been included in Table 9.25 of this chapter.</p>

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed In this Chapter
Natural England	Statutory Consultation 19/01/22 - 23/02/22	<p><i>Assessment of impacts on marine mammals:</i> Natural England does not agree with the justification provided for screening out underwater noise disturbance when the same impact pathway has been screened into the assessment for construction. Table 9.19 acknowledges that the magnitude of potential impact of maintenance dredge and disposal could be “equivalent” to the magnitude of potential impact of capital dredge and disposal. Further, based on the information provided in the consultation, Natural England understands ambient noise conditions are up to 154 dB SPL RMS, while the cargo ships are up to 184 dB SPL RMS. Therefore, we do not agree that the noise levels are unlikely to be discernible above ambient levels. It is our advice is that underwater noise disturbance during operation should be included in the assessment, although we anticipate that the outcome of the assessment may not be significant.</p>	<p>The outcomes of the assessment of underwater noise disturbance from capital dredging activities during construction will be the same for maintenance dredging activities during operation. A worst-case source level for all types of dredgers has been applied to the underwater noise assessment and, therefore, the predicted ranges of effect are applicable to both the maintenance and capital dredging activities. In summary, there is not considered to be any risk of injury or significant disturbance to marine mammals from any dredging activities that are proposed at the Port of Immingham even if the dredging were to take place continuously 24/7.</p>
Natural England	Statutory Consultation	<p><i>Assessment of impacts on marine mammals:</i></p>	<p>This pathway has been scoped out of the</p>

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed In this Chapter
	19/01/22 - 23/02/22	For clarity, we also advise that collision risk is included in Table 9.19 even if suitable justification for it to be scoped out is provided.	assessment. A detailed rationale has been included in Table 9.25 of this chapter.
Natural England	Statutory Consultation 19/01/22 - 23/02/22	<i>Assessment of impacts on marine mammals:</i> Natural England welcomes the mitigation measures outlined in section 9.9.4.	Noted.
Natural England	Statutory Consultation 19/01/22 - 23/02/22	<i>Assessment of impacts on coastal waterbirds:</i> Chapter 9 of the PEIR outlines the data and information sources used to inform the assessment of the potential impacts of the development. This includes the existing Immingham Outer Harbour (IOH) ornithology surveys. As the surveys that relate to IOH development have previously covered the period October to March, Natural England welcomes inclusion of recent surveys to cover the Autumn passage period (August – September). We advise that these surveys should also be extended to include the full Spring passage period (i.e., to April). Weekly visits between September and November, and March and April inclusive, are recommended due to high turnover of birds during migration.	Passage surveys have been undertaken on a weekly basis in March and April 2022 and will also be undertaken on a weekly basis from September to November 2022 (summarised in Section 9.6).

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed In this Chapter
Natural England	Statutory Consultation 19/01/22 - 23/02/22	<i>Assessment of impacts on coastal waterbirds:</i> Natural England welcomes Figures 9.9 and 9.10 showing the mean peak number of birds during different months and the distribution of roosting and foraging birds in Sector B. In order to fully understand the potential impacts on coastal waterbirds, it might be useful to also provide data to demonstrate how the birds are using the area during different tidal states.	Information on how the birds are using the area during different tidal states has been provided in the baseline (Section 9.6 of this chapter).
Natural England	Statutory Consultation 19/01/22 - 23/02/22	<i>Assessment of impacts on coastal waterbirds:</i> Table 9.16 indicates that SPA qualifying species have been highlighted in bold. It is not clear why some species are not highlighted; curlew, grey plover, mallard and teal are all important component species of the Humber Estuary SPA waterbird assemblage feature. Impacts to all the SPA bird species, whether they are individually qualifying features or as part of the waterbird assemblage should be assessed within the HRA. As a guideline, impacts on all SPA bird species which are present on the project site in numbers over 1	Species listed as SPA assemblage species within the citation have been highlighted in in Table 9.19 with the symbol †.  The HRA (Application Document Reference 9.6) considers all SPA bird species which are present on the project site in numbers over 1% of the estuary population. However, for SPA species where only one single bird observation represents > 1% of the estuary population (based on the data for Sector B presented in Table 9.19 of this chapter), such as Greenshank, they are not considered further in the assessment.

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed In this Chapter
		<p>per cent of the estuary population (not just over 10 per cent) have the potential to undermine the conservation objectives and should therefore be subject to further assessment in the HRA.</p>	
Natural England	Statutory Consultation 19/01/22 - 23/02/22	<p><i>Assessment of impacts on coastal waterbirds:</i> Natural England agrees with the scope of assessment of potential impacts to coastal waterbirds during construction and advises that the potential impact pathways included in Table 9.17 should be considered in the HRA.</p>	<p>These pathways are considered in the HRA (Application Document Reference number 9.6).</p>
Natural England	Statutory Consultation 19/01/22- 23/02/22	<p><i>Assessment of impacts on coastal waterbirds:</i> Section 9.8.228 discusses the potential for operational disturbance to coastal birds using the nearby intertidal mudflat as a result of vessel movements and people around the berthing infrastructure. Natural England advises that the assessment should also consider the potential for disturbance as a result of wheeled cargo moving from the berthing infrastructure to the terminal areas, which are expected to occur directly above and adjacent to the intertidal mudflat.</p>	<p>Vehicles moving from the berthing infrastructure to the terminal areas have been considered within the assessment (Section 9.8).</p> <p>This pathway is also considered in the HRA (Application Document Reference number 9.6).</p>



Consultee	Reference, Date	Summary of Response	How Comments have been Addressed In this Chapter
Natural England	Statutory Consultation 19/01/22 - 23/02/22	As discussed in the sections relating to benthic habitats and species and marine mammals, it is not clear why potential disturbance impacts as a result of maintenance dredging has not been considered in the scoping of operation impacts when it has for construction. Natural England advises that this should be considered further.	Detailed information on potential effects during operation/maintenance dredging has been included in Table 9.25 of this chapter.
Natural England	Statutory Consultation 19/01/22 - 23/02/22	<i>Assessment of impacts on coastal waterbirds:</i> We welcome the proposed avoidance/mitigation measures set out in section 9.9. The specifics of these measures should be detailed in the Code of Construction Practice (CoCP) and Ecological Management Plan (EMP) which will need to be agreed with Natural England.	Mitigation measures are detailed within the Construction Environmental Management Plan (CEMP) (Application Document Reference number 9.2).
Natural England	Statutory Consultation 19/01/22 - 23/02/22	<i>Assessment of impacts on coastal waterbirds:</i> Section 9.9.6 identifies mitigation measures to reduce disturbance to coastal waterbirds during construction, namely soft start piling and cold weather restrictions. Please note that these mitigation measures rely on availability of alternative intertidal areas for feeding and roosting	The availability of alternative intertidal areas for feeding and roosting birds is considered in Section 9.8 and in the HRA (Application Document Reference number 9.6).

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed In this Chapter
		birds. This should be considered in more detail within the Appropriate Assessment.	
Natural England	Statutory Consultation 19/01/22 - 23/02/22	<p><i>Assessment of impacts on coastal waterbirds:</i> Section 9.9.8 proposes an adaptive monitoring and management strategy to address disturbance of waterbirds during the operational phase. Whilst it would be interesting to see the results of a programme of monitoring of disturbance related to port operations, Natural England does not recommend reliance on a 'monitor and manage' approach which we have found can be very difficult to implement. There are a number of issues such as the setting of appropriate targets when additional mitigation measures would be required and separating out the disturbance effects of this development from current port activity. The surveys are proposed to take place twice per month, so provide a 'snap shot' of port activity, which may miss a very disturbing event, which would trigger additional mitigation measures. This aspect should be considered in more detail within the</p>	The application of an adaptive monitoring and management strategy has not been included in the ES given Natural England's concerns relating to the implementation of such a strategy. Instead, screens will be used to reduce potential disturbance on a precautionary basis during operation (Section 9.9 of this chapter). If mitigation was deemed necessary as part of an adaptive approach, it is likely that this would have involved the implementation of screens.

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed In this Chapter
		<p>Appropriate Assessment and additional mitigation measures proposed, if it cannot be shown that there will not be an adverse effect on the integrity of the designated site.</p>	
<p>Natural England</p>	<p>Statutory Consultation 19/01/22 - 23/02/22</p>	<p><i>Nationally designated sites: Sites of Special Scientific Interest (SSSIs):</i> Natural England notes that the application site is in close proximity to the Humber Estuary SSSI and North Killingholme Haven Pits SSSI. Based on the plans submitted, Natural England considers that the proposed development could have potential significant effects on the interest features for which the sites have been notified.</p> <p>Our advice regarding the potential impacts upon the Humber Estuary SSSI coincides with our advice regarding potential impacts upon the Humber Estuary SAC/SPA/Ramsar as detailed above.</p> <p>Natural England note there are a number of additional designated sites within proximity to the application site which may require assessment for potential</p>	<p>Potential effects on SSSIs are discussed in Section 9.8 of the chapter.</p> <p>Impacts to ecological receptors due to changes in air quality are assessed in Chapter 13 (Air Quality).</p>

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed In this Chapter
		air quality impacts. Detailed modelling will determine those sites which are relevant to the assessment.	
Natural England	Statutory Consultation 19/01/22 - 23/02/22	Agree with the conclusions of the PEA and welcome the proposed avoidance/mitigation measures and pre-construction checks set out in the PEA.	Noted.
Natural England	Statutory Consultation 19/01/22 - 23/02/22	<i>Environmental and Biodiversity Enhancement:</i> Further details of the ecological enhancements that are proposed will be provided as part of the DCO submission and we would welcome inclusion of such detail.	Further details on ecological enhancements as part of the IERRT project are provided in Chapter 2 (Proposed Development).
Natural England	Statutory Consultation 19/01/22 - 23/02/22	<i>Environmental and Biodiversity Enhancement:</i> As an NSIP, the project does not fall directly within the remit of the national policy requirement within The Environment Bill to deliver 10 per cent BNG. However, the Government has committed to amending the Environment Bill to include mandatory BNG for NSIPs down to mean low water.	At this time, the requirement for NSIPs to deliver 10% BNG under The Environment Act 2021 has not come into effect as referenced above.
Natural England	Statutory Consultation 19/01/22 - 23/02/22	<i>Environmental and Biodiversity Enhancement:</i> Please be advised that the Defra metric should not be used to assess impacts and calculate compensation for	Noted.

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed In this Chapter
		<p>habitat damage or loss in designated sites or irreplaceable habitats. Any impacts on such habitats and sites should be assessed in accordance with planning policy and via environmental assessments, such as an Appropriate Assessment where European sites are concerned, with any necessary mitigation or compensation requirements dealt with separately from BNG provision.</p>	
Natural England	Pre-application meeting, 7 February 2022.	<p>The meeting provided an overview of the IERRT project, the marine ecology assessment approach, the site-specific surveys and a discussion on potential impacts relating to habitat loss/change and bird disturbance. As part of the meeting ABP highlighted that they will continue to optimise the marine design (dredge berth pocket) and layout of marine infrastructure with a view to avoiding or at least minimising any loss of intertidal habitat. Natural England suggested that potential mitigation for bird disturbance could involve opportunities for reducing activities that are causing disturbance elsewhere on the</p>	<p>The scope of the environmental assessments has been completed taking on board consultee comments from the meeting including in the HRA (Application Document Reference number 9.6).</p>

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed In this Chapter
		Humber as this could potentially make other areas of the estuary more attractive to birds.	
Natural England	Pre-application meeting, 16 March 2022.	The meeting provided an update of the IERRT project, a summary of the future site-specific surveys and a discussion on potential impacts relating to habitat loss/change and bird disturbance. Proposed mitigation measures in construction and operation for potential bird disturbance were also discussed.	The assessments including in the HRA (Application Document Reference number 9.6) have been completed taking on board consultee comments from the meeting.
Natural England	Pre-application meeting, 28 April 2022	The meeting provided a further update of the IERRT project as well as a discussion on potential impacts relating to habitat loss/change and bird disturbance.	This chapter and the HRA (Application Document Reference number 9.6) have been completed taking on board consultee comments from the meeting.
Natural England	Pre-application meeting, 28 July 2022	The meeting provided a further update of the IERRT project as well as a discussion on potential impacts relating to habitat loss/change and bird disturbance. Proposed mitigation measures to reduce bird disturbance were also discussed.	This chapter and the HRA (Application Document Reference number 9.6) have been completed taking on board consultee comments from the meeting.
Natural England	Natural England response to pre-application meeting minutes (28 July 2022), 3 October 2022	Natural England provided comments following the meeting held on 28 July 2022 and the meeting minutes.	The environmental assessments have been completed taking on board comments raised in Natural England's response.

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed In this Chapter
MMO (PI35)	Statutory Consultation 19/01/22 - 23/02/22	<i>Benthic Ecology:</i> The assessment undertaken at the PEIR stage is sufficiently robust and proportionate to fully identify and assess the project's potential impacts on benthic ecology.	Noted.
MMO	Statutory Consultation 19/01/22 - 23/02/22	<i>Benthic Ecology:</i> It is evident from the results of the project-specific intertidal survey that the intertidal habitats in this region and the benthic invertebrates which inhabit them represent a potentially very valuable food source for birds and potentially fish. This is based on the numbers and biomass of the assemblages sampled. While the key taxa have each been split into two size classes and the numbers of each in each of these two are presented, the MMO, in consultation with Cefas, query whether this could be further developed by basing this on biomass as biomass is possibly a better criterion upon which to base estimates of prey availability. Therefore, presenting the biomass of these taxa into the two size classes might be more suitable. These biomass values could also be presented as estimates of secondary productivity for a more	Biomass for the different size classes has also been added to the table (Table 9.12) and discussed in the context of waterbirds in paragraph 9.6.27.

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed In this Chapter
		<p>pertinent proxy of bird prey. Additionally, some bird species may be more selective of their prey, and thus some assessment of which bird species are likely to be more affected by the change in prey availability may be worthwhile.</p>	
MMO	Statutory Consultation 19/01/22 - 23/02/22	<p><i>Fisheries and Fish Ecology:</i> Advice following the scoping report recommended that the limitations of data sources used (e.g., gear selectivity and the timing of surveys) be acknowledged. However, this could not be found within this chapter or the PEIR document. Section 9.10 Limitations refers to assumptions being used in the assessment, rather than limitations of the data itself. Therefore, it is recommended that limitations of the data sources used be discussed in the ES.</p>	<p>Limitations of fish survey data (including gear selectivity and timings of the surveys) which have been used to characterise fish assemblages in the Immingham area is discussed in Section 9.6 of this chapter.</p>
MMO	Statutory Consultation 19/01/22 - 23/02/22	<p><i>Fisheries and Fish Ecology:</i> It is noted that as a result of the preliminary assessment of potential impacts to fish receptors, all potential impacts during operation (i.e., changes to fish populations and fish habitat, changes in water and sediment quality and underwater noise and vibration)</p>	<p>Detailed information on potential effects during operation has been included in Table 9.25 of this chapter. Habitat loss and disturbance as well as underwater noise impacts on fish during operation taking into account other developments in the area is considered within Chapter 20</p>



Consultee	Reference, Date	Summary of Response	How Comments have been Addressed In this Chapter
		<p>have been scoped out for further assessment as these impacts are considered to be equivalent or lower in magnitude than those from the existing maintenance dredging and vessel movements. We have no major concerns that operation activities would significantly impact fish populations when compared with current noise levels generated by the existing vessel traffic in the Humber. However, habitat loss and disturbance as well as underwater noise impacts on fish during operation should be assessed further within the ES, taking into account other developments in the area.</p>	<p>(Cumulative and In-Combination Assessment) of the ES.</p>
MMO	Statutory Consultation 19/01/22 - 23/02/22	<p><i>Fisheries and Fish Ecology:</i> The report states that dredging activities will be undertaken 24 hours per day for approximately 100 days, however the period of the operation, i.e., the months in which dredging works are expected to take place within the River Humber and Estuary have not been specified. Changes in the water column during capital dredging, and dredge and disposal may cause</p>	<p>Potential effects on fish during construction due to water quality and underwater noise are considered within the assessment (paragraphs 9.8.125 to 9.8.173). The assessment has been based on the precautionary assumption that the works could occur at any time of year as a worst case. Piling restrictions to avoid sensitive periods for migratory fish have been discussed with</p>

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed In this Chapter
		<p>temporary potential impacts to sensitive fish receptors such as larvae and juvenile fish as well as to migratory species such as salmonids. Therefore, there are concerns regarding a prolonged disturbance and potential impacts to migratory species in their up/downstream movements during migratory seasons (e.g., smelt and salmon), as a result of increased suspended sediment concentrations, poor water quality and underwater noise causing an acoustic barrier to fish movement. It is recommended, therefore, that, in the ES, an estimate of the timing and duration of the proposed works is presented in order to identify possible seasonal constraints in relation to any overlap with the spawning and migratory periods for those sensitive and protected species.</p>	<p>the MMO and Cefas and are set out in Section 9.9.</p>
MMO	Statutory Consultation 19/01/22 - 23/02/22	<p><i>Fisheries and Fish Ecology:</i> The use of vibro-piling still has the potential to generate an acoustic barrier and may impact migratory fish. Whilst soft start measures may allow resident species to leave the area of</p>	<p>As detailed in the underwater noise assessment (paragraphs 9.8.154 to 9.8.173), the scale of the acoustic barrier during vibro-piling is much less than during impact piling. During vibro-piling,</p>

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed In this Chapter
		<p>greatest disturbance, such measures may not necessarily be appropriate or of benefit for migratory species, when the primary concern is that noise may create a temporary acoustic barrier in the river, impeding travel and migration.</p>	<p>behavioural reactions are anticipated to occur across 48% of the width of the estuary at low water and 33% of the estuary width at high water. Furthermore, vibro piling will not be a continuous activity and will only take place up to 20 minutes per working day (equivalent to around 1% of the construction week).</p>
MMO	Statutory Consultation 19/01/22 - 23/02/22	<p><i>Fisheries and Fish Ecology:</i> Exact dates of the proposed works have not been provided. Therefore, concerns remain that significant impacts to fish are likely to occur during the sensitive fish spawning and migratory periods in the Humber. Consequently, a detailed description of sensitive seasons for fish species known to migrate through the area where the works are proposed should be provided and should be used to consider any overlap with the proposed dates for piling and dredging works.</p>	<p>The main periods when fish are migrating through the estuary are highlighted in Table 9.16 of this chapter. The assessment has been based on the worst-case precautionary assumption that the works could occur at any time of year.</p>
MMO	Statutory Consultation 19/01/22 - 23/02/22	<p><i>Shellfisheries:</i> The assessment undertaken at the PEIR stage is sufficiently robust and proportionate to fully identify and assess the project's potential impacts on shellfish.</p>	Noted.

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed In this Chapter
		Considering the location and data considered, the MMO, in consultation with Cefas, agree that commercial shellfisheries be scoped out of the assessment.	
MMO	Statutory Consultation 19/01/22 - 23/02/22	<i>Underwater noise:</i> Primary impacts associated with underwater noise during the construction phase have been considered. Given the location and proposed activities, the MMO, in consultation with Cefas, consider that potential displacement and acoustic barriers to migration are likely to be the main potential impacts of concern.	Noted. Potential displacement and acoustic barriers to migration are considered in the assessment (paragraphs 9.8.157 to 9.8.162).
MMO	Statutory Consultation 19/01/22 - 23/02/22	<i>Fisheries and Fish Ecology:</i> The MMO, in consultation with Cefas, cannot agree with the significant levels of the assessment presented in relation to underwater noise impacts on fish receptors from both dredging and dredge and disposal works, and piling works.	Responses to specific concerns with respect to the assessment of significance levels in relation to underwater noise impacts on fish receptors are provided in this table in the following two rows.
MMO	Statutory Consultation 19/01/22 - 23/02/22	<i>Fisheries and Fish Ecology:</i> The MMO, in consultation with Cefas, are not confident with the appropriateness of the assumption that fish swim passively with tidal flows as a worst case scenario. For instance, exposure times would be different (i.e., higher) for migratory fish	Noted. The assessment has been undertaken on the basis that the piling and dredging works could be undertaken at any time of year representing the worst case scenario. Piling restrictions to avoid sensitive periods for migratory fish have

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed In this Chapter
		<p>species swimming against tidal flow in their up or downstream migration or for those waiting in 'refuge areas' so that they do not expend energy to wait for the right tidal flow to migrate up or downstream. Therefore, assuming that fish swim passively is too simplistic and not an accurate representation of the worst-case scenario as it would be worse if fish swim actively against the tidal flow on their way to spawning and nursery grounds which may lead to moving towards the source of noise, and this is very time dependent. Consequently, the level of impacts from underwater noise on migratory fish would be determined by the exact timing when the works are undertaken. Therefore, it is recommended that an estimate of the timing and duration of the proposed works (i.e., months) is provided to identify possible seasonal constraints in relation to any overlap with the spawning and migratory periods for those sensitive and protected species.</p>	<p>been discussed with the MMO and Cefas and are set out in Section 9.9 of this chapter.</p>
MMO	Statutory Consultation	<p><i>Fisheries and Fish Ecology</i>: The overall impacts will depend on</p>	<p>The main periods when fish are migrating through the estuary are</p>

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed In this Chapter
	19/01/22 - 23/02/22	the final timing and duration (i.e., specific months) of the piling, dredging and disposal works in relation to the sensitive seasons for fish in the vicinity of the works. Therefore, a detailed description of the sensitive seasons of fish species known to migrate through the area where the works are proposed in relation to the proposed dates for piling and dredging works should be provided.	highlighted in Table 9.16 of this chapter. The assessment has been undertaken on the basis that the piling and dredging works could be undertaken at any time of year representing the worst case scenario.
MMO	Pre-application meeting, 24 February 2022.	The meeting provided an overview of the IERRT project, a summary of the assessment approach surveys and a discussion on acoustic modelling used to inform the underwater noise assessment on fish. Potential mitigation measures for fish with respect to underwater noise were also discussed.	The scope of the environmental assessments has been completed taking on board consultee comments from this meeting.
MMO and Cefas	Pre-application meeting, 7 April 2022.	The meeting provided an update on the IEERT and focused on discussing comments received from the MMO and Cefas on the PEIR with respect to the acoustic modelling used to inform the underwater noise assessment on fish and potential effects	The scope of the environmental assessments has been completed taking on board consultee comments from this meeting.

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed In this Chapter
		on migratory fish species.	
MMO and Cefas	<p>ABPmer technical note, 21 April 2022</p> <p>MMO/Cefas response to technical note, 18 May 2022</p> <p>ABPmer technical note, 13 June 2022</p> <p>MMO/Cefas response to technical note, 20 September 2022</p> <p>Pre-application meeting, 3 October 2022 (including pre-meeting briefing note, 30 September 2022, post-meeting note, 8 November 2022)</p>	<p>A technical note on the proposed mitigation measures for migratory fish was prepared by ABPmer and issued to the MMO on 21 April 2022. Further comments and advice from the MMO and Cefas were received on 18 May 2022, and these have been taken into consideration in the environmental assessment. A second technical note on the proposed piling restrictions for migratory fish was prepared by ABPmer and issued to the MMO on 13 June 2022. The key information included within the technical note has been incorporated into the ES assessment. Further comments and advice from the MMO and Cefas were received on 20 September 2022.</p> <p>A meeting was held with the MMO and Cefas to discuss the evidence and piling restrictions (pre- and post-meeting notes were also issued).</p>	The approach to the proposed mitigation measures relating to piling and underwater noise, set out in Section 9.9 of this chapter, has been developed in consultation with the MMO and Cefas.
MMO and Cefas	MMO/Cefas letter, 1 December 2022	Inclusion of appropriate temporal restrictions for both percussive piling and vibro-piling should be addressed.	Section 9.9 of this chapter details the seasonal restrictions on the duration of percussive piling activity that are proposed as mitigation

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed In this Chapter
			<p>for the IERRT project. The effects of vibro-piling on migratory fish are not considered to be significant and do not need to be mitigated. This is further explained in Section 9.8 of this chapter and in Appendix 9.2 to this ES.</p>
		<p>Clear justification should be provided for the proposed night time piling restriction dates together with an explanation of why piling restrictions should only be applied at night and only to percussive piling in respect of each relevant fish species.</p>	<p>Section 9.9 of this chapter sets out the justification for the proposed night time piling restriction dates. Seasonal piling restrictions on the duration of percussive piling activity between specified dates are also proposed as mitigation for the IERRT (which are not just applied at night). The effects of vibro-piling on migratory fish are not considered to be significant and do not need to be mitigated. This is further explained in Section 9.8 of this chapter and in Appendix 9.2 to this ES.</p>
		<p>Explanation required of why the timing of the proposed piling restrictions outlined do not correlate with the timing of those used for Able Marine Energy Park (AMEP), which are referenced as an example of best practice in the estuary.</p>	<p>The proposed restrictions (set out in Section 9.9 of this chapter) take account of the fact that the underwater noise levels associated with the piling for IERRT (and effects on migratory fish) are less than for the AMEP</p>



Consultee	Reference, Date	Summary of Response	How Comments have been Addressed In this Chapter
			<p>development. This is in particular due to the following:</p> <ul style="list-style-type: none"> <li>- The maximum pile diameter of the piles required for IERRT is anticipated to be 1.422 m whereas for AMEP the maximum pile diameter size is 2.54 m and therefore the levels of noise generated at the source of piling will be significantly less for IERRT compared to AMEP;</li> <li>- The piling required for AMEP will result in an acoustic barrier across the entire width of the estuary whereas a partial acoustic barrier is predicted for IERRT given the smaller size of the piles, as well as the fact that IERRT is located downstream and in a slightly wider part of the estuary;</li> <li>- The duration of the piling works is approximately 24 or 37 weeks for IERRT compared to a minimum 2-year construction programme for AMEP; and</li> <li>- The marine piling required for the</li> </ul>

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed In this Chapter
			<p>AMEP involves construction of a continuous pile wall. This requires less time between each pile being driven for set up/mobilisation of the piling rig. The piling required for the IERRT project will involve a significant amount of time to set up between each pile being driven, meaning the piling rate per day will be lower than AMEP.</p>
		<p>Assessment of concurrent dredging and piling activities required during construction in the inter-related and cumulative impacts assessment.</p>	<p>An assessment of intra-project cumulative and in-combination effects is provided in Chapter 20 of this ES. This includes consideration of the effects of concurrent dredging and piling activities on fish.</p>
		<p>Assessment of the effects of noise and vibration from piling operations (including any additional piling from recent changes in project design) to be included in the nature conservation and marine ecology chapter.</p>	<p>An assessment of the effects of underwater noise and vibration from piling operations (including effects from recent project design changes) is provided in Section 9.8 of this chapter.</p>
<p>Environment Agency (PI34)</p>	<p>Statutory Consultation 19/01/22 - 23/02/22</p>	<p>We have considered this Chapter of the preliminary assessment for elements of marine ecology, which fall under the Environment Agency's remit. We agree with the scoped in</p>	<p>The HRA (Application Document Reference number 9.6) has assessed the potential for an adverse effect on site integrity as a result of the proposed development.</p>

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed In this Chapter
		<p>elements of Table 9.17, which are being taken forward in the assessment. We note that there will be a loss of 1.64 ha of intertidal habitat, which has been identified as high to moderate vulnerability, and acknowledged for its importance to supporting coastal birds. The Environment Agency strongly encourages compensation for this loss.</p>	<p>The loss of intertidal habitat as a result of the proposed development is considered <i>de minimis</i> in extent (0.012 ha direct loss and 0.01 ha indirect loss) following optimisation of the scheme design in order to reduce the loss and consequently is not considered to result in an adverse effect on site integrity. On this basis, compensatory habitat is not required.</p>
Environment Agency	Statutory Consultation 19/01/22 - 23/02/22	<p>We request that the assessment provides confirmation regarding the presence of pacific oysters on existing piles. Are these piles to be removed during the construction? How do you plan to manage this invasive species?</p>	<p>Pacific oysters are widespread on existing piles and other hard port structures in the region. No piles are proposed to be removed during construction. Biosecurity control measures have been detailed within the CEMP (Application Document Reference number 9.2) and ABP's existing biosecurity management procedures will be followed during operation.</p>
Environment Agency	Statutory Consultation 19/01/22 - 23/02/22	<p>Due to a current lack of specialist resource in respect of the noise impacts from percussive piling on migratory fish, we are currently deferring to the Marine Management Organisation and its</p>	Noted.

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed In this Chapter
		specialist advisers in respect of this topic.	
Environment Agency	Pre-application meeting, 20 May 2022	The meeting provided an update of the IEERT project and also responses the Environment Agency made with respect to the physical processes and flood/coastal protection impact assessments. In addition, potential cumulative and in-combination effects of the proposed development with the Humber Stallingborough Phase 3 Flood Defence Project on ecological receptors was also discussed.	The Environment Agency has provided information on the project which has been used to inform the Cumulative and In-Combination assessments (Chapter 20).
DFDS (PI32)	Statutory Consultation 19/01/22 - 23/02/22	<p>The project would be built into the Humber Estuary Ramsar/SAC/SPA and will therefore almost certainly have an adverse effect on the integrity of the site. Chapter 4 of the PEIR does not adequately demonstrate need for the project, rather setting out predicted demand for ro-ro traffic without examining whether existing capacity could meet it.</p> <p>If the project is to go ahead in a Natura 2000 site, ABP must demonstrate there are imperative reasons of overriding public importance that it does</p>	<p>The HRA (Application Document Reference number 9.6) has assessed the potential for an adverse effect on site integrity as a result of the proposed development.</p> <p>The loss of intertidal habitat as a result of the proposed development is considered <i>de minimis</i> in extent (following refinements to the scheme) and consequently is not considered to result in an adverse effect on site integrity. On this basis, compensatory habitat is not required.</p>

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed In this Chapter
		<p>so, and that compensatory land is provided. At present, none of these have been demonstrated to a satisfactory degree. In particular there are other installations on the Humber that could accommodate these works with less harm to the Natura 2000 site.</p> <p>The impact on air quality and noise from HGVs travelling on local roads, particularly Queens Road where a 274% increase is predicted, has not adequately been assessed, and although net gain is not a legal requirement for DCOs, it is still recommended but does not seem to have been addressed.</p>	<p>Air quality and noise impacts are assessed in Chapter 13 and Chapter 14 of the ES respectively. As per subsequent Natural England advice during statutory consultation (summarised in this table), the Defra metric (used to calculate net gain) should not be used to assess impacts and calculate compensation for habitat damage or loss in designated sites or irreplaceable habitat.</p>
<p>North Lincolnshire Council (P138)</p>	<p>Statutory Consultation 19/01/22 - 23/02/22</p>	<p>The Natural Environment Policy Specialist has advised that, in terms of landscape and terrestrial ecology, the proposal is not likely to have any significant effects of relevance to North Lincolnshire. Furthermore, the approach proposed for the EIA and the Habitat Regulations Assessment (HRA) is supported, as amended by the advice of Natural England. For the in-combination assessment within the</p>	<p>Humber Partnership In-combination Database has been used to inform the In-combination Assessment (Chapter 20).</p>

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed In this Chapter
		HRA, it is advised that the applicant makes use of the Humber Partnership In-combination Database.	
North East Lincolnshire Council (NELC) (P145)	Statutory Consultation 19/01/22 - 23/02/22	The PEIR leads on from the EIA Scoping process that was undertaken for the development in late 2021. The scope of the EIA as agreed by PINS, in relation to Ecology, considered the relevant designations of the Humber Estuary and potential landside impacts. The NELC Ecologist supports the scope and extent of the PEIR and subsequent EIA.	Noted.
Q1	Statutory Consultation 19/01/22 - 23/02/22	Concern raised regarding the impact on the lugworm beds, which are used by local anglers, but which also feed birds and other wildlife	Potential impacts on mudflat habitats/species as well as coastal waterbirds have been considered in detail as part of the assessment.
Lincolnshire Wildlife Trust (Q79)	Statutory Consultation 19/01/22 - 23/02/22	Looking forward to reviewing the Environmental Statement on behalf of the Lincolnshire Wildlife Trust.	Noted.
RSPB (Q80)	Statutory Consultation 19/01/22 - 23/02/22	Awaiting the Environmental Statement and information on mitigation and compensation in order to comment on the likely environmental effects.	Noted.
MMO (PI 10)	Supplementary Statutory Consultation –	The potential impacts on benthic ecology as listed in the PEIR are comprehensive and the	Noted.

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed In this Chapter
	28 Oct – 27 Nov 2022	baseline benthic ecological features have been adequately described based on a range of desk-based and targeted intertidal and subtidal surveys. Impacts which have been scoped out have been supported by sensitive justifications.	
MMO (PI 10)	Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022	<p>No information has been added [to the Supplementary Consultation Report] to address previous comments regarding the requirement for additional mitigation measures to reduce the impacts of underwater noise and vibration from percussive and vibro-piling on migratory fishes.</p> <p>The MMO do not anticipate that the reduction in the number of piles and reduced volumes for dredging will significantly alter the outcomes of the EIA project description to take account of the changes made to the project infrastructure.</p>	Agreed. The reduction in the number of piles and reduced volumes for dredging has not altered the outcomes of the underwater noise assessment included in Appendix 9.2 to this ES.
MMO (PI 10)	Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022	Agreement on the proposed restrictions and what is acceptable in terms of percussive piling and vibro-piling per day during the sensitive seasons, if piling is permitted, need to be sought.	Agreed. ABP has had pre-application meetings with the MMO and Cefas to discuss the potential mitigation measures required for the underwater noise effects of piling on migratory fish (7 April 2022 and 3 October 2022). In addition, two

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed In this Chapter
			technical notes (dated 21 April 2022 and 13 June 2022) and a pre-meeting briefing note (30 September 2022) have been issued to the MMO/Cefas to set out the available evidence and proposed package of mitigation measures.
MMO (PI 10)	Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022	The assessment undertaken at the PEIR stage is sufficiently robust and proportionate to fully identify and assess the project's potential impacts on shellfish.	Noted.
MMO (PI 10)	Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022	Given that the worst-case option for the provision of impact protection measures is an open piled structure, the MMO expect the effects of noise and vibration from piling operations to be included/considered.	An underwater noise assessment which assesses the effects from piling operations on marine fauna has been undertaken and is included in the underwater noise assessment (Appendix 9.2 to this ES).
MMO (PI 10)	Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022	During the initial PEIR consultation in February 2022, a number of reservations were made regarding the underwater noise assessment, although it was acknowledged that the general conclusions of the assessment were reasonable. While the reservations should be noted for future assessments, the MMO consider that the ES should take note of these and should be updated accordingly to provide further	The statutory comments that were received from the MMO on the PEIR have been discussed with the MMO in meetings (23 February 2022 and 7 April 2022) and taken on board in the ES and the underwater noise assessment (Appendix 9.2 to this ES). A detailed response to each of the PEIR comments is provided above within this consultation table.



Consultee	Reference, Date	Summary of Response	How Comments have been Addressed In this Chapter
Natural England (PI 22)	Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022	clarification where required. It is Natural England's advice that the proposal is not directly connected with or necessary for the management of the European site. You should therefore determine whether the proposal is likely to have a significant effect on any European site, proceeding to the Appropriate Assessment stage where significant effects cannot be ruled out.	It has been determined that the IERRT project is likely to have a significant effect on the Humber Estuary EMS, and an HRA has been undertaken.  The HRA is submitted with the DCO application (Application Document Reference number 9.6).
Natural England (PI 22)	Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022	Natural England advises that the HRA should consider the potential for likely significant effects as a result of loss and change in both intertidal and subtidal habitat. This should include loss of SAC habitat (i.e., Estuaries and Mudflats and sandflats not covered by seawater at low tide) as well as the loss of supporting habitat for SPA bird species. If it is considered necessary to include in the final application the additional impact protection measures, then this should also be included in the HRA.	The HRA (Application Document Reference number 9.6) has considered the potential for loss (both direct and indirect) and change to intertidal and subtidal habitats and has been assessed in the context of SAC features ('Estuaries' and 'Mudflats and sandflats not covered by seawater at low tide') as well as the loss of supporting habitat for SPA bird species.  This ES chapter and the HRA consider the impact of the additional impact protection measures.
Natural England (PI 22)	Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022	Natural England considers that any credible risk of a measurable loss of marine or terrestrial	All predicted loss (both direct and indirect) and change to intertidal and subtidal habitats has been screened into the

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed In this Chapter
		<p>habitat, no matter how small, from within a European site is a 'likely significant effect' and the full significance of its impact on site integrity should be screened-in and further tested by an Appropriate Assessment. It is Natural England's advice that a lasting and irreparable loss of European Site habitat will prevent a conclusion of no adverse effect on site integrity being reached unless an Appropriate Assessment can clearly ascertain otherwise.</p>	<p>Appropriate Assessment stage in the HRA (Application Document Reference number 9.6).</p>
<p>Natural England (PI 22)</p>	<p>Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022</p>	<p>Natural England advises that further assessment is required within an Appropriate Assessment, and we will give our statutory advice at that stage.</p>	<p>Noted.</p>
<p>Natural England (PI 22)</p>	<p>Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022</p>	<p>The appropriate assessment should be made in view of the European sites' conservation objectives, which provides a list of attributes contributing to site integrity that can provide a checklist for the assessment process, the detailed supplementary advice and advice on operations should also inform the conclusion.</p>	<p>The Appropriate Assessment has been made in in view of the European sites' conservation objectives and also has been informed by the supplementary advice and advice on operations.</p>
<p>Natural England (PI 22)</p>	<p>Supplementary Statutory Consultation –</p>	<p>Plans or projects that should be considered in the in-combination</p>	<p>The specified types of projects are considered in the cumulative and in-combination effects</p>

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed In this Chapter
	28 Oct – 27 Nov 2022	<p>assessment include the following:</p> <ul style="list-style-type: none"> <li>The incomplete or non-implemented parts of plans or projects that have already commenced;</li> <li>Plans or projects given consent or given effect but not yet started;</li> <li>Plans or projects currently subject to an application for consent or proposed to be given effect;</li> <li>Projects that are the subject of an outstanding appeal;</li> <li>Ongoing plans or projects that are the subject of regular review;</li> <li>Any draft plans being prepared by any public body;</li> <li>Any proposed plans or projects published for consultation prior to application.</li> </ul> <p>Chapter 20 of the PIER provides a list of projects that would be included in an assessment of the potential in-combination effects, if deemed necessary. Natural England broadly agrees with the selection criterion. When assessing the effects on designated sites, Natural England recommends that the search radius be measured from the nearest point on the</p>	<p>assessment.</p> <p>Immingham Green Energy Terminal has been included in the list of projects to assess.</p> <p>The assessment is provided in Chapter 20 of this ES and in the HRA (Application Document reference number 9.6).</p>

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed In this Chapter
		<p>designated site to the proposal being assessed, or the nearest area of sensitive habitat, if known. This would likely identify those proposals which are likely to affect overlapping geographic extents within the designated site in question.</p> <p>Natural England notes that the Immingham Green Energy Terminal has not been included in table 20.4 in the PEIR.</p>	
Natural England (PI 22)	Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022	Our advice regarding the potential impacts upon the Humber Estuary SSSI coincides with our advice regarding potential impacts upon the Humber Estuary SAC/SPA/Ramsar as detailed above.	Noted.
DFDS (PI 15)	Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022	The supplementary consultation refers to two new ecological enhancements, one to the east of the port at Long Wood and one on the north bank of the Humber at Skeffling. It is not clear whether these are to compensate for harm to protected habitats or to provide Biodiversity Net Gain (“BNG”), or both. If the former, it should be demonstrated that the birds using the habitat that is being lost will be able to use the new habitat and it is a like-for-like replacement. If the	The DFDS response refers to the delivery of the ecological enhancements. The ecological improvements do not constitute compensation, neither do they constitute formal BNG provision in the way in which the DFDS suggests. As the DFDS response make clear, the Environment Act requirement for the provision of BNG is not yet a statutory requirement. The ecological enhancements are,

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed In this Chapter
		<p>latter, the requirement for NSIPs as set out in the Environment Act 2021, is that the habitat will have to have been provided since 30 January 2020 to count, and so long-standing habitat banking would not (although it is not yet a statutory requirement to provide BNG). It is also not clear what the value of the enhancement to Long Wood would be and how many biodiversity units would be lost and gained – this should be set out in the Environmental Statement.</p>	<p>therefore, being provided to meet wider policy provisions.</p> <p>Further information is provided in the Woodland Enhancement Management Plan (WEMP) (Application Document Reference number 9.4) and Chapter 2 Section 2.3.</p>

## Chapter 10 – Commercial and Recreational Navigation

Consultee	Reference, Date	Summary of Response	How Comments Have Been Addressed in this Chapter
Planning Inspectorate (PINS)	Scoping Opinion, October 2021  Table ID 4.5.2	The Scoping Report states that effects will be assessed using a combination of analytical methods and expert judgement. The Environmental Statement (ES) must clearly justify the choice of methods and explain why they provided a robust assessment of effects. Where expert judgement is being relied on, the ES should explain the reasoning and evidence used to support that judgement.	The NRA has been completed using guidance and methodology provided in the Port Marine Safety Code, its accompanying Guide to Good Practice on Port Marine operations and other relevant industry recognised documents. These documents have been listed in Section 10.5 of this chapter.
PINS	Scoping Opinion, October 2021  Table ID 4.5.3	The ES should describe how the Port Marine Safety Code and its Guide to Good Practice have been taken into account in the development of the mitigation measures.	The Port of Immingham (ABP) as the Harbour Authority and Humber Estuary Services (HES)) as the Statutory Harbour Authority (SHA) have committed to the standards laid down in the Port Marine Safety Code. The risk assessment process used follows the guidance given in the Guide to Good Practice on Port Marine Operations which leads to a set of mitigation measures that have been identified following the requirements of the Port Marine Safety Code.
MCA	Scoping Opinion, October 2021	The MCA will expect the project to carry out a Navigation Risk Assessment (NRA) on	An NRA has been completed and is presented in Appendix 10.1 of this ES. ABP

Consultee	Reference, Date	Summary of Response	How Comments Have Been Addressed in this Chapter
	Appendix 2 MCA response	the impact of the works on shipping and navigation. This must be considered and agreed by ABP in its role as the SHA and in accordance with the Port Marine Safety Code and its Guide to Good Practice.	undertook Hazard Identification Workshops attended by representatives of the Port of Immingham as Harbour Authority, HES as the adjacent SHA and Humber Pilots, which are summarised in the NRA (Appendix 10.1 to this ES).
MCA	Scoping Opinion, October 2021  Appendix 2 MCA response	To address the ongoing safe operation of the marine interface for this project, we would like to point the developers in the direction of the Port Marine Safety Code (PMSC) and its Guide to Good Practice. They will need to liaise and consult with the SHA and develop a robust Safety Management System (SMS) for the project under this code.	The Port of Immingham (ABP) as the Harbour Authority has been fully involved in the preparation of the NRA and has contributed to the identification of hazards associated with the IERRT and the relevant mitigation measures. These mitigation measures include the updating of the relevant parts of the Port's SMS and its associated documents.
ABP	Hazard Identification Workshop, 29 October 2021	Representatives from the Port of Immingham, Humber Estuary Services (HES) and pilots provided input into the potential hazards, consequences, and mitigation measures for marine operations during the construction and operational phases of the project.	The NRA which has been prepared and is included in Appendix 10.1 takes into account the comments from the hazard identification workshops.
RYA (PI9)	Statutory Consultation January 2022	No concerns to raise from a recreational boating perspective.	Noted.
DFDS (PI22, PI32, Ex19)	Statutory Consultation February 2022	Concerns over marine activity occupying a traffic lane that DFDS utilise ultimately disrupting	The HAZID workshops, NRA, and vessel simulation study have not identified this as having a high likelihood

Consultee	Reference, Date	Summary of Response	How Comments Have Been Addressed in this Chapter
		arrivals and departure times.	of occurrence especially as the manoeuvres required do not extend further west than the Eastern Jetty. In addition, where congestion does not cause a risk or hazard it is outside the scope of the NRA. Congestion and effects on businesses from a socio-economic perspective is considered in Chapter 16 of this ES.
APT (EX17, PI30)	Statutory Consultation February 2022	Concerns raised over the impacts to the IOT during the construction and operation phase including if any allisions occurred with the Finger Pier.	The second and third HAZID workshops and vessel simulation study were attended by APT supported by NASH Maritime consultancy. Discussions at both sessions enabled concerns to be raised and mitigations adopted which are captured within the NRA itself, and summarised in Sections 10.8, 10.9 and 10.11 of this chapter of this ES.
MCA (PI31)	Statutory Consultation February 2022	No concerns to raise, pleased to see NRA supporting the DCO application.	Noted.
Trinity House (PI36)	Statutory Consultation February 2022	No concerns to raise at this stage, welcome further discussion in due course with respect to Aids to Navigation	Noted.
North Lincolnshire Council (PI38)	Statutory Consultation February 2022	No concerns to raise, although acknowledge they lack expertise in commercial and recreational navigation.	Noted.
ABP Harbour	Statutory Consultation	Confirming interest as a statutory consultee.	Involved in discussions and HAZID workshops to



Consultee	Reference, Date	Summary of Response	How Comments Have Been Addressed in this Chapter
Master (PI17)	February 2022		ensure all concerns addressed.
Exolum (PI28)	Statutory Consultation February 2022	Concerns expressed over shipping operations that require further detail and modelling to understand actual ferry movements.	Exolum were involved in the third HAZID workshop to ensure all concerns addressed. Baseline traffic and future baseline traffic analysis is available in Sections 10.6 and 10.7 of this chapter (as well as the NRA, provided at Appendix 10.1).
Maritime Skills Academy (Q92, Q93)	Statutory Consultation February 2022	Concern was raised over the artist's impression of the new berth not being sufficient to assess safe berthing in all weathers and that marine safety simulations should be undertaken.	Vessel simulations have been undertaken and are presented in Appendix 10.2 to this ES. Further simulations were undertaken between 28 and 30 November to inform operational berthing procedures (provided at Appendix 10.3).
Q47, Q65, Q74, Q88, Ex22	Statutory Consultation February 2022	Concern was raised regarding the proximity of the development to the adjacent oil facilities and the navigational risks, specifically of a collision between the ships, pipelines and infrastructure. A suggestion was made regarding the use of simulation training for all Masters and Pilots to prepare for development.	Specifically considered risks regarding the IOT at the second and third HAZID workshops with stakeholders representing the interests of the IOT present. Simulation training has been incorporated into risk assessments as a control, listed in Section 10.9 of this chapter.
JG Maritime Solutions (Q82)	Statutory Consultation February 2022	The following specific concerns were raised: 1. The scenarios proposed in Chapter 10 Commercial & Recreational Navigation paragraph 10.8.28 are incomplete. 2. The impact pathway "Ro-Ro	The scenarios have been added at two subsequent HAZID workshops since publication of the PEIR.  An allision has been considered between a Ro-Ro vessel and the

Consultee	Reference, Date	Summary of Response	How Comments Have Been Addressed in this Chapter
		<p>collides with a berthed Ro-Ro vessel" has not been included. 3. The impact significance or consequence has been assessed as minor adverse or insignificant at paragraphs 10.8.32 /41/ 45&amp;50 which appears optimistic over a 50 year timeframe. 4. The mitigation measures in paragraph 10.9.1 do not include "Vessel Simulation Study". 5. In Appendix 10.1 Preliminary Navigation Risk Assessment the embedded control of "Vessel Simulation Study" is not utilised within Appendix 10. 1, Appendix A Navigation Risk Assessment : Construction and 6. only during Appendix B Navigation Risk Assessment : Operation on two occasions in Assessments No 1 and 2. 7. There is only a very low and insufficient use of marine simulation in the NRA which is now readily available. 8. It would be prudent to include embedded control measure 129 "Vessel Simulation Study" in more of the assessments of the various scenarios in Appendix A &amp; B.</p>	<p>IERRT terminal. Additionally, consideration has been given to a Ro-Ro vessel having an allision/collision with a berthed vessel (Tanker) at the HAZID workshops, to which the perceived risk is greater than if a Ro-Ro was to strike another of its same type.</p> <p>A full assessment has been conducted since the PEIR was published, provided in the NRA (Appendix 10.1 of this ES) and in this chapter of the ES.</p> <p>A simulation study has subsequently taken place (following the outcome of the second HAZID workshop) and is available at Appendix 10.2. Further simulations were also undertaken between 28 and 30 November to inform operational berthing procedures, provided at Appendix 10.3.</p>
CLdN (CRO) (PI41)	Statutory Consultation February 2022	Concerns were raised regarding the appropriateness of the baseline information and	CLdN subsequently attended the second HAZID workshop to ensure their interests

Consultee	Reference, Date	Summary of Response	How Comments Have Been Addressed in this Chapter
		that CLdN have not been included in discussions, which so far have focused on ABP's existing operations and interest. Queries regarding necessary protection measures to ensure continuity of business and safe passage for operations and numbers of vessel movements during construction and operation were also raised.	were captured. CLdN declined their invitation to the third HAZID workshop. Their specific queries (including those raised at the second HAZID workshop) are included within the NRA and are captured within the Hazard Logs in Annexes A to C to Appendix 10.1.
ABP, Humber Estuary Services (HES), pilots, DFDS, Stena Line, CLdN (CRO), APT and NASH	Hazard Identification Workshop, 7 April 2022	Representatives from the Port of Immingham, Humber Estuary Services (HES), pilots, DFDS, Stena Line, CRO, APT and NASH provided further input into the potential hazards, scenarios, controls, causes, and future mitigation measures for marine operations during the construction and operational phases of the IERRT project.	The completed NRA is included as Appendix 10.1 to this ES takes into account the comments from all Hazard Identification workshops.  Comments have been captured and assessed in Annexes A, B, and C to the NRA (Appendix 10.1 to this ES).
APT	29 April 2022	Additional comments following Statutory Consultation. Concerns raised relating to methodology/risk assessment process, specifically the risk assessment matrices, risk control effectiveness, Port wide risk assessment, incident data, vessel traffic analysis, full bridge simulations, and the scheme design.	A subsequent HAZID workshop was held following these representations and the completed NRA at Appendix 10.1 to this ES addresses the concerns raised. Risk Assessment Matrices were explained and are detailed in Appendix 10.1. Risk control effectiveness was the subject of further

Consultee	Reference, Date	Summary of Response	How Comments Have Been Addressed in this Chapter
			<p>consultation in the third HAZID workshop. The Marine Safety Management System (MSMS) was consulted as part of this risk assessment. Incident data is available in Section 10.6 of this chapter and in the baseline in Appendix 10.1 along with a full traffic analysis. Full bridge simulations have been undertaken and are available at Appendix 10.2. Further simulations were also undertaken between 28 and 30 November to inform operational berthing procedures (Appendix 10.3). The scheme design has been optimised since this correspondence.</p>
	25 May 2022	Meeting between NASH acting on behalf of APT and ABPmer to discuss methodology.	The methodology is described fully within the NRA at Appendix 10.1 to this ES and summarised in Section 10.3 of this chapter.
	25 July 2022	Provided data and documents in order to support the NRA relating to the IOT and associated infrastructure. Specified certain mitigation measures which the IOT Operators considered necessary to make the IERRT Development acceptable.	This has been considered in the NRA process, presented at Appendix 10.1 to this ES and is summarised in this chapter of the ES. Mitigation/risk control measures are provided in Section 10.9 of this chapter.
CLdN (CRO)	12 August 2022	Raising concerns about HAZID Workshop process.	The methodology complies with the PMSC (DfT, 2016), described

Consultee	Reference, Date	Summary of Response	How Comments Have Been Addressed in this Chapter
			fully within the NRA at Appendix 10.1 to this ES and summarised in Section 10.3 of this chapter.
DFDS	29 April 2022	Queries relating to NRA risk sheet noting several inconsistencies, over-optimistic time scale, subjective analysis, lack of reasoning in risk discussion/conclusion, and new mitigation effectiveness inconclusive.	<p>The methodology complies with the PMSC (DfT, 2016), described fully within the NRA at Appendix 10.1 to this ES and summarised in Section 10.3 of this chapter.</p> <p>Qualitative risk assessment is subjective as it is based on subject matter expertise. This follows the approach advised in the PMSC (DfT, 2016).</p> <p>Section 9 of the NRA provides a discussion on the navigational risk assessments (Appendix 10.1 to this ES).</p>
	25 May 2022	Response to HAZID 3 invitation for 7-8 June 2022 being too short notice.	HAZID workshop 3 was moved to a later date and instead held on 16-17 August 2022.
	1 June 2022	Email exchange with ABP project team stating NRA is not fit for purpose.	The NRA process had not been completed at this stage and was informed by a subsequent HAZID workshop. The issues raised were also discussed at the third HAZID workshop and are recorded in the Annexes to the NRA (Appendix 10.1 to this ES).
	28 June 2022	Request for additional information prior to HAZID Workshop and for	Additional information was provided prior to the HAZID workshop. The

Consultee	Reference, Date	Summary of Response	How Comments Have Been Addressed in this Chapter
		additional companies to be invited.	list of invitees was discussed with Humber Estuary Services (HES) as the Competent Harbour Authority (CHA) and all appropriate stakeholders were invited to the HAZID workshops.
	15 July 2022	Correspondence from BDB Pitmans confirming outstanding queries.	Outstanding queries were addressed at the third HAZID workshop, for which information was recorded in and presented at Annexes A,B and C to Appendix 10.1 to this ES.
	12 August 2022	Raising concerns regarding the risk assessment process.	The methodology complies with the PMSC (DfT, 2016), described fully within the NRA at Appendix 10.1 and summarised in Section 10.3 of this chapter.
ABP, Humber Estuary Services (HES), pilots, DFDS, Stena Line, CLdN (CRO), APT, NASH, Rix, Exolum, and Svitzer	Hazard Identification Workshop, 16-17 August 2022	A further workshop was held to discuss the potential hazards, scenarios, controls, causes, and future mitigation measures for marine operations during the construction and operational phases of the IERRT project.	The NRA which has been prepared and is included as Appendix 10.1 to this ES takes into account the comments from all Hazard Identification workshops.  Comments from the third HAZID workshop have been captured and assessed in Annexes A, B, and C to the NRA at Appendix 10.1 to this ES.
Rix	18 August 2022	Comments on the HAZID workshop	Comments were assessed in relation to the risk analysis and amalgamated for the risk assessment and cost benefit analysis meetings as set out in

Consultee	Reference, Date	Summary of Response	How Comments Have Been Addressed in this Chapter
	22 August 2022	Comments on Draft Hazard Log	<p>the NRA at Appendix 10.1 to this ES.</p> <p>Comments were assessed in relation to the risk analysis and amalgamated for the risk assessment and cost benefit analysis meetings as set out in the NRA at Appendix 10.1 to this ES.</p>
APT	22 August 2022	Request for additional information in order to comment on Hazard Log	Information was provided to APT in the form of the presentation at the HAZID workshop, detailing the construction methodology.
	24 August 2022	Comment on HAZID workshop and requests for further information	Further information was provided as available. Comments were assessed in relation to the risk analysis and amalgamated for the risk assessment and cost benefit analysis meetings as set out in the NRA at Appendix 10.1 to this ES.
	26 August 2022	Letter outlining a number of concerns regarding the methodology employed for the IERRT development NRA, which came to light as a result of the information provided prior to, and during attendance at, the third Hazard Workshop.	The NRA methodology complies with the PMSC (DfT, 2016), described fully within the NRA at Appendix 10.1 to this ES and summarised in Section 10.3 of this chapter.
	31 August 2022	Comments on Hazard Log	Comments were assessed in relation to the risk analysis and amalgamated for the Risk Assessment and Cost Benefit Analysis meetings as set out in

Consultee	Reference, Date	Summary of Response	How Comments Have Been Addressed in this Chapter
			the NRA at Appendix 10.1 to this ES.
DFDS	23 August 2022	Comments on HAZID workshop	Comments were assessed in relation to the risk analysis and amalgamated for the risk assessment and cost benefit analysis meetings as set out in the NRA at Appendix 10.1 to this ES.
	29 and 30 August 2022	Further comments on HAZID workshop	Comments were assessed in relation to the risk analysis and amalgamated for the risk assessment and cost benefit analysis meetings as set out in the NRA at Appendix 10.1 to this ES.
	5 September 2022	Further comments on HAZID workshop and assessment approach	Comments were assessed in relation to the risk analysis and amalgamated for the risk assessment and cost benefit analysis meetings as set out in the NRA at Appendix 10.1 to this ES.  The NRA methodology complies with the PMSC (DfT, 2016), described fully within the NRA at Appendix 10.1 to this ES and summarised in Section 10.3 of this chapter.
	5 October 2022	Clarifying outstanding concerns and feedback on recently circulated Hazard Log. DFDS raised points relating to relocation of IOT finger pier, Acoustic Wave and Current Profiler (AWAC) buoy information, wind	Comments were assessed in relation to the risk analysis and amalgamated for the risk assessment and cost benefit analysis meetings as set out in the NRA at Appendix 10.1 to this ES.



Consultee	Reference, Date	Summary of Response	How Comments Have Been Addressed in this Chapter
		<p>data, simulations, methodology, risk assessment tool, duty holder role, changes to project, perceived overlooked risks relating to Eastern Jetty, towage, tidal changes, and Port of Immingham lock productivity.</p>	<p>The relocation of the IOT finger pier was identified as a further applicable control but was not taken forward as an applied control – this is explained in Appendix 10.1 to this ES.</p> <p>AWAC buoy and wind data that was used in the navigation simulations is considered accurate and reliable.</p> <p>Navigation simulations are provided in Appendix 10.2 to this ES, and further simulations were also undertaken between 28 and 30 November to inform operational berthing procedures (provided in Appendix 10.3).</p> <p>Risk methodology and tools utilised in Appendix 10.1 to this ES are in line with PMSC (DfT, 2016) guidance.</p> <p>ABP is the Harbour Authority and the duty holder responsible for navigational safety.</p> <p>The IERRT project details have been explained in Chapter 2 of this ES and are reflected in Appendix 10.1 to this ES– changes to the scheme are summarised in the Supplementary Consultation Report.</p> <p>The risk associated with the Eastern Jetty have been appropriately considered in Appendix 10.1 to this ES.</p>

Consultee	Reference, Date	Summary of Response	How Comments Have Been Addressed in this Chapter
			<p>Tugs and towage and their availability will be managed by Humber VTS.</p> <p>Changes to tidal flows have been assessed and are presented in the physical processes chapter (Chapter 7) of this ES.</p> <p>Effects on lock productivity has been assessed to be insignificant within Appendix 10.1 to this ES based on the traffic analysis.</p>
DFDS (PI 15)	Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022	<p>DFDS' marine experts consider that the tidal data used in ABP's simulation exercises is not an accurate representation of the actual tidal flow in the area. With decades of experience on the Humber our highly experienced Captains find the tide as represented in the simulation reports is at odds with their day-to-day experience and contrary to the physical effects they witness in the Immingham area on a daily basis. This concern was echoed by numerous stakeholders at ABP's HAZID workshop events. Additionally tidal flow data used in the simulations has also relied upon data taken from a single location survey. It is highly irregular for any marine</p>	<p>The AWAC buoy data on tidal flows used in the model for the navigation simulations (Appendices 10.2 and 10.3) is considered representative of the study area and accurate.</p> <p>Further data has been subsequently collected by Acoustic Doppler Current Profiler (ADCP) survey to verify the tidal flows used in the model. The data collected corroborates the AWAC buoy data used in the navigation simulation model.</p>

Consultee	Reference, Date	Summary of Response	How Comments Have Been Addressed in this Chapter
		development to rely on a single current dataset and it is our belief that in doing so ABP has created the situation outlined above.	
DFDS (PI 15)	Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022	ABP has chosen to rely on data from a single source for both wind and current data. The wind source data is provided from readings taken from the Immingham Marine Control Centre (MCC). It is widely accepted by mariners trading on the Humber and by local pilots that the anemometer at the MCC is in a sheltered location and therefore not truly representative of the wind flows experienced in the wider Immingham area. Mariners commonly take data from both Immingham MCC and the unsheltered 'Stone Creek' gauge in order obtain a more accurate estimate of wind speed in the outer Immingham area and we are of the belief that ABP should have done the same.	Wind data that was used in the navigation simulations is considered accurate and reliable.
DFDS (PI 15)	Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022	The location of the proposed development combined with the size of vessels that will use the berth creates highly complex and unpredictable wind effects that will make manoeuvres to and from both the IERRT and especially the Immingham Oil Terminal	Wind effects and considerations have been considered by HR Wallingford and are available within Appendix 10.3 which displays information from the vessel simulation studies. The simulations demonstrated that wind shielding caused no significant issues to

Consultee	Reference, Date	Summary of Response	How Comments Have Been Addressed in this Chapter
		<p>Finger Pier highly challenging. Despite this ABP and their experts at HR Wallingford failed to incorporate the wind shadowing effect into any of the marine simulations again rendering them unreliable and the manoeuvres significantly easier than if they had been included.</p>	<p>manoeuvring vessels to and from the berths.</p>
DFDS (PI 15)	<p>Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022</p>	<p>To date, ABP has chosen to use the DFDS Jinling model in their simulation exercises despite the fact that such vessels will never operate from this terminal. The Jinling class are a highly manoeuvrable vessel constructed and equipped with enhanced machinery to cope with the specific challenges found in one of our other ports rather than for the Humber. DFDS are of the opinion that given the complexity, location and associated surrounding dangers coupled with the significant potential financial investment in terminal construction that ABP should commission representative models of the vessels that will utilise the terminal to better understand the risks involved.</p>	<p>Appendix 10.3 includes detail from the most recent simulation runs conducted with Stena Transporter vessel models as well as an indicative 237 m Ro-Ro vessel. ABP believe that they have modelled appropriate vessels to demonstrate that the berths can be operated safely with both existing and future vessels.</p>
DFDS (PI 15)	<p>Supplementary Statutory Consultation – 28 Oct –</p>	<p>Whilst we appreciate that ABP have recently indicated they will be simulating a different vessel model (Stena T Class) in forthcoming</p>	<p>These simulations have been undertaken and are included at Appendix 10.3. As expected, these vessels were shown to be even more</p>

Consultee	Reference, Date	Summary of Response	How Comments Have Been Addressed in this Chapter
	27 Nov 2022	simulations, at the time of this response no report has been made available. We also note that these vessels are significantly smaller than the Jinling class vessels, and smaller than the advertised vessel capacity of the berth.	manoeuvrable than the future vessel that has been modelled. The conclusions of these additional simulations are set out in Appendix 10.3
DFDS (PI 15)	Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022	Despite utilising what is arguably the 'best in class' Ro-Ro vessel model in the simulation exercises, the simulation reports indicate unrealistic levels of power were needed to achieve successful results in the exercises. In some exercises the bow thruster units were run continuously at 100% for 13 minutes. Our experienced Jinling Captains have confirmed such actions, whilst being impossible to achieve safely in reality, are not indicative of a 'safe manoeuvre' and instead suggest a vessel on the verge of being out of control. In addition to the unachievable nature of the simulations the effect of using such massive amounts of power would render the tugs used in the simulations effectively useless and quite likely to seriously compromise the safety of the tug and her crew. Given that the effect of the turbulent water (wash) was not accounted for in the	Further simulations have been conducted with alternative Stena Transporter vessels and indicative 237 m Ro-Ro vessel models which utilised less power in their approaches. No issues arose; information on this can be found at Appendix 10.3.

Consultee	Reference, Date	Summary of Response	How Comments Have Been Addressed in this Chapter
		simulations again made the results wholly unrepresentative of the navigational difficulties inherent in any use of the proposed development.	
DFDS (PI 15)	Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022	ABP will be unable to call upon their most experienced pilot to carry out every vessel manoeuvre to the new terminal and a variety of pilots of the appropriate rank should have been involved in the simulations to more realistically gauge the challenges posed by the new terminal. It is worth bearing in mind that despite utilising the most experienced pilot the simulations were far from straightforward.	ABP as the Harbour Authority, and HES in its overlapping capacity as the CHA will ensure that pilots and PECs are adequately trained and experienced to conduct berthing and departure manoeuvres. This is included as a risk control throughout the NRA (Appendix 10.1) and this chapter.
DFDS (PI 15)	Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022	The simulations also used the most capable tugs available on the Humber possessing both high power and compact dimensions which is essential for manoeuvring successfully to the inner berths where space is at a premium. The fact remains that only four tugs (from two different companies) of such design currently provide towage services on the Humber. Given that these companies do not work together this would leave the customer reliant on engaging the services of two specific tugs for each and every manoeuvre	ABP as the Harbour Authority and HES, also in its overlapping capacity as the CHA will ensure that appropriate tugs are available to attend manoeuvres as required. The relevant controls are identified throughout the NRA (Appendix 10.1) and this chapter. The utilisation of tugs that are provided by third parties is a commercial decision, with third parties likely to increase the size of their fleet to meet the possible opportunities that this new development provides.

Consultee	Reference, Date	Summary of Response	How Comments Have Been Addressed in this Chapter
		<p>that requires towage. This situation is unrealistic and DFDS is of the opinion that ABP should have used a variety of tugs to appreciate the difficulties that lower powered or larger hull dimensions would cause to safe manoeuvring.</p>	
DFDS (PI 15)	Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022	<p>ABP’s consultants, ABPmer, have chosen to mix two different methodologies for completing the Navigational Risk Assessment namely the International Maritime Organisations Formal Safety Assessment (“IMO FSA”) model and the Maritime and Coastguard Agency’s Offshore Renewable Energy Installation model. The use of two methodologies in a Risk Assessment is flawed. The former assesses risk quantitatively and the latter qualitatively. By combining the two the whole process is muddled and it is the opinion of DFDS that by doing so ABP has been able to downplay the risk inherent in this proposed development. Given that the development falls wholly within a harbour area, has no connection with Offshore renewable energy and is purely for the purposes of maritime trade it is the opinion of</p>	<p>The Port Marine Safety Code is in part based on the principles of the IMO FSA, however the methodology used is aligned with the PMSC (DfT, 2016) and its associated GtGP (DfT, 2018). The table of risk categories from MGN 654 has only been utilised to inform the full spectrum of navigational risk The methodology used in the NRA is set out clearly in Section 6 of Appendix 10.1. The risk outcomes have been informed through subject matter expertise and opinion, including DFDS, and thus have not been “downplayed”.</p>

Consultee	Reference, Date	Summary of Response	How Comments Have Been Addressed in this Chapter
DFDS (PI 15)	Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022	<p>DFDS that the IMO FSA methodology should have been solely used.</p> <p>Collision protection for the IOT is now included but not currently proposed. The application should make sure it is clear what will trigger the installation of the protection. If it is an accident or near miss that will trigger it that is highly unsatisfactory – such events should be avoided in the first place. The protection should not be counted as environmental mitigation until it is clear when it would be installed.</p>	Collision protection for the IOT jetty is under consideration as a potential adaptive procedure and is considered in the NRA accordingly (Appendix 10.1).
DFDS (PI 15)	Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022	<p>ABP's recent, if somewhat late, attention to possible protection of IOT is understandable given the very significant risks to port wide operations and the environment which any contact with that existing facility would give rise to, however, no mention is made about potential impact with the Eastern Jetty. Given the sensitive location of the proposed IERRT adjacent to both the IOT and the Eastern Jetty, both of which handle highly flammable, toxic and potentially polluting products, we would expect ABP would be carefully and rigorously scrutinising every element of the</p>	<p>Previous risk assessments by ABP in the SHA have not required the presence of impact protection on the IOT. The need for this control will be reviewed by HES as is detailed in Appendix 10.1 at the request of APT who are the operators of the terminal.</p> <p>No request for impact protection has been made by the operators of the Eastern Jetty. Appendix 10.1 does consider a hazard scenario where a vessel has an allision with the Eastern Jetty; during the subsequent consultation following the third HAZID workshop, no stakeholder identified impact protection as a</p>



Consultee	Reference, Date	Summary of Response	How Comments Have Been Addressed in this Chapter
DFDS (PI 15)	Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022	<p>IERRT proposal before submitting its application.</p> <p>The collision protection is welcome, but it is not protecting the most vulnerable part of the IOT affected by this project, which is the finger pier. Mitigation was suggested for this consisting of moving it to the other side of the main jetty, but that does not appear to be being proposed and in any event would now conflict with ABP's other proposed DCO, the Immingham Green Energy Terminal.</p>	<p>further applicable control.</p> <p>Appendix 10.1 assesses the further applicable controls considered and then the applied controls that ABP will implement to mitigate risks for the Finger Pier. These risks have been reduced to an ALARP state that are within tolerability.</p>
DFDS (PI 15)	Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022	<p>Given the latest configuration of the berths and jetties the previous simulations and hazard workshops, which were themselves inadequate, ought to be re-run. Stakeholders were not able to see or discuss this potential protection at any stage of the Navigational Risk Assessment. As an example, the register of risks and mitigations contained mitigations such as moving the finger pier that are not being taken forward, so cannot be taken into account. We understand that the simulations are being rerun, but after the end of this consultation. The results of these should be taken into account in the DCO application.</p>	<p>Further simulations have been undertaken details of which are provided at Appendix 10.3. The vessel simulations were initially included as a further applicable control as they had not been completed at the time of the third HAZID workshop. This control's intent was to inform ABP of the manoeuvres required, the probable limits, and specifically how to conduct such manoeuvres safely. The simulations observed do not affect the Hazard Logs and assessment available within the NRA (Appendix 10.1).</p>

Consultee	Reference, Date	Summary of Response	How Comments Have Been Addressed in this Chapter
MCA (PI 17)	Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022	The MCA has considered the proposed changes to the original plans as seen during the formal statutory consultation, which ran until Wednesday 23 February 2022. I can confirm that the proposed changes do not raise any significant concerns for the MCA, and our original response to the previous consultations still apply.	Noted.
APT (PI 19)	Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022	A draft IERRT NRA methodology was provided to the IOT Operators by ABP on 24 October 2022. It is not clear whether a revised NRA has now been prepared by ABP; if it has the IOT Operators ask that it is shared with them at the earliest opportunity, to inform their understanding of navigational risks.	The completed NRA is provided at Appendix 10.1 of this ES and is submitted as part of the DCO application.
APT (PI 19)	Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022	The IOT Operators consider that the finalised IERRT NRA should include: (a) the outcomes (e.g., the IOT Operators' agreed report) of the ship bridge simulations scheduled for week commencing 28 November 2022; (b) details of a comprehensive cost benefit analysis determination for any hazards defined as ALARP (as low as reasonably practicable); and	Details of the simulations conducted week commencing 28 November 2022 are provided at Appendix 10.3. Details of the Cost Benefit Analysis results are available in the Hazard Log Annexes as 'Applied Controls' in the NRA (Appendix 10.1). The NRA (Appendix 10.1) explains the rationale for the inclusion of the impact protection measures in the DCO application.

Consultee	Reference, Date	Summary of Response	How Comments Have Been Addressed in this Chapter
		(c) an explanation of why the IOT Operators' proposed risk control measures such as the impact protection has now been included in design drawing, but its construction is not proposed as part of the IERRT Development.	
APT (PI 19)	Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022	<p>The IOT Operators do not consider that the draft IERRT NRA methodology meets either the 'UK Port Marine Safety Code', the 'Marine Guidance Note (MGN) 654 (M+F) Offshore Renewable Energy Installations (OREI) safety response' or the 'International Maritime Organization (IMO) Formal Safety Assessment' approach, as no standards of acceptability for hazards have been provided. The IOT Operators contend that if no standards of acceptability are provided as part of the IERRT NRA, based on UK Health and Safety Executive guidance, then the persons responsible for ensuring that ABP's duties are discharged (the "ABP Duty Holder") cannot make a judgement on acceptability of hazards scored as 'As Low As Reasonably Practicable'. The IOT Operators welcome that a cost benefit analysis will be undertaken with a view to</p>	<p>The NRA methodology is considered to meet the requirements of the Port Marine Safety Code. The Port Marine Safety Code is in part based on the principles of the IMO FSA, however the methodology used is aligned with the PMSC (DfT, 2016) and its associated GtGP (DfT, 2018).</p> <p>The table of risk categories from MGN 654 has been utilised to inform the full spectrum of navigational risk but has not been utilised as a primary reference.</p> <p>Acceptability is called 'tolerability' in this assessment and has been considered by ABP whilst in addition considering if risks are also ALARP. This is set out in the NRA (Appendix 10.1) which follows the process of Hazard Identification, Risk Analysis, Risk Assessment, Cost Benefit Analysis, and Decision Making.</p>

Consultee	Reference, Date	Summary of Response	How Comments Have Been Addressed in this Chapter
		reducing the risk (for each hazard) to a tolerable level. However, the IOT Operators note that in the draft IERRT NRA methodology, no details on how this process will be undertaken is provided.	
APT (PI 19)	Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022	In drafting the IERRT NRA, the IOT Operators request that clear reference is made to which elements of the various guidance documents have been used in the assessment, as it is not clear to date where the different guidance is relied on (i.e., provision of a checklist in line with the 'MGN 654 Annex 6 Checklist for developers' is requested).	A checklist has not been provided as the Port Marine Safety Code has been used as the primary reference as described in Appendix 10.1. The table of risk categories from MGN 654 has been utilised to inform the full spectrum of navigational risk.
APT (PI 19)	Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022	The IOT Operators have previously requested the existing Port Marine Safety Code Formal NRA for the area encompassing the IERRT Development, which was undertaken by ABP, should be used as the basis for the IERRT NRA, with changes brought about by the IERRT Development mapped over this agreed baseline assessment.	The existing controls for marine risks within the IERRT area have been utilised to form the embedded controls within each of the Assessments in the IERRT HazLogs (Hazard Logs). This was discussed at the HAZID with relevant operational risks captured as part of the IERRT Navigational Risk Assessment.
APT (PI 19)	Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022	The IOT Operators consider that the explanation: "risk is determined through a count culmination of outcome categories in a risk tally ranking system"	The methodology is clearly explained in full within Section 6 of the NRA (Appendix 10.1).

Consultee	Reference, Date	Summary of Response	How Comments Have Been Addressed in this Chapter
		is simply not clear and the IOT Operators require clarification on how risk is determined. An example of how this would be determined would assist the IOT Operators.	
APT (PI 19)	Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022	The IOT Operators also require clarification on how the ‘consequence descriptors’ have been defined and specifically how they relate to the IOT Operators’ operations including confirmation of whether these are based on the existing ABP NRA for the area.	Consequence Descriptors have been drawn from and informed by ABP’s MARNIS which is used as their MSMS software.
APT (PI 19)	Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022	As previously noted, the IOT Operators remain concerned over the use of qualitative ‘frequency descriptors’. It is not clear how these frequency descriptors will change between the three phases of the IERRT Development (Construction: including capital dredging and installation of infrastructure; Construction and Operation: construction of the southern finger pier whilst operating the northern finger (with two berths); and Operation: change to the study area’s vessel movements including any maintenance dredging).	The Port Marine Safety Code allows for qualitative assessment. The NRA (Appendix 10.1) defines how the different time periods can be considered within the word descriptors. ABPmer notes that the periods of operation, construction and construction-operation all vary and as a result the subsequent risks within each category are not compared to or ranked against one another.
APT (PI 19)	Supplementary Statutory	The IOT Operators remain concerned that the IERRT NRA	The Port Marine Safety Code makes allowances for qualitative risk

Consultee	Reference, Date	Summary of Response	How Comments Have Been Addressed in this Chapter
	Consultation – 28 Oct – 27 Nov 2022	methodology does not use empirical frequency descriptors (e.g., mathematical probabilities or return periods) which can be benchmarked to standards of acceptability (e.g., when likelihood of fatalities are considered) which in turn is necessary for the determination of ALARP classification for individual hazards. It is best practise, for marine risk assessment, especially of the complexity of the IERRT development, to define frequency empirically, which is in line with the Port Marine Safety Code Section 2.8 requirement that “Risks should be judged against objective criteria”.	assessment which is inherently subjective. Ultimately, risks within the NRA (Appendix 10.1) have been considered against objective criteria in addition to subjective criteria.
APT (PI 19)	Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022	The presented methodology considers risk classification in EIA ‘significance’ but does not explain how hazards or risks are scored. It is also not clear what the thresholds for the risk classification are and whether they are individually related to each assessment of risk for each hazard or whether aggregated risk scores are generated per hazard. The IOT Operators note that no detailed methodology or worked example is provided on assigning	Section 10.3 of this chapter of the ES explains how risk outcomes in the NRA are considered in the context of EIA. Section 6 of the NRA (Appendix 10.1) provides the full methodology used in the NRA.

Consultee	Reference, Date	Summary of Response	How Comments Have Been Addressed in this Chapter
		risk classification to individual hazards.	
APT (PI 19)	Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022	The IOT Operators do not agree an appropriate approach to ‘Cost Benefit, ALARP or Tolerability’ has been taken and seems to simply rely on the ABP Duty Holder to decide on the results of the whole assessment.	The meetings and processes detailed in Appendix 10.1 show a logical progression of thought at each stage by ABP and how they have decided to include or exclude controls to mitigate risk to an ALARP and tolerable state.
APT (PI 19)	Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022	The IOT Operators require a more detailed explanation and worked examples of the IERRT NRA methodology, using the risk scoring provided as part of the Hazard Workshop by the IOT Operators	The completed NRA is provided at Appendix 10.1 to this ES and is submitted as part of the DCO application.
APT (PI 19)	Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022	The IERRT Development has moved considerably closer to IOT infrastructure, including the IOT trunkway and IOT finger pier berths 6 and 8. This further impedes navigation of vessels bound to and from the IOT and increases the proximity of IERRT Development vessels navigating to IOT infrastructure, both of which lead to an increase in risk to the IOT Operators over the proposals presented in the Preliminary Environmental Information Report	Vessel simulation studies have informed the manoeuvres in vicinity of the IOT and the location of the proposed development. These are available at Appendix 10.2 and 10.3. The latest simulations were attended by APT, DFDS, Rix & Thames Fisher with a focus on vessels manoeuvring on and off the IOT Finger Pier. The simulations concluded (with all in agreement) that there is no adverse impact on operations on and off the finger pier berths.
APT (PI 19)	Supplementary Statutory Consultation	The IOT Operators are not able to provide comment on the detail of the statements in the	The NRA is provided at Appendix 10.1 to this ES. Additional applied controls are set out in

Consultee	Reference, Date	Summary of Response	How Comments Have Been Addressed in this Chapter
	– 28 Oct – 27 Nov 2022	Supplementary Consultation Report as the supporting assessment and analysis is not provided, although the IOT Operators, as previously indicated, do not agree that the IERRT Development as planned is safe and that additional controls are not necessary.	Section 10.9 of this ES chapter and in the NRA.
APT (PI 19)	Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022	<p>The IOT Operators consider it likely that protective provisions would be required to address:</p> <p>(a) The relocation of the IOT finger pier, for the reasons described in paragraph 2.1(a) of our previous letter of 25 July 2022. The IOT Operators would also be prepared to consider a solution requiring the IERRT Development’s outer-most berth (the northern berth of the northern pier) to be unused until such a time as alternative adequate arrangements have been put in place to reduce impacts on (safe) use by the IOT Operators of the finger pier;</p> <p>(b) The provision of adequate vessel impact protection during the construction and operational phase of the IERRT Development, as described in paragraph 2.1(b) of our previous letter of 25 July 2022; and</p>	These risk controls have been considered within the NRA (Appendix 10.1) as they were raised during the HAZID workshops and are captured as ‘further applicable controls’. As explained in the NRA (Appendix 10.1), vessel impact protective provisions will be implemented if HES considers them to be required.



Consultee	Reference, Date	Summary of Response	How Comments Have Been Addressed in this Chapter
		(c) A marine liaison plan of the sort detailed at paragraph 2.1(c) of our previous letter of 25 July 2022.	
CLdN (PI 21)	Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022	We have noted your intention to make a DCO application in late 2022 and so, given that publication of detailed EIA and other assessments is imminent, we will be able to provide a full response on the revised proposals as part of the relevant representation process unless you are able to provide additional environmental information prior to application, with time to consider that in detail. We consider that the short period between close of the supplementary consultation and the expected application date would make responding to consultation responses a challenge in any case; the lack of detailed environmental information on the revised proposals even more so.	Noted.

Consultee	Reference, Date	Summary of Response	How Comments Have Been Addressed in this Chapter
CLdN (PI 21)	Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022	The impacts of this revised project will be different to the development assessed in the PEIR; they will not necessarily be less significant. The summary table of impacts in the Supplementary Consultation Report (SCR) is not sufficient environmental information for consultees.	Noted. The full assessment of the significance of environmental impacts is provided in this ES. This takes account of the comments and feedback received during the two statutory consultations, the HAZID Workshops and the ongoing consultation/ discussions that have been undertaken since.

## Chapter 11 – Coastal Protection, Flood Defence and Drainage – Consultation Table

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Chapter
Planning Inspectorate (PINS)	Scoping Opinion, October 2021  Table ID 4.6.2	It is noted that the FRA will be provided as an appendix to the coastal defence, flood risk and drainage assessment in the ES. The FRA should as a minimum, address the requirements listed in paragraph 5.2.5 of the Policy Statement for Ports.	The requirements listed in Paragraph 5.2.5 of the Planning Policy Statement for Ports are addressed throughout the FRA in Appendix 11.1 to this ES.
Environment Agency	Scoping Opinion, October 2021  Appendix 2 Environment Agency response	Any potential impacts on flood risk infrastructure should be linked to the FRA outcomes. Any resulting mitigation / monitoring of the impacts should be linked to the detailed approvals that would normally be considered in the Flood Risk Activities of an Environmental Permit.	No impacts on flood risk infrastructure are expected as a consequence of the IERRT project. ABP own, and are responsible for, the flood risk defences along the Port of Immingham frontage and sufficient space will be provided for defence improvement works, in line with the 'hold the line' policy approach, where the jetty approach road is proposed to pass over the defences. No Flood Risk Activity permit is required for works relating to the IERRT project. However, a protective provision for the benefit of the Environment Agency has been included in the Development Consent Order (DCO) which requires that the works not to come into physical contact with the existing flood defence and be set

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Chapter
			at a sufficient height above the flood defence to facilitate access for maintenance inspections.
		Invitation to discuss the details of the proposed works to determine whether an Environmental Permit for Flood Risk Activities is required and if so, whether this can be incorporated into the DCO or Marine Licence.	Works over and in proximity to the ABP owned flood defences will not require an Environmental Permit for Flood Risk Activities as the flood defences are owned by ABP and the Humber Estuary is not classed as a Main River. A requirement for the works not to come into physical contact with the existing flood defence and be set at a sufficient height above the flood defence to facilitate access for maintenance inspections is included in the DCO.
		Any new terminal buildings for “less vulnerable” uses should raise Finished Floor Levels (FFLs) as high as practicable and, if these will be below the predicted flood depth (referring to the relevant 2115 0.5% Annual Exceedance Probability (AEP) tidal breach map), suitable flood resistance / resilience measures identified.	Section 7 of the FRA in Appendix 11.1 to this ES addresses mitigation, including FFLs, flood resilience for critical infrastructure and safe refuge. In addition, suitable flood resistance/ resilience measures are identified.
		Single storey buildings should be built with FFLs above the predicted flood depth	Section 7 of the FRA in Appendix 11.1 to this ES addresses mitigation, including FFLs, levels for

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Chapter
		<p>(referring to the relevant 2115 0.5% AEP tidal breach map).</p> <p>If this is not practicable, an area of safe refuge will need to be provided, or an appropriate flood warning and evacuation plan (to be assessed by the Local Planning Authority (LPA)) will need to demonstrate how this risk will be managed.</p>	<p>critical infrastructure and safe refuge.</p> <p>Safe refuge will be provided on the upper level of the main terminal building above the 0.1% AEP breach flood water level with climate change allowance of 6.25 m Above Ordnance Datum (AOD) (agreed with Environment Agency in June 2022).</p>
<p>Anglian Water</p>	<p>Scoping Opinion, October 2021</p> <p>Appendix 2 Anglian Water response</p>	<p>All surface water during construction and operation of the project should be managed via Sustainable Drainage Systems (SuDS) and not via the public sewer network.</p> <p>Anglian Water should be consulted, and data sought on historic sewer flooding, if on site design and offsite impacts from the project, and cumulatively with other development, potentially cause increased risk to the existing sewer network.</p>	<p>Surface water runoff, after attenuation, will drain to the Humber Estuary, Immingham Dock and via existing outfalls to Habrough Marsh Drain. There is no requirement to discharge to the public sewer network. Further details are provided in the Drainage Strategy (provided as Annex B of the FRA in Appendix 11.1 to this ES)</p> <p>There are no proposed surface or foul water connections to the surrounding Anglian Water surface water drainage network and therefore no potential onsite or off-site impacts from the IERRT project</p> <p>Foul drainage will be treated on site via a package treatment plant with no connection to the Anglian Water foul water system required.</p>

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Chapter
			<p>No off-site or cumulative impacts will be incurred as a result of the IERRT project.</p> <p>A Drainage Strategy is provided as Annex B of the FRA in Appendix 11.1 to this ES.</p>
<p>North East Lindsey Internal Drainage Board (c/o Witham Internal Drainage Board (IDB))</p>	<p>Data Consultation Response, October 2021</p>	<p>There is a network of Board maintained watercourses near the site. Habrough Marsh Drain is a gravity system with a flapped outfall into the Humber within the port site. There is a link to the Immingham pumped drainage system which allows flow into the Drain only when there is spare capacity available. High levels within this system have a potential flood risk for the area, particularly if rainfall events combine with high water levels in the Humber.</p>	<p>Noted. The risk of flooding from Ordinary Watercourses is presented in Section 4.4 (baseline flood risk) and Section 6.2 (post-development flood risk) of the FRA in Appendix 11.1 to this ES.</p>
		<p>The proposals show new infrastructure in the Humber near to the gravity outfall of Habrough Marsh Drain. The FRA should address this and put in place measures to mitigate siltation that could impede the existing discharge.</p>	<p>Siltation (and longer-term morphological) impacts on the existing infrastructure (including the Habrough Marsh Drain) have been considered (for both construction and operation phases) within Section 7.8 of the Physical Processes chapter (Chapter 7) of the ES.</p> <p>Mapping of the Habrough Marsh Drain</p>

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Chapter
			<p>intertidal creek has been undertaken by ABP based on aerial photography overlaid with the proposed route of the jetty approach road. This mapping has been used to ensure the location of the piles required for the approach jetty will be spaced sufficiently wide apart that there is no impact on the creek channel. Provisions have been put in place with the North East Lindsey IDB in the DCO to safeguard the creek across the intertidal area so the existing discharge is not impeded.</p> <p>Comments have been addressed in the FRA in Appendix 11.1 to this ES, which has informed this chapter of the ES.</p>
		<p>The prior written consent of the Board is required for any proposed temporary or permanent works in, under, over or within 7 m of the top of bank of a Board maintained watercourse (A revised Byelaw distance of 9 m is expected in the near future). This width is required to be kept clear of all obstructions.</p>	<p>Noted. The IDB Bye-law requirement is outlined in Section 3.3.7 of the FRA in Appendix 11.1 to this ES. The DCO provides a mechanism for the approval/ consent required for works to or adjacent to Habrough Marsh Drain to be obtained from the IDB.</p>
		<p>Surface water discharge into the Boards drainage system from any re-</p>	<p>Noted. A Drainage Strategy is provided as Annex B of the FRA (Appendix 11.1 to this</p>

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Chapter
		development should be reduced to 70% of the existing discharge rate.	ES) outlining how surface water runoff will be managed on-site post development.
North East Lincolnshire Council	Data Consultation Response. October 2021	<p>ABP do not report incidents of flooding on their land, primarily because the drainage infrastructure serving the dock estate is nearly all under ABP ownership. The only information held by the Council Drainage Team is:</p> <p>There was extensive flooding of the dock estate during the tidal surge on 5 December 2013;</p> <p>The only watercourses on ABP land not owned by ABP are the North East Lindsey IDB drains. All information on flood risk from these is held by the IDB; and</p> <p>Any hydraulic models of the watercourses will be held by the IDB.</p>	<p>Noted. The response has been used to inform relevant sections of the FRA in Appendix 11.1 to this ES.</p> <p>Data consultation has been undertaken with the North East Lindsey IDB and information obtained used to inform this assessment and the FRA (Appendix 11.1 to this ES).</p>
Environment Agency	Consultation response. November 2021	<p>The following data for the proposed development site and surrounding area has been provided:</p> <p>Flood Map for Planning showing Flood Zone Extents and location of flood defences;</p> <p>Historic flood event outlines map showing historical flood extents for</p>	<p>Receipt of information is confirmed. The information provided by the Environment Agency has been used to inform this ES chapter and the FRA and is presented in Annex A to the FRA in Appendix 11.1 to this ES.</p> <p>Consultation has been undertaken with other statutory consultees to obtain flood risk</p>



Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Chapter
		<p>events in 1953 and 2013;</p> <p>Fluvial flood risk information, this site is not considered to be at risk of flooding from main rivers. The site may be at risk from local ordinary watercourses for which other risk management authorities, such as the Lead Local Flood Authority (i.e. top tier council) or Internal Drainage Board (where they exist) have responsibility;</p> <p>Tidal flood risk and tidal water level data; and</p> <p>Tidal Hazard Mapping for breach and overtopping events for the years 2006 and 2115.</p>	<p>information, including the North East Lindsey IDB and North East Lincolnshire Council (Lead Local Flood Authority).</p>
<p>North East Lindsey Internal Drainage Board (c/o Witham Internal Drainage Board (PI13))</p>	<p>Statutory Consultation response on PEIR (14 February 2022)</p>	<p>The Preliminary Environmental Information Chapter 11: Coastal Protection, Flood Defence and Drainage included in the submission contains the appropriate information relating to North East Lindsey IDB following a previous consultation on the project in October 2021. The Board will comment further when details</p>	<p>Noted. Data provided by the IDB has been used to inform this ES chapter and the FRA (Appendix 11.1 to this ES).</p> <p>Further consultation/ meetings have been undertaken with the IDB and feedback used to inform this assessment and the FRA. Further details regarding the meeting is presented within this Table.</p>

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Chapter
		are produced and submitted.	
Member of the Public (PI14)	Statutory Consultation response on PEIR (14 February 2022)	Concerns regarding the proposed IERRT development and drainage, specifically ensuring that the site is fully drained in the correct manner and that this will not impact surrounding properties outside the planned site; e.g. along Queens Road and individual property flooding.	<p>Noted. The area of concern raised by the member of the public is located outside the IERRT project site boundary and is not related to the DCO application.</p> <p>Surface water flooding and off-site impacts are addressed in Sections 6.3 and Section 8 of the FRA respectively in Appendix 11.1 to this ES.</p> <p>A Drainage Strategy is provided as Annex B of the FRA (Appendix 11.1 to this ES) outlining how surface water runoff will be managed on-site post development with no off-site impacts.</p>
Environment Agency (PI34)	Statutory Consultation response on PEIR (23 February 2022)	We are pleased to see the Preliminary Flood Risk Assessment (FRA) (Appendix 11.1) confirms that the integrity of any existing flood defence on site, whether maintained by the Environment Agency or other parties, would be persevered at all times during the construction of the new jetty and over the duration of the operational lifetime of the development.	Noted.
		We are also pleased that the flood defences and any future works to the defences will not	Noted.

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Chapter
		<p>be impacted as a result of the development. Sufficient clearance between the flood defences and the jetty approach road will be provided to allow the flood defences to be raised in the future to adapt to climate change and to enable machinery to access the flood defences.</p>	
		<p>It is important that the approach roadway from the shore to the jetty and/or the transfer facility, will pass over, but will not touch, the flood defences and that access to and along the flood defence will not be affected. We would request including this as a Requirement in the Development Consent Order.</p>	<p>This request is noted. Section 7.5 of the FRA in Appendix 11.1 of this ES confirms that the approach roadway/ transfer facility will pass over, but will not touch, the flood defences and that access to and along the flood defence will not be affected.</p> <p>In addition, a requirement for the works not to come into physical contact with the existing flood defence and be set at a sufficient height above the flood defence to facilitate access for maintenance inspections is included within the DCO for the benefit of the Environment Agency.</p>
		<p>The FRA states that improvement works to the flood defences by ABP will be completed within the lifetime of the proposed development. Please can you confirm</p>	<p>It is anticipated that the improvements to the flood defences will be undertaken after the proposed approach road and jetty are in place. This is clarified in Section 6.1 of the FRA</p>

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Chapter
		<p>whether these improvements will take place before or after the proposed approach roadway and jetty are put in place.</p>	<p>(Appendix 11.1 to this ES).</p>
		<p>The FRA should explain more clearly that the Environment Agency inspects flood defence assets within the port, however ABP is responsible for the maintenance of these assets. The PEIR Chapter 11 document suggests that the Environment Agency has an ongoing maintenance programme on site, which is not the case. The assets are inspected annually; the FRA suggests (in Section 8.2) this occurs twice a year, which is incorrect.</p>	<p>Section 4.2.2 of the FRA in Appendix 11.1 to this ES has been amended to add clarity regarding the roles of the Environment Agency and ABP including their individual responsibilities for the inspection and maintenance of the flood defences under their jurisdiction.</p> <p>Where required, this chapter of the ES clarifies that the role of the Environment Agency with regards to the inspection and maintenance of the flood defences.</p> <p>Section 8.2 of the FRA (Appendix 11.1 to this ES) has been amended to read <i>“In addition, the tidal flood defences are inspected annually by the Environment Agency with maintenance to the defences undertaken by the Environment Agency and ABP (for defences under their respective ownership) when required to ensure that they remain fit for purpose”</i>.</p>
		<p>The only exception to this is Habrough Marsh Drain outfall,</p>	<p>Text has been included in both this ES chapter (paragraph 11.6.21) and</p>

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Chapter
		<p>which is maintained by the Environment Agency. The Environment Agency requires space around Habrough Marsh Drain outfall; we can only access this site through the port from the west. We require space for access and a crane to be set up with a works area around the crane for removal of the pointing doors/recondition works. The current designs suggest that there will be buildings to the north east of the outfall, which may obstruct the access and space we require.</p>	<p>the FRA (Appendix 11.1 to this ES) to reflect the Environment Agency's responsibility for maintaining the Habrough Marsh outfall pointing doors.</p> <p>Additional text has been added to Section 7.5 of the FRA in Appendix 11.1 to this ES confirming that access will be maintained to allow the Environment Agency to undertake works to the Habrough Marsh Drain outfall.</p>
		<p>Chapter 7 of the PEIR explains the potential for increased wave heights on and off site due to the development and possible change in erosion patterns. We would like to see more detail around how this affects the foreshore and the standard of protection of the flood defences on and off site and any mitigation for this that will be proposed.</p>	<p>The physical processes assessment in ES chapter 7 Section 7.8 to this ES has included consideration of potential impacts on local and regional features, including estuary banks, flood defences and channels. Zone of Influence (Zol) for each of the different physical process elements is provided on the respective map plots for hydrodynamics, sediment transport and plume dispersion.</p> <p>The FRA (Appendix 11.1 to this ES) has been updated to address this, where required.</p>

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Chapter
		<p>The FRA states “<i>To ensure that they remain dry, it is advised that critical plant/equipment (as defined by ABP), should be raised and secured above the expected 0.5% AEP climate change breach scenario flood water level where it is practicable to do so</i>”. However, the Environment Agency recommends that critical plant/equipment should be raised above the 0.1% climate change (2115) scenario breach depth.</p>	<p>Noted. Section 7 of the FRA in Appendix 11.1 to this ES addresses mitigation, including resilience and raised levels, where practicable for critical infrastructure.</p>
		<p>The FRA also states that safe refuge areas should have a freeboard of 0.5 m above the flood level corresponding to the 0.5% AEP breach flood event with climate change allowance. The Environment Agency recommends that all areas of safe refuge should be above the 0.1% climate change flood level. However, the responsibility for agreeing flood warning and evacuation plans rests with the local planning authority and therefore we recommend that you seek advice on the appropriate level for safe refuge from North</p>	<p>Noted. Section 7 of the FRA in Appendix 11.1 to this ES addresses mitigation, including levels for safe refuge sited above the 0.1% AEP climate change (2115) scenario breach depth of 6.25 m AOD (agreed with the Environment Agency in June 2022).</p>

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Chapter
		East Lincolnshire Council.	
North Lincolnshire Council (PI38)	Statutory Consultation response on PEIR (23 February 2022)	<p>The Flood Risk and Surface Water Project Officer has raised concerns regarding impacts on pluvial flood risk and SuDS given the scale and location of the development. However, Officers would welcome the submission of a full Flood Risk Assessment including surface water/drainage assessment etc with any forthcoming application. This is in order to determine whether there are any water resources including surface water e.g. rivers, lakes/ponds, riparian land drainage systems, coastal or underground waters on or around the location which could be affected by the project.</p>	<p>Section 2.2 of the FRA in Appendix 11.1 to this ES identifies water resources including surface water e.g., rivers, lakes/ ponds, riparian land drainage systems, coastal or underground waters on or around the site.</p> <p>A Drainage Strategy is provided in Annex B of the FRA (Appendix 11.1 of this ES) outlining how surface water runoff will be managed on-site post development.</p>
Anglian Water (PI43)	Statutory Consultation response on PEIR (23 February 2022)	With regards to the Drainage Strategy Anglian Water requests drafts of the application documents on these matters for agreement prior to application submission.	The Drainage Strategy has been submitted in draft to Anglian Water and forms part of the suite of documents with the DCO application. The Drainage Strategy is provided in Annex B of the FRA (Appendix 11.1 of this ES).
		Anglian Water welcomes clarification that all surface water	Surface water run-off, after attenuation, will be discharged in existing

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Chapter
		<p>will not at any time discharge via the public sewer network and will discharge (after suitable treatment) into watercourses or the sea.</p>	<p>drainage structures to the Habrough Marsh Drain, and an existing piped outfall into the Humber Estuary. There will be no surface water discharge to the Anglian Water surface water system. Foul drainage will be treated on site via a package treatment plant with no connection to the Anglian Water foul water system required.</p>
		<p>The PEIR advises that there is no Anglian Water recycling infrastructure within the IERRT project site boundary. The PEIR correctly advises that there is a sewer which runs to the east of the site.</p>	<p>Noted.</p>
		<p>The PEIR advises that the wastewater is managed on site including using sewage treatment plants. The subsequent assessment of the port's private wastewater infrastructure indicates that this will need enhancement including to cater for climate change.</p>	<p>Noted. Enhancements will be undertaken if and when required. There will be no requirement for waste water services from Anglian Water as the port estate is not connected to mains sewerage.</p>
		<p>Table 11.7 confirms that the existing port does not have any discharges to Anglian Water sewer systems. Subsequent paragraphs include no</p>	<p>Neither the site or the wider Port of Immingham are connected to the Anglian Water foul sewer system and the Anglian Water rising foul main, located to the east and</p>



Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Chapter
		reference to connections to Anglian Water wastewater infrastructure and consequently the impacts which will need to be covered in the ES are construction and operational traffic impacts on the Rising Main to the east and south of the Site and the Immingham Sea Outfall it connects to.	south of the site, is not located within the red line boundary for the IERRT project and therefore no potential onsite or off-site impacts from the IERRT project.
North East Lincolnshire Council (PI45)	Statutory Consultation response on PEIR (23 February 2022)	There are no specific drainage issues with the proposed development, they will be able to directly discharge water into the estuary so there are no surface water flood risk requirements.	Surface water run-off , after attenuation, will be discharged in existing drainage structures to the Habrough Marsh Drain, and an existing piped outfall into the Humber Estuary.  A Drainage Strategy is provided Annex B of the FRA (Appendix 11.1 to this ES).
		The drainage board should be consulted as it is within their district, and they have their Habrough Marsh Drain outfalling at the side of the docks. The proposed development should not interfere with the outfall.	Consultation with North East Lindsey IDB has been undertaken and the IERRT project will not interfere with the outfall of Habrough Marsh Drain. The DCO will provide a mechanism for approval/ consent of the IDB to be obtained for works to or adjacent to Habrough Marsh Drain and its outfall.
Q77	Statutory Consultation – 19 Jan – 23 Feb 2022	Concern was raised regarding the impact of the proposed development on the Immingham Outflow Discharge.	Neither the site nor the wider Port of Immingham are connected to the Anglian Water foul sewer system and the Anglian Water rising foul main,

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Chapter
			<p>located to the east and south of the site, is not located within the red line boundary for the IERRT project.</p> <p>The impact of the IERRT project on the Immingham Outflow discharge is assessed in Chapter 7 (Physical Processes) to this ES.</p>
<p>North East Lindsey Internal Drainage Board (c/o Witham Internal Drainage Board) (PI44)</p>	<p>Meetings on 24 February and 11 May 2022</p>	<p>The Habrough Marsh Drain outfall has cut a creek-like formation across the intertidal and reassurance is required that new structures will not cause accretion/restrictions to flow at the outfall.</p>	<p>Siltation (and longer-term morphological) impacts on the existing infrastructure (including the Habrough Marsh Drain) have been considered (for both construction and operation phases) within Section 7.8 of the Physical Processes chapter (Chapter 7) of the ES.</p> <p>Mapping of the Habrough Marsh Drain intertidal creek has been undertaken by ABP based on aerial photography overlaid with the proposed route of the jetty approach road. This mapping has been used to ensure the location of the piles required for the approach jetty are spaced sufficiently wide apart that there is no impact on the creek channel.</p> <p>Provisions will be included in the DCO for the North East Lindsey IDB to safeguard the creek across the</p>

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Chapter
			<p>intertidal area, so the existing discharge is not impeded.</p> <p>Comments have been addressed in the FRA (Appendix 11.1 to this ES), which has informed this ES chapter.</p>
		<p>Access to Habrough Marsh Drain outfall is required for dredging equipment so the channel can be cleared out.</p>	<p>Access to Habrough Marsh Drain, via East Riverside, will remain as the current scenario to allow North East Lindsey IDB access for channel maintenance works.</p>
		<p>If surface water is to be discharged to Habrough Marsh Drain, then flow rates will need to be considered and attenuation may be required. The capacity in Habrough Marsh Drain is limited particularly during a pluvial event that coincides with high water levels in the estuary in which case the outfall doors will be closed and water unable to discharge to the estuary until the flood ebb tide has allowed the doors to open again.</p>	<p>Surface water will drain via the two existing outfalls to Habrough Marsh Drain with surface water attenuated on-site. A Drainage Strategy is provided Annex B of the FRA (Appendix 11.1 to this ES).</p>
<p>North East Lincolnshire Council (NELC)</p>	<p>Meeting 1 June 2022</p>	<p>NELC noted any proposals by ABP to upgrade flood defences would follow implementation of the IERRT scheme Noted that as Lead Local Flood Authority 'sea flood' risk does not fall</p>	<p>Noted.</p>

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Chapter
		<p>under NELC's jurisdiction as 'sea flooding' is the Environment Agency's responsibility.</p>	
		<p>Although Habrough Marsh Drain is under operational control of the North East Lindsey IDB, NELC, as Lead Local Flood Authority require oversight to surface water drainage in to the Habrough Marsh Drain. It is possible NELC may want some Protective Provisions to cover off approval of plans insofar as these pertain to drainage. There are no concerns about surface water drainage going to the estuary or enclosed dock basin.</p>	<p>Noted. Protective provisions will be included in the DCO for NELC (as Lead Local Flood Authority) specifically for the IERRT project with the necessary mechanism for providing approval of plans relating to drainage, and oversight in respect of the surface water drainage.</p>
		<p>NELC are interested in the flow attenuation methods to be used and ensuring run-off is as clean as possible noting the Environment Agency's Water Framework Directive objectives for the estuary. For residential developments NELC would prefer SUDS, swales or even reed filtration beds and even though these may not be applicable to the IERRT require some thought put to this over and above</p>	<p>A Drainage Strategy is provided at Annex B of the FRA (Appendix 11.1 to this ES. The IERRT project does not comprise residential development.</p>

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Chapter
		the standard interceptor approach.	
Environment Agency	Meeting, 20 May 2022	<p>The Environment Agency are happy with the approach taken and responses to previous consultation comments provided as part of the Scoping and PEIR Consultation process.</p> <p>Safe refuge needs to be provided at a level above the 0.1% AEP breach flood water level with climate change allowance which is confirmed as 6.25 m AOD.</p>	<p>Safe refuge will be provided on the upper level of the IERRT terminal building above the agreed 0.1% AEP breach flood water level with climate change allowance of 6.25 m AOD</p> <p>This is outlined in Section 7 of the FRA (Appendix 11.1 to this ES).</p>
North East Lindsey Internal Drainage Board (c/o Witham Internal Drainage Board) (PI 12)	Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022	The Board provided comments originally in October 2021 which remain valid. Through engagement of ABP locally the Board is also aware of the proposed changes that potentially can affect the local drainage. The Board will continue to work with ABP and consultants on the surface water Drainage Strategy as set out in the Preliminary Flood Risk Assessment.	Noted.
North East Lindsey Internal Drainage Board (c/o Witham Internal Drainage	Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022	The Board is still concerned of the effects of the new infrastructure in the Humber over and near to the gravity outfall of Habrough Marsh Drain, there is concern that this will result in	Siltation (and longer-term morphological) impacts on the existing infrastructure (including the Habrough Marsh Drain) have been considered (for both construction and operation phases) within

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Chapter
Board (PI 12)		siltation which will impede the discharge. The Flood Risk Assessment and Drainage Strategy should address this and put in place measures to mitigate it.	<p>Section 7.8 of the Physical Processes chapter (Chapter 7) of the ES.</p> <p>Mapping of the Habrough Marsh Drain intertidal creek has been undertaken by ABP based on aerial photography overlaid with the proposed route of the jetty approach road. This mapping has been used to ensure the location of the piles required or the approach jetty will be spaced sufficiently wide apart that there is no impact on the creek channel. Provisions have been put in place with the North East Lindsey IDB in the DCO to safeguard the creek across the intertidal area so the existing discharge is not impeded.</p> <p>In addition, access to Habrough Marsh Drain, via East Riverside, will remain as the current scenario to allow North East Lindsey IDB access for channel maintenance works.</p>
Environment Agency (PI 11)	Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022	This consultation has alerted us to the potential for additional impacts on siltation to the Harborough Marsh Drain outfall and that these impacts were not specifically assessed as a	Impacts on the existing infrastructure (including the Habrough Marsh Drain) have been considered (for both construction and operation phases) within Section 7.8 of the Physical Processes

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Chapter
		<p>separate impact pathway in the original Preliminary Environmental Impact Report (Table 1, Page 42). It is our view that these potential impacts should be assessed for both the construction phase and the future operation of the terminal. If the assessment concludes that the development will (or may) have a detrimental impact on the operation of the existing outfall then details of appropriate monitoring and mitigation measures, and the mechanism for securing these, should be included in the Environmental Statement.</p>	<p>chapter (Chapter 7) of the ES.</p> <p>Provisions have been put in place with the North East Lindsey IDB in the DCO to safeguard the creek across the intertidal area so the existing discharge from the outfall is not impeded.</p>
<p>North East Lindsey Internal Drainage Board (c/o Witham Internal Drainage Board)</p>	<p>Email, 5 Dec 2022</p>	<p>The IDB reviewed a draft version of the Drainage Strategy. In general, the Drainage Strategy was considered acceptable. A few minor changes were suggested (e.g., referencing of sub-catchments, clarification of IDB responsibilities, and wording on Habrough Marsh Drain capacity).</p>	<p>The final version of the Drainage Strategy incorporates the comments received from the IDB. This is provided at Annex B of the FRA (Appendix 11.1 of this ES).</p>
<p>North East Lincolnshire Council (NELC)</p>	<p>Emails, 14 – 15 Dec 2022</p>	<p>Response provided following review of draft Protective Provisions for the benefit of NELC as the</p>	<p>Noted. Protective Provisions to be included in DCO.</p>

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Chapter
		<p>lead local flood authority. NELC confirmed that they consider the draft Protective Provisions satisfactory in terms of the protection given to the area's drainage. This was also confirmed with the planning officer.</p>	



## Chapter 12 – Ground Conditions including Land Quality – Consultation Table

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Chapter
Environment Agency	Scoping Opinion, October 2021  Appendix 2 Environment Agency response	The Environment Agency are satisfied that sufficient measures have been scoped in for the assessment of the risk posed to controlled waters from potential contamination.	Noted. No action required.
The Coal Authority	Scoping Opinion, October 2021  Appendix 2 The Coal Authority response	The Coal Authority have confirmed the site is located outside the defined Development High Risk Area. Therefore, there is no requirement to consider the coal mining legacy or to consult with the Coal Authority on subsequent planning.	Noted. No action required.
Historic England	Scoping Opinion, October 2021  Appendix 2 Historic England response	Historic England have acknowledged the use of existing geotechnical, geophysical and geoarchaeological data, however, it is stated that specifically acquired survey data should be conducted. Historic England have also stated the need for clarification as to whether further geotechnical data will be obtained, and if any geophysical data will be commissioned for use in the Environmental Statement.	Comments have been discussed and used to inform this chapter.  A GI was undertaken in May 2022 to obtain geo-environmental data and has been used to inform the ground conditions assessment set out in this chapter of the ES. A GI was undertaken in Sub Plot 1 and Sub Plot 3 by GD Pickles in 2020 which has also been used to inform the ground conditions assessment set out in this chapter of the ES.

			<p>A confirmatory GI has been undertaken with post GI monitoring works expected to be completed soon after the submission of the Development Consent Order (DCO) application. The findings of the confirmatory GI will be assessed and detailed in an interpretative report.</p>
Natural England	<p>Scoping Opinion, October 2021</p> <p>Appendix 2 Natural England response</p>	<p>Natural England have stated the need to consider impacts on geological sites and therefore include an assessment of the likely impacts on the geodiversity interests.</p> <p>Natural England have stated the ES should include information on sediment quality and the potential for effects on water quality through suspension of contaminated sediments. The ES should also consider if there will be an increase in the pollution risk to water as a result of construction or operation of the development.</p>	<p>There are no recorded RIGS or Locally important Geological Sites within the IERRT project site boundary.</p> <p>Chapter 8 (Water and Sediment Quality) of this ES addresses comments related to sediment quality and the potential for effects on water quality through suspension of contaminated sediments (see Section 8.8 of Chapter 8 of this ES).</p> <p>This chapter considers pollution risks to water during the construction phase in paragraphs 12.8.34 to 12.8.39 and the operational phase in paragraphs 12.8.48 to 12.8.52. A summary is also provided in Table 12.11 of this ES.</p>

<p>Planning Inspectorate (PINS)</p>	<p>Scoping Opinion, October 2021  Paragraph 3.3.9</p>	<p>PINS state that specific reference should be made to soil and subsoil pollution produced during the construction and operation phases.</p>	<p>A specific consideration to soil and subsoil pollution pathways and mitigation is presented in Section 12.9 of this chapter alongside the potential impacts to other identified receptors.</p>
<p>PINS</p>	<p>Scoping Opinion, October 2021  Table ID 4.1.5</p>	<p>PINS advise that the ES explains how the baseline data (existing geotechnical and GI data) is derived.</p> <p>If no further GIs occur, the use of the baseline data should be justified as to why it is adequate for the assessment of effects from the IERRT project.</p>	<p>Comments have been discussed and used to inform this chapter.</p> <p>A GI was undertaken in May 2022 to obtain geo-environmental data and has been used to inform the ground conditions assessment set out in this chapter of the ES . A GI was undertaken in Sub Plot 1 and Sub Plot 3 by GD Pickles in 2020 which has also been used to inform the ground conditions assessment set out in this chapter of the ES.</p> <p>A confirmatory GI has been undertaken with post GI monitoring works expected to be completed soon after the submission of the Development Consent Order (DCO) application. The findings of the confirmatory GI will be assessed and detailed in an interpretative report.</p>

PINS	Scoping Opinion, October 2021  Table ID 4.7.1	PINS agrees with the justification for best and most versatile agricultural soils and recognises that the IERRT project will be on previously developed land.	Noted. No action required.
PINS	Scoping Opinion, October 2021  Table ID 4.7.2	PINS has acknowledged that ground contamination assessments were desk-based, however, they state that if the desk study indicates that a GI is required, this needs to be undertaken to give confidence to the Examining Authority in a robust assessment with adequate mitigation measures.	Comments have been discussed and used to inform this chapter.  A GI was undertaken in May 2022 to obtain geo-environmental data and has been used to inform the ground conditions assessment set out in this chapter of the ES . A GI was undertaken in Sub Plot 1 and Sub Plot 3 by GD Pickles in 2020 which has also been used to inform the ground conditions assessment set out in this chapter of the ES.  A confirmatory GI has been undertaken with post GI monitoring works expected to be completed soon after the submission of the Development Consent Order (DCO) application. The findings of the confirmatory GI will be assessed and detailed in an interpretative report.
Environment Agency	Scoping Opinion, October 2021	The Environment Agency are satisfied that sufficient measures have been scoped in for the	Noted. No action required.

	Appendix 2 Environment Agency response	assessment of the risk posed to controlled waters from potential contamination.	
The Coal Authority (PI4)	Statutory Consultation – 19 Jan – 23 Feb 2022	The Coal Authority confirmed that the site is within a coalfield, however, it is not within a Development High Risk Area. There are no hazards associated with a coal mining legacy at shallow depths. Therefore, the Coal Authority suggest the coal mining legacy does not need to be considered in the Environment Impact Assessment and there is no need for further consultation on planning at the site.	Noted. No action required.
ESP Utilities Group Ltd (PI8)	Statutory Consultation – 19 Jan – 23 Feb 2022	ESP Utilities Ltd have confirmed that there are no gas or electricity apparatus in the vicinity of the site and will not be affected by the proposed works. However, it is noted that this notification is only valid for 90 days of the letter date and an enquiry should be re-submitted if proposed works commence after this date.	Noted. No action required.
National Grid (PI24)	Statutory Consultation – 19 Jan – 23 Feb 2022	National Grid have confirmed that there is no National Grid Electricity Transmission apparatus and no National Grid Gas apparatus within or in close proximity to the proposed site boundary.	Noted. No action required.
Environment Agency (PI34)	Statutory Consultation –	The Environment Agency do not have	Comments have been discussed and used

	19 Jan – 23 Feb 2022	<p>concerns related to the controlled waters risk assessment relating to contamination in Chapter 12 Ground Conditions and Land Quality of the PEIR. The Environment Agency agree with the approach to obtain further GI data to update the Conceptual Model and have no further concerns.</p>	<p>to inform this chapter.</p> <p>A GI was undertaken in May 2022 to obtain geo-environmental data and has been used to inform the ground conditions assessment set out in this chapter of the ES . A GI was undertaken in Sub Plot 1 and Sub Plot 3 by GD Pickles in 2020 which has also been used to inform the ground conditions assessment set out in this chapter of the ES.</p> <p>A confirmatory GI has been undertaken with post GI monitoring works expected to be completed soon after the submission of the Development Consent Order (DCO) application. The findings of the confirmatory GI will be assessed and detailed in an interpretative report.</p>
North Lincolnshire Council (PI38)	Statutory Consultation – 19 Jan – 23 Feb 2022	<p>North Lincolnshire Council’s Environmental Protection Officer agrees with the inclusion of a Phase 2 site investigation to support the application. It is noted that further comments from the Environmental Protection team are anticipated.</p>	<p>Comments have been discussed and used to inform this chapter.</p> <p>A GI was undertaken in May 2022 to obtain geo-environmental data and has been used to inform the ground conditions assessment set out in this chapter of the</p>

			<p>ES. A GI was undertaken in Sub Plot 1 and Sub Plot 3 by GD Pickles in 2020 which has also been used to inform the ground conditions assessment set out in this chapter of the ES.</p> <p>A confirmatory GI has been undertaken with post GI monitoring works expected to be completed soon after the submission of the Development Consent Order (DCO) application. The findings of the confirmatory GI will be assessed and detailed in an interpretative report.</p>
<p>Anglian Water (PI43)</p>	<p>Statutory Consultation – 19 Jan – 23 Feb 2022</p>	<p>Anglian Water would like confirmation in the ES that there are no contamination risks associated with the Anglian Water abstraction points or sources water is drawn from. It is noted that the closest distance from the IERRT project to an abstraction point is 3km.</p> <p>Anglian Water also recommend that Tables 12.10 and 12.11 include the impact from construction from plant and heavy traffic and the requirement to move existing water supply pipelines within the site and local road network.</p>	<p>The Anglian Water abstraction points are not considered to be affected by contamination risks due to the distance from the IERRT project site. This study only incorporates risks to controlled waters up to 1 km.</p> <p>Impact from construction and heavy traffic is not considered to be a pollutant linkage and is therefore not discussed further in this chapter.</p> <p>Tables 12.10 and 12.11 assess possible pollutant</p>

			<p>risks and therefore impact from construction from plant and heavy traffic is not carried forward in the assessment. However, it is recommended that where structures are proposed, all utilities/ services equipment will be removed and rerouted where necessary. The location of existing services will be identified, and, if necessary, haul routes will be created to minimise/ remove potential impact on services/ utilities above or below ground.</p>
<p>North East Lincolnshire Council (PI45)</p>	<p>Statutory Consultation – 19 Jan – 23 Feb 2022</p>	<p>North East Lincolnshire Council have stated they are content with the approach to conduct a GI and produce an interpretative report. They do not have any adverse comments.</p>	<p>Comments have been discussed and used to inform this chapter.</p> <p>A GI was undertaken in May 2022 to obtain geo-environmental data and has been used to inform the ground conditions assessment set out in this chapter of the ES . A GI was undertaken in Sub Plot 1 and Sub Plot 3 by GD Pickles in 2020 which has also been used to inform the ground conditions assessment set out in this chapter of the ES.</p> <p>A confirmatory GI has been undertaken with</p>



			<p>post GI monitoring works expected to be completed soon after the submission of the Development Consent Order (DCO) application. The findings of the confirmatory GI will be assessed and detailed in an interpretative report.</p>
<p>North East Lincolnshire Council Environmental Protection Officer</p>	<p>May 2022</p>	<p>The Environmental Protection Officer at North East Lincolnshire Council is content with the approach to conduct an initial ground investigation, followed by a comprehensive ground investigation.</p>	<p>Comments have been discussed and used to inform this chapter.</p> <p>A GI was undertaken in May 2022 to obtain geo-environmental data and has been used to inform the ground conditions assessment set out in this chapter of the ES. A GI was undertaken in Sub Plot 1 and Sub Plot 3 by GD Pickles in 2020 which has also been used to inform the ground conditions assessment set out in this chapter of the ES.</p> <p>A confirmatory GI has been undertaken with post GI monitoring works expected to be completed soon after the submission of the Development Consent Order (DCO) application. The findings of the confirmatory GI will be assessed and detailed in an interpretative report.</p>

The Coal Authority (PI 2)	Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022	The proposed refinements required to facilitate the development at this site does not result in any changes to our previous comments dated 19 January 2022. Accordingly, we have no specific comments to make on this Supplementary Statutory Consultation.	Noted.
---------------------------	---	---	--------

## Chapter 13 – Air Quality – Consultation Table

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Chapter
PINS	<p>Scoping Opinion, 25 October 2021</p> <p>Table ID 4.8.2</p>	<p>The Scoping Report states that the study area will cover all roads in the affected road network (ARN) within 200 m of the Humber Estuary Special Area of Conservation (SAC)/ SPA/ Ramsar and SSSI. The Inspectorate considers that the ES should assess effects on Local Wildlife Sites (LWS) and habitats of principal importance within 200 m of the ARN as well.</p>	<p>The air quality assessment reported in this ES does consider the potential for significant effects at the nature conservation sites, including effects on Local Wildlife Sites and habitats of principal importance within 200 m of the ARN.</p> <p>The assessment of impacts on these designations is set out in Section 13.8.</p>
	<p>Scoping Opinion, 25 October 2021</p> <p>Table ID 4.3.3</p>	<p>Unless it has already been determined which plant would be used during construction, the ES should describe any assumptions made about the plant to be used and explain why these represent the worst-case scenario which could arise under the DCO.</p>	<p>Consideration of construction plant and relevant assumptions are provided in Section 13.8 and Table 13.13.</p>
	<p>Scoping Opinion, 25 October 2021</p> <p>Table ID 4.3.4</p>	<p>The Scoping Report does not describe whether there are any AQMAs within the proposed ARN that may be affected by the Proposed Development. The ES should confirm whether there are any relevant AQMAs likely to experience impacts</p>	<p>The nearest AQMAs to the IERRT project are described in Section 13.6 and shown on Figure 13.1 of this ES.</p>

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Chapter
		from the Proposed Development and, if so, identify their location on a figure.	
	Scoping Opinion, 25 October 2021  Table ID 4.3.5	The Scoping Report does not explain if PM <sub>2.5</sub> will be considered in the air quality assessments.	The air quality assessment reported in this ES (Section 13.8) does include consideration of PM <sub>2.5</sub> .
		The Applicant is advised to seek agreement with North East Lincolnshire Council on the range of pollutants to be included in the assessments.	North East Lincolnshire Council has provided a formal Scoping Response that confirmed that the assessment approach described in the Scoping Report, including pollutants to be considered, contained everything they had expected.
	Scoping Opinion, October 2021  Table ID 4.3.6	The ES should include a figure / figures to identify the final study area for air quality and the human and ecological receptors that have been considered in the assessment.	The study area and receptors considered in this ES are shown on Figure 13.1 of this ES.
Natural England	Scoping Opinion, October 2021  Appendix 2 Natural England response	The assessment should take account of the risks of air pollution and how these can be managed or reduced.	Section 13.8 of this ES chapter identifies potential risks of air pollution and Section 13.9 describes mitigation with the aim of managing and reducing this risk.
UK Health Security Agency	UK Health Security Agency response, 25 October 2021	We support approaches which minimise or mitigate public exposure to non-threshold air pollutants, address inequalities (in exposure), maximise	Mitigation measures to manage and reduce emissions generated by the IERRT project are set out in Section 13.9 of this ES chapter.

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Chapter
		co-benefits (such as physical exercise). We encourage their consideration during development design, environmental and health impact assessment, and development consent.	
North East Lincolnshire Council	North East Lincolnshire Council response, 30 November 2021	Having reviewed the air quality section of the scoping request, everything we'd expect to be covered within the proposed Air Quality Assessment is included.	Noted.
North Lincolnshire Council	North Lincolnshire Council response, 30 November 2021	The response lists the impacts described within the Scoping Report to be considered in the air quality assessment, but does not provide any comment on them.	Noted.
DFDS (PI32)	Statutory Consultation 19/01/22 - 23/02/22	Impact on air quality from the heavy goods vehicles (HGVs) travelling on local roads, particularly Queens Road, has not adequately been assessed.	Impact of vehicle emissions on receptors adjacent to local roads has been undertaken in line with industry standard guidance and is reported in Section 13.8 of this ES chapter.
UK Health Security Agency (PI37)	Statutory Consultation 19/01/22 - 23/02/22	Encourage the minimising of air quality impacts as part of the design phase.  Clarify that the cumulative impact of vessel numbers has been considered when comparisons are made with relevant thresholds.	Mitigation measures are set out in Section 13.9 of this ES chapter.  The assessment of marine vessel emissions, including any reference to the screening of potential impacts is set out in Section 13.8 of this ES chapter.

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Chapter
		Identify the receptors at risk of air pollution impacts and provide a quantitative assessment of the impacts in terms of both numbers of properties affected and changes in air pollution levels at those locations resulting from the development.	The assessment of operational road traffic emissions impacts at receptors located on local roads close to the IERRT project and receptors located adjacent to the SRN has been undertaken in line with current industry-standard guidance and is reported in Section 13.8 of this ES chapter.
North Lincolnshire Council (PI38)	Statutory Consultation 19/01/22 - 23/02/22	Welcome the submission of the relevant air quality information with the forthcoming application.	Noted.
Natural England (PI40)	Statutory Consultation 19/01/22 - 23/02/22	Construction Phase: The potential for air quality impacts to the Humber Estuary SPA, SAC and Ramsar from construction dust and site plant emissions should be assessed in the HRA.	The construction dust assessment and the consideration of impacts on the Humber Estuary SPA, SAC and Ramsar is set out in Section 13.8 of this ES chapter and in the Habitat Regulations Assessment (HRA) Report (Application Document Reference number 9.6).
		Operational Phase: Natural England recommends that the ES and HRA consider whether there is likelihood of the operational traffic acting in combination with other plans or projects.	The operational road traffic emissions assessment and the consideration of impacts on sensitive nature conservation sites is set out in Section 13.8 of this ES chapter. The traffic data (see Chapter 17 of this ES) used to inform the air quality assessment includes

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Chapter
			cumulative flows associated with major reasonably foreseeable development in the area (known as committed development).
		<p>Operational Phase: It is not clear whether vessels will pass within 200 m of sensitive habitats when moving through the estuary. This should be clarified in the ES and HRA.</p>	<p>The operational vessels emissions assessment and the consideration of impacts on sensitive nature conservation sites is set out in Section 13.8 of this ES chapter.</p> <p>Vessels will be required to route to and from the IERRT project using the Humber Estuary Main Navigational Fairway. At no point on this route will vessels associated with the operation of the IERRT pass within 200 m of an air quality sensitive habitat.</p>
		<p>We note that construction phase vessel emissions have not been considered in the PEIR and will be considered as part of the detailed assessment in the ES. It should be acknowledged then that there may also be a requirement for mitigation during construction.</p>	<p>The construction phase vessel emissions and the consideration of impacts on sensitive nature conservation sites is set out in Section 13.8 of this ES chapter. Mitigation is set out in Section 13.9.</p>
		<p>We therefore advise that ammonia from</p>	<p>The operational phase assessment and the</p>

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Chapter
		<p>traffic and marine vessels should be included for assessment in the HRA.</p>	<p>consideration of impacts on sensitive nature conservation sites is set out in Section 13.8 of this ES chapter.</p> <p>Ammonia emissions have been included in the assessment for appropriate sources on habitats reported in the HRA (Application Document Reference number 9.6).</p>
		<p>Natural England's guidance accepts the use of the significance threshold of 1000 Annual Average Daily Traffic (or the levels of emissions being &lt;1 per cent of the critical level/ load), however, this does not exclude the requirement for an assessment of the potential impacts in combination with other plans or projects. Therefore, Natural England recommends that the ES and HRA consider whether there is likelihood of the operational traffic acting in combination with other plans or projects.</p>	<p>Baseline air quality conditions at nature conservation sites are reported in Section 13.6 of this ES chapter, future baseline conditions are reported in Section 13.7 and operational conditions and impacts are reported in Section 13.8.</p>
North East Lincolnshire Council (PI45)	Statutory Consultation 19/01/22 - 23/02/22	Air quality information to be reviewed following submission of forthcoming application.	Noted.
Q59	Statutory Consultation	Supports the IERRT project because it will	Noted.



Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Chapter
	19/01/22 - 23/02/22	remove coal from the area, which creates dust.	
Q82	Statutory Consultation 19/01/22 - 23/02/22	Concern was raised regarding the high emissions from the roro tractor tugs. .	The impact of emissions from land-tugs is reported in Section 13.8 of this ES chapter.
Natural England (PI 22)	Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022	<p>Natural England have advised previously that the applicant also refer to Natural England’s guidance on the assessment of road traffic emissions under the Habitats Regulations.</p> <p>To re-iterate:  <u>Construction phase</u>  The potential for air quality impacts to the Humber Estuary SPA, SAC and Ramsar from construction dust and site plant emissions should be assessed in the HRA.  <u>Operational phase</u>  Refer to Natural England’s previous response dated 23rd February 2022.</p>	<p>Noted.</p> <p>The construction dust assessment and the consideration of impacts on the Humber Estuary SPA, SAC and Ramsar is set out in Section 13.8 of this ES chapter and in the HRA (Application Document Reference number 9.6).</p>
Natural England (PI 22)	Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022	Natural England note there are a number of additional designated sites within proximity to the application site which may require assessment for potential air quality impacts. Detailed modelling will determine those sites which are relevant to the assessment.	The air quality assessment considers the impact of emissions and relevant nature conservation sites in line with current guidance. The assessment of impacts on relevant sites is described in Section 13.8 of this ES chapter.

## Chapter 14 – Airborne Noise and Vibration – Consultation Table

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Chapter
Planning Inspectorate (PINS)	Scoping Opinion, October 2021  Table ID 4.9.1	The Scoping Report seeks to scope out assessment of vibration emissions during construction and operation on the grounds that the closest NSRs is at least 270 m from the site. The Inspectorate accepts this distance is sufficient to avoid significant effects on human receptors, but ES should include an assessment of vibration emissions during construction and operation on ecological receptors or information demonstrating agreement with the relevant consultation bodies and the absence of a Likely Significant Effect (LSE).	The potential impacts of airborne noise on waterbirds are assessed in the ES chapter dealing with Nature Conservation and Marine Ecology (Chapter 9) of this ES. There is no evidence that vibration significantly effects these receptors, therefore vibration impacts have been scoped out from further assessment. There are no identified sensitive terrestrial ecological receptors within the study area. The vibration impacts on residential receptors have been scoped out.
PINS	Scoping Opinion, October 2021  Table ID 4.9.2	The ES should explain how the final study area has been defined to reflect the zone of influence of the proposed development.	Information on the study area is provided in Section 14.2 of this ES chapter.
PINS	Scoping Opinion, October 2021  Table ID 4.9.3	The ES should address effects from airborne noise and vibration on ecological receptors or provide a justification as to why LSE would not arise.	The potential impacts of airborne noise on waterbirds are assessed in the chapter dealing with Nature Conservation and Marine Ecology (Chapter 9). There is no evidence that vibration significantly effects these receptors, therefore vibration impacts have been scoped out. There are no identified sensitive

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Chapter
			terrestrial ecological receptors within the study area.
PINS	Scoping Opinion, October 2021  Table ID 4.9.4	The Applicant is advised to seek specific agreement with NELC's Environmental Health Department around the approach to collecting baseline data and the selection of receptors. The Applicant is advised to seek advice from Natural England and NELC on the ecological receptors which should be included in the assessment.	The Environmental Health Department at NELC and NLC have been consulted. Further information on relevant local policy is provided in Section 14.5 of this chapter. Natural England has been consulted regarding the ecological receptors as detailed in Nature Conservation and Marine Ecology (Chapter 9).
NELC Environmental Health Department	Email response from Environmental Protection Officer dated 29 October 2021	Confirmation that department is happy with the proposed methodology (as stated in scoping report) and the noise measurement locations.  NELC recommended that NLC Environmental Health Department are contacted regarding the noise monitoring location in South Killingholme.	As recommended by NELC, NLC has been consulted – see row below. Further details of are provided in Section 14.5 to this ES.
NLC Environmental Health Department	Email to Environmental Protection Officer dated 2 November 2021 Further email sent 8 December 2021. Further email sent	No response received.	Email (sent on 12 July 2022) sought clarification as to whether there were any outstanding issues with the assessment scope and assessment methodologies. At the time of writing no further clarification has been received.

<b>Consultee</b>	<b>Reference, Date</b>	<b>Summary of Response</b>	<b>How Comments have been Addressed in this Chapter</b>
	12 July 2022		
Q26, Q35, Q70	Statutory Consultation - 19 Jan - 23 Feb 2022	Concern about the increased levels of pollution, specifically noise and carbon emissions caused by additional vessels and HGV's both within the terminal and the surrounding area.	Road traffic noise during construction and operation, and on-site vehicle movements, are assessed within Section 14.8 of this ES chapter. The carbon emissions are assessed in Chapter 19 (Climate Change) of this ES.
Q26, Q35	Statutory Consultation - 19 Jan - 23 Feb 2022	Suggest that more mitigation is needed to address impacts of pollution, including a long-term plan to offset the emissions.	Noise and vibration mitigation is considered in Section 14.9 of this ES chapter. The carbon emissions are assessed in Chapter 19 (Climate Change) of this ES.
Q26	Statutory Consultation - 19 Jan - 23 Feb 2022	Proposals to implement speed limits to manage noise and dust levels are not sufficient.	Noise and vibration mitigation is considered in Section 14.9 of this ES. The potential dust impacts are assessed in Chapter 13 (Air Quality) of this ES.
Ex10	Statutory Consultation - 19 Jan - 23 Feb 2022	Suggest tree planting along A160 to act as a visual and acoustic barrier.	Trees will provide a visual barrier but not significant acoustic screening. No adverse noise impacts have been predicted along the A160; therefore, no noise mitigation is proposed.
T3	Statutory Consultation - 19 Jan - 23 Feb 2022	Queried the distance from the proposed development site to the Port Occupational Health building operated by PAM and what noise level is expected.	The PAM building has been included as an NSR in the construction and operational assessments. Section 14.8 of this ES chapter details sets out the predicted noise levels.
PCT1, PCT2	Statutory Consultation - 19 Jan - 23 Feb 2022	Concern was raised over increased noise and vibration to residents on Queens Road and along the A180 due to the noisy road surface.	The road traffic noise during construction and operation on the public highway have been assessed in Section 14.8 of this ES chapter. Vibration from traffic on highway network during the construction and operational phase has been

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Chapter
			scoped out as detailed in paragraph 14.8.10.
Exolum (PI28)	Statutory Consultation - 19 Jan - 23 Feb 2022	Concerns over piling operations close to existing foreshore pipelines.	Construction vibration impacts on sensitive industrial structures and pipelines have been assessed in Section 14.8 of this ES chapter.
Associated Petroleum Terminals (Immingham) Ltd (APT) (PI30)	Statutory Consultation - 19 Jan - 23 Feb 2022	Concerns over piling operations close to existing foreshore pipelines, jetties and equipment. APT are also concerned about the vibration impact of operational dredging on their infrastructure.	Construction vibration impacts on sensitive industrial structures and pipelines have been assessed in Section 14.8 of this ES chapter.  Vibration from operational dredging is considered in Section 14.8 of this ES chapter.
DFDS (PI32)	Statutory Consultation - 19 Jan - 23 Feb 2022	Impact on noise from the HGV's travelling on local roads, particularly Queens Road, has not adequately been assessed.	Road traffic noise during construction and operation including from the HGVs on local roads is assessed within Section 14.8 of this ES chapter.
North Lincolnshire Council (PI38)	Statutory Consultation - 19 Jan - 23 Feb 2022	The Environmental Protection Officer would welcome the submission of a noise impact assessment. Further comments are expected from the Environmental Protection Team.	A noise impact assessment has been prepared and is reported in this ES chapter. The construction and operational noise impacts are assessed within Section 14.8 of this ES chapter.  No further comments from the Environmental Protection Team have been received.
North East Lincolnshire Council (PI45)	Statutory Consultation - 19 Jan - 23 Feb 2022	Happy with the noise information provided in the PEIR, some final details to be determined within the ES. Vibrations will also have to be considered through the ES.	The construction and operational noise impacts are assessed within Section 14.8.  Operational vibration impacts on residential NSRs have been scoped

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Chapter
			out due to distance between the IERRT project site and the residential NSRs as stated in the EIA Scoping Report and as detailed in paragraph 14.8 of this ES chapter.
All	Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022	No comments were received with respect to climate change in response to the supplementary statutory consultation exercise.	N/A

## Chapter 15 – Cultural Heritage and Marine Archaeology – Consultation Table

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Chapter
<p>Planning Inspectorate (PINS)</p> <p>Historic England</p>	<p>Scoping Opinion, October 2021.</p> <p>Table ID 4.10.1</p> <p>Appendix 2 Historic England response</p>	<p>The ES should include an assessment of the contribution of setting to the overall significance of heritage receptors, including those which are buried or submerged, or information demonstrating agreement with the relevant consultation bodies and the absence of a likely significant effect.</p>	<p>Setting cannot be assessed for unidentified marine heritage receptors and geophysical anomalies of archaeological potential, as detailed in paragraph 15.3.14 of this chapter. A historic environment setting assessment was undertaken and is detailed in Section 15.6.22 of this chapter, resulting in two sites being considered for further assessment.</p>
<p>PINS</p>	<p>Scoping Opinion, October 2021.</p> <p>Table ID 4.10.2</p>	<p>The ES should explain how the final study area reflects the full zone of influence of the proposed development.</p>	<p>A wider 5 km buffer zone has been considered in order to undertake a heritage setting assessment, covering the full zone of influence of the proposed development. This considered designated terrestrial heritage receptors within a 5 km buffer, as discussed in Section 15.6 of this chapter.</p>
<p>PINS</p> <p>Historic England</p>	<p>Scoping Opinion, October 2021.</p> <p>Appendix 2 Historic England response</p>	<p>Impacts on terrestrial archaeological features should also be considered, in order to properly understand the marine archaeological environment. The study area in the ES must be defined in a way which allows the Examining</p>	<p>Study area consists of the area directly/indirectly impacted by proposed development and a 500 m buffer including terrestrial, intertidal, and marine datasets in order to allow the Examining Authority to fully</p>

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Chapter
		Authority to fully understand the nature and significance of the archaeological features affected by the proposed development.	understand the nature and significance of the archaeological features affected. Further details are provided in Section 15.2 of this chapter.
PINS	Scoping Opinion, October 2021.  Table ID 4.10.3	Paragraph 6.11.8 of the Scoping Report refers to marine archaeological and cultural heritage <i>receptors</i> which are located within the marine works; however, Table 17 refers to marine heritage <i>features</i> . The Applicant should ensure that consistent terminology is used throughout the marine archaeology ES chapter.	Noted. Reference made to marine cultural heritage receptors throughout. "Receptor" has been used for cultural heritage assets taken forward in this ES to ensure that consistent terminology is used throughout.
PINS	Scoping Opinion, October 2021.  Table ID 4.10.4	The Applicant should seek to agree the baseline data required for the assessment with relevant stakeholders (including the requirement for site-specific survey data).	This was developed following PEIR stage and subsequent discussion with key stakeholders (Historic England, and relevant local authority archaeology advisors (27 May 2022 meeting discussed below). Site-specific survey data was acquired to inform the baseline.  No further requirements for baseline surveys or data collection were required / requested at this point.
Historic England	Scoping Opinion, October 2021.  Appendix 2 Historic	'Our Seas - A shared resource: High level marine objectives' is a policy document relevant to marine planning in general and therefore should be considered for inclusion elsewhere	Noted. This policy document has been included in Section 15.5 of this chapter.



Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Chapter
	England response	rather than in the desk-based assessment.	
Historic England	Scoping Opinion, October 2021.  Appendix 2 Historic England response	It is not clear if a marine survey campaign will be conducted to acquire data for analysis and interpretation in any ES produced for this proposed project.	A marine geophysical survey campaign was undertaken in January 2022, as well as vibrocore sediment sampling in October 2021, and formed the basis of the marine archaeological baseline assessment and EIA for the proposed project. Further details provided in Section 15.6 of this chapter.
North East Lincolnshire Council	Scoping Opinion, 23 November 2021	In addition to the underground remains we would expect a report on the potential impact on the historic landscape. North East Lincolnshire has had historic landscape character (HLC) undertaken and this should be consulted.	These elements have been developed in conjunction with baseline technical assessments for this ES chapter and presented in Appendix 15.2 to this ES.
North East Lincolnshire Council	Scoping Opinion, 23 November 2021	Regarding setting issues, potential impacts on the settings and significance of designated and non-designated heritage assets which would experience visual change should be evidenced using accurate visual representations. Viewpoints, including views of, from, and across heritage asset receptors as well as general intervisibility, all have historic context and need to be assessed properly to determine the contribution of the	These elements have been developed in conjunction with baseline technical assessments for this ES chapter. Viewpoints, including accurate visual representations of, from, and across heritage asset receptors are provided in Appendix 15.2 to this ES.

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Chapter
		setting of the heritage asset and the potential impact upon it by development or proposed mitigation measures.	
Historic England (PI42)	Statutory Consultation – 19 Jan – 23 Feb 2022  Ref: PL00756423	The approach set out in the PEIR appears to be a sound starting point for investigation of terrestrial and marine effects (both direct and setting) but since this is an iterative process we will need to see and discuss with you the results of initial investigations and assessments in order to advise on what further work may be necessary in advance of and subsequent to determination.	Noted. List of selected assets for the historic setting assessment was passed on to HE for review and comment on 07/03/2022.  See discussion of HE response dated 25 March 2022 in later table entry.
North Lincolnshire Council (PI38)	Statutory Consultation – 19 Jan – 23 Feb 2022	NLC Historic Environment Officer has confirmed that the proposal does not affect any heritage assets or their settings with North Lincolnshire.	Noted.
North East Lincolnshire	Correspondence following the Statutory Consultation	NELC confirm that they do not have any comments in respect of this matter.	Noted.
Historic England	Setting Assessment Methodology Response dated 25 March 2022 provided in respect of information provided to HE on 7 March 2022	We are content with the asset selection in the draft heritage assessment.  As set out in our GPA3 Setting of Heritage Assets setting is not a bounded space, so I might have gone a little wider in some cases to include the experience	Noted. Proceeded with Setting Assessment based on the asset selection which was presented in the draft heritage setting assessment. Further details are found in Appendix 15.2 to this ES.

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Chapter
		<p>of assets on approach / kinetically through the historic landscape / seascape, but in this specific instance I do not believe that would produce substantively different assessment results from those you set out.</p> <p>In this case a focus on SOUTH FARMHOUSE 1083467 Grade II for further consideration in the ES is the right result.</p>	
Historic England	Meeting 27 May 2022	<p>HE will look at setting text that comes through.</p> <p>Flagged up the East Midlands Historic Environment Research Framework, to consult when underpinning the WSI objectives.</p>	Draft WSI (Appendix 15.3 to this ES) updated with East Midlands Historic Environment Research Framework objectives.
Historic England (PI 23)	Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022	<p>The construction ‘mitigation in the form of offsetting’ is unhelpful in an historic environment context since the resource is specific, finite and irreplaceable, ‘geoarchaeological assessment of geotechnical surveys, and implementation of a Protocol for Archaeological Discoveries (PAD), secured through a Written Scheme of Investigation (WSI)’ could be better simply categorised as ‘archaeological mitigation’ or if it is also to inform refinements in</p>	Noted. The archaeological mitigation is addressed in Section 15.9 of this ES chapter.

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Chapter
		design to reduce loss / damage to remains one could refer to it as 'archaeological mitigation and adaptive design'.	

## Chapter 16 – Socio-Economic Receptors – Consultation Table

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Chapter
PINS, Scoping Opinion	Table ID 4.11.2	The Applicant refers to 2011 Census data and the Inspectorate notes that the provisional release date for the 2021 Census data is between March and April 2022. If the DCO application is submitted after the release of the 2021 Census data, and it is reasonably practical, this data should be used to inform the Socio-economic assessment.	Appropriate 2021 Census data has not been released in time to be used for the ES. Only population by nation, region, and local authority data was released in June 2022. The baseline assessment instead uses LSOA and TTWA data, updates to which are due in 'early 2023' <sup>1</sup> .
PINS, Scoping Opinion	Table ID 4.11.3	The list of impact pathways during construction and operation does not explicitly refer to effects on housing availability although it is noted that effects on social cohesion are included. The assessment in the ES should consider if any Likely Significant Effect (LSE) would arise from the influx of construction workers on the local housing and rental market.	The impact of an influx of construction workers on temporary accommodation, and the local housing and rental market has been considered in this ES, in paragraphs 16.8.23 to 16.8.27 of this chapter (Consideration of Likely Impacts and Effects).
PINS, Scoping Opinion	Table ID 4.11.4	The ES should include a figure / figures to identify the final study area including the relevant LSOAs, and the Grimsby TTWA in relation to the Proposed Development.	Images showing the study areas (in relation to the proposed IERRT) are included in this ES chapter (Images 16.1 and 16.2).

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Chapter
Q6, Q24, Q27, Q31, Q35, Q38, Q48, Q52, Q57	Statutory Consultation - 19th Jan - 23rd Feb 2022	Support for the proposal because it will mean jobs, growth, and investment for the area.	The positive employment impacts are recognised in paragraph 16.8.5 onwards of this chapter of the ES (Consideration of Likely Impacts and Effects).
Q61, Q73	Statutory Consultation - 19th Jan - 23rd Feb 2022	Beneficial to the economy	The positive impacts to the economy are recognised in paragraph 16.8.5 onwards of this chapter of the ES (Consideration of Likely Impacts and Effects).
Q5, Q48, Q53	Statutory Consultation - 19th Jan - 23rd Feb 2022	Suggest that local labour is used, and training provided.	The assumption for the IERRT project is that the majority of the labour is obtained from the local area, as set out in paragraph 16.8.8 of this chapter of the ES (Consideration of Likely Impacts and Effects) and the provision of training is addressed in paragraph 16.8.15 of this chapter.
Q41, Q55	Statutory Consultation - 19th Jan - 23rd Feb 2022	Lack of investment in Immingham town means that there are not the facilities or services to support more workers. Therefore, private business will not invest in the town.	The assumption for the IERRT project is that the majority of the labour is obtained from the local area, as set out in paragraph 16.8.8 of this chapter of the ES (Consideration of Likely Impacts and Effects) which should limit the pressure placed on local facilities or services.

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Chapter
Q1	Statutory Consultation - 19th Jan - 23rd Feb 2022	Concerned about the impact on local businesses, specifically a small fishing shop which has had its trade affected by the closure of Grimsby Dock gates.	Grimsby Dock is in a different location to the IERRT project and will not be adversely affected by the project. However, Associated British Ports (ABP) has noted this comment about the use of Grimsby Dock and its importance to local businesses.
Ex9, Ex11, PTC3, PTC4	Statutory Consultation - 19th Jan - 23rd Feb 2022	Concerns were raised regarding the overnight/illegal lorry parking and antisocial behaviour in Woodlands Avenue.	Overnight parking facilities will not be provided at the terminal due to the on-time delivery and collection nature of the activities the terminal will support. Due to the nature of the logistics industry, accompanied freight will leave the IERRT project site immediately and arrive close to the sailing time. Unaccompanied freight will be delivered or collected on a time slot basis.
Ex15	Statutory Consultation - 19th Jan - 23rd Feb 2022	Interest was raised regarding the passenger element of the service.	Interest in the passenger element of the IERRT project has been noted.
North Killingholme Parish Council (PCT4)	Statutory Consultation - 19th Jan - 23rd Feb 2022	Question was asked regarding any community projects that ABP may want to be involved with.	ABP has noted the question and will consider this more broadly as part of its wider support for local projects and causes.
Q86, PTC4	Statutory Consultation – 19 <sup>th</sup> Jan to 23 <sup>rd</sup> Feb 2022	Concern was raised over the amount of development on the waterfront and whether the project will take trade away from other ports, specifically	The IERRT project is located within a part of the Humber waterfront that is already developed – namely the Port of Immingham.

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Chapter
		<p>Humber Sea Terminal (HST), with the departure of a specific customer from that facility.</p>	<p>As explained further within Chapter 4 of this ES and the accompanying Appendix (Appendix 4.1 in Volume 3 of ES (Application Document Reference number 8.4)), the IERRT project is being promoted to meet an urgent need which is made up of various matters, included the need for additional capacity to accommodate forecast growth and to meet the needs of an existing established Ro-Ro operator. Whilst that existing operator will move an existing service from the Humber Sea Terminal at Killingholme to the IERRT project this is because, for various reasons, that terminal cannot be the long-term location for that service. Furthermore, as the freight forecasts provided demonstrate, the level of demand for additional capacity is greater than the capacity that can be provided simply by the IERRT project.</p>
<p>DFDS Seaways UK Plc.</p>	<p>Statutory Consultation - 19th Jan - 23rd Feb 2022</p>	<p>Consultee relies on a business which is set to be relocated which DFDS depends on for daily operation. The additional heavy goods vehicles (HGVs) will also have an unacceptable impact on operations.</p>	<p>The intention now is to keep said business in situ and not relocate it, as such there should be no impact on DFDS in respect of its use of/ access to the business. Traffic assessments referenced in paragraph 16.8.9 of</p>



Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Chapter
			this ES chapter and provided in the Traffic chapter (Chapter 17) of this ES demonstrate that there will be no significant effects on local businesses, including port businesses, from additional traffic generated by the IERRT project.
UK Health and Security Agency (PI37)	Statutory Consultation - 19th Jan - 23rd Feb 2022	Consider worst case scenario for construction workforce and the duration of this peak. Clarify how local construction companies will be used.	A reasonable worst-case scenario has been used in the assessment for the construction workforce in Section 16.8 of this chapter to the ES (Consideration of likely impacts and effects)
North Lincolnshire Council (NLC) (PI38)	Statutory Consultation - 19th Jan - 23rd Feb 2022	Given the proposal lies outside of NLC's boundaries it is unclear whether the proposal will have a major beneficial effect on NCL's area as concluded.	The Grimsby TTWA which has been used as the wider impact area for the assessment of labour market impacts covers part of NLC's area. This will result in a proportion of new employment generated having a positive impact on the NLC area.
C.RO Ports Killingholme (PI41)	Statutory Consultation - 19th Jan - 23rd Feb 2022	There is potential displacement between port areas and employment and economic multipliers, in relation to consideration and assessment on neighbouring port uses e.g., C.RO.	The assessment includes an allowance for the displacement of employment and wider multiplier effects – see paragraph 16.8.5 onwards of this ES chapter.
C.RO Ports Killingholme (PI41)	Statutory Consultation - 19th Jan - 23rd Feb 2022	Indirect effects are only considered on basis of other assessment chapters e.g., noise and air quality which is not adequate.	Indirect effects are factored into the assessment of employment effects utilising relevant multiplier benchmarks (see Table 16.9)

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Chapter
			of this ES chapter). This is an acceptable assessment approach that reflects best practice.
North East Lincolnshire Council (PI45)	Statutory Consultation - 19th Jan - 23rd Feb 2022	The development presents significant investment into the port of Immingham and will secure numerous direct and indirect jobs. The principle of the development is supported.	Noted.
Volkswagen Group (T6)	Statutory Consultation - 19th Jan - 23rd Feb 2022	Query was raised regarding the impact on their site at Immingham	For this entry, and the following entries in this table unless otherwise made clear, the information received from the consultee has been noted during ongoing consultation and discussion. The potential effects of the IERRT project on this business interest – including the consideration of any mitigation measures to be put in place - have been assessed as necessary in Section 16.8 of ES Chapter 16.
Philip John Drury	Post Statutory Consultation – July – October	Email correspondence took place during this period to progress and agree lease negotiations.	As above
Drury Engineering Services Ltd	Post Statutory Consultation – March – October 2022	Email correspondence took place during this period to provide updates on the project, progress lease negotiations and arrange access for	As above

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Chapter
		ground investigations. Queries relating to air conditioning and bridge location were also raised.	
Port Equipment Engineering Ltd	Post Statutory Consultation – May - July 2022	Email correspondence relating to lease negotiations	This consultee no longer occupies a site within the proposed IERRT project boundary.
P.K. Construction (Lincs) Limited	Post Statutory Consultation – July – September 2022	Project update and lease discussions. Query relating to air conditioning was also raised.	As above
Malcolm West Fork Lifts Limited	Post Statutory Consultation – July 2022	Project update and lease discussions.	As above
DB Cargo (UK) Limited	Post Statutory Consultation – March – June 2022	Project update and lease discussions.	As above
Volkswagen Group United Kingdom Limited	Post Statutory Consultation – August 2022	Email correspondence took place during this period to arrange access for ground investigations.	As above
Ward	Post Statutory Consultation – August 2022	Email correspondence took place to arrange access for ground investigations.	This business interest is no longer going to be indirectly affected by the IERRT project.
Exolum Immingham LTD	Post Statutory Consultation – May – October 2022	A meeting and email correspondence took place during this period to provide updates on the project, respond to issues raised during the statutory consultation and to discuss draft protective provisions. Draft drawings of the junctions and roads	As above

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Chapter
		<p>within the port were also provided.</p> <p>Discussions have also been held in respect of proposed route alteration to access the pipelines.</p>	
Origin UK Operations Limited	Post Statutory Consultation – March - October 2022	Email correspondence took place during this period to provide an update on the proposal and to provide draft drawings of the junctions and roads within the port.	As above
CLdN Cargo	Post Statutory Consultation – April – October 2022	Email correspondence took place during this period to provide updates on the proposal, to respond to issues raised during statutory consultation and to discuss CLdN's existing operations.	Any information received from the consultee has been noted during ongoing consultation and discussion and taken account of as necessary.
DFDS	Post Statutory Consultation – May – October 2022	Meetings and email correspondence took place during this period to provide updates on the proposal and to respond to issues raised during the statutory consultation and through follow up engagement.	As above
APT	Post Statutory Consultation – April - August 2022	<p>A meeting and email correspondence took place during this period to provide an update on the proposal and to respond to issues raised during statutory consultation.</p> <p>Discussions were also held relating to draft protective provisions</p>	As above

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Chapter
Yara	Post Statutory Consultation – March - July 2022	A meeting and email correspondence took place during this period to provide an update on the proposal and to respond to issues raised during statutory consultation. In addition, draft drawings of the junctions and roads within the port were provided to the party.	As above
Nippon Gases	Post Statutory Consultation – March – September 2022	Email correspondence took place during this period to provide an update on the proposal and to provide draft drawings of the junctions and roads within the port. A query relating to air conditioning was also raised.	As above
Peacock Salt	Post Statutory Consultation – February - May 2022	A meeting and email correspondence took place during this period to discuss the proposal and future plans of the party.	As above
Knauf	Post Statutory Consultation – February – May 2022	Meetings were held during this period to provide project updates and also specifically to discuss vessel working hours. During these discussions the party confirmed that they had no concerns regarding their demised area as it was not within the proposed footprint for the development.	Noted.
Bulk Materials	Post Statutory Consultation – April 2022	A phone call providing an update on the project and the timing for relocation of stockpiles was discussed.	As above

<b>Consultee</b>	<b>Reference, Date</b>	<b>Summary of Response</b>	<b>How Comments have been Addressed in this Chapter</b>
Global/TTS/Woodbridge	Post Statutory Consultation – April 2022	A meeting and email correspondence took place during this period to provide an update on the proposal and discuss implications for their business.	As above
Svitzer Humber Limited	Post Statutory Consultation – April 2022	A meeting took place to provide an update on the proposal and to discuss issues, including the implications for the East jetty tug berth facility	As above
JG Maritime Solutions Limited	Post Statutory Consultation – April 2022	Email correspondence relating to the DCO process and timing of the consultation report.	As above
Tronox	Post Statutory Consultation – March 2022	Email correspondence took place to provide an update on the proposal.	As above
PAM	September 2022	A query relating to air conditioning was raised.	As above
Rix	Post Statutory Consultation – August - September 2022	Discussions were held relating to the impact of the project on Rix's commercial operations.	As above
DFDS (PI 15)	Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022	The frequency and length of time vessels using the IERRT will take to manoeuvre to arrive at and leave from the new berths is likely to have a significant impact on the ability of other users of the Port of Immingham to come and go from their berths both in-dock (given potential impact on the approaches to and from the lock-gates) and those located in-river,	The matters raised in this supplementary consultation response are covered off within the assessment section – section 16.8 of this chapter, cross referring to other ES assessment chapters as necessary.

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Chapter
		including the Outer Harbour that is used by DFDS in particular. This does not appear to have been assessed at all at present and is a significant impact that should be included in the environmental statement.	
Member of public (EX2)	Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022	Noted general economic benefits as well as need.	Noted.

## Chapter 17 – Traffic and Transport – Consultation Table

Consultee	Reference, Date	Summary of Response	How comments have been addressed in this chapter
PINS	Scoping Opinion, October 2021	The Inspectorate agrees that roads where the increase in traffic flows would be less than 30% can be scoped out of further assessment, provided that the increase in HGVs would also be less than 30% and the increase in traffic flows in sensitive areas would be less than 10%.	This approach has been adopted in the ES.
PINS	Scoping Opinion, October 2021	Accident assessment to include consideration of NH comments.	The accident assessment is provided in Section 3.5 of the TA in Appendix 17.1 to this ES, and section 17.8 of this chapter. The assessment undertaken has due regard to the comments provided by NH.
PINS	Scoping Opinion, October 2021	Traffic Flows to be set out clearly for development and cumulative impacts.	This is described below in Section 17.6 of this chapter.
PINS	Scoping Opinion, October 2021	Consideration of rail is required.	This is described below in Section 17.6 of this chapter.
PINS	Scoping Opinion, October 2021	Consideration of mitigation is required.	This is described below in Section 17.9 of this chapter.
North East Lincolnshire Council (NELC)	Email 23/11/21	Confirms proposed ES scope is acceptable.	Further discussions have been held with North East Lincolnshire District Council and the scope of this chapter and TA (Appendix 17.1 to the ES) has been



Consultee	Reference, Date	Summary of Response	How comments have been addressed in this chapter
			discussed and accepted separately with them.
National Highways	Jacobs Systra Joint Venture (JSJV) note (for NH) 6 October 2021	Sets out scoping requirements	Further discussions have been held with NH (as set out below) and the scope of this chapter and TA has been discussed and accepted separately with them.
National Highways	JSJV note (for NH) 6 October 2021	This review has highlighted the need for a Transport Assessment and Travel Plan to be produced in support of this planning application, to be included within the Traffic and Transport Chapter of the ES.	The TA is included in Appendix 17.1 to this ES and the FTP is included in Appendix 17.2 to this ES.
National Highways	JSJV note (for NH) 6 October 2021	The TA should reference dredging, including the resultant transport impact, especially if the SRN is used as a route for disposal vehicles.	This was included in the preliminary TA and provided in the final TA included in Appendix 17.1 to this ES. The SRN will not be used for the removal of dredged material.
National Highways	JSJV note (for NH) 6 October 2021	JSJV require details of the disposal area and [if decided], confirmation that the waste would be loaded directly into the estuary without impacting the SRN.	All dredged material will be disposed at sea without any terrestrial road movements.
National Highways	JSJV note (for NH) 6 October 2021	To make an assessment, JSJV require full details of the proposed development, including the 'area to accommodate trailer and container parking	Full details of the IERRT project, including the amount of parking proposed is detailed in Chapters 2 and 3 of this ES and in the TA (Appendix 17.1

Consultee	Reference, Date	Summary of Response	How comments have been addressed in this chapter
		and storage' and full details of 'a number of small terminal buildings' as proposed. In addition, JSJV request that the amount of parking proposed is provided.	to this ES) at Section 4.4.
National Highways	JSJV note (for NH) 6 October 2021	JSJV acknowledge that at this stage, the final details of the proposal are yet to be confirmed.	The development is described in Chapters 1 to 3 of this ES and shown in Figure 1.3 to this ES.
National Highways	JSJV note (for NH) 6 October 2021	<p>The baseline section of the TA should:</p> <ul style="list-style-type: none"> <li>• Describe the site background, including the site's location, history, and existing use;</li> <li>• Describe the existing highway network in the area and the existing level of accessibility;</li> <li>• Provide a collision data assessment should be undertaken covering the most recently available complete five-year period for the SRN; and</li> <li>• Outline any relevant outline planning consents and Local Plan allocations.</li> </ul>	This is included in the TA at Section 3.0 (Appendix 17.1 to this ES).

Consultee	Reference, Date	Summary of Response	How comments have been addressed in this chapter
National Highways	JSJV note (for NH) 6 October 2021	The impact of the development should be assessed based on relevant regional and national planning policy (e.g., DfT Circular 02/2013, NH guidance document 'The Strategic Road Network: Planning for The Future' [2015], The DfT document 'Road Investment Strategy 2: 2020-2025').	Relevant policy and guidance have been considered in Section 17.5 of this chapter and taken account of as necessary in the assessment undertaken.
National Highways	JSJV note (for NH) 6 October 2021	JSJV understand that Associated British Ports (ABP) will submit a separate scoping document to agree the scope of the TA with NH, however, items raised within this review provide an outline of the details that JSJV would require within any assessment submitted.	This was included in the preliminary TA which can be seen in Appendix 17.1 in Volume 3 of the PEIR. It has now been superseded by the TA in Appendix 17.1 to this ES.
National Highways	JSJV note (for NH) 6 October 2021	It is also noted that there is no reference to a Travel Plan within the submitted Scoping Report.	A Framework Travel Plan has been included as part of the ES and DCO submission (Appendix 17.2 to this ES) as mentioned in Section 17.9 of this chapter.
National Highways	JSJV note (for NH) 6 October 2021	Full details of the proposed study area should be provided within the TA and ES.	Full details of the study area are provided within Section 17.2 of this chapter and Figure 17.1 to this ES.
National Highways	JSJV note (for NH) 6 October 2021	JSJV note that the current estimated construction	The opening year of 2025 has been utilised for assessment

Consultee	Reference, Date	Summary of Response	How comments have been addressed in this chapter
		timescales commencing in Summer 2023 and will have been largely completed by mid-2025. The resultant forecasted 'opening year' scenarios should be informed using these anticipated timescales.	purposes in Sections 17.7 and 17.8 of this chapter.
National Highways	JSJV note (for NH) 6 October 2021	In addition to those agreed with North Lincolnshire Council, JSJV suggest that this development should consider recent development proposed by Able Marine, comprising a 'Material Change' to their existing DCO on application reference: TR30006. The TA should state whether there would be any relationship between the two sites.	The development proposed by Able Marine is considered as a committed development in the traffic impact section (Section 6.1) of the TA (Appendix 17.1 to this ES).
National Highways	JSJV note (for NH) 6 October 2021	ABP should present firm, robust trip rates and trip generation for the development. The trip rates and resultant vehicle trip generation presented could be derived on a first principles approach or using trip rates from a different development site with a comparable level of accessibility and scale. Alternatively, the Trip Rate Information Computer System (TRICS) online	Traffic generation and the method of calculation has been explained in Section 17.8 of this chapter.

Consultee	Reference, Date	Summary of Response	How comments have been addressed in this chapter
		database could be used.	
National Highways	JSJV note (for NH) 6 October 2021	As the proposed land use is for 'employment', JSJV request that appropriate weekday peak hours are presented, and these should be informed by appropriate traffic counts if necessary.	The peak hours used have been detailed in Section 6.1 of the TA (Appendix 17.1 to this ES).
National Highways	JSJV note (for NH) 6 October 2021	Due to the nature of the proposals, the TA should also estimate the amount of estimated Heavy Goods Vehicle movement that would be generated from the proposed development both during the construction and operational phases.	This is included in Sections 5.1 and 5.2 of the TA (Appendix 17.1 to this ES).
National Highways	JSJV note (for NH) 6 October 2021	JSJV suggest that the trip distribution rates for the proposed development, the trip assignment based on these rates, and the proposed traffic flows, are clearly presented on traffic flow diagrams. Considering the proposed development's location, JSJV expect the traffic flow diagrams to extend from the proposed development to all junctions that connect to both the A160 and A180.	The traffic flow diagrams are mentioned in Section 17.8 of this chapter and can be seen in Figures 4-8 of the TA (Appendix 17.1 to this ES).

Consultee	Reference, Date	Summary of Response	How comments have been addressed in this chapter
National Highways	JSJV note (for NH) 6 October 2021	Given the proposed development's scale and proximity to the SRN, JSJV suggest that a Construction Traffic Management Plan (CTMP) should be produced and agreed with NH, prior to the determination of this planning application.	A CEMP (Application Document Reference number 9.2) is being included within the application which will include the headline issues relating to construction traffic which will be controlled within the DCO. This document will include a commitment to prepare a more detailed CTMP when the contractor is engaged.
North Lincolnshire Council (highways)	Email 05/10/21	Confirms proposed ES scope is acceptable.	Noted.
National Highways	Virtual Meeting 02/11/21	The proposed approach to the Transport Assessment was discussed and agreed by NH. The scope of the assessment was also discussed with the capacity calculations and method for wider network assessments summarised.	Further discussions have been held with NH and the scope of the assessment has been discussed and accepted separately with them.
NELC and North Lincolnshire Council (NLC)	Virtual Meeting 02/12/21	The proposed approach to the Transport Assessment was discussed and agreed by NELC and NLC. The scope of the assessment was also discussed with the capacity calculations and method for wider network assessments summarised.	The approach to the TA and the scope of the assessment were accepted by NELC and NLC.

Consultee	Reference, Date	Summary of Response	How comments have been addressed in this chapter
National Highways, NELC and NLC	Virtual Meeting 13/01/22	The approach to the preliminary TA was summarised with all parties confirming that written comments would be provided in due course [scope of report was deemed acceptable in the days following the meeting]. Some detailed comments were discussed. It was agreed that all the comments would be collated in a further working draft TA for review by the highway authorities.	Relevant comments on the TA included discussion on committed development – covered in Annex I of the TA, and various minor clarifications. Discussions with NH, NELC and NLC have been ongoing.
National Highways and NELC	Meeting 03/03/22	The approach to committed development was discussed and agreed. This meeting also included a site visit. North Lincolnshire sent their apologies.	The approach to committed development was agreed. Further discussions with NH, NELC and NLC have been had.
National Highways, NLC and NELC	Meeting 09/06/22	Discussion on draft TA (issued 31 May 2022).	n/a
National Highways, NLC and NELC	Meeting 06/09/22	Discussion on draft of TA. Main outstanding issue was the slip road assessments	Assessment provided in Annex L of TA.
Humberside Police (PI15)	Statutory Consultation 19/01/22-23/02/22	Concern about HGVs passing housing on Queens Road.	The flows forecast on Queens Road are a function of the most direct route to the port and have been assessed on that basis accordingly.
Humberside Police (PI15)	Statutory Consultation	Concern about assessment assuming	Clearly at present some HGV traffic associated with the

Consultee	Reference, Date	Summary of Response	How comments have been addressed in this chapter
	19/01/22-23/02/22	no traffic on Kings Road.	port uses Kings Road, but the predominant demand for Ro-Ro traffic will be to the A180 and Kings Road is not on a desire line. No significant effects are therefore likely in this regard.
Humberside Police (PI15)	Statutory Consultation 19/01/22-23/02/22	Car Parking of HGVs on local roads	As set out in Section 4.4 of the TA (Appendix 17.1 to this ES) the site layout provides for sufficient space on site to accommodate all expected inbound movements per day. There is also a discussion on measures in terms of notification of drivers which can be implemented. In addition, there is capacity in existing roadside services (see TA (Appendix 17.1 to this ES), section 4.4) which can also accommodate demand.
British Transport Police (PI21)	Statutory Consultation 19/01/22-23/02/22	Need to consider design of interaction with railway crossings	The interaction with railway crossings has been dealt with to the same standards as the existing crossings within the Port with appropriate advance warning signs.
DFDS (PI22 & PI32)	Statutory Consultation 19/01/22-23/02/22	Traffic management - concern over impact at Queens Road and Border Control Post (BCP).	The TA included in Appendix 17.1 to this ES considers the impact of the proposals with all known growth in the area at Section 6.2.



Consultee	Reference, Date	Summary of Response	How comments have been addressed in this chapter
			<p>The assessments include analysis of junction operation in the area and concludes there will be no adverse impact on junction operation. Since the PEIR was submitted a ministerial statement has been released stating that the BCP will no longer be required to check the additional vehicles until at least the end of 2023 and even if it was used, daily traffic flows will be immaterial to the assessment as confirmed in the TA, Annex I Para 1.18).</p>
DFDS (PI22 & PI32)	Statutory Consultation 19/01/22-23/02/22	Concern about traffic impact on Immingham Delivery Office (DN40 1BL)	<p>The TA (Appendix 17.1 to this ES) considers the cumulative impact of the proposals with all known growth in the area at Section 6.2. The assessments include analysis of junction operation in the area and concludes there will be no adverse impact on junction operation.</p>
Exolum Pipeline (PI28)	Statutory Consultation 19/01/22-23/02/22	Loss of access to Foreshore, highway safety on alternative route and design / capacity of East Gate	<p>Traffic surveys have been undertaken at the internal port junctions which will be potentially affected by the proposals, and these have been assessed as can be seen in Annex L of the TA (Appendix 17.1 to this ES).</p>

Consultee	Reference, Date	Summary of Response	How comments have been addressed in this chapter
National Grid (PI24)	Statutory Consultation 19/01/22- 23/02/22	Raises no off-site impact points.	Noted.
Associated Petroleum Terminals (APT) (Immingham) Ltd. (PI30)	Statutory Consultation 19/01/22- 23/02/22	Concern about distribution of traffic East and West	This is covered in the TA (Appendix 17.1 to this ES) at Section 5.4.
APT (Immingham) Ltd. (PI30)	Statutory Consultation 19/01/22- 23/02/22	Traffic Impact on access to Immingham Oil Terminal (IOT)	The TA (Appendix 17.1 to this ES) considers the cumulative impact of the proposals with all known growth in the area at Section 6.2. The assessments include analysis of junction operation in the area and concludes there will be no adverse impact on junction operation. In addition to this, ABP are providing warning signals and box junction line marking to be used for emergency access at the junction.
APT (Immingham) Ltd. (PI30)	Statutory Consultation 19/01/22- 23/02/22	Scheme will result in changes to access arrangements for APT.	The scheme has been amended to maintain access for maintenance requirements.
DFDS (PI22 & PI32)	Statutory Consultation 19/01/22- 23/02/22	West Gate already congested and there is a concern that traffic will use west gate rather than east gate.	The distribution and assignment of HGV traffic is covered in the TA (Appendix 17.1 to this ES) at Section 5.4. In summary the shortest and most attractive route for all HGV traffic will be via East Gate. This avoids West Gate.

Consultee	Reference, Date	Summary of Response	How comments have been addressed in this chapter
			The impact on the change in flows at West Gate in an hourly sense demonstrates minimal impact on West Gate Security.
DFDS (PI22 & PI32)	Statutory Consultation 19/01/22- 23/02/22	The increased HGV traffic will cause unacceptable impacts on other road and port users, local residents and businesses.	Junction assessments on the public highway and within the port estate have been assessed within Annex K and Annex L of the TA (Appendix 17.1 to this ES).
DFDS (PI22 & PI32)	Statutory Consultation 19/01/22- 23/02/22	Need for wider mitigation	The assessments include analysis of junction operation in the area and concludes there will be no material impact on junction operation and therefore no mitigation is required as can be seen in Annex K of the TA (Appendix 17.1 to this ES).
National Highways (PI33)	Statutory Consultation 19/01/22- 23/02/22	Request for ongoing TA work	The ongoing TA work was provided to NH as necessary during the process of the traffic assessment.
Systra (PI33)	Statutory Consultation 19/01/22- 23/02/22	Request for ongoing TA work from Systra (acting for NH)	The ongoing TA work was provided as necessary to Systra during the process of the traffic assessment.
UK Health Security Agency (PI37)	Statutory Consultation 19/01/22- 23/02/22	Raises traffic related air quality impacts	The Air Quality assessment is provided in Chapter 13 of this ES.
North Lincolnshire Council (PI38)	Statutory Consultation 19/01/22- 23/02/22	Confirms agreement with Scope of TA	Noted.
DFDS (PI39)	Statutory Consultation	Wider traffic concerns and BCP	Since the PEIR was submitted a ministerial

Consultee	Reference, Date	Summary of Response	How comments have been addressed in this chapter
	19/01/22-23/02/22		statement has been released stating that the BCP will no longer be required to check the additional vehicles until at least the end of 2023 and even if it was used, daily traffic flows will be immaterial to the assessment as confirmed in Annex I of the T (Para 1.19).
C.RO (PI41)	Statutory Consultation 19/01/22-23/02/22	Concern over the road capacity conclusion only being stated and not explained; the lack of consideration over the neighbouring commercial or port users in the same network.	The TA (Appendix 17.1 to this ES) considers the cumulative impact of the proposals with all known growth in the area at Section 6.2. The assessments include analysis of junction operation in the area and concludes there will be no material impact on junction operation. The neighbouring commercial or port users have been picked up in the base flow surveys.
C.RO (PI41)	Statutory Consultation 19/01/22-23/02/22	Concern was raised regarding the impact of the development on the capacity of the Killingholme Branch Line.	There will be no impact on the Killingholme Branch line, no further train paths are required and the access arrangement to the terminal will not affect capacity.
North East Lincolnshire Council (PI45)	Statutory Consultation 19/01/22-23/02/22	Highways - confirm discussions on the scope of the Transport Assessment is ongoing	The TA (Appendix 17.1 to this ES) has been written alongside discussions with NELC to confirm the

Consultee	Reference, Date	Summary of Response	How comments have been addressed in this chapter
			scope of the assessment.
Royal Mail (PI27)	Statutory Consultation 19/01/22- 23/02/22	Concern was raised regarding the impact of the development on the local road network, which could affect Royal Mails ability to meet its statutory obligations as a Universal Service Provider.	The TA (Appendix 17.1 to this ES) considers the cumulative impact of the proposals with all known growth in the area at Section 6.2. The assessments include analysis of junction operation in the area and concludes there will be no material impact on junction operation
Network Rail (PI29)	Statutory Consultation 19/01/22- 23/02/22	Further discussions requested if construction and operational traffic routes take in Network rail assets to ensure the development will not have an adverse impact on railway operations. Detailed specifications and Traffic Management Plans should be provided and agreed before development can commence.	ABP is consulting with Network Rail in respect of appropriate Protective Provisions for inclusion in the draft DCO.
Q3, Q8, Q9, Q33	Statutory Consultation 19/01/22- 23/02/22	Unfortunate that provision of a rail connection is not included in the proposal.	Rail is not considered to be a feasible or viable mode for Ro-Ro traffic at the present time, although this will be kept under continuous review and the layout does not in any way prejudice use of rail. The reasons behind this are set out in detail in the TA (Appendix 17.1 to this ES) at Section 5.5.

Consultee	Reference, Date	Summary of Response	How comments have been addressed in this chapter
Q13	Statutory Consultation 19/01/22- 23/02/22	Praise for the proposed development because it should take the pressure off south coast ports and reduce long distance south to north inland journeys, especially by road transport.	Noted. This is beyond the specific scope of the TA (Appendix 17.1 to this ES), but it is clear that the market for movements will predominantly be North of England as highlighted in Table 9 (Section 5.3) of the TA (Appendix 17.1 to this ES). The Need and Alternative chapter (Chapter 4) of this ES considers large distribution centres in the Midlands and the North of the UK to be the most likely destinations which the IERRT project would
Q21, PTC1, PTC2, PTC3, PTC4	Statutory Consultation 19/01/22- 23/02/22	Concern was raised regarding the additional lorries and where they will park. It was suggested that a lorry park should be included in the development.	The proposal includes for a total of approximately 1,440 trailer bays and 80 pre-gate HGV parking and pre-loading lanes once they are checked in and therefore offers significant scope to accommodate all inbound HGV movements.
Q21, PTC1	Statutory Consultation 19/01/22- 23/02/22	The routing arrangement have to be enforced by the authorities if they are to be effective.	Enforcement of HGV routeing is not considered necessary. The TA (Appendix 17.1 to this ES) considers the most likely routes that HGVs will take and assesses those accordingly at Section 5.5.
Q41, Q49, Q57, Q59, Q66, PTC4	Statutory Consultation	Look to reduce number of workers commuting to the Port	As required by the National Policy Statement for Ports

Consultee	Reference, Date	Summary of Response	How comments have been addressed in this chapter
	19/01/22-23/02/22	by Car. Suggests that cycle paths, alternative pedestrian access and bus routes are needed from the surrounding area.	the application includes a travel plan (Appendix 17.2 to this ES) to encourage non-car use including car sharing. Overall, though staff numbers are relatively minor (around 150 per day).
Q6, Q24, Q72, Q73, Q75, Q76, Q78	Statutory Consultation 19/01/22-23/02/22	The existing system is adequate and agree with the proposed traffic routing	Noted.
Q33, Q40, Q48, Q51, Q69, Q70, Ex6, Ex8, Q39, Q77, Q94, EX16, PCT1	Statutory Consultation 19/01/22-23/02/22	Existing infrastructure is not sufficient to take additional levels of traffic and improvements are needed to the wider network. Specific mention is made to improvements to the A-M180/A160/A1173. A bypass around Ulceby and upgrades to the A180 are needed. Upgrades are also needed to the network on the East side including Queens Road and Kings Road and junction improvements for East Dock Road and widening of the Eastgate to remove the queuing risk.	The TA (Appendix 17.1 to this ES) considers the cumulative impact of the proposals taking into account all agreed committed developments the area at Section 6 . The assessments include analysis of junction operation in the area and concludes there will be no material impact on junction operation. Improvements are also proposed to the East Gate port entrance and exit point. A second entry lane will be provided to allow a higher volume of traffic to access the Port during each hour.
Q22, Q26, Q33, Q35, Q41, Q59, Q70, Q86, Q87, Ex12, Ex18, Ex19, Ex20, PTC2,	Statutory Consultation 19/01/22-23/02/22	Concerns over existing levels of traffic on the network and increased congestion with other Port uses. Specific concerns were raised in respect of existing vehicles	The IERRT project will not generate any additional movements through the villages of Stallingborough or to the north-east towards Goxhill. It is beyond the scope

Consultee	Reference, Date	Summary of Response	How comments have been addressed in this chapter
		travelling through Ulceby to the bulk storage in Goxhill and as a result of the roadworks, diversions and accidents on the A180. Also, the amount of existing vehicular traffic going through the village of Stallingborough, which needs to be reduced or diverted. Traffic to and from the A180 and the Kings Road/Queens Road area is also a concern. Queues often form at the junction of Laporte Road and Queen's Road just outside of the East Gate. A roundabout was a suggested solution.	assessment to deal with any pre-existing issues within Stallingborough. The operation of Laporte Road has been assessed in the TA (Annex K) and that assessment concludes no mitigation is required
Q37	Statutory Consultation 19/01/22- 23/02/22	Concerns raised regarding the climate crisis and that facility should be rail served with road usage should be kept to a minimum	This ES has assessed the significance of terrestrial transport emissions produced from the IERRT project in the Climate Change chapter (Chapter 19) of this ES.
Q39, Q41, Q64, Q67, Ex13	Statutory Consultation 19/01/22- 23/02/22	Routing suggestions from the East Dock Gate include using Laporte Road - Kiln Lane - A1173 -A180 and also to turn left at the roundabout passed the refuse collection point and onto the A180. Concern was raised regarding the bridge over the railway about 700 m from the East	The distribution and assignment of HGV traffic is covered in the TA (Appendix 17.1 to this ES) at Section 5.4. In summary the shortest and most attractive route for all HGV traffic will be via East Gate. This avoids West Gate. The impact on the change in flows at West Gate in an



Consultee	Reference, Date	Summary of Response	How comments have been addressed in this chapter
		Gate and the circuitous route from there to the A180. Concern was also raised regarding traffic using the West Gate as the road between the gate and the A160 roundabout may struggle to cope due to the layout.	hourly sense demonstrates minimal impact on West Gate Security.
Ex4	Statutory Consultation 19/01/22-23/02/22	Do not think they would be affected by the project except for potentially by traffic.	Traffic impact has been fully assessed in Annex K of the TA (Appendix 17.1 to this ES) and this ES chapter and found to be acceptable.
Ex7	Statutory Consultation 19/01/22-23/02/22	Improvements to the network is also being taken up with NELC separately.	Noted. The TA (Appendix 17.1 to this ES) includes, as committed development, the highway schemes that have been progressed by NELC (Section 6.1)
Ex15	Statutory Consultation 19/01/22-23/02/22	Suggest the route to A180 should be via Stallingborough Industrial Estate	This distribution of the traffic is assessed in the TA (Appendix 17.1 to this ES) at Section 5.4.
Ex19	Statutory Consultation 19/01/22-23/02/22	Concern was raised regarding the impacts of the current entrance at the far end of the VW compound becoming an outgate.	This is not part of the scheme and there is no provision in the consent to provide an access at the western end of the site. The current access will be permanently closed.
Ex20	Statutory Consultation 19/01/22-23/02/22	Visibility at the Laporte/Queens Road junction is being blocked by HGVs parking in the bus stop area.	This has been assessed and is reported in Annex K of the TA (Appendix 17.1 to this ES). All junctions will operate within capacity. The proposals for East Gate will include the

Consultee	Reference, Date	Summary of Response	How comments have been addressed in this chapter
			removal of the bus layby (maintaining the bus stop on road) which will remove this parking area.
Ex16	Statutory Consultation 19/01/22- 23/02/22	Further information requested regarding access to the eastern jetty and changes to the access road.	This has been assessed and is reported in Annex K of the TA (Appendix 17.1 to this ES). All junctions will operate within capacity.
Ex17	Statutory Consultation 19/01/22- 23/02/22	Further clarity on the number of movements to the proposed Eastern storage area. Concerns were raised regarding congestion and the ability to respond to an emergency.	The eastern storage area no longer forms part of the proposals.
Q77	Statutory Consultation 19/01/22- 23/02/22	Concern was raised regarding the increased levels of traffic and whether this will cause issues for access/egress from the Yara sites.	The internal junctions have been assessed and the results can be seen in Annex K of the TA attached at Appendix 17.1 to this ES.
PI2, Q91	Statutory Consultation 19/01/22- 23/02/22	Raised concern about existing vehicle safety, specifically HGVs mounting the pavement. Reducing speed limit from 40 to 30 would reduce the risk from accidents.	There are no identified highway safety issues that require changes to speed limits.
Q82, Q88, Q92, Q93	Statutory Consultation 19/01/22- 23/02/22	It was suggested that a new slip road should be completed from the IERRT Development to facilitate smooth connections to the existing road network	The internal junctions have been assessed and the results can be seen in Annex K of the TA attached at Appendix 17.1 to this ES. This concludes all internal junctions will operate within capacity.

Consultee	Reference, Date	Summary of Response	How comments have been addressed in this chapter
Q91	Statutory Consultation 19/01/22- 23/02/22	Tarmacking from the East Gate along Queens Road was suggested.	The proposals will include the maintenance of relevant port roads. Resurfacing of the public highway is a matter for the relevant highway authority.
Q94	Statutory Consultation 19/01/22- 23/02/22	Concern was raised over the loss of the access road for the Exolum East Terminal, the increased traffic with no mention of altering the East Gate access and the poor road access adjacent to the ABP weighbridge that is already a danger.	The internal junctions have been assessed and the results can be seen in Annex K of the TA in Appendix 17.1 to this ES. This concludes all internal junctions will operate within capacity.
PTC4	Statutory Consultation 19/01/22- 23/02/22	A question was raised as to whether the roads/ junctions have been properly assessed in terms of their capacity/ state of repair/ viability to accommodate the additional traffic via the ports east gate.	The local junction capacities have been assessed and the results can be seen in Annex K of the TA in Appendix 17.1 of this ES. All junctions will function within capacity.
National Highways, NELC and NLC	Virtual Meeting 09/06/22	NH requested to see further appendices to allow review of modelling and to include junction parameter measurements.	Model outputs and spreadsheets were provided to NH for review.
NELC	Virtual Meeting 17/06/22	The meeting discussed the interaction of the Coastal Path and East Gate	It was agreed that the two schemes did not conflict. Whilst ongoing discussions would take place between NELC and ABP, no specific assessment in the ES is necessary.

Consultee	Reference, Date	Summary of Response	How comments have been addressed in this chapter
NELC	Email 17/06/22	NELC would like consideration using a sensitivity test for bus construction days and the variance that this would generate from 70 two-way HGV movements.	This is addressed on Section 5.1 of the TA (Appendix 17.1 to this ES).
NELC	Email 17/06/22	NELC have requested that the local network peaks are confirmed against observed data.	Local network peaks have been assessed and confirmed as can be seen in Section 5.4 of the TA (Appendix 17.1 to this ES).
NELC	Email 17/06/22	NELC generally agree with the 85 / 15 split for access.	Noted.
NELC	Email 17/06/22	NELC expressed concern about HGVs routing through Immingham. They require strong evidence that this route will be discouraged.	ABP have identified that East gate is not currently being signposted on the local or strategic highway network. ABP are therefore separately pursuing agreements through Section 278 of the Highways Act 1980 to deliver change to the existing signage arrangement to improve the directional signage to the Port of Immingham generally.
NELC	Email 17/06/22	NELC identified an additional committed development site which was not included in the TA they received.	The development has been added to the committed development list in Section 6.1 of the TA and assessed accordingly (Appendix 17.1 to this ES).

NELC	Email 17/06/22	NELC have requested that the A1173 / SHIIP junction is also assessed.	The A1173 / SHIIP junction has been assessed and the results can be seen in Annex K of the TA (Appendix 17.1 to this ES). The junction will function within capacity.
NELC	Email 17/06/22	NELC would like access to the traffic models used for the Kings Road / A1173, A1173 / Kiln Lane and A1173 / SHIIP junctions.	The models used to assess the relevant junctions have been supplied to NELC and incorporated in the final TA (Annex K).

Consultee	Reference, Date	Summary of Response	How comments have been addressed in this chapter
NELC	Email 17/06/22	NELC identified that the modelling Ratio of Flow to Capacity (RFC) results are higher than 0.85 for the A1173 / Kiln Lane junction. They would be more comfortable with the proposed 'no mitigation required' suggestion if sustainable travel credentials were improved.	The models have been re-run since the working draft TA was submitted to NELC. The results for the A1173 / Kiln Lane are now at 0.85 and so the 'no mitigation required' conclusion has been maintained.
NELC	Email 17/06/22	NELC would like to see some consideration given to modernising the portside area to be accessible by sustainable modes.	Plans to improve pedestrian and cycle facilities are being progressed by ABP separately to the IERRT project.
NLC	Email 24/06/22	NLC stated that there is an addendum to the Publication Draft of the Local Plan that was being consulted on at the time.	Noted.
NLC	Email 24/06/22	NLC asked if a Construction Phase Management Plan will be produced prior to works starting. It was also asked if the average movements stated for construction traffic are the worst-case scenario and the length of time that these movements could last for.	A Construction Environmental Management Plan (CEMP; Application Document Reference number 9.2) is being included within the application which will include the headline issues relating to construction traffic which will be controlled within the DCO. This document will include a commitment to prepare a more detailed CTMP when

Consultee	Reference, Date	Summary of Response	How comments have been addressed in this chapter
			the contractor is engaged.
NLC	Email 24/06/22	NLC require traffic data to support the peak periods stated as the PM peak in the area is widely accepted as 16:00-17:00.	This has been fully reviewed as part of the ongoing TA assumptions. The peak hour analysis is provided Section 5.4 of the TA (Appendix 17.1 to this ES).
NLC	Email 24/06/22	NLC agree with the suggested 85/15 split.	Noted.
NLC	Email 24/06/22	NLC has asked if Able Logistics Park has been included as a committed development.	The development has been added to the committed development list in Section 6.1 of the TA (Appendix 17.1 to this ES) and incorporated into the assessments.
National Highways	JSJV note (for NH) 6 July 2022	JSJV require the PIC analysis to consider the most recently available complete five-year period for the SRN before baseline conditions were impacted by the Covid pandemic as well as the 2020 and 2021 data to supplement the results.	The requested PIC analysis can be seen in Section 3.5 of the TA (Appendix 17.1 to this ES).
National Highways	JSJV note (for NH) 6 July 2022	JSJV suggest that a CTMP should be produced and agreed with NH, prior to the determination of this planning application.	A CEMP (Application Document Reference number 9.2) is being included within the application which will include the headline issues relating to construction traffic which will be controlled within the DCO. This document will include a commitment to prepare a more detailed CTMP when

Consultee	Reference, Date	Summary of Response	How comments have been addressed in this chapter
			the contractor is engaged.
National Highways	JSJV note (for NH) 6 July 2022	JSJV request that full details are provided with supporting evidence substantiating the assumption of 150 employee trips arrivals / departures.	Evidence supporting the assumption of 150 employee trips can be seen in Table 17.8 of this chapter of the ES and in paragraphs 17.8.31 to 17.8.34 of this chapter.
National Highways	JSJV note (for NH) 6 July 2022	JSJV request that evidence is provided for review that show what the 'typical operators activities' HGV arrival / departure profile is based on.	The data used to calculate 'typical operators' activity' has been summarised in Table 7 (Section 5.3) of the TA (Appendix 17.1 to this ES).
National Highways	JSJV note (for NH) 6 July 2022	JSJV have reservations between the end user profile presented and the arrival / departure profile based on the Port of Immingham profile. Comprehensive evidence should be presented that details the HGV profile assumed.	The higher profile for each peak has been assumed as detailed in paragraph 5.4.6 of the TA (Appendix 17.1 to this ES).
National Highways	JSJV note (for NH) 6 July 2022	JSJV request that the peak hour is investigated, specifically considering the SRN to ensure that the peak hour selected is considered robust.	Local network peaks have been assessed and confirmed as can be seen in Section 5.4 of the TA (Appendix 17.1 to this ES).
National Highways	JSJV note (for NH) 6 July 2022	JSJV request that a full breakdown of HGV routing data is submitted within the TA for review.	The base data used to route the HGV traffic can be seen in Annex H of the TA (Appendix 17.1 to this ES),
National Highways	JSJV note (for NH) 6 July 2022	JSJV recommend that DTA provide certainty that the 2025 forecast	DTA have provided NH with the application schedule



Consultee	Reference, Date	Summary of Response	How comments have been addressed in this chapter
		year would be representative of the development opening year.	which has provided NH with certainty that 2025 is accurate for the development opening year.
National Highways	JSJV note (for NH) 6 July 2022	JSJV request the A1173 / SHIIP roundabout is included within the junction assessments.	The A1173 / SHIIP junction has been assessed and the results can be seen in Annex K of the TA (Appendix 17.1 to this ES). The junction will function within capacity.
National Highways	JSJV note (for NH) 6 July 2022	JSJV require confirmation of the exact dates that the SRN MTC surveys were captured and for this data to be supplied for review.	The dates of all the surveys undertaken can be seen in Figure 3 of the TA (Appendix 17.1 to this ES).
National Highways	JSJV note (for NH) 6 July 2022	JSJV require full details to be provided of the Assessment of Roundabout Capacity And Delay (ARCADY) model validation, including the methodology undertaken to derive queue lengths and resultant impacts on the capacity assessment.	The ARCADY models have been checked against the queues from the turning surveys as described in paragraph 1.10 of Annex K of the TA (Appendix 17.1 to this ES).
National Highways	JSJV note (for NH) 6 July 2022	JSJV require full details of the proposed use of the area immediately south of the proposed jetty within the development and of the terminal buildings, including the amount of parking proposed.	These are provided on the scheme drawings.
National Highways	JSJV note (for NH) 6 July 2022	JSJV note that the current working draft TA does not confirm	The TA includes parking provision in section 4.4

Consultee	Reference, Date	Summary of Response	How comments have been addressed in this chapter
		parking provision within the proposed development. JSJV would require this to be included within the TA.	(Appendix 17.1 to this ES).
National Highways	JSJV note (for NH) 6 July 2022	Should the proposed development be also used as a passenger transport basis in addition to freight movement as initially proposed, this would have to be reflected in calculated trip generation and resultant junction impact assessment.	The maximum possible number of passengers (rather than vehicles) on the site will be limited by the Control of Major Accident Hazards (COMAH) Regulations to 100 at any one time and there will be a limit to that effect in the DCO. Given that these will replace other HGV movements, the overall impact in Passenger Car Unit (PCU) terms will be the same. This is confirmed in paragraph 5.2.7 of the TA (Appendix 17.1 to this ES). This position has been agreed with NH (their response 7 October 2022)
National Highways	JSJV note (for NH) 6 July 2022	JSJV have noted that there is no reference to a Travel Plan within the previously submitted SR or within subsequent correspondence between DTA and JSJV.	A Framework Travel Plan is submitted as part of the application (Appendix 17.2 to this ES).
National Highways, NELC and NLC	Virtual Meeting 20/07/22	This meeting discussed the issues raised about the working draft of the TA that was submitted to NH, NELC and NLC	As above.

Consultee	Reference, Date	Summary of Response	How comments have been addressed in this chapter
		that have been summarised above.	
National Highways	JSJV note (for NH) 5 September 2022	Given the scale of the proposed development and its proximity to the Strategic Road Network, JSJV suggest that a CTMP should be recommended as a condition associated with the planning permission if granted. NH should approve the CTMP and Construction Worker Travel Plan (CWTP) documents prior to commencement of works.	The provision of a CTMP is provided for within the overall CEMP (Application Document Reference number 9.2) secured by a Requirement of the DCO, which requires the authorised development to be constructed in accordance with the CEMP or as otherwise amended with the agreement of the relevant planning authority and with National Highways provided that any such amendment would not result in new or different significant environmental effects other than those reported in the environmental statement.
National Highways	JSJV note (for NH) 5 September 2022	Whilst JSJV appreciate the current restrictions on passenger numbers enforced by the port, to satisfy NH by means of an enforceable restrictive limit that can be relied on in perpetuity. JSJV / NH will explore the suitability of the potential for a restrictive condition to be applied to the passenger transport proposals.	The DCO limits the number of public passengers in any one day to 100.

Consultee	Reference, Date	Summary of Response	How comments have been addressed in this chapter
National Highways	JSJV note (for NH) 5 September 2022	JSJV request that full details be provided, with supporting evidence, substantiating the assumption of 150 employee trips arrivals / departures.	This is addressed in Para 4.3.2 of the TA (Appendix 17.1 to this ES).
National Highways	JSJV note (for NH) 5 September 2022	The analysis in the TA appears to assess only the number of lanes on the mainline and not the merge / diverge geometries as stipulated in CD122 'Geometric design of grade separated junctions'. The A160 / A180 and A180 / A1173 merge / diverge assessments show a need for upgrade with a step change indication triggered by traffic generation from the proposed development. JSJV do not agree with the DTA comment relating to the acceptability of 'Layout A with two lanes up and downstream on the mainline' for the merge / diverge slip roads identified at both junctions of concern.	This has been addressed and updated. The final assessment is provided in Annex L of the TA (Appendix 17.1 to this ES).
National Highways, NELC and NLC	Virtual Meeting 06/09/22	Meeting to discuss JSJV comments in their written note of 5 September	Reponses covered above.
JSJV on behalf of National Highways	Technical note, 7 October 2022	Agrees position in respect of passenger number limits	Noted
		Construction CTMP. Process to secure the document is agreed,	These are included in Section 3.3 of the CEMP (Application

Consultee	Reference, Date	Summary of Response	How comments have been addressed in this chapter
		NH require specific inclusion of criteria / scope.	Document Reference number 9.2).
		Agreement to signage strategy and delivery process	Noted. East gate is not currently being signposted on the local or strategic highway network. ABP are separately pursuing agreements through Section 278 of the Highways Act 1980 to deliver a change to the existing signage arrangement to improve directional signage to the Port of Immingham Generally.
		Agreement to junction operation assessment	Noted.
		Requests further clarification on merge / diverge calculations.	This are provided in Annex L of the TA.
Member of the Public (Q1)	Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022	Hope infrastructure of roads are also developed to a higher standard.	The chapter and Annex K of the associated TA (Appendix 17.1 of this ES) fully assess the impact on the local road infrastructure and conclude wider improvements are not required.
Member of the Public (Q2)	Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022	Proposed traffic routing should consider tenants on main road leading to the Terminal.	Impacts on noise sensitive receptors has been considered in the Noise and Vibration chapter (Chapter 14) of this ES.

<p>North East Lincolnshire Councillor (Q3)</p>	<p>Supplementar y Statutory Consultation – 28 Oct – 27 Nov 2022</p>	<p>Need more and better infrastructure to match port growth and jobs.</p>	<p>The chapter and Annex K of the associated TA (Appendix 17.1 of this ES) fully assess the impact on the local road infrastructure and conclude wider improvements are not required.</p>
--	---	---	---

Consultee	Reference, Date	Summary of Response	How comments have been addressed in this chapter
Member of the public (EX1)	Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022	Traffic on Queen’s Road was raised and consideration of people living on that road.	The chapter and Annex K of the associated TA (Appendix 17.1 of this ES) fully assess the impact on the local road infrastructure and conclude wider improvements are not required.
Member of the public (EX1)	Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022	Benefit of better signposting to east and west gates	Noted and this is proposed.
Network Rail (PI 25)	Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022	We note the additional information provided in the re-consultation and advise that our previous comments of 22 February 2022 (attached for reference) remain applicable.	Noted as previous response. ABP is consulting with Network Rail in respect of appropriate Protective Provisions for inclusion in the draft DCO.
DFDS (PI 15)	Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022	Congestion into the dock will have an impact on the whole operation of the dock, causing a detrimental commercial effect on dock users. We would expect ABP to show what impact the increased congestion from the project will have on the wider Immingham area but they are yet to do so. While an additional lane is to be added outside the East Gate, it is not clear whether this will reduce the	This is fully assessed in Annex M of the TA (Appendix 17.1 of this ES). Specifically, the use of East Gate and the assessment of distribution of traffic is set out in Section 5.5 of the TA, and the operation of internal port junctions are assessed in Annex M.

Consultee	Reference, Date	Summary of Response	How comments have been addressed in this chapter
		<p>congestion caused by the additional vehicles that the IERRT will bring to an acceptable level. Removing one bottleneck at the East Gate may create bottlenecks elsewhere and the free flow of traffic both inside and outside the port estate need to be demonstrated by ABP. An example of other potential bottlenecks due to re-routing is the likely greater proportion of vehicles rerouted on the A160 corridor due to:</p> <ul style="list-style-type: none"> <li>a. Signage and suitability of roads;</li> <li>b. Existing behaviours associated with Stena operations at Killingholme; and</li> <li>c. The HGV refuelling station.</li> </ul>	
DFDS (PI 15)	Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022	<p>ABP have not taken into consideration any increase of traffic at the West Gate whatsoever, instead presuming that all increased vehicle movements will use the East Gate. Firstly, the East Gate will not be able to handle the proposed number of vehicle movement (660,000) at peak times in the early morning and early evening. Although there will be an additional lane, there</p>	<p>The assessment makes allowance for the use of West Gate – Section 5.5 of the TA (Appendix 17.1 of this ES).</p>



Consultee	Reference, Date	Summary of Response	How comments have been addressed in this chapter
		<p>will still only be one gatehouse, which will not sufficiently ease the congestion problems around the East Gate caused by the increased vehicle movements. Secondly, some of the increased vehicle movements will still pass through the West Gates as that is the location of the haulage yards. ABP's strategy of using increased signage to encourage use of the East Gate is not adequate to avoid congestions at the West Gate as well as the East Gate.</p>	
DFDS (PI 15)	<p>Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022</p>	<p>Five junctions are forecast to operate over their capacity in 2032 once the ABP development flows are considered alongside the committed developments. These are:</p> <ul style="list-style-type: none"> <li>a. A160 Humber Road/ Eastfield Road Junction;</li> <li>b. A160 Humber Road/A1173 Manby Road Roundabout;</li> <li>c. A1173/ New Site Access Roundabout;</li> <li>d. A1173/ Kiln Lane Roundabout; and</li> <li>e. A180/A1173 Roundabout.</li> </ul> <p>These forecast congestions will have negative environmental effects</p>	<p>The evidence which supports this statement is not clear and it directly contradicts the agreed findings of the TA (Appendix 17.1 of this ES) as set out specifically in Annex K.</p>

Consultee	Reference, Date	Summary of Response	How comments have been addressed in this chapter
		and negative commercial impacts on other port users and cause congestion for the residents of Immingham. DFDS is of the view that further road improvements should be included to eliminate the impacts of HGVs and other vehicles on local roads.	
APT (Immingham) Ltd. (PI 19)	Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022	The IOT Operators are concerned with the operation of the East Gate following observations during a site visit in March 2022 which highlighted queuing on Queens Road at the existing security gate house and the proximity of the Laporte Road junction. The PEIR for the IERRT Development had not identified this issue and had not therefore assessed the impact of the very significant increase in vehicular trips that the IERRT Development would generate.	This is addressed in the DCO by the inclusion of changes to East Gate layout.
APT (Immingham) Ltd. (PI 19)	Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022	ABP has acknowledged the potential of queuing traffic on the public highway, and has proposed changes to the scheme to provide two entry lanes and two security gates at the East Gate. The Supplementary	The elements of the scheme which are within NELCs Highway Land will be undertaken under Section 278 of the Highways Act 1980.

Consultee	Reference, Date	Summary of Response	How comments have been addressed in this chapter
		<p>Consultation Report states that these improvements have been discussed with North East Lincolnshire Council and would be “regularised by means of a legal agreement with the Council”. The IOT Operators assume that this means an agreement under section 278 of the Highways Act 1980.</p>	
<p>APT (Immingham) Ltd. (PI 19)</p>	<p>Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022</p>	<p>ABP has not provided any evidence to suggest that traffic surveys have been undertaken at the East Gate, nor an assessment to demonstrate that the proposed widening would alleviate any significant queuing and therefore mitigate the impacts identified by the IOT Operators’ technical advisors. Whilst a second lane would increase capacity at the security gates it would not be a doubling of capacity as lane utilisation is unlikely to be equal.</p>	<p>The traffic surveys undertaken for the scheme are provided in Annex BD1 of the TA (Appendix 17.1 of this ES).</p>
<p>APT (Immingham) Ltd. (PI 19)</p>	<p>Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022</p>	<p>Figure 7 in the Supplementary Consultation Report indicates the security huts on either side of the widened access meaning that for UK vehicles, the nearside</p>	<p>At present all security gates into the port provide off-side security hatches. The scheme is specifically designed to increase flexibility and efficiency for inbound</p>

Consultee	Reference, Date	Summary of Response	How comments have been addressed in this chapter
		lane security hut would be on the wrong side for the driver. The opposite would be the case for left hand drive vehicles. This could introduce further delays or lead to drivers switching lanes on the approach to the security gates which, again, could cause delays. Furthermore, there is no evidence that the proximity of the Laporte Road junction and its interaction with the East Gate has been assessed. This has been highlighted by the IOT Operators' technical advisors as a highway safety concern,	staff/regular users and also to improve capacity for left hand drive vehicles. The left hand lane will be designed primarily for vehicles that will be on ANPR/RFID with automatic barrier entry to the port.
APT (Immingham) Ltd. (PI 19)	Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022	Currently there is a ghost island right turn lane just within the East Gate that serves the road that provides access to the IOT Operators. Figure 7 suggests that this right turn lane is being removed, but this is not actually stated in the Supplementary Consultation Report and no commentary on the impact of such a change is provided.	A right turn lane is retained and shown on the DCO plans.
APT (Immingham) Ltd. (PI 19)	Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022	In addition, Figure 7 shows yellow box markings being installed across this junction yet there is no explanation within the	This was provided at the request of APT as an additional protective measure, but no queuing is

Consultee	Reference, Date	Summary of Response	How comments have been addressed in this chapter
		Supplementary Consultation Report as to why such markings are required. Box markings are installed where queuing traffic can block a junction, and ABP should set out what assessment has been undertaken that suggests this will occur.	expected in this location.
APT (Immingham) Ltd. (PI 19)	Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022	Given the significant numbers of lorries that approach the East Gate from Laporte Road, the IOT Operators' technical advisors consider that relying on just a signed route from the A180 might be insufficient. There is no evidence in the Supplementary Consultation Report, or publicly available updated environmental information, to justify the statement that a signing strategy is all that is required to mitigate the impacts of the IERRT Development on off-site public highways.	This position has been agreed with the Highway Authority.
APT (Immingham) Ltd. (PI 19)	Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022	The IOT Operators consider it likely that protective provisions would be required to address concerns with access to the IOT Operator's onshore facilities. In paragraph 2.1(d) of our previous	The traffic modelling provided within this chapter of the ES and the Transport Assessment at Appendix 17.1 (specifically Annex M, paragraph 1.21 and 1.22) considers the

Consultee	Reference, Date	Summary of Response	How comments have been addressed in this chapter
		<p>letter of 25 July 2022 it as suggested an alternate access should be provided off Laporte Road; a suggestion to which ABP are yet to provide a response.</p>	<p>capacity of the IOT access with the scheme in place. This clearly demonstrates that there will no adverse impact and therefore no requirement for improvement. However, ABP intend to provide an emergency traffic management system to this junction (see Chapter 2 of this ES) which will allow APT to have free access from the junction from their facility in the event of an emergency that they need to respond to at one of their facilities. This will essentially initiate a set of traffic lights which will stop the traffic on Robinsons Road. Follow up correspondence has been issued to APT to reflect this.</p>

## Chapter 18 – Land Use Planning – Consultation Table

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Chapter
HSE	Initial informal consultation with HSE on 20 July 2021.	The HSE acknowledged that major hazard safety issues had been taken into account in the proposed design. The HSE did not identify any significant safety or major hazard issues but recommended obtaining formal pre-application advice from the HSE's Land Use Planning Team.	A meeting with the HSE Land Use Planning Team was arranged and took place on 20 October 2021, in order to obtain formal pre-application advice (see details of this meeting below).
HSE	Formal consultation with the HSE's Land Use Planning Team on 20 October 2021 and HSE's written report of the meeting provided (see HSE, 2021).	<p>HSE indicated two main concerns with the proposed development:</p> <p>1) The presence of drivers in the Development Proximity Zone (DPZ) was not entirely consistent with the HSE's general guidance in SPC 43 (HSE, 2011). However, on balance, the HSE considered that the proposals were acceptable given the specific circumstances (i.e., a relatively small number of workers, briefly present, and spread over a large area); and</p> <p>2) Members of the public present could exceed 100 people in the Middle Zone, which the HSE would have to advise against.</p> <p>It was acknowledged that the dismantled acrylonitrile pipeline and Edward Nicholson Hazardous Substances Consent (T H Brown Ltd) should not be relevant, although their status should be confirmed.</p>	<p>Noted. The concerns of HSE are acknowledged.</p> <p>In response to the two specific concerns, the following measures will be adopted for the IERRT:</p> <p>1) The layout of the IERRT project has been designed to minimise the time that drivers spend within the DPZ – drivers will not take rest breaks in this area and there will be no associated structures or rest/recreational areas within the DPZ (please see the Need and Alternatives chapter (Chapter 4) for further detail); and</p> <p>2) The maximum number of members of the public present (waiting to board) at the IERRT at any one time will be limited to no more than 100 within the development Consent Order (DCO).</p> <p>Associated British Ports (ABP) is also seeking to expedite the revocation of the Hazardous Substances Consent for the Edward Nicholson (T H Brown Ltd) site (which no longer exists, the tenant having</p>

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Chapter
			vacated the site). The demolished acrylonitrile pipeline was formally denotified on 9 December 2021.
Planning Inspectorate (PINS)	Scoping Opinion October 2021.  Table ID 4.14.1	The Inspectorate notes that the Health and Safety Executive (HSE) consultation identifies that the proposed development lies within multiple consultation zones of major accident hazard sites and major accident hazard pipelines. The ES should include an assessment of these matters, or the information referred to demonstrating agreement with the relevant consultation bodies and the absence of any likely significant effect.	The risks from nearby major hazard sites and pipelines are considered in Sections 18.9 and 18.10 of this Chapter 18 of the ES in terms of the implications for people at the proposed development.  Agreement has been reached with the HSE regarding the proposed development in terms of the numbers of persons present and the site layout in relation to the existing HSE land use planning zones associated with major hazard sites and major accident pipelines in the vicinity. The agreement is in line with what was discussed with the HSE at the meeting on 20 October 2021 as described in the note of the meeting (HSE, 2021), which evidences and demonstrates what has been agreed.
PINS	Scoping Opinion October 2021.  Table ID 4.14.2	Risks to workers during construction will be managed by the requirements of the Health and Safety at Work Act and Construction (Design and Management) Regulations. This is expected to ensure that any temporary construction buildings are located in low risk areas. The Inspectorate is content to scope out this matter on this basis.	Noted. Any temporary construction buildings will be located in low-risk areas. Agreed that these matters are scoped out.
PINS	Scoping Opinion October 2021	The Scoping Report seeks to scope out consideration of other risks to human health other than those arising from	Noted. Agreed that consideration of risks to human health other than those arising from major accidents



Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Chapter
	Table ID 4.14.3	major accidents etc. from this chapter of the ES on the grounds that other risks to human health will be considered elsewhere in the ES. The Inspectorate agrees with this approach but advises that the other relevant sections of the ES should be clearly signposted in this chapter.	etc. are scoped out of this Chapter 18, as they are considered elsewhere in this ES principally in the following chapters of this ES: Ground Conditions including Land Quality (Chapter 12); Air Quality (Chapter 13); Airborne Noise and Vibration (Chapter 14); Commercial and Recreational Navigation (Chapter 10); Coastal Protection, Flood Defence and Drainage (Chapter 11); Traffic and Transport (Chapter 17) and Climate Change (Chapter 19) as signposted in the introduction to this chapter at Section 18.1.
HSE	Scoping Opinion October 2021.  Appendix 2 HSE response.	Regulation 5(4) of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 requires the assessment of significant effects to include, where relevant, the expected significant effects arising from the proposed development's vulnerability to major accidents. HSE's role on Nationally Significant Infrastructure Projects (NSIPs) is summarised in the following Advice Note Eleven Annex on the Planning Inspectorate's website - Annex G – The Health and Safety Executive. This document includes consideration of risk assessments on page 3.	Noted. The risks from nearby major hazard sites and pipelines are considered in Section 18.10 of this Chapter 18 of the ES in terms of the implications for people at the proposed development.  Hazardous Substances Consent is not required for the proposed development.  There is no requirement to undertake risk assessments based on Advice Note Eleven, Annex G. However, as indicated above, risks from nearby major hazard sites and pipelines have been considered.
Humber side Fire and Rescue Service	Statutory Consultation 19 Jan – 23 Feb 2022	<b>Access for Fire Service</b> It is a requirement of Approved Document B5, Section 15 Commercial Properties or B5, Section 13 for Domestic Premises that	Noted. Adequate access for the Fire Service will be ensured. The whole site is being designed to be accessible for Heavy Goods Vehicle (HGVs)

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Chapter
(PI3 & PI26)		adequate access for firefighting is provided to all buildings or extensions to buildings. Where it is a requirement to provide access for high reach appliances, the route and hard standing should be constructed to provide a minimum carrying capacity of 24 tonnes.	throughout and therefore there will be full access for the Fire Service to all buildings.
Humber side Fire and Rescue Service (PI3 & PI26)	Statutory Consultation 19 Jan – 23 Feb 2022.	<b>Water Supplies for Fire Fighting</b> Adequate provision of water supplies for firefighting appropriate to the proposed risk should be considered. If the public supplies are inadequate, it may be necessary to augment them by the provision of on-site facilities. Under normal circumstances hydrants for industrial unit and high-risk areas should be located at 90 m intervals. Where a building, which has a compartment of 280 m <sup>2</sup> or more in the area is being, erected more than 100 m from an existing fire hydrant, hydrants should be provided within 90 m of an entry point to the building and not more than 90 m apart. Hydrants for low risk and residential areas should be located at intervals of 240 m.	Noted. Adequate provision of water supplies for firefighting will be ensured. Additional mains will be provided within the development to provide both potable water and fire protection to both the northern and southern yards. The distances will be 80 m, which is referenced in Crown Fire Standards. These spacings are more onerous than those quoted by Humber side Fire and Rescue Service. Further information is provided on the general arrangement plans (Application Document Reference number 2.5).
HSE (PI12)	Statutory Consultation 19 Jan – 23 Feb 2022.	Based on the information on the development, HSE would not advise against the proposed IERRT. This is based on a comparison of the sensitivity levels of the constituent part of the development with the zone that the constituent part is located in, as set out in HSE's	Noted that HSE would not advise against the proposed IERRT.

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Chapter
		<p>land use planning methodology (<a href="https://www.hse.gov.uk/landuseplanning/methodology.htm">https://www.hse.gov.uk/landuseplanning/methodology.htm</a>) and the consultation arrangements for large scale petrol storage sites (<a href="https://www.hse.gov.uk/foi/intemalops/hidcircs/technicalgeneral/spc_tech_gen43/index.htm">https://www.hse.gov.uk/foi/intemalops/hidcircs/technicalgeneral/spc_tech_gen43/index.htm</a>).</p>	
HSE (PI12)	Statutory Consultation 19 Jan – 23 Feb 2022.	<p><b>Hazardous Substances Consent</b>  The presence of hazardous substances on, over or under land at or above set threshold quantities (Controlled Quantities) requires Hazardous Substances Consent (HSC) under the Planning (Hazardous Substances) Act 1990 as amended. We note that the applicant has stated in Section 18.1.6 of the Preliminary Environmental Information (Land Use Planning chapter) that the proposed IERRT development will not involve the storage or processing of hazardous substances. Therefore, we consider that based on the information available the proposal will not require new Hazardous Substances Consents from the relevant Hazardous Substances Authority.</p>	Noted that the HSE considers that the IERRT will not require Hazardous Substances Consent.
Ministry of Defence (PI25)	Statutory Consultation 19 Jan – 23 Feb 2022	<p>Thank you for consulting Defence Infrastructure Organisation (DIO) on the above proposed development. This application relates to a site outside of Ministry of Defence safeguarding areas. We can therefore confirm that the</p>	Noted that the MoD has no safeguarding concerns relating to the IERRT.

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Chapter
		Ministry of Defence has no safeguarding concerns to this proposal.	
Exolum (PI28)	Statutory Consultation on 19 Jan – 23 Feb 2022.	Concerns over new occupied buildings falling with the Exolum COMAH PIZ area.	The concerns raised over new occupied buildings falling with the Exolum COMAH Public Information Zone (PIZ) area have been considered. The HSE has also considered the proposed buildings, and the fact that they lie within the consultation zones of several existing major hazard sites, and they are content with the proposals for the purposes of land use planning (see HSE, 2021). There will be a requirement for future updates of COMAH reports to include consideration of the IERRT, but this is unlikely to be a significant issue, given that the buildings are only for workers and are not located in areas of high risk.
Associated Petroleum Terminals (APT) (PI30)	Statutory Consultation on 19 Jan – 23 Feb 2022.	<p><b>4 IMPACTS OF THE PROPOSAL ON THE IOT - CONSTRUCTION PHASE</b></p> <p>(c) Impact on the Immingham Oil Terminal (IOT) Operators' COMAH safety case</p> <p>4.14 The IOT Operators consider that the increase in shipping movements in the area and the increased likelihood of allisions, contacts or collisions occurring during the construction phase may have an impact on the IOT Operators' COMAH safety case. This impact would require additional expenditure to reduce this risk and the IOT Operators do not regard this as an expenditure that should be payable by the IOT Operators as a result of the</p>	<p>It is normal for operators to update their COMAH safety cases to take account of developments in their vicinity. Regulation 10(1) of COMAH requires that '<i>A safety report must be reviewed and, where it is necessary, revised by the operator</i>'. This is a duty on the operator. The HSE's guidance (HSE, 2015) states that issues to be considered during a COMAH report review include '<i>changes in the land use of areas surrounding the establishment, including changes in population</i>'.</p> <p>ABP has provided the IOT Operator with further information regarding the impacts of the IERRT project on the IOT Operators in</p>

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Chapter
		<p>IERRT Development. The risk should be adequately mitigated by the agent of change - the IERRT Development.</p> <p>4.15 More detail is required about the detailed impacts of the proposals on the IOT Operators' business before a conclusion can be reached on this matter. But any prejudicial impact on the COMAH safety case has the potential to cause severe detriment to its operations.</p>	<p>respect of shipping movements and navigational safety at the Hazard Identification (HAZID) workshops and in recent correspondence with APT. A Navigational Risk Assessment (NRA) is also provided as an appendix to the Commercial and Recreational Navigation chapter (Chapter 10) of this ES, submitted as part of the DCO application.</p> <p>ABP will be pleased to provide further information on shipping movements to assist the IOT Operator in making the necessary safety demonstrations for their COMAH safety case. It is noted that HSE has not raised this as an issue and so it is reasonable to assume that the safety implications are not likely to be significant.</p>
APT (PI30)	Statutory Consultation on 19 Jan – 23 Feb 2022.	<p><i>Construction vehicles</i></p> <p>4.20 The IOT Operators believe this increase in vehicle movements may impede access to the IOT's property. It will be essential for the IOT Operators to be satisfied that there will be continued access to the IOT's property so that vehicles can enter and leave as required. It will be particularly important for emergency vehicles and other essential vehicles for the operation of the IOT to be able to access the land. The IOT Operators need to be clear how the IERRT Development will impact emergency response times as this will have implications on its COMAH safety case.</p>	<p>ABP will ensure that access to IOT's property is not significantly impeded.</p> <p>It should be noted that improvements will be provided for the Robinsons Road junction with warning (wig-wag) signals to stop Robinsons Road traffic and give priority to IOT traffic in the case of an emergency.</p> <p>The IERRT project also includes improvements to the East Gate with the incorporation of an additional in lane as set out in Chapter 2 of the ES and the Traffic and Transport chapter (Chapter 17) of this ES.</p>

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Chapter
		<p>Access to the IOT will be required at all times from the main site entrance and from the jetty root sea wall gates from the Immingham Dock side. As noted in paragraph 2.2.3 of the PTA, the failure to allow for the efficient delivery of goods, and access by service and emergency vehicles would be contrary to the latest National Planning Policy Framework (the “NPPF”). ABP must therefore provide sufficient information for the IOT Operators to fully understand these impacts.</p>	
APT (PI30)	Statutory Consultation 19 Jan – 23 Feb 2022.	<p><b>5 IMPACTS OF THE PROPOSAL ON THE IOT - OPERATIONAL PHASE</b>  (d) Impact on the IOT Operators' COMAH safety case  5.18 The IOT Operators consider that the increase in shipping movements in the area and the increased likelihood of allisions, contacts or collisions occurring during the operational phase may have an impact on the IOT Operators' Control of Major Accident Hazards (COMAH) safety case. This impact would require additional expenditure to reduce this risk and the IOT Operators do not regard this as an expenditure that should be payable by the IOT Operators as a result of the IERRT Development. The risk should be adequately mitigated by the agent of change - the IERRT Development.</p>	Please see above response to APT letter, paragraphs 4.14 and 4.15.
APT (PI30)	Statutory Consultation	5.25 The IOT Operators believe the increase in vehicle	ABP has had various meetings with APT to discuss

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Chapter
	on 19 Jan – 23 Feb 2022.	<p>movements may impede access to the IOT. It will be essential for the IOT Operators to be satisfied that there will be continued access to the IOT so that vehicles can enter and leave the property as required. It will be particularly important for emergency vehicles and other essential vehicles for the operation of the IOT to be able to access the land. The IOT Operators need to be clear how the IERRT Development will impact emergency response times as this will have implications on its COMAH safety case. Access to the IOT will be required at all times from the main site entrance and from the jetty root sea wall gates from the Immingham Dock side. As noted in paragraph 2.2.3 of the PTA, the failure to allow for the efficient delivery of goods, and access by service and emergency vehicles would be contrary the latest NPPF. ABP must therefore provide sufficient information for the IOT Operators to fully understand these impacts.</p>	<p>these matters and the provision of any information required by APT.</p> <p>It should be noted that improvements will be provided for the Robinsons Road junction with wig-wag emergency lights to stop Robinsons Road traffic and give priority to IOT traffic in the case of an emergency.</p> <p>The IERRT project also includes improvements to the East Gate with the incorporation of an additional in lane based on the traffic analysis as set out in the Traffic and Transport chapter (Chapter 17) of this ES.</p>
NLC (PI38)	Statutory Consultation on 19 Jan – 23 Feb 2022.	<p><b>Chapter 18 - Land Use Planning</b></p> <p>Chapter 18 of the PEIR sets out that the overall impact the proposals will have on land use planning and human health.</p> <p>Having considered this, (North Lincolnshire Council) NLC do not have any objections to the approach set out in the PEIR at this stage.</p>	Noted that NLC do not have any objections.

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Chapter
UK Health Security Agency (PI37)	Statutory Consultation 19 Jan – 23 Feb 2022.	<p>Previous documents noted that developer will consider;</p> <ul style="list-style-type: none"> <li>• If the development will require a Hazardous Substance Consent (HSC) and therefore be considered a COMAH site;</li> <li>• If activities arising from the development or its operation may impact on other operations such as COMAH sites; or</li> <li>• If the development itself may be vulnerable to hazards posed by other sites or operations. The applicant should ensure that the risks to public health from potentially hazardous substances handled at the development are identified as previously proposed and control measures put in place if necessary.</li> </ul>	<p>The IERRT will not be a COMAH site and will not require Hazardous Substances Consent (HSC), as has been confirmed by the HSE in their response to the Statutory Consultation 19/01/22 -23/02/22.</p> <p>Activities at the IERRT will not impact on other operations such as COMAH sites.</p> <p>Operators and members of the public will be vulnerable to the risk of potential major accident events at some of the nearby existing major hazard sites. These risks have been identified and quantified in Section 18.10 of this ES, and the HSE has been consulted to ensure that levels of risk are acceptable, which they have confirmed.</p>
Ex16, Q94	Statutory Consultation 19 Jan – 23 Feb 2022.	Exolum asked if there will be any Hazardous products stored by the terminal operator when they take occupancy.	Hazardous products will not be stored at the IERRT.
Ex16, Q94	Statutory Consultation 19 Jan – 23 Feb 2022.	Exolum expressed concern re hazardous cargoes being handled (impact on COMAH plans), protective provisions for pipelines along the frontage, junction improvements for East Dock Road, marine accessibility to Eastern Jetty to remain as it is with no change to their infrastructure (including mooring dolphin), tug mooring point to be moved, can East gate be widened to remove queuing risk.	<p>Any hazardous cargoes passing through the IERRT will only be present for a short time, and will comply with all necessary transport regulations, and therefore will not have a significant impact on COMAH plans.</p> <p>Any Exolum pipelines along the frontage will have suitable protective provisions afforded to them in the DCO.</p> <p>It is noted that the final DCO application includes the necessary junction improvements following consultation and detailed transport analysis, including</p>



Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Chapter
			throughput enhancements to the East Gate. Marine accessibility to the Eastern Jetty will be maintained.
UK Health Security Agency (PI 8)	Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022.	The additional information supplied does not cause any changes to UKHSA’s previous responses to the request for Scoping Opinion, or the Public Consultation (Section 42) and, on this occasion, we have no additional comments to make.	Noted.
Ministry of Defence (PI 9)	Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022.	This application relates to a site outside of Ministry of Defence safeguarding areas. The Ministry of Defence has no safeguarding concerns to this proposal.	Noted.
HSE (PI 24)	Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022	It is noted that the Supplementary Consultation Report outlines a few minor changes to the scope of the project which in effect slightly reduce the scope of the project. Therefore, I confirm that the advice previously given remains valid, based on the existing major accident hazard sites and pipelines. HSE’s Land Use Planning advice would be dependent on the location of areas where people may be present. When we are consulted by the Applicant with further information under Section 42 of the Planning Act 2008, we can provide full advice.	Noted.
HSE (PI 24)	Supplementary Statutory Consultation	It is noted that in the PEIR it is stated that dangerous substances will not be stored or handled in relation to this	Noted.

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Chapter
	on – 28 Oct – 27 Nov 2022	project, however, should this change then further information on HSC should be sought from the relevant Hazardous Substances Authority.	
HSE (PI 24)	Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022	Regulation 5(4) of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 requires the assessment of significant effects to include, where relevant, the expected significant effects arising from the proposed development's vulnerability to major accidents. HSE's role on NSIPs is summarised in Advice Note 11. This document includes consideration of risk assessments on page 3.	Noted. The 'expected significant effects' are the risks to people at various parts of the IERRT, as described in Section 18.10 of this chapter. Paragraph 18.10.5 describes the most significant effects. Advice Note 11 states that only COMAH installations (which the IERRT is not) are required to undertake a risk assessment relating to the hazards. However, risk assessment will be required for work activities under the HSW Act 1974, and this is covered in paragraph 18.5.18.
HSE (PI 24)	Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022	No comment to make with respect to explosive sites provided that the proposed development does not constitute as a 'vulnerable' building.	Noted.
HSE (PI 24)	Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022	No comment to make with respect to electrical safety from a panning perspective.	Noted.
Cadent Gas (PI 16)	Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022	In respect of existing Cadent infrastructure, Cadent will require appropriate protection for retained apparatus including compliance with relevant standards for works proposed within close proximity of its apparatus. Cadent has identified the following apparatus within the	Noted. Cadent's apparatus in close proximity of the works has been identified, and (whilst the precise terms are under negotiation) appropriate protective provisions will be put in place in the draft DCO.

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Chapter
		vicinity of the proposed works: Intermediate Pressure (above 2 bar) Gas Pipeline and associated equipment; Medium Pressure (below 2 bar) Gas Pipeline and associated equipment; and Decommissioned apparatus.	
Cadent Gas (PI 16)	Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022	Where the Promoter intends to acquire land, extinguish rights, or interfere with any of Cadent’s apparatus, Cadent will require appropriate protection for retained apparatus and further discussion on the impact to its apparatus and rights including adequate Protective Provisions. Operations within Cadent’s existing easement strips are not permitted without approval and will necessitate a Deed of Consent or Crossing Agreement being put in place. Any proposals for work in the vicinity for Cadent’s existing apparatus will require approval by Plant Protection under the Protective Provisions and early discussions are advised.	Noted. The draft DCO contains Protective Provisions, the precise terms of which are still under negotiation, for the benefit of Cadent so as to provide appropriate protection for Cadent’s existing operational assets within the IERRT development site. In addition, mechanisms for necessary approvals are the subject of ongoing discussion with Cadent.
Cadent Gas (PI 16)	Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022	Cadent has a Deed of Grant of Easement for each pipeline, which prevents the erection of permanent/temporary buildings/structures, change to existing ground levels or storage of materials etc within the easement strip. Please be aware that written permission is required before any works commence within the Cadent easement strip and a Crossing Agreement may be required if any	Noted. As above, the draft DCO contains Protective Provisions which are designed to ensure that any necessary protections for Cadent are put in place prior to the commencement of any works which may affect Cadent interests or apparatus.

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Chapter
		<p>apparatus needs to cross the Cadent easement strip. All works in the vicinity of Cadent's asset shall be subject to review and approval from Cadent's plant protection team in advance of commencement of works on site.</p>	

## Chapter 19 – Climate Change – Consultation Table

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Chapter
Planning Inspectorate (PINS)	Scoping Opinion, October 2021  Table ID 4.15.1	The Inspectorate agrees that greenhouse gas (GHG) emissions from pre-construction activities can be scoped out of further assessment; if the situation changes or if the development consent order (DCO) would allow pre-construction activities, then the ES should include the emissions from these activities.	Emissions from pre-demolition works are scoped into the assessment in this chapter (under the construction phase) to present a worst-case scenario – see Table 19.1 of this ES chapter.
PINS	Scoping Opinion, October 2021  Table ID 4.15.2	The ES should include an assessment of GHG emissions from maintenance works or further justification that the works are likely to give rise to minimal GHG emissions.	GHG emissions from construction and operation – including maintenance activity - have been scoped into the assessment in this chapter – see Table 19.1 of this ES chapter.
PINS	Scoping Opinion, October 2021  Table ID 4.15.3	It is not clear to the Inspectorate if the IERRT project would have a fixed life and would be decommissioned at the end of its life. If the DCO makes provision for the decommissioning of the IERRT project then the ES should provide an assessment of the associated GHG emissions.	The decommissioning phase has been scoped out the GHG assessment since it is expected that the IERRT project will continue to be maintained so that it can be used for port related activities to meet a long-term need and, will become part of critical infrastructure, therefore, the DCO does not make provision for the decommissioning of the IERRT project.
PINS	Scoping Opinion,	In light of the duration of operation and predicted increases in future storm	Precipitation has been addressed in this ES and is scoped into the

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Chapter
	<p>October 2021</p> <p>Table ID 4.15.4</p>	<p>frequency, intensity and precipitation, the Inspectorate considers that impacts of precipitation and wind should be addressed in the ES.</p>	<p>CCR review – see Table 19.2 of this ES chapter.</p> <p>In the UKCP18 Wind Factsheet, the Met Office states (Met Office, 2020): <i>“There are no compelling trends in storminess, as determined by maximum gust speeds, from the UK wind network over the last four decades.”</i> and <i>“Wind speed is not available for the probabilistic projections as they did not pass our credibility checks.”</i> While reference could be made to the winter wind speed anomaly data from the 12 km land projections dataset, the climate models do not show any clear trends. Due to this uncertainty, projected wind speed cannot be addressed in the ES.</p>
PINS	<p>Scoping Opinion, October 2021</p> <p>Table ID 4.15.5</p>	<p>The ES should include an assessment of exclusion of temperature and wind parameters from the in-combination climate change impact (ICCI) assessment, or the information referred to demonstrating agreement with the relevant consultation bodies and the absence of a likely significant effect.</p>	<p>Temperature has been scoped into the ES as part of the CCR review – see Table 19.2 of this ES chapter.</p> <p>As noted in the row above the Met Office (2020) states: <i>“There are no compelling trends in storminess, as determined by maximum gust speeds, from the UK wind network over the last</i></p>

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Chapter
			<p><i>four decades.” and “Wind speed is not available for the probabilistic projections as they did not pass our credibility checks.”</i></p> <p>Therefore, as the climate models do not show any clear trends, projected wind speed cannot be addressed in the ES.</p>
PINS	<p>Scoping Opinion, October 2021</p> <p>Table ID 4.15.6</p>	<p>The Scoping Report states that ICCI assessment has been scoped out of the climate change chapter on the grounds that any identified ICCIs would be addressed in the coastal protection, flood defence and drainage chapter. The Inspectorate agrees with this approach but advises that the other relevant sections of the ES should be signposted in this chapter.</p>	<p>ICCI has been scoped out of the ES – as explained in Section 19.1 of this chapter. Each of the climate parameters relevant to ICCI has been assessed through other disciplines (Physical Processes in Chapter 7 of this ES and Coastal Protection, Flood Defence and Drainage in Chapter 11 of this ES), with any risks identified and mitigated within these other assessments.</p>
PINS	<p>Scoping Opinion, October 2021</p> <p>Table ID 4.15.7</p>	<p>The ES should consider emissions from Heavy Goods Vehicle (HGV) or rail movements to and from the IERRT project site or provide a justification as to why a likely significant effect would not arise. The Inspectorate recognises that definition of the study area may be problematic but suggests that the assessment should consider the number of new or lengthened movements on the road and rail networks which</p>	<p>HGV have been considered as freight transport in this ES and assessed in Section 19.8 of this ES chapter. The IERRT project will not generate rail movements.</p>

Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Chapter
		can be attributed to the IERRT project.	
Natural England	Appendix 2 Natural England response	The England Biodiversity Strategy published by Defra establishes principles for the consideration of biodiversity and the effects of climate change. The ES should reflect these principles and identify how the development's effects on the natural environment will be influenced by climate change, and how ecological networks will be maintained. The National Planning Policy Framework (NPPF) requires that the planning system should contribute to the enhancement of the natural environment ' <i>by establishing coherent ecological networks that are more resilient to current and future pressures</i> ' (NPPF Para 174), which should be demonstrated through the ES.	Numerous marine habitat and waterbird surveys and a Phase I Habitat survey of the IERRT project site have been undertaken. Ecological habitats within the landside extent of the site are limited due to the existing operational nature of the site. Further details are provided in the Nature Conservation And Marine Ecology chapter (Chapter 9 of this ES) and in the Preliminary Ecological Appraisal at Appendix 6.2 in Volume 3 of this ES (Application Document Reference number 8.4).
North Lincolnshire Council (PI38)	Statutory Consultation - 19 January – 23 February 2022	It is noted that the proposal will likely increase GHG emissions however this chapter concludes that the potential impact in relation to climate hazards is low. Having considered this, North Lincolnshire Council (NLC) does not have any objections to the approach set out in the PEIR.	Noted. The approach set out in the PEIR has been implemented in this ES.
CLdN (C.RO) (PI41)	Statutory Consultation - 19 January – 23	Concerns around the quantification of GHG from the highway network.	The ES has assessed the significance of terrestrial transport



Consultee	Reference, Date	Summary of Response	How Comments have been Addressed in this Chapter
	February 2022		emissions produced from the IERRT project. Confirmed risks associated with GHG emissions are set out in the GHG assessment in Section 19.8 of this ES chapter.
Q37	Statutory Consultation - 19 January – 23 February 2022	Concerns raised regarding the climate crisis and that the facility should be rail served with road usage kept to a minimum.	The ES has assessed the significance of terrestrial transport emissions produced from the IERRT project. Confirmed risks associated with GHG emissions are set out in the GHG assessment in Section 19.8 of this ES chapter.
Q26, Q35, Q70	Statutory Consultation 19 January – 23 February 2022	Concern about the increased levels of pollution, specifically noise and carbon emissions caused by additional vessels and HGV's both within the terminal and the surrounding area.	Confirmed risks associated with GHG emissions are set out in the GHG assessment in Section 19.8 of this ES chapter.
Q26, Q35,	Statutory Consultation 19 January – 23 February 2022	Suggest that more mitigation is needed to address impacts of pollution, including a long-term plan to offset the emissions.	The ES has evaluated the significance of GHG emissions from the IERRT project and mitigation measures have been considered in this ES, detailed in Section 19.9 of this ES chapter.
All	Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022	No comments were received with respect to climate change in response to the supplementary statutory consultation exercise.	N/A

## Chapter 20 – Cumulative and In-Combination Effects - Consultation Table

Consultee	Reference, Date	Summary of Response	How Comments Have Been Addressed in this Chapter
PINS	Scoping Opinion, October 2021  Paragraph 3.3.4	The Applicant should clearly state which developments will be assumed to be under construction or operational as part of the future baseline.	The status of each development considered in this cumulative and in-combination effects ES chapter is described in Table 20.4.
PINS	Paragraph 3.3.5	The Applicant is referred to the advice in Section 3.1 of the Inspectorate's Advice Note 17 on using the zone of influence of the Proposed Development to identify other developments which could lead to cumulative environmental effects (rather than a distance of 2 km, as stated in the Scoping Report).	The area of search to identify other developments has been based on the zone of influence of each assessment topic and expert professional judgement as presented in the individual EIA topic assessment chapters (see Section 20.4).
Marine management Organisation (MMO)	Scoping Opinion, October 2021  Appendix 2 MMO response	The MMO is content with the proposal for cumulative impacts and in-combinations impacts in the Scoping Report and has no further projects to add at this time.	N/A
Natural England	Scoping Opinion, October 2021  Appendix 2 Natural England response	It will be important for any assessment to consider the potential cumulative effects of this proposal, including all supporting infrastructure, with other similar proposals and a thorough assessment of the 'in combination' effects of the proposed development with any	Proposals at scoping stage have been considered in the assessment, referred to as Tier 2 development (see Section 20.4).

Consultee	Reference, Date	Summary of Response	How Comments Have Been Addressed in this Chapter
		<p>existing developments and current applications. Natural England advises that the cumulative impact assessment should include other proposals currently at Scoping stage.</p>	
Natural England	<p>Scoping Opinion, October 2021</p> <p>Appendix 2 Natural England response</p>	<p>The following types of projects should be included in such an assessment, (subject to available information): existing completed projects; approved but uncompleted projects; ongoing activities; plans or projects for which an application has been made and which are under consideration by the consenting authorities; and plans and projects which are reasonably foreseeable, i.e. projects for which an application has not yet been submitted, but which are likely to progress before completion of the development and for which sufficient information is available to assess the likelihood of cumulative and in-combination effects.</p>	<p>These types of plans, projects and activities are considered in the assessment (see Section 20.4).</p>
Environment Agency	<p>PEIR response, February 2022</p>	<p>We welcome the Humber Stallingborough Phase 3 Project being included in Table 20.4 [of the PEIR] as scoped into the inter-projects effects assessment. Works are due to commence on the Stallingborough Phase 3 Project in 2023. We therefore seek to work with you to ensure that in-combination effects of the</p>	<p>Noted.</p>

Consultee	Reference, Date	Summary of Response	How Comments Have Been Addressed in this Chapter
		two projects can be minimised.	
Marine Management Organisation	PEIR response, February 2022	The effects from piling, dredging and disposal on fish receptors have been scoped out for inclusion in the intra-project effects assessment (Table 20.5). At this stage, when the exact timing of the proposed piling and dredging works in relation with works undertaken by nearby developments is unknown, these effects should be scoped in and further discussed within the ES.	Intra-project effects relate to the assessment of impacts resulting from the proposed development alone. This involves identifying the impact pathways from the individual EIA topic assessments (Chapters 7 to 19) that may have residual adverse impacts. Impacts on nature conservation and marine ecology (including fish receptors) are considered in the inter-projects effects assessment set out in Table 20.5.
Marine Management Organisation	PEIR response, February 2022	No assessment of the cumulative or inter-related impacts have been provided in relation to coastal processes. Instead, Chapter 20 states that assessment will be undertaken (20.4.5), with no discussion of the method used to combine the various data and impacts. This is a risk as it means that these assessments will not have been commented on until a late stage.	The assessment, provided in Table 20.5 has been undertaken to an appropriate level of detail having regard to the type and extent of information available. Professional judgement has been used to determine the potential for

Consultee	Reference, Date	Summary of Response	How Comments Have Been Addressed in this Chapter
			significant cumulative effects.
Natural England	PEIR response, February 2022	Natural England broadly agrees with the selection criterion. When assessing the effects on designated sites, Natural England recommends that the search radius be measured from the nearest point on the designated site to the proposal being assessed, or the nearest area of sensitive habitat, if known. This would likely identify those proposals which are likely to affect overlapping geographic extents within the designated site in question.	This has been undertaken.
Natural England	PEIR response, February 2022	Natural England's guidance accepts the use of the significance threshold of 1000 Annual Average Daily Traffic (or the levels of emissions being <1 per cent of the critical level/load), however, this does not exclude the requirement for an assessment of the potential impacts in combination with other plans or projects. Therefore, Natural England recommends that the ES and HRA consider whether there is likelihood of the operational traffic acting in combination with other plans or projects.	The air quality assessment (chapter 13 of this ES) is inherently cumulative as it includes a consideration of modelled traffic data growth for future traffic flows, accounting for 'committed developments' (see paragraph 20.5.7 of this chapter).
North Lincolnshire Council	PEIR response, February 2022	Having reviewed Chapter 20 [of the PEIR] it is considered that the list of committed developments appears generally up to date. However, it should be	The Viking CCS Pipeline has been added to the short list identified in Table 20.4.

Consultee	Reference, Date	Summary of Response	How Comments Have Been Addressed in this Chapter
		noted that an application for the Viking CCS Pipeline is expected to be submitted to the Planning Inspectorate in Q4 of 2023.	
North Lincolnshire Council	PEIR response, February 2022	It may be worthwhile checking with the Humber Nature Partnership to see if their In Combination Database for the Humber Estuary flags any additional developments that have not been identified via other means.	The Humber Nature Partnership's In Combination Database has been consulted. All relevant developments are captured in Table 20.4 and assessed in the cumulative and in-combination effects assessment and in the HRA (Application Document Reference number 9.6).
C.RO	PEIR response, February 2022	The PEIR suggests only cumulative projects that give rise to significant effects have been shortlisted. This is a deficient approach to assessing cumulative impacts: the incremental impact of numerous applications could result in a significant cumulative effect. For example, C.RO is bringing forward additional and enhanced capacity under both planning consents and permitted development rights and would appropriately be listed in the short list given that they could be expected to have a cumulative impact on the	The PEIR stated, as does the ES, that the long list of developments identified at Stage 1 has been filtered to produce a short list which includes only those other developments considered to potentially give rise to significant cumulative effects. This was achieved using a set of criteria based on Advice Note 17 (i.e., temporal and spatial overlap, and shared potential source-pathway-

Consultee	Reference, Date	Summary of Response	How Comments Have Been Addressed in this Chapter
		immediate highway network and European designated sites.	receptor linkages). Advice Note 17 also states that whilst applicants should make a genuine attempt to assess the effects arising from multiple, individually non-significant effects, the assessment should be proportionate and should not be any longer than is necessary to identify and assess any likely significant cumulative effects.
Environment Agency	Consultation meeting, 20 May 2022	A general IERRT project update was provided and a discussion on issues raised during statutory consultation was had. Information on the Environment Agency's Humber Stallingborough Phase 3 Project was also shared.	Information on the Environment Agency's Humber Stallingborough Phase 3 Project has been incorporated into the short list for the inter-project effects assessment in this ES (Section 20.5).
MMO (PI 10)	Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022	Previous advice noted that the PEIR states only that 'assessments will be undertaken', with no discussion of the method used to combine the various data and impacts. The SCR does not provide any such assessments, which therefore remain a major gap in the data provision and should be addressed.	The methodology employed to assess cumulative impacts is provided in Section 20.4 of this chapter of the ES. The assessment, provided in Table 20.5, has been undertaken to an appropriate level of detail having regard to the type and extent of

Consultee	Reference, Date	Summary of Response	How Comments Have Been Addressed in this Chapter
			information available.
DFDS (PI 15)	Supplementary Statutory Consultation – 28 Oct – 27 Nov 2022	ABP is proposing another DCO, for the Immingham Green Energy Terminal. The cumulative impacts of these two projects should be assessed in the environmental statement.	Immingham Green Energy Terminal is included on the short list of projects assessed in Section 20.5 of this ES chapter.
MMO and Cefas	MMO/Cefas letter, 1 December 2022	Assessment of concurrent dredging and piling activities required during construction in the inter-related and cumulative impacts assessment.	An assessment of intra-project cumulative and in-combination effects is provided in Section 20.6 of this chapter. This includes consideration of the effects of concurrent dredging and piling activities on fish.



