

IMMINGHAM EASTERN RO-RO TERMINAL



Consultation Report - Main Report

Document Reference 6.1

APFP Regulations 2009 – Regulation 5(2)(q)

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Executive Summary

The Proposed Development

1. Associated British Ports (“ABP”) has submitted an application (“the Application”) to the Secretary of State for Transport under the provisions of section 37 of the Planning Act 2008 (as amended) (“2008 Act”) for development consent which if approved will, through the statutory vehicle of a Development Consent Order (“DCO”), authorise the construction and operation of a harbour facility to be known as the “Immingham Eastern Ro-Ro Terminal” (“IERRT”).
2. **NSIP** - The Proposed Development is being promoted as a Nationally Significant Infrastructure Project (“NSIP”). It comprises the construction and operation of a new three berth Roll-on/Roll-off (“Ro-Ro”) cargo facility on the eastern side of the Port of Immingham (“the Port”).
3. **Marine development** - On the marine side, most of the marine infrastructure – an approach jetty, floating pontoons and two finger piers serving the three new berths – will be constructed across the bed of the River Humber which is owned by The Crown Estate and over which ABP, in its capacity as the Humber Conservancy Commissioners (also known as Humber Estuary Services) enjoys a 999 year lease.
4. **Landside development** - On the landside, the new facility will be constructed entirely within the existing statutory port estate, which is owned by ABP and which falls within the administrative boundary of North East Lincolnshire Council. The land side works comprise the improvement of existing hardstand for the storage of disembarked cargo awaiting collection and for Ro-Ro cargo awaiting embarkation, together with a Terminal building and a number of other buildings required for the project, including facilities for the UK Border Force.
5. **Environmental enhancement** - In addition, the IEERT application includes the provision of an area of woodland environmental enhancement at Long Wood which lies close to the Port’s East Gate and which is also owned by ABP.
6. The Proposed Development is described in detail in Chapters 2 and 3 of the Environmental Statement (Application Document References numbers 8.2.2 and 8.2.3) which forms part of the Application.

Consultation Report

7. This Consultation Report has been submitted to the Planning Inspectorate in support of the application for a DCO for the Project.
8. The objective of this Report is to provide a comprehensive description of the consultation and engagement process that has been carried out by ABP prior to the submission of the IERRT application. The Report has been prepared in

compliance with section 37(7)(c) of the 2008 Act and relevant guidance. It demonstrates how ABP has complied with the pre-application consultation requirements set down in sections 42, 47, 48 and 49 of the 2008 Act.

9. In accordance with the Planning Inspectorate's *Advice Note Fourteen: Compiling the Consultation Report* - the Report provides the information required detailing:
 - (a) Who was consulted and how the consultation was undertaken;
 - (b) How and when the project was publicised; and
 - (c) How relevant responses to consultation were taken into account.
10. The Report also provides information regarding the non-statutory consultation which has been taking place on an ongoing basis beyond the formal requirements of the 2008 Act so as to provide a full understanding of the totality of the consultation activity which has taken place.

1 Introduction

The Applicant

- 1.1 The proposed development is being promoted by Associated British Ports (“ABP”) the owner and operator of the Port of Immingham.
- 1.2 The Port of Immingham is currently the UK’s largest port by tonnage, handling some 46 million tonnes of cargo every year. Together with the other ports within the Humber Estuary which include ABP’s ports of Grimsby, Hull and Goole as well as the Killingholme Terminal operated by CLdN Ports, the Humber Estuary is the UK’s busiest commercial shipping and trading estuary, connecting businesses across the UK, Europe and worldwide.

The Proposed IERRT Development

- 1.3 ABP has submitted an application to the Secretary of State for Transport under the provisions of section 37 of the 2008 Act for development consent for the construction and consequent operation of the Immingham Eastern R-Ro Terminal (“IERRT”).
- 1.4 If the application is approved, the necessary consents and approvals will be incorporated within a Development Consent Order (“DCO”) made by the Secretary of State.
- 1.5 The IERRT Project comprises the construction and consequent operation of a new three berth Roll-on/Roll-off (“Ro-Ro”) cargo facility. The development includes on the marine side, the construction of a new approach jetty and two finger piers to serve three new berths together with, on the landside, the delivery of improved hardstanding within the statutory port estate, a Terminal building, ancillary buildings and an internal site bridge crossing over existing port infrastructure.
- 1.6 In addition, the proposal includes an element of environmental enhancement adjacent to the eastern boundary of the port. This area of land is in the ownership of ABP.
- 1.7 Full details of the IERRT development proposal are provided in Chapter 2 of the Environmental Statement (Application Document Reference 8.2.2) which forms part of the DCO Application.
- 1.8 In summary, however, the Proposed Development includes, but is not limited to, the following -
 - a) **Marine infrastructure works -**

The marine infrastructure works will be constructed on the bed of the Humber which, apart from a small area nearest to the Port which is owned by ABP, is in the ownership of The Crown Estate. ABP, in its capacity as the Humber Conservancy Commissioners enjoys the benefit of a 999 year lease over the bed of the Estuary, which lease commenced in January 1869. The marine works comprise a number of distinct components, as identified in Figure 1.2 of Volume 2 of the Environmental Statement (Application Document Reference number 8.3.1(b)), namely in summary -

- An approach jetty from the shore linked to two floating pontoons appropriately secured in position;
- Two separate finger piers to provide three berths thereby enabling the vessels to berth alongside with their stern ramps resting upon the floating pontoons;
- A capital dredge of the new berth pocket;
- Disposal of dredged material at sea if no beneficial alternative can be identified; and
- Possible vessel impact protection measures should they be required.

b) ***Landside infrastructure works***

The landside works, are identified on Figure 1.3 of Volume 2 of the Environmental Statement (Application Document Reference number 8.3.1(c)). In brief, these comprise:

- The demolition and redevelopment of a number of existing commercial buildings within the site;
- The improvement of the existing cargo storage areas, including resurfacing and provision of new pavements and associated infrastructure;
- The construction of a terminal building, a welfare building to provide appropriate facilities for terminal operational and administration staff, HGV drivers and passengers awaiting embarkation
- The construction of a workshop and fuel station
- The provision of administrative and inspection areas for the UK Border Force;

- An internal link bridge within the application site to cross over Robinson Road and the ABP managed transit sidings;
 - The provision of related utilities and operational infrastructure;
 - The creation of an additional access lane at the Port's East Gate; and
 - Environmental enhancement.
- 1.9 The proposed volumes of import/export of Ro-Ro units which the Proposed Development is capable of handling exceeds the relevant threshold of 250,000 units throughput per annum prescribed by the 2008 Act. The Project, therefore, constitutes a Nationally Significant Infrastructure Project ("NSIP") under sections 14(1)(j) and section 24(2) and (3) of the 2008 Act ("Harbour Facilities").

The Consultation Report

- 1.10 Section 37(3)(c) of the 2008 Act requires all applications for a DCO to be accompanied by a consultation report.
- 1.11 This document constitutes the Consultation Report submitted as part of the application for the "*Associated British Ports (Immingham Eastern Ro-Ro Terminal) Development Consent Order 202[X]*", which if approved, will authorise the construction and consequent operation of the IERRT development.
- 1.12 The Report has been prepared by ABP as required by section 37(3)(c) of the 2008 Act. In submitting the IERRT application, ABP as the applicant, must demonstrate that adequate consultation has been undertaken in accordance with the 2008 Act, the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (EIA Regulations) and the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (APFP Regulations).

Purpose of the Consultation Report

- 1.13 The 2008 Act requires applications for a DCO to carry out pre-application consultation with specified people and bodies who may be affected by the proposed application for development consent, and in so doing, to have full regard to any responses/comments received as part of that consultation. This Consultation Report therefore explains how ABP has complied with those pre-application consultation requirements.
- 1.14 This Consultation Report sets out how ABP has carried out its pre-application consultation in relation to the Proposed Development, how has complied with

the relevant statutory requirements and guidance, and how it has considered, and taken into account, the relevant responses and comments received in developing the proposed IERRT development.

1.15 Specifically, it will explain how ABP has complied with the pre-application consultation requirements which are prescribed in the 2008 Act as follows:

- Section 42 - duty to consult with prescribed consultees;
- Section 46 – duty to notify Secretary of State of proposed application;
- Section 47 - duty to consult with the local community;
- Section 48 - duty to publicise the proposed application;
- Section 49 - duty to take into account responses to consultation and publicity; and
- Section 50 - duty to have regard to any statutory guidance issued by the Secretary of State.

1.16 Accordingly, this Consultation Report provides:

- a) An overview of the activities undertaken:
 - i) Prior to the Statutory Consultation as related to the Scoping Opinion Request;
 - ii) In relation to the original statutory consultation undertaken between 19 January and 23 February 2022 (referred to as the “Original Statutory Consultation” in this Consultation Report);
 - iii) In relation to the Supplementary Statutory Consultation undertaken between 28 October and 27 November 2022 (referred to as the “Supplementary Statutory Consultation” in this Consultation Report); and
 - iv) In respect of ongoing engagement undertaken throughout the pre-application period up to submission of the Application (referred to as the “Continuous Consultation” in this Consultation Report);
- b) Specific details of the consultation activities undertaken to comply with the requirements of the 2008 Act, relevant legislation and policies, guidance and advice published by Government and the Planning Inspectorate;

- c) A summary of the responses to the Scoping Opinion Request consultation;
- d) A presentation of the feedback received to the formal statutory consultations (i.e. the Original Statutory Consultation and the Supplementary Statutory Consultation) and how it has been taken into account;
- e) Details as to how the development and evolution of the Project has been influenced by the consultation responses - how relevant responses to the consultation have been addressed – whilst also detailing the changes that have been made to the project in response to the feedback received; and
- f) Details of the additional non-statutory consultation which has taken place outside the requirements of the 2008 Act so as to provide an understanding of all the relevant consultation activity which has taken place for the Project.

Overview of consultation activities undertaken

1.17 ABP has undertaken a comprehensive exercise of pre-application consultation, entering into discussions and negotiations on the Project prior to the submission of the Application to the Secretary of State with the following consultees:

- Prescribed bodies - in accordance with Section 42(1)(a);
- The Marine Management Organisation – in accordance with Section 42(1)(aa);
- Relevant local authorities – in accordance with Section 42(1)(b) and as set out in Section 43;
- Persons with an interest in the land - in accordance with Section 42(1)(d) and as set out in Section 44;
- The local community and organisations in the “vicinity” of the Project who may be affected both directly and indirectly by it - in accordance with Section 47; and
- Wider communities and organisations (local, national and regional) in order to seek their comments on the development proposals for the Project - in accordance with Sections 47 and 48.

1.18 A brief summary of the consultation undertaken by ABP is set out below.

- 1.19 ABP undertook two rounds of formal pre-application consultation under sections 42, 47 and 48 of the 2008 Act (referred to as the “formal statutory consultation” for the purposes of this Consultation Report):
- (i) First, under the Original Statutory Consultation - across a 35-day period - running between 19 January and 23 February 2022; and
 - (ii) Secondly, under the Supplementary Statutory Consultation - across a 30-day period - running between 28 October and 27 November 2022.
- 1.20 In addition, “informal” engagement continued on an ongoing basis following the close of the Original Statutory Consultation period on 23 February 2022, throughout the pre-application period up to submission of the Application, in the spirit of effective consultation. This element of the consultation exercise has formed the Continuous Consultation and this activity is also referred to as “ongoing” or “continuous” consultation” for the purposes of this Consultation Report.
- 1.21 The formal statutory consultation on the IERRT proposals under sections 42, 47 and 48 of the 2008 Act (for both the Original Statutory Consultation and the Supplementary Statutory Consultation) included, in brief, the following consultation activities:
- Preparation of a range of consultation materials of differing levels of technical expertise ranging from detailed technical documents in the form the Preliminary Environmental Information Report (PEIR) for the proposed Project to the non-technical summary of the PEIR for the local community, as well as the subsequent Supplementary Consultation Report (SCR);
 - Publication of Newsletters;
 - In-person public exhibitions for both the local community and port users at two exhibition venues;
 - Depositing of documents in public locations for members of the community to access as well as the provision of relevant online information on the maintained project website;
 - Posting of notices in newspapers/journals and as well as posters in the local community;
 - Press releases to the media;
 - Offers of webinars and telephone surgeries;

- Follow-up discussions with statutory consultees to address key areas of concern.
- 1.22 Informal activities undertaken included the provision of briefings to the Local Planning Authority, North East Lincolnshire Council and the local Parish Councils and providing consultation materials for their dissemination.
- 1.23 ABP considered and taken into account all comments and feedback received in response to both rounds of the formal pre-application consultation, as well as the Continuous Consultation, which together have influenced the evolution of the application now submitted. By way of example,
- A reduction was made to the number of proposed berths for the Project, described in the PEIR as being 'up to four' berths to three (removing the berth nearest to the shore), in order to mitigate the potential environmental impact of the proposed development;
 - Improvements to the port access at the East Gate have been incorporated as part of the DCO application;
 - Mitigation measures have been included where significant impacts arise, including a marine mammal mitigation protocol incorporating a soft-start procedure for marine piling to mitigate the impacts on marine mammals;
 - Clarifications have been made and additional quantification of impacts have been addressed where relevant in response to specific comments from consultees in the development and finalisation of the Environmental Statement (Application Document Reference numbers 8.2 – 8.4); and
 - Adopting the approach to marine construction restrictions for fish and birds as suggested by the relevant regulators.
- 1.24 Feedback and comments made on the PEIR and SCR have been incorporated in the development and finalisation of the Environmental Statement (Application Document References numbers 8.2 – 8.4) which forms part of the Application – these are also reported on a chapter by chapter basis in the tables contained within the Consultation Report Appendices (Application Document Reference number 6.2).
- 1.25 Copies of consultation documents, notices and materials produced in accordance with section 55 of the 2008 Act for both the Original Statutory Consultation and the Supplementary Statutory Consultation are included in the Consultation Report Appendices (Application Document Reference number 6.2).

- 1.26 This Consultation Report details and explains both the formal and informal the exercise of consultation that has been undertaken by ABP and the views and feedback from consultees that engaged in the process. It also explains the non-statutory consultation (that has taken place outside the strict requirements of the 2008 Act - in accordance with Planning Inspectorate's *Advice Note Fourteen: Compiling the Consultation Report* – in order to give the Secretary of State a complete understanding of all the consultation activity relevant to the Project.

Compliance with Regulatory Requirements

- 1.27 Both rounds of formal statutory consultation for the Proposed Development were undertaken in accordance with the procedures agreed with the responsible local authorities and endorsed in the Statement of Community Consultation (SoCC), together with the requirements set down in the 2008 Act, the APFP Regulations and the EIA Regulations.
- 1.28 In undertaking the consultation process and preparing this Consultation Report, ABP has had regard to the following guidance, in accordance with section 50 of the 2008 Act:
- DCLG (2015) Planning Act 2008: Guidance on the pre-application process;
 - DLUHC and MHCLG (2020): Guidance on procedural requirements for major infrastructure projects;
 - Planning Inspectorate's Advice Note Fourteen: Compiling the Consultation Report (version as at time of writing); and
 - Planning Inspectorate's Advice Note Three: EIA Notification and Consultation.
- 1.29 A compliance checklist has been included at Annex 1 which details compliance with the requirements of the 2008 Act, the EIA Regulations and the APFP Regulations and demonstrates how ABP has followed relevant advice and guidance published by the Planning Inspectorate and UK Government in undertaking consultation.

Consultation timeline

- 1.30 In accordance with the Planning Inspectorate's *Advice Note Fourteen: Compiling the Consultation Report* – a timeline summarising both statutory and non-statutory consultation on this Project (in chronological order) is provided below at Table 1.

Table 1: Consultation Timeline

	Consultation	Section of the 2008 Act or EIA Regulations	Date Undertaken
1	<i>Pre-Statutory Consultation Activities (non-statutory consultation and engagement)</i>	<i>(Non-statutory consultation)</i>	July 2021 – 18 January 2022
2	<i>Scoping Opinion Request (EIA Regulations consultation)</i>	Regulation 10(6)	September – October 2021
3	<i>Original Statutory Consultation</i>	Sections 42, 47 and 48 and Regulation 13	19 January – 23 February 2022 at 23:59pm
4	<i>Continuous Consultation (ongoing non-statutory consultation and engagement)</i>	<i>(Non-statutory consultation)</i>	24 February 2022 up to Application submission
5	<i>Supplementary Statutory Consultation</i>	Sections 42, 47 and 48 and Regulation 13	28 October - 27 November 2022 at 23:59pm

Structure of this Consultation Report

1.31 The structure of this Consultation Report, after this Introduction, is as follows:

Chapter 2 – The Consultation Process

1.32 Chapter 2 provides a summary of the overall approach to consultation and engagement on the Project adopted by ABP. It describes the activities undertaken to support the evolution of the Proposed Development.

1.33 The chapter also provides details regarding the consultation planning, including the production of the Statement of Community Consultation (SoCC), when consultation activities took place, with whom, and the varying approaches adopted.

1.34 The chapter describes the approach taken in the following order:

- (a) General Overview of Engagement and Consultation;
- (b) General Approach to Engagement and Consultation;
- (c) Consultation Undertaken:

Stage 1 - Pre-Statutory Consultation Activities and Stakeholder Engagement – undertaken prior to formal Statutory Consultation (including in respect of the SoCC);

Stage 2 - Statutory Consultation - (i) Original Consultation and (ii) Supplementary Statutory Consultation – undertaken in compliance with the requirements of sections 42, 47 and 48 of the 2008 Act and relevant sections of the APFP Regulations and EIA Regulations (explaining the progress of considering the consultation responses received and taking them into account pursuant to Section 49 of the 2008 Act, and describing where they subsequently shaped the final form of the Application); and

Stage 3 - Continuous Consultation (ongoing non-statutory consultation and engagement) - undertaken outside of the formal statutory consultation process in the spirit of effective consultation and to inform the evolution of the Proposed Development as the Project progressed.

Chapter 3 - Quantitative summary of the responses to consultation and Responses to matters raised

1.35 Chapter 3 provides a quantitative summary of the responses received to the statutory consultation and identifies the main themes arising from the feedback. It also describes the methodology used for the analysis of these responses. The chapter also details how ABP has responded to the matters raised.

Chapter 4: Consultation under EIA Regulations

1.36 Chapter 4 provides details as to how ABP carried out the consultation in accordance with the requirements of the EIA Regulations. This includes details of the request for a Scoping Opinion and the preparation of the PEIR,

non-technical summary of the PEIR and SCR to support both rounds of formal statutory consultation.

Chapter 5: Conclusions

- 1.37 Chapter 5 summarises the principal conclusions reached following the completion of the pre-application consultations.

2 The Consultation Process

Structure of this chapter

- 2.1 This chapter is structured to provide a summary of ABP's overall approach to consultation and engagement in relation to the Project, and describes the activities undertaken, addressed in the following order:
- A. General Overview of Engagement and Consultation;
 - B. General Approach to Engagement and Consultation;
 - C. Consultation Undertaken:
 - Stage 1** - Pre-Statutory Consultation and Stakeholder Engagement;
 - Stage 2** - Statutory Consultation: (i) Original Consultation and (ii) Supplementary Statutory Consultation; and
 - Stage 3** - Continuous Consultation (ongoing non-statutory consultation and engagement).
- 2.2 This chapter seeks to summarise:
- i) The engagement undertaken to support the early development of the Project;
 - ii) The engagement informing the development of the Project up to the stage when statutory consultation commenced; and
 - iii) How ABP undertook both (a) the Original Statutory Consultation between 19 January and 23 February 2022, and (b) the Supplementary Statutory Consultation between 28 October 2022 and 27 November 2022, including:
 - an overview of the consultations which summarises the purpose and objective of the consultation, who were consulted, what they were consulted on, when they were consulted, and the mechanisms ABP put in place to gather feedback, responses and comments; and
 - iv) The steps and activities undertaken by ABP to comply with sections 42, 46, 47 and 48 of the 2008 Act and Regulations 3 and 4 of the APFP Regulations, starting with the preparation of the SoCC; and
 - v) The Continuous Consultation (ongoing non-statutory consultation and engagement) which ABP undertook outside the formal statutory consultation periods – i.e. following the close of the

Original Statutory Consultation at 23:59 pm on 23 February 2022
until Application submission.

A. General Overview of the Engagement and Consultation

2.3 The 2008 Act includes the following sections which are relevant to consultation:

- Section 42 - which requires consultation with certain persons specified in the 2008 Act and prescribed in regulations;
- Section 47 - which requires applicants to prepare a “Statement of Community Consultation” (SoCC) - which sets out how the applicant intends to consult the local community on the proposals - in consultation with relevant Local Authorities - which ABP undertook with North East Lincolnshire Council as the responsible local authority for the Project, as well as seeking comments from the neighboring authorities. The applicant then has to then publish the final SoCC and undertake its statutory consultation in accordance with it;
- Section 48 - which requires that details of the statutory consultation are publicised via a series of notices in the local and national press; and
- Section 49 - which requires the applicant to have regard to any relevant responses received to the statutory consultation.

2.4 The pre-application consultation for this Project was undertaken by ABP as follows:

- a) Scoping Opinion Request Consultation** – This consultation was undertaken by the Planning Inspectorate on behalf of the Secretary of State in accordance with regulation 10(6) of the EIA Regulations following the receipt of a Scoping Opinion request submitted by ABP on 13 September 2021. The consultation required the Planning Inspectorate to consult with the ‘Consultation Bodies’ as prescribed by the APFP Regulations prior to adopting a Scoping Opinion. This stage is not discussed further in this chapter but is detailed in Chapter 4 of this Consultation Report;
- b) Pre-Statutory Consultation Activities and Stakeholder Engagement** – which took place in late 2021 onwards the purpose of which was to better inform the statutory consultation phase, and consult on the SoCC;
- c) Original Statutory Consultation** – which was undertaken from 19 January to 23:59pm on 23 February 2022 (total period of 35 days).
- d) Supplementary Statutory Consultation** – which was undertaken from 28 October to 23:59pm on 27 November 2022 (total period of 30 days); and

- e) ***Continuous Consultation*** – non-statutory engagement which took place with regulators and key stakeholders outside of the statutory consultation periods and was effectively ongoing throughout the pre-application process - throughout the period following the close of the Original Statutory Consultation (from 24 February 2022) through to submission of the application.

B. General Approach to Engagement and Consultation

- 2.5 ABP has fully recognised the importance of effective engagement and consultation in developing the IERRT project, as well as the need for discussions to continue throughout the Project's evolution. This approach enabled those directly affected by the Project, or with an interest in the proposals, to identify and discuss matters with ABP throughout the development of the Project which ABP took into consideration.
- 2.6 ABP's approach to engagement and consultation has been based on the following principles:
- ongoing engagement to inform the development of the Project;
 - seeking an appropriate level of feedback and ensuring that comments received were taken into consideration;
 - building long-term relationships with stakeholders throughout the development of the Project to better understand their views;
 - where possible and practicable, ensuring concerns were addressed; and
 - ensuring appropriate statutory consultation was undertaken in accordance with the requirements of the 2008 Act and relevant guidance.
- 2.7 In designing the consultation process and preparing this Consultation Report, ABP had regard to the following guidance, in accordance with section 50 of the 2008 Act:
- DCLG (2015) Planning Act 2008: Guidance on the pre-application process; and
 - DLUHC and MHCLG (2020): Guidance on procedural requirements for major infrastructure projects.
- 2.8 The DCLG (2015) Guidance explains at paragraph 24 that the Government '*recognises that major infrastructure projects and the communities and environment in which they are located will vary considerably*' and, therefore, that a 'one-size-fits-all' approach to consultation is not appropriate. The aim of the applicant should be to ensure that the consultation undertaken '*is appropriate to the scale and nature of the project and where its impacts will be experienced*'. Paragraph 25 states that: '*Consultation should be thorough, effective and proportionate*'.
- 2.9 In accordance with the above guidance, ABP therefore sought to adopt a proportionate approach to consultation taking into account the relatively small scale of the Project and the communities and environment in which it is located

and the fact the proposed development falls within an existing, well established, busy industrial port environment, upon which the local community relies. Indeed, ABP was careful to agree a proportionate but effective strategy to consultation in collaboration with the relevant local authorities when consulting in respect of the draft SoCC and during the subsequent stages.

C. Consultation Undertaken

Stage 1 - Pre-Statutory Consultation and Stakeholder Engagement

- 2.10 ABP undertook early engagement with certain key stakeholders so as to involve them proactively in the project development process prior to the formal consultation and the public project launch, to discuss and facilitate ongoing discussion on specific aspects of the development of the Project. This took place over a period between July 2021 to January 2022 in advance of the formal Statutory Consultation. This also included early engagement with businesses and tenants on the port estate, as well as informing land interests in advance of the possibility of their interests in land (forming part of the Project site) being affected by, or being required for, the purposes of the delivery of the Project.
- 2.11 A summary of the Pre-Statutory Consultation Activities and Stakeholder Engagement undertaken is provided at Table 2 below, which also notes the consultation with the responsible local authority and neighbouring authorities in respect of agreeing the SoCC.

Table 2: Summary of the Pre-Statutory Consultation Activities and Stakeholder Engagement (Non-statutory)

Consultee	Purpose	Date
Statutory Consultees		
North East Lincolnshire Council	Email correspondence to introduce the proposed development, present timelines and describe the consenting process. Correspondence relating to Scoping Opinion Request Responses and Data Consultation Responses. As well as informal discussion regarding the approach to the draft SoCC, followed by formal consultation on the draft SoCC. A copy of the final SoCC was provided prior to commencement of statutory consultation. A meeting took place in early January to discuss highways matters related to the project.	July, October – December 2021 & January 2022

North Lincolnshire Council	Receipt of Scoping Opinion response in October and follow up email correspondence. Informal discussion regarding the approach to the draft SoCC, followed by formal consultation on the draft SoCC. A copy of the final SoCC was provided prior to commencement of statutory consultation. A meeting took place in early January to discuss highways matters related to the project.	October – December 2021 & January 2022
Lincolnshire County Council	Formal consultation on the draft SoCC. A copy of the final SoCC was provided prior to commencement of statutory consultation.	November & December 2021 & January 2022
West Lindsey District Council	Receipt of Scoping Opinion response and formal consultation on the draft SoCC. A copy of the final SoCC was provided prior to commencement of statutory consultation.	October - December 2021 & January 2022
East Lindsey District Council	Receipt of Scoping Opinion response and formal consultation on the draft SoCC. A copy of the final SoCC was provided prior to commencement of statutory consultation.	October - December 2021 & January 2022
East Riding of Yorkshire Council	Formal consultation on the draft SoCC. A copy of the final SoCC was provided prior to commencement of statutory consultation.	November & December 2021 & January 2022
Kingston upon Hull City Council	Formal consultation on the draft SoCC. A copy of the final SoCC was provided prior to commencement of statutory consultation.	November & December 2021 & January 2022
Natural England	Email correspondence to introduce the proposed development, present timelines and describe the consenting process. Receipt of Scoping Opinion response in October.	July & October 2021

Environment Agency	<p>Email correspondence to introduce the proposed development, present timelines and describe the consenting process.</p> <p>Receipt of Scoping Opinion response in October and data consultation response in November.</p> <p>A meeting was held in late November to provide an update on the project and to discuss the Scoping response provided by EA.</p>	July, October & November 2021
Health and Safety Executive	<p>Email correspondence to introduce the proposed development, present timelines and describe the consenting process.</p> <p>Receipt of Scoping Opinion response in October, followed by a meeting in late October to discuss the pre-application advice and Scoping response provided by the HSE.</p> <p>The meeting in October was followed by email correspondence regarding the project layout, TCPA jurisdiction and the denotification of pipelines.</p>	July, September – December 2021 & January 2022
RSPB	Meeting to introduce the proposed development, present timelines and describe the consenting process.	November 2021
National Highways	Receipt of Scoping Opinion response in October, followed by a meeting in November to discuss the proposed development and scope of transport assessment.	October & November 2021 & January 2022

	A meeting took place in early January to discuss highways matters related to the project.	
ABP and ABP (HES)	Initial Hazard Identification workshop (HAZID), which fed into the Navigation Risk Assessment process.	October 2021
Anglian Water	Receipt of Scoping Opinion response in October.	October 2021
North East Lindsey Internal Drainage Board (c/o Witham Internal Drainage Board)	Receipt of Data Consultation Response	October 2021
Parish Councils		
Stallingborough Parish Council	Request to attend the next Parish Council meeting to introduce the proposed development, present timelines, describe the consenting process and advise on the upcoming statutory consultation. The meeting took place in January.	November 2021 & January 2022
Immingham Town Council	Request to attend the next Town Council meeting to introduce the proposed development, present timelines, describe the consenting process. The meeting took place in January.	November 2021 & January 2022
North Killingholme Parish Council	Request to attend the next Parish Council meeting to introduce the proposed development, present timelines, describe the consenting process. The meeting took place in February.	November 2021 & February 2022
South Killingholme Parish Council	Request to attend the next Parish Council meeting to introduce the proposed development, present timelines, describe the consenting process. The meeting took place in February.	November 2021 & February 2022

Tenants, Land Interests, Customers, Suppliers, Service Providers or Other Port Activities		
Global TTS	Phone call and Email correspondence to introduce the proposal and follow up correspondence regarding project updates.	July September 2021
Exolum	Phone call and Email correspondence to introduce the proposal. Follow up correspondence regarding project updates.	July November 2021
Hargreaves	Phone call and Email correspondence to introduce the proposal. Follow up correspondence regarding project discussions.	July September 2021
VW Group	Phone call and Email correspondence to introduce the proposal and follow up correspondence regarding project updates.	September 2021
Origin Fertilisers	Email correspondence to introduce the proposal and follow up correspondence regarding project updates.	July September 2021
Yara	Email correspondence to introduce the proposal and follow up correspondence regarding project updates.	July September 2021
Nippon Gases	Email correspondence to introduce the proposal.	January 2022
NK Transport	Phone call to advise on project and upcoming PEIR consultation.	January 2022
Able	Phone call to advise on project and upcoming PEIR consultation.	January 2022
CLdN	Email to advise on project and upcoming PEIR consultation.	January 2022
Air Products	Email to advise on project and upcoming PEIR consultation. Follow up project discussions.	January 2022
DFDS	Phone call to advise on project and upcoming PEIR consultation.	January 2022

Bulk Minerals	Phone call to advise on project and upcoming PEIR consultation.	January 2022
LKAB	Phone call to advise on project and upcoming PEIR consultation.	January 2022
PAM	Phone call to advise on project and upcoming PEIR consultation.	January 2022
Peacock Salt	Phone call to advise on project and upcoming PEIR consultation.	January 2022
Knauf	Phone calls to advise on project and upcoming PEIR consultation. Discussion was also held on vessel working hours.	January 2022
Drury Engineering Services Ltd	Email correspondence and meetings relating to project briefing and land discussions. Email and hard copy letter correspondence regarding CPO land interest information request.	July -November 2021 & January 2022
Port Equipment Engineering Ltd	Correspondence relating to lease discussions. Email and hard copy letter correspondence regarding CPO land interest information request. Follow up reminder email asking for a response.	September & November – December 2021
PK Construction Ltd	Email and hard copy letter correspondence regarding CPO land interest information request.	November 2021
Malcolm West Fork Lifts Ltd	Email and hard copy letter correspondence regarding CPO land interest information request. Follow up reminder email asking for a response.	November – December 2021
DB Cargo Ltd	Email correspondence and meetings relating to project briefing and land and access discussions. Email and hard copy letter correspondence regarding CPO land interest information	August, October, November 2021 & January 2022

	request. Follow up reminder email asking for a response.	
APT	Email correspondence to introduce the proposal and follow up correspondence regarding project updates and project information.	July – September 2021
Tronox	Email correspondence to introduce the proposal and follow up correspondence regarding project updates. Discussion relating to upcoming PEIR consultation.	July – September 2021
UK Border Force	Email correspondence and meetings to discuss requirements.	November & December 2021
Other		
The Crown Estate	Email correspondence to introduce the proposed development, present timelines and describe the consenting process.	August & September 2021

Statement of Community Consultation (SoCC)

Consultation on SoCC


- 2.12 Non-statutory engagement with local authorities was undertaken to determine the scope of local community consultation activities that would be undertaken by the ABP under section 47 of the 2008 Act.
- 2.13 Section 47 of the 2008 Act requires an applicant to consult the relevant local authorities (being each local authority that is within section 43(1) of the 2008 Act) about the scope of local community consultation activities to be undertaken, in the form of a draft SoCC, and to have regard to any comments made by the relevant local authority.
- 2.14 In accordance with this requirement, the draft SoCC was prepared and formally issued on behalf of ABP to the North East Lincolnshire Council - the relevant local authority under section 43(1) of the 2008 Act - on Thursday 18 November 2021, with a request for any comments to be provided within 28 days from Monday 22 November 2021, ending on 19 December 2021 at 23:59 pm, in order to inform the proposed approach to be taken for statutory consultation with the local community under section 47 of the 2008 Act. It

- should be noted that In compliance with section 47(3) of the 2008 Act, the Council was, therefore, given a period of 28 days beginning with the day after the day on which they received the consultation documents to provide comments on the draft SoCC.)
- 2.15 For completeness, ABP also wrote to the following neighbouring Local Authorities in the vicinity of the Project on the same day, providing a copy of the draft SoCC and requesting they consider ABP's consultation proposals and provide comments if they so wished within the same 28 day period, ending on 19 December 2021 at 23:59 pm:
- a. North Lincolnshire Council;
 - b. Lincolnshire County Council;
 - c. West Lindsey District Council;
 - d. East Lindsey District Council;
 - e. East Riding of Yorkshire Council; and
 - f. City of Kingston Upon Hull.
- 2.16 Copies of the letters sending the draft SoCC are provided at Appendix A.1.
- 2.17 On 9 December 2021, emails were sent to the local authorities to provide a general reminder that the deadline for comments on the draft SoCC was fast approaching on 19 December 2021. An example of the reminder email is provided at Appendix A.3.
- 2.18 In December 2021, towards the end of the 28 day SoCC consultation period, ABP become concerned about the proposed consultation period commencement date, following the emergence of the Omnicom variation of COVID-19 virus, government imposed Plan B restrictions and rising COVID-19 case numbers – the concern principally being whether the government would impose restrictions in the early new year which would affect ABP's proposal to hold in person consultation events.
- 2.19 As a consequence, ABP proposed a change to the consultation commencement date, moving it out by a week to 19 January 2022, in order to allow time to make alternative arrangements if the planned in-person exhibition events could not go ahead due to restrictions or if it was felt unsafe to do so because of COVID-19 case numbers. This request was notified to all the local authorities which had received the SoCC consultation on Friday 17 December 2021 (before the expiry of the consultation period on 19 December 2021).

- 2.20 For this purpose an email was sent on 17 December 2021 on behalf of ABP to the local authorities advising that, in light of the uncertainties created at the time concerning emergence of a new Omicron variation of COVID-19 virus, ABP was contemplating pushing back the start date for the consultation by a week from Wednesday 12 January to Wednesday 19 January 2022 but extending the consultation period for a week until Wednesday 23 February 2022, and seeking confirmation of the principal of putting back the commencement date of consultation as suggested, from that envisaged in the draft SoCC. This approach was deemed entirely acceptable by the local authorities and was, therefore, adopted by ABP.
- 2.21 Following the SoCC consultation, the only substantive feedback received on the draft SoCC was from North East Lincolnshire Council, the relevant local authority under section 43(1) of the 2008 Act. In accordance with section 47(5) of the 2008 Act, ABP had regard to the feedback that was provided, adopting all the recommendations made (as reported above), and using it to finalise the SoCC for the purposes of Section 47 of the 2008 Act. ABP clarified with North East Lincolnshire Council the extent of the consultation zone for the mail drop area which it had requested should be enlarged by providing a scale plan identifying the extra consultation area requested by the authority, which was confirmed by North East Lincolnshire Council (see email correspondence provided at Appendix A.3). That plan was subsequently incorporated within the final copy of the SoCC.
- 2.22 A tracked change copy of the SoCC was provided to North East Lincolnshire Council alongside the final SoCC when issued to them by email on 17 January 2022 (Appendix A.3), to demonstrate the changes that had been adopted. A copy of the tracked changed SoCC and the final SoCC are provided at Appendix A.4 and Appendix A.5.
- 2.23 A copy of the final SoCC was also issued to all those local authorities on 18 January 2022 by email. The final SoCC and an example of the email circulating it are provided at Appendix A.5 and Appendix A.3 respectively.
- 2.24 The feedback to the draft SoCC from the local authorities, and the subsequent request to amend the proposed commencement date for statutory consultation, are reported in Table 3 below.

Table 3 – Feedback from the Local Authorities to draft SoCC:

	Local Authority	Response to draft SoCC	Further response to notification of amendment to SoCC
1	North East Lincolnshire Council (Responsible Local Authority)	<p>Response on 15 December 2021: “Thank you for the opportunity to comment on the Statement of Community Consultation. We have reviewed the document and would offer the following:</p> <p>Section 2.16 – where you refer to Parish and Town Councils we would suggest specifying the actual bodies (Immingham Town Council, Stallingborough PC, Healing PC, Great Coates PC and Killingholme PC).</p> <p>On the mail drop map (extract below) we would recommend including the properties to the east/north east of Kings Road and Manby Road.</p>	<p>Response on 21 December 2021: “Thank you for letting us know.”</p> <p>Response on 22 December 2021: “Thank you for the updated plans attached showing the mail drop area. I can confirm that this is acceptable to NELC.”</p>

		 <p>Other than the points raised above we consider the draft Statement of Community Consultation to be acceptable.</p> <p>I trust this is of use.”</p>	
2	<p>North Lincolnshire Council (Neighboring Local Authority)</p>	<p>Response on 17 December 2021:</p> <p>“Thank you for your consultation and providing the opportunity for NLC to comment on your draft Statement of Community Consultation (SoCC).</p> <p>Both myself and a member of the Council’s Spatial Planning team have reviewed this document and have had regard as to whether it accords with the requirements of our adopted Statement of Community Involvement (SCI).</p>	<p>No further response received</p>

		<p>I can confirm that it is our view that your draft SoCC is acceptable and is deemed to largely accord with our own SCI. It is recognised that the ongoing COVID-19 pandemic poses additional challenges to community engagement and the flexible approach and use of virtual media set out in the draft SoCC appropriately responds to these challenges.</p> <p>Please do not hesitate to contact me should you wish to discuss this matter further.”</p>	
3	Lincolnshire County Council (Neighboring Local Authority)	No response received	No response received
4	West Lindsey District Council (Neighboring Local Authority)	No response received	No response received
5	East Lindsey District Council (Neighboring Local Authority)	Response on 10 December 2021: “Thank you for providing a copy of the draft SOCC in connection with this project. I can confirm that East Lindsey District Council has no comments to make on it.”	Response on 17 December 2021: “Thanks for your e-mail. In the circumstances I think what your propose is for the best and is acceptable to this authority.”

6	East Riding of Yorkshire Council (Neighboring Local Authority)	Response on 23 November 2021: "I can confirm East Riding of Yorkshire Council have no comments to make"	Response on 20 December 2021: "Thank you for your email and explanation. Yes, I can confirm agreement to delaying the consultation period from the 12th to the 19th January 2022 until 23rd February 2022."
7	City of Kingston Upon Hull (Neighboring Local Authority)	No response received	No response received

Publication of SoCC

- 2.25 Section 47(6) of the 2008 Act provides that, once the SoCC has been finalised, the applicant must make it available for inspection by the public in a way that is reasonably convenient for people living in the vicinity of the land, and must publish a notice in a newspaper circulating in the vicinity of the land which states where and when the SoCC can be inspected.
- 2.26 The section 47 notice was published in the local press circulating in the vicinity of the Project site on Thursday 6 January 2022, in both the Scunthorpe Telegraph and Grimsby Telegraph. A copy of the section 47 notice, as published, in the Scunthorpe Telegraph and Grimsby Telegraph are provided at Appendix B.1 and B.2.
- 2.27 The section 47 notice, as published, provided that the SoCC would be available to view and download free of charge from the dedicated consultation page of the Project website, as follows: *'The SoCC will be available online to view and download free of charge from 19 January 2022 at:*
- [REDACTED]**
- 2.28 Section 47(6) of the 2008 Act requires that at the pre-application stage the SoCC must be made available for inspection by the public and be published in such manner as may be prescribed. The 'Guidance on procedural requirements for major infrastructure projects' (December 2020) issued by the

Department for Levelling Up, Housing and Communities and Ministry of Housing, Communities & Local Government provides that: *‘This requirement can be met by making documents available for inspection online. Applicants should take reasonable steps to ensure that anyone wishing to view the documentation can find these documents on their website. Hard copies should be made available by the applicant on request.’*

- 2.29 In accordance with this guidance, the SoCC was published by ABP on the dedicated Project website on 19 January 2022, from which it could be viewed and downloaded for free.
- 2.30 As with all of the consultation materials, ABP offered to provide printed copies of the SoCC upon request free of charge. This was specifically stated in the SoCC itself at paragraph 5.2, which provided that:
- “Printed copies of a reasonable quantity of some of the consultation documents will be made available on request free of charge. These include the Project Newsletter, Feedback Questionnaire and SoCC. There may, however, be a charge for paper copies of other consultation documents, including the PEIR, of up to £300. Please contact the Project team for further details.”*
- 2.31 In addition, the SoCC also provided that USB flash drives containing the consultation documents would be made available upon request, free of charge, for those who do not have access to the internet but who have a computer. This also applied to copies of the SoCC.
- 2.32 Section 47(7) of the 2008 Act provides that the applicant must carry out consultation in accordance with the proposals set out in their SoCC. ABP undertook the Original Statutory Consultation and the Supplementary Statutory Consultation in compliance with the principles set out in the final, agreed SoCC.
- 2.33 A SoCC compliance summary is provided at Appendix A.8 which demonstrates how ABP complied with the consultation proposals set out in the final SoCC, in respect of both the Original Statutory Consultation and the Supplementary Statutory Consultation.

Stage 2 - Statutory Consultation (i) Original Consultation and (ii) Supplementary Statutory Consultation

Introduction

- 2.34 In accordance with section 42 of the 2008 Act, ABP consulted with prescribed bodies, local authorities, those with an interest in the Project site and those potentially affected by the Proposed Development. In accordance with section 47 of the 2008 Act, ABP also consulted people living in the vicinity of the Proposed Development, this consultation having been undertaken in accordance with the SoCC, which had been drafted and finalised in consultation with the local authorities (as described above under Stage 1). ABP also publicised the Project in accordance with section 48 of the 2008 Act.
- 2.35 This section of the Consultation Report provides a summary as to how ABP undertook the statutory consultation on the Project in respect of both the Original Statutory Consultation and the Supplementary Statutory Consultation. It includes:
- a. an overview of the consultation which summarises the purpose and objective, who ABP consulted, what they consulted on and when, and details the mechanisms ABP put in place to gather feedback, comments and responses; and
 - b. details of the activities undertaken to comply with sections 42, 46, 47 and 48 of the 2008 Act and Regulations 3 and 4 of the APFP Regulations.
- 2.36 The principal purpose of the statutory consultation was to seek the views of statutory consultees, the local community and other interested groups and individuals on the Project proposals which had been developed - in accordance with the statutory requirements of sections 42 (*duty to consult*), 46 (*duty to notify Secretary of State of proposed application*), 47 (*duty to consult local community*) and 48 (*duty to publicise*) of the 2008 Act, Regulations 3 (prescribed consultees) and 4 (publicising a proposed application) of the APFP Regulations, as well as the EIA Regulations. The consultation also sought feedback on the Preliminary Environmental Information Report, which had been compiled for the scheme (further details of which are provided in Chapter 5).
- 2.37 ABP consulted the following groups and individuals, in accordance with the requirements of the 2008 Act – when undertaking both the Original Statutory Consultation and the Supplementary Statutory Consultation:

Section 42 – Consultees:

- (i) **section 42(1)(a) - Prescribed consultees** - including statutory undertakers, those listed in Schedule 1 of the APFP Regulations, relevant local authorities;
- (ii) **section 42(1)(aa) - The Marine Management Organisation (MMO)**- as the Project would affect waters in England;
- (iii) **section 42(1)(b) - Local authorities** – the relevant local authorities that were within section 43 of the 2008 Act; and
- (iv) **section 42(1)(d) – Land interests** - Persons within one or more categories in section 44 of the 2008 Act – persons identified where the applicant, after making diligent inquiry, knows that the person is an owner, lessee, tenant or occupier of the land ‘Category 1’ (section 44(1)), or is interested in the land or has power to sell and convey the land or to release the land ‘Category 2’ (section 44(2)), or is entitled to make a relevant claim if the Order sought by the proposed application were to be made and fully implemented ‘Category 3’ (section 44(4)),

Section 47 – Local community consultees, including the people living in the vicinity of the proposed scheme, local businesses, and community representatives, in accordance with the SoCC; and

Section 48 - ABP published a notice of the proposed application and publicised the scheme in accordance with section 48 of the PA 2008, regulation 13 of the EIA Regulations and regulations 3 and 4 of the APFP Regulations.

2.38 Further explanation describing how of the section 42 consultees were identified is provided below.

Identification of section 42 consultees

Prescribed consultees

2.39 The prescribed consultees under section 42(1)(a) were identified using Schedule 1 of the APFP Regulations, as well as incorporating the consultation bodies who were consulted by the Planning Inspectorate on the EIA Scoping Report for the Project which were identified in accordance with Regulation 11 of the EIA Regulations and were required to be consulted under Regulation 13. In addition, ABP also included all of the relevant statutory undertakers identified in the Scoping Opinion adopted by Planning Inspectorate on behalf of the Secretary of State, as listed in the Regulation 11(1)(a) list (Regulation 11 List). A copy of the original Regulation 11 List is provided at Appendix D.1.

- 2.40 Additional statutory undertakers with the potential to hold an interest in land within the Project site were also identified as section 42(1)(d) land interests.
- 2.41 A full list of the prescribed consultees is provided in Table 4, indicating how the consultation bodies were identified (i.e. under the Regulation 11 List, by virtue of Schedule 1 of the APFP Regulations or as an addition made to the list by ABP for completeness.) It should be noted that this list of the prescribed consultees has been used by ABP in undertaking both the Original Statutory Consultation and the Supplementary Statutory Consultation.

Table 4 – List of the Prescribed consultees

Consultee identified by	Consultation Bodies
Regulation 11 List, Table 1	Health and Safety Executive
Regulation 11 List, Table 1	NHS England
Regulation 11 List, Table 1	NHS North East Lincolnshire Clinical Commissioning Group
Regulation 11 List, Table 1	Natural England
Regulation 11 List, Table 1	Historic England (inc. Historic England Midlands Branch)
Regulation 11 List, Table 1	Humberside Fire and Rescue Service
Regulation 11 List, Table 1	Humberside Police and Crime Commissioner
Regulation 11 List, Table 1	Immingham Town Council
Regulation 11 List, Table 1	The Environment Agency - Lincolnshire and Northamptonshire
Regulation 11 List, Table 1	Maritime & Coastguard Agency
Regulation 11 List, Table 1 & 2	The Maritime and Coastguard Agency - Hull marine office
Regulation 11 List, Table 1	Marine Management Organisation (MMO)
Regulation 11 List, Table 1	North East Lincolnshire Council (as Highways Authority)
Regulation 11 List, Table 1 – Addition	North Lincolnshire Council (Highways Authority)

Consultee identified by	Consultation Bodies
Regulation 11 List, Table 1	National Highways- Midlands (formerly Highways England) N.B. Advised by National Highways that the project falls within National Highways - Yorkshire and North East Region
Regulation 11 List, Table 1	The Coal Authority
Regulation 11 List, Table 1	North East Lindsey Drainage Board
Regulation 11 List, Table 1 & 2	Trinity House
Regulation 11 List, Table 1	United Kingdom Health Security Agency (formerly Public Health England)
Regulation 11 List, Table 1	The Crown Estate
Regulation 11 List, Table 1	The Secretary of State for Defence - Ministry of Defence
Schedule 1, APFP Regulations	Joint Nature Conservation Committee
Schedule 1, APFP Regulations	The Forestry Commission
Schedule 1, APFP Regulations	Lincolnshire Wolds AONB Conservation Board
Schedule 1, APFP Regulations	The Civil Aviation Authority
Schedule 1, APFP Regulations	The Canal & River Trust
Schedule 1, APFP Regulations	Secretary of State for Transport
Regulation 11 List, Table 2	NHS North East Lincolnshire Clinical Commissioning Group (CCG)
Regulation 11 List, Table 2	NHS England
Regulation 11 List, Table 2	Yorkshire Ambulance Service NHS Trust

Consultee identified by	Consultation Bodies
Regulation 11 List, Table 2	Northern Lincolnshire and Goole NHS Foundation Trust
Regulation 11 List, Table 2	Network Rail Infrastructure Ltd
Regulation 11 List, Table 2	Highways England Historical Railways Estate
Regulation 11 List, Table 2	The Humber Bridge Board
Regulation 11 List, Table 2	Port of Grimsby - Associated British Ports
Regulation 11 List, Table 2	Port of Immingham - Associated British Ports
Regulation 11 List, Table 2 – ABP Addition	Port of Goole – Associated British Ports
Regulation 11 List, Table 2 – Addition	Port of Hull – Associated British Ports
Regulation 11 List, Table 2 – ABP Addition	Humber Estuary Services – Associated British Ports
Regulation 11 List, Table 2	Humber Sea Terminal (CLdN Ports Killingholme)
Regulation 11 List, Table 2 - ABP Addition	Able Humber Ports Limited
Regulation 11 List, Table 2	NATS En-Route Safeguarding
Regulation 11 List, Table 2	Royal Mail Group
Regulation 11 List, Table 2	Homes England
Regulation 11 List, Table 2	Anglian Water
Regulation 11 List, Table 2	Cadent Gas Limited
Regulation 11 List, Table 2	Last Mile Gas Ltd
Regulation 11 List, Table 2	Energy Assets Pipelines Limited
Regulation 11 List, Table 2	ES Pipelines Ltd
Regulation 11 List, Table 2	ESP Networks Ltd
Regulation 11 List, Table 2	ESP Pipelines Ltd

Consultee identified by	Consultation Bodies
Regulation 11 List, Table 2	ESP Connections Ltd
Regulation 11 List, Table 2	Fulcrum Pipelines Limited
Regulation 11 List, Table 2	Harlaxton Gas Networks Limited
Regulation 11 List, Table 2	GTC Pipelines Limited
Regulation 11 List, Table 2	Independent Pipelines Limited
Regulation 11 List, Table 2	Indigo Pipelines Limited
Regulation 11 List, Table 2	Leep Gas Networks Limited
Regulation 11 List, Table 2	Murphy Gas Networks limited
Regulation 11 List, Table 2	Quadrant Pipelines Limited
Regulation 11 List, Table 2	National Grid Gas Plc
Regulation 11 List, Table 2	Scotland Gas Networks Plc
Regulation 11 List, Table 2	Southern Gas Networks Plc
Regulation 11 List, Table 2	Eclipse Power Network Limited
Regulation 11 List, Table 2	Last Mile Electricity Ltd
Regulation 11 List, Table 2	Energy Assets Networks Limited
Regulation 11 List, Table 2	ESP Electricity Limited
Regulation 11 List, Table 2	Forbury Assets Limited
Regulation 11 List, Table 2	Fulcrum Electricity Assets Limited
Regulation 11 List, Table 2	Harlaxton Energy Networks Limited
Regulation 11 List, Table 2	Independent Power Networks Limited
Regulation 11 List, Table 2	ESP Electricity Limited
Regulation 11 List, Table 2	Forbury Assets Limited
Regulation 11 List, Table 2	Fulcrum Electricity Assets Limited
Regulation 11 List, Table 2	Harlaxton Energy Networks Limited
Regulation 11 List, Table 2	Independent Power Networks Limited

Consultee identified by	Consultation Bodies
Regulation 11 List, Table 2	Indigo Power Limited
Regulation 11 List, Table 2	Leep Electricity Networks Limited
Regulation 11 List, Table 2	Murphy Power Distribution Limited
Regulation 11 List, Table 2	The Electricity Network Company Limited
Regulation 11 List, Table 2	UK Power Distribution Limited
Regulation 11 List, Table 2	Utility Assets Limited
Regulation 11 List, Table 2	Vattenfall Networks Limited
Regulation 11 List, Table 2	Northern Powergrid (Northeast) Plc (previously Northern Powergrid (Northeast) Limited)
Regulation 11 List, Table 2	National Grid Electricity Transmission Plc
Regulation 11 List, Table 3	West Lindsey District Council
Regulation 11 List, Table 3	East Lindsey District Council
Regulation 11 List, Table 3	North Lincolnshire Council
Regulation 11 List, Table 3	Lincolnshire County Council
Regulation 11 List, Table 3	North East Lincolnshire Council
Regulation 11 List, Table 3 – ABP Addition	East Riding of Yorkshire Council
Regulation 11 List, Table 3 – ABP Addition	Doncaster Council
Regulation 11 List, Table 3 – ABP Addition	Selby District Council
Regulation 11 List, Table 3 – ABP Addition	City of York Council
Regulation 11 List, Table 3 – ABP Addition	Ryedale District Council
Regulation 11 List, Table 3 – ABP Addition	Scarborough Borough Council

Consultee identified by	Consultation Bodies
Regulation 11 List, Table 3 – ABP Addition	Kingston-upon-Hull City Council (Hull City Council)
Regulation 11 List, Table 3 – ABP Addition	North Yorkshire County Council

Marine Management Organisation (MMO)

2.42 The MMO was identified as a consultee for the purposes of the Project under section 42(1)(aa) as the Proposed Development would affect waters in England. An example of the notice served under section 42 is provided at Appendix F1.

Local authorities

2.43 Section 42(1)(b) of the 2008 Act requires the applicant to consult each local authority that is within section 43. The relevant local authorities under section 42(1)(b) were identified by application of section 43 of the 2008 Act for the purposes of the Project. This list has then been amended throughout the pre-application stage as a result of amendments to the red line boundary, as explained below.

2.44 The Project site lies within the administrative area of North East Lincolnshire Council, making this a “B” authority for the purposes of section 43 of the 2008 Act. As North East Lincolnshire Council is a unitary authority there is no upper-tier county council - “C” authority for the purposes of section 43 of the 2008 Act.

2.45 The following local authorities share a boundary with North East Lincolnshire Council and were, therefore, identified as “A” authorities for the purposes of section 43 of the 2008 Act:

- A. North Lincolnshire Council
- B. West Lindsey District Authority
- C. East Lindsey District Authority
- D. Lincolnshire County Council

2.46 During the Original Statutory Consultation it was the intention to provide off-site environmental enhancement, the location of which had not yet been determined and did not form part of the redline boundary for the Project site. In light of this, under the Original Statutory Consultation, North East

Lincolnshire Council was identified and notified as the only “C” authority for the purposes of section 43 of the 2008 Act, and the following authorities, which share a boundary with North East Lincolnshire Council, were identified as “A” authorities for the purposes of section 43 of the 2008 Act and consulted as statutory consultees:

- E. North Lincolnshire Council
- F. West Lindsey District Authority
- G. East Lindsey District Authority
- H. Lincolnshire County Council
- I. Kingston-upon-Hull City Council (Hull City Council)

2.47 During the Supplementary Statutory Consultation it was ABP’s intention to provide environmental enhancement land at Skeffling on the north bank of the Humber, meaning that this had been included in the consultation materials and formed part of the Project redline site boundary. East Riding of Yorkshire Council was, therefore, added, and consulted together with North East Lincolnshire Council as the relevant “C” authorities under section 42(1)(b) of the 2008 Act. East Riding of Yorkshire Council’s neighbouring authorities of Doncaster Council, Selby District Council, City of York Council, Ryedale District Council, Scarborough Borough Council and North Yorkshire County Council were, therefore, added as “A” authorities.

2.48 Due to an administrative error, however, the neighbouring authorities to East Riding of Yorkshire Council (“A” authorities) namely - Doncaster Council, Selby District Council, City of York Council, Ryedale District Council, Scarborough Borough Council and North Yorkshire County Council - were not consulted until after the consultation period had commenced. Those Councils were, therefore, given an extended period of time within which to respond to the Supplementary Statutory Consultation, until 23:59 pm on 19 December 2022, a period of 28 days.

2.49 The full list of “A” authorities for the purposes of section 43 of the 2008 Act that were consulted as part of the Supplementary Statutory Consultation is as follows:

- J. North Lincolnshire Council
- K. West Lindsey District Authority
- L. East Lindsey District Authority
- M. Lincolnshire County Council

- N. Kingston-upon-Hull City Council (Hull City Council)
- O. Doncaster Council
- P. Selby District Council
- Q. City of York Council
- R. Ryedale District Council
- S. Scarborough Borough Council
- T. North Yorkshire County Council

2.50 Following the Supplementary Statutory Consultation, however, and in light of section 51 Advice from the Planning Inspectorate, the Applicant decided instead to secure the environmental enhancements at Skeffling outside the DCO process. This environmental enhancement, therefore, no longer forms part of the redline boundary for the Project site, and the additional local authorities which had been identified as s.43 consultees as part of the Supplementary Statutory Consultation no longer fall within this category. As a consequence, the list of statutory consultees for the purposes of section 43 of the 2008 Act remains as at the Original Statutory Consultation and listed in paragraphs 2.44 and 2.45 above.

Greater London Authority

2.51 Section 42(1)(c) of the 2008 Act does not apply to the Project as the Project site is not located within Greater London. The Greater London Authority was therefore not consulted.

Land interests

2.52 Section 42(1)(d) of the 2008 Act states that the applicant must consult each person who is within one or more of the categories set out in Section 44. This includes any owner, lessee, tenant or occupier (Category 1), any person interested in the land or has power to sell, convey or release the land (Category 2) and any person entitled to make a relevant claim, as defined by section 44(6) of the 2008 Act (Category 3). Accordingly, ABP carried out diligent inquiry to identify any persons falling within these categories affected by the Project, and included them in the statutory consultation on the proposed development. The persons so identified are listed in the Book of Reference (Application Document Reference number 4.1).

2.53 In accordance with section 42 of the 2008 Act, persons with an interest in the land within the Order limits (i.e. the redline boundary) under section 44 of the

2008 Act, were identified through diligent inquiry, undertaken on behalf of ABP, and involved identifying any of the following:

- (a) Category 1 persons - owners, lessees, tenants (whatever the tenancy period) and occupiers of the land within the Order limits;
- (b) Category 2 persons - parties that are interested in the land or have the power to sell, convey or release the land within the Order limits; and
- (c) Category 3 persons - parties whom ABP thinks would or might, if the Order sought by the applicant were made and fully implemented, be entitled to make a relevant claim for compensation under section 10 of the Compulsory Purchase Act 1965 and/or Part 1 of the Land Compensation Act 1973 and/or section 152(3) of the 2008 Act.

2.54 The approach taken to identifying any Category 1, 2 and 3 interests (i.e., the diligent inquiry process undertaken) included the following methods outlined below.

- (a) **Title information:** A search of the Index Map held by the Land Registry was undertaken, and relevant title documents (Official Copy Registers and Title Plans) were obtained and reviewed. Documents and records held by ABP (digital copies of leases, licence or other agreements) affecting land within the Order limits were reviewed. In addition, internet-based research of the Land Registry's Free Map Search was also undertaken to verify details or identify interests where land was unregistered or where it was not possible to identify land interests from other sources. All land interests within the 'red line' of the project boundary were included as statutory consultees. On a precautionary basis this also included those interests with fences bordering the Project red line boundary.
- (b) **Land Interest Questionnaires:** Letters were sent to persons and organisations identified through the process of reviewing the land interests - titles/other documents described at (a) above – and requested confirmation of known land interests and for other relevant information to be provided. Email addresses were provided in the letters, in order to enable the parties to make contact regarding the proposals, as well as enclosed stamped addressed envelopes for the parties to return hard copy responses by post.
- (c) **Environmental Impact Assessment information:** As part of the preparation of the PEIR, ABP's environmental specialists were assisting in identifying receptors potentially impacted by the Scheme with a view to whether there are any 'Category 3' persons who might have a 'relevant

claim' as defined by section 44(6) of the 2008 Act – relating to matters such as noise and vibration. These findings were then reviewed as further assessments and information became available as the project progressed.

- (d) **Utilities searches:** A search was undertaken to identify whether there were any Statutory undertakers, and other similar bodies having or possibly having a right to keep equipment on, in or over the land within the Order limits.
- 2.55 The combination of the above land referencing activities undertaken for the diligent inquiry process identified a list of section 44 persons to be consulted under section 42(1)(d) for the Original Statutory Consultation. It was later reviewed and amended as appropriate for the purposes of the Supplementary Statutory Consultation.
- 2.56 Utility providers and other similar bodies having or possibly having a right to keep equipment on, in or over the land within the Order limits, were also identified. Such parties that were believed to have a possible interest in the Order limits were included in the list of persons to be consulted under section 42(1)(d) for the statutory consultation. The interest held by each utility provider and other similar bodies whose services may be affected by the proposed IERRT are also identified in the Book of Reference Book of Reference (Application Document Reference number 4.1).
- 2.57 A full list of prescribed consultees identified in accordance with section 42(1)(d) (land interests) for both the Original Statutory Consultation and Supplementary Statutory Consultation are provided below in Tables 5 and 6 respectively. A number of land interests varied between the consultations on account of the changes in land interests, such as where a tenant left and no longer held a land interests within the redline boundary of the Proposed Development, due to a change in name or a new interest was included.

Table 5 – List of land interests for Original Statutory Consultation

Consultee under the 2008 Act	Consultee
Section 42(1)(d)	ANGLIAN WATER SERVICES LTD
Section 42(1)(d)	ASSOCIATED PETROLEUM TERMINALS (IMMINGHAM) LIMITED

Consultee under the 2008 Act	Consultee
Section 42(1)(d)	BT OPENREACH
Section 42(1)(d)	BULK MINERALS LTD
Section 42(1)(d)	CADENT GAS LIMITED
Section 42(1)(d)	DB CARGO (UK) LIMITED
Section 42(1)(d)	DFDS LOGISTICS LIMITED
Section 42(1)(d)	DFDS SEAWAYS PLC
Section 42(1)(d)	DRURY ENGINEERING SERVICES LTD
Section 42(1)(d)	ABP LESSEE
Section 42(1)(d)	ENVIRONMENT AGENCY
Section 42(1)(d)	EXOLUM IMMINGHAM LTD
Section 42(1)(d)	EXOLUM PIPELINE SYSTEM LTD
Section 42(1)(d)	HUMBER OIL TERMINALS TRUSTEE LTD
Section 42(1)(d)	J.C. PEACOCK & CO., LIMITED
Section 42(1)(d)	LKAB MINERALS LIMITED
Section 42(1)(d)	MALCOLM WEST FORK LIFTS
Section 42(1)(d)	MALCOLM WEST FORK LIFTS (IMMINGHAM) LIMITED
Section 42(1)(d)	MALCOLM WEST FORK LIFTS LIMITED
Section 42(1)(d)	NATIONAL GRID GAS PLC
Section 42(1)(d)	NETWORK RAIL INFRASTRUCTURE LIMITED
Section 42(1)(d)	NIPPON GASES UK LIMITED
Section 42(1)(d)	NORTH EAST LINCOLNSHIRE COUNCIL
Section 42(1)(d)	NORTH KILLINGHOLME TRANSPORT LIMITED
Section 42(1)(d)	NORTHERN POWERGRID

Consultee under the 2008 Act	Consultee
Section 42(1)(d)	NORTHERN POWERGRID (NORTHEAST) PLC
Section 42(1)(d)	ORIGIN FERTILISERS
Section 42(1)(d)	ORIGIN UK OPERATIONS LIMITED
Section 42(1)(d)	P K CONSTRUCTION (LINCS) LTD
Section 42(1)(d)	PEOPLE ASSET MANAGEMENT LTD
Section 42(1)(d)	PORT EQUIPMENT ENGINEERING LIMITED
Section 42(1)(d)	DIRECTORS OF PORT EQUIPMENT ENGINEERING LIMITED
Section 42(1)(d)	THE CROWN ESTATE
Section 42(1)(d)	TRONOX UK HOLDINGS LIMITED
Section 42(1)(d)	TRONOX HOLDINGS PLC
Section 42(1)(d)	T.T.S. (SHIPPING) LIMITED
Section 42(1)(d)	VIRGIN MEDIA LIMITED
Section 42(1)(d)	VOLKSWAGEN GROUP (UK) LTD
Section 42(1)(d)	WALKER TIMBER TREATMENT
Section 42(1)(d)	WOODBIDGE TIMBER LTD
Section 42(1)(d)	YARA UK LIMITED

Table 6 – List of land interests for Supplementary Statutory Consultation

Consultee under the 2008 Act	Consultee
Section 42(1)(d)	ANGLIAN WATER SERVICES LTD
Section 42(1)(d)	ASSOCIATED PETROLEUM TERMINALS (IMMINGHAM) LIMITED

Consultee under the 2008 Act	Consultee
Section 42(1)(d)	BT OPENREACH
Section 42(1)(d)	BULK MINERALS LTD
Section 42(1)(d)	CADENT GAS LIMITED
Section 42(1)(d)	DB CARGO (UK) LIMITED
Section 42(1)(d)	DFDS LOGISTICS LIMITED
Section 42(1)(d)	DFDS SEAWAYS PLC
Section 42(1)(d)	DRURY ENGINEERING SERVICES LTD
Section 42(1)(d)	ABP LESSEE
Section 42(1)(d)	Earl of Yarborough, Brocklesby Estate
Section 42(1)(d)	ENVIRONMENT AGENCY
Section 42(1)(d)	EXOLUM IMMINGHAM LTD
Section 42(1)(d)	EXOLUM PIPELINE SYSTEM LTD
Section 42(1)(d)	HUMBER OIL TERMINALS TRUSTEE LTD
Section 42(1)(d)	J.C. PEACOCK & CO., LIMITED
Section 42(1)(d)	LKAB MINERALS LIMITED
Section 42(1)(d)	MALCOLM WEST FORK LIFTS
Section 42(1)(d)	MALCOLM WEST FORK LIFTS (IMMINGHAM) LIMITED
Section 42(1)(d)	MALCOLM WEST FORK LIFTS LIMITED
Section 42(1)(d)	NATIONAL GRID GAS PLC
Section 42(1)(d)	NETWORK RAIL INFRASTRUCTURE LIMITED
Section 42(1)(d)	NIPPON GASES UK LIMITED
Section 42(1)(d)	NORTH EAST LINCOLNSHIRE COUNCIL
Section 42(1)(d)	NORTH KILLINGHOLME TRANSPORT LIMITED

Consultee under the 2008 Act	Consultee
Section 42(1)(d)	NORTHERN POWERGRID
Section 42(1)(d)	NORTHERN POWERGRID (NORTHEAST) PLC
Section 42(1)(d)	NORTHERN POWERGRID (YORKSHIRE) PLC
Section 42(1)(d)	ORIGIN FERTILISERS
Section 42(1)(d)	ORIGIN UK OPERATIONS LIMITED
Section 42(1)(d)	P K CONSTRUCTION (LINCS) LTD
Section 42(1)(d)	PEOPLE ASSET MANAGEMENT LTD
Section 42(1)(d)	THE CROWN ESTATE
Section 42(1)(d)	TRONOX UK HOLDINGS LIMITED
Section 42(1)(d)	TRONOX HOLDINGS PLC
Section 42(1)(d)	T.T.S. (SHIPPING) LIMITED
Section 42(1)(d)	VIRGIN MEDIA LIMITED
Section 42(1)(d)	VOLKSWAGEN GROUP UNITED KINGDOM LIMITED
Section 42(1)(d)	WALKER TIMBER TREATMENT
Section 42(1)(d)	WOODBIDGE TIMBER LTD
Section 42(1)(d)	YARA UK LIMITED

Identification of section 47 consultees

- 2.58 Section 47 of the 2008 Act sets out an applicant's duty to consult the local community about a proposed application. Section 47 specifically requires the preparation of 'a *statement setting out how the applicant proposes to consult, about the proposed application, those people living in the vicinity of the land*' – ABP complied with this obligation by preparing, agreeing and publishing the SoCC.
- 2.59 In developing the SoCC, regard must be had to the EIA Regulations. Regulation 12 of those EIA Regulations stipulates that the SoCC must set out whether the proposal is EIA development and, if so, how the applicant intends

to publicise and consult on preliminary environmental information. The SoCC duly contained information confirming that the Project was EIA development, and provided details about how the preliminary environmental information for the Project would be made accessible in the PEIR.

2.60 Paragraphs 2.12 to 2.33 above provide details of the production of the SoCC for the Project and the identification of the consultation zone which was used for the section 47 consultation, which was agreed with the relevant local authority. A plan showing the consultation zone for the Project was included in the SoCC (as ‘Figure 3: Map showing mail-out area’ on page 13) – an extract of which is provided below at Figure 1. (A copy of the SoCC is provided at Appendix A.5). The consultation zone identified was the basis for the distribution of promotional materials during both rounds of statutory consultation in accordance with the requirements of the Planning Inspectorate’s Advice Note Fourteen: Compiling the Consultation Report.

2.61 Figure 1 – Extract from SoCC - Figure 3: Map showing mail-out area

Figure 3: Map showing mail-out area



- 2.62 A Newsletter mail out was undertaken to all residential and businesses within the consultation zone, providing information about the consultation and consultation activities and enclosing a Questionnaire which could be used to provide feedback on the proposals.
- 2.63 In addition to notifying those '*people living in the vicinity of the land*', ABP also sought feedback on the proposals from all business/operators located within the Port and from local businesses located within the consultation zone.
- 2.64 In order to identify the addresses to be used for the mail out to the consultation zone for the Project, the following was undertaken:
- (i) ABP compiled a list of addresses for all known businesses/operators (tenants, licences and occupiers) within the Port estate.
 - (ii) For land outside the Port estate, ABP used software to produce the list of addresses and a search of the Index Map held by the Land Registry was undertaken, and relevant title documents (Official Copy Registers) were obtained and reviewed in order to identify all relevant titles and addresses. In addition, where relevant, manual searches of the Land Registry's Free Map Search tool were undertaken to check information and to ensure all addresses within the consultation zone were captured.
- 2.65 Parish Councils and Immingham Town Council were consulted in addition to residents and businesses within the consultation zone.
- 2.66 ABP also sought feedback on the proposals from members of the general public.
- 2.67 No hard-to-reach groups to which the Project might be of relevance were identified in consultation with the local authorities when consulting with them on the draft SoCC.
- 2.68 Section 47(7) requires that the applicant must carry out consultation in accordance with the proposals set out in their SoCC, and the following paragraphs of this Chapter and the SoCC compliance summary (provided at Appendix A.8) demonstrate how the commitments outlined in the SoCC have been complied with, in satisfaction of section 47(7) – both in respect of the Original Statutory Consultation and the Supplementary Statutory Consultation. The SoCC compliance summary identifies each of the commitments made in the SoCC and provides details about how these have been met by ABP in the delivery of the consultation.

Section 46 Notification to the Secretary of State

- 2.69 Aligned with formal statutory consultation under section 42 is the requirement to notify the Secretary of State under section 46 of the 2008 Act. Section 46(2) of the 2008 Act requires this to be undertaken on or before the commencement of the statutory consultation under section 42 and the applicant must provide the same information as is proposed to be used for the section 42 consultation.

Section 46 Notification for the Original Statutory Consultation

- 2.70 On Tuesday 18 January 2022, ABP's solicitors wrote to the Planning Inspectorate (on behalf of the Secretary of State) to provide formal notification of the commencement of the statutory consultation for the Project which was to commence, the following day, on Wednesday 19 January 2022. In accordance with Section 46(1) of the 2008 Act, enclosed with this letter were copies of the information that was provided to consultees identified under section 42 of the 2008 Act. A copy of the letter sending it (sent by email of 16:12pm on 18 January 2022) is provided at Appendix I.1.
- 2.71 The acknowledgement letter received from the Planning Inspectorate (on behalf of the Secretary of State) in response, dated 19 January 2022, is included in Appendix I.1.

Section 46 Notification for the Supplementary Statutory Consultation

- 2.72 On Thursday 27 October 2022, ABP's solicitors wrote to the Planning Inspectorate (on behalf of the Secretary of State) to provide formal notification of the commencement of the Supplementary Statutory Consultation which was to commence, the following day, on Friday 28 October 2022. In accordance with Section 46(1) of the 2008 Act, enclosed with that letter (by way of transfer link) were copies of the information that was provided to consultees identified under section 42 of the 2008 Act. A copy of the letter (sent by email of 17:26 pm on 27 October 2022) is provided at Appendix I.2.
- 2.73 The acknowledgement letter received from the Planning Inspectorate (on behalf of the Secretary of State) in response, dated 28 October 2022, is included in Appendix I.2.

Original Statutory Consultation

Introduction to the Original Statutory Consultation

2.74 The Original Statutory Consultation was undertaken from Wednesday 19 January to 23:59pm on Wednesday 23 February 2022.

Section 47 Community Consultation

Publication of section 47 notice and the SoCC

2.75 In accordance with the requirements of section 47(6) of the 2008 Act, ABP published a section 47 notice in two local newspapers circulating in the vicinity of the Project - the Grimsby Telegraph and the Scunthorpe Telegraph - stating where and when the SoCC could be inspected. Copies of the section 47 notice as it appeared in both publications on 6 January 2022 are provided in Appendix B.2.

2.76 The SoCC was published online on 19 January 2022 on ABP's dedicate Project website, in accordance with the provisions of the SoCC, and was available to view and download free of charge.

Community Consultation Events and Activities

2.77 The principal activities ABP undertook to consult the local community are outlined in the SoCC, which is provided at Appendix A.5, and in summary included a Newsletter mailout to everyone in the consultation zone, a series of public consultation events, offers of telephone surgeries and online webinars subject to demand and making documents available to view and download on the Project's dedicated consultation website. These activities are set out in detail below.

Newsletter and Questionnaire:

2.78 ABP undertook a mailout by post of a Newsletter and Questionnaire (mailed out in addressed envelopes on Monday 17 January 2022, in advance of the start of the consultation period on Wednesday 19 January 2022) to all residential and business addresses located within the identified consultation zone. The Newsletter provided information about the Project and the consultation being undertaken, including details of the planned public consultation events, how they could provide comments on the Project proposals or seek further information about it. Copies of the Newsletter and Questionnaire, are provided in Appendix E.6 and E.7.

2.79 There were a number Newsletters and Questionnaires which were returned to sender by Royal Mail. The objective on receipt of the undelivered items was

to ascertain the correct address or reissue them to the occupier of the address where it would be physically possible for them to receive them.

- 2.80 ABP took the following action in respect of the undelivered items – which were marked as follows by Royal Mail:
- 28 instances of ‘Addressee gone away’ and 3 instances of ‘Addressee unknown’ – these items were re-sent to the address but removing the addressee name;
 - 4 instances of ‘Address incomplete’ – Addresses were investigated online in order to obtain missing details and were re-sent with the corrected address where it was possible to obtain details;
 - 3 instances of ‘No such address’ and 4 instances of ‘Address inaccessible’ – These were logged, noting why they had been returned; and
 - 1 instance of ‘Address incomplete/No such address’ and 2 instances of ‘Address incomplete/Addressee unknown’ - Addresses were investigated online in order to obtain missing details and were re-sent with the corrected address where it was possible to obtain details.
- 2.81 ABP re-sent Newsletters and Questionnaires, where it was possible to do so on 21 January 2022. A number of the re-issued letters were returned to ABP by Royal Mail on 25 January 2022 as undeliverable. These were all logged and noted, but no further action was taken.
- 2.82 ABP also emailed all its on-site Port tenants, as well as business/operators within the Port for which ABP had email addresses for or which had previously asked to be informed about the Project, sending electronic copies of the Newsletter and Questionnaire by email.
- 2.83 ABP also sent copies of the Newsletter and Questionnaire by email or in hard copy to the following local Parish Councils:
- Stallingborough Parish Council
 - South Killingholme Parish Council
 - North Killingholme Parish Council
 - Paull Parish Council
 - Sunk Island Parish Council
 - Welwick Parish Council

- Skeffling Parish Council
 - Easington Parish Council
 - Healing Parish Council
 - Great Coates Parish Council
 - Ulceby Parish Council
- 2.84 Due to an administrative error, Immingham Town Council, Stallingborough Parish Council, South Killingholme Parish Council, North Killingholme Parish Council, Healing Parish Council and Great Coates Parish Council all received an additional email serving a land interest notice letter under section 44, in error in addition to the above notification. A correction email was, therefore, sent to them confirming that they should disregard the email sending the land interest notice letter under section 44 as it had been sent in error, and confirming that the previous email (advising as to the time and date sent) was valid. The correction emails were sent when the error became apparent on 19 January 2022 in order to rectify the position.
- 2.85 Additionally, ABP consulted the following non-prescribed consultees – having been identified either under Table 4 ‘Non-Prescribed Consultation Bodies’ of the Regulation 11 List or in accordance with the Planning Inspectorate’s Advice Note Three: EIA Notification and Consultation, received copies of the Newsletter and Questionnaire by email:
- Royal National Lifeboat Institution
 - East Riding of Yorkshire Council
 - East Midlands Ambulance Trust
 - Hull City Council
 - South Yorkshire Mayoral Combined Authority
 - West Yorkshire Combined Authority

Posters:

- 2.86 Posters advertising the statutory consultation including relevant information about the consultation activities and how to respond to the consultation were put on display at appropriate local information points, as shown on display at Appendix E.4. A copy of the poster is also provided at Appendix E.4.

Display of documents:

- 2.87 The PEIR was placed on display for members of the public to access and review at the Immingham Civic Centre, Pelham Road, Immingham, DN40 1QF, as well as for port users at the Seafarers Centre Immingham, Lockside Road, Immingham Dock, Immingham, DN40 2NN. The documents were put on display from 18 January 2022 and remained in place until the end of the consultation period.

Press coverage:

- 2.88 A media release was issued to local, regional and national press 14 on January 2022 to publicise details of the consultation, provided at Appendix E.10.

Public information points:

- 2.89 The SoCC contained a commitment that *“ABP will engage with North East Lincolnshire Council to agree a list of public information points that are most relevant and convenient for the community on which to provide links to the Project Consultation Website. The list will be publicised as part of consultation documents.”* ABP liaised with North East Lincolnshire Council in this respect but was informed on 21 December 2021 that the Council would not be able to host a link to the Project consultation website on its webpage but offered instead to include details of the consultation in its upcoming mailshot on 20 January 2022 to subscribers of their consultation mailing list (approx. 5000 recipients). ABP agreed the suggested approach. An email bulletin was, therefore, sent by North East Lincolnshire Council to all of those registered as subscribers to receive emails.
- 2.90 The following text was agreed with the Council for email bulletin:

“Immingham Eastern Ro-Ro Terminal

ABP (Associated British Ports) want your views on their proposal for a new roll on/roll off shipping facility on the eastern side of the Port of Immingham. This development could include up to four new riverside berths and see the general repurposing of operational land within the existing port.

ABP will be holding in-person consultation events which members of the public can attend to review documents and make comments on the project, or request further contact or information. All the consultation documents are also available online to view and download. To find out more about the project, the consultation process and how to respond visit:

[Redacted]

Closes 23 February 2022

Public consultation events

2.91 A series of four, in person, public consultation events were held at two different venues to support the consultation. Locations for the consultation events were identified to try and make it as easy as possible for those likely to be affected or interested in the proposals to attend, ABP therefore chose:

- (a) For members of the public at: Immingham Civic Centre, Pelham Road, Immingham, DN40 1QF; and
- (b) For Port users at: Seafarers Centre Immingham, Lockside Road, Immingham Dock, Immingham, DN40 2NN

2.92 The four public consultation events were advertised and took place as follows:

For members of the public at:	
Immingham Civic Centre, Pelham Road, Immingham, DN40 1QF	
Date	Time
Monday 24 January 2022	3 pm – 7 pm
Saturday 5 February 2022	10 am – 2 pm
For Port Users at:	
Seafarers Centre Immingham, Lockside Road, Immingham Dock, Immingham, DN40 2NN	
Date	Time
Wednesday 26 January 2022	1 pm – 5 pm
Thursday 27 January 2022	9 am – 3 pm

2.93 At these events ABP presented the consultation materials, including information boards illustrating details of the proposals, a large plan of the Project, hard copies of the consultation materials including the PEIR, non-technical summary of the PEIR, and SoCC as well as copies of the Questionnaire in order that visitors could provide their feedback. ABP had staff and members of the Project Team available to explain the Project proposals and to answer any questions.

- 2.94 The public were informed of the consultation events through the advertisement of the section 48 notice in the local newspapers, on the posters, by means of the Newsletter, and in the SoCC as published on the ABP website.
- 2.95 The consultation events for the Original Statutory Consultation were attended as follows:
- (a) Immingham Civic Centre on Monday 24 January 2022 - by 15 attendees who signed the public consultation register of attendance;
 - (b) Immingham Civic Centre on Saturday 5 February 2022 - by 5 attendees who signed the public consultation register of attendance;
 - (c) Seafarers Centre Immingham on Wednesday 26 January 2022 - by 12 attendees who signed the public consultation register of attendance; and
 - (d) Seafarers Centre Immingham on Thursday 27 January 2022 - by 10 attendees who signed the public consultation register of attendance.

Project Website

- 2.96 ABP provided a dedicated Project consultation website at [REDACTED] on which all the consultation documents, including the Questionnaire, were available to view and download free of charge. It also provided details as to how to respond to the consultation or to make enquiries. The consultation materials were made available on the website in advance of the commencement of statutory consultation on Wednesday 19 January 2022.
- 2.97 The consultation materials remained available to view online throughout the consultation period, and were not removed following the end of the consultation in order to allow interested persons to continue to view the materials if they so wished. Following the close of the consultation the Project consultation website was updated with a statement confirming that formal consultation period had ended.

Webinars:

- 2.98 ABP offered to hold online webinar sessions in February 2022, subject to demand, and requested that interested persons register their interest in attending.
- 2.99 Only two people registered interest in attending a webinar. In light of the very low interest that was expressed, ABP did not hold webinar sessions and instead wrote to each person explaining and offering the option of holding individual one-to-one sessions either via Teams or on the phone to discuss

the Project with members of the project team. The offers were declined by both persons.

Telephone Surgeries

2.100 ABP offered to arrange and provided telephone surgeries with a member of the Project team for members or the public or interested parties who requested them in order to discuss any questions had about the Proposed Development. Interested persons were asked to contact ABP, using the consultation contact details provided, to book a free of charge telephone surgery.

2.101 No requests for telephone surgeries were received.

Inquiries and feedback channels

2.102 ABP provided the following channels to manage feedback and enquiries:

- Completing the online version of the Questionnaire at:
[REDACTED]
- Emailing: immroro@abports.co.uk
- Writing to: Associated British Ports, Port of Immingham, Dock Office, Alexandra Road, Immingham Dock, Immingham, North East Lincolnshire, DN40 2LZ (Quoting Reference: Immingham Eastern Ro-Ro Terminal)
- Calling Freephone 0808 169 9912: to request a hard copy Questionnaire and pre-paid stamped addressed envelope be sent in the post (free of charge) in order to return it to ABP

2.103 Members of the public and consultees were advised – by means of the Newsletter, section 48 notice, consultee notification letters, posters and on the Project consultation website - that the above contact details could also be used to book a telephone surgery, register interest for the online webinar sessions, to request a hard copy Questionnaire and pre-paid stamped addressed envelope, or for general enquiries.

2.104 One call to the dedicated Freephone were received during the consultation period, on 19 January 2022 from an existing Port tenant complaining about a traffic congestion issue which was in fact unrelated to the IERRT project. A further call was received following the end of the consultation period on 12 March 2022 from Network Rail leaving a message asking for a shapefile in respect of the Project. ABP attempted to return the call unsuccessfully a number of times using the same number. The matter was, however, picked up with Network Rail as part of the continuous consultation process.

- 2.105 Enquiries received by email to the Project email address were responded to by the Project team and were logged in the consultation records.
- 2.106 Materials produced to support consultation
- 2.107 The following consultation documents, materials and information were produced to support the Original Statutory Consultation.

Consultation documents:

- 2.108 **The PEIR**, including technical appendices and accompanying figures – was available to view and download on ABP’s Project consultation website.
- 2.109 **The Non-technical Summary of the PEIR** – was available to view and download on ABP’s Project consultation website.
- 2.110 **A Questionnaire** - means of providing feedback on the Project proposals, containing the specific questions upon which ABP was seeking feedback – was sent as part of the mail out, provided in hard copy at the consultation events, and was available online to view and download on ABP’s Project consultation website (copy provided at Appendix E.7).
- 2.111 **The SoCC** – statement setting out how ABP would consult local communities on the proposals – published for inspection by the public on ABP’s Project consultation website (copy provided at Appendix A.5).

Materials to publicise the consultation:

- 2.112 **Section 47 notice** – notice published in the local press advertising the publication of the SoCC (copy provided at Appendix B2).
- 2.113 **Section 48 notice** – notice published in national and local press to publicise the proposed development (copy provided at Appendix C.2).
- 2.114 **Newsletter** (which included a 3D image of the Project) - sent to all addresses within the consultation zone to provide a summary of the proposed development and publicise the consultation (copy provided at Appendix E.6)].
- 2.115 **Posters** – placed at appropriate information points advertising the consultation and consultation events. Evidence of the posters on display at appropriate local information points is provided at Appendix E4. In addition, unregistered land posters were put on display within the locality of the Project site. Evidence of the unregistered land posters on display is provided at Appendix E.5.

Information to support the consultation:

2.116 Information boards were displayed at the consultation events (as well as published on ABP's Project consultation website) which provided the following information (copies provided at Appendix E.8):

- an explanation of the proposals
- a plan showing the proposed development
- a summary of the implications and benefits of the proposals and to the local and regional economy

Section 48 Publicity

2.117 In accordance with section 48(1) of the 2008 Act a notice publicising the Project was published in the prescribed manner, namely in accordance with Regulation 4(2) and with reference to Regulation 4(3) of the APFP Regulations.

2.118 The requirement for the section 48 publication of the section 48 notice for this Project was for it to appear for at least two successive weeks in one or more local newspapers circulating in the vicinity of the Project site, and once in each of the following (i) a national newspaper, (ii) the London Gazette, (iii) Lloyd's List and (iv) an appropriate fishing trade journal.

2.119 S.48 Notice was therefore published as follows in the press:

- The local press:
 - (i) The Grimsby Telegraph - on Thursday 13 January and Thursday 20 January 2022
 - (ii) The Scunthorpe Telegraph - on Thursday 13 January and Thursday 20 January 2022
- A national newspaper - The Guardian – on Thursday 20 January 2022
- The London Gazette – on Wednesday 19 January 2022
- Lloyd's List – on Thursday 20 January 2022
- An appropriate fishing trade journal - Fishing News – on Thursday 20 January 2022

2.120 A copy of the section 48 notice as it appeared in each of the above is provided at Appendix C.2.

- 2.121 The APFP Regs require under Regulation 4(3)(i): ‘a deadline for receipt of those responses by the applicant, being not less than 28 days following the date when the notice is last published’. Last publication date was Thursday 20 January 2022, providing more than 28 days from the day following last publication (Friday 21 January 2022) for the consultation period. The consultation ended on Wednesday 23 February at 23:59pm, 34 days from 21 January 2022.
- 2.122 The section 48 notice was prepared with reference to Regulation 4(3) of the APFP Regulations and in compliance with that regulation included all information and matters prescribed by it, as follows:
- (a) The name and address of the ABP as the Applicant;
 - (b) A statement that the ABP intended to make an application for a DCO to the Secretary of State;
 - (c) A statement that the Project is EIA development;
 - (d) A summary of the main proposals, and location proposed development;
 - (e) A statement that the consultation documents showing the nature and location of the proposed development were available for inspection and to view and comment on, on the Project website free of charge;
 - (f) The latest date on which the consultation documents would be available for inspection (being a date not later than the deadline for the close of the consultation);
 - (g) Details of consultation events which would provide an opportunity for the local community and stakeholders to view the proposals and speak to the Project team;
 - (h) A statement that any changes to the in-person events would be posted on the consultation website;
 - (i) How people could request copies of the documents (including any charges);
 - (j) Details of how to respond to the consultation; and
 - (k) The deadline for responses.
- 2.123 In accordance with Regulation 13 of the EIA Regulations a section 48 notice was also sent to the consultation bodies. Further information is provided in Chapter 5 which discusses consultation under the EIA Regulations.

- 2.124 Copies of the section 48 notice were also provided to six local parish councils in order that they help to promote the consultation to the local parishes as well as to Immingham Town Council, in accordance with the advice provided by North East Lincolnshire Council on the draft SoCC to include the parish councils of Stallingborough, Healing, Great Coates, North Killingholme and South Killingholme, which was incorporated into the final SoCC. ABP additionally decided to also include Ulceby Parish Council, as they had separately been contacted by a road safety group within that parish. The emails sent to the Parish Councils and Immingham Town Council for this purpose are provided in Appendix E.9.

Section 42 Consultation Activities

- 2.125 The consultation with prescribed bodies, local authorities, and land interests (under section 42 of the 2008 Act) ran in parallel to the consultation with local communities and people living in the vicinity of land required for the Proposed Development (under section 47 of the 2008 Act).

Notification of section 42 consultees

- 2.126 A consultation period of over 28 days was provided to all section 42 consultees, commencing on 19 January 2022 and ending at 23:59pm on 23 February 2022.
- 2.127 On Monday 17 January 2022, notices made under Section 42 in the form of hard copy letters were sent by post to all section 42(1)(d) (land interest) consultees to inform them of the start of the statutory consultation on 19 January 2022. The letters were posted in advance to ensure arrival before the start of the statutory consultation on Wednesday 19 January 2022. The letters to section 42(1)(d) (land interest) explained that they were being consulted as they had an interest in land that may be affected by the Project. The letters were sent, taking a comprehensive approach, to the land interests consultees at both to the corporate address as well as local site address where applicable. ABP, in addition, sent soft copies of the letters by email to those contacts for the land interests consultees for whom they had email addresses (in addition to the hard copy letters sent). An example of the letter sent to the section 42(1)(d) is provided at Appendix E.1.
- 2.128 On 18 Tuesday January 2022, notices made under Section 42 in the form of soft copy letters were sent by email to all section 42(1)(a) (prescribed consultees) and section 42(1)(b) (relevant local authorities) consultees to inform them of the start of the statutory consultation on 19 January 2022. The emails were sent by ABP from its dedicated Project email address, and in advance to ensure arrival before the start of the statutory consultation, the following day on Wednesday 19 January 2022.

- 2.129 Under regulation 13 of the EIA Regulations, the applicant is required to send a copy of the section 48 notice to the consultation bodies and any person notified to the applicant in accordance with regulation 11(1)(b). The consultation bodies are defined in the EIA Regulations to include consultees prescribed under sections 42(1)(a) and 43 of the 2008 Act. The letters to section 42(1)(a) (prescribed consultees) and section 42(1)(b) (relevant local authorities) consultees therefore explained that they were prescribed consultees under the 2008 Act and also the EIA Regulations and enclosed the section 48 notice as well as the other section 42 consultation material. An example of the letter sent to the section 42(1)(a)-(b) consultees, enclosing the section 48 notice, is provided at Appendix E.1.
- 2.130 In instances where ABP had not previously corresponded with a statutory consultee by email or email addresses had not been provided for a consultee in the Regulation 11 List, hard copies of the notices were also sent to the consultee by post on Monday 17 January 2022.
- 2.131 Included with all section 42 notices letters to the section 42 statutory consultees – whether sent in hard copy by post, or electronically by email - were copies of the consultation materials comprising the following enclosures (copies of which are provided at Appendix C.1, E.6 and E.7):
- (a) Section 48 Notice;
 - (b) Newsletter (which included a 3D image of the Project);
 - (c) Questionnaire.
- 2.132 The section 42 notice letters provided an overview of the Project, explained that it was an Environmental Impact Assessment (EIA) development and how consultees could respond to the consultation. The letters also explained that the Preliminary Environmental Information Report (PEIR), its non-technical summary and the Statement of Community Consultation (SoCC) could all be accessed online to view and download free of charge on ABP's dedicated Project consultation website, from the start of consultation.
- 2.133 The section 42 notice letters also provided details of the consultation events that were to take place, the deposit locations where documents could be viewed online, information on how to request a USB free of charge containing the documents or paper copies of the materials (subject to a responsible copying charge for certain documents, up to a maximum cost of £300). The letters also explained that ABP was contemplating also holding up to two online webinar sessions in February 2022, subject to demand, and inviting persons interested in attending to register their interest.

- 2.134 The section 42 notice letters confirmed that the Statutory Consultation would take place between 19 January and 23:59 pm on 23 February 2022, and invited consultees to provide comments in writing on the Project proposals and/or submit Questionnaires before the close of consultation at 23:59pm on 23 February 2022, after which comments may not be considered.
- 2.135 A copy of the hard copy section 42 notice letter sent by post to the section 42(1)(d) (land interests) is provided at Appendix E.1.
- 2.136 An example of the section 42 notice letter send by email to the section 42(1)(a) (prescribed consultees), 42(1)(aa) (MMO) and 42(1)(b) (relevant local authorities) are provided at Appendix E.1.
- 2.137 In addition, on 18 January 2022, ABP put on display unregistered land posters within the locality of the Project site, in relation to unregistered land in respect of which it had, at the time, not yet been able to ascertain the ownership. A copy of the unregistered land poster and evidence of the unregistered land posters on display is provided at Appendix E.5.

Managing return to sender - section 42 consultees

- 2.138 There were two instances where a hard copy section 42 notice letter to a section 42(1)(d) (land interest) was returned to sender. The letters were returned unopened and were logged and investigated to determine if any alternative methods of contacting the consultee could be identified. Following investigation, the following was ascertained:
- (i) In the first instance, the letter was returned by Royal Mail on 19 January 2022, marked as '*address gone away*'. No further action was taken as a notice has also been sent to the consultee's company secretary at its registered business address, as well as having been sent a soft copy by email; and
 - (ii) In the second instance, the letter was returned by Royal Mail several months later on 29 April 2022, marked as '*unable to deliver this item because it was not called for*'. No further action was taken as a notice has also been sent to the consultee's operational address as well as having been sent a soft copy by email.
- 2.139 There were two instances of email bounce backs being received as the emails were 'undeliverable' on 18 January 2022. These related to (i) a section 42(1)(d) land interest consultee and (ii) a section 42(1)(a) prescribed consultee. Alternative email addresses were investigated online for the consultees. Following investigation, the following action was taken:

- (i) In the first instance, the email bounce back was to the email address provided for the contact at the Yorkshire Ambulance Service NHS Trust (section 42(1)(a) prescribed consultee), as provided in the Regulation 11 List. The email was re-issued to the email address provided for the Yorkshire Ambulance Service NHS Trust's Legal Services Department, as shown on their website. A follow up email was also sent, requesting that a copy of the email be provided to the original.
- (ii) In the second instance, the email bounce back was to People Asset Management Ltd, a section 42(1)(d) land interest consultee. The email address was listed on the consultee's website but was undelivered citing an invalid mailbox. ABP re-issued the email to an alternative email address listed on the company's website.

Additional interests identified

- 2.140 On 19 Jan 2022, an email was received from T.T.S. (Shipping) Limited, a section 42(1)(d) land interest consultee advising that the following two interests should also be contacted in respect of the consultation:
- (i) Walker Timber Treatment – T.T.S. (Shipping) Limited's sub-tenant located in 6 Shed at the Port; and
 - (ii) Global-Shipping - stevedores responsible for the physical movement of goods for T.T.S. (Shipping) Limited at their Immingham terminal (although not holding a land interest).
- 2.141 In light of the above, on 19 January 2022, hard copy section 42 notice letters were sent to the following addresses - Walker Timber Treatment at their on-port address and to the registered company of which they formed a part - Woodbridge Timber Ltd – at its registered company address, using same method as all other hard copy section 42 letters. A soft copy was also sent by email to the email addresses provided on 19 January 2022. Both Walker Timber Treatment and Woodbridge Timber Ltd were noted and added to ABP's records of section 42(1)(d) land interest consultees.
- 2.142 A soft copy of the section 42 notice letter was sent by email to Global-Shipping at the email addresses provided on 19 January 2022, for their information, although a hard copy was not sent as Global-Shipping does not hold a land interest within or alongside the redline boundary of the Project site. ABP added Global-Shipping to its list of on-site Port tenants and businesses/operators, for the purposes of any future consultation or Project updates.

Supplementary Statutory Consultation

Introduction to the Supplementary Statutory Consultation

- 2.143 As a result of comments, representations and engagement arising from, and following, the Original Statutory Consultation, the Project evolved such that refinements/changes were made to the Proposed Development from that originally described in the PEIR consulted upon in early 2022. In light of these refinements/changes, and in the interests of transparency, ABP decided to undertake a further statutory consultation under the provisions of section 48 of the 2008 Act – which it has referred to as the ‘Supplementary Statutory Consultation’.
- 2.144 ABP decided to undertake this second round of formal supplementary statutory consultation on the Project for two principal reasons:
- (i) First, to draw attention to a number of changes that have been made to the Project since the Original Statutory Consultation earlier in 2022 as part of the project’s evolutionary process; and
 - (ii) Second, to give regulators, stakeholders and the local community the opportunity to comment on those changes prior to submission of the application.
- 2.145 The Supplementary Statutory Consultation took place from Friday 28 October to 23:59pm on Sunday 27 November 2022.
- 2.146 The Supplementary Statutory Consultation was supported by the SCR – essentially a Supplementary Report that explained and presented the design refinements and changes that had been made to the Project since the Original Statutory Consultation in early 2022, so as to give all interested parties, the local community, regulators and stakeholders the opportunity to express their views about both the proposal and the refinements that had been made to the Project.
- 2.147 It was pointed out that the SCR was to be read together and in combination with the PEIR and contained a description of the changes made to the Project, ABP’s rationale and justification for making them, an outline of the implications in terms of the potential environmental effects of the Project as well as providing plans showing the current proposals.

Section 47 Community Consultation

Publication of section 47 notice and the SoCC

- 2.148 ABP had previously published a section 47 notice in two local newspapers circulating in the vicinity of the Project on 6 January 2022, and had published

- the SoCC online on ABP's dedicate Project consultation website on 19 January 2022, in accordance with the requirements of section 47(6) of the 2008 Act (the published SoCC is provided at Appendix A.5).
- 2.149 Following the close of the Original Statutory Consultation, a copy of the SoCC had remained available to view online on ABP's dedicate Project consultation website.
- 2.150 The Supplementary Statutory Consultation - which was undertaken later that year, between 28 October and 27 November 2022 - was carried out in accordance with the principles of the published SoCC. In light of this, and that the SoCC had remained accessible on the Project consultation website, a further section 47 notice (a notice stating where and when the SoCC could be inspected) was not published.
- 2.151 Of note in this respect is the fact that the SoCC at paragraph 8.4 provided that:
- 2.152 *"If as a result of feedback from this statutory consultation, the Project proposals change to the extent that it is necessary to undertake further geographically targeted consultation, this would be undertaken in accordance with the principles and methods set out in this SoCC".*
- 2.153 The Supplementary Statutory Consultation was, therefore, undertaken in accordance with the principles set out in the published SoCC, as originally advertised in accordance with section 47 of the Planning Act 2008, subject to minor necessary adaptations which are reported in the letter to North East Lincolnshire Council which is provided at Appendix A.6 but which principally concerned minor changes to dates/times e.g. for the consultation events and online webinars.
- 2.154 Prior to the commencement of the Supplementary Statutory Consultation this proposed approach was reported in detail to North East Lincolnshire Council as the relevant local authority originally consulted on the SoCC. This was done by letter dated 25 October 2022 which was sent by email at 12:20pm on 25 October 2022. The letter was therefore sent on behalf of ABP in order to consult the Council on the proposed approach to the supplementary consultation proposals, requesting the Council to inform ABP if it had any concerns. A copy of the letter and covering email to the Council on 25 October 2022 are provided at Appendix A.6.
- 2.155 A copy of that letter to North East Lincolnshire Council was also sent to North East Lincolnshire Council's neighbouring authorities - North Lincolnshire Council, West Lindsey District Authority, East Lindsey District Authority, Lincolnshire County Council, Kingston-upon-Hull City Council (Hull City Council) – with an accompanying email explaining the approach that was

- intended for the Supplementary Statutory Consultation, and requesting that they get in touch with any concerns or queries relating it. Copies of the correspondence with the local authorities, on 25 October 2022 is provided at Appendix A.6.
- 2.156 No concerns were raised in response by North East Lincolnshire Council nor its neighbouring authorities as to the proposed approach.
- 2.157 All previous consultation materials, as detailed in the SoCC, remained available to view and download on the project consultation website (including the SoCC, PEIR and non-technical summary of the PEIR) and formed part of the consultation materials for the Supplementary Statutory Consultation but supported by an additional consultation document, known as the 'Supplementary Consultation Report' or 'SCR', which explained the scheme refinements which had been made since publication of the PEIR and provided details of the implications for environmental effects arising from them. A copy of the SCR is provided at Appendix F.9.
- 2.158 In line with comments received in response to the Original Statutory Consultation regarding the usefulness of the Questionnaire published for it, a new Questionnaire was not produced for the Supplementary Statutory Consultation. Consultees and members of the public were instead asked to submit comments in full by email or letter, but if they preferred to submit their comments via the Questionnaire they could do so. The original Questionnaire was updated for this purpose to refer to the 'Supplementary Statutory Consultation' and provided the new consultation period end date of 27 November 2022.
- 2.159 The Supplementary Statutory Consultation was undertaken in accordance with the principles and methods set out in the published SoCC, as originally advertised in accordance with section 47 of the Planning Act 2008, subject to the necessary minor adaptations. ABP therefore considers that all requirements of the SoCC were complied with in respect of both rounds of statutory consultation (Original Statutory Consultation and Supplementary Statutory Consultation).

Community Consultation Events and Activities

- 2.160 The principal activities ABP undertook to consult the local community for the Supplementary Statutory Consultation followed the principles and methods outlined in the SoCC and what had been undertaken for the Original Statutory Consultation. In summary, it included the mailout of a Supplementary Statutory Consultation Newsletter to the consultation zone, two public consultation events, offers of telephone surgeries and online webinars subject to demand and making documents available to view and download on the

Project's dedicated consultation website. These activities are set out in detail below.

Newsletter and Questionnaire:

- 2.161 ABP undertook a mailout by post of a Newsletter for the Supplementary Statutory Consultation (mailed out in addressed envelopes, on Wednesday 26 October 2022 in advance of commencement of consultation on Friday 28 October 2022) to all residential and business addresses located within the identified consultation zone. The Newsletter provided information about the Project and the Supplementary Statutory Consultation being undertaken, including details of the planned public consultation events, how they could provide comments on the Project proposals or seek further information about it. A copy of the Newsletter is provided in Appendix F.6.
- 2.162 The mail out did not enclose a Questionnaire, in line with comments received in response to the Original Statutory Consultation regarding the usefulness of the Questionnaire published. Consultees and members of the public were instead asked to submit comments in full by email or letter.
- 2.163 On 27 October 2022, ABP also emailed all its on-site Port tenants, as well as business/operators within the Port for which ABP had email addresses for, sending electronic copies of the Newsletter by email. An example of the email is provided at Appendix F.3.
- 2.164 ABP also sent copies of the Newsletter by email or in hard copy to the following local Parish Councils (a copy of the Newsletter is provided at Appendix F.6):
- Stallingborough Parish Council
 - South Killingholme Parish Council
 - North Killingholme Parish Council
 - Paull Parish Council
 - Sunk Island Parish Council
 - Welwick Parish Council
 - Skeffling Parish Council
 - Easington Parish Council
 - Healing Parish Council
 - Great Coates Parish Council
 - Ulceby Parish Council

2.165 Additionally, ABP consulted the following non-prescribed consultees – having been identified either under Table 4 ‘Non-Prescribed Consultation Bodies’ of the Regulation 11 List, in accordance with the Planning Inspectorate’s Advice Note Three: EIA Notification and Consultation or at ABP’s discretion. They received copies of the Newsletter (a copy of the Newsletter is provided at Appendix F.6):

- Royal National Lifeboat Institution
- East Midlands Ambulance Trust
- Hull City Council
- South Yorkshire Mayoral Combined Authority
- West Yorkshire Combined Authority
- North East Lincolnshire Council, Port Health
- Royal Yachting Association
- The Royal Society for the Protection of Birds (RSPB)

Posters:

2.166 Posters advertising the Supplementary Statutory Consultation including relevant information about the consultation activities and how to respond to the consultation were put on display at appropriate local information points, as shown on display at Appendix F.4. A copy of the poster is also provided at Appendix F.4.

Display of documents:

2.167 The SCR along with a copy of the PEIR and non-technical summary of the PEIR were put on display from 31 October 2022:

- (i) For members of the public to access and review at:
 - The Immingham Civic Centre, Pelham Road, Immingham, DN40 1QF;
 - The Municipal Offices in Grimsby, 160 Livingston Avenue, Grimsby, L3M 0J5;
- (ii) For port users to access and review at:
 - The Seafarers Centre Immingham, Lockside Road, Immingham Dock, Immingham, DN40 2NN.

- 2.168 The documents were put on display and remained in place until the end of the consultation period.

Press coverage:

- 2.169 A media release was issued to local, regional and national press 27 October 2022 on November 2022 to publicise details of the consultation, provided at Appendix F.11.
- 2.170 On Saturday 12 November 2022, a soundbite from an interview with ABP's Head of Policy, Communications & Economic Development (Humber) was played in the early morning news bulletins on BBC Radio Humberside about the Supplementary Statutory Consultation.

Public information points:

- 2.171 As had been agreed with North East Lincolnshire Council in respect of the Original Statutory Consultation, the Council again agreed to include details of the Supplementary Statutory Consultation in its upcoming mailshot to subscribers of their consultation mailing list (approx. 5000 recipients). That edition was issued on 3 November 2022.
- 2.172 The following text was agreed with the Council for email bulletin:

“Immingham Eastern Ro-Ro Terminal (IERRT)

ABP (Associated British Ports) would like your views on its proposal for a new roll on/roll off shipping facility on the eastern side of the Port of Immingham. This development is for three new riverside berths and general repurposing of operational land within the existing port to provide the ro-ro terminal.

ABP will be holding in-person consultation events which members of the public and port users can attend to review documents and make comments on the IERRT project, or request further contact or information. All the consultation documents are also available online to view and download. To find out more about the project, the consultation process and how to respond visit:

Closes 27 November 2022 at 23:59pm”

Public consultation events

- 2.173 Two in person public consultation events were held for the Supplementary Statutory Consultation. They were held at the same two venues which had been used for the public consultation events undertaken for the Original Statutory Consultation – the locations having been identified to try and make

it as easy as possible for those likely to be affected or interested in the proposals to attend. The locations were:

- (a) For members of the public at: Immingham Civic Centre, Pelham Road, Immingham, DN40 1QF; and
- (b) For Port users at: Seafarers Centre Immingham, Lockside Road, Immingham Dock, Immingham, DN40 2NN

2.174 The two public consultation events were advertised and took place as follows:

For members of the public at:	
Immingham Civic Centre, Pelham Road, Immingham, DN40 1QF	
Date	Time
Saturday 12 November 2022	10am to 3pm
For Port Users at:	
Seafarers Centre Immingham, Lockside Road, Immingham Dock, Immingham, DN40 2NN	
Date	Time
Tuesday 15 November 2022	1pm to 4pm

2.175 At these events ABP presented hard copies of the consultation materials, including the SCR, the PEIR, and non-technical summary of the PEIR, as well as a plan showing the Project as now proposed and the SoCC. The information boards from the Original Statutory Consultation, illustrating details of the proposals, were also put on display for context. Copies of the Questionnaire (as updated to refer to the Supplementary Statutory Consultation) were provided in case visitors wished to provide feedback in this form. ABP had staff who were part of the Project team available to explain the Project, the refinements/changes to the proposals that had been made since the Original Statutory Consultation was undertaken in early 2022 and to answer any questions.

2.176 The public were informed about the consultation events through the advertisement of the section 48 notice in the local newspapers, on the posters, and by means of the Newsletter for the Supplementary Statutory Consultation.

2.177 The consultation events for the Supplementary Statutory Consultation were attended as follows:

- (a) Immingham Civic Centre on Saturday 12 November 2022 (for members of the public): 12 visitors are recorded as having signed the register for the event, however several more visitors were observed attending although they did not sign the attendance register. The event was attended by the local member of parliament, three local ward councillors, and the Immingham Town Council Mayor elected for 2021-22. Three Questionnaires were completed and submitted to ABP. The principal topics/matters/queries that were expressed to the project team at the event related to the following matters:
- Confusion between the proposals for the IERRT Project and those related to the Immingham Green Energy Terminal (IGET) development proposal – in respect of which it was clarified that the projects were independent;
 - Traffic on Queen’s Road and consideration of people living on that road;
 - General economic benefits as well as need for the Project;
 - The consultation process for the Project and what has to be done in terms of advertising to comply with the 2008 Act;
 - Local amenities including access to banking services; and
 - Benefit of better signposting to east and west gates at the Port.
- (b) Seafarers Centre. Port of Immingham on Tuesday 15 November 2022 (for port users): The event was attended by only one visitor - from UK Border Force - who discussed the UK Border Force infrastructure proposals for the Project with the Project team.

Project Website

2.178 ABP updated the dedicated Project consultation website at [REDACTED] host the consultation documents for the Supplementary Statutory Consultation (including the Questionnaire, as updated to refer to the Supplementary Statutory Consultation). The consultation documents were available to view and download free of charge from the commencement of consultation on 28 October 2022 (having been uploaded the previous evening) so as to be ready for start of consultation the following day. The website provided details about the Supplementary Statutory Consultation and how to respond to the consultation or to make enquiries.

- 2.179 The website was updated on Tuesday 1 November 2022 to also include information about the locations of the public information points where the public could inspect hard copies of the Supplementary Statutory consultation materials.
- 2.180 The consultation materials remained available to view online throughout the consultation period for the Supplementary Statutory Consultation and were not removed following the end of consultation in order to allow interested persons to continue to view the materials if they so wished. Following the close of consultation, the Project consultation website was updated with a statement confirming that the consultation period for the Supplementary Statutory Consultation had now closed, ABP was reviewing the responses received, and copies of all the consultation document were to remain available to view and download on the website.
- 2.181 Information regarding the Project consultation website during the consultation period for the Supplementary Statutory Consultation is provided at Appendix F.8.

Webinars:

- 2.182 ABP offered to hold online webinar sessions in November 2022, subject to demand, and requested that interested persons register their interested in attending.
- 2.183 No requests/expressions of interests in a webinar were received by ABP, and therefore no webinars were held.

Telephone Surgeries

- 2.184 ABP offered to arrange and provided telephone surgeries with a member of the Project team for members or the public or interested parties who requested them in order to discuss any questions had about the Proposed Development. Interested persons were asked to contact ABP, using the consultation contact details provided, to book a free of charge telephone surgery.
- 2.185 No requests for telephone surgeries were received.

Inquiries and feedback channels

- 2.186 ABP provided the following channels to manage feedback and enquiries:
- Emailing: immroro@abports.co.uk
 - Writing to: Associated British Ports, Port of Immingham, Dock Office, Alexandra Road, Immingham Dock, Immingham, North East

Lincolnshire, DN40 2LZ (Quoting Reference: Immingham Eastern Ro-Ro Terminal)

- Calling Freephone 0808 169 9912: to request a pre-paid stamped addressed envelope be sent to you in the post (free of charge) in order to provide feedback on the proposals.
- 2.187 Members of the public and consultees were advised – by means of the Newsletter, section 48 notice, consultee notification letters, posters and on the Project consultation website - that the above contact details could also be used to book a telephone surgery, register interest for the online webinar sessions, to request a pre-paid stamped addressed envelope in order to return feedback hard copy by post, or for general enquiries.
- 2.188 The Newsletter explained that a further Questionnaire for the Supplementary Statutory Consultation had not been prepared following comments received in response to the Original Statutory Consultation regarding the usefulness of the Questionnaire. It advised that if an individual however preferred to submit comments via a Questionnaire, a copy was available to download and complete on the dedicated Project website or a hard copy could be requested by emailing or calling the project team, using the details provided.
- 2.189 ABP received just two calls to the dedicated Freephone during the consultation period for the Supplementary Statutory Consultation, as follows. (A further call was received following the close of the consultation period on 14 December 2022 but had clearly been made to the wrong number, relating to the order of a minicab.)
- (i) Missed call from an unknown number was received on 9 November 2022. The caller did not leave a message and ABP was therefore unable to return the call.
 - (ii) Missed call on Saturday 26 November 2022 at 15:54 pm. ABP returned the call at 16:37pm on the same day. Caller was from an existing port business making an enquiry which was entirely unrelated to the Project and related to general port operational matters. ABP's project team advised them of the correct number to call for enquiries relating to general port operational matters and explained that they had called the dedicated consultation freephone line for the Project phone.
- 2.190 Enquiries received by email to the Project email address were responded to by the Project team and were logged in the consultation records.
- 2.191 Materials produced to support consultation

2.192 The following consultation documents, materials and information were produced / relied upon to support the Supplementary Statutory Consultation.

Consultation documents:

- (a) SCR - report available to view and download on ABP's Project consultation website which provided a description of how the Project had evolved and been refined since ABP published the PEIR and held the Original Statutory Consultation in early 2022 – containing a description of the changes made to the Project, the rationale and justification for making them, an outline of the implications for environmental effects of the Project as well as providing plans showing the revised proposals. (The SCR was specifically produced for the Supplementary Statutory Consultation to support and be read alongside the PEIR and the non-technical summary of the PEIR.) A copy of the SCR is provided at Appendix F.9.
- (b) PEIR, including technical appendices and accompanying figures – available to view and download on ABP's Project consultation website as part of the Supplementary Statutory Consultation (evidence of the publication on the project website is provided at Appendix F.8).
- (c) Non-technical summary of the PEIR – available to view and download on ABP's Project consultation website as part of the Supplementary Statutory Consultation (evidence of the publication on the project website is provided at Appendix F.8).
- (d) SoCC – statement setting out how ABP would consult local communities on the proposals – published for inspection by the public on ABP's Project consultation website (copy provided at Appendix A.5). (The Supplementary Statutory Consultation was undertaken in accordance with the principles and methods set out in the published SoCC and adapted as necessary for the Supplementary Statutory Consultation, as explained at paragraphs 2.148 – 2.159 above.)

Materials to publicise the consultation:

- (a) Section 48 notice – notice published in national and local press to publicise the proposed development (copy provided at Appendix C.4).
- (b) Newsletter for the Supplementary Statutory Consultation (which included a 3D image of the Project) - sent to all addresses within the consultation zone to provide a summary of the proposed development and publicise the consultation (copy provided at Appendix F.6).

- (c) Posters – placed at appropriate information points advertising the consultation and consultation events for the Supplementary Statutory Consultation. Evidence of the posters on display at appropriate local information points is provided at Appendix F.4. In addition, unregistered land posters were put on display within the locality of the Project site. Evidence of the unregistered land posters on display is provided at Appendix F.5.

Information to support the consultation:

- (a) The original information boards which were displayed at the consultation events for the Original Statutory Consultation (as well as published on ABP's Project consultation website) were again used at the consultation events for the Supplementary Statutory Consultation in order to provide context about the Project and in order for members of the project team to explain the refinements/changes made to the Project since the Original Statutory Consultation. Copies of the information boards remained accessible on the ABP's Project consultation website. Evidence of the webpage displaying the information boards during the Supplementary Statutory Consultation is provided at Appendix F.8).
- (b) Questionnaire - In line with comments received in response to the Original Statutory Consultation regarding the usefulness of the Questionnaire published for it, a further Questionnaire for the Supplementary Statutory Consultation was not produced. Consultees and members of the public were instead asked to submit comments in full by email or letter, but if they preferred to submit their comments via a Questionnaire they could do so. The original Questionnaire was updated for this purpose to refer to the 'Supplementary Statutory Consultation' and provide the new consultation period end date of 27 November 2022 – the substance of the Questionnaire was not therefore updated/amended. (A copy of the Questionnaire is provided at Appendix F.7).

Section 48 Publicity

- 2.193 In accordance with section 48(1) of the 2008 Act a notice publicising the Project for the purposes of the Supplementary Statutory Consultation was published in the prescribed manner, namely in accordance with Regulation 4(2) and with reference to Regulation 4(3) of the APFP Regulations.
- 2.194 The requirement for the publication of the section 48 notice for this Project was that it should appear for at least two successive weeks in one or more local newspapers circulating in the vicinity of the Project site, and once in each

of the following (i) a national newspaper, (ii) the London Gazette, (iii) Lloyd's List and (iv) an appropriate fishing trade journal.

2.195 S.48 Notice was therefore published as follows in the press:

- The local press:
 - (i) The Grimsby Telegraph - on Saturday 22 and Thursday 27 October 2022
 - (ii) The Scunthorpe Telegraph - on Thursday 27 October 2022
- A national newspaper - The Guardian – on Thursday 27 October 2022
- The London Gazette – on Thursday 27 October 2022
- Lloyd's List – on Thursday 27 October 2022
- An appropriate fishing trade journal - Fishing News – on Thursday 27 October 2022

2.196 A copy of the section 48 notice as it appeared in each of the above is provided at Appendix C.4.

2.197 The APFP Regs require under Regulation 4(3)(i): '*a deadline for receipt of those responses by the applicant, being not less than 28 days following the date when the notice is last published*'. Last notice publication was on Thursday 27 October 2022, providing more than 28 days from the day following last notice publication (i.e. Friday 28 October 2022) for the consultation period for the Supplementary Statutory Consultation. The consultation ended on Sunday 27 November 2022 at 23:59pm, 30 days from 28 October 2022.

2.198 The section 48 notice for the Supplementary Statutory Consultation was prepared with reference to Regulation 4(3) of the APFP Regulations and in compliance with that regulation included all information and matters prescribed by it, as follows:

- (a) The name and address of the ABP as the Applicant;
- (b) A statement that the ABP intended to make an application for a DCO to the Secretary of State;
- (c) A statement that the Project is EIA development;
- (d) A summary of the main proposals, and location proposed development;

- (e) A statement that the consultation documents showing the nature and location of the proposed development were available for inspection and to view and comment on, on the Project website free of charge;
 - (f) The latest date on which the consultation documents would be available for inspection (being a date not later than the deadline for the close of the consultation);
 - (g) Details of consultation events which would provide an opportunity for the local community and stakeholders to view the proposals and speak to the Project team;
 - (h) A statement that any changes to the in-person events would be posted on the consultation website;
 - (i) How people could request copies of the documents (including any charges);
 - (j) Details of how to respond to the consultation; and
 - (k) The deadline for responses.
- 2.199 In accordance with Regulation 13 of the EIA Regulations a section 48 notice was also sent to the consultation bodies. Further information is provided in Chapter 4 of this Consultation Report which discusses consultation under the EIA Regulations.
- 2.200 Copies of the section 48 notice were also provided to the Parish Councils of Stallingborough, Healing, Great Coates, North Killingholme and South Killingholme and Ulceby Parish Council, as well as to Immingham Town Council, in order for them to help to promote the consultation, in accordance with the commitment to do so in the SoCC. The emails sent to the Parish Councils and Immingham Town Council for this purpose are provided in Appendix F.10.

Section 42 Consultation Activities

- 2.201 The consultation with prescribed bodies, local authorities, and land interests (under section 42 of the 2008 Act) for the Supplementary Statutory Consultation ran in parallel to the consultation with local communities and people living in the vicinity of land required for the Proposed Development (under section 47 of the 2008 Act).

Notification of section 42 consultees

- 2.202 A consultation period of over 28 days was provided to all section 42 consultees for the Supplementary Statutory Consultation, commencing on Friday 28 October 2022 and ending at 23:59pm on Sunday 27 November 2022.
- 2.203 On Wednesday 26 October 2022, notices made under Section 42 in the form of hard copy letters were sent by post to all section 42(1)(d) (land interest) consultees to inform them of the start of the statutory consultation for the Supplementary Statutory Consultation on 28 October 2022. The letters were posted in advance to ensure arrival before the start of the statutory consultation on Friday 28 October 2022. The letters to section 42(1)(d) (land interests) explained that they were being consulted as they had an interest in land that may be affected by the Project. The letters were sent, taking a comprehensive approach, to the land interests consultees at both the corporate address as well as local site address where applicable. ABP, in addition, sent soft copies of the letters by email on Thursday 27 October 2022 to those contacts for the land interests consultees for whom they had email addresses (in addition to the hard copy letters sent). An example of the letter sent to the section 42(1)(d) is provided at Appendix F.1.
- 2.204 On Thursday 27 October 2022, notices made under Section 42 in the form of soft copy letters were sent by email to all section 42(1)(a) (prescribed consultees) and section 42(1)(b) (relevant local authorities) consultees to inform them of the start of the statutory consultation for the Supplementary Statutory Consultation on 28 October 2022. The emails were sent by ABP from its dedicated Project email address, and in advance to ensure arrival before the start of the statutory consultation, the following day on Friday 28 October 2022.
- 2.205 Under regulation 13 of the EIA Regulations, the applicant is required to send a copy of the section 48 notice to the consultation bodies and any person notified to the applicant in accordance with regulation 11(1)(b). The consultation bodies are defined in the EIA Regulations to include consultees prescribed under sections 42(1)(a) and 43 of the 2008 Act. The letters to section 42(1)(a) (prescribed consultees) and section 42(1)(b) (relevant local authorities) consultees therefore explained that they were prescribed consultees under the 2008 Act and also the EIA Regulations and enclosed the section 48 notice for the for the Supplementary Statutory Consultation as well as the other section 42 consultation material. An example of the letter sent to the section 42(1)(a)-(b) consultees, including the section 48 notice, is provided at Appendix F.1.

- 2.206 In instances where ABP had not previously corresponded with a statutory consultee by email or email addresses had not been provided for a consultee in the Regulation 11 List, hard copies of the notices were also sent to the consultee by post on Wednesday 26 October 2022.
- 2.207 Included with all section 42 notices letters to the section 42 statutory consultees – whether sent in hard copy by post, or electronically by email - were copies of the consultation materials for the Supplementary Statutory Consultation comprising the following enclosures (copies of which are provided at Appendix C.3 and F.6):
- (a) Section 48 Notice;
 - (b) Supplementary Statutory Consultation Newsletter (which included a 3D image of the Project);
- 2.208 The section 42 notice letters provided an overview of the Project, explained that it was an Environmental Impact Assessment “EIA” development and how consultees could respond to the consultation. The letters also explained that the SCR, PEIR, the non-technical summary of the PEIR and the SoCC could all be accessed online to view and download free of charge on ABP’s dedicated Project consultation website, from the start of consultation.
- 2.209 The section 42 notice letters further provided details of the two consultation events that were to take place as part of the Supplementary Statutory Consultation, the deposit locations where the consultation documents could be viewed online (i.e. the Project consultation website), information on how to request a USB free of charge containing the documents or paper copies of the materials (subject to a responsible copying charge for certain documents, up to a maximum cost of £300). The letters also explained that ABP was contemplating holding online webinar sessions in November 2022, subject to demand, and inviting persons interested in attending to register their interest.
- 2.210 The section 42 notice letters also confirmed that the Supplementary Statutory Consultation would take place between 28 October and 23:59 pm on 27 November 2022, and invited consultees to provide comments in writing on the Project proposals before the close of consultation at 23:59pm on 27 November 2022, after which comments may not be considered.
- 2.211 A copy of the hard copy section 42 notice letter sent by post on Wednesday 26 October 2022 to the section 42(1)(d) (land interests) for the Supplementary Statutory Consultation is provided at Appendix F.1
- 2.212 A copy of the section 42 notice letter send by email Thursday 27 October 2022 to the section 42(1)(a) (prescribed consultees), 42(1)(aa) (MMO) and 42(1)(b)

(relevant local authorities) for the Supplementary Statutory Consultation and accompanying covering email are provided at Appendix F.1 and F.2.

- 2.213 In addition, on 27 October 2022, ABP placed on display unregistered land posters within the locality of the Project site, in relation to unregistered land in respect of which it had, at the time, not yet been able to ascertain the ownership. The posters were put up by the ABP Water Tower, outside East Gate Port entrance on fence line, on a lamp post located on East Riverside road, and on fence line on Inter Freight Pad (visible from Robinson Road). A copy of the unregistered land poster and evidence of the unregistered land posters on display is provided at Appendix F.5.

Managing return to sender - section 42 consultees

- 2.214 There were two instances of email bounce backs being received as the emails were 'undeliverable' on 27 October 2022. These all related to section 42(1)(a) prescribed consultees. Alternative email addresses were investigated online for the consultees. Following investigation, the following action was taken:
- (i) In the first instance, the email bounce back was to the email address provided for the contact at the Yorkshire Ambulance Service NHS Trust (section 42(1)(a) prescribed consultee), as provided in the Regulation 11 List. The same issue had been experienced with this email address for this consultee for the Original Statutory Consultation. An alternative email address for the Yorkshire Ambulance Service NHS Trust's Legal Services Department (as shown on their website) had been identified at the time of the Original Statutory Consultation, and was added to ABP's consultation list. On checking the records and emails sent on 27 October 2022, it was confirmed that the alternative email address for the Ambulance Service NHS Trust has also received the section 42 notice letter sent by email that day, and as such, no further action was required.
 - (ii) In the second instance, the email bounce back was in respect of the section 42 notice letter which had been sent to ABP's contact for Northern Powergrid (Northeast) Plc (previously Northern Powergrid (Northeast) Limited). On checking the records, it was ascertained that the email had also been sent to the email address for the consultee as provided in the Regulation 11 List, as such, no further action was required. Discussions with Northern Power grid in connection with the IERRT project are in any case ongoing.
- 2.215 There was one instance of a hard copy letter to Healing Parish Council (non-prescribed consultee) being returned to sender on 4 November 2022. The letter was returned unopened and was logged and the address investigated online to determine if any alternative methods of contacting the consultee

could be identified. An online search revealed that the address for the Parish Council had changed. The letter was re-issued to their new address and sent by post on 4 November 2022.

Additional interests identified

- 2.216 In mid-November 2022, following discussions with North East Lincolnshire Council, the Council's legal department confirmed that the Council is the owner of the unregistered land, comprising highway and verge, around the East Gate to the Port, as ABP had anticipated following initial indications from the Council. (The unregistered land falling within the redline boundary of the Project site and to be subject to highway works.) ABP had consulted the Council as a section 42(1)(d) land interests during both rounds of statutory consultation, as well as putting unregistered land posters on display in order to ensure effective consultation. Upon ownership being confirmed by the Council, however, it emerged that the mineral rights beneath unregistered land were owned by another party which had previously been unknown and therefore not consulted.
- 2.217 In light of this, on 17 November 2022, a hard copy section 42 notice letter was sent by post to the owner of the mineral rights beneath the land in question, as a section 42(1)(d) land interests consultee, providing an extended period of time within which to respond to the Supplementary Statutory Consultation – providing 28 days – and requesting that any response be provided before 23:59pm on 15 December 2022. A soft copy of the section 42 notice letter was also sent by email on 17 November 2022, from the Project email address. A copy of the letter as sent it provided at Appendix G.2.
- 2.218 There was in addition, one instance of a land interest consultee, Northern Powergrid (Yorkshire) PLC), which had been sent a hard copy section 42 notice letter but which had also requested a copy be sent by email to a new contact. Due to an administrative error the soft copy by email had not been sent in the original mail out on 27 October 2022, and was therefore later issued on Wednesday 2 November 2022.

Extended consultation

- 2.219 As reported under paragraph 2.48, due to an administrative error, the following six section 42(1)(b) consultees - relevant local authorities ("A" authorities) - were not consulted until after the consultation period had commenced.
- Doncaster Council
 - Selby District Council
 - City of York Council

- Ryedale District Council
- Scarborough Borough Council
- North Yorkshire County Council

2.220 In order to rectify the position, section 42 notice letters were sent to the above relevant local authority consultees on 22 November 2022 in hard copy by post as well as soft copies by email. The letters explained why they were being consulted and provided an extended period of time within which to respond to the Supplementary Statutory Consultation, until 23:59 pm on 19 December 2022, providing a period of 28 days. Copies of the emails and notices are provided at Appendix G.1.

Stage 3 - Continuous Consultation (ongoing non-statutory consultation and engagement)

3 Ongoing consultation

- 3.1 Ongoing consultation with regulators, stakeholders and interested parties was undertaken following the close of the Original Statutory Consultation at 23:59pm on 23 February 2022, throughout the pre-consultation period to application submission. This engagement is referred to in this Consultation Report as the Continuous Consultation.
- 3.2 A record of the Continuous Consultation undertaken was kept on behalf of ABP and a summary of the engagement is provided in Table 8 below.

Post Statutory Consultation Changes to the Project

- 3.3 In the interests of transparency and to keep the general public, regulators, stakeholders and interested parties abreast of the development of the proposals for the project as it evolved, ABP issued two Newsletters - a Spring Newsletter in April 2022 and a Summer Newsletter in August 2022. The Newsletters provided an update on the proposals since Original Statutory Consultation closed, outlined any changes made to the Proposed Development, provided an updated timeline for the Project and provided contact details for any comments or enquiries to be submitted to ABP. The Newsletters were mailed out to everyone in the consultation zone, and were sent to all the identified statutory consultees, as well as non-statutory consultees previously consulted for the purpose of the Original Statutory Consultation.
- 3.4 In issuing the Newsletters, ABP has had regard to the Department for Communities and Local Government's guidance – 'Planning Act 2008: Guidance on the pre-application process (March 2015), which at paragraph 75 provides that:
- 3.5 *'75. If the application only changes to a small degree, or if the change only affects part of the development, then it is not necessary for an applicant to undertake a full re-consultation. Where a proposed application is amended in light of consultation responses then, unless those amendments materially change the application or materially changes its impacts, the amendments themselves should not trigger a need for further consultation. Instead, the applicant should ensure that all affected statutory consultees and local communities are informed of the changes.'*
- 3.6 In line with this guidance, ABP initially issued the Spring Newsletter (a copy of which is provided at Appendix H.1 to the statutory and non-statutory

consultees using the methods previously used to consult them for the Original Statutory Consultation, as well as the local community by means of hard copy mail out by post to the consultation zone, informing them of the changes to parts of the proposed development. The principal change to the Project was the reduction in the size and scale of the proposed development from that originally notified which contemplated ‘up to four berths’ but which had been reduced to to three berths. The decision to amend the Project was made following consideration of the feedback received during and following the Original Statutory Consultation, and ABP’s own assessment of the potential impacts of a four berth proposal in terms of the marine environment. The reduction in scale of the proposed development had the positive benefit of reducing the overall environmental impact of the Project.

- 3.7 The same approach was taken by ABP when issuing the Summer Newsletter (using the same methods), informing the recipients that about the further refinements that had been made to the Project in preparation for submission of the Application.
- 3.8 A subsequent decision to undertake the Supplementary Statutory Consultation in October and November 2022 was made in the interest of transparency and to ensure that the local community, general public, regulators, stakeholders and interested parties were fully aware of the changes/refinements made to the proposed development, any resulting impacts or benefits in terms of environmental impacts, and to provide them with the opportunity to review and comment upon the updated proposals for the Project prior to submission of the Application.

Consultation Changes

- 3.9 A summary record of the Continuous Consultation undertaken outside of the statutory consultation process is provided in Table 7.

Table 7: Ongoing Consultation Engagement (Outside Statutory Consultation)

Consultee	Purpose/Summary of Discussions	Date
Statutory Consultees		
North East Lincolnshire Council	A meeting and email correspondence with the Tree officer took place during this period to provide updates on the project and discuss issues raised during the statutory consultation. Discussion was also held, and comments received on the draft EEMP.	May & July 2022

	Meetings and email correspondence with the Highways officer took place during this period to provide updates on the project and discuss issues raised during the statutory consultation. Comments were made on junction modelling. Discussion was also held on the scope and content of the CEMP, Transport Assessment and Travel Plan.	March, June, July, September & December 2022
	Email correspondence with the Planning officer took place during this period to provide updates on the project and discuss issues raised during the statutory consultation and confirming approach to responding to Supplementary Statutory Consultation. This is in addition to fortnightly scheduled calls to discuss port-wide projects.	June – August, October & November 2022
	A phone call took place with the Contaminated Land officer to provide updates on the project and discuss issues raised during the statutory consultation.	May 2022
	A meeting and email correspondence with the Drainage and Flood Defence officer took place during this period to provide updates on the project and discuss issues raised during the statutory consultation. Discussion was also held on the Draft Protective Provisions and the Draft drainage Strategy.	May, June, July, September, November & December 2022
	Email correspondence with EQUANS took place during this period regarding unregistered land at Laporte Road and Queens Road.	June, August, September, October & November 2022
North Lincolnshire Council	Meetings and email correspondence took place during this period to provide updates on the project and discuss issues raised during the statutory consultation. Email correspondence was sent to clarify whether there were any outstanding issues with the scope or assessment methodologies for noise impacts. Discussion was also held on the scope and content of the	June, July, September – October 2022 & January 2023

	Transport Assessment, Draft Travel Plan and CEMP. Agreement that a SoCG is not necessary.	
East Riding of Yorkshire Council	Email correspondence took place to advise the Council that, at that time, the project included the use of land at Skeffling.	July 2022
Natural England	Meetings took place during this period to provide updates on the project and discuss issues raised during the statutory consultation, including EIA/HRA approach, key potential impacts, intertidal loss, subtidal habitat, bird mitigation and wildfowling licence.	February – October 2022
Marine Management Organisation	Meetings and email correspondence took place during this period to provide updates on the project and discuss issues raised during the statutory consultation, including key potential impacts on water and sediment quality, underwater noise and migratory fish, physical processes and updates to modelling and assessment work. Discussion was also held on draft Marine Licence and the review of submitted application documents.	February, April, May, July, September & November – December 2022 & January 2023
Environment Agency	A meeting and email correspondence took place during this period to provide updates on the project and discuss issues raised during the statutory consultation. Discussion was also held regarding draft protective provisions, Environmental Permitting Regulations and Water Discharge Permits.	March, May, July, September – December 2022 & January 2023
North East Lindsey Internal Drainage Board (c/o Witham)	Meetings and email correspondence took place during this period to provide updates on the project and to discuss issues raised during the statutory consultation, plus cumulative and in-combination effects and mitigation levels for safe refuge. As well as discussion of the draft	February, May – September, November & December 2022

Internal Drainage Board)	protective provisions, Draft DCO articles and draft Drainage Strategy.	
Anglian Water	A meeting and email correspondence took place during this period to provide updates on the project and to confirm the location of Anglian assets. Discussions were also held on draft protective provisions and draft Drainage Strategy.	March - June, August & October - December 2022
Royal Mail	Email correspondence took place during this period to provide updates on the project and to discuss issues raised during the statutory consultation.	June 2022
Network Rail Infrastructure Limited	Email correspondence took place during this period to provide updates on the project and to discuss draft documents (including the CEMP), draft plans and the draft protective provisions.	March - July, November, December 2022 & January 2023
Northern Powergrid (Yorkshire) PLC	Email correspondence took place during this period to provide updates on the project and to discuss draft protective provisions.	March, April, June - August, November, December 2022 & January 2023
Cadent Gas Limited	Meetings and email correspondence took place during this period to provide updates on the project, to check asset ownership and to discuss draft protective provisions.	March - June, August, November, December 2022 & January 2023
National Grid PLC	Email correspondence to confirm that National Grid do not own any assets within the Port of Immingham.	March & April 2022
ABP Humber Estuary Services	A meeting and email correspondence took place during this period to provide updates on the project and discuss issues raised. Emails regarding the HAZID Workshops and the list of attendees were also exchanged.	April - September & November 2022

	Discussions were also held on draft protective provisions.	
Trinity House	Email correspondence took place during this period to respond to the comments made during the statutory consultation and follow up queries. Correspondence was also exchanged regarding draft DCO articles and Protective Provisions.	June, July, November & December 2022
Historic England	Email correspondence took place regarding asset selection for the heritage setting assessment. A meeting was held to provide an update on the project and to respond to the comments made during the statutory consultation. Discussion was also held on key potential impacts on archaeology and cultural heritage.	March & May 2022
National Highways	Meetings and email correspondence took place during this period to provide updates on the project and discuss issues raised during the statutory consultation. Discussion was also held on the scope and content of the Transport Assessment and the need for a Travel Plan and Construction Traffic Management Plan.	March, June, July, September, November & December 2022
CPO and Land Interests		
Anglian Water	A meeting and email correspondence took place during this period to provide updates on the project and to confirm the location of Anglian assets. Discussions were also held on draft protective provisions and draft Drainage Strategy.	March - June, August & October - December 2022
ABP lessee and Drury Engineering Services Ltd	Meetings, phone call and email correspondence took place during this period to progress and agree lease negotiations and arrange access for ground investigations. Queries relating to air conditioning and bridge location were also raised.	March - December 2022
Port Equipment Engineering Ltd	Phone call and email correspondence relating to lease negotiations	April, May & July 2022

P.K. Construction (Lincs) Limited	Meetings and email correspondence took place regarding project updates and lease discussions. Query relating to air conditioning was also raised.	May July & September 2022
Malcolm West Fork Lifts (Immingham) Limited	Meetings took place regarding project updates and lease discussions.	May & July 2022
DB Cargo (UK) Limited	Project update and lease and protective provision discussions	June & November 2022 & January 2023
Volkswagen Group United Kingdom Limited	Email correspondence took place during this period to arrange access for ground investigations and lease discussions. Email and hard copy letter correspondence regarding CPO land interest information request.	August & November 2022
Ward	Email correspondence took place to arrange access for ground investigations.	August 2022
Openreach Limited	Email correspondence took place during this period to provide updates on the project. Correspondence was also exchanged regarding draft protective provisions.	March, April, June – August 2022
National Grid PLC	Email correspondence to confirm that National Grid do not own any assets within the Port of Immingham.	March & April 2022
Northern Powergrid (Yorkshire) PLC	Email correspondence took place during this period to provide updates on the project and to discuss draft protective provisions.	March, April, June - August, November, December 2022 & January 2023
Exolum Immingham LTD	Meetings and email correspondence took place during this period to provide updates on the project, respond to issues raised during the	January, April – December

		statutory consultation and to discuss draft protective provisions. Draft drawings of the junctions and roads within the port were also provided and access routes were discussed. Discussions were held in respect of modelling of vessel movements, proposed route alteration to access the pipelines, HGV numbers and loading procedure, PIZ area and Hazardous licences, construction of the new approach jetty and notification of soil sampling. Engagement regarding HAZID Workshops.	2022 & January 2023
Origin Operations Limited	UK	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. Discussion was also held on access arrangements.	March - May & July - October 2022
Cadent Limited	Gas	Meetings and email correspondence took place during this period to provide updates on the project, to check asset ownership and to discuss draft protective provisions.	March - June, August, November, December 2022 & January 2023
Network Infrastructure Limited	Rail	Email correspondence took place during this period to provide updates on the project and to discuss draft documents (including the CEMP), draft plans, asset protection, negotiations for an access agreement and the draft protective provisions.	March - July, November, December 2022 & January 2023
Lloyd and Jones Engineering		Email correspondence regarding the compulsory acquisition of the site.	October 2022
Interested Parties			
CLdN		A meeting and email correspondence took place during this period to provide updates on the proposal, to respond to issues raised during statutory consultation including navigation and	April - June, August, October & November 2022

	traffic impacts and to discuss CLdN's existing operations. Engagement regarding HAZID Workshops and Navigational Simulations. Discussions regarding the NRA and CLdN operations on the Humber.	
DFDS	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, including navigation, socio-economic and environmental and traffic impacts and material changes to the scheme. Engagement regarding HAZID Workshops and Navigational Simulations. Discussions regarding the NRA. Correspondence regarding traffic concern. Correspondence and a meeting between DFDS and PINs took place during this period.	April - December 2022 August 2022
APT	Meetings, phone calls and email correspondence took place during this period to provide an update on the proposal and to respond to issues raised during statutory consultation. Discussions were also held relating to the relocation of the sinker buoy, draft protective provisions and draft NRA. Engagement regarding HAZID Workshops and Navigational Simulations.	March, December 2022 & January - February 2023
Yara	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.	March & May - July 2022
Nippon Gases	A meeting and 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.	March, May, July & September 2022

Peacock Salt	A meeting, phone call and email correspondence took place during this period to discuss the proposal and future plans of the party.	March - May 2022
Knauf	Meetings were held during this period to provide project updates. 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.	May 2022
Bulk Minerals	A phone call providing an update on the project and the timing for relocation of stockpiles was discussed.	April 2022
Global/TTS/Woodbridge	A meeting and email correspondence took place during this period to provide an update on the proposal and discuss implications for their business.	April 2022
Svitzer Marine	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. Engagement regarding HAZID Workshops.	April & August 2022
JG Maritime Solutions Limited	Email correspondence relating to the DCO process and timing of the consultation report.	April 2022
Tronox	Email correspondence took place to provide an update on the proposal.	March 2022
Virgin Media	Email correspondence took place during this period to provide information relating to the project. Discussion was also held on the draft protective provisions.	March, April & June 2022
PAM	A phone call and meeting took place to advise and update on the project. Discussions relating to existing air conditioning arrangements also took place.	January, August & September 2022
Rix	Email correspondence relating to the impact of the project on Rix's commercial operations. Engagement regarding HAZID Workshops.	September 2022

UK Border Force	Discussions regarding UKBF requirements took place.	February – April & July – November 2022
Humberside Police	Discussions regarding requirements took place.	June – September 2022
Humber Nature Partnership	Correspondence as to whether there was the potential for beneficial use of dredged arisings for habitat creation projects on the Humber	September & October 2022
Other		
The Crown Estate	Email correspondence took place during this period to provide updates on the project, request confirmation relating to the marine borehole locations and the acceptability of the draft wording of the DCO. Request for formal consent to acquire the sinker buoy was submitted.	April – June 2022 & January 2023
The Planning Inspectorate	Meetings took place during this period and advice was provided in respect of the project. Minutes of the meetings are available to view on the project page of the Planning Inspectorate's website https://infrastructure.planninginspectorate.gov.uk/projects/yorkshire-and-the-humber/immingham-eastern-ro-ro-terminal/?ipcsection=advice	February, May, September & November 2022
Members of the Public		
Local Resident	Correspondence relating to S47 Response	June 2022
Local Resident	Compulsory Purchase Query	October 2022
Residents of Queens Road	Letters advising of the package of noise insulation measures available to residents.	November 2022
Resident of Queens Road	Commercial port interests/ negotiations.	December 2022
HAZID Workshops (21st October, 7 April 2022 and 16-17 August 2022)		
ABP (HES)	Initial Hazard Identification workshop (HAZID), which fed into the NRA process.	October 2021 & April –

	Email correspondence relating to the invitation to the April HAZID Workshop and the issuing of the draft NRA for comment. Email correspondence relating to the invitation to the August HAZID workshops and associated pre-read material, plus the list of attendees were also exchanged. Attendance at the workshops to discuss the navigational risks during construction and operation of the IERRT project. Draft and final Haz Log issued for comment.	September 2022
ABP	Initial Hazard Identification workshop (HAZID), which fed into the NRA process. Email correspondence relating to the invitation to the April HAZID Workshop and the issuing of the draft NRA for comment. Email correspondence relating to the August HAZID workshops and associated pre-read material. Attendance at the workshops to discuss the navigational risks during construction and operation of the IERRT project. Draft and final Haz Log issued for comment.	October 2021 & April, May, August & September 2022
Rix	Email correspondence relating to the invitation to the August HAZID workshops and associated pre-read material. Attendance at the workshops to discuss the navigational risks during construction and operation of the IERRT project and follow up discussion. Draft and final Haz Log issued and comments provided.	August - September 2022
DFDS (Advised by Bishop Marine Consulting)	Email correspondence relating to the invitation to the April HAZID Workshop, the issuing of the draft NRA and the receipt of comments and feedback. Email correspondence relating to August HAZID workshops and associated pre-read material. Attendance at the workshops to discuss the navigational risks during construction and operation of the IERRT project and follow up comments and discussion. Feedback on the draft and final Haz Log and NRA requested and received. Feedback provided on NRA.	April, May, July - October 2022

Exolum	Email correspondence relating to the invitation to the August HAZID workshops and associated pre-read material. Attendance at the workshops to discuss the navigational risks during construction and operation of the IERRT project and follow up discussion. Draft and final Haz Log issued for comment.	August September 2022	-
Svitzer	Email correspondence relating to the invitation to the August HAZID workshops and associated pre-read material. Attendance at the workshops to discuss the navigational risks during construction and operation of the IERRT project and follow up discussion. Draft and final Haz Log issued for comment.	August September 2022	-
APT by Nash Maritime)	Email correspondence relating to the invitation to the April HAZID Workshop, the issuing of the draft NRA and the receipt of comments and feedback. Email correspondence relating to August HAZID workshops and associated pre-read material. Attendance at the workshops to discuss the navigational risks during construction and operation of the IERRT project and follow up comments and discussion. Draft and final Haz Log issued and comments received.	April, August September 2022	May, &
CLdN	Email correspondence relating to the invitation to the April HAZID Workshop, the issuing of the draft NRA and the request for comments. Email correspondence relating to August HAZID workshops and associated pre-read material. CLdN were unable to attend the August workshop.	April, August 2022	May &
Navigation Simulation Workshops 28th – 29th November 2022			
Rix, Thames Fisher, APT (including their consultants Nash Marine), DFDS, ABP HES, Dock	Navigational simulation workshops were held to confirm operational preparedness of the proposed design. Feedback was provided during the sessions.		

Master, Marine, and Towage	ABP Stena SMS	
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4 Quantitative summary of the responses to consultation

4.1 This chapter of the Consultation Report sets out how ABP has complied with its duty under section 49 of the 2008 Act to have regard to consultation responses received to both rounds of statutory consultation (the Original Statutory Consultation and the Supplementary Statutory Consultation).

Section 49 Requirements

4.2 Section 49(2) of the 2008 Act requires applicants to have regard to any 'relevant responses' received to statutory consultation and publicity that has been undertaken under sections 42, 47 and 48 of the 2008 Act when deciding whether the actual application is to be made in the same terms as that which was proposed during the statutory consultation. "Relevant responses" are those received by the applicant under sections 42, 47 or 48 of the 2008 Act within the deadline specified.

4.3 ABP has had regard to and taken fully into account all relevant consultation responses to both the Original Statutory Consultation and the Supplementary Statutory Consultation, whether or not they were received within the deadline, or extension to the deadline, originally set.

4.4 *DCLG (2015) Planning Act 2008: Guidance on the pre-application process* at paragraph 80 sets out the requirements for a consultation report, which includes the following:

- *'set out a summary of relevant responses to consultation (but not a complete list of responses);*
- *provide a description of how the application was informed and influenced by those responses, outlining any changes made as a result and showing how significant relevant responses will be addressed;*
- *provide an explanation as to why responses advising on major changes to a project were not followed, including advice from statutory consultees on impacts;*

4.5 Applicants should, therefore, be able to demonstrate that they have acted reasonably in fulfilling the requirements of section 49 of the of 2008 Act.

4.6 In this case, ABP has considered all of the consultation responses from section 42(1)(a), (aa), (b) and (d), section 47 and section 48 consultees, received in response to both rounds of statutory consultation.

- 4.7 The sections below set out a summary of the comments made for each consultee group and how ABP has had regard to those comments in preparing the Application.

Response to Consultation

- 4.8 Questionnaires and bespoke responses received in writing were accepted as consultation feedback. All section 42, section 47 and section 48 consultee responses were analysed and themed according to the themes (i.e. topic area) and issues raised in the responses. This exercise was undertaken in respect both the Original Statutory Consultation and the Supplementary Statutory Consultation.
- 4.9 The majority of responses received were based around environmental considerations and specifications for the Environmental Statement.
- 4.10 The responses (including the Questionnaires) were each allocated their own individual identifier number, logged and were analysed and 'coded' (grouped thematically) in order to understand the issues and themes raised in the responses. The issues raised were identified as relating to a relevant theme, for example, if the issue raised by a consultee related to traffic, then a 'traffic' theme was assigned. In the event that an issue was raised which did not fit into an existing theme, a new theme was added to reflect the issue raised.
- 4.11 The issues requiring a response were identified to the relevant matter expert in that subject area for ABP, who logged the issues in a table together with a response to the issues raised.
- 4.12 The tables prepared by the various matter experts have been included in the relevant technical chapters of the Environmental Statement (Application Document Reference number 8.2). The tables are reproduced, on a chapter-by-chapter basis at appendix L.2 for the purposes of this Consultation Report. A table of responses to issues which did not pertain to any of the topics addressed by the matter experts within the Environmental Statement is also provided at appendix L.2.
- 4.13 The tables demonstrate how ABP, as the applicant, has taken all relevant consultation responses fully into account, records the regard that has been had to each relevant consultation response and documents whether the comment has resulted in a change to the Proposed Development.
- 4.14 A summary of the responses received from section 47 consultees and section 42 consultees (including section 48), to both rounds of statutory consultation, is however provided below - identifying by theme - the topics raised in the

individual consultation responses received (shown by individual response identifier number).

Consultation Responses

4.15 This section summarises by theme the responses that were received from consultees under section 42 (including section 48) and section 47 of the 2008 Act, for (i) Original Statutory Consultation and (ii) the Supplementary Statutory Consultation.

4.16 It should be noted that detailed summaries of the individual consultation responses received, together with any responses to the comments made, are provided within the tables provided at appendix L.1 and L.2.

Original Statutory Consultation

4.17 Responses from section 42 consultees (including section 48) provided a range of comments. These are shown by theme in Table 8 below.

Table 8: Summary of section 42 (including section 48) consultation responses by theme

Consultee	Response Theme
Prescribed consultees	
Humberside Fire and Rescue (PI 3 & PI 26)	Land Use Planning
The Coal Authority (PI 4)	Ground Conditions including land quality
ESP Utilities (PI 8)	Ground Conditions including land quality
Health and Safety Executive (PI 12)	Land Use Planning
North East Lindsey Internal Drainage Board (c/o Witham Internal Drainage Board) (PI 13, PI 44)	Coastal Protection, Flood Defence and Drainage, Physical Processes
Humberside Police (PI 15)	Traffic and Transport Land Use Planning
NATS Safeguarding (PI 16)	Impact Assessment
Environment Agency (PI 34)	Coastal Protection, Flood Defence and Drainage Ground Conditions including land quality

	Physical Processes Water and Sediment Quality Nature Conservation and Marine Ecology
National Grid (PI 24)	Ground Conditions including land quality
Ministry of Defence (PI 25)	Land Use Planning
Royal Mail (PI 27)	Traffic and Transport
Network Rail (PI 29)	Traffic and Transport Lighting (Chapter 6)
National Highways and Systra (PI 33)	Traffic and transport
Marine Management Organisation (PI 35)	Physical Processes Water and Sediment Quality Nature Conservation and Marine Ecology
UK Health Security Agency (PI 37)	Socio-Economic Land Use Planning Air Quality Traffic and Transport
Natural England (PI 40)	Nature Conservation and Marine Ecology Physical Processes Air Quality Terrestrial Ecology (PEA Report)
Historic England (PI 42)	Cultural Heritage and Marine Archaeology
Anglian Water (PI 43)	Coastal Protection, Flood Defence and Drainage Ground Conditions including land quality Physical Processes
ABP Harbour Master (PI 17)	Navigation
Maritime Coastguard Agency (PI 31)	Navigation

Trinity House (PI 36)	Navigation
British Transport Police (PI 21)	Traffic and Transport
Local Authorities	
North Lincolnshire Council (PI 38)	<p>Coastal Protection, Flood Defence and Drainage</p> <p>Ground Conditions including land quality</p> <p>Socio-Economic</p> <p>Land Use Planning</p> <p>Climate Change</p> <p>Physical Processes</p> <p>Water and Sediment Quality</p> <p>Nature Conservation and Marine Ecology</p> <p>Cultural Heritage and Marine Archaeology</p> <p>Navigation</p> <p>Air Quality</p> <p>Noise and Vibration</p> <p>Traffic and Transport</p> <p>Lighting (Chapter 6)</p>
North East Lincolnshire Council (PI 45 & Q73)	<p>Coastal Protection, Flood Defence and Drainage</p> <p>Ground Conditions including land quality</p> <p>Nature Conservation and Marine Ecology</p> <p>Terrestrial Ecology (PEA Report)</p> <p>Cultural Heritage and Marine Archaeology</p> <p>Noise and Vibration</p> <p>Air Quality</p> <p>Socio-Economic</p>

	Traffic and Transport Landscape (Chapter 6)
Parish Councils	
Stallingborough Parish Council (PTC1)	Traffic and Transport Terrestrial Ecology (PEA Report) Noise and Vibration
Immingham Town Council (Q66, PTC2)	Traffic and Transport Noise and Vibration
North Killingholme Parish Council (PTC4)	Traffic and Transport Socio- Economic
South Killingholme Parish Council (Q66, PTC3)	Traffic and Transport Socio- Economic Terrestrial Ecology (PEA Report) Lighting (Chapter 6)
Land Interests	
VW Group (T6)	Socio-Economic
Drury Engineering Services Ltd (Ex18)	Traffic and Transport
Exolum (Ex16, Q94, PI 28)	Traffic and Transport Land Use Planning Navigation
Anglian Water (PI 43)	Coastal Protection, Flood Defence and Drainage Ground Conditions including land quality Physical Processes
Network Rail (PI 29)	Traffic and Transport Lighting (Chapter 6)

National Grid (PI 24)	Ground Conditions including land quality Traffic and Transport
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4.18 Responses from section 47 consultees also provided a range of comments which are shown by theme in Table 9 below.

Table 9: Summary of 47 consultation responses by theme

Consultee	Response Theme
Technical Organisations and Interest Groups	
Lincolnshire Wildlife Trust (Q79)	Nature Conservation and Marine Ecology
RSPB (Q80)	Nature Conservation and Marine Ecology
Ulceby Road Safety Group (Ex6, Ex7, Ex8, Q70)	Traffic and Transport Noise and Vibration Climate Change
Maritime Skills Academy (Q92, Q93)	Traffic and Transport Navigation
Immingham Museum (Q75)	Traffic and Transport
Royal Yachting Association (PI 9)	Navigation
Members of the Public	
Q3, Q6, Q8, Q9, Q13, Q21, Q22, Q24, Q26, Q33, Q35, Q37, Q39, Q41, Q48, Q49, Q51, Q57, Q59, Q64, Q67, Q69, Q76, Q86, Q87, Q88, Q91, Ex4, Ex12, Ex13, Ex15, Ex20	Traffic and Transport
Q1, Q5, Q6, Q24, Q27, Q31, Q35, Q38, Q41, Q48, Q52, Q53, Q55, Q57, Ex9, Ex11, Ex15	Socio-Economic
Q1, Q16, Q65, Ex21	Physical Processes
Q26, Q35, Ex10	Noise and Vibration
Q26, Q35, Q37	Climate Change

Q26, Q59	Air Quality and Emissions
Q47, Q65, Q74, Q88, Ex22	Navigation
PI 14	Coastal Protection, Flood Defence and Drainage
Q1	Nature Conservation and Marine Ecology
Q6, Q24, Q26, Q27, Q86	Terrestrial Ecology (PEA Report)
EX10	Visual Impacts (Chapter 6)
EX20	Lighting (Chapter 6)
Q86	Need
Local Businesses	
Q61, Q72	Terrestrial Ecology (PEA Report)
Q82	Navigation
Q82	Air Quality and Emissions
Q61	Socio-Economic
Q40, Q72, Q82,	Traffic and Transport
Port Tenants, Customers, Service Providers or Other Port Activities	
DFDS (Ex19, PI 22, PI 32, PI 39)	Traffic and Transport Navigation Socio-Economic Nature Conservation and Marine Ecology Terrestrial Ecology (PEA Report) Air Quality Need
APT (Ex17, PI 30)	Traffic and Transport Navigation Land Use Planning Physical Processes

	Noise and Vibration Need
Intertek (PI 2)	Traffic and Transport
PAM (T3)	Noise and Vibration
Nippon Gases (Q78)	Traffic and Transport
Yara (Q77)	Coastal Protection, Flood Defence and Drainage Traffic and Transport
CLdN (PI 41)	Socio-Economic Climate Change Traffic and Transport Navigation

4.19 In addition to the above, consultation responses relating to issues which did not pertain to any of the topics addressed by the matter experts within the Environmental Statement are shown by theme in Table 10 below.

Table 10: Matters raised during the statutory consultation that are not addressed in the Environmental Statement chapters

Consultee	Response Theme
Section 42 - Statutory Consultees, section 47 Technical Organisations and Interest Groups	
Solent Stevedores (PI 1)	Consultation Process
Morgan Sindell Infrastructure (PI 6)	Consultation Process
ESP Utilities (PI 8)	Consultation Process
Northern Powergrid (PI 11)	Project Detail Query
Humberside Fire and Rescue (PI 3)	Project Detail Query
Humberside Police (PI 15)	Project Detail Query
British Transport Police (PI 21)	Project Detail Query

Network Rail (PI 29)	Project Detail Query
Anglian Water (PI 43)	Project Detail Query Protective Provisions
Ulceby Road Safety Group (Q70)	Consultation and DCO process Project Detail Query
Maritime Skills Academy (Q92, Q93)	Consultation and DCO process
North East Lincolnshire Council (PI 45 & Q73)	General Support Project Detail Query
Immingham Museum (Q75)	General Support Project Detail Query
Section 42 - Local Authorities	
West Lindsey District Council (PI 10)	Other - The Council have no observations or objections to make to the Preliminary Environmental Information Report.
East Lindsey District Council (PI 23)	Other - The Council have no comments to make on the Preliminary Environmental Information Report.
Section 47 - Parish Councils	
Stallingborough Parish Council (PTC1)	Consultation and DCO process
North Killingholme Parish Council (PTC4)	Consultation and DCO process
Section 47 - Members of the Public	
PI5,	Consultation and DCO process
Q20, Q23, Q52, Q76, Q90, Ex15	General Support
Q20, Q21, Q27, Q35, Q38, Q39, Q64, Q67, Q74, Q76, Q90, Ex1, Ex14, PI5	Project Detail Query
Ex2, Ex3, Ex5,	Commercial and Operational Matters
Q91	Other - Immingham town centre
Section 47 - Local Businesses	

Q82	Consultation and DCO process
Q72	General Support
Q72, Q82	Project Detail Query
Section 42 and 47 - Port Tenants, Customers, Suppliers, Service Providers or Other Port Activities	
Peacock Salt (T1)	Consultation Process General Support Commercial and Operational Matters
DFDS (PI 7 & Ex19)	Consultation Process Commercial and Operational Matters
Intertek (PI 2)	Consultation Process Project Detail Query Commercial and Operational Matters
APT (PI 30)	Consultation Process Commercial and Operational Matters
CLdN (PI 41)	Consultation Process
DB Cargo (PI 19)	General Support Project Detail Query
Exolum (Ex16 & T5)	Commercial and Operational Matters
Drury Engineering (EX18)	Commercial and Operational Matters
Bulk Minerals (T2)	Commercial and Operational Matters
PAM (T3)	Commercial and Operational Matters
NK Transport (T4)	Commercial and Operational Matters
LKAB (PI 20)	Commercial and Operational Matters
Nippon Gases (Q78)	Consultation and DCO process
Yara (Q77)	Project Detail Query

Supplementary Statutory Consultation

4.20 Responses from section 42 consultees (including section 48) provided a range of comments. These are shown by theme in Table 11 below.

Table 11: Summary of section 42 (including section 48) consultation responses by theme

Consultee	Response Theme
Statutory and Prescribed consultees	
Coal Authority (PI 2)	Ground Conditions including land quality
Health and Safety Executive (PI 24)	Land Use Planning
Environment Agency (PI 11)	Impact Assessment Approach Physical Processes Coastal Protection, Flood Defence and Drainage
National Grid (PI 7)	Impact Assessment Approach
Ministry of Defence (PI 9)	Land Use Planning
Network Rail (PI 25)	Traffic and Transport
Marine Management Organisation (PI 10)	Physical Processes Water Sediment and Quality Nature Conservation and Marine Ecology Cumulative Effects
UK Health Security Agency (PI 8)	Land Use Planning
Natural England (PI 22)	Nature Conservation and Marine Ecology Physical Processes Air Quality Terrestrial Ecology (PEA Report)

	Impact Assessment Approach
Historic England (PI 23)	Cultural Heritage and Marine Archaeology
North East Lindsey Internal Drainage Board (c/o Witham Internal Drainage Board) (PI 12)	Physical Processes Coastal Protection, Flood Defence and Drainage
Cadent Gas (PI 16)	Land Use Planning
Northern PowerGrid (PI 14)	Impact Assessment Approach
Maritime Coastguard Agency (PI 17)	Navigation
Local Authorities	
North East Lincolnshire Councillor (Q2)	Traffic and Transport
North Lincolnshire Council (PI 26)	Impact Assessment Approach
North East Lincolnshire Council (PI 27)	Impact Assessment Approach
Land Interests (CPO)	
Network Rail (PI 25)	Traffic and Transport
National Grid (PI 7)	Impact Assessment Approach

4.21 Responses from section 47 consultees also provided a range of comments which are shown by theme in Table 12 below.

Table 12: Summary of 47 consultation responses by theme

Consultee	Response Theme
Members of the Public	
PI 5	Water and Sediment Quality
Q1 Q3 EX1 EX 5	Traffic and Transport
EX 2	Socio- Economic
Port Tenants, Customers, Suppliers, Service Providers or Other Port Activities	

DFDS (PI 15)	Navigation Socio-Economic Traffic and Transport Cumulative Effects Nature Conservation and Marine Ecology
APT (PI 19)	Navigation Traffic and Transport
CLdN (PI 21)	Navigation
ABLE (PI 29)	Physical Processes

4.22 In addition to the above, consultation responses relating to issues which did not pertain to any of the topics addressed by the matter experts within the Environmental Statement are shown by theme in Table 13 below.

Table 13: Matters raised during the statutory consultation that are not addressed in the Environmental Statement chapters

Consultee	Response Theme
Section 42 - Statutory Consultees, section 47 Technical Organisations and Interest Groups	
Natural England (PI 3)	Other – Requested clarity on where information relating to the proposed changes could be found.
West Lindsey District Council (PI 4)	Other - No Observations or objections to make.
JNCC (PI 6)	Other - The IERRT project is not within the JNCC's remit as its function as a statutory consultee is for offshore waters.
Selby District Council (PI 13)	Other - Confirming no comments on the proposed development.
Canal and River Trust (PI 18)	Other - No objections raised.

Ryedale District Council (PI 20)	Other - Confirming no comments on the proposed development.
North Lincolnshire Council (PI 26)	Other – No further comments in addition to those raised in response to the initial round of consultation
North East Lincolnshire Council (PI 27)	Other - No further comments to make over and above those made on the first consultation.
Scarborough Borough Council (PI 28)	Other - Confirming no comments on the proposed development.
Section 47 - Members of the Public	
PI 1	Commercial and Operational Matters
Q1	General Support
EX 7	Consultation and DCO Process
EX 6	Other – IERRT and IGET projects
EX 4, Q3, Q2	Other – Local Amenities
Section 42 and 47 - Port Tenants, Customers, Suppliers, Service Providers or Other Port Activities	
UK Border Force (EX3)	Project Query

Section 47 Responses to Questionnaire

- 4.23 In total, 94 completed Questionnaires were returned to ABP for the Original Statutory Consultation, and three in response to the Supplementary Statutory Consultation, providing feedback on the Project proposals. Returned Questionnaires were received from both individuals and organisations.
- 4.24 The Questionnaire was structured to provide a series of closed questions about the proposed Project and the consultation, which could be answered by selecting the option of 'Yes', 'No', or 'Not Sure' in response. It also provided the option to share views and comments using a free text box.
- 4.25 Responses raised in the Questionnaires were logged and reported using the same methodology described in the section (and tables above). All

Questionnaires responses were allocated an individual identifier number beginning with 'Q'.

- 4.26 Copies of the Questionnaires from both rounds of statutory consultation are provided at appendix E.7 and F.7. (As explained earlier in this Consultation Report, a new Questionnaire was not produced for the purposes of the Supplementary Statutory Consultation.)
- 4.27 The following sections provide a breakdown of the responses received to the closed questions within the Questionnaire responses to (i) Original Statutory Consultation (ii) Supplementary Statutory Consultation.
- 4.28 As part of the Questionnaire, respondents were asked whether (i) they found the consultation materials and information clear and easy to understand and (ii) they had been able to access the information they were looking for to respond to the consultation. In response, 73.5% of the 94 respondents to the Original Statutory Consultation confirmed 'yes' in both respects. Of the three responses to the Supplementary Statutory Consultation, 100% confirmed 'yes' they found the consultation materials and information clear and easy to understand, while 66.6% confirmed 'yes' they had been able to access the information they were looking for to respond to the consultation - with 33.3% (one response) leaving the question blank.

Questionnaire responses to Original Statutory Consultation

- 4.29 The following provides a summary breakdown of the responses received to the individual closed questions within the Questionnaires returned to ABP. (Note questions 4, 6, 7, 9 and 12 were not closed questions – instead providing a free text box for responses to be written in – as such they are not reported below.)

Q1 - Do you support the proposals for the IERRT Development as a means of supporting the future growth of the Port of Immingham?

Response to Q1	Total (94)	%
Yes	76	81
No	8	8.5
Not Sure	9	9.5
Left Blank	1	1

Q2 - Do you agree the IERRT Development would support the local, regional and wider UK economy?

Response to Q2	Total (94)	%
Yes	79	84
No	6	6
Not Sure	8	9
Left Blank	1	1

Q3 - Do you agree there is a need for the IERRT Development?

Response to Q3	Total (94)	%
Yes	75	80
No	8	8.5
Not Sure	10	10.5
Left Blank	1	1

Q5 - Do you agree with the way we propose traffic generated by the IERRT Development will connect into the existing road network?

Response to Q5	Total (94)	%
Yes	48	51
No	17	18
Not Sure	17	18
Left Blank	12	13

Q8 - From the consultation materials you have seen and from what you know about the Port and ABP do you agree that the impact on the environment of the construction and operation of the IERRT Development will be minimised?

Response to Q8	Total (94)	%
Yes	45	48

No	11	12
Not Sure	22	23
Left Blank	16	17

Q10 - Have you found the consultation materials and information clear and easy to understand?

Response to Q10	Total	%
Yes	69	73.5
No	7	7.5
Not Sure	0	0
Left Blank	18	19

Q11 - Have you been able to access the information you were looking for to respond to the consultation?

Response to Q11	Total	%
Yes	69	73.5
No	8	8.5
Not Sure	0	0
Left Blank	17	18

Questionnaire responses to Supplementary Statutory Consultation

4.30 As above, the following provides a summary breakdown of the responses received to the individual closed questions within the Questionnaires returned to ABP for the Supplementary Statutory Consultation. (Note questions 4, 6, 7, 9 and 12 were not closed questions – instead providing a free text box for responses to be written in – as such they are not reported below.)

Q1 - Do you support the proposals for the IERRT Development as a means of supporting the future growth of the Port of Immingham?

Response to Q1	Total	%
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Yes	3	100
No		
Not Sure		
Left Blank		

Q2 - Do you agree the IERRT Development would support the local, regional and wider UK economy?

Response to Q2	Total	%
Yes	3	100
No		
Not Sure		
Left Blank		

Q3 - Do you agree there is a need for the IERRT Development?

Response to Q3	Total	%
Yes	3	100
No		
Not Sure		
Left Blank		

Q5 - Do you agree with the way we propose traffic generated by the IERRT Development will connect into the existing road network?

Response to Q5	Total	%
Yes	1	33.3
No		
Not Sure	2	66.6

Left Blank		
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Q8 - From the consultation materials you have seen and from what you know about the Port and ABP do you agree that the impact on the environment of the construction and operation of the IERRT Development will be minimised?

Response to Q8	Total	%
Yes	3	100
No		
Not Sure		
Left Blank		

Q10 - Have you found the consultation materials and information clear and easy to understand?

Response to Q10	Total	%
Yes	3	100
No		
Not Sure		
Left Blank		

Q11 - Have you been able to access the information you were looking for to respond to the consultation?

Response to Q11	Total	%
Yes	2	66.6
No		
Not Sure		
Left Blank	1	33.3

5 Consultation under EIA Regulations

Overview

- 5.1 This chapter provides an overview of how the IERRT project was identified as requiring an EIA and how consultation has been conducted in line with the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017, referred to for the purposes of this Consultation Report as the EIA Regulations 2017.
- 5.2 Full details of compliance with the EIA Regulations, in terms of the EIA itself, are detailed within Chapter 6 (Impact Assessment Approach) of the Environmental Statement (Application Document Reference number 6.2.6).
- 5.3 This chapter also reports the Transboundary screening undertaken by the Planning Inspectorate for the Project.

Environmental Impact Assessment (EIA)

- 5.4 The Proposed Development falls under Schedule 1 of the EIA Regulations - given that it falls within Schedule 1, paragraph 8(2), namely – *“Trading ports, piers for loading and unloading connected to land and outside ports (excluding ferry piers) which can take vessels of over 1,350 tonnes”* and is therefore classified as ‘EIA development’. As such, the DCO application for the Project is supported by an EIA.
- 5.5 The Proposed Development was subject to an EIA Scoping Opinion, as detailed below.

Notification under Regulations 8 and 10 of the EIA Regulations

- 5.6 On 19 August 2021, in accordance with Regulations 8 and 10 of the EIA Regulations, advanced notice was provided on behalf of ABP to the Planning Inspectorate (on behalf of the Secretary of State) of its intention to ask the Secretary of State for a scoping opinion pursuant to Regulation 10 (1) of the EIA Regulations in relation to the Proposed Development, and providing formal notice pursuant to regulation 8(1)(b) of the EIA Regulations, that the DCO application for the Project would be accompanied by an environmental statement. A copy of the notice, sent by email on 19 August 2021 at 13:58 is provided at Appendix J.2.

Scoping Opinion

- 5.7 In accordance with Regulation 10 of the EIA Regulations, a EIA scoping report (provided at Appendix J.1) was submitted to the Secretary of State on behalf of ABP on 13 September 2021 with a request for an EIA scoping opinion, in order to determine the required scope of the environmental impact

- assessment. The submission confirmed that ABP, as the Applicant, intended to submit a DCO application.
- 5.8 The Planning Inspectorate, on behalf of the Secretary of State, accepted receipt of the scoping request on 14 September 2021.
- 5.9 The Secretary of State adopted a scoping opinion (the Scoping Opinion) on 21 October 2021, having consulted with the relevant consultation bodies in accordance with Regulation 10(6) of the EIA Regulations. The full list of consultation bodies notified by the Planning Inspectorate under Regulation 11(1)(a) of the EIA regulations is provided at Appendix D.1.
- 5.10 As set out within the Scoping Opinion, the Secretary of State was satisfied that the scoping report had encompassed the relevant aspects identified in the EIA Regulations.
- 5.11 The Scoping Opinion included the Secretary of State's comments on the Project, EIA approach and topic areas, as well as a list of all organisations consulted.
- 5.12 In response to the issues raised by the Statutory Consultees in the Scoping Opinion, ABP undertook further targeted engagement with the relevant bodies, where necessary. The consultation undertaken is reported in the Environmental Statement (see Application Document Reference number 8.2) as well as in the Environmental Statement consultation tables on a chapter by chapter basis, provided at Appendix L.2.
- 5.13 The Scoping Opinion was then considered by ABP in undertaking the environmental impact assessment for the Project and in the production of the PEIR, which was subject to both rounds of statutory consultation for the Project.
- 5.14 The adopted Scoping Opinion, issued in October 2021 forms part of the Application documents - see Application Document Reference number 8.4.6(a).

The Preliminary Environmental Information Report (PEIR)

- 5.15 The PEIR was produced for the Original Statutory Consultation which took place between 19 January and 23 February 2022.
- 5.16 The role of the PEIR is to provide information reasonably required to enable members of the public (including local communities), local authorities, statutory bodies and people whose land or interests would potentially be affected by the Proposed Development to understand the likely significant environmental effects so that they may provide meaningful feedback on the proposals.

- 5.17 Preliminary environmental information is defined in Regulation 12(2) as information referred to in Regulation 14(2) which:
- (a) has been compiled by the applicant; and
 - (b) is reasonably required for the consultation bodies to develop an informed view of the likely significant environment effects of the proposed development (and of any associated development).
- 5.18 The PEIR was formed of three volumes: Volume 1 - Main Text (i.e. chapters), Volume 2 - Figures and Volume 3 - Technical Appendices. The PEIR was also accompanied by a non-technical summary of the PEIR which summarised the PEIR in non-technical language.

The Supplementary Consultation Report

- 5.19 The PEIR and the non-technical summary of the PEIR were also subject to the second round of formal consultation undertaken for the Supplementary Statutory Consultation between 28 October and 27 November 2022. That consultation was also supported by the SCR which was a report that, together with the PEIR (as published in January 2022), formed the basis of the Supplementary Statutory Consultation.
- 5.20 The SCR explained and presented the design refinements and changes that had been made to the Project since the PEIR was consulted upon in early 2022 for the Original Statutory Consultation, in order to give all interested parties, the local community, regulators and stakeholders the opportunity to express their views about both the proposals, and the refinements made to the Project. It was pointed out that the SCR was to be read together with the PEIR and contained a description of the changes made to the Project, ABP's rationale and justification for making them, an outline of the implications for environmental effects of the Project as well as providing plans showing the current proposals.

Environmental Statement

- 5.21 The Environmental Statement for the Application is formed of three volumes: Volume 1 - Main Text (i.e. chapters), Volume 2 - Figures and Volume 3 - Technical Appendices (Application Document Reference numbers 8.2, 8.3 and 8.4). It is also accompanied by a non-technical summary which summarised the Environmental Statement in non-technical language (Application Document Reference number 8.1).
- 5.22 The Environmental Statement has been prepared in accordance with Regulation 14(2) which specifies what environmental information must be included in an environmental statement.

- 5.23 Regulation 14(3)(b) requires that an environmental statement must include information *'reasonably required for reaching a reasoned conclusion on the significant effects of the proposed development on the environment, taking into account current knowledge and methods of assessment'*. Chapters 5 (Legislation, Policy and Consenting) and 6 (Impact Assessment Approach) of the Environmental Statement for the Project (Application Document Reference numbers 8.2.5 and 8.2.6) explain the approach taken to the EIA for the Project and set out how the EIA Regulations have been complied with.

EIA Requirements during Statutory Consultation

- 5.24 In developing and delivering both rounds of statutory consultation there was full compliance with the relevant requirements in the EIA Regulations. The section below outlines how these were satisfied.

Consultation under the EIA Regulations

- 5.25 As described in Chapter 2 of this Consultation Report, both sets of statutory consultation were undertaken under the following EIA Regulations.
- 5.26 Regulation 12(1) of the EIA Regulations requires that the SoCC must have reference to the Proposed Development being an EIA development, and how the applicant intends to publicise and consult on the preliminary environmental information. The SoCC published by ABP confirmed that the Proposed Development is EIA development. The SoCC also explained how ABP intended to publicise and consult on the PEIR (the published SoCC is provided at Appendix A.7).
- 5.27 Regulation 13 of the EIA Regulations requires that, at the same time as publishing notice of the proposed application under section 48(1) of the 2008 Act, the applicant send a copy of the section 48 notice to the consultation bodies and any person notified to the applicant in accordance with regulation 11(1)(b). The consultation bodies are defined in the EIA Regulations to include consultees prescribed under sections 42(1)(a) and 43 of the 2008 Act. In compliance with Regulation 13, a section 48 notice was sent to all the consultation bodies and persons notified to ABP under the Regulation 11 List, in accordance with regulation 11(1)(b).
- 5.28 ABP sent letters to the section 42(1)(a)-(b) consultees explaining that they were prescribed consultees under the 2008 Act and also the EIA Regulations and enclosed the section 48 notice as well as the other section 42 consultation material. This was undertaken by ABP for both rounds of statutory consultation. An example of the section 42 notice letters sent, including the section 48 notice are provided at Appendix E.1 and F.1.

- 5.29 The section 42 notice letters sent to the consultation bodies provided an overview of the Project, explained that it was an Environmental Impact Assessment “EIA” development and how consultees could respond to the consultation. The letters also explained that the PEIR, the non-technical summary to the PEIR and the SoCC (as well as the SCR - in the letters sent for the Supplementary Statutory Consultation) could all be accessed online to view and download free of charge on ABP’s dedicated Project consultation website, from the start of consultation. They further provided details of the consultation events that were to take place, the deposit locations where documents could be viewed online, information of how to request a USB free of charge containing the documents or paper copies of the materials (subject to a responsible copying charge for certain documents, up to a maximum cost of £300).
- 5.30 The section 42 notice letters also confirmed the dates when the statutory consultation would take place and invited consultees to provide comments in writing on the Project proposals before the close of consultation, after which comments may not be considered.
- 5.31 Volume 1 of the Environmental Statement (Application Document Reference number 8.2) contains each of the technical Environmental Statement chapters, and these each provide detail of the consultation and engagement undertaken with the relevant statutory consultees in relation to the respective environmental topics for the Project (Chapters 6 – 19).
- 5.32 The chapters also record a full list the consultation ABP undertook with stakeholders. Consultation with key stakeholders began in mid-2021 and has been ongoing to date. Engagement with key stakeholders commenced at an early stage of the process, including discussing points raised in the Scoping Opinion and to try to reach agreement on these matters and further comments received since.

Transboundary consultation

- 5.33 Transboundary screening was undertaken by the Planning Inspectorate on behalf of the Secretary of State for the purposes of Regulation 32 of the EIA Regulations in January 2022, following ABP’s request for a scoping opinion. A copy of the Transboundary screening is provided at Appendix K.1.
- 5.34 The Planning Inspectorate was of the view that the Proposed Development was likely to have a significant effect on the environment in Iceland and Denmark. In reaching this view it has applied the precautionary approach (as explained in its Advice Note Twelve: Transboundary Impacts) and taken into account the information that has been supplied by ABP with its request for a scoping opinion in September 2021.

- 5.35 The Planning Inspectorate notified the states of Iceland and Denmark in respect of potential impacts on bird populations of conservation importance on 31 January 2022, and published a notice (signed by the Planning Inspectorate for and on behalf of the Secretary of State for Levelling Up, Housing and Communities, dated 2 February 2022) in the London Gazette on 18 February 2022. The notice reported that:

'In accordance with Regulation 32 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (EIA Regulations) the Secretary of State has provided information to the above mentioned EEA States about the Proposed Development and its likely significant effects, and these States have been asked to indicate by 16 March 2022 whether or not they wish to participate in the procedure for examining and determining the application under the Planning Act 2008 (PA 2008) and Regulation 32 of the EIA Regulations.'

- 5.36 A response was received on behalf of Denmark on 4 March 2022, confirming the state would like to participate in the procedure going forward. Copies of the notice and response from Denmark are provided at Appendix K.1 to K.3.

6 Conclusions

- 6.1 Two rounds of pre-application statutory consultation were undertaken by ABP under sections 42, 47 and 48 of the 2008 Act - Original Statutory Consultation from 19 January 2022 to 23 February 2022, and Supplementary Statutory Consultation from 28 October 2022 to 27 November 2022. Both rounds of statutory consultation provided a period for feedback responses in excess of 28 days.
- 6.2 Response to both rounds of statutory consultation have been carefully considered and fully taken into account and regard has been had to those responses in finalising ABP's Application for a DCO as is required under section 49 of the 2008 Act.
- 6.3 In response to feedback received to the Original Statutory Consultation some changes/refinements were made to the Proposed Development (principally the reduction in the number of berths from 'up to four' to three), in respect of which ABP consulted upon at the second round of statutory consultation under the Supplementary Statutory Consultation. The changes were set out in further detail in the SCR.
- 6.4 This Consultation Report sets out the consultation activities which have been undertaken under sections 42, 47, 48 and 49 of the 2008 Act. ABP developed the approach to the statutory consultation in line with the requirements of the 2008 Act (and the APFP Regulations and EIA Regulations), as well as DCLG Guidance and PINS Advice Note Fourteen as set out in this report.
- 6.5 This Consultation Report provides details as to how each requirement from the applicable legislation, regulations, as well as the guidance and advice notes, were met by the consultation undertaken by ABP. Compliance with the 2008 Act can be summarised as follows:
- (a) ABP undertook consultation under section 47 of the 2008 Act - including consultation on the SoCC with local authorities, publication of the SoCC notice, making the SoCC available for inspection and undertaking consultation in accordance with the published SoCC;
 - (b) ABP undertook consultation under section 42 of the PA2008, as identified. This includes consultation with all relevant consultees under section 42(1)(a), section 42(1) (aa) section 42(1)(b) and section 42(1)(d). (Section 42(1)(c) - Greater London Authority – was not relevant to the Project;

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- (c) ABP notified the SoS of the proposed application and that it would be accompanied by an environmental statement under section 46 of the 2008 Act and in line with the EIA Regulations;
 - (d) ABP publicised the consultation under section 48 of the 2008 Act. This included the publication of the section 48 notice in local and national newspapers, the London Gazette, Lloyd's List and an appropriate fishing trade journal. This also included notification to consultation bodies in line with the EIA Regulations;
 - (e) ABP has had regard to all relevant consultation responses received, as per section 49 of the 2008 Act. Further detail of the issues raised and ABP's responses are included in this report and the appendices to it; and
 - (f) ABP has had regard to statutory guidance issued by the Secretary of State, as per section 50 of the 2008 Act.
- 6.6 This Consultation Report and collection and handling of data is compliant with the General Data Protection Regulation ('GDPR') which came into force from the 25 May 2018.

Annex 1 - Compliance checklist

Section 55(3)(e): The Applicant in relation to the application made has complied with Chapter 2 of Part 5 (pre-application procedure)		
1	<p>In accordance with the EIA Regulations, did the Applicant (prior to carrying out consultation in accordance with s42) either (a) request the Planning Inspectorate adopt a Screening Opinion in respect of the development to which the application relates, or (b) notify the Planning Inspectorate in writing that it proposed to provide an Environmental Statement in respect of that development?</p>	<p>(a) No. the Applicant did not request that Planning Inspectorate (“PINS”) to adopt a Screening Opinion in relation to the proposed development.</p> <p>(b) Notification under Regulation 8(1)(b) of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the “EIA Regulations”) that Associated British Ports (“ABP”) proposed to provide an environmental statement in respect of the development was sent to the PINS (on behalf of the Secretary of State (the “SoS”)) on 19 August 2021. The EIA Scoping Report was then provided to PINS on 13 September 2021. The SoS subsequently adopted a Scoping Opinion (Application Document 8.4.6(a)) on 25 October 2021.</p> <p>The notification (and request for a Scoping Opinion) was made before the start of statutory consultation under section 42 of the 2008 Act, which commenced on 19 January 2022, and a section 46 notification letter was sent on 18 January 2022. A further section 46 notification letter was sent on 27 October 2022 prior to the Supplementary Statutory Consultation which commenced on 28 October 2022. Further detail is included in the Consultation Report (Application Document 6.1).</p>
2	<p>Have any Adequacy of Consultation Representations been received from ‘A’, ‘B’, ‘C’ and ‘D’ local authorities; and if so, do they confirm that the Applicant has complied with the duties under s42, s47 and s48?</p>	<p>The Applicant understands that adequacy of consultation representations will be requested by the Planning Inspectorate following submission of the Application.</p>
Section 42: Duty to consult		
<p>Did the Applicant consult the applicable persons set out in s42 of the PA2008 about the proposed application?</p>		
3	<p>Section 42(1)(a) persons prescribed?</p>	<p>Yes, the Applicant carried out two statutory consultations, details of which are set out below and throughout this checklist.</p>

		<p>1. Formal Statutory Consultation - 19 January 2022 to 23 February 2022.</p> <p>2. Supplementary Statutory Consultation – 28 October 2022 to 27 November 2022.</p> <p>Chapter 2 of the Consultation Report (Application Document 6.1) set out the approach to Formal Statutory Consultation and Supplementary Statutory Consultation with the prescribed consultees and compliance with legislation and associated guidance and details the consultation that was carried out in accordance with section 42.</p> <p>Table 4 of the Consultation Report (Application Document 6.2) contains the list of all parties consulted under section 42(1)(a). Appendices E and F of the Consultation Report Appendices (Application Document 6.2) include the letters sent to the prescribed consultees during the Formal Statutory Consultation and the Supplementary Statutory Consultation, which detailed the material available and set a deadline of 23 February 2022 (in respect of the Formal Statutory Consultation) and 27 November 2022 (in respect of the Supplementary Statutory Consultation) by which responses needed to be received. Both of these deadlines provided a period beyond the 28 day statutory minimum, starting with the day after receipt of the consultation documents.</p>
4	Section 42(1)(aa) the Marine Management Organisation?	<p>Yes.</p> <p>As stated in paragraph 2.37 of the Consultation Report (Application Document 6.1), the Applicant consulted the Marine Management Organisation (“MMO”) in the same way as the prescribed consultees.</p>
5	Section 42(1)(b) each local authority within s43?	<p>Yes.</p> <p>Paragraphs 2.43 to 2.50 of the Consultation Report (Application Document 6.1) list the relevant local authorities that were identified and consulted under s.43 and s.42(1)(b) of the 2008 Act. These are:</p> <p>Category ‘B’ Authorities:</p> <ul style="list-style-type: none"> • North East Lincolnshire Council; and • East Riding of Yorkshire Council. <p>Category ‘A’ Authorities:</p> <ul style="list-style-type: none"> • North Lincolnshire Council; • West Lindsey District Council; • East Lindsey District Council; • Lincolnshire County Council; • Doncaster Council;

		<ul style="list-style-type: none"> • Selby District Council; • City of York Council; • Ryedale District Council; • Scarborough Borough Council; • Kingston-upon-Hull City Council (Hull City Council); and • North Yorkshire County Council.
6	Section 42(1)(c) the Greater London Authority (if in Greater London area)?	Not Applicable.
7	Section 42(1)(d) each person in one or more of s44 categories?	<p>Yes.</p> <p>Paragraphs 2.52 to 2.47 of the Consultation Report (Application Document 6.1) set out how the Applicant identified persons with an interest in the land. Paragraphs 2.127 and 2.203 of the Consultation Report (Application Document 6.1) state that all persons identified under s.42(1)(d) of the 2008 Act were consulted during the statutory consultation phase (both the Formal Statutory Consultation and Supplementary Statutory Consultation). Consultation Report Tables 5 and 6 (Application Document 6.2) list those persons identified under s.42(1)(d).</p>
Section 45: Timetable for s42 consultation		
8	Did the Applicant notify s42 consultees of the deadline for receipt of consultation responses; and if so was the deadline notified by the Applicant 28 days or more starting with the day after receipt of the consultation documents?	<p>Yes. The Applicant notified all persons consulted pursuant to section 42 of the 2008 Act of the deadline for receipt of consultation responses.</p> <p>Letters and consultation documents were sent on 17 January 2021 with the section 42 consultation carried out between 19 January 2022 and 23 February 2022. The deadline for response was included in the letter and the section 48 notice. Accordingly, respondents had at least 28 full days to respond. Appendices E and F of the Consultation Report (Application Document 6.2) contain the section 42 letters.</p>
Section 46: Duty to notify the Planning Inspectorate of proposed application		
9	Did the Applicant supply information to notify the Planning Inspectorate of the proposed application; and if so, was the information supplied to the Planning Inspectorate on or	<p>Yes.</p> <p>The Applicant notified the Planning Inspectorate under s.46 of the 2008 Act on 18 January 2022 to provide formal notification of the commencement of the statutory consultation for the Application which was to commence on 19 January 2022. A further s.46 notification letter was sent on 27 October 2022 prior to commencement of the Supplementary Statutory Consultation on 28 October 2022. In accordance with s.46 of the 2008 Act, enclosed with</p>

	before the date it was sent to the s42 consultees? Was this done on or before commencing consultation under s42?	the letters were copies of the information that was provided to consultees identified under s.42 of the 2008 Act.
Section 47: Duty to consult local community		
10	Did the Applicant prepare a Statement of Community Consultation (SoCC) on how it intended to consult people living in the vicinity of the land?	Yes. A Copy of the final SoCC for the statutory consultations is provided at Appendix A.5 of the Consultation Report (Application Document 6.2).
11	Were 'B' and (where relevant) 'C' authorities consulted about the content of the SoCC; and if so, was the deadline for receipt of responses 28 days beginning with the day after the day that 'B' and (where applicable) 'C' authorities received the consultation documents?	Yes. As detailed in paragraphs 2.12 to 2.29 of the Consultation Report (Application Document 6.1), the SoCC was prepared and formally issued to North East Lincolnshire Council (the relevant authority under s.43(1) of the 2008 Act) on 18 November 2021 with a request for comments to be provided within 28 days from 22 November 2021, ending on 19 December 2021. The Applicant also wrote to the following neighbouring authorities on 18 November 2021 with a request for comments to be provided within 28 days from 22 November 2021, ending on 19 December 2021: <ul style="list-style-type: none"> • North Lincolnshire Council; • Lincolnshire County Council; • West Lindsey District Council; • East Lindsey District Council; • East Riding of Yorkshire Council; and • City of Kingston Upon Hull. Copies of the letters sent on 18 November 2021 are provided at Appendix A.1 to the Consultation Report (Application Document 6.2). The Applicant also wrote to North East Lincolnshire Council and the above neighbouring authorities again on 25 October 2022, prior to undertaking the Supplementary Statutory Consultation, explaining that consultation was being undertaken using the same methods as set out in the SoCC, updated as necessary. Copies of the letter/emails

		sent on 25 October 2022 are provided at Appendix A.6 to the Consultation Report (Application Document 6.2).
12	Has the Applicant had regard to any responses received when preparing the SoCC?	Yes. As detailed in paragraphs 2.20 to 2.23 and Table 3 of the Consultation Report (Application Document 6.1), the Applicant received substantive comments from North East Lincolnshire Council on 15 December 2021. The Applicant subsequently adopted all of the recommendations made in the final SoCC. Confirmation was also received from North East Lincolnshire Council in respect of the Supplementary Statutory Consultation on 25 October 2022.
13	Has the SoCC been made available for inspection in a way that is reasonably convenient for people living in the vicinity of the land; and has a notice been published in a newspaper circulating in the vicinity of the land which states where and when the SoCC can be inspected?	Yes. 2.3 As detailed in paragraphs 2.24 to 2.33 of the Consultation Report (Application Document 6.1), the section 47 notice was published in the local press circulating in the vicinity of the Project site on Thursday 6 January 2022, in both the Scunthorpe Telegraph and Grimsby Telegraph, as prescribed by s.47(6) of the 2008 Act. 2.4 The notice explained that the SoCC had been published by the Applicant on its dedicated webpage from 19 January 2021 and could be downloaded free of charge. The Applicant also offered to provide printed copies of the SoCC on request free of charge. 2.5 A copy of the section 47 notice, as published, in the Scunthorpe Telegraph and Grimsby Telegraph are provided at Appendix B to the Consultation Report (Application Document 6.2).
14	Does the SoCC set out whether the development is EIA development; and does it set out how the Applicant intends to publicise and consult on the Preliminary Environmental Information?	Yes. A copy of the final SoCC is provided at Appendix A.5 to the Consultation Report (Application Document 6.2). The SoCC set out that the Project is EIA development and how the environmental assessment, potential environmental impacts and the environmental mitigation and enhancement measures would be contained within a Preliminary Environmental Information Report (on page 11). It sets out the locations where that would be available and a link to the Project Website (on page 16).
15	Has the Applicant carried out the consultation in accordance with the SoCC?	Yes. Appendix A.8 to the Consultation Report (Application Document 6.2) sets out how the community consultation was carried out in line with the final SoCC.
Section 48: Duty to publicise the proposed application		

16	Did the Applicant publicise the proposed application in the prescribed manner set out in Regulation 4(2) of the APFP Regulations?	<p>Yes.</p> <p>As detailed in paragraphs 2.117 to 2.124 of the Consultation Report (Application Document 6.1), a notice under s.48(1) of the 2008 Act was published in the manner prescribed by Regulations 4(2) and 4(3) of the APFP Regulations (as further detailed below).</p> <p>The notice published under s.48 of the 2008 Act gave the deadline of 23 February 2022 for responses (more than 28 clear days from the date when the notice was published).</p> <p>As detailed in paragraphs 2.193 to 2.200 of the Formal Consultation Report (Application Document 6.1), a notice under s.48(1) of the 2008 Act was also published in relation to the Second Statutory Consultation in the manner prescribed by Regulations 4(2) and 4(3) of the APFP Regulations (as further detailed below). The notice gave the deadline of 27 November 2022 for responses (more than 28 clear days from the date when the notice was published).</p>
Newspapers		Date
a)	for at least two successive weeks in one or more local newspapers circulating in the vicinity in which the Proposed Development would be situated;	<p>Scunthorpe Telegraph and the Grimsby Telegraph.</p> <p>Statutory Consultation: 13 January 2022 and 20 January 2022</p> <p>Second Statutory Consultation: 22 October 2022 (Grimsby Telegraph only) and 27 October 2022 (Grimsby Telegraph and Scunthorpe Telegraph)</p>
b)	once in a national newspaper;	The Guardian. 20 January 2022 and 27 October 2022
c)	once in the London Gazette and, if land in Scotland is affected, the Edinburgh Gazette; and	The London Gazette. 19 January 2022 and 27 October 2022
d)	where the proposed application relates to offshore development –	Lloyd's List and Fishing News. 20 January 2022 and 27 October 2022

	(i) once in Lloyds List; and (ii) once in an appropriate fishing trade journal?		
17	Did the s48 notice include the required information set out in Regulation 4(3) of APFP Regulations?	Yes. Appendix C of the Consultation Report (Application Document 6.2) contains copies of the published newspaper notices. The published s.48 notices contain the required information as set out below. Please note that the first paragraph number below relates to the s.48 notices published as part of the Formal Statutory Consultation, whilst the second paragraph number relates to the s.48 notices published as part of the Second Statutory Consultation.	
Information		Paragraph	
a)	the name and address of the Applicant.	1 and 1	b)
c)	a statement as to whether the application is EIA development	4 and 4	d)
e)	a statement that the documents, plans and maps showing the nature and location of the Proposed Development are available for inspection free of charge on a website maintained by or on behalf of the Applicant, including the address of the website; the place on the website where the documents, plans and maps may be inspected; and a telephone number which can be used to contact the Applicant for enquiries in relation to the documents, plans and maps	10 and 10	f)
			a statement that the Applicant intends to make an application for development consent to the Secretary of State
			a summary of the main proposals, specifying the location or route of the Proposed Development
			the latest date on which those documents, plans and maps will be available for inspection on the website
			1 and 1
			2 and 2
			10 and 10

g)	whether a charge will be made for copies of any of the documents, plans or maps and the amount of any charge	11 and 11	h)	details of how to respond to the publicity	12 and 12
i)	a deadline for receipt of those responses by the Applicant, being not less than 28 days following the date when the notice is last published	13 and 13			
18	Has a copy of the s48 notice been sent to the EIA consultation bodies and to any person notified to the Applicant in accordance with the EIA Regulations?	<p>Yes.</p> <p>As stated in paragraph 5.26 of the Consultation Report (Application Document 6.1) and in accordance with Regulation 13 of the EIA Regulations, a s.48 notice was sent to the EIA consultation bodies.</p>			
s49: Duty to take account of responses to consultation and publicity					
19	Has the Applicant had regard to any relevant responses to the s42, s47 and s48 consultation?	<p>Yes.</p> <p>Chapter [4] of the Consultation Report (Application Document 6.1) provides an overview of responses received from consultees under s.42, s.47 and s.48 of the 2008 Act, and detail how the Applicant has had regard to them.</p> <p>Appendix L to the Consultation Report (Application Document 6.2) details the regard to comments made throughout the consultation.</p>			
Guidance about pre-application procedure					
20	To what extent has the Applicant had regard to statutory guidance 'Planning Act 2008: Guidance on the pre-application process'?	<p>Paragraphs 2.7 to 2.9 of the Consultation Report (Application Document 6.1) states that the Applicant has undertaken a consultation process which fully complies with the March 2015 DCLG guidance on the pre-application process, as well as the relevant advice from the Planning Inspectorate. Evidence for this is set out in Sections 3 and 4 of the Consultation Report (Application Document 6.1).</p>			
s55(3)(f) and s55(5A): The application (including accompaniments) achieves a satisfactory standard having regard to the extent to which it complies with section 37(3) (form and contents of application) and with any standards set under section 37(5) and follows any applicable guidance under section 37(4)					
21	Is it accompanied by a Consultation Report?	<p>Yes.</p> <p>The Application is accompanied by a Consultation Report (Application Document 6.1) and Consultation Report Appendices (Application Document 6.2).</p>			

Glossary

Abbreviation / Acronym Definition

ABP	Associated British Ports
APFP Regulations	Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009
Application	Application for the IERRT
DCLG	Department of Communities and Local Government (as it then was)
DCO	Development Consent Order
EA	Environment Agency
EIA	Environmental Impact Assessment
EIA Regulations	Infrastructure Planning (Environmental Impact Assessment) Regulations 2017
ES	Environmental Statement
Exolum	Exolum Immingham LTD
HOTT	Humber Oil Terminals Trustee Limited
HSE	Health and Safety Executive
IDB	Internal Drainage Board
IERRT	Immingham Eastern Ro-Ro Terminal
IOT	Immingham Oil Terminal
MMO	Marine Management Organisation
NE	Natural England
NELC	North East Lincolnshire Council
NLC	North Lincolnshire Council
NSIP	Nationally Significant Infrastructure Project

Original Statutory Consultation	Statutory Consultation undertaken from 19 January to 23 February 2022
PINS	Planning Inspectorate
Proposed Development	The IERRT
Ro-Ro	Roll-on/roll-off
Secretary of State	Secretary of State for Transport
SoCC	Statement of Community Consultation
Supplementary Statutory Consultation	Statutory Consultation undertaken from 28 October to 27 November 2022
UK	United Kingdom
VW	Volkswagen Group United Kingdom Limited
2008 Act	Planning Act 2008