

From: [REDACTED]
To: [Immingham Eastern Ro-Ro Terminal](#)
Cc: [NSIP Applications](#); [REDACTED]; [REDACTED] [Immoro](#)
Subject: HSE's response to SoCG 26th May | TR030007 – Immingham Eastern Ro-Ro Terminal
Date: 28 June 2023 10:05:25

Dear Immingham Eastern Ro-Ro Terminal Case Team,

Many thanks for the notification from 26th May relating to the preparation of Statements of Common Ground (SoCGs) or summaries of principal areas of disagreement (PADs).

As specified in your letter, HSE required clarification on the intended type and number of populations present on the land to establish its land use. In this case, HSE's advice is dependent upon and sensitive to the types and numbers of populations present - so it is my view that this information should be part of the application to ensure that the land use is managed appropriately for HSE's land-use planning methodology to be applicable. SoCGs are relevant when there are matters to agree and/or disagree on, however, for HSE's purposes it is additional information required in the application. There is no disagreement. I have taken advice from our policy team (also cc'd into this email) and at this stage HSE does not consider a SoCG necessary and to avoid unnecessary costs we suggest that the information is provided and the need for a SoCG reviewed.

Since my last Relevant Representation, Tom Jeynes from the applicant on the 14th June has been in touch with me to clarify the information I required (attached). At this time and based on this information the HSE would not advise against the NSIP. Though the draft DCO includes a provision to limit the number of public (those not at work) passengers, I am not clear what mechanism there is to incorporate the rest of the information into the application to ensure these details are formally captured. As mentioned above, for this NSIP these details are critical to HSE's advice.

Best Regards,

Chris

Out of Office:

Dr Chris Mumby (BSc. PhD MInstP), Principal Specialist Inspector of Predictive Risk Assessment & Team Leader CEMHD 5C

✉ [REDACTED] [@hse.gov.uk](mailto:[REDACTED]@hse.gov.uk) ☎ Microsoft Teams [REDACTED] |

Health and Safety Executive

CEMHD 5C : Chemical Explosives Microbiological Hazards Division, Unit 5C
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Head of Unit: [Jim Neilson](#)

Normal Working Pattern: Mon – Fri

[COMAH](#) | [Hazardous Substances Consent](#), [NPPG](#) | [Land Use Planning](#)

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From: [Immroro](#)
To: [REDACTED]
Cc: [NSIP Applications](#); [REDACTED]; [LUP enquiries](#); [Uppal, Rajpreet](#); [Cockerill, Matthew](#)
Subject: Immingham Eastern Ro-Ro Terminal Development ("IERRT") – S.56 Notice of Acceptance of Application - Reply to Relevant Representation
Date: 14 June 2023 19:59:50
Attachments: [image003.png](#)
[image006.png](#)
[image007.png](#)
[image001.png](#)

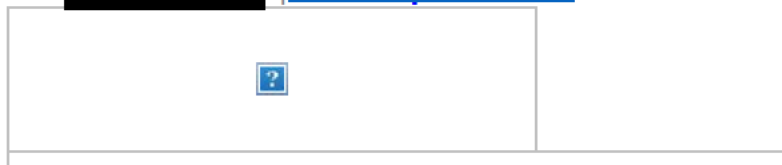
Good evening Chris,

Many thanks for your helpful reply below, and thanks again for amending your Relevant Representation to reflect the pre-app consultation work undertaken. We have considered your response below, and in your Relevant Representation, and hope that the attached letter answers your questions. As stated in my letter, the Examining Authority have issued a Procedural Decision letter – as attached – which exhorts parties to enter in to Statements of Common Ground. We hope that, subject to any further queries you may have, we can use my letter as a basis for the first draft of the SoCG with the HSE.

As always please do not hesitate to contact me should you have any further queries.

Very best regards,
Tom

Tom Jaynes | Sustainable Development Manager | Associated British Ports
Immingham - Dock Office | Alexandra Road | Immingham Dock | DN40 2LZ
Tel: [REDACTED] | www.abports.co.uk



From: Christopher Mumby [REDACTED]@hse.gov.uk>
Sent: 20 April 2023 09:44
To: Immroro <immroro@abports.co.uk>
Cc: NSIP Applications <NSIP.Applications@hse.gov.uk>; Richard Lomax [REDACTED]@hse.gov.uk>; Greenwood, Brian [REDACTED]@clydeco.com>
Subject: RE: NSIP - Immingham Eastern Ro-Ro Terminal Development ("IERRT") – S.56 Notice of Acceptance of Application - 4.2.1.6886.

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Dear Tom,

Thank you for pointing out the process for sending the comments directly to PINs. We will look into our processes to capture this.

As you should be able to see from yesterday's email to PINs that I have provided some help on to how to get the do not advise against advice by incorporating HSE's advice in the application. Through HSE's paid advice service you obtained the advice – now that advice needs to be explicitly included and claimed in the formal application (in terms of the population types in the different parts of the site). In February 2022 HSE's advice included an 'understanding' of the project however whilst helpful HSE cannot use information that is not in the application to inform its decision. In this round of consultation I couldn't find any claim or specifics on the land use and hence the "may". If you believe I have missed this information in the NSIP application please let me know. It should be relatively easy to include information and claim HSE's advice. If you would like to discuss please see my contact below.

Best Regards,

Chris

Out of Office:

Dr Chris Mumby (BSc. PhD MInstP), Principal Specialist Inspector of Predictive Risk Assessment & Team Leader CEMHD 5C

✉ [REDACTED]@hse.gov.uk ☎ Microsoft Teams [REDACTED]

Health and Safety Executive

CEMHD 5C : Chemical Explosives Microbiological Hazards Division, Unit 5C
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Head of Unit: [REDACTED]

Normal Working Pattern: Mon – Fri

COMAH | Hazardous Substances Consent, NPPG | Land Use Planning

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From: Immrora <imrora@abports.co.uk>

Sent: 17 April 2023 16:00

To: Shirley Rance [REDACTED]@hse.gov.uk; Maria Villegas [REDACTED]@hse.gov.uk

Cc: Greenwood, Brian [REDACTED]@clydeco.com; Immrora <imrora@abports.co.uk>

Subject: FW: Immingham Eastern Ro-Ro Terminal Development ("IERRT") – S.56 Notice of Acceptance of Application

Good afternoon,

Many thanks for this reply to the s.56 Consultation process for the Immingham Eastern Ro-Ro Terminal project at the Port of Immingham. We were not sure if this was intended to also be sent to the Planning Inspectorate, and have checked with our case officer, who has said that no official Relevant Representation has been received from the HSE. For this stage in the process, consultation replies in the form of a Relevant

Representation need to be sent directly back to PINS as explained in the e-mail we sent you (as attached). If your reply was just intended for us, and not PINS, then we're very grateful for that but we thought we would just mention it.

One other point we would like to make is that we engaged the HSE on this project via your paid advice service and resolved matters with you at the Preliminary Environmental Information Report consultation stage – I've attached your consultation response to that, as well as a further response from you to some supplementary statutory consultation we undertook. We thought we would mention your previous consultation responses as you don't seem to have referred to them in your s.56 letter.

Please do not hesitate to contact me if you have any further questions or concerns.

Very best regards,
Tom

Tom Jeynes | Sustainable Development Manager - Humber | Associated British Ports
Dock Office | Alexandra Road | Immingham Dock | North East Lincolnshire | DN40 2LZ
Tel: +44 (0) 1472 246 221 | Mob: +44 (0) [REDACTED] | www.abports.co.uk



From: Maria Villegas [REDACTED] <[\[REDACTED\]@hse.gov.uk](mailto:[REDACTED]@hse.gov.uk)> **On Behalf Of** NSIP Applications
Sent: 05 April 2023 16:54
To: Immrora <imrora@abports.co.uk>
Subject: RE: Immingham Eastern Ro-Ro Terminal Development ("IERRT") – S.56 Notice of Acceptance of Application

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Good afternoon,

Please find attached HSE's response to the above consultation.

Kind regards,

NSIP TEAM

From: Immroro <imroro@abports.co.uk>

Sent: 09 March 2023 13:04

To: NSIP Applications <NSIP.Applications@hse.gov.uk>; Richard Lomax
[REDACTED] <[\[REDACTED\]@hse.gov.uk](mailto:[REDACTED]@hse.gov.uk)>

Cc: Immroro <imroro@abports.co.uk>

Subject: Immingham Eastern Ro-Ro Terminal Development ("IERRT") – S.56 Notice of Acceptance of Application

Dear Sir or Madam

NOTICE OF ACCEPTANCE OF AN APPLICATION FOR A DEVELOPMENT CONSENT ORDER BY THE PLANNING INSPECTORATE (ON BEHALF OF THE SECRETARY OF STATE FOR TRANSPORT) UNDER SECTION 56 OF THE PLANNING ACT 2008

REGULATION 8 OF THE INFRASTRUCTURE PLANNING (APPLICATIONS: PRESCRIBED FORMS AND PROCEDURE) REGULATIONS 2009

REGULATION 16 OF THE INFRASTRUCTURE PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017

We are writing to you on behalf of Associated British Ports ("ABP") in your capacity as a statutory consultee under section 56 (2) of the Planning Act 2008 ("the 2008 Act"), to inform you that ABP's Application for a Development Consent Order for the **Immingham Eastern Ro-Ro Terminal ("IERRT")** has been accepted for Examination by the Secretary of State c/o the Planning Inspectorate, under Application Reference No. **TR030007**.

As a consequence, we now attach a Notice made under section 56 of the 2008 Act and the above Regulations by way of service upon you.

The Notice provides a link to the documents for the accepted Application, including the Environmental Statement, which can be viewed and downloaded free of charge on the IERRT webpage of the National Infrastructure Planning website at: <https://infrastructure.planninginspectorate.gov.uk/projects/yorkshire-and-the-humber/immingham-eastern-ro-ro-terminal/?ipcsection=docs>.

In compliance with the above Regulations, we also attach a map showing the location of the proposed IERRT.

Please note that the Notice also provides details as to how you can submit relevant representations – thereby giving notice of any interest in, or objection to, the Application. All relevant representations must be submitted to the Planning Inspectorate directly on the Planning Inspectorate's Registration and Relevant Representation Form which is accessed on their webpage at: <https://infrastructure.planninginspectorate.gov.uk/projects/yorkshire-and-the-humber/immingham-eastern-ro-ro-terminal>.

All relevant representations must be submitted before **23:59pm on 19 April 2023**.

If you have any questions about the Application Documents, or you wish to request copies on a USB stick (free of charge) or for printed copies (subject to a reasonable charge for printing, packaging and postage as detailed in the Notice), please contact us by email: imroro@abports.co.uk or by using the contact details provided in the Notice.

More information about the IERRT can be found on ABP's project website at: www.abports.co.uk/immroro/consultation.

Yours faithfully

Immingham Eastern Ro-Ro Project Team

Dock Office | Immingham Dock | NE Lincolnshire | DN40 2LZ

Tel: +44 (0) 808 169 9912 | www.abports.co.uk



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15 June 2023

Chemicals, Explosives and Microbiological Hazards Division – Unit 4
NSIP Consultations
Land Use Planning Team
Building 1.2
Redgrave Court
Bootle
L20 7HS

Dear Sir/Madam

Proposed Immingham Eastern Ro-Ro Terminal, Port of Immingham

HSE's Relevant Representation – PINS ref:TR030007

We write with regard to HSE's amended Relevant Representations dated 19th April submitted in relation to the above development proposal. We should say at the outset that we are extremely grateful for the constructive information that you have provided in your Representations. You will have seen the procedural letter published by the Examining Authority dated 26th May which looks to both ABP and the HSE preparing a Statement of Common Ground ("SoCG") and your Representations which will be of particular assistance as we commence the drafting exercise with you.

ABP has, as you acknowledge in your representations, already provided the HSE with a considerable amount of information as part of our early engagement with you prior to submission of our DCO application. As you know, the Port of Immingham and the surrounding industrial hinterland together play host to a number of sites operating under Hazardous Planning Consents, with consequentially numerous land use planning zones. In line with the HSE's established process of combining these zones – which we reference in this letter simply as Inner, Middle and Outer Zones – so that overlaps of the same zone type are viewed as being continuations of the same zone, we have been able to establish which parts of the proposed IERRT site will be in which combined zones.

The IERRT landside, as opposed to the marine, development includes all three types of Zone – Inner, Middle and Outer Zones – as well as DPZs. In the context of HSE's guidance on land use planning which we have applied in the case of this project, we thought it might be helpful if at this albeit relatively early stage, we address the points that you have raised in your Relevant Representations:

- **Exolum DPZ** – To confirm the position, the only operations in the Exolum DPZ - the northern trailer park - will comprise parking and storage for unaccompanied freight (Ro/Ro trailers left by their drivers at the port and moved onto and off the ship using specialised tractor units). The area is used for cargo storage at the moment and currently – as will be the case when IERRT becomes operational – hosts a transitory and limited number of workers who will only spend a very short period of time in that area simply to pick up or drop off cargo. On that basis, as you state in your letter, that would enable a classification of sensitivity 0.

- **Middle Zone** - The waiting area for occupied passenger vehicles (restricted in the draft DCO to a maximum of 100 passengers per day) will be located in the combined Middle Zone, which as per the advice in your letter, will allow for a Sensitivity Level 2 to be claimed.
- **The middle and southern trailer parks** – These will contain parking slots for unaccompanied freight – as per the northern trailer park, which will be acceptable in the combined inner zones.
- **Office, workshop** - These buildings are in the combined inner zones. We believe they comply with HSE guidance as they will not exceed 2 storeys and will not – simply by virtue of their modest size – be capable containing more than 100 people. We believe these buildings, therefore, will qualify as Sensitivity Level 1.
- **Accompanied freight waiting areas** – These will, in the most part, be accommodated in the passenger waiting area located within the combined Middle Zone. That said, it is possible that lorry drivers may have to wait to board the ships in an Inner Zone - although not in the DPZ. As these lorry drivers will, however, still be on duty and ‘at work’, any waiting in an Inner Zone would, subject to your views, qualify as Sensitivity Level 1.
- **Terminal building** - This will house terminal employees i.e., “at work”. In addition, passengers will be required to ‘check in’ at the Terminal on arrival at the port. This will necessitate a short stay in a car park to process paperwork. The passengers will then be directed to the marked-out passenger area in the Middle Zone. The approach road to the terminal building area, the building itself and its car park, and the road to the passenger waiting area will be situated in an Inner Zone. Given the transitory nature of the passengers’ dwell time, we believe that this would qualify as Sensitivity Level 1.
- **Route from the main terminal area** – This, including the passenger waiting area, will link the terrestrial elements of the Ro-Ro Terminal with the marine infrastructure. It incorporates a bridge to span an internal port road and railway line and has been specifically routed to pass between the two DPZs so designated at Exolum’s liquid bulks terminal and the Immingham Oil Terminal.
- **Marine infrastructure** – The marine element of the scheme was discussed during our pre-app engagement with the Executive and it was agreed that any items seaward of mean low water fall outside the land use planning process which underpins Hazardous Substances Consenting.

Immingham Green Energy Terminal (IGET) - Your letter refers to a recent consultation in relation to the proposed hydrogen production and distribution facility – IGET. This project is also being promoted by ABP. It is still at the pre-application stage, but it is considered, certainly at this stage, that there will be no significant implications in terms of land use planning issues for IERRT.

Hazardous Substances Consent - Whilst it is possible that hazardous substances may be shipped through the new Terminal, albeit in small quantities – as indeed is the case now – our understanding is that provided the cargo remains in transit through the port and is not ‘stored’ – subject to an occasional short dwell time such as for documentation checks, a hazardous substances consent will not be required. Other legislation will clearly apply in this situation, most notably the Dangerous Goods in Harbour Areas Regulations 2016.

Consideration of Risk Assessments – We note your reference to Regulation 5(4) of the 2017 Regulations. As you will be aware, we have provided in Chapter 18 of our Environmental Statement an assessment of the major hazard risks within the various parts of the IERRT.

Summary

ABP is grateful for the HSE’s assistance as we move to the Examination stage of the IERRT application. As you will appreciate, we have designed the terrestrial layout of the Terminal taking fully into account HSE’s land use planning constraints and we look forward to receiving either your confirmation as to our understanding as set out above or, failing that, your assistance as to how we can improve our thinking.

Once we are in agreement as to the above, that should enable us to prepare a draft Statement of Common Ground as required by the Examining Authority in their procedural letter referenced above for your consideration.

Yours faithfully



Tom Jeynes

Sustainable Development Manager

Associated British Ports - Humber

