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All Interested Parties and Statutory Parties

Your Ref:

Our Ref: TR030007

Date: 02 August 2023

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Dear Sir/ Madam

## **Planning Act 2008 – Section 89 and The Infrastructure Planning (Examination Procedure) Rules 2010 – Rule 8 and 9**

### **Application by Associated British Ports for an Order Granting Development Consent for the Immingham Eastern Ro-Ro Terminal**

#### **Examination Timetable and procedure**

This letter (the Rule 8 letter) provides important information about the Examination of this application. The letter includes:

- The Examination Timetable
- An invitation to submit Written Representations
- A request for Local Impact Reports from Local Authorities
- Other Procedural Decisions made by the Examining Authority (ExA)
- Information about Hearings and Accompanied Site Inspections
- Information about the availability of Examination Documents
- Guidance on the use of the 'Make a submission' tab on the project webpage

The Procedural Decisions made in this letter should be read in combination with the Procedural Decisions previously made by the ExA and included in PD-005, PD-006 (Annex F) and PD-008.

All documentation associated with this Examination, including a note of the Preliminary Meeting and the recording of that meeting, can be viewed under the [Documents Tab](#) on the project webpage of the [National Infrastructure Planning website](#).

## The Examination Timetable

The ExA has made a Procedural Decision about the way the application will be examined. The final Examination Timetable is attached at **Annex A** to this letter.

The Examination Timetable replaces the draft timetable that was included in our [Rule 6 letter](#). In finalising the Examination Timetable, the ExA has sought to accommodate requests and suggestions made orally or in writing at the Preliminary Meeting. A list of the main changes that have been made to the draft Examination Timetable are set out in **Annex B** to this letter.

Amongst other things, the Examination Timetable includes Deadlines for: the submission of Local Impact Reports by Local Authorities and signed final Statements of Common Ground; time reserved for further Issue Specific Hearings, a Compulsory Acquisition Hearing (if required), an Open Floor Hearing (if required); an Accompanied Site Inspection (if required); and the submission of responses to written questions issued by the ExA.

Please note that the Examination Timetable contains a number of Deadlines for receipt of information by the Planning Inspectorate. All Deadlines are at 23:59 on the date specified. Please ensure submissions arrive not later than the stated Deadline. There is, however, no reason why written submissions cannot be made in advance of the Deadline specified in the Examination Timetable. If you do not make your submissions by the dates specified in the timetable, they may be disregarded by the ExA.

The ExA requests that all Interested Parties make their submissions using the [Make a submission tab](#) on the project webpage on or before the applicable Deadline. **Annex E** to this letter provides further information about using the [Make a submission tab](#).

If we consider it necessary to vary the Examination Timetable during the Examination, notification will be sent to Interested Parties, Statutory Parties and Other Persons invited to the Preliminary Meeting. The changes will be published on the [project webpage](#).

## Written Representations

All Interested Parties and the Harbour Master for the Humber, the latter being an “Other Person” accepted by the ExA, are now invited to submit Written Representations and any comments on the Relevant Representations already submitted. Written Representations should be submitted by **Deadline 2 Tuesday 5 September 2023** in the Examination Timetable.

Written Representations can cover any relevant matter and are not restricted to the matters set out in the ExA’s Initial Assessment of Principal Issues and to the matters covered in our written questions (see next heading below).

Any person, other than the Applicant, who submits a Written Representation must identify those parts of the application with which they agree and those parts with which they do not agree, explaining the reasons why. Interested Parties should also provide with their Written Representations any data, methodology and assumptions used to support their submissions to avoid delays in the Examination (see paragraph 74 of [Planning Act 2008: Guidance for the examination of applications for development consent](#)).

The ExA has requested the submission of other written submissions at various points in the Examination (see **Annex A**).

Any Written Representations and any other written submissions requested during the Examination, exceeding 1500 words, should also be accompanied by a summary which should not exceed 10% of the original text. The summary should set out the key facts of the written submission and must be representative of the submission made. Any Written Representations and any other written submissions must be prepared having regard to the document management procedural decision made by the ExA (item 5 in Annex F of the Rule 6 letter).

Representations **must not include hyperlinks** to documents/evidence hosted on third party websites. Please see the Planning Inspectorate's [Advice Note 8.4: The Examination](#) for further information about Written Representations.

### **Examining Authority's Written Questions**

The ExA's first written questions (ExQ1) will be published not later than Monday 7 August.

Responses to ExQ1 must be provided by **Deadline 2, 5 September 2023** in the Examination Timetable.

If you require an editable Microsoft Word version of ExQ1, please [contact](#) the Case Team using the contact details at the top of this letter. The Examination Timetable allows for the issuing of further rounds of ExA written questions, should the ExA decide that it needs to ask more written questions of the Applicant and other IPs and the Other Person.

### **Other Procedural Decisions made by the Examining Authority**

**Annex B** to this letter contains important details and clarifications about other Procedural Decisions we made at, or following, the Preliminary Meeting. These include:

- Amendments to the draft Examination Timetable
- Granting the Harbour Master for the Humber the status of an Other Person for the Examination;
- The Applicant and the Harbour Master for the Humber to enter into a Statement of Common Ground; and
- Clarification about the status of North Lincolnshire Council as an Interested Party.

### **Hearings and Site Inspections**

As explained in the ExA's [Rule 6 letter](#) and at the Preliminary Meeting, the Examination will principally be a written process (see [Advice Note 8.4: The Examination](#)), supplemented where necessary by various types of hearings (see [Advice Note 8.5: Hearings and site inspections](#) and [Advice Note 8.6: Virtual Examination events](#)).

On this basis the Examination Timetable at **Annex A** to this letter includes periods of time reserved for any hearings to be held, and the ExA will notify all Interested Parties and the Other Person of any hearings scheduled as part of the Examination at least 21 days in advance of them taking place. That notification will include a Deadline for Interested Parties and the Interested Person to inform the Planning Inspectorate if they wish to participate at the notified hearing(s).

The ExA will also undertake site inspections. Where the ExA is able to undertake any Unaccompanied Site Inspections using public land it will undertake such inspections and then issue a note of the site inspection which will be published on the project webpage. The Examination Timetable also reserves time for the ExA to undertake an Accompanied Site Inspection (ASI) during the week commencing 25 September 2023. As requested by Associated Petroleum Terminals (Immingham) Limited and Humber Oil Terminals Trustee Limited, as part of any ASI the ExA intends to inspect the Port of Killingholme. The ExA also considers it likely that there will be a need to visit some landside parts of the Port of Immingham as part of the ASI. It is unlikely that the ExA will need to undertake a further visit of the Immingham Oil Terminal.

**Annex C** provides details about what Interested Parties should include in a request to be heard at a hearing, and the procedure that will be followed at hearings. It also provides important information about the Accompanied Site Inspection and attendance at the inspection.

### **Managing Examination correspondence**

Given the volume and frequency of letters the Planning Inspectorate needs to send to Interested Parties during an Examination, we aim to communicate with people by email as electronic communication is more environmentally friendly and cost effective for the taxpayer.

If you have received a letter from the Planning Inspectorate but are able to receive communications by email, please inform the Case Team using the contact details at the top of this letter as soon as possible.

As the Examination process makes substantial use of electronic documents, it will be useful for you to become familiar with the [project webpage](#).

A [Make a submission tab](#) is available on the website which provides a portal through which parties should make written submissions at relevant deadlines during the Examination. Further information about the 'Make a submission' portal is provided at **Annex E** to this letter.

There is also a function on the right-hand side of the project webpage called 'E-mail updates'. This provides you with an opportunity to register to receive automatic e-mail updates at key stages during the Examination.

### **Your status in the Examination**

You have received this letter because you fall within one of the groups described in the Planning Inspectorate's document [What is My Status in the Examination?](#)



If your reference number begins '2003', 'IMRO-0', 'IMRO-AFP', 'IMRO-S57' 'IMRO-APP' you are in Group A. If your reference number begins with 'IMRO-SP' you are in Group B. If your reference number begins with 'IMRO-OP' you are in Group C. The meaning and purpose of those groups are explained in the document published at the link above.

If having read this document you are still unsure about your status, please contact the Case Team using the details at the top of this letter.

### **Awards of costs**

All parties will normally be expected to meet their own costs. Costs can be awarded against a party who has acted unreasonably and has caused the party applying for the award of costs to incur unnecessary or wasted expense during the Examination. You should be aware of the relevant costs guidance [Awards of costs: examinations of applications for development consent orders](#).

### **Management of information**

Information, including representations, submitted in respect of this Examination (if accepted by the Examining Authority) and a record of any advice which has been provided by the Planning Inspectorate is published on the [project webpage](#).

Examination Documents can also be viewed electronically at the locations listed in **Annex D** to this letter.

Please note that in the interest of facilitating an effective and fair Examination, it is necessary to publish some personal information. To find out how we handle your personal information please view our [Privacy Notice](#).

We look forward to working with all parties in the Examination of this application.

Yours faithfully

*Grahame Gould*

### **Lead Member of the Examining Authority**

#### **Annexes**

- A** Examination Timetable
- B** Other Procedural Decisions made by the Examining Authority (ExA)
- C** Arrangements for hearings
- D** Availability of Examination Documents
- E** Information about the Make a submission tab

This communication does not constitute legal advice.  
Please view our [Privacy Notice](#) before sending information to the Planning Inspectorate.

## Examination Timetable

The Examining Authority (ExA) is under a duty to **complete** the Examination of the application by the end of the period of six months beginning with the day after the close of the Preliminary Meeting.

The Examination of the application primarily takes the form of the consideration of written submissions. The ExA will also consider any oral representations made at hearings.

Item	Matters	Date
1.	<p><b>Pre-Examination Procedural Deadline A</b></p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• Written submissions on the Examination Procedure, including the draft Examination timetable</li> <li>• Requests to be heard orally at the Preliminary Meeting (please refer to Annex A for further information), including indications for: which agenda items Interested Parties (IPs) wish to speak on; the points they wish to raise; and why these need to be made orally rather than in writing</li> <li>• Requests to attend and be heard orally at Issue Specific Hearing 1 (ISH1) and ISH2.</li> <li>• Requests by Interested Parties to be heard at an Open Floor Hearing (OFH)</li> <li>• Notification of suggested locations for the ExA to include in future Unaccompanied (USIs) and/or Accompanied Site Inspections (ASIs), including: the reason for nomination and issues matter(s) to be observed; information about whether the location can be accessed using public rights of way or what access arrangements would need to be made; and the likely time requirement for the visit to that location (if not covered within an USI (See <b>Annex F</b>))</li> <li>• Notification of wish to attend an ASI</li> <li>• Notification by Statutory Parties who did not submit a Relevant Representation of</li> </ul>	Thursday 6 July 2023

	their wish to be considered as an Interested Person (IP) by the ExA	
<b>2.</b>	<b>Preliminary Meeting</b>	<b>Tuesday 25 July 2023</b>
<b>3.</b>	<b>Issue Specific Hearing 1 (ISH1) on the draft Development Consent order (dDCO)</b>	<b>Tuesday 25 July 2023</b>
<b>4.</b>	<b>The ExA's familiarisation site inspection</b>	<b>Wednesday 26 July 2023</b>
<b>5.</b>	<b>Issue Specific Hearing 2 (ISH2) concerning, amongst other matters:</b> <ul style="list-style-type: none"> <li>• Need for the Proposed Development and the capacity of the Humber ports</li> <li>• Navigation and Shipping</li> <li>• Marine ecology</li> <li>• Onshore highways and transportation</li> </ul>	<b>Thursday 27 July 2023</b>
<b>6.</b>	<b>Issue by the ExA of:</b> <ul style="list-style-type: none"> <li>• The Examination Timetable</li> </ul>	<b>Thursday 2 August 2023</b>
<b>7.</b>	<b>Publication of:</b> <ul style="list-style-type: none"> <li>• <b>The ExA's Written Questions (ExQ1)</b></li> </ul>	<b>No later than Monday 7 August</b>
<b>8.</b>	<b>Deadline 1 (D1)</b> Deadline for receipt by the ExA of: <ul style="list-style-type: none"> <li>• Comments on any updates to Application documents submitted by the Applicant prior to or at the PM (if relevant)</li> <li>• Comments on Relevant Representations (RR), with summaries for any comments that exceed 1500 words</li> <li>• Post-ISH1 and ISH2 submissions, including: written submissions of oral cases made during those hearings; and responses to any action points arising from those hearings</li> <li>• Applicant's updated version of the draft Development Consent Order (dDCO), to be submitted in clean and tracked change versions</li> </ul>	<b>Tuesday 15 August 2023</b>

	<ul style="list-style-type: none"> <li>• Applicant's update with respect to the preparation of all of the Statements of Common Ground (SoCG) requested by the ExA [PD-005]</li> <li>• Applicant's submission of a Principal Areas of Difference (PADs) Tracker</li> <li>• An updated Guide to the Application documents to be submitted by the Applicant</li> <li>• Applicant's draft itinerary for an Accompanied Site Inspection (ASI)</li> <li>• Local Impact Report (LIR) from Local Authorities</li> <li>• Requests by Interested Parties to be heard at any subsequent Open Floor Hearing (OFH)</li> <li>• Requests by any Affected Persons to be heard at a Compulsory Acquisition Hearing (CAH)</li> <li>• Notification of wish to have future correspondence received electronically</li> <li>• Any further information requested by the ExA under Rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010</li> <li>• Comments on any further information/submissions previously accepted by the ExA</li> </ul>	
<p><b>9.</b></p>	<p><b>Deadline 2 (D2)</b> Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• Responses to ExQ1</li> <li>• Responses to comments on RRs</li> <li>• Written Representations (WRs)</li> <li>• Summaries for any WRs exceeding 1500 words</li> <li>• From the Applicant, a schedule of any changes to the Book of Reference and a Compulsory Acquisitions Negotiations Tracker</li> <li>• Updates with respect to the preparation of SoCG and the position with respect to any</li> </ul>	<p><b>Tuesday 5 September 2023</b></p>



	<p>IPs' PADs from the Applicant and IPs, as relevant</p> <ul style="list-style-type: none"> <li>• Submission of an updated PADs Tracker by the Applicant</li> <li>• An updated Guide to the Application documents to be submitted by the Applicant</li> <li>• Comments on the LIR(s)</li> <li>• Comments on any other submissions received at D1, including the Applicant's draft itinerary for an ASI</li> <li>• Any further information requested by the ExA under Rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010</li> </ul>	
<p><b>10.</b></p>	<p><b>Deadline 3 (D3)</b></p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• Comments on WRs</li> <li>• Comments on responses to the ExQ1</li> <li>• Updates with respect to the preparation of SoCG and the position with respect to any IPs' PADs from the Applicant and IPs, as relevant</li> <li>• Submission of an updated PADs Tracker by the Applicant</li> <li>• Updated Guide to the Application from the Applicant</li> <li>• Applicant's updated version of the dDCO, to be submitted in clean and tracked change versions (if required)</li> <li>• An updated Guide to the Application documents to be submitted by the Applicant</li> <li>• Comments on any submissions received at D2</li> <li>• Any further information requested by the ExA under Rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010</li> </ul>	<p><b>Monday 11 September 2023</b></p>

11.	<b>Issue by the ExA of:</b> <ul style="list-style-type: none"> <li>• Second round of written questions (ExQ2) (if required)</li> </ul>	<b>Friday 15 September 2023</b>
12.	<b>Date reserved for second round of hearings:</b> <ul style="list-style-type: none"> <li>• ISH (if required)</li> <li>• CAH (if required)</li> <li>• OFH (if required)</li> <li>• ASI (if required)</li> </ul>	<b>Week commencing 25 September 2023</b>
13.	<b>Deadline 4 (D4)</b> Deadline for receipt by the ExA of: <ul style="list-style-type: none"> <li>• Responses to ExQ2 (if required)</li> <li>• Post-hearing submissions, including written summaries of oral cases made by the Applicant and IPs (if hearings in week commencing 25 September 2023 are required)</li> <li>• Applicant's updated version of the dDCO, to be submitted in clean and tracked change versions (if required)</li> <li>• Comments on any submissions received at D3</li> <li>• An updated Guide to the Application documents to be submitted by the Applicant</li> <li>• Any further information requested by the ExA under Rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010</li> </ul>	<b>Monday 9 October 2023</b>
14.	<b>Deadline 5 (D5)</b> Deadline for receipt by the ExA of: <ul style="list-style-type: none"> <li>• Comments on responses to ExQ2 (if required)</li> <li>• Applicant's updated version of the dDCO, to be submitted in clean and tracked change versions (if required)</li> <li>• Comments on any submissions received at D4</li> </ul>	<b>Monday 23 October 2023</b>

	<ul style="list-style-type: none"> <li>• Final and signed SoCGs</li> <li>• Submission of an updated PADs Tracker by the Applicant</li> <li>• An updated Guide to the Application documents to be submitted by the Applicant</li> <li>• Any further information requested by the ExA under Rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010</li> </ul>	
<b>15.</b>	<b>Publication by the ExA of:</b> <ul style="list-style-type: none"> <li>• ExA's Further Written Questions (ExQ3) (if required)</li> </ul>	<b>Tuesday 31 October 2023</b>
<b>16.</b>	<b>Deadline 6 (D6)</b> Deadline for receipt by the ExA of: <ul style="list-style-type: none"> <li>• Responses to the ExA's ExQ3 (if required)</li> <li>• Applicant's updated version of the dDCO, to be submitted in clean and tracked change versions (if required)</li> <li>• Submission of an updated PADs Tracker by the Applicant</li> <li>• Comments on any submissions received at D5</li> <li>• A Statement of Commonality for the matters included in the SoCGs from the Applicant</li> <li>• An updated Guide to the Application documents to be submitted by the Applicant</li> <li>• Any further information requested by the ExA under Rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010</li> </ul>	<b>Monday 13 November 2023</b>
<b>17.</b>	<b>Issue by the ExA of:</b> <ul style="list-style-type: none"> <li>• Any requests for information under Rule 17 of the Examination Procedure Rules 2010 (if required)</li> </ul>	<b>Wednesday 15 November 2023</b>

	<p><b>Publication by the ExA of:</b></p> <ul style="list-style-type: none"> <li>• The Report on the Implications for European Sites (RIES)</li> <li>• The ExA's proposed schedule of changes to the dDCO (if required and if no DCO specific ISH is to be held on Tuesday 21 to Thursday 23 November 2023)</li> </ul>	
<b>18.</b>	<p><b>Date reserved for third round of hearings:</b></p> <ul style="list-style-type: none"> <li>• ISH (if required)</li> <li>• CAH (if required)</li> </ul>	<b>21 to 23 November 2023</b>
<b>19.</b>	<p><b>Publication by the ExA of:</b></p> <ul style="list-style-type: none"> <li>• The ExA's Further Written Questions (ExQ4) (if required)</li> <li>• The ExA's draft Schedule of Changes to the dDCO (if required and if not issued on 15 November 2023)</li> </ul>	<b>Friday 1 December 2023</b>
<b>20.</b>	<p><b>Deadline 7 (D7)</b></p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• Post-hearing submissions, including written summaries of oral cases made by the Applicant and IPs (if hearings on 21 to 23 November 2023 are required)</li> <li>• Comments on the Report on the Implications for European Sites (RIES)</li> <li>• Responses to the ExA's ExQ4 (if required)</li> <li>• Applicant's final dDCO to be submitted in the SI template with the SI template validation report. This version of the dDCO should be submitted in an editable format and it should also be accompanied by an editable copy showing any revisions to the preceding version shown using tracked changes (if required)</li> <li>• Submission of an updated PADs Tracker by the Applicant</li> <li>• Final Statement of Commonality from the Applicant</li> </ul>	<b>Monday 11 December 2023</b>

	<ul style="list-style-type: none"> <li>• An updated Guide to the Application documents to be submitted by the Applicant</li> <li>• Comments on any submissions received at D6</li> <li>• Any further information requested by the ExA under Rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010</li> </ul>	
<b>21.</b>	<p><b>Deadline 8 (D8)</b></p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• Any further information requested by the ExA under Rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010</li> <li>• Comments on any further information requested by the ExA and received by D7</li> </ul>	<b>Monday 8 January 2024</b>
<b>22.</b>	<p>The ExA is under a duty to complete the Examination of the application by the end of the period of six months.</p> <p>Please note that the ExA may close the Examination before the end of the six-month period if it is satisfied that all relevant matters have been addressed and discussed.</p>	<b>Thursday 25 January 2024</b>

### Submission times for deadlines

The time for submission of documents at any deadline in the timetable is 23:59 on the relevant deadline date, unless instructed otherwise by the ExA.

### Publication dates

All information received will be published on the [project webpage](#) as soon as practicable after the deadlines for submissions.

### Report on the Implications for European Sites (RIES)

Where an applicant has provided a No Significant Effects Report or a Habitats Regulations Assessment (HRA) Report with the application, the ExA may decide to issue a RIES during the Examination. The RIES is a factual account of the information and evidence provided to the ExA on HRA matters during the Examination up to the date of the publication of the RIES, for the purposes of enabling the Secretary of State, as competent authority, to undertake its HRA. It is

not the ExA's opinion on HRA matters. Comments on the RIES will be invited by the ExA and any received will be taken into account as part of the ExA's Recommendation to the Secretary of State. The ExA may also raise questions in the RIES to confirm or clarify matters that remain outstanding.

The Secretary of State may rely on the consultation on the RIES to meet its obligations under Regulation 63(3) of The Habitats Regulations 2017 and/or Regulation 28 of The Offshore Marine Regulations.

## Other Procedural Decisions made by the Examining Authority (ExA)

We have made a number of Procedural Decisions following the Preliminary Meeting:

### 1. Examination Timetable

We are grateful for and have carefully considered comments made at the PM and representations at Procedural Deadline A. The ExA has made the following amendments to the timetable:

- With respect to Deadline 1, moving it from Monday 14 August 2023 to Tuesday 15 August 2023. Putting back Deadline 1 will give the Applicant and Interested Parties some additional time to compile their post ISH1 and ISH2 written submissions.
- With respect to Deadline 2, moving it from Thursday 31 August 2023 to Tuesday 5 September 2023. We have put this deadline back to give the Applicant, the Other IPs and the Other Person some additional time to compile the submissions to be made at this deadline, including the making of responses to the ExA's First Written Questions. The ExA is mindful of the fact that changing the date for Deadline 2 will reduce the amount of time available to make Deadline 3 submissions on Monday 11 September 2023, but considers that is something that is unavoidable given the potential issuing of a second round of Written Questions by the ExA on 15 September 2023. In making this timetable change the ExA has also had regard to the fact that the parties who attended the PM did not object to the potential reduction in the amount of time between Deadlines 2 and 3.
- The ExA has given consideration to the concerns of some of the IPs about the setting of Monday deadlines creating the potential for weekend working. However, for the reasons given in the Rule 6 letter and reiterated at the PM, the ExA is of the view that the setting of Monday submissions from Deadline 3 onwards is not unreasonable. We say that in the context of each deadline being a no later than time and date, given that it is perfectly in order to make written submissions in advance of a deadline, for example on Fridays, rather than waiting to the making of submissions on the actual deadline day.

### 2. Examining Authority's Written Questions

The ExA's Written Questions (ExQ1) will be published as soon as possible during the course of the week commencing 31 July 2023. Whilst most of our Written Questions will be directed at specific parties, no other party should feel inhibited or restricted in responding to any question we ask, even if it is directed elsewhere.

The Applicant, all other Interested Parties and relevant Statutory Parties are requested to check our Written Questions carefully in order that they may identify and respond to any questions posed to them.

For the avoidance of doubt, Statutory Parties are defined as the parties listed in Schedule 1 to [The Infrastructure Planning \(Interested Parties and Miscellaneous](#)

[Prescribed Provisions\) Regulations 2015](#). Statutory Parties, including relevant local authorities, that have not already registered to become an Interested Party should consider notifying the ExA of their wish to be considered as an Interested Party, under Section 89(2A)(b) of the Planning Act 2008 as soon as possible.

### 3. Statements of Common Ground (SoCG)

The Applicant is taking the lead in the preparation of SoCGs and it will aid the smooth running of the Examination if all Interested Parties who are participating in the preparation of SoCGs liaise and co-operate with the Applicant in respect of their production. In the ExA's Procedural Decision [PD-005](#), issued on 26 May 2023, we listed the SoCG, including the topics as a minimum to be covered in them, that we wish to see concluded between the Applicant and the identified Interested Parties. Following the granting of the Harbour Master for the Humber the status of an Other Person and the discussions that took place during the course of ISH1 and ISH2 the ExA wishes the Applicant and Harbour Master to enter into a SoCG.

All final and signed versions of the SoCGs listed within [PD-005](#) are requested to be submitted **by the Applicant to Deadline 5**.

The submission of the completed SoCGs at **Deadline 5** will help to inform the ExA about where it may need to focus its attention during the latter stages of the Examination.

### 4. Local Impact Reports (LIR)

A LIR is a report in writing giving details of the likely impact of a Proposed Development on a local authority's area (or any part of that area). For more information about the importance and content of LIRs see our [Advice Note One: Local Impact Reports](#).

Local Authorities, defined in section 56A of the Planning Act 2008, are invited to submit LIRs by **Deadline 1**.

### 5. Changes to land interests

When the Applicant becomes aware that there has been a change in ownership, or a new interest, in relevant land the Applicant is requested to make the relevant person aware that they can make a request to the ExA to become an Interested Party under section 102A of the PA2008 by completing the [form available on the project webpage](#). The Examination Timetable includes various deadlines for the submission of an updated Book of Reference and schedule of changes to the Book of Reference, which should include confirmation that relevant persons have been informed of their rights under section 102A.



## **5. Additional Submissions**

In addition to the documentation submitted by Procedural Deadline A we have exercised our discretion and made a Procedural Decision to accept Additional Submissions from the following:

1. The Applicant's letter of 11 July 2023 providing advance warning of the intention to make a request to change elements of the originally submitted application [AS-012].
2. Letter from DFDS Seaways plc in response to ISH1 and ISH2 agendas [AS-013]
3. Various items of correspondence submitted by Natural England on 25 July 2023 [AS-014 to AS-016].

## Arrangements for hearings

The Examination will be principally undertaken through the exchange of written submissions however the Examination Timetable reserves periods of time for hearings to be held (if required).

## Requests to participate at hearings

Interested Parties are required to notify the Examining Authority (ExA) in writing of their wish to take part in an Open Floor Hearing (OFH) or Compulsory Acquisition Hearing (CAH) on or before **Tuesday 15 August 2023** (see **Deadline 1**).

Any request to participate in a hearing **should include** the following information:

- Name and unique reference number (found at the top of any letter or email from the Planning Inspectorate);
- email address (if available) and contact telephone number;
- name and unique reference number of any person/organisation that you are representing (if applicable);
- for blended events, confirmation of whether you will participate virtually or in-person;
- confirmation of the hearing(s) you wish to participate in, the agenda item(s) on which you wish to speak and/or brief details of the topic(s) that you would like to raise;
- for Compulsory Acquisition Hearings, the plot number(s) of the relevant land provided in the [Book of Reference](#) and the [Land Plans](#); and
- the [Examination Library](#) reference number (with paragraph/page number where appropriate) of any documents you wish to refer to.

The time, date and place of any confirmed hearing will be notified in writing to all Interested Parties, providing at least 21 days' notice.

Requests to participate should be made using an **Event Participation Form** which will be provided with the notification of the hearing.

**Please contact the Case Team using the contact details at the top of this letter if you require any support or assistance to attend an Event, either virtually or in person.**

If no written requests to take part in an OFH or CAH are received by the above deadline, we are not required to hold such a hearing, although we may choose to do so nonetheless.

We may also choose to hold Issue Specific Hearings (ISH) about topics that we think need to be explored orally. The decision to hold an ISH about a particular topic is not connected to how relevant or important we consider an issue or topic to be.

## Hearing agendas

High-level agendas for any future hearings will be published alongside this notification on the [project webpage](#) to help inform your decision about whether to register to participate.

For Issue Specific Hearings and Compulsory Acquisition Hearings the ExA will publish a detailed draft agenda on the project website at least five working days in advance of the hearing date. However, the actual agenda on the day of each hearing may be subject to change at the discretion of the ExA. For Open Floor Hearings an agenda may not be published.

As discussed during the course of ISH2 the ExA considers it very likely that there will be a need for it to hold a further ISH during the week commencing 25 September 2023 concerning the topic of navigation and shipping effects. The ExA will endeavour to make available a detailed agenda for that ISH more than five days in advance of that hearing.

## Procedure at hearings

The Examination will principally be a written process (see the Planning Inspectorate's [Advice Note 8.4: The Examination](#)), supplemented where necessary by various types of hearings. Please refer to the [Advice Note 8.5: Hearings and site inspections](#) and [Advice Note 8.6: Virtual Examination events](#) as these provide important information about hearing procedures.

The procedure to be followed at hearings is set out in Rule 14 of The Infrastructure Planning (Examination Procedure) Rules 2010. The ExA is responsible for the oral questioning of a person giving evidence and the process affords very limited scope to allow cross-questioning between parties.

## Hearing livestream and recording

A link to a livestream for each hearing will be made available on the [project webpage](#) shortly before any hearing is due to open. The livestream is available to anybody who wishes to observe a hearing in real time.

All hearings are recorded, and the recordings will be made available on the [project webpage](#) as soon as practicable after the close of the hearing. The recordings allow any member of the public who is interested in the application and the Examination to find out what has been discussed.

## Accompanied Site Inspection (ASI) and requests to attend

Time has been reserved in the Examination Timetable to undertake an ASI during the course of the week commencing 25 September. The ExA inspected the Immingham Oil Terminal (IOT) as both the marine and landside elements of its Familiarisation Site Inspection held on 26 July 2023. Given that at this time the ExA

considers it very unlikely that there would be a need for it to re-inspect IOT as part of an ASI.

Requests have been made by IPs to inspect DFDS's facilities within the Port of Immingham (DFDS) and the Port of Killingholme (CLdN). As both of those sites and other parts of the Port of Immingham concern operational ports there will be health and safety considerations that would need to be addressed.

At Deadline 1 the Applicant is required to submit a draft itinerary for an ASI. Prior to the submission of that draft itinerary the Applicant will need to discuss with DFDS and CLdN the locations that the parties would wish to be inspected as part of the ASI and the health and safety requirements for inspecting those locations.

The draft itinerary should be submitted by **Deadline 1**.

Comments on the Applicant's draft itinerary should be submitted by **Deadline 2**.

The ExA will then review the comments received and the draft itinerary and may make changes to it. The ExA's final itinerary for the ASI will be published on the project webpage at the earliest opportunity thereafter.

Please note that for logistical and safety reasons it may be necessary to limit the numbers of persons who accompany the ExA for the whole ASI, however it should be possible for arrangements to be made for Interested Parties (or their representatives) to join the inspection at specified locations within the itinerary.

Requests by Interested Parties to attend the ASI should be provided by **Deadline 2** and should include confirmation of whether the request is to attend for the whole inspection or just specific locations. The request must be submitted separately from any other written submission.

Please select the appropriate deadline and submission item under the [Make a submission tab](#). **Annex E** provides further information about the Make a submission tab.

Access onto private land is at all times by permission of the person controlling it.

**Interested Parties should be aware that ASIs are not an opportunity to make any oral representations to us about the Proposed Development.** However, we may invite participants to indicate specific features or sites of interest.

**Please contact the Case Team using the contact details at the top of this letter if you require any support or assistance to attend the ASI.**

## Availability of Examination Documents

The application documents and Relevant Representations are available to view on the [project webpage](#).

All further documents submitted in the course of the Examination will also be published under the [Documents tab](#) of the project webpage.

## The Examination Library

For ease of navigation, please refer to the [Examination Library](#) (EL) which is accessible by clicking the blue button under the Documents tab. The EL is updated regularly throughout the Examination.

The EL records and provides a hyperlink to:

- Each application document;
- each representation and submission made to the Examination; and
- each Procedural Decision made by the Examining Authority.

Each document is given a unique reference number which will be fixed for the duration of the Examination. **Please quote the unique reference number from the EL when referring to any Examination Documents in any future submissions that you make.**

## Electronic deposit locations

Documents can be viewed electronically, free of charge, at the electronic deposit location listed in the table below.

The opening hours, availability of equipment set out in the table below may be subject to changes. Please check with the relevant location before you attend.

Local authority	Venue address	Opening hours	Printing Costs
Immingham Town Council	Civic Centre Hub, Pelham Road, Immingham, North East Lincolnshire, DN40 1QF	Monday to Friday 9am to 5pm  Saturday and Sunday Closed	Black and white: A4 20p A3 £1  Colour: A4 50p A3 £1.50

## Information about the Make a submission tab

The [Make a submission tab](#) is available on the project webpage.

You will need to enter your unique reference number ('Your ref' found at the top your postcard or email from the Planning Inspectorate) beginning either 2003 or IMRO-0, IMRO-AFP, IMRO-S57, IMRO-APP, IMRO-SP and IMRO-OP. If you are making a submission on behalf of another person or organisation, and do not have your own unique reference number, then you should enter the unique reference number of the person or organisation you are representing. If you are not a registered Interested Party then it is at the discretion of the Examining Authority whether or not your submission is accepted.

Submissions will be published on the [project webpage](#) as soon as practicable following the close of the relevant deadline. For further information about publishing submissions please view our [Privacy Notice](#).

You will be able to submit a document (upload file), make a text representation or both. It is possible to upload multiple files for each individual submission item. Electronic attachments should be clearly labelled with the subject title and not exceed 50MB.

Submissions **must not include hyperlinks** to documents/evidence hosted on a third party website eg technical reports, media articles etc. See the Planning Inspectorate's [Advice Note 8.4: The Examination](#) for further information about making written submissions. All submissions must be made in a format that can be viewed in full on the National Infrastructure Planning website. Any submissions that exceed 1500 words should also be accompanied by a summary; this summary should not exceed 10% of the original text.

You should select the relevant deadline for your submission and then, on the next webpage, select the appropriate Submission item as described in the Examination Timetable at **Annex A** to this letter. Please ensure you make a separate submission for each Submission item and **do not duplicate your submission**. If you consider that your submission does not fit the description of any of the Submission items then please select the Submission item 'Other' and ensure that it is titled appropriately.

If you experience any issues when using the [Make a submission tab](#) please contact the Case Team using the contact details at the top of this letter and they will assist.