



The Planning Inspectorate

Application by ABP for an Order granting Development Consent for Immingham Eastern RoRo Terminal

Hearing Action Points arising from Issue Specific Hearing 1 (ISH1) dealing with matters relating to the draft Development Consent Order held on Monday 25 July 2023

Action	Description	Action by	When
1	Review the recording of this ISH and provide any comments by D1.	MMO and NE	Deadline 1 (D1)
2	Provide a note explaining the roles and responsibilities of the two Statutory Harbour Authorities with particular reference to safety governance roles and interfaces.	Applicant	D1
3	Provide a plan identifying the geographic limits for the Port of Immingham Statutory Harbour Authority's jurisdiction.	Applicant	D1
4	Provide clarification for the references to "Company" rather than Undertaker in the draft Development Consent Order (dDCO) and check consistency between dDCO and Explanatory Memorandum (EM).	Applicant	D1
5	Review definition and usage of "relevant planning authority" having regard to: the site being located within North East Lincolnshire Council's area and the proximity of North Lincolnshire Council's area; and the approvals/consents being required from the planning and highway authorities. A plan identifying the jurisdictions for North East Lincolnshire Council and North Lincolnshire Council should be submitted.	Applicant	D1
6	Expand the Explanatory Memorandum justifying the intention for the incorporation of each of cited sections of the 1847 Clauses Act into any made DCO.	Applicant	D1

Action	Description	Action by	When
7	Provide clarifying note for the "Order limits" and "limits of deviation" for the proposed marine works.	Applicant	D1
8	Review Article 2 definition of vessel with regard to "placement in water".	Applicant	D1
9	Address DFDS concerns regarding the definitions for "construct" and "maintain".	Applicant	D1
10	Review the definition for "ro-ro unit" numbers having regard to the definition used in s24(6) of the Planning Act 2008 and any potentials for motor vehicles to be imported or exported via the Proposed Development.	Applicant	D1
11	Review Articles 6, 7, 10 and 16 further to observations by DFDS at ISH1.	Applicant	D1
12	Respond to CLdN's concern about the apparent conflict between s33 of the 1847 Clauses Act and Article 22 of the dDCO.	Applicant	D1
13	Provide a fuller justification in the EM for Article 28.	Applicant	D1
14	Review the wording for Articles 29 and 37 and the justification for those articles cited in the EM.	Applicant	D1
15	Submit the Immingham Dock Bylaws as an Examination document for inclusion in the Examination Library.	Applicant	D1
16	Consider an extra Requirement to maintain a publicly accessible record of approvals sought and granted in connection with the discharge of the proposed Requirements.	Applicant	D1
17	Clarify the extent of the Work Areas for marine works in relation to Schedule 1 and the boundaries of the local authorities and the Crown Estate with respect to the discharge of Requirements in Schedule 2.	Applicant	D1
18	Review where within any made DCO restrictions relating to the timing for piling should be stated, ie in a single location, and check for any potential inconsistency and confusion.	Applicant	D1
19	Review the wording for Requirement 10 in terms of the timing for undertaking any noise insulation measures and the enforcement of this Requirement.	Applicant	D1

Action	Description	Action by	When
20	Consider how any made DCO would secure Biodiversity Net Gain.	Applicant	D1
21	Consider securing in a made DCO the availability of an Operational Traffic Management Plan.	Applicant	D1
22	Consider submission of a Materials Management Plan into the Examination.	Applicant	D1
23	With respect to the Construction Environment Management Plan (CEMP) review whether there is a need for this plan to cited in Requirements 8 and 15.	Applicant	D1
24	Consider whether outline versions for the submitted CEMP and other submitted management plans should be treated as outline plans to be developed into final plans to be submitted for approval by the relevant authority(ies) as part of the process for discharging the Requirements stated in Schedule 2 of the dDCO.	Applicant	D1
25	Consider redrafting of Requirement 18 to identify the mechanism for 'triggering' the implementation of impact protection and agreement of timing constraints for implementation if deemed required.	Applicant	D1
26	Review the drafting for Requirement 19.	Applicant	D1
27	Review the drafting and potentially rationalise paragraph 3 regarding the Humber Conservancy consenting regime.	Applicant and The Humber Harbour Master	D1
28	DFDS to provide draft Protective Provisions for the Applicant's consideration.	DFDS	D2
29	CLdN to provide to the Examination information on train paths in relation to their oral submission at ISH1.	CLdN	D2
30	DFDS and CLdN and Applicant to each to continue their dialogue concerning Protective Provisions outside the Examination.	CLdN DFDS Applicant	D2