



The Planning Inspectorate

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

Hearing Action Points arising from Issue Specific Hearing 2 (ISH2) dealing with matters relating to the Need Case and Environmental Statement held on Thursday 27 July 2023

Action	Description	Action by	When
1	Review the recording of ISH2 discussion and provide any comments by D1.	MMO, MCA and NE	Deadline 1 (D1)
2	Provide a note: advising for the duration of the marine element of the Familiarisation Site Inspection how typical, or otherwise, the vessel movements to and from the Port of Immingham were; and confirming what the state of the tide was and the direction(s) and speed(s) for the wind and current.	Applicant	D1
3	Submit a plan showing the berth numbering at the whole of Immingham Oil Terminal (IOT).	IOT Operators	D1
4	Provide a note setting out the names, lengths, beams (widths) and capacities for all of the vessels berthed at the IOT during the landside element of the Familiarisation Site Inspection.	IOT	D1
5	Provide CLdN's expectations for future demand on the Humber for Ro-Ro capacity through to 2050 including the anticipated distribution between accompanied and unaccompanied RoRo freight [a draft by D1 and full version by D2].	CLdN	D1/D2
6	For the Port of Immingham provide data on Ro-Ro vessel movements and the distribution between accompanied and unaccompanied freight volume for a representative month. The selection of the representative month to be determined in consultation with the Harbour Master, Stena, DFDS and IoT Operators.	Applicant	D2

Action	Description	Action by	When
7	Provide a plan for the Port of Killingholme identifying its berth numbers.	CLdN	D1
8	Provide for the Port of Killingholme historic data for Ro-Ro freight volumes for at least the last 10 years with explanatory note.	CLdN	D2
9	Submit a copy of the Court of Appeal <i>ClientEarth</i> judgement relating to the consideration of need in the context of the energy National Policy Statements, together with a note explaining any relevance of this judgement to the consideration of the Proposed Development.	Applicant	D1
10	Submit the further road traffic survey data that has been collected by the Applicant and an explanatory note as supplement to the baseline traffic count data referred to in the application documentation.	Applicant	D1
11	Submit the road traffic survey data collected by DFDS, together with a commentary, highlighting points of difference from the Applicant's data submitted with the application.	DFDS	D1
12	Provide an explanation for the contention that a 10% allowance for tractor-only movements on the public highway is insufficient.	DFDS	D1
13	Comment on 1) the Interested Parties' criticisms of the assumed distribution between accompanied (28%) and unaccompanied (72%) Ro-Ro freight throughput for the Proposed Development and 2) any implications for the operation of the public highway if the throughput for accompanied freight was to be higher than the assumed level of 28%, ie the sensitivity of the public highway to accommodate different levels of accompanied and unaccompanied Ro-Ro throughput.	Applicant	D1
14	Endeavour to agree a ratio for accompanied and unaccompanied Ro-Ro freight throughput for the purposes of assessing the Proposed Development's effect on the operation of the public highway.	Applicant, CLdN and DFDS	D1

Action	Description	Action by	When
15	Endeavour to agree a methodology for assessing the capacity of the Port of Immingham's West Gate to accommodate vehicular traffic associated with the operation of the Proposed Development.	Applicant, CLdN and DFDS	D1
16	Provide the results of sensitivity testing for any increased use of the West Gate by inbound or outbound heavy goods vehicle traffic associated with the operation of the Proposed Development, including modelling for and identifying the point at which the West Gate would be operating above its capacity.	Applicant	D1
17	Share as soon as possible with Applicant modelling and assessment for the five public highway junctions that DFDS contends would be operating above capacity by 2032.	DFDS	D1
18	Provide a note explaining the concern about the Proposed Development's operation on the movement of rail going freight in and out of the Port of Killingholme.	CLdN	D1
19	Provide: 1) a plan showing the precise locations for the habitat losses due to capital dredging and piling and where any boundaries between different habitat types might be within the areas subject to capital dredging and piling; and 2) an explanation, by the means of a worked calculation or calculations, demonstrating how the areas for any direct habitat losses have been derived.	Applicant	D1
20	With respect to the habitat losses identified by the Applicant, clarify the position about the significance of those losses upon the integrity for the designated sites.	CLdN	D1
21	Confirm with Natural England (NE) and Marine Management Organisation (MMO) and submit a note about how works associated with the installation of the proposed impact protect measures subject to Requirement 18 in the draft Development Consent Order, if implemented, would fit into the	Applicant	D1

Action	Description	Action by	When
	construction programme for the Proposed Development.		
22	Produce indicative construction programmes with start dates in Quarter (Q) 1/Q2/Q3/Q4 for a single phase or a two-phase construction programme, with a commentary on seasonal implications for any likely effects for wildlife, most particularly the qualifying features for the designated sites.	Applicant	D1
23	Provide a copy of the note previously sent to MMO regarding piling.	Applicant	D1
24	Provide a copy of signposting note previously sent to NE regarding effects for the Site of Special Scientific Interest.	Applicant	D1
25	Submit copies of the current editions of the Port Maritime Safety Code (PMSC) together with the Maritime and Coastguard Agency's Guidance to the PMSC plus Marine Guidance Note 654 plus Annex 1 to the latter guidance.	Applicant	D1
26	Submit a plan showing the location of the tidal current measurement buoy.	Applicant	D1
27	Provide a graphical explanation for the port area over which the tidal current model is considered to be consistent with the observed data.	Applicant	D1
28	Give consideration to whether an addendum to the Navigation Risk Assessment (NRA)/ Environmental Statement is necessary as further evidence that the Proposed Development could be safely operated, particularly how the navigation simulations have influenced risk controls in NRA.	Applicant	D3
29	Provide clarification about the sources for and interpretation of wind data used in the navigation simulations.	Applicant	D1
30	Consider what parts of the Marine Safety Management System can be shared with the IOT Operator's request	Applicant	D1
31	Provide a note explaining the implications for the operation of the IOT were there to be allisions with the trunkway or vessel to vessel collisions associated with the operation of the Proposed Development. Incidents of	IOT Operators	D1

Action	Description	Action by	When
	varying severity should be commented upon in the note to be submitted.		
32	Submit own NRA, as referred to during ISH2.	DFDS	D2
33	Submit own NRA, as referred to during ISH2.	IOT	D2
34	Provide plan showing the existing stemming (waiting) area(s) for the Port of Immingham, identifying their extent and any overlaps between them and the Proposed Development.	Applicant	D1
35	Include note on HASB governance structure and composition in SHA/CHA jurisdiction note to be actioned from ISH1.	Applicant	D1
36	Submit an Other Person's statement analogous to Written Representation, to cover oversight role and responsibilities on pilotage, safety and conservancy matters; views on the potential for shipping congestion and consequences arising from that; and an opinion on Navigation Simulations and HAZID workshops.	Humber Harbour Master	D2
37	Provide a commentary on any significance the Proposed Development would have for the delivery of the proposed Humber Freeport.	Applicant and CLdN	D2