



Associated British Ports  
Port of Immingham  
Dock Office  
Alexandra Road  
Immingham Dock  
Immingham  
North East Lincolnshire  
DN40 2LZ

One Glass Wharf  
Bristol BS2 0ZX  
Tel: +44 (0)117 939 2000  
Fax: +44 (0)117 902 4400  
email@burgess-salmon.com  
www.burgess-salmon.com  
DX 7829 Bristol

Direct Line: [REDACTED]  
[REDACTED]@burgess-salmon.com

**By email only:** immrro@abports.co.uk

Our ref: AM16/MJ11/62155.1/MINHI

Your ref:

19 May 2023

When telephoning please ask for: Alex Minhinick

Dear Associated British Ports

### Immingham Eastern Ro-Ro Terminal

We continue to be instructed by Associated Petroleum Terminals (Immingham) Limited (“**APT**”) and Humber Oil Terminals Trustee Limited (“**HOTT**”) (together the “**IOT Operators**”) in relation to the proposed Immingham Eastern Ro-Ro Terminal (“**IERRT**”).

The IOT Operators have instructed Nash Maritime to review the shipping and navigation information submitted as part of the IERRT DCO application and to undertake a separate Navigation Risk Assessment (“**NRA**”). In order to facilitate this work, Nash Maritime require further shipping and navigation information to be provided by Associated British Ports (“**ABP**”). This is set out in the enclosed document which includes a list of the information requested and references to the DCO application document it relates to.

The IOT Operators consider that the provision of these documents will enable Nash Maritime to undertake a full and comprehensive analysis of the shipping and navigation risks of the IERRT on the Immingham Oil Terminal and help to facilitate discussions between the IOT Operators and ABP in relation to mitigation measures which should be delivered as part of the scheme.

We look forward to hearing from you.

Yours faithfully

[REDACTED]

BURGESS SALMON LLP

*Enc*

WORK\45356816\v.1

Classification: Confidential

6 New Street Square, London, EC4A 3BF  
Tel: +44 (0)20 7685 1200 Fax: +44 (0)20 7980 4966

Atria One, 144 Morrison Street, Edinburgh, EH3 8EX  
Tel: +44 (0)131 314 2112 Fax: +44 (0)131 777 2604

Burgess Salmon LLP is a limited liability partnership registered in England and Wales (LLP number OC307212), and is authorised and regulated by the Solicitors Regulation Authority. It is also regulated by the Law Society of Scotland. Its registered office is at One Glass Wharf, Bristol, BS2 0ZX. A list of the members may be inspected at its registered office. Further information about Burgess Salmon entities, including details of their regulators, is set out on the Burgess Salmon website at [www.burgess-salmon.com](http://www.burgess-salmon.com).



## IERRT NAVIGATION SUPPORT

<b>Project Title</b>	IERRT Navigation Support
<b>Project Number</b>	AC22-NASH-0243
<b>Purpose</b>	DCO Submission Queries
<b>Revision</b>	R01-00
<b>Client</b>	APT

## 1. QUESTIONS TO IERRT DEVELOPERS

The following requests for information are made to assist in the review of the IERRT DCO Submission Documents and to facilitate APT (Immingham) Ltd in developing a Navigation Risk Assessment (NRA) for the proposed IERRT development and marine operations.

Requests for information are provided below with reference to the document they relate to:

- Background / basis of assessment
  - a. Copy of the Port of Immingham's Statutory Harbour Authority's (SHA) Marine Safety Management System (MSMS). (*Vol3 Appendix 10.1 Navigation Risk Assessment 3.2.5*)
  - b. Copy of the Humber Estuary Services (SHA/CHA/VTS are) Marine Safety Management System (MSMS). (*Vol3 Appendix 10.1 Navigation Risk Assessment 3.2.5*)
  - c. Copy of the Port of Immingham's Statutory Harbour Authority's (SHA) current baseline Navigation Risk Assessment (NRA) (according to PMSC requirements). (*Vol3 Appendix 10.1 Navigation Risk Assessment 3.2.5*)
  - d. Copy of the Humber Estuary Services current baseline Navigation Risk Assessment (NRA) (according to PMSC requirements) which covers the IERRT DCO area and approaches to it. (*Vol3 Appendix 10.1 Navigation Risk Assessment 3.2.5*)
  - e. Copy of the Humber Estuary Services Pilotage Operations Manual for berths in vicinity of proposed IERRT (e.g. Immingham Bellmouth & Lock Entrance, Immingham East / West Jetty, Immingham Outer Harbour, Immingham Oil Terminal). *Not referenced in Vol3 Appendix 10.1 Navigation Risk Assessment, but should be contained within 3.5.2.*
  - f. Copy of the Humber Estuary Services Towage Operations manual for berths adjacent to proposed IERRT (e.g. Immingham Bellmouth & Lock Entrance, Immingham East / West Jetty, Immingham Outer Harbour, Immingham Oil Terminal). *Not referenced in Vol3 Appendix 10.1 Navigation Risk Assessment, but should be contained within 3.5.3.*
  - g. Basis of Design Documents for IERRT for design vessel specifications document (including limits of vessel size and manoeuvrability) for marine operations at IERRT, including operational profile for the IERRT in relation to throughput, vessel frequency, downtime, operational and leave-berth limits (weather, etc). – *Chapters 2 and 3 of Volume 1 of the ES for the IERRT project (Application Document Reference Number 8.2).*
  - h. Emergency Response Plan for IERRT (to include 3<sup>rd</sup> party emergencies) – *not provided although reference is made in Vol3 Appendix 10.1 Navigation Risk Assessment Section 12 to HESMEP: Humber Estuary Serious Marine Emergency Plan.*
  - i. Tidal data assessment and any tidal flow modelling information or reports (such as those used to inform Basis of Design documents). *Only limited Tidal information is provided at Vol3 Appendix 10.1 Navigation Risk Assessment*

*Section 3.3.4 related to levels, but not velocities or directions for various tidal states.*

- j. Provision of full incident data in relation to “*Local port marine accident incident reporting database (MARNIS)*” to facilitate IOT Operators Navigation Risk Assessment. *Vol3 Appendix 10.1 Navigation Risk Assessment Section 2.6.1.*
- NRA Methodology
  - a. Definitions
    - i. Definitions for commonly used terminology within the report (e.g., “*Risk*”, “*Risks*”, “*Hazard(s)*”, “*Embedded Controls*” and “*Further Controls*”, “*Additional Controls*”, etc. – *not provided within Vol3 Appendix 10.1 Navigation Risk Assessment.*
    - ii. Information on the data source used for the NRA Vessel Traffic Analysis and any reviews of data quality undertaken. – *not provided within Vol3 Appendix 10.1 Navigation Risk Assessment 2.2, only that it has been sourced from an in-house AIS database provided by Anatec – Section 2.2.1.*
  - b. Risk Control Options
    - iii. Basis of Design Documents for IOT Trunk Way impact protection. – *no details provided except at Vol3 Appendix 10.1 Navigation Risk Assessment Section 4.2.7.*
    - iv. Basis of Design Documents in relation to implicit impact protection for IERRT infrastructure. – *no details provided in Vol3 Appendix 10.1 Navigation Risk Assessment*
    - v. Further details on risk controls including specification and parameters. *Limited details are provided on risk control measures in terms of when and how they will be implemented.*
  - c. Cost Benefit
    - vi. Details of Cost Benefit Analysis (CBA) undertaken, including inputs methodology and findings. *Vol3 Appendix 10.1 Navigation Risk Assessment Section 9.7.2 - 9.7.4 (e.g. minutes of the Risk Assessment Meeting held on 04 October 2022 and the Cost-Benefit Analysis meeting held 06 October 2022).*
    - vii. Definitions for and the Tolerability thresholds used in the NRA and equivalent thresholds previously used in development of the Port of Immingham and Humber Estuary Services baseline NRAs. – *not provided in the Vol3 Appendix 10.1 Navigation Risk Assessment.*
- Commercial implication resulting from IERRT to Shipping and Marine Operations
  - a. Assessment and findings of the potential commercial implications to existing waterway users.
  - b. Analysis and assumptions used in the cumulative impact assessment related to shipping and navigation, including potential commercial implications.

- c. Details of consideration on Port resource requirements and limitations (tugs, pilots, etc).

## By Email

Alex Minhinick  
Burgess Salmon

██████████@clydeco.com

Dir Line: ██████████

Our Ref  
BG/10276966

Your Ref

Date  
26 June 2023

Dear Mr Minhinick

## Immingham Eastern Ro-Ro Terminal ("IERRT")

Your letter of 19 May to our client Associated British Ports (ABP) has been passed to us – and I should at the outset, apologise for the slight delay in our response.

We note that your client, Associated Petroleum Terminals, the operator of the Immingham Oil Terminal, have commissioned Nash Maritime to undertake a shadow Navigational Risk Assessment of the IERRT project.

Clearly it is for your client to decide whether or not an additional NRA will actually add value to the consenting exercise but we must express some surprise at your client's decision in that APT have been kept fully informed as to how ABP has been progressing its assessment of any potential navigational risks. Indeed, your client attended the various Workshops and vessel simulations undertaken by HR Wallingford and, for example, at the close of the navigation simulation in Wallingford in November last year, we do not recall any expression of dissent by your client at the conclusions drawn from the comprehensive simulation exercise undertaken.

You have asked us to supply a number of documents for use by your consultants Nash in preparing their shadow NRA. We are afraid, however, that the documents requested do in fact fall into one or more of the following categories –

- **Confidential information** - for example the *Marine Safety Management Systems and Baseline NRAs* which are not routinely shared by ABP with anyone other than the regulator (MCA).
- **Potentially misleading information** – for example the *HES pilotage operations and tug operators' manuals* which clearly at this stage cannot be construed as applying to the proposed IERRT.

10276966 121620788.1

- **Publicly available information** – for example the *Basis of design information* in that the proposed marine layout has been available in the public domain for some time, together with the published IERRT environmental statement and the NRA or the *Cost Benefit Analysis* which is already described in some detail in the project's NRA.
- **Premature information** – for example the *Emergency Response Plan for IERRT* which for obvious reasons has not yet been written.
- **Unnecessary information** – for example *Incident data from MARNIS (ABP's incident database)* in that the frequency and severity of prior incidents is well documented in our NRA.
- **Irrelevance** – for example *Commercial implications to existing estuary users* – in that we fail to see how information relating to the commercial uses of the estuary can be relevant for the NRA in light of the information already provided.

## Conclusion

We apologise for this somewhat negative response. Bearing in mind, however, the information that has already been provided by ABP in terms of Workshops and navigational simulations, together with the navigational information generally available, we do not believe it is incumbent upon ABP to have to provide information for your marine consultant when the information requested is already freely available or of a confidential nature or we believe, irrelevant.

That said, if your consultants indicate that they require a document that they believe is critical to the completion of the shadow NRA and is not freely available, then we would, of course, be more than happy to consider any such request at the appropriate time.

Yours sincerely



Brian Greenwood  
Clyde & Co LLP

For the attention of Brian Greenwood  
Clyde & Co LLP  
The St Botolph Building  
138 Houndsditch  
London  
EC3A 7AR  
United Kingdom

One Glass Wharf  
Bristol BS2 0ZX  
**Tel: +44 (0)117 939 2000**  
Fax: +44 (0)117 902 4400  
email@burgess-salmon.com  
www.burgess-salmon.com  
DX 7829 Bristol

Direct Line: [REDACTED]  
[REDACTED]@burgess-salmon.com

**By email only:** brian.greenwood@clydeco.com

Our ref: AM16/MJ11/62155.1/MINHI

Your ref: BG/10276966

15 August 2023

When telephoning please ask for: Alex Minhinick

Dear Mr Greenwood

### **Immingham Eastern Ro-Ro Terminal (“IERRT”)**

We write with reference to your letter dated 26 June 2023 in relation our client’s request of 19 May 2023 for further shipping and navigation information to be provided by Associated British Ports (“**ABP**”) and in relation to an amended version of the protective provisions provided to Clyde & Co on 6 July 2023.

#### Request for Information

Our client, Associated Petroleum Terminals (Immingham) Limited and Humber Oil Terminals Trustee Limited (together the “**IOT Operators**”), are committed to undertaking a separate Navigation Risk Assessment (“**NRA**”) by Deadline 2 of the Development Consent Order (“**DCO**”) examination. This is due various concerns with ABP’s NRA submitted as part of the IERRT DCO application which have been outlined in previous submissions and correspondence. Additional detail of these concerns will be provided in our client’s written representation. These concerns were also raised by our client during Issue Specific Hearing 2 (“**ISH2**”) on 27 July 2023 and the production of a separate NRA by the IOT Operators is an action noted by the Examining Authority.

We re-attach the full list of documents and information which the IOT Operators require to undertake the NRA in a table format. We note that ABP has failed to respond to a large number of the specific documents or information requested. Where a general response has been provided, the attached explains (despite the ABP response) why this information is needed. The information requested, such as the Marine Safety Management System (“**MSMS**”), is key for the IOT Operators to be able undertake a full NRA and to fully understand the NRA produced by ABP.

In addition, we have responded in brief to the general points raised in your letter of 26 June 2023 below:

- **Confidentiality:** We dispute that important safety documentation and assessments are confidential and note that many ports and harbours do share such information, either in full or in a redacted or publicly sanitized manner. For example, the MSMS for ABP South Wales is freely available on the internet. The IOT Operators do not consider themselves a member of the public in this regard as they are a key port / harbour stakeholder and interested party in the IERRT DCO, and therefore require the existing MSMS and associated Port Marine Safety Code compliant NRA to be shared as a matter of urgency. We also consider that ABP are in the best position to determine how much of any confidential document, such as the MSMS, has been relied on in the NRA. To the extent that a document has been relied on in the NRA, then it should be disclosed. Any materials which is confidential from a commercial or security perspective could be provided in a redacted format so that the required information could still be provided.

WORK\49400036\l.2



- **Potentially misleading information:** It is not clear how this information would be misleading. A detailed understanding of the current baseline operations and embedded risk control measures (particularly how they work and what are the current limitations in place) is required by the IOT Operators for their NRA to accurately characterise the baseline navigation disposition of the area in and around the IOT and the proposed IERRT.
- **Publicly available information:** The request by the IOT Operators was due to insufficient detail and information being provided in the Environmental Statement (“ES”) and NRA for the IOT Operators to understand the Basis of Design and the approach / methodology to the Cost Benefit Analysis.
- **Premature information:** As a COMAH site the IOT Operators require this information in order to review their Safety Plan required by the Health and Safety Executive and determine the magnitude of changes required to the plan as a result of the IERRT. This information needs to be provided as a matter of urgency.
- **Unnecessary information:** The IERRT NRA only provides summary statistics and cursory analysis, which is insufficient to provide an effective input into a properly conducted NRA for a project of the size, complexity and risk profile of the IERRT. In order to undertake an effective cost benefit assessment, quantitative analysis of incident likelihood and severity is required. However, insufficient data is provided in the NRA to undertake this.
- **Irrelevance:** The IOT Operators require that commercial impacts of the IERRT project are fully assessed, documented and agreed with the IOT Operators and Shareholders. In reviewing the ES and NRA these do not appear to have been undertaken, despite being requested. Further commercial implications may also have a direct impact on safety, e.g. if adequate towage provision is not guaranteed for the IERRT above that already in place for existing users, such as the IOT, then the risk profile for vessels visiting IOT could change. Further control measures aimed at mitigating safety issues can also create commercial impacts, which should be assessed in terms of the cost benefit for hazards that could be determined As Low As Reasonably Practical. Therefore, the provision of this information is essential to both assessing commercial impacts to the IOT Operators and undertaking an accurate and robust NRA.

The IOT Operators therefore consider that ABP ought to provide the information requested as matter of urgency, for the reasons set out above. ABP are again asked to do so at the earliest opportunity to enable all Interested Parties to comment on this information.

#### Workshops

The IOT Operators do not accept the assertion that there was a lack of dissent at workshops and vessel simulations undertaken by HR Wallingford. This is also demonstrated by a series of letters sent to ABP in 2022 which expressed concerns with the process. Our client will be providing detailed commentary on the simulation exercise as part of the written representation and NRA which will be submitted at Deadline 2.

#### Protective Provisions

On the basis of the information available to the IOT Operators and the likely impacts of the IERRT on the IOT, the IOT Operators have identified essential mitigation measures to ensure that the IERRT does not have an unacceptable impact on the IOT. These have previously been set out in consultation responses, correspondence with ABP, the relevant representation and the Principal Areas of Disagreement Summary Statement.

The IOT Operators consider that these mitigation measures should be secured through the protective provisions included in Part 4 of Schedule 4 of the draft DCO submitted with the application. We therefore made amendments to the protective provisions which were sent to Clyde & Co on 6 July 2023. To date we have not yet received a response on these protective provisions or any indication whether the changes are agreed.

We also request an additional undertaking is provided if these amendments are not agreed and further negotiation on the protective provisions is required as we have reached the limit of the undertaking provided on 25 April 2023.

We look forward to hearing from you on the information requested and on the amended protective provisions.

Yours faithfully

A solid black rectangular redaction box covering the signature area.

BURGES SALMON LLP

*Enc*

## IERRT NAVIGATION SUPPORT

<b>Project Title</b>	IERRT Navigation Support
<b>Project Number</b>	AC22-NASH-0243
<b>Purpose</b>	DCO Submission Queries Response
<b>Revision</b>	R01-00
<b>Client</b>	APT

IOT Operators Request	ABP response	IOT Response
a. Copy of the Port of Immingham’s Statutory Harbour Authority’s (SHA) Marine Safety Management System (MSMS). (Vol3 Appendix 10.1 Navigation Risk Assessment 3.2.5)	Confidential information - for example the Marine Safety Management Systems and Baseline NRAs which are not routinely shared by ABP with anyone other than the regulator (MCA).	The IOT Operators dispute that important safety documentation and assessments should be confidential and note that many ports and harbours do share such information, either in full or in a redacted / publicly sanitized manner (for example the Marine Safety Management System for ABP South Wales is freely available on the internet). Further the IOT Operators do not consider themselves a member of the public in this regards as they are key port / harbour stakeholder for operational purposes and further are a statutory consultee in the IERRT DCO, and therefore require the existing Marine Safety Management System. It is required as the current NRA does not adequately document the current baseline risk controls that are in place at the moment to manage navigation safety – which is an important starting point for any future development.
b. Copy of the Humber Estuary Services (SHA/CHA/VTS are) Marine Safety Management System (MSMS). (Vol3 Appendix 10.1 Navigation Risk Assessment 3.2.5)	Confidential information - for example the Marine Safety Management Systems and Baseline NRAs which are not routinely shared by ABP with anyone other than the regulator (MCA).	The IOT Operators dispute that important safety documentation and assessments should be confidential and note that many ports and harbours do share such information, either in full or in a redacted / publicly sanitized manner (for example the Marine Safety Management System for ABP South Wales is freely available on the internet). Further the IOT Operators do not consider themselves a member of the public in this regard as they are key port / harbour stakeholder for operational purposes and further are a statutory consultee in the IERRT DCO, and therefore require the existing Marine Safety Management System. It is required as the current NRA does not adequately

		document the current baseline risk controls that are in place at the moment to manage navigation safety – which is an important starting point for any future development.
c. Copy of the Port of Immingham’s Statutory Harbour Authority’s (SHA) current baseline Navigation Risk Assessment (NRA) (according to PMSC requirements). (Vol3 Appendix 10.1	Confidential information - for example the Marine Safety Management Systems and Baseline NRAs which are not routinely shared by ABP with anyone other than the regulator (MCA).	The IOT Operators dispute that the current baseline navigation risk assessment for the area should be confidential and note that many ports and harbours do share such information manner with port users. The IOT Operators require the current baseline NRA as the IERRT NRA does not adequately document the current baseline risk controls that are in place at the moment to manage navigation safety – which is an important starting point for any future development.
d. Copy of the Humber Estuary Services current baseline Navigation Risk Assessment (NRA) (according to PMSC requirements) which covers the IERRT DCO area and approaches to it. (Vol3 Appendix 10.1 Navigation Risk Assessment 3.2.5)	Confidential information - for example the Marine Safety Management Systems and Baseline NRAs which are not routinely shared by ABP with anyone other than the regulator (MCA).	The IOT Operators dispute that the current baseline navigation risk assessment for the area should be confidential and note that many ports and harbours do share such information manner with port users. The IOT Operators require the current baseline NRA as the IERRT NRA does not adequately document the current baseline risk controls that are in place at the moment to manage navigation safety – which is an important starting point for any future development.
e. Copy of the Humber Estuary Services Pilotage Operations Manual for berths in vicinity of proposed IERRT (e.g. Immingham Bellmouth & Lock Entrance, Immingham East / West Jetty, Immingham Outer Harbour, Immingham Oil Terminal). Not referenced	Potentially misleading information – for example the HES pilotage operations and tug operators’ manuals which clearly at this stage cannot be construed as applying to the proposed IERRT.	The IOT Operators do not understand how this would be mis-leading, a detailed understanding of the current baseline operations and embedded risk control measures (particularly how they work and what are the current limitations in place) is required by the IOT Operators for their Navigation Risk Assessment to accurately characterize the baseline navigation disposition of the area in and around the IOT and the proposed IERRT.

<p>in Vol3 Appendix 10.1 Navigation Risk Assessment, but should be contained within 3.5.2.</p>		
<p>f. Copy of the Humber Estuary Services Towage Operations manual for berths adjacent to proposed IERRT (e.g. Immingham Bellmouth &amp; Lock Entrance, Immingham East / West Jetty, Immingham Outer Harbour, Immingham Oil Terminal). Not referenced in Vol3 Appendix 10.1 Navigation Risk Assessment, but should be contained within 3.5.3.</p>	<p>Potentially misleading information – for example the HES pilotage operations and tug operators’ manuals which clearly at this stage cannot be construed as applying to the proposed IERRT.</p>	<p>The IOT Operators do not understand how this would be mis-leading, a detailed understanding of the current baseline operations and embedded risk control measures (particularly how they work and what are the current limitations in place) is required by the IOT Operators for their Navigation Risk Assessment to accurately characterize the baseline navigation disposition of the area in and around the IOT and the proposed IERRT.</p>
<p>g. Basis of Design Documents for IERRT for design vessel specifications document (including limits of vessel size and manoeuvrability) for marine operations at IERRT, including operational profile for the IERRT in relation to throughput, vessel frequency, downtime, operational and leave-berth limits (weather, etc). – Chapters 2 and 3 of Volume 1 of the ES for the</p>	<p>Publicly available information – for example the Basis of design information in that the proposed marine layout has been available in the public domain for some time, together with the published IERRT environmental statement and the NRA or the Cost Benefit Analysis which is already described in some detail in the project’s NRA.</p>	<p>The request by the IOT Operators was due to insufficient detail and information being provided in the ES / NRA necessary for the IOT Operators to understand the Basis of Design and the approach / methodology to the Cost Benefit Analysis. For example it is not clear what the cost of the proposed impact protection such that a cost benefit assessment could be undertaken, or whether the proposed IERRT can withstand an impact at 4 knots from an IERRT vessel.</p>

<p>IERRT project (Application Document Reference Number 8.2).</p>		
<p>h. Emergency Response Plan for IERRT (to include 3rd party emergencies) – not provided although reference is made in Vol3 Appendix 10.1 Navigation Risk Assessment Section 12 to HESMEP: Humber Estuary Serious Marine Emergency Plan.</p>	<p>Premature information – for example the Emergency Response Plan for IERRT which for obvious reasons has not yet been written.</p>	<p>As a COMAH site the IOT Operators require this information in order to review their HSE approved Safety Report and determine the magnitude of changes required to the plan as a result of the IERRT. This information needs to be provided as a matter of urgency.</p>
<p>i. Tidal data assessment and any tidal flow modelling information or reports (such as those used to inform Basis of Design documents). Only limited Tidal information is provided at Vol3 Appendix 10.1 Navigation Risk Assessment Section 3.3.4 related to levels, but not velocities or directions for various tidal states.</p>	<p>No reason is provided by ABP for not supplying this requested information.</p>	<p>No reason why this information has not been provided is given and as such please can the requested information be provided.</p>
<p>j. Provision of full incident data in relation to “Local port marine accident incident reporting database (MARNIS)” to facilitate IOT Operators Navigation Risk Assessment. Vol3</p>	<p>Unnecessary information – for example Incident data from MARNIS (ABP’s incident database) in that the frequency and severity of prior incidents is well documented in our NRA.</p>	<p>The IERRT NRA only provides summary statistics and cursory analysis, which is insufficient to provide an effective input into a properly conducted NRA for a project of the size, complexity and risk profile of the IERRT. In order to undertake an effective cost benefit assessment, quantitative analysis of incident likelihood and severity is required, however such data is not provided in the IERRT NRA. The IOT Operators do not agree that incident severity is provided within the IERRT NRA.</p>

Appendix 10.1 Navigation Risk Assessment Section 2.6.1.		
NRA Methodology		
a. Definitions		
i. Definitions for commonly used terminology within the report (e.g., “Risk”, “Risks”, “Hazard(s)”, “Embedded Controls” and “Further Controls”, “Additional Controls”, etc. – not provided within Vol3 Appendix 10.1	No reason is provided by ABP for not supplying this requested information	No reason is provided by ABP for not supplying this requested information. Please can the requested information be provided ASAP.
ii. Information on the data source used for the NRA Vessel Traffic Analysis and any reviews of data quality undertaken. – not provided within Vol3 Appendix 10.1	No reason is provided by ABP for not supplying this requested information	No reason is provided by ABP for not supplying this requested information. Please can the requested information be provided ASAP.
b. Risk Control Options		
iii. Basis of Design Documents for IOT Trunk Way impact protection. – no details provided except at Vol3 Appendix 10.1 Navigation Risk Assessment Section 4.2.7.	No reason is provided by ABP for not supplying this requested information	No reason is provided by ABP for not supplying this requested information. Please can the requested information be provided ASAP.
iv. Basis of Design Documents in relation to implicit impact protection for IERRT infrastructure. – no details provided in Vol3	No reason is provided by ABP for not supplying this requested information	No reason is provided by ABP for not supplying this requested information. Please can the requested information be provided ASAP.

Appendix 10.1 Navigation Risk Assessment		
v. Further details on risk controls including specification and parameters. Limited details are provided on risk control measures in terms of when and how they will be implemented.	No reason is provided by ABP for not supplying this requested information	No reason is provided by ABP for not supplying this requested information. Please can the requested information be provided ASAP.
c. Cost Benefit		
vi. Details of Cost Benefit Analysis (CBA) undertaken, including inputs methodology and findings. Vol3 Appendix 10.1 Navigation Risk Assessment Section 9.7.2 - 9.7.4 (e.g. minutes of the Risk Assessment Meeting held on 04 October 2022 and the Cost-Benefit Analysis meeting held 06 October 2022).	No reason is provided by ABP for not supplying this requested information	No reason is provided by ABP for not supplying this requested information. Please can the requested information be provided ASAP.
vii. Definitions for and the Tolerability thresholds used in the NRA and equivalent thresholds previously used in development of the Port of Immingham and Humber Estuary Services baseline NRAs. – not provided in the Vol3 Appendix 10.1	No reason is provided by ABP for not supplying this requested information	No reason is provided by ABP for not supplying this requested information. Please can the requested information be provided ASAP.



<p>Navigation Risk Assessment.</p>		
<p>a. Commercial implication resulting from IERRT to Shipping and Marine Operations</p>	<p>Irrelevance – for example Commercial implications to existing estuary users – in that we fail to see how information relating to the commercial uses of the estuary can be relevant for the NRA in light of the information already provided.</p>	<p>The IOT Operators require that commercial impacts of the IERRT project are fully assessed, documented and agreed with the IOT Operators and Shareholders. In reviewing the ES and NRA these do not appear to have been undertaken, despite being requested. Further, commercial implications may also have a direct impact on safety, e.g. if adequate towage provision is not guaranteed for IERRT above that already in place for existing users, such as the IOT, then the risk profile for vessels visiting the IOT could change. Further control measures aimed at mitigating safety issues can also create commercial impacts, which should be assessed using cost benefit. Therefore, the provision of this information is essential to assessing commercial impacts to the IOT Operators and undertaking an accurate and robust NRA.</p>
<p>b. Assessment and findings of the potential commercial implications to existing waterway users.</p>		
<p>c. Analysis and assumptions used in the cumulative impact assessment related to shipping and navigation, including potential commercial implications.</p>		