

IMMINGHAM EASTERN RO-RO TERMINAL



Compulsory Acquisition Negotiations

Tracker and Schedule of Changes to the Book of Reference

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1. Compulsory Acquisition (CA) Negotiations Tracker

Table 1 – Compulsory Acquisition Negotiations Tracker

Plot No(s)	Name/Organisation	Purpose for which Plots are required: (Work No.)	CA Required?	Status of Negotiation
1, 2a, 2b	P.K. Construction (Lincs) Limited ("P.K. Construction")	4, 7	Yes	<p>In November 2021, P.K. Construction was sent written notification that, in order to facilitate the construction of the IERRT, Associated British Ports ("the Applicant") would need to acquire land and rights over the land in which they had an interest, which it hoped could be secured by negotiation, but should that not prove possible, powers of compulsory acquisition would be included in the draft DCO.</p> <p>P.K. Construction is a sub-tenant of part of the land leased to the Applicant's tenant (Philip John Drury).</p> <p>The Applicant has been engaging with its tenant in respect of negotiating the surrender and re-grant of their lease, including P.K. Construction's interest.</p> <p>Negotiations have been progressing, with the Applicant having attended meetings with representatives for P.K. Construction. Solicitors have been instructed with heads of terms in circulation for the surrender and re-grant of all land interests and rights in these plots.</p>

				<p>ABP anticipates completing the necessary agreements before the close of the Examination process, and will continue to try to move this forward. A further update will be provided by the Applicant, as necessary, at CAH1 to be held on Thursday 29 September.</p>
3	<p>Malcom West Fork Lifts (Immingham) Limited ("Malcolm West")</p>	4, 7	Yes	<p>In November 2021, Malcolm West was sent written notification that, in order to facilitate the construction of the IERRT, the Applicant would need to acquire land and rights over the land in which they had an interest, which it hoped could be secured by negotiation, but should that not prove possible, powers of compulsory acquisition would be included in the draft DCO.</p> <p>Malcolm West is a sub-tenant of part of the land leased to the Applicant's tenant (Philip John Drury).</p> <p>The Applicant has been engaging with its tenant in respect of negotiating the surrender and re-grant of its lease, including Malcolm West's interest.</p> <p>Negotiations have been progressing, with the Applicant having attended meetings with representatives for Malcolm West. Solicitors have been instructed with heads of terms in circulation for the surrender and re-grant of all land interests and rights in these plots.</p> <p>ABP anticipates completing the necessary agreements before the close of the Examination process, and will continue to try to move this forward. A further update will be provided by the Applicant, as necessary, at CAH1 to be held on Thursday 29 September.</p>

4, 5a, 5b, 6	Drury Engineering Services Limited ("Drury Engineering Services")	4,7	Yes	<p>In November 2021, Drury Engineering Services was sent written notification that, in order to facilitate the construction of the IERRT, the Applicant would need to acquire land and rights over the land in which they had an interest, which it hoped could be secured by negotiation, but should that not prove possible, powers of compulsory acquisition would be included in the draft DCO.</p> <p>Drury Engineering Services is a sub-tenant of part of the land leased to the Applicant's tenant (Philip John Drury).</p> <p>Negotiations have been progressing, with the Applicant having attended meetings with representatives for Drury Engineering Services. Solicitors have been instructed with heads of terms in circulation for the surrender and re-grant of all land interests and rights in these plots.</p> <p>ABP anticipates completing the necessary agreements before the close of the Examination process, and will continue to try to move this forward. A further update will be provided by the Applicant, as necessary, at CAH1 to be held on Thursday 29 September.</p>
1, 2a, 2b, 3, 4, 5a, 5b, 6	Mr Philip John Drury	4, 7	Yes	<p>Early engagement with Mr Drury commenced at a meeting in July 2021 regarding the IERRT and the need for the permanent acquisition of the land in order to facilitate the construction of the IERRT.</p> <p>In November 2021, Mr Drury was sent written notification that, in order to facilitate the construction of the IERRT, the Applicant would need to acquire land and rights over the land in which they had an interest, which it hoped could be secured</p>

				<p>by negotiation, but should that not prove possible, powers of compulsory acquisition would be included in the draft DCO.</p> <p>Since that time, the Applicant has continued to engage positively with Mr Drury, through telephone calls and meetings which have taken place, in order to negotiate a solution, as well as negotiating with his three sub-tenants: (i) P.K. Construction; (ii) Malcolm West; and (iii) Drury Engineering Services.</p> <p>Negotiations have been progressing, with the Applicant having attended meetings with representatives for Mr Drury. Solicitors have been instructed with heads of terms in circulation for the surrender and re-grant of all land interests and rights in these plots.</p> <p>ABP anticipates completing the necessary agreements before the close of the Examination process, and will continue to try to move this forward. A further update will be provided by the Applicant, as necessary, at CAH1 to be held on Thursday 29 September.</p>
7, 11	Exolum Immingham Limited ("Exolum")	4, 7	No	<p>Exolum was consulted as part of the statutory consultation and the supplementary statutory consultation process as a rights holder.</p> <p><u>Plot 7</u> Since then, ABP has continued to engage with Exolum in respect of its apparatus identified at Plot 7.</p>

				<p>A set of protective provisions have been incorporated within the draft DCO [REP1-005] for Exolum’s benefit, with ongoing discussions between the parties.</p> <p><u>Plot 11</u> A variation to Exolum’s lease in respect of Plot 11 has been agreed and completed as between the Applicant and Exolum. Please see Table 2 below, which provides a schedule of changes to the Book of Reference [APP-016].</p>
8a, 8b	Origin UK Operations Limited (“Origin”)	4, 7	No	<p>Early engagement with Origin commenced in July 2021, with an initial meeting taking place in early August 2021 discussing the Project.</p> <p>Since that time, the Applicant has continued to engage with Origin, and as the IERRT has developed the Applicant has been discussing and negotiating amending their route of access.</p> <p>Negotiations are well advanced between the parties. The Applicant will continue working with Origin to complete the necessary legal agreements in respect of the latter’s access before the close of Examination.</p>
9	Volkswagen Group UK Limited (“VW”)	6	Yes	<p>In November 2022, VW was sent written notification that, in order to facilitate the construction of the IERRT, the Applicant would need to acquire land and rights over the land in which they had an interest, which it hoped could be secured by negotiation, but should that not prove possible, powers of compulsory acquisition would be included in the draft DCO.</p>

				<p>Negotiations continue to take place between the Applicant and VW. The Applicant will continue to work with VW to reach an agreed position before the close of the Examination.</p> <p>A further update will be provided by the Applicant, as necessary, at CAH1 to be held on Thursday 29 September.</p>
10	DB Cargo (UK) Limited (“DB Cargo”)	4, 7	No	<p>In November 2021, DB Cargo was sent written notification that, in order to facilitate the construction of the Project, the Applicant would need to alter DB Cargo’s access into its site which is over this plot of land.</p> <p>A legal agreement to vary DB Cargo’s (and Network Rail’s) right of access is agreed, with engrossments in circulation for signing before completion. The Applicant considers, therefore, that this will be settled before the close of Examination.</p>
10	Network Rail Infrastructure Limited (“Network Rail”)	4, 7	No	<p>Network Rail also has a right of access over this plot no: 10 (using DB Cargo’s existing access way).</p> <p>A legal agreement to vary Network Rail’s (and DB Cargo’s) right of access is agreed, with engrossments in circulation for signing before completion. The Applicant considers, therefore, that this will be settled before the close of Examination.</p>
12	Humber Oil Terminals Trustee Limited and Associated Petroleum Terminals (“HOTT”)	1, 2, 3	Yes	<p>In December 2022, HOTT was sent written notification that, in order to facilitate the construction of the IERRT, the Applicant would need to acquire land and rights over the land in which they had an interest, which it hoped could be secured by negotiation, but should that not prove possible, powers of compulsory acquisition would be included in the draft DCO.</p>

				<p>A legal agreement in respect of HOTT's interest is agreed, with engrossments in circulation for signing and completion. The Applicant considers this will be settled prior to close of the Examination.</p> <p>A further update will be provided, as necessary, at CAH1 to be held on Thursday 29 September.</p>
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2. Book of Reference – Schedule of Changes

Table 2 – Schedule of Changes to the Book of Reference

Plot No(s)	Name/Organisation	Date of Change	Change Made	Reasons for Change
3	Malcolm West Fork Lifts (Immingham) Limited	5 September 2023	Name and Company Number Identified	Change of company name and company number from: Malcolm West Fork Lifts Limited (Company No. 02703495) Bridge House Goulton Street Hull HU3 4DD To: Malcolm West Fork Lifts (Immingham) Limited (Company No. 03015646) Bridge House Goulton Street Hull HU3 4DD
11	Exolum Immingham Limited	19 May 2023	Removed interest	A variation to Exolum's lease in respect of the access route to the pipelines adjacent to the Northern Storage Area at Plot 11 has been agreed and completed as between the Applicant and Exolum.