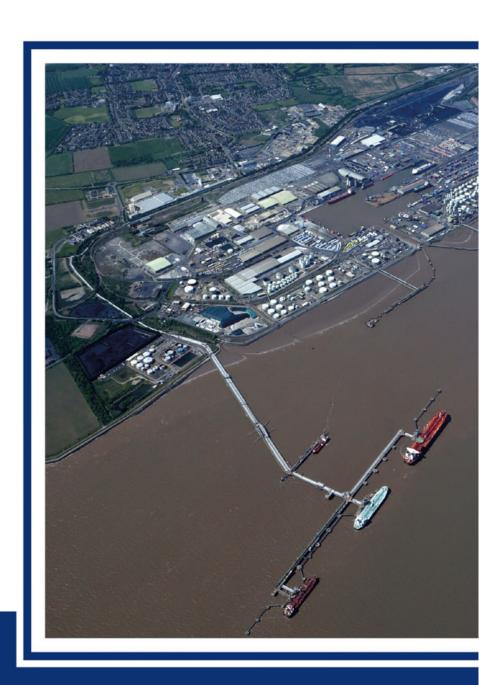


IMMINGHAM EASTERN RO-RO TERMINAL



Protective Provisions Tracker

Document Reference: 10.2.11

APFP Regulations 2009 – Regulation 5(2)(q)

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Document Information

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1. Introduction

- 1.1 This tracker document is being provided pursuant to Question DCO1.23 from the Examining Authority (the 'ExA') for the Immingham Eastern Ro-Ro Terminal ('IERRT') Development Consent Order ('DCO') examination ('the Examination'). The ExA requires Associated British Ports as the applicant ('the Applicant') to prepare and submit an update as to the negotiation status of the Protective Provisions in the draft DCO at every deadline in the Examination timetable.
- 1.2 This document is intended to capture the progress in a single table which can then be used to track the completion of the Protective Provisions. This is intended as a live document which will be updated when updates or revisions to the Protective Provisions, and submitted at each Examination deadline as requested by the ExA.

2. Protective Provision Position

2.1 Table 1 below captures the Applicant's position on each party's Protective Provision, indicating whether a draft has been submitted to the Interested Party or is awaiting a response and providing an update as to whether any progress has been made in finalising the draft.

Table 1 – Status of Protective Provisions in draft DCO

| Interested Party | Position at Deadline | Position at | Position at Deadline | Position at | Position at |
|-------------------------|-------------------------|-----------------------|----------------------|-------------|-------------|
| | 1 | Deadline 2 | 3 | Deadline 4 | Deadline 5 |
| Statutory | Positive discussions | Positive discussions | | | |
| Conservancy | with late stage draft | with late stage draft | | | |
| and Navigation | to be shared with the | to be shared with | | | |
| Authority for the | Statutory | the Statutory | | | |
| River Humber | Conservancy and | Conservancy and | | | |
| | Navigation Authority. | Navigation Authority. | | | |
| Environment | Positive discussions | Positive discussions | | | |
| Agency | with late stage draft | with late stage draft | | | |
| | to be shared with the | to be shared with | | | |
| | Environment Agency. | the Environment | | | |
| | | Agency. | | | |
| Exolum | Draft Protective | Draft Protective | | | |
| | Provisions issued to | Provisions issued to | | | |
| | Exolum. At the time | Exolum and | | | |
| | of writing, the | response received | | | |
| | Applicant is awaiting | on 5 September | | | |
| | a response. | 2023 – Deadline 2 – | | | |
| | | which the Applicant | | | |
| | | will consider. | | | |
| Humber Oil | Applicant is in receipt | Applicant is in | | | |
| Terminal | of an updated draft | receipt of an | | | |
| Trustees Limited | from HOTT. | updated draft from | | | |

| | Significant | HOTT. Significant | | |
|---------------|-------------------------|-----------------------|--|--|
| | differences between | differences between | | |
| | the parties to be | the parties to be | | |
| | discussed when | discussed when | | |
| | HOTT's full case has | HOTT's full case | | |
| | been submitted to the | has been submitted | | |
| | Examination. | to the Examination. | | |
| Northern | Applicant is in receipt | Applicant is in | | |
| Powergrid | of an updated draft | receipt of an | | |
| | from Northern | updated draft from | | |
| | Powergrid, which the | Northern Powergrid, | | |
| | Applicant is | which the Applicant | | |
| | reviewing. | is reviewing. | | |
| Anglian Water | Positive discussions, | Positive discussions, | | |
| | with late stage draft | with late stage draft | | |
| | circulated to Anglian | circulated to Anglian | | |
| | Water. | Water. | | |
| DB Cargo (UK) | Awaiting completion | Awaiting completion | | |
| Limited | of an alternative | of an alternative | | |
| | access agreement, | access agreement, | | |
| | following which the | following which the | | |
| | Applicant considers | Applicant considers | | |
| | that these protective | that these protective | | |
| | provisions will no | provisions will no | | |
| | longer be needed. | longer be needed. | | |
| Network Rail | Awaiting (i) | Awaiting (i) | | |
| | completion of an | completion of an | | |
| | alternative access | alternative access | | |
| | agreement with | agreement with | | |
| | Network Rail and DB | Network Rail and | | |
| | Cargo, and (ii) | DB Cargo, and (ii) | | |
| | publication of scheme | publication of | | |

| | | 1 | | |
|-----------------|-------------------------|-----------------------|--|--|
| | changes in order to | scheme changes in | | |
| | progress draft further. | order to progress | | |
| | | draft further. | | |
| | | Network Rail have | | |
| | | provided an updated | | |
| | | draft which the | | |
| | | Applicant is | | |
| | | reviewing. | | |
| North East | Positive discussions | Positive discussions | | |
| Lincolnshire | with late stage draft | with late-stage draft | | |
| Council as Lead | to be shared with the | to be shared with | | |
| Local Flood | Council. | the Council. | | |
| Authority | | | | |
| Cadent Gas | Cadent returned the | Applicant is in | | |
| Limited | draft to the Applicant | receipt of an | | |
| | with further | updated draft from | | |
| | comments | Cadent Gas Limited, | | |
| | immediately prior to | which the Applicant | | |
| | Deadline 1. | is reviewing. The | | |
| | | parties intend to | | |
| | | meet in order to | | |
| | | discuss outstanding | | |
| | | areas of difference. | | |
| Operators of | Positive discussions | Positive discussions | | |
| Electronic | with late stage draft | with late stage draft | | |
| Communications | to be shared with the | to be shared with | | |
| Code Networks | Operators. | the Operators. | | |
| CLdN | Applicant awaiting a | Applicant is | | |
| | first draft from CLdN. | reviewing the list of | | |
| | | topics which CLdN | | |
| | | consider should be | | |

| | | subject to protective provisions. | | |
|------|---|---|--|--|
| DFDS | Applicant awaiting a first draft from DFDS. | Draft protective provision received from DFDS on 5 September 2023 – Deadline 2 – which the Applicant will consider. | | |

| Interested Party | Position at Deadline 6 | Position at Deadline 7 | Position at Deadline 8 |
|-------------------|------------------------|------------------------|------------------------|
| Statutory | | | |
| Conservancy | | | |
| and Navigation | | | |
| Authority for the | | | |
| River Humber | | | |
| Environment | | | |
| Agency | | | |
| Exolum | | | |
| Humber Oil | | | |
| Terminal | | | |
| Trustees Limited | | | |
| Northern | | | |
| Powergrid | | | |
| Anglian Water | | | |
| DB Cargo (UK) | | | |
| Limited | | | |
| Network Rail | | | |
| North East | | | |
| Lincolnshire | | | |
| Council as Lead | | | |
| Local Flood | | | |
| Authority | | | |
| Cadent Gas | | | |
| Limited | | | |
| Operators of | | | |
| Electronic | | | |
| Communications | | | |
| Code Networks | | | |
| CLdN | | | |
| DFDS | | | |