

The Examining Authority
National Infrastructure Planning
The Planning Inspectorate
Temple Quay House
2 The Square
Bristol
BS1 6PN

Our ref: AN/2023/134135/04-L01
Your ref: TR030007
Date: 06 October 2023

Dear Sirs

Application by Associated British Ports for an Order Granting Development Consent for the Immingham Eastern Ro-Ro Terminal – Deadline 4 submission, response to the Examining Authority’s 2nd Written Questions

Pursuant to Deadline 4, the Environment Agency provides below an answer to the Examining Authority’s Written Question:

BGC.2.10: Construction Environmental Management Plan (CEMP)

Advise whether you consider the submitted CEMP [APP-111] is currently sufficiently detailed to enable it to be used during the construction phase for the Proposed Development or whether this document should be treated as an outline CEMP, with a more detailed version needing to be submitted for NELC’s approval prior to the commencement of the Proposed Development. Should you be of the view that the currently submitted CEMP is deficient, please identify those deficiencies and explain how they might be rectified.

The Environment Agency is of the view that the submitted CEMP is not fully complete for the reasons outlined in paragraph 12.4 of its Relevant Representation [[RR-009](#)] and paragraphs 1.3-4 of its Written Representation [[REP2-013](#)].

The CEMP also states in paragraph 1.1.1 that "*Once appointed, the Principal Contractor will develop their own CEMP in accordance with the principles within this CEMP. The ‘Principal Contractors CEMP’ would be updated regularly throughout construction, acting as a ‘live’ document to capture all construction and environmental issues*".

The CEMP then states in paragraph 1.5.2 that "*All construction works associated with the IERRT project must be carried out in accordance with the approved CEMP unless otherwise agreed with the relevant authorities*". However, the Applicant removed the mechanism for the relevant authorities to do this through the amendment made to Requirement 8 in its DCO Revision 2 draft.

Therefore, it appears that there will be no mechanism for North East Lincolnshire Council, or the Environment Agency as a consultee, to review the Contractor's own CEMP or ensure it complies with the submitted CEMP. Accordingly, we believe the current CEMP should be considered an outline document and a more detailed (Contractor's) version needs to be submitted and approved by North East Lincolnshire Council, following relevant consultation being undertaken.

Should you require any additional information, or wish to discuss these matters further, please do not hesitate to contact me at the number below.

Yours faithfully

Annette Hewitson MSc MRTPI
Principal Planning Adviser

Direct dial [REDACTED]

Direct e-mail [REDACTED]