

IMMINGHAM EASTERN RO-RO TERMINAL



Statement of Common Ground Tracker

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1. Introduction

- 1.1 This tracker document is being provided in connection with the procedural decision dated 26 May 2023 made by the Examining Authority (the 'ExA') for the Immingham Eastern Ro-Ro Terminal ('IERRT') Development Consent Order ('DCO') examination ('the Examination'). The ExA required Associated British Ports as the applicant ('the Applicant') to prepare and submit a Statement of Common Ground (SOCG) tracker document in order to provide a record of how SOCG's have progressed during the course of the Examination.
- 1.2 This document is intended to capture the progress of the statements submitted to the Examination in a single table which can then be used to track the completion of the SOCGs until submission at Deadline 5 on 23 October 2023. This is intended as a live document which will be updated when updates or revisions to SOCG are made, or when new documents are submitted to the Planning Inspectorate.
- 1.3 It is intended that revised versions of this document will be submitted at each Examination deadline, setting out how the Applicant has continued to engage with Interested Parties to finalise the SOCG by the relevant deadline.

2. Statement of Common Ground Summary Position

Table 1 below captures the Applicant’s position on each party’s SOCG, 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 document.

Table 1

Interested Party	Position at Deadline 1	Position at Deadline 2	Position at Deadline 3	Position at Deadline 4	Position at Deadline 5
ABLE	A draft is being prepared by the Applicant and will be shared with Able in advance of Deadline 2.	Draft SoCG issued to ABLE. Awaiting comments.	Draft SoCG issued to ABLE. Awaiting comments.	Draft received from ABLE, which the Applicant is reviewing.	Draft SoCG issued to ABLE and the Applicant is awaiting comments. A copy of the latest draft has been submitted as Application Document 7.5.
Anglian Water	A draft SoCG has been shared with Anglian Water and discussions are ongoing.	A draft SoCG has been shared with Anglian Water and discussions are ongoing. The parties have arranged to meet to discuss outstanding items.	A draft SoCG has been shared with Anglian Water and discussions are ongoing, with a meeting scheduled on 14 September 2023.	Meeting held on 14 September and revised draft protective provisions circulated to Anglian Water. Following their approval, an SoCG can be settled.	Applicant is awaiting Anglian Water’s agreement to the draft protective provisions, with the only comment from Anglian Water on the draft having now been incorporated. A draft SoCG has been circulated, which states that the protective provision is considered sufficient in order to address Anglian Water’s concerns. The Applicant is awaiting a response.

APT	A draft is being prepared by the Applicant and will be shared with APT in advance of Deadline 2.	Draft SoCG issued to APT. Awaiting comments.	Draft SoCG issued to APT. Awaiting comments.	The Applicant is reviewing the draft SoCG in light of the ongoing without prejudice negotiations with APT.	This SoCG has not been advanced in light of the ongoing without prejudice negotiations with APT regarding enhanced management controls and the potential for providing additional impact protection. The Applicant will advance an SoCG once negotiations have concluded.
Cadent	Awaiting resolution of draft protective provisions, following which need for SoCG will be discussed.	Awaiting resolution of draft protective provisions, following which need for SoCG will be discussed. The parties intend to meet to discuss outstanding items.	Awaiting resolution of draft protective provisions, following which need for SoCG will be discussed. The parties intend to meet to discuss outstanding items.	Awaiting resolution of draft protective provisions, following which need for SoCG will be discussed. One meeting has been held, with another anticipated in the coming days.	Constructive negotiations with Cadent regarding the Protective Provisions are ongoing, and the parties anticipate reaching agreement prior to the end of the Examination. Having reached an agreement, the Applicant intends to prepare a short SoCG which states that the protective provision is considered sufficient in order to address Cadent's concerns.
CLdN	Draft SoCG issued to CLdN. Awaiting comments.	Draft SoCG issued to CLdN. Awaiting comments.	Draft SoCG issued to CLdN. Awaiting comments.	Draft SoCG issued to CLdN. Awaiting comments.	A draft SoCG was issued to CLdN on 30 June 2023. To date, no comments on the draft have been received. A copy of the latest draft has been submitted as Application Document 7.6.

DFDS Seaways	A draft is being prepared by the Applicant and will be shared with DFDS in advance of Deadline 2.	Meetings held regarding transport matters. A draft SoCG is being reviewed in light of this.	Meetings regarding transport matters are ongoing. A draft SoCG is being reviewed in light of this, which the Applicant anticipates will be shared with DFDS soon after D3.	Draft SoCG issued to DFDS, whilst a separate transport SoCG is in circulation.	A draft SoCG was issued to DFDS on 20 September 2023, a copy of which has been submitted as Application Document 7.7. At 8:38pm on 23 October 2023, however, DFDS provided a revised draft to the Applicant, which the Applicant will review in due course.
Environment Agency	Positive discussions ongoing with EA to settle comments in relevant representations, following which a SoCG will be settled.	Positive discussions ongoing with EA to settle outstanding comments, following which a SoCG will be settled.	Positive discussions ongoing with EA to settle outstanding comments, following which a SoCG will be settled.	Draft SoCG issued to EA. Awaiting comments.	A draft SoCG has been issued to the EA and the parties have exchanged correspondence (most recently in a letter from the Applicant dated 23 October 2023) regarding this.
Health and Safety Executive	A draft is being prepared by the Applicant and will be shared with HSE in advance of Deadline 2.	Positive discussions ongoing with HSE to settle outstanding comments, following which a SoCG will be settled.	Positive discussions ongoing with HSE to settle outstanding comments, following which a SoCG will be settled.	Following positive discussions, the Applicant has written to HSE to determine the need for a SoCG.	Following extensive correspondence with the HSE, the Applicant does not believe that an SoCG is required.
Historic England	Draft SoCG issued to Historic England. Awaiting response.	Positive discussions ongoing with Historic England.	Positive discussions ongoing with Historic England.	Draft SoCG issued to HE. Awaiting comments.	Draft SoCG issued to Historic England and the Applicant is awaiting comments. A copy of the latest draft has been submitted as Application Document 7.4.

Lincolnshire Wildlife Trust	A draft is being prepared by the Applicant and will be shared with LWT in advance of Deadline 2.	The Applicant has written to Lincolnshire Wildlife Trust to determine the need for a SoCG.	The Applicant has written to Lincolnshire Wildlife Trust to determine the need for a SoCG.	The Applicant has written to Lincolnshire Wildlife Trust to determine the need for a SoCG.	The Applicant has written to Lincolnshire Wildlife Trust answering all of their questions and, despite sending follow up emails, has not had a response. Therefore, the Applicant considers that there are no outstanding areas of difference between the parties and no SoCG is required.
MCA	The MCA has confirmed that a SoCG is not required				Correspondence from the MCA confirming that no SoCG is required has been submitted as Application Document 7.1.
MMO	Positive discussions ongoing with MMO to settle comments in relevant representations, following which a SoCG will be settled.	Positive discussions ongoing with MMO to settle comments in relevant representations, following which a SoCG will be settled.	Positive discussions ongoing with MMO to settle comments in relevant representations, following which a SoCG will be settled.	Positive discussions ongoing with MMO to settle comments in relevant representations, following which a SoCG will be settled. A further meeting has been arranged for after Deadline 4.	Following positive discussions, a late-stage draft SoCG has been shared with the MMO and the Applicant awaits its comments. A copy of the latest draft has been submitted as Application Document 7.8.
National Highways	SoCG signed and completed.				Agreed SoCG submitted as Application Document 7.2.
Natural England	A draft SoCG has been shared with	Natural England have responded on	Natural England have responded on	Natural England have responded on	Following positive discussions, a late stage

	Natural England and positive discussions are ongoing to settle the SoCG.	the draft SoCG, and positive discussions are ongoing to resolve outstanding matters.	the draft SoCG, and positive discussions are ongoing to resolve outstanding matters.	the draft SoCG, and positive discussions are ongoing to resolve outstanding matters.	draft SoCG has been shared with Natural England and the Applicant awaits its comments. A copy of the latest draft has been submitted as Application Document 7.9.
Network Rail	Awaiting resolution of draft protective provisions, following which need for SoCG will be discussed.	Awaiting resolution of draft protective provisions, following which need for SoCG will be discussed. Applicant is considering Network Rail's latest response on draft protective provisions.	Awaiting resolution of draft protective provisions, following which need for SoCG will be discussed. The Applicant is considering Network Rail's latest response on draft protective provisions.	Awaiting resolution of draft protective provisions, following which need for SoCG will be discussed. Network Rail's solicitors are seeking instructions on the protective provisions following a call between the parties.	ABP and Network Rail are actively and constructively engaged in negotiating protective provisions and the related Asset Protection Agreement, and have completed the easement required in order to protect Network Rail's access rights. We anticipate that all necessary agreements will be completed prior to the end of the Examination and, once completed, Network Rail will then be able to confirm that they have no outstanding concerns with the IERRT development. Due to the ongoing negotiations, the parties have not prepared an SoCG at this stage.
North East Lincolnshire Council	Positive discussions ongoing with NELC to settle comments	Positive discussions ongoing with North East Lincolnshire	Positive discussions ongoing with North East Lincolnshire	Positive discussions ongoing with North East Lincolnshire	A late stage draft SoCG is under discussion between the parties, which the

	in relevant representations, following which a SoCG will be settled.	Council to settle outstanding comments, following which a SoCG will be settled.	Council to settle outstanding comments, following which a SoCG will be settled.	Council to settle outstanding comments, following which a SoCG will be settled.	Applicant hopes to complete prior to Deadline 6.
North Lincolnshire Council	Draft SoCG agreed in principle and awaiting completion.	SoCG signed and completed.			Agreed SoCG submitted as Application Document 7.3.
Traffic and Transport SoCG					Transport Consultants for the Applicant, CLdN and DFDS have engaged in thorough dialogue, with a late-stage draft SoCG in circulation. A copy of the latest draft has been submitted as Application Document 7.10.
Dwell Times SoCG					A first draft SoCG has been received from CLdN and DFDS on 20.10.23. The draft has been passed to Stena for review.