

IMMINGHAM EASTERN RO-RO TERMINAL



Statement of Common Ground between Associated British Ports and North Lincolnshire Council

Document 7.3

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

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1 Section 1 – Introduction

Overview

- 1.1 This Statement of Common Ground (“SoCG”) has been prepared in relation to the application (the “Application”) by Associated British Ports (“ABP”), made under the provisions of Section 37 of the Planning Act 2008 (“the PA 2008”), for a Development Consent Order (“DCO”) which if approved will authorise the construction and operation of the Immingham Eastern Ro-Ro Terminal (IERRT).
- 1.2 The IERRT development as proposed by ABP falls within the definition of a Nationally Significant Infrastructure Project (“NSIP”) as set out in Sections 14(1)(j), 24(2) and 24(3)(b) of the PA 2008.

The Project

- 1.3 In summary, the IERRT development comprises two principal elements:
- (a) On the marine side, the construction of a new three berth Roll-on/Roll-off harbour facility and related marine infrastructure; and
 - (b) On the landside, the provision of a suitably surfaced area to accommodate a terminal building and ancillary buildings together with storage and waiting space for the embarkation and disembarkation of the vessel borne wheeled cargo.
- 1.4 The landside development will also include, within the Order Limits – i.e., within the boundary of the development site – a building for the UK Border Force together with an area for disembarked traffic awaiting UK Border Force checks prior to departure from the Port.
- 1.5 ABP will also be providing an area of off-site environmental enhancement at Long Wood, which is located close to the Port’s East Gate.

Parties to this Statement of Common Ground

- 1.6 This SoCG is submitted on behalf of:
- (a) ABP – the promoter of the IERRT development and the owner and operator of the Port of Immingham; and
 - (b) North Lincolnshire Council (“NLC”) – the unitary authority of North Lincolnshire, the administrative boundary of which encompasses the western part of the Port of Immingham, albeit no part of the proposed IERRT development site.

1.7 In this SoCG ABP and NLC are collectively referred to as “the Parties”.

The Purpose and Structure of this Document

1.8 The purpose of this document is to identify and summarise any agreement, disagreement or matters outstanding between the parties on matters relevant to the examination so as to assist the Examining Authority in its consideration of the Application.

1.9 In preparing this SoCG, the guidance provided in ‘Planning Act 2008: examination of application for development consent’ (Department for Communities and Local Government (as it then was), March 2015) has been fully taken into account.

1.10 Section 1 of this SoCG is designed to act as a general introduction to the IERRT project and to the parties concerned.

1.11 Section 2 of this SoCG sets out a summary of the correspondence and engagement between the parties to date.

1.12 Section 3 of this SoCG sets out the matters which have been agreed or which remain outstanding, together with any matters upon which it has not been possible to reach agreement.

1.13 The Tables in Section 3 use a colour coding system to indicate the status of the matters between the Parties as follows:

- (a) Green – matter agreed;
- (b) Orange – matter ongoing; and
- (c) Red – matter not yet agreed.

2 Section 2 – Summary of Engagement

2.1 A summary of the consultation and engagement between the parties as at the date of this version of the SoCG is presented in Table 2.1 below.

2.2 It is agreed by the Parties to this SoCG that Table 2.1 is an accurate record of the meetings and key correspondence between the Parties.

Table 2.1 – Summary of Engagement

Date	Form of Contact	Summary with key outcomes and points of discussion
05.10.21	Email	NLC confirmed the proposed ES scope for traffic and transport impacts was acceptable.
28.10.21	Email	NLC issued Scoping Response from natural environmental policy specialist regarding landscape, terrestrial ecology and HRA.
02.11.21	Email	ABP requested clarification on scope and methodology for noise assessment.
09.11.21		Informal discussion on Draft SoCC
18.11.21	Email	ABP sent draft SoCC for formal consultation.
30.11.21	Email	NLC issued Scoping Response in relation to Air Quality assessment.
02.12.21	Teams Meeting	Approach and scope of the Transport Assessment was discussed and agreed by NELC and NLC. The scope of the assessment was also discussed with the capacity calculations and method for wider network assessments summarised.
08.12.21	Email	ABP, further to email on 02.11.21, again requested for clarification on assessment scope and methodology
09.12.21	Email	ABP provided NLC with a reminder of the draft SoCC consultation deadline
17.12.21	Email	NLC provided comments on the draft SoCC and advised that it largely accords with the SCI and the methods set out in the document appropriately respond to the challenges posed by the Covid-19 pandemic.
17.12.21	Email	ABP advised of the potential need to amend consultation start date due to covid uncertainty and requested confirmation that this was in principal acceptable.
13.01.22	Teams Meeting	ABP provided a project update, discussed the preliminary TA and detailed comments relating to passenger use, staff car parking, dredging, accident data, committed development and traffic distribution and assignment.
18.01.22	Email	ABP sent through final SoCC and advised of consultation dates.

19.01.22	Email	ABP issued notification of the start of the Statutory Consultation.
02.02.22	Email	ABP issued notes of meeting held on 13.01.22 to highways officer for review.
18.02.22	Email	ABP issued to highways officer a technical note in advance of meeting.
23.02.22	Email	NLC sent through their S42 consultation response. Agreed scope of TA.
31.05.22	Email	ABP sent through proposed agenda for meeting
09.06.22	Meeting	ABP provided a project update which included discussion of TA, signage and east gate enhancements.
10.06.22	Email	ABP sent through a project update and responded to NLC's S42 comments.
24.06.22	Email	NLC provided comments on draft TA
12.07.22	Email	ABP, further to emails on 02.11.21 and 08.12.21, again requested clarification on assessment scope and methodology.
20.07.22	Meeting	ABP provided a project update and discussions included CTMP, signage, passenger numbers, east gate improvements, HGV hourly profile and draft TA and TP to be issued for comment.
06.09.22	Teams Meeting	Discussed CEMP, internal footway and cycle paths, road signage, Draft TA and Draft Travel Plan.
25.10.22	Email	ABP sent an email and letter advising on the forthcoming supplementary statutory consultation in accordance with the SoCC.
27.10.22	Email	ABP issued notification of the Supplementary Statutory Consultation.
28.10.22	Email	NLC acknowledged receipt of consultation request and assigned case officer
31.10.22	Email	ABP sent through the SSC Newsletter and supplementary consultation report.
28.11.22	Email	ABP followed up on whether NLC had any thoughts on the SSC.
29.11.22	Email	NLC issued their SSC response and confirmed they had no additional comments.
12.01.23	Email	ABP notified NLC that the application had been submitted to PINS and requested NLC's view on whether SoCG is necessary.
20.01.23	Email	NLC confirmed that in their view a SoCG was not necessary but were happy to engage if it was required by PINs.
09.03.23	Email	ABP issued the Notice of acceptance of application to NLC.
09.03.23	Email & Letter	ABP issued the Notice of acceptance of application to NLC Highways.


17.03.23	Email	ABP advised NLC that the project had entered a further period of consultation and provided information on the Relevant Representations and LIR process.
23.03.23	Email	NLC confirmed they would be submitting Relevant Representations and that they have no concerns with the project at this time.
19.04.23	Email	NLC submitted Relevant Representations.
24.04.23	Email	ABP advised NLC that Relevant Representations have been published and because a number mentioned the port's West Gate, PINs may want a SoCG to be prepared. ABP suggested having a discussion prior to preparing a draft.
11.05.23	Email	NLC confirmed that the highways team have no concerns regarding the impact on the local highway network. NLC agreed to producing a focused SoCG and proposed dates for a discussions.
12.05.23	Email	ABP proposed meeting date and time.
26.06.23	Email	ABP confirmed they are drafting a SoCG and asked whether NLC have been requested to produce a LIR?
26.06.23	Email	NLC confirmed they had not been asked to produce an LIR and hoped that a robust SoCG would mean this was not necessary.
05.07.23	Email	ABP issued draft SoCG and offered assistance with the PAD document of required.
04.08.23	Email	ABP queried whether NLC had been able to review the draft SoCG.
04.08.23	Email	NLC confirmed that they have no objection to the content of the document and suggest additional text to clarify that they have no unresolved issues and no concerns regarding the articles or requirements in the DCO.
04.08.23	Email	ABP acknowledged email

3 Section 3 – Matters Agreed and Matters Not Agreed


- 3.1 Table 3.1 below contains a list of 'matters agreed' and a list of matters outstanding at the date of this version of the SoCG.

Table 3.1: List of Matters Agreed and Outstanding

Matter	ABP's Position	NLC's Position	Status
Road Traffic	This concurs with the findings of ABP's assessments.	It is not anticipated that there will be any noticeable impact on North Lincolnshire's road network.	
Terrestrial Ecology	This is acknowledged, relevant discussions with NELC are ongoing.	As the IERRT project sits entirely outside of North Lincolnshire's boundary, such impacts, in so far as they may be discernible will occur entirely within North East Lincolnshire Council's ("NELC") jurisdiction.	
Marine Ecology including Ornithology	Relevant discussions with both parties is ongoing.	These matters sit within the purview of the governments statutory nature conservation advisor, Natural England and the Marine Management Organisation.	

<p>Environmental Health Protections (Air quality and noise)</p>	<p>Relevant discussions continue with NELC in respect of these matters as appropriate.</p>	<p>The potential impacts of air quality and noise upon ecological receptors are acknowledged. However, to the extent that these impact pathways are restricted to the immediate IERRT footprint, further consideration of these matters by North Lincolnshire Council is not considered necessary. Noise and air quality impacts associated with the construction and operation of the IERRT itself will be localised to the area immediately surrounding the site. Any impacts on human health and wellbeing, therefore, will sit within the ambit of NELC. Indirect effects upon human health and wellbeing arising from noise and air quality issues in the NLC area would be limited solely</p>	
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		<p>to the potential for additional road traffic to be generated on local roads. As noted above, road traffic volumes are not anticipated to substantially increase within NLC's area. Given that the Ports west gate is already the main road freight gateway to the Port, and benefits from a recent upgrade to the A160, it is not anticipated that any road traffic impacts would be discernible over and above normal variations.</p>	
<p>Cumulative and in-combination effects of the proposed IERRT</p>	<p>The cumulative and in-combination effects of the proposed IERRT development are reported in Chapter 20 of the IERRT ES [APP_056]. The assessment concludes that no significant cumulative or in-combination effects will be generated.</p>	<p>NLC has reviewed Chapter 20 of the IERRT ES [APP_056] and is content that the methodology and conclusions are robust. No concerns are raised in this regard.</p>	

<p>The adequacy of the Article and requirements included in schedule 2 of the dDCO</p>	<p>ABP is of the view that the Articles and requirements are adequate.</p>	<p>Having reviewed the dDCO NLC has no concerns or objections to raise in respect of the proposed Articles and/or Requirements.</p>	
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3.2 For clarity, there are no identified areas of disagreement between the parties.

4 Section 4 – Signatories

This Statement of Common Ground is agreed:

On behalf of NLC:

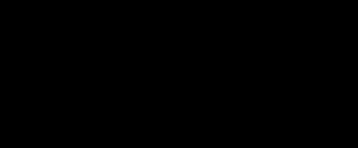
Name: Andrew Law

Signature: 

Date: 5 September 2023

On behalf of ABP:

Name: Tom Jeynes

Signature: 

Date: 4 September 2023

Glossary

Abbreviation / Acronym	Definition
ABP	Associated British Ports
DCLG	Department of Communities and Local Government (as it then was)
DCO	Development Consent Order
EIA	Environmental Impact Assessment
ES	Environmental Statement
IERRT	Immingham Eastern Ro-Ro Terminal
IOT	Immingham Oil Terminal
NLC	North Lincolnshire Council
NELC	North East Lincolnshire Council
NSIP	Nationally Significant Infrastructure Project
PA 2008	Planning Act 2008
PINS	Planning Inspectorate
Ro-Ro	Roll-on/roll-off
SoCG	Statement of Common Ground
SoS	Secretary of State for Transport
UK	United Kingdom