

# IMMINGHAM EASTERN RO-RO TERMINAL



Statement of Common Ground between Associated British Ports and Historic England

Document Reference 7.4

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**Document Information**

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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) within the existing Port of Immingham.
- 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 of Immingham’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) Historic England – the Government’s statutory advisor on the historic environment.

- 1.7 In this SoCG ABP and Historic England 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 table in Section 3 uses 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 ABP and Historic England up to the date of this SoCG in relation to the IERRT project generally and concerning the matters raised in this SoCG specifically 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 correspondence between the Parties.

**Table 2.1 – Summary of Engagement**

<b>Date</b>	<b>Form of Correspondence</b>	<b>Summary with key outcomes and points of discussion</b>
13.10.21	Email	HE submitted Scoping Opinion Response
19.01.22	Email	ABP issued Statutory Consultation Notification
23.02.22	Email	HE submitted S42 Consultation Response
07.03.22	Email	ABP issued HE with an asset selection document for the heritage setting assessment.
18.03.22	Email	ABP followed up on whether HE have comments on asset selection document that was issued previously.
25.03.22	Email	HE confirmed they are content with the asset selection in the draft heritage assessment.
06.05.22	Email	ABP requested a Teams Meeting with HE to explain the outputs of the EIA process.
06.05.22	Email	HE agreed to Teams Meeting and proposed 23 <sup>rd</sup> or 27 <sup>th</sup> May.
12.05.22	Email	ABP emailed to confirm invitation for meeting had been sent
27.05.22	Meeting	ABP provided an update on revised scheme, project and programme. Discussed PEIR consultation response and key potential impacts on archaeology and cultural heritage.
30.05.22	Email	ABP issued notes of meeting from 27.05.22
27.10.22	Email	ABP issued SSC Notification
25.11.22	Email	HE submitted SSC Response
09.03.23	Email	ABP issued Notice of acceptance of application
19.04.23	Email	HE submitted relevant Representations
29.06.23	Email	ABP offered to produce the draft SoCG and any assistance with the production of the PAD.

30.06.23	Email	HE confirmed that they are preparing the PAD and that there are limited issues. HE agreed to ABP preparing the draft SoCG.
03.07.23	Email	ABP noted HE response and agreed to begin preparing the draft SoCG.
06.07.23	Email	HE sent through a copy of the PAD summary that had been submitted to PINS and requested confirmation that it should be submitted by HE and not ABP.
07.07.23	Email	ABP responded confirming that the summary should be submitted by HE.
14.08.23	Email	ABP sent through draft SoCG for review and comment.

### **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 this version of the SoCG has been submitted to the Examination along with a concise commentary of what the items refer to and how it came to be agreed between the Parties.



**Table 3.1: List of Matters Agreed and Outstanding**

Matter	ABP's Position	Historic England's Position	Status
<p>Adequacy of the Schedule 2 requirements and/or Schedule 3 conditions to safeguard marine archaeology within the proposed Order Limits</p>	<p>The IERRT development has built in mitigation in the form of further investigation by means of geoarchaeological assessment, archaeological watching briefs and protocol for archaeological discoveries. These have been recommended in the Draft WSI and provisions will be made for archaeological advice at the planning stage of any schemes of investigation, including geotechnical survey, to maximise archaeological investigation.</p> <p>ABP understands that HE accepts the adequacy of Schedules 2 and Schedule 3, and the mitigation measures to safeguard marine archaeology.</p>	<p>Historic England can confirm that in respect of the submitted Environmental Statement and the ExA's issues identified for SoCG (below) we have not identified any Principal Areas of Disagreement with the applicant regarding:</p> <ul style="list-style-type: none"> <li>• The adequacy of the Schedule 2</li> <li>• Requirements and/or Schedule 3</li> <li>• Conditions included within the dDCO to safeguard marine archaeology within the proposed Order Limits.</li> </ul>	<p>Agreed</p>
<p>Acceptability of the Draft Written Scheme of Investigation</p>	<p>ABP understands that Historic England have acknowledged the acceptability of the submitted Draft WSI.</p> <p>The WSI includes provision for method statements covering schemes of investigation which would be produced in consultation with HE and which would cover the approach for undertaking any schemes of investigation.</p> <p>Archaeological method statements will be submitted to the MMO for approval six</p>	<p>Historic England can confirm that in respect of the submitted Environmental Statement and the ExA's issues identified for SoCG (below) we have not identified any Principal Areas of Disagreement with the applicant regarding:</p> <ul style="list-style-type: none"> <li>• Acceptability of the draft Written Scheme of Investigation [APP-107]</li> </ul>	<p>Agreed</p>

	weeks before works commence, as per Condition 2(11).		
Adequacy of Assessment of Cultural Heritage	ABP understands that Historic England have no concerns regarding the assessment undertaken in Chapter 15 of the ES, which assessed a list of terrestrial, intertidal and marine cultural heritage assets which had been agreed with Historic England. In line with Historic England's response to the Scoping Opinion Request, terrestrial heritage receptors were both scoped into the ES and adequacy assessed in Chapter 15.	Historic England can confirm that we have not identified any Principal Areas of Disagreement with the Applicant regarding Chapter 15 of the ES, including: <ul style="list-style-type: none"> <li>• the range of receptors that would be assessed</li> <li>• the process for consideration of terrestrial, intertidal and marine cultural heritage assets, and</li> <li>• the approach to Cultural Heritage and Marine Archaeology presented in the Environmental Statement.</li> </ul>	Agreed

## 4 **Section 4 – Signatories**

*This Statement of Common Ground is agreed:*

*On behalf of Historic England:*

*Name*

*Signature*

*Date:*

*On behalf of ABP:*

*Name:*

*Signature:*

*Date:*

## Glossary

<b>Abbreviation / Acronym</b>	<b>Definition</b>
ABP	Associated British Ports
DCLG	Department of Communities and Local Government (as it then was)
dDCO	Draft Development Consent Order
EIA	Environmental Impact Assessment
ES	Environmental Statement
ExA	Examining Authority
HE	Historic England
IERRT	Immingham Eastern Ro-Ro Terminal
IOT	Immingham Oil Terminal
MMO	Marine Management Organisation
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
WSI	Written Scheme of Investigation