

# IMMINGHAM EASTERN RO-RO TERMINAL



Statement of Commonality for the matters included in the SoCGs

Document Reference: 10.2.57

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

PINS Reference – TR030007

November 2023

## Document Information

Document Information		
<b>Project</b>	Immingham Eastern Ro-Ro Terminal	
<b>Document Title</b>	Statement of Commonality for the matters included in the SoCGs	
<b>Commissioned by</b>	Associated British Ports	
<b>Document ref</b>	10.2.57	
<b>APFP Reg 2009</b>	Regulation 5(2)(q)	
<b>Prepared by</b>	IERRT Project Team	
<b>Date</b>	<b>Version</b>	<b>Revision Details</b>
11/2023	01 – Deadline 6	Submitted at Deadline 6

## Contents

1.	Introduction.....	4
2.	Purpose of the Statement of Commonality .....	5
3.	Structure of the Statement of Commonality.....	6
4.	Statements of Common Ground with Latest Position.....	7
5.	Table of Commonality .....	10

## 1. Introduction

- 1.1 This Statement of Commonality for the matters included in the Statements of Common Ground (this “Statement of Commonality”) has been provided in connection with an application that has been submitted to the Secretary of State for Transport by Associated British Ports (“ABP”) under the provisions of section 37 of the Planning Act 2008 (“PA 2008”) for a Development Consent Order.
  
- 1.2 ABP is seeking development consent for the construction and operation of the Immingham Eastern Ro-Ro Terminal Development (“IERRT”). This will comprise a new three berth Ro-Ro facility, with hinterland cargo storage, at the Port of Immingham, which is owned and operated by ABP.
  
- 1.3 This Statement of Commonality has been prepared in accordance with the Examining Authority’s (“the ExA”) Procedural Decision made under Rule 8 of the Infrastructure Planning (Examination Procedure) Rules 2010 dated 2 August 2023 [PD-009], which requires ABP as the Applicant to submit a Statement of Commonality for the matters included in the Statements of Common Ground from the Applicant at Deadline 6 (Monday 13 November).

## 2. Purpose of the Statement of Commonality

- 2.1 The purpose of the Statements of Common Ground (“SoCGs”) is to identify and summarise any agreement, disagreement or matters outstanding between the Applicant and the various Parties prescribed by the ExA in its Procedural Decision dated 26 May 2023 [PD-009], so as to assist the ExA in its consideration of the Application.
  
- 2.2 Where possible, the Applicant has submitted final agreed versions of the SoCGs at Deadlines 5 and 6. Where this has not been possible, the Applicant has submitted draft SoCGs, and recorded the latest position with the relevant Interest Party in the Statement of Common Ground Tracker submitted at Deadline 6.
  
- 2.3 The purpose of this Statement of Commonality is to provide the ExA with the positions reached between the Applicant and relevant Interested Party as recorded within the SoCGs.

### **3. Structure of the Statement of Commonality**

- 3.1 Section 1 of this Statement of Commonality is designed to act as a general introduction to the IERRT project and to the parties concerned.
- 3.2 Section 2 of this Statement of Commonality summarises the purpose of the SoCGs and this Statement of Commonality.
- 3.3 This Section 3 of this Statement of Commonality describes the structure of this document.
- 3.4 Section 4 of this Statement of Commonality lists the SoCGs which were prescribed in the ExA's Procedural Decision dated 26 May 2023 [PD-005] and which have subsequently been prepared. Section 4 also summarises the position of each SoCG as at Deadline 6.
- 3.5 Section 5 of this Statement of Commonality provides a summary of the principal issues covered in the SoCGs and demonstrates where there is commonality in the topics or matters.

## 4. Statements of Common Ground with Latest Position

- 4.1 The ExA's Procedural Decision dated 26 May 2023 [PD-005] required that ABP and the Interested Parties listed in that letter should prepare SoCGs which, as a minimum, included the topics identified.
- 4.2 A list of the Interested Parties which the 26 May 2023 Procedural Decision identified is included in Table 1, along with a summary of the position of each SoCG as at Deadline 6.
- 4.3 During the Course of the Examination, the ExA requested that two further SoCGs be prepared. The first of these is a Terrestrial Traffic and Transport SoCG between ABP, CLdN Ports (Killingholme) Limited and DFDS Seaways Plc, and the second is a Dwell Times SoCG between ABP, Stena Line, CLdN Ports (Killingholme) Limited and DFDS Seaways Plc. These additional SoCGs have also been included in this Statement of Commonality.

**Table 1 List of SoCGs with Summary of the Deadline 6 Position**

Interested Party	Summary of Position
ABLE Humber Ports Limited ("ABLE")	Updated draft SOCG sent to ABLE at Deadline 5. The Applicant is awaiting further comments.  The latest draft SOCG was submitted at Deadline 5 <b>[REP5-012]</b> .
Anglian Water Services Limited ("Anglian Water")	A draft SoCG was sent to Anglian Water at Deadline 5. The Applicant received comments on 13 November 2023 and provided a further draft SoCG on the same day. The Applicant is awaiting comments/ agreement.  The latest draft SoCG has been submitted at Deadline 6.
Associated Petroleum Terminals (Immingham) Limited and Humber Oil Terminal Trustees Limited ("IOT Operators")	The Applicant provided an original draft SoCG ahead of Deadline 2. Following without prejudice discussions between the parties and the Applicant's Proposed Changes Notification, a revised draft SoCG was shared with APT on 10 November 2023 for comment.  The latest draft SoCG has been submitted at Deadline 6.

Cadent Gas Limited ("Cadent")	Signed and agreed SoCG submitted as Application Document 7.13.
CLdN Ports (Killingholme) Limited ("CLdN")	Signed and agreed SoCG submitted as Application Document 7.6.
Corporation of Trinity House of Deptford Strond ("Trinity House")	Signed and agreed SoCG submitted as Application Document 7.18.
DFDS Seaways Plc ("DFDS")	A revised SoCG has been shared with DFDS for comment.  The latest draft SoCG has been submitted at Deadline 6.
Dwell Times	Signed and agreed SoCG submitted as Application Document 7.20.
Environment Agency ("EA")	The ExA has confirmed that no SoCG is required between ABP and the EA.
Health and Safety Executive ("HSE")	A revised SoCG has been shared with the HSE for comment on 8 November 2023, following a continuous exchange of correspondence. The Applicant is awaiting HSE's comments.  However, the Applicant notes HSE's letter to the ExA dated 13 November 2023 which states that the draft SoCG has been referred to HSE's legal team for review but that, in HSE's opinion, the fact that it has not yet been completed will "not harm [the ExA's] consideration of HSE's advice as there is no disagreement".  The latest draft SoCG has been submitted at Deadline 6.
Historic England ("HE")	Signed and agreed SoCG submitted as Application Document 7.18.
Lincolnshire Wildlife Trust ("LWT")	Following continued correspondence between the parties, a draft SoCG was shared Lincolnshire Wildlife Trust on 1 November 2023. The Trust have indicated that there is an internal meeting scheduled for 14 November 2023 in order to discuss the draft.  The latest draft SoCG has been submitted at Deadline 6.



Marine Management Organisation ('MMO')	SoCG agreed and awaiting signing by the MMO.  Agreed (but unsigned) version submitted as Application Document 7.8.
Maritime and Coastguard Agency ("MCA")	Signed and agreed SoCG submitted as Application Document 7.1.
National Highways ("NH")	Final signed SoCG submitted at Deadline 5 [REP5-009] with all matters agreed.
Natural England ("NE")	Signed and agreed SoCG submitted as Application Document 7.9.
Network Rail Infrastructure Limited ("NR")	Signed and agreed SoCG submitted as Application Document 7.17.
North East Lincolnshire Council ("NELC")	SoCG agreed by ABP and Council officers. ABP understands that the SoCG is awaiting signing by an authorised signatory of the Council, which will likely occur shortly after Deadline 6.  Agreed (but unsigned) version submitted as Application Document 7.19 and a completed version will be submitted into the Examination as soon as possible.
North Lincolnshire Council ("NLC")	Agreed SoCG submitted at Deadline 5 [REP5-010].
Terrestrial Traffic and Transport ("Transport")	Signed and agreed SoCG submitted as Application Document 7.10.

## 5. Table of Commonality

- 5.1 This section of the Statement of Commonality provides a summary of the principal issues covered in the SoCGs and demonstrates where there is commonality in the topics of matters.
- 5.2 The table is presented in such a way as to show topics covered within the various SoCGs and how these are relevant to each Other Party and a position for each topic as follows:

	All matters agreed
	Some matters agreed, some matters unresolved
	Matters unresolved
	Some matters agreed, some matters not agreed
	Some matters unresolved, some matters not agreed
	All matters not agreed



