

IMMINGHAM EASTERN RO-RO TERMINAL



Cover Letter to PINS regarding the Applicant's Deadline 6 Submissions

Document Reference 10.2.51

PINS Reference – TR030007

November 2023

Document Information

Document Information		
Project	Immingham Eastern Ro-Ro Terminal	
Document Title	Cover Letter to PINS regarding the Applicant's Deadline 6 Submissions	
Commissioned by	Associated British Ports	
Document ref	10.2.51	
Prepared by	IERRT Project Team	
Date	Version	Revision Details
11/2023	01	Deadline 6

Ms Robbins
The Planning Inspectorate
National Infrastructure
C Eagle Wing
Temple Quay House
2 The Square
Temple Quay
Bristol
BS1 6PN

Attn Lily Robbins

Our Ref
10276966

Your Ref
TR030007

Date
13 November 2023

Dear Ms Robbins

**Immingham Eastern Ro-Ro Terminal (TR030007)
Deadline 6 Submission**

We write on behalf of the Applicant, Associated British Ports, in respect of the above.

Further to the Examination Timetable set out at Annex A of the Rule 8 letter dated 2 August 2023 [PD-009], we are today submitting the documents set out in the table below as required for Deadline 6.

<u>Document Title</u>	<u>Document Reference</u>
Guide to the DCO Application V7 (Clean)	1.4
Guide to the DCO Application V7 (Tracked)	1.4
Draft Development Consent Order V5 (Clean)	3.1
Draft Development Consent Order V5 (Tracked)	3.1
Statement of Common Ground between Associated British Ports and The Maritime and Coastguard Agency	7.1
Statement of Common Ground between Associated British Ports and Historic England v2	7.4
Statement of Common Ground between Associated British Ports and CLdN Ports Kilingholme Limited v2	7.6
Draft Statement of Common Ground between Associated British Ports and DFDS Seaways Plc v2	7.7
Statement of Common Ground between Associated British Ports and The Marine Management Organisation v2 (unsigned)	7.8

10276966 123171952.1

Statement of Common Ground between Associated British Ports and Natural England v2	7.9
Traffic and Transport Statement of Common Ground between Associated British Ports, CLdN Ports Killingholme Limited and DFDS Seaways Plc v2	7.10
Draft Statement of Common Ground between Associated British Ports and Anglian Water	7.11
Draft Statement of Common Ground between Associated British Ports and Associated Petroleum Terminals (Immingham) Limited and Humber Oil Terminals Trustee Limited	7.12
Statement of Common Ground between Associated British Ports and Cadent Gas Limited	7.13
Draft Statement of Common Ground between Associated British Ports and the Health and Safety Executive	7.15
Draft Statement of Common Ground between Associated British Ports and Lincolnshire Wildlife Trust	7.16
Statement of Common Ground between Associated British Ports and Network Rail	7.17
Statement of Common Ground between Associated British Ports and the Corporation of Trinity House	7.18
Statement of Common Ground between Associated British Ports and North East Lincolnshire Council (unsigned)	7.19
Dwell Times Statement of Common Ground between Associated British Ports, CLdN Ports Killingholme Limited, DFDS Seaways Plc and Stena Line Limited	7.20
Appendix 10.2 - Navigation Simulation Study (tracked)	8.4.10(b).1
Appendix 10.3 - Navigational Simulation – Stakeholder Demonstrations (tracked)	8.4.10(c).1
Statement of Common Ground Tracker V6	10.2.9
Principal Areas of Disagreement Tracker V6	10.2.10
Protective Provisions Tracker V6	10.2.11
Cover Letter to PINS regarding the Applicant’s Deadline 6 Submissions	10.2.51
Applicant’s Response to CLdN’s Deadline 5 Submissions	10.2.52
Applicant’s Response to IOT’s Deadline 5 Submissions	10.2.53
Applicant’s Response to DFDS’ Deadline 5 Submissions	10.2.54
Applicant’s Review of DFDS’ Navigational Risk Assessment	10.2.55
Applicant’s Review of IOT’s Navigational Risk Assessment	10.2.56
Statement of Commonality	10.2.57
Additional Navigations Simulations Report	10.2.58
Summary of Simulated Flow Conditions	10.2.59
DTA Report 23325035 – Transport Policy Mitigation Requirements	10.2.60

Statements of Common Ground ('SoCGs')

Following the ExA's letter dated 27 October 2023 requesting that the Applicant submits all outstanding SoCGs identified by the ExA in **[PD-005]**, together with topic specific SoCGs on Terrestrial Transport and Dwell Times, by Deadline 6 **[PD-016]** the Applicant has progressed all SoCGs as far as reasonably possible. The Applicant notes that, where SoCGs remain incomplete, this is because the Applicant is waiting for the other party to provide a response to the draft SoCG; there are currently no outstanding actions on the Applicant with respect of any SoCG.

With respect to the Draft Statement of Common Ground between Associated British Ports and CLdN Ports Killingholme Limited ('CLdN') (Application Document ref. 7.6), CLdN has referred within this document to CLdN's Deadline 6 submissions. The Applicant has not had sight of CLdN's Deadline 6 submissions and has not been able to provide a response to such comments within the SoCG. As such, the Applicant reserves its right to make further submissions in respect of these Deadline 6 submissions, including but not limited to a revised version of this SoCG, should this be required.

Additional Navigation Simulations Report

Through Action Point 17 from Issue Specific Hearing 3 **[EV6-012]**, as well as its letter dated 27 October 2023 **[PD-016]**, the ExA has requested that the Applicant undertake additional simulations to address DFDS' concerns regarding navigational safety of the Proposed Development. The Applicant confirms that these additional simulations took place on 7 and 8 November 2023. The outcome of these simulations is detailed in the Additional Navigation Simulations Report, submitted at Deadline 6 (Application Document ref. 10.2.58).

Tracked Changed Versions of Navigation Simulation Reports Submitted in September 2023

In its letter dated 27 October 2023 **[PD-016]**, the ExA requested that the Applicant submits tracked change versions of documents **[AS-022]** to **[AS-024]**. The Applicant has provided these as part of its Deadline 6 Submissions (Application Document refs. 8.4.10(b).1 and 8.4.10(c).1).

These documents were amended following the Applicant identifying a disparity in the currents shown in the overview images and the model data for runs 18, 24, 53, 54, 55 as originally presented in **[AP-089-APP-090]** and runs 26 and 29 as originally presented in **[AP-091]**. The flow direction in the detailed graphs, which form part of the plots, have also been clarified. All flow directions now refer to the direction in which the current is flowing (to).

The Applicant trusts that this, along with the tracked change versions, is helpful, but invites the ExA to request further clarification if anything is unclear.

PIANC Report

In paragraph 7.73 of ABP's Response to CLdN's Deadline 4 Submissions **[REP5-032]**, reference is made to *The Design of Terminals for RoRo and RoPax Vessels (MarCom Working Group (Report No 167, 2023))* by PIANC (the World Association for Waterborne Transport Infrastructure) ('the PIANC Report'). In an email to the Applicant dated 8 November 2023, CLdN

requested that this report is entered into the examination by ABP. ABP also understands that CLdN have raised this matter with the ExA directly.

The PIANC Report is not freely available and must be purchased on an individual basis from the publisher. Of course, once a copy has been purchased, this still does not entitle the purchaser to make the document available to others. This is especially true of submission to the public forum of an examination.

As such, should the ExA agree with CLdN that a copy should be submitted into the examination, the Applicant will continue to investigate how this might be achieved. The Applicant cannot, however, make the report immediately available to the examination as has been requested by CLdN.

If you have any questions arising from the information above, please do not hesitate to contact us at [REDACTED]@clydeco.com or [REDACTED]@clydeco.com.

Yours sincerely

Brian Greenwood

Brian Greenwood
Clyde & Co LLP