

Application by Associated British Ports for an Order Granting Development Consent for the Immingham Eastern Ro-Ro Terminal

Agenda for Issue Specific Hearing 5 (ISH5):

Hearing	Date and Time	Location
Issue Specific Hearing 5 (ISH5): Navigation and Shipping and Onshore Transportation	Tuesday 21 November 2023 Hearing Starts at 10:00 Registration and seating available at venue from 09:30 and virtual attendance Registration Process from 09:30	The hearing will be a 'blended event': in person at Stallingborough Grange, Riby Road, Grimsby, DN41 8BU and by virtual means using Microsoft Teams. Full instructions on how to join online or by telephone will be provided in advance to those who have pre-registered

Agenda

- 1. The Examining Authority's (ExA) welcome, introductions and arrangements for this Issue Specific Hearing**
- 2. Navigation and shipping**

The ExA will ask the Applicant, participating Interested Parties (IPs) and the Harbour Master Humber questions related to the following matters:

- a) The assumptions that the Applicant has made concerning the use of the parts of the Inner Dock at Immingham and Port of Killingholme that would be vacated by Stena Line, and any interpretation that other Interested Parties have made of those assumptions.

- b) Questions to DFDS and Harbour Master Humber, in particular, on the passage of the Britannia Seaways vessel into Immingham Lock observed during the course of the Accompanied Site Inspection (26 September 2023).
- c) Navigational Risk Assessment matters, including stakeholder engagement and the additional simulation of berthing/unberthing manoeuvres for the Proposed Development adjacent to the Eastern Jetty.
- d) Risk controls and any proposed changes to the application - including progress made since 28 September 2023 for identifying proposals for the application of additional risk controls, such as the provision of impact protection measures and preparing and implementing a marine construction stakeholder liaison and plan.
- e) The process for reviewing any revised risk assessment by the Designated Person and Harbour Authority and Safety Board, including further consideration of stakeholder representations and the cost-benefit analysis for risk controls.
- f) Potential for marine congestion as a consequence of the construction and/or operation of the Proposed Development, including tidal constraints and any passage planning implications.
- g) Any other shipping or navigation matters of concern to IPs.

3. Onshore transportation

The ExA will ask the Applicant and participating Interested Parties (IPs) questions related to the following matters:

- a) Salient matters on the freight handling capacity of the Proposed Development and 'dwell time' assumptions.
- b) Distribution of vehicular traffic entering and exiting the Port of Immingham in association with the operation of the Proposed Development, including wayfinding and the location of facilities for HGV drivers in the vicinity of Immingham.
- c) Inputs to the Transport Assessment, including assumptions regarding the reuse of facilities currently used by Stena Line at the Ports of Immingham and Killingholme and the PCU conversion factor. Sensitivity testing and modelling updates, including solo tractor movement ratios.
- d) Any other onshore transportation matters of concern to IPs.

4. Any Other Business

The ExA may extend an opportunity for the Applicant and IPs to raise matters relevant to the purpose of ISH5 that it considers should be examined.

5. Review of matters and actions arising

The ExA will discuss how any actions arising from the discussion during ISH5 are to be addressed by the Applicant, other IPs or Other Persons following this hearing and whether there is any need for procedural decisions about additional information or any other matters arising. A written action list will be published if appropriate.

If the ExA determines to make any procedural decisions it may make these decisions orally (subject to confirmation in writing) or may reserve its decisions to be made in writing after the closure of the hearing.

6. Close of the hearing

Purpose of ISH5

ISH5 is being held to hear evidence relating to matters related to:

- navigation and shipping (including any implications for the operation of the existing Port of Immingham and the Port of Killingholme); and
- onshore transportation.

The giving of evidence at this hearing will be led by ExA, through the ExA's asking of questions of the Applicant, relevant other IPs and the Harbour Master Humber (in the capacity of an Other Person), informed by the cases that have been made by parties up to and inclusive of the written and oral submissions made by Examination Deadline 6 (13 November 2023).

Attendees

The ExA would find it helpful if the following parties could attend this Hearing:

- Applicant, including representatives who are able to address application-specific issues and corporate safety governance and related matters.
- CLdN Port of Killingholme
- DFDS
- Harbour Master Humber
- IOT Operators
- North East Lincolnshire Council

However, this does not preclude the participation of other parties. All Interested Parties (IP) are invited to attend and make oral representations on the matters set out in the Agenda, subject to the ExA's control of Hearing procedure as noted below.

The ExA has sought to provide sufficient detail to assist the parties to prepare for the Hearing. The details set out above are indicative and the ExA may find it necessary to include additional Agenda items or to amend the order in which the items are dealt with.

All attendees at ISH5, whether they will be actively giving evidence or attending in support of those giving evidence, should note that if the ExA considers it appropriate, the ExA may adjourn its consideration of an agenda topic area mid item. Such adjournments may be used by the ExA to enable topic specialists to hold discussions with one another outside the hearing and then to return to the hearing to resume the giving of their evidence. Any adjournment of this type may be for several hours if the ExA considers that would enable constructive discussions between the parties to be held.

When witnesses are being introduced to the hearing those introductions should be restricted only to the giving of their names and topic specialism. There will be no need for any witness to provide an outline of their experience unless that is expressly requested by the ExA.

Anyone wishing to attend the Hearing in person, who has not already advised the Case Team of this, should do so as soon as possible.

The event will be livestreamed and a link for watching the livestream will be posted on the [project webpage of the National Infrastructure Planning website](#) closer to the Hearing date. IPs and members of the public who wish to observe the Hearing can therefore view and listen to the Hearing using the livestream, or view and listen to the recording, after it has concluded.

Registration Process

Parties who have registered to speak (both in person and virtually) will receive a Joining Instruction email shortly before the Hearing which will include a link to the virtual event on Microsoft Teams, and a telephone number should they need to participate by telephone. To enable the Hearing to start on time at **10:00** those attending virtually should join promptly at **09:30** to ensure that all virtual attendees can complete the Registration Process in good time.

Procedure at ISH

Guidance under the Planning Act 2008 and the Infrastructure Planning (Examination Procedure) Rules 2010 provides that it is for the ExA to probe, test and assess the evidence through direct questions of persons making oral representations at Hearings. Questioning at the Hearing will be led by the ExA. Cross-questioning of a person giving evidence by another person will only be permitted if the ExA decides it is necessary to ensure representations are adequately tested or that an IP has had a fair chance to put its case.