

IMMINGHAM EASTERN RO-RO TERMINAL



Cover Letter Submitting Changes Request

Document 10.3.10

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

PINS Reference – TR030007

November 2023

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By Email

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Our Ref
BG/10276966

Your Ref
TR030007

Date
29 November 2023

Dear Mr Gould

Immingham Eastern Ro-Ro Terminal (TR030007) Applicant's Request for Changes to the submitted Application for Development Consent

1. I write on behalf of our client Associated British Ports ("ABP") and with this letter I am submitting, on behalf of my client, a formal Request to the ExA to consider and accept into Examination four Changes to ABP's application for a DCO which if approved, will authorise the construction and operation of the Immingham Eastern Ro-Ro Terminal, ("IERRT").

Prior Notification of Proposed Changes

2. My letter of 19 October 2023 notified you of ABP's intention to propose four changes to the Application ("the Notification Letter") **[AS-026]**. That letter enclosed a Proposed Changes Notification Report **[AS-027]** which identified the nature of the proposed changes to the scheme. Appended to the Proposed Changes Notification Report was an Environmental Statement Addendum **[AS-028]**, which explained that the Proposed Changes will not result in any new or different likely significant environmental effects from those assessed within the original Environmental Statement that was submitted with the DCO application in February 2023 **[APP-035 to APP-110]**.
3. Within the Change Notification letter, I advised you that ABP would be undertaking a comprehensive non-statutory consultation exercise between 20 October 2023 and 23:59pm 19 November 2023, in compliance with the Guidance offered by PINS Advice Note Sixteen, Step 3. I can confirm that the consultation was undertaken as indicated and that a Consultation Report Addendum (application document 6.1.1) accompanies this Change Request. That Report details the consultation activities that were undertaken, including information as to who was consulted, why they were consulted and how ABP has given due consideration to all relevant representations received in response to the consultation.

4. It is noted in the context of this Change Request generally, that in its Rule 9 and 13 letter of 24 October 2023 [PD-015], the ExA indicated that based - “on the Applicant’s initial assessment and the summary information it has provided most particularly that included in “The proposed Changes Notification Report” and its Appendix 1, the ExA is minded to agree that the making of Changes 1 to 4 would be unlikely to result in a materially different project”.

Proposed Changes Request Report

5. The details of the Proposed Changes are set out in the Proposed Changes Request Report (application document 10.3.12). For the ExA’s assistance, however, I summarise the Proposed Changes below:
- a. **Proposed Change 1:** The Realignment of the Approach Jetty and Related Works to the Marine Infrastructure;
 - b. **Proposed Change 2:** A Realignment and Shortening of the Length of the Internal Link Bridge and Consequential Works;
 - c. **Proposed Change 3:** The Rearrangement of the UK Border Force Facilities; and
 - d. **Proposed Change 4:** The Possible Provision of an Additional Impact Protection Measure – in Conjunction with Enhanced Operational Marine Management Controls for Vessels Arriving at Berth 1 of the IERRT.
6. In preparing the Changes Request, I can confirm that ABP has fully taken into account, PINS Advice Note Sixteen (version 3, published March 2023), and the guidance provided by the ExA in its letter of 24 October 2023 [PD-015].
7. ABP submits the following documents for the ExA’s consideration in support of the Changes Request – together forming the change request application documents:

<u>Application Document Reference</u>	<u>Most recent Examination Library Reference</u>	<u>Document Title</u>
1.4	REP6-001	Guide to the DCO Application V8 (Clean)
1.4	REP6-002	Guide to the DCO Application V8 (Tracked)
2.3	APP-007	Works plans
2.5	APP-009	General Arrangement plans
2.6	AS-007	Engineering Sections Drawings and Plans
2.8	APP-012	Lighting Plan
3.1	REP6-003	Draft Development Consent Order V6 (Clean)
3.1	REP6-003	Draft Development Consent Order V6 (Tracked)
3.2	REP5-006	Explanatory Memorandum V5 (Clean)
3.2	REP5-007	Explanatory Memorandum V5 (Tracked)
5.1.1	N/A (New document)	Planning Statement (incorporating Harbour Statement) Addendum
6.1.1	NA (New document)	Consultation Report Addendum
8.1.1	N/A (new document)	Environmental Statement Addendum - Non-Technical Summary
10.3.8	N/A (New document)	Environmental Statement Addendum with Appendices

8.2.2	APP-038	Environmental Statement - Volume 1 - Chapter 2 - Proposed Development (clean)
8.2.2	APP-038	Environmental Statement - Volume 1 - Chapter 2 - Proposed Development (tracked)
8.2.3	APP-039	Environmental Statement - Volume 1 - Chapter 3 - Details of Project Construction and Operation (clean)
8.2.3	APP-039	Environmental Statement - Volume 1 - Chapter 3 - Details of Project Construction and Operation (tracked)
9.2	REP5-018	Construction Environmental Management Plan (CEMP) (clean)
9.2	REP5-019	Construction Environmental Management Plan (CEMP) (tracked)
9.7	APP-116	Schedule of Mitigation (clean)
9.7	APP-116	Schedule of Mitigation (tracked)
10.3.9	N/A (New document)	Change 4 – Navigational Simulations
10.3.10	N/A (New document)	Cover Letter Submitting Changes Request
10.3.11	N/A (New document)	Proposed Changes Request Report with Appendix

8. In addition to the above list, Appendix 1 to the Proposed Changes Request Report (application document 10.3.12) contains a full schedule of all the Change Application documents and plans, listing consequential revisions to each document and plan. I can confirm that there have been no changes to the consents or licences required as a result of the Proposed Changes, and there is no reason why these Proposed Changes would create any impediment to securing the necessary consents or licences before the Examination is concluded.
9. The Environmental Statement Addendum (application document 10.3.8) has been prepared to serve as a single reference point for all the environmental assessments that have been undertaken with respect to the Proposed Changes. Updated versions of Chapter 2 and Chapter 3 of the Environmental Statement [**APP-038 to APP-039**] are, however, also provided with the Change Request, which for clarification and assistance, incorporate the proposed changes to the DCO application if accepted by the ExA.
10. I can confirm that the Proposed Changes do not involve changes to the Order Land, and as such the Infrastructure Planning (Compulsory Acquisition) Regulations 2010 (“the CA Regulations”) are not engaged. As the CA Regulations are not engaged, ABP is not submitting updated versions of the Book of Reference, Statement of Reasons or the Funding Statement as part of the Proposed Changes Application.
11. Following the discussions at Issue Specific Hearing 6 on 23 November 2023, and at the request of the ExA, the Applicant can confirm that it will separate the revised outline Construction Environment Management Plan (CEMP) (application document 9.2) into two distinct outline CEMPs, one for offshore construction activities and the other for landside construction activities. The two separated outline CEMPs will be submitted into the Examination no later than Deadline 7. The CEMP that has been prepared with this Changes Application, however, remains a single document and highlights the consequential changes that will need to be made to the CEMP as a result of the Proposed Changes.

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

Yours sincerely

Brian Greenwood

Brian Greenwood
Clyde & Co LLP

Encs.