

Lily Robbins
Case Manager
National Infrastructure Planning
Temple Quay House
2 The Square
Bristol
BS1 6PN

Our Ref
JZH/ADW/204604.0001
Date
11 December 2023

Dear Ms Robbins

DFDS submissions for Deadline 7 - Immingham Eastern Ro-Ro Terminal DCO

We act for DFDS Seaways plc (DFDS) who, as an Interested Party, have been assigned the reference IMRO-AFP007.

We write to outline DFDS's submissions at Deadline 7 in the Immingham Eastern Ro-Ro Terminal (IERRT) DCO examination, matching the list of items requested for Deadline 7 in the Rule 8 letter and Rule 17 letter dated 6 December 2023.

DFDS makes the following submissions with this letter:

1. Summary of Case made at ISH5 by DFDS;
2. Summary of Case made at ISH6 by DFDS;
3. Comments on Deadline 6 submissions; and
4. Comments on the ExA's recommended changes to the dDCO.

Statement of Common Ground

DFDS sent a signed Statement of Common Ground to the Applicant on 8 December 2023, for the Applicant to sign and submit at Deadline 7 and then made an amendment to it today to refer to RoPax vessels. This evening the Applicant replied to say DFDS is mischaracterising what the Harbour Master Humber said about the tidal direction at ISH5 and also to object to the inclusion of a reference to RoPax vessels. We enclose the version sent to the Applicant today, but we make it clear that this version is not agreed by the Applicant in relation to those two issues.

Registered Office

One Bartholomew Close
London
EC1A 7BL
DX 339401 London Wall

50/60 Station Road
Cambridge
CB1 2JH
DX 339601 Cambridge 24

The Anchorage
34 Bridge Street
Reading, RG1 2LU
DX 146420 Reading 21

Grosvenor House
Grosvenor Square
Southampton, SO15 2BE
DX 38516 Southampton 3

T +44 (0)345 222 9222

W www.bdbpitmans.com

Actions points arising from ISH5 and ISH6

ISH5	Action point	DFDS update
	1	Appended to Summary of Case made at ISH5.
	5	Relevant information sent to the Applicant on 22.11.23, 03.12.23 and 04.12.23. Copies are appended to this letter.
	13	Email sent to the Applicant on 03.12.23 informing them that current personnel were not involved in those simulations as they were undertaken some time ago, the team have undertaken relevant searches and have been unable to locate those simulations.
	22	Relevant information sent to the Applicant and a copy is appended to this letter.
	28	Relevant information sent to the Applicant and a copy is appended to this letter.
	29	Relevant information sent to the Applicant and a copy is appended to this letter.
	27	<p>Please note this Action Point is directed to the Applicant rather than DFDS, however, DFDS has the following comments:</p> <p>This item was further discussed in ISH5, with concerns raised by interested parties that the information in the Examination library (REP5-028) is not linked to the Transport Assessment and it is not clear that the information in the Transport Assessment (AS-008) is currently incorrect. The Applicant agreed to review the need for revising the Transport Assessment and provide further feedback to the ExA as part of ISH5 Action Point 27. It is DFDS' view as stated in REP6-038 in paragraphs 24, 44, 47, and 73 that the Transport Assessment should be revised in its entirety given the influence of the PCU conversion factor on the numbers presented therein. In addition, any other documents that rely on the Transport Assessment (i.e. the Environmental Impact Assessment) should be reviewed and revised where appropriate. This is to ensure there is a clear and logical record of the basis of the Transport Assessment, allowing easy reference to</p>

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		<p>the appropriate information by the ExA, local authorities and IPs, and preventing the potential for confusion in the future with references to this data. DFDS responses at Deadline 6 (REP6-038, para 3-6) highlighted such areas of confusion, noting that the SoCG between ABP and National Highways (REP5-009) and between ABP and North Lincolnshire Council (REP5-010) both refer to the Transport Assessment (AS-008) and not the revised technical note (REP5-028).</p> <p>It is also noted that other DCO applications, such as the IGET project, are referencing data from the IERRT Transport Assessment, which may also be referring to the incorrect information contained within AS-008.</p>
ISH6	11	<p>Sent to the ExA and Applicant on 29.11.23, revised text for paragraph 125 sent to the ExA and the Applicant on 06.12.23. A copy of the latter is appended to this letter.</p>

Yours sincerely

[Redacted signature]

BDB Pitmans LLP

[Redacted contact information]