

IMMINGHAM EASTERN RO-RO TERMINAL



Applicant's Response to Marine Management Organisation's Deadline
8 Submissions
Document Reference: 10.2.101
APFP Regulations 2009 – Regulation 5(2)(g)
PINS Reference – TR030007
January 2024

Document Information

Document Information		
Project	Immingham Eastern Ro-Ro Terminal	
Document Title	Applicant's Response to Marine Management Organisation's Deadline 8 Submissions	
Commissioned by	Associated British Ports	
Document ref	10.2.101	
APFP Reg 2009	Regulation 5(2)(q)	
Prepared by	IERRT Project Team	
Date	Version	Revision Details
15/01/2024	01 Deadline 9	Submitted at Deadline 9

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1 **Executive Summary**

1.1 This document provides the Applicant's response to the information submitted by the Marine Management Organisation ("MMO") at Deadline 8. These submissions in turn draw upon information submitted by MMO prior to that deadline.

1.2 The MMO submissions to which responses are now being provided are Deadline 8 Submission – Comments on Deadline 7 Submissions, MMO Response to ExQ4 and Other Comments **[REP8-041]**.

2 **Introduction**

2.1 This document provides the Applicant's response to the information submitted by the Marine Management Organisation ("MMO") at Deadline 8. These submissions in turn draw upon information submitted by MMO prior to that deadline.

2.2 The MMO submissions to which responses are now being provided are Deadline 8 Submission: Comments on Deadline 7 Submissions, MMO Response to ExQ4 and Other Comments **[REP8-041]**.

3 **Section 1: MMO Comments on Deadline 7 Submissions**

3.1 At paragraph 1.1.1 of its response, the MMO notes that Natural England has concerns relating to the undertaking of vibro-piling at night in respect of lamprey and that they have conveyed these concerns to the Applicant. The MMO welcomed this dialogue and stated that it would welcome an updated dDCO from the Applicant addressing Natural England's comments. At **[REP8-024]** the Applicant confirmed that it will extend the night-time restriction on percussive piling to vibro-piling activities as well, in order to resolve this issue. This will be secured in the DML in an updated version of the dDCO to be submitted at Deadline 10.

4 **Section 2: MMO Response to ExQ4**

4.1 At paragraph 2.2 of its Deadline 8 response, the MMO correctly explains that it is still under discussions with the Applicant regarding the suitability of the piling campaign and proposed mitigation and monitoring, and these have not yet been agreed.

4.2 On 10 January 2024, a meeting was held with the MMO and Cefas with a view to settle this matter. At this meeting, the Applicant's proposals for a piling reporting protocol, as set out in BNE.4.10 **[REP8-020]**, were agreed with the MMO. This will be reflected in an updated Statement of Common Ground (SoCG) which should be submitted at Deadline 10. The updated SoCG will record that all matters between the MMO and Applicant are now agreed.

4.3 It is noted that the MMO has no comments regarding the HRA.

5 **Section 3: Other Comments**

5.1 The MMO refers to concerns '*which have not yet been addressed during the Examination process*' which are listed in their Deadline 7 response **[REP7-037]**. The Applicant confirms that it submitted responses to the MMO's

Deadline 7 response at Deadline 8 **[REP8-041]**, addressing the matters raised by the MMO.

- 5.2 The Applicant can confirm that the MMO's comments regarding the DCO, including the DML, in Section 4 of **[REP7-037]** have been resolved. An updated DCO (which included an updated DML) was submitted at **[REP8-005]**.
- 5.3 As noted above, outstanding concerns regarding mitigation for underwater noise from piling and the proposed reporting protocol have now been resolved with the MMO during a meeting on 10 January 2024.
- 5.4 The Applicant confirms that a final and signed version of the SoCG between the MMO and the Applicant should be submitted at Deadline 10. All matters are now agreed between the MMO and the Applicant, and the Applicant awaits a signed version of the SoCG from the MMO.