

IMMINGHAM EASTERN RO-RO TERMINAL



Cover Letter to PINS regarding the Applicant's Deadline 9 Submissions

Document 10.2.96

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

PINS Reference – TR030007

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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
15 January 2024

Dear Ms Robbins

**Immingham Eastern Ro-Ro Terminal (TR030007)
Deadline 9 Submission**

I 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]**, as amended by the Procedural Decision of the ExA dated 6 December 2023 **[PD-021]**, we are today submitting the documents set out in the table below as required for Deadline 9.

<u>Document Title</u>	<u>Document Reference</u>
Guide to the DCO Application V12 (Clean)	1.4
Guide to the DCO Application V12 (Tracked)	1.4
Statement of Reasons Addendum	4.2.1
Statement of Common Ground between Associated British Ports and National Highways v2	7.2
Statement of Common Ground between Associated British Ports and Anglian Water v2	7.11
Statement of Common Ground Tracker V9	10.2.9
Principal Areas of Disagreement Tracker V9	10.2.10
Protective Provisions Tracker V9	10.2.11
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Applicant's Response to CLdN's Deadline 8 Submissions	10.2.97
Applicant's Response to IOT Operators' Deadline 8 Submissions	10.2.98
Applicant's Response to DFDS' Deadline 8 Submissions with Appendices	10.2.99
Applicant's Response to Natural England's Deadline 8 Submissions	10.2.100
Applicant's Response to the Marine Management Organisation's Deadline 8 Submissions	10.2.101
Applicant's Response to Deadline 8 Submissions made by Highway Authorities	10.2.102
Letter of Comfort from PK Construction	10.2.103

Draft Development Consent Order (dDCO)

Under the revised examination timetable **[PD-021]**, the Applicant was required to submit its final dDCO at Deadline 8. In accordance with this, the Applicant provided what it had anticipated to be its final version of the dDCO **[REP8-005]**, which was supported by a validation report and an editable word version of the dDCO.

Following the ExA's Rule 17 letter dated 12 January 2024 **[PD-029]**, the Applicant notes that several questions have been raised which may require some amendments to the dDCO. The Applicant has also agreed final wording for its protective provision with Network Rail and has been requested by the MMO (in a meeting on 10 January 2024) and National Highways to make minor amendments to the Deemed Marine Licence and Requirements respectively. As such, the Applicant will be using Deadline 10 as an opportunity to make final amendments to the dDCO. The ExA have also requested that the Applicant provides a revised version of the Explanatory Memorandum at Deadline 10, which will be provided alongside a revised, final dDCO.

Statements of Common Ground (SoCG)

The ExA issued a Rule 17 Letter to the Applicant requesting that the Applicant provides further information regarding the status of several outstanding SoCG **[PD-023]**. As noted in its response to this letter **[AS-082]**, the Applicant has continued to work with all of the interested parties in order to finalise the SoCG as soon as possible. The Applicant is submitting the following final, signed copies of SoCG Ground at Deadline 9:

- National Highways (Document Reference 7.2)
- Anglian Water (Document Reference 7.11)

Further to the ExA's Variation to Timetable **[PD-026]**, the Applicant will endeavour to submit all of the outstanding SoCG at Deadline 10. All but one of the outstanding SoCG currently sit with the respective interested parties, and as such the Applicant is unable to progress these further until it receives a response from the relevant party. The SoCG which currently sits with the Applicant was only received today, and the Applicant has not had sufficient time to review this document in advance of Deadline 9. DFDS provided a revised SoCG draft at 17:06 on 15 January 2024. The Applicant has provided an update of the latest status of each outstanding SoCG in its SoCG Tracker (Document Reference 10.2.9).

Compulsory Acquisition – Letters of Comfort

In the Action Points arising from Compulsory Acquisition Hearing 1 **[EV8-004]**, the ExA required the Applicant to obtain and submit “letters of comfort” from Drury Engineering Services Limited (‘Drurys’), Malcom West Fork Lifts Limited (‘Malcom West’) and PK Construction (Lincs) Limited (‘PK Construction’) prior to the close of examination. Further to the submission of the letters of comfort from Drurys **[REP8-035]** and Malcom West **[REP8-036]** at Deadline 8, the Applicant is pleased to confirm that it is submitting a letter with PK Construction at Deadline 9 at Document Reference 10.2.103. This action point has therefore been fulfilled.

With respect to Volkswagen Group United Kingdom Limited (‘VW’), the Applicant has continued to progress towards agreeing alternative arrangements for VW to take a lease at the Port of Grimsby and therefore vacating their site at the Port of Immingham, in order to facilitate the delivery of IERRT, Heads of Terms are in circulation in respect of the proposals which are subject to review by VW’s board, at Head Office in Germany.

The Applicant understands that the Crown Estate is content to issue its Section 135 consent for the IERRT and that this will be submitted to the ExA shortly and, in any event, prior to the close of the Examination.

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

Yours sincerely

[REDACTED]

Brian Greenwood
Clyde & Co LLP