



Meeting note

Project name	Immingham Eastern Ro-Ro Terminal
File reference	TR030007
Status	Final
Author	The Planning Inspectorate
Date	10 November 2021
Meeting with	Associated British Ports (ABP)
Venue	Microsoft Teams
Meeting objectives	Project update meeting
Circulation	All attendees

The Applicant and The Planning Inspectorate (the Inspectorate) introduced themselves and their respective roles. The Inspectorate advised that a note of the meeting would be taken and published on its website in accordance with section 51 of the Planning Act 2008 (the PA2008). Any advice given under section 51 would not constitute legal advice upon which applicants (or others) could rely.

Submission date and project timing

The Applicant stated that they were intending to run their statutory consultation from 12 January 2022 until 16 February 2022 – subject to any imposed Covid restrictions or other unavoidable delays¹. The Applicant suggested a submission date of Summer (Q3 2022).

Project update

The Applicant's team were preparing the Preliminary Environmental Information Report (PEIR). The draft Statement of Community Consultation (SoCC) was set to be circulated to the relevant local authorities week commencing 15 November 2021. The Applicant's team had spoken to two principal authorities.

The Applicant's preference would be to undertake an in-person community exhibition which would also include online elements, however an online alternative would be provided if COVID-19 restrictions were implemented. The Inspectorate welcomed that the Applicant was discussing the exhibition with the local authority. To ensure that the community consultation was accessible to all members of the local community, the Applicant confirmed that they would provide hard copies of the Environmental Statement's (ES) Non-Technical Statement (NTS) and USBs containing the ES would be available on request.

There were four tenants within the site comprising of one main tenant with three sub-lets, and also a private easement. The Applicant explained that negotiations were

¹ Following the meeting, the Applicant wrote to all consultee local authorities informing them that the start of the statutory consultation had been amended from 12 January to 19 January 2022, with the new consultation period closing on Wednesday 23 February 2022. This was due to uncertainties regarding Covid restrictions in early 2022 and would enable adjustments to consultation methods to be made if required.

ongoing to seek voluntary agreements thereby avoiding the need for Compulsory Acquisition (CA). However for completeness, the Applicant anticipated inclusion of Compulsory Acquisition provisions within the draft Development Consent Order (dDCO).

Scoping

The Applicant raised several queries about the Scoping Opinion, in particular some advice from NE. The Inspectorate advised that where the Applicant has specific queries about the advice in NE's consultation response, the Applicant should raise this directly with NE.

The Applicant stated that NE have informed them that they were currently not able to provide a discretionary advice service at the moment and would therefore only respond to statutory consultations.

The Applicant informed the Inspectorate that they had received a response to the scoping report from North Lincolnshire Council (NLC). The Inspectorate requested that the Applicant contact NLC to forward their late response directly to [Inspectorate](#) so it could publish it on their website.

The Applicant queried the provision of a landscaping assessment which was requested by NE in their consultation response to the Scoping Report. The Inspectorate reiterated that they cannot comment on NE's consultation response but noted that if the Applicant disagreed with the advice they should liaise directly with NE on the matter. The Inspectorate advised the Applicant to provide evidence (within the application documents) to support their position, if they did not reach an agreement with NE.

The Applicant confirmed that ground investigations are planned for late 2021 to early 2022. It is therefore anticipated that this information will not be ready for PEIR but will be included in the ES. The Inspectorate stated that it would be helpful to include as much detail in the PEIR as possible. The Inspectorate confirmed that in section 4.3 of the Scoping Opinion, in 4.3.5, the phrase 'likely to substantially increase collision risk' should read 'unlikely to substantially increase collision risk'.

The Applicant clarified that ecological receptors would be assessed and discussed in both the PEIR and ES. The Applicant informed the Inspectorate that it did not anticipate including a separate terrestrial ecology chapter within the ES and that impacts on ecological receptors would be reported in other topic chapters (such as Air Quality). Furthermore, the Applicant proposed to append the preliminary ecological appraisal to the ES with its key findings to be referred to in the main text. In response, the Inspectorate outlined that it would expect the ES to present a justification setting out why the Applicant considers that no Likely Significant Effects are likely to arise on terrestrial ecology. Additionally, the Inspectorate advised that a specific section on indirect impact on ecology should be included within the ES and this should signpost the reader to other ES chapters where ecology impacts have been assessed.

The Inspectorate expressed concern about site specific surveys for birds which was raised in the NE consultation response and included in the scoping opinion. The Inspectorate asked for clarification from the Applicant as to whether bird surveys had been undertaken. The Applicant confirmed that bird counts in the area had been undertaken however the Inspectorate would like clarification on whether the counts included the autumn passage will be included. The Applicant would look into this.

The Inspectorate noted that the scoping report included various matters to be scoped out. In some cases this had not been agreed as the Inspectorate did not consider there was enough evidence in the scoping report to support a decision to scope out effects. The Inspectorate advised that the ES contains a detailed justification, including evidence where applicable, explaining why no Likely Significant Effects are predicted.

The Applicant queried the approach to the ES in instances where consultees requested additional assessments and the Applicant has attempted to follow these specific issues up with the appropriate bodies but received no response. The Inspectorate suggested that the ES should contain a robust justification, including evidence, as to why no Likely Significant Effects were anticipated.

The Inspectorate observed that the Scoping Report to include high level information and reiterated the importance of the provision of baseline data and covering all comments of the Scoping Opinion and consultation responses within the ES to ensure a smooth examination process.

Update from PINS

The Inspectorate advised that virtual and blended examinations were now taking place and that the processes are still under review.

Summary of Actions/follow up meeting

The following actions were agreed:

- The Applicant would ensure that the Inspectorate remains updated on the application programme.
- The Applicant would confirm status and further details of the autumn bird passage surveys to the Inspectorate.
- The Applicant confirmed that they would prefer to schedule the next meeting with the Inspectorate following their next Statutory Consultation period. Given the Applicant's programme, the Inspectorate would circulate suggested dates for the final two weeks in February 2022.
- The Applicant would provide the principal issues arising from statutory consultation responses.