



## Meeting note

<b>Project name</b>	Immingham Eastern Ro-Ro Terminal
<b>File reference</b>	TR030007
<b>Status</b>	<b>Final</b>
<b>Author</b>	The Planning Inspectorate
<b>Date</b>	28 February 2022
<b>Meeting with</b>	Associated British Ports (ABP)
<b>Venue</b>	Microsoft Teams
<b>Meeting objectives</b>	Project update meeting
<b>Circulation</b>	All attendees

## **Introductions and openness policy (the Inspectorate)**

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 (Applicant)**

The Applicant informed the Inspectorate that the project submission is scheduled for June 2022. The Applicant explained that the submission date is being driven by the build out date for works and operational requirements.

The Inspectorate requested to be informed promptly of any changes to the submission date and advised the Applicant to only submit their application when it's ready for examination. It also advised the Applicant to project plan for the maximum time periods for each stage once the application has been submitted, including a period of approximately 4 – 5 months for the Pre-examination stage, this is to allow for any unexpected occurrences.

## **Project status and progress**

The Applicant confirmed that the Statutory Consultation period ended on 23 February 2022. Four exhibitions were held, two were held within the port, which were well-attended, and two outside the port. Road traffic was the most common concern raised, with the exact method to prevent congestion at the Port's two gates still to be determined. In general, the Applicant explained that positive feedback was received, and no unexpected concerns were raised.

## **Statutory consultation and issues arising**

The Applicant has met all key regulators, including Marine Management Organisation (MMO), Natural England (NE) and the Health and Safety Executive (HSE). The Applicant was reviewing the alignment and location of berths within the outer harbour, reviewing

consultation responses and engineering analysis. It is looking for opportunities to reduce impacts on the Special Protection Area (SPA) and traffic impacts in the local area.

The Inspectorate referred to the guidance which states that statutory consultees and local communities should be informed of any changes that do not materially change the application. The Applicant indicated that it proposed to produce a short newsletter update to be sent to recipients, if required. [Post Meeting note – see ‘When should consultation take place and how much is enough’ within the ‘Planning Act 2008 Guidance on the pre-application process’

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/418009/150326\\_Pre-Application\\_Guidance.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/418009/150326_Pre-Application_Guidance.pdf)]

The Applicant confirmed the two host Local Planning Authorities (LPAs) as North Lincolnshire Council and North East Lincolnshire Council (NELC). Although the Applicant explained that NELC had been supportive of the project, no formal response had been received from them during consultation. [Post meeting note added by ABP: NELC have submitted a very helpful consultation response and continue to support the project.]

The Inspectorate urged the Applicant to promote effective engagement with LPAs. Early preparation of documents such as Local Impact Reports and Relevant Representations could be useful. The Inspectorate’s [Advice Note One](#) and [Advice Note Two](#) should be highlighted to the LPAs.

The Inspectorate had been copied into Historic England’s (HE) consultation response and queried whether further information could be provided to enable a more detailed response from HE within the proposed timeline. The Applicant confirmed that it was in the process of collating comments and observations in a systematic way, and it would continue dialogue with the statutory bodies. The Applicant stated that the feedback so far from the regulators was positive and its aim was to agree regulatory reports and standalone agreements prior to the end of Examination.

The Applicant confirmed that any feedback received outside the consultation period would be captured in their consultation report.

The Applicant stated that all supplementary reports to the Environmental Statement (ES) and standalone reports would be drafted prior to submission. The Applicant confirmed that all assessments would reflect any changes to the project, for instance any changes to the number of berths.

The Applicant advised expected key issues during Examination were traffic, noise, impacts on the SPA and navigational safety. The Applicant confirmed that carbon emissions and air quality were also issues that would be considered.

The Inspectorate noted the timing of consultation. The Applicant confirmed that the 28 days statutory requirement had been met. The Inspectorate asked the Applicant to include all newspaper notices in the consultation report, with dates visible, so it could evidence meeting this requirement from the date of the last newspaper notice.

## **Compulsory Acquisition (CA)**

The Applicant referred to negotiations with one particular tenant (with several sublets) and stated that an agreement is likely to be reached before submission. As a precautionary measure, the Applicant would apply for CA as part of the Development Consent Order (DCO) and confirmed, a Book of Reference is currently being drafted. Although Category 3 persons were not expected, the Applicant welcomed any further advice in this area. [Post Meeting note - the Applicant was referred to the [Meeting Note](#) of 19 of August in relation to ENRMF Western Extension].

### **Transboundary screening**

The Inspectorate noted that Iceland and Denmark have been notified following transboundary screening of the Proposed Development. If the application for the Proposed Development is accepted, then the transboundary screening would be updated, and the relevant states would be re-notified as necessary. The Applicant stated that the design revisions to the Proposed Development would reduce impacts on the intertidal zone and population level effects on the bird species which are features of the SPA are not expected. The Applicant queried whether the application documents should include a statement about transboundary effects; the Inspectorate confirmed that this would be helpful.

### **Consultation with NE regarding bird surveys**

Extra surveys were being carried out in March and April 2022 as a result of ongoing consultations with NE. Furthermore, the Applicant will consider any restrictions during construction due to the impact on birds and fish. The Applicant confirmed that the survey results will be available by the time of submission, and it had data from the past 20 years of the relevant bird species due to its experience in the Humber area. The Inspectorate emphasized the requirement for the adequate baseline information in the ES.

The Inspectorate made reference to the issues some windfarm projects had experienced. If the Applicant did conclude that derogations under the Habitats Regulations were required, then the Inspectorate advised that any compensatory measures should be developed before submission rather than during Examination.

### **Update from PINS**

The Inspectorate advised that hearings may be virtual or with some blended elements moving forward and cases are considered by the Examining Authority (ExA) on a case-by-case basis. The Inspectorate explained that during the past two years Preliminary Meetings (PMs) had been held in two parts. In the future it is likely that PMs will go back to being held in a single day with a reserve PM (in case of technical issues) the same or following day (a larger gap may be required in some instances).

The Inspectorate stated that screens and a good connection will be required at the venue if a blended (in person and virtual) event is planned. It would liaise with the Applicant regarding venues if required. Furthermore, The Inspectorate offered to provide the Applicant with a list of Audio-Visual companies currently being contracted by applicants in Examinations. However, this was not an endorsement or an exclusive list.

The Inspectorate highlighted the requirement to provide a live stream and the benefits of this for some participants. The Inspectorate found that engagement had been easier for some statutory bodies and other Interested Parties via virtual events.

In terms of drafting application documentation, the Inspectorate advised that [Advice note 8.4](#) had been updated regarding the use of hyperlinks. Only verifiable hyperlinks will be accepted (e.g. to gov.uk websites).

If the Applicant wishes to request draft document review, the Inspectorate advised the Applicant to highlight specific queries regarding the draft DCO or Explanatory Memorandum (EM). This could help to reduce the six-week review period.

### **Summary of Actions/follow up meeting**

The Inspectorate to set up monthly Project Update Meetings, which could be cancelled if not necessary.

