

By Email Only

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Reference: TR030008

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Our Ref: JEW/10995/00084

Dear Sirs

Application by Associated British Ports for an Order Granting Development Consent for Immingham Green Energy Terminal (“IGET”) under the Planning Act 2008**Rule 6 of the Infrastructure Planning (Examination Procedure) Rules 2010****Letter dated 8 January 2008**

Winckworth Sherwood acts for Captain Andrew Firman, the Harbour Master, Humber.

On behalf of Captain Firman, we submitted a Relevant Representation to the IGET examination, which explained that the Harbour Master, Humber (“HMH”) is the appointee of Associated British Ports in its capacity, not as port owner and operator, but as the statutory conservancy and navigation authority (“SCNA”) for the River Humber. The SCNA has statutory responsibility for the regulation of vessel movements and navigational safety on the Humber and Captain Firman also has his own independent statutory functions as Harbour Master for the Humber. His interest in participating in the examination is to assist the Examining Authority as required in matters relating to the management of vessel movements on the Humber and navigational safety for which he is responsible.

We are writing now to raise the matters set out below with the Examining Authority in advance of Procedural Deadline A on 6 February and to seek confirmation from the Examining Authority that it is content with our proposals.

Humber Estuary Services

We note that the Examining Authority has requested separate Statements of Common Ground between the Applicant and HMH and between the Applicant and Humber Estuary Services (“HES”). Similarly, the Examining Authority’s draft first written questions and requests for information, issued on 12 January 2024 are addressed to HMH and HES VTS as separate Interested Parties.

HES has not made a Relevant Representation. Humber Estuary Services is the name used informally by ABP in its capacity as SCNA, akin to a trading name. Amongst other activities, HES provides VTS Humber (which supervises commercial vessel traffic on the Humber) and controls

pilotage services. HMM leads all HES's marine operations on the Humber and is best-placed to respond on any points relating to the SCNA (HES).

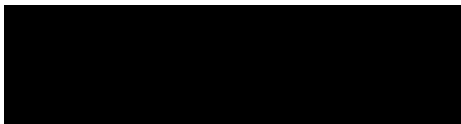
Against this background, Captain Firman proposes a single Statement of Common Ground to cover both the points which the Examining Authority addressed to him directly in his capacity as HMM and those addressed to HES. Captain Firman also proposes to answer the draft first written question Q1.16.1.10 directed to HES VTS as well as those directed to HMM. We respectfully suggest that any further questions for the SCNA that arise during the course of the examination may properly be addressed to HMM. Please would the Examining Authority kindly confirm that it is content with this approach.

Preliminary Meeting and ISH3

Captain Firman will be abroad during the week commencing 19 February and will be unable to attend either the preliminary hearing or ISH3 (Marine Side Issues, including draft Development Consent Order).

We propose that an appropriate course, at this early stage of the examination, would be for Winckworth Sherwood to attend the preliminary meeting and ISH 3 on Teams, rather than in person, and to take away any points that may arise relating to matters within Captain Firman's purview for inclusion in his written submissions at Deadline 1. We would be grateful if the Examining Authority would confirm that it is content with this approach in time for us to respond accordingly to the Procedural Deadline A.

Yours faithfully



Winckworth Sherwood LLP

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