



Immingham Green Energy Terminal
Planning Inspectorate
imminghamget@planninginspectorate.gov.uk

MMO Reference: DCO/2022/00012
Planning Inspectorate Reference: TR030008

6 February 2024

Dear Sir or Madam,

Proposed Immingham Green Energy Terminal Development Consent Order

Response to Examining Authority's Rule 6 Letter

On 25 October 2023, the Marine Management Organisation (the "MMO") received notice under section 55 of the Planning Act 2008 (the "PA 2008") that the Planning Inspectorate ("PINS") had accepted an application made by Associated British Ports (the "Applicant") for determination of a development consent order for the construction, maintenance and operation of the proposed Immingham Green Energy Terminal (the "DCO Application") (MMO ref: DCO/2022/00012; PINS ref: TR030008).

The Applicant seeks authorisation for the construction, operation, and maintenance of a multi-user liquid bulk terminal which would be located on the eastern side of the Port of Immingham ("the Port"), as well as associated development (collectively termed "the Project"). The associated development would comprise the construction and operation of a green hydrogen facility and landside works for the production of green hydrogen from imported green ammonia on site.

The MMO received a Rule 6 letter on 8 January 2024. Please find the MMO comments below on the following topics;

- 1. Preliminary Meeting Attendance**
- 2. Comments on Examination Timetable**
- 3. Anything further required from Examination Authority**
- 4. Request to attend and be heard orally at ISH1 and ISH2**

Yours sincerely





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1. Preliminary Meeting Attendance

- 1.1 The MMO will not be attending the Preliminary Meeting on Tuesday 20 February 2024. The MMO has reviewed the draft timetable for the examination of the application and would like to highlight the following concerns for consideration by the Examining Authority (ExA).

2. Comments on Examination Timetable

- 2.1 With regards to the examination timetable the MMO notes that the preliminary hearing and the first issue specific hearing (ISH1) are set to take place on the same day (20/02/2024), with the following ISHs set to take place in the following days. The MMO questions the practicality of this as preliminary hearings that the MMO have attended in the past have taken some time to complete. We request that the ExA consider rearranging these hearings for different days to allow all participants the ability to attend.
- 2.2 The MMO also notes that the ExA is intending to issue the finalised examination timetable 'As soon as practicable following the Preliminary Meeting'. The MMO welcomes this, however, given the tight turnaround between the first preliminary hearings and the Deadline 1 submissions, could the ExA confirm the date for Deadline 1 submissions as soon as possible to allow for the necessary documents to be drafted and completed.
- 2.3 Finally, the MMO notes that at every proposed deadline, the ExA has requested a 'dDCO (If required)'. The MMO would ask for greater clarity on this point in order to factor in the time to review the documents and would suggest that firm dates for the submission of a dDCO are offered to allow for necessary preparations to be made. This approach was done on the recent Immingham Eastern Ro-Ro Terminal Examination, and the MMO strongly suggests that this examination timetable is updated to have dedicated deadlines for submissions of updated DCOs.

3. Anything further required from Examination Authority

- 3.1 The MMO has nothing else to raise at this stage.

4. Notification that the MMO will not be attending ISH1 or ISH2

- 4.1 The MMO is aware that the ISH1 is associated with an overview of the development and ISH2 and ISH3 are associated with the draft Development Consent Order and Marine Ecology (amongst other topics). Given the proximity of these hearings to the Preliminary Hearing and the fact that both hearings are set to take place before the submission of Deadline 1 responses, the MMO will not be attending any of the hearings, unless the ExA requests that it does so. The MMO reminds the ExA that the DCO process is a written process and considers that more emphasis should be placed on this aspect throughout the examination.

