



**Marine
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Immingham Green Energy Terminal Case Team
Planning Inspectorate
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(By email only)

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

26 March 2024

Dear Mr Hunter

Planning Act 2008, Immingham Green Energy Terminal – Deadline 2 Submission

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 DCO application 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.

This document comprises the MMO comments in respect of the DCO Application submitted in response to Deadline 2.

The MMO submits the following:

- 1. Comments on responses to Relevant Representation**
- 2. Comments on Written Representations**
- 3. Comments on responses to the Examining Authority’s First Written Questions**
- 4. MMO attendance at upcoming hearings**

This written representation is submitted without prejudice to any future representation the MMO may make about the DCO Application throughout the examination process. This representation is also submitted without prejudice to any decision the MMO may make on any associated application for consent, permission, approval or any other type of authorisation submitted to the MMO either for the works in the marine area or for any other authorisation relevant to the proposed development.

Yours Sincerely,





Phillipa Koomson
Marine Licensing Case Officer

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1. Comments on responses to Relevant Representations

- 1.1. The MMO has provided its comments in relation to the Applicant's response to our Relevant Representation in Section 4 of our Deadline 1 response and will therefore not repeat any comments in regards to at Deadline 2.
- 1.2. The MMO has no further comments regarding responses to Relevant Representations made by the Applicant or other Interested Parties.

2. Comments on Written Representations

Environment Agency – REP1-073

- 2.1. The MMO notes that a revision to the draft Development Consent Order (dDCO) was submitted at Procedural Deadline A [PDA-005], which confirmed acceptance of some of the Environment Agency's requested amendments. Accordingly, the MMO can confirm that we are satisfied that the following matters are now resolved between the EA and the Applicant:
 - Requirement 6 (Construction Environmental Management Plan – RR-010, paragraph 3.5) – request to be a consultee now included;
 - Requirement 18 (Decommissioning Environmental Management Plan – RR-010, paragraph 3.8 – request to be a consultee now included;
 - Schedule 17, Article 63 (Procedure regarding certain approvals – RR-010, paragraphs 3.13-3.16) – 20 business days included to provide sufficient consultation timescales.
- 2.2. The MMO notes that the Environment Agency are unable to provide full comments on all documents submitted at Deadline 1 for this deadline due to limited time and staff resources. The MMO will review the Environment Agency's comments on these documents when submitted into examination at Deadline 3.

Natural England – REP1-085

- 2.3. The MMO notes that Natural England (NE) still has remaining concerns and that insufficient information has been submitted by the Applicants to sufficiently close out the following areas of discussion:
 - Internationally designated sites
 - Nationally designated sites
- 2.4. The MMO ultimately defers to NE on these matters as the Statutory Nature Conservation Bodies and hopes that the Applicant and NE can resolve these matters prior to the close of Examination. The MMO welcomes inclusion in discussions if resolutions require change or input to the DML, additionally, should it be considered that a Wildlife Licence is required due to certain species being protected by the Wildlife and Countryside Act 1981, the MMO will need to be involved in such discussions.
- 2.5. The MMO notes outstanding 'yellow' issues, which NE are requesting to be addressed, however would not significantly affect overall recommendations or the final decision. The MMO will keep a watching brief on these issues and review any updates if submitted by the Applicant.



3. Comments on responses to the Examining Authority's First Written Questions

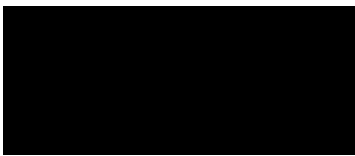
Applicant's Responses to the Examining Authority's First Written Questions – REP1-026 and REP1-039

- 3.1. Regarding Questions 1.5.2.2, and 1.5.2.3, the MMO has reviewed the Applicant's responses and has no further comments to make at this time.
- 3.2. Regarding Q1.18.3.16, the MMO notes the Applicant's response regarding Article 46. The MMO has provided further text regarding this Article in Section 3 of our Deadline 1 response and refer the ExA to this.

4. MMO attendance at upcoming hearings

Following publication of the hearing notification, the MMO notes there are planned to be further Issue Specific Hearings between Tuesday 9 April and Wednesday 10 April 2024, and Tuesday 16 April and Thursday 18 April 2024, related to landside and marine side issues and the draft DCO. The MMO does not have any major issues regarding this project at this time that we would like to discuss at these hearings and additionally due to resource availability and the productive nature of discussions between the MMO and the Applicant thus far, the MMO will not be attending these hearings. We will review the recordings and respond to any action points, if required, at Deadline 3.

Yours sincerely,



Phillipa Koomson
Marine Licensing Case Officer

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