



HEARING AGENDA

Application by Associated British Ports for an Order Granting Development Consent for Immingham Green Energy Terminal

Issue Specific Hearing 4 (ISH4)	Marine Side Issues, including Habitats Regulations Assessment Matters and draft Development Consent Order	
Date	Tuesday 9 April 2024	
	Hearing Start Time:	10:00am
Timings	Arrangements Conference for virtual attendance online:	9:30am
	Seating for in-person hearing available at the venue from:	9:30am
Location	Stallingborough Grange Hotel, Riby Road Grimsby DN41 8BU	
	Microsoft Teams for virtual attendance online	

REQUESTED ATTENDEES

1. Applicant
2. North East Lincolnshire Council (NELC)
3. Natural England (NE)
4. Marine Management Organisation (MMO)

In addition, the Examining Authority (ExA) welcomes involvement from all parties at ISH4. You were required to confirm attendance at ISH4 by 3 April 2024.

DOCUMENTS

The ExA referred to several documents in the preparation of this agenda, and some of the documents that we will be referring to during the Hearing are listed here. These documents can be located using the Examination Library reference number in [] square brackets:

1. Without Prejudice Report to inform Habitats Regulations Assessment (HRA) Derogation [REP1-008]
2. Shadow HRA [REP1012]
3. Draft Development Consent Order (dDCO) [REP1-016]
4. Explanatory Memorandum (EM) [REP1-004]
5. NELC's Responses to the ExA's First Written Questions [REP1-071]
6. Draft agreed SOCG between ABP and MMO [REP1-051]
7. Draft agreed SOCG between ABP, AP (BR) and NE [REP1-052]



8. Draft agreed SOCG between ABP and HE [REP1-051]
9. Applicant's Response to Written Questions (Responses to Q1.6 HRA) [REP1-027]
10. Applicant's Response to Written Questions (Responses to Q1.4 Biodiversity) [REP1-026]

HEARING FORMAT

The Hearing will be a blended event, whereby the principal means of conducting the Hearing will be face-to-face within the venue cited above. Participants may join online if they wish using the Microsoft Teams platform and, if you have registered to join using this format, the joining link for the virtual Hearing will be sent to parties the day before, or on the day of, each session.

Observers may attend in person or can watch remotely via the livestream of the event, the link for which will be published on the [project webpage of the National Infrastructure website](#) on the day of the Hearing. The ExA will not accept representations at the Hearing in the form of video or audio recordings.

The agenda is for guidance only. It is not designed to be exclusive or exhaustive. The ExA may add other issues for consideration, may alter the order in which issues are considered and will seek to allocate sufficient time to each issue to allow proper consideration of them. Any lack of discussion of a particular issue at a Hearing does not preclude further Examination of this issue, including the asking of further Written Questions.

At the Hearing the ExA is looking for the Applicant, Statutory Parties and Interested Parties to provide additional evidence to what is already in Examination. The ExA may also request parties to provide an explanation or clarification of evidence and representations submitted previously. The ExA will lead on the questioning, not allow repetitive representations, and not allow cross questioning.

Should you wish to present Audio-Visual material at the Hearing, these must be submitted into the Examination prior to the Hearings, so the ExA has had a chance to review the material and approve it for the Hearing.



AGENDA

The Hearing will start promptly at the indicated time of 10:00am. The ExA will close the Hearing at 5:30pm, or sooner if all relevant matters have been covered. A lunch break will be taken about 1.00pm and mid-morning and mid-afternoon breaks will be taken where appropriate.

9:30am Seating available for in-person attendance

1. Registration by the Case Team

9:30am Arrangements Conference for virtual attendance

2. Registration by the Case Team

10:00am ISH4

- 1. Welcome by Lead Member of the ExA**
- 2. Procedure for running the ISH4**
- 3. Marine Ecology and Habitats Regulation Assessment**
 - i. The ExA welcomes the SOCG with MMO and looks forward to updates at later deadlines. We will be asking questions on some of the matters still denoted as Amber.
 - ii. Further clarification required on piling times and restrictions
 - iii. The ExA welcomes the SOCG with NE and looks forward to updates at later deadlines. We will be asking questions on some of the matters still denoted as Amber.
 - iv. Confirmation of progress on HRA and position of the Applicant on its status.
 - v. Clarification of information requested on the Outstrays to Skeffling Managed Realignment Site.
 - vi. Discussion on requirements for and means of securing the additional compensatory habitat.
- 4. Marine Archaeology**
 - i. Update on progress of laboratory testing of samples from the archaeological fieldwork.



5. Flood Risk and Coastal Change

- i. Clarification whether the Applicant's assessment of ordinary watercourses is sufficient, in the context of NELC's response [REP1-071] to the ExA's written question [WQ1, Q1.8.1.2].

6. Applicant's Intended Change Request

- i. The ExA will ask the Applicant to briefly outline its request for a change to the application; and
- ii. The ExA may ask questions on this matter.

7. Draft Development Consent Order, focussing on the Draft Deemed Marine License

- i. Discussion around MMO suggested changes and Applicant's amended wording to Article 46.
- ii. Discussion around MMO comments on the process set out in Schedule 17.
- iii. Explanation of relationship with DML conditions and DCO Requirements. ExA to ask questions on the process and potential areas of cross-over.
- iv. ExA to ask questions on the approval process for DML conditions, in particular the wording of Condition 26 of the DML.

8. Procedural decisions, review of actions and next steps

9. Any other business

10. Close of Hearing