

Immingham Eastern Ro-Ro Terminal **('IERRT')**

Application Validation

Newsletter

March 2023

Introduction

This Newsletter is designed to provide you with an update as to ABP's proposals to develop the IERRT - a new three berth Roll-on Roll-off ('Ro-Ro') facility in the Port of Immingham.

Having considered and taken into account all the comments and representations that were received in response to the Supplementary Statutory Consultation which was undertaken in October and November last year and which helpfully informed the final details of the project, ABP submitted its application for the IERRT Development Consent Order ('DCO') to the Secretary of State of Transport c/o the Planning Inspectorate ('PINS') in February 2023. That application has now been accepted for Examination under Application Reference No. TR030007.

The Current Position

As the Secretary of State has decided that the IERRT application has been validly made and should proceed to Examination, the project has now entered a new phase of the DCO application processes – known as the 'Pre-Examination' phase.

The DCO Application Process

As we have explained in our previous Newsletters, Development Consent (as opposed to planning permission) is required for the IERRT scheme because the development qualifies as a nationally significant infrastructure project ('NSIP') under sections 14(1)(j) and 24(2) of the Planning Act 2008. These sections provide that if a proposed development comprises an alteration to an existing harbour facility and, in the case of a Ro-Ro development,

the effect of the alteration is expected to increase the capacity of the existing facilities by more than 250,000 units (as is the case with IERRT), then the application must be processed as an NSIP. As explained in previous Newsletters, the application process for development consent for an NSIP is not the same as applying for a planning permission, and instead falls under the remit of the Secretary of State's decision-making powers.

In due course, the Application will be subject to what is known as 'Examination'. This will be undertaken over the course of a six-month period by either a single, or in some cases more than one, Inspector, known as the Examining Authority (ExA). The ExA will be appointed by the Secretary of State through PINS.

Prior to the commencement of the Examination stage, however, ABP is required to notify all relevant prescribed bodies, interested parties, stakeholders and the local community that the Application has been accepted for Examination and to invite them to make what are known as 'relevant representations' – whereby any party/body may give notice of an interest in, or objection to, the Application.

Members of the public are, therefore, able to register with PINS to become an Interested Party by making a relevant representation and details as to how this should be done are provided below.

The ExA will be appointed during this Pre-Examination stage and a venue for the examination will be selected – somewhere in the general locality.

Interested Parties who have registered by making a Relevant Representation will then be invited to attend a Preliminary Meeting which is run and chaired by the ExA. There is no statutory timescale for this stage of the process but it usually takes some two to three months.

Following the Preliminary Meeting, the Examination will begin which will involve a number of hearings. During this stage the registered Interested Parties will be invited

to provide more details of their views, either in person or in writing – or both

Following the close of the Examination, the ExA has three months in which to prepare and submit a report on the Application to the Secretary of State, including their recommendation as to whether development consent should be granted. The Secretary of State then has a further three-month period within which to make a decision.

Once the decision has been made there then follows a six-week period in which that decision may be legally challenged in the High Court by means of Judicial Review.

Relevant Representations

A relevant representation is a summary of a person or body's views on the Application, which is made in writing, using the PINS's Relevant Representation Form.

All relevant representations must be made directly to PINS using their Relevant Representation Form, which can be accessed and completed online at: <https://infrastructure.planninginspectorate.gov.uk/projects/yorkshire-and-the-humber/immingham-eastern-ro-ro-terminal>.

PINS can also provide other methods of obtaining and completing the Relevant Representation Form. For such requests please contact PINS directly, either by telephone on Tel: 0303 444 5000 or email at:

imminghameasternroroterminal@planninginspectorate.gov.uk.

All relevant representations must be received by PINS before **23:59pm on 19 April 2023**.

You should be aware that any relevant representations submitted to PINS will be published by PINS on the National Infrastructure Planning website for the IERRT Application.

The IERRT Application

The IERRT application form and accompanying Application documents including plans, maps, the Environmental Statement ('ES') and the Non-technical Summary of the ES (together referred to as the 'Application Documents') can all be viewed and downloaded free of charge on the National Infrastructure Planning website, under the "Documents" tab at: <https://infrastructure.planninginspectorate.gov.uk/projects/yorkshire-and-the-humber/immingham-eastern-ro-ro-terminal/?ipcsection=docs>.

An electronic copy of the Application Documents can be supplied by ABP free of charge on a USB stick, provided on request (limited to one per household).

Paper copies of the Application Documents can also be supplied on request, but there will be a reasonable charge for paper copies to cover the cost of printing, packaging and postage of up to a maximum charge of £1,500 for a complete set of documents. For any bespoke document reproduction please contact us and we will provide details of the cost.

For questions about the Application Documents, or to request copies, you can email immroro@abports.co.uk, write to **Associated British Ports, Port of Immingham, Dock Office, Alexandra Road, Immingham Dock, Immingham, North East Lincolnshire, DN40 2LZ** (Quoting Reference: Immingham Eastern Ro-Ro Terminal), or call **Freephone 0808 169 9912**.

The 3D image below is an indicative representation of the IERRT proposals, as submitted with the Application.



Questions - If you have any questions about any of the above, please do not hesitate to ask us, using the contact details provided above.