

IMMINGHAM EASTERN RO-RO TERMINAL



SUPPLEMENTARY CONSULTATION REPORT

Supplementary Statutory Consultation Under Section 48 of the Planning Act 2008 and Regulation 4 of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

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1 Introduction

- 1.1 Associated British Ports (ABP) will shortly be submitting an application for what is known as a Development Consent Order (DCO). If approved, the DCO will authorise the construction and operation of a new three berth Roll-on/Roll-off (Ro-Ro) Terminal in the Port of Immingham. The Project will be known as the Immingham Eastern Ro-Ro Terminal (IERRT) and is also referred to as the IERRT development.
- 1.2 ABP has decided to undertake this formal supplementary statutory consultation on the IERRT scheme for two reasons. First, to draw attention to a number of changes that have been made to the Project since the first statutory consultation earlier this year and second, to give regulators, stakeholders and the local community the opportunity to comment on those changes prior to submission of the application.
- 1.3 The consultation commences on 28 October and closes on 27 November 2022. It has been arranged in compliance with section 48 of the Planning Act 2008 and Regulation 4 of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009.
- 1.4 This Supplementary Consultation Report (SCR), together with the Preliminary Environmental Information Report (PEIR) published in January of this year, form the basis of the supplementary statutory consultation (the Supplementary Statutory Consultation) now taking place.
- 1.5 The Supplementary Statutory Consultation is being undertaken in accordance with the principles set out in the Statement of Community Consultation (SoCC). This Statement, which essentially details how any consultations on the IERRT project should be run, was considered by all of the neighbouring local authorities, and approved by North East Lincolnshire Council as the responsible local authority, prior to adoption in January of this year before the commencement of the statutory consultation. The SoCC provides in section 8 - "Next Steps" the following –

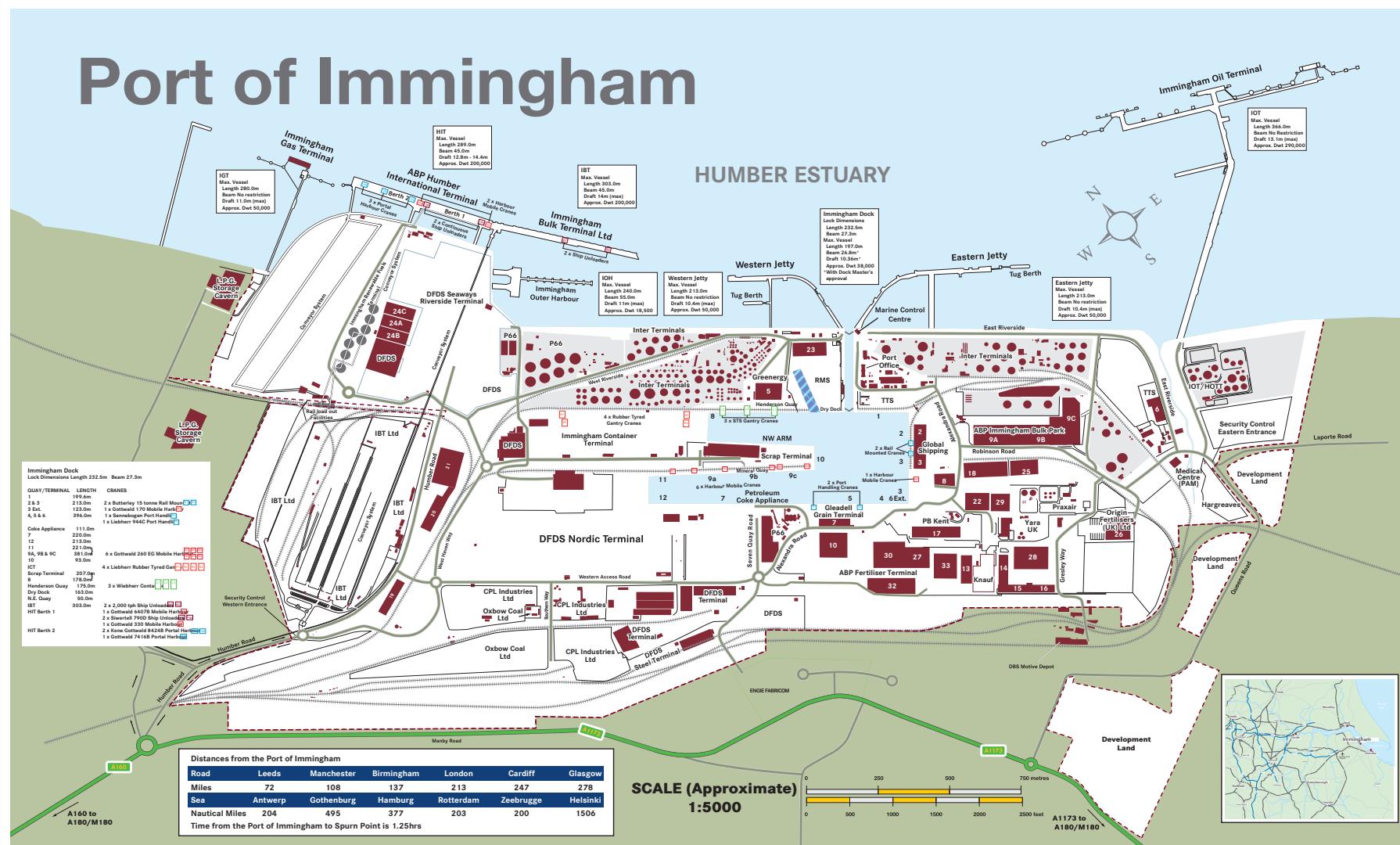
"8.4 If as a result from this statutory consultation, the Project proposals change to the extent that it is necessary to undertake further geographically targeted consultation, this would be undertaken in accordance with the principles and methods set out in this SoCC."
- 1.6 The SoCC was advertised and publicised in January 2022 in accordance with Section 47 of the Planning Act 2008 (a copy of which can be viewed and downloaded on the dedicated project consultation website at: www.abports.co.uk/immroro/consultation) and was approved by all of the neighbouring local authorities prior to adoption.

2 Associated British Ports

- 2.1 ABP came into being in 1981 following the privatisation of the British Transport Docks Board. It is the largest ports group in the UK, owning and operating 21 ports and other transport related businesses across England, Wales and Scotland.
- 2.2 On the Humber, ABP owns and operates four ports, namely the ports of Immingham, Hull, Grimsby and Goole, which together constitute the largest ports complex in the UK. Of these, the Port of Immingham is the largest and busiest of ABP's four Humber ports.
- 2.3 ABP's statutory undertaking at Immingham, the 'statutory port estate' as shown on Figure 1, covers some 480 hectares. The majority of the Port falls within the administrative boundary of North East Lincolnshire Council, although the western part of the Port falls within the administrative boundary of North Lincolnshire Council.
- 2.4 Since the 1960's, with the increasing size of modern cargo vessels, the Port of Immingham's marine capability has increasingly been serviced from jetties located in the river, thereby reducing the need for vessels to pass through the lock gates into the Port's enclosed dock.
- 2.5 Currently, as well as the internal enclosed dock, the Port has twenty 'in-river' berths. The port estate itself comprises a number of discrete operational areas handling a diverse trade base including liquid fuels, solid fuels, ores and unitised cargoes in the form of containers (Lo-Lo) and wheeled cargo ("Ro-Ro"). Much of this trade is now conducted from the Port's in-river jetties. These include the Eastern and Western jetties, the Immingham Oil terminal, the Immingham Gas Terminal, the Immingham Outer Harbour and the Humber international Terminal ("HIT").
- 2.6 The trade handled in ABP's enclosed dock largely comprises commodities including Lo-Lo container freight, break-bulk cargo, animal feed and grain. These cargoes are discharged to an array of storage compounds for onward distribution.
- 2.7 The infrastructure at the Port is the product of incremental expansion. This has enabled ABP, as the port operator, to increase the quantity of cargo imported/exported and to expand the range and type of cargoes accommodated. As such, the cargo volumes processed through the Port have risen from 26 million tonnes to 50 million tonnes during the period 1981 to 2020.

Legend

Port of Immingham



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Figure 1:
Immingham Statutory Port Estate

3 The IERRT Development Consent Order and Application Process

- 3.1 A DCO is a consenting instrument specifically tailored to authorise the development of nationally significant infrastructure projects (NSIPs). The application process for a DCO is strictly regulated both before and after the application has been submitted and differs in many respects from the rather more familiar process for securing planning permission.
- 3.2 One of the principal differences between an application for a DCO and an application for planning permission is, in the case of a DCO, the need to ensure that all interested parties, the regulators, the stakeholders and the local community are consulted and kept fully informed as to what is being proposed, when and why. It is important to ensure that all interested parties have the necessary information about the project to enable them to understand the potential impacts of the proposed development.
- 3.3 We have outlined our proposals and explained the DCO application process in our three earlier Newsletters, published and circulated at the beginning of this year (as part of the statutory consultation undertaken), in Spring and this Summer.
- 3.4 In brief, however, our application, when submitted, will amongst other things include:
- A draft of the DCO (which is a statutory instrument and encompasses all of the consents and authorisations required for the development of the IERRT in one single document);
 - An Explanatory Memorandum which is a statement that will explain the purpose and meaning of the DCO (in non-legal language);
 - A Statement of Reasons justifying the inclusion in the DCO of powers for compulsory acquisition of land interests (all within the Port estate);
 - A Project Justification and Harbour Statement which looks at the IERRT Project in terms of policy, amongst other things;
 - A Consultation Report (explaining how we have consulted on the IERRT proposals);
 - A Book of Reference identifying any areas of land which may be subject to compulsory acquisition (all within the Port estate);
 - A Funding Statement explaining how the project will be funded; and
 - An Environmental Statement (ES), reporting the findings of a comprehensive Environmental Impact Assessment (EIA). This document,

prepared by independent specialist consultants, covers a large number of topics, ranging from traffic to noise and vibration, climate change to air quality and an assessment of the potential impact of the development on ecology including birds and fish.

- 3.5 Once the application for the DCO has been submitted and accepted by the Planning Inspectorate (acting on behalf of the Secretary of State), there will be an allotted period during which all interested bodies or persons who wish to participate in the NSIP examination, or even just submit observations, will be invited to make their representations and if they so wish, register their interest in participating in the examination when it takes place.
- 3.6 In due course, following a Preliminary Hearing when timetabling amongst other matters will be discussed, the IERRT project will be examined by a Single Inspector or a Panel of Inspectors, known as the Examining Authority or 'ExA').
- 3.7 Following the close of the examination, the ExA will then submit a report with recommendations to the Secretary of State for Transport who will determine whether or not to make the DCO.
- 3.8 Before any of the steps summarised above can take place, however, ABP as the applicant for the IERRT project, must ensure that it has complied fully with the procedural requirements set down in the Planning Act 2008, related statutory instruments and relevant guidance which prescribe the steps that must be followed before the DCO application can be submitted.
- 3.9 As is discussed below, key to these pre-application requirements is the need to ensure total transparency as to what is being proposed, to consult with a wide variety of bodies and persons and to consider and record the results of the consultation – taking them fully into account prior to submitting the application for the DCO.
- 3.10 It is for that reason that ABP is undertaking this Supplementary Statutory Consultation.

4 Preliminary Environmental Information Report – January 2022 Statutory Consultation

- 4.1 As already noted, in order that all interested parties fully understand the purpose and impact of the proposed IERRT development, ABP as the promoter, i.e., the applicant, is required to undertake a comprehensive consultation with regulators, stakeholders and the local community on the proposals.
- 4.2 A formal statutory consultation was held at the beginning of this year. It commenced on 19 January and closed on 23 February 2022.
- 4.3 As part of that consultation, ABP published what is known as a Preliminary Environmental Information Report (PEIR). This was prepared in accordance with the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017.
- 4.4 The PEIR described the proposed IERRT development and provided a review of the potential impacts of the scheme as assessed at that time, namely at the beginning of this year, on a topic by topic basis.
- 4.5 The PEIR, when published in January of this year, consisted of 21 chapters – namely:
- 1 - Introduction
 - 2 - Proposed Development
 - 3 - Details of Project Construction and Operation
 - 4 - Need and Alternatives
 - 5 - Legislative and Consenting Framework
 - 6 - Impact Assessment Approach
 - 7 - Physical Processes
 - 8 - Water and Sediment Quality
 - 9 - Nature Conservation and Marine Ecology
 - 10 - Commercial and Recreational Navigation
 - 11 - Coastal protection, Flood Defence and Drainage
 - 12 - Ground Conditions Including Land Quality
 - 13 - Air Quality
 - 14 - Airbourne Noise and Vibration
 - 15 - Cultural heritage and Marine Archaeology
 - 16 - Socio-economic Receptors
 - 17 - Traffic and Transport
 - 18 - Land Use Planning
 - 19 - Climate Change
 - 20 - Cumulative and In-combination
 - 21 - Summary

- 4.6 A period of formal statutory public consultation was undertaken which included two public exhibitions within the Port for users of the Port and two exhibitions at the Immingham Civic Centre. These exhibitions were mounted to enable the local community to participate in the consultation process and were well attended.
- 4.7 By the time the first statutory consultation closed in February of this year, ABP had received numerous comments and responses from individuals, stakeholders and statutory consultees.
- 4.8 Many of those who responded made suggestions as to how the IERRT project could possibly be refined so as to improve the efficiency of the operation on the one hand and to reduce the possible environmental impact on the other.
- 4.9 Over the ensuing months, ABP has taken these comments and responses fully into account, and as will be seen when the application for the IERRT DCO is eventually submitted, all of these comments and responses will have been recorded in what is known as the Consultation Report – one of the key submission documents which is designed to record and explain how ABP, as the promoter of the scheme, has consulted with the local community, statutory consultees and stakeholders.
- 4.10 The PEIR has remained on ABP's IERRT project web page, as noted at the end of this SCR, since its original publication January – and indeed can still be read or downloaded now.
- 4.11 What has changed, however, is that the scheme described in the January PIER has evolved. This was always going to be the case for such a major infrastructure proposal on the basis alone of the responses received during the statutory consultation as well as the consequent ongoing engagement with key stakeholders and regulators.
- 4.12 The section that follows explains the steps that ABP has decided to take as a result of the scheme's evolution so as to ensure that all interested parties are aware of what the final IERRT proposal actually entails and understand the likely impacts of the scheme.

5 Supplementary Statutory Consultation Report (SCR) and the PEIR

- 5.1 As noted above, the process of consultation on the Project has not been limited to the formal statutory consultation period but has been ongoing throughout the pre-application process. In particular, discussions have continued since the close of that statutory consultation with a large number of interested parties, the regulators and key stakeholders. As a consequence, inevitably, as acknowledged in this Report, the IERRT project has evolved.
- 5.2 The PEIR is very much, as its title suggests, a “preliminary” environmental impact report. Published by ABP in January of this year, the PEIR described ABP’s preliminary assessment of the IERRT project in terms of environmental impact. Whilst the project has inevitably evolved, and through that evolution in the view of ABP, been improved, the preliminary conclusions reached by ABP’s specialist consultant team as expressed in the PEIR remain the basis for the work of assessment that has been continuing since January, subject to the refinements/changes that are now discussed in this supplementary consultation.
- 5.3 An Environmental Statement (ES) is currently being finalised which will form part of the documentation supporting ABP’s application for the DCO. The format of that ES reflects and follows the format adopted for the PEIR in terms of the topics assessed – even to the chapter numbers and titles.
- 5.4 That said, in view of the scheme’s evolution, ABP now finds itself in the position of promoting a scheme that in certain, albeit relatively minor respects, does differ from the scheme as described in the January statutory consultation. In most respects, the refinements/changes made to the scheme are positive with no adverse environmental impact. Where the refinements have the potential to create an environmental impact, they have been formally analysed and assessed and the conclusions are set out in the following sections and will be included in the final ES – subject as ever, to the results of this Supplementary Statutory Consultation.
- 5.5 The purpose of this Supplementary Statutory Consultation, therefore, is to explain how the scheme has evolved – in what it is believed a very positive manner - presenting the design refinements and changes that have been made to the IERRT project and giving all interested parties, the local community, regulators and stakeholders the opportunity to express their views about both the IERRT scheme itself and the scheme refinements which are explained later in this SCR.
- 5.6 It should be emphasised, however, that whilst publishing this SCR as a separate document, it should be read with the description of the IERRT scheme and the findings, assessments and conclusions set out in the PEIR. The two documents should be viewed and read together, although any changes of note are referenced in this SCR.

6 Supplementary Statutory Consultation – its Purpose and Objective

- 6.1 As we have explained above, ABP as the promoter of the IERRT development, is required by the Planning Act 2008 to undertake a formal statutory consultation about the scheme as part of the pre-application process. The consultation must encompass all interested parties, ranging from the relevant regulators such as the adjacent local authorities, Natural England, the Environment Agency and the Marine Management Organisation, stakeholders which in the case of IERRT includes those with a land interest, users of the Port, utility providers such as Anglian Water and Northern Powergrid and finally, the local community.
- 6.2 Statutory consultation for NSIP proposals takes the form of the publication of statutory notices in local and national newspapers, mounting exhibitions, and formally notifying a wide range of potentially interested parties. The preparation and publication of a PEIR is the document which forms the base source for the provision of information about the given NSIP project.
- 6.3 The PEIR, as explained above, describes the proposed development and contains an assessment of the likely impact of the proposed development on the environment as at the time of the consultation.
- 6.4 In the case of the IERRT project, the statutory consultation took place at the beginning of this year, commencing on 19 January 2022. Formal notices appeared in local papers and the national press and the PEIR for the scheme was published and made available to view online. It was the basis for discussion at the public exhibitions which were held within the Port (for port users) and at the Immingham Civic Centre (for members of the public).
- 6.5 The point to bear in mind, however, is that the PEIR can only ever be the base source for the provision of information about the NSIP project as at the date of its publication – i.e., in the case of the IERRT project, in January 2022.
- 6.6 Over the months following the close of the formal statutory consultation on 23 February 2022, the IERRT scheme has inevitably evolved – both as a result of the advice given to ABP by its external specialist consultant team who are responsible for producing the environment assessment of the scheme and in response to the many helpful comments that ABP received during and following the close of the formal consultation.
- 6.7 The entire purpose of the pre-application DCO process is to ensure that all participants - regulators, stakeholders and the local community, are aware of and fully understand what is being proposed, why and when before the application for the DCO is actually submitted.
- 6.8 ABP is undertaking this Supplementary Statutory Consultation, therefore, to ensure that this is the case.

- 6.9 ABP is effectively updating the description of the scheme by identifying and referencing the refinements/changes made to IERRT development as it now presents as opposed to the scheme described and initially assessed in the PEIR at the beginning of the year.
- 6.10 At the same time, it is also re-assessing or assessing any additional or new potential environmental impacts that may arise, again in comparison, or in addition to, those originally identified in the PEIR.
- 6.11 The entire exercise will then be drawn together in the ES which will form part of the DCO application.
- 6.12 It should, however, be noted that ABP considers the refinements and indeed improvements that have been made to the scheme are in fact relatively minor in nature, representing changes which benefit the scheme and reduce its overall impact.
- 6.13 It is not unusual for the design of an infrastructure project to evolve during the pre-application process and indeed, if undertaken correctly, the pre-application process for such developments should actually be an iterative process.
- 6.14 Nevertheless, ABP believes it is important that before the application for the DCO is submitted, everyone is fully aware of what is now being proposed and how the scheme has evolved.
- 6.15 This additional consultation gives all interested parties the opportunity to see how the IERRT scheme has evolved over the past eight or nine months and the opportunity equally to comment on the scheme should anyone so wish.
- 6.16 This Supplementary Statutory Consultation is, therefore, being undertaken in compliance with section 48 of the Planning Act 2008 and Regulation 4 of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009.
- 6.17 Following the close of the consultation, details of which are provided at the end of this SCR, ABP will then need to review, consider and assess all of the consultation responses that it receives. This is an essential stage in the process. It enables ABP to make any changes that it believes may be required to the application in terms of further design modifications if required and consequently to the final and completed assessment of the proposal as addressed in the ES and a number of other accompanying application documents.
- 6.18 Subject to the responses received, it is ABP's intention to submit the application for the DCO in mid-December this year.

7 Description of the IERRT Project

- 7.1 Before detailing how the scheme has evolved since the publication of the PEIR in January 2022, a brief description of the IERRT project is provided below in order to provide a clear and unambiguous understanding of what is now being proposed.
- 7.2 **The IERRT project** – In brief, the IERRT Project looks to the construction of a new three berth Ro-Ro terminal at the Port of Immingham. The facility is designed to service the import and export of cargo conveyed by wheeled means, either on trailer or by HGV.
- 7.3 There will, in addition, be a limited opportunity for passage by passengers – but only in vehicles and restricted to no more than 100 passengers per day. There will be no opportunity for the passage of passengers travelling on foot.
- 7.4 The Project effectively falls into two parts -
- (a) On the marine side, the works will comprise the three new Ro-Ro berths, an approach jetty, floating pontoons and two finger piers.
 - (b) On the land side, the works to be undertaken are designed to accommodate the wheeled cargo which will be unloaded from the berthed Ro-Ro vessels and either collected for immediate onward distribution or stored for later collection together with space for wheeled cargo that is waiting to be loaded.
- 7.5 A detailed description of the scheme together with general arrangement plans, engineering drawings and sections will be provided as part of the DCO application. These will reflect essentially, subject to the refinements made to the scheme, the details provided in the January PEIR.
- 7.6 For illustrative purposes an updated visual representation of the proposed IERRT development as now proposed is shown as Figure 2.
- 7.7 In addition, the General Arrangement of the development as now proposed is provided as Figure 3.
- 7.8 The total size of the proposed application site is approximately 78 hectares of which the marine works comprise some 40 hectares and the landside works some 38 hectares, including Long Wood, (one hectare) as referenced below.

Marine infrastructure

- 7.9 The following paragraphs describe, in summary, the marine infrastructure that we propose to develop – further detail being provided below in sections 9 and 16 of this Report -

- (a) An approach jetty will be constructed to provide access for vehicles and wheeled cargo between the shore and the three Ro-Ro berths. The approach jetty will support a two lane roadway, footway, utilities, lighting and environmental screens to minimise bird disturbance during operation. The approach jetty will rise from ground level and cross over the existing sea defence wall and pipelines on the port landside and extend from the shore across the intertidal area towards the pontoons and berthing infrastructure in a roughly north eastern direction. To span the sea defence and pipelines, two abutment structures consisting of six piles each and a short bridge section will be constructed. The approach jetty itself will be approximately 288 m in length and 11.6 m above chart datum (CD), consisting of a maximum of 58 piles. The jetty will terminate at a newly created bankseat consisting of six piles (these will form the foundation for the linkspan bridge – see below).
- (b) A single linkspan bridge will be constructed, located on the approach jetty's bankseat with its free end resting upon the edge of the innermost floating pontoon. The linkspan is envisioned to be approximately 90 m in length and 10 m wide. The pontoons will rise or lower with the tide to accommodate the loading and unloading ramps of the berthed Ro-Ro vessels. The pontoons will be approximately 40 m x 90 m and will be linked together by a short linking bridge of approximately 20 m in length. Both will have an overall depth up to 9.35 m and will provide the resting point for the moored vessels' stern ramp and the linkspan bridges. The pontoons will each be secured in place by two reinforced concrete restraint dolphins of approximate dimensions 12 m x 8 m which will ensure the pontoons can range up and down freely with the tide, each supported on six piles plus a guiding pile.
- (c) Two finger piers with concrete decks against which the Ro-Ro vessels will be moored will be constructed for the berthing of Ro-Ro vessels. The northern finger pier will be constructed with berthing faces (i.e., fender panels and mooring infrastructure) on both its northern and southern elevations. The southern finger pier, however, will be constructed with a berthing face to its northern elevation only. In other words, vessels will be able to berth on either side of the northernmost pier (i.e., providing two berths) but only one vessel will berth on the northern side of the southernmost pier (i.e., providing one berth). Each finger pier will be approximately 264 m in length and 11.6 m above CD and consist of up to 54 piles.
- (d) The final element of the marine infrastructure is the possible inclusion of impact protection measures to provide protection in the unlikely event of an errant vessel contacting the Immingham Oil Terminal jetty. ABP does not believe that such measures will actually be required, but it has been decided to make provision for them in this application so as to ensure that the infrastructure is consented as part of the IERRT DCO should it be determined at some future date that they are required.

Capital dredge

- 7.10 The IERRT project will require a capital dredge of the new berthing area to ensure accessibility and safe mooring for vessels at all states of the tide, although the majority of the berth pocket does not require any deepening as it is already below the required depth (i.e., 9 m below Chart Datum - CD). The maximum spatial extent of the dredge is estimated at being in the order of 70,000 m², dredged into existing bathymetry which varies across the area between 1.1 m above CD to 9 m below CD. The berthing area will have 1 in 4 side slopes, optimised so as to ensure its stability, and will be dredged to a depth of 9 m below CD, with an allowance for the tolerances of the dredging equipment. The area beneath the floating pontoons will be dredged to 6 m below CD. In real terms the dredge represents a maximum deepening of 6.2 m over a small area, with an average lowering of 2.35 m. It is estimated that a maximum of 190,000 m³ of material in total will be removed as a result of the dredge. This is estimated to consist of approximately 40,000 m³ of boulder clay, alongside 150,000 m³ of sand/silt (*in situ*).
- 7.11 The dredged material will be disposed at licensed disposal sites in the Humber Estuary given that no alternative beneficial use has to date been identified.
- 7.12 In this regard ABP has consulted the Humber Nature Partnership to enquire whether there are any schemes around the Humber Estuary for which the dredged arisings could be used to benefit the ecology of the estuary. The current position, however, is that no such schemes have been identified.
- 7.13 ABP is, however, prepared to participate in any discussions in the future should a suitable scheme be identified for the alternative beneficial use of the dredged arisings.

Landside works

- 7.14 The landside works, within the port estate, are primarily required to improve that part of the application site's surface to provide suitable areas for the movement and storage of wheeled cargo, containers and heavy goods vehicles (HGVs). This space is required for the accommodation of wheeled cargo either awaiting embarkation or having been disembarked, awaiting collection for immediate onward distribution together with essential storage for cargo awaiting later collection.
- 7.15 Being part of the statutory and operational port estate, the vast majority of the landside area will only require a simple upgrade. This will be achieved through the provision of new pavement and associated infrastructure.
- 7.16 In addition to the landside storage areas, a number of new buildings will be constructed to service the Ro-Ro operations, such as a new terminal building, as noted below, ancillary buildings and a building for UK Border Force operations.

-
- 7.17 The landside element of the IERRT project will be separated into four distinct areas. These will be known as the North, Central, South and West Storage Areas.
 - 7.18 Each of these will be separately described in detail in the Environmental Statement which will accompany the DCO application. To assist, however, a summary of what is proposed for each is provided below.

North Storage Area

- 7.19 The North Storage Area will comprise just over 4 hectares, to accommodate approximately 238 trailer bays and 38 container ground slots.
- 7.20 Works within this area will also require the demolition of a number of existing buildings. Two of these buildings, used by Malcolm West Forklifts, will be replaced and re-constructed a little to the east of their current location, albeit still within the North Storage Area.
- 7.21 Construction of a substation and frequency converter housing for ship to shore power provision will also be provided in the north storage area. These works will include the installation of low voltage/high voltage (LV/HV) cables, shore power systems, frequency converters, transformers, switch gear and LV/HV panels.

Central Storage Area

- 7.22 The Central Storage Area will cover approximately 3.56 hectares and accommodate approximately 157 trailer bays, 71 staff parking spaces and 13 equipment parking spaces.
- 7.23 A small workshop with fuel station will be located in the Central Storage Area and a new level crossing across an ABP controlled railway will be provided so as to join the South and Central Storage Areas.

South Storage Area

- 7.24 The South Storage Area will cover just over 11 hectares within the statutory port estate. It will be able to accommodate approximately 363 trailer bays, 78 pre-gate parking spaces, 80 staff parking spaces, 40 passenger parking spaces, 14 large passenger parking spaces, 18 tug master parking spaces together with marshalling/holding lanes for accompanied freight and passenger vehicles.
- 7.25 The main new terminal building, which will be two storeys in height, will be constructed in the South Storage Area. A number of ancillary buildings and a passenger welfare building will also be constructed in this Area as will the Terminal's in and out gates.

-
- 7.26 Finally in respect of the South Storage Area, space will be provided at the southern end of this Area for administration and inspection buildings for the UK Border Force.

West Storage Area

- 7.27 Finally, the West Storage Area is approximately 9.6 hectares in size and will provide some 630 trailer bays. In and out gates will also be provided in this area.

Internal bridge

- 7.28 A two-lane bridge will be constructed within the port to enable contiguous terminal operations between the currently separate North and Central Storage Areas. This will span Robinson Road – an existing internal dock road – and an ABP controlled railway line.

Environmental enhancements

- 7.29 In addition to the above, ABP has also decided, in light of its statutory obligations and policy requirements to include within its application for the DCO, two elements of environmental enhancement.
- 7.30 These enhancements are discussed in more detail below (at sections 14 and 15 respectively), but in brief, they comprise –
- First, an area of land set aside as marine enhancement at Skeffling. This land forms part of a managed realignment scheme which ABP is undertaking in partnership with the Environment Agency; and
 - Second, on the landside, improvements to an area of woodland immediately adjacent to the eastern boundary of the Port known as Long Wood. This woodland is in the ownership of ABP.

East Gate

- 7.31 Finally, as also discussed in more detail below (at section 12), in the interests of traffic management in light of the IERRT project, ABP has decided to improve the entrance to the Port at its East Gate, effectively by doubling the width of the existing entrance and relocating the security cabin.

Legend

 Order Limits



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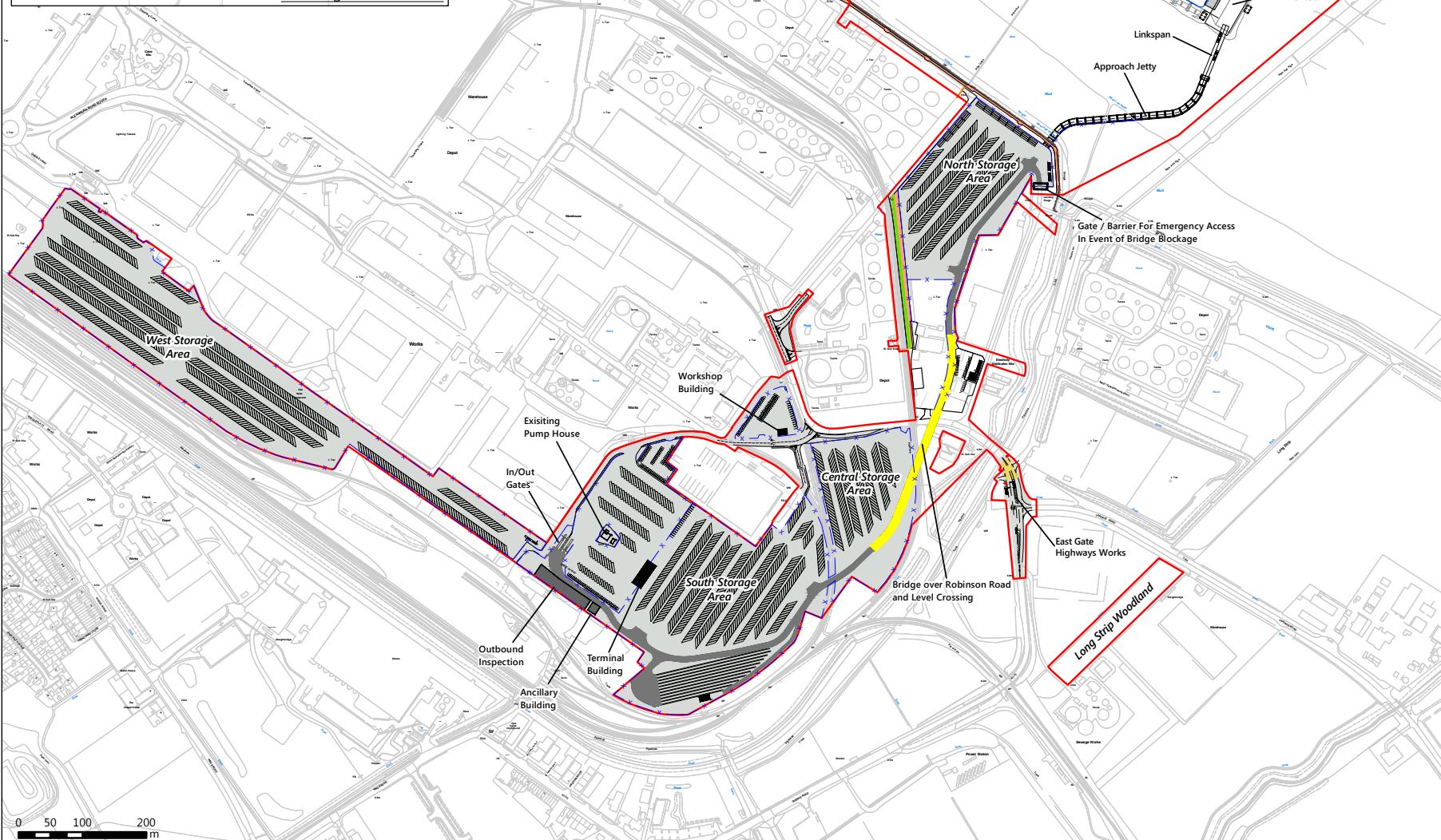


ABP

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Figure 2:
IERRT Visual Representation



- Legend**
- Order Limits
 - Terminal fence
 - Terminal bridge
 - Above ground pipe
 - New buildings
 - New pipeline access track
 - New terminal storage area
 - New terminal internal roads
 - External roads
 - Box Junction

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Figure 3:
General Arrangement Plan

8 The Evolution of the IERRT Scheme - Summary

Four to three berths –

- 8.1 When ABP first considered the need for additional Ro-Ro facilities at the Port of Immingham, following initial assessment, the view was formed that in light of the clear need for more Ro-Ro facilities on the Humber - as will be discussed in the environmental statement that will accompany the DCO application – ABP as the owner and operator of the Port of Immingham should seek the necessary consents and approvals for the construction and operation of up to four new Ro-Ro berths.
- 8.2 ABP was full aware, however, that the principal limitation on actually securing consent for four berths at the Port would be the need to ensure that the development would not have an adverse effect on the integrity of the designated European Marine Site – effectively the whole of the Humber Estuary.
- 8.3 As is explained below, the overriding requirement to ensure that the development will not adversely impact the protected birds feeding on the foreshore at low tide persuaded ABP that it would be sensible to reduce the scheme from four potential berths to three berths.
- 8.4 It should also be noted in this context that whilst the intention is to construct all three berths as one single development it may be that, for reasons beyond ABP's control, such as bad weather in the Estuary, a delay in delivery of construction materials etc., the construction period has to be extended. In such a scenario, ABP will have to adopt a sequential construction programme with Berths 1 and 2 being brought into operation first and Berth 3, nearest to the intertidal foreshore, being constructed whilst Berths 1 and 2 are in operation. It is not anticipated, however, that a sequential construction programme if unavoidable, will have any significant effects in either environmental or operational terms.

Removal of landside storage area –

- 8.5 The removal of the landside storage area to the east of the main Terminal site was simply because with the reduction in the number of berths, (together with a cap on traffic throughput as discussed below), this element of storage space was no longer required.

Bridge realignment –

- 8.6 A slight realignment of the internal bridge has been effected in order to provide additional space for one of ABP's tenants who will remain within the Port but who would otherwise have lost some of its land as part of the IERRT Project.

Improvement to East Gate –

- 8.7 The Port has two entrances and exits - one in the West and the other in the East. As the majority of the additional traffic that will be introduced by the new Ro-Ro facility – now capped at 660,000 movements per year - will enter and leave the Port by the East Gate, a second entrance lane will be built (effectively simply doubling the size of the existing entrance) to avoid the risk of queuing traffic on the public highway.

Improvements to the internal road layout –

- 8.8 Some minor improvements will be made to the Port's internal road layout to facilitate internal traffic movement.

Nature conservation enhancements –

- 8.9 ABP has determined, in light of the IERRT proposals and in compliance with a number of statutory obligations and policy aspirations, also to provide two elements of environmental enhancement.

- 8.10 As detailed below, these comprise on the landside, works of improvement to an area of woodland known as Long Wood, which lies to the east of the port estate, and on the marine side, an area of tidal realignment at Skeffling, on the north bank of the Humber.

- 8.11 In deciding to include these two environmental enhancements, ABP has taken fully into account, the following -

- 8.12 *Harbours Act 1964* - It should be noted in this context that ABP has a statutory duty under the Harbours Act 1964 –

"in formulating or considering any proposals relating to its functions under any enactment to have regard to –

- (a) *the conservation of the natural beauty of the countryside and of flora, fauna and geological or physiographical features of special interest;*

and to take into account any effect which the proposals may have on the natural beauty of the countryside, flora, fauna or any such facility or feature." (section 48A of the Harbours Act 1964).

- 8.13 *Biodiversity Net Gain (BNG)* - Whilst there is currently no legislative requirement to provide specific BNG in the case of NSIP proposals, ABP has an obligation under Section 40 of the National Environment and Rural Communities Act 2006 (as amended), as a statutory undertaker and, therefore, a public authority as defined in the Act, to conserve and enhance biodiversity. ABP is required to consider what action it can take, consistent with the proper exercise of its functions, to further the conservation and enhancement of biodiversity in England.

8.14 *The National Policy Statement for Ports (NPSfP) - requires opportunities for building in biodiversity as part of good design to be maximised and also requires it to be demonstrated that opportunities to create new habitats of value have been taken, where practicable.*

8.15 The NPSfP provides as follows –

“(a) *Biodiversity within developments - Development proposals provide many opportunities for building in beneficial biodiversity or geological features as part of good design. When considering proposals, the decision-maker should maximise such opportunities in and around developments, using requirements or planning agreements where appropriate.*

(b) *Mitigation - The applicant should include appropriate mitigation measures as an integral part of the proposed development. In particular, the applicant should demonstrate that:*

- *during construction, it will seek to ensure that activities will be confined to the minimum areas required for the works;*
- *during construction and operation, best practice will be followed to ensure that risk of disturbance or damage to species or habitats is minimised, including as a consequence of transport access arrangements;*
- *habitats will, where practicable, be restored after construction works have finished; and*
- *opportunities will be taken to enhance existing habitats and, where practicable, to create new habitats of value within the site landscaping proposals.”*

8.16 *The National Planning Policy Framework – provides that planning decisions should contribute to and enhance the natural and local environment by, amongst other things, minimising impact on and providing net gains for biodiversity.*

8.17 *North East Lincolnshire Local Plan – the IERRT site falls within the administrative area of North East Lincolnshire Council. The North East Lincolnshire Local Plan states that the Council will have regard to biodiversity and geodiversity when considering development proposals, seeking specifically to, amongst other things:*

- *minimise the loss of biodiversity features, or where loss is unavoidable and justified ensure appropriate mitigation and compensation measures are provided;*
- *create opportunities to retain, protect, restore and enhance features of biodiversity value, including priority habitats and species; and*
- *take opportunities to retain, protect and restore the connectivity between components of the Borough’s ecological network.*

Marine infrastructure –

- 8.18 The final change to the scheme concerns first, an amendment to the line of the approach jetty and second, the possible inclusion of impact protection measures – should they prove necessary.
- 8.19 ***Approach jetty*** – As far as the approach jetty is concerned, the scheme as described in the PIER looked to the construction of a straight line approach jetty. It was, later decided, however, for practical reasons in terms of protecting existing port infrastructure, to amend the line of the jetty by the introduction of a curve in an easterly direction. This change was indicated in plan in both the Spring and Summer IERRT Newsletters.
- 8.20 This curve in the approach jetty has, however, now been further modified by a straightening of the jetty at its northern end, furthest from the foreshore, which has the immediate environmental benefits of enabling ABP to remove the second linkspan which has the benefit of reducing piling.
- 8.21 ***Impact protection measures*** As far as the impact protection measures are concerned these have been included within the IERRT scheme in case there proves to be a need to provide additional protection for the Immingham Oil Terminal (IOT) jetty.
- 8.22 ABP's view at present is that as a result of numerous navigational risk assessments, organised and run by an independent specialist marine consultancy, the provision of such measures will not actually be necessary.
- 8.23 Nevertheless, should there eventually prove to be a need, then it is considered sensible to include the provision for impact protection measures as part of the DCO application rather than have to secure any necessary consents at a later date.
- 8.24 Design options have been considered and assessment of the worst case outcome has concluded that any environmental impact will be, in practical terms, negligible.
- 8.25 The inclusion of these measures has, however, as a consequence led to a slight change to the "red line" boundary of the scheme.
- 8.26 The environmental impact of the provision of such measures will be comprehensively assessed in the environmental statement accompanying the application but are also summarised in Section 17 of this Report.

Drawing together –

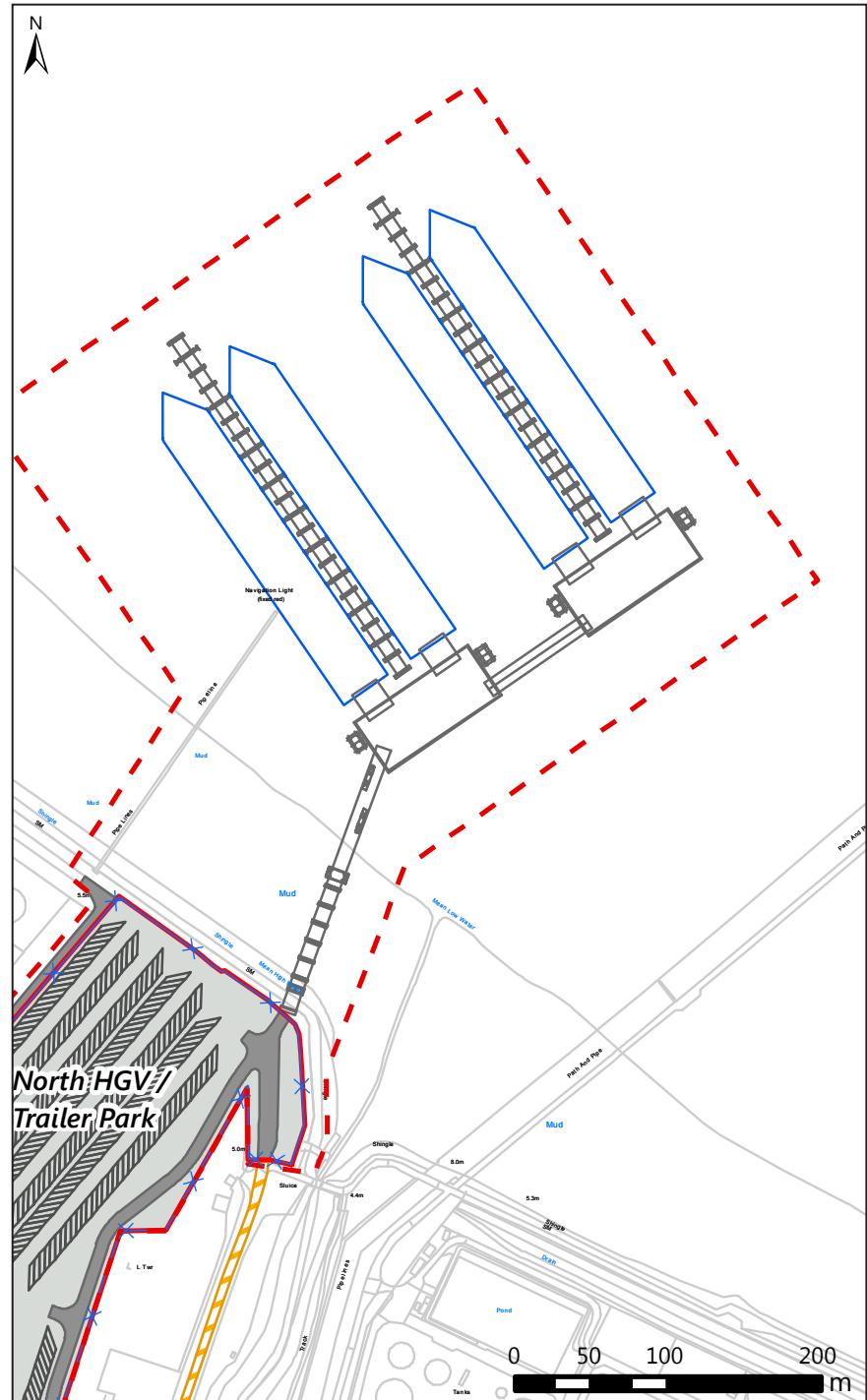
- 8.27 All of the refinements/changes that have been made to the scheme since the publication of the PEIR and the statutory consultation are now described in detail below.

9 Removal of one berth and realignment of the marine infrastructure

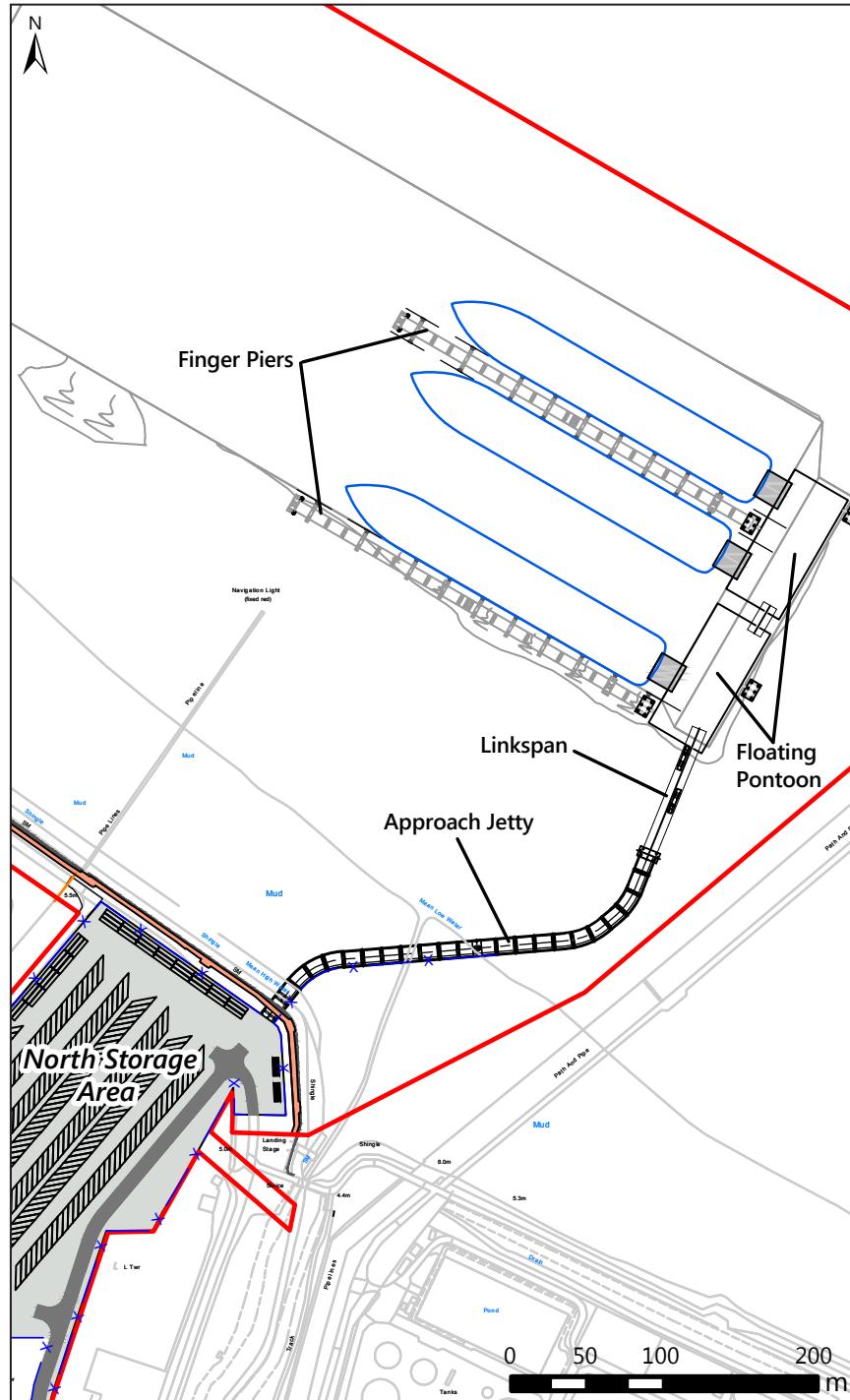
- 9.1 When the PEIR was published in January 2022, the IERRT development was described as comprising “up to four berths”. This was because a PEIR is published at a relatively early stage in the evolution of a project and discussions were still ongoing with a number of key stakeholders, including in particular the Marine Management Organisation and Natural England.
- 9.2 One of the challenges facing ABP, and indeed any port developer within the Humber Estuary, is that the estuary is designated as a European Marine Site (EMS) - consisting of the Humber Estuary Special Area of Conservation (SAC), Special Protection Area (SPA) and Ramsar site. Inevitably, the proposed IERRT marine infrastructure, namely the approach jetty, the three new berths and the finger piers all fall within that protected area.
- 9.3 Although it was initially hoped that the iteration of the proposal presented at PEIR stage would not have unacceptable impacts on the EMS, it became clear to ABP through a combination of consultation responses, discussions with key stakeholders and ongoing assessment work that in the order of 1.64 hectares of designated intertidal habitat would be directly lost within the dredge area should ABP wish to construct four berths.
- 9.4 Confirming that its minimum operational requirement was the provision of three berths and in light of comments received both during and after the statutory consultation, ABP took the decision to proceed on the basis of a scheme comprising only three, not four berths.
- 9.5 A further change introduced in the context of the reduction in the number of berths and as part of the natural evolution of the scheme, was that having determined the number of berths it was also incumbent on ABP to review and assess the precise location and alignment of the remaining three berths, bearing in mind the European conservation designations within which the marine infrastructure was to be located.
- 9.6 This exercise not only had to have regard to the implications for the EMS, however, but also had to have regard to the fact that the proposed works should have no significant implications for the ongoing operations of existing users of the Port.
- 9.7 As a result of this exercise, in comparison to the earlier PEIR iteration of the IERRT Project, the now reduced number of berths have been repositioned slightly further to the east and further away from the shoreline.
- 9.8 The three berths have also been realigned such that they are more parallel with the shoreline and prevailing tidal flows and more in line with the existing marine infrastructure in the locality.

-
- 9.9 In this respect, it should be noted that the revised location of the berths in slightly deeper water away from the shoreline has also reduced the area of the capital dredge requirement by 20,000 m² and reduced the volume of dredged material by 140,000 m³ compared to that presented in the PEIR.
 - 9.10 A further consequence of this realignment, however, is that it was necessary to amend the alignment of the approach jetty, effectively introducing a curve to the east.
 - 9.11 This change was introduced for purely practical reasons so as to ensure that the new IERRT infrastructure did not interfere with existing infrastructure within the port – in particular the pipelines that run close to the foreshore and to the north of the IERRT development site and the flood wall. The changed line of the approach jetty was illustrated in our Spring and Summer Newsletters.
 - 9.12 Figure 4 shows this part of the development as was described in the PEIR alongside marine layout as now proposed.
 - 9.13 The effects of the changes to the environmental impact as a direct consequence of this reduction of berths, together with the slight realignment of the three remaining berths and the realignment of the approach jetty, are considered in Section 17 of this Report.

PEIR Proposal



Revised Proposal



PEIR Proposal Legend

- Dashed red line: Proposed Application Site
- Blue line: Terminal Boundary
- Blue cross-hatching: Terminal Fence
- Yellow line: Terminal bridge
- White rectangle: New buildings
- Grey hatching: New terminal storage area
- Dark grey line: New terminal internal roads
- Light grey line: External roads

Revised Proposal Legend

- Red line: Order Limits
- Blue line: Terminal fence
- Yellow line: Terminal bridge
- Orange line: Above ground pipe
- White rectangle: New buildings
- Green line: New pipeline access track
- Grey hatching: New terminal storage area
- Dark grey line: New terminal internal roads
- Light grey line: External roads
- Yellow grid: Box Junction

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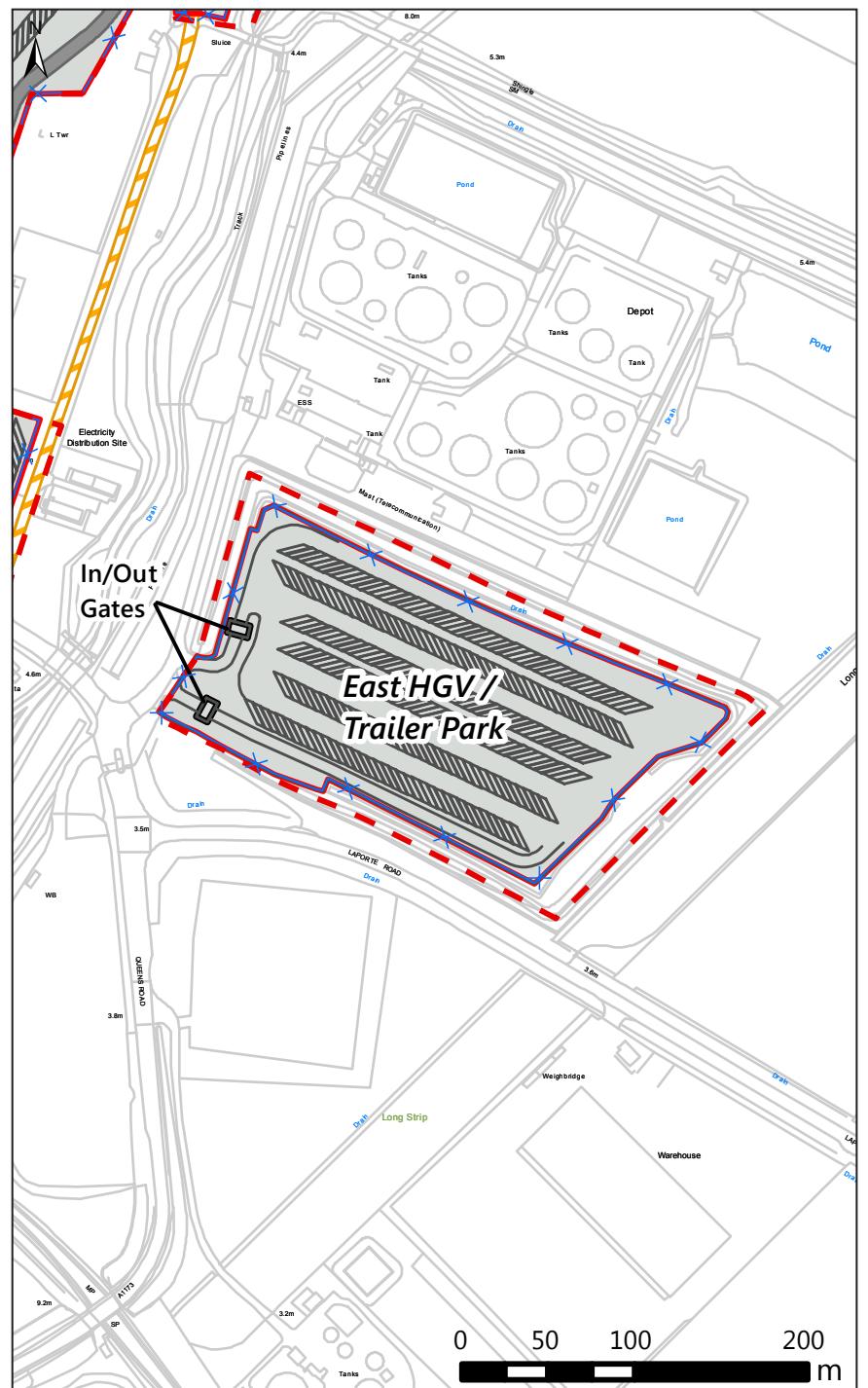
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Figure 4:
Marine Infrastructure Changes

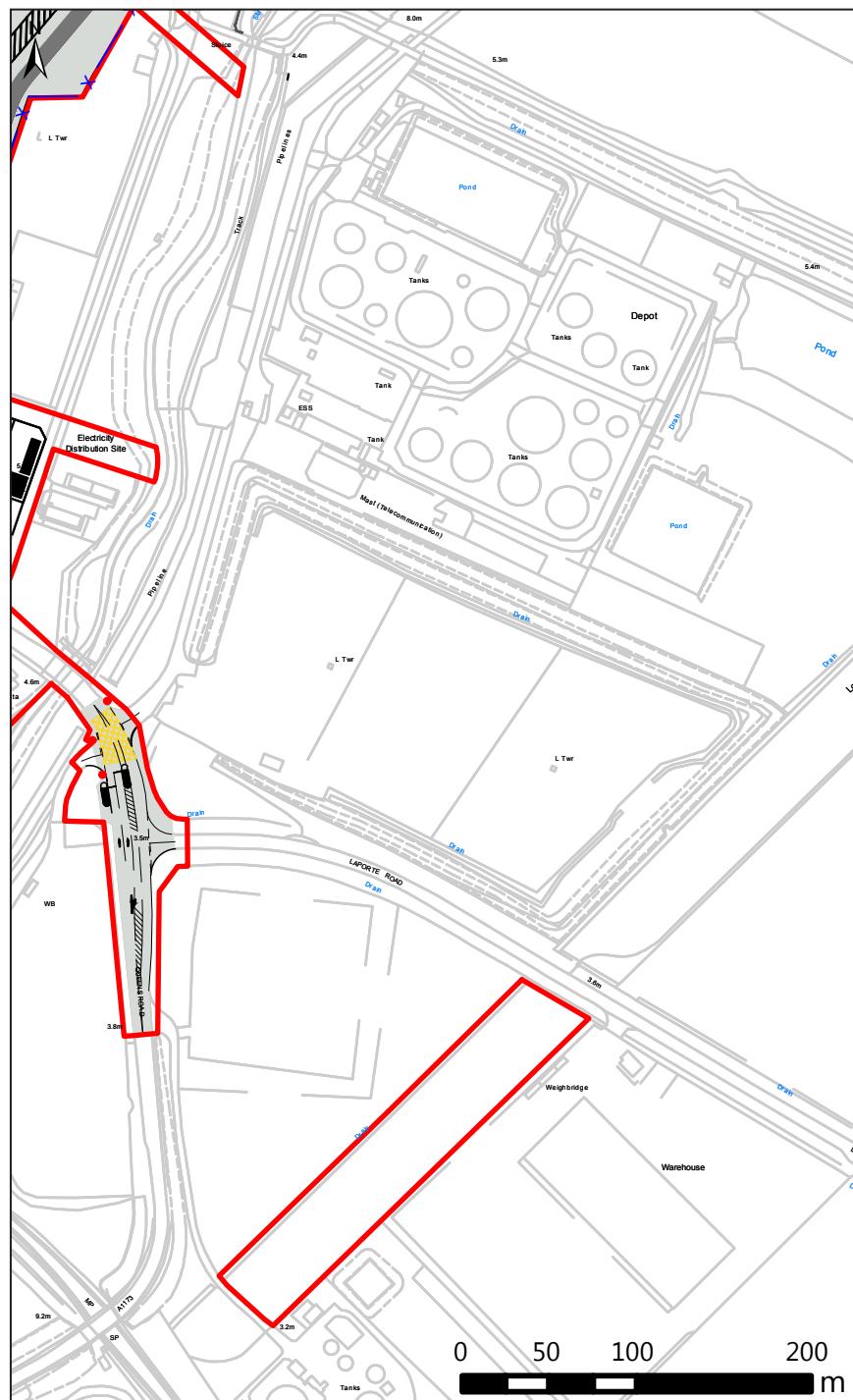
10 Removal of landside storage area

- 10.1 As noted above, the scheme as described in the January PEIR has reduced in size as a result of the reduction in the number of berths from four to three, together with the decision to cap wheeled cargo throughput to 660,000 movements a year.
- 10.2 ABP recognised that this reduction in the size of the scheme would lead to a consequential reduction in the area of land required for the storage of disembarked cargo awaiting collection as well as the space to be provided for accompanied or unaccompanied wheeled cargo awaiting embarkation.
- 10.3 The decision has, therefore, been taken to remove from the IERRT scheme an area of storage land within the port estate but to the east of the main IERRT terminal site and separate from it.
- 10.4 This decision was made because this eastern storage area was in any case separated from the other areas of land identified for the storage of waiting or departing wheeled cargo. If, therefore, it had remained within the IERRT development, it would have required the cargo moving to and from that area to interact with other port users on the main access route into and out of the Port from the East Gate.
- 10.5 Without this eastern storage area, the principal storage areas comprising the terminal site – North, Central, South and West are able, once cargo and/or passengers have arrived at the pre-gate area, to operate on a self-contained basis.
- 10.6 In light of this, it was clear that the use of the East Storage Area would have been less efficient than the use of the remaining other proposed cargo storage and handling areas.
- 10.7 This amendment to the scheme from that described in the PEIR has no environmental impact and in fact is considered as being beneficial in terms of making available an area of land within the port estate for alternative port use.
- 10.8 To assist in understanding this change, Figure 5 shows this element of the development as detailed in the PEIR alongside this element as now proposed.

PEIR Proposal



Revised Proposal



PEIR Proposal Legend

- Dashed red line: Proposed Application Site
- Red box: Terminal Boundary
- Blue line with cross: Terminal Fence
- Yellow line: Terminal bridge
- White rectangle: New buildings
- Light grey area: New terminal storage area
- Dark grey area: New terminal internal roads

Revised Proposal Legend

- Red box: Order Limits
- Blue line with cross: Terminal fence
- Yellow line: Terminal bridge
- Orange line: Above ground pipe
- Black rectangle: New buildings
- Green line: New pipeline access track
- Light grey area: New terminal storage area
- Dark grey area: New terminal internal roads
- Grey area: External roads
- Yellow grid: Box Junction

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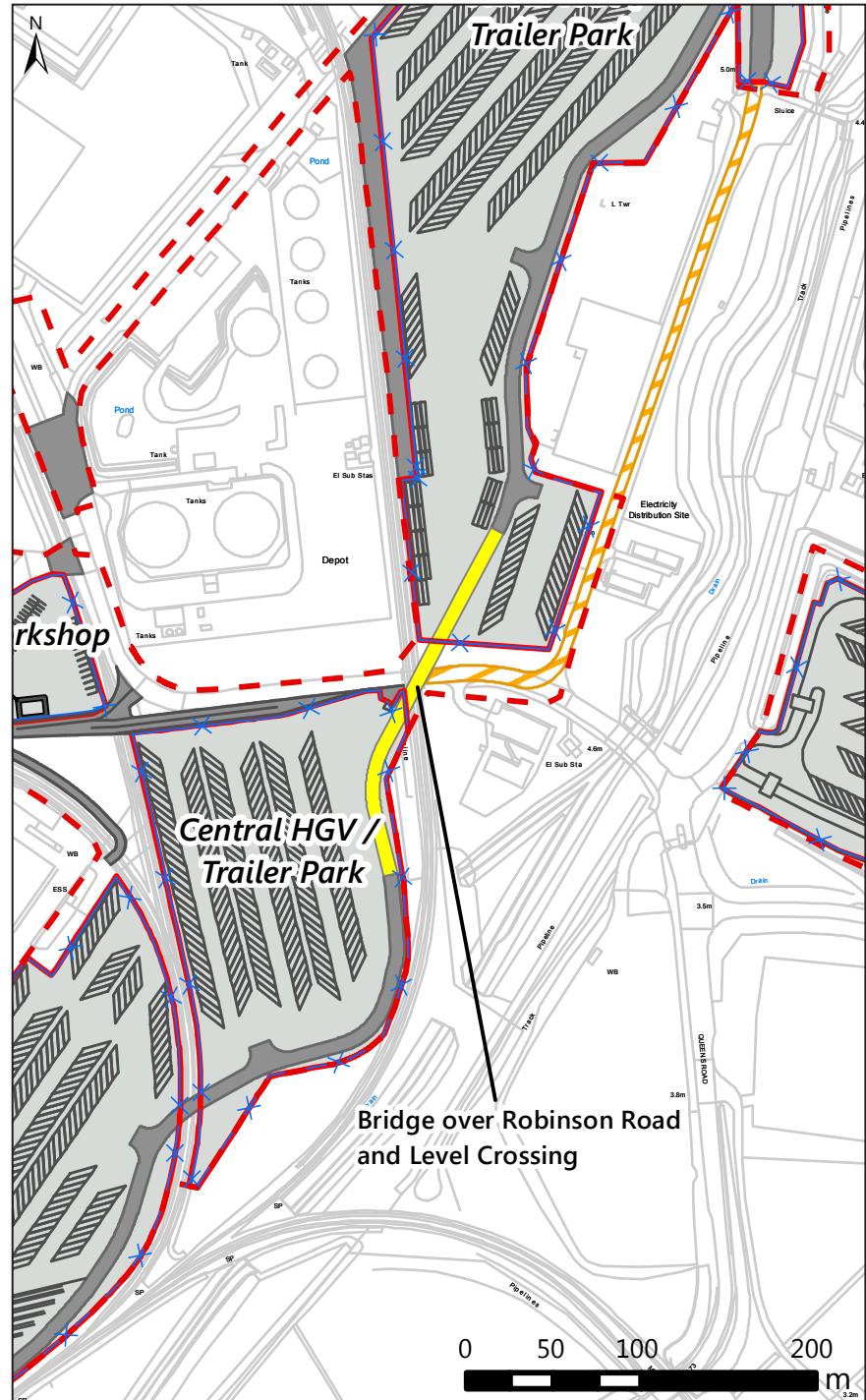
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Figure 5:
Removal of Storage Area

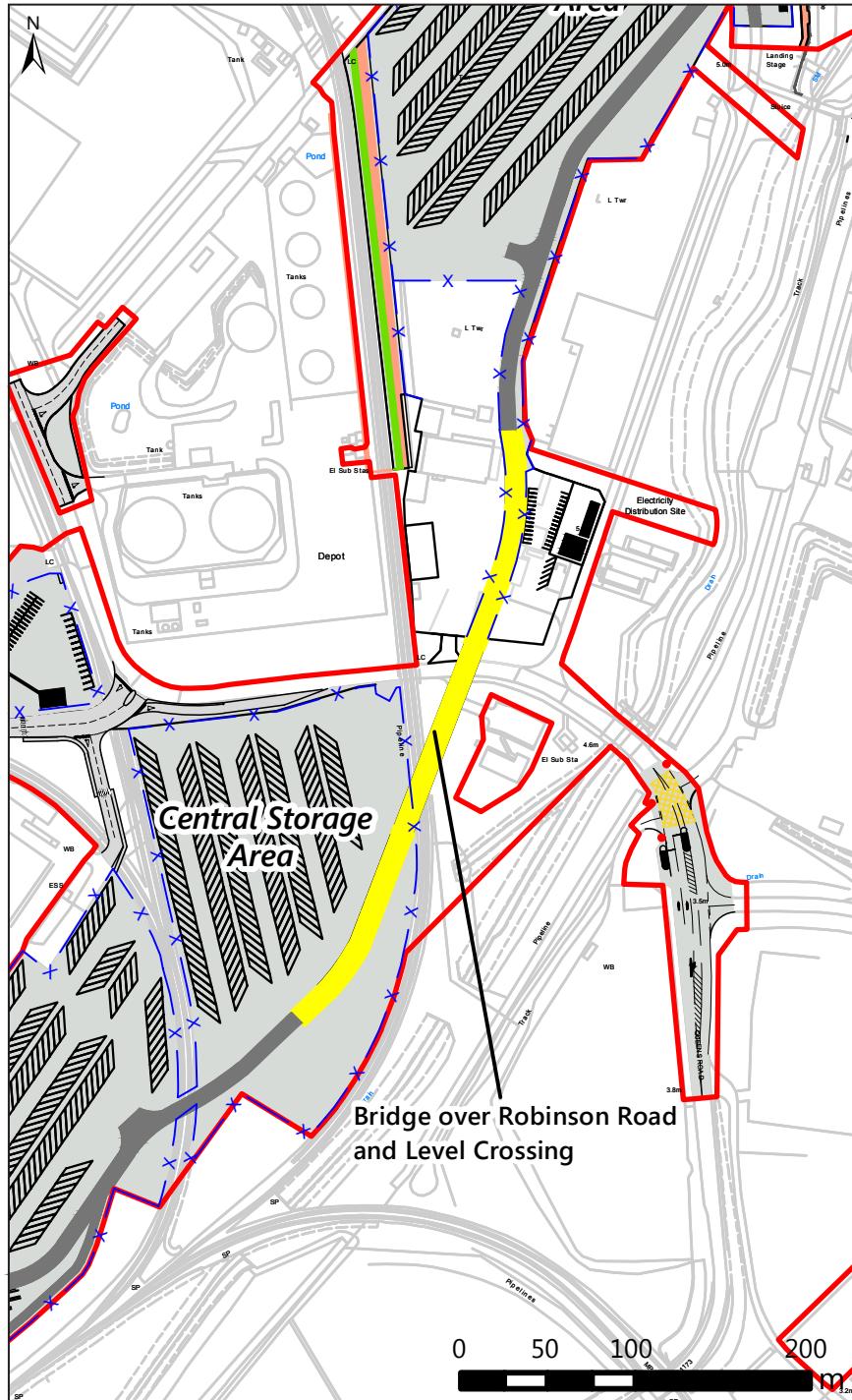
11 Internal bridge realignment

- 11.1 As a result of ongoing design and assessment work and having regard to the needs of existing port users, the alignment of the proposed internal bridge over Robinson Road linking the Central and North Storage areas has been slightly amended, being moved a little to the east.
- 11.2 The benefits of this refinement to the scheme are twofold.
- 11.3 First, it improves the alignment of the access roads that will lead to and from the bridge.
- 11.4 Second, it provides the opportunity for existing port tenants to continue to conduct their operations, which include the servicing of other port users in terms of maintenance, repair etc – albeit with a slightly rearranged layout – to remain *in situ* in the area around the northern embankment of the proposed bridge structure.
- 11.5 The refinement in the line of the bridge so as to enable the existing port tenants to remain *in situ* has led in turn to a reduction in the area of available storage being provided within the North Storage Area and the need to relocate the proposed container storage element within the North Storage Area. This reduction in area has been achieved, however, without significantly affecting the ability of the proposed terminal to operate efficiently and effectively.
- 11.6 Whilst developing the refinements to this part of the scheme the decision was also taken to remove the optional outbound gate that was previously to be located just to the north of the proposed bridge onto the East Riverside port road.
- 11.7 This decision was taken because the use of this gate could have led to congestion within the North Storage Area and also outside the new terminal at the junction between East Riverside and Robinson Road.
- 11.8 To assist in understanding this refinement to the scheme, Figure 6 shows the alignment of the bridge as originally proposed in the PEIR alongside what is now being proposed as part of the application.
- 11.9 This refinement has no environmental impact in terms of the proposed IERRT development.

PEIR Proposal



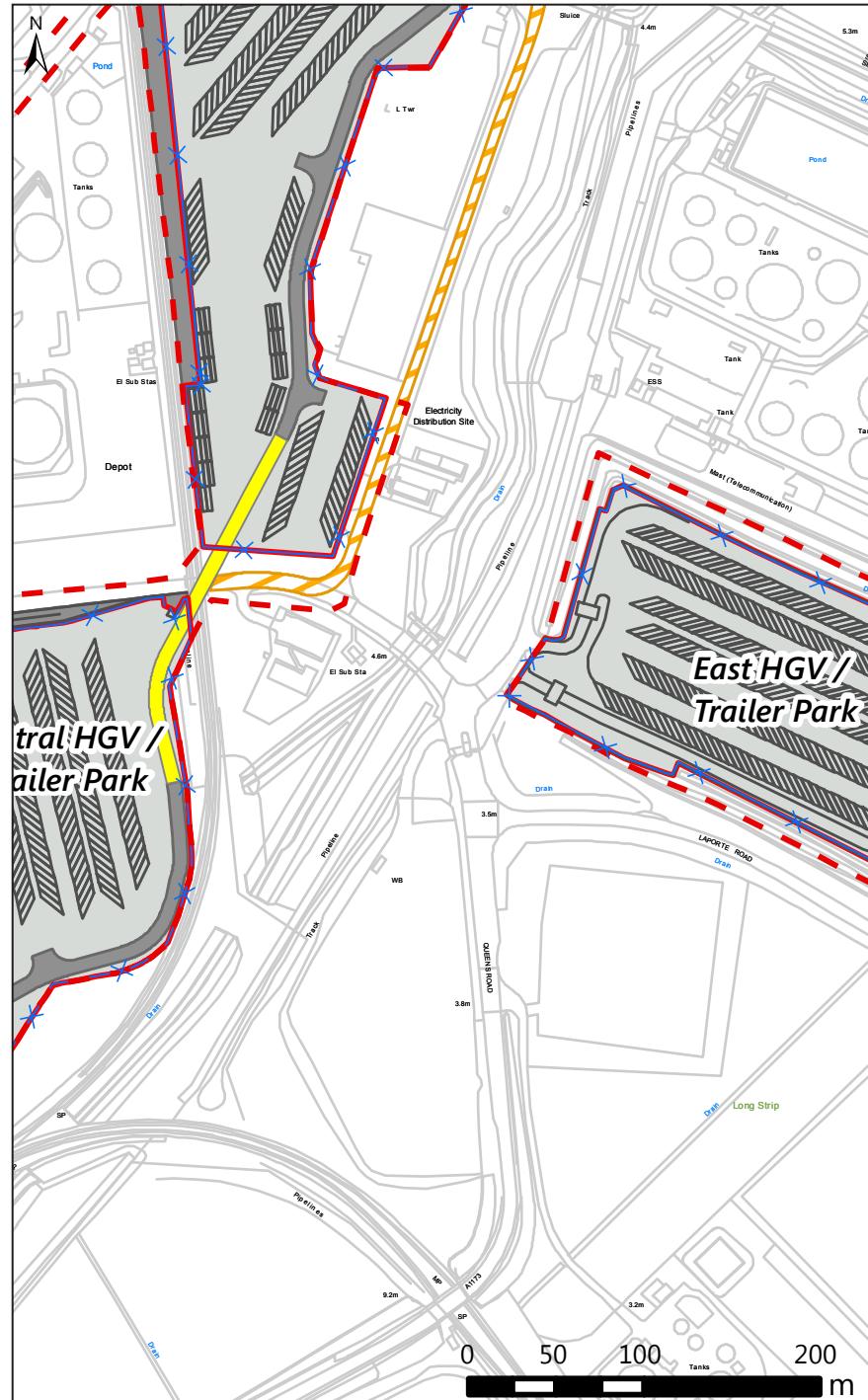
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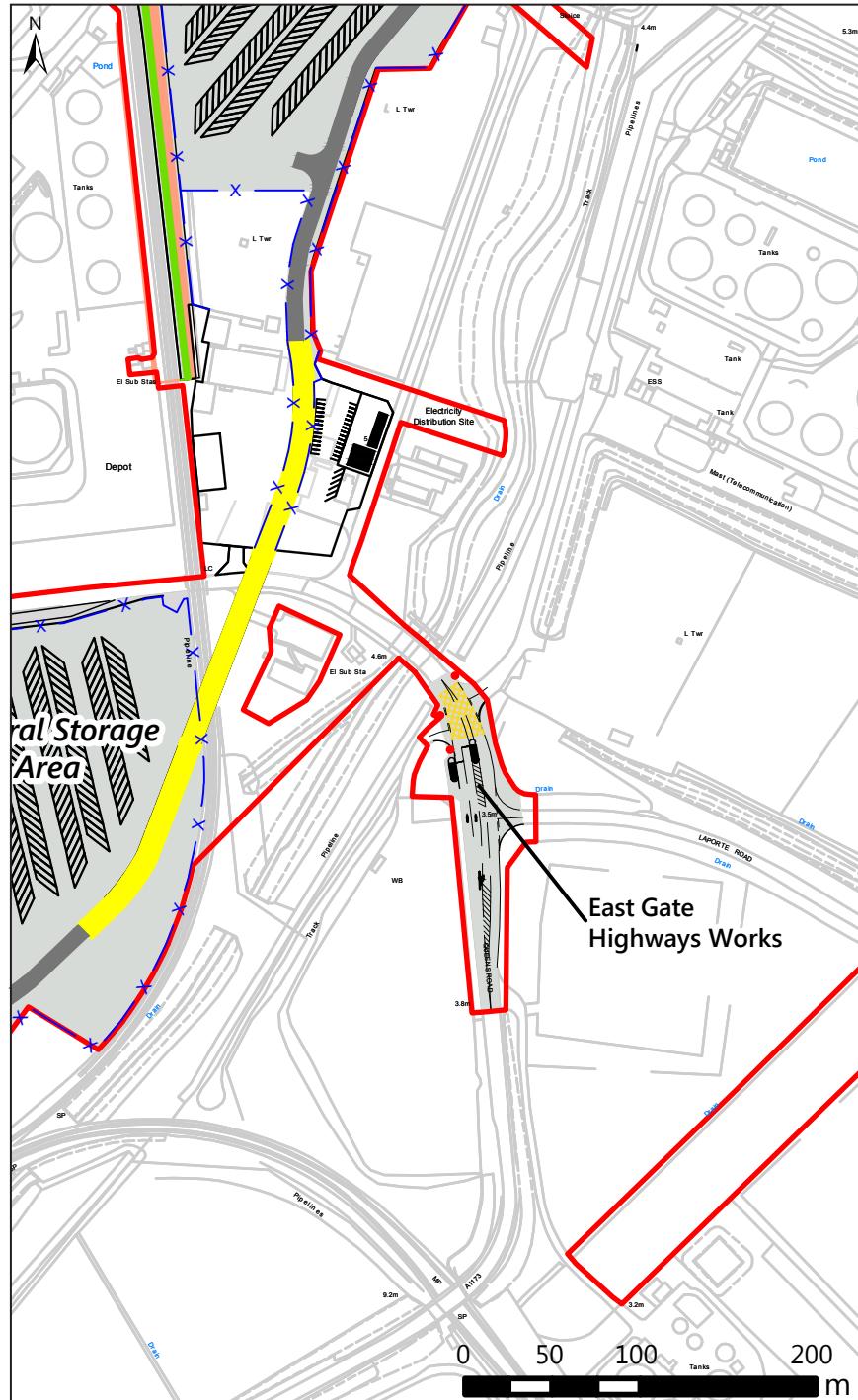
12 Improvements to East Gate

- 12.1 As part of the IERRT project, a capacity improvement will be made to the East Gate security entrance to the Port. This is required in order to facilitate the additional movement of vehicles through the East Gate into the Port. The existing gate house will be demolished and the existing entrance will be widened to accommodate an extra inbound lane with a newly constructed security gate house.
- 12.2 ABP considers in the context of this development and as will be detailed in the Environmental Statement which will be submitted with the DCO application, that there are no specific off-site highway capacity mitigation measures required to the public highway network to ensure the IERRT project is acceptable in highway terms.
- 12.3 Comments have, however, been received from stakeholders using the port about occasional queuing at the gate and whether improvements could be made to the East Gate security entrance in terms of access in light of the IERRT project.
- 12.4 It is as a result of the comments received that ABP has decided to carry out the relatively minor improvement to the East Gate as described above.
- 12.5 So as to ensure that there is no queuing along Queen's Road or Laporte Road caused as a consequence of the need for ABP to carry out security checks of vehicles entering the Port estate, the new second entry lane will allow a higher volume of traffic (broadly double) to access the Port during each hour.
- 12.6 On the adjacent public highway, the bus stop will be repositioned and the existing layby, which is occasionally used by HGVs for parking, will be removed. A pedestrian path between East Gate and the bus stop will be provided alongside the East Gate improvements.
- 12.7 These improvements have been discussed with the local highway authority, North East Lincolnshire Council, and will be regularised by means of a legal agreement with the Council. In addition, the draft DCO when submitted with the application will include a Requirement that ABP enter into such an agreement.
- 12.8 In addition, a signage strategy is being proposed as part of the development. East Gate is not currently comprehensively signposted from the local or strategic highway network and new signage will be provided on the A180 and local roads which will direct traffic to the Port via the A1173 and Queen's Road.
- 12.9 To assist in understanding this improvement, Figure 7 shows this element of the development as detailed in the PEIR alongside this element as now proposed.

PEIR Proposal



Revised Proposal



PEIR Proposal Legend

- Dashed red line: Proposed Application Site
- Solid red line: Terminal Boundary
- Blue cross: Terminal Fence
- Yellow area: Terminal bridge
- White rectangle: New buildings
- Grey shaded area: New terminal storage area
- Dark grey shaded area: New terminal internal roads

Revised Proposal Legend

- Solid red line: Order Limits
- Blue cross: Terminal fence
- Yellow area: Terminal bridge
- Orange line: Above ground pipe
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- Green area: New pipeline access track
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- Light grey shaded area: External roads
- Yellow square with grid: Box Junction

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Figure 7:
East Gate Improvements

13 Junction and road layout refinements

- 13.1 The statutory port estate, as noted above, extends to some 480 hectares. The operational site accommodates a wide variety of diverse marine trades and businesses – and those trades and business operate 24 hours a day, 365 days a year.
- 13.2 A network of internal roads, all with strict speed limits, service the myriad business and operations across the entire port estate.
- 13.3 The IERRT development, by its nature as a Ro-Ro facility, will inevitably increase the level of traffic movement throughput within the Port. Although the IERRT project site is located within the eastern sector of the port estate, and although the majority of traffic throughput created as a result of the IERRT operation will enter and leave the port via the East Gate, ABP has had to consider the movements along the existing port roads immediately adjacent to the IERRT Terminal site – not just in the interests of the Ro-Ro traffic that will be entering and leaving the new Terminal but also to ensure that the current ease of movement for ABP's existing tenants does not become more difficult as a result of IERRT.
- 13.4 With this in mind, therefore, and solely within the port estate, works will be undertaken to give effect to a number of localised amendments, including to the junction of Robinson Road and East Dock Road, East Dock Road and East Riverside Road. ABP will also be undertaking highway improvements to Gresley Way and together with improvements and alterations to the approach to the entrance and exit to Shed 26.
- 13.5 In addition, a new junction with Robinson Road to connect with Gresley Way will also be provided.
- 13.6 Other vehicle circulatory and access routes will be provided within the IERRT terminal itself.
- 13.7 These relatively minor internal road improvements – which are shown on the general arrangement drawing provided at Figure 2 – are being included simply to assist existing and future commercial traffic movements within the Port.
- 13.8 In terms of environmental impact, these additional changes to the port's internal road network are minor in impact and considered to be beneficial in effect

14 Marine environmental enhancement – Skeffling

- 14.1 Although the IERRT project will not create an adverse effect in terms of environmental impact, ABP has nevertheless decided, in light of its overriding statutory obligations and policy requirements in terms of the need to enhance biodiversity interests, as summarised above in section 8, to make provision for certain environmental enhancements as part of the scheme both in terms of marine and landside environmental enhancement.
- 14.2 The objective is to meet those policy requirements of relevance to the IERRT which indicate that advantage should be taken of opportunities to enhance biodiversity conservation interests as part of new development proposals.
- 14.3 The marine enhancement will involve the provision, as part of the IERRT scheme, of an area of intertidal habitat, approximately one hectare, within the Outstrays to the Skeffling Managed Realignment (MR) scheme.
- 14.4 ABP, in partnership with the Environment Agency, is currently developing this scheme on the north bank of the Humber Estuary. Planning permission (Application Number: 19/00786/STPLFE) and marine licence approvals (Licence Reference: L/2020/00271/1) were obtained in August 2019 and construction commenced in 2021.
- 14.5 The objective of the scheme is to create new intertidal habitat and improve protection from tidal flooding to the local area in line with future climate change projections. ABP owns approximately 80 hectares of the land within the MR scheme site, within which the one hectare site will be located.
- 14.6 Managed realignment is generally viewed as the principal means to create intertidal habitat. It involves the deliberate breaching or removal of existing seawalls or embankments in order to allow water to inundate the land behind.
- 14.7 In summary, the scheme as a whole includes the construction of new earth embankments set back from the existing coastal flood defences and the creation of controlled breaches in the existing defences to create new intertidal habitat behind those existing defences.
- 14.8 The IERRT application will include a marine enhancement plan for the area of land specifically designated as part of the IERRT development – which will include a monitoring strategy – and which will in due course, be assimilated within the main management plan that is being prepared by the Environment Agency and ABP for the ‘Outstrays to Skeffling Managed Realignment Scheme’.
- 14.9 The location of the Skeffling site is shown on Figure 8.

Legend



Inset Plan

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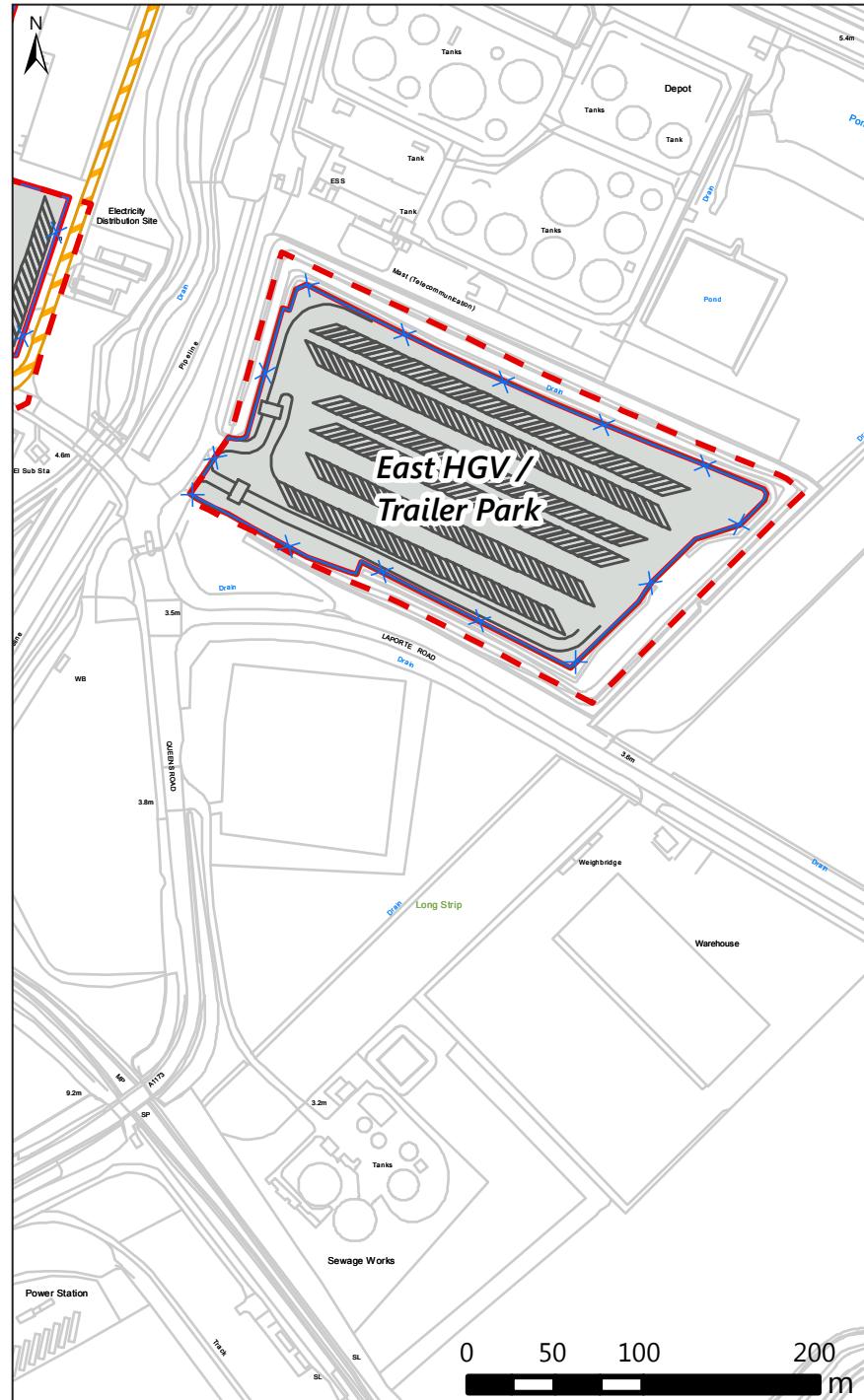
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**Figure 8:
Skeffling Site Location**

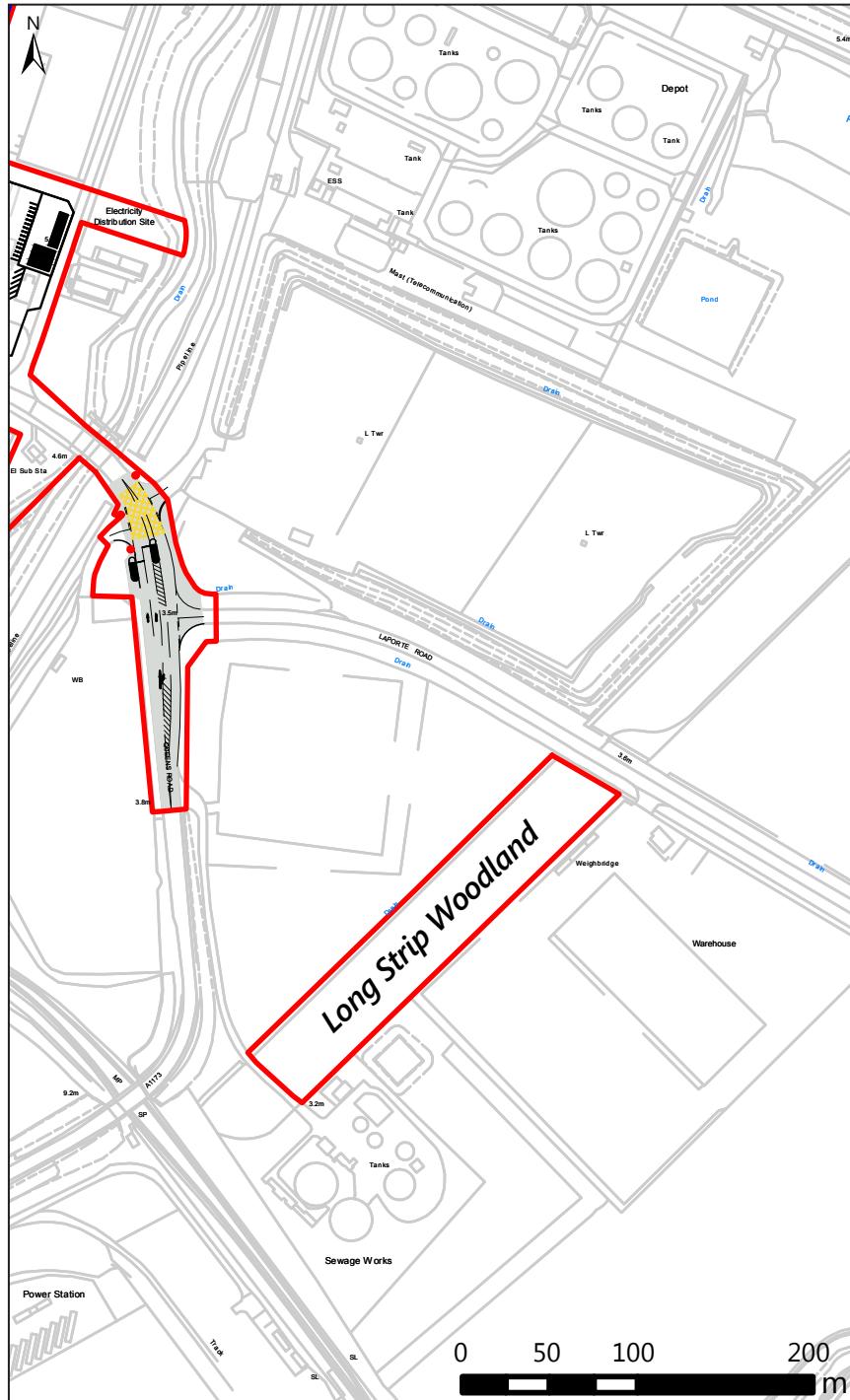
15 Landside environmental enhancement – Long Wood

- 15.1 As explained above terrestrial environmental enhancement is being provided on the landside which, with Skeffling above, will contribute to the maintenance and enhancement of ecology and biodiversity.
- 15.2 The Long Wood lies immediately to the east of the port estate, adjacent to and effectively opposite the Port's East Gate.
- 15.3 That part of Long Wood which forms part of the IERRT scheme lies to the south of Laporte Road. It comprises approximately one hectare of woodland and is owned by ABP.
- 15.4 The woodland is dominated by mature oak and ash and is protected by a Tree Preservation Order made by North East Lincolnshire Council.
- 15.5 The objective of this enhancement is to reduce understorey canopy cover and create open 'glades' to encourage the development of woodland ground flora, create more ecological niches for terrestrial invertebrates and amphibians, increase nesting opportunities for birds, and increase roosting opportunities for bats.
- 15.6 This will be achieved by the targeted removal of semi-mature tree and shrub to open up the canopy and encourage the development of a greater diversity of woodland ground flora and the creation of log and brash piles using felled material.
- 15.7 All mature oak and ash trees will be retained. Bird and bat boxes will also be installed in suitable locations within the woodland to provide additional nesting and roosting opportunities.
- 15.8 A Woodland Enhancement and Management Plan is being developed with North East Lincolnshire Council and will be included as part of the DCO application document.
- 15.9 The location of the Long Wood site is shown on Figure 9.

PEIR Proposal



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Figure 9:
Long Strip Woodland Location

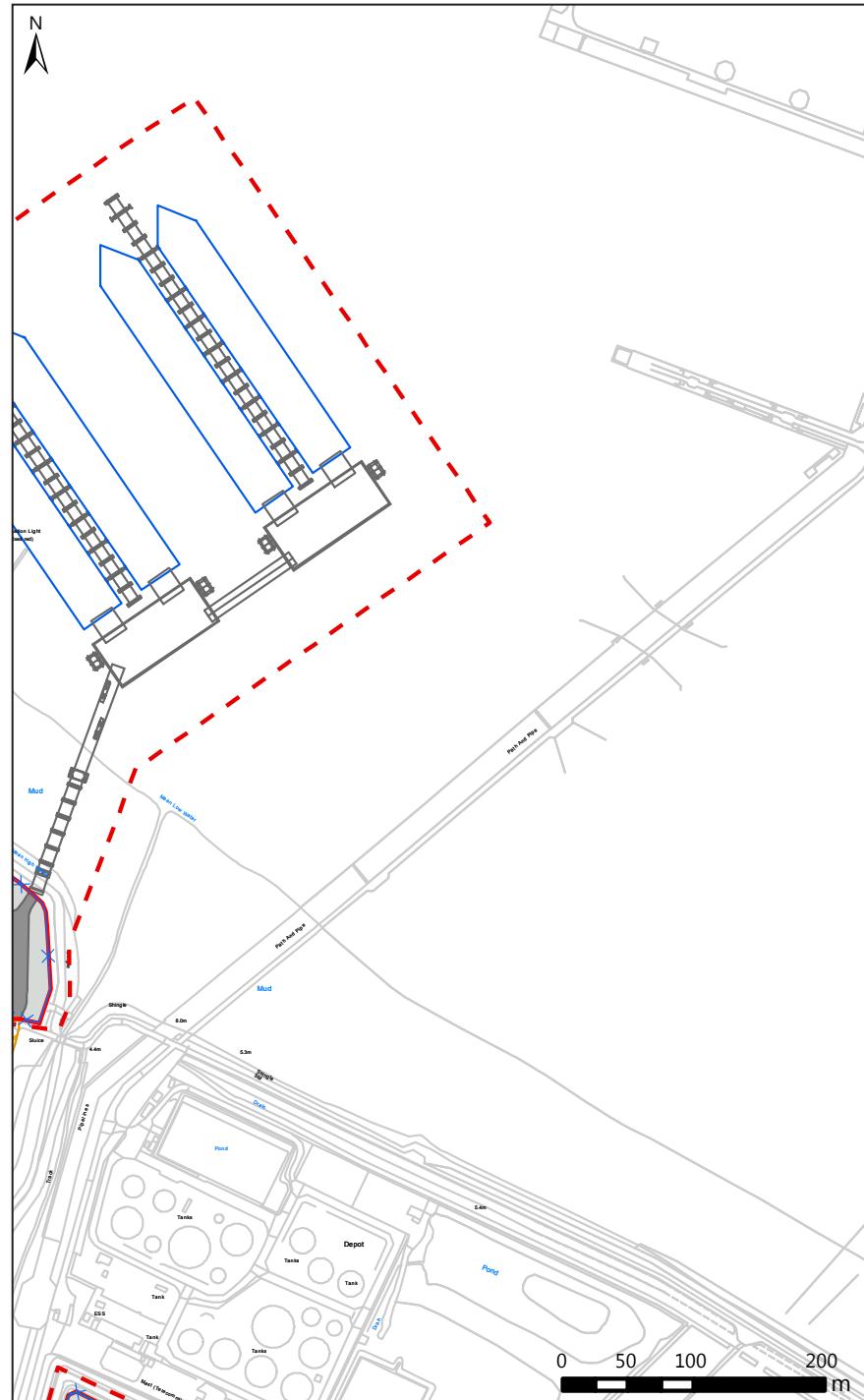
16 Marine Infrastructure

- 16.1 ***The approach jetty*** – The marine infrastructure detailed in the PEIR contemplated the construction of “up to four berths” serviced by a straight line approach jetty.
- 16.2 As noted above, in light of the slight realignment effected to the now three berths, it was necessary to amend the original straight line approach jetty by curving it to the east – the introduction of a curve being required to facilitate the embarkation and disembarkation of the wheeled Ro-Ro cargo.
- 16.3 Further consideration of the design, however, has enabled ABP to remove the northernmost curve of the approach jetty and its associated linkspan and instead replace it with a straight length of approach jetty, leading directly on to the first of two floating pontoons. This pontoon, will be connected to a second northern pontoon by a linking bridge. Both pontoons will then service the loading and unloading ramps of the berthed Ro-Ro vessels, as has always been the case and as was detailed in the PEIR.
- 16.4 This amendment to the scheme has a considerable benefit in that the removal of the top curve in the approach jetty as outlined in our Summer Newsletter and its replacement by a short straight line jetty will in turn lead to a reduction in piling thereby reducing the environmental impact of the structure.
- 16.5 ***Possible impact protection measures*** – The final change made to the project arises directly from representations made by users of the Port. As will be detailed in the IERRT application material, ABP is confident that, following comprehensive risk assessment, the new Ro-Ro facility will be able to operate efficiently and safely without the need for any additional mitigation measures – although it may occasionally be necessary for the Ro-Ro operator to use tugs for a vessel berthing – as is common practice on the Humber Estuary.
- 16.6 As part of its assessment of the IERRT project, however, ABP does recognise, that, in light of the dynamic nature of the Humber Estuary at all states of the tide – it may be necessary at some time in the future to install impact protection measures to the east of the IERRT jetty and in front of the western elevation of the Immingham Oil Terminal approach jetty.
- 16.7 It should be emphasised that ABP, having comprehensively assessed the various berthing scenarios for IERRT is confident that no such measures will be required. Indeed, such measures are not routinely provided elsewhere within this very busy operational port and port operations are monitored at all hours both by the ABP Dock Master and independently by the Harbour Master through Humber Estuary Services.
- 16.8 The potential inclusion of such a measure in the DCO application, therefore, is a purely precautionary step. ABP will be submitting its application for a DCO on the basis that impact protection measures are not required. It would, however, be imprudent of ABP not to seek the necessary approvals for these

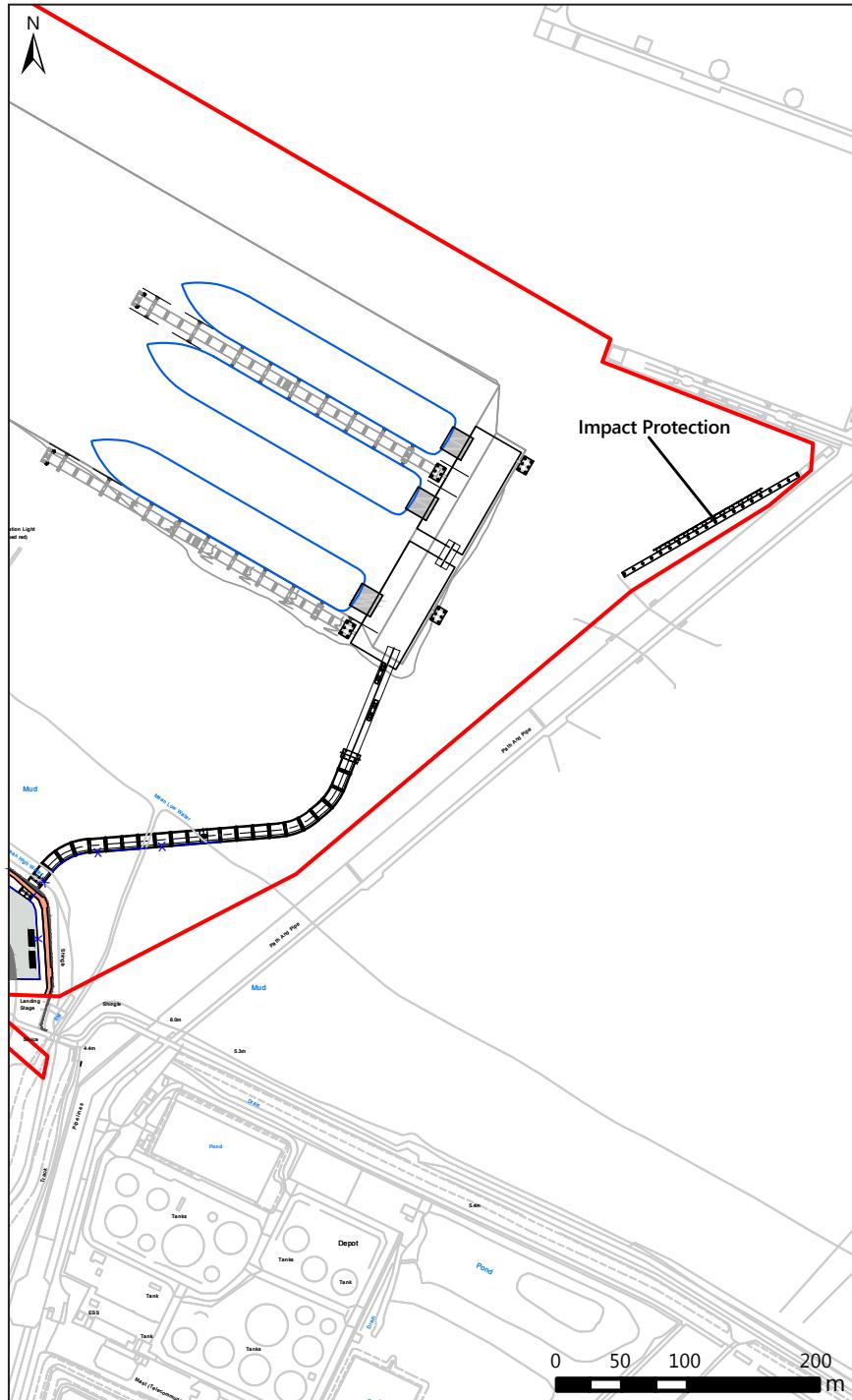
impact protection measures, as detailed in Figure 10, should at some time in the future, ABP determine that such measures should be installed.

- 16.9 ABP is, therefore, considering design options for an impact protection structure, which could, on the basis of a worst case, take the form of an open piled structure located on the western side of the Immingham Oil Terminal approach jetty, consisting of up to 39 tubular piles arranged in two staggered rows measuring approximately 150 m in length.
- 16.10 A summary of the worst case assessment conclusions is provided in Table 1 in Section 17 but in terms of the assessment of the inclusion of impact protection measures, the effects, based on the worst case assessment described above, are considered to be insignificant.
- 16.11 Section 17 also includes the consideration of all changes to the environmental impact of the scheme as a direct consequence of the changes to the marine infrastructure described above.

PEIR Proposal



Revised Proposal



PEIR Proposal Legend

- Dashed red line: Proposed Application Site
- Red line: Terminal Boundary
- Blue line: Terminal Fence
- Yellow line: Terminal bridge
- Black shape: New buildings
- Grey area: New terminal storage area
- Dark grey line: New terminal internal roads

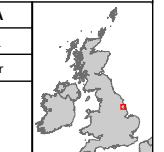
Revised Proposal Legend

- Red line: Order Limits
- Blue line: Terminal fence
- Yellow line: Terminal bridge
- Orange line: Above ground pipe
- Black shape: New buildings
- Green line: New pipeline access track
- Grey area: New terminal storage area
- Dark grey line: New terminal internal roads
- Light grey line: External roads
- Yellow grid: Box Junction

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Date	By	QA
25/10/2022	MS	PR
Scale (A4)	See Scale Bar	

IMMINGHAM EASTERN RO-RO TERMINAL

SUPPLEMENTARY CONSULTATION REPORT

Figure 10:
Impact Protection Measures

17 Implications for Environmental Effects

- 17.1 As noted above, as part of the statutory consultation undertaken in January and February 2022, ABP prepared and published the PEIR which set out a preliminary assessment of the likely environmental effects of the IERRT Project during both construction and operation. This exercise was undertaken on a topic by topic basis, and contained various technical appendices, figures and plans. The PIER was produced in compliance with the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017.
- 17.2 ABP also prepared a non-technical summary of the PEIR which summarised the key points of the PEIR. Both the PEIR and the non-technical summary can be accessed and downloaded from the ABP Project web page, details of which are provided in Section 18 of this Report.
- 17.3 For the purposes of this Supplementary Statutory Consultation ABP has prepared an outline of Implications for Environmental Effects of the IERRT project as refined which is presented in Table 1. This section of the SCR together with Table 1 support and supplement the PEIR which also, as noted above, forms part of the consultation materials for this Supplementary Statutory Consultation.
- 17.4 It is important to note that this section and Table 1 together focus on the impact pathways and the impact assessments that have changed from those identified in the PEIR as a result of the iterations that have been made to the IERRT Project (described in the preceding sections).
- 17.5 If the changes made to the scheme do not have significant implications for an assessment topic, receptor or impact pathways, then they are not detailed further in Table 1.
- 17.6 The full environmental impact assessment of the IERRT Project will be presented in the ES and submitted with the DCO application.

Table 1 - Implications for Environmental Effects

Topic	Key impact pathways affected by IERRT Project changes	Preliminary impact assessment in PEIR	Impact assessment following the IERRT Project changes	Significance of effect
Physical processes	Increased suspended sediment concentrations (SSC) and potential sedimentation over the extent of the disturbance plume as a result of the construction of the new piers (piling) and capital dredging works	Numerical modelling was used to inform the repeating cycle of dredging at the planned berth pocket and subsequent disposal at HU060. Consequently, the basis of the assessment included continuous dredging (throughout the modelled period) at the proposed berth location and a disposal (over a 10-minute period) at HU060 every four hours.	The changes to the IERRT scheme include a reduced dredge volume. Consequently, the assessed maximum magnitude of change remains as assessed in the PEIR, but the duration of effect is reduced (as a result of the smaller overall dredge volume). As was the case for the preliminary assessment presented in the PEIR, the basis of the assessment includes continuous dredging (throughout the modelled period) at the proposed berth location and a disposal (over a 10-minute period) at HU060 every four hours.	Low exposure to change ¹
	Increased SSC and potential sedimentation as a result of the deposit of capital dredge material at a licensed offshore disposal site			
	Changes in seabed bathymetry and composition as a result of deposition of dredged/disposal material within the area of the respective plumes	The construction phase of the project was considered to result in a low exposure to change with respect to physical processes.		

¹ The physical processes assessment in the PEIR and the ES assess the potential 'exposure to change' resulting from the impact pathways, but not the significance of any effects (which are assessed in other topic-specific chapters of the PEIR).

Topic	Key impact pathways affected by IERRT Project changes	Preliminary impact assessment in PEIR	Impact assessment following the IERRT Project changes	Significance of effect
	Local changes to hydrodynamic regime (flow speed and direction) as a result of the piers (piling) and the capital dredging		The operational phase of the project was considered to result in a low exposure to change with respect to physical processes.	Numerical modelling to inform the physical processes assessment has been undertaken following the changes to the IERRT scheme. This provides predictions of likely changes to hydrodynamics, SSC, and potential sedimentation (erosion/accretion) patterns across the Immingham frontage and the wider study area. Following assessment of the updated IERRT scheme, the operational phase of the project is still considered to result in a low exposure to change with respect to physical processes.
	Local changes to the wave regime, as a result of the piers (piling) and capital dredging required to develop the new berth pocket			

Topic	Key impact pathways affected by IERRT Project changes	Preliminary impact assessment in PEIR	Impact assessment following the IERRT Project changes	Significance of effect
			Across the near-field, the exposure to change is considered low. Across the far-field, an overall negligible exposure to change is anticipated.	
Nature conservation and marine ecology	Direct loss of intertidal habitat as a result of capital dredging and the piles	The area of direct loss of intertidal habitat was 1.65 ha due to the capital dredging and the piles.	The changes to the IERRT scheme have reduced the footprint of the dredge area and the overlap with the intertidal zone. The direct loss of intertidal habitat is now approximately 0.012 ha due to the capital dredging and the piles.	Insignificant
	Direct loss of subtidal habitat as a result of the piles	The direct loss of subtidal habitat as a result of the piles was not specifically assessed as a separate impact pathway in the PEIR.	Piling in the subtidal area will result in the direct loss of approximately 0.03 ha of subtidal habitat on the basis of the revised IERRT scheme (including impact protection measures).	Insignificant
	Direct changes to benthic habitats and species as result of seabed removal during dredging	The capital dredge would have resulted in the loss of 1.64 ha of lower elevation intertidal habitat as a direct result of deepening the berth pockets (i.e., permanently change to subtidal habitat). Direct	The changes to the IERRT scheme have reduced the footprint of the dredge area and the overlap with the intertidal zone. The capital dredge will now cause direct changes to 6.8 ha of subtidal habitat as a direct result of the physical	Insignificant to minor adverse

Topic	Key impact pathways affected by IERRT Project changes	Preliminary impact assessment in PEIR	Impact assessment following the IERRT Project changes	Significance of effect
		changes to 6.47 ha of subtidal habitat would have also occurred as a direct result of the physical removal of subtidal sediment during the capital dredge, as well as a change over 0.48 ha of intertidal which would have become lower in elevation (but remain intertidal) due to the dredging of the slope of the dredge pocket.	removal of subtidal sediment, as well as a change over 0.003 ha of intertidal which will become lower in elevation (but remain intertidal) due to the dredging of the slope of the dredge pocket.	
	Indirect loss or change to seabed habitats and species as a result of changes to hydrodynamic and sedimentary processes	Marginal changes to hydrodynamics (local flow speed) were considered possible following the capital dredge with only small changes in sedimentation and erosion rates predicted to occur for subtidal habitats in the vicinity of the dredge pocket. Negligible changes in erosion and accretion were predicted to occur on nearby intertidal habitat.	Slight increases to local peak ebb current speed landward of the berth pocket are predicted to cause a limited amount of erosion of the bed along part of the lower intertidal (at the elevation of mean low water springs) beneath the landward ends of the proposed jetty. This will result in a potential indirect loss of intertidal area of approximately 0.01 ha. This calculation represents a worst-case assessment of potential elevation changes and has been considered on a precautionary basis. The level	Insignificant

Topic	Key impact pathways affected by IERRT Project changes	Preliminary impact assessment in PEIR	Impact assessment following the IERRT Project changes	Significance of effect
			of predicted change is at the limit of the accuracy of the modelled data and, in real terms, is likely to be immeasurable against the context of natural variability (as a result of storm events, for example).	
	Loss or change to coastal waterbird habitat	<p>As noted in the rows above, it was anticipated that the proposed development would have resulted in the loss of 1.65 ha of intertidal habitat, due to capital dredging and piling.</p> <p>The capital dredge would have also caused a change in intertidal habitat of 0.48 ha which would have become lower in elevation (i.e., lower in the tidal frame) and steeper in profile due to the slope of the proposed dredge pocket but remained intertidal habitat.</p>	<p>As noted in the rows above, it is anticipated that the proposed development will result in the loss of 0.022 ha of intertidal habitat due to the following direct and indirect effects:</p> <ul style="list-style-type: none"> ▪ Capital dredging and piling will potentially cause a direct loss of 0.012 ha; and ▪ Capital dredging and the marine infrastructure will cause a potential indirect loss of 0.01 ha due to erosion caused by changes in currents. <p>The capital dredge will also cause a potential change in intertidal habitat. It is predicted that 0.003 ha of intertidal habitat will become lower in elevation (i.e., lower in the tidal</p>	Insignificant

Topic	Key impact pathways affected by IERRT Project changes	Preliminary impact assessment in PEIR	Impact assessment following the IERRT Project changes	Significance of effect
			frame) and steeper in profile due to the slope of the proposed dredge pocket but will remain intertidal habitat.	
Commercial and recreational navigation	Vessel allision with existing port infrastructure	Vessel allision with existing port infrastructure was not specifically assessed in the PEIR or preliminary Navigational Risk Assessment (NRA).	The implementation of impact protection will be established if required as part of adaptive controls. This impact protection control will, if required, mitigate both the frequency and consequence of this risk to a very substantial extent.	Insignificant
	Mooring breakout with vessel alongside	There is potential for a vessel to break its moorings and leave the berth due to stress of weather, passing vessel or mooring equipment failure. In the PEIR, it was considered that following a mooring breakout, the vessel drifting may lead to a collision, grounding or contact with port infrastructure. However, given the slow speed at which this is likely to occur, the consequences were assessed as minor.	The berths have been reorientated for greater alignment with the prevailing tidal flows and existing marine infrastructure in the locality. This will also reduce the windage on moored vessels as the prevailing wind is from the southwest. The subsequent forces applied to vessel by the environment will therefore be less. This decreases the likelihood of mooring breakout and will also allow the berths to be operated in a wider window of environmental parameters.	Insignificant
	Vessel grounding during operation	Grounding of vessels whilst manoeuvring to the	The likelihood of grounding during operation has reduced	Insignificant

Topic	Key impact pathways affected by IERRT Project changes	Preliminary impact assessment in PEIR	Impact assessment following the IERRT Project changes	Significance of effect
		southwestern berth (i.e., on the south face of the southernmost finger pier, Berth 4, which has since been removed from the IERRT scheme) was considered in the Preliminary NRA. The risk was assessed as low.	following the reduction from four to three berths. Vessels will now only berth on the north face of the southernmost finger pier, Berth 3. The finger pier is positioned between the shallow intertidal area and vessels approaching the IERRT.	
	Additional impact pathways associated with a sequenced construction scenario	A sequenced construction scenario was not considered in the PEIR or Preliminary NRA.	Seven new pathways have been identified in the context of hazard types during the hazard identification (HAZID) process. The overall NRA considers risks of the same hazard type but with different contexts due to the nature of construction and operation occurring in tandem. The HAZID data indicates that the period of highest embedded risk is during operation whereas the potential risk outcomes, with further applicable controls applied, are comparable to the construction and operation stages. That is, the risk analysis data collected from the HAZID workshops shows the outcomes are no more	Insignificant

Topic	Key impact pathways affected by IERRT Project changes	Preliminary impact assessment in PEIR	Impact assessment following the IERRT Project changes	Significance of effect
			significant than construction or operation independently.	
Air quality	Onsite emissions sources (including vessel, land-tug and road traffic emissions) during operation	At the PEIR stage, no assessment of onsite emissions sources, including vessel emissions, was included.	The scheme changes would see a reduction in vessel emissions associated with the reduction from four to three berths. It would also see a reduction in onsite vehicle movement emissions and a reduction in onsite land-tug movement emissions. The assessment concludes that the effect on air quality is insignificant.	Insignificant
	Offsite emissions sources (road traffic emissions on the local and strategic road network) during operation	At the PEIR stage, a screening assessment was undertaken of operational road traffic emissions. The PEIR assessment concluded that the impact of operational road traffic emissions was moderate (for annual mean NO ₂) at a limited number of properties adjacent to Queens Road. However, the effect was considered insignificant due to the limited number of	The scheme changes would see a reduction in road traffic emissions associated with the reduction from four to three berths. A detailed assessment of road traffic emissions has been undertaken and the conclusions of the assessment remain unchanged from that reported in the PEIR.	Insignificant

Topic	Key impact pathways affected by IERRT Project changes	Preliminary impact assessment in PEIR	Impact assessment following the IERRT Project changes	Significance of effect
		properties impacted to this extent and total annual mean NO ₂ concentrations remaining well below the relevant air quality objective value.		
Noise and vibration	Potential vibration impacts on existing infrastructure associated with construction activities on site	Vibration emissions from the construction and operation of the proposed development was scoped out of the preliminary assessment in the PEIR.	The addition of vessel impact protection and the associated piling activities has the potential to cause ground-borne vibration close to the Immingham Oil Terminal (IOT) jetty. Further assessment is being undertaken and appropriate mitigation will be employed if required.	To be confirmed
Marine archaeology and cultural heritage	Direct disturbance to the seabed (from construction activities and dredging works) causing damage to receptors	With mitigation in the form of offsetting by means of geoarchaeological assessment of geotechnical surveys, and implementation of a Protocol for Archaeological Discoveries (PAD), secured through a Written Scheme of Investigation (WSI), effects resulting from the proposed development were assessed as negligible to major positive through	Despite the changes to the IERRT project, with mitigation in the form of offsetting by means of geoarchaeological assessment of geotechnical surveys, and implementation of a Protocol for Archaeological Discoveries (PAD), secured through a Written Scheme of Investigation (WSI), effects resulting from the proposed development (including the changes made to the IERRT project) are assessed as	Negligible to major positive

Topic	Key impact pathways affected by IERRT Project changes	Preliminary impact assessment in PEIR	Impact assessment following the IERRT Project changes	Significance of effect
		contributing to the knowledge base of seabed prehistory receptors.	negligible to major positive through contributing to the knowledge base of seabed prehistory receptors.	
	Indirect disturbance to receptors caused by changes to the hydrodynamic and sedimentary regimes due to dredging and sediment distribution	The effects associated with indirect impacts on archaeological resources were anticipated to result in negligible adverse effects.	Despite the changes to the IERRT project, the effects associated with indirect impacts on archaeological resources are anticipated to result in negligible adverse effects.	Negligible
Traffic and transport	Heavy goods vehicle (HGV) generation during operation	The assessment in the PEIR was based on a throughput of cargo units per annum of 880,000 for four berths.	The generation of HGVs will be reduced following the decision to reduce the number of berths from four to three. The assessment in the ES will be based the throughput of cargo being limited to 660,000 units. The impact is therefore lessened and considered insignificant to minor.	Insignificant/minor
Climate change	Greenhouse gas (GHG) emissions during construction	No detailed GHG emission calculations had been undertaken for the PEIR.	The changes to the IERRT scheme will not significantly change GHG emissions during construction. GHG emissions are considered minor adverse and insignificant.	Minor adverse
	GHG impact assessment during operation	No detailed GHG emission calculations had been undertaken for the PEIR.	The scheme changes would see a reduction in vessel emissions associated with the reduction from four to three	Minor adverse

Topic	Key impact pathways affected by IERRT Project changes	Preliminary impact assessment in PEIR	Impact assessment following the IERRT Project changes	Significance of effect
			<p>berths. It would also see a reduction in onsite vehicle movement emissions and a reduction in onsite land-tug movement emissions.</p> <p>The scheme changes would also see a reduction in road traffic emissions associated with the reduction from four to three berths.</p> <p>GHG emissions are considered minor adverse and insignificant.</p>	

18 Consultation materials and events

- 18.1 The IERRT consultation materials for the Supplementary Statutory Consultation can be viewed and downloaded online from the IERRT project website at: www.abports.co.uk/immroro/consultation. This includes this document – the SCR, the PEIR, the non-technical summary of the PEIR, the section 48 statutory notice (made under the Planning Act 2008) and the Supplementary Consultation Newsletter. These documents will be available to view and for comment until the close of the consultation on Sunday 27 November 2022.
- 18.2 This Supplementary Statutory Consultation is being undertaken in accordance with the principles and methods set out in the SoCC which was advertised and publicised in January 2022 in accordance with Section 47 of the Planning Act 2008. The SoCC at paragraph 8.4 provided that if, as a result of feedback from the original statutory consultation, the IERRT proposals were to change to the extent that it was necessary to undertake further geographically targeted consultation, this would be undertaken in accordance with the principles and methods set out in the SoCC. ABP is therefore now undertaking the Supplementary Statutory Consultation in line with the methods outlined in the SoCC, adapted as necessary, as detailed below.
- (a) Face to face consultation events have been advertised and will take place at the same venues but on the following dates:
- For members of the public at: Immingham Civic Centre, Pelham Road, Immingham, DN40 1QF on Saturday 12 November 2022 from 10am to 3pm;
- and
- For Port Users at: Seafarers Centre Immingham, Lockside Road, Immingham Dock, Immingham, DN40 2NN on Tuesday 15 November 2022 from 1pm to 4pm.
- (b) Online Webinars will be held in November 2022, subject to demand.
- (c) A Questionnaire was published as part of the comprehensive statutory consultation exercise undertaken in January – February 2022. In line with comments received in response to the statutory consultation regarding the usefulness of the Questionnaire, we have not produced a further Questionnaire for the Supplementary Statutory Consultation, and instead ask that views and comments are submitted in full by email or letter. If individuals, however, would prefer to submit their comments via a Questionnaire a copy is available to download and complete on the project consultation website or a hard copy can be requested by emailing or calling from the project team. The Questionnaire has only been updated to refer

to the ‘Supplementary Statutory Consultation’ and the altered close date of 27 November 2022, the questions remaining the same.

(d) All previous consultation materials are available to view and download on the project consultation website. A link to a separate webpage containing copies of all the previous consultation documents from the statutory consultation undertaken in January – February 2022, the SoCC and the two subsequent newsletters (providing scheme updates) is provided on the project webpage which hosts the consultation materials for the Supplementary Statutory Consultation and which can be found at - www.abports.co.uk/immroro/consultation.

18.3 In addition, in compliance with the SoCC, ABP has:

(a) Notified all consultees who are specifically identified in Section 42 of the Planning Act 2008 (section 6 Consultation with Statutory Consultees);
(b) Undertaken a mail out of the Supplementary Consultation Newsletter to the Consultation Zone mail out area as outlined in paragraph 2.13 of the SoCC; and
(c) Complied with the commitments to notify the local community set out in paragraph 2.14 and 2.16 of the SoCC.

18.4 For completeness, ABP has consulted with the North East Lincolnshire Council, the responsible local authority within which the IERRT development site falls, in respect of the above proposals, as well as informing all the neighbouring local authorities.

18.5 A copy of the SoCC has remained on the project website since its adoption and will continue to be made available on it throughout the Supplementary Statutory Consultation period.

19 Share your views

- 19.1 We are anxious to receive comments on the IERRT scheme as it has now evolved.
- 19.2 To assist, ABP is running the Supplementary Statutory Consultation between Friday 28 October and Sunday 27 November 2022, during which time ABP invites written comments on the changes that have been described above.
- 19.3 You can submit your views on the IERRT by:
 - Emailing: immroro@abports.co.uk
 - Writing 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)
 - Calling Freephone 0808 169 9912: to request a pre-paid stamped addressed envelope be sent to you in the post (free of charge) and returning it to us.
- 19.4 All responses must be received by us in writing before 23:59pm on 27 November 2022. Responses received after that time may not be considered.
- 19.5 More information about the IERRT and the Supplementary Statutory Consultation can be found at: www.abports.co.uk/immroro/consultation.
- 19.6 Printed copies of all the documents and consultation materials can be provided upon request by calling us on Freephone 0808 169 9912. There may be a reasonable copying charge for certain documents of up to a maximum of £300 – depending entirely on the amount of copying required.
- 19.7 You can also contact us on that number if you have questions about the consultation documents, plans and maps or the consultation process generally, or to arrange a free of charge telephone surgery appointment to discuss the scheme, or to register your interest in attending an online webinar session (which may be held subject to demand).
- 19.8 We ask that views and comments are submitted in full by email or letter. If, however, you would prefer to submit your comments via the Questionnaire, a copy is available to download and complete on the project website at www.abports.co.uk/immroro/consultation or a hard copy can be requested by emailing or calling from the project team, using the details provided above.

20 Next steps and timeline

- 20.1 Following the closure of the Supplementary Statutory Consultation on 27 November 2022 we will consider all responses received to this statutory consultation, which will inform our application documents, including the Environmental Statement and the Consultation Report that will be submitted to PINS with our DCO application in due course.
- 20.2 We hope to be in a position to submit our application to PINS towards the end of this year.
- 20.3 The estimated timeline for the IERRT is shown below.

Late 2022 – Expected submission of the DCO application.

Early 2023 – Anticipated start of the DCO examination period.

2023/2024 – Decision on the IERRT DCO application.

Early 2024 – Construction likely to commence.

Mid 2025 – Anticipated commencement of the operation of the IERRT development.