STATUTORY INSTRUMENTS

2025 No. 143

INFRASTRUCTURE PLANNING

The Associated British Ports (Immingham Eastern Ro-Ro Terminal) Development Consent (Correction) Order 2025

Made - - - -	*10th February 2025*
Coming into force	*11th February 2025*

The Associated British Ports (Immingham Eastern Ro-Ro Terminal) Development Consent Order 2024(**a**) ("the 2024 Order") which granted development consent within the meaning of the Planning Act 2008(**b**) ("the Act"), contained correctable errors within the meaning of paragraph 1(3) of Schedule 4 to the Act.

In accordance with paragraph 1(5)(a) of Schedule 4 to the Act, before the end of the relevant period as defined in paragraph 1(6)(a) of Schedule 4 to the Act, the Secretary of State received written requests from the applicant(**c**) and an interested party for the correction of errors or omissions in the 2024 Order. In accordance with paragraph 1(5)(b) of Schedule 4 to the Act, the Secretary of State also sent a statement in writing to the applicant which explained omissions for which the Secretary of State was considering making a correction.

In accordance with paragraph 1(7) of Schedule 4 to the Act, the Secretary of State informed the relevant local planning authority for the area in which the land to which the 2024 Order relates is situated, that the requests had been sent and received respectively in accordance with paragraph 1(7) of Schedule 4 to the Act.

The Secretary of State, in exercise of the powers conferred by section 119 of, and paragraphs 1(4) and (8) of Schedule 4 to, the Act, makes the following Order.

Citation and Commencement

1. This Order may be cited as the Associated British Ports (Immingham Eastern Ro-Ro Terminal) Development Consent (Correction) Order 2025 and comes into force on 11th February 2025.

Corrections to the Associated British Ports (Immingham Eastern Ro-Ro Terminal) Development Consent Order 2024 ("the 2024 Order")

2. The 2024 Order is corrected in the table in the Schedule to this Order, where—

(**a**) S.I. 2024/1014.
(**b**) 2008 c. 29. Paragraph 1 of Schedule 4 was amended by paragraph 70 of Schedule 13, and Part 20 of Schedule 25, to the Localism Act 2011 (c. 20). There are other amendments to the Planning Act 2008 which are not relevant to this Order.
(**c**) The term "applicant" is defined in paragraph 4 of Schedule 4 to the Planning Act 2008.

(a) column 1 sets out where the correction is to be made;

(b) column 2 sets out how the correction is to be made; and

(c) column 3 sets out the text to be substituted, inserted or omitted.

Signed by authority of the Secretary of State for Transport

Gareth Leigh
Head of the Transport and Works Act Orders Unit
Department for Transport

10th February 2025

SCHEDULE

Article 2

CORRECTABLE ERRORS

Where the correction is to made	*How the correction is to be made*	*Text to be substituted, inserted or omitted*
Article 2(1)	After ""MMO" means the Marine Management Organisation;" insert	""Natural England" means the advisor to the Government for the natural environment in England;"
Article 2(1)	For ""tidal works" means so much of any of the authorised development as are on, under or over tidal waters or tidal lands below the level of high water;" substitute	""tidal works" means so much of any of the authorised development as is on, under or over tidal waters or tidal lands below the level of high water;"
Article 13(6)	For "as is mentioned in paragraph of this article." substitute	"as is mentioned in paragraph (1) of this article."
Article 15(6)	For "associated British Ports (Immingham Eastern Ro-Ro Terminal) Development Order 2024" substitute	"Associated British Ports (Immingham Eastern Ro-Ro Terminal) Development Order 2024"
Article 16(c)	For "belonging to statutory undertakers, public utility undertakers within the Order land." substitute	"belonging to statutory undertakers, public utility undertakers and public communications providers within the Order land."
Article 22(2)(a)	After "without such consent to be removed;" insert	" and"
Article 33(1)	For "This article applies to any agreement entered into by the undertaker under article 9 (transfer of benefit of Order, etc.) so far as it relates to the terms on which any land is subject to a lease granted by or under that agreement." substitute	"As soon as practicable after the making of this Order, the undertaker must, submit copies of each of the plans and documents as set out in Schedule 7 (plans and documents to be certified) to the Secretary of State for certification that they are true copies of those plans and documents."
Article 38(1)	Substitute "during the whole time of the construction or extension" for	"during the whole time of the construction, alteration or extension"
Schedule 2 (requirements), Part 1, requirement 1	For ""IOT Operators" means Associated Petroleum Terminals (Immingham) Ltd and Humber	""IOT Operators" means Associated Petroleum Terminals (Immingham) Ltd and Humber Oil

	Oil Terminal Trustees Ltd, with "Associated Petroleum Terminals (Immingham) Ltd" meaning Associated Petroleum Terminals (Immingham) Limited, company number 00564394 registered at Queens Road, Immingham, Grimsby, N E Lincolnshire, DN40 2PN, and any successor in title and "Humber Oil Terminal Trustees Ltd" meaning Humber Oil Terminal Trustees Limited, company number 00874993 registered at Queens Road, Immingham, Grimsby, N E Lincolnshire, DN40 2PN, and any successor in title" substitute	Terminal Trustees Ltd, with "Associated Petroleum Terminals (Immingham) Ltd" meaning Associated Petroleum Terminals (Immingham) Limited, company number (00564394) registered at Queens Road, Immingham, Grimsby, N E Lincolnshire, DN40 2PN, and any successor in title and "Humber Oil Terminal Trustees Ltd" meaning Humber Oil Terminal Trustees Limited, company number (00874993) registered at Queens Road, Immingham, Grimsby, N E Lincolnshire, DN40 2PN, and any successor in title"
Schedule 2 (requirements), Part 1, requirement 1	For ""operational freight management plan" means the operational freight management plan included in Schedule 7 (plans and documents to be certified) and certified by the Secretary of State for the purposes of this Order;" substitute	""operational freight management plan" means the document of that description listed in Schedule 7 (plans and documents to be certified) and certified by the Secretary of State as the 'operational freight management plan' for the purposes of this Order;"
Schedule 2 (requirements), Part 1, requirement 1	For ""travel plan" means the travel plan included in Schedule 7 (plans and documents to be certified) and certified by the Secretary of State for the purposes of this Order." substitute	""travel plan" means the document of that description listed in Schedule 7 (plans and documents to be certified) and certified by the Secretary of State as the 'travel plan' for the purposes of this Order."
Schedule 2 (requirements), Part 1, requirement 18(1)	For "upon receiving notification of that decision" substitute	"upon receiving notification of that determination"
Schedule 2 (requirements), Part 1, requirement 20(2)	For "after the amendment mentioned in paragraph (1)," substitute	"after the amendment mentioned in sub-paragraph (1),"
Schedule 3 (deemed marine licence), Part 1, article 1(1)	Omit ""Natural England" means the adviser to the Government for the natural environment in England;"	[Omitted]
Schedule 3 (deemed marine licence), Part 1, article 1(1)	For ""the Order" means the Associated British Ports (Immingham Eastern Ro-Ro Terminal) Order 20[ ];" substitute	""the Order" means the Associated British Ports (Immingham Eastern Ro-Ro Terminal) Order 2024;"
Schedule 4 (protective provisions), Part 1, paragraph 17	For "Removal of wrecks and obstructions, etc. Oil Spillage Plan" substitute	"Oil Spillage Plan"
Schedule 4 (protective provisions), Part 3, paragraph 29(1)(a)	For "pay Exolum for all loss, damage, liability," substitute	"all loss, damage, liability,"
Schedule 4 (protective provisions), Part 3, paragraph 29(1)(b)	For "pay the cost reasonably incurred by Exolum in making good" substitute	"the cost reasonably incurred by Exolum in making good"

Schedule 4 (protective provisions), Part 3, paragraph 29(1)(c)	For "pay the cost reasonably incurred by Exolum in stopping," substitute	"the cost reasonably incurred by Exolum in stopping,"
Schedule 4 (protective provisions), Part 4, paragraph 37	For "Subject to the following provisions of this paragraph, during the construction of the authorised development the undertaker must pay to IOT Operators the reasonable costs and expenses incurred by the IOT Operators in, or in connection with— (a) the inspection, removal, alteration or protection of any apparatus; or (b) the watching and inspecting the execution of any specified work; or (c) the imposition of reasonable requirements for the protection or alteration of apparatus, which may reasonably be required in consequence of the execution of any such works as are required under this Schedule." substitute	"Subject to the following provisions of this paragraph, during the construction or operation of the authorised development the undertaker must pay to IOT Operators the reasonable costs and expenses incurred by the IOT Operators in, or in connection with— (a) the inspection, removal, alteration or protection of any apparatus; or (b) the watching and inspecting the execution of any specified work; or (c) the imposition of reasonable requirements for the protection or alteration of apparatus, which may reasonably be required in consequence of the execution of any such works as are required under this Part of this Schedule."
Schedule 4 (protective provisions), Part 4, paragraph 38(1)(a)	For "during the carrying out of any relevant works" substitute	"during the carrying out of any relevant works or the operation of the authorised development"
Schedule 4 (protective provisions), Part 4, paragraph 38(1)(b)	For "suffered or incurred by the IOT Operators for which the IOT Operators is legally liable as a result of legally sustainable claims brought against the IOT Operators by any third party solely arising out of the carrying out of any relevant works;" substitute	"suffered or incurred by the IOT Operators for which the IOT Operators are legally liable as a result of legally sustainable claims brought against the IOT Operators by any third party solely arising out of the carrying out of any relevant works or the operation of the authorised development;"
Schedule 4 (protective provisions), Part 4, paragraph 38(1)(c)	For "arising from or caused by the carrying out of any relevant works;" substitute	"arising from or caused by the carrying out of any relevant works or the operation of the authorised development;"
Schedule 4 (protective provisions), Part 4, paragraph 38(1)(d)	For "arises in consequence of the carrying out of any relevant works." substitute	"arises in consequence of the carrying out of any relevant works or the operation of the authorised development."
Schedule 4 (protective provisions), Part 9, paragraph 107(4)	For "be made without first consulting the promoter" substitute	"be made without first consulting the undertaker"
Schedule 4 (protective provisions), Part 11, paragraph 123(1)(a)	For "construction of the authorised works;" substitute	"construction of the authorised works or operation of the authorised development;"
Schedule 4 (protective provisions), Part 11, paragraph 123(1)(b)	For "construction of the authorised works." substitute	"construction of the authorised works or operation of the authorised development."

Schedule 5 (modification of compensation and compulsory purchase enactments), paragraph 1	For "with the necessary modifications as respects compensation," substitute	"with the necessary modifications in respect of compensation,"
Schedule 7 (plans and documents to be certified), the environmental statement	In column (2) for "(e) volume 2, figure 8.3.20: location of projects, developments and activities that are scoped into the inter-project effects assessment document reference 8.3.20 v2;" substitute	"(e) volume 2, figure 1.2: Layout of Proposed Marine Works at Immingham Eastern Ro-Ro Terminal document reference 10.3.8, Figure 2.3"
Schedule 7 (plans and documents to be certified), the environmental statement	In column (2) for "(f) volume 3, appendix" substitute	"(f) volume 2, figure 1.3: Layout of Proposed Landside Works at Immingham Eastern Ro-Ro Terminal document reference 10.3.8, Figure 2.2"
Schedule 7 (plans and documents to be certified), the environmental statement	In column (2) for "(g) volume 3, appendix 10.1: navigational risk assessment document reference 8.4.10(a) v2;" substitute	"(g) volume 2, Figure 3.1: Demolition Works Associated with Immingham Eastern Ro-Ro Terminal document reference 10.3.8, Figure 3.1"
Schedule 7 (plans and documents to be certified), the environmental statement	In column (2) for "(h) volume 3, appendix 10.2: navigation simulation study – part 1 document reference 8.4.10(b) v2;" substitute	"(h) volume 2, Figure 7.8: Peak Flood Baseline Flows (Top) and Impact of Scheme (Bottom) document reference 10.3.8, Figure 7.1"
Schedule 7 (plans and documents to be certified), the environmental statement	In column (2) for "(i) volume 3, appendix 10.2: navigation simulation study – part 2 document reference 8.4.10(b) v2;" substitute	"(i) volume 2, Figure 7.9: Peak Ebb Baseline Flows (Top) and Impact of Scheme (Bottom) document reference 10.3.8, Figure 7.2"
Schedule 7 (plans and documents to be certified), the environmental statement	In column (2) for "(j) volume 3, appendix 10.3: navigational simulation – stakeholder demonstrations document reference 8.4.10(c) v2;" substitute	"(j) volume 2, Figure 7.19: Modelled Bed Level Change Over a Mean Spring Neap Cycle document reference 10.3.8, Figure 7.3"
Schedule 7 (plans and documents to be certified), the environmental statement	In column (2) for "(k) volume 3, appendix 17.1: transport assessment document reference 8.4.17(a) v2; and" substitute	"(k) volume 2, Figure 7.20: Predicted Change to BSS on Flood (Top) and Ebb (Bottom) document reference 10.3.8, Figure 7.4"
Schedule 7 (plans and documents to be certified), the environmental statement	In column (2) for "(l) volume 3, transport assessment addendum document reference 8.4.17(a).1." substitute	"(l) volume 2, Figure 7.22: Baseline Hs (Top) and Effect of Scheme (Bottom) for 0.5-yr Wave Event from NE (Left) and E (Right) document reference 10.3.8, Figure 7.5"
Schedule 7 (plans and documents to be certified), the environmental statement	In column (2) after "(l)..." insert	"(m) volume 2, Figure 7.23: Baseline Hs (Top) and Effect of Scheme (Bottom) for 0.5-yr Wave Event from SE (Left) and NE (Right) document reference 10.3.8, Figure 7.6"
Schedule 7 (plans and	In column (2) after "(m)..." insert	"(n) volume 2, Figure 7.24:

documents to be certified), the environmental statement		Baseline Hs (Top) and Effect of Scheme (Bottom) for 50-yr Wave Event from E (Left) and SE (Right) document reference 10.3.8, Figure 7.7"
Schedule 7 (plans and documents to be certified), the environmental statement	In column (2) after "(n)..." insert	"(o) volume 2, figure 8.3.20: location of projects, developments and activities that are scoped into the inter-project effects assessment document reference 8.3.20 v2;"
Schedule 7 (plans and documents to be certified), the environmental statement	In column (2) after "(o)..." insert	"(p) volume 2, Figure 13.1b: Air Quality Study Area document reference 10.3.8, Figure 13.1;"
Schedule 7 (plans and documents to be certified), the environmental statement	In column (2) after "(p)..." insert	"(q) volume 2, Figure 13.3a: Operational Phase Assessment document reference 10.3.8, Figure 13.2;"
Schedule 7 (plans and documents to be certified), the environmental statement	In column (2) after "(q)..." insert	"(r) Volume 2, Figure 14.1: Sound Monitoring Locations document reference 10.3.8, Figure 14.1;"
Schedule 7 (plans and documents to be certified), the environmental statement	In column (2) after "(r)..." insert	"(s) Volume 3, Appendix 2.2: Concept Lighting Design Stage Summary Report reference 10.3.8, Annex A;"
Schedule 7 (plans and documents to be certified), the environmental statement	In column (2) after "(s)..." insert	"(t) Volume 3, Appendix 2.3: Building Schedule reference 10.3.8, Annex B;"
Schedule 7 (plans and documents to be certified), the environmental statement	In column (2) after "(t)..." insert	"(u) volume 3, appendix 10.1: navigational risk assessment document reference 8.4.10(a) v2;"
Schedule 7 (plans and documents to be certified), the environmental statement	In column (2) after "(u)..." insert	"(v) volume 3, appendix 10.2: navigation simulation study – part 1 document reference 8.4.10(b) v2;"
Schedule 7 (plans and documents to be certified), the environmental statement	In column (2) after "(v)..." insert	"(w) volume 3, appendix 10.2: navigation simulation study – part 2 document reference 8.4.10(b) v2;"
Schedule 7 (plans and documents to be certified), the environmental statement	In column (2) after "(w)..." insert	"(x) volume 3, appendix 10.3: navigational simulation – stakeholder demonstrations document reference 8.4.10(c) v2;"
Schedule 7 (plans and	In column (2) after "(x)..." insert	"(y) Volume 3, Appendix 14.2:

documents to be certified), the environmental statement		Construction Noise Levels and Assumptions reference 10.3.8, Annex C"
Schedule 7 (plans and documents to be certified), the environmental statement	In column (2) after "(y)..." insert	"(z) volume 3, appendix 17.1: transport assessment document reference 8.4.17(a) v2; and"
Schedule 7 (plans and documents to be certified), the environmental statement	In column (2) after "(z)..." insert	"(aa) volume 3, transport assessment addendum document reference 8.4.17(a).1."
Schedule 7 (plans and documents to be certified), the travel plan	In column (2) for "Document Reference 8.4.17(b) v2" substitute	"Document Reference 8.4.17(b)"

EXPLANATORY NOTE

(This note is not part of the Order)

This Order corrects errors and omissions in the Associated British Ports (Immingham Eastern Ro-Ro Terminal) Development Consent Order 2024 (S.I. 2024/1014), a development consent order under the Planning Act 2008, following written requests under paragraph 1(5)(a) and a statement being issued under paragraph 1(5)(b) of Schedule 4 to that Act.

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