



# **STATEMENT OF COMMON GROUND BETWEEN NATIONAL GRID CARBON LIMITED AND DRAX POWER LIMITED**

## **Drax Bioenergy with Carbon Capture and Storage**

The Planning Act 2008 (as amended)

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## TABLE OF CONTENTS

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<b>1. INTRODUCTION AND PURPOSE</b> .....	<b>1</b>
1.1. Purpose of the Statement of Common Ground .....	1
1.2. Description of Proposed Scheme .....	1
1.3. Carbon Dioxide Transport and Permanent Storage .....	1
1.4. This Statement of Common Ground with National Grid Carbon Limited .....	3
<b>2. RECORD OF ENGAGEMENT UNDERTAKEN TO DATE</b> .....	<b>5</b>
2.1. Record of Engagement .....	5
<b>3. SUMMARY OF TOPICS COVERED BY THIS STATEMENT OF COMMON GROUND AND RELEVANT DOCUMENTS</b> .....	<b>10</b>
3.1. Topics Covered in this Statement of Common Ground .....	10
3.2. Relevant Documents for this Statement of Common Ground .....	10
<b>4. CURRENT POSITION</b> .....	<b>12</b>
4.1. Key Matters .....	12
<b>5. SIGNATURES</b> .....	<b>20</b>

## TABLES

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Table 2.1 – Schedule of Meetings and Correspondence during the Pre-application Stage .....	5
Table 2.2 – Schedule of Meetings and Correspondence Post-Submission of the DCO Application, during the Pre-Acceptance Stage.....	7
Table 2.3 – Schedule of Meetings and Correspondence Post-Submission of the DCO Application, during the Pre-Examination and Examination Stages .....	7
Table 3.1 – List of Relevant Application Documents for this SOCG.....	10
Table 4.1 – Key Matters .....	12
Table 5.1 - Signatures.....	20

## EXECUTIVE SUMMARY

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A Statement of Common Ground (SoCG) is a written statement produced during the application process for a Development Consent Order (DCO). It is prepared jointly by the applicant and another party, to assist the Examining Authority in examining the DCO Application by providing an understanding of the status of discussions or negotiations between the applicant and the other party.

This SoCG has been prepared between National Grid Carbon Limited (NGCL) and Drax Power Limited (the applicant) (jointly referred to as the Parties) to show where agreement has been reached to date in relation to the applicant's DCO Application for their Bioenergy with Carbon Capture and Storage (BECCS) project (referred to as the Proposed Scheme). The SoCG represents an accurate and up to date reflection of matters discussed between the Parties. It is a document that will evolve during the examination, and conclude with a version which confirms the Parties' positions on relevant matters before the close of the examination.

NGCL is part of National Grid Ventures (NGV), a division of National Grid plc. NGCL is interested in the Proposed Scheme as the organisation promoting the Humber Low Carbon Pipeline (HLCP) DCO Project, which is a separate proposed Nationally Significant Infrastructure Project (NSIP). If granted, the DCO would authorise the construction of the carbon dioxide pipeline required to enable the export of the carbon dioxide captured by the Proposed Scheme to the Humber Coast, for onward transportation via an offshore pipeline to the Endurance storage site under the North Sea. The HLCP pipeline and the Endurance storage site are both separate projects and do not form part of the Proposed Scheme and they are not included in the DCO Application but will be the subject of separate consent applications.

In April 2023 NGCL (part of National Grid Ventures (NGV)) confirmed a decision to leave the Northern Endurance Partnership (NEP) in order for National Grid to focus on its existing portfolio of projects. NGV are in commercial discussions with NEP partners on the sale of Humber onshore pipeline proposals. Subject to completion of the discussions, NGV will transition the Humber onshore carbon dioxide system assets to the NEP which will continue to serve carbon capture projects across Teesside and the Humber. At this time, NGCL remain an interested party in relation to the Proposed Scheme.

# **1. INTRODUCTION AND PURPOSE**

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## **1.1. PURPOSE OF THE STATEMENT OF COMMON GROUND**

1.1.1. A Statement of Common Ground (SoCG) is a written statement produced during the application process for a Development Consent Order (DCO) and is prepared jointly by the applicant and another party.

1.1.2. Paragraph 58 of the Department for Communities and Local Government's (DCLG, now Ministry of Housing, Communities and Local Government) guidance entitled 'Planning Act 2008: examination of applications for development consent' (26 March 2015) (DCLG, 2015) hereafter referred to as DCLG Guidance) describes a SoCG as follows:

*"A statement of common ground is a written statement prepared jointly by the applicant and another party or parties, setting out any matters on which they agree. As well as identifying matters which are not in real dispute, it is also useful if a statement identifies those areas where agreement has not been reached. The statement should include references to show where those matters are dealt with in the written representations or other documentary evidence."*

1.1.3. The aim of a SoCG is to assist the Examining Authority in examining the DCO by providing an understanding of the status of discussions or negotiations between the applicant and the other party. The effective use of SoCGs aids an efficient examination process.

1.1.4. A SoCG is updated as necessary or as requested during the examination.

## **1.2. DESCRIPTION OF PROPOSED SCHEME**

1.2.1. A full description of the Proposed Scheme description is included in Chapter 2 (Site and Project Description) of the ES submitted with the DCO Application (APP-038), as amended by the Change Request – 8.5.1 Proposed Changes Application Report (AS-045) and Change Request - 8.15 Second Change Application Report - Rev 1 (AS-126).

## **1.3. CARBON DIOXIDE TRANSPORT AND PERMANENT STORAGE**

1.3.1. The captured carbon dioxide from Drax BECCS would be transported via proposed new transport infrastructure, for its ultimate permanent storage in naturally occurring aquifers under the southern North Sea. The onshore transport infrastructure is proposed to be developed pursuant to a separate consent application. The consents required to construct and operate all of the offshore transport and storage infrastructure would be progressed by other parties.

1.3.2. A new connecting carbon dioxide pipeline would be required from the Carbon Dioxide Processing and Compression Plant to a new Carbon Dioxide Delivery Terminal Compound where the captured carbon dioxide would be injected into the proposed transport infrastructure.

- 1.3.3. The new Carbon Dioxide Delivery Terminal Compound would be maximum 100m by 100m in area and would contain above ground pipework, pigging station, metering, filters and provisions to allow the system to be purged. Buildings to house any instrument requirements for the terminal and security requirements such as boundary fencing and cameras would also be included. Lighting for the compound would be minimal other than for maintenance purposes. A maximum height parameter of 12m above ground level for all structures/plant/equipment within this area is confirmed. The compound would be operated by or on behalf of the operator of the proposed transport infrastructure.
- 1.3.4. It is anticipated that the new Carbon Dioxide Delivery Terminal Compound would be located to the north of the Drax Power Station, however final agreement between the relevant parties would be required to confirm its precise location. The two potential options for the location and delivery of the compound are as follows:
- Location of the new Carbon Dioxide Delivery Terminal Compound within the Order Limits – For this option, (identified as Work No. 2(a) in Schedule 1 of the draft DCO) the Proposed Scheme would include the compound and a carbon dioxide pipeline connecting the Carbon Dioxide Processing and Compression Plant to the new compound within the limits of deviation associated with Work No. 2; and
  - Location of the new Carbon Dioxide Delivery Terminal Compound outside the Order Limits – For this option, (identified as Work No. 2(b) in Schedule 1 of the draft DCO) the Proposed Scheme excludes the compound. Instead, the Proposed Scheme would only include the construction of a carbon dioxide pipeline, within the limits of deviation associated with Work No. 2, connecting the Carbon Dioxide Processing and Compression Plant to a terminal point to be agreed between the relevant parties. Under this option, consent for the terminal compound would be sought separately, as part of the proposed HLCP DCO application.
- 1.3.5. The Applicant is seeking consent through the DCO for both options. However, only one of the two options outlined above would be built.
- 1.3.6. For the purpose of the environmental assessments, location of the Carbon Dioxide Delivery Terminal Compound within the Order Limits has been assumed. In addition, flexibility has been maintained for the Application by adopting the ‘Rochdale Envelope’ approach (Refer to Chapter 4 of the Environmental Statement – EIA Methodology (APP-040) for further details of this approach) in which the different environmental assessments have assumed a worst-case location of the compound within Work No. 2 (as outlined on the Works Plans). Further details on the worst-case scenario assumed by the specific environmental assessments can be found in the relevant Environment Statement chapters.
- 1.3.7. Details of the maximum parameters for the Carbon Dioxide Delivery Terminal Compound, if the Proposed Scheme is implemented on the basis of Work No. 2(a), are set out in Schedule 14 (Design Parameters) of the draft DCO (REP6-005).
- 1.3.8. The wider transport and storage infrastructure would be consented separately to the Proposed Scheme. Therefore, this DCO Application does not seek consent for carbon

dioxide transport or storage. However, the Applicant is working closely with NGCL, and will continue to work closely with any successor, to identify the most appropriate connection to the proposed transport infrastructure in proximity to the Drax Power Station Site.

- 1.3.9. It is expected that other schemes will connect into the transport infrastructure at other locations along the proposed network, with the Proposed Scheme forming one of the Zero Carbon Humber cluster projects, however, this DCO Application does not seek consent for those other schemes. The cumulative effects of any relevant, known schemes have been considered in Chapter 18 (Cumulative Effects) of the ES (document reference APP-054).

## **1.4. THIS STATEMENT OF COMMON GROUND WITH NATIONAL GRID CARBON LIMITED**

- 1.4.1. This SoCG has been prepared between NGCL and the applicant (jointly referred to as the Parties) in relation to the DCO Application.
- 1.4.2. NGCL is part of NGV, a division of National Grid plc. NGV is responsible for developing and operating energy projects and technologies in both the UK and the United States.
- 1.4.3. NGCL is interested in the Proposed Scheme as the organisation promoting the HLCP DCO Project, which is a separate proposed NSIP which would, if granted, authorise the construction of the carbon dioxide pipeline required to enable the export of the carbon dioxide captured by the Proposed Scheme to the Humberside Coast, for onward transportation via an offshore pipeline to the Endurance carbon dioxide storage site under the North Sea. The HLCP project proposes a network of terrestrial pipelines in the Humber Region to enable the transportation of carbon dioxide to facilitate carbon capture, utilisation and storage in support of the Zero Carbon Humber (ZCH) partnership's objectives to create a net zero industrial cluster.
- 1.4.4. In April 2023 NGCL (part of National Grid Ventures (NGV)) confirmed a decision to leave the Northern Endurance Partnership (NEP) in order for National Grid to focus on its existing portfolio of projects. On 23 April 2023, the NEP confirmed changes to its equity partner structure, including the relinquishment of equity holdings by NGV and Shell, and the acquisition of those equity holdings by bp and Equinor. The NEP now comprises bp, Equinor and TotalEnergies. NGV are in commercial discussions with NEP partners on the sale of Humber onshore pipeline proposals. Subject to the successful completion of the discussions, NGV will transition the Humber onshore carbon dioxide system assets to the NEP which will continue to serve carbon capture projects across Teesside and the Humber. bp would assume sole operatorship of the full end-to-end NEP carbon dioxides transport and storage system. Nevertheless, NGCL remain an interested party of the Proposed Scheme as the organisation promoting the HLCP DCO Project until the sale of the Humber onshore pipeline proposals is complete.

- 1.4.5. The proposed pipeline, the offshore pipeline and the Endurance storage site are separate projects and do not form part of the Proposed Scheme and they are not included in the DCO Application but will be the subject of separate consent applications by third parties, for the proposed onshore transport infrastructure.
- 1.4.6. This SoCG addresses topics of interest to NGCL and which the Applicant has been in discussions with NGCL on to date, relating to carbon capture; the interface between the Drax BECCS carbon dioxide delivery infrastructure; and the carbon dioxide transport infrastructure forming part of the proposed HLCP project; and carbon dioxide storage.
- 1.4.7. Section 3 summarises the topics of relevance to this SoCG and Section 4 then details whether matters are agreed, not agreed or under discussion between the Parties.
- 1.4.8. In respect of matters relevant to the Proposed Scheme but not referred to in this SoCG, NGCL has no comments to make at present.
- 1.4.9. Following the Applicant's consultation on the first and second Change Applications, and the acceptance of them into the Examination by the Examining Authority, NGCL agrees that the statements in this SoCG apply to the application inclusive of those Changes. If NGCL have any concerns in respect of the second Change Application, these will be expressed through the Relevant Representation process currently being undertaken.
- 1.4.10. The SoCG is a document which will evolve during the examination, and conclude with a version which confirms the Parties' positions on relevant matters before the close of the examination.
- 1.4.11. This SoCG has been prepared in accordance with the DCLG Guidance.

## 2. RECORD OF ENGAGEMENT UNDERTAKEN TO DATE

### 2.1. RECORD OF ENGAGEMENT

- 2.1.1. The tables below set out a summary of the key meetings and correspondence between the Parties in relation to the Proposed Scheme.
- 2.1.2. The Applicant notes that, to date, NGCL has not been formally consulted as part of the Drax BECCS project. NGCL was not a s42 or s56 party with the relevant status under the 2008 Act and associated regulations.
- 2.1.3. However, regular discussions have been taking place with NGCL as part of the ZCH partnership since May 2019, when entities including the Drax Group and NGCL signed a Memorandum of Understanding (MOU) committing them to work together to explore how a large-scale CCUS network could be constructed in the Humber in the mid-2020s. Relevant fora for discussions include:
- Zero Carbon Humber Regulation meetings (held monthly, and attended by NGCL, Drax, Uniper, SSE);
  - NGCL and Drax Power Limited meetings - (held monthly, attended by the Drax technical, regulatory, programme and commercial teams);
  - Technical and Consenting Committee meetings - (held periodically, and attended by NGCL, Drax, Uniper and SSE);
  - Commercial Committee meetings – (held periodically, and attended by NGCL, Drax, Uniper and SSE);
  - East Coast Cluster Emitter Forum – (bi-weekly technical forum, and attended by; NGCL, Drax, Uniper and SSE); and
  - Consenting meetings between NGCL and Drax Power Limited – (held following submission of Drax DCO application).

**Table 2.1 – Schedule of Meetings and Correspondence during the Pre-application Stage**

<b>Date</b>	<b>Form of Contact and Attendees</b>	<b>Summary</b>
<b>15 July 2021</b>	<u>Online Meeting</u> NGCL; Drax.	Update meeting for both parties to discuss progress on Drax BECCS and HLCP projects, including non-statutory consultation, broad elements of equipment required for NGCL compound potentially within the Drax Power Station site, and route options for HLCP between Drax and the Humber side coast.



<b>19 August 2021</b>	<u>Online Meeting</u> NGCL; Drax.	Update for each party on respective projects, timelines, progress, surveys, consultation, and discussions re extent of respective site boundaries for the purposes of applications for consent.
<b>16 September 2021</b>	<u>Online Meeting</u> NGCL; Drax.	Drax provided update on progress with PEIR for Statutory Consultation, and confirmed dates for consultation period. Drax agreed to share survey data from surveys on Drax land. NGCL updated Drax on HLCP project and non-statutory consultation.
<b>18 November 2021</b>	<u>Online Meeting</u> NGCL; Drax; WSP.	Discussions between Drax and NGCL to provide updates on both projects. Drax suggested an SoCG with NGCL, and that Drax would draft it for NGCL review.
<b>09 February 2022</b>	<u>Online Meeting</u> NGCL; Drax.	Discussions between Drax and NGCL to provide updates on both projects. Drax updated on Works Packages/Works Plans and parameters for NGCL compound for the AGI within Drax Power Station site. Agreed to continue with monthly calls. Drax to update NGCL on parameters for works within the Drax BECCS DCO Order Limits. NGCL confirmed that its proposed HLCP project application would seek consent for works up to Drax Power Station boundary fence (anticipated to the boundary of Work No. 2 area).
<b>24 March 2022</b>	<u>Email</u> From Drax to NGCL.	Email requesting discussion on, and NGCL's preferred form of, Protective Provisions for the benefit of NGCL
<b>22 April 2022</b>	<u>Email</u> Response from NGCL to Drax attaching draft Protective Provisions to be	The response is being considered by the Applicant, and will be the subject of ongoing engagement and further updates on this topic in Section 4 of this document in due course

	included in the dDCO.	
<b>26 April 2022</b>	<u>Email</u> From Drax to NGCL.	Email with draft SoCG for consideration, review and comment and to assist further engagement in advance of the examination.
<b>January 2022 – April 2022</b>	<u>Online meetings</u> Numerous discussions and online meetings between both parties	There have been numerous discussions and e-mails exchanged considering the technical specifications of the Carbon Dioxide which will enter the pipeline and indeed which will eventually be stored. These discussions include the likely monitoring locations, the interface points between the parties and where responsibility for CO2 passes from one party (the emitter) to the pipeline and storage operator. Technical specifications include the temperature of the CO2, the pressure, moisture content and purity as well as a number of other considerations.

**Table 2.2 – Schedule of Meetings and Correspondence Post-Submission of the DCO Application, during the Pre-Acceptance Stage**

<b>Date</b>	<b>Form of Contact and Attendees</b>	<b>Summary</b>
<b>20 June 2022</b>	<u>Email</u> Email from Drax to NGCL	Update on acceptance of DCO application for Examination.

**Table 2.3 – Schedule of Meetings and Correspondence Post-Submission of the DCO Application, during the Pre-Examination and Examination Stages**

<b>Date</b>	<b>Form of Contact and Attendees</b>	<b>Summary</b>
<b>21 June 2022</b>	<u>E-mail</u> From Drax to NGCL.	Provision of Copy of Needs and Benefits statement (document reference APP-033).

<b>30 June 2022</b>	<u>Online Meeting</u> NGCL; Drax.	Interface meeting to discuss a number of technical and planning issues associated with both the BECCS at Drax project and the HLCP project. Meeting included updates from both parties and identification of key issues for further discussion and clarification including provision of possible off-site options under consideration for AGI/Connection point. This meeting was attended by both planning and engineering colleagues.
<b>20 July 2022</b>	<u>E-mail</u> From Drax to NGCL.	Drax checking whether revised timelines on the HLCP project have been formally issued and publicly made available prior to Drax's meeting with LPAs.
<b>13 September</b>	<u>E-mail</u> From NGCL to Drax.	E-mail identifying the various meeting locations for NGCL statutory consultation public events; Drax Sports and Social club included in venues.
<b>19 September 2022</b>	<u>Email</u> From NGCL to Drax.	Update on provisional thinking on AGI options in and around the Drax site in response to a query raised by Drax on the 16 September 2022.
<b>11 October 2022</b>	<u>Email</u> From Drax to NGCL.	Response to draft protective provisions provided by NGCL on 22 April 2022.
<b>12 October 2022</b>	<u>Online Meeting</u> NGCL; Drax.	Discussions between Drax and NGCL to provide updates on both projects. Drax updated on status of proposals in the DCO process and raised proposals for a non-material change to the Project. NGCL confirmed the proposed HLCP project would be going out of statutory consultation on 31 October. Agreed to continue with monthly calls.
<b>June 2022 - November 2022</b>	<u>Online meetings and emails</u> Numerous discussions and online meetings	There have been numerous discussions and e-mails exchanged considering the technical specifications of the Carbon Dioxide which will enter the pipeline and indeed which will eventually be stored. These discussions include the likely monitoring locations, the interface points between the parties and where

	between both parties.	responsibility for CO2 passes from one party (the emitter) to the pipeline and storage operator. Technical specifications include the temperature of the CO2, the pressure, moisture content and purity as well as a number of other considerations.
<b>19 October - 10 November 2022</b>	<u>Emails</u> Between WSP and NGCL.	Agreement of Revision 01 of the Statement of Common Ground.
<b>02 December 2022</b>	<u>Letter</u> From Drax to NGCL statutory consultation for the HLCP.	Drax welcomed the opportunity to comment on the statutory consultation provided by NGCL and confirmed they look forward to continuing to work closely with NGCL to ensure the continued alignment of the HLCP and BECCS Project.
<b>January – February 2023</b>	<u>Emails</u> Between WSP and NGCL.	Agreement of Revision 02 of the Statement of Common Ground.
<b>09 May 2023</b>	Email <u>From NGCL to Drax BECCS Deadline 6</u>	NGCL requested protective provisions be included within the draft Development Consent Order, should the Secretary of State be minded to make it. Proposed Protective Provisions were included.
<b>June 2023</b>	<u>Emails</u> Between WSP and NGCL.	Agreement of Revision 03 of the SoCG.

### **3. SUMMARY OF TOPICS COVERED BY THIS STATEMENT OF COMMON GROUND AND RELEVANT DOCUMENTS**

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#### **3.1. TOPICS COVERED IN THIS STATEMENT OF COMMON GROUND**

3.1.1. The following topics discussed between the Parties are covered by this SoCG:

- Drax Power Station – identified as a Key Emitter to the HLCP Project;
- Indicative HLCP route map in proximity to Drax Power Station;
- Options considered for the interface between Drax BECCS and the proposed HLCP, within the Drax BECCS DCO Application;
- Extent of Drax BECCS infrastructure;
- Extent of HLCP infrastructure within Drax BECCS DCO Application as identified in Work No. 2;
- Project Programmes;
- Drax BECCS draft DCO Requirements;
- Drax BECCS draft DCO scope and content of protective provisions; and
- Drax BECCS draft DCO Design Parameters.

#### **3.2. RELEVANT DOCUMENTS FOR THIS STATEMENT OF COMMON GROUND**

3.2.1. Table 3.1 provides a list of documents of particular relevance to this SoCG. This list will be updated to keep a record of the most recent version of the relevant document.

**Table 3.1 – List of Relevant Application Documents for this SOCG**

<b>Document Reference</b>	<b>Document Name</b>
<b>REP6-005</b>	3.1 Draft Development Consent Order (dDCO) (Clean) - Rev: 5
<b>AS-105</b>	2.2 Land Plans – Rev: 03
<b>APP-033</b>	5.3 Needs and Benefits Statement
<b>AS-106</b>	2.3 Works Plans - Rev: 04
<b>APP-038</b>	6.1.2 Environmental Statement - Volume 1 - Chapter 2 (Site and Project Description)
<b>APP-040</b>	6.1.4 Environmental Statement - Volume 1 - Chapter 4: EIA Methodology

<b>Document Reference</b>	<b>Document Name</b>
<b>REP4-035</b>	6.1.18 Environmental Statement - Volume 1 - Chapter 18: Cumulative Effects
<b>AS-045</b>	Change Request - 8.5.1 Proposed Changes Application Report - Accepted at the discretion of the Examining Authority
<b>AS-126</b>	Change Request - 8.15 Second Change Application Report - Rev 01

## 4. CURRENT POSITION

### 4.1. KEY MATTERS

Table 4.1 – Key Matters

Ref.	Description of Matter	Applicant – Current Position	NGCL – Current Position	Position
4.1.1	Drax Power Station is an emitter that proposes to connect to the proposed HLCP	The existing Drax Power Station includes units (units 1 to 4) generating electricity using biomass. This process produces carbon dioxide. The Drax BECCS Proposed Scheme will capture, process and compress the carbon dioxide from units 1 and 2. The proposed HLCP network is proposed to form part of a separate DCO Application and the preferred route corridor map for that project, which was published in March 2022, shows that the preferred route corridor would be located in close proximity to the Drax Power Station site. Onward transportation of the carbon dioxide in the offshore area between the Humberside coast and the Endurance geological storage facility in the saline aquifer under the North Sea will be via offshore pipelines (which will form part of a separate application for consent).	Position agreed.	Agreed
4.1.2	HLCP route map at Drax including Order Limits for	Drax Power Limited have designed the Drax BECCS Proposed Scheme to ensure the interface between the Drax BECCS carbon dioxide delivery infrastructure and the carbon	Position agreed. In addition, the preferred route corridor for the HLCP project was updated in March 2022, and confirms	Agreed

Ref.	Description of Matter	Applicant – Current Position	NGCL – Current Position	Position
	HLCP and Drax BECCS projects	<p>dioxide transport and storage infrastructure could occur at the northern / north-eastern boundary of the existing Drax Power Station site.</p> <p>Drax and NGCL have discussed respective, proposed site boundaries for Drax BECCS and the HLCP project, and agreed that the boundaries should abut so that there is no gap between the two projects.</p> <p>Drax have set out the proposed works anticipated to the north and east of the Drax Power Station site (temporary and permanent) with NGCL.</p>	that the preferred route corridor is located in close proximity to the Drax Power Station site. Furthermore, the statutory consultation materials which were published by NGCL in October 2022 in respect of the HLCP project indicate a proposed pipeline entry point to the north / north-east of the Drax Power Station site.	
4.1.3	There are two options considered for the interface between Drax BECCS and the HLCP, within the Drax BECCS DCO Application.	<p>A new connecting carbon dioxide pipeline would be required from the Carbon Dioxide Processing and Compression Plant (Work No. 1E of the draft DCO) to a new Carbon Dioxide Delivery Terminal Compound where the captured carbon dioxide would be injected into the proposed transport Infrastructure.</p> <p>It is proposed to situate the new Carbon Dioxide Delivery Terminal Compound to the north of the Drax Power Station, however, final agreement between the relevant parties would be required to confirm its precise location. The two potential options for the location and delivery of the compound are as follows:</p>	<p>Position agreed.</p> <p>NGCL considers that the approach taken by the Applicant to the drafting of Work No. 2 is appropriate, as set out in its relevant representations dated 05 September 2022.</p> <p>For completeness, it is NGCL’s assumption that any metering facilities and filters, as described in Work No. 2(a)(iv) and (v) of the dDCO, would be provided by the Applicant,</p>	Agreed



Ref.	Description of Matter	Applicant – Current Position	NGCL – Current Position	Position
		<ul style="list-style-type: none"> <li>• Location of the new Carbon Dioxide Delivery Terminal Compound within the Order Limits – For this option, the Proposed Scheme would include, within the limits of deviation associated with Work No. 2, the compound and a carbon dioxide pipeline connecting the Carbon Dioxide Processing and Compression Plant to the new compound. This is identified as Work No. 2(a) in Schedule 1 of the draft DCO.</li> <li>• Location of the new Carbon Dioxide Delivery Terminal Compound outside the Order Limits – For this option, the Proposed Scheme excludes the compound. Instead, the Proposed Scheme would only include the construction of a carbon dioxide pipeline, within the limits of deviation associated with Work No. 2, connecting the Carbon Dioxide Processing and Compression Plant to a terminal point to be agreed. This is identified as Work No. 2(b) in Schedule 1 of the draft DCO.</li> </ul> <p>This Application is seeking consent for both options. However, only one of the two options outlined above would be built pursuant to this DCO. Under the second option (identified as</p>	whichever of the parties proceeds to carry out Work No. 2.	

Ref.	Description of Matter	Applicant – Current Position	NGCL – Current Position	Position
		Work No. 2(b) in the draft DCO), consent for the terminal compound would need to be sought separately, as part of the proposed HLCP DCO application.		
4.1.4	Extent of Drax BECCS infrastructure	The infrastructure proposed as part of the Proposed Scheme to capture, process, compress and transport carbon dioxide will be contained within the existing Drax Power Station site, up to the existing boundary fence. Whilst the Drax BECCS DCO Order Limits extend beyond the boundary fence in certain locations, this is only to provide appropriate landscape and biodiversity mitigation and enhancement measures or for land to be used temporarily during the construction phase of the Proposed Scheme.	This is noted.	Agreed
4.1.5	Project Programmes	Drax BECCS could, subject to the necessary consents being granted and all relevant pre-commencement requirements being discharged, commence construction in 2024. This would allow the installation of BECCS technology at biomass generating unit 1 by 2027 and at unit 2 by 2029. By 2030, both BECCS units are anticipated to be installed and operational.  The HLCP DCO application is proposed to be submitted in Q3 2023. Statutory consultation was	Position agreed.	Agreed

Ref.	Description of Matter	Applicant – Current Position	NGCL – Current Position	Position
		held by NGCL in relation to a proposed pipeline route alignment between 31 October 2022 and 5 December 2022. NGCL is now considering the feedback received in response to the Autumn 2022 statutory consultation.		
4.1.6	Drax BECCS draft DCO Requirements	These are included in the draft DCO at Schedule 2 (REP6-005).	NGCL agree with this position.	Agreed
4.1.7	Scope and content of protective provisions	<p>The Applicant agrees that input into the detailed design of Work No. 2 is required by the proposed promoter / operator of Work No. 2. NGCL and the Applicant have been negotiating protective provisions to provide for this, however, given responsibility for the HLCP is in the process of being transferred from NGV, and as NGCL do not currently hold apparatus, a right in apparatus or any land and generally do not yet have a ‘statutory undertaking’ in the vicinity of the Proposed Scheme, the Applicant considers it is more appropriate that any necessary protective provisions can be included in the HLCP DCO.</p> <p>Without prejudice to the Applicant’s position as set out above, in order to assist the ExA and Secretary of State should they be minded to include Protective Provisions for the HLCP</p>	<p>NGCL considers that the protective provisions enclosed with its submission at Deadline 6 (REP6-049) should be included in the draft DCO for the benefit of the HLCP Project and into which the Proposed Scheme intends to connect.</p> <p>Whilst NGV is in commercial discussions with NEP partners on the sale of the Humber onshore pipeline, no sale has yet been agreed. Until such time as the sale has concluded, NGCL remains the custodian of the HLCP Project. NGCL will keep the Examining</p>	Under Discussion

Ref.	Description of Matter	Applicant – Current Position	NGCL – Current Position	Position
		<p>Project in the Order, the Applicant will continue to negotiate the provisions with NGCL for the protection of the HLCP Project.</p>	<p>Authority updated in relation to developments in this regard.</p> <p>Whilst NGCL does not currently have the benefit of an interest or right in land in connection with in situ apparatus, NGCL does not consider that this is relevant to the appropriateness of including protective provisions in the draft DCO for the protection of the HLCP Project.</p> <p>In this regard, notwithstanding the future status of the HLCP Project, the Applicant has previously agreed that <i>“NGCL’s input into the detailed design of Work No. 2 is required and that this should be secured via Protective Provisions and included in the draft DCO at Schedule 12, Part 3” (AS-029).</i></p> <p>As set out in NGCL’s submission at Deadline 6, the proposed protective provisions</p>	

Ref.	Description of Matter	Applicant – Current Position	NGCL – Current Position	Position
			<p>for inclusion in the draft DCO also reflect similar provisions which the Secretary of State recently included, to the same purpose, within Part 6 of Schedule 10 to the Keadby 3 (Carbon Capture Equipped Gas Fired Generating Station) Order 2022 (S.I. 2022/1396).</p> <p>The approach which NGCL suggests should be taken in relation to this Order is therefore in line with recent precedent.</p>	
4.1.8	Drax BECCS draft DCO scope and content of protective provisions	The Applicant has been discussions with NGCL as to protective provisions to be included in the draft DCO. However, given responsibility for the HLCP is now in the process of being transferred from NGV, and as NGCL do not currently hold apparatus, a right in apparatus or any land and generally do not yet have a ‘statutory undertaking’ in the vicinity of the Proposed Scheme, the Applicant considers it is more appropriate that any necessary protective provisions can be included in the HLCP DCO. The Applicant does	NGCL is requesting protective provisions be included within the draft DCO, should the Secretary of State be minded to make it. These provisions are sought to ensure recognition of the future interface between the authorised development and the proposed Humber Low Carbon Pipeline Network.	Under Discussion

Ref.	Description of Matter	Applicant – Current Position	NGCL – Current Position	Position
		<p>therefore not propose to include protective provisions for NGCL in the draft DCO.</p> <p>Without prejudice to the Applicant’s position as set out above, in order to assist the ExA and Secretary of State should they be minded to include Protective Provisions for the HLCP Project in the Order, the Applicant will continue to negotiate the provisions with NGCL for the protection of the HLCP Project.</p>		
4.1.9	Drax BECCS draft DCO Design Parameters	<p>The anticipated design parameters for the Drax BECCS Proposed Scheme including the Carbon Dioxide Delivery Terminal Compound (NGCL) if located within Work No 2, are set out in Table 2.3 of Chapter 2 (Site and Project Description) of the ES, (document reference APP-038) and in Schedule 14, Part 3 (Design Parameters) of the draft DCO, (REP4-022). This confirms that the maximum number of Carbon Dioxide Delivery Terminal Compounds is limited to one. The maximum dimensions for this compound are: 100m long, 100m wide, and 12m as a maximum height above ground level.</p>	Position agreed.	Agreed

## 5. SIGNATURES

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**Table 5.1 - Signatures**

<b>Ref</b>	<b>National Grid Carbon Limited</b>	<b>Drax Power Ltd (the Applicant)</b>
<b>Signature</b>		
<b>Printed Name</b>		
<b>Title</b>		
<b>On behalf of</b>	National Grid Carbon Limited	Drax Power Ltd
<b>Date</b>		