

The Planning Act 2008

Section 55 Acceptance of Applications*

(Appendix 2 of [advice note six: Preparation and submission of application documents](#))

(1) The following provisions of this section apply where the Secretary of State receives an application that purports to be an application for an order granting development consent.

(2) The Secretary of State must, by the end of the period of 28 days beginning with the day after the day on which the Secretary of State receives the application, decide whether or not to accept the application.

(3) The Secretary of State may accept the application only if the Secretary of State concludes -

- (a) that it is an application for an order granting development consent,
- (b) deleted
- (c) that development consent is required for any of the development to which the application relates,
- (d) deleted
- (e) that the applicant has, in relation to a proposed application that has become the application, complied with Chapter 2 of Part 5 (pre-application procedure), and
- (f) that the application (including accompaniments) is of a standard that the Secretary of State considers satisfactory.

(4) The Secretary of State, when deciding whether the Secretary of State may reach the conclusion in subsection (3)(e), must have regard to -

- (a) the consultation report received under section 37(3)(c),
- (b) any adequacy of consultation representation received by the Secretary of State from a local authority consultee, and
- (c) the extent to which the applicant has had regard to any guidance issued under section 50.

(5) In subsection (4) -

‘local authority consultee’ means -

- (a) a local authority consulted under section 42(1)(b) about a proposed application that has become the application, or
- (b) the Greater London Authority if consulted under section 42(1)(c) about that proposed application;

'adequacy of consultation representation' means a representation about whether the applicant complied, in relation to that proposed application, with the applicant's duties under sections 42, 47 and 48.

(5A) The Secretary of State when deciding whether the Secretary of State may reach the conclusion in subsection (3)(f) must have regard to the extent to which –

- a) the application complies with the requirements in section 37(3) (form and contents of application) and any standards set under section 37(5) and
- b) any applicable guidance given under section 37(4) has been followed in relation to the application.

(6) If the Secretary of State accepts the application, the Secretary of State must notify the applicant of the acceptance.

(7) If the Secretary of State is of the view that the application cannot be accepted, the Secretary of State must –

- (a) notify that view to the applicant, and
- (b) notify the applicant of the Secretary of State's reasons for that view.

(8) If in response the applicant modifies (or further modifies) the application, subsections (2) to (7) then apply in relation to the application as modified.

* Section 55 of the Planning Act 2008 as amended by the Localism Act 2011

DISCLAIMER - This is for information only and is not a formal application document. It is a non-statutory checklist for the Planning Inspectorate (National Infrastructure Directorate) to complete. Completion or self assessment by the applicant does not hold weight at the acceptance stage.

NB: See DCLG Application Form Guidance for guidance on how the application form should be completed and what should be included with it.

Section 55 Acceptance of Applications

Section 55 Application Checklist¹

Section 55(2) Acceptance of Applications			
Within 28 days (starting day after receipt) the Secretary of State must decide whether or not to accept the application.	Date received	28 day due date	Date of decision
	18 June 2014	16 July 2014	16 July 2014
Section 55(3) – the Secretary of State may <u>only</u> accept an application if the Secretary of State concludes that:-		Planning Inspectorate Comments	
1. s55(3)(a) and s55(3)(c) It is an application for an order granting development consent			
<p>1.1 Is the development a nationally significant infrastructure project² (NSIP) (or does it form part of an NSIP); and does the application state on the face of it that it is an application for a development consent order³ (DCO) under the Planning Act 2008 (the PA2008), or equivalent words? Does the application specify the development to which it relates (i.e. which category or categories in ss14-30 does the application scheme fall)?</p> <p>If the development does not fall within the categories in ss14-30, has a direction been given by the Secretary of State under s35 of the PA2008 for the development to be treated as development for which development consent is required?</p>	<p>Yes.</p> <p>Section 4 of the Application Form (Doc 1.3) states:</p> <p><i>‘This application seeks powers to develop a cross country pipeline in excess of 16.093km in length to transport captured carbon dioxide, and is therefore a nationally significant infrastructure project by virtue of section 14(1)(g) of the Planning Act 2008 (‘the construction of a pipeline other than by a gas transporter’).</i></p> <p>Paragraph 1.4 of the Draft Explanatory Memorandum (Doc 3.2) states that:</p> <p><i>‘The Onshore Scheme requires a new buried high pressure cross country pipeline of approximately 67km in length with an external diameter of up to 610mm for the transportation of carbon dioxide in liquid form to a location on</i></p>		

¹ References in this document to the Secretary of State include references (where applicable) to the Planning Inspectorate Major Applications and Plans Directorate which carries out functions related to consenting nationally significant infrastructure projects on behalf of the Secretary of State

² NSIP is defined generally in s14 with the detailed thresholds for each of the specified categories being set out in ss15-30

³ Development consent is required for development to the extent that the development is or forms part of an NSIP (s31 of the PA2008)

the Holderness coast.'

Paragraphs 3.1 to 3.3 of the Draft Explanatory Memorandum (Doc 3.2) state:

'3.1 Under sections 14(1)(g) and 21 of the Planning Act 2008 (the '2008 Act') the construction of a cross-country pipeline in England other than by a gas transporter, which would otherwise require authorisation under section 1(1) of the Pipe-lines Act 1962 (the 'Pipe-lines Act') (on account of the pipeline exceeding 16.093km in length), constitutes an NSIP. As stated at paragraph 1.4 above, the cross-country pipeline comprised in the Onshore Scheme is approximately 67 km in length and will thus exceed 16.093 km in length.

3.2 Section 31 of the 2008 Act provides that a development consent order is required to the extent that a development is or forms part of an NSIP.

3.3 Accordingly, the undertaker is making an application to the Secretary of State under section 37 of the 2008 Act in order to obtain development consent for the Onshore Scheme. The Order is part of the application.'

Paragraph 3.4 of the Draft Explanatory Memorandum (Doc 3.2) states that:

'Pursuant to section 115(1) of the 2008 Act and in accordance with the principles set out in the document entitled 'Planning Act 2008: Guidance on associated development applications for major infrastructure projects' published in April 2013 by the Department for Communities and Local Government (the 'CLG Guidance'), the Order also seeks consent for associated development set out in Schedule 1 (authorised development) of the Order. Examples of items of associated development with their own Work Nos. in the Schedule include:

3.4.1 access roads;

3.4.2 temporary working areas;

3.4.3 temporary pipeline stores; and

	3.4.4 office, welfare and security facilities.’
Summary – s55(3)(a) and s55(3)(c)	Agreed, the DCO applied for on the face of it represents an NSIP together with other works potentially classed as associated development.
2. s55(3)(e) The applicant in relation to the application made has complied with Chapter 2 of Part 5 (pre-application procedure)	
2.1 Did the applicant before carrying out the s42 consultation either (a) request the Secretary of State to adopt a screening opinion in respect of the development to which the application relates, or (b) notify the Secretary of State in writing that it proposed to provide an environmental statement in respect of that development ⁴ ?	<p>Yes.</p> <p>The Scoping Report (Doc 6.4.2) demonstrates that the applicant requested a Scoping Opinion from the Planning Inspectorate on 15 February 2013. The covering letter within the Scoping Report (Doc 6.4.2) states:</p> <p><i>‘National Grid Carbon Limited (‘National Grid’), as the applicant for the forthcoming Development Consent Order (‘DCO’) for the Yorkshire and Humber CCS Cross Country Pipeline, hereby applies to the Secretary of State for a Scoping Opinion and encloses a Scoping Report in respect of the above development. This follows notice given to you on 18 January 2013 of the proposal to provide an Environmental Statement in support of the DCO.’</i></p> <p>Paragraph 7.1.3 of the Consultation Report (Doc 5.1) confirms that s42 consultation was launched on 23 September 2013.</p>
2.2 Have any adequacy of consultation representations ⁵ been received from ‘A’, ‘B’, ‘C’ and ‘D’ authorities; and if so do they confirm that the applicant has complied with the duties under s42, s47 and s48?	<p>All 22 relevant local planning authorities provided adequacy of consultation representations. These are:</p> <ul style="list-style-type: none"> • East Riding of Yorkshire Council (B) • Selby District Council (B) • Harrogate Borough Council (A) • Hull City Council (A) • Leeds City Council (A) • North Lincolnshire Council (A)

⁴ Regulation 6 of the The Infrastructure Planning (Environmental Impact Assessment) Regulations 2009

⁵ S55(4) of the PA2008 provides that the Secretary of State must have regard to the consultation report, and any adequacy of consultation representations received

- Scarborough Borough Council (A)
- Wakefield Council (A)
- City of York Council (A)
- Doncaster Metropolitan Borough Council (A)
- Ryedale District Council (A)
- North Yorkshire County Council (C)
- Durham County Council (D)
- Cumbria County Council (D)
- Darlington Borough Council (D)
- Middlesbrough Borough Council (D)
- North York Moors National Park Authority (D)
- Redcar and Cleveland Borough Council (D)
- Stockton on Tees Borough Council (D)
- Yorkshire Dales National Planning Authority (D)
- Bradford Metropolitan Borough Council (D)
- Lancashire County Council (D)

All of the above advised, in summary, that they consider the applicant has complied with s42, s47 and s48 or stated that they had no objection to, were satisfied with or had no comments to make on the applicant's duties under s42, s47 and s48.

In addition, North Yorkshire County Council advised that the Council is satisfied that the applicant has complied with the relevant duties and states that:

*'This is subject to highlighting that, in the absence of a full Environmental Statement and Environmental Management Plan prior to submission, our comments so far may be subject to change when we have opportunity to consider those documents in due course.
We have raised the issue several times in pre-application consultation responses that it has been difficult in some instances for our service areas to comment meaningfully in the absence of full drafts of these documents. We have made it clear that our comments were submitted in the absence of such information and may therefore be subject to change upon consideration of those documents in due course.'*

s42: Duty to Consult

2.3 Did the applicant consult the following about the proposed application:

s42(1)(a) persons prescribed⁶?

Yes (qualified).

(It should be noted that 'PIL' is the applicant's acronym for persons with an interest in the land)

The **Consultation Report (Doc 5.1)** explains that the applicant has undertaken three stages of statutory consultation, two out of which were undertaken with s42(1)(a) consultees, these are:

- Stage 2 from 23 September 2013 to 1 November 2013
- Stage 2A from 12 February 2014 to 14 March 2014

Chapter 8 of the **Consultation Report (Doc 5.1)** titled '*Stage 2: Section 42 Consultation with Prescribed Consultees, Local Authorities and PILs*' refers to Stage 2 of the applicant's statutory consultation.

Appendix 8 of the **Consultation Report (Doc 5.1)** is titled '*Complete List of Consultees Contacted under Statutory Consultation*'.

⁶ Statutory consultees set out in Schedule 1 of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

Paragraph 8.2.2 of the **Consultation Report (Doc 5.1)** refers to **Appendix 8** and states that:

‘As well as PINS, prescribed consultees identified within Schedule 1 of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (as amended) (see Appendix 8) were sent a notification letter on 9th September 2013 advising them of the launch of the Stage 2 consultation. On the 23rd September 2013, the start of the statutory consultation, these consultees were sent a further letter with a CD copy of the consultation documents...’.

Copies of the letters referred to in **Paragraph 8.2.2** are provided in **Appendix 11** and **Appendix 12** of the **Consultation Report (Doc 5.1)**.

Chapter 13 of the **Consultation Report (Doc 5.1)**, titled ‘*Stage 2A: Section 42 Consultation with Prescribed Consultees, Local Authorities and PILs*’, refers to Stage 2A of the applicant’s statutory consultation.

Paragraph 13.2.1 of the **Consultation Report (Doc 5.1)** refers to **Appendix 8** and states that:

‘Relevant consultees identified within Schedule 1 of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (as amended) (see Appendix 8) were sent a Stage 2A invitation letter on the 27th January 2014 (see Appendix 45) advising of the launch of Stage 2A consultation. On the 11th February 2014, the day prior to the start of Stage 2A consultation period, these consultees were sent a further letter (see Appendix 56) alongside a CD copy of the consultation documents...’.

Copies of the letters referred to in **Paragraph 13.2.1** are provided in **Appendix 45** and **Appendix 56** of the **Consultation Report (5.1)**.

Appendix 40 of the **Consultation Report (Doc. 5.1)** is titled ‘*Regulation 9 List of Prescribed Consultees*’.

Table 8 (page 37) in Chapter 4 of the Consultation Report (Doc 5.1) states that:

‘Appendix 40 provides a copy of the Regulation 9 list as prescribed by The Planning Inspectorate. The Prescribed Consultees were consulted in respect of the statutory stage 2 and stage 2A consultation referred to in chapters 8 and 13.’

Appendix 42 of the Consultation Report (Doc 5.1) is titled ‘Stage 2 Additional Consultee list’.

Table 8 (page 37) in Chapter 4 of the Consultation Report (Doc 5.1) states that:

‘Appendix 42 provides a copy of the complete list of consultees who were contacted as part of the statutory consultation, this varies from the prescribed list in that additional parties, who had either expressed an interest in the scheme, with whom National Grid considered may be affected by the scheme were also contacted.’

Paragraph 11.2.1 refers to **Appendix 42 of the Consultation Report (Doc 5.1)** and states that:

‘National Grid has a list of additional consultees with whom it has voluntarily agreed to engage with consultation on projects of this nature (Throughout the development of the Onshore Scheme this list has evolved to incorporate any additional organisations that request further information). In order to help inform the development of the Onshore Scheme, National Grid invited the views of these additional consultees on the proposed application. A list of additional consultees who were proactively contacted is included in Appendix 42.’

There are a number of section 42(1)(a) consultees which appear to have been omitted from statutory consultation under section 42. The **Consultation Report (Doc 5.1)** does not appear to provide justification or explanation for

	<p>the omission of the following consultees:</p> <p>The Electricity Network Company Limited Southern Gas Networks Plc ESP Pipelines Ltd Highways Agency Historical Railways Estate Thorntree Internal Drainage Board Goole Fields District Drainage Board Cowick & Snaith IDB, Goole & Airmyn IDB and the Rawcliffe Drainage Board</p> <p>The Planning Inspectorate note the reference made in this checklist (see part 2.16 below) to s51 advice provided to the applicant (as set out in Appendix 4 of the Consultation Report (Doc 5.1)) regarding consultees that have ceased to exist or changed title and note that this does not refer to any of the bodies listed above.</p> <p>The Planning Inspectorate has undertaken further investigation on the above omissions and there is evidence to suggest that the body has either received the consultation documents indirectly through a parent/predecessor organisation or that the project is not relevant to its geographic area.</p>
<p>s42(1)(aa) the Marine Management Organisation⁷?</p>	<p>Yes.</p> <p>Table 6 (page 24) of the Consultation Report (Doc 5.1) states that the Marine Management Organisation (MMO) was consulted under section 42(1)(aa). It is also stated that <i>'regular meetings have been held with the MMO throughout the pre-submission period of the DCO; as such the MMO have been briefed in advance of Stage 2 consultation.'</i></p> <p>Table 34 (page 183) of the Consultation Report (Doc 5.1) includes a summary of the response to Stage 2 consultation from the MMO.</p>

⁷ In any case where the proposed development would affect, or would be likely to affect, any of the areas specified in s42(2) of the PA2008

	<p>Appendix 40 of the Consultation Report (Doc 5.1) lists the Prescribed Consultees that were consulted in respect of the statutory Stage 2 and Stage 2A consultations, this list includes the MMO.</p>
<p>s42(1)(b) each local authority within s43⁸?</p>	<p>Yes.</p> <p>Section 8.4 of the Consultation Report (Doc 5.1) titled ‘<i>Section 42 Consultation with Local Authorities (identified under section 43)</i>’ provides an overview of consultation under s42(1)(b) with local authorities.</p> <p>Table 6 of the Consultation Report (Doc 5.1) states that:</p> <p><i>‘Bi-monthly meetings have been held with local authorities throughout the pre-submission period of the DCO; as such they have been briefed in advance of Stage 2 consultation. Two letters were issued to s43 parties advising of consultation’.</i></p> <p>Appendix 9 of the Consultation Report (Doc 5.1) provides a map detailing the A, B, C and D authorities contacted during statutory consultation under s42 of the Act.</p> <p>Paragraph 8.4.2 of the Consultation Report (Doc 5.1) states that local authorities listed in Paragraph 8.4.1:</p> <p><i>‘... were sent a notification letter on 9th September advising of the launch of Stage 2 Consultation and a letter on the 23rd September with a CD copy of consultation documentation alongside a hard copy of the Project Non-Technical Summary Report. These letters can be found in Appendices 11 and 12.’</i></p> <p>Appendix 8 of the Consultation Report (Doc 5.1) titled ‘<i>Complete List of Consultees Contacted under Statutory Consultation</i>’ lists all the A,B,C and D authorities which the applicant is required to consult, with the exception of North York Moors National Park Authority and Yorkshire Dales National Park</p>

⁸ Definition of ‘local authority’ in s43(3): The ‘B’ authority where the application land is in the authority’s area; the ‘A’ authority where any part of the boundary of A’s area is also a part of the boundary of B’s area; the ‘C’ authority (upper tier) where the application land is in that authority’s area; the ‘D’ authority where such authority shares a boundary with a ‘C’ authority

Authority.

Paragraph 16.1.4 of the **Consultation Report (Doc 5.1)** provides justification for this omission:

'... it was identified that the North Yorkshire Moors National Park and Yorkshire Dales National Park Authorities had both been inadvertently consulted as part of the Stage 2 consultation under section 47 of the Act rather than section 42 as a neighbouring 'D' authority (under Section 43). Therefore the decision was taken to reconsult both authorities under section 42 of the Act.'

Paragraph 16.1.5 of the **Consultation Report (Doc 5.1)** explains that:

'Both Authorities were telephoned to discuss this issue, were offered a meeting with the National Grid to discuss the proposals further and were written to formally by National Grid requesting a consultation response as a person defined under s43 for the purpose of consultation under s42 of the Act. Both Authorities were also provided with up to date Project information.'

Paragraph 16.1.6 of the **Consultation Report (Doc 5.1)** states:

'As both authorities had been consulted by the Secretary of State on the scoping of the EIA, had been notified of the Project under s48 of the Act (Under EIA Regulation 11 as an EIA Regulation 9 party) and consulted previously under s47 of the Act neither authority are considered to have been disadvantaged in any way by this issue and the completion of further consultation under s43 (persons defined under s43 for the purpose of consultation under s42) of the Act was undertaken for completeness.'

Paragraph 16.3.2 of the **Consultation Report (Doc 5.1)** states that both Authorities returned 'no comments'. The original responses from the National Park Authorities can be found in **Appendices 57** and **58** of the **Consultation Report (Doc 5.1)** – which evidences that both Authorities advised that they have no comments or no objections.

	The original letters sent by the applicant to the National Park Authorities are provided in Appendix 55 of the Consultation Report (Doc 5.1) .
s42(1)(c) the Greater London Authority (if in Greater London area)?	Not applicable.
s42(1)(d) each person in one or more of s44 categories ⁹ ?	<p>Yes.</p> <p>Section 8.5 of the Consultation Report (Doc 5.1) titled ‘<i>Section 42 consultation with Persons with an Interest in the Land (‘PILs’) as defined under s44</i>’ provides an overview of consultation carried out by the applicant under s42(1)(d).</p> <p>Paragraph 8.5.1 of the Consultation Report (Doc 5.1) refers to Stage 2 statutory consultation with persons as prescribed under section 44 of the Act. It states:</p> <p><i>‘On the 9th September 2013 a letter was sent to all PILs to inform them of the start of the Stage 2 Consultation and to invite them to attend specific PILs exhibition events. PILs were indentified {sic} through a referencing process which involved desk based investigation and face to face meetings (See Book of Reference, Document 4.3). Letters were sent inviting attendance to all landowners within the preferred route, in accordance with the Book of Reference. A copy of this letter can be found in Appendix 20. On the 23rd September, the start of the statutory consultation, letters were sent to all PILs with a map of land identifying the land National Grid understood that they had an interest in. 377 PILs were identified and consulted under s42.’</i></p> <p>In Paragraph 12.1.1 of the Consultation Report (Doc 5.1) the applicant advises that following feedback received from Stage 2 consultations further localised consultation was necessary, which is described as Stage 2A consultation.</p>

⁹ Category 1: owner, lessee, tenant or occupier of land; Category 2: person interested in the land or has power to sell and convey the land or to release the land; Category 3: person entitled to make a relevant claim. There is no requirement to check the accuracy of the list(s) or whether the applicant has made diligent inquiry

Paragraph 12.2.4 of the **Consultation Report (Doc 5.1)** states that:

'Those s44 directly affected by the proposed changes were notified and invited to participate in the consultation.'

Paragraph 12.2.7 of the **Consultation Report (Doc 5.1)** states that:

'... following the Stage 2 consultation National Grid undertook a drainage survey across the entire Pipeline route to inform the development of a drainage design to support the land restoration activities that would be undertaken as part of Pipeline construction. As a result of the completion of this survey certain land parcels previously unaffected by the Project were identified as being necessary to provide drainage mitigation. In total this comprised four additional land parcels. In conjunction with the Stage 2A consultation, four additional s44 parties were identified and consulted about the potential works on their land parcels.'

Paragraph 13.4.2 of the **Consultation Report (Doc 5.1)** states that the additional four s44 persons were identified following Stage 2 consultations that had not been previously consulted:

'Four additional s44 parties were also notified of the Stage 2A consultation. The Drainage Survey that was carried out in the autumn of 2013 identified four parties who had not previously been consulted. The Stage 2A consultation window was utilised to consult these parties on the whole Onshore Scheme as their land now fell in the proposed Order Limits. These parties had previously been notified of the Onshore Scheme and the Project as s47 parties during earlier rounds of non-statutory and statutory consultation; however this was the first juncture that they fell into the s44 category.'

Paragraph 16.1.2 of the **Consultation Report (Doc 5.1)** refers to further consultation described as Stage 2B:

'Following further engagement with landowners and in addition to the amends to the Onshore Scheme identified to accommodate drainage,

	<p><i>further minor changes were made to the proposed Limits of Deviation (LOD) after the conclusion of the Stage 2 statutory consultation. Again, National Grid considered it appropriate to engage further with those s44 parties affected by these changes.'</i></p> <p>Paragraph 16.1.3 of the Consultation Report (Doc 5.1) advises that Stage 2B consultation commenced on 30 April 2014 and concluded on 30 May 2014. The same paragraph on Stage 2B consultation states that this consultation:</p> <p><i>'... sought views from affected s44 parties on the revised location of the Limits of Deviation and Application Boundary. These changes were all considered to be minor and localised and only affected s44 parties already consulted during Stage 2. No additional s44 parties were identified as a result of these changes.'</i></p> <p>Table 7 of the Consultation Report (Doc 5.1) refers to specific paragraphs of the DCLG Guidance. The applicant states that:</p> <p><i>'Diligent inquiry has been undertaken to produce a Book of Reference to identify those who should be consulted.'</i></p>
<p>s45: Timetable for s42 Consultation</p>	
<p>2.4 Did the applicant notify s42 consultees of the deadline for receipt of consultation responses; and if so was the deadline notified by the applicant 28 days or more starting with the day after receipt of the consultation documents?</p>	<p>Yes.</p> <p>Paragraph 7.1.3 of the Consultation Report (Doc 5.1) advises that Stage 2 (statutory) consultation was launched on 23 September 2013 and concluded on 1 November 2013. This provided longer than the minimum 28 days from the day after receipt for responding to the consultation.</p> <p>Appendix 11 of the Consultation Report (Doc 5.1) provides a sample copy of the letter sent to section 42 consultees on 9 September 2014 advising of the imminent commencement of statutory consultation under section 42.</p> <p>Appendix 12 of the Consultation Report (Doc 5.1) includes a sample copy of the letter dated 23 September 2014 that provided the deadline for receipt of responses by 1 November 2013.</p>

Within the table at **page viii** of the **Consultation Report (Doc 5.1)**, titled '*Description of consultation stages referred to in this document*', it is advised that Stage 2A Localised Statutory Consultation began on 12 February 2014 and ran until 14 March 2014 in accordance with sections 42, 47 and 48.

Paragraph 13.2.1 of the **Consultation Report (Doc 5.1)** refers to Stage 2A consultation with s42 persons and states that all persons listed in **Appendix 8** of the **Consultation Report (Doc 5.1)** were sent a Stage 2A invitation letter on 27 January 2014 advising of the launch of Stage 2A consultation. The same paragraph states that on 11 February 2014, the day prior to the start of Stage 2A consultation period, these consultees were sent a further letter alongside a CD copy of the consultation documents.

Appendix 45 of the **Consultation Report (Doc 5.1)**, titled '*Stage 2a invitation letter*', provides a copy of the invitation letter sent to s42 persons on 27 January 2014.

Appendix 56 of the **Consultation Report (Doc 5.1)**, titled '*Stage 2a letter to Prescribed Consultees (11th February 2014)*', includes a copy of letter sent to s42 persons on 11 February 2014 that provided consultation documentation and the deadline for receipt of responses - being 14 March 2014. This provided at least the minimum 28 days from the day after receipt for responding to the consultation.

Paragraph 16.3.1 of the **Consultation Report (Doc 5.1)** explains that two National Park Authorities were omitted during s42 (Stage 2) consultation and were consulted during Stage 2B consultation. The same paragraph states that letters were issued to both authorities on 30 April 2014 advising of the consultation alongside copies of material made available during Stage 2. Both parties were given until 30 May 2014 to provide comments. The minimum of 28 days from the day after receipt was therefore provided to both authorities to respond to the consultation.

Appendix 55 of the **Consultation Report (Doc 5.1)** includes a copy of the letter issued to both National Park Authorities.

s46: Duty to notify Secretary of State of proposed application	
2.5 Did the applicant supply information to notify the Secretary of State of the proposed application; and if so was the information supplied to the Secretary of State on or before the date it was sent to the s42 consultees? Was this done on or before commencing consultation under s42?	<p>Yes.</p> <p>Table 6 (page 22) and Paragraph 7.1.4 of the Consultation Report (Doc 5.1) state that on 23 August 2013 the Inspectorate was notified and provided with consultation documents alongside a copy of the section 46 Notice prior to the commencement of s42 (Stage 2) consultation. A copy of the section 46 letter sent to the Planning Inspectorate is provided at Appendix 14 of the Consultation Report (Doc 5.1).</p> <p>Appendix 18 of the Consultation Report (Doc 5.1) provides copy of the acknowledgement letter sent by the Planning Inspectorate to the applicant confirming the date of receipt of the section 46 notification.</p> <p>The information supplied to the Secretary of State was submitted before commencement of the statutory consultation undertaken by the applicant under the requirements of section 42 of the Act.</p>
s47: Duty to consult local community	
2.6 Did the applicant prepare a statement of community consultation (SOCC) on how it intended to consult people living in the vicinity of the land?	<p>Yes.</p> <p>Paragraphs 7.2.1 to 7.2.3 of the Consultation Report (Doc 5.1) describe the process the applicant took in preparing a SOCC for both statutory and non-statutory consultation.</p> <p>Copies of both the published final SOCC and the SOCC Advertisement (Notice) have been provided at Appendix 10 and Appendix 28 of the Consultation Report (Doc 5.1) respectively.</p>
2.7 Were 'B' and (where relevant) 'C' authorities consulted about the content of the SOCC; and if so was the deadline for receipt of responses 28 days beginning with the day after the day that 'B' and (where applicable) 'C' authorities received the consultation documents?	<p>Yes.</p> <p>The applicant consulted on the SOCC with Selby District Council ('B' local authority), East Riding of Yorkshire Council ('B' local authority), North Yorkshire County Council ('C' local authority) and the Marine Management Organisation. Paragraph 9.1.4 of the Consultation Report (Doc 5.1) states:</p>

	<p><i>'The draft SoCC for Stage 2 was submitted to the 'B' and relevant 'C' authorities being ERYC, SDC, NYCC and the MMO for formal comment between the 23rd July 2013 to 20th August 2013 (28 days).'</i></p> <p>The original letters issued by the applicant have not been provided within the Consultation Report. However Appendix 16 of the Consultation Report (Doc 5.1) includes all responses. Within the letter from the Marine Management Organisation (dated 15 August) it is stated that the original request for comments was made on 23 July 2013. More than the minimum of 28 days from the day after receipt was therefore provided for responding to the draft SOCC.</p>
<p>2.8 Has the applicant had regard to any responses received when preparing the SOCC?</p>	<p>Yes.</p> <p>Paragraph 7.2.1 of the Consultation Report (Doc 5.1) outlines both the non-statutory (informal) consultation and the statutory (formal) consultation undertaken on the SOCC.</p> <p><u>Non-statutory SOCC consultation</u></p> <p>Paragraph 9.1.4 of the Consultation Report (Doc 5.1) states:</p> <p><i>'Prior to this formal consultation on the SoCC National Grid undertook informal consultation on the SoCC, see paragraph 7.2.2. No other comments or issues were raised by these parties on the SoCC.'</i></p> <p><u>Statutory SOCC consultation</u></p> <p>Responses to the non-statutory and statutory SOCC consultation are provided at Appendix 16 of the Consultation Report (Doc 5.1).</p> <p>Paragraph 7.2.2 of the Consultation Report (Doc 5.1) outlines the changes that were made to the SOCC following the formal consultation with the authorities.</p>
<p>2.9 Has the SOCC been made available for inspection in a way that is reasonably convenient for people living in the vicinity of the land; and has a notice been published in a newspaper circulating in the vicinity of the land which states where and</p>	<p>Yes.</p> <p>Paragraph 9.1.5 of the Consultation Report (Doc 5.1) states:</p> <p><i>'The SoCC was then publicised in accordance with s47 of the Act. It was advertised in seven newspapers on weeks commencing 9th and 16th</i></p>

<p>when the SOCC can be inspected?</p>	<p><i>September 2013, as well as the Fishing News and Farmer's Weekly...'</i></p> <p>Table 35 of the Consultation Report (Doc 5.1) lists the various papers in which the notice was publicised along with the dates on which it appeared.</p> <p>The SOCC Notice, included at Appendix 28 of the Consultation Report (Doc 5.1) contains details of where and when the SOCC was made available. These are:</p> <ul style="list-style-type: none"> • Project Website (www.ccsnumber.co.uk) • Selby District Council (address and opening times provided) • East Riding Council (address and opening times provided) • North Yorkshire County Council (address and opening times provided) • National Grid office (address and opening times provided) • Six local libraries (address and opening times provided) • Market Weighton Wicstun Centre (address and opening times provided) • Two Customer Service Centres (address and opening times provided)
<p>2.10 Does the SOCC set out whether the development is EIA development¹⁰; and does it set out how the applicant intends to publicise and consult on the preliminary environmental information?</p>	<p>Yes.</p> <p>Appendix 10 of the Consultation Report (Doc 5.1) contains a copy of the published SOCC which states:</p> <p><i>'The Onshore Scheme, for which National Grid proposes to make an application for an order granting development consent, is Environmental Impact Assessment development [...]</i></p> <p><i>The application for the Onshore Scheme will be accompanied by an Environmental Statement and accordingly, National Grid is consulting on the</i></p>

¹⁰ Regulation 10 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2009

	<p><i>available Preliminary Environmental Information (PEI) as part of this consultation. A Preliminary Environmental Information Report and associated information will be available to view on the project website, at identified public viewing places during the length of the consultation and at the consultation events.'</i></p> <p>A copy of the Preliminary Environmental Information Report (PEIR) has been provided at Appendix 6 of the Consultation Report (Doc 5.1).</p>
<p>2.11 Has the applicant carried out the consultation in accordance with the SOCC?</p>	<p>Yes.</p> <p>The applicant carried out two stages of statutory consultation in accordance with the final SOCC, being Stage 2 and Stage 2A.</p> <p><u>Stage 2</u></p> <p>Paragraphs 9.2.1 to 9.2.29 of the Consultation Report (Doc 5.1) describe the consultation activities undertaken during Stage 2, in accordance with the SOCC, as provided in Appendix 10 of the Consultation Report (Doc 5.1).</p> <p>Table 39 of the Consultation Report (Doc 5.1) contains information of the commitments set out within the SOCC and how these commitments were met by the applicant in accordance with the SOCC.</p> <p>A copy of the Stage 2 s47 Notification letter is provided at Appendix 30 of the Consultation Report (Doc 5.1) along with the Stage 2 Feedback Form at Appendix 29.</p> <p>A copy of the posters advertising the statutory exhibitions, held between 23 September 2013 and 2 October 2013, have been provided at Appendix 34 of the Consultation Report (Doc 5.1).</p> <p>A copy of the display boards and maps from the exhibitions are provided at Appendix 35 of the Consultation Report (Doc 5.1).</p> <p>Appendices 36 and 37 of the Consultation Report (Doc 5.1) contains extracts of the National Grid website and the project specific website.</p> <p>A Press Release is included at Appendix 38 of the Consultation Report (Doc 5.1) and outlines the time and location of the exhibitions. Appendix 39</p>

of the **Consultation Report (Doc 5.1)** contains a copy of the end of Consultation Period Press Release.

Stage 2A

Paragraphs 14.1.1 to 14.1.4 of the **Consultation Report (Doc 5.1)** explain that the applicant produced a Consultation Strategy for the Stage 2A s47 consultation. **Paragraph 14.1.4** of the **Consultation Report (Doc 5.1)** states:

‘Consultation on the Stage 2A Consultation Strategy took place between 23rd December 2013 and 10th January 2014.’

Copies of the comments on the Consultation Strategy are provided at **Appendix 44** of the **Consultation Report (Doc 5.1)** titled ‘*Stage 2a Consultation Strategy LPA Feedback*’.

The Consultation Strategy is provided at **Appendix 47** of the **Consultation Report (Doc 5.1)**.

Paragraphs 14.2.1 to 14.2.20 of the **Consultation Report (Doc 5.1)** describe the consultation activities undertaken during Stage 2A, in accordance with the Consultation Strategy, as provided in **Appendix 47** of the **Consultation Report (Doc 5.1)**.

A copy of the Stage 2A s47 invitation letter is provided at **Appendix 49** of the **Consultation Report (Doc 5.1)** along with the Stage 2 Feedback Form at **Appendix 48**.

Copies of the Stage 2A advert and poster are provided at **Appendix 50** and **51** of the **Consultation Report (Doc 5.1)**.

A Press Release and Press Coverage for Stage 2A is included at **Appendix 52** of the **Consultation Report (Doc 5.1)**.

s48: Duty to publicise the proposed application

2.12 Did the applicant publish a notice, as required by Regulation 4(2) of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (the APFP Regulations):

<p>(a) for at least two successive weeks in one or more local newspapers circulating in the vicinity in which the proposed development would be situated;</p>	<p>Yes.</p> <p>The applicant published s48 notices in September 2013. Paragraph 10.1.1 of the Consultation Report (Doc 5.1) states:</p> <p><i>‘The Section 48 notice publicising the Onshore Scheme and advertising the intention to apply for a DCO was placed in 5 local newspapers in two consecutive weeks commencing 9th and 16th September 2013.’</i></p> <p>Paragraph 10.1.2 of the Consultation Report (Doc 5.1) states:</p> <p><i>‘Copies of the advertisements and notices, as placed, are provided in Appendix 3.’</i></p> <p>Table 42 of the Consultation Report (Doc 5.1) shows the dates of these publications as:</p> <ul style="list-style-type: none"> • 9, 13, 14, 21 September 2013 in the Yorkshire Post • 14 September 2013 in the Yorkshire Post (Sports supplement) • 12, 19 September 2013 in the Goole Times • 12, 19 September 2013 in the Selby Times and Post • 13 September 2013 in Fishing News • 19 September 2013 in the Bridlington Free Press • 19 September 2013 in the Driffield Times and Post <p>Copies of these notices are included in Appendix 3 of the Consultation Report (Doc 5.1). It has not been possible to identify the specific newspapers and their published dates for some of the notices included within Appendix 3 of the Consultation Report (Doc 5.1). However there is evidence within Appendix 3 of the Consultation Report (Doc 5.1) that the notice appeared in the following local papers:</p> <ul style="list-style-type: none"> • 9, 13, 14, 21 September 2013 in the Yorkshire Post • 19 September 2013 in the Bridlington Free Press
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<p>(b) once in a national newspaper;</p>	<p>Yes.</p> <p>The applicant confirms in paragraph 10.1.1 of the Consultation Report (Doc 5.1) that the notice was published in The Guardian newspaper for one week.</p> <p>Appendix 3 of the Consultation Report (Doc 5.1) provides a copy of this published newspaper s48 notice as it appeared in The Guardian on 11 September 2013.</p>
<p>(c) once in the London Gazette and, if land in Scotland is affected, the Edinburgh Gazette; and</p>	<p>Yes.</p> <p>The applicant confirms in paragraph 10.1.1 of the Consultation Report (Doc 5.1) that the notice was published in the London Gazette for one week.</p> <p>The Consultation Report Appendix 3 (Doc 5.1) provides a copy of this s48 notice as it appeared in the London Gazette on 9 September 2013.</p>
<p>(d) where the proposed application relates to offshore development –</p> <p>(i) once in Lloyds List; and</p> <p>(ii) once in an appropriate fishing trade journal?</p>	<p>Yes.</p> <p>The applicant confirms in paragraph 10.1.1 of the Consultation Report (Doc 5.1) that the notice was published in in Lloyds List and Fishing News for one week.</p> <p>Appendix 3 of the Consultation Report (Doc 5.1) provides a copy of this s48 notice as it appeared in Lloyds List on 9 September 2013.</p> <p>Appendix 3 of the Consultation Report (Doc 5.1) provides a copy of this s48 notice as it appeared in Fishing News on 13 September 2013.</p>
<p>2.13 Did the notice include, as required by Regulation 4(3) of APFP Regulations:</p>	
<p>(a) the name and address of the applicant;</p>	<p>Yes.</p> <p>Appendix 3 of the Consultation Report (Doc 5.1) shows the notice that was placed in the relevant newspapers. The notice states at paragraph 1:</p> <p><i>‘Notice is hereby given that National Grid Carbon Limited (National Grid) of 1 – 3 Strand, London WC2N 5EH...’</i></p>

<p>(b) a statement that the applicant intends to make an application for development consent to the Secretary of State;</p>	<p>Yes.</p> <p>Paragraph 1 of the notice states:</p> <p><i>‘Notice is hereby given that National Grid Carbon Limited (National Grid) of 1 – 3 Strand, London WC2N 5EH intends to apply to the Secretary of State under section 37 of the Planning Act 2008 (the Act) for a development consent order (DCO) to authorise the Yorkshire and Humber CCS Cross-Country Pipeline.’</i></p>
<p>(c) a statement as to whether the application is EIA development;</p>	<p>Yes.</p> <p>Paragraph 9 of the notice states:</p> <p><i>‘The development comprising the Onshore Scheme is an EIA development as defined in The Infrastructure Planning (Environmental Impact Assessment) Regulations 2009. The proposed application will therefore be accompanied by an Environmental Statement containing environmental information.’</i></p>
<p>(d) a summary of the main proposals, specifying the location or route of the proposed development;</p>	<p>Yes.</p> <p>Paragraphs 2, 3 and 5 of the notice summarise the main proposals for the scheme.</p> <p>Paragraph 5 of the notice specifies the route of the scheme.</p>
<p>(e) a statement that the documents, plans and maps showing the nature and location of the proposed development are available for inspection free of charge at the places (including at least one address in the vicinity of the proposed development) and times set out in the notice;</p>	<p>Yes.</p> <p>Paragraph 10 of the notice states:</p> <p><i>‘The documents, plans and maps showing the nature and location of the proposed project, including the preliminary environmental information, will be available to download from 23 September on www.ccs-humber.co.uk, and to view from 23 September 2013 to 1 November 2013 at the places and times set out below, free of charge.’</i></p> <p>The notice goes on to list 13 locations where the documents could be viewed, including addresses and opening times, these are:</p> <p>Selby District Council – Access Selby; East Riding District Council – Beverley</p>

	<p>Service Centre; North Yorkshire County Council Offices; National Grid Office; Bridlington Central Library; Driffield Library; Goole Library; Howden Library; Market Weighton Wicstun Centre; Selby Library and Visitor Information Centre; Snaith Library; Bridlington Customer Service Centre and Driffield Customer Service Centre.</p> <p>The notice goes on to list 9 exhibitions where the documents could be viewed, including dates and times, these are: Carlton Village Hall, Barlow Village Hall, The Shire Hall, Holme on Spalding Moor Village Hall, Middleton on the Wolds Village Hall, Market Weighton Community Hall, Hutton Cranswick Sports and Recreation Ground, Wansford Village Hall, Barmston Village Hall.</p>
<p>(f) the latest date on which those documents, plans and maps will be available for inspection (being a date not earlier than the deadline in sub-paragraph (i));</p>	<p>Yes.</p> <p>Paragraph 10 of the notice states: <i>‘The documents, plans and maps showing the nature and location of the proposed project, including the preliminary environmental information, will be available to download from 23 September on www.ccsnumber.co.uk, and to view from 23 September 2013 to 1 November 2013 at the places and times set out below, free of charge.’</i></p> <p>The deadline in sub-paragraph (i) below is 1 November 2013.</p>
<p>(g) whether a charge will be made for copies of any of the documents, plans or maps and the amount of any charge;</p>	<p>Yes.</p> <p>Paragraph 12 of the notice states: <i>‘Copies of the documents, plans, maps and Preliminary Environmental Information can be obtained from National Grid, at a reasonable charge for copying, in hard copy format or free of charge on DVD.’</i></p>
<p>(h) details of how to respond to the publicity; and</p>	<p>Yes.</p> <p>Paragraph 13 of the notice states: <i>‘Responses to this consultation should be made, where possible, in writing and be sent by email to nationalgrid@ccshumber.co.uk or by post to FREEPOST CCS NATIONAL GRID. Feedback forms can also be found at the website at www.ccsnumber.co.uk.’</i></p>

<p>(i) a deadline for receipt of those responses by the applicant, being not less than 28 days following the date when the notice is last published?</p>	<p>Yes.</p> <p>The notice states: <i>‘National Grid must receive all responses on Friday 1 November 2013 to ensure their consideration.’</i></p> <p>The last date of publication of the s48 notice was 21 September 2013 as shown in Table 42 of the Consultation Report (Doc 5.1). This is evidenced in Appendix 3 of the Consultation Report (Doc 5.1) which shows the notice that was placed in the relevant newspapers, where the last published notice is dated 21 September 2013.</p> <p>The deadline for receipt of responses by the applicant was 41 days after the notice was last published in the local newspapers.</p>
<p>2.14 Has a copy of the s48 notice been sent to the EIA consultation bodies and to any person notified to the applicant in accordance with Regulation 9(1)(c) of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (the EIA Regulations)¹¹?</p>	<p>Yes.</p> <p>Table 7 under paragraph 4.1.16 of the Consultation Report (Doc 5.1) states: <i>‘The s48 Advert as published is located in Appendix 3 this complies with the requirements of the EIA Infrastructure Regulations. Regulation 11 letters were issued to all Regulation 9 parties with a copy of the s48 notice.’</i></p> <p>Paragraph 11.1.1 of the Consultation Report (Doc 5.1) states: <i>‘Notice of Preliminary Environmental Information under Regulation 11 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 was given to consultation bodies together with notice under section 48 of the Act in letters sent to those bodies as prescribed consultees under section 42 and as listed in the Regulation 9 List (Appendix 40) on the 9th September 2013.’</i></p> <p>The s48 notice is included at Consultation Report Appendix 3 (Doc 5.1).</p>

¹¹ Regulation 11 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2009

s49: Duty to take account of responses to consultation and publicity

2.15 Has the applicant had regard to any relevant responses to the s42, s47 and s48 consultation?

Yes.

Chapter 17 of the **Consultation Report (Doc 5.1)** provides a summary of changes made as a result of statutory consultation at Stages 2, 2A and 2B.

Paragraph 17.1.1 of the **Consultation Report (Doc 5.1)** lists seven changes in bullet point format made to the scheme as a result of statutory consultation.

The applicant states in the **Executive Summary (pages 3 and 4)** of the **Consultation Report (Doc 5.1)** that:

‘Consideration of the feedback received through consultation and wider stakeholder engagement has been a major contributing factor in the decision stages made in the development of the Onshore Scheme. Consultation has been completed at an early enough stage in the development of proposals to allow consultees to have a real opportunity to influence the proposed development.’

Within the **Executive Summary (pages 3 and 4)** of the **Consultation Report (Doc 5.1)** the applicant:

- states that consultation with stakeholders has helped inform decisions at several stages of project development, which are listed in bullet point format; and
- lists, in bullet point format, a summary of the elements of the Onshore Scheme which have changed materially as a result of feedback from consultation.

Section 42

Stage 2

Chapter 8 ‘Stage 2: Section 42 Consultation with Prescribed Consultees, Local Authorities and PILs’ of the **Consultation Report (Doc 5.1)** includes **Table 34 (pages 165 - 248)** which summarises the s42 consultation responses (Stage 2) and the regard had to those responses by the applicant.

Stage 2A

Chapter 13 ‘Stage 2A: Section 42 Consultation with Prescribed Consultees, Local Authorities and PILs’ of the **Consultation Report (Doc 5.1)** includes **Table 48 (pages 332 - 347)** which summarises the s42 consultation responses (Stage 2A) and the regard had to those responses by the applicant.

Stage 2B

Chapter 16 ‘Stage 2B (Statutory) Localised Consultation – April to May 2014’ of the **Consultation Report (Doc 5.1)** advises that 104 s44 parties and two National Park Authorities were consulted during the applicant’s Stage 2B statutory consultation.

At **paragraph 16.2.6** of the **Consultation Report (Doc 5.1)** the applicant states:

‘One s44 party responded to this consultation in respect of Application Boundary changes, they sought clarity on where the Pipeline would likely be placed within the red line. National Grid spoke to this party and explained that the change to the Application Boundary at this location affected the access track to the Block Valve only and that the Pipeline would not be located in this area. This party had no further queries.’

At **paragraph 16.3.2** of the **Consultation Report (Doc 5.1)** the applicant states:

‘Both National Parks returned ‘no comment’ on this stage of consultation...’

At **paragraph 16.3.3** of the **Consultation Report (Doc 5.1)** the applicant confirms:

‘No changes were made to the Onshore Scheme as a result of Stage 2B statutory consultation.’

Section 47

Stage 2

Chapter 9 ‘Stage 2: Section 47 Consultation with the Local Community’ of the **Consultation Report (Doc 5.1)** includes **Table 41 (pages 268 - 302)**

	<p>which summarises the s47 consultation responses (Stage 2) and the regard had to those responses by the applicant.</p> <p><i>Stage 2A</i></p> <p>Chapter 14 ‘<i>Stage 2A: Section 47 Consultation with the Local Community</i>’ of the Consultation Report (Doc 5.1) includes Table 52 (pages 354 - 363) which summarises the s47 consultation responses (Stage 2A) and the regard had to those responses by the applicant.</p> <p><u>Section 48</u></p> <p>The applicant, at Paragraph 10.1.1 of the Consultation Report (Doc 5.1), states that:</p> <p><i>‘The Section 48 notice publicising the Onshore Scheme and advertising the intention to apply for a DCO was placed in 5 local newspapers in two consecutive weeks commencing 9th and 16th September 2013. The notice was also placed in one national newspaper (The Guardian), in the London Gazette, in Fishing News and Lloyds List for one week. Any responses to these adverts would be captured in the above sections of the Consultation Report.’</i></p>
<p>Guidance about pre-application procedure</p>	
<p>2.16 To what extent has the applicant had regard to DCLG guidance ‘The Planning Act 2008: Guidance on the pre-application process’¹²?</p>	<p>Paragraph 4.1.16 of the Consultation Report (Doc 5.1) states that:</p> <p><i>‘The applicant has complied with DCLG Guidance Planning Act 2008: Guidance on Pre-application Process as follows:’</i></p> <p>This is followed by Table 7 of the Consultation Report (Doc 5.1).</p> <p>Table 7 of the Consultation Report (Doc 5.1) refers to specific paragraphs of the DCLG Guidance. The applicant states that:</p> <p><i>‘National Grid considers that it has complied with CLG Guidance on the Pre-application process as listed in the remainder of Table 7.’</i></p> <p><i>‘Consultation Zones were agreed with Local Authorities’.</i></p>

¹² The Secretary of State must have regard to the extent to which the applicant has had regard to guidance issued under s50

'The scale of the Onshore Scheme has meant that three stages of consultation were held by the applicant to meet its pre-application duties. Two of these non-statutory rounds of consultation provided the opportunity for consultees to influence the development of the project from early strategic stages to detailed routes and siting of the development.'

'Stage 2 and 2A statutory consultation provided respondents with a period within which to provide feedback to the consultation window. However, any, responses received after the stated period have been taken into account. The approach to consultation reflected the scale and linear nature of the scheme (including the number of respondents who may want to provide feedback).'

'Feedback from all stages of consultation was welcomed in all formats to accommodate the needs of respondents, this included, email and hand written feedback form.'

'National Grid has consulted all Prescribed Consultees during Stage 2 and Stage 2A consultation as listed on Regulation 9: Prescribed Consultee list. Where a consultee has ceased to exist or changed title, National Grid has identified the successor body, with advice from the Inspectorate (s51 Advice dated 18th April 2013 – see Appendix 4) to ensure that they are consulted in the same manner as other prescribed consultees'

'The MMO and all Local Authorities contacted in respect of the SoCC all provided feedback and agreed to its content prior to the publication of the SoCC.'

'The submitted Book of Reference lists the s44 parties who have been contacted during statutory consultation. Any additional s44 parties identified as a result of amends to the Onshore Scheme between consultation stages 2 and 2A were contacted during stage 2A consultation. Diligent inquiry has been undertaken to produce a Book of Reference to identify those who should be consulted.'

	<p>The Planning Inspectorate note the reference made above to s51 advice provided to the applicant (as set out in Appendix 4 of the Consultation Report (Doc 5.1)) and note that this does not refer to any of the bodies listed in part 2.3 of this checklist (s42(1)(a)) above.</p> <p>Paragraph 12.2.7 of the Consultation Report (Doc 5.1) explains that as a result of Stage 2A consultation four additional parties were identified and consulted about the potential works on their land parcels.</p> <p>Paragraph 16.1.3 of the Consultation Report (Doc 5.1) explains that the applicant undertook further consultation, described as ‘Stage 2B consultation’, with those s44 parties affected by the changes, stating that this Stage: <i>‘commenced in 30th April 2014 and concluded on 30th May 2014. It sought views from affected s44 parties on the revised location of the Limits of Deviation and Application Boundary. These changes were all considered to be minor and localised and only affected s44 parties already consulted during Stage 2. No additional s44 parties were identified as a result of these changes.’</i></p>
<p>Summary - s55(3)(e)</p>	<p>There is evidence to demonstrate that the consultation has been carried out to an acceptable standard. Where there are organisations which have been superseded these can be dealt with through the examination and the applicant advised to update their consultation arrangements.</p>
<p>3. s55(3)(f) and s55(5A) The application (including accompaniments) achieves a satisfactory standard having regard to the extent to which it complies with section 37(3) (form and contents of application) and with any standards set under section 37(5) and follows any applicable guidance under section 37(4)</p>	
<p>3.1 Is it made in the prescribed form as set out in Schedule 2 of the APFP Regulations, and does it include:</p> <ul style="list-style-type: none"> • a brief statement which explains why it falls within the remit of the Secretary of State; and • a brief statement that clearly identifies the location of the application site, or the route if it is a linear scheme? 	<p>Yes.</p> <p>The application has been submitted in the prescribed form.</p> <ul style="list-style-type: none"> • Section 4 of the Application Form (Doc 1.3) states: <i>‘This application seeks powers to develop a cross country pipeline in excess of 16.093km in length to transport captured carbon dioxide, and is therefore a nationally significant infrastructure project by virtue of section 14(1)(g) of the Planning Act 2008 (‘the construction of a pipeline other than</i>

	<p><i>by a gas transporter’).</i></p> <p>Paragraphs 3.1 to 3.3 of the Draft Explanatory Memorandum (Doc 3.2) state:</p> <p><i>‘3.1 Under sections 14(1)(g) and 21 of the Planning Act 2008 (the ‘2008 Act’) the construction of a cross-country pipeline in England other than by a gas transporter, which would otherwise require authorisation under section 1(1) of the Pipe-lines Act 1962 (the ‘Pipe-lines Act’)(on account of the pipeline exceeding 16.093km in length), constitutes an NSIP. As stated at paragraph 1.4 above, the cross-country pipeline comprised in the Onshore Scheme is approximately 67 km in length and will thus exceed 16.093 km in length.</i></p> <p><i>3.2 Section 31 of the 2008 Act provides that a development consent order is required to the extent that a development is or forms part of an NSIP.</i></p> <p><i>3.3 Accordingly, the undertaker is making an application to the Secretary of State under section 37 of the 2008 Act in order to obtain development consent for the Onshore Scheme. The Order is part of the application.’</i></p> <p>• Section 6 of the Application Form (Doc 1.3) provides a brief statement that clearly identifies the location of the proposal, including reference to the Land Plans (Doc 2.1):</p> <p><i>‘The Onshore Scheme starts at Drax Pig Trap (Document Reference 2.1 Sheet 1) with a local pipeline connection to the Camblesforth Multi-Junction (Document Reference 2.1 Sheet 2) from where the cross country pipeline starts. Block Valves are required at regular intervals along the length of the cross country pipeline to allow sections of the pipeline to be isolated for safety or maintenance, these are located at Tollingham, Dalton and Skerne (Document Reference 2.1 Sheets 8, 15, 20), a Pumping Station is required near to the coast, near Barmston (Document Reference 2.1 Sheet 25) to re-pressurise the Carbon Dioxide before it is transported offshore. This is where the Onshore Scheme finishes, with the end point marked by low mean watermark (Document Reference 2.1 Sheet 25).’</i></p>
3.2 Is it accompanied by a consultation report?	<p>Yes.</p> <p>The application is accompanied by the Consultation Report (Doc 5.1),</p>

	which includes appendices 1 to 59.
3.3 Is it accompanied by the documents and information set out in APFP Regulation 5(2) and listed below:	
<p>(a) where applicable, the environmental statement required under the EIA Regulations and any scoping or screening opinions or directions;</p>	<p>Yes.</p> <p>The Environmental Statement is provided as Documents 6.1 to 6.21 inclusive. Figures and appendices are included within these documents, and a Non Technical Summary (NTS) is provided as Document 6.20.</p> <p>As well as the introductory and concluding chapters of the Environmental Statement (Docs 6.1 to 6.21), the technical chapters are as follows:</p> <ul style="list-style-type: none"> • Chapter 6 Water Resources and Flood Risk (Doc 6.6) • Chapter 7 Geology Hydrogeology and Ground Conditions (Doc 6.7) • Chapter 8 Land Use and Agriculture (Doc 6.8) • Chapter 9 Ecology and Nature Conservation (Doc 6.9) • Chapter 10 Archaeology and Cultural Heritage (Doc 6.10) • Chapter 11 Landscape and Visual Assessment (Doc 6.11) • Chapter 12 Air Quality (Doc 6.12) • Chapter 13 Noise and Vibration (Doc 6.13) • Chapter 14 Traffic, Transport and Access (Doc 6.14) • Chapter 15 Socio-Economics (Doc 6.15) <p>In a letter dated 21 January 2013, the applicant formally notified the SoS under Regulation 6(1)(b) of the EIA Regulations that it proposed to provide an Environmental Statement in respect of the proposed development.</p> <p>In February 2013, the applicant requested a scoping opinion under Regulation 8 of the EIA Regulations 2009 and provided a scoping report pursuant to the requirements of Regulation 8.</p> <p>As part of their DCO application, the applicant has provided a copy of their Scoping Report (Doc 6.4.2) and a copy of the Secretary of State's Scoping</p>

	Opinion (Doc 6.4.3).
(b) the draft proposed order;	<p>Yes.</p> <p>The application is accompanied by the Draft Development Consent Order (Doc 3.1).</p> <p>The Draft Development Consent Order (Doc 3.1) includes a Deemed Marine Licence. See Schedule 10 and Article 42 of the Draft Development Consent Order (Doc 3.1).</p> <p>The coordinates within the Deemed Marine Licence Coordinates (Doc 2.7) appear to be consistent with those in the Book of Reference (Doc 4.3).</p>
(c) an explanatory memorandum explaining the purpose and effect of provisions in the draft order;	<p>Yes.</p> <p>The application is accompanied by an Explanatory Memorandum (Doc 3.2) which explains the purpose and effect of provisions in the draft order.</p>
(d) where applicable, a book of reference (where the application involves any compulsory acquisition);	<p>Yes.</p> <p>The application is accompanied by the Book of Reference (Doc 4.3).</p>
(e) a copy of any flood risk assessment;	<p>Yes.</p> <p>A Flood Risk Assessment is provided as Document 5.2 and includes a suite of technical appendices as Documents 5.2.1 to 5.2.14. Figures are embedded and cross referenced within the main report and appendices.</p> <p>The Environmental Statement (Docs 6.1 to 6.21) Chapter 6: Water Resources and Flood Risk (Doc 6.6) also makes extensive cross reference to the Flood Risk Assessment (Doc 5.2).</p>
(f) a statement whether the proposal engages one or more of the matters set out in section 79(1) of the Environmental Protection Act 1990 (statutory nuisances) and if so how the applicant proposes to mitigate or limit them;	<p>Yes.</p> <p>A Statement of Statutory Nuisance is provided as Document 5.3. Paragraph 1.1.1 of the Statement of Statutory Nuisance (Doc 5.3) states that:</p> <p><i>‘This statement identifies the matters set out in Section 79(1) of the Environmental Protection Act 1990 in respect of statutory nuisance and</i></p>

	<p><i>considers whether the proposed Onshore Scheme would cause nuisance.'</i></p> <p>The Statement of Statutory Nuisance (Doc 5.3), at paragraph 2.3.4, also notes the relationship to the Environmental Statement (Docs 6.1 to 6.21), stating that it:</p> <p><i>'...contains a description of the aspects of the environment likely to be significantly affected by the development, including 'population' and resulting from the 'creation of nuisances' it is appropriate to use the assessment of the effects reported within the ES (Volume 6.0) as an indicator to establishing whether there is a potential for a statutory nuisance under the Environmental Protection Act 1990 will be caused.'</i></p>
<p>(g) any report identifying any European site(s) to which regulation 48 of the Conservation (Natural Habitats, &c.) Regulations 1994¹³ applies; or any Ramsar site(s), which may be affected by the proposed development, together with sufficient information that will enable the Secretary of State to make an appropriate assessment of the implications for the site if required by regulation 48(1);</p>	<p>Yes.</p> <p>A No Significant Effects Report (NSER) is provided as Document 5.4 and includes a suite of technical appendices as Documents 5.4.1 to 5.4.11.</p> <p>The No Significant Effects Report (Doc 5.4) considers the potential impacts of the project on the following European sites:</p> <ul style="list-style-type: none"> • Humber Estuary SPA, SAC and Ramsar • River Derwent SAC • Lower Derwent Valley SAC, SPA and Ramsar • Thorne and Hatfields Moors SPA • Flamborough Head and Bempton Cliffs SPA* • Hornsea Mere SPA • Skipwith Common SAC • Thorne Moor SAC • Flamborough Head SAC <p>* Between 20 January 2014 and 14 April 2014, Natural England held a formal public consultation on the designation of the Flamborough and Filey Coast</p>

¹³ Now Regulation 61 of the [Conservation of Habitats and Species Regulations 2010 SI2010/490](#).

	<p>potential (p)SPA; this pSPA has not been identified in the applicant's NSER. If confirmed by the Secretary of State for the Environment, Food and Rural Affairs, the pSPA would represent a geographical extension to the existing Flamborough Head and Bempton Cliffs SPA.</p> <p>The No Significant Effects Report (Doc 5.4) concludes that the project will not result in a significant effect on any European site alone or in combination with other plans and projects and therefore an Appropriate Assessment is not required.</p> <p>There is no evidence that Natural England agree with the conclusions of the No Significant Effects Report (Doc 5.4).</p> <p>It is considered that the information provided in the No Significant Effects Report (Doc 5.4) is adequate for acceptance. This should not be taken to imply that the Examining Authority may not ask questions on this matter.</p>
<p>(h) a statement of reasons and a funding statement (where the application involves any compulsory acquisition);</p>	<p>Yes.</p> <p>The application is accompanied by a Statement of Reasons (Doc 4.1) and a Funding Statement (Doc 4.2).</p>
<p>(i) a land plan identifying:-</p> <ul style="list-style-type: none"> (i) the land required for, or affected by, the proposed development; (ii) where applicable, any land over which it is proposed to exercise powers of compulsory acquisition or any rights to use land; (iii) any land in relation to which it is proposed to extinguish easements, servitudes and other private rights; and (iv) any special category land and replacement land; 	<p>Yes.</p> <p>(i) Land plans are provided showing the land required for, or affected by the proposed development. The Land Plans (Doc 2.1) comprise:</p> <ul style="list-style-type: none"> • Land Plan Key Plan; • Land Plans (Sheet Nos. 1 - 25) <p>ii) any land over which it is proposed to exercise powers of compulsory acquisition or any rights to use land; and</p> <p>iii) any land in relation to which it is proposed to extinguish easements, servitudes and other private rights:</p> <p>The Land Plans (Doc 2.1) have the following land descriptions and colour</p>

	<p>coding:</p> <p>Land subject to compulsory acquisition of land and/or rights; and subject to temporary possession for construction activities and drainage works: Dark grey</p> <p>Land subject to temporary possession including for construction activities and drainage works: Light grey</p> <p>Land subject to temporary possession for drainage works only: Cross-hatched</p> <p>(iv) Special category land is illustrated in the Plans showing Special Category Land Sheets 1 - 2 (Doc 2.2). These plans have the following land descriptions and colour coding:</p> <p>Extent of Open Space Permanent Rights to be taken: Dark green</p> <p>Full extent of Open Space Outside of Permanent Rights: Light green</p>
<p>(j) a works plan showing, in relation to existing features:-</p> <p>(i) the proposed location or (for a linear scheme) the proposed route and alignment of the development and works; and</p> <p>(ii) the limits within which the development and works may be carried out and any limits of deviation provided for in the draft order;</p>	<p>Yes.</p> <p>Works plans are provided showing:</p> <p>(i) the proposed location and proposed route and alignment of the development and works; and</p> <p>(ii) the limits within which the development and works may be carried out and any limits of deviation provided for in the draft order.</p> <p>The Works Plans Sheets 0 – 12 and Sheets 13 – 25 (Docs 2.3) comprise:</p> <ul style="list-style-type: none"> • Works Plan (Location Key Plan); • Works Plans (Sheet Nos. 1 - 25)

<p>(k) where applicable, a plan identifying any new or altered means of access, stopping up of streets or roads or any diversions, extinguishments or creation of rights of way or public rights of navigation;</p>	<p>Yes.</p> <p>Any new or altered means of access, stopping up of streets or roads or any diversions, extinguishments or creation of rights of way or public rights of navigation are identified on the following plans:</p> <p>The Access, Rights of Way and Stopping Up Plans Sheets 0 – 12 and Sheets 13 – 25 (Docs 2.4) comprise:</p> <ul style="list-style-type: none"> • Access, rights of way and stopping up plans (Location Key Plan) • Access, rights of way and stopping up plans (Sheet Nos. 1-25)
<p>(l) where applicable, a plan with accompanying information identifying:-</p> <p>(i) any statutory/non-statutory sites or features of nature conservation e.g. sites of geological/ landscape importance;</p> <p>(ii) habitats of protected species, important habitats or other diversity features; and</p> <p>(iii) water bodies in a river basin management plan, together with an assessment of any effects on such sites, features, habitats or bodies likely to be caused by the proposed development;</p>	<p>Yes.</p> <p>The Plans of Statutory / Non-Statutory Environmental Sites and Features Maps 0 - 10 are provided as Document 2.72. These plans identify:</p> <ul style="list-style-type: none"> • Local Nature Reserves • Special Areas of Conservation • Sites of Special Scientific Interest • Ancient & Semi-Natural Woodland • Ancient Replanted Woodland • Local Wildlife Sites / Sites of Nature Conservation Interest • Regionally Important Geological and Geomorphological Sites • Tree Preservation Orders • Yorkshire Wildlife Trust Living Landscapes • Yorkshire Wildlife Trust Sites • WFD Waterbody Catchment areas <p>There are also figures within the following technical assessment chapters of the Environmental Statement (Docs 6.1 to 6.21) which provide this</p>

	<p>information:</p> <ul style="list-style-type: none"> • Chapter 7 Geology, Hydrogeology and Ground Conditions (Doc 6.7) – Regionally Important Geological Sites and Sites of Special Scientific Interest at four locations (Figures 7.9 – 7.12) • Chapter 9 Ecology and Nature Conservation (Doc 6.9) – Statutory and Non-Statutory Ecological Designations (Maps 1 - 10) (Figure 9.2)
<p>(m) where applicable, a plan with accompanying information identifying any statutory/non-statutory sites or features of the historic environment, (e.g. scheduled monuments, World Heritage sites, listed buildings, archaeological sites and registered battlefields) together with an assessment of any effects on such sites, features or structures likely to be caused by the proposed development;</p>	<p>Yes.</p> <p>The Plans of Statutory / Non-Statutory Sites and Features of the Historic Environment Maps 0 - 10 are provided as Document 2.73. These plans identify:</p> <ul style="list-style-type: none"> • Listed Buildings • Scheduled Monuments • Historic Parks & Gardens <p>There are also figures within the following technical assessment chapter of the Environmental Statement (Docs 6.1 to 6.21) which provide this information:</p> <ul style="list-style-type: none"> • Chapter 10 Archaeology and Cultural Heritage (Doc 6.10) – Known Archaeology (Sheets 1 - 8) (Figures 10.1 – 10.8)
<p>(n) where applicable, a plan with any accompanying information identifying any Crown land;</p>	<p>Crown Land Plans Sheets 1 – 3 are provided as Document 2.6. It appears that these plans show four plots only (189, 740, 741 and 1280), which are the plots where the applicant is seeking to acquire permanent rights. However, the plans do not show the other Crown plots (listed in Part 4 of the Book of Reference (Doc 4.3)) where the applicant is seeking to acquire temporary rights. There does not appear to be a key plan provided for the Crown Land Plans Sheets 1 – 3.</p> <p>All the plots listed in the Crown land section (Part 4) of the Book of Reference (Doc 4.3) do however appear on the Land Plans (Doc 2.1), which are accompanied by a key plan.</p>
<p>(o) any other plans, drawings and sections necessary to describe the</p>	<p>Yes.</p>

<p>development consent proposal showing details of design, external appearance, and the preferred layout of buildings/structures, drainage, surface water management, means of vehicular and pedestrian access, any car parking and landscaping;</p>	<ul style="list-style-type: none"> • Plans showing Special Category Land Sheets 1-2 (Doc 2.2) • Hedgerow Plans Sheets 0 – 12 and Sheets 13 – 25 (Docs 2.5) which comprise: <ul style="list-style-type: none"> - Hedgerow Plans (Location Key Plan) - Hedgerow Plans (Sheets 1 – 25) • Deemed Marine Licence Coordinates (Doc 2.7) • Plans, drawings, sections and other illustrations relating to: <ul style="list-style-type: none"> - Barmston Pumping Station (Docs 2.9 – 2.16) - Drax PIG Trap (Docs 2.17 – 2.23) - Camblesforth Multi-Junction (Docs 2.24 – 2.30) - Tollingham Block Valve Drawings (Docs 2.31 – 2.37) - Dalton Block Valve Drawings (Docs 2.38 – 2.44) - Skerne Block Valve Drawings (Docs 2.45 – 2.51) • A series of highway/vehicular access plans (Doc 2.52 - 2.61, 2.63 - 2.69 and 2.71)
<p>(p) any of the documents prescribed by Regulation 6 of the APFP Regulations¹⁴;</p>	<p>Yes.</p> <p>The applicant has provided the following document prescribed by Regulation 6 of the APFP Regulations:</p> <ul style="list-style-type: none"> • Proposed Scheme Report (Doc 7.8)
<p>(q) any other documents considered necessary to support the application; and</p>	<p>Yes.</p> <p>Section 23 of the Application Form (Doc 1.3) identifies other documents considered necessary to support the application:</p> <ul style="list-style-type: none"> • Planning Statement (Doc 7.1) • Design and Access Statement (Doc 7.3) • Need Case (Doc 7.4) • Code of Construction Practice (Doc 7.5)

¹⁴ These are documents which are relevant to specific types of project (generating stations, highway related development, railways, harbour facilities, pipelines, hazardous waste facilities, dam or reservoirs). Confirm in each case the type of project and the relevant documents which **must** be included with the application in each case.

	<p>In addition Section 23 of the Application Form (Doc 1.3) identifies other information provided that is in support of the application, but which has not been explicitly required:</p> <ul style="list-style-type: none"> • Construction Report (Doc 7.6) • Drainage Report (Doc 7.7) • Proposed Scheme Report (Doc 7.8)
<p>(r) if requested by the Secretary of State, three paper copies of the application form and other supporting documents and plans.</p>	<p>Yes.</p> <p>Three paper copies of the application form and supporting documents were received by the Planning Inspectorate (acting on behalf of the Secretary of State) on 18 June 2014.</p>
<p>3.4 Are the plans, drawings or sections submitted A0 size or smaller, drawn to an identified scale (not smaller than 1:2500) and, in the case of plans, show the direction of north¹⁵?</p> <p>NB:- It is not intended that information provided in other documents, such as any Environmental Statement submitted, should be duplicated. It is possible therefore to cross refer to the location of relevant information – see DCLG Guidance on application forms paragraphs 33 – 38.</p>	<p>The plans, drawings or sections are submitted on A0 size paper or smaller, drawn to an identified scale (not smaller than 1:2500) and, in the case of plans, show the direction of north, as per Regulation 5(3) of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009. This is with the exception of the following plans:</p> <ul style="list-style-type: none"> • Plans of Statutory / Non-Statutory Sites and Features of the Historic Environment Maps 0 - 10 (Doc 2.73) @ 1:10,000; • Plans of Statutory / Non-Statutory Environmental Sites and Features Maps 0 – 10 (Doc 2.72) @ 1:10,000
<p>3.5 Where a plan comprises three or more separate sheets has a key plan been provided showing the relationship between the different sheets¹⁶?</p>	<p>A key plan has been provided for the following sets:</p> <ul style="list-style-type: none"> • Land Plans (Doc 2.1) • Works Plans Sheets 0 – 12 and Sheets 13 – 25 (Docs 2.3) • Access, Rights of Way and Temporary Stopping Up Sheets 0 – 12 and Sheets 13 – 25 (Docs 2.4)

¹⁵ Regulation 5(3) of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

¹⁶ Regulation 5(4) of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

	<ul style="list-style-type: none"> • Hedgerow Plans Sheets 0 – 12 and Sheets 13 – 25 (Docs 2.5) • Plans of Statutory / Non-Statutory Environmental Sites and Features Maps 0 – 10 (Doc 2.72) • Plans of Statutory / Non-Statutory Sites and Features of the Historic Environment Maps 0 - 10 (Doc 2.73) • Drainage Design Sheets 0 – 12 and Sheets 13 – 25 (Docs 7.7.1) <p>There does not appear to be a key plan provided for the Crown Land Plans Sheets 1 – 3 (Doc 2.6).</p>
<p>3.6 Has the applicant had regard to DCLG guidance ‘Planning Act 2008: Application form guidance’, and has this regard lead to the application being prepared to a standard that the Secretary of State considers satisfactory?</p>	<p>Yes.</p> <p>The applicant has had regard to DCLG guidance ‘Planning Act 2008: Application form guidance’ and this has led to the application being prepared to a standard that the Secretary of State considers satisfactory.</p> <p>All boxes of the submitted Application Form (Doc 1.3) have been completed in accordance with Section 2 – Application form: information requirements of the DCLG guidance ‘Planning Act 2008: Application form guidance’. It would also appear that the applicant has had regard to Section 1 – General issues of the DCLG guidance ‘Planning Act 2008: Application form guidance’.</p> <p>Further to this the applicant submitted the following as required in Advice Note 6:</p> <ul style="list-style-type: none"> - An electronic index of the application documents by email - A GIS shapefile in advance of submission - An application fee of £4,500 <p>The applicant has broadly followed Advice Note 6 in supplying documents bound in folders and grouped as suggested in Appendix 1 of Advice Note 6 and formatted and numbered their documents and plans as suggested in Advice Note 6.</p>

Summary - s55(3)(f) and s55(5A)	<p>The submission is overall of an acceptable standard.</p> <p>The pipeline project in its entirety (incorporating both the onshore and offshore schemes) may need to be considered further for significant effects together with the potential SPA and the applicant should be prepared for potential questions related to the project as a whole during the examination.</p>
The Infrastructure Planning (Fees) Regulations 2010 (SI106)	
Fees to accompany an application	
Was the fee paid at the same time that the application was made ¹⁷ ?	The fee of £4,500 was paid by BACS and cleared on 3 June 2014 in advance of the submission of the application on 18 June 2014.

Case Leader

Iwan Davies

Iwan Davies

Signed

Date:

16 July 2014

Acceptance Inspector

Pauleen Lane

Pauleen Lane

Signed

Date:

16 July 2014

¹⁷ The Secretary of State must charge the applicant a fee in respect of the decision by the Secretary of State under section 55. If the applicant fails to pay the fee, the Secretary of State need not consider the application until payment is received by the Secretary of State. The fee payable is presently £4,500 and must be paid at the same time that the application is made

Section 55 Acceptance of Applications

Appendix One

Application Checklist

[Yorkshire and Humber CCS Cross Country Pipeline]

A Legal Advice

Withheld from publication as potentially falling within one or more of the following categories of information:-

- excepted internal communications and / or
- excepted because publication would adversely affect the course of justice and/or
- exempted information protected by legal professional privilege

B Habitats Regulation Assessment Checklist

Withheld from publication as potentially falling within one or more of the following categories of information:-

- excepted internal communications and / or
- excepted because publication would adversely affect the course of justice and/or
- excepted because its publication would adversely affect the protection of the environment to which the information relates