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# End of the Examination Updates Cover Letter

**The Yorkshire and Humber (CCS Cross Country  
Pipeline) Development Consent Order**

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### By File Transfer and Courier

18<sup>th</sup> May 2015

Dear Sir,

### **Application for the Yorkshire and Humber Carbon Capture and Storage (CCS) Cross Country Pipeline Development Consent Order (Reference: EN070001)**

In National Grid's Deadline 8 submissions we undertook a commitment to update you on any further progress with statutory undertakers by the end of the examination. In advance of tomorrow's deadline for the closure of the examination we now provide an *Updated Statement of Progress with Statutory Undertakers*. This is listed as **Document 18.1** and includes evidence of the withdrawal of a number of objections, some of which have been supplied to you directly. A separate *Joint Statement with Network Rail* is provided as **Document 18.2**.

These updates are accompanied by an agreed *Statement on the Range of Minerals Sterilisation at Gransmoor* which has been prepared following the completion and analysis of an additional borehole investigation undertaken at the expense of National Grid in agreement with WC Clifford Watts Limited. This borehole investigation was completed subsequent to the publication of National Grid's Minerals Report (Document 11.2) and an issue specific hearing on minerals held as part of the examination to determine in more detail the likely extent of the mineral reserves at Gransmoor. National Grid considered that such an investigation would be of assistance to both parties and of course the Examining Authority. The scope and methodology of this investigation was agreed with Messrs Watts and the results have been used to calculate a revised estimate of the amount of material (which includes sand and gravel) that could be sterilised. The estimate of sterilised material set out has been agreed with WC Clifford Watts Limited. The results of this investigation are provided as **Document 18.3**.

To accompany these three submissions further comment on these matters is provided below. In addition, we note that a late submission for Deadline 3 from Kirkburn Parish Council was published on the Planning Inspectorate's website on the 5<sup>th</sup> May 2015; for completeness a response to matters raised is provided below.

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## **Updated Statement of Progress with Statutory Undertakers (Document 18.1)**

In recent weeks, a number of the agreements which have been the subject of ongoing negotiation with statutory undertakers, and other operators of apparatus, have been concluded. Document 18.1 provides an update on those negotiations, and also appends withdrawal letters where those have been submitted. Some of these letters will have been sent direct to the Planning Inspectorate, but for convenience we have appended those too.

To the extent that the examination closes without further agreements having been concluded, National Grid will make submissions to the Secretary of State directly on or shortly after 1 July 2015. This is expected to be in relation to Ineos, the Canal and River Trust (CRT) and the Driffield Navigation Trust. In accordance with previous submissions, National Grid does not consider that these parties do not fall within section 127 of the Planning Act 2008. This is because, in the case of Ineos and Driffield Navigation Trust, they are not "statutory undertakers" as defined for the purposes of that provision. In the case of the CRT, compulsory acquisition powers are not sought in relation to their land interests, and so the qualifying criteria for section 127 are not fulfilled.

The Examining Authority will note that we will also provide an update in relation to the Environment Agency, to whom section 127 does apply. Engrossment agreements are circulating for signature, and once those are signed National Grid expects the Environment Agency to withdraw its objection to the extent of the exercise of compulsory acquisition powers. This will therefore take the Environment Agency out of the qualifying criteria for section 127.

Finally, and for completeness, we have attached the letter from the Crown Estate confirming its consent under sections 135(1) and (2) of the Planning Act 2008 to the DCO applying to the Crown interests (but not being a letter of consent for National Grid to exercise compulsory acquisition powers).

## **Joint Statement with Network Rail (Document 18.2)**

National Grid and Network Rail have agreed a joint statement, provided at Document 18.2. The parties confirm that negotiations are ongoing, and that a submission will be made to update the Secretary of State on or shortly after 1 July 2015. Attached to the joint statement are the protective provisions in a form acceptable to National Grid, and in a form acceptable to Network Rail (and a redline comparison of the two).

In any event, National Grid does not consider that the Onshore Scheme, and the granting of a DCO for it, would cause serious detriment to the carrying on of the Network Rail undertaking (see section 127(5) and (6)). Firstly, rights only are being sought, and not freehold acquisition of the land itself. Secondly, National Grid has substantially agreed protective provisions with Network Rail to be inserted into the DCO.

Should it prove necessary National Grid shall provide full submissions on the section 127 test to the Secretary of State following the 1 July 2015 target date.

## **Statement on the Range of Minerals Sterilisation at Gransmoor (Document 18.3)**

At Deadline 2 (20th January) National Grid submitted to the examination a Minerals Report (Document 11.2) prepared to assist the Examining Authority in the examination of the effect of the project on minerals resources and also to provide a response to issues raised by the Mineral Products Association. The report addresses the planning policy context, the minerals resource, the potential effect of the project on the minerals resource and details of the approach that has been undertaken in the routing of the pipeline.

Following the completion of the borehole investigation it is estimated that the sterilisation at the site could range from 256,000 to 483,000 tonnes of material. Whilst these sums have been calculated as a worst case and in absence of the consideration of possible mitigation options they are higher than the estimated loss of 60,000 tonnes which was included in the Minerals Report itself. The Minerals Report was based on upon existing British Geological Survey (BGS) borehole information, BGS published plans of the superficial geology of the area and two boreholes drilled by National Grid as part of the route selection in very close proximity to the area. Following the completion of this investigation, the Minerals Report has been reviewed and the conclusions reached in that report, applying the revised estimate of materials, are still considered to be accurate and correct.

Notably, Chapter 7 of the Minerals Report included an outline assessment of the potential for significant effects on minerals as a result of the Onshore Scheme. The assessment confirmed the view of the assessment team that the sterilisation of mineral resources resulting from the carrying out of the development was not likely to have significant effects (whether socio-economic or other effects) on receptors, within the terms of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (as amended).

In the original assessment the estimated loss of 60,000 tonnes of sand and gravel was considered against the annual output for the region of 0.9 million tonnes i.e. the equivalent of 3 weeks' worth of production. This was in turn considered against the proportion of the 'landbank' provision within the region, which was calculated at 16 years (the NPPF minimum requirement being 7 years).

The assessment used was based on two different sets of Environmental Impact Assessment (EIA) significance criteria; the first were the criteria used for the socio-economic chapter in the Environmental Statement (ES) for the Onshore Scheme (Document 6.15) and the second were the criteria used for the EIA of the government's High Speed 2 (HS2) rail project. As an assessment of the effects on minerals was not within the scope of the EIA as agreed by the Secretary of State, it was considered appropriate to draw on significance criteria of a linear project that had formally been required to assess effects on minerals rather than rely exclusively on the criteria adopted for the socio-economics assessments of the Onshore Scheme.

The assessment in the Minerals Report followed a typical EIA approach by considering the value of the resource and then the magnitude of the effect. The value of the deposit at Gransmoor was previously considered to be Medium using either assessment criteria. Using the socio economic criteria from the original assessment this was because the deposit was considered to be of Regional importance. Using the HS2 criteria the value was determined by the level of safeguarding afforded to the deposit, as a measure of its value; in this case the deposit was in an 'Area of Search' but not a 'Preferred Area' within the Local Minerals Plan. The potential sand and gravel resource in this Area of Search is still considered to be of regional rather than national importance, and as such, the value of the resource remains Medium. The scale of the potential sterilisation is addressed when considering the magnitude of the effect, which is discussed next.

The magnitude of effect on the mineral resource was considered in terms of the Humber region being a net exporter of sand and gravel, and the size of the landbank available. The fact that the Humber Region is a net exporter means that a loss of sand and gravel reserves would not restrict the potential for regional growth. The loss in terms of the land bank does change, in that whereas the original assumption was for a loss of 3 weeks' worth of production from the 16 year land bank, the worst case (using 484,000 tonnes), estimated loss could now be just over 6 months' supply of the 16 year landbank. However, the landbank remains over twice that required as a minimum under NPPF (7 years) and means the magnitude is still considered to be Minor in accordance with the assessment criteria used for the HS2 project. The socio-economic criteria consider the scale of effect on the minerals industry (i.e. whether it affects the economy locally up to nationally). For the magnitude to be of medium importance it would need to have an effect at a national level, or have a long term (5+ years) effect on a community/economy (whether this is at a local, regional or national scale is dealt with as part of the assessment of the value of the resource). As the revised sterilisation figure results in a loss of just over 6 months' worth of sand and gravel extraction and the landbank confirms that there are other sources of supply in the Humber Region, the magnitude of effect remains Low.

As there is no change to either the value of the resource or the magnitude of effects within the terms of the EIA criteria used (those agreed by the Secretary of State as suitable for socio-economic effects assessment as part of the Scoping Opinion, and those agreed by government for HS2 in relation to minerals), there is also no change in the overall significance of the effects as reported in Chapter 7 of Document 11.2 i.e. Minor Adverse using the Onshore Scheme socio-economic criteria or Negligible using the HS2 criteria.

Furthermore, when considered in policy terms, approach to pipeline routeing and the overall planning balance of the Onshore Scheme, these additional estimated losses do not affect the conclusions reached in the Minerals Report, and National Grid relies upon those submissions and considers that the Examining Authority should apply no less weight to those submissions as a result of the revision. In particular, it is clear that, notwithstanding the revised estimates, the Onshore Scheme remains in accordance with NPS EN-1 as explained in previous submissions.

## Response to matters raised by Kirburn Parish Council

Representation	National Grid Response
<p>May I first thank you on behalf of Kirburn Parish Council, for the opportunity to participate in the Accompanied Site Visit programme on Wednesday 28<sup>th</sup> January 2015. It was an extremely useful and interesting exercise and one that revealed a hitherto unknown impact upon our Parish.</p>	<p>The location for the proposed Temporary Construction Compound at Driffield was consulted on during the Stage 2 Statutory Consultation during which Kirburn Parish Council was contacted as a Section 42 Prescribed Consultee.</p>
<p>We had been aware, that due to the proximity of the carbon and carbon storage (CCS) pipeline on the southern edge of our Parish, that there would be significant vehicle movements within the Parish due to the requirement to access the areas where the proposed course of the pipeline will run. What we had not been made aware of by National Grid was the proposal to locate their Construction Compound within our Parish.</p>	<p>Please refer to Figure 5 of the Preferred Scheme Report (Document Ref 7.8 Part 5 Appendix N) which was part of the material consulted on during the Stage 2 Statutory Consultation.</p>
<p>This only came to my attention, and therefore the Parish Council's, when I questioned the representatives of the National Grid CCS team (en-route between the various nominated site visits on Wednesday) as to why Driffield Barracks was on the site visit list. Indeed if it hadn't been for the observance of Mr &amp; Mrs Webb-Ingall, in seeing the small A4 posters erected opposite their home recently, and their communication with yourselves, we would have been none the wiser.</p>	<p>Please also refer to Table 34 of the Consultation Report (Document Ref 5.1 Part 1) and our response to Kirburn Parish Council's request for more information about expected traffic flows through the parish. In our response we refer to the Type 1 Traffic Assessment carried out as part of the EIA for the project (ES Chapter 14 (Document Ref 6.14) – this makes reference to receptor 48 which is on the A614 at Kelleythorpe.</p> <p>Please refer to ES Chapter 14 (Document Ref 6.14) Figure 14.6 for the location of the receptor sites.</p>
<p>Having now viewed the proposed entrance with yourselves on Wednesday, spoken with Mr &amp; Mrs Webb-Ingall and now referred to the drawings on the CCS project web-site the Parish Council wish to make the following observations and concerns in relation to the proposed Construction Compound.</p>	
<p>1. The access will be directly opposite, and within 25 metres of, Mr &amp; Mrs Webb-Ingall's home, Mallard House This will subject them to noise, dust and fumes during the preparation of the Construction Compound, as many tonnes of construction spoil on the site will need to be removed, and its subsequent use.</p>	<p>National Grid has provided responses to the issues raised by Mrs Webb – Ingall at previous deadlines.</p> <p>Please refer to National Grid Deadline 1 submission (Document Ref. 10.3) Comments on Relevant Representations – Response No. 26 and National Grid Deadline 2 submission (Document Ref 11.1) Responses to Matters Raised at Deadline 1 – Response No. 10</p> <p>Please note there is a commitment in the Code of Construction Practice (Document Ref. 7.5 Rev E) Section 10.3.26 that “No buildings will be demolished at the Driffield Temporary Construction Compound</p>

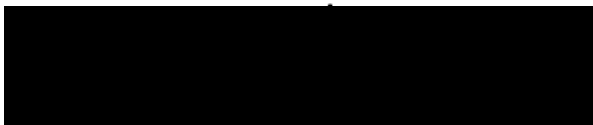
Representation	National Grid Response
	<p>as part of the Onshore Scheme other than two existing small buildings on the eastern side of the site; “</p> <p>This is also shown on Figure 2.8 Revision B of the CoCP.</p>
<p>2. The access is currently too narrow to accept construction traffic. Widening of the access will result in the removal of four mature, healthy trees. This is unacceptable from an environmental aspect and also from the position that it will remove any screening of the Construction Compound, and subsequent housing development that is proposed for the site in the near future under East Riding of Yorkshire Council's (ERYC's) Local Plan, for Mr &amp; Mrs Webb-Ingall.</p>	<p>Please refer to National Grid Deadline 1 submission (Document Ref. 10.3) Comments on Relevant Representations – Response No. 26 b and National Grid Deadline 2 submission (Document Ref 11.1) Responses to Matters Raised at Deadline 1 – Response No. 10 v. &amp; vii.</p> <p>Section 10.3.26 of the Code of Construction Practice (Document Ref. 7.5 RevE) states:</p> <ul style="list-style-type: none"> <li>• Tree removal to accommodate works to widen the existing access into the site from the A614 will minimise the removal of mature trees;</li> <li>• Mature trees removed to be replaced on a 4 for 1 basis;</li> <li>• Other trees along the A614 are to be retained. Retained trees either side of the access to be protected by means of a fence;</li> <li>• The pruning or lopping of trees located within the Driffield Construction Compound will be avoided wherever possible. Where this is not possible the amount of pruning/lopping of trees will be kept to a minimum and will only be required to facilitate safe access into and within the site;</li> </ul>
<p>3. The proposed site entrance will exit onto the A614, the major trunk road from the M62 to Driffield and Bridlington, it also carries traffic from the M62 to the other major Yorkshire coastal towns of Hornsea, Filey and Scarborough. The section of road where the proposed entrance will be feeds into the Kelleythorpe Industrial Estate and is already a bottle neck during the summer months (which is the time of year when the work associated with the CCS project will be at its height) with traffic backing up from the roundabout along the A614 in both directions. Indeed residents of the estate which exits onto the A614 via nearby Auchinleck Close have previously expressed concerns to officers of ERYC regarding the difficulty of egressing onto the</p>	<p>A Traffic Assessment has been carried out as part of the Environmental Statement (ES Chapter 14 (Document Ref 6.14)</p> <p>The Type 1 Traffic Assessment carried out as part of the EIA for the project (ES Chapter 14 (Document Ref 6.14) uses construction vehicle movements during the peak week to assess the likely peak effect on the road network as a whole, as agreed with the relevant Highway Authorities. The Type 1 Assessment concluded that on a week day at receptor 48 (A614 Kelleythorpe) there will be an increase of 15% in HGV movements, and at receptor 49 (A164 Beverley Road) there will be an increase of 18% in HGV movements.</p>

Representation	National Grid Response
<p>A614. This would be compounded if permission were granted for the use of the proposed entrance.</p>	<p>The Type 2 Assessment takes into account the combined effect of the Temporary Construction Compounds (TCC), AGIs and trips associated with the pipeline as it passes through the vicinity of an area. Based on the Type 2 assessment (which assumes an average day) the increase in HGVs at receptor 48 would be a maximum of 25% and 30% at receptor 49. However, the increase of 30% at receptor 49 would endure no more than 42 days (based on the combined effect of operation at Driffield TCC, construction of Skerne Block Valve and construction of the pipeline (Section 15 as identified on Figure 14.6 of ES Chapter 14 (Document Ref 6.14)). The Assessment concludes that the change from an average of fifteen HGVs per hour to around twenty is considered to be Negligible (not significant), especially taking into account the short 42 day duration of the 30% increase.</p> <p>National Grid will prepare and implement a Traffic Management Plan which will be approved by the Highway Authority. This is secured through Requirement 18 of the DCO.</p>
<p>4. Although there is the potential for bringing more trade to the nearby Sunderlandwick Farm Shop there is the distinct, and more likely, possibility that trade may be affected if customers experience, or perceive there may be, problems accessing or egressing from the Farm Shop. Have the National Grid carried out an Impact Assessment on the potential impact for trade for this establishment?</p>	<p>The access for the Sunderlandwick Farm Shop is on the opposite side of the A614 approximately 140m from the proposed access to the Temporary Construction Compound at Driffield Barracks.</p> <p>A Traffic Assessment has been carried out as part of the ES – please see response to 3. above.</p> <p>The Traffic Assessment concluded that increase in traffic on the A614 for a relatively short duration would not have a significant effect. Local services in the vicinity of the Temporary Construction Compound which will include contractors' offices are likely to benefit from an increase in custom from site personnel.</p>
<p>5. If National Grid wish to locate their Construction Compound within this local area there are much more suitable options available. Within 500 metres, to the west of the proposed entrance, is an established entrance for HGVs and MOD vehicles accessing the grain/goods storage hangers and the MOD vehicle training area. There is large existing external hardstanding which</p>	<p>National Grid considered a number of potential locations for Temporary Construction Compounds. During the Stage 2 Statutory Consultation in September – November 2013 the public were consulted on two potential locations for the Temporary Construction Compound for the northern part of the pipeline route.</p>

Representation	National Grid Response
<p>could presumably be utilised for storage of portacabins, equipment and pipework following negotiation with the landowner. Alternatively there are other potential areas to lease land in the vicinity; Kelleythorpe Industrial Estate, Skerne Road Industrial Estate (Driffield) and Hutton Cranswick Industrial Estate. All have established entrances for large vehicles and are within the correct geographical area to support the CCS project.</p>	<p>Please refer to Figures 5 and 6 of the Preferred Scheme Report (Document Ref 7.8 Part 5 Appendix N) which was part of the material consulted on during the Stage 2 Statutory Consultation.</p>
<p>It is appreciated that the CCS project is an extremely important stepping stone in the development of carbon abatement systems to benefit the UK initially, but hopefully the World in the longer term. However a little more thought and consideration for the location of the Construction Compound, along with partnership working with local Councils, Parish Councils, residents and landowners will help deliver a win-win solution for this important project.</p>	<p>National Grid has consulted the local Councils, key stakeholders, landowners and the public at each stage of the Project. Please refer to the Consultation Report (Document Ref 5.1 Part 1 to 5) for a record of the consultation that has been undertaken.</p>
<p>We trust the above will be taken into consideration during your forthcoming hearings. If we can be of any assistance in clarifying any of the above please do not hesitate in contacting the Parish Council.</p>	<p>No response required.</p>

If you wish to discuss any of these items further, please do contact me.

Yours faithfully,



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