
Statement of Common Ground between Natural England and National Grid at Deadline 3

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



Pilkington, Nigel B

From: Walsh, James (NE) [James.Walsh@naturalengland.org.uk]
Sent: 13 February 2015 16:20
To: Pilkington, Nigel B
Subject: RE: SoCG for YHCCS
Attachments: Natural England SOCG Final Draft D3 TC.doc

Hi Nigel

Apologies for the late response. Attached is a version with some minor tracked changes from us.

Kind regards
James

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In an effort to reduce Natural England's carbon footprint, I will, wherever possible, avoid travelling to meetings and attend via audio, video or web conferencing.

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From: Pilkington, Nigel B [<mailto:nigel.pilkington@aeacom.com>]
Sent: 12 February 2015 16:01
To: Walsh, James (NE)
Subject: SoCG for YHCCS

Hi James

I wondered if you had had a chance to look at the proposed revisions to the SoCG? I am available anytime if you want to chat through.

Cheers

Nige

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1 Introduction

1.1 PURPOSE OF THE DOCUMENT

- 1.1.1 This is a Statement of Common Ground (SoCG) between National Grid Carbon Limited (referred to in this document as “National Grid”) and Natural England (NE) in respect of National Grid’s application (the Application) for a Development Consent Order (DCO) for the Yorkshire and Humber Carbon Capture and Storage Cross Country Pipeline (the Onshore Scheme) (given reference EN070001 by the Planning Inspectorate).
- 1.1.2 The Planning Inspectorate (PINS) encourages and expects promoters of applications for DCOs to engage with interested parties and key consultees and, where possible, provide Statements of Common Ground setting out where they agree and disagree with the information and assumptions contained in the application. This will help to focus the examination process to those matters where there are differences between the two parties.
- 1.1.3 This statement sets out the main areas of agreement and disagreement regarding the Application documents between National Grid and NE.

1.2 MATTERS ADDRESSED WITHIN THIS DOCUMENT

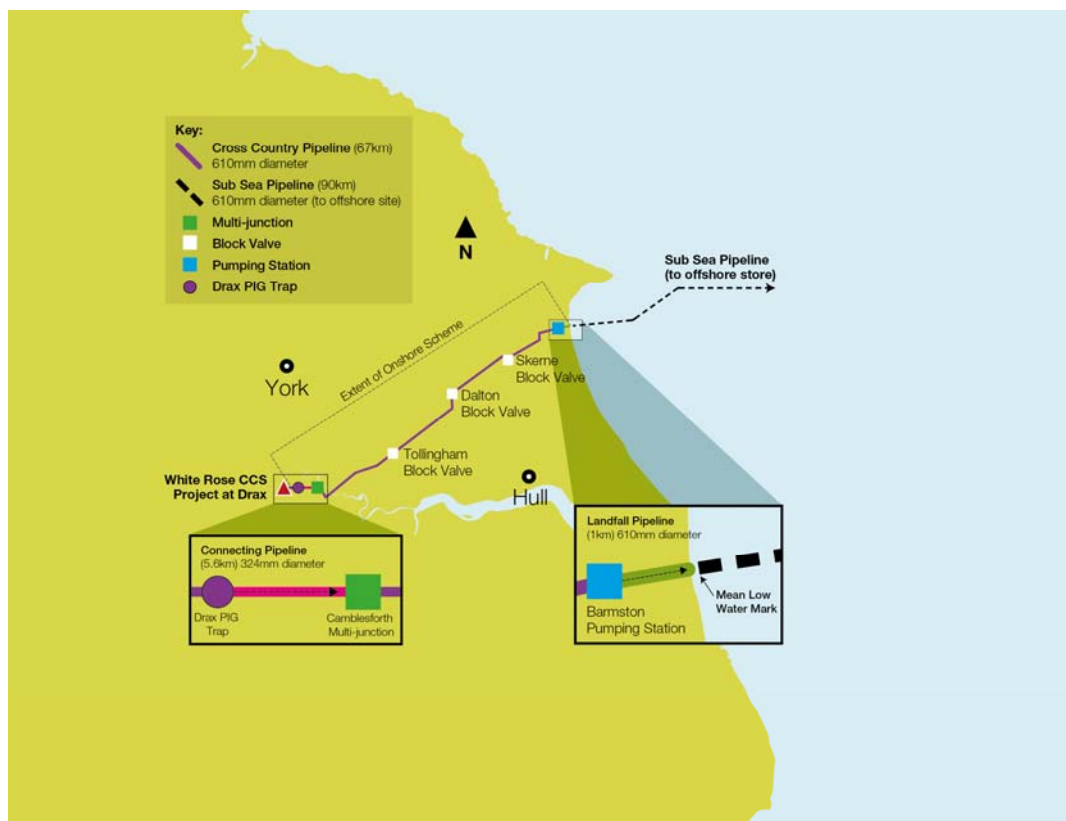
- 1.2.1 Discussions and responses to consultation / engagement, to date cover the following topics, which form the basis of this Statement of Common Ground.
- Ecology surveys approach and coverage
 - Ecology Impact Assessment
 - Assessment in accordance with the Habitat Regulations
 - SSSI Assents including the potential for effects of construction dewatering on the Hull Headwaters SSSI.
 - Protected Species Licensing
- 1.2.2 National Grid has aimed to address all the points raised by NE, where there has not been agreement this statement sets out the outstanding issues and explains why there has been no resolution.
- 1.2.3 Where documents that form part of the Application are referenced the application document reference is given in brackets e.g. (Document 3.1).

2 Onshore Scheme

2.1 SUMMARY OF THE ONSHORE SCHEME

2.1.1 The Onshore Scheme will transport Carbon Dioxide captured from the proposed White Rose CCS Project at Drax, near Selby, through a Cross Country Pipeline and associated infrastructure including a Pipeline Internal Gauge (PIG) Trap, Multi-junction, three Block Valves and a Pumping Station, to join a sub-sea pipeline (subject to separate consent) at the Mean Low Water Spring Mark on the Holderness Coast north of Barmston. The Onshore Scheme is illustrated on Figure 1 below:

Figure 1 Onshore Scheme Schematic



2.1.2 The onshore transportation element of the Onshore Scheme requires a new buried welded steel high pressure Cross Country Pipeline of approximately 67 km in length and three 'local' pipelines, one from Drax PIG Trap into the White Rose Project Gas Processing Unit, one from the White Rose CCS project to the Multi-junction and one from the Pumping Station to the Mean Low Water Spring mark respectively with a combined total length of approximately 74 km. The

direction of flow of Carbon Dioxide would be from south west to north east in the direction of the East Yorkshire / Holderness coast.

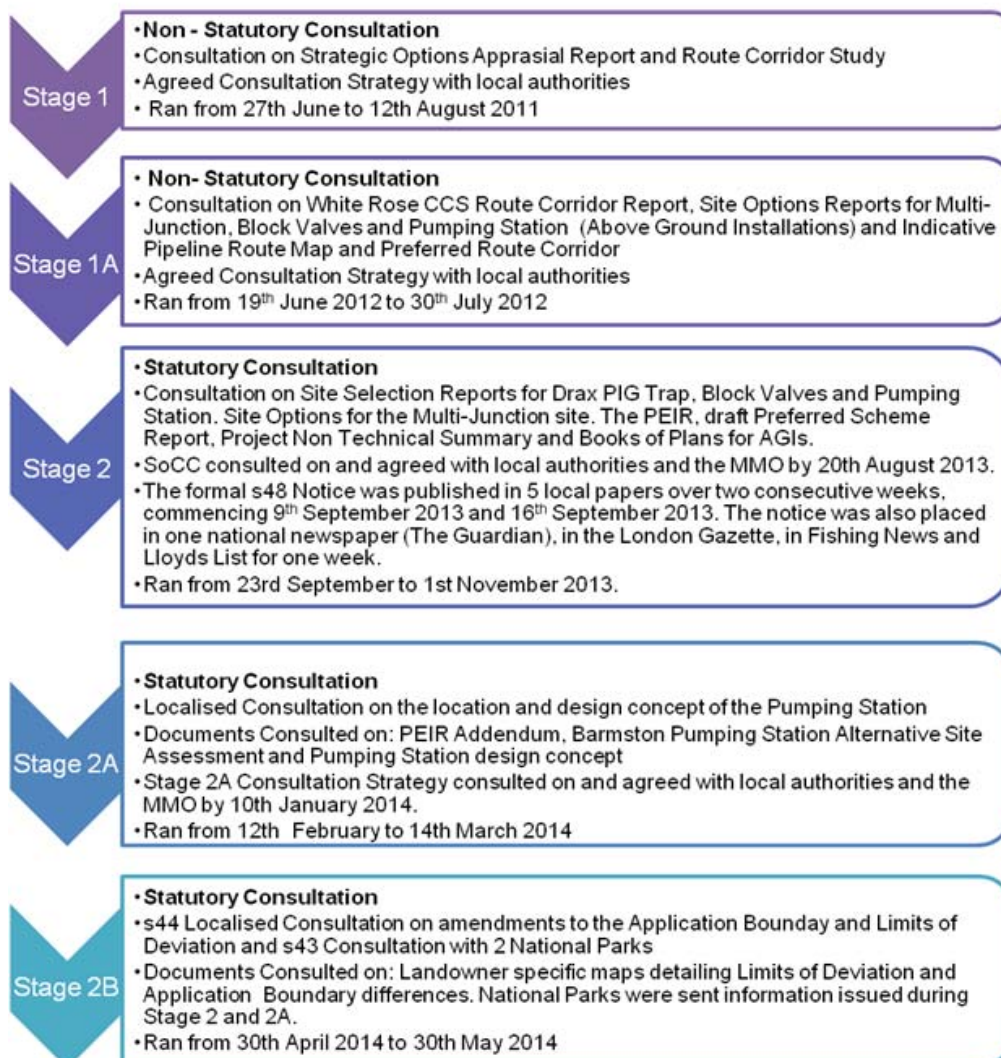
- 2.1.3 In addition to the Cross Country Pipeline the Onshore Scheme comprises six Above Ground Installations (AGIs) comprising a PIG Trap adjacent to the White Rose CCS Project, near Drax, North Yorkshire and known as Drax PIG Trap, a Multi-junction to the south of Drax Power Station near Camblesforth, North Yorkshire known as Camblesforth Multi-junction, three Block Valves known as Tollingham Block Valve, East Riding of Yorkshire, near Holme upon Spalding Moor, East Riding of Yorkshire, Dalton Block Valve, near South Dalton, East Riding of Yorkshire, Skerne Block Valve, near Skerne, East Riding of Yorkshire and a Pumping Station to the north of Barmston, East Riding of Yorkshire known as Barmston Pumping Station.
- 2.1.4 A details description of the Onshore Scheme is provided in the Application in document 6.3.

3 Summary of Consultation

3.1 INTRODUCTION

3.1.1 Since 2011 National Grid has been consulting on the Onshore Scheme, this consultation was divided into two broad stages as illustrated on Figure 2 below:

Figure 2: Consultation



3.2 OTHER ENGAGEMENT

3.2.1 In addition to the stages illustrated above consultation has taken place throughout the development of the Onshore Scheme. The full details of consultation are presented in the Consultation Report (Document 5.1) and Chapter 4 of the ES, EIA Consultation (Document 6.4).

3.3 SCHEDULE OF ENGAGEMENT WITH NATURAL ENGLAND

3.3.1 The pre submission consultation and engagement which has taken place with Natural England is summarised in Table 1 below.

Table 1: Pre submission engagement		
Date	Type	Summary
15 th February 2011	Meeting	NE attended roundtable stakeholder meeting to discuss the project and introduce strategic options.
28 th March 2011	Letter	Letter received from NE providing feedback on strategic options and outlining additional information on regional ecological constraints.
12 th January 2012	Thematic Group	The Thematic Group introduced the Onshore Scheme and set out the scope of the initial scope of the surveys and assessment methodology. The following topics were also discussed: approach to Surveys; Designated Sites Statutory and Non Statutory; Habitat Surveys; Protected Species Surveys; and European Protected Species Licensing.
5 th March 2012	Email with attachment	AECOM's approach to completion of great crested newt surveys ('Great Crested Newt Survey Scope - In Principle' dated 29th February 2012) issued to NE. Response with general advice received (e-mail dated 8th March 2012).
20 th July 2012	Email with attachments	AECOM's ecology survey scope and indicative ecology survey programme issued to NE. No response received.

Table 1: Pre submission engagement		
Date	Type	Summary
13 th November 2012	Thematic Group	The primary purpose of the meeting was to obtain feedback on the EIA Ecology Scoping Chapter (a draft copy of which was issued to NE on 9 th November 2012) and provide an update on the Onshore Scheme.
November 2012	Emails and letter	Series of e-mails and attached 'Approach for the Ecological Impact Assessment (EclA) where parcels of land may NOT be accessible for survey' dated 31 October 2012 pertaining to issue of non accessible land in relation to potential implications on the Ecological Impact Assessment. Section 53 Justification and endorsement letters provided from NE dated 12th November and 7th December 2012 (NE refs: 5076/69070 and 5076/70783) supporting the overall approach to gaining access to land for ecological surveys for eight S53 candidates.
18 th March 2013	Letter to the Planning Inspectorate	Natural England provided a response (NE ref: 78958) to the Planning Inspectorate on their consultation on the Scoping Report.
27 th June 2013	Letter	A letter was sent to Natural England seeking clarification on their response to consultation on the Scoping Report in relation to the requirement for a Phase 2 Habitat Survey.
30 th July 2013	Meeting	The meeting was held to provide the Natural England with an update on the Onshore Scheme and to clarify a number of points raised in the Natural England response to the Scoping Report. The topics discussed were Statements of Common Ground, SSSI Consent, Requirement for a Phase 2 Habitat Survey, Protected Species Surveys and Licences and Habitat Regulations Assessment. Minutes issued to NE on 8 th August and agreed 22 nd August. Agreement from NE that on basis of no significant areas of botanical interest in the

Table 1: Pre submission engagement		
Date	Type	Summary
		survey area a Phase 2 (NVC) survey is not required and extended phase 1 habitat survey will be appropriate.
22 nd August 2013	Email	Agreement from NE that on basis of no significant areas of botanical interest in the survey area a Phase 2 (NVC) survey is not required and extended phase 1 habitat survey will be appropriate.
29 th October 2013	Email	Request for advice regarding approach to completion of GCN draft licence; specifically in relation to progression of one combined draft licence to cover all (3) known great crested newt populations along the route rather than 3 individual draft licences. E-mail response received 30 th October 2013 stating this would be acceptable subject to ensuring information was presented clearly.
23 rd September	Statutory Consultation (Stage 2)	Natural England were consulted under Section 42 on the proposed Onshore Scheme and the PEIR.
31 st October 2013	Section 42 Response	Natural England welcomed the proposal to carry out a Habitats Regulation Assessment (HRA) Screening and the proposals to use non open cut techniques for the construction of the Pipeline crossings of the River Hull and Kelk Beck and noted that consideration in the ES should be given to the impact of any access tracks needed for construction works. The response noted that appropriate mitigation measures had been set out to avoid significant impacts on European Protected Species.
12 th December 2013	Letter	A response was provided to Natural England to provide clarification to comments raised within Natural England's Section 42 response. The response confirmed that the results of both wintering and breeding bird surveys in addition to desktop data searches have been used to inform the NSER.

Table 1: Pre submission engagement		
Date	Type	Summary
		Confirmation was also provided on the approach to abstraction and discharge of water, including the testing and treating of water (if biocides are used), and that these practices will be carried out in accordance with abstraction licences and Environmental Permits.
12 th December 2013	Draft NSER Report	Natural England were provided with the draft NSER Report and invited to comment.
5 th February 2014	Letter	Natural England provided comments on the draft NSER Report, comments related to impacts of the Onshore Scheme alone, longshore drift, Humber Estuary SPA and Lower Derwent Valley SPA birds, in-combination impacts.
12 th February 2014	Statutory Consultation Stage 2A	Natural England were consulted on the alternative location for the Barmston Pumping Station and associated design concept, which included revised pipeline routeing to and from the alternative Pumping Station site. A PEIR Addendum was provided as part of this consultation.
13 th March 2014	Letter	Natural England provided a response to the Stage 2A consultation and advised they had no additional comments on the revised location for Barmston Pumping Station.
17 th April 2014	Letter	A letter was issued which outlined the proposals for dewatering to allow crossing of the Main Drain, West Beck and Driffield Canal, the potential for effects due to dewatering, and proposed monitoring and mitigation.
23 rd April 2014	Draft Licence Application Submission	Draft Licence (great crested newt) 1 st submission to Nationally Significant Infrastructure Projects (NSIP) Licencing Team for determination.

Table 1: Pre submission engagement		
Date	Type	Summary
6 th May 2014	Email	The updated NSER addressing comments received from Natural England on the 5 th February and the Statement of Combined Effects to support the position in relation to the Offshore Scheme was provided to Natural England.
8 th May 2014	Teleconference	A Teleconference was held with Natural England to discuss the updates which had been made to the NSER as well as the Statement of Combined Effects.
30 th May 2014	Letter	Request for further information and determination notices issued to AECOM from NE following assessment of draft 1 st submission GCN Licence.
3 rd June 2014	Letter	Natural England provided additional comments on the NSER and Statement of Combined effects.
3 rd June 2014	Letter	Natural England Provided a response to the letter regarding dewatering to facilitate microtunnelling under Main Drain, West Beck and Driffield Canal.
9 th June 2014	Updated NSER and Letter	An updated NSER was provided to Natural England as well as a cover letter explaining the changes. These changes were as a result of comments received from Natural England on the 3 rd June in relation to the Offshore Scheme.
13 th June 2014	Teleconference	A teleconference was held with Natural England and PINS to discuss outstanding concerns raised by Natural England in respect of the Offshore Scheme.

3.3.2 The post submission engagement which has taken place with Natural England is summarised in Table 2 below.

Table 2: Post submission engagement

Date	Type	Summary
4 th July 2014	Teleconference	Discussions with NSIP Licensing team relating to first draft great crested newt licence application (as submitted 23 rd April); request for further information dated 30 th May 2014) and in principle approach to licence. Minutes circulated and agreed dated.16 th July 2014.
July- October 2014	Various	Various meetings took place and correspondence was exchanged on the topic of HRA and the adequacy of the NSER.
July to 21 st November 2014	Various	Two further draft GCN licence submissions made, resulting in the issue of a Letter of No Impediment.
October – December 2014	Various	Discussions on approach to protecting the Hull Headwaters SSSI during Q95 conditions.

4 Matters of Agreement

4.1 INTRODUCTION

4.1.1 The following topics are covered in the matters of agreement.

- Ecology surveys approach and coverage
- Ecology Impact Assessment
- No Significant Effects Report (NSER) / Appropriate Assessment
- Assents
- Protected Species Licensing

4.2 MATTERS OF AGREEMENT

4.2.1 Table 3 below lists those matters where there is agreement between Natural England and National Grid.

Table 3: Matters of Agreement			
Area of agreement	Document references	National Grid	Natural England
Agreement that the range of surveys undertaken (both species and method), including species not surveyed is appropriate to inform the baseline of the EIA.	Document 6.9 Documents 6.9.2 - 6.9.11	Agreed	Agreed
Agreement that the baseline data is appropriate and proportionate.	Document 6.9	Agreed	Agreed
Agreement that the approach to safety / pipeline integrity is appropriate for the purposes of EIA	Document 6.4.7	Agreed	Agreed

Table 3: Matters of Agreement			
Area of agreement	Document references	National Grid	Natural England
Agreement that the method used for the ecological impact assessment is appropriate.	Document 6.9	Agreed	Agreed
Agreement that the great crested newt disturbance work is licensable (Letter of No Impediment Received)	N/A – Licence application version 3 NE response ref 2014-656-EPS-NSIP3 (KR)	Agreed	Agreed
Agreement that there are no statutory designations for landscape which will be affected by the Onshore Scheme.	Document 6.11	Agreed	Agreed
Agreement that the mitigation proposed is appropriate and proportionate to minimise the effects identified.	Document 6.9 and Document 7.5	Agreed	Agreed
Agreement on the residual effects reported in the ES for ecology	Document 6.9	Agreed	Agreed
Agreement on the approach to groundwater management of the crossing of the Main Drain, West Beck and Driffield Canal and of Kelk Beck and proposed monitoring and mitigation (return of water directly to West Beck, should levels fall below Q95 level)	CoCP Document 7.5 RevB	Agreed	Agreed
Agreement with the approach to securing post non-DCO consents (SSSI Assent).	Document 7.6	Agreed	Agreed

Table 3: Matters of Agreement			
Area of agreement	Document references	National Grid	Natural England
Agreement that the enhancement details and principles included in the Planning Statement are proportionate and appropriate to satisfy the requirements of EN-1	Document 7.1	Agreed	Agreed
Agreement that the information that has been provided in the Habitat Regulations Assessment Report is sufficient to enable the Secretary of State to undertake Appropriate Assessment and that there is no Adverse Effect on Site Integrity (AEOSI) for the onshore scheme, in-combination with the offshore scheme, for all European/Ramsar protected sites.	Document 11.9	Agreed	Agreed

5 Matters Not Concluded

5.1 INTRODUCTION

5.1.1 This chapter covers matters raised and unresolved/un-concluded in respect of each identified DCO submission document/ topic discussed.

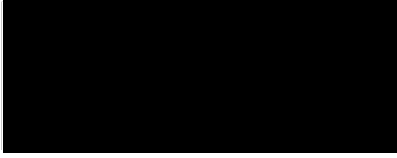
5.2 MATTERS NOT AGREED

5.2.1 There are no matters over which there is no agreement in respect of the Onshore Scheme.

5.3 MATTERS UNRESOLVED

5.3.1 There are no matters which are unresolved in respect of the Onshore Scheme.

6 Signatures



.....

**ON BEHALF OF NATURAL
ENGLAND**

NAME: DEBORAH HALL

TITLE: SENIOR ADVISER

DATE: 13 FEBRUARY 2015

.....

**ON BEHALF OF NATIONAL
GRID CARBON LTD**

NAME:

TITLE:

DATE: