

# Meeting note

<b>File reference</b>	EN070001
<b>Status</b>	Final
<b>Author</b>	Adam Price
<b>Date</b>	10 October 2013
<b>Meeting with (WYG)</b>	National Grid Carbon / White Young Green
<b>Venue</b>	Telephone conference
<b>Attendees</b>	<b>Applicant:</b> Liz Wells (National Grid) Richard Gwilliam (National Grid Carbon)  <b>Planning Inspectorate (PINS):</b> Hannah Pratt (EIA and Land Rights Advisor) Tom Carpen (Principal case manager) Patrycja Pikniczka (Case officer) Adam Price (Assistant Case Officer) Apologies – David Price
<b>Meeting Objectives</b>	Update on the Yorkshire to Humber CCS Pipeline project
<b>Circulation</b>	Attendees

## Summary of Key Points and Advice Given:

### Project Update

NG explained that s.42 and s.47 consultation began 23 September 2013 and will run until 1 November 2013. The applicant provided an update on their consultation and advised that public exhibitions had been well attended. Main queries raised during the consultation related to the locations of Above Ground Installations (AGIs); land drainage and compensation. Through this consultation, NG has been made aware of a number of local wind farm applications to which they will have regard in their application documents.

The applicant explained that no formal s.42 responses have been received to date; however there are ongoing discussions with English Heritage, the Environment Agency and Natural England in relation to the Preliminary Environmental Impact Report (PEIR).

NG is anticipating issuing a number of draft Environmental Statement (ES) chapters to key statutory consultees at the end of October 2013, including those relating to geology, water resources, heritage and ecology. NG confirmed that the ES will include a chapter that summarises the mitigation effects with a table that identifies the requirement of the DCO that would secure the mitigation.

The Inspectorate advised NG to work on the Statements of Common Ground (SOCG) with statutory stakeholders and agree them at the earliest stage possible. The applicant confirmed that there are ongoing discussions with number of key stakeholders on agreeing SoCGs.

### **Section 51 Advice & Flood Risk Assessment (FRA)**

The applicant had previously asked for advice on the matter of 'essential infrastructure'. The Inspectorate advised that it is for the relevant Secretary of State (SoS) to determine whether the elements of the project can be defined as 'essential infrastructure' for the purposes of a FRA. The Inspectorate explained that it is currently investigating whether such a decision can be made earlier in the DCO process, or only at the decision stage. The Inspectorate advised NG to continue discussions with local authorities, the Internal Drainage Boards (IDB) and the Environment Agency who are essential for the applicant in relation to the matter.

NG advised that the White Rose scheme is looking to raise the land within their site, which will affect the Drax PIG Trap (Part of the CCS Cross Country pipeline scheme).

The applicant advised that they are due to attend a meeting with all of the relevant IDBs on 28 October 2013.

### **Planning Inspectorate Review of DCO Documentation**

The applicant informed the Inspectorate that it wishes to submit its draft documents to the Inspectorate for comments at the end of November/December 2013. These documents are a draft of the DCO, Explanatory Memorandum, and Consultation Report. The applicant expects to submit its draft Habitats Regulations Assessment (HRA) for comments at the end of October 2013.

The applicant was advised to inform the Inspectorate 10 days in advance of submission of its draft documents. The Inspectorate agreed to meet the applicant to discuss comments following the review of draft documentation in January 2014. A meeting has been tentatively arranged for 16<sup>th</sup> January 2013 in Bristol.

### **MMO Bored Tunnel Exemption Query**

NG explained that there are ongoing discussions with the Marine Management Organisation (MMO) regarding the need for a Deemed Marine License (DML) for horizontal directional drilling under an area of tidal influence on the River Ouse. The applicant explained that there is

currently some uncertainty around whether or not a license would be needed for the construction and operation of the pipeline.

The Planning Inspectorate advised the applicant to seek their own legal advice on whether the proposed process could be considered exempt from the need for a DML. It was recommended that a document be produced by the applicant in conjunction with this advice in order to set out the issue and help provide clarity for the Inspectorate.

The Inspectorate agreed to look into definition of 'exempt' in respect of the Bored Tunnel process.

### **Consent Service Unit**

NG explained that the project would require a number of consents that are not contained within the DCO. The Inspectorate recommended that the applicant contact the Consent Service Unit (CSU) which has recently been established within the Inspectorate.

The Inspectorate explained the role of the CSU. The applicant was advised that the aim of the CSU is to deal with other licences outside of the DCO process and to solve outstanding issues at the early stage to reduce the impact on the DCO process. The CSU currently deals with 12 licences. The applicant agreed to follow up with CSU directly. *Post Meeting Note: Initial Meeting took place on the 11<sup>th</sup> Novemeber 2013 with the CSU at the Environment Agency in Nottingham.*

### **Time Limits**

NG queried whether the time limit set in the DCO within which an authorised development must commence could be extended beyond the 5 years that is stated in the Model Provisions, and explained that there is the possibility that they would look to extend this to 8 years.

The Inspectorate agreed to investigate whether this had taken place on any other cases, and recommended that NG provide a clear justification with their application that explains the implications on the project should it be limited to 5 years.

Post meeting note: section 51 advice has been issued; The Inspectorate drew NGs attention to the Triton Knoll Offshore Wind Farm as the DCO was granted for seven years. NG was advised to ensure this time period is taken into account in the EIA. NG was also advised that it would be prudent to prepare a justification for the eight year period.

### **Health and Safety**

NG explained that they intend to provide a statement on the likelihood of leaks and breaches along the pipeline during operation in order to address the comments raised by the Inspectorate within their Scoping Opinion (regarding the potential impacts of a leak or breach). The statement will

draw upon the risk assessment they are undertaking in consultation with the Health and Safety Executive. NG explained that calculations had shown the likelihood of such an event to be highly unlikely, and that NG is unsure how to address whether this leads to a significant effect in the ES.

The Inspectorate agreed that the approach sounded reasonable, and that NG should be aware that the information provided may be tested by the Examining Authority during the examination period.

Post meeting note: The Inspectorate recommends that the ES identifies primary and secondary procedures in place in the event that an accident occurs (including the assumptions and measures input into the probability calculations).

### **Specific decisions/ follow up required?**

It was agreed by both parties that monthly teleconferences would continue between the Planning Inspectorate and the applicant.

The Planning Inspectorate to send applicant s.51 advice in relation to Flood Risk Assessment. June and September meeting minutes also to be issued by The Inspectorate.

The Planning Inspectorate agreed to publish outstanding meeting note from June 2013 on the project page of the website the day following the meeting.

It was agreed that a meeting will be held at the beginning of 2014 to discuss the draft DCO which is expected to be submitted by this time. A meeting has been tentatively arranged for the 16<sup>th</sup> January 2014

NG to provide draft documents to The Inspectorate by late November/early December 2013.

The Planning Inspectorate agreed to send to the applicant information in with regard to Consent Service Unit.

It was agreed that the applicant will provide the Inspectorate with information on additional anticipated consents.