



Meeting note

Project name	Humber Low Carbon Pipelines
File reference	EN070006
Status	Final
Author	The Planning Inspectorate
Date	30 June 2021
Meeting with	National Grid Carbon (NGC)
Venue	Virtual
Meeting objectives	Project Update
Circulation	All attendees

Summary of key points discussed and advice given

The Planning Inspectorate (the Inspectorate) advised that a note of the meeting would be taken and published on its website in accordance with section 51 of the Planning Act 2008 (the PA2008). Any advice given under section 51 would not constitute legal advice upon which applicants (or others) could rely.

Update – Department for Business, Energy and Industrial Strategy (BEIS) Cluster Consultation

The Applicant provided an update on the Cluster sequencing for carbon capture, usage and storage (CCUS) deployment consultation, the results of which would dictate the deployment of carbon capture technology in the UK over the coming years. The Applicant advised Humber Low Carbon Pipelines (HLCP) formed part of the East Coast Cluster bid, a combined Teesside and Humber cluster. The cluster consultation deadline was the 9 July 2021 with information submitted not likely to be immediately available in the public domain given commercial sensitivity. A decision was expected in October 2021. The East Coast cluster includes the Northern Endurance Partnership (NEP), of which the applicant is also a member. The NEP would be responsible for the offshore elements, including geological store and storage licences, with BP taking the lead. The Inspectorate queried the Applicant's relationship with Net Zero Teesside (NZT) as members of the same cluster. The Applicant advised that the projects were independent of each other but had commonality in the use of the offshore Endurance Reserve. Expansion sites have also been identified and discussions were ongoing regarding the securing of relevant leases and licences for these additional stores. For Humber, the outcome of the BEIS consultation would, in part, dictate the initial quantity of emissions being captured and transported, as well as locations and timings of emitters to be connected.

Project update

Engagement was ongoing with relevant local planning authorities (LPA) and technical stakeholders, including the Humber Nature Partnership and Yorkshire Marine Nature Partnership. Natural England were engaged under a discretionary advice service (DAS).

Joint meetings with National Grid, Equinor and BP were held to discuss consenting boundaries and to ensure consistency and transparency on the full chain CCUS process. The Applicant was establishing project interfaces including potential connectors to the CO₂ and Hydrogen pipelines. The Inspectorate advised it would be in the project's interests to ensure a common narrative relating to the Endurance Reserve was developed with all stakeholders, including emitters, many of whom are also bringing forward DCO applications. Routeing and siting studies were being undertaken and options appraisal on the potential options was underway. These were being reviewed by the project team in order to support the proposed upcoming non-statutory consultation.

The Applicant offered to present an overview of the Endurance Reserve project and progress at the next project update meeting. It queried the extent to which the storage solution(s) would feature in any Examination for the terrestrial transportation. The Inspectorate advised there could be Examining Authority (ExA) written questions or an Issue Specific Hearing relevant to the Endurance Reserve. The approach would be influenced by the revised National Policy Statements (NPS). The Inspectorate advised the ExA would potentially seek elements of certainty regarding the feasibility and viability of the Endurance Reserve project, particularly to justify the land take and any use of compulsory acquisition, as part of the full chain.

Consenting strategy update

The network elements remained as described at the previous project update meeting. Options were considered for sequential DCOs to reflect the potential phasing of the CO₂ transport networks and Hydrogen infrastructure, due to the differing levels of maturity. The first of a kind nature of aspects of the pipeline networks required a flexible approach. The timing of policy adoption, maturity of emitter and generator proposals, Hydrogen demand, associated development and potential compulsory acquisition were being considered.

The Applicant was considering a potential Town and County Planning Act (TCPA) application for site establishment works relating to the pipeline tunnelling work under the River Humber. This approach was successful under the NG gas pipeline replacement project under the River Humber (known as Feeder 9). Information contained within the DCO was extracted and entered into a TCPA application. The Inspectorate acknowledged this sequencing on nuclear applications such as Hinkley Point C, Wylfa Newydd and Sizewell C, recognising it offered programme benefits. Hinkley Point C set a precedent, with a TCPA application for site preparation work, which was also covered in the DCO application. The Applicant would need to determine whether to include the content of any TCPA application in the DCO as a precautionary measure, dependent on the perceived risk/benefit. However, the Inspectorate advised the inclusion in the DCO could be removed at a later date if not required. Compulsory purchase/acquisition of land for the site preparation works would also need to be considered in that context. It was unlikely the Examining Authority (ExA) would have strong views so long as the Applicant understood it would be undertaking the application and early works at its own risk, including any restoration requirement that may be set by the relevant local authorities. If a separate approach was taken, the approach to the Environmental Statement (ES), including description of the baseline conditions and cumulative assessment would need

to be considered. This would be dependent on programme timings. Potential sites had not yet been identified. The Applicant confirmed it would discuss its consenting strategy with the relevant local authorities.

Approach to Environmental Impact Assessment (EIA)

The Applicant described the industry drive for more proportionate Environmental Statements (ES), starting with an effective scoping process. It would define tight yet robust study areas for assessment and would propose to scope out certain elements not likely to lead to significant effects on the environment. This would ensure that the ES was focused on aspects and matters where a likely significant effect may occur. It proposed to submit the scoping report with a draft Outline Construction Environmental Management Plan (CEMP) appended. The Applicant identified the need to evidence justification to support requests to scope out aspects/matters, from a review of recently published scoping opinions. It proposed to include information in the scoping report about interrelationships with emitters projects/associated development, cumulative development and dependencies. The proposed approach to Biodiversity net gain would be outlined and the Applicant was intending to engage with potential landowners regarding interest in helping to deliver net gain.

The Inspectorate advised that inclusion of information responding to the points set out in its Advice Note 7 (para 5.11) would increase the likelihood of the Inspectorate being able to agree to scope out aspects/matters. It was agreed that the Applicant's approach could be discussed further prior to submission of the scoping report, which is targeted for October/November 2021.

Approach to non-statutory consultation

The Applicant was engaging with the host local authorities to develop its consultation strategy and approach to non-statutory consultation (planned for summer/autumn 2021). The statutory consultation was due in Spring/Summer 2022 and the programme allowed for further targeted consultation if required. Contact with landowners was imminent due to the proposed survey programme over the coming months. A project website and means of contact had been set up.

The intention for consultation was an introduction of the project's ambitions and technologies. It would include information about the broad configuration, options appraisal process and any emerging conclusions. Feedback would be sought on routing and siting options and any other project related matters, to help refine the design prior to EIA Scoping.

Due to uncertainty over covid-19 restrictions, the planned consultation approach would be predominantly digital. A range of virtual methods were planned but the potential for in-person stakeholder events was being discussed with local authorities, to ensure inclusivity. The Applicant was identifying hard to reach groups through engagement with the local authorities. The Inspectorate advised that even if social distancing restrictions were removed or reduced, it was the responsibility of the Applicant to risk assess and determine if in person events were safe to hold, dependent on individual circumstances.

The Applicant would need to be explicit in terms of its risk assessment process for events in those circumstances and report this in the Consultation Report.

Routeing options had evolved since the previous project update meeting, where two indicative potential route configurations had been presented, underpinned by key locations assumed for infrastructure identified at Drax, Keadby, Immingham and Saltend. Following an options appraisal process there was an emerging preference for the option with tunnelling under the River Humber. A requirement to identify and appraise a route option to the south of Scunthorpe was also identified to facilitate connections to potential future emitters in the area. Potential emitter routes fell between Keadby and Killingholme with landfall options narrowed down to an area around Aldbrough or Easington. It was expected that non statutory consultation would proceed with that landfall optionality. Option appraisals continued to see if a preferred option could be identified at non statutory consultation, with justification for the selection explained.

The Inspectorate advised the Applicant to narrow down the options prior to EIA scoping where possible. This would allow for more detailed comments from the Inspectorate and consultation bodies. A high level of uncertainty remaining around key design elements of the Proposed Development was likely to limit the Inspectorate's ability to agree to scope out aspects/matters to enable the refinement of the ES.

Lessons learnt

There was a brief discussion about the recent withdrawal of the NZT application and lessons to be learned. The Inspectorate commented that advice to the NZT applicants would be published shortly. The Applicant queried the Inspectorate's perspective on demonstrating confidence regarding the full chain, the Inspectorate advised this would more likely be a matter for consideration at Examination due to its reliance on policy outcomes.

The Applicant queried the alternatives relating to multi NSIP DCOs, including implications of parallel DCO applications for both the CO₂ and Hydrogen infrastructure. The Inspectorate reiterated its previous advice (for the East Anglia One North and East Anglia Two wind farm projects) to fall within one DCO. The DCO could be drafted to facilitate separation if required. It queried the benefits of separate DCOs given the similarities between the pipelines in terms of routing. Confidence on the approach would be dependent on emerging National Policy Statements, and separation could support managing consenting and programme risk in the event that adequate policy support for hydrogen is not forthcoming. Initially the pipeline would be for the transportation of blue Hydrogen, with the ability to transport green Hydrogen at a point when generated.

Update from PINs

The National Infrastructure teams were involved in a Ministry of Housing, Communities and Local Government (MHCLG) project to review the current NSIP processes - "Project Speed". A bespoke team was being developed within the directorate, so there may be personnel changes. This would not affect the programme or pre-application service. A pilot project (A66 Northern Trans-Pennine) would be used to pilot new ways of working.

The Inspectorate noted that a digital approach to scoping was currently being trialled (for the M60/M62/M66 Simister Island project), with a digital tool being twin tracked with the standard pdf version of the scoping report. The Inspectorate welcomed ideas from the Applicant surrounding digital scoping but noted that it is potentially more onerous for the Applicant due to the need to twin track a pdf and digital tool at the present time.

AOB

The next project update meeting would be arranged for September 2021.