

CONSULTATION REPORT

Appendix F Section 42a, b and d Letters and Responses

HyNet Carbon Dioxide Pipeline DCO

Planning Act 2008

The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 – Regulations 5(2)(q)

Document Reference Number D.5.1.6

Applicant: Liverpool Bay CCS Limited

Inspectorate Reference: EN070007

English Version

REVISION: A

DATE: September 2022

DOCUMENT OWNER: WSP UK Limited

PUBLIC

QUALITY CONTROL

Issue/Revision	First Issue	Revision 1	Revision 2	Revision 3
Document Reference	D.5.1.6			
Revision	A			
Author Name and Sign	IR			
Approver Name and Sign	BR			
Document Owner	WSP			

Appendix F

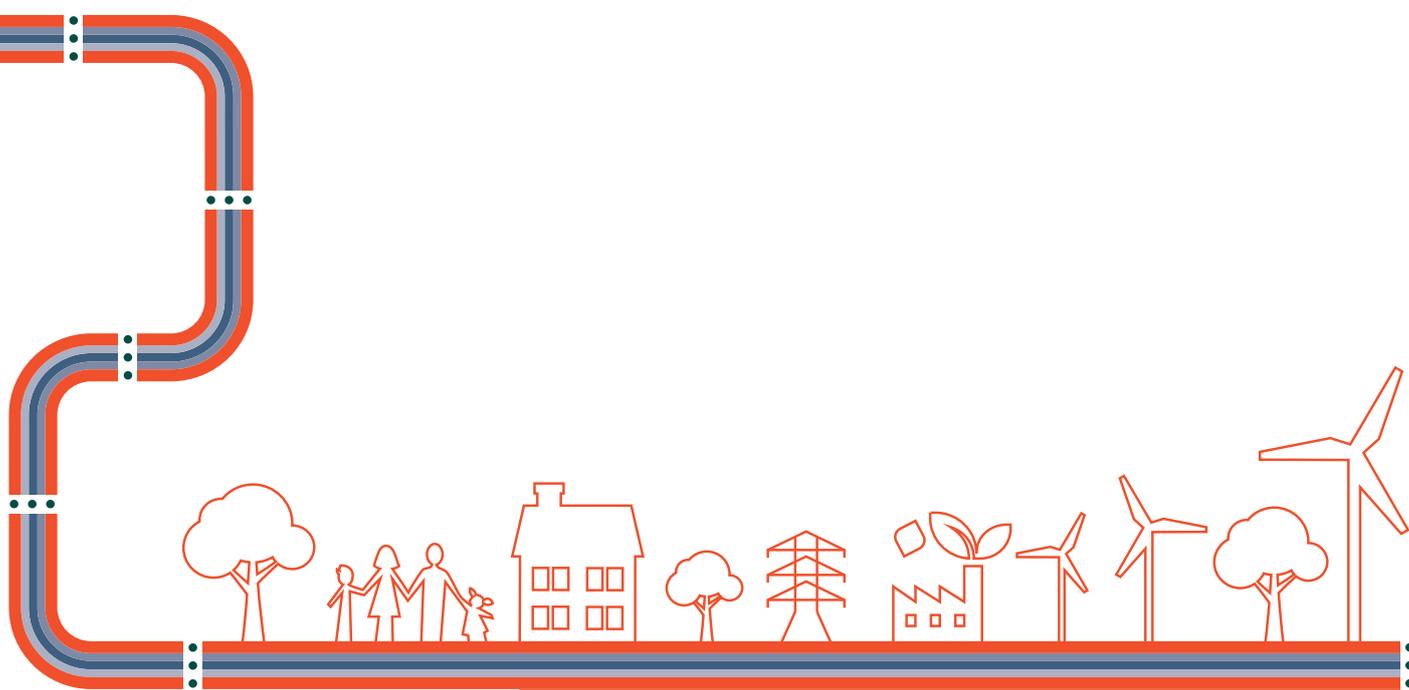
Section 42a, b and D

letter & responses

HyNet

North West

Document Number: D.5.1.6



F1

42ab letter

HyNet North West





Registered Office
Liverpool Bay CCS Ltd
Eni House, 10 Ebury Bridge Road
London SW1W 8PZ
United Kingdom



«Proper_officer»
«Landowner_Name»
«Address»

«Date_of_notice»

Dear «Salutation»,

HYNET NORTH WEST CARBON DIOXIDE PIPELINE

STATUTORY CONSULTATION UNDER SECTION 42 OF THE PLANNING ACT 2008

PRE-APPLICATION PUBLICITY IN ACCORDANCE WITH SECTION 48 OF THE PLANNING ACT 2008 AND REGULATION 13 OF THE INFRASTRUCTURE PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017

I write in relation to Liverpool Bay CCS Limited's proposals to develop, install and operate a new carbon dioxide ('CO₂') pipeline between Ince near Stanlow, and Flint, and to repurpose an existing 24-inch natural gas pipeline between Flint and Point of Ayr Terminal for transportation of CO₂.

As the new carbon dioxide pipeline is classified as a Nationally Significant Infrastructure Project ('**NSIP**') under the Planning Act 2008 ('**PA2008**'), its construction and operation require permission known as a Development Consent Order ('**DCO**'). As part of this process, Liverpool Bay CCS Limited will be holding a statutory public consultation to inform its proposals before finalising its DCO application.

The public consultation will be held over a six-week period from Wednesday 9 February 2022 to Tuesday 22 March 2022. We have included within this letter more information about the Proposed Development, where you can find more information, and how you can provide your feedback. Please note that this public consultation will close at 11.59pm on 22 March 2022 and we therefore invite responses on or before this date.

1. The proposed development

The development for which the DCO will be sought is:

- a) Construction and use of Ince Above Ground Installation ('**AGI**') to Stanlow AGI pipeline (up to 20").
- b) Construction and use of Stanlow AGI to Flint AGI pipeline (36").
- c) Construction and use of Flint AGI to Flint Connection pipeline (24").
- d) The repurposing and use for CO₂ of the Flint Connection to Point of Ayr Terminal pipeline (24").
- e) Construction and use of Ince AGI.
- f) Construction and use of Flint AGI.
- g) Construction and use of Stanlow AGI.
- h) Construction and use of Northop Hall AGI.
- i) Construction and use of Block Valve Stations ('**BVSs**') located along the existing natural gas Flint Connection to Point of Ayr pipeline and Stanlow AGI to Flint AGI pipeline.

Items a-i together form the '**Pipeline**'.

- j) Other infrastructure such as Cathodic Protection (CP) transformer rectifier cabinets.
- k) Ancillary works integral to the construction of the Pipeline including construction compounds and access tracks.

All of items a-k together form the '**Proposed Development**'.

2 Section 42 Duty to consult

Section 42 of the PA2008 requires Liverpool Bay CCS Limited to consult on its proposed DCO application with those persons specified by the PA2008 and its associated regulations. These persons include, for example, local authorities within or near to the Proposed Development, prescribed consultation bodies (for example, the Environment Agency or Natural Resources Wales), those with an interest in the land to which the DCO application relates (such as landowners, tenants, occupiers, or persons with other interests in the land) and those who may be entitled to bring a claim under certain land compensation legislation should the Proposed Development be constructed and the land used for the Proposed Development.

Liverpool Bay CCS Limited has identified that you fall into one of the categories of people that it needs to consult under section 42 of the PA2008. As such, please find enclosed plans and an overview of the Proposed Development.

You can also find the following documents at www.hynethub.co.uk:

- i. The Preliminary Environmental Information Report ('**PEIR**') which details the proposed development and a preliminary assessment of its likely significant environmental effects.
- ii. The Non-Technical Summary ('**NTS**') of the findings in the PEIR.
- iii. The public consultation brochure.

Hard copies will also be available for inspection at the venues detailed in part 6 of this letter and available on request. If you would like a hard copy version of the documents, you can contact us using the details below. The public consultation brochure can also be made available in large print format, braille or other languages upon request.

3. Section 48 of the PA2008 and Regulation 13 Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (EIA Regulations 2017) Duty to publicise

Section 48 of the PA2008 requires applicants for a DCO to publicise their proposed application via a notice in a national newspaper and in the London Gazette. A notice must also be published for two consecutive weeks in a local newspaper circulating in the vicinity of the land to which the development relates.

In addition, Regulation 13 of the EIA Regulations 2017 requires that the prospective applicant for the DCO, at the same time as publishing notice of the proposed application in accordance with section 48 of the PA2008, sends a copy of that notice to the prescribed consultees set out in Schedule 1 of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009. If you are a local authority or other prescribed consultation body, you will find the Section 48 notice enclosed with this letter, as required under the EIA Regulations 2017. If you have an interest in land or may be entitled to make a claim in connection with the Proposed Development, we have also sent you the Section 48 notice for information purposes.

4. The DCO process

Liverpool Bay CCS Limited intends to submit the DCO application to the Secretary of State for Business, Energy and Industry Strategy ('**Secretary of State**') in Summer 2022. The DCO application will include supporting documents including a Consultation Report, which will record the results of this public consultation and demonstrate how Liverpool Bay CCS Limited has had regard to the public consultation responses in preparing its DCO application. There will be an opportunity for any person who wishes to comment on the DCO application, once it has been submitted by Liverpool Bay CCS Limited and accepted, to do so directly to the Planning Inspectorate. Further notices advertising the period allowed for making such comments will be issued at that time.

The DCO application will be examined by an Examining Authority (a single Inspector or panel of Inspectors appointed from the Planning Inspectorate) on behalf of the Secretary of State over a six-month examination period. Liverpool Bay CCS Limited anticipates that the examination period will run from around the fourth quarter 2022 until early 2023, The Examining Authority will then make a recommendation to the Secretary of State who will then make the final decision whether or not to grant a DCO in the third quarter of 2023.

If granted, the DCO would authorise the construction and operation of the Proposed Development. The DCO would also include compulsory acquisition powers for the permanent acquisition of land and / or rights over land. The DCO may also include (if required) powers for the temporary occupation of land, the extinguishment or overriding of easements and other rights over or affecting land required for the Proposed Development, the application and / or disapplication of legislation relevant to the Proposed Development, highway powers and tree and hedgerow removal, amongst other matters.

5. Environmental Impact Assessment

As the proposed development falls under paragraph 2(1) of Schedule 1 of the EIA Regulations 2017, the DCO application will also be supported by an Environmental Statement ('ES') that will be prepared following the undertaking of an Environmental Impact Assessment ('EIA'). The ES will contain information about the likely significant environmental effects of the Proposed Development, and how any adverse effects will be mitigated.

As part of this public consultation, you can view the PEIR, which sets out Liverpool Bay CCS Limited's preliminary view of the likely significant environmental effects. The PEIR does not contain the final findings, as the EIA is ongoing and a full ES will be submitted as part of the DCO application. The Non-Technical Summary of the PEIR provides a non-technical overview of the findings set out in the PEIR.

6. The public consultation

The public consultation will be held from 9 February 2022 to 22 March 2022 and gives you the opportunity to provide your feedback or questions on the proposals for the Proposed Development. **Please provide your feedback by 11.59pm on 22 March 2022.** More information can be found at [REDACTED]

Liverpool Bay CCS Limited plans to hold online presentations and drop-in face-to-face events in the vicinity of the Proposed Development as set out in Table 1 below. All appropriate COVID-19 precautions will be taken and relevant government guidance at the time of the events will be followed. If it is not possible to hold in-person events due to COVID-19 restrictions, an additional online event shall be organised in lieu of each cancelled face-to-face event. We advise those interested in attending any of the in-person events to check [REDACTED] prior to attending for any updates to the events.

Table 1

Date	Location	Time
Tuesday 15 February 2022	Llanasa Village Hall, Llanasa, Holywell, CH8 9NF	2-4pm
Tuesday 15 February 2022	Talacre Community Centre, Gamfa Wen, Talacre, CH8 9RT	5-7pm
Monday 28 February 2022	Vernon Institute, 62 Hermitage Road, Saughall, CH1 6EN	3-7pm
Saturday 5 March 2022	Quay Building, Fron Road, Connah's Quay, CH5 4PJ	11am - 1pm

Saturday 5 March 2022	Northop Village Hall, High Street, Northop, CH7 6BQ	2-4pm
Saturday 5 March 2022	Queensferry War Memorial Institute, Chester Road West, Queensferry, CH5 1SA	5-7pm
Wednesday 9 March 2022	Ellesmere Port Civic Hall, Civic Way, Ellesmere Port, CH65 0AZ	3-7pm
Saturday 19 February 2022	Online event - book your place at [REDACTED]	1-2pm
Thursday 24 February 2022	Online event - book your place at [REDACTED]	6-7pm
Friday 11 March 2022	Online event - book your place at [REDACTED]	11am - 12pm

Throughout the public consultation period from 9 February 2022 to 22 March 2022, you can view hard copies of the consultation materials at the deposit point locations and times listed in Table 2 below.

Table 2

Venue and address	Opening times
Ellesmere Port Library Civic Way, Ellesmere Port, CH65 0BG 0151 337 4684	Monday 9am-7pm, Tuesday 9am-5pm, Wednesday 9am-5pm, Thursday 9am-7pm, Friday 9am-7pm, Saturday 9am-1pm, Sunday Closed.
Flint Library Church Street, Flint, CH6 5AP 01352 703737	Monday 9:30am-5pm, Tuesday 9:30am-7pm, Wednesday 9:30am-5pm, Thursday 9:30am-7pm, Friday 9:30am-5pm, Saturday 9:30am-12pm, Sunday Closed.
Prestatyn Library 21 King's Avenue, Prestatyn, LL19 9AA 01745 854841	Monday 9.30am-6pm, Tuesday 9.30am-5pm, Wednesday 9.30am-1pm; Thursday 9.30am-5pm, Friday 9.30am-5pm, Saturday 9.30am-12.30pm, Sunday Closed.
Chester Library at Storyhouse Hunter Street, Chester, CH1 2AR 01244 409113, option two	Monday - Saturday 8.30am-7pm, Sunday 9.30am-6pm.

We advise members of the public to check with the relevant venue regarding any COVID-19 restrictions that may be in place prior to visiting. In the event of needing to cancel the use of deposit points due to COVID-19 restrictions, the consultation materials will remain available to view online at [REDACTED]

Hard copies of the consultation materials will also be made available upon request, regardless of the COVID-19 situation. Copies of the public consultation brochure and non-technical summary of the

PEIR will be provided free of charge. Due to the size of the PEIR as a detailed technical document, a charge of £200 will be made for the printing and delivery of the PEIR upon request.

7. How to respond to the public consultation

We would welcome your views on the Proposed Development. You can respond to the public consultation by:

- Completing a questionnaire online at: [REDACTED]
- Emailing us at: info@hynet.co.uk
- Writing to us at: FREEPOST HYNET NORTH WEST

When providing a response or representation, please include your name / the name of the body or organisation you represent, the main contact person and an address where correspondence about your response or representation may be sent.

Your responses will be analysed by Liverpool Bay CCS Limited and its appointed agents and may be passed in due course to the Secretary of State for Business, Energy and Industrial Strategy, the Planning Inspectorate and any other relevant statutory authorities so that your comments can be considered as part of the DCO application process. Your responses may therefore be made public, however, we will request that your personal details are not placed on public record. Liverpool Bay CCS Limited, its affiliates and appointed agents will hold your personal details securely and in accordance with applicable data protection legislation. They will be used solely in connection with the public consultation process and subsequent DCO application and, except as noted above, they will not be passed to third parties.

Yours «Yours»,

[REDACTED]

Martin Currie
Director
Liverpool Bay CCS Limited

F2

42a responses

HyNet North West



From: Lands
Sent: 24 February 2022 17:23
To: Martin Currie <hynett@wsp.com>
Cc: Kevin Padley-Knight <[REDACTED]>; Gary Edwards <[REDACTED]>
Subject: FW: BPA Affected Planning Application 2022-4158 - Hynet-S42-07022022-2911958 CRM:0039443
Importance: High

Dear Martin Currie

BPA and Shell NOP Pipelines - Affected Planning Application

Our Ref	2022-4158
Planning App Ref	Hynet-S42-07022022-2911958
Location	344287, 374198 Hynet North West

Thank you for the consultation regarding the above planning application.

The proposed works are in close proximity to a high-pressure petroleum pipeline system and BPA wish to ensure that any works in the vicinity of the pipeline are carried out in accordance with our safety requirements ([REDACTED]). Please find attached a GIS map of our pipeline(s) in relation to the above application.

Please Note, these points must be observed:

- **Crossing Consents may be required.**
- **All works in easement will need supervision.**
- **RAMS and Crossing Drawings will need to be reviewed and accepted by BPA prior to works taking place.**
- **No buildings or structures (temporary or permanent) can be located within the pipeline easements**
- **Access to the pipeline must be available to BPA in the event of an emergency.**

The most important points are:

- These Pipelines carry refined petroleum at extremely high pressure.
- Any construction must be kept a minimum of 6m from the pipelines.
- All excavations (including hand trial holes) within 6m of the pipeline **must** be approved and supervised by BPA.
- The exact location of the pipeline to be marked by BPA in consultation with the developer prior to detailed design.
- Nominal cover is only 0.9m (3').
- Normal vertical clearance for new services is 600mm.
- These pipelines are protected by cathodic protection and you should consult with BPA if you are laying any services (with or without cathodic protection).
- Heavy vehicular crossing points to be approved before use across the easement.
- Tree planting is prohibited within the easement.
- No buildings can be located within the pipeline easement.
- No lowering or significantly raising of ground level throughout the easement.
- A continuous BPA site presence will be required for works within the easement.
- Utility crossings may require a formal crossing consent
- BPA do not charge for the first three days of supervision (this includes site meetings). After that, BPA will charge for any future supervision.

When planning works which involve crossing or working within the easement of the pipeline, the following will be requested before works can start:

- **A confirmed or proposed programmed start date for the works**
- **A detailed description of the proposed works**
- **A plan of the work area,**
- **Drawings and a method statement for the written approval of BPA.**

To obtain more detail of the pipelines location, please contact Kevin Padley-Knight at [\[REDACTED\]@bpa.gov.uk](mailto:[REDACTED]@bpa.gov.uk) and quote the BPA reference 2022-4158.

Yours sincerely

Lands Department
[REDACTED]
[REDACTED]



British Pipeline Agency Limited
BPA Head Office 5-7 Alexandra Road
Hemel Hempstead Hertfordshire HP2 5BS UK
[REDACTED]

Cerutti, Emma

From: Scott, Kirsty
Sent: 28 February 2022 11:03
To: Cerutti, Emma; Taylor, Paul; Corless, Natalie
Subject: FW: [EXT] LSBUD Ref: 24691430 Your Ref: Hynet North West s42-07022022-2973776 (TC) Planning Application Holding Objection
Attachments: 24691430_CadentGas.pdf; [EXT] LSBUD-220210-24691430; Hynet North West.pdf; HSG 47.pdf; SSW22 NEW.pdf; TPRMAINT5028.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

From: Chadwick, Gareth [REDACTED]
Sent: 28 February 2022 10:59
To: info@hynet.co.uk
Subject: FW: [EXT] LSBUD Ref: 24691430 Your Ref: Hynet North West s42-07022022-2973776 (TC) Planning Application Holding Objection

Dear Martin Currie

Your planning application – No objection

After receiving the details of your planning application at

CH1 4BE

we have completed our assessment.

We have no objection to your proposal from a planning perspective.

What you need to do

Please review our attached plans, which detail the Cadent gas asset/s in the area. If your application affects one of our high pressure pipelines, it is a statutory requirement that you input the details into the HSE's Planning Advice Web App. For further details, visit [REDACTED]

The HSE may wish to apply more stringent criteria for building proximity after assessment. Please ensure that you formally consult with them before you proceed.

In order to help prevent damage to our asset/s, please add the following Informative Note into the Decision Notice:

Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. Prior to carrying out works, please register on [REDACTED] to submit details of the planned works for review, ensuring requirements are adhered to.

Proximity to the AGI needs to be factored in for any noise attenuation survey and assessed for any habitable structures

The original holding objection was triggered due to the presence of a High Pressure Major Accident Hazard Pipeline (MAHP) and/or an Intermediate Pressure Pipeline and/or an Above Ground Installation.

The minimum building proximity distance (BPD) for the pipelines and associated installations is as follows 8M

- Cadent Gas has a MAJOR ACCIDENT HAZARD PIPELINE in the vicinity, (indicated in orange CHESTER/ELLESMERE PORT
- Cadent Gas has a INTERMEDIATE ACCIDENT HAZARD PIPELINE in the vicinity, (indicated in Green). N/A

- Specific AGI BPD N/A

The building proximity distance taken from The Institution of Gas Engineers and Managers publication IGEM/TD/1 Edition 5 which is the standard applicable to steel pipelines and associated installations for high pressure gas transmission and IGEM/TD/3 Edition 5 Steel and PE pipelines for gas distribution

Your responsibilities and obligations

This letter does not constitute any formal agreement or consent for any proposed development work either generally or related to Cadent's easements or other rights, or any planning or building regulations applications.

Cadent Gas Ltd or their agents, servants or contractors do not accept any liability for any losses arising under or in connection with this information. This limit on liability applies to all and any claims in contract, tort (including negligence), misrepresentation (excluding fraudulent misrepresentation), breach of statutory duty or otherwise. This limit on liability does not exclude or restrict liability where prohibited by the law nor does it supersede the express terms of any related agreements.

If you need any further information or have any questions about the outcome, please contact us at plantprotection.nw@cadentgas.com quoting your reference at the top of this letter.

Regards

Gareth Chadwick
North West O&M
Network Technician
Plant Protection



Mersey Road North, Failsworth, M35 9FF



From: .box.Cadent.PlanningApplications <Cadent.PlanningApplications@cadentgas.com>
Sent: 11 February 2022 08:50
To: .box.plantprotection.NW <plantprotection.NW@cadentgas.com>
Subject: FW: [EXT] LSBUD Ref: 24691430 Your Ref: Hynet North West s42-07022022-2973776 (TC) Planning Application Holding Objection

Good morning,

Please see PA extra info

Kind Regards

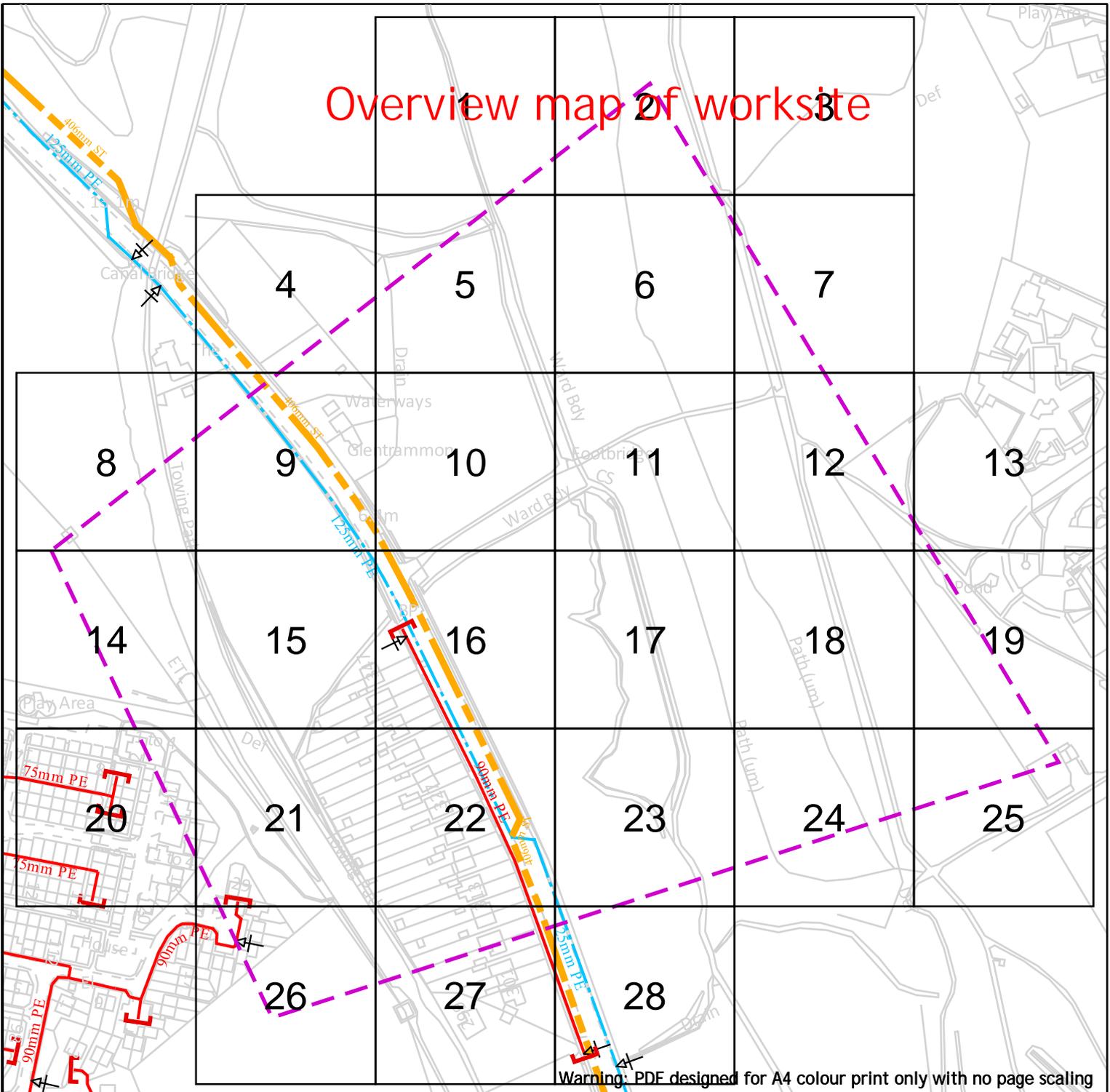
Toby
Plant Protection
Customer Performance

Cadent
Block 1, Floor 1, Brick Kiln Street, Hinckley LE10 0NA



Self Service for Plant Enquiries:

Overview map of worksite



Warning: PDF designed for A4 colour print only with no page scaling

WARNING! This area contains Gas Mains Operating at High Pressure (in excess of 7 bar) and/or Intermediate Pressure (between 2 and 7 bar). Before excavating in the area contact the Plant Protection team on 0800 688 588 or plantprotection@cadentgas.com



Date Requested: 10/02/2022
 Job Reference: 24691430
 Site Location: 339575 368704
 Requested by: Mr Toby Cooper
 Your Scheme/Reference: Hynet North West s42-07022022-2973776 (TC)
 View extent: 100m, 100m

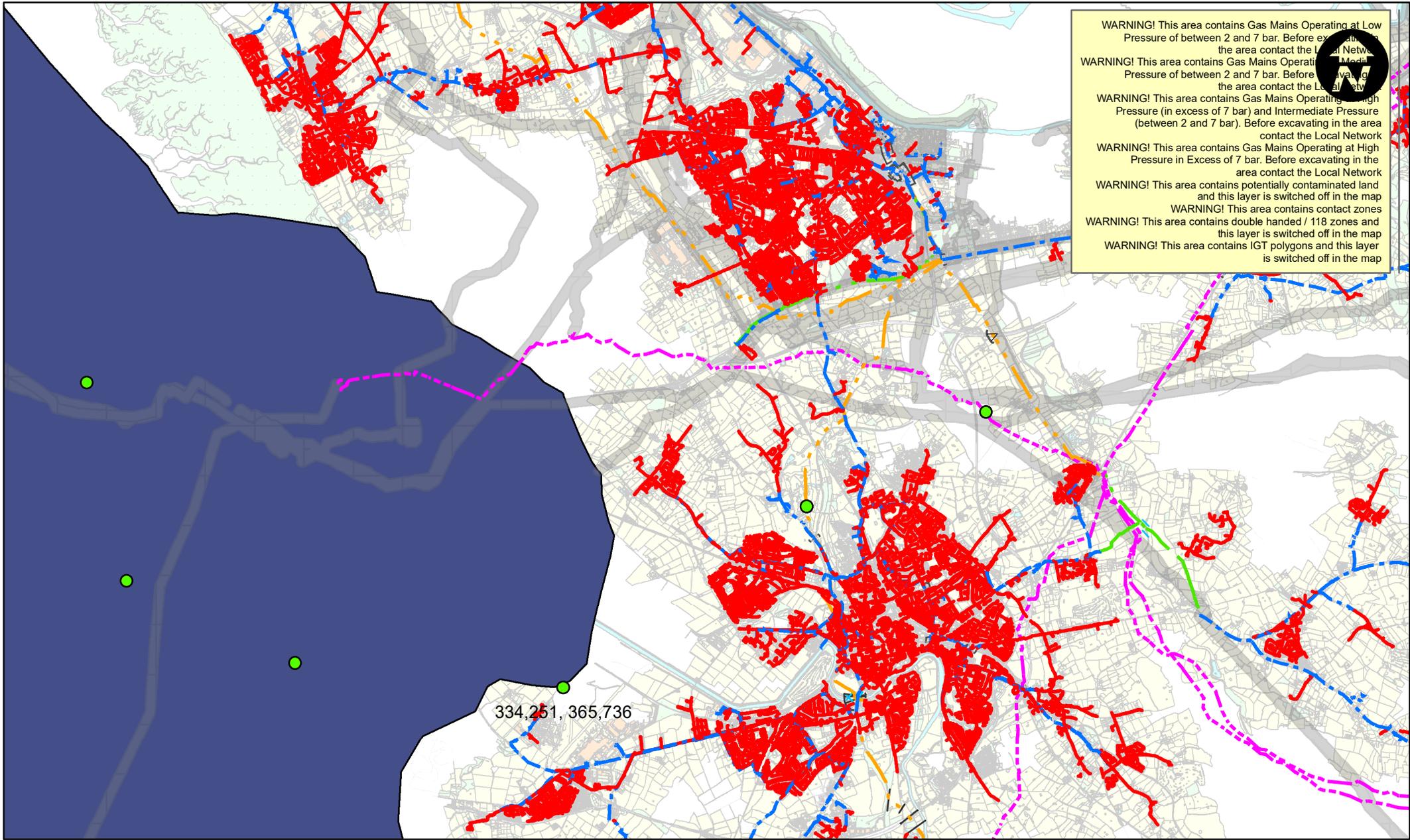
Dig Sites	Area:	Line:	
	LP Mains		Valve
	MP Mains		Depth of cover
	IP Mains		Diameter Change
	LHP Mains		Material Change
			Syphon
			Out of Standard Service

IMPORTANT NOTICES

This plan shows these pipes owned by Cadent Gas Limited in its role as a Licensed Gas Transporter (GT). Gas pipes owned by other GT's or otherwise privately owned may be present in this area. Information with regards to such pipes should be obtained from the relevant owners. The information shown on this plan is given without warranty, the accuracy thereof cannot be guaranteed. Service pipes, valves, syphons, stub connections etc. are not shown but their presence should be anticipated. No liability of any kind whatsoever is accepted by Cadent Gas Limited or their agents, servants or contractors for any errors or omission. Safe digging practices, in accordance with HS(G)47, must be used to verify and establish the actual position of mains, pipes, services and other apparatus on site before any mechanical plant is used. It is your responsibility to ensure that this information is provided to all persons (either direct labour or contractors) working for you on or near gas apparatus. The information included on this plan should not be referred to beyond a period of 28 days from the date of issue.

In case of emergency call - 0800 111 999

Crown Copyright © - This plan is reproduced from or based on the OS map by Cadent Gas Limited, with the sanction of the controller of HM Stationary Office. Crown Copyright Reserved. Ordnance Survey Licence number 100024886



WARNING! This area contains Gas Mains Operating at Low Pressure of between 2 and 7 bar. Before excavating in the area contact the Local Network

WARNING! This area contains Gas Mains Operating at Medium Pressure of between 2 and 7 bar. Before excavating in the area contact the Local Network

WARNING! This area contains Gas Mains Operating at High Pressure (in excess of 7 bar) and Intermediate Pressure (between 2 and 7 bar). Before excavating in the area contact the Local Network

WARNING! This area contains Gas Mains Operating at High Pressure in Excess of 7 bar. Before excavating in the area contact the Local Network

WARNING! This area contains potentially contaminated land and this layer is switched off in the map

WARNING! This area contains contact zones and this layer is switched off in the map

WARNING! This area contains double handed / 118 zones and this layer is switched off in the map

WARNING! This area contains IGT polygons and this layer is switched off in the map

SCALE: 1:1,250 @ A4
 USER ID: Toby.Cooper
 DATE: 10-Feb-2022 14:20:42
 INTERNAL USE ONLY
 MAP REF: 337157, 371106
 CENTRE:

L/P GAS MAIN	
M/P GAS MAIN	
I/P GAS MAIN	
H/P GAS MAIN	
NH/P GAS MAIN	
PROPOSED PIPE - LP	
PROPOSED PIPE - MP	
PROPOSED PIPE - IP	
ABANDON - LP	
ABANDON - MP	
Out Of Standard Service	

SCHEME: <NG GDFO Scheme Name>
 DESIGN: <NG GDFO Design Number>
 REVISION: <NG GDFO Revision>

This plan shows those pipes owned by Cadent in its role as a Licensed Gas Transporter (GT). Gas pipes owned by other GTs, or otherwise privately owned, may be present in this area. Information with regard to such pipes should be obtained from the relevant owners. The information shown on this plan is given without warranty, the accuracy thereof cannot be guaranteed. Service pipes, valves, syphons, stub connections, etc., are not shown but their presence should be anticipated. No liability of any kind whatsoever is accepted by Cadent Gas Limited or their agents, servants or contractors for any error or omission. Safe digging practices, in accordance with HS(G)47, must be used to verify and establish the actual position of mains, pipes, services and any other apparatus on site before any mechanical plant is used. It is your responsibility to ensure that this information is provided to all persons (either direct labour or contractors) working for you on or near gas apparatus. The information included on this plan should not be referred to beyond a period of 28 days from the date of issue.

This plan is reproduced from or based on the OS map by Cadent Gas Limited, with the sanction of the controller of HM Stationery Office.

Some examples of Plant Items:
 Valve Syphon Depth of Cover Change of Dia Change of Material

Crown Copyright Reserved.

Your Ref

Our Ref IPP-135

Friday 18th March 2022

BY EMAIL ONLY: info@hynet.co.uk

Dear Sir

CONSULTATION ON THE PROPOSED CO2 PIPELINE PREFERRED OPTION

Thank you for your consultation on the proposed route options for the CO2 pipeline.

The Canal & River Trust (the Trust) are the charity who look after and bring to life 2000 miles of canals & rivers. Our waterways contribute to the health and wellbeing of local communities and economies, creating attractive and connected places to live, work, volunteer and spend leisure time. These historic, natural and cultural assets form part of the strategic and local green-blue infrastructure network, linking urban and rural communities as well as habitats. By caring for our waterways and promoting their use we believe we can improve the wellbeing of our nation

The proposed works are for a carbon dioxide pipeline and associated infrastructure. The Trust own and manage the Shropshire Union Canal, which may be impacted by these works as the pipeline would result in at least one crossing (underground) of the canal. The Trust previously provided comments on the route options and had no preference as all options required a crossing of the canal.

It is understood that option G is now the preferred option the subject of this current consultation. As previously advised the proposed route would cross under the Shropshire Union Canal which is within the designated Chester Canal Conservation Area and is a County Wildlife Site. The Canal towpath also carries National Cycle Route 5.

The crossing of the canal is contained within section 2 of the route drawings, this plan shows two alternative options for the crossing of the canal. It is not entirely clear why alternatives have been provided, especially given that they are in relatively close proximity to each other. The Trust do not have a clear preference at this stage, but would advise that the canal is enclosed by a hedgeline on the towpath side, whilst the offside bank is open grassland. Overhead electricity pylons cross the canal here as well. Given that the crossing of the canal would be underground and carried out via a Horizontal drilling technique the towpath hedgeline should not be impacted. We would welcome further details on the mitigation planting to be provided following the works.

Plan Section 2 shows an equipment yard in relatively close proximity to the towpath side of the canal. We consider that this should be sited as far from the canal as reasonably practicable to still be able to facilitate the works. It would be important that canal protection measures are put in place to protect the canal from the works and this equipment yard and that the storage of fuel, chemicals etc sited as far from the canal as possible and safely to prevent any pollution incidents to the canal.

As drawn the limit of deviations for the works next to the canal corridor is drawn wide, presumably this will be narrowed when the preferred route to the cross the canal is selected.

Canal & River Trust

Fradley Junction, Alrewas, Burton-upon-Trent, Staffordshire DE13 7DN

T 0303 040 4040 E [REDACTED]

This route option also brings the pipe corridor close to the canal at a second point where we have two culverts recorded and also the Backford Flood Weir which passes water into Backford Brook. The canal corridor is in a slight cutting here but is predominantly screened by existing woodland. Listed Backford Railway Bridge No.131A over the canal is a little further to the south of the route and Viaduct Wood County Wildlife Site is also nearby. The landscape on the offside of the canal near the railway bridge is more open. The red line of the limit of deviation extends close to the canal corridor along this section around Collinge Farm, but on the submitted details it is unclear why such a wide area is needed, especially as other sections have far narrower corridors. We would welcome clarification in terms of the intended use of the land next to the canal here.

Discussion and as previously advised

The route would result in a crossing (underground) of the canal. Route G would also bring the corridor of works closer to the canal at a second point and as such the potential for additional impacts. In particular in terms of the watercourses which the culverts and flood weir feed into, this includes Backford Brook which is managed by the Environment Agency. These could be at risk of siltation during any land clearance and construction works associated with the pipeline. The culverts flow north to south to discharge on the towpath side of the canal and as such any silt from the works on the offside could block the culverts under the canal, which would be of concern to the Trust and measures will need to be taken to prevent this. We will need further clarification of the pipeline route at this location. We offer no support to the offside land and machinery or stockpiles should be kept away from the canal.

Construction work in close proximity to the waterway infrastructure could potentially adversely affect the structural integrity of the waterway. It is therefore essential that the structural integrity of the canal is not put at risk as part of any of the works, including excavation, earthmoving, drilling, boring, vibrations or the tracking of plant and machinery which could, in the worst-case scenario result in the failure of the canal. Depending on the exact location of the final route the exact depth of the pipeline under the canal would need to be agreed with the Trust to ensure the works do not undermine the structural integrity of the canal infrastructure. In accordance with the Trust's Third Party Work Code of Practice (CoP) we would expect any canal crossing to be constructed via trenchless techniques and the crown of the pipe will need to be at least 3.5m below hard bed level of the canal. The route and depth of the crossing, method statements and associated ground investigations will need to be approved by the Trust's geotechnical specialists, all via the CoP process.

Due to the size of the pipe, it will probably be installed at a shallow gradient so the launch and reception pits for the horizontal directional drill (HDD) will likely need to be some distance from the canal, which would reduce the risk of contamination from site compounds. Full details of the HDD site setup will need to be submitted for review via the Trust's CoP process.

The construction technique and method of works would all need to be agreed with the Trust and carried out in accordance with the Canal & River Trust Code of Practice [REDACTED] and particularly to the whole of Part 1 and to Part 2 Section 2 which covers service crossings.

A robust and comprehensive Construction Environment Management Plan (CEMP) would be required to include aspects of how materials, fuels, chemicals and wastes will be stored and where; measures for the prevention of dust generation and windblown litter and debris; measures to prevent run off into the canal and culverts (e.g. of silty water, contaminated water, fuels and chemicals); pollution response emergency procedures and details of any planned water abstractions and /or discharges from or which may impact upon the canal.

The Trust as Landowner

The Trust own and manage the Shropshire Union Canal, water and the towpath network in the vicinity of the proposed route crossing. Separate discussions would need to take place between the Trust and the applicant in terms of any formal agreements that may be required for crossing our land. Please note that as a Statutory Undertaker, the Trust would seek to challenge the use of any compulsory purchase powers to acquire rights over any of our land. Accordingly, to avoid unnecessary delay and the incurrence of excess costs, any acquisition of Trust land or rights should be arranged voluntarily.

The above comments are given without prejudice to any further matters which may be raised by the Trust at a later stage as more details emerge.

Canal & River Trust

Fradley Junction, Alrewas, Burton-upon-Trent, Staffordshire DE13 7DN

T 0303 040 4040 E [REDACTED]

Please do not hesitate to contact me with any queries you may have.

Yours sincerely,

Tim Bettany-Simmons MRTPI
Area Planner – Special Projects

[Redacted signature block]

Canal & River Trust
Fradley Junction, Alrewas, Burton-upon-Trent, Staffordshire DE13 7DN
T 0303 040 4040 E [Redacted email address]

From: Marc Beechey [REDACTED]
Sent: 18 March 2022 10:35
To: 'info@hynet.co.uk' <info@hynet.co.uk>
Subject: Cheshire Fire & Rescue Service response - STATUTORY CONSULTATION UNDER SECTION 42 OF THE PLANNING ACT 2008

Good morning,

Thank you for the recent information regarding the Hynet North West Carbon Dioxide Pipeline. At this stage Cheshire Fire and Rescue Service (CFRS) have been notified of the proposed installation and project works through Hynet North West representation at Cheshire Resilience Forum meetings. During these meetings the Hynet representative has explained the scope of the project and has detailed the schedule of proposed works.

At this stage CFRS do not have any comments to put forward regarding the project. However we will benefit from receiving ongoing project progress through either direct correspondence or via the Cheshire Resilience Forum arena. We would agree at this time that 'Option G' is the preferred pipeline route which minimises residential disturbance and will have fewer impacts to the environment.

Upon agreement of the pipeline infrastructure the Cheshire Resilience Forum would welcome topography maps of the pipeline route which will in turn aid our emergency planning arrangements going forward.

Kind regards,

Marc Beechey
External Planning Manager
Operational Policy & Assurance
Cheshire Fire & Rescue Service,
[REDACTED]
[REDACTED]



Cheshire
Fire & Rescue Service

By email to. info@hynethub.co.uk

Our ref: SO/2022/121926/01-L01

Your ref: s42-07022022-2899589

For the attention of Martin Currie

Date: 22 March 2022

Dear Martin

**HYNET NORTH WEST CARBON DIOXIDE PIPELINE
STATUTORY CONSULTATION UNDER SECTION 42 OF THE PLANNING ACT 2008
PRE-APPLICATION PUBLICITY IN ACCORDANCE WITH SECTION 48 OF THE
PLANNING ACT 2008 AND REGULATION 13 OF THE INFRASTRUCTURE
PLANNING (ENVIRONMENTAL ASSESSMENT) REGULATIONS 2017
NEW PIPELINE BETWEEN INCE NEAR STANLOW AND FLINT**

Thank you for consulting the Environment Agency with the Preliminary Environmental Information Report (PEIR) (WSP), submitted under Section 42 of the Planning Act (2008). The consultation was received on the 10th of February 2022.

Administrative Boundary

This response relates to sections of the Development Consent Order (DCO) Proposed Development, located within England only. For matters within Wales please refer the PEIR to Cyfoeth Naturiol Cymru (Natural Resources Wales) for comment.

Environment Agency comments

We generally consider the PEIR to be sufficient in its scope and content to reasonably inform us of the likely significant environmental effects to be considered. There are, however, areas which we feel require further clarification and/or assessment.

Chapter 3. Description of the proposed development

Paragraph 3.6.8. (page 18 of 41)

Paragraph 3.6.8 states ‘A *Construction Environmental Management Plan will be prepared prior to construction*’. Paragraph 3.6.9 then states, ‘ *a framework CEMP will be included in the ES which will accompany the DCO Application* ’. It is not clear if the Construction Environmental Management Plan and framework Construction Environmental Management Plan are the same or different reports submitted at different stages. Regardless, (and we do acknowledge at this stage the DCO proposed development detail is yet to be finalised), given the purpose of the report(s) we would wish to review it / them at the earliest opportunity.

Paragraph 3.6.13 (page 19 of 41)

Paragraph 3.6.13 explains some of the potential drainage solutions which may be employed during construction. While at this stage we have no major concerns with these in principle, volume and rates of discharge will need to be controlled to remove the risk of harming ecology, increasing water levels, or impacting water quality. Please be mindful of any Environmental Permits that might be required for dewatering and/or discharges (please see comments under ‘Environmental regulation and permitting requirements’ heading below).

Paragraph 3.6.41 & 3.6.42 (page 25 of 41)

Paragraph 3.6.41 states ‘*Crossings of minor watercourses including rivers, streams and ditches would typically be open cut, although crossings of major watercourses such as the River Dee (Afon Dyfrdwy) would require trenchless techniques*’. It goes on to state ‘*...individual crossing locations would be assessed as being appropriate for open cut or trenchless crossings. This process would carry on throughout the EIA process and be presented in the ES to be submitted with the DCO Application*’. Paragraph 3.6.42 then states ‘*For a number of crossings, the particular technique has not been predetermined, and the choice of technique would be determined by the Construction Contractor*’.

In terms of crossing designated ‘main rivers’ this will need to be agreed upfront with the Environment Agency due to the requirement to obtain an environmental permit to ensure inappropriate damage is avoided and flood risk is not increased.

Permission should be obtained from the relevant Lead Local Flood Authority where work is to be conducted near the ordinary watercourse network (please see comments under ‘Environmental regulation and permitting requirements’ heading below).

Paragraph 3.6.62 (page 30 of 41)

Paragraph 3.6.62 explains '*fenced compounds would be accessed from the existing road network and would include single-storey staff welfare facilities, parking, waste storage, and wheel washing areas*'. Run-off from wheel washing areas must not find its way to controlled waters, and of specific concern would be any compound and wheel wash facility near any watercourse, (for example the compound indicatively identified near Ashwood House Farm (Figure 3-3: Temporary Works - Sheet 2, EN070007-PA-PEI-3.3-Sheet 2 Rev P02, 03/02/2022)).

Chapter 18. Water Resources and Flood Risk

Table 18-1 (Page 6 of 40)

Table 18-1 suggests Environmental Permits will be obtained by the Construction Contractor. If the work undertaken by the Construction also involves the design of the pipeline & associate infrastructure, then as a 'design & build' type contract this is acceptable. However, if the design is to be undertaken by others, then they should apply for the permanent works design permit, with the Construction Contractor apply for the temporary works design permit.

Paragraph 18.4.23 (page 11 of 40)

We note that there is no specific reference in the PEIR to Water Framework Directive (WFD) mitigation measures associated with Heavily Modified Water Bodies (HMWB). Please note, these must not to be confused with measures to mitigate environmental effects from the development proposal. Paragraph 18.4.23 states the intention to conduct a WFD assessment screening for each waterbody crossing, which we support. However, the Environmental Statement must also assess whether any of the development proposals prevent a HMWB mitigation measure being completed, because this would prevent the legal objective of 'good ecological potential' for that HMWB. We can provide a list of the mitigation measures identified for each HMWB affected by the proposed development.

Paragraph 18.4.25 (page 11 of 40)

In terms of WFD we acknowledge further ecological and River Condition Assessment surveys will be conducted (which will be used to identify and calculate Biodiversity Net Gain) and we await the findings.

Paragraphs 18.5.34 & 18.5.35 (page 26 of 40)

These paragraphs discuss flood risk and the requirement to consider climate change. While the appropriate epochs are shown in Table 18-9 and 18-10 for fluvial and tidal climate change impacts on water levels over the expected lifetime of the development, we expect some sensitivity testing against future changes and revisions (in either a revised development lifespan or changes in climate change impacts).

Environmental regulation and permitting requirements

The DCO Proposed Development may need the following regulatory and / or permit requirements. This is not an exhaustive list; because ultimately Environmental Permit requirements will vary depending on the final DCO proposed development location and method of construction/decommissioning.

At your earliest convenience, we strongly encourage entering in to our enhanced permit pre-application service.

[Get advice before you apply for an environmental permit - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

Flood Risk Activity Permit

The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission

It should not be assumed that a permit will automatically be forthcoming, and we advise consultation with the Environment Agency at the earliest opportunity.

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03708 506 506 (Monday to Friday, 8am to 6pm) or by emailing enquiries@environment-agency.gov.uk.

Culverting consent

Erection of flow control structures or any culverting of an ordinary watercourse requires consent from the lead local flood authority which in this instance is Cheshire West and Chester. It is best to discuss proposals for any works with them at an early stage.

Impounding

To impound a watercourse an impounding licence from the Environment Agency will be required. An impoundment is any dam, weir or other structure that can raise the water level of a water body above its natural level. 'On-line' impoundments hold back water in rivers, stream, wetlands and estuaries, and consequently affect downstream flows, sediment transport and migration of fish.

Dewatering

Dewatering is the removal/abstraction of water (predominantly, but not confined to, groundwater) in order to locally lower water levels near the excavation. This can allow operations to take place, such as mining, quarrying, building, engineering works or other operations, whether underground or on the surface.

Any dewatering activities on-site could have an impact upon local wells, water supplies and/or nearby watercourses and environmental interests.

This activity was previously exempt from requiring an abstraction licence. Since the 1st of January 2018, most cases of new planned dewatering operations above 20 cubic metres a day will require a water abstraction licence from us prior to the commencement of dewatering activities at the site. More information is available on gov.uk:

<https://www.gov.uk/guidance/water-management-apply-for-a-water-abstraction-or-impoundment-licence#apply-for-a-licence-for-a-previously-exempt-abstraction>.

If dewatering and discharging into surface water is required during development, the following Regulatory Position Statement will apply: 'Temporary dewatering from excavations to surface water.'

<https://www.gov.uk/government/publications/temporary-dewatering-from-excavations-to-surface-water>

Storage of materials/oil likely to cause pollution

Materials and chemicals likely to cause pollution should be stored in appropriate containers and adhere to guidance for the storage of drums and intermediate bulk containers.

Any facilities, above ground, for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund.

Appropriate procedures, training and equipment should be provided for the site to adequately control and respond to any emergencies including the clean up of spillages, to prevent environmental pollution from the site operations.

We advise that polluting materials and chemicals are stored in an area with sealed drainage.

We recommend that all pesticide sale and supply/distribution stores meet the recommendations of the Code of Practice for suppliers of pesticides to agriculture, horticulture and forestry and where appropriate membership of the BASIS government recognised inspection scheme.

Additional information and guidance is available at:

[Oil storage regulations for businesses](#)

██

Development on, or within, 250 metres of known gassing or potentially gassing permitted landfill site

The proposed development could be located on or within 250 metres of a landfill site that is could potentially be producing landfill gas.

Landfill gas consists of methane and carbon dioxide. It is produced as the waste in the landfill site degrades. Methane can present a risk of fire and explosion. Carbon dioxide can present a risk of asphyxiation or suffocation. The trace constituents of landfill gas can be toxic and can give rise to long and short term health risks as well as odour nuisance.

The risks associated with landfill gas will depend on the controls in place to prevent uncontrolled release of landfill gas from the landfill site. Older landfill sites may have poorer controls in place and the level of risk may be higher or uncertain due to a lack of historical records of waste inputs or control measures.

Groundwater position statements

We would like to refer the applicant/enquirer to our groundwater position statements in [‘The Environment Agency’s approach to groundwater protection’](#), available from gov.uk.

This publication sets out our position for a wide range of activities and developments. Including:

- Waste management
- Discharge of liquid effluents
- Land contamination
- Drainage

Movement of waste off-site – Duty of Care & Carriers, Brokers and Dealers Regulations

The Environmental Protection (Duty of Care) Regulations 1991 for dealing with waste materials are applicable to any off-site movements of wastes.

The code of practice applies to you if you produce, carry, keep, dispose of, treat, import or have control of waste in England or Wales.

The law requires anyone dealing with waste to keep it safe and make sure it’s dealt with responsibly and only given to businesses authorised to take it. The code of practice can be found here: <https://www.gov.uk/government/consultations/waste-duty-care-code-practice-2016>

If you need to register as a carrier of waste, please follow the instructions here: <https://www.gov.uk/register-as-a-waste-carrier-broker-or-dealer-wales>

Waste on-site

The CL:AIRE Definition of Waste: Development Industry Code of Practice (version 2) provides operators with a framework for determining whether or not excavated material arising from site during remediation and/or land development works is waste or has ceased to be waste. Under the Code of Practice:

- excavated materials that are recovered via a treatment operation can be reused on-site providing they are treated to a standard such that they are fit for purpose and unlikely to cause pollution
- treated materials can be transferred between sites as part of a hub and cluster project
- some naturally occurring clean material can be transferred directly between sites

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on-site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

We recommend that developers should refer to:

- the [position statement](#) on the Definition of Waste: Development Industry Code of Practice
- the [waste management](#) page on GOV.UK

Waste to be taken off-site

Contaminated soil that is (or must be) disposed of is waste. Therefore, its handling, transport, treatment and disposal are subject to waste management legislation, which includes:

- Duty of Care Regulations 1991
- Hazardous Waste (England and Wales) Regulations 2005
- Environmental Permitting (England and Wales) Regulations 2016
- The Waste (England and Wales) Regulations 2011

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standard BS EN 14899:2005 'Characterization of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan' and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

If the total quantity of hazardous waste material produced or taken off-site is 500kg or greater in any 12 month period, the developer will need to register with us as a hazardous waste producer. Refer to the [hazardous waste](#) pages on GOV.UK for more information.

Model Procedures and good practice

We recommend that developers should:

- Follow the risk management framework provided in Guidance on Land contamination risk management (LCRM), when dealing with land affected by contamination
- Refer to our [Guiding principles for land contamination](#) for the type of information that we require in order to assess risks to controlled waters from the site - the local authority can advise on risk to other receptors, such as human health
- Consider using the [REDACTED] which involves the use of competent persons to ensure that land contamination risks are appropriately managed
- Refer to the [contaminated land](#) pages on gov.uk for more information
- Refer to our groundwater position statements in '[The Environment Agency's approach to groundwater protection](#)'

All investigations of land potentially affected by contamination should be carried out by or under the direction of a suitably qualified competent person and in accordance with BS 10175 (2001) Code of practice for the investigation of potentially contaminated sites.

As a more detailed assessment of the pipeline route is considered we would recommend that the LCRM framework in that the following should be considered:

- A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site.
- A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Seeking further detailed technical advice and guidance

Should you wish us to undertake a detailed review of your reports or want further advice, we can do this as part of our charged service.

We currently charge £100per hour. We will provide you with an estimated cost for any further discussions or review of documents.

The terms and conditions of our charged for service are available upon request and we recommend that you contact the area Sustainable Places team at the following email address SPPlanning.RFH@environment-agency.gov.uk

Yours faithfully

Mr Stephen Sayce
Sustainable Places Technical Specialist

Direct e-mail [REDACTED]

End.

Cerutti, Emma

From: Scott, Kirsty
Sent: 11 March 2022 13:56
To: Cerutti, Emma
Cc: Roberts, Iain
Subject: FW: Reference: PE170258. Plant Affected Notice from ES Pipelines
Attachments: AffectedPlantEnquiryGuidelinesGas.pdf;
AffectedPlantEnquiryGuidelinesElectricity.pdf; ESPE0035_1 AsLaid.pdf; ESN0181_1
aslaid.pdf; ESN0181_2 aslaid.pdf; ESN0181_3 aslaid.pdf; ESN0181_4 aslaid.pdf;
ESN0181_5 aslaid.pdf; ESN0181_6 aslaid.pdf; ESN0181_7 aslaid.pdf

For logging

From: ESP Utilities Group Ltd <donotreply@espug.com>
Sent: 10 March 2022 15:38
To: Scott, Kirsty [REDACTED]
Subject: Reference: PE170258. Plant Affected Notice from ES Pipelines

Kirsty Scott
WSP

10 March 2022

Our Ref: PE170258
Your Ref: Hynet North West

Dear Sir/Madam,

Further to your enquiry received on 18/02/2022, I can confirm that ESP Utilities Group Ltd may be affected by the proposed works. ESP Utilities Group Ltd has an intermediate pressure gas main and an electricity network serving the area in question (References ESN0181 and ESPE0035) at grid reference E344570, N374923 and security of supply is vitally important.

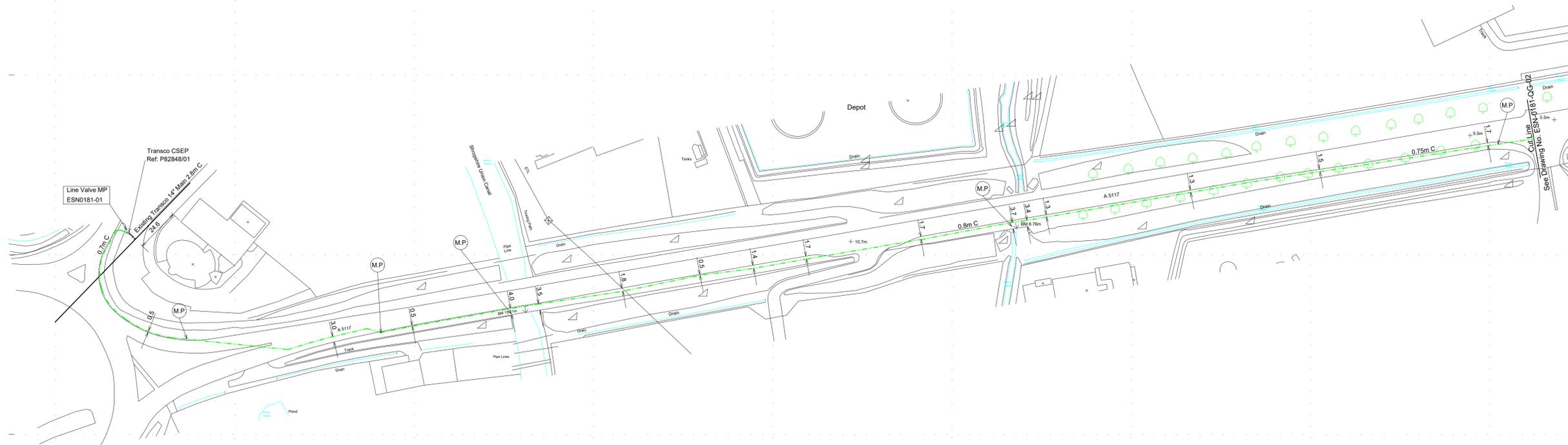
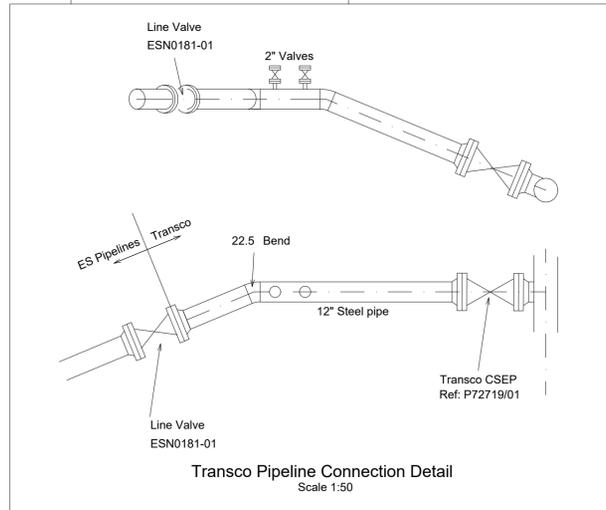
The intermediate gas network (ESN0181) has 7 drawings and will definitely be affected by the proposed works. The electricity network (ESPE0035) is right on the border of the works and is unlikely to be affected but it is attached just in case.

Project drawing as laid extracts for these sites are enclosed (not to scale) for your information which show the approximate location of the ESP Utilities Group Ltd network close to the area of interest off .

As your plans for the proposed work develop you are required to keep ESP Utilities Group Ltd regularly updated about the extent and nature of your proposed works in order for us to fully establish whether any additional precautionary or diversionary works are necessary to protect our network.

Arrangements can be set in place so that one of our representatives can meet on site (date to be agreed) and we will be happy to discuss the impact of your proposals on the network once we have received the details.

E 341677
N 374860



KEY FOR MAINS AND SERVICE PIPEWORK

- Existing LP mains or services operating up to 75 millibar gauge
- Proposed LP mains or services operating up to 75 millibar gauge
- Existing MP mains or services operating between 75 millibar and 2 bar gauge
- Proposed MP mains or services operating between 75 millibar and 2 bar gauge
- Existing IP mains or services operating between 2 bar and 7 bar gauge
- Proposed IP mains or services operating between 2 bar and 7 bar gauge
- Existing HP mains or services operating above 7 bar gauge and up to 24 bar gauge
- Proposed HP mains or services operating above 7 bar gauge and up to 24 bar gauge
- Existing HP mains or services operating above 24 bar gauge and up to 38 bar gauge
- Proposed HP mains or services operating above 24 bar gauge and up to 38 bar gauge
- Existing HP mains or services operating above 38 bar gauge and up to 70 bar gauge
- Proposed HP mains or services operating above 38 bar gauge and up to 70 bar gauge

MATERIAL	DESCRIPTION
CI	Cast Iron Main
DI	Ductile Iron Main
ST	Steel main or service
MDPE (17.6)	Medium Density Polyethylene (SDR Rating) main or service
HDPE (11)	High Density Polyethylene (SDR Rating) main or service

SIZE	DESCRIPTION
12"	Metallic main or service - Imperial (nominal bore)
150mm	Metallic main or service - Metric (nominal bore)
3"	Polyethylene main or service - Imperial (nominal bore)
90	Polyethylene main or service - Metric (outside diameter)
note - for Steel 18" denotes the pipe size where the designation changes from nominal bore to outside diameter	

PRESSURE	DESCRIPTION
LP	Low Pressure - up to 75 millibar gauge
MP	Medium Pressure - between 75 millibar and 2 bar gauge
IP	Intermediate Pressure - between 2 bar and 7 bar gauge
HP	High Pressure - above 7 bar gauge

DRAWING NOMENCLATURE

- 90 | 125 Change in diameter / nominal bore
- Mains not connected
- Valve
- Pressure Regulator
- Cap end
- Pressure / Purge Point
- 0.8m C Depth of cover on main or service
- 2 Node



ALL MAINS MDPE:
90mm and above: SDR 17.6
63mm: SDR 11

	Pipe Lengths					
	63mm	90mm	125mm	180mm	250mm	315mm
LP						
MP						
IP						
HP						

E 342526
N 374270



E.S. PIPELINES LIMITED
HAZELDEAN
STATION ROAD
LEATHERHEAD
SURREY KT22 7AA
Tel: 01372 227560 Fax: 01372 377996
E-mail: info@espipelines.com

DRAWING PREPARED BY
LRS
LAND RESEARCH SERVICES LIMITED
1 WOODHEYS DRIVE, SALE
CHESHIRE M33 4JB
Telephone/Fax: 0161 972 0318
Email: info@lrstd.com

REV	DETAILS OF REVISION	DATE
1	CSEP Reference amended	02.07.07

REPRODUCED FROM THE ORDINANCE SURVEY MAP WITH THE SANCTION OF THE CONTROLLER OF HER MAJESTY'S STATIONARY OFFICE. CROWN COPYRIGHT RESERVED.

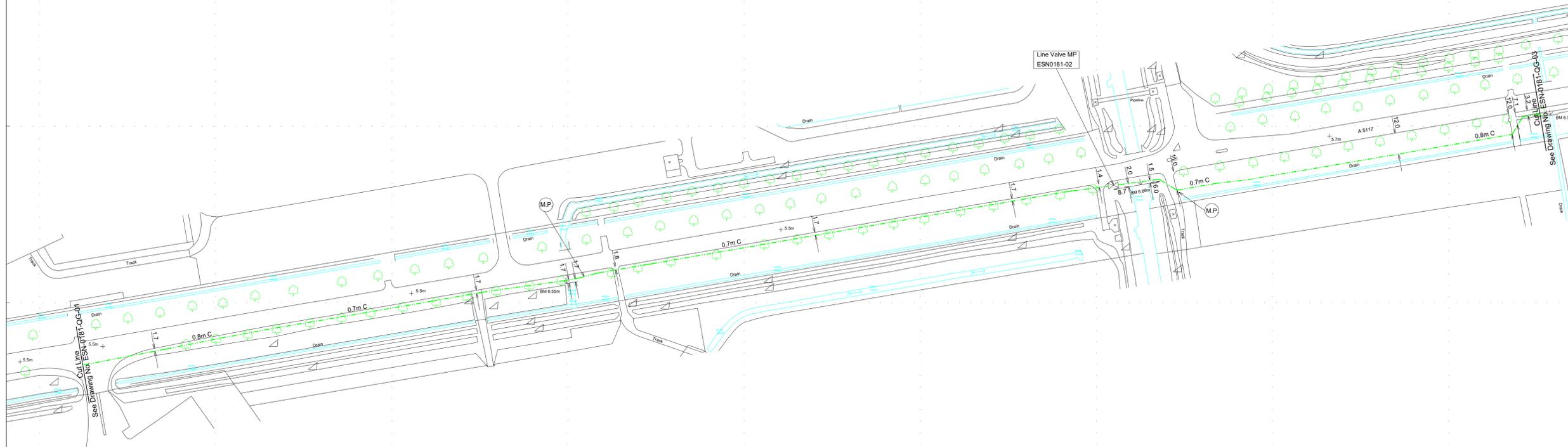
THIS DRAWING IS THE COPYRIGHT OF E.S. PIPELINES LIMITED AND MAY NOT BE REPRODUCED WITHOUT WRITTEN CONSENT

This Plan shows only the pipes owned by E S Pipelines Ltd in its role as a licensed Gas Transporter (GT). Gas pipes owned by other GTs, and also privately owned, may be present in the area. Information with regard to such pipes should be obtained from the owners. The information shown on this plan is given without obligation, or warranty. The accuracy thereof cannot be guaranteed. All service pipes are not necessarily shown but their presence should be anticipated. No liability of any kind whatsoever is accepted by E S Pipelines Ltd, its agents or servants, for any error or omission. Safe digging practices, as detailed in Health and Safety booklet HS(G)47 Avoiding danger from underground services, must be used to verify and establish the actual position of mains, services and other plant on site before any Mechanical plant is used. It is your responsibility to ensure that this information is provided to all persons (either direct or contract labour) working for you on or near gas apparatus. The information on this plan should not be referred to beyond 28 days following the date of issue.

DATE OF ISSUE:

DRAWN: D. Hyslop	SCALE: 1:1250 @ A1	OS REF: SJ 4274	DATE: July 2004
DRAWING TITLE 315mm HDPE Intermediate Gas Supply to Quinn Glass, Elton, Chester CH2			
DRAWING No	ESN - 0181 - QG - 01	REV	1

E 342501
N 374860



KEY FOR MAINS AND SERVICE PIPEWORK

- Existing LP mains or services operating up to 75 millibar gauge
- Proposed LP mains or services operating up to 75 millibar gauge
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- Proposed MP mains or services operating between 75 millibar and 2 bar gauge
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DRAWING NOMENCLATURE

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Change in diameter / nominal bore
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- Pressure Regulator
- Cap end
- Pressure / Purge Point
- 0.8m C
Depth of cover on main or service
- 2
Node



ALL MAINS MDPE:
90mm and above: SDR 17.6
63mm: SDR 11

	Pipe Lengths					
	63mm	90mm	125mm	180mm	250mm	315mm
LP						
MP						
IP						
HP						

E 343350
N 374270



E.S. PIPELINES LIMITED
OLD PUMP HOUSE
ELMER WORKS
HAWKS HILL, LEATHERHEAD
SURREY KT22 9DA
Tel: 01372 227560 Fax: 01372 377996
E-mail: info@espipelines.com

DRAWING PREPARED BY
LRS
LAND RESEARCH SERVICES LIMITED
1 WOODHEYS DRIVE, SALE
CHESHIRE M33 4JB
Telephone/Fax: 0161 972 0318
Email: info@lrstd.com

REV	DETAILS OF REVISION	DATE

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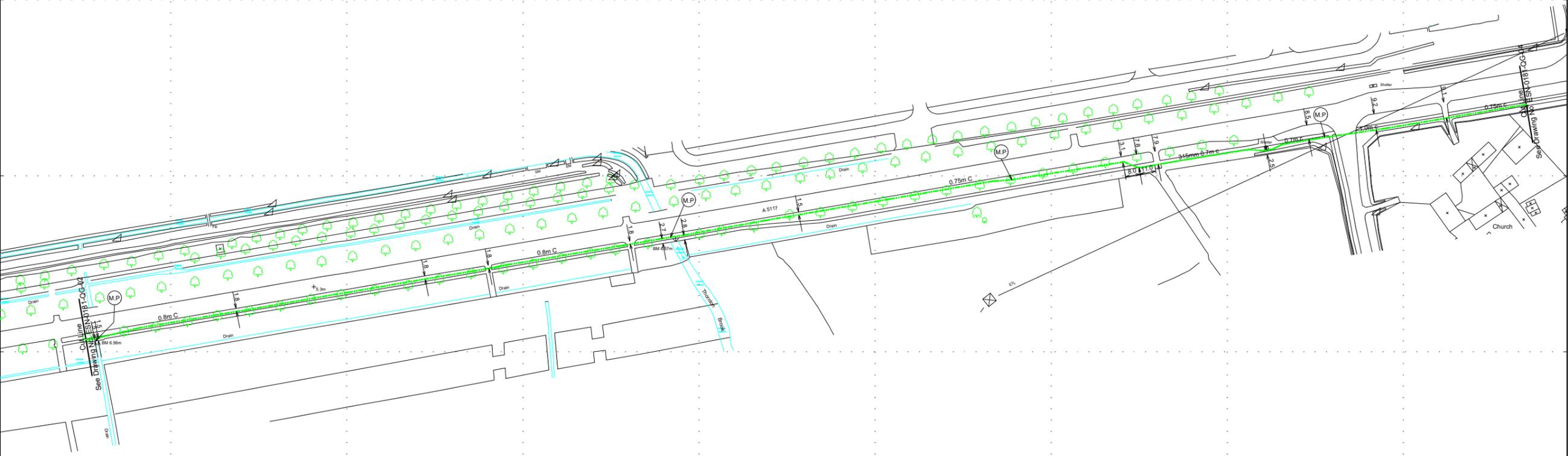
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DATE OF ISSUE:

DRAWN: D. Hyslop	SCALE: 1:1250 @ A1	OS REF: SJ 4274	DATE: July 2004
DRAWING TITLE 315mm HDPE Intermediate Gas Supply to Quinn Glass, Elton, Chester CH2			
DRAWING No	ESN - 0181 - QG - 02	REV	1

E 343323
N 374860



KEY FOR MAINS AND SERVICE PIPEWORK

	Existing LP mains or services operating up to 75 millibar gauge
	Proposed LP mains or services operating up to 75 millibar gauge
	Existing MP mains or services operating between 75 millibar and 2 bar gauge
	Proposed MP mains or services operating between 75 millibar and 2 bar gauge
	Existing IP mains or services operating between 2 bar and 7 bar gauge
	Proposed IP mains or services operating between 2 bar and 7 bar gauge
	Existing HP mains or services operating above 7 bar gauge and up to 24 bar gauge
	Proposed HP mains or services operating above 7 bar gauge and up to 24 bar gauge
	Existing HP mains or services operating above 24 bar gauge and up to 38 bar gauge
	Proposed HP mains or services operating above 24 bar gauge and up to 38 bar gauge
	Existing HP mains or services operating above 38 bar gauge and up to 70 bar gauge
	Proposed HP mains or services operating above 38 bar gauge and up to 70 bar gauge

MATERIAL	DESCRIPTION
CI	Cast Iron Main
DI	Ductile Iron Main
ST	Steel main or service
MDPE (17.6)	Medium Density Polyethylene (SDR Rating) main or service
HDPE (11)	High Density Polyethylene (SDR Rating) main or service

SIZE	DESCRIPTION
12"	Metallic main or service - Imperial (nominal bore)
150mm	Metallic main or service - Metric (nominal bore)
3"	Polyethylene main or service - Imperial (nominal bore)
90	Polyethylene main or service - Metric (outside diameter) note - for Steel 18" denotes the pipe size where the designation changes from nominal bore to outside diameter

PRESSURE	DESCRIPTION
LP	Low Pressure - up to 75 millibar gauge
MP	Medium Pressure - between 75 millibar and 2 bar gauge
IP	Intermediate Pressure - between 2 bar and 7 bar gauge
HP	High Pressure - above 7 bar gauge

DRAWING NOMENCLATURE

	Change in diameter / nominal bore
	Mains not connected
	Valve
	Pressure Regulator
	Cap end
	Pressure / Purge Point
	Depth of cover on main or service
	Node



ALL MAINS MDPE:
90mm and above: SDR 17.6
63mm: SDR 11

	Pipe Lengths					
	63mm	90mm	125mm	180mm	250mm	315mm
LP						
MP						
IP						
HP						

E 344172
N 374270



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DRAWING PREPARED BY
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CHESHIRE M33 4JB
Telephone/Fax: 0161 972 0318
Email: info@lrsitd.com

REV	DETAILS OF REVISION	DATE

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DATE OF ISSUE:

DRAWN: D. Hyslop SCALE: 1:1250 @ A1 OS REF: SJ 4374 DATE: July 2004

DRAWING TITLE
315mm HDPE Intermediate Gas Supply to
Quinn Glass,
Elton, Chester CH2

DRAWING No **ESN - 0181 - QG - 03** REV 1

E 344954
N 375171



KEY FOR MAINS AND SERVICE PIPEWORK

- Existing LP mains or services operating up to 75 millibar gauge
- - - Proposed LP mains or services operating up to 75 millibar gauge
- Existing MP mains or services operating between 75 millibar and 2 bar gauge
- - - Proposed MP mains or services operating between 75 millibar and 2 bar gauge
- Existing IP mains or services operating between 2 bar and 7 bar gauge
- - - Proposed IP mains or services operating between 2 bar and 7 bar gauge
- Existing HP mains or services operating above 7 bar gauge and up to 24 bar gauge
- - - Proposed HP mains or services operating above 7 bar gauge and up to 24 bar gauge
- Existing HP mains or services operating above 24 bar gauge and up to 38 bar gauge
- - - Proposed HP mains or services operating above 24 bar gauge and up to 38 bar gauge
- Existing HP mains or services operating above 38 bar gauge and up to 70 bar gauge
- - - Proposed HP mains or services operating above 38 bar gauge and up to 70 bar gauge

MATERIAL	DESCRIPTION
CI	Cast Iron Main
DI	Ductile Iron Main
ST	Steel main or service
MDPE (17.6)	Medium Density Polyethylene (SDR Rating) main or service
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note - for Steel 18" denotes the pipe size where the designation changes from nominal bore to outside diameter	

PRESSURE	DESCRIPTION
LP	Low Pressure - up to 75 millibar gauge
MP	Medium Pressure - between 75 millibar and 2 bar gauge
IP	Intermediate Pressure - between 2 bar and 7 bar gauge
HP	High Pressure - above 7 bar gauge

DRAWING NOMENCLATURE

- Change in diameter / nominal bore
- Mains not connected
- Valve
- Pressure Regulator
- Cap end
- Pressure / Purge Point
- Depth of cover on main or service
- Node



ALL MAINS MDPE:
90mm and above: SDR 17.6
63mm: SDR 11

	Pipe Lengths					
	63mm	90mm	125mm	180mm	250mm	315mm
LP						
MP						
IP						
HP						

E 345803
N 374582



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E-mail: info@espipelines.com

DRAWING PREPARED BY
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Telephone/Fax: 0161 972 0318
Email: info@lrstd.com

REV	DETAILS OF REVISION	DATE

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DATE OF ISSUE:

DRAWN: D. Hyslop SCALE: 1:1250 @ A1 OS REF: SJ 4574 DATE: July 2004

DRAWING TITLE
**315mm HDPE Intermediate Gas Supply to
Quinn Glass,
Elton, Chester CH2**

DRAWING No **ESN - 0181 - QG - 05** REV **1**

E 345765
N 374827

New Dairy Farm

BM 1628m

Cut Line
See Drawing No. ESN-0181-QG-05

A 5117

A 5117

16.2m

2100

Line Valve MP
ESN0181-04

INCE LANE

0.8m C

KEY FOR MAINS AND SERVICE PIPEWORK

- Existing LP mains or services operating up to 75 millibar gauge
- Proposed LP mains or services operating up to 75 millibar gauge
- Existing MP mains or services operating between 75 millibar and 2 bar gauge
- Proposed MP mains or services operating between 75 millibar and 2 bar gauge
- Existing IP mains or services operating between 2 bar and 7 bar gauge
- Proposed IP mains or services operating between 2 bar and 7 bar gauge
- Existing HP mains or services operating above 7 bar gauge and up to 24 bar gauge
- Proposed HP mains or services operating above 7 bar gauge and up to 24 bar gauge
- Existing HP mains or services operating above 24 bar gauge and up to 38 bar gauge
- Proposed HP mains or services operating above 24 bar gauge and up to 38 bar gauge
- Existing HP mains or services operating above 38 bar gauge and up to 70 bar gauge
- Proposed HP mains or services operating above 38 bar gauge and up to 70 bar gauge

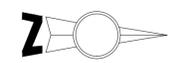
MATERIAL	DESCRIPTION
CI	Cast Iron Main
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note - for Steel 18" denotes the pipe size where the designation changes from nominal bore to outside diameter	

PRESSURE	DESCRIPTION
LP	Low Pressure - up to 75 millibar gauge
MP	Medium Pressure - between 75 millibar and 2 bar gauge
IP	Intermediate Pressure - between 2 bar and 7 bar gauge
HP	High Pressure - above 7 bar gauge

DRAWING NOMENCLATURE

- 90 | 125 Change in diameter / nominal bore
- Mains not connected
- Valve
- Pressure Regulator
- Cap end
- Pressure / Purge Point
- 0.8m C Depth of cover on main or service
- Node



ALL MAINS MDPE:
90mm and above: SDR 17.6
63mm: SDR 11

	Pipe Lengths					
	63mm	90mm	125mm	180mm	250mm	315mm
LP						
MP						
IP						
HP						

E 346355
N 375676

Cut Line
See Drawing No. ESN-0181-QG-07



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DRAWING PREPARED BY
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REV	DETAILS OF REVISION	DATE

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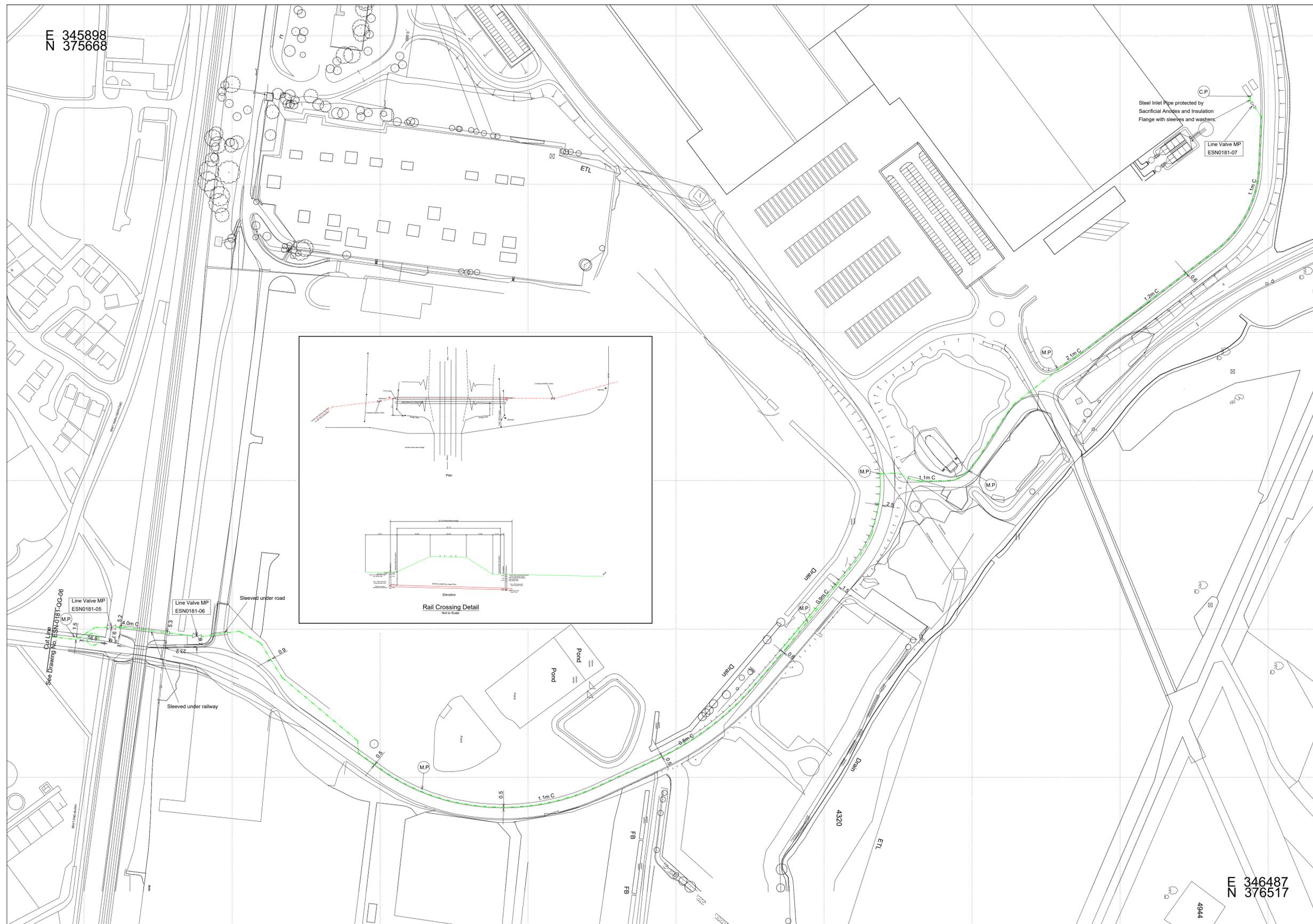
DATE OF ISSUE:

DRAWN: D. Hyslop SCALE: 1:1250 @ A1 OS REF: SJ 4675 DATE: July 2004

DRAWING TITLE
**315mm HDPE Intermediate Gas Supply to
Quinn Glass,
Elton, Chester CH2**

DRAWING No **ESN - 0181 - QG - 06** REV **1**

E 345898
N 375668



KEY FOR MAINS AND SERVICE PIPEWORK

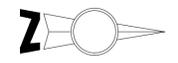
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HP	High Pressure - above 7 bar gauge

- DRAWING NOMENCLATURE**
- 90 | 125 Change in diameter / nominal bore
 - Mains not connected
 - Valve
 - Pressure Regulator
 - Cap end
 - Pressure / Purge Point
 - 0.8m C Depth of cover on main or service
 - Node



ALL MAINS MDPE:
 90mm and above: SDR 17.6
 63mm: SDR 11

	Pipe Lengths					
	63mm	90mm	125mm	180mm	250mm	315mm
LP						
MP						
IP						
HP						

E 346487
N 376517



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DRAWING PREPARED BY
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REV	DETAILS OF REVISION	DATE

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DATE OF ISSUE:

DRAWN: D. Hyslop SCALE: 1:1250 @ A1 OS REF: SJ 4676 DATE: July 2004

DRAWING TITLE
**315mm HDPE Intermediate Gas Supply to
 Quinn Glass,
 Elton, Chester CH2**

DRAWING No **ESN - 0181 - QG - 07** REV **1**

DO NOT SCALE

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 THE DEPTH AND POSITION OF ALL SERVICE / DISTRIBUTION EQUIPMENT INSTALLED BY P.N.DALY LIMITED, WAS ACCURATE AS SHOWN AT THE TIME OF INSTALLATION. HOWEVER, THIRD PARTIES MAY HAVE ALTERED THE LEVELS AND OTHER REFERENCE DATA. THEREFORE, P.N.DALY LIMITED ACCEPTS NO RESPONSIBILITY FOR THE POSITION OF P.N.DALY LIMITED INSTALLED EQUIPMENT, BEING DIFFERENT TO THAT SHOWN.

CABLE DATA

LOCATION	SIZE	LENGTH	LAID BY	DATE
POINT 'A' TO POINT 'B'	3c-18SWF	134m	P. HOBSON	21/02/11
POINT 'G' TO POINT 'C'	3c-89WF	39m	P. HOBSON	21/02/11
POINT 'B' TO POINT 'E'	3c-18SWF	89m	P. HOBSON	25/02/11
POINT 'F' TO POINT 'G'	3c-18SWF	28m	P. HOBSON	04/03/11
POINT 'H' TO POINT 'I'	3c-89WF	35m	P. HOBSON	04/03/11
POINT 'J' TO POINT 'K'	3c-18SWF	56m	P. HOBSON	04/03/11

SCHEDULE OF SERVICE JOINTS

PLOT No.	BR. JOINT TYPE	JOINT BY	CUR. OUT BY	DATE
3	Ø 35 SAC FC / 3c-18SWF	C. SHERLEY	C. SHERLEY	17/08/11
4	Ø 35 SAC FC / 3c-18SWF	C. SHERLEY	C. SHERLEY	17/08/11
43	Ø 35 SAC FC / 3c-18SWF	C. SHERLEY	C. SHERLEY	17/08/11
44	Ø 35 SAC FC / 3c-18SWF	C. SHERLEY	C. SHERLEY	17/08/11
45	Ø 35 SAC FC / 3c-18SWF	C. SHERLEY	C. SHERLEY	17/08/11
46	Ø 35 SAC FC / 3c-18SWF	C. SHERLEY	C. SHERLEY	17/08/11
5	Ø 35 SAC FC / 3c-18SWF	C. SHERLEY	C. SHERLEY	13/07/11
6	Ø 35 SAC FC / 3c-89WF	C. SHERLEY	C. SHERLEY	13/07/11
7	Ø 35 SAC FC / 3c-89WF	C. SHERLEY	C. SHERLEY	13/07/11
8	Ø 35 SAC FC / 3c-18SWF	C. SHERLEY	C. SHERLEY	13/07/11
9	Ø 35 SAC FC / 3c-18SWF	C. SHERLEY	C. SHERLEY	13/07/11
10	Ø 35 SAC FC / 3c-18SWF	C. SHERLEY	C. SHERLEY	13/07/11
11	Ø 35 SAC FC / 3c-18SWF	A.J. RALPHS	A.J. RALPHS	07/08/11
12	Ø 35 SAC FC / 3c-18SWF	A.J. RALPHS	A.J. RALPHS	07/08/11
16	Ø 35 SAC FC / 3c-18SWF	A.J. RALPHS	A.J. RALPHS	25/11/11
17	Ø 35 SAC FC / 3c-18SWF	A.J. RALPHS	A.J. RALPHS	25/11/11
18	Ø 35 SAC FC / 3c-18SWF	A.J. RALPHS	A.J. RALPHS	25/11/11
19	Ø 35 SAC FC / 3c-18SWF	A.J. RALPHS	A.J. RALPHS	25/11/11
20	Ø 35 SAC FC / 3c-18SWF	C. SHERLEY	C. SHERLEY	06/03/12
21	Ø 35 SAC FC / 3c-18SWF	C. SHERLEY	C. SHERLEY	06/03/12
22	Ø 35 SAC FC / 3c-18SWF	C. SHERLEY	C. SHERLEY	06/03/12
23	Ø 35 SAC FC / 3c-18SWF	C. SHERLEY	C. SHERLEY	06/03/12
24	Ø 35 SAC FC / 3c-18SWF	C. SHERLEY	C. SHERLEY	06/03/12
25	Ø 35 SAC FC / 3c-18SWF	C. SHERLEY	C. SHERLEY	06/03/12
26	Ø 35 SAC FC / 3c-18SWF	M. CLARSON	M. CLARSON	01/05/12
27	Ø 35 SAC FC / 3c-18SWF	M. CLARSON	M. CLARSON	01/05/12
28	Ø 35 SAC FC / 3c-18SWF	M. CLARSON	M. CLARSON	01/05/12
29	Ø 35 SAC FC / 3c-18SWF	M. CLARSON	M. CLARSON	01/05/12
30	Ø 35 SAC FC / 3c-18SWF	M. CLARSON	M. CLARSON	01/05/12
31	Ø 35 SAC FC / 3c-18SWF	M. CLARSON	M. CLARSON	01/05/12
32	Ø 35 SAC FC / 3c-18SWF	M. CLARSON	M. CLARSON	21/06/12
33	Ø 35 SAC FC / 3c-89WF	M. CLARSON	M. CLARSON	21/06/12
34	Ø 35 SAC FC / 3c-18SWF	M. CLARSON	M. CLARSON	21/06/12
35	Ø 35 SAC FC / 3c-18SWF	M. CLARSON	M. CLARSON	21/06/12
36	Ø 35 SAC FC / 3c-18SWF	M. CLARSON	M. CLARSON	21/06/12
37	Ø 35 SAC FC / 3c-18SWF	M. CLARSON	M. CLARSON	21/06/12



REVISIONS

REV.	NOTES	DATE	LINES
1	SITE LAYOUT UPDATED	02/07/11	N.W.
2	SERVICES TO PLOTS 5 TO 11	19/07/11	N.W.
3	BOTTLE ENDS, BR. JNT, ST. JNT AND SERVICE TO PLOT 42 ADDED	06/08/11	N.W.
4	SERVICES TO PLOTS 12 TO 15	21/08/11	N.W.
5	SERVICES TO PLOTS 16 TO 19	16/12/11	N.W.
6	SERVICES TO PLOTS 20 TO 25	12/03/12	N.W.
7	SERVICES TO PLOTS 26 TO 31	09/05/12	N.W.
8	SERVICES TO PLOTS 1, 2 & 32 TO 37 ADDED	26/06/12	N.W.

P.N.DALY LTD
 HILTONWOOD HILL WORKS
 CHALKERS LANE
 REICHALE
 TEL: 01706 667291
 FAX: 01706 667296
P.N.DALY

"AS LAD" DRAWING ELECTRIC
 LOCATION: HOLWELL ROAD
 EMLOE
 DEESIDE
 CLWYD

Drawn By: N.W.HATTOUGH
 Scale: 1:500 @ A1
 Date: 22/06/11
 Drawing No: PND/2284/11/AL E1 REV 8
 Project No: PND/2284
 Grid Ref: SJ34426/54814

PHASE COLOURS
 L1 BR
 L2 BL
 L3 GR



Historic England

Hynet North West
Liverpool Bay CCS Ltd
Eni House
10 Ebury Bridge Road
London SW1W 8PZ

Direct Dial: 0161 242 1412

Our ref: PL00765867
22 March 2022

Dear Sir/Madam

HYNET NORTH WEST CARBON DIOXIDE PIPELINE

STATUTORY CONSULTATION UNDER SECTION 42 OF THE PLANNING ACT 2008

PRE-APPLICATION PUBLICITY IN ACCORDANCE WITH SECTION 48 OF THE PLANNING ACT 2008 AND REGULATION 13 OF THE INFRASTRUCTURE PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017

Thank you for your letter of 7 February 2022, seeking the views of Historic England on the proposed DCO application for the Hynet North West Carbon Dioxide Pipeline.

Historic England is the Government's lead advisory body for the historic environment and has a statutory role in the planning system. Central to our role is the advice we give to local planning authorities and government departments on development proposals affecting listed buildings, scheduled monuments, registered parks and gardens and conservation areas. Our major concern, therefore, is with the impact of the proposed development upon the historic environment.

The Proposed Development

The proposed development consists of a number of elements. Those situated in England (and therefore within the remit of Historic England) include the Ince AGI to Stanlow AGI pipeline, and the eastern portion of the Stanlow AGI to Flint AGI pipeline. The pipeline will be installed in an open-cut trench typically 1.2m deep excavated within a fenced working area 32m wide. In addition to the pipeline itself there will be Above Ground Installations at four locations, of which Ince and Stanlow are in England, together with Block Valve Stations along the Stanlow AGI to Flint AGI pipeline, two of these being in England, at Rook Bank and Mollington. The AGIs and BVSs will be sited within secure compounds, with fencing up to 3m high. Excavation of the pipelines has the potential to impact directly upon heritage assets, particularly upon buried archaeological remains, and also to impact upon the settings of heritage assets during construction. Construction of the AGIs and BVSs has the potential to impact directly on buried archaeological remains and on the settings of heritage assets during construction, and also on the settings of heritage assets once the proposed



SUITES 3.3 AND 3.4 CANADA HOUSE 3 CHEPSTOW STREET MANCHESTER M1 5FW

Telephone 0161 242 1416





development is in operation.

The Preliminary Environmental Information Report (PEIR)

The assessment of impacts on the historic environment is dealt with in Chapter 8 ('Cultural Heritage') of the PEIR.

The methodology set out in section 8.4 of the PEIR includes a number of elements scoped into the assessment following the Scoping Opinion issued by the Planning Inspectorate. These include the creation of a geoarchaeological deposit model, assessment of the historic landscape characters and historic hedgerows within the Newbuild Infrastructure Boundary, adoption of a 1km setting assessment for designated heritage assets and conservation areas, assessments of the impacts on potential palaeoenvironmental deposits, and assessment of the potential impacts of the BVSs.

The assessment methodology detailed in paragraphs 8.4.2 to 8.4.5 is in line with current best practice and guidance. It includes comprehensive desk-based research (8.4.2), walkover survey, and geophysical survey within suitable areas of the Newbuild Infrastructure Boundary (8.4.3), potentially resulting in further fieldwork to characterise sites identified. A geoarchaeological deposit model is also to be produced to inform the assessment regarding the type and potential for palaeoenvironmental deposits within the boundary.

As regards geophysical survey, the Non-Technical Summary states at 6.3.2 that geophysical survey is already underway on the scheme. In the table at page 9 of Chapter 8 it is stated that 'a review of the superficial and solid geology will be completed during the assessment of land suitable for geophysical survey across the entire Newbuild Infrastructure Boundary', but that geoarchaeological assessment is 'unlikely to be completed before it is necessary to commence with the geophysical survey'. We must emphasize the value of carrying out geoarchaeological surveys prior to full-scale geophysics so that the geophysical survey can be selective and targeted, avoiding those areas that will not produce any results. If this is not feasible it is important that the geoarchaeological data and deposit model is collated with the geophysical survey results before any intrusive work begins to make the most of both datasets.

Section 8.5 sets out the baseline conditions. The existing baseline appears to have captured all relevant designated heritage assets and known non-designated heritage assets within the appropriate study areas. As the result of carrying out additional intrusive fieldwork along the route of the proposed development, further below-ground remains may yet be identified and characterised; paragraph 8.5.11 notes the high potential for palaeoenvironmental remains, in particular, to survive within the Newbuild Infrastructure Boundary. It is also possible that intrusive fieldwork may result in a



better understanding of the significance of specific below-ground remains.

The preliminary assessment of likely impacts and effects at Section 8.7 suggests that construction impacts to buried heritage assets and historic landscapes would be permanent and irreversible, potentially resulting in significant effects, depending on the value of the heritage asset impacted. In contrast, any impacts to the setting of designated built heritage assets and conservation areas as a result of the construction phase activities would be temporary and indirect in nature. Table 8.6 suggests that the great majority of impacts will not be significant, even before the agreement of appropriate mitigation. Given the limited amount of fieldwork carried out to date, it is not possible to confirm the accuracy of all of these assessments. Further fieldwork is required in order that the significance of impacts on specific sites may be accurately assessed, and that detailed proposals for mitigation may be agreed.

The preliminary mitigation and enhancement measures set out in section 8.8 should, however, provide a reasonable basis for mitigating the impact of the proposed development on heritage assets, and particularly on buried archaeological and palaeoenvironmental remains. Paragraph 8.8.7 deals with drainage and de-watering; we recommend that if vulnerable deposits are discovered in areas to be de-watered (peats, organic-rich alluvium), then alongside a preservation and palaeoenvironmental assessment, a water environment assessment should also be carried out to investigate water availability, the water table, the hydrology and hydrogeology of the site and how de-watering would impact any identified archaeological deposits. This would be particularly relevant for the peat deposits around the River Gowy, and potentially also for the moated site, fishpond and connecting channel at Elton (National Heritage List for England Entry number 1012122), the one scheduled monument which might potentially be directly impacted by construction works. If de-watering was found to impact on buried archaeological remains, a mitigation strategy to preserve the remains should be devised to reduce that impact.

Paragraph 8.8.8 deals specifically with the potential impact of the proposed development upon the scheduled moated site, which lies within the Newbuild Infrastructure Boundary in Section 1 of the pipeline from Ince via Stanlow to Cryers Lane. We support the suggestion that in order to prevent any potential impacts to the scheduled monument it would be advisable to avoid the boundaries of the scheduled monument altogether, during any activities in the construction phase, through design changes. Given the width of the Newbuild Infrastructure Boundary at this point, we consider that it should be possible to adopt a design solution to avoid direct physical impact upon the scheduled monument. We believe the statement in this paragraph that 'any activity proposed that would physically impact the remains of the scheduled monument within the Newbuild Infrastructure Boundary would require Scheduled Monument Consent to be obtained prior to any work being undertaken' is inaccurate, however. To the best of our knowledge the grant of a DCO for the proposed development would remove the requirement for Scheduled Monument Consent to be



obtained in advance of works to the scheduled monument.

Specific comments on the proposed route of the Proposed Development

Section 1 of the pipeline (from Ince via Stanlow to Cryers Lane) has the potential, as noted above, to impact on the scheduled moated site at Elton (NHLE entry number 1012122). We strongly recommend that the mitigation strategy adopted in relation to the scheduled monument should be to avoid direct impacts upon it altogether. However, even if direct impacts were to be avoided, measures to mitigate indirect impacts (for example, upon water levels and quality) might still be required. We have no comments to make at this stage on the proposed siting of the Ince and Stanlow AGIs.

We currently have no specific comments to make on Section 2 of the pipeline (from Cryers Lane to the A41). We have no preference regarding the choice between the Shropshire Union Canal North and Shropshire Union Canal South sub-options, and no views on the Rook Bank BVS.

As regards Section 3 of the pipeline (from the A41 to the A48), we have a preference for the Chester & Birkenhead Railway Line North sub-option over the Chester and Birkenhead Railway Line South, as this option would have less impact upon the settings of heritage assets. We have no views on the Mollington BVS.

Thank you for the opportunity to comment on the proposals at this stage. We would welcome the opportunity for further discussion with you and with the local authority's heritage advisors on the impact of the proposed development on the historic environment, and particularly on appropriate measures for the mitigation of the potential impact on the scheduled moated site at Elton.

Yours faithfully,

Andrew Davison
Inspector of Ancient Monuments



CEMHD- Land Use Planning
NSIP Consultations
Building 1.2, Redgrave Court
Merton Road, Bootle
Merseyside, L20 7HS

Your ref: EN070007
Our ref: 4.2.1.6854.

HSE email: NSIP.applications@hse.gov.uk

Date: 16 June 2021

FAO Ben Jenkinson
EIA Advisor
The Planning Inspectorate
Temple Quay House
2 The Square
Temple Quay
Bristol
BS1 6PN
(By Email)

Dear Ben

Application by Liverpool Bay CCS Limited (the Applicant) for an Order granting Development Consent for the HyNet North West Carbon Dioxide Pipeline (the Proposed Development)

Thank you for your letter of 3 June 2021 regarding the information to be provided in an environmental statement relating to the above project. HSE does not comment on EIA Scoping Reports but the following information is likely to be useful to the applicant.

HSE's land use planning advice

Will the proposed development fall within any of HSE's consultation distances?

1. With reference to the document and associated appendices **Environmental Impact Assessment Scoping Report (Document Reference Number 0.6.1)** it is clear, owing to both the nature and scale of the proposed development, that the proposed development either originates, passes through and/or cut across a series of HSE public safety consultation zones associated with a number of Major Accident Hazard Installation(s) and Major Accident Hazard Pipeline(s).
2. It would appear that the location of Control Room(s), Construction Compound(s) and the like are yet to be determined, consequently HSE is currently not in a position to provide an indication of its' statutory Land Use Planning advice. However as a general point HSE will not advise against a proposed development, providing the proposed development does not introduce populations, either permanent or temporary, into any of HSE's public safety consultation zones which are assigned to individual Major Accident Hazard Installation(s) and/or Major Accident Hazard Pipeline(s).
3. Please note if at any time a new Major Accident Hazard Pipeline is introduced or existing Pipeline(s) are modified prior to the determination of a future application, then the HSE reserves the right to revise its advice. Likewise if prior to the determination of a future application, a Hazardous Substances Consent is granted for a new Major Hazard Installation or a Hazardous Substances Consent is varied for an existing Major Hazard Installation in the vicinity of the proposed project, then again the HSE reserves the right to revise its advice.

- a. Noting that this could be brought about by changes made to Regulations, whereby the proposed development (Carbon Dioxide Pipeline & AGIs) may itself at some future time be brought into the scope of Major Hazards regulations.
4. The Applicant notes that CO2 is not currently defined as a dangerous substance under the Control of Major Accident Hazards Regulations 1999 (COMAH) or as a dangerous fluid under the Pipelines Safety Regulations 1996 (Ref: Environmental Impact Assessment Scoping Report, Document Reference Number 0.6.1, Page 176 of 281)

Would Hazardous Substances Consent be needed?

5. The presence of hazardous substances on, over or under land at or above set threshold quantities (Controlled Quantities) may require Hazardous Substances Consent (HSC) under the Planning (Hazardous Substances) Act 1990 as amended. The substances, alone or when aggregated with others, for which HSC is required, and the associated Controlled Quantities, are set out in both The Planning (Hazardous Substances) Regulations 2015 & The Planning (Hazardous Substances) (Wales) Regulations 2015
6. Hazardous Substances Consent would be required if the proposed development site is intending to store or use any of the Named Hazardous Substances or Categories of Substances and Preparations at or above the controlled quantities set out in schedule 1 of these Regulations.
7. Further information on HSC should be sought from the relevant Hazardous Substances Authority.

Explosives sites

HSE has no comment to make in this regard, as there are no licensed explosive sites showing in the area of the proposed development.

Electrical Safety

No comment, from a planning perspective.

During lockdown, please send any further communication on this project directly to the HSE's designated e-mail account for NSIP applications at nsip.applications@hse.gov.uk.

Yours sincerely

Monica Langton
CEMHD4

To ENI

LCRCA

1 Mann Island

Liverpool

L3 1BP

Email copy to - info@hynet.co.uk

HyNet North West Carbon Pipeline

Thank you for the opportunity for Liverpool City Region Combined Authority (LCRCA) to comment on the current public consultation related to a Carbon Pipeline network as outlined on your website - <https://www.hynethub.co.uk/index.php> and in your Section 42 consultation letter received on 7 Feb 2022.

Net Zero North West

LCRCA are supportive of the overall Net Zero North West programme of decarbonisation that will position the North West to lead on the energy transition and create inward investment of over £200 Bn. We are supportive of the Government Industrial decarbonisation programme that is essential to allow industry to make the transition to a lower emitter whilst maintaining the economic and employment opportunity for our region. We recognise the great opportunity that HyNet offers as part of the North West Transition and the change to develop and build new greener facilities, lead on innovation and create new synergies across the UK energy system.

LCRCA Net Zero Ambitions

LCRCA have recently published their pathway to Net Zero document outlining the challenge of attaining Net Zero for the Liverpool City Region by 2040 or sooner. This ambition includes the eradication of (unabated) Fossil Fuels to accelerate emission reduction. Our document can be found at [LCR-PathwaytoNetZero-Report-2022--FINAL-compressed.pdf \(liverpoolcityregion-ca.gov.uk\)](#)

HyNet

LCRCA support the ambition of the HyNet industrial Cluster and welcome the chance to comment on specific proposals set out in your consultation, and how they align with the overall vision for HyNet and the impact to LCRCA. We have responded in general to the consultation given that the identified plans made available only cover part of the overall carbon system envisaged and only part of the overall HyNet project.

We do note that the carbon 'collector' pipeline connections into Liverpool City Region are not identified in this initial Section 42 consultation and will only be identified in the future and therefore create a challenge and impact to our Pathway to Net Zero plan if not planned and accelerated. The connection to Halton, and the Runcorn area for carbon collection is a prime example of a current omission.

Our response has considered aspects of the proposal concerned with the creation of a network for decarbonisation rather than specific subject matter areas that are normally covered by others. We understand that ENI are engaging with Local Authorities and wider statutory consultees who will comment on specific areas relating to Highways, Railways, Rivers and Canals and community impact including safety of a carbon pipeline.

1. Views on proposed pipeline route corridor.

The current proposals seem to suggest a Carbon Pipeline route will be created from Stanlow, across Cheshire West and towards the North Wales coast. This route is for others to comment on.

We note that there is no Carbon Pipeline shown to run in the direction of the Wirral or to Halton and St Helens, which is contrary to previous understanding of how a carbon Network would be deployed to industry in the Liverpool City Region. Please clarify if the additional route will be added at this stage to include major industrial sites in the Liverpool City Region.

We are also aware of a separate Consultation under DCO for the Hydrogen pipelines that currently only run north from Stanlow and into Cheshire West, Liverpool City Region and Warrington.

Please clarify why a carbon pipeline is not proposed in the same corridor as the Hydrogen pipeline into all areas to make benefit from a single route plan and construction easement and to fit to a dig once approach.

We would also like to see the same route proposal for a carbon pipeline that allows energy generation and industry in this area of Runcorn connect to the carbon storage proposals for HyNet. The Energy from Waste facilities in this area are some of the largest in the country and are progressing early development activity to be able to connect to the carbon pipeline

2. Views on Carbon System for transportation and storage

This consultation does not show the full extent of the carbon transportation and storage system intended for HyNet to achieve regional industrial decarbonisation in line with 2040 targets

We would welcome further understanding of the full system that is required to make carbon capture a reality including the identification of assets offshore and how engagement is being sought on opinion related to identification, integrity and re-use of offshore pipeline and storage assets.

Please confirm how the offshore elements of the carbon system and storage are being consented and the approach to identification and mitigation of risks to the marine environment in the Mersey Estuary and Liverpool Bay. We are particularly interested to learn of the investigation into recent oil release from ENI assets and to what extent this

or similar assets are being used for this project. How is the integrity of any assets being re-used to be assessed.

We also note that HMG, under DCO application, did not determine the application for the Yorkshire-Humber carbon pipeline because it was submitted separately yet was dependant of other facilities being permitted and constructed. What guidance has been received with respect to your approach of the DCO for the carbon pipeline being progressed separately to other elements of Vertex and Cadent plans on Hynet?

3. Is there anything else within this consultation which you would like to comment on?

LCRCA continue to support the proposal for HyNet to decarbonise industry and provide low carbon hydrogen and carbon capture as soon as possible to the Liverpool City Region. We would like to engage further to ensure that plans are being advanced in a comprehensive manner to achieve our pathway ambitions.

We want to see a full system of carbon capture available to the wider cluster in the North West and Liverpool City Region in particular. We would encourage consideration of wider use of the pipeline corridor to route the necessary carbon capture pipelines proposed as part of HyNet.

END



Ministry of Defence

ENI Liverpool Bay CCS Ltd
Eni House
10 Ebury Bridge Road
London
SW1W 8PZ
England

Our reference: 10054770

Dear Mr Martin Currie

MOD Safeguarding

Proposal: Proposal to install a new carbon dioxide (CO₂) pipeline between Ince, near Stanlow, and Flint.

Location: It will link into an existing gas pipeline running from Flint to Point of Ayr, which will be repurposed. The pipeline will remove CO₂ emissions from industry and store them permanently in depleted gas reservoirs beneath Liverpool Bay

Grid Ref: None available

Thank you for consulting the Ministry of Defence (MOD) on the above proposed development which was received by this office on 07/02/2022.

The Defence Infrastructure Organisation (DIO) Safeguarding Team represents the Ministry of Defence (MOD) as a consultee in UK planning and energy consenting systems to ensure that development does not compromise or degrade the operation of defence sites such as aerodromes, explosives storage sites, air weapon ranges, and technical sites or training resources such as the Military Low Flying System.

The applicant is proposing to install a new carbon dioxide (CO₂) pipeline between Ince, near Stanlow, and Flint.

After reviewing the documents provided, I can confirm the MOD has no safeguarding concerns to this proposal at this stage, but we must be further consulted at future planning stages and provided with exact location co-ordinates and elevations of structures to conduct an appropriate assessment.

The MOD must emphasise that the advice provided within this letter is in response to the information detailed above in the document titled "HyNet North West Carbon Dioxide Pipeline Consultation" dated Feb-Mar 2022. Any variation of the parameters (which include the location, dimensions, form, and finishing materials) detailed may significantly alter how the development relates to MOD

Defence Infrastructure Organisation

Ministry of Defence
Safeguarding Department
St George's House
DIO Headquarters
DMS Whittington
Lichfield
Staffordshire
WS14 9PY

Tel: 07970 171283

E-mail: DIO-safeguarding-statutory@mod.gov.uk

██████████
04 April 2022

safeguarding requirements and cause adverse impacts to safeguarded defence assets or capabilities.

In the event that any amendment, whether considered material or not by the determining authority, is submitted for approval, the MOD should be consulted and provided with adequate time to carry out assessments and provide a formal response.

I trust this is clear however should you have any questions please do not hesitate to contact me.

Yours sincerely

Mr Michael Billings
Assistant Safeguarding Manager

Land Rights and Acquisitions

Anne Holdsworth
DCO Liaison Officer
UK Land and Property



www.nationalgrid.com

SUBMITTED ELECTRONICALLY:
info@hynet.co.uk

11 March 2022

Dear Sir/Madam

APPLICATION BY LIVERPOOL BAY CCS LIMITED (THE APPLICANT) FOR AN ORDER GRANTING DEVELOPMENT CONSENT FOR THE HYNET NORTH WEST CARBON DIOXIDE PIPELINE (THE PROPOSED DEVELOPMENT)

STATUTORY CONSULTATION UNDER SECTION 42 OF THE PLANNING ACT 2008

I refer to your letter received 8th February 2022 in relation to the above proposed application. This is a response on behalf of National Grid Electricity Transmission PLC (NGET) and National Grid Gas PLC (NGG).

In respect of existing National Grid infrastructure, this will require appropriate protection for retained apparatus in the form of agreed Protective Provisions in National Grid's template format including compliance with relevant standards for works proposed within close proximity of its apparatus.

Where the Promoter intends to acquire land, extinguish rights, or interfere with any of NGET's & NGG's apparatus, both will require appropriate protection in the form of Protective Provisions and a Side Agreement and further discussion on the impact to its apparatus and rights.

Having reviewed the documents, I would like to make the following comments:

National Grid infrastructure within / in close proximity to the order boundary

Electricity Transmission Infrastructure

National Grid Electricity Transmission has high voltage electricity overhead transmission lines and underground cables within the scoping area. The overhead lines and cables form an essential part of the electricity transmission network in England and Wales.

Overhead Lines

- 4ZB 400kV Bodelwyddan – Deeside – Pentir
- ZO 400kV Daines - Deeside
- ZK 400kV Deeside – Legacy – Trawsfynydd
- 4ZE 400kV Capenhurst - Frodsham
- YYS 132kV Capenhurst - Ince

Other Apparatus

Pilot cables alongside the A5117 highway near Elton.

Gas Transmission Infrastructure:

National Grid Gas has a high pressure gas transmission pipeline located within or in close proximity to the proposed order limits. The transmission pipeline forms an essential part of the gas transmission network in England, Wales and Scotland:

Gas Pipeline:

- Feeder 21 Mickle Trafford to Tee To Shotwick

The following points should be taken into consideration.

Electricity Infrastructure:

National Grid's Overhead Line/s is protected by a Deed of Easement/Wayleave Agreement which provides full right of access to retain, maintain, repair and inspect our asset

Statutory electrical safety clearances must be maintained at all times. Any proposed buildings must not be closer than 5.3m to the lowest conductor. National Grid recommends that no permanent structures are built directly beneath overhead lines. These distances are set out in EN 43 – 8 Technical Specification for “overhead line clearances Issue 3 (2004)

If any changes in ground levels are proposed either beneath or in close proximity to our existing overhead lines then this would serve to reduce the safety clearances for such overhead lines. Safe clearances for existing overhead lines must be maintained in all circumstances.

The relevant guidance in relation to working safely near to existing overhead lines is contained within the Health and Safety Executive's (www.hse.gov.uk) Guidance Note GS 6 “Avoidance of Danger from Overhead Electric Lines” and all relevant site staff should make sure that they are both aware of and understand this guidance.

Plant, machinery, equipment, buildings or scaffolding should not encroach within 5.3 metres of any of our high voltage conductors when those conductors are under their worse conditions of maximum “sag” and “swing” and overhead line profile (maximum “sag” and “swing”) drawings should be obtained using the contact details above.

If a landscaping scheme is proposed as part of the proposal, we request that only slow and low growing species of trees and shrubs are planted beneath and adjacent to the existing overhead line to reduce the risk of growth to a height which compromises statutory safety clearances.

Drilling or excavation works should not be undertaken if they have the potential to disturb or adversely affect the foundations or “pillars of support” of any existing tower. These foundations always extend beyond the base area of the existing tower and foundation (“pillar of support”) drawings can be obtained using the contact details above.

National Grid Electricity Transmission high voltage underground cables are protected by a Deed of Grant; Easement; Wayleave Agreement or the provisions of the New Roads and Street Works Act. These provisions provide National Grid full right of access to retain, maintain, repair and inspect our assets. Hence we require that no permanent / temporary structures are to be built over our cables or within the easement strip. Any such proposals should be discussed and agreed with National Grid prior to any works taking place.

Ground levels above our cables must not be altered in any way. Any alterations to the depth of our cables will subsequently alter the rating of the circuit and can compromise the reliability, efficiency and safety of our electricity network and requires consultation with National Grid prior to any such changes in both level and construction being implemented.

Gas Infrastructure

The following points should be taken into consideration:

National Grid has a Deed of Grant of Easement for each pipeline, which prevents the erection of permanent / temporary buildings, or structures, change to existing ground levels, storage of materials etc.

Pipeline Crossings:

- Where existing roads cannot be used, construction traffic should ONLY cross the pipeline at previously agreed locations.
- The pipeline shall be protected, at the crossing points, by temporary rafts constructed at ground level. The third party shall review ground conditions, vehicle types and crossing frequencies to determine the type and construction of the raft required.
- The type of raft shall be agreed with National Grid prior to installation.
- No protective measures including the installation of concrete slab protection shall be installed over or near to the National Grid pipeline without the prior permission of National Grid.
- National Grid will need to agree the material, the dimensions and method of installation of the proposed protective measure.
- The method of installation shall be confirmed through the submission of a formal written method statement from the contractor to National Grid.

- Please be aware that written permission is required before any works commence within the National Grid easement strip.
- A National Grid representative shall monitor any works within close proximity to the pipeline to comply with National Grid specification T/SP/SSW22.
- A Deed of Consent is required for any crossing of the easement.

Cable Crossings:

- Cables may cross the pipeline at perpendicular angle to the pipeline i.e. 90 degrees.
- A National Grid representative shall supervise any cable crossing of a pipeline.
- Clearance must be at least 600mm above or below the pipeline.
- Impact protection slab should be laid between the cable and pipeline if cable crossing is above the pipeline.
- A Deed of Consent is required for any cable crossing the easement.
- Where a new service is to cross over the pipeline a clearance distance of 0.6 metres between the crown of the pipeline and underside of the service should be maintained. If this cannot be achieved the service shall cross below the pipeline with a clearance distance of 0.6 metres.

General Notes on Pipeline Safety:

- You should be aware of the Health and Safety Executives guidance document HS(G) 47 "Avoiding Danger from Underground Services", and National Grid's specification for Safe Working in the Vicinity of National Grid High Pressure gas pipelines and associated installations - requirements for third parties T/SP/SSW22.
- National Grid will also need to ensure that our pipelines access is maintained during and after construction.
- Our pipelines are normally buried to a depth cover of 1.1 metres however; actual depth and position must be confirmed on site by trial hole investigation under the supervision of a National Grid representative. Ground cover above our pipelines should not be reduced or increased.
- If any excavations are planned within 3 metres of National Grid High Pressure Pipeline or, within 10 metres of an AGI (Above Ground Installation), or if any embankment or dredging works are proposed then the actual position and depth of the pipeline must be established on site in the presence of a National Grid representative. A safe working method agreed prior to any work taking place in order to minimise the risk of damage and ensure the final depth of cover does not affect the integrity of the pipeline.
- Excavation works may take place unsupervised no closer than 3 metres from the pipeline once the actual depth and position has been confirmed on site under the supervision of a

National Grid representative. Similarly, excavation with hand held power tools is not permitted within 1.5 metres from our apparatus and the work is undertaken with NG supervision and guidance.

To view the SSW22 Document, please use the link below:



To download a copy of the HSE Guidance HS(G)47, please use the following link:

<http://www.hse.gov.uk/pubns/books/hsg47.htm>

I hope the above is useful. If you require any further information, please do not hesitate to contact me.

Yours faithfully



Anne Holdsworth
DCO Liaison Officer, Land and Acquisitions

Cerutti, Emma

From: Scott, Kirsty
Sent: 25 February 2022 11:09
To: Cerutti, Emma
Subject: FW: Hynet North West - Proposal for new carbon dioxide pipeline Consultation [SG31675]

From: Scott, Kirsty
Sent: 11 February 2022 11:06
To: 'NATS Safeguarding' <NATSSafeguarding@nats.co.uk>
Cc: HyNet North West <info@hynet.co.uk>
Subject: RE: Hynet North West - Proposal for new carbon dioxide pipeline Consultation [SG31675]

Good Morning,

Thank you for your response.
This will be include within the consultation reporting stage.

Many Thanks
Kirsty Scott

From: NATS Safeguarding <NATSSafeguarding@nats.co.uk>
Sent: 08 February 2022 11:44
To: HyNet North West <info@hynet.co.uk>
Subject: RE: Hynet North West - Proposal for new carbon dioxide pipeline Consultation [SG31675]

Our Ref: SG31675

Dear Sir/Madam

NATS operates no infrastructure within 5km of the proposed route. Accordingly, it anticipates no impact and has no comments to make on the proposal.

Regards

NATS

NATS Safeguarding

E: natssafeguarding@nats.co.uk

4000 Parkway, Whiteley,
Fareham, Hants PO15 7FL
www.nats.co.uk

Date: 22 March 2022
Our ref: 382950
Your ref: Hynet North West



Martin Currie
Liverpool Bay CCS Limited

Customer Services
Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T 0300 060 3900

BY EMAIL ONLY

Dear Mr Currie

**Hynet North West Carbon Dioxide Pipeline
Statutory Consultation Under Section 42 of the Planning Act 2008**

Thank you for your consultation dated and received by Natural England on 07 February 2022 regarding the Preliminary Environmental Information Report (PEIR) for the proposed Hynet North West Carbon Dioxide Pipeline as required under Section 42 of the Planning Act 2008.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Natural England welcomes the opportunity to engage at this early stage so that our comments can be considered in future iterations of the Environmental Information and inform the production of a robust Environmental Statement (ES).

Natural England has been engaging with your ecological consultants via our Discretionary Advice Service (DAS) and in a recent update meeting we were pleased to hear the progress being made with the required surveys.

Natural England has not as yet reviewed a draft Habitats Regulations Assessment (HRA), however we understand that we will be consulted on the draft HRA in due course via DAS to provide early advice and this is welcomed. Therefore at this stage our comments are based on the information available to us and our understanding of surveys and assessments being carried out via our discussions with your ecological consultants. We expect to provide further detailed advice once we have been able to review the draft HRA.

Preliminary Environmental Information Report (PEIR)

Our advice within this letter is based on our review of the Preliminary Environmental Information Report dated February 2022.

We highlight that the comments below are not exhaustive and that Natural England may wish to raise additional comments as the application process moves forward.

Chapter 6 Air quality

We note that this chapter makes reference to Appendix 6-2 (Screening Impact of Hydrogen Sulphide) and concludes that there is no risk of significant health effects as a result of venting carried out during the operational stage, however there is no reference to impacts on designated sites. For clarity and in order to rule out potential pathways of impact on designated sites during the operational stages, we advise further detail is required within this chapter.

Chapter 9 Biodiversity

We understand that further surveys are to be carried out during 2022 and therefore full baseline information is not yet available. Based on the surveys carried out so far and our understanding of the results to date we are satisfied with the details presented within this chapter at this stage. We would expect to comment further once detailed survey reports are available.

Relevant survey results should be used to inform the draft HRA, which we expect to comment on in due course.

Chapter 11 Land and Soils

We note that updated ALC surveys are to be carried out to inform the assessment, Natural England has previously provided joint advice with the Welsh Government on the requirements of ALC surveys therefore we refer you to our email advice dated 11 August 2021.

Chapter 15 Noise and Vibration

We note that the noise sensitive receptors included within this chapter are all human receptors and advise that consideration of potential noise and vibration impacts to ecological receptors during all stages of development is also required. This information may also be required to inform the HRA.

Chapter 18 Water Resources and Flood Risk

Table 18-11 (Likely significant effects as a Result of the Construction Phase) makes reference to the Dee Estuary SPA and Mersey Estuary SSSI as receptors (page 28), we question if all appropriate designated sites have been included here.

Chapter 19 Combined and Cumulative Effects

We expect this to be an on-going process to be developed until the ES is finalised. In environmental terms, we advise that this is conducted using a receptor led approach, whereby the potential for impact with respect to the sensitivity of each receptor is assessed, followed by definition of which projects should be included based on the likely spatial and temporal extent of effects.

Should the timetable of the project slip for any reason, it will be necessary to reconsider whether there is sufficient information to fully assess cumulative impacts. Consequently, inclusion of data as it becomes available for other projects in the planning process may be required to inform an updated assessment.

The HRA must also consider any in-combination effects with other plans and projects. This could include plans or projects from neighbouring Local Planning Authorities and those in the marine environment.

Plans or projects comprise the following;

- a) The incomplete or non-implemented parts of plans or projects that have already commenced;
- b) Plans or projects given consent or given effect but not yet started;
- c) Plans or projects currently subject to an application for consent or proposed to be given effect;
- d) Projects that are the subject of an outstanding appeal;
- e) Ongoing plans or projects that are the subject of regular review;
- f) Any draft plans being prepared by any public body;
- g) Any proposed plans or projects published for consultation prior to the application.

If you have any queries relating to the advice in this letter please contact me on the details below.

For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

Yours sincerely

Angela Leigh

Planning & Development Lead Adviser
Coast and Marine Team
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22/03/2022

Dear Sir/Madam,

HYNET NORTH WEST CARBON DIOXIDE PIPELINE

STATUTORY CONSULTATION UNDER SECTION 42 OF THE PLANNING ACT 2008

PRE-APPLICATION PUBLICITY IN ACCORDANCE WITH SECTION 48 OF THE PLANNING ACT 2008 AND REGULATION 13 OF THE INFRASTRUCTURE PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017

Thank you for consulting Cyfoeth Naturiol Cymru / Natural Resources Wales (NRW) on the above proposal, which we received on 09/02/2022. We have reviewed the information provided in the Preliminary Environmental Information Report (PEIR) and supporting documents.

Please note that our comments are made without prejudice to any further comments we may wish to make in relation to this application, whether in relation to the Environmental Statement (ES), or other evidence and documents provided by the applicant, the Examining Body, or other interested parties. Our comments are based solely on the information provided within the Section 42 consultation documents to date.

Annex 1 contains our detailed comments that include all those matters NRW consider will need to be taken into account and applied to the DCO submission.

Our comments only relate specifically to matters included on our checklist, *Development Planning Advisory Service: Consultation Topics* (September 2018), which is published on our [website](#). We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other interests.

Please be advised that, in addition to development consent, it is your responsibility to ensure that you secure all other permits/consents/licences relevant to your development. Please refer to our [website](#) for further details.

Please do not hesitate to contact us if you require further information or clarification on any of the above.

Yours faithfully,

Croesewir gohebiaeth yn y Gymraeg a'r Saesneg
Correspondence welcomed in Welsh and English

Chris Jones

Uwch Gynghorydd, Cynllunio Datblygu / Senior Advisor, Development Planning
Cyfoeth Naturiol Cymru / Natural Resources Wales

ANNEX I

NRW ADVICE AND COMMENTS ON THE PRELIMINARY ENVIRONMENTAL INFORMATION REPORT AND SUPPORTING DOCUMENTS.

Chapter 3: Description of the Proposed Development

1. Chapter 3 does not appear to include the length of excavation trench run that will be adopted for construction: e.g., 50m, 100m or 200m. We advise that this information should be included in the ES given that the depth to groundwater is expected to be <3m from the ground surface. The excavation length is important in areas where there is likely to be high groundwater. The longer the excavation length, the greater the groundwater seepage influx.
2. Paragraph 3.6.9: We note reference to the framework Construction Environmental Management Plan (CEMP) that will be included in the ES accompanying the DCO submission and look forward to the opportunity to provide further comment at that stage.
3. Paragraph 3.6.13: Soil compaction is a potential issue, as shown within the following study of agricultural heavy machinery on soils: [REDACTED] which found that construction caused severe subsoil compaction and impaired soil physical structure which can discourage root growth and reduce water infiltration. Over peat soils which are particularly compressible for example, the effect on shallow groundwater and damage to the peat should be considered and mitigation suggested. The ES should therefore consider how soil compaction will be prevented.
4. Paragraph 3.6.30: We advise that the ES should provide further details on the dewatering methodology and the potential for a radial influence away from the trench areas. The applicant should consider the information contained within [Dewatering HIA post edit \(publishing.service.gov.uk\)](#) and the need for a permit if >20m³/day is to be abstracted.
5. Paragraph 3.6.38: The ES should clarify whether temporary bentonite slurry lagoons may be required for the construction/installation of auger bore and HDD pipeline sections. If so, we advise that further details should be provided on these temporary features and how they would be managed, notably at water crossing points.
6. Paragraph 3.7.18: We advise that the ES should provide further details on CO₂ gas leakage risks and impacts as the pipeline will be operating at a pressure ranging from 33-30 barg, see: [CO₂ Leakage on Groundwater Quality \(lbl.gov\)](#). Examples of associated risks may include acidification of local water/groundwater and gassing.

Chapter 6: Air Quality

7. In general, we are satisfied that the air quality submission appears reasonable and consistent with current guidance/legislation, but please see our detailed comments below. Please note that our comments on dust only relate to potential impacts on international and national designated sites for nature conservation. Advice regarding dust as a human health and nuisance concern is a matter for other relevant authorities.
8. Paragraphs 6.5.12 – 6.5.16 outline the receptors that could be within the screening distances of the development. The paragraphs state that there is good background air quality in the vicinity of these receptors based on current monitoring data. However, we note that a full assessment of the impact of construction and operational activities and how these could affect the current air quality in the vicinity of these receptors has not been detailed; an assessment of this should be provided and included in the DCO submission.
9. Paragraph 6.8.2 states: “A *Dust Management Plan (DMP)*, which will include measures to control other emissions, in addition to the dust and PM10 mitigation measures given in this report, will be developed, and implemented, and approved by FCC and CWCC. The DMP will include requirements for monitoring of dust deposition, dust flux, real-time PM10 continuous monitoring and/or visual inspections as agreed with FCC/CWCC.” We advise that this should be submitted for review and acceptance by the relevant determining body prior to the commencement of construction activities.
10. The other measures outlined in Paragraph 6.8.2 regarding the control of dust appear reasonable. However, we recommend that the Environment Agency’s template, which requires more complete and detailed information than that currently submitted by the applicant, is adopted (see: [Control and monitor emissions for your environmental permit - GOV.UK \(www.gov.uk\)](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/342222/Control_and_monitor_emissions_for_your_environmental_permit_-_GOV.UK.pdf) for further details). It should be noted that the EA’s template does not necessarily form a definitive dust and emission management plan and additional controls over and above what is included in the template may be required depending on site-specific issues.

Appendix 6-1: Construction Dust Assessment

11. Section 1.6 states that based on results of the risk assessment presented in Tables 1 - 5 and once mitigation has been implemented, the potential significant effects from construction can be determined. The report states: “*For almost all construction activities, the application of effective mitigation should prevent any significant effects occurring to sensitive receptors and therefore the residual effect will normally be negligible.*” We advise that the guidance outlined by the Institute of Air Quality Management (IAQM) should be followed regarding this.
12. Paragraphs 2.1.4, 2.2.4, 2.3.4, 2.4.4 and 2.5.4 relate to trackout and state that the exact number of vehicles is unknown, but likely to be less than 10 HGVs per day over

unpaved ground for 50-100m and conclude that this is a medium risk. We advise that the DCO submission should confirm the maximum number of vehicles per day and any changes should be included in an updated risk assessment.

Appendix 6-2: Hydrogen Sulphide Screening

13. Table 1 presents the venting volumes and rates used in the modelling with an assumed ventilation time of 6 hours. For the DCO submission, we advise that this should be representative of actual operations.
14. Paragraph 1.1.7 states: "*The impacts of the CO2 releases are considered in detail by Process Safety Management to inform the design of the DCO Proposed Development and are outside the scope of this assessment. Rather, this addendum considers the potential impacts of the trace amounts of hydrogen sulphide within the bulk CO2 gas.*" Therefore, our comments relate solely to the methodology used to assess the impact of Hydrogen Sulphide.
15. Paragraph 2.2.1 states the emission rates that will be used for the modelling. As the modelling is based on these figures, it should be ensured that those used in the DCO submission are representative of the actual operational rates.
16. Paragraph 2.2.5 states: "*The vent stack height was tested within the range 3m to 6m, to allow the use of a temporary/mobile vent. The diameter of the vent stack was 25cm, with sensitivity testing undertaken for diameters of 10cm and 40cm. It should be noted that the rate of venting will be controlled by vent valve(s) which will have considerable smaller diameters than the vent stack itself. The vent stack allows the initial expansion and cooling of gas to occur prior to release to ambient air.*" This methodology appears reasonable. The above scenarios have been modelled under three meteorological conditions, with arbitrary wind direction, designed to be indicative of the range of meteorological conditions likely to be experienced at the site. The report states: "*These meteorological conditions are used to identify the theoretical risk zone around the vent stack within which impacts might occur. However, the actual impacts during a venting operation would depend on the meteorological conditions at the time of venting and, in particular, the wind direction during the event. Not all properties within the risk zone would be impacted during any given venting event.*" The methodology used with regards to the meteorological conditions applied is common practice when assessing incident releases. However, we advise that if there are any sensitive receptors close to the release points the risk assessment should be carried out using 5 years' worth of observed meteorological data. If this is not available, suitable Numerical Weather Prediction (NWP) data should be used such as Met Office 1.5km resolution NWP meteorological data.
17. Table 2 summarises the modelling inputs used. It should be ensured that the values used in the DCO submission are representative of actual operational conditions.
18. Table 6 summarises the results of the stack height sensitivity analysis. We have not audited the modelling files and therefore have not commented on the actual results.

However, we note the conclusion that a 3m stack height is suitable, as any reduction in concentration is small and all results are below the Environmental Assessment Levels.

19. Paragraph 3.4.4 states that the assessment is suitable for screening purposes. However, we advise that if any additional design information/modifications become available the assessment should be updated to reflect these within the DCO submission.
20. Paragraph 3.4.5 states: “*The assessment has not explicitly considered the full temporal evolution of the vented gas plume throughout a venting event, or the complex expansion, cooling and subsequent warming of vented gases following release via the vent valve. It has, however, as appropriate for a screening exercise, taken into account a reasonable envelope of instantaneous release conditions that may be encountered through the venting process.*” This methodology appears reasonable as it is for a screening assessment.

Chapter 7: Climate Resilience

21. We note that the nature of the proposed development as a buried pipeline would result in a low climate vulnerability, apart from flooding of above ground elements which is recognised in the PEIR. We also note and welcome that the RCP8.5 scenario climate data have been used in a precautionary manner.

Chapter 9: Biodiversity

22. The PEIR appears to have identified all the relevant international and national designated sites for nature conservation in north-east Wales that may be directly affected by the DCO proposed development. Other such designated sites in the vicinity may need to be considered in the DCO submission should the route diverge further, if any access issues arise or if any significant air pollution impacts are identified.
23. Paragraph 9.2.2: We advise that the Invasive Alien Species (Enforcement and Permitting) Order 2019 should be included in the list of legislation considered to be potentially relevant to the proposed development.
24. Paragraph 9.2.7: We advise that reference to the Commission notice Guidance document on the strict protection of animal species of Community interest under the Habitats Directive should be included: [REDACTED]
25. Nature Conservation Evaluation/Significance Criteria: We advise that a section on Conservation Status is included in the ES, noting Sections 3.2.3 (b) and 3.3.2 of [REDACTED] C/2021/7301. We advise that the EIA considers significance (both alone and in-combination) and, where applicable, conservation status; both current conservation status (CCS), and demonstration of no likely detriment to maintenance of favourable conservation status (FCS) during construction, operation, and

decommissioning phases. As informed by the above EC guidance, we further advise that a range of spatial scales is considered in respect of assessments concerning conservation status.

26. Protected Species: We advise that the site is subject to assessment to determine the likelihood of protected species and that targeted species surveys are undertaken for all species scoped in. These should comply with current best practice guidelines and if the surveys deviate or there are good reasons for deviation that full justification for this is included within the ES.
27. If protected species are found during the surveys, information should be provided identifying the species-specific impacts in the short, medium, and long-term together with any mitigation and compensation measures proposed to offset the impacts identified. We advise that the ES sets out how the long-term site security of any mitigation or compensation will be assured, including management and monitoring information and long-term financial, tenure, and management responsibility. Where the potential for significant impacts on protected species is identified, we advise that a Conservation Plan is prepared for the relevant species and included as an Annex to the ES. In respect of European Protected Species, we advise consideration of Section 3.3.2 of [REDACTED] C/2021/7301.
28. Where a European Protected Species is identified and the development proposal is predicted to likely contravene the legal protection they are afforded, a licence should be sought from NRW (for any aspects of the proposed development within Wales). The ES should include consideration of the requirements for a licence and set out how the proposed development will satisfy each of the three requirements as set out in the Conservation of Habitats and Species Regulations 2017 (as amended).
29. Table 9-6: Please note that Himalayan balsam is listed as an Invasive Alien Species (IAS) in Schedule 2 of the Invasive Alien Species (Enforcement and Permitting) Order 2019.
30. We note that bird surveys have been completed but as we have not received any detailed bird survey information to date our comments on birds refer only to the information presented in the submitted PEIR and supporting documents. We will welcome the opportunity to provide detailed comments on receipt of the DCO submission. We note that further roosting site surveys are proposed for barn owl and advise that these should also consider potential nesting sites, under an appropriate licence where required. Our concerns regarding Wildlife and Countryside Act 1981: Schedule 1 bird species relate to breeding birds, in accordance with the breeding season protection afforded to them by the Act. With regards to Schedule 1 breeding birds, in addition to barn owl we advise that the ES should consider and assess potential impacts on curlew, lapwing, redshank, marsh harrier and Cetti's warbler in particular. The ES should include a table presenting the relevant Schedule 1, Section 7/Annex I and red-listed bird species that have been considered. The ES should also clarify the methods used for completing the wintering bird species surveys.

31. Paragraph 9.8.3 (Mitigation and Enhancement Measures): We advise that “restoration” is added to the following text, as suggested: “However, in principle, design, *restoration* and enhancement measures ”.
32. Paragraph 9.8.4 (Construction), third bullet point: We advise that the CEMP should include an external ecological compliance audit (ECA) to evidence compliant implementation of conservation measures.
33. Note that one of the ecological features of the Deeside and Buckley Newt Sites Special Area of Conservation (SAC) is the Annex I habitat: *91A0 Old sessile oak woods with Ilex and Blechnum in the British Isles*. Although outside the boundary of a designated site, woodland within the route corridor that is present along Alltami Brook and Wepre Brook may support Annex I woodland communities. Annex I woodland has previously been recorded along Alltami Brook near Maes y Grug SSSI (Stoneybeach Wood).
34. From a fisheries perspective, we are satisfied with the conclusions provided that all mitigation measures are thoroughly implemented and clearly outlined in the CEMP. Based on previous meetings with the applicant we are also satisfied with the approach to fisheries surveys that have taken place / will take place.

Chapter 11: Land and Soils

35. According to the BGS SuDs viewer (), the majority of the proposed pipeline route appears to show groundwater levels to be within 3m or less of the ground surface. We therefore advise that groundwater levels are obtained and monitored along the entire route so that the need for local dewatering and hydraulic control can be determined. The DCO submission should provide details on how groundwater conditions, including the potential for some degree of saline intrusion/tidal influence, would be practically determined, e.g., the approximate spacing between investigative boreholes.
36. There does not appear to be any reference to the factors, and therefore the decision making, that will be used in broad terms to investigate the land quality along the proposed route. Relevant considerations for the DCO submission include:
 - How would this be achieved; boreholes and/or trial pits and monitoring wells?
 - Would these be regularly spaced and with greater density where Made Ground and industrial activity suggest a greater risk?
 - Would a preliminary site investigation, sampling, and monitoring plan be part of a geo-environmental site investigation which would include geotechnical considerations?
37. Tables 11-7 to 11-13 could be used as the basis for the preliminary site investigation, sampling, and monitoring plan showing potential locations.
38. There is potential for excavation works activities to reveal unexpected contamination such as unregulated buried waste and buried chemical containers. The DCO

submission should outline what procedures would be applied to deal with this possibility, who would be informed and how this could influence site works. Similarly, clarification should be provided of how existing groundwater pollution would be managed (e.g., if trenching encounters oily water or water with a solvent odour). We note that Chapter 18: Water Resources and Flood Risk (pages 17 and 18), only considers the following eventuality: *‘Potential high risk of pollution to groundwater from routine runoff.’*

Chapter 12: Landscape and Visual

39. We have previously agreed that the Clwydian Range and Dee Valley Area of Outstanding Natural Beauty (AONB) could be scoped out of the EIA due to the distance from and nature of the proposed development.
40. We note that Table 12-1 states: *“At this time, the AONB remains scoped out based on the design of the DCO Proposed Development. As part of the EIA, a review of any potential changes to locations and/or heights of the AGI and BVS will be carried out to ensure significant effects will not arise”.*
41. We have no further comments to make at this time.

Chapter 18: Water Resources and Flood Risk

Water Resources

42. We note that there are no proposed abstractions or significant alterations to any watercourses as the pipeline will be underground. We also note that there will be no impact on the River Dee Regulation Scheme as the crossing is downstream of Chester Weir.
43. Paragraph 18.4.35: The ES should include further details on the nature of the ground investigation, particularly as groundwater levels are expected to be within 3m of the ground surface for much of the site.
44. Horizontal directional drilling (2m or greater depth) would be preferable to open trenching for the crossing of all scoped-in WFD Waterbodies. If this is not feasible, a detailed method statement for open trenching should be submitted with the relevant permit applications/DCO submission, describing what measures will be adopted to prevent and mitigate any silt pollution.
45. We advise that Table 18-7 should specify the WFD classification used (the timing for WFD classification is different for England and Wales, with the latest 2021 classification available in Wales being published early this year).
46. The North Wales Coastal waterbody is not currently listed in Table 18-7. As mentioned in the Scoping report and noted by the applicant in Table 18-1, Bathing

Water Protected Areas and Shellfish Water Protected Areas should also be considered in the WFD compliance assessment.

47. Paragraph 18.6.4: We note reference to a sediment management plan and welcome the opportunity to review this as part of the DCO submission.
48. Whilst the sediment and pollution control measures listed in Paragraph 18.8.2 appear generally comprehensive, we will welcome the opportunity to review the Register of Actions and Commitments and CEMP when these are submitted as part of the DCO application, to ensure that adequate relevant pollution prevention measures are in place at each watercourse crossing location during the construction phase.
49. Paragraph 18.8.3: We note that the preliminary CEMP would be updated to reflect the findings from the ground investigation. We advise that the CEMP is considered a 'live' risk management tool.
50. Paragraph 18.8.7: We advise that further information is submitted on the surface water impact assessment and any mitigation required. Clarification should be provided on what is meant by "lateral migration".
51. Clarification should be provided in the DCO submission on how the potential for the pipeline to locally increase groundwater levels due to impeding current groundwater flows will be practically assessed. Groundwater levels may already be near to the surface along particular pipeline sections without the pipeline. Therefore, clarification should be provided on what construction measures would be introduced to ensure that the potential for groundwater emergence and flooding is not worsened by either the construction or the operation of the pipeline.
52. Confirmation should be provided on whether the proposed pipeline or sections of the pipeline are within both a tidal influence and area of saline intrusion. If so, the ES should provide details of the implications of this, if any, for both the construction and operational phases.
53. There does not appear to be any reference to the potential need for post-construction monitoring; the need for this, or otherwise, should be confirmed in the ES.
54. There does not appear to be any reference to the potential for Private Water Supplies (PWS) to be present within the near vicinity of the proposed pipeline route; some may not be registered with the Local Authority. Clarification should be provided on whether the potential for PWS will be / has been assessed through, for example, local site surveys of properties e.g., farms.

Flood Risk

55. We have reviewed the contents of the PEIR and the proposed approach for assessing flood risk as part of the ES. In summary, we are generally content with what has been

submitted and do not envisage flood risk being a significant constraint for this proposal given the limited nature of the above ground works.

56. The PEIR appears to address the main flood risk issues but it should be ensured that any mitigation measures referred to are also included in the Flood Consequences Assessment (FCA).
57. Please note that a new Technical Advice Note (TAN) 15 is expected to come into force on 1 June 2023. The extant TAN 15 remains in force until that time.
58. The PEIR does not appear to consider the potential impact on NRW access routes for maintenance, especially for the tidal Dee embankments. We advise that the siting of temporary compounds should not affect our ability to undertake maintenance activities during the construction phase. Therefore, further information regarding this should be provided within the DCO submission. Please see our detailed comments below.
59. We note that a FCA will be prepared to support the ES. The PEIR states that the FCA will be based on readily available flood-mapping products and that there is no intention to undertake additional site-specific hydraulic modelling unless required to assess site-specific flood risk issues. In our view, given the nature of the proposed development (most of the work being below ground), this approach is likely to be acceptable for the majority of the project, particularly in light of the PEIR stating that all proposed Block Valve Stations (BVSs) are located outside the 0.1% Annual Exceedance Probability (AEP) event flood outline. However, we advise that detailed flood modelling would be required to assess flood risk at any potential above ground crossing points over a watercourse (discussed further below). We note that the primary flood risk areas affected will be the tidal Dee floodplain and the numerous fluvial watercourses within the Dee corridor.
60. We would expect the FCA to include a detailed assessment of flood risk posed to any above ground elements of the scheme, and it should be demonstrated that any above ground development complies with the requirements of TAN 15, including the requirement for these to be designed to be flood-free in the relevant design event; this being:
 - the 0.5% AEP event with an allowance for climate change for tidal flood risk, and;
 - the 1% AEP event with an allowance for climate change for fluvial flood risk, including a breach (failure of defences) where appropriate.
61. We understand that there may be a short section of above ground pipeline at Wepre Brook. If so, the FCA should assess the flood risk posed to this feature and ensure that suitable mitigation measures can be implemented to protect the pipe. This assessment should be supported by detailed hydraulic modelling to derive flood levels. The pipe could be subject to damage from loading during high flows and by debris being transported in the channel. We advise the pipe should be designed so that it is raised sufficiently above flood levels (above the 1% AEP event with an

allowance for climate change) and does not reduce flow/impede floodwaters in the channel.

62. The FCA should also comment on and provide suitable mitigation measures for the management of flood risk during the construction phase of the project.
63. As acknowledged in the PEIR, the FCA will also need to consider the potential impact of the proposals on flood risk elsewhere, for both tidal and fluvial flood risk. We note that Paragraph 18.8.9 states that *“above ground development within the coastal floodplain is very limited in size and any associated loss negligible in the context of a tidal environment; therefore, floodplain compensation is not required or proposed .* The FCA should provide further details on how much floodplain storage would be lost to above ground development within the tidal floodplain, which would then inform whether further assessment is needed.
64. The FCA should also outline whether any proposed stockpiling of material/waste would be needed within the floodplain during the construction phase, and if so, what the impact of this would be on flood risk elsewhere. We note that one of the mitigation measures is to ensure, where possible, that any stockpiles are located outside of any flood zone, but the FCA will need to clarify whether this will be the case or not.
65. We agree that the general mitigation principles for reducing the potential effects on the identified receptors are appropriate, although further detail on specific mitigation measures should be provided in the FCA. We are therefore currently satisfied that the general approach for the proposed FCA and the preliminary conclusions outlined within the PEIR are reasonable.
66. Whilst we are generally satisfied with the proposed approach for the FCA, we have some concerns regarding potential impacts of the construction phase on our ability to undertake maintenance activities (under our permissive powers) for various main rivers.
67. Figure 3-3 shows several temporary compounds and equipment yards within the vicinity of main rivers. Our primary area of concern is the centralised compound located adjacent to the Hawarden Embankment (approximate grid reference: SJ 35015 66852). We are concerned that the siting of a compound at this location could affect our ability to access the Hawarden Embankment to undertake maintenance activities. This is a key flood defence structure, so 24-hour access to the embankment, and Beeches Drain outfall (just upstream of the proposed compound) will need to be provided. We currently access the Hawarden Embankment and Beeches Drain outfall via an access route off the B5129, and it appears that the compound may be located in a field directly adjacent to this access route. Further details should be provided in the DCO submission to confirm the exact location of the compound and to confirm that the current access route will not be affected (through closure of this route or any fencing/structures within vicinity of the compound), as this is the only means of accessing this section of the embankment and Beeches Drain. Confirmation of what this compound area would be used for should also be provided,

as it needs to be ensured that any activities do not affect the integrity of the flood defence.

68. We note that the proposed works area on the opposite bank could also affect our ability to access the Northern Embankment via our existing access route adjacent to Deeside House. Confirmation is therefore also needed that our access to the Northern Embankment will not be affected during the construction phase.
69. We also note that there are a series of equipment yards and localised compounds along the length of Chester Road in Sandycroft and Pentre, several of which appear to be close to main rivers. The siting of any temporary compounds should not affect our ability to undertake maintenance activities along the length of the affected main rivers (in this case Sandycroft Drain South, Pentre Drain North and Pentre Drain South West). We advise that any compounds or equipment yards should be sited 8 metres away from the bank top of any main rivers, to minimise impacts on access arrangements. If this is not possible, further details relating to the location of any equipment yards or localised compounds within 8 metres of a main river will need to be provided, so that we can assess whether our access is likely to be affected.
70. We also wish to reiterate that a bespoke Flood Risk Activity Permit (FRAP) (Environmental Permitting Regulations England & Wales, 2016) may be required for any other works in, over, under or near a main river or within a flood plain. This includes any main river crossings and any works within 8m of a fluvial main river or flood defence structure, and 16m of a tidal main river or flood defence structure.

Chapter 19: Combined and Cumulative Effects

Air Quality

71. Paragraph 19.1.4 states: “*The cumulative impact assessment will not consider other developments that are already constructed and operating, as such existing developments are already accounted for in the baseline conditions established for the main assessments within Chapters 6-18 (Volume II).*” However, it should be noted that for air quality, sites/developments which have only recently begun operation may not be included in the most recent background monitoring. The Cumulative Impact Assessment should also consider relevant projects that are at the planning stage, as acknowledged in Chapter 19.

From: Davies, Helen Ruth [REDACTED] On Behalf Of Rawlinson, Lyndsey
Sent: 28 February 2022 14:32
To: Currie Martin [REDACTED]
Cc: CEO <ChiefExecutivesOffice@cyfoethnaturiolcymru.gov.uk>
Subject: [EXTERNAL] Hynet North West Carbon Dioxide Pipeline. Your Reference: hynet-s42-07022022-2911873-2
Our reference - CX22-027

This message is from an EXTERNAL SENDER to the Eni systems: pay ATTENTION, especially with links and attachments.

Dear Mr Currie

Thank you for your letter dated 7th February 2022 regarding the Hynet North West Carbon Dioxide Pipeline.

Natural Resources Wales will be affected by this schemes as both landowners and a regulatory authority, responsible for protecting people and the environment. Where we have an interest in land, it is important to obtain consent before any works or inspections are carried out to ensure access is safe and not interfering with our daily operational duties. As a listed statutory undertaker, and under Schedule 22 Water Resources Act 1991, we cannot 'unreasonably withhold entry' but where entering operational land, a formal access agreement will be sort. Please note that some areas of land may be subject to occupational interests, as per our registered titles. Where relevant, please contact our tenants and serve notice on them as appropriate, if you have not already done so.

It is imperative that the stability and integrity of our flood risk assets are not compromised as they are critical to aiding the protection of homes, businesses and infrastructure. The majority of works within 16 metres of a main river (which in this case may include the River Dee and its tributaries) or any flood defence structure or culvert on that river which is likely to cause damage to or endanger the stability of the banks of that river is a flood, may require an environmental permit under the Environmental Permitting (England and Wales) Regulations 2016 (EPR).

It is also a criminal offence to carry out a flood risk activity without an environmental permit. We advise that LBCCS continue discussions with us, to ensure that the correct permits are in place and works are undertaken in a way that protects the stability of these vital assets. You can contact the team directly on: floodpermitting.northmid@naturalresourceswales.gov.uk.

The River Dee is designated as a Special Area of Conservation (SAC), a Special Protection Area, and a Ramsar site. Therefore, a Habitats Regulation Assessment (HRA) will be required to support any application for an environmental permit. The Dee Cockle Regulating Order could also be impacted, and as such a Water Framework Directive assessment should also be carried out.

Finally, works below the mean high-water level may also require a Marine Licence from us. Further details of which can be found at: [Natural Resources Wales / Activities that need a marine licence](#). We advise that you start discussions with the Marine Licencing team as soon as possible also, to determine the licencing requirements. Please note that if works would require both a Marine Licence and a FRAP, then LBCCS would not need a FRAP.

Best wishes

Lyndsey

Lyndsey Rawlinson

Pennaeth Gweithrediadau Gogledd Ddwyrain Cymru/ Head of North East Wales Operations

Cyfoeth Naturiol Cymru / Natural Resources Wales

[Redacted]

[Redacted]

Ffordd Caer, Bwcle, Sir y Fflint, CH7 3AJ/ Chester Road, Buckley, Flintshire, CH7 3AJ

Yn falch o arwain y ffordd at ddyfodol gwell i Gymru trwy reoli'r amgylchedd ac adnoddau naturiol yn gynaliadwy.

Proud to be leading the way to a better future for Wales by managing the environment and natural resources sustainably.

[Redacted]

[Redacted] | [Redacted] | [Redacted] [Redacted]

Croesewir gohebiaeth yn Gymraeg a byddwn yn ymateb yn Gymraeg, heb i hynny arwain at oedi. Correspondence in Welsh is welcomed, and we will respond in Welsh without it leading to a delay.

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Capital Quarter 2, Tyndall Street, Caerdydd,
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16th March 2022

Mr Martin Currie
Liverpool Bay CCS Ltd
Eni House, 10 Ebury Bridge Road
London
SW1W 8PZ

Your Ref: hynet-s42-07022022-2973705
Our Ref: B1VA2850

Dear Mr Currie

**Nationally Significant Infrastructure Project (NSIP)
HyNet North West Carbon Dioxide Pipeline**

Thank you for inviting us to respond to this consultation. We understand that the UK Health Security Agency (UKHSA) will be providing a separate response, however, the Well-being of Future Generations (Wales) Act 2015 requires public bodies in Wales to think about the long-term impact of plans to prevent persistent problems such as poverty, health inequalities and climate change. We therefore welcome the opportunity to comment on your proposals and how these may affect public health in Wales, specifically.

Proposed Development

The application proposes development, installation and operation of a new carbon dioxide (CO₂) pipeline between Ince near Stanlow, Cheshire and Flint, and to repurpose an existing 24-inch natural gas pipeline between Flint and Point of Ayr Terminal, North Wales for transportation of CO₂. The entirety of the CO₂ pipeline will be below ground but there will be a number of Above Ground Installations (AGIs) and Block Valve Stations (BVSs). Emergency shut down valves would be located at the AGIs, with an Emergency Response Plan and Major Accident Prevention Document implemented.

Construction is anticipated to commence in 2024 and is expected to last approximately 16 months. A working day of 10 hours per day and 5 days per week is being proposed by the Applicant, however, trenchless techniques are proposed in a number of locations. The duration of such techniques will vary according to the length of the pipe being installed and the technique used. Some works may need to operate 24-hours a day.

Overall Conclusion

Subject to the consideration of the points raised below and the site being operated in line with current sector guidance and best available techniques (BAT), we have no grounds for objection based on the information provided in the consultation documents available. We support the overall reduction of Green House Gases (GHGs) i.e. CO₂, due to their contribution to climate change; which presents significant public health risks.

Public Health Risk Assessment

Risk assessing the health of individuals and/or populations is a complex process due to the variety of interactions with different determinants of health including but not limited to lifestyle and social, deprivation, cultural, economic and environmental factors. This public health risk assessment is based on the documentation provided and should be considered in the broadest possible sense to avoid human health harms – both physical and mental. It relates to the new infrastructure and the existing pipeline; which is to be repurposed. Concerning the latter, we recommend that contractors risk assess the pipeline, ensuring it is fit-for-purpose, including maintenance and inspection, and there will be no adverse effects on the surrounding populations, in the same way as the new infrastructure.

The consultation outlines measures to assess and address any impact on the locale arising from the proposed development. **We support the use of a Construction Environmental Management Plan (CEMP)**, which is to be agreed with the local authority to assess impacts during the construction period, such as noise, vibration, air pollution, landscape and visual impacts on the surrounding areas. **This should also reference traffic management to take into consideration air pollution including dusts. We support the use of a Dust Management Plan to mitigate adverse effects resulting from dusts. We strongly encourage further work be done to mitigate noise and vibration as this is said to be a significant impact on the locale, which can result in annoyance and anxiety which can lead to adverse effects on psychological health.**

It is noted that consideration will be made for the cumulative effect of air pollutants such as particulate matter (PM) and nitrogen dioxide (NO₂) which are non-threshold pollutants; meaning that health effects can be experienced by individuals at much lower levels than the standards set. Although Flintshire County Council (FCC) has no designated Air Quality Management Areas (AQMAs), **it is important to mitigate and minimise public exposure as much as possible to these non-threshold air pollutants as to not create, or further add to, health inequalities. We encourage this to be considered in detail during design, development, construction and operation of the proposed activity.** Furthermore, it is noted that the combined environmental effects on populations will be considered i.e. air pollution AND noise pollution. **We support the decision for all environmental hazards and impacts on nearby sensitive receptors to be considered simultaneously throughout all stages of the proposed development.**

CO₂ is not currently defined as a dangerous fluid under Pipeline Safety Regulations (PSR) and by Health and Safety Executive (HSE) therefore is not classified under

Major Accident Hazard Pipelines (MAHPs). However, pipeline operators should take a proportionate approach to managing the risks from transporting CO₂ at every stage of the pipeline's lifetime. This should be demonstrated through a comprehensive risk assessment which takes account of the range of risks which may have an impact on the locale that arise from the design, construction, operation (including maintenance and inspection) and decommissioning of the CO₂ pipeline. **We recommend that all staff are trained to the appropriate level to avoid the occurrence of an emergency incident which could impact on the locale.** It is noted that the installation is predominantly rural however, it does pass through some residential areas in Flintshire. HSE¹ notes that the use of computational fluid dynamics (CFD) to model releases and help set separation distances may be justified where a CO₂ pipeline passes through a workplace, an occupied offshore installation or a populated area. **It should be understood that the HSE keeps CO₂ risks under review and the classification of CO₂ under major accident hazard legislation could change at any point should it be justified by the evidence.**

The presence of Hydrogen Sulphide (H₂S) within the pipeline is said to be no greater than 5ppm at any given time due to the design of the pipeline i.e. 5ppm is the worst-case scenario. The use of ADMS dispersion modelling is appropriate and concludes that there are no adverse risks to human health based on various parameters during venting. **We would encourage monitoring of gas/fluid make-up within the pipeline to ensure H₂S does not exceed 5ppm and therefore does not present any risks to public health during venting. As mentioned within the consultation, the nature of this gas can be odorous, therefore can cause annoyance. Although there are no residential properties within 300m of an Above Ground Installation (AGI), we encourage the use of an odour management plan in order to manage and react, should there be an odour occurrence or complaints received.**

We agree that consideration and modelling (where necessary) should be made for appropriate management of surface water runoff, groundwater flooding and any associated increase in flood risk considering the capacity of the public drainage network, as appropriate. The documents provided state there does not appear to be any groundwater Source Protection Zones (SPZ) in Wales within the study area. There does not appear to be any abstraction licences held by NRW within the study area. **We encourage thorough assessments to avoid any impacts on the locale relating to disturbances in drinking water and/or increased surface water and groundwater flood risk.**

The Land and Soils chapter states no significant residual effects are anticipated at this stage, assuming the implementation of a CEMP, Intrusive Site Investigation and Remediation Strategy and Mineral Resource Assessment. Further survey work is required in 2022, therefore a comprehensive review of potential residual effects will be provided within the Environmental Statement (ES). **We support this**

¹ [Guidance on conveying carbon dioxide in pipelines in connection with carbon capture and storage projects](#)

further investigation to identify any historic pollution events which may present as a risk to the locale.

We trust you find this information useful.

Yours sincerely,

Environmental Public Health Service Wales



UK Health
Security
Agency

Environmental Hazards and Emergencies Department
Seaton House, City Link
London Road
Nottingham, NG2 4LA

nsipconsultations@phe.gov.uk
www.gov.uk/ukhsa

Your Ref:
Our Ref: CIRIS 58884

FREEPOST HYNET NORTH WEST

22nd March 2022

Dear Sir or Madam

**Nationally Significant Infrastructure Project
Hynet North West Carbon Dioxide Pipeline
Public Consultation Section 42 Stage**

Thank you for your consultation regarding the above development. The UK Health Security Agency (UKHSA) welcomes the opportunity to comment on your proposals and Preliminary Environmental Information Report (PEIR) at this stage of the Nationally Significant Infrastructure Project (NSIP). ***Please note that we request views from the Office for Health Improvement and Disparities (OHID) and the response provided is sent on behalf of both UKHSA and OHID.***

Please note that we have replied to earlier consultations as listed below and this response should be read in conjunction with that earlier correspondence:

Request for Scoping Opinion 02/07/2021

The health of an individual or a population is the result of a complex interaction of a wide range of different determinants of health, from an individual's genetic make-up, to lifestyles and behaviours, and the communities, local economy, built and natural environments to global ecosystem trends. All developments will have some effect on the determinants of health, which in turn will influence the health and wellbeing of the general population, vulnerable groups and individual people. Although assessing impacts on health beyond direct effects from, for example emissions to air or road traffic incidents is complex, there is a need to ensure a proportionate assessment focused on an application's significant effects. We have assessed the submitted documentation and wish to make the following comments:

Environmental Public Health

The PEIR has developed the information presented at the scoping stage for some topic areas with the presentation of findings from site visit/ desk studies (e.g. land and soils) or modelling and assessment of specific emissions (e.g. venting of hydrogen sulphide). However, there are areas where the PEIR notes that further survey work or intrusive investigations and assessment are to be completed (e.g. soils and land, water). Where further assessments have been completed the PEIR presents an overview methodology and summary results. The report proposes to provide further detail within the final Environmental Statement (ES). We will consider these assessments when available.

The PEIR air quality chapter identifies that operational emissions consist of the venting of gases, carbon dioxide (CO₂) and hydrogen sulphide (H₂S), during planned maintenance operations at the above ground installations (AGIs). The modelling assessment predicts that the maximum ground level concentration of H₂S are below Environmental Assessment Levels (EALs) and WHO guidelines. However, maximum concentrations are above the WHO annoyance threshold of 7 g/m³ (over 30minutes) for several of the modelled scenarios. It is unclear from the report where the maximum concentrations are predicted to occur and the predicted concentrations at receptors in proximity to each of the AGIs. We understand that the venting operations would be infrequent, however we would expect more detail within this assessment within the ES.

Human Health and Wellbeing - OHID

This section identifies the wider determinants of health and wellbeing we expect the ES to address, to demonstrate whether they are likely to give rise to significant effects. OHID has focused its approach on scoping determinants of health and wellbeing under four themes, which have been derived from an analysis of the wider determinants of health mentioned in the National Policy Statements. The four themes are:

- Access
- Traffic and Transport
- Socioeconomic
- Land Use

Having considered the submitted PEIR, OHID wish to make the following specific comments and recommendations.

Methodology

The PEIR notes a significant level of further consultation and assessment will be undertaken. As such the PEIR provides assumed impacts and lacks the detail available from the traffic assessment, walking cycling and horse-riding survey and input from the community, owners or users of community assets to inform the detailed assessment of sensitivity, magnitude or significance.

The report proposes to provide further detail within the final ES. This prevents early dialogue and changes to the scheme design, mitigation or delivery of additional benefits.

Recommendation

Further targeted consultation be undertaken when the assessment for significant effects on population and human health is more advanced.

Baseline data

The PEIR does not consider local health priorities which have been identified within local Joint Strategic Needs Assessments (JSNA) or Health and Wellbeing Strategies. Any existing data in the PEIR must be supplemented with current health data available from the JSNA but also from other sources.

Recommendation

A more current and broader source of health data must be provided. This must include a review of local health priorities, such as the JSNA and Health and wellbeing strategy.

In terms of additional sources, we would draw your attention to the following:

- [REDACTED]
 - Area profiles with various indicators on common mental disorders (including anxiety) and severe mental illness which can be benchmarked with other local areas as well as regional and national data
- [REDACTED]
 - Range of datasets related to wellbeing available including young people's wellbeing measures, personal wellbeing estimates and loneliness rates by local authority

Advice should also be sought from the local public health team on additional local data.

The baseline data should include mental health and wellbeing data.

Mental health

The PEIR does not acknowledge the broad definition of health proposed by the World Health Organisation (WHO) which includes reference to mental health. Mental well-being is fundamental to achieving a healthy, resilient and thriving population. It underpins healthy lifestyles, physical health, educational attainment, employment and productivity, relationships, community safety and cohesion and quality of life. A scheme of this scale and nature has impacts on the over-arching protective factors, which are:

- Enhancing control
- Increasing resilience and community assets
- Facilitating participation and promoting inclusion.

The PEIR identifies that emergency hospital administrations for self-harm are significantly worse than the national average (Para 16.5.4). The PEIR, however, makes no reference to mental health and wellbeing of the local community. This is a significant omission that needs to be addressed prior to the submission of the ES. This point was raised by in our scoping response submission to PINS.

Recommendation

There should be parity between mental and physical health, and any assessment of health impact should include the appreciation of both. A systematic approach to the assessment of the effects on mental health, is required.

The Mental Well-being Impact Assessment Toolkit (MWIA)¹, could be used as a methodology. The assessment should identify vulnerable populations and provide clear mitigation strategies that are adequately linked to any local services or assets.

In addition to the baseline indicators the assessment would benefit from including social cohesion/connectedness, satisfaction with local area and quality of life indicators owing to their established links to mental health and wellbeing.

In terms of sources, we would draw your attention to the following:

- [REDACTED]
 - Area profiles with various indicators on common mental disorders (including anxiety) and severe mental illness which can be benchmarked with other local areas as well as regional and national data
- [REDACTED]
 - Range of datasets related to wellbeing available including young people's wellbeing measures, personal wellbeing estimates and loneliness rates by local authority

When estimating community anxiety and stress in particular, a qualitative assessment may be most appropriate. This may involve conducting resident surveys but also information received through public consultations, including community engagement exercises. The MWIA contains key principles that should be demonstrated in a project's community engagement and impact assessment. We would also encourage you to consult with the local authority's public health team who are likely to have Health Intelligence specialists who will have knowledge about the availability of local data. Robust and meaningful consultation with the local community will be an important mitigation measure, in addition to informing the assessment and subsequent mitigation measures.

Vulnerable populations/ sensitive receptors

An initial approach to the identification of sensitive receptors has been provided, in accordance with LA112.

Although many sensitive receptors have been listed in the PEIR it does not contain a map showing their location relative to the proposed schemes.

¹ [REDACTED] (National MWIA Collaborative (England), 2011) - A toolkit with an evidence-based framework for improving well-being through projects.

Recommendation

The ES should provide a map showing the location of sensitive receptors relative to the proposed scheme.

Physical activity and active travel / access to open space

The report identifies significant potential impact through the temporary loss or change in formal Public Rights of Way (PRoW) and the existing road network. Physical activity forms an important part in helping to promote healthy weight environments and as such it is important that any changes have a positive long term impact where possible. The PEIR identifies the percentage of adults (aged 18+) classified as overweight or obese is significantly worse than the national average (Para 16.5.4).

The report states the frequency of use for these routes will be determined in consultation with CWCC and FCC. It is assumed that no Walking, Cycling and Horse Riding (WCH) Assessment is to be completed and reported. The determination of sensitivity and magnitude must include reference to the usage of each PRoW, bridleway or cycle route. In addition to public authority consultation this can also be gained through community consultation and also physical assessment of the routes to determine likely usage levels. Appendix 16-2 (Volume III) provides a detailed description of each route directly affected but unfortunately does not include an assessment of likely usage.

The Categorising the Overall Sensitivity of a Highway Link (Table 17-3), only proposes a sensitivity of medium or low for those walking or cycling. Although the GEART guidelines identify certain factors to identify sensitive locations these are not defined or sub divided further. More detailed information is required in the ES that defines low and medium. There is an expectation that a high sensitivity should also be available. This should include an assessment of use, extend of vulnerable populations usage, sensitive locations, the present or absence of walking and cycling infrastructure in order to determine sensitivity and magnitude.

The PEIR makes no reference to the production of a PRoW Management Plan to form part of the DCO obligations.

Recommendations

The ES should include details of the PRoW management plan that identifies specific mitigation and enhancements proposed during the construction and operational phase of the scheme.

Determination of significant effects

It is noted that the Population and Human Health Chapter is drafted in accordance with LA112 and as such no assessment of significance is provided for human health. This does not conform to the requirements of the EIA Regulations and as such an assessment of significance will be required to form part of the ES.

Recommendation

The final ES must provide an assessment of significance for those health determinants scoped into the population and human health chapter.

The population and human health assessment should draw upon the findings from other relevant chapters, including air quality and noise.

As LA112 does not define an approach to the assessment of significance for human health it is strongly advise that any proposed approach is agreed with OHID/UKHSA and the local public health team prior to the submission of the ES. Guidance is available from the IAIA².

If you require any clarification on the above points or wish to discuss any particular issues please do not hesitate to contact us.

Yours faithfully

On behalf of UK Health Security Agency

nsipconsultations@phe.gov.uk

Please mark any correspondence for the attention of National Infrastructure Planning Administration.

² Cave, B., Claßen, T., Fischer-Bonde, B., Humboldt-Dachroeden, S., Martín-Olmedo, P., Mekel, O., Pyper, R., Silva, F., Viliiani, F., Xiao, Y. 2020. Human health: Ensuring a high level of protection. A reference paper on addressing Human Health in Environmental Impact Assessment. As per EU Directive 2011/92/EU amended by 2014/52/EU. International Association for Impact Assessment and European Public Health Association

Your ref:
Our ref:
Date: 08-APR-22

By email to: info@hynet.co.uk

Dear Sir / Madam

Location: Cheshire, England to Flintshire, Wales
Proposal: HyNet North West Carbon Dioxide Pipeline by Liverpool Bay CCS Limited

Thank you for allowing United Utilities the opportunity to comment on the EIA Preliminary Environmental Information Report (PEIR) for the proposal to build a new underground carbon dioxide pipeline from Cheshire, England to Flintshire, Wales together with associated above ground installations.

We understand that your proposals are evolving with a view to formally submitting your application for a Development Consent Order (DCO) later this year. It is important that we highlight that the costs for assessing the impact on our assets will be recoverable. We will advise on this process shortly.

We have conducted an initial review of the draft Order Limits, however, we request continued engagement over forthcoming months and during the remainder of the determination period to ensure any of our concerns are adequately addressed and to ensure appropriate protective provisions are agreed. In the interim, we wish to provide the following initial comments for your consideration.

1. Our Assets and Property

United Utilities will not allow building over or in close proximity to a water main and we will not normally allow building over or in close proximity to a public sewer.

We would expect to see plans showing the proposals in relation to any existing United Utilities' assets and infrastructure as part of the DCO. We would be grateful if you can provide the latest information of the proposed route and any associated development in a shp file format.

Water Mains and Public Sewers

As discussed at our meeting on 5 April 2022, there are a range of water mains including large diameter trunk mains, water supply mains and raw water mains within the proposed draft Order Limits. These assets include the Dee Aqueduct. There are also a range of public sewers including large diameter rising main sewers and gravity sewers. Further dialogue and agreement in respect of these assets is required.

We require access as detailed in our *'Standard Conditions for Works Adjacent to Pipelines'*, (a copy of which has been sent to you under separate cover). You must comply with our Standard Conditions document. This should be taken into account in the final proposals, or a diversion may be necessary. Unless there is specific provision within the title of the property or an associated easement, any necessary disconnection or diversion required as a result of any development will be at the applicant's expense.

It is the applicant's responsibility to demonstrate the exact relationship between any United Utilities' assets and the proposed development. You should investigate the existence and the precise location of water and wastewater pipelines as soon as possible as this could significantly impact the preferred site layout and/or diversion of the asset(s) may be required. Where United Utilities' assets cross the proposed draft Order Limits, you must contact United Utilities prior to commencing any works on site, including trial holes, groundworks or demolition.

If considering a diversion, the applicant should contact United Utilities at their earliest opportunity as they may find that a diversion is not possible. In some circumstances, usually related to the size and nature of the assets impacted by proposals, developers may discover that the cost of a diversion is prohibitive in the context of their development scheme. Unless there is specific provision within the title of the property or an associated easement, any necessary disconnection or diversion of assets to accommodate development, will be at the applicant's/developer's expense.

Where United Utilities' assets exist, the level of cover to our pipelines and apparatus must not be compromised either during or after construction and there should be no additional load bearing capacity on our assets without prior agreement with United Utilities. This would include earth movement and the transport and position of construction equipment and vehicles. The applicant should therefore give careful consideration to the implications of any changes in proposed land levels. Any such changes will need to be agreed with United Utilities.

Our Standard Conditions document includes details of trees and shrubbery suitable for planting in the vicinity of our assets. Deep rooted shrubs and trees should not be planted near to our apparatus.

Consideration should also be applied to United Utilities' assets which may be located outside the draft Order Limits. Any construction activities in the vicinity of our assets must comply with our *'Standard Conditions for Works Adjacent to Pipelines'* and national building standards.

The applicant or developer should contact United Utilities for advice if their proposal is in the vicinity of water or wastewater pipelines and apparatus. It is their responsibility to ensure that United Utilities' required access is provided within their layout and that our infrastructure is appropriately protected. The developer would be liable for the cost of any damage to United Utilities' assets resulting from their activity. See 'Contacts' section below.

Vibration, Loading and Settlement

United Utilities requests that the impact of the proposed development includes an assessment of any potential settlement and vibration on United Utilities' assets. Similarly, any loading on United Utilities' assets during operation or during construction requires further consideration with United Utilities.

Storage of Equipment and Materials within Easements / Offset Areas for Access and Maintenance

United Utilities has not undertaken a detailed assessment of where equipment and/or materials are proposed to be stored within a United Utilities' easement / area required for access and maintenance. However, based on an initial review of the drawings provided within the PEIR, United Utilities notes that in certain locations facilities are proposed to be located on top of our assets which is not acceptable. As a general requirement, United Utilities does not usually allow the easement area, easement width or the necessary offset distance from our assets to be obstructed or impeded in any way. This is due to, but not limited to:

- loading implications of the asset and probability of asset failure;
- implications on access and maintenance of the asset, especially for critical assets;
- security of supply; and
- health and safety implications.

United Utilities reserves the right to instruct the removal of the equipment and materials located within the easement / access and maintenance offset area. United Utilities requires further consultation and supplementary information to discuss any affected assets.

Construction Compounds / Construction Traffic

We wish to emphasise that construction compounds should not be located on top of our apparatus. This is because we require unrestricted access for maintenance, repair and replacement to discharge our statutory duties. Similarly, detailed consideration will need to be given to any proposed construction traffic routes to assess the impact on our assets. It will be necessary to ensure that any approach to construction is the subject of a construction management plan to address a range of issues including the protection of our assets as well as any wider impact on our operations.

Ecological Mitigation and Biodiversity Net Gain

We wish to emphasise that ecological mitigation and the delivery of areas for biodiversity net gain should not be located on top of our apparatus. This is because we require unrestricted access for maintenance, repair and replacement to discharge our statutory duties.

Property Interests

Within the draft Order Limits, we have a range of property interests which include land in the ownership of United Utilities, easements and a right of way. We wish to discuss with you the implications for our land interests.

Land within the ownership of United Utilities is located at approximate grid reference SJ 39195 71036 which we discussed at our recent meeting.

The right of way appears to be associated with Elton Wastewater Treatment Works off Ash Road.

According to our records some of our assets referred are also subject to legal easements. These are in addition to our statutory rights for inspection, maintenance and repair. The easements have restrictive covenants that must be adhered to. It is the responsibility of the developer to obtain a copy of the document, available from United Utilities Legal Services or Land Registry and to comply with the provisions stated within the document. Under no circumstances should anything be stored, planted or erected on the easement width. Nor should anything occur that may affect the integrity of the pipes or the legal right of United Utilities to 24 hour access. The applicant should contact our Property team to discuss how the proposals affect our land interests and to ensure no detrimental impact. United Utilities Property Services can be contacted at PropertyGeneralEnquiries@uuplc.co.uk.

2. Flood Risk

Existing drainage systems are often dominated by combined sewers. This method of sewer infrastructure is a result of the time it was constructed, with combined sewers taking both foul and surface water. If there is a consistent approach to surface water management, it will help to manage and reduce surface water entering the sewer network, decreasing the likelihood of flooding from sewers, the impact on residents and businesses, and the impact on the environment.

Whilst we do all that we can to reduce the risk of sewer flooding, there remains a residual risk, which is a source of flooding that should be considered in your Environmental Statement (ES). National policy is clear that flood risk from all sources, including sewers, must be considered in the delivery of new development. As such, it is important to ensure that the assessment of flood risk includes sewer flood risk. It should be ensured that your proposed development does not result in an increase in flood risk from the public sewer as a result of:

- i) any proposed new drainage connections to the public sewer. This is considered in further detail below;

- ii) by altering any existing exceedance flood paths of losses from the public sewer;
- iii) as a result of any diversions / works to watercourses or existing sewers which could materially affect hydraulic performance and therefore change / increase any risk of flooding;
- iv) as a result of any changes in ground levels which could materially change existing sewer flood risk; or
- v) as a result of any changes to land or property currently affected by existing hydraulic sewer flooding incidents.

We therefore request that the ES considers flood risk from the public sewerage system in liaison with United Utilities so that the above matters are fully considered.

In our recent meeting, we noted that the exceedance paths of any modelled sewer flood risk should not be affected by the proposed development. We specifically noted a potential exceedance path which impacts on your proposed works at approximate grid reference SJ 44583 74797. This requires further consideration in liaison with United Utilities.

Impact on Watercourses

We note paragraph 18.6.4 of Chapter 18: Water Resources and Flood Risk states that minor watercourses would be crossed via trenched crossings. In such occurrences, the hydrological regime would be maintained through temporary diversion or pumping.

United Utilities wishes to liaise with you to confirm the impact on any watercourses that interact with our assets to ensure that there are no detrimental consequences of these works in terms of asset operation, flood risk and changes to fluvial geomorphological processes.

3. Drainage - Foul and Surface Water

We would be grateful if you can provide details of any drainage proposals in respect of both foul and surface water. This should include details of any drainage proposals during the construction period. In doing so, you should note that United Utilities only supplies water and wastewater services for some areas of your proposed development.

We note paragraph 18.6.5 of Chapter 18: Water Resources and Flood Risk, which states:

'A closed drain system at the AGIs and BVSs is likely to be installed for hazardous fluids. In addition, the disposal of unwanted liquid effluents would be managed in accordance with a management plan agreed with the local planning authority. This would avoid impact to water quality of nearby surface water and groundwater receptors.'

We request further details of this approach. We wish to understand whether there is any intention to connect such flows to our public sewerage network and to ensure any potential impact on water supply assets is fully considered and mitigated.

Surface Water Management Hierarchy

We wish to emphasise that consistent with the principles of the hierarchy for the management of surface water in national planning policy and the obligations of the Environment Act 2021, no surface water will be allowed to discharge to the existing public sewerage system. Surface water should instead discharge to more sustainable alternatives as outlined in the surface water management hierarchy. This will ensure the impact of development on public wastewater infrastructure, both in terms of the wastewater network and wastewater treatment works, is minimised. We adopt this position as surface water flows are very large when compared with foul flows. By ensuring that no surface water enters the public sewerage system, the impact on customers, watercourses and the environment will be minimised.

Please note, United Utilities is not responsible for advising on rates of discharge to the local watercourse system. This is a matter for discussion with the Lead Local Flood Authority and / or the Environment Agency (if the watercourse is classified as main river).

There should be no land drainage, including dewatering proposals, discharged to the public sewer.

Rights to Discharge to Watercourse or Other Receiving Water Body

Given the importance of surface water discharging to an alternative to the public sewer, we request that all land that is necessary to facilitate a discharge to a watercourse is fully identified within the Order Limits. This will ensure the Order benefits from the requisite rights of discharge to more sustainable alternatives than the public sewer for the management of surface water, e.g., a right to discharge to a watercourse or other water body. For clarity, the extent of land should be sufficient to facilitate a surface water discharge to a watercourse / water body for all elements of the pipeline route. Ensuring that the extent of land within the Order Limits and the supporting ES is sufficient for the purposes of the discharge of surface water is important as a sewerage company has no power to acquire the right to discharge surface water to a water body under the Water Industry Act.

It is equally important to ensure that any existing outfalls that it may be necessary to relocate as a result of any watercourse / culvert diversion are delivered under the powers of the Order.

Multi-functional Sustainable Drainage Systems

We request that surface water is only managed via sustainable drainage systems which are multi-functional and at the surface level in preference to conventional underground piped and tanked storage systems.

Wherever practicable, Sustainable Drainage Systems (SuDS) should be implemented in accordance with the CIRIA SuDS manual. Managing surface water through the use of SuDS can

provide benefits in water quantity, water quality, amenity and biodiversity.

If the applicant intends to offer wastewater assets forward for adoption by United Utilities, their proposed detailed design will be subject to a technical appraisal by our Developer Services team and must meet the requirements outlined in '*Sewers for Adoption and United Utilities' Asset Standards*'. This is important as drainage design can be a key determining factor of site levels and layout.

Acceptance of a drainage strategy does not infer that a detailed drainage design will meet the requirements for a successful adoption application. We strongly recommend that no construction commences until the detailed drainage design, has been assessed and accepted in writing by United Utilities. Any work carried out prior to the technical assessment being approved is done entirely at the developer's own risk and could be subject to change.

Management and Maintenance of Sustainable Drainage Systems

Without effective management and maintenance, sustainable drainage systems can fail or become ineffective. As a provider of wastewater services, we believe we have a duty to advise the determining authority of this potential risk to ensure the longevity of the surface water drainage system and the service it provides to people. We also wish to minimise the risk of a sustainable drainage system having a detrimental impact on the public sewer network should the two systems interact. We therefore recommend that you include details of a management and maintenance regime for any sustainable drainage system that is included as part of the proposed development.

Please note United Utilities cannot provide comment on the management and maintenance of an asset that is owned by a third party management and maintenance company. We would not be involved in the approval of the management and maintenance arrangements in these circumstances.

4. Geo Environmental / Geotechnical

Groundwater Environment and Water Resources

We request that the approach to the assessment of the impact on the groundwater environment is considered and agreed with United Utilities. In this regard, we note paragraph 6.13.6 of the Non-Technical Summary of the Preliminary Environmental Information Report which states '*During operation, it is possible that there would be significant permanent effects on groundwater. This is to be confirmed once detailed design information is available.*'

The River Dee catchment is of strategic importance to United Utilities and supplies approximately one third of customers in the North West. The way that land is managed and used in this area is critical to ensure that the public water supply resource is not compromised. In this context, you will need to ensure that there is no unacceptable impact on the River Dee catchment and associated water resources.

Contaminated Land

United Utilities requests that the assessment of potential environmental impact from contamination fully considers the impact on our assets, water resources and water quality as a result of construction of the proposed development.

5. Water Supply Requirements

We request that you provide details of any water supply requirements for both construction and during operation as soon as possible. This should include details on rates of water supply required in litres per second and anticipated points of connection to the public water supply network. The details of water supply required should include details for any fire response purposes that may be necessary. For temporary related activities, such as construction compounds and workers accommodation, early consideration of any water supply requirements will also be required. If reinforcement of the water network is required to meet potential demand, this could be a significant project and the design and construction period should be accounted for.

6. General Advice

If you intend to request water and/or wastewater services from United Utilities, you should visit our website for advice. This includes seeking confirmation of the required metering arrangements for the proposed development.

If the proposed development site benefits from existing water and wastewater connections, the applicant should not assume that the arrangements will be suitable for the new proposal.

In some circumstances we may require a compulsory meter is fitted. For detailed guidance on whether the development will require a compulsory meter please visit [REDACTED] and go to section 7.7 for compulsory metering.

To avoid any unnecessary costs and delays being incurred by the applicant or any subsequent developer, we strongly recommend the applicant seeks advice regarding water and wastewater services, and metering arrangements, at the earliest opportunity. Please see 'Contacts' section below.

Contacts

As discussed at our recent meeting, the project contacts for this proposal at United Utilities are **Andrew Leyssens, Planning Manager, Jonathan Cartledge, Asset Manager and Hope Wright, Project Engineering Manager.**

Website

For detailed guidance on water and wastewater services, including application forms and the opportunity to talk to the Developer Services team using the **'Live Chat'** function, please visit:

[REDACTED]

Property Searches (for asset maps):

A number of providers offer a paid for mapping service including United Utilities. For more information, or to purchase a sewer and water plan from United Utilities, please visit

Water and sewer records can be viewed for free at our Warrington Head Office by calling 0370 751 0101. Appointments must be made in advance. Public sewer records can be viewed at local authority offices. Arrangements should be made directly with the local authority. The position of the underground apparatus shown on asset maps is approximate only and is given in accordance with the best information currently available. United Utilities Water will not accept liability for any loss or damage caused by the actual position being different from those shown on the map.

If you wish to discuss the detail of this letter further, please do not hesitate to contact me at planning.liaison@uuplc.co.uk. Please note I am scheduled to be on annual leave from today until Wednesday 27 April.

Yours faithfully

Andrew Leysens
Planning, Landscape and Ecology
United Utilities Water Limited

Cc Planning Inspectorate (By email: NIEnquiries@planninginspectorate.gov.uk)



Ein cyf/Our ref: WB

22 March 2022

Dear HyNet

HyNet Carbon Capture Pipeline Consultation

Please find below observations from Welsh Government in response to the Stage 2 consultation on the proposed Carbon Capture pipeline for the HyNet North West project.

The current carbon route consultation is based upon a route from Stanlow to Flint and re-use of some assets to Point of Ayr. [REDACTED]

Whilst the consultation provides information on the proposed carbon capture pipeline but does not provide any detail on the proposed offshore route to the end connection for the storage of the captured carbon.

The regulation and consenting of carbon capture and storage activities, from appraisal, through commercial storage and operation, and finally decommissioning, comprises an extensive framework of both devolved and reserved executive functions.

Environmental permitting, both onshore and offshore, the planning regime, licensing, and emerging legislative requirements are either fully devolved, or in part devolved, to Welsh Ministers and Welsh competent authorities and it is important for HyNet to continue discussions with Welsh Government officials to ensure all the relevant permits and licence applications are submitted to the appropriate organisations / authorities in a timely manner.

It should be noted that consents issued by English and UK authorities may not be applicable to those parts of a development with infrastructure within Wales. Infrastructure that crosses Welsh land or its territorial waters, including cross-border developments that

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

start or end outside of Wales, will likely require specific Welsh consents. It may also be necessary to replicate consents either side of a specific border.

The consenting regimes applicable to activities in Wales, whilst not dissimilar to other parts of the UK, may be subject to Wales's specific policy and legislative requirements. In particular, the Well-being of Future Generations (Wales) Act 2015, which stipulates that, in the exercise of all of its functions, the Welsh Ministers and competent authorities are obliged to carry out sustainable development.

The Welsh Government is preparing a regulatory route map to better understand the practical implications of regulating cross-border infrastructure. The regulatory route map will be utilised as a tool for Welsh Government, Welsh and English regulatory authorities, and for developers seeking consents.

It is important that any carbon, capture and storage infrastructure along the north Wales coast is developed in the context of a wider integrated decarbonised economy. This includes the opportunity to accelerate the deployment of the planned hydrogen pipelines across the border and into North East Wales, and the potential to transition from blue to green Hydrogen in the future.

We are keen to maintain regular discussions to have early sight of any matters which arise as the project progresses.

Yours sincerely

|

Wendy Boddington

Wendy Boddington
Pennaeth Cyflenwi Rhanbarthol/ Head of Regional Delivery
Datblygu Rhanbarthol/ Regional Development
Llywodraeth Cymru / Welsh Government
Sarn Mynach / Sarn Mynach
Cyffordd Llandudno / Llandudno Junction
LL31 9RZ / LL31 9RZ



Dŵr Cymru
Welsh Water

Developer Services
PO Box 3146
Cardiff
CF30 0EH

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HyNet North West
London
UK
SW1W 8PZ

Date: 18/03/2022
Our Ref: PPA0006490

Dear Sir/Madam,

Grid Ref: 342778 372508

Site Address: Chester and Flint

Development: DCO-HyNet North West Carbon Dioxide Pipeline

I refer to your pre-planning enquiry received relating to the above site, seeking our views on the capacity of our network of assets and infrastructure to accommodate your proposed development. Having reviewed the details submitted I can provide the following comments which should be taken into account within any future planning application for the development.

We refer to your consultation on a scoping consultation and notification in accordance with regulation 10 and 11 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 which relates to a Development Consent Order for the HyNet North West Carbon Dioxide Pipeline. We have reviewed the documents available at this stage in the process and specifically the Scoping Request received. We welcome the opportunity to comment on the proposal and would offer the following standing advice which should be taken into account within any future application:

APPRAISAL

Firstly, it appears the application does not propose to connect to the public sewerage system or potable water network, and therefore Dwr Cymru Welsh Water has no objections in principle. However, should circumstances change and a connection to the public sewerage system/potable water network is preferred we must be re-consulted on this application.

Surface Water Drainage

As part of the development falls within Wales, as of 7th January 2019, this proposed development is subject to Schedule 3 of the Flood and Water Management Act 2010. The development therefore requires approval of Sustainable Drainage Systems (SuDS) features, in accordance with the 'Statutory standards for sustainable drainage systems – designing, constructing, operating and maintaining surface water drainage systems'. It is therefore recommended that the developer engage in consultation with the Flintshire Council, as the determining SuDS Approval Body (SAB), in relation to their proposals for SuDS



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We welcome correspondence in
Welsh and English

Dŵr Cymru Cyf, a limited company registered in
Wales no 2366777. Registered office: Pentwyn Road,
Nelson, Treharris, Mid Glamorgan CF46 6LY

Rydym yn croesawu gohebiaeth yn y
Gymraeg neu yn Saesneg

Dŵr Cymru Cyf, cwmni cyfyngedig wedi'i gofrestru yng
Nghymru rhif 2366777. Swyddfa gofrestredig: Heol Pentwyn
Nelson, Treharris, Morgannwg Ganol CF46 6LY.

features. Please note, Dwr Cymru Welsh Water is a statutory consultee to the SAB application process and will provide comments to any SuDS proposals by response to SAB consultation

Asset Protection

The proposed development site is crossed by a public sewer with the approximate positions being marked on the attached Statutory Public Sewer Record. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

- No part of any building will be permitted within 3 metres either side of the centreline of the 63mm watermain (317323, 373190).
- No part of any building will be permitted within 3 metres either side of the centreline of the 110mm watermain (325579, 371095).
- No part of any building will be permitted within 4.3 metres either side of the centreline of the 400mm watermain (326116, 369063).
- No part of any building will be permitted within 3 metres either side of the centreline of the 125mm watermain (326165, 368512).
- No part of any building will be permitted within 3 metres either side of the centreline of the 3" watermain (326768, 367523).
- No part of any building will be permitted within 4.45 metres either side of the centreline of the 19" watermain (327181, 367368).
- No part of any building will be permitted within 3 metres either side of the centreline of the 90mm watermain (327624, 367379).
- No part of any building will be permitted within 4.15 metres either side of the centreline of the 12" watermain (328614, 366940).
- No part of any building will be permitted within 4.15 metres either side of the centreline of the 300mm surface water sewer (329244, 366964).
- No part of any building will be permitted within 3 metres either side of the centreline of the 150mm surface water sewer (329244, 366964).
- No part of any building will be permitted within 4.3 metres either side of the centreline of the 400mm watermain (329674, 367184).
- No part of any building will be permitted within 4.6 metres either side of the centreline of the 600mm watermain (329715, 367218).
- No part of any building will be permitted within 4.3 metres either side of the centreline of the 14" watermain (329959, 367340).
- No part of any building will be permitted within 3 metres either side of the centreline of the 150mm foul sewer (330253, 367103).
- No part of any building will be permitted within 4.75 metres either side of the centreline of the 27" watermain (330340, 367024).
- No part of any building will be permitted within 4.75 metres either side of the centreline of the 27" watermain (330830, 366769).
- No part of any building will be permitted within 3 metres either side of the centreline of the 180mm watermain (331534, 367266).



- No part of any building will be permitted within 3 metres either side of the centreline of the 375mm combined sewer (331670, 367313).
- No part of any building will be permitted within 4.75 metres either side of the centreline of the 27" watermain (335791, 368363).
- No part of any building will be permitted within 3 metres either side of the centreline of the 225mm combined public sewer (338632,371116).
- No part of any building will be permitted within 3 metres either side of the centreline of the 150mm combined public sewer (338195, 370567).
- No part of any building will be permitted within 3 metres either side of the centreline of the 150mm combined public sewer (338210,370371).

We also note that the proposed site is located within the vicinity of our freehold ownership sites namely Queensferry Waste Water Treatment Works (WwTw) and Alltami covered reservoir, we request that this proposal does not encroach on these sites.

Our strong recommendation is that your site layout takes into account the location of the assets crossing the site and should be referred to in any master-planning exercises or site layout plans submitted as part of any subsequent planning application. We also request an accurate location plan of the proposed pipeline so that we can assess its impacts on our infrastructure further. Further information regarding Asset Protection is provided in the attached Advice & Guidance note.

Notwithstanding the above, we respectfully reserve the right to comment further on any matters and issues arising from ongoing and future consultation. However, we trust the above information is helpful at this stage and we look forward to continuing our engagement on the project prior to and during the submission of an application to the Planning Inspectorate.

I trust the above information is helpful and will assist you in forming water and drainage strategies that should accompany any future planning application. I also attach copies of our water and sewer extract plans for the area, and a copy of our Planning Guidance Note which provides further information on our approach to the planning process, making connections to our systems and ensuring any existing public assets or infrastructure located within new development sites are protected.

Please note that our response is based on the information provided in your enquiry and should the information change we reserve the right to make a new representation. Should you have any queries or wish to discuss any aspect of our response please do not hesitate to contact our dedicated team of planning officers, either on 0800 917 2652 or via email at developer.services@dwrwymru.com

Please quote our reference number in all communications and correspondence.

Yours faithfully,



Owain George
Planning Liaison Manager
Developer Services

Please Note that demands upon the water and sewerage systems change continually; consequently the information given above should be regarded as reliable for a maximum period of 12 months from the date of this letter.

]



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We welcome correspondence in
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Gymraeg neu yn Saesneg

Dŵr Cymru Cyf, cwmni cyfyngedig wedi'i gofrestru yng
Nghymru rhif 2366777. Swyddfa gofrestredig: Heol Pentwyn
Nelson, Treharris, Morgannwg Ganol CF46 6LY.

F3

S42b
responses

HyNet
North West



Liverpool Bay CCS Ltd
Eni House
10 Edbury Bridge Road
London
SW1W 8PZ

Development Management

Planning Service
Cheshire West And Chester Council
4 Civic Way Ellesmere Port CH65 0BE
Tel: 0300 123 7027
Email: planning@cheshirewestandchester.gov.uk
Web: www.cheshirewestandchester.gov.uk

our reference:	your reference:	please ask for:	date:
21/04793/REQ	Hynet-s42- 07022022- 2898000-2	Ben Greenwood	22 March 2022

Dear Sir/Madam

STATUTORY CONSULTATION UNDER SECTION 42 OF THE PLANNING ACT 2008

PRE-APPLICATION PUBLICITY IN ACCORDANCE WITH SECTION 48 OF THE PLANNING ACT 2008 AND REGULATION 13 OF THE INFRASTRUCTURE PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017

I write in response to the statutory consultation under Section 42 of the Planning Act 2008 within letter dated 07 February 2022 and supporting documents including the Preliminary Environmental Impact Report (PIER). This response of the Council focuses on the main assessment areas as identified within the PEIR document.

As was commented within the Councils previous response to the Scoping Opinion the overall EIA methodology and content is generally supported by the Council. Whilst Local Plan Policies are correctly acknowledged within the PEIR, it is noted that in Chapter 11 the most up-to-date Policies of the Cheshire West and Chester Local Plan (part two) have not been cited. In addition, it is also noted that the relevant Neighbourhood Plans do not appear to have been acknowledged.

Chapter 6 – Air Quality

The Councils Environmental Protection Unit (EPU) are pleased to note the inclusion of the risk assessment detailed in Appendix 6-2 and 6-3 to assess and inform emergency venting at the above ground installations and noting the size of the block valves stations where venting may also occur and the chosen construction corridor, our concerns regarding this matter are adequately addressed.

It is advised that dust generation should be covered within any CEMP requirement once adequate details of the scheme are known.

Chapter 7 - Climate Resilience

The Councils Climate Change team are broadly supportive of the project and consider the measures proposed in the PEIR document, in respect climate resilience, to be largely comprehensive.

The team comments on chapter 7 that specific to table 7-7-2 the following applies under the rainfall section the potential impact does not mention the increased chance of ground movement as a risk due to fluidity of subsoils (this is included in the sea level rise section) and noted in table 18.1. The table in the extreme heat section mentions the potential impact of shrinking and cracking of soils but not the impact on the project in terms of subsidence or ground movement. The Impact from high winds is stated as a potential impact but is not clear as whether this assessing the infrastructure or the surrounds e.g., falling trees on to the AGI or both.

Chapter 8 – Cultural Heritage

Conservation

The Councils Conservation Officer advises, due to the nature of the proposed works, it is unlikely that the underground pipeline would have any effect on the setting of any designated or non-designated heritage assets within the identified New Build Infrastructure Boundary or the wider 1k study area.

While it is noted in Section 8 of the PEIR that some disruption and impact on the setting of heritage assets within the identified boundaries is expected during the construction phase, this would only be temporary so would be deemed acceptable.

Section 8 looks to address the preliminary finding regarding the impacts associated with the historic environment as a result of the proposal along with potential design, mitigation and enhancement measures.

Within the Newbuild Infrastructure Boundary, there is a single scheduled monument: the late medieval moated site, fishpond and connecting channel at Elton, along with two conservation areas (Thornton-le-Moors and Chester Canal – West).

While the setting of these heritage assets will be temporarily effected during the construction phases, the construction of any above ground amenity such as the AGI's and BVS' mentioned above would likely have some impact on the assets significance and setting. Where this may be the case, a Heritage Impact assessment should be undertaken to better understand the impact of the proposal.

While the preliminary location of the Ince AGI, does not appear to have an effect on any heritage assets it is however in relative proximity to both Ince and Elton Conservation Areas, both within the 1km study area, so views of this proposed AGI from both locations should be explored.

The PIER notes that the Ince AGI will be located within a compound of approximately 55x40m with secure fencing upto 3m high so care should be taken to screen this if it was likely to have a negative effect on the setting of the conservation areas.

The same is to be said for the Stanlow AGI, as this 86x36m compound, would be lit permanently and is located just outside the Thornton-le-Moors conservation area. Again in this instance it would be beneficial to review how any views into and out of the conservation area would be effected by this proposed, specifically in the evenings considering the compound is to be lit on a permanent basis.

The PIER also includes block valves as an above ground feature, and while the locations of these have not yet been determined, care should be taken to position them to have as little effect on any designated or non-designated heritage assets as possible, with the impact on setting being of great importance.

One concern raised with Table 8-6 of the PIER is the potential impacts of the proposed on the moated site, Fishpond and Connecting Channel at Elton (scheduled monument). The summary of the potential impacts on this site list the asset as being of high significance with direct permanent impacts during excavation having a major adverse effect. While it is noted that Scheduled Monument Consent would need to be sought, involving consultation with Historic England, it would be ideal if the need for such consents could be avoided to protect the significance of the site through the redirection of the proposed pipeline.

The Cheshire West and Chester Local Plan, notes that 'all development should safeguard or enhance both designated and non-designated heritage assets and the character and setting of areas of acknowledged significance' and it is for this reason that further exploration is needed to fully access the impact of the above ground



compounds on the setting of adjacent designated assets. In line with Local Plan (Part One) policy ENV 5, any development within or affecting the setting of a conservation area will be expected to pay special attention to the desirability of preserving or enhancing the character or appearance of that area. The development proposal should therefore consider the existing townscapes, local landmarks and skylines, the contribution that open area make to the special character and appearance of the conservation area.

Archaeology

A summary of the approach adopted with regard to cultural heritage is given in Section 6.3 of the Preliminary Environmental Information Report's (PIER) Non-Technical Summary whilst more detailed information is provided in Chapter 8 in Volume 2 of the PIER. Information on cultural heritage is presented visually in Figures 8.1, 8.2, and 8.3, which appear in Volume 4 of the PIER and depict designated heritage assets, non-designated heritage assets, and past archaeological investigations within the study area.

In brief, Chapter 8 in Volume 2 presents the results of an initial desk-based assessment, supplemented by a preliminary walk-over survey. The assessment is based on data held in the Cheshire Historic Environment Record and an examination of aerial photographs and historic maps, etc.

This process has identified the potential for archaeological remains of all periods and deposits with palaeoenvironmental interest to be present within the proposed development area. In view of this, it is conformed that the extant study will be supplemented by a geophysical survey which will be carried out along the route in order to define areas of archaeological interest more closely.

In addition, the extant study will be enhanced by an examination of available Lidar data and the preparation of a geo-archaeological report which will aim to identify areas of particular archaeological and palaeoenvironmental potential.

The preparation of this latter report has been recommended by Historic England in recognition of the fact that the ephemeral archaeological remains that characterise much of the region's lowland archaeology may not be susceptible to identification through geophysical survey and that a full appreciation of a development's archaeological potential requires a consideration of topography and soil type.

The Archaeology Planning Advisory Service (APAS) fully supports this recommendation by Historic England.

One specific potential effect of the development that should be noted at this point

concerns the potential effect of the development on the medieval moated site at Elton, which is a statutorily-protected Scheduled Monument (SM1012122).

The report recognises that any works affecting this site will require scheduled monument consent but it must be emphasised that the site's designated status means that it is by definition of National Significance and that every effort should be made to design the development in such a way that the need for scheduled monument consent is avoided. If this is not thought to be possible, consultation with Historic England will be required in order to discuss the matter further.

In conclusion, it is advised that the general approach is appropriate and will assist in developing a full archaeological mitigation strategy for the development. Furthermore, Paragraph 8.10.6 confirms that APAS, along with other relevant bodies such as Historic England, will be consulted over the development of the final approach to archaeological mitigation. This is likely to involve a programme to identify, excavate, and record any archaeological remains affected by the project, with reporting on the results and the publication of any particularly significant results.

Chapter 9 – Biodiversity

Plans Comments

Section 1:

As well as passing through Frodsham Helsby & Ince Marshes LWS and Goway Meadows and Ditches LWS and River Goway, the route crosses non-designated small ditches and marshland, the collective impact on which should be taken into account.

Section 2:

The route passes very close to Collinge Wood LWS and so there should be a stand-off in terms of direct and indirect impacts.

Section 3:

Either one of the North or South Chester/Birkenhead railway options dissects a LWS; Lea by Backford Railway Cutting or Viaduct Wood; is it possible to avoid Viaduct Wood if using the southern route option?

It is suggested that the pipe route is moved to the northern area of the development area range around Kingswood to avoid Wood West of Crabwall Manor LWS?

The Saughall Bank LWS is dissected.

Section 4 (Flintshire):



Proposed compound adjacent to River Dee; is this needed due to drilling at this location or can it be moved further away?

PEIR Chapter 9 Specific Comments

The wrong Conservation of Habitat and Species Regs are referred to, it should be The Conservation of Habitats and Species Regulations 2017 (as amended), not 2019 EU Exit Regs.

The ODPM Government Circular 06/2005 Biodiversity and Geodiversity has not been included in the list of policy.

Paragraph 9.2.8

“As encouraged through the NPPF and PPW, a Biodiversity Net Gain (BNG) assessment based on Defra BNG Metric 3.0 (Ref. 9-21, 9-22, 9-23), will be used to inform and quantify the change in biodiversity value of land within the Newbuild Infrastructure Boundary before and after the construction of the DCO Proposed Development. “

This is agreed and it is also noted in section 4.4.7 of Table 9.1 that all habitats will be included as previously requested.

Table 9-1 - Summary of the EIA Scoping Opinion in Relation to Biodiversity

“4.4.2 The Applicant will include an assessment of operational / maintenance effects which will be detailed within the impact assessment. The Applicant is in consultation with relevant stakeholders and where agreements can be reached, in relation to operational / maintenance effects, these will be clearly detailed and additionally captured within a Statement of Common Ground (SoCG).”

This is noted and agreed.

“4.4.5 The Applicant will provide justification and reasoning for the selection of bird transect locations within the ES. Broadly, transect locations have been chosen on the basis of known, or considered, areas of bird activity/concentration and areas that will be impacted by the DCO Proposed Development. Transect locations have been discussed with relevant stakeholders, of which, details will be captured within the SoCG. The results of bird surveys will be included within the ES alongside details of consultation with relevant stakeholders on the extent, location, and methodology of bird surveys.”



Bird scoping surveys should also include Wintering and Passage surveys and therefore functionally linked land associated with the RAMSAR/SPA sites within range of the development; it is noted this is referenced in section 4.48 of the table, however, the cross-reference and linked impacts should be identified.

It is noted in Table 9-3 – (Receptor, Survey Buffer and Reference to Best Practice Guidelines) that Phase One Habitat Surveys are referenced, but it should also be noted that to complete a BNG metric, UK Habs methodology will also need to be used, with surveyors making specific notes on habitat conditions in the field, to be able to populate the metric in a robust way. Also, as River and watercourses may be affected, MoRPH (Modular River Physical) qualified assessors are required to complete the Rivers tab of the metric.

Please see comment on Badger survey methodology under Table 9-7.

Assumptions and Limitations Comments

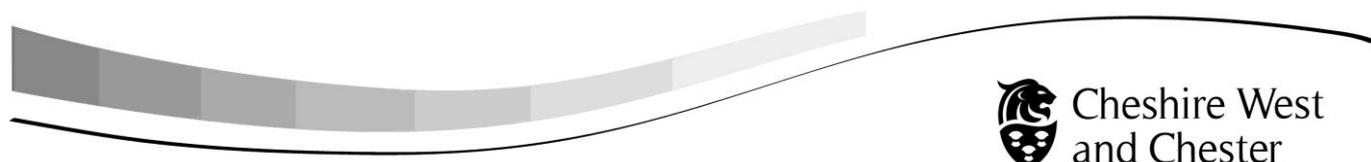
“9.4.26. As a result of the COVID-19 pandemic, restrictions on survey method have been imposed to safeguard surveyor and public health. Specifically, no internal bat roost assessments of buildings have been undertaken. Buildings have been subjected to detailed external inspection only to identify features with potential to support roosting bats and, where identified, appropriate further survey effort has been applied (i.e. dusk emergence and dawn re-entry surveys). This has also involved the use of infrared cameras to supplement physical surveyor presence. An absence of internal building assessments is not considered to have negatively impacted the overall assessment or subsequent categorisation of buildings.”

This was the case in 2020, however looking at consultant surveys regularly, I have not had this noted as a survey limitation in the 2021 season and it shouldn't be in the 2022 season, so this should be justified further.

Table 9-7 - Summary of Preliminary Likely Significant Effects during the Construction Phase

Badgers:

It is noted that Badger setts have been identified within the development boundary. Impact on Badgers is noted as only “Moderate adverse significant effect” yet there is no justification for this? ODPM Government Circular 06/2005 Biodiversity and Geodiversity states that “ *the likelihood of disturbing a badger sett, or adversely affecting badgers’ foraging territory, or links between them, or significantly increasing the likelihood of road or rail casualties amongst badger populations , are capable of being material considerations in planning decisions*”. It is stated that there is potential



to impact foraging and commuting habitats. It is noted that Badger bait-marking surveys have not been put forward as a way of accurately mapping Badger territories (and therefore impacts on commuting and foraging routes) and for a large pipeline development that will likely sever commuting and foraging routes on a large scale, it is expected that this methodology should be explored and carried out in full, or in strategic areas informed by sett locations and the pipeline route.

Construction Comments

Paragraph 9.8.4:

“Where trees with the potential to support roosting bats are proposed for felling or pruning, precautionary measures would be undertaken under the supervision of a suitability qualified ecologist and would include pre-works checks and soft felling of trees and / or individual branches.”

It is assumed this refers to trees with Low bat roost potential, as high and moderate potential trees will require climbing and/or dawn/dusk surveys, in line with BCT guidelines.

Chapter 10 – Greenhouse Gasses

The Councils Climate Change team are broadly supportive of the project and consider the measures proposed in the PEIR document, in respect management of greenhouse gasses, to be largely comprehensive.

The Team comments on Chapter 10 that specific to table 10.1 there is not mention of traffic and transport related emissions in the construction (only the removal of waste) of the pipeline (as noted in section 10.4.7, 10.4.15 and 10.76). As transport is the second largest emission in the Cheshire West area contributions to this would be seen as significant. Can it be clarified as to why this is not in scope in table 10.1?

Chapter 11 – Land and Soils

This chapter reports the likely significant impacts of the development upon land and soils including contamination and soil and mineral resources, comments on both such areas are provided below. It is noted that the local policy requirements, paragraph 11.2.6, only refer to Local Plan (Part One) Policies (ENV3, ENV4, ENV7 and ENV9). Relevant Local Plan (Part Two) Policies including Minerals Supply and Safeguarding (M1, M2, M3 M8), Green Infrastructure, Biodiversity and Geodiversity (DM44) and, Land Contamination (DM 32) Policies should all be referred to.

Land Contamination



The preliminary assessment found that the site is predominantly agricultural in nature, however there are likely to be areas of made ground and pockets of industrial land (particularly around Stanlow) and operational and historic landfill sites. It states that a ground investigation is currently being undertaken, prior to the construction phase, which includes geo-environmental sampling of soil, groundwater and surface water. Section 11.8.7 states that the results of the ground investigation will be interpreted and assessed within a Generic Quantitative Risk Assessment which will be provided for regulatory approval. If the ground investigation identifies contaminated linkages a Remediation Strategy will be produced which would be agreed with the regulators prior to implementation.

It is considered that the information contained within Chapter 11 is satisfactory and the Council concur with the proposed next steps, including reviewing the findings of the intrusive site investigation to quantify the expected ground conditions and identified potential sources of contamination.

Mineral Safeguarding

In response to the Scoping Opinion, 'Table 11-1' advises that a stand-alone Mineral Resource Assessment (MRA) will be considered for the Mineral Safeguarding Areas (MSAs) in line with the various council's policies and can be submitted with the ES. In this respect it is important that the MRA is undertaken, and opportunities are considered for prior extraction and use of any extracted sand and gravel to reduce the need for import of materials and reduce sterilisation. What is not clear is how much sand and gravel is needed for the pipeline route, AGIs or associated temporary roads and other infrastructure. This information needs to be provided and shared with Cheshire West and Chester Council as the Mineral Planning Authority.

It is advised that 'Table 11-3' and '11-4' should include mineral resources, including sand, gravel and coal. In the North-West of England the supplies of sand and gravel are reducing and quarries are closing. As such, many authorities in the North-West do not have the required 7-year landbank for sand and gravel. This makes protection of MSAs even more important. Given the lack of sand and gravel supplies, depending on the size of the MSA impacted (either directly or via severance or buffer zones), there could be major, moderate or minor magnitude impacts of high to low sensitivity. This will also depend on the depth, quality and scale of the resource. Further research and assessment should be undertaken in relation to this issue.

Paragraph 11.4.20 advises that a MRA hasn't yet been prepared. CWACC should be given opportunity to comment on this report as soon as possible.

'Table 11-17' identifies a slight beneficial impact of the decommissioning phase by allowing the mineral reserve to be extracted. However, could the pipeline construction have contaminated or mixed the reserve? If so, it may be better to undertake prior extraction. This should be assessed further. The same comment applies to p43, 'Table 11-20'. It is also identified in para 3.8.1 of Chapter 3 of the PEIR that when the pipeline reaches the end of its useful life, the pipeline would be decommissioned and filled with nitrogen. Paragraph 3.8.2 continues to state that it is anticipated that the pipeline would be made safe and left in situ. This means that extraction of the mineral would not be possible after decommissioning and prior extraction should be undertaken.

In view of the above, it is advised that in respect 'Table 11-18' and the Mitigation and the Enhancement section that any proposed mitigation should, depending upon the findings of the MRA, consider prior extraction as an option.

Chapter 12 – Landscape and Visual

It is noted that no further detailed landscape proposals, nor any updated Landscape and Visual Impact Assessment, has been provided since the Scoping Opinion for which comments of the Councils have been previously made.

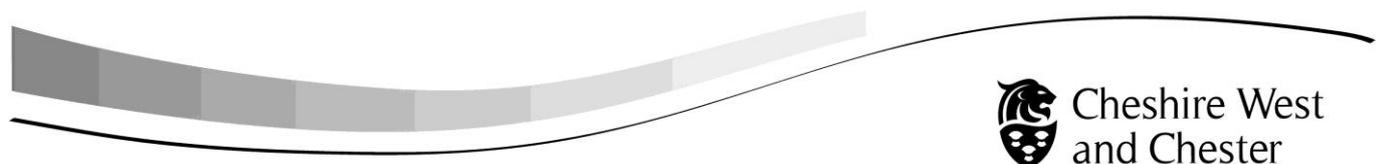
One of the main discussions, within a meeting held with the applicant's landscape consultant, was to look at repositioning the above ground features (AGIs) away from existing mature vegetation to assist with mitigation. Areas of concern were also raised along the pipeline route are those where open cut trench method would impact upon vegetation and in particular mature trees. In this respect the Council welcome an approach to micro siting away from these features where possible in the first instance.

The Councils asks that the design process should take all measures possible to avoid the loss of mature specimen trees and that information should be included in regards biodiversity net gain and replacements for any trees and hedges that will be lost as a result of the works.

The Council also highlight the importance of being clear within the LVIA assessment as to what the key issues are as well as being clear about what is above ground, below ground, open cut trench and HDD.

The Council concur that the viewpoints should focus on the key areas and assess the sensitive receptors nearby. Any potential significant effects will need to be highlighted at an early stage with supporting mitigation measure clearly demonstrated in the supporting documentation.

It is advised that the proposals as a minimum include the following:



- Landscape and Visual Impact Assessment
- Section views and elevations
- Viewpoints and Photomontages. For all viewpoints, please include a red line to illustrate the extent of the proposed development including the position of the highest built features.
- Include views from Public Rights of Ways
- Landscape Layout Plans. Include for planting species and specifications. Include for hard and soft landscaping
- Information on all proposed storage compounds including fencing detailing
- Existing and proposed features for removal
- Information on protection of existing boundary landscaping
- Information on proposed boundary treatment
- Landscape Strategy and Design rational to support proposals and mitigation measures
- Management and Maintenance Plan

Chapter 14 – Materials and Waste

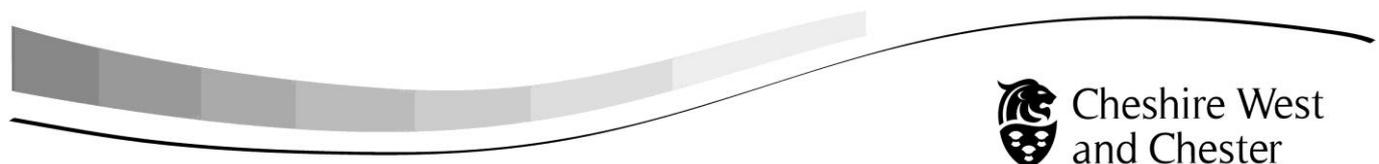
It is noted that paragraph 14.4.5 refers to the NW AWP AMR 2019, the 2020 version of the report is now available and should be used in any assessments.

Within 'Table 14-5' clarification is needed of where the information on sand and gravel, crushed rock and recycled aggregate availability in the North-West taken from and when is the data should be provided. If it is from the NWAWP AMR 2019, the 2020 version of the report is now available. Information for primary aggregates should be provided within the NW AWP AMR.

Table 14-12 states that the required aggregate quantity is unconfirmed and is to be assessed at the ES. This information is needed asap to be able to check for implications, especially due to the general reductions and lack of supply of sand and gravel in the North-West of England.

Table 14-14 states that the waste quantities and disposal methods are unconfirmed and are to be assessed at ES. This information is needed asap to be able to check for implications and plan for waste disposal. It is not clear whether options for treatment of waste have been considered to enable re-use rather than disposal.

Paragraph 14.7.11 identifies that the development has the potential to sterilise mineral safeguarding areas. We agree with the identification of major magnitude and significant adverse effects as a result.



Paragraph 14.8.2 identifies under 'mitigation' that a MRA will need to be prepared. We agree that a MRA is required, but this will form evidence not mitigation. Further mitigation measures such as prior extraction may also be required.

Paragraph 14.8.3 states that assessment of significant effects in relation to material resource consumption and waste generation and disposal to landfill is not possible at this stage due to the absence of quantitative data. This evidence should be obtained ASAP and the Council should be kept informed as the relevant waste planning authority.

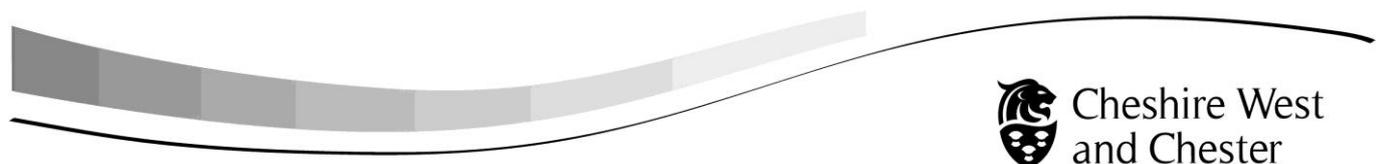
In terms of sterilisation of MSAs Table 14-16 identifies that if the MRA gains approval by the LPA this would be adequate mitigation. The Council do not agree with this statement. Generally, a MRA just provides evidence of the resources available on the site. Using the findings within the MRA, the applicants would need to suggest how potential impacts on MSAs could be avoided or mitigated (for example through prior extraction) and the LPA would need to agree to these avoidance / mitigation measures to ensure that there are no moderate adverse significant effects.

Chapter 15 – Noise and Vibration

Further to the comments provided at the Scoping Opinion stage the Councils EPU confirm that the proposed corridor route is favourable following a predominantly rural path and consequently minimising the number of noise sensitive receptors (NSR) in the process. The proposed compound locations have been well selected, away from NSRs and in areas of high background noise during operational hours. It is noted that para 13.7.8 of the PEIR and the commitment to establish the significance criteria with the Council for both the construction and operation phase.

Construction noise will primarily be controlled through hours of operation. The Councils EPU advise that hours of construction and deliveries should be subject to Local Planning Policy DM30 and that the default position is that deliveries and construction activity should not take place outside 08.00 hours to 18.00 hours Mondays to Fridays; 08.00 hours to 13.00 hours on Saturdays or at any time on Sundays or Bank Holidays. Whilst the Council are not adverse to extending these hours for certain sections of the proposed route, there should be a requirement on the applicant to present suitable data to support such proposal and any variation to the hours of operation should be subject to written approval by the Local Planning Authority (LPA). Detailed Construction Environmental Management Plans (CEMPs) should be submitted for agreement by the LPA and should cover both the route and individual compounds and equipment/plant stores.

Chapter 16 – Population and Human Health



It is noted that Public Rights of Way (PROW) sit across subject appraisals of travel and transport and landscape. The Councils PROW Officer provides a general recommendation that whenever possible, where a PROW has to be closed temporarily, an alternative route is made available even if that may be within the area of the DCO. This would satisfy the need to protect the sustainable travel options. The specific comments of the Councils PROW officer are given below in respect the specific pipeline sections:

Section 1

The pipe route cuts FP2 Thornton Le Moors and FP5 Elton.

A construction compound is indicated just south of Elton Green and will have the public footpath 3 Elton running through the middle and runs close to the existing moat site. If, as presumed, the compound is only to be present for the duration of build, it is presumed the FP would be closed temporarily, and a diversion recommended to the south of the compound.

Section 2

North of Coughall Manor, the towpath of the canal is not a PROW but is used as a right of way (walkers and cyclists most likely). It is presumed that it will not be materially impacted as the canal will be crossed with augur boring.

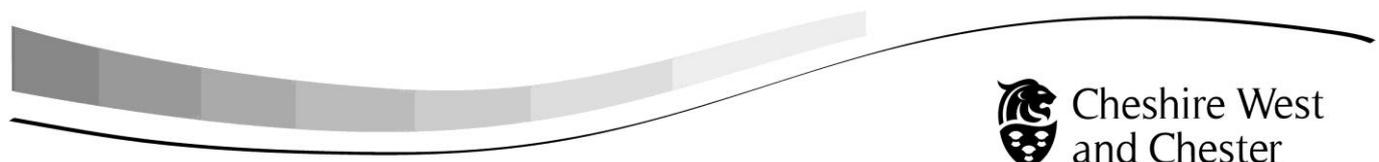
The PROW Officer raises concern over the location of the construction compound shown off Picton Lane. It is noted that the footpaths FP1 Wervin and FP3 Wervin are prone to poor drainage/water logging and have been temporarily closed in 2021 for reason of poor condition as a result of damage from Storm. The concern is that activity in this area will have a detrimental impact on the condition of the footpaths. The documents on hydrology comment that there may be an impact on drainage and this area is likely to be affected and will need some mitigation.

The pipe runs on the south side of M53 and cuts across FP1 Wimbolds Trafford.

Section 3

The pipe cuts FP3 Lea by Backford, which runs n-s alongside rail line. It is assumed the PROW will be unaffected as the pipeline is delivered by augur boring.

Pipe cuts across BOAT 11 Saughall. This is one of only a few byways in the Borough. Public right of way for walkers, horseriders, and all vehicles mechanical and non-mechanical. There is an archive of complaints over the condition of the byway and issues about the misuse of the byway. The byway is also the access to land by agricultural vehicles. Consideration should be given to treating this route as a carriageway with regard to construction process.



Traffic and Transport

The Councils Highways officer is in general agreement with the details as set out within the Transport impact assessment, given the stage it is at, and what they set out will form the base from which the details of the ES/TA will be formulated.

It is welcomed that a separate Transport Assessment (TA) is to be included as opposed to just the CTMP they were proposing previously. They will also provide an Outline Construction Traffic Management Plan (CTMP) and an Outline construction Workers Travel Plan and obviously the chapter in the ES.

Chapter 18 – Water Environment and Flood Risk

The Lead Local Flood Authority comment that the comments provided as part of the Scoping Opinion have been adequately responded to in the PEIR for how they will be addressed in the ES and so no further general comments to make. The only area of concern is around groundwater impacts and the lack of data (which they acknowledge in the PEIR) to undertake an assessment so this may need to be monitored to see if they deviate from their approach if data does not become available.

The Climate Change team are broadly supportive of the project and consider the measures proposed in the PEIR document, in respect flood risk, to be largely comprehensive. The team note that the pipeline crosses the high area of likelihood flooding from sea level rise near to the Ince marshes and Elton areas.

The team notes that table 18-5 is incomplete with assessing surface water abstractions downstream of the proposed infrastructure in Wales. The team notes that 18.5.28 is correct at the moment in existing state, in terms of strategic flood risk, but is unlikely to remain so in line with Chapter 7.

Chapter 19 – Cumulative Impacts

The general approach within the PIER, in respect the potential cumulative impacts, is supported.

It is recommended that combined effects are considered with HS2, especially in terms of impacts on MSAs, waste generation and transport.

Combined effects with other NSIP projects should include the Cadent Hydrogen Pipe project including its Pipe location and HAGIs which would have potential for some physical overlap near to the HPP plant and offshoot to the Protos Site.

Yours faithfully

Ben Greenwood
Senior Planning Officer



**HYNET NORTH WEST
NATIONALLY SIGNIFICANT INFRASTRUCTURE PROJECT**

FLINTSHIRE COUNTY COUNCIL

**RESPONSE TO THE PRE-APPLICATION CONSULTATION UNDER SECTION 42 OF
THE PLANNING ACT 2008**

Author:	Hannah Parish
Date:	22 March 2022
Agreed by:	Officer Response: Delegated Powers approved on 2 February 2022 by Flintshire County Council's Planning Committee

A. PREFACE

Reference is made to your letter dated 7 February 2022 which gave notice of the formal pre-application consultation period and invited comments on the proposed HyNet North West Carbon Dioxide Pipeline project (“the proposed development”), Preliminary Environmental Information Report (PEIR) and associated consultation documents in accordance with the provisions of Section 42 of the Planning Act 2008.

Comments on behalf of Flintshire County Council (‘the Council’) take the form of a table of comments and observations which follows this preface. The response incorporates comments/observations received from the Council’s Spatial Planning Officer in with respects to the proposed pipeline route and existing UDP allocations and emerging LDP allocations, the Council’s Ecologist, Public Protection Officer, the Contaminated Land Officer, the Energy Conservation Unit, the Highways Authority and the Public Rights of Way Officer.

Consultations also took place between the Local Planning Authority and the Clwyd-Powys Archaeological Trust, and the Welsh Government’s Landscapes, Nature and Forestry Division with respects to agricultural land and soils. Those responses that have been received have been included within the table of comments/observations.

On 2 February 2022, the Flintshire County Council Planning Committee agreed to delegate authority to Officers to provide a response to this section 42 consultation in consultation with key local ward Councillors affected by the route of the proposed new carbon dioxide pipeline and the existing pipeline that terminates at the Point of Ayr gas Terminal. We advise that comments are provided on a without prejudice basis on the information available.

B. INTRODUCTION

Context and the proposal

The scheme which is the subject of the consultation is for a new underground Carbon Dioxide Pipeline from Cheshire, England to Flintshire, Wales and associated above ground installations which is the Development consent Order (DCO) proposed development and forms part of the HyNet North West Project ('the Project') which is a hydrogen supply and Carbon Capture and Storage (CCS) project.

The aim of the Project is to reduce carbon dioxide (CO₂) emissions from industry, homes and transport and support economic growth in the North West of England and North Wales.

The Project is based on the production of low carbon hydrogen from natural gas, and includes the development of new hydrogen production plants, distribution pipelines, and the creation of CCS infrastructure. CCS prevents CO₂ entering the atmosphere by capturing it, compressing it, and transporting it for safe, permanent storage.

The DCO Proposed Development includes infrastructure to facilitate the transportation of CO₂ which would be captured from proposed hydrogen production facilities and existing industrial sources in the North West of England and North Wales and securely stored in depleted oil and gas fields in Liverpool Bay.

The DCO Proposed Development would comprise:

- A system of pipelines for the conveyance of carbon dioxide, and apparatus and works associated therewith.
- Ancillary works integral to the construction of the Carbon Dioxide Pipeline, including Construction Compounds and temporary access tracks.
- Land required for the construction of the Carbon Dioxide Pipeline

C. THE COUNCIL'S RESPONSE

The Council welcomes the opportunity to submit observations on this scheme as part of the statutory consultation. On 2 February 2022, the Council's Planning Committee resolved to delegate the final response on this section 42 Consultation to Officers, in consultation with key local ward Councillors affected by the route of the proposed new carbon dioxide pipeline, and the existing underground gas pipeline that terminates at the Point of Ayr gas Terminal in Talacre. During the consultation period, Officers have not received any comments directly from these Ward Members. However, the local ward members have been made aware of the HyNet consultation hub, and the number of community consultation events that have been taking place during the consultation period. Therefore the ward members may well have responded directly to the HyNet Hub. During the section 42 Consultation, the Flintshire County Council did not consult any of the Town or Community Councils affected by the proposal directly. However, the Northop Hall Community Council offered a response directly to the County Council of 'no comment' which is noted for HyNet's information.

Overview of the main matters

The DCO application would be accompanied by an Environmental Impact Assessment, and the PEIR indicates the topics to be assessed which are considered to be comprehensive.

Policy Context and Land use designations

It is noted that this project is a cross boundary project which would affect both England and Wales. Therefore, the section of the new pipeline and associated works with both the new and the existing pipeline that lie in Wales, should also be considered against the Development Plan within Wales

The submitted environmental statement will therefore need to have regard for Planning Policy Wales (PPW) (edition 11, 2021) and any relevant legislation and guidance such as relevant Technical Advice Notes that is in force/adopted in Wales. Also the application should have regard to the respective and relevant policies within the Flintshire Unitary Development Plan (UDP). The Flintshire deposit Local Development Plan (LDP) is currently under examination. However, by the time the DCO application is submitted, the Flintshire LDP could be adopted. Therefore the applicant, and its consultants should be made aware of the LDP policies which may be in place when the application is submitted and determined.

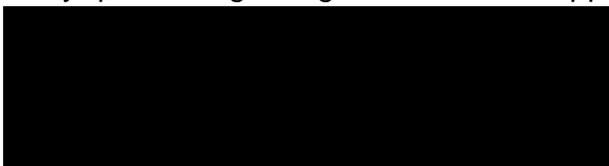
The Wellbeing of Future Generations Act 2015 puts in place seven well-being goals guiding sustainable development. One of which endeavours to achieve ‘A prosperous Wales’ in which *“An innovative, productive and low carbon society which recognises the limits of the global environment and therefore uses resources efficiently and proportionately (including acting on climate change); and which develops a skilled and well-educated population in an economy which generates wealth and provides employment opportunities, allowing people to take advantage of the wealth generated through securing decent work.”*

The HyNet NW project would contribute to achieving the long term goal of the Wellbeing of Future Generations Act of achieving a prosperous Wales.

Summary Table

The following provides a summary table providing comments on each Chapter of the PEIR which should be taken into account when the Environmental Statement is finalised.

Any queries regarding the comments appended, should be directed to Hannah Parish:



HyNet Carbon Dioxide Pipeline DCO Formal Consultation – FCC Comments

Comments and observations relate to the PEIR Volume II and accompanying

Chapter	Page number	Paragraph / table / fig number	Comment
Ch. 3 Description of Proposed Development	9	3.4.22	One minor point to note; the Local Government Act 1972 renamed Welsh parish council's as 'Community Councils'. Therefore the reference here, and in other paragraphs/chapters should refer to the community boundaries rather than parish boundaries.
	14	3.5.15	It should be noted that there is a public right of way Northop No.4 is located in close proximity to the proposed preliminary location of the Northop Hall AGI. It is difficult to decipher the exact proposed location of the proposed AGI but it is noted that the AGI would be located within a compound with secure fencing. Therefore it would be preferable to locate the fencing and compound away from the route of the public right of way, to negate the need for any formal diversion. Paragraph 3.6.83 is noted where PRow's would be identified, and potential temporary closures applied for /detailed in the draft DCO.
	14	3.5.19	It is noted that public footpath Flint No.66 is located in close proximity to the location of the proposed preliminary location of the Flint AGI. AS above, it would be preferable to locate the fencing and compound away from the route of the public right of way, to negate the need for any formal diversion.
	35	3.6.84 – 3.6.87	Reinstatement It is noted that the method of reinstatement/restoration is set out in paragraph 3.6.87. However, this would appear to relate to the excavated in rural areas, as opposed to urban areas where reseeding would not be appropriate. An additional paragraph should be added to note the details and methodology of restoration/reinstatement procedures for the areas of the pipeline that would transect urban areas. Also, there does not seem to be reference of the details of the methodology of the reinstatement of the temporary construction compounds, (both localised and centralised compounds), equipment yards or the temporary access tracks. Details of the methodology and restoration/reinstatement procedures should be stated with in the document relating to these areas and not just the pipe easement.

HyNet Carbon Dioxide Pipeline DCO Formal Consultation – FCC Comments

Comments and observations relate to the PEIR Volume II and accompanying

<p>Ch.4 Consideration of alternatives General – Energy Policy</p>	<p>N/A</p>	<p>N/A</p>	<p>From a purely carbon reduction perspective Flintshire County Council are supportive of the proposal due to the anticipated carbon emissions savings that will be prevented from entering the atmosphere. The project would aid the UK in its target to be net zero carbon by 2050. It would also support in relieving the strain on the national electricity grid, in that some of the Hydrogen produced would be used in domestic buildings; the decarbonisation of heat within the UK’s housing stock will largely be met by the installation of heat pumps, with 600,000 per year installed by 2028, combined with the introduction of electric vehicles and their associated charging infrastructure (although it should be noted that a heat pump is more efficient than using Hydrogen as a heating fuel). This represents a significant increase in demand on the country’s electricity network, the reinforcement of which, to cope with the aforementioned increased demand, will no doubt come at a significant cost.</p> <p>The area covered by the HyNet network is largely industrial in areas, emitting large amounts of carbon emissions, so if a proportion of this can be captured this would be beneficial. The fact that the Hydrogen produced can also be stored in order to then be transported in order to meet demand is also beneficial in protecting against natural gas shortages should they occur, presumably protecting potential consumers to a certain extent. Hydrogen does form a key element of UK Government’s ‘10 point plan for a green industrial revolution’ – with 5GW of low carbon Hydrogen production by 2030, although it is unclear from the documents provided as to what the peak output of HyNet is expected to be.</p> <p>However, from a ‘green’ perspective it is considered that there are a number of constraints and drawbacks associated with the proposal. HyNet proposes the production of what is known as ‘Blue’ Hydrogen – using natural gas (a fossil fuel) in order to accelerate the move to a zero carbon energy network appears to be somewhat counter-productive as it does not represent an avoidance of emissions and it may further encourage investment into natural gas industries and potentially away from the renewable energy sector.</p> <p>Whilst it can be noted that ‘Blue’ Hydrogen represents somewhat of a stop gap, if Hydrogen networks are to be developed, then ultimately these need to switch to renewable energy enabled ‘Green’ Hydrogen in order to truly reach net zero carbon, which is currently not particularly feasible at scale – although this is being further developed as part of UK</p>
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HyNet Carbon Dioxide Pipeline DCO Formal Consultation – FCC Comments

Comments and observations relate to the PEIR Volume II and accompanying

			<p>Government’s ‘twin track’ approach. There are a couple of other points that could be expanded upon:</p> <ul style="list-style-type: none"> - It would also be important to understand the embodied carbon emissions involved in the development of HyNet’s infrastructure, particularly the development of plants, fuel acquisition and transport of said fuel. - Are there any particular risks associated with simply storing the carbon offshore?
Planning Policy	N/A	Figure 3.2 Sheet 5/ Section 5	<p>The decision to implement the southerly route option following the Council’s previous response at the Scoping Stage so that it would follow the B5129 at Sandycroft etc is welcomed as this avoids any conflict with allocations in the Deposit Flintshire LDP.</p> <p>It is noted that in the Ewloe area there are three route alternative options here; Ewloe North alternative, Ewloe Central alternative, and Ewloe South Alternative.</p> <p>‘Ewloe North Alternative’ route would transect both Seaview Wetland Wildlife Site and Aston Wetland Wildlife site at section 5 of the proposed pipeline route.</p> <p>It is noted that the route corridor has been revised so as to avoid the majority of the housing allocation HN1.7 which is coming forward in the emerging Flintshire LDP on land between Holywell Rd and Green Lane, Ewloe, which is welcomed. However, it would appear that the ‘Ewloe South Alternative’ would affect the north western spur of the proposed housing allocation HN1.7. Therefore, taking into account the wildlife sites that would be affected by the north alternative route, and the Housing Allocation HN1.7 coming forward in the emerging Flintshire LDP, it would appear that the ‘Ewloe Central Alternative’ route option would be the preferred route in planning policy terms.</p>
	N/A	Fig 3.2 Sheet 6	<p>An area of the pipeline route located around the Leadbrook Wood area transects an Indicative Local Search Area as identified in the emerging Flintshire LDP which corresponds to emerging Policy EN13 for Renewable/Low Carbon Energy. Should the proposal go ahead, there could potentially be the impact of the HyNet infrastructure using land that would be suitable sites for the development of alternative energy sources such as solar PV and wind. Please refer to attached map.</p>

HyNet Carbon Dioxide Pipeline DCO Formal Consultation – FCC Comments

Comments and observations relate to the PEIR Volume II and accompanying

Planning Policy	General		You should be aware that it is anticipated that the emerging Flintshire LDP will be adopted later in 2022 subject to the consultation on the Matter Arising Changes and the subsequent Inspector's report. Should the LDP be adopted during the consideration of the DCO then the LDP will form part of the development plan which will need to be taken into account with the DCO is determined. The application should accord with the adopted Development Plan, unless there are material considerations that indicate otherwise.
Ch 6 Air Quality	General		The Council's Public Protection Officer has confirmed that they have no adverse comments to make at this pre-application stage, and would welcome the submission of the EIA.
Ch. 08 Cultural Heritage	General		<p>Clwyd-Powys Archaeological Trust (CPAT) have provided the Local Planning Authority with advice on Cultural Heritage Assessments proposed in the PEIR. CPAT have previously agreed the scope of the pre-determination archaeological assessment that would be required in the Flintshire area on the new build pipeline and its associated structures via the EIA scope and it is understood that this assessment is currently under way. The scope included specific additional recommendations from CPAT (see enclosed email dated 09/06/2021) and these comments appear to have been largely included in the assessment and PEIR.</p> <p>It is understood that the desk-based assessment and walkover survey have been completed although CPAT have had correspondence with the archaeological contractor on certain areas of the scheme that suggest these surveys are still being refined. The geophysical survey is currently under way and CPAT await a copy of the geophysical survey report for further comment. There are however a few issues to clarify in the PEIR which are detailed</p>
Ch. 08 Cultural Heritage		8.4.3	The PEIR states the geophysical survey technique is Ground Penetrating Radar (GPR) but the WSI that CPAT have approved (and the preferred geophysical survey technique) is magnetometry. The GPR reference might be a mistake and should be clarified.
Ch. 08 Cultural Heritage		8.4.6	Under the sources used for the desk based assessment it is noted that the local sources in Wales which we outlined in the response to the Scoping Request have not all been explored for relevant information. These record sources are now all open in Wales after Covid restrictions have now lifted and they should be included in the desk based assessment search. The sources not listed include the Flintshire County Archives (& possibly adjacent Wrexham County Archives), The National Library of Wales (maps and documents section and the online title maps [REDACTED]) and the Welsh Government Air Photos Online portal http://aerialphotos.wales.gov.uk/

HyNet Carbon Dioxide Pipeline DCO Formal Consultation – FCC Comments

Comments and observations relate to the PEIR Volume II and accompanying

Ch. 08 Cultural Heritage		Table 8-6	<p>Table 8-6 highlights a large number of potential direct and permanent impacts to non-designated sites within the new build boundary, however, it is difficult to assess just how direct the impact would be and therefore recommend/suggested the likely mitigation required. The list could potentially be refined by reference to mapping evidence or HER data, and the actual areas of ground disturbance by the pipeline cut and stripped easement, to determine the former extent of the sites and the precise areas requiring archaeological intervention. If the location of the impact cannot be refined down then broad-brush mitigation such as a prior strip/map/ excavate regime would probably have to be adopted in the vicinity of all of these records where ground disturbance is identified.</p>
			<p>With regard to indirect impacts to listed buildings the Flintshire CC Built Heritage Conservation Officer, Chris Rees-Jones has been consulted but no response has been received as yet.</p>
			<p>Cadw should also be consulted on the indirect impacts identified for scheduled monuments via Mr Neil Maylan (Planning Inspector) cadwplanning@gov.wales</p>
Ch. 08 Cultural Heritage		8.8	<p>CPAT broadly agree with the Mitigation and Enhanced Measures as currently set out in 8.8 on the understanding that they would be further refined by new evidence prior to DCO submission.</p>
Ch. 08 Cultural Heritage		8.10	<p>CPAT are in agreement with the next steps set out in 8.10.</p> <p>It is envisaged that a large amount of pre-submission evaluation trenching may be required on any significant or uncertain archaeological anomalies identified in the geophysical survey and enough time to complete this evaluation should be built into the pre-submission stage so that the ES and ES mitigation statements are fully informed.</p>
Ch. 08 Cultural Heritage	28	8.5.30	<p>It is noted that reference has been made to the location of the Pentre Halkyn BVS in relation to the Holywell Common and Halkyn Mountain Historic Landscape designated by Cadw. Whilst none of the proposed new built development along the route of the HyNet pipeline would interact with Halkyn Common, and furthermore, the BVS at Pentre Halkyn would not lie within the Common Land (which is situated approximately 1km to the east of the BVS site in Pentre Halkyn – see enclosed map), there would appear to be some grazing rights</p>

HyNet Carbon Dioxide Pipeline DCO Formal Consultation – FCC Comments

Comments and observations relate to the PEIR Volume II and accompanying

			<p>associated with land near Gelli Fowler – see enclosed map. Therefore, if these grazing rights are still utilised, this has implications for the proposed Pentre Halkyn BVS. I have enclosed a Register of Common Land which provides more details of the associated grazing rights. The fields which interact with the pipeline route and BVS are show with red asterisk on the Register. The attached includes the accompanying Map showing the fields potentially affected. It would appear that the field labelled ‘A’ contains grazing rights and this coincides with the proposed location of the Pentre Halkyn BVS.</p>
Ch 9 Biodiversity General points		<p>Figure 3.2 Sheet 5/ Section 5</p> <p>Figure 3.2 Sheet 5/ Section 5</p>	<p>There are no major observations to make on this Chapter as the ecological background checks and surveys being undertaken, and proposed to be undertaken are extensive.</p> <p>With regards to the route options shown in the Ewloe area, it is noted that the ‘Ewloe North Alternative’ route would transect both Seaview Wetland Wildlife Site and Aston Wetland Wildlife site at section 5 of the proposed pipeline route. Therefore, other route options would be preferable to avoid the wildlife sites.</p> <p>Specifically with regards to Aston Wetland Wildlife Site there is a planning permission Ref 063076 (to shore up the eroding bank immediately adjacent to Fern View) which I would like to draw to your attention as this planning permission/development involves a badger sett relocation and habitat mitigation. This should be taken into account when the route options are considered. Should the Ewloe North Alternative Route be selected to go forward to the DCO application, this should be taken into account.</p> <p>Brook Park Farm Wood Wildlife Site is located in the vicinity of the Alltami Brook where there are also two route options shown on Sheet 5 showing Section 5 of the pipeline potentially impacting on the wildlife site in Northop Hall to a lesser or greater extent depending on which Alltami Brook route is chosen.</p>
Ch 9 Biodiversity	4	9.2.5	<p>The Flintshire Unitary Development Plan and relevant policies should also be listed as part of the development plan particularly Policies WB1 – WB6</p>
Ch 9 Biodiversity	40	9.11	<p>References Technical Advice Note 5: Nature Conservation and Planning (2009) should be added to the reference list.</p>

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Ch.11 Land and Soils	General		The Council’s Contaminated Land Officer has been consulted and has noted that at this stage there is no particular comments to make. The approach to land contamination has been discussed separately with key members of the HyNet team, and the detailed scopes and outcomes of any assessments necessary at areas of land through which the pipeline passes and which are suspected to be affected by land contamination are to be confirmed in more detail and on a site specific basis at the appropriate time. At this stage, the requirement for the assessment of land contamination along the route of the pipeline has been acknowledged and taken into account.
Ch.11 Land and Soils	5	11.2.7	Local Planning Policy Reference should be made to the relevant policies within the Flintshire Unitary Development Plan, and moving forward to the policies contained within emerging Local Development Plan which may have been adopted a the time the DCO application is under consideration.
Ch.11 Land and Soils	5	Table 11-1	<p>In reference to table 9-1 the response to the Scoping Report states that a stand-alone Mineral Resource Assessment (MRA) will be considered for the Mineral Safeguarding Areas (MSAs) in line with the various council’s policies and can be submitted with the ES. It is important to stress that a MRA is undertaken, and opportunities are considered for prior extraction and use of any extracted sand and gravel to reduce the need for import of materials and reduce sterilisation from the pipeline and associated easement. It is not clear how much sand and gravel is needed for the pipeline route, AGIs compound areas, or associated temporary roads and other infrastructure. This information needs to be provided and shared with Flintshire County Council as the Mineral Planning Authority.</p> <p>Flintshire Unitary Development Plan (UDP) shows the minerals safeguarding areas (MSA) which ensures that known mineral resources are safeguarded for future use. Policy MIN8 of the Flintshire UDP states that any non-mineral development within the MSA will require evidence as to what extent it may sterilise or restrict the working of mineral resources. Where evidence is not forthcoming, or demonstrates that there will be an unacceptable impact on mineral resources the application will be refused. However, where it is considered that the proposed development is of overriding importance, consideration will be given to the principle of pre-extraction of the mineral.</p>

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			Should the Flintshire Local Development Plan be adopted, there is a specific Policy with regards to the need for a Prior Extraction Assessment for sites of 4ha or more, which are underlain by Category 1 sand and gravel (emerging Policy EN23 – Minerals Safeguarding).
Ch.11 Land and Soils	10-13	Table 11-3 and 11-4	<p>This should include mineral resources, including sand and gravel. In Flintshire, and the wider the North East Wales Sub-region the landbank of sand and gravel is diminishing. The Regional Technical Statement Second Review identifies a landbank (as at 31 December 2016) of 1.369 million tonnes for sand and gravel which is well below the required 7-year landbank for sand and gravel. Whilst there are two small sand and gravel site identified in the emerging LDP, this is still insufficient to meet the identified shortfall of 3.543 million tonnes required over the plan period. As a result, the North East Wales local authority areas have entered in to a collaboration agreement to assist with meeting the identified shortfalls of sand and gravel within the sub-region.</p> <p>This makes protection of MSAs even more important. Given the lack of sand and gravel supplies, depending on the size of the MSA impacted (either directly or via severance or buffer zones), there could be major, moderate or minor magnitude impacts of high to low sensitivity. This will also depend on the depth, quality and scale of the resource. Further research and assessment should be undertaken in relation to this issue as part of the minerals resource assessment.</p>
Ch. 11 Land / soils	15	11.4.20	This notes that a MRA hasn't yet been prepared. FCC request the opportunity to comment on this report as soon as it is available.
Ch. 11 Land and soils	38	Table 11- 17	<p>This identifies a slight beneficial impact of the decommissioning phase by allowing the mineral reserve to be extracted (inferring that mineral extraction could occur once the pipeline is removed thus not sterilising the resource present). However, it is noted in Ch. 3 of the PEIR at paragraph 3.8.1 that when the pipeline reaches the end of its useful life, the pipeline would be decommissioned safely and filled with nitrogen. Paragraph 3.8.2 continues to state that it is anticipated that the pipeline would be made safe and left in situ.</p> <p>As the pipeline is proposed to remain in the ground, as opposed to be removed at the decommissioning stage, this provides even more justification for prior extraction would as the pipeline, and associated easement would sterilise the resource situated under the trench, and within the no build easement. This should be considered further within the assessment. The same comment applies to p43, table 11-20.</p>

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Ch. 11 Land & soils	39	11.8	Mitigation and Enhancement. Mitigation could include prior extraction, depending upon the findings of the MRA.
Ch. 11 Land and soils	42	Table 11-18	Sterilisation of mineral resource is identified as having a moderate adverse effect, with mitigation of a MRA resulting in a slight adverse (not significant) effect. However, a MRA is evidence, not mitigation. Prior extraction or other mitigation measures may also be required and without successful prior extraction or mitigation, significant residual effects may remain.
Ch.11 Land and Soils	Agricultural	General	<p>This response is made by the Welsh Government’s (WG) Landscape’s Nature and Forestry Division. The Department’s advice identifies concerns in relation to the proposed development and how those concerns can be addressed. It does not bind any other part of the Department or Welsh Government commenting on the proposal</p> <p>The response is made with regard to:</p> <ul style="list-style-type: none"> • National Development Framework (NDF) Future Wales: The National Plan 2040 – 2021. • Planning Policy Wales – Edition 11 – 2021. • Annex B of Technical Advice Note 6 – 2010. • Article 4 of the Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016; Part 1A Paragraph S of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012.
Ch.11 Land and Soils	10	11.4.12	Desk Study – This section refers to ‘ <i>Natural Resources Wales Mapping (Ref: 11.38)</i> ’. It is unclear if this includes the Predictive Agricultural Land Classification (ALC) (2019) map produced by the Welsh Government. Clarification required. (https://gov.wales/agricultural-land-classification-predictive-map)
Ch.11 Land and Soils	11	11.4.18 – Table 11-3	Magnitude of Impact – The references to ‘agricultural land’ in the criteria for ‘major’ and ‘moderate’ should be amended to ‘ <i>Best and Most Versatile (BMV) agricultural land</i> ’. In respect of BMV agricultural land, it is noted that the magnitude impact table considers >20ha loss to be ‘ <i>Major</i> ’ and 1-20ha loss to be ‘ <i>Moderate</i> ’. Planning Policy Wales (PPW) and the National Development Framework (NDF) - Future Wales 2040 do not specify significance thresholds for impact on BMV agricultural land. It is expected that the policy is taken account of in full as per paragraph 3.58 and 3.59 of PPW.

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Ch.11 Land and Soils	13	11.4.18 - Table 11-4	<p>Significance Criteria – The table notes ALC grades 1 and 2 as ‘very high’ sensitivity and ALC grade 3a as ‘high’ sensitivity. The WG Department does not accept this assessment.</p> <p>PPW 11 paragraph 3.58 is explicitly clear that ‘<i>Agricultural land of grades 1, 2 and 3a of the Agricultural Land Classification system (ALC) is the best and most versatile, and should be conserved as a finite resource for the future</i>’. The department considers that loss of BMV agricultural land is ‘very high’ sensitivity irrespective of ALC grade.</p> <p>The Predictive ALC Map and associated guidance has been made available by the Department and uses the best available information to predict the grade of land on national basis. It has been designed to help Local Planning Authorities, Developers, Surveyors and Land Use Managers make informed long term decisions over the use of land in the planning system.</p>
Ch.11 Land and Soils	17	11.4.20	<p>Assumptions and Limitations – It is noted that the ALC survey has not yet been undertaken. The WG Department is available to provide advice on survey requirements and validate any commissioned agricultural land classification surveys in respect of this application. This service allows the Authority to have confidence in the information being presented.</p> <p>Should any party refuse or neglect to commission a survey, or if a survey is not accepted by the Department, the ALC Predictive Map Grade will be taken as the best available information for the site as per published Departmental guidance.</p>
Ch.11 Land and Soils	22	11.5.27	<p>As noted previously, the department does not accept the sensitivity definitions noted. PPW and NDF – Future Wales 2040 does not distinguish between grades of BMV agricultural land in terms of sensitivity. This section should also be amended as the reference to NPPF is applicable to England – PPW and the NDF set out the planning policies in Wales.</p>
Ch.11 Land and Soils	22	11.5.28	<p>It is unclear if the ALC grades within the study area noted are based on the Predictive ALC Map (2019) or on field surveyed information. This should be confirmed and clarified.</p>

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Ch.11 Land and Soils	37	11.5.53	Future Baseline The department expects the proposals for soil handling (stripping, storage and placement) and aftercare proposals to be based on an ALC and soil physical resources field survey. The department would welcome further details and be consulted once the surveys have been undertaken.
Ch.11 Land / Soils	39-40	Tables 11-15, 11-16	The WG department does not accept the sensitivity differentiation between different ALC grades of BMV land. Grades 1, 2 and 3a are BMV agricultural land.
Ch.11 Land and Soils	42	11.8.3	Soil Management Plan The Department requests to be consulted on the proposed Soil Management Plan (SMP). For areas of confirmed BMV agricultural land, the SMP needs to reflect the physical soil resource present to ensure the integrity of the BMV land is maintained. The SMP must include methods for stripping, handling, storage and placement of the soil profiles as established by the ALC field survey. As noted previously, the department remains available to validate any ALC surveys undertaken.
Ch.11 Land / Soils	44	11.8.11	Decommissioning - The Department requests to be consulted on the proposed Demolition Management Plan (DMP). Please contact LQAS@gov.wales
Ch.11 Land / Soils	45	Table 11-18	Summary of Residual Effects – Construction Phase – it is unclear if there is any loss of agricultural land, either temporary or permanent. This should be clarified.
Ch.11 Land and Soils	46	11.9.1 - Table 11-20	Summary of Residual Effects – Decommissioning – the table notes a slight beneficial effect on soil quality. The WG department does not agree as, even with best intentions, there could be risks to the integrity of disturbed BMV agricultural land.
Ch.11 Land and Soils	47	11.10.1	ALC Survey – The WG Department would expect to be consulted on the ALC survey report and to validate it. Validation is a free of charge service completed by the Department on behalf of the Planning Authority. The ALC surveyor should ensure that the survey report includes the complete auger boring and pit schedule (identifying topsoil and subsoil horizon depths, texture, stoniness, structure, porosity, depth at which gleying comes in and morphology - matrix colour, ped face colour where applicable, mottling), auger boring and pit location plan and top soil texture analysis results report. If a detailed ALC survey is not undertaken, or that a survey is not accepted by the Welsh Government, then the Predictive ALC Map grade should be accepted as the best available information.

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Ch.11 Land and Soils	47	11.10.1	Continued Liaison – it is welcomed that the developer is proposing continued liaison with the statutory consultees. The WG Department is available to engage in such discussions. Please contact LQAS@gov.wales
Ch.11 Land and Soils	47	11.11	References – the department considers the National Development Framework (NDF) Future Wales: The National Plan 2040 – 2021 needs to be included. In respect of BMV agricultural land, Chapter 2; Policy 9 is applicable
Ch.14 Materials and waste	7	14.4.5	<p>Data sources The following should be included as part of the Desk Study/Evidence base</p> <ul style="list-style-type: none"> - Waste data <p>Waste Planning Monitoring Report for North Wales 2020 has now been published and will be enclosed in the consultation response. This along with data from the following NRW/WG data should be used as part of the evidence base to complete the resource assessments that will accompany the ES and DCO application. Link below is the link to the latest Industrial and Commercial waste survey. [REDACTED]</p> <p>Construction and Demolition waste data is fairly limited however all the data is available from NRW: [REDACTED]</p> <p>The last Welsh Government Construction and Demolition waste report was published in 2012 but Welsh Government are currently collecting data for a new report. [REDACTED]</p> <p>Regional Technical Statement Second Review can be downloaded from [REDACTED]</p> <ul style="list-style-type: none"> - Aggregate minerals survey for England and Wales 2019 https://www.gov.uk/government/publications/aggregate-minerals-survey-for-england-and-wales-2019

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Ch.14 Materials and waste	13	Table 14-5	It is noted that data is provided on the availability of construction material on a Wales wide basis as opposed to data specific to North Wales. In the absence of recent North Wales RAWP reports, the Regional Technical Statement Second Review can be downloaded from [REDACTED] which provides data on sand and gravel, and crushed rock for the local authority areas and the North Wales Region.
Ch.14 Materials and waste	13	Table 14-5	It is noted that there is no data available in this table for recycled and secondary aggregates. The following publication may assist. [REDACTED]
Ch.14 Materials and waste	15	14.5.12	It is noted that the Flintshire Unitary Development Plan is referenced in the context of Local Planning Policy. However the Flintshire Local Development Plan currently under Examination In Public may be adopted at the time of the DCO application submission and therefore regard will need to be taken to the Flintshire LDP and with particular reference in Chapter 14 with regards to the relevant minerals and waste policy. In relation to Minerals Safeguarding, Strategic Policy STR 16, Strategic Planning for Minerals and local policy EM23 Minerals Safeguarding, is relevant here.
Ch.14 Materials and waste	16	14.5.15	As stated above, Waste Planning Monitoring Report for North Wales 2020 has now been published and will be enclosed in the consultation response. This along with data from the NRW/WG data should be used as part of the evidence base to complete the resource assessments that will accompany the ES and DCO application. Refer to links above.
Ch.14	17	Fig14-2	More recent data is available and will be passed to the HyNet team for inclusion within the assessments as part of the evidence base.
Ch.14 Materials and waste	17	Table 14-7	It is noted that the table provides data for the number of permitted waste sites across the whole of Wales. It is recommended that data is presented on a regional North Wales basis, as with the data for the North West of England.
Ch.14 Materials and waste	19	14.5.22	It is noted that the Flintshire Unitary Development Plan is referenced in the context of Local Planning Policy. However as stated above, the Flintshire Local Development Plan currently under Examination In Public may be adopted at the time of the DCO application submission and therefore regard will need to be taken to the Flintshire LDP and with particular reference in Chapter 14 with regards to the relevant minerals and waste policy. In relation to waste management, Strategic Policy STR 15, Waste Management and local policy EM19 Managing Waste Sustainably is relevant here.

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Ch.14 Materials and waste	20	Table 14-9	As stated above, Waste Planning Monitoring Report for North Wales 2020 has now been published and will be enclosed in the consultation response. This along with data from the NRW/WG data should be used as part of the evidence base to complete the resource assessments that will accompany the ES and DCO application. Refer to links above.
Ch.14 Materials and waste	24	Table 14-12	The table states that the quantity of aggregate required for the structural fill and bedding material is unconfirmed, and is to be assessed within the ES. The predicted amount of sand and gravel required is needed to be able to establish any implications for the need for aggregate associated with the project during construction, especially due to the lack of sand and gravel landbanks in the North Wales, particularly within Flintshire, and the North East Wales Region.
Ch. 14 Materials and waste	26-27	Table 14-14	This refers to Waste Generation and Disposal Method. The ES should demonstrate where waste materials are being reduced, reused and treated/recycled prior to disposal, in line with the waste hierarchy. Options for reuse and treatment of waste should be considered to enable reuse/recovery where possible rather than disposal.
Ch. 14 Materials and waste	28	14.7.11	This table identifies that the development has the potential to sterilise mineral resources as the proposed development passes through and close to several mineral safeguarding areas. We would concur with the identification of major magnitude and significant adverse effects as a result of the proposed development.
Ch. 14 Materials and waste	30	14.8.2	This identifies under 'mitigation' that a Minerals resource assessment will need to be prepared. We agree that a MRA is required, but this is considered to be evidence, and not mitigation. Further mitigation measures such as prior extraction may also be required as stated above.
Ch. 14 Materials and waste	33	Table 14-16	In terms of sterilisation of mineral resources in MSAs, this identifies that if the MRA gains approval by the LPA this would be adequate mitigation. Flintshire do not agree with this statement. The purpose of a MRA is to provide evidence of the resources available under and adjacent to the site. Using the findings within the MRA, the applicants would need to suggest how potential impacts on mineral resource could be avoided or mitigated (for example through prior extraction) and the LPA would need to agree to these avoidance / mitigation measures to ensure that there are no moderate adverse significant effects.
Ch. 15 Noise and Vibration	General		The Council's Public Protection Officer has confirmed that they have no adverse comments to make at this pre-application stage, and would welcome the submission of the EIA.

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Ch 17 Traffic and Transport	General		The Local Highways Authority does not proposal any highways comment at this time.
Ch 17 Traffic and Transport	Public Rights of Way	General	All designated Public Rights of Way (PRoW) appear to have been identified already and any potential temporary closures should be applied for/detailed in the PEIR documentation. The Consultant has advised that all designated PRoW crossing the working area would be managed, including National Trails, with access only closed for short periods while construction activities occur.
Ch 17 Traffic and Transport	Public Rights of Way	General	For clarity, and the avoidance of doubt, all PRoW affected in each section within Flintshire are identified below. At this stage, the PRoW that are directly affected by pipelines would need a temporary closure. The maximum temporary closure that we can put in place on a PRoW is 6 months so the Flintshire Rights of Way Officer would propose enacting a rolling temporary closure, which could be extended for a further 6 months, subject to necessity. For the two proposed AGI sites, it may be possible to include these in the rolling closure but if it wasn't feasible FCC rights of way officer would consider separate temporary closures for those specifically.
Ch 17 Traffic and Transport	Public Rights of Way	General	As a general rule, for all PRoW affected by the scheme, all PRoW must be restored to an existing condition or better upon reinstatement. If the Authority isn't satisfied that any route hasn't been reinstated to an acceptable standard, FCC reserve the right (under the Highways Act) to undertake the works ourselves, and recover any costs from the project/ Contractor/ sub-Contractor responsible.
Ch 17 Traffic and Transport	Public Rights of Way	Section 4	<p>The following PRoW all appear to be crossed by the Stanlow AGI to Flint AGI pipeline:</p> <ol style="list-style-type: none"> 1. 303/10/30 2. 309/2/50 (Part of the All Wales Coastal Path – Promoted National Route) 3. 307/2/40 4. 308/1/20 5. 308/14/10 6. 303/32/10 <p>All of the above PRoW would appear to need temporary closing to facilitate the above pipeline.</p>

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<p>Ch 17 Traffic and Transport</p>	<p>Public Rights of Way</p>	<p>Section 5</p>	<p>The following PRoW all appear to be crossed by the Stanlow AGI to Flint AGI pipeline:</p> <ol style="list-style-type: none"> 1. 303/30/10 2. 303/34/10 3. 303/26/10 4. 303/141/10 <p>Ewloe North Alternative</p> <ol style="list-style-type: none"> 1. 303/25/20 2. 303/22/20 3. 303/19/20 <p>Ewloe South Alternative:</p> <ol style="list-style-type: none"> 1. 303/25/20 (Route runs on Church Lane and pipeline appears to be routed this way) 2. 303/24a/10 3. 303/20/10 <p>Ewloe Central Alternative:</p> <ol style="list-style-type: none"> 1. 303/22/10 2. 303/20/10 3. 303/143/10 (pipeline delineated on similar alignment to the footpath. Possible to be avoided but could also be directly affected by pipeline and would require a temporary closure if that was the case). <p>All of the above PRoW would appear to need temporary closures to facilitate the above pipeline.</p>
<p>Ch 17 Traffic and Transport</p>	<p>Public Rights of Way</p>	<p>Section 5</p>	<p>Alltami Brook North & South Alternatives</p> <p>Both of these options are affected by the following routes (which would require temporary closures):</p> <ol style="list-style-type: none"> 1. 414/39/10 2. 414/39a/10 <p>Northop Hall proposed AGI site</p> <p>414//4/10 crosses the site and appears to be directly affected by the proposed AGI site and pipeline. The compound could also be directly affected. We would need to see more detailed plans nearer the time to advise of any proposed diversions (permanent or temporary).</p>

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Ch 17 Traffic and Transport	Public Rights of Way	Section 6	<p>Flint proposed AGI site The AGI itself appears to be unaffected by any PRow but the Flint AGI to Flint Connection pipeline crosses PRow 404/66/10. This would require a temporary closure during the works.</p> <p>The following PRow all appear to be crossed by the Stanlow AGI to Flint AGI pipeline:</p> <ol style="list-style-type: none"> 1. 404/68/10 2. 404/70/30 3. 404/1/30 4. 404/2/10
Ch 17 Traffic and Transport	Public Rights of Way	Section 7	<p>Section 7 There are 4 Block Valve Stations identified for the project, of which 3 appear to be unaffected by any PRow:</p> <ol style="list-style-type: none"> 1. Babell 2. Pentre Halkyn 3. Cornist Lane <p>The Coed-y-Cra BVS is positioned in a network of public footpaths, although all of them appear to abut the site rather than crossing the site:</p> <ol style="list-style-type: none"> 1. 404/40/10 2. 404/41/20 3. 404/44/20 <p>These PRow should not be directly affected by development but if the routes are affected during access to the site, the Authority expects these to be restored back to their existing condition.</p>
Ch 18 Water Resources and Flood risk	General		<p>The SAB have been consulted by the Flintshire County Council case officer, but at the time of writing no response has been received to the internal consultation. Should comments be received following the closing date, these will be forwarded.</p> <p>It is understood that NRW and Dŵr Cymru have been consulted directly by HyNet.</p>
Ch 18 Water Resources and Flood risk	2 and 38	Ref. 18-21	<p>Reference is made to the Technical Advice Note 15 (TAN15): Development and Flood Risk. Whilst the new updated TAN15 and Flood Map for Planning is suspended to coming into force until 1 June 2023, it is understood that the new Flood Map is a matter of public record and it is strongly advised to take into account of the new Flood Map for Planning in the preparation of the FCA that will accompany the DCO application.</p>

Waste Planning Monitoring Report

North Wales

2020



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1. Introduction

1.1. Background

- 1.1.1. This report has been produced by Flintshire County Council as the Lead Authority for regional waste planning monitoring in North Wales for the period 2018-19. The requirement for waste monitoring is established in Technical Advice Note 21 and is intended to enable both Welsh Government and local planning authorities to take a strategic overview of issues and trends in the waste sector to help inform local development plans and decisions on planning applications for waste. This is the fifth full Annual Monitoring Report and aims to build upon the information collected and disseminated in the Interim Report and First Annual Monitoring Report. All reports are available on the Welsh Government website¹.
- 1.1.2. The Welsh Government published its 'Towards Zero Waste Progress Report' in July 2015 which confirmed that Wales has made significant progress towards meeting the targets contained within TZW.
- 1.1.3. The Welsh Government has introduced Local Authority Recovery Targets under the Wales Waste Measure.

1.2. Technical Advice Note 21: Waste 2014

- 1.2.1. Article 16 of the Waste Framework Directive requires member states to establish an integrated and adequate network for the disposal of wastes, and for the recovery of mixed municipal wastes. TAN 21 requires that progress towards this is monitored to identify whether sufficient landfill capacity is being maintained; sufficient treatment capacity is being maintained and whether the spatial pattern of provision is appropriate to fill identified needs; and whether any further action is needed by local planning authorities to address unforeseen issues. The Collections, Infrastructure and Markets Sector Plan provides the strategic starting point for the monitoring.
- 1.2.2. TAN 21 advises that the upper threshold of the capacity ranges identified in the Collections, Infrastructure and Markets Sector Plan (or any subsequent update) is likely to represent the point at which the extent of provision in a region is considered to be sufficient for recovery capacity. In the North Wales Region the capacity threshold is identified as: **203-468 thousand tonnes per annum**. The variation is due to the level of uncertainty regarding volumes of residual waste requiring management.
- 1.2.3. TAN 21 advises that the level at which non-hazardous landfill void is sufficient within a region is **7 years**. The length of time landfill void lasts will vary considerably as it will depend on a number of different factors such as engineering requirements, daily cover, compaction and rates of settlement and

¹ <http://gov.wales/topics/planning/policy/tans/tan21/?lang=en>

rates of deposition. Planning restrictions can also limit how much of a void is ultimately used as the life of a landfill permission is often limited by the use of condition. TAN 21 doesn't prescribe a methodology for determining the life of a landfill though the CIMSP estimates landfill life based upon a number of different scenarios depending upon residual waste arisings and diversion rates. The CIMSP estimated that under a worst case scenario landfill void in North Wales would run out in 2016/17, and under a best case scenario void would last indefinitely.

- 1.2.4. Technical Advice Note 21 requires planning applications for disposal, recovery or recycling facilities to be accompanied by a Waste Planning Assessment. This document is intended to help inform decisions regarding applications for waste management in light of the requirements of TAN 21.

1.3. Collections, Infrastructure and Markets Sector Plan

- 1.3.1. The Collections, Infrastructure and Markets Sector Plan was published in 2012 and was based upon data which has since been updated. Data sources varied depending upon the waste stream under consideration. Industrial, commercial and construction and demolition waste data was all collected using surveys whereas data on local authority collected waste is provided on a quarterly basis directly by local authorities using Waste Data Flow database.
- 1.3.2. The CIMSP used Industrial and Commercial waste data was based upon a survey carried out in 2007. Since the publication of the CIMSP a further survey has been undertaken, this provides data on commercial and industrial waste arisings and their management in 2012. Data on Local Authority Collected Municipal Waste was obtained from the Waste Data Flow which compiles data provided by Local Authorities directly. The period to which the data refers is 2009; data is now available for 2017/18. Construction and demolition waste data was based upon a survey carried out in 2005/06. Since then a subsequent survey has been undertaken which looks at wastes arising and managed in 2012, however, the two surveys are not directly comparable due to changes in definition of some wastes.

Landfill void

- 1.3.3. The CIMSP considered landfill capacity based upon permitted void remaining at the end of December 2010. It is important to note that the CIMSP only considered permitted facilities; however, this doesn't take into account facilities which were yet to secure a permit or restrictions imposed on permitted sites by the planning permission, for example a condition limiting the life of a facility and may therefore under or over represent the availability of landfill void over time. A number of assumptions were used to estimate remaining landfill life, including an allowance of 25% for engineering requirements and daily cover, and a presumed density of 1.2m³/tonne. Annual landfill inputs were estimated based upon a number of different scenarios ranging from no addition recycling or prevention or EfW

developed to all recycling targets and prevention targets met and EfW developed for all waste streams, see Appendix 1.

Hazardous disposal capacity

- 1.3.4. The CIMSP identified that there was very little disposal capacity for hazardous wastes in Wales but low levels of arisings and significant capacity within close proximity of the Welsh border which means that there is very little market incentive to develop disposal capacity in Wales. The CIMSP concluded that, with the exception of landfill, it is considered that the current infrastructure in Wales forms an integrated and adequate network for the management of hazardous wastes.

Recovery capacity

- 1.3.5. The CIMSP estimated volumes of recovery capacity required within each of the three regions. Arisings of residual waste were modelled using a number of different scenarios ranging from 'business as usual' through to 'all recycling targets and waste reduction targets being met'. Although 'business as usual' has been modelled, the estimations of future residual waste treatment capacity were based upon scenario 2, 'Local Authority Municipal Waste Targets are met with no additional prevention', and scenario 4 (see Appendix 1) because scenario 2 is funded and the necessary interventions have been secured. The capacity gap was calculated using permitted capacity in 2011 but did not include capacity permitted at cement kilns since this was not deemed to be genuinely available to manage residual municipal wastes. For North Wales it was estimated that a further **203 to 468 thousand tonnes per annum** may be required.

1.4. Region

- 1.4.1. North Wales has a population of just over 760,000, which is approximately 24% of the total population of Wales. There are two urban authorities with nationally important industrial estates, Wrexham and Flintshire. The rest of the region is predominantly rural with much of the population concentrated along the coast. The region is constrained by flood risk and topography with an inconsistent transport network. The A55 forms part of the Trans-European Transport Network, linking the North West, North Wales and Ireland.

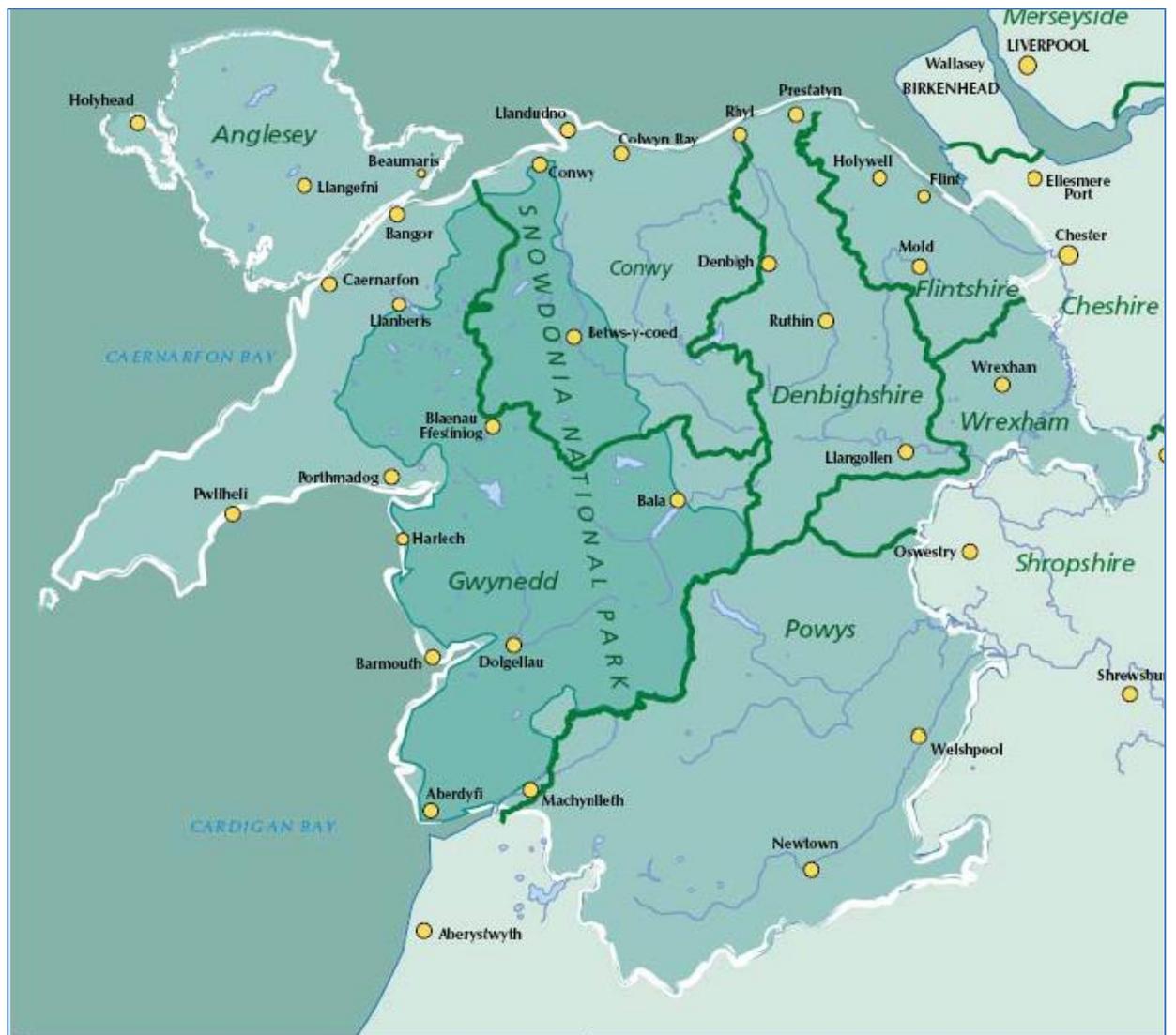


Figure 1: The North Wales region and constituent authorities

2. Local Authority Collected Municipal Waste

2.1. Arisings

- 2.1.1. Since the publication of the 2007 Annual Monitoring Reports the definition of municipal waste has changed. Municipal waste now includes some wastes produced by commerce and industry. However, for the purposes of the CIMSP, municipal waste was identified as municipal waste collected by local authorities. It is therefore beneficial to continue considering local authority collected waste separately to waste arising from commerce and industry.
- 2.1.2. Although local authority collected waste makes up a relatively small proportion of all wastes produced in Wales, data availability is most comprehensive and up to date for this waste stream. The Welsh Government published the Municipal Waste Sector Plan in March 2011. The document included a number of targets which include statutory recycling targets imposed through the Waste (Wales) Measure 2010. There is a fiscal incentive for local authorities to meet these targets as the Welsh Government has powers to fine those authorities who do not meet the targets.
- 2.1.3. The Municipal Waste Sector Plan set a waste prevention target of 1.2% per annum until 2050 based upon a 2007 baseline. There has been a general decline in local authority collected waste across Wales since 2008/09, however, this has not been the case amongst all local authorities with an increase in overall arisings across the North Wales region between 2015 and 2017. However this trend has not continued with a decrease seen across all North Wales Authorities in 2017/18. The CIMSP estimated local authority collected municipal waste arisings in North Wales for the year 2015/2016 to be 485,110² which is greater than actual observed arisings in the region of 422,551 in the same year. The CIMSP also estimated local authority collected municipal waste arisings in North Wales for the year 2019/2020 to be 463,110³ which is greater than actual observed arisings in the region of 404,992 in the year 2018/2019. It would appear that waste reduction targets are being met with respect to local authority collected municipal waste with a stable reductions seen in 2018/2019 following slight increases between 2015-2017.
- 2.1.4. Table 1 shows changes in total waste collected by local authorities between 2012/13 and 2018/19. Variations in arisings could be due to waste minimisation efforts, changes to waste management collections, changes to the economy and efforts of producers. A slight increase in overall arisings was observed in 2015/16 and again in 2016/17. However this has not lead to an increasing trend with a significant reduction in overall arisings observed since 2017

² Figure estimated in the CIMSP for the year 2015/16 based upon prevention targets being met.

³ Figure estimated in the CIMSP for the year 2019/20 based upon prevention targets being met.

2.1.5.

Table 1: Local Authority Collected Waste Arising. Source: StatsWales

Local Authority	2012/ 13	2013/ 14	2014/ 15	2015/ 16	2016/ 17	2017/18	2018/19
Conwy	66,812	63,898	64,333	63,523	62,560	60,054	55,959
Denbighs hire	43,543	42,561	41,972	42,333	44,323	43,988	43,091
Flintshire	88,133	89,877	84,541	85,456	86,256	82,718	84,247
Gwynedd	76,976	76,985	73,095	73,259	75,312	70,378	71,071
Isle of Anglesey	41,942	39,481	39,624	40,268	38,831	37,562	36,134
Wrexham	75,840	80,568	80,096	83,271	87,886	85,118	85,861
North Powys	39,342	36,764	35,976	34,441	32,838	27,925	28629.5
Total	432,588	430,134	419,637	422,551	428,006	407,743	404,992

2.2. Local Authority Collected Residual Waste

- 2.2.1. Residual waste can be defined as ‘waste that cannot be or is not separated for recycling or composting’. Understanding how much residual waste is produced is important because it can be influenced by a variety of factors and is not directly linked to arisings.
- 2.2.2. Actual residual waste arisings in North Wales were lower than the baseline year used in the CIMSP and were also lower than levels predicted for 2024/25 for all scenarios, see table 2. Across Wales there was a slight increase in arisings in 2015/16, with some of the North Wales authorities seeing a slight increase, though the declining trend continued across Wales in 2016/17 with a significant decrease in 2017/18. There was a slight increase across the North Wales region as a whole in the year 2018/19. Progress made to date within the region is good, however, this will need to be monitored to ensure that this trend continues since the level of residual waste being produced within the region and its method of management will affect demand for recovery capacity and the rate at which landfill void will be used up.

Table 2: Local Authority Collected Residual Waste Arisings: Predicted and Actual.
Source: StatsWales

Local Authority	CIMSP – estimated residual arisings baseline (table 22)	CIMSP – estimated residual arisings 2024/25 (Table 32)	2014/15	2015/16	2016/17	2017/18	2018/19
Conwy	-	-	30,089	29,260	27,124	25,670	35,116
Denbighshire	-	-	14,771	15,422	15,870	16,647	33,398
Flintshire	-	-	36,579	35,116	35,191	34,835	20,379
Gwynedd	-	-	34,693	33,398	33,725	31,459	15,422
Isle of Anglesey	-	-	20,242	20,379	18,300	16,474	29,260
Wrexham	-	-	35,868	37,985	38,892	38,014	37,985
North Powys	-	-	15,661	13,063	11,371	10,722	10,885
Total	299,000	149-170	187,903	184,623	180,473	173,821	182,445
Wales	1,026,000	979-1,988,000	689,900	699,949	675,835	645,530	630,703

2.3. Local Authority Collected Waste: Management

2.3.1. The management of local authority collected waste has changed significantly since the publication of the 2007 Regional Waste Group Annual Monitoring Report with a much greater emphasis on recycling. Towards Zero Waste and the Municipal Sector Plan set ambitious targets for local authority collected waste, including statutory targets for recycling, see table 3 below.

Table 3: Recycling Rates: Statutory Targets are in bold

Year	2009/10	2012/13	2015/16	2019/20	2024/25
Minimum levels of preparing for reuse and recycling and composting (or AD)	40%	52%	58%	64%	70%

2.3.2. The region, on average, met the recycling targets in 2012/13 and appear to be increasing in line with the targets, as demonstrated in table 4 below. Gwynedd and Powys didn't quite meet the 2012/13 target, though all authorities met and exceeded the target in 2015/16. Gwynedd and Powys haven't meet the 2019/20 target in 2017/18 however both Powys and Gwynedd are showing increases from the previous year. How authorities are performing with respect

to recycling is of particular importance due to the assumptions that were used within the CIMSP to establish volumes of residual waste requiring management.

Table 4: Local Authority Municipal Waste Reuse/Recycling/Composting Rates by local authority. Source: StatsWales

Local Authority	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19
Conwy	48.1	56.4	56.3	59.1	59.7	62.6	63.7	64.9
Denbighshire	55.7	58	63.2	65.9	62.4	64.7	64.2	64.3
Flintshire	48.3	54.9	55.1	55	58.5	68.2	67.2	68.7
Gwynedd	48.1	51.2	54	55.1	58.7	61.1	60.3	62.3
Isle of Anglesey	57.1	55.2	54.4	55.2	59.5	65.8	72.2	69.9
Wrexham	53.3	52.8	54.7	56.4	62.3	68.7	65.4	65.7
North Powys	42.6	50.9	52.5	52.1	59.1	65.2	60.4	61.4
Total	50.5	54.2	55.7	57	60	65.2	64.8	65.3
Wales	N/A	52.3	54.3	56.2	60.2	63.8	62.7	62.8

2.4. Landfilling of Local Authority Collected Municipal Waste: Landfill Allowance Scheme

- 2.4.1. The definition of municipal waste has changed since the Landfill Allowance Scheme was established and now includes some commercial and industrial wastes. Nevertheless, the Welsh Government has decided not to alter the allowances set for the local authorities since they have no control over some of the wastes now included.
- 2.4.2. Welsh local authorities sent 98,651 tonnes of BMW to landfill in 2018/19 compared to an overall Wales allowance of 350,000 tonnes. This was 72 per cent less (251,349 tonnes) than the allowance. All twenty-two local authorities achieved their individual allocated allowance. Wales has reduced the amount of BMW sent to landfill by 88 per cent (752,838 tonnes) since the first full year of the scheme in 2005/06. Reducing the amount of BMW waste going to landfill helps to cut greenhouse gas emissions, preventing the production and release of methane into the air from landfill sites. This is important, as methane is twenty five times more powerful than carbon dioxide as a greenhouse gas. Looking at individual local authority performance for 2018/19, Denbighshire, Flintshire, Isle of Anglesey and Wrexham used less than 10 per cent of their allowances.
- 2.4.3. The improvements on previous years are due to a number of facilities becoming operational within the region: significantly the AD facilities in Gwynedd and Denbighshire and the Bryn Lane facility in Wrexham.

Table 5: Landfilled BMW. Source: LAS, Natural Resources Wales

Local Authority	2011 /12	2012 /13	2013 /14	2014 /15	2015 /16	2016 /17	2017 /18	2018 /19
Conwy	17,883	18,234	17,840	12,952	12,518	10,772	9,223	7,347
Denbighshire	9,048	9,287	6,081	2,925	3,525	844	228	7
Flintshire	25,546	22,987	24,296	21,604	11,829	99	49	141
Gwynedd	20,607	20,695	20,522	19,101	15,329	14,959	11,248	8,781
Isle of Anglesey	7,580	8,026	8,018	8,540	2,929	1,151	95	108
Wrexham	22,365	21,404	21,317	19,322	6,871	1,262	234	155
North Powys	9,072	7,035	6,983	6,823	4,865	3,781	4013	4,064
Total	112,101	107,668	105,057	91,267	57,866	32,868	25,089	16,539

Table 6: Percentages of LAS allowance used. Source: LAS, Natural Resources Wales

Local Authority	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19
Conwy	72.4%	86.4%	88.3%	67.1%	68.0%	61.5%	55.5%	46.7%
Denbighshire	57.8%	69.5%	47.5%	23.9%	30.2%	7.6%	2.2%	0.1%
Flintshire	87.8%	92.5%	102.1%	95.0%	54.6%	0.5%	0.3%	0.8%
Gwynedd	81.6%	96.0%	99.4%	96.8%	81.5%	83.6%	66.2%	54.7%
Isle of Anglesey	54.5%	67.5%	70.4%	78.5%	28.2%	11.7%	1.0%	1.2%
Wrexham	84.6%	94.8%	98.6%	93.5%	34.9%	6.7%	1.3%	0.9%
North Powys	66.7%	60.5%	62.8%	64.2%	48.0%	39.2%	43.9%	47.0%
Region Average	72.2%	81.0%	81.3%	74.1%	49.3%	30.1%	24.3%	21.6%
Wales Total	70.9%	77.6%	76.7%	59.6%	41.6%	23.3%	28.6%	28.2%

2.5. Landfilling of Local Authority Collected Municipal Waste

2.5.1. Tonnages of local authority collected municipal waste landfilled have significantly decreased overall since 11/12, however levels have fluctuated over

the period between 2016/17 to 2018/19. Whilst the total municipal waste landfilled in wales has risen in 2018/19, all Local Authorities within the North Wales region have shown decrease. This has potential implications for the rate at which landfill void within the region is used up. This reduction in landfilling has been observed across most of the North Wales authorities with slight increases in both Flintshire and North Powys. These reductions are seen prior to the completion of Parc Adfer, the North Wales Residual Waste Treatment Project facility procured by North Wales Authorities which is due to become operational in 2019 and will process up to 200,000 tonnes of residual waste.

2.5.2.

Table 7: Local Authority Municipal Waste Landfilled. Source: StatsWales

Local Authority	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19
Conwy	29,010	27,885	20,349	19,737	17,813	15,538	13,058
Denbighshire	16,369	11,593	6,012	7,227	1,929	1,055	408
Flintshire	36,597	37,455	35,744	21,399	455	1,316	436
Gwynedd	36,276	35,319	32,228	25,150	23,355	17,101	12,864
Isle of Anglesey	18,337	17,416	17,115	6,793	2,561	182	389
Wrexham	35,548	34,697	29,561	11,854	2,560	1,327	936
North Powys	16,942	13,808	12,816	8,883	6,904	7,732	7,399
North Total	189,079	178,173	153,825	101,043	55,577	44,251	35,490
Wales Total	640,904	587,390	453,497	288,820	150,984	170,510	155,198

3. Industrial and Commercial Waste

3.1. Arisings of Industrial and Commercial (I&C) Waste

- 3.1.1. Data regarding industrial and commercial waste generated in Wales is obtained from sporadic surveys. There is no continuous source of data and due to the way in which waste return data is collected it is not possible to use this as a reliable method of estimating commercial and industrial waste arising in Wales. Data is not available at the local authority level and whilst it is possible to use population as a proxy this may not produce meaningful results.
- 3.1.2. Towards Zero Waste set reduction targets for industrial and commercial waste based upon a 2006/07 baseline. The modelling undertaken by Welsh Government in support of the Collections, Infrastructure and Markets Sector Plan used a baseline year of 2007 and assumed that in 2012/13 there would be an annual reduction of industrial waste arising's of 1.4% per annum from the baseline year and an increase of commercial waste arising's of 1% per annum from the baseline year for the business as usual scenario, see table 7 below. Industrial and commercial waste arising's have not changed significantly between 2007 and 2012 and using these assumptions would give an underestimate of volumes of industrial waste requiring management and an overestimate of commercial waste requiring management, see table 8 below. The presence of such large producers of waste within a region can make establishing trends difficult and of less value since the operational decisions of an individual company can have a significant impact on the total volumes of waste produced across a sector. In the absence of a more reliable and frequent source of data it will be difficult to monitor progress towards this target.

Table 8: Waste prevention targets. Source: CIMSP

Industrial Waste: 1.4% reduction per annum until 2050 based on 2006/07 baseline
Commercial Waste: 1.2% reduction per annum until 2050 based on 2006/07 baseline

- 3.1.3. Towards Zero Waste and the Industrial and Commercial Sector Plan set recycling targets for commercial and industrial wastes, see table 9 below. The influence that the Welsh Government has over commercial and industrial wastes is much less than for local authority collected waste

Table 9: Recycling rates and targets for industrial and commercial waste.
Source: CIMSP

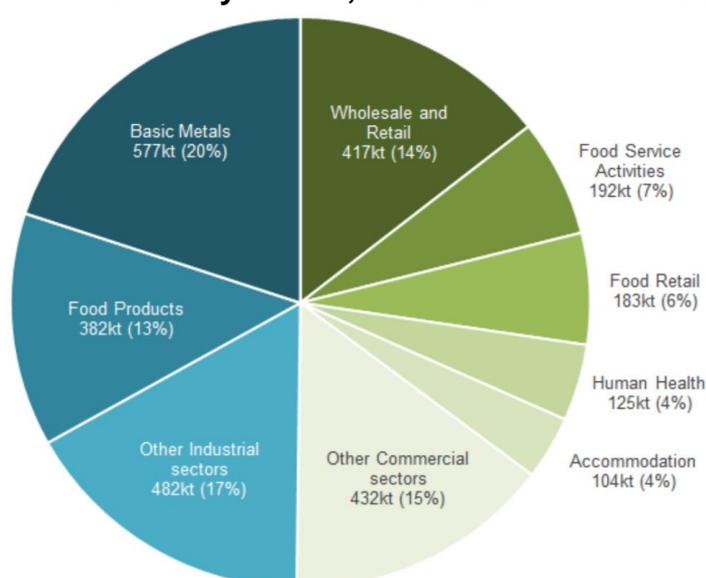
	South East Wales 2012 Recycling rates ⁴	2015/16	2019/20	2024/25
Commercial	67.7%	57%	67%	70%
Industrial	45%	63%	67%	70%

3.1.4. A recent survey of Industrial and Commercial (I&C) waste generated in Wales for 2018 calendar year was carried out by SLR Consulting Ltd in partnership with Anthesis (UK) Ltd and managed by Natural Resources Wales on behalf of the Welsh Government that funded the project. Data for 2018 was collected from a representative sample of 1,755 business sites of differing sectors and sizes throughout Wales between April 2019 and October 2019.

The ONS data showed that there were 97,999 Industrial and Commercial business sites in Wales in 2018 with 7% in Industrial sectors and 93% in Commercial sectors. Of these business sites, 65% had fewer than five employees and 2% had one hundred or more employees.

3.1.5. In 2018 the Welsh Industrial and Commercial sectors generated an estimated 2.9 million tonnes of waste split 50% from Industrial and 50% from Commercial sector businesses, see Figure 1. 67% of the waste was Preparation for Reuse, Recycling and Composting with the break down as shown in Table 10 and the North Region accounts for 25% of the total Industrial and Commercial arising within Wales, see table 11.

Figure 2: Total waste by sector, Wales 2018. Source: Natural Resources Wales



⁴ Commercial and Industrial Waste Survey 2012, Natural Resources Wales

Table 10: Summary of how waste was managed, Wales 2018. Source: Natural Resources Wales

Sector	Preparation for Reuse, Recycling and composting rate	Energy Recovery rate	Land Disposal rate
Industrial	69%	6%	9%
Commercial	64%	9%	12%
Total ⁵	67%	8%	11%

Table 11: Summary of waste generated, Wales 2018. Source: Natural Resources Wales

Sector	Quantity of waste generated per region 2018 (thousand tonnes per annum and % of sector)						
	South East Wales		Mid & South West Wales		North Wales		All Wales
Industrial	566	39%	512	36%	364	25%	1,441
Commercial	679	47%	427	29%	347	24%	1,453
Total	1,245	43%	938	32%	710	25%	2,894

3.1.6. When compared to the results of the 2012 waste generation survey, the quantity of waste generated in the I&C sector in Wales decreased significantly from 3.7 million tonnes in 2012 to 2.9 million tonnes in 2018. The quantity of waste generated in the Industrial sector in Wales decreased significantly from 2 million tonnes in 2012 to 1.44 million tonnes in 2018. Industrial waste arising's within the North Region have also decreased from 480,640tonnes in 2012 to 364,000 tonnes in 2018. The quantity of waste generated in the Commercial sector in Wales has decreased from 1.7 million tonnes in 2012 to 1.45 million tonnes in 2018, with deceases within the North region from 434,400 tonnes in 2012 to 347,000 tonnes in 2018.

3.1.7. The rate of Preparation for Reuse, Recycling and Composting of I&C sector waste in Wales has significantly increased from 58% in 2012 to 67% in 2018. 2018 also saw an increase in Incineration but a dominance of Incineration with Energy Recovery. In 2012, 143 thousand tonnes (3.9%) of waste went to Incineration (2.2% without Energy Recovery and 1.7% with Energy Recovery). In 2018 this increased to 236 thousand tonnes (8.2%) of waste (0.4% without Energy Recovery and 7.8% with Energy Recovery

⁵ There may be some discrepancies in the tables where, due to rounding, the components do not sum up to the totals.

4. Construction and Demolition Waste

4.1. Arisings of Construction and Demolition Waste

- 4.1.1. Sporadic surveys have also been used to produce data on construction and demolition wastes. The latest survey looked at Construction & Demolition Waste Generated in Wales in 2012. The CIMSP was based upon findings from a survey carried out in 2005/06. The surveys are not directly comparable due to changes in waste definitions, the impact of the recession, the impact of major infrastructure projects and changes in methods of reporting. Nevertheless, it is considered appropriate to consider how the information was used in the CIMSP and whether the assumptions used remain valid.
- 4.1.2. In 2012 tonnages of mixed waste landfilled were relatively small in North Wales, with 28,750⁶ tonnes which can't be managed at inert landfill sites. The CIMSP estimated that in 2024/25 there may be a requirement for between 200 and 250 thousand tonnes of capacity required for residual construction and demolition waste at an all Wales level. Based upon the 2012 survey this is likely to be an overestimate of volumes of residual waste requiring management. However, confidence levels in the precision of the data obtained from the survey are relatively low.

Table 12: Construction and Demolition waste arisings. Source: CIMSP

	2005/06	2012 Actual	Residual predicted 2024/25	Residual actual 2012 ⁷
North Wales	2,330,089	744,820	DNA	28,750
All Wales	12,167,220	3,359,500	200,000-250,000	178,080

4.2. Management of Construction and Demolition Waste

- 4.2.1. Although construction and demolition wastes comprise a wastes other than inert wastes, it is helpful to consider the management of inert waste in Wales since this comprises the majority of wastes arising in the construction and demolition sector. Table 13 shows inert wastes managed in Wales by management method in 2019 using waste returns data.

⁶ Assumes mixed wastes can only be managed at non-hazardous landfill

⁷ Includes mixed wastes and other wastes disposed of but not managed at inert landfill sites

Table 13: Inert Waste Managed in Wales in 2019 (tonnes). Source Waste Data Returns Natural Resources Wales

Facility Type	North Wales	South East Wales	South West Wales	Grand Total
CA Site	26,055	25,882	11,632	63,569
Car Breaker	13,478	19	47.09	13,545
Clinical Waste Transfer				
Composting			903.69	903.69
Composting in closed vessels				
Deposit of waste to land (recovery)	292,787		5,826	298,613
Haz Waste Transfer	8,873	1,619	21,986	32,478
HCl Waste TS + asbestos			4,150	4,150
HCl Waste TS + treatment		57,380	4,919	62,299
HCl Waste TS + treatment (no building)	20,282			20,282
HCl Waste TS + treatment + asbestos	1,269	1681.63		2,951
Inert & Excavation Waste TS				
Inert & excavation Waste TS + treatment	24,017		29,294	53,311
Inert LF	105,512			105,512
Inert Waste Transfer	58,880	11,881	629.04	71,390
Material Recycling Facility (MRF)	41,295	719,067	196,147	956,508
Metal Recycling	23,520	33,144	4,715	62,124
Mobile Plant - Unknown				
Metal Reprocessing	441.87			441.87
Non Haz (SNRHW) LF		97,765		97,765
Non Hazardous LF	59,402	90,950	162,085	312,438
Non-Haz Waste Transfer	235,767	187,051	196,450	619,268
Non-hazardous & hazardous HWA Site			348.5	348.5
Non-hazardous household HWA Site	1630.6			1630.6
Physical Treatment	132,112	170,658	52,519	355,289
Physical-Chemical Treatment		47.18	9,167	9,214
Restricted LF		1,568	234.4	1,802
WEEE treatment facility				
Landfill Total	164,914	92,518	162,319	419,752

5. Hazardous Waste

5.1. Arisings of Hazardous Waste

- 5.1.1. Hazardous wastes are those wastes which can cause harm to human health and/or the environment. In 2019 around 159,320 thousand tonnes of hazardous wastes were produced in Wales, with most arising from thermal processes such as steel slag, oil and oil mixtures, petrol, gas and coal refining and construction and demolition waste and asbestos⁸. Total tonnages of hazardous waste increased 2018, however this increase does not set a trend with a steep drop in 2019
- 5.1.2. In 2019, the North Region managed 104,557 tonnes of hazardous waste and was a net importer of hazardous waste. Hazardous wastes were managed in a variety of different ways, see table 15, but account for a relatively small proportion of overall wastes arising in Wales. Table 16 shows the method of management of hazardous waste within the region, with the majority of wastes being recovered or treated. The Collections, Infrastructure and Markets Sector Plan concluded that with the exception of landfill, it is considered that the current infrastructure in Wales forms an integrated adequate network for the management of hazardous wastes. Since the majority of wastes were treated or recovered rather than disposed of in 2019 it would appear that hazardous wastes are being managed in line with the waste hierarchy. Table 16 shows that the majority of hazardous wastes arising in Wales were recovered in 2019.

Table 14: Hazardous waste management in Wales 2019 (tonnes). Source: Waste Data Returns, Natural Resources Wales.

EWC Chapter	EWC Chapter Description	North Wales	Grand Total
01	Mining and Minerals		1,451
02	Agricultural and Food Production	1	4,111
03	Wood and Paper Production		
04	Leather and Textile Production		
05	Petrol, Gas and Coal Refining/Treatment		4,636
06	Inorganic Chemical Processes	46	33,819
07	Organic Chemical Processes	27	4,592
08	MFSU Paints, Varnish, Adhesive and Inks	262	1,844
09	Photographic Industry	3	11
10	Thermal Process Waste (inorganic)	55,248	57,837
11	Metal Treatment and Coating Processes	15	12,827
12	Shaping/Treatment of Metals and Plastics	186	3,911
13	Oil and Oil/Water Mixtures	273	18,772
14	Solvents	379	682

⁸ Collections, Infrastructure and Markets Sector Plan, section 2.3.5.2

15	Packaging, Cloths, Filter Materials	593	3,053
16	Not Otherwise Specified	18,873	78,162
17	C&D Waste and Asbestos	725	46,370
18	Healthcare	5,728	15,330
19	Waste/Water Treatment and Water Industry	19,045	44,166
20	Municipal and Similar Commercial Wastes	3,154	40,495
Total		104,558	372,068

Table 15: Waste deposits in Wales by fate 2019 (tonnes). Source: Waste Data Returns Natural Resources Wales.

Waste Fate	North Wales	Grand Total
Incineration	26,011	26,011
Landfill		14,961
Mobile Plant	18,179	70,113
MRS	27	27
Storage		481
Transfer	6,381	36,169
Treatment	53,957	224,303
Grand Total	104,557	372,068

5.2. Hazardous Waste: Landfill Capacity

- 5.2.1. The Collections, Infrastructure and Markets Sector Plan identifies that there is little disposal capacity in Wales for hazardous wastes. At the end of 2019 there were no landfill sites permitted to accept hazardous waste in the North Wales region.
- 5.2.2. The tonnage of hazardous wastes produced in Wales which is landfilled outside of Wales is relatively small. The Collections Infrastructure and Markets Sector Plan identified a number of landfills within England which could accept APC residues for disposal in 2011: Norwood Farm Landfill Isle of Sheppey, Kent; Wingmoor Landfill Bishops Cleeve, Gloucestershire; Kings Cliffe Landfill Site Peterborough, Cambridgeshire; Whitemoss Landfill Site Skelmersdale, Lancashire; Minosus Ltd Middlewich, Cheshire. At the end of 2019 there were a number of hazardous waste landfills in England which are able to accept a range of hazardous wastes.
- 5.2.3. In 2019, 28,150 tonnes of hazardous waste arising in North Wales was disposed of in landfill in England. Of this, just over 19,000 tonnes comprised fly ash containing hazardous substances, most of which was produced by UPM Shotton. The majority of waste was disposed of in the North East of England in Kirklees, reflecting the operational decision of the company producing the waste rather than the availability of sites elsewhere. Given the relatively small annual inputs of hazardous waste arising in North Wales in landfills in England and the availability of capacity within a reasonable distance of the region it is reasonable

to conclude that the position identified within the Collections, Infrastructure and Markets Plan remains of relevance.

6. Landfill Capacity

6.1. Inert Waste

- 6.1.1. Technical Advice Note 21, paragraph 4.23, advises that the application of the waste hierarchy demonstrates that the disposal of inert waste is not acceptable in most circumstances and that without exceptional justification planning applications for the disposal of inert waste should be refused. Nevertheless, it is considered reasonable to consider the level of inert disposal provision within a region, particularly since the need for such capacity is often cited by Applicants as justification for new facilities, including both inert disposal and non-hazardous disposal.
- 6.1.2. There were three permitted inert landfills sites which accepted inert waste for disposal in 2019, one in Conwy, one in Anglesey and one in Gwynedd. Planning permission has also been granted for the restoration of Cambrian Quarry in Flintshire by the importation of inert materials and the disposal of non-hazardous waste at Parry's Quarry in Flintshire (see below), which includes void specifically for inert wastes. A number of schemes have been permitted within the region which involve the use of inert waste material to address issues of flood risk, landscape and agricultural land quality, see Appendix 2.
- 6.1.3. A number of sites have very limited void and are nearing closure. However, substantial remaining operational void of just over 880,000 cubic metres remained at the end of 2019 which is considered sufficient to manage inert wastes for a period in excess of 8.4 years at 2019 deposition rates⁹. It should also be noted that this doesn't include capacity at Llanddulas which can accept waste soils.
- 6.1.4. Given the availability of disposal sites in North Wales which can manage inert waste it is considered very unlikely that new capacity will be required in the short to medium term and in the long term the aim is to ensure sufficient alternative capacity which can manage inert wastes higher up the waste hierarchy are available. Proposals which would dispose of inert waste should therefore be carefully scrutinised to ensure that there is a demonstrable need for the development, in line with TAN 21.

⁹ In 2019, 105,512 tonnes of inert waste was deposited at inert landfill sites.

Table 16: Deposit of inert wastes in North Wales (2019). Source: Waste Data Returns, Natural Resources Wales

Deposit of inert waste	Tonnage
Restricted Landfill	0
Inert Landfill	105,512
Non Hazardous Landfill, including site with SNRHW	59,402
Grand Total	164,914

6.2. Non-Hazardous Waste

- 6.2.1. Based upon the CIMSP, the North Wales Region would, under a worst case scenario, have fallen well below the 5 year trigger level identified in TAN 21 as the trigger for pursuing any action which may be necessary to facilitate future provision. Indeed, under the worst case scenario landfill void would be expected to be almost depleted by 2016. It is therefore prudent to revisit the predictions contained within the CIMSP based upon more up to date information to ascertain whether action is indeed necessary.
- 6.2.2. There are a number of operational landfills which can accept non-hazardous waste in North Wales with void of just over 2.8 million cubic metres at the end of 2019. Deposition rates, shown in table 16, were substantially less than those estimated in the CIMSP¹⁰. There was an increase in deposition rates between 2015 and 2017, which appears to be influenced by the importation of wastes from England into Bryn Posteg.
- 6.2.3. If deposition rates of non-hazardous waste continued at 2019 rates, then remaining permitted void would last approximately 14 years¹¹. However, the majority of permitted void is located at one site in Wrexham which accepted waste from the North West of England and across the North Wales region in 2015.
- 6.2.4. In 2019, approximately 35,000 tonnes of local authority collected waste across North Wales was disposed of in landfill (see table 7 above). Assuming that all wastes arising within the region were disposed of at sites in the region, it can be assumed that the remainder of wastes disposed of in the region and from industrial and commercial sources (HIC wastes) and the construction and demolition sector (inert wastes)..
- 6.2.5. Although there has been no clear trend in terms of commercial and industrial wastes being disposed of within the region, there has been an overall decline

¹⁰ 202.024 tonnes of waste was deposited in 2019 at non-hazardous landfill sites.

¹¹ Assuming a density of 1.2m³/tonne and allowing 25% void space for engineering. Takes account of void lost at Llanddulas due to engineering changes but does not take account of void available at the site for inert wastes only.

since 2017. This decline appears to have been reversed in 2017 and a closer look at the deposition data indicates that this is due to a significant increase in wastes being imported from England. This same pattern has not been observed in the other Welsh regions to any extent.

6.2.6. The calculations in the CIMSP did not take into account non-hazardous void of 2.2 million cubic metres and inert void of 400,000 cubic metres at a site with planning permission in Flintshire, Parry’s Quarry. The development has been commenced but an Environmental Permit application has been refused. Not taking into account void with planning permission at Parry’s Quarry, the region is estimated to have 14 years non-hazardous landfill void remaining based upon 2019 tipping rates. With Parry’s Quarry this increases to 24 years. Even if the permitted void at Parry’s Quarry is disregarded, there does not appear to be a need for additional non-hazardous landfill within the North Wales region.

6.2.7.

Table 18: Waste deposited in non-hazardous landfills in 000s tonnes. Source: Waste Data Returns, Natural Resources Wales.

Year	Household, Industrial and Commercial (HIC)	Inert	Total
2007	896	433	1,329
2008	762	315	1,077
2009	676	325	1,001
2010	586	343	929
2011	500	292	792
2012	458	205	663
2013	450	180	630
2014	403	177	580
2015	398	198	596
2016	257	451	708
2017	378	246	624
2018	317	246	563
2019	152	165	317

7. Non-Landfill Capacity

7.1. Introduction

7.1.1. TAN 21 requires the regions to monitor recovery capacity and defines recovery as “any operation the principal result of which is waste serving a useful purpose by replacing other materials which would otherwise have been used to fulfil a particular function, or waste being prepared to fulfil that function, in the plant or in the wider economy.” For the purposes of this monitoring report, facilities which shall be considered include those which can treat residual waste. Although recovery operations can include landspreading, because this is predominantly

carried out using mobile plant in Wales it is not possible to quantify landuse requirements at present and this will therefore not be considered further.

7.2. Cement Kilns

- 7.2.1. There are two co-incineration facilities in Wales, Padeswood Cement Kiln in Flintshire, North Wales and Aberthaw Works in the Vale of Glamorgan. Both facilities managed relatively small volumes of waste in 2019. Padeswood managed only a small proportion of waste from Wales. It is understood that waste facilities in the region do not currently process wastes to the required specification which is why wastes are currently sourced from England, predominantly the North West of England in 2019. The position contained within the CIMSP, i.e. that capacity at cement kilns should not be included when considering the need for residual waste treatment capacity is therefore considered to remain of relevance.

7.3. Residual Waste Treatment Procurement Projects

- 7.3.1. In order to maximise the amount of waste that is diverted from landfill and to ensure that various waste management targets are met a number of local authorities are procuring residual waste treatment capacity. Wrexham County Borough Council signed a Private Finance Initiative (PFI) agreement in 2007 with Waste Recycling Group, now FCC Environment. The project includes the development of a Mechanical Biological Treatment (MBT) facility which can process up to 75,000 tonnes of residual waste per annum with the output to be sent to an EfW in England.
- 7.3.2. The North Wales Residual Waste Treatment Partnership is a partnership comprising of Flintshire, Denbighshire, Conwy, Gwynedd and Anglesey Councils which has been formed to procure residual waste treatment capacity. The project, now known as Parc Adfer, has culminated in the signing of a 25 year contract with Wheelabrator Technologies Inc. A planning application has been granted for the construction of a 200,000 tpa Energy from Waste at a site in Flintshire which would be able to manage Local Authority Municipal Residual Waste as well as some commercial and industrial wastes. The facility is in the process of being constructed and is expected to become operational by 2019.
- 7.3.3. Powys currently has a contract with Potters Waste Management which goes to Pembroke Dock for export with waste from the remainder of the County going to landfill at Bryn Posteg. The contract with Potters Waste Management involves landfill from the 1st of April 2016 for the first 5 years and then an energy from waste solution for a further 5 years (from the 1st of April 2021). The company secured planning permission for a facility which could recover energy from residual waste in Welshpool, however, at the time of writing the report the planning permission had not been implemented.

- 7.3.4. Notwithstanding the degree of uncertainty with respect to Powys, the North Wales region is making good progress with respect to the securing the treatment of residual waste. The facilities identified above will impact on waste management requirements within the region, reducing the overall availability of local authority collected wastes to the private sector. This will in turn impact on existing waste management companies and will need to be given careful consideration if significant proposals for residual waste treatment are proposed within the region.

7.4. Food Waste Treatment Procurement: Local Authority Projects

- 7.4.1. Although the focus of this report is residual waste, the availability of capacity to deal with food waste is of interest as it will help enable local authorities to divert waste from landfill. Local Authority collected food waste is of particular interest because it will help divert wastes from non-hazardous landfill.
- 7.4.2. There are a number of facilities within the region which have been developed to deal with biodegradable wastes. Two anaerobic digestion facilities have been developed; one in Denbighshire and another in Gwynedd. The Gwynedd facility, GwyrriAD, Llwyn Isaf near Caernarfon, manages up to 11,500tpa from across Gwynedd. Flintshire, Denbighshire and Conwy formed a partnership to procure food waste treatment capacity which has resulted in the development of an anaerobic digestion facility in Denbighshire with capacity to deal with up to 22,000 tpa food waste. The facility is now operational. A number of In-Vessel-Composting facilities have also been developed in the region, including the IVC at Bryn Lane on the Wrexham Industrial Estate, Penhesgyn IVC and Ffridd Rasmus IVC.

7.5. Food Waste Treatment: Merchant Capacity

- 7.5.1. Although local authorities manage a significant volume of food waste, the commercial and industrial sectors also produces significant volumes of food waste. Monitoring the region's capacity to manage all food waste in a sustainable way is particularly useful to ensure that the planning system is facilitating the necessary capacity in a timely manner. A small number of permissions for merchant facilities have been granted in Flintshire and Wrexham, however, not all capacity has been implemented to date, see Appendix 8.

7.6. Urban Quarries: Repositories for inert waste

- 7.6.1. TAN 21 advocates the use of temporary storage facilities for the management of inert waste to prevent inert wastes being unnecessarily disposed of. A review of recent planning permissions in North Wales indicates that applications for urban

quarries are not forthcoming. Applications for the management of construction and demolition waste have been granted which include storage of inert material, however, these are not large scale sites for the storage of inert wastes.

7.7. Other facility types: Permit information

- 7.7.1. The Regional Waste Plans monitored permitted capacity across the three regions. Permitted capacity gives a theoretical capacity rather than an actual operating capacity because in many cases facilities are permitted to operate up to an identified threshold which in reality they are never likely to realise because of factors outside the control of the permit, such as market demand, storage space, restrictions placed on a planning permission and so on. Nonetheless, it is helpful to look at how permitted capacity has changed over time since unlike with planning permission, operators are obliged to pay a subsistence fee for the permit. Permits are generally therefore only retained when a company is operating or intends to operate in the near future. It is therefore likely to be a good indication of those facilities which are actually contributing to the management of waste.
- 7.7.2. A direct comparison between data contained within the Regional Waste Plan 1st Review and the latest data is not directly possible due to changes to the coding of facilities. Nevertheless, it is possible to see a general increase in overall capacity. The tables don't fully capture the progress that has been made in the region due to the way in which the data is provided by NRW, for example. The inclusion of this data will enable the monitoring of trends in terms of operational capacity.

7.8. Other facility types: Planning permissions

- 7.8.1. Appendix 7 contains information on planning applications determined in the region. Significant recovery facilities are identified within Appendix 3, which contains information on facilities such as EfW. There have been some significant planning permissions granted for waste management in North Wales since 2007, particularly in relation to the management of residual waste. However, to date, very little of this merchant recovery capacity has become operational capacity. Permissions for intermediate treatment and transfer appear to be being delivered and are providing an interim solution to the diversion of waste from landfill.

8. Local Development Plans

8.1. LDP Policies

- 8.1.1. Technical Advice Note 21 requires the Waste Monitoring Report to provide an update on local development plan progress, with particular reference to the fulfilment of Article 16 obligations (paragraph 3.12). Snowdonia National Park, Denbighshire and Conwy have Adopted Local Development Plans, whilst Flintshire, Wrexham, Powys, Gwynedd and Anglesey are all in varying stages.

The adopted Plans were written in the context of the Regional Waste Plan 1st Review, prior to the publication of the revised TAN 21 and Planning Policy Wales Edition 6 February 2014 (which has since been superseded). Appendix 6 details LDP policies within the region. All Local Development Plans to date include sites for waste management, thereby demonstrating compliance with the requirements of the Waste Framework Directive Article 16 obligations, and in line with TAN 21.

8.2. LDP Monitoring

- 8.2.1. A review of local authority monitoring reports has been undertaken with respect to waste. Most monitoring was established prior, or during the review of national waste policy and guidance. As a result, the monitoring framework of many LDPs makes direct reference to the Regional Waste Plan. The monitoring frameworks need to be updated to reflect these changes to policy and guidance, in particular the requirement contained within TAN 21 to monitor the take up of land by waste management uses, see Appendix 8, table 2.

9. Conclusion

- 9.1.1. This assessment indicates that the landfill projections within the CIMSP significantly overestimated the rate at which landfill void within the region would be used up. Progress is being made with respect to the development of waste infrastructure within the region which would divert waste from landfill. On-going monitoring will be essential to ensure that sufficient landfill void remains available and that sufficient but not excessive capacity for the treatment of residual waste is available.

The regional position is therefore:

There is no further need for landfill capacity within the North Wales region.

Any proposals for further residual waste treatment should be carefully assessed to ensure that the facility would not result in overprovision.

Appendix 1: Scenarios used to predict landfill and Recovery requirements

Landfill required if:	
1. No EfW facilities are developed:	No additional recycling or prevention
	LAMW recycling targets met, no additional prevention
	All recycling targets met, no additional prevention
	All recycling and prevention targets met
2. EfW facilities developed for LAMW only - from 01 April 2017. IBA recycled so no landfill required.	No additional recycling or prevention
	LAMW recycling targets met, no additional prevention
	All recycling targets met, no additional prevention
	All recycling and prevention targets met
3. EfW facilities developed for all waste - from 01 April 2017. IBA recycled so no landfill required.	No additional recycling or prevention
	LAMW recycling targets met, no additional prevention
	All recycling targets met, no additional prevention
	All recycling and prevention targets met
Recovery: Assumptions contained within the CIMSP The following four scenarios have been modelled for 2024-25 (the first Towards Zero Waste milestone of zero landfill) to identify a range of future residual mixed waste quantities (Table 31): <ol style="list-style-type: none"> 1) Business as usual - no additional recycling and no additional effort on prevention³¹. 2) Only local authority municipal waste (LAMW) recycling targets met, other recycling rates remain as baseline, no additional waste prevention measures undertaken. (This can be regarded as a “fully funded and interventions secured” option). 3) All recycling targets met, no additional waste prevention measures undertaken. (This requires additional funding and/or additional interventions that are yet to be secured). 4) All recycling targets met and additional prevention measures undertaken to meet waste prevention targets. (This requires additional funding and/or additional interventions that are yet to be secured). 	

Appendix 2: Landfill in North Wales: Planning position

Table 1: Permitted Landfill sites in North Wales

Site Name	Local Planning Authority	Waste type	Planning Permission and end date	Comments
Pen y Bont	Wrexham	Non-hazardous	Application P/2015/0730 was approved on 29/09/2015 for the variation of conditions 1 and 10 of planning permission P/2007/0324 to allow for a one year extension to the operational life of the landfill followed by restoration. New end date is 12th December 2016 for the importation of waste and 12 th of December for the restoration of the site.	Timescales for closure are linked to commencement of operations at Bryn Lane site.
Hafod	Wrexham	Non-hazardous	P/2003/1220 31 st December 2048	End date of permission excludes any outstanding restoration
Llanddulas	Conwy	Non-hazardous	0/27248 and 0/32704 30 th August 2055	Non-hazardous void and inert void around the fault.
Ffridd Rasmus	Snowdonia National Park	Non-hazardous	Site is now closed	Site has no permitted void
British Steel No 1 Landfill	Flintshire	Restricted User	P/4/5/19737 as varied by permission 048349	No time limit attached to permission.

Nant Y Garth Landfill	Gwynedd	Inert	C01A/0392/18/LL	Condition 1 limits duration of permission to 31 st December 2018.
Ty Mawr	Gwynedd	Inert	C06A/0619/22/MW	Input limited to 25,000tpa. Very limited capacity remaining at site.
Paedwood Cement Works	Flintshire	Restricted User	3/702/90	Site is now closed and in aftercare.
Nant Newydd Quarry 1	Anglesey	Inert	26C14B	Condition limits duration of infilling to 31/12/2021
Rhuddlan Bach Quarry	Anglesey	Inert	23C160J, 23C160G, 23C160D : all 31/12/2040 23C160A: 31/01/2010	There are a number of planning consents for this site.
Ty Mawr Farm	Conwy	Inert	1/13649 the development was considered to be permitted development	No time limit
Bryn Posteg	Powys	Non-hazardous	M2000/0224	No condition restricting duration of landfilling.

Table 2: Permitted disposal sites at the end of December 2015: Tonnages by waste type

Installation Name	Site Type	Local Authority	Void Remaining at 31 st December 2015
Hafod Landfill	Non-hazardous	Wrexham	-
Llanddulas Landfill Site	Non-hazardous	Conwy	-
Pen Y Bont Landfill Site	Non-hazardous	Wrexham	-
Bryn Posteg	Non-hazardous	Powys	-
Total Non-hazardous disposal capacity	Non-hazardous	North Wales	4,201,135
Bryn y Gaer	Inert	Flintshire	-
Nant Newydd Quarry 1	Inert	Gwynedd	-

Nant Y Garth Landfill	Inert	Anglesey	-
Rhuddlan Bach Quarry Landfill Site	Inert	Anglesey	-
Ty Mawr Farm Landfill	Inert	Conwy	-
Llanddulas	Inert - soils	Conwy	-
Total Inert disposal capacity	Inert	North Wales	1,612,737

N.B Data not provided at the site level due to commercial confidentiality

Table 3: Disposal Capacity with planning permission

Local Planning Authority	Facility type	Planning Application number	Capacity	Comments
Flintshire	Non-hazardous landfill	042468	2.2 million cubic metres non-hazardous, 400,000 inert	Parry's Quarry. Development has been commenced. Environmental Permit outstanding at time of writing.
Flintshire	Inert disposal	050695 dated 28/04/2014	477,000 cubic metres	Cambrian Quarry Applicant estimated a density of 1.9 tonnes per cubic metre to allow for compaction
Flintshire	Inert disposal	049908	111,000m ³	Weighbridge Road inert recycling and use of inert waste for raising of the land to address flood risk
Denbighshire	Inert disposal	06/2010/0967	14,973m ³	Use of inert waste to improve agricultural land
Denbighshire	Inert disposal	06/2013/1449	5,000m ³	Use of inert waste to improve agricultural land

Snowdonia National Park	Use of inert was to improve agricultural land	NP5/57/1063	Approximately 5,000m3	Use of inert waste to improve agricultural land
Gwynedd	Inert disposal	C16/0214/18/LL		Landfilling of inert waste at existing disposal site, Nant Y Garth. Application pending.

Appendix 3: Recovery North Wales

Local Planning Authority	Facility type	Planning Application number	Date approved	Capacity	Comments
Conwy	MRF to deal with municipal waste including wastes from commercial and industrial sources	0/38815	11/07/2012	100,000	Planning permission not implemented to date
Flintshire	Mechanical Heat Treatment	045230 and 046697	20/01/2010	160,000	The development has commenced but has not been completed to date. It is understood that the building is currently vacant.
Flintshire	Dry MRF at UPM Shotton	045531	16/06/2009	300,000	The site is now operational
Flintshire	Combined Heat and Power Station using Refuse Derived Fuel (RDF) at Shotton Works	046316	20/01/2010	110,000	Application 050283 to vary the implementation date was approved with an implementation date of 20th January 2015. A subsequent application, 053093 has been submitted

					and was approved which allows a further 5 years, until May 2020 for implementation of the development.
Flintshire	Energy Recovery Facility	052626	Approved	200,000tpa	Parc Adfer planning application
Gwynedd	Biomass Energy Plant	C08A/0506/14/LL	27/08/2009	25,000tpa	Fuel reclaimed timber
Powys	Waste transfer	P/2012/0134	03/09/2012	74,000	No additional capacity provided since site already manages municipal wastes.
Powys	Combined heat and power installation - RDF	P/2014/1086	12/02/2015	36,000	Variation of condition to vary fuel type allowed at a biomass combined heat and power installation. Development not yet commenced.
Wrexham	MBT	P/2011/0769	23/01/2012	70,000	Site now operational

Appendix 4: Residual Waste Procurement Projects

Project Name	Partner Authorities	Status of Procurement	Facilities Developed	Residual Waste Treatment Capacity
North Wales Residual Waste Treatment Partnership Project	Flintshire, Denbighshire, Conwy, Gwynedd, Anglesey	Near Financial Close	None to date. Planning permission secured for an Energy Recovery Facility on the Deeside Industrial Estate	Up to 200,000tpa
Wrexham PFI	Wrexham	Contract signed with WRG (now FCC Environment) in 2007	MBT facility on the Wrexham Industrial Estate	70,000tpa residual waste

Appendix 5: Local Authority Food Waste Projects

Project Name	Partner Authorities	Status of Procurement	Facilities Developed	Food Waste Treatment Capacity
North East Wales Hub	Flintshire, Denbighshire and Conwy	Contract awarded to Biogen	Anaerobic digestion facility at the Waen, Denbighshire	22,000tpa Received 14,617 tonnes in 2015.
GwyrriAD	Gwynedd	Contract awarded to Biogen	Anaerobic digestion facility at Llwyn Isaf, Gwynedd	11,000tpa Received 6,517 tonnes in 2015
Central Wales Waste	Ceredigion and Powys	Contract awarded to Agrivert	Facility in Oxfordshire, England	A site in Bridgend has now secured planning permission.

Appendix 7: Local Development Plans

Local Planning Authority	LDP Adopted	Progress to date	Comments
Conwy	24/10/2013	No AMR published to date	The LDP was written in the context of the Regional Waste Plan 1 st Review
<p>POLICY MWS/5 – PROPOSALS FOR WASTE MANAGEMENT</p> <p>Development proposals for the management of waste, including alterations and extensions to existing facilities, will only be permitted where:</p> <ul style="list-style-type: none"> a) The proposal meets a need identified in the North Wales Regional Waste Plan, or need arising at a local level; b) The need cannot be met through other existing or approved waste management facilities or the proposed activity is unsuitable at those locations; c) Where possible, the proposal recovers value from the waste; d) The proposal accords with Strategic Policies NTE/1 – ‘The Natural Environment’ and CTH/1 – ‘Cultural Heritage’ and the Development Principles. <p>POLICY MWS/6 – LOCATIONS FOR WASTE MANAGEMENT</p> <p>FACILITIES</p> <p>1. The Plan identifies and protects the following sites for waste management facilities as shown on the Proposals Map:</p> <ul style="list-style-type: none"> a) Llanddulas Quarry (north of the existing landfill site) b) Gofer, Rhuddlan Road, Abergele. <p>2. Subject to detailed assessment, the following operations may be suitable at these locations:</p> <ul style="list-style-type: none"> a) Materials Recycling b) Waste Transfer Station c) Recyclate Processing d) Anaerobic Digestion e) In-vessel composting f) Household waste recycling centre g) Mechanical Biological Treatment h) Energy recovery <p>However, the list is not exhaustive and other proposals for the management of waste will be considered on their merits in accordance with the criteria in Policy MWS/5.</p> <p>POLICY MWS/7 - USE OF INDUSTRIAL LAND FOR WASTE</p>			

MANAGEMENT FACILITIES

1. Proposals for waste management facilities will generally be permitted on existing industrial sites and on sites safeguarded under Policy STR/6.
2. Where existing industrial sites are unavailable, proposals for waste management may be permitted outside development boundaries in line with Policy EMP/3 – ‘New B1, B2 and B8 Office and Industrial Development on Non Allocated Sites’.
3. In exceptional circumstances, where it can be demonstrated that a proposal has specific technical or spatial requirements which conflict with the requirements of Policy EMP/3, proposals for waste management facilities outside settlement boundaries which do not accord with Policy EMP/3 may be permitted.

Denbighshire	4/06/2013	No AMR published to date	The LDP was written in the context of the Regional Waste Plan 1 st Review
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Policy VOE 7 – Locations for Waste Management

The following sites are identified on the Proposals Map for waste management facilities:

Rhuallt: Design needs to reflect the rural nature of the surrounding area.

Landscape will be important due to proximity of AONB

St Asaph Business Park: High quality, in-built facilities, emphasis on design.

Denbigh Quarry: Small scale to serve the local area

Graig Lelo Quarry: Mixture of uses including open-air

Ruthin: Bus Depot: Small scale to serve the local area

Ruthin: Fedw Fawr: Small scale to serve the local area

Corwen Ty'n Y Gattel: Small scale to serve the local area

In addition to allocated sites, waste facilities, excluding landfill and open windrow composting, will generally be acceptable on existing industrial estates.

Policy VOE 8 – Waste Management Outside Development Boundaries

Proposals for the treatment of biodegradable waste by means of composting, including anaerobic digestion and in-vessel composting, will generally be acceptable on sites with existing agricultural use to deal with biodegradable waste arising from that use or on sites outside of the AONB and Pontcysyllte Aqueduct and Canal World Heritage Site (including the buffer zone).

Proposals for the management of all other wastes arising outside of the development boundary will be permitted provided that all the following criteria are met:

- i) there is an unmet need identified in the Regional Waste Plan or the proposal relates to the management of waste generated and to be dealt with entirely on that site; and
- ii) allocated sites are either unavailable or unsuitable for the proposed activity; and
- iii) there are no suitable sites within the development boundary; and
- iv) the proposal will not have any unacceptable community impacts; and
- v) the proposal is of an appropriate scale and nature in terms of the site and its surroundings; and
- vi) the proposal seeks to avoid the disposal of waste in landfill or where the proposal is for landfill, the site is outside of the AONB, Pontcysyllte Aqueduct and Canal World Heritage Site (including the buffer zone) or other regionally important landscape and there is an

appropriate scheme for restoration and aftercare.			
Flintshire	Not to date	Not reached pre-deposit stage yet	Adoption anticipated in 2018
Gwynedd and Anglesey	Not to date.	Deposit consultation finished on the 31 st March 2015. Adoption timetabled for December 2016	Written in the context of up to date national policy and guidance.
<p>POLICY GWA1 PROVISION OF WASTE MANAGEMENT AND RECYCLING INFRASTRUCTURE</p> <p>Land and property listed below shown on the Proposals Maps, is allocated for the provision of infrastructure that could sustain or add to the range of suitable waste management facilities.</p> <p>List of sites</p> <p>In addition to the above allocated sites, waste management and recycling infrastructure, excluding landfill and open windrow composting, may be acceptable on existing industrial estates, quarries and brownfield sites. Proposals for waste management and recycling infrastructure (which are not proposed on the above allocated sites) will be assessed on their own merit provided that there is a justifiable need for the development. The justifiable need should refer to the local need as specified within the Municipal Sector Plan and Collections Infrastructure and Markets Sector Plan (CIMSP).</p> <p>Any new development must be suitable in terms of size and scale and must not have an adverse impact upon the landscape, the natural environment or the amenity and health of the local population.</p> <p>POLICY GWA2 WASTE MANAGEMENT OUTSIDE DEVELOPMENT BOUNDARIES AND ALLOCATED SITES</p> <p>Proposals for the management of waste outside development boundaries and allocated sites (in accordance with Policy GWA1) (including biodegradable waste by means of composting, including anaerobic digestion and in vessel composting) will be granted provided there is a demonstrable need for the development and that all the following criteria can be met:-</p> <ol style="list-style-type: none"> 1. Allocated sites are either unavailable or unsuitable for the proposed activity. 2. There are no suitable sites within the development boundary. 3. The proposal will have incorporated measures to mitigate impact upon the environment and the health and amenity of the local population. 4. The proposal is of an appropriate scale and nature in terms of the site and its surroundings. 5. The proposal wouldn't have an adverse impact upon the natural environment and heritage value of the area. 			
Powys	Not to date. Deposit consultation	The Council intends to repeat the deposit	The LPA has the opportunity to reconsider the appropriateness of the

	undertaken during the summer of 2014.	consultation in light of representations received.	policy in light of changes to national waste policy and guidance.
<p>Policy W1 – Waste</p> <p>Proposals will be permitted for the following types of waste facility only:</p> <ol style="list-style-type: none"> 1. In-building waste facilities on: <ol style="list-style-type: none"> i. High quality, local and mixed use sites in table E1. ii. Other waste / employment / B2 sites or small extensions of them. iii. Sites of up to 0.5 Ha. adjoining Towns or Large Villages. 2. Household Waste and Recycling Centres in, or adjoining, Towns or Large Villages. 3. Exemption Sites for inert waste: <ol style="list-style-type: none"> i. To meet the needs identified in the Regional Waste Plans; or ii To facilitate major construction projects. 			
Snowdonia National Park	Adopted 13 th July 2011	2 AMRs published to date	Policies were written in the context of the Regional Waste Plan 1 st Review
<p>Strategic Policy F: Waste (F)</p> <p>Allocation of Land</p> <p>No land will be allocated for the development of new regional, or sub-regional, scale waste management facilities. Applications for new large-scale waste management facilities intended to meet regional or sub-regional needs will not be permitted.</p> <p>Development Policy 4: Existing Waste Management Site and Small-scale sites for household and inert waste (4)</p> <p>Ffridd Rasus</p> <p>Applications for planning permission for new waste management technologies at the existing Ffridd Rasus site aimed at increasing recycling and composting and reducing the amount of waste going to the existing landfill site with planning permission will be permitted, provided that there are no adverse environmental impacts or that these can be satisfactorily mitigated.</p> <p>Household and Inert Waste</p> <p>Applications for planning permission for small-scale waste recycling on industrial sites and for the management and disposal of locally generated domestic and inert waste, will be considered favourably, provided that there are no adverse environmental impacts or that these can be satisfactorily mitigated.</p>			
Wrexham	Not to date. LDP was withdrawn on 16 th March 2012 due to fundamental concerns raised by the Inspector undertaking the Examination. Delivery Agreement has	Consultation on vision, objectives, and strategic growth and spatial options currently being undertaken, until the 10 th April 2015.	

	been redrafted and the Wrexham Local Development Plan 2 2013-2028 is in development.	
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Appendix 8:

Table 1: Conwy Planning Applications

Application number	Status	Description	Relevant conditions/restrictions	Comments
0/41702	Pending as of 31/12/2015	Addition of a waste transfer station to existing skip hire facility.	N/A	Application is for a small scale transfer station which would manage up to approximately 5ktpa.

Table 2: Denbighshire Planning Applications

Application number	Status	Description	Relevant conditions/restrictions	Comments

Table 3: Flintshire Planning Applications

Application number	Status	Description	Relevant conditions/restrictions	Comments
052364	Pending	Development of an Integrated Waste Management Facility comprising a mixed waste treatment facility, a construction waste materials recycling facility, and a contaminated soils treatment facility.	N/A	Proposal has been amended since submission to remove a non-hazardous landfill.

Table 4: Gwynedd Planning Applications

Gwynedd	Status	Description	Relevant conditions/restrictions	Comments
CAERNARFON				
C15/1081/11/LL	Approved 20/12/2016	Re-Submission Of A Previous Application To Import Inert Materials In Order To Raise Existing Ground Levels at Former Dickies Boatyard, Bangor.	TIME-LIMITED OPERATION, 9 MONTHS FROM THE DATE OF NOTIFICATION.	Approx. 19000 tonnes of inert material.

Table 5: Isle of Anglesey Planning Applications

Application number	Status	Description	Relevant conditions/restrictions	Comments

Table 6: Wrexham Planning Applications

Application number	Status	Description	Relevant conditions/restrictions	Comments
P/2013/0108	Approved 5/9/2016	Change of use of part of existing paddock to aggregate and skip storage (in retrospect) and erection of aggregate grading and skip storage shed.	N/A	
P/2016/0368	Approved 25/7/2016	Variation of condition No 17 of planning permission P/2011/0769 to extend operating hours of mechanical biological treatment facility to 0600 to 2200 hours Monday to Sunday.	N/A	Wrexham Recycling Park permission.
P/2016/1151	Approved 20/1/2017	Installation of new scrap handling system within enclosure on roof.	N/A	In association with manufacturing process.

PLANNING CONSULTATION REFERENCE 063069

Sophie Watson [REDACTED]

Wed 09/06/2021 12:23

To: Hannah Parish [REDACTED] >; planning.consultation@flintshire.gov.uk
<planning.consultation@flintshire.gov.uk>

Dear Hannah,

Thank you for the consultation on the Scoping Request on behalf of Liverpool Bay CSS limited for an Order granting Development Consent for the HyNet North West Carbon Dioxide Pipeline.

We have reviewed the Environmental Impact Assessment Scoping Report and have the following comments:

4.2.1 Please could Clwyd-Powys Archaeological Trust and Cheshire Archaeology be added to the list of consultees.

4.2.3 Although we are non-statutory organisation (although we do maintain the statutory HER on behalf of Welsh Ministers), could we also request to be consulted on the PEIR to support the statutory consultation anticipated for Q1 in 2022.

7.2.2 Cadw may require a 3km setting assessment buffer for the AGI (currently 1km). This would be worth confirming directly with Cadw.

7.3.1 The National Monuments Record (NMR) should also be listed here as an additional data source.

Table 7-1. We agree with the suggestions for which parts of the development are scoped in/out of the EIA for the constructional and operational phases.

7.7.1 The legislation listed in this section should also include Technical advice note (TAN) 24: The Historic Environment (May 2017) as the detailed guidance for PPW and the Historic Environment (Wales) Act 2016.

7.7.2 The HEBDA methodology for assessment should also include the following sources for consultation as a minimum; HER, NMR, National Library of Wales (cartographic and documentary sections + online title maps at [REDACTED] relevant County Archives (Flintshire, Wrexham), NRW Lidar data and historic aerial photographic archives.

As part of the walkover survey a historic hedgerows survey should be completed to determine if hedgerows/field boundaries are classed as historic in accordance with the Hedgerow Regulations 1997 criteria or are otherwise important.

Finally, Technical advice note (TAN) 24: the Historic Environment should be mentioned in conjunction with Planning Policy Wales under the last bullet point for this section.

Please do not hesitate to contact me if you require any further information.

With kind regards,

Sophie

Sophie Watson

Swyddog Rheoli Datblygiad / Development Control Archaeologist

Ymddiriedolaeth Archaeolegol Clwyd-Powys / Clwyd-Powys Archaeological Trust

[REDACTED]

Please note my working hours are Monday to Thursday. Due to the ongoing Coronavirus situation I am working from home the majority of the time and can be contacted on the above mobile phone number.

Ymddiriedolaeth Archaeolegol Clwyd-Powys, Y Swyddfeydd, Coed y Dinas, Welshpool, SY21 8RP,
Swyddfa Gofrestredig fel yr uchod. Rhif Cwmni 1212455, Rhif Elusen 508301, Sefydliad Cofrestredig CIfA.

Clwyd-Powys Archaeological Trust, The Offices, Coed y Dinas, Welshpool, SY21 8RP. Registered Office as above. Company No 1212455, Charity No 508301. Chartered Institute for Archaeologists Registered Organisation.



Cerutti, Emma

From: Mark Walters [REDACTED]
Sent: 22 February 2022 12:49
To: Planning Consultation
Cc: Hannah Parish
Subject: HJP/064114 HyNet CO2 Pipeline, Flintshire
Attachments: Email 9-6-21-SW to FCC re Scoping Report comments.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Hannah

Thank you for the consultation on the pre-application details.

We have previously agreed the scope of the pre-determination archaeological assessment that is required in our area on the new build pipeline and its associated structures via the EIA scope and this assessment is currently under way. The scope included specific additional recommendations from us (see attached email) and these comments appear to have been largely included in the assessment and PEIR. We understand the desk-based assessment and walkover survey have been completed although we have had correspondence with the archaeological contractor on certain areas of the scheme that suggest these surveys are still being refined.

The geophysical survey is currently under way and we await a copy of the geophysical survey report for further comment.

There are a few issues to clarify in the PEIR:

In 8.4.3 The PEIR states the geophysical survey technique is Ground Penetrating Radar (GPR) but the WSI we have approved (and the preferred technique) is magnetometry. The GPR reference might be a mistake and should be clarified.

In 8.4.6 Under the sources used for the DBA we note that the local sources in Wales which we outlined in the EIA scope (and attached email) have not all been explored for relevant information. These record sources are now all open in Wales after Covid restrictions have lifted and they should be included in the DBA search. The sources not listed include the Flintshire County Archives (& possibly adjacent Wrexham County Archives), The National Library of Wales (maps and documents section and the online tithe maps [REDACTED]) and the Welsh Government Air Photos Online portal

<http://aerialphotos.wales.gov.uk/>

Table 8-6 This highlights a large number of potential direct and permanent impacts to non-designated sites within the new build boundary, but it is difficult to assess just how direct the impact will be and therefore the likely mitigation required. The list could potentially be refined by reference to mapping evidence or HER data, and the actual areas of ground disturbance by the pipeline cut and stripped easement, to determine the former extent of the sites and the precise areas requiring archaeological intervention. If the location of the impact cannot be refined down then broad-brush mitigation such as a prior strip/map/excavate regime will probably have to be adopted in the vicinity of all of these records where ground disturbance is identified.

With regard to indirect impacts to listed buildings the Flintshire CC Built Heritage Conservation Officer, Chris Rees-Jones, should be consulted for his comments via [REDACTED]

Cadw will need to be consulted on the indirect impacts identified for scheduled monuments via Mr Neil Maylan (Planning Inspector) cadwplanning@gov.wales

8.8 We broadly agree with the Mitigation and Enhanced Measures as currently set out in 8.8 on the understanding that they will be further refined by new evidence prior to submission.

8.10 We are in agreement with the next steps set out in 8.10.

I would envisage that a large amount of pre-submission evaluation trenching may be required on any significant or uncertain archaeological anomalies identified in the geophysical survey and enough time to complete this evaluation should be built into the pre-submission stage so that the ES and ES mitigation statements are fully informed.

Please forward these comments to the HyNet team so that they are fully aware of our requirements.

Kind regards

Mark Walters

Mark Walters
Development Control Archaeologist / Swyddog Rheoli Datblygiad

[REDACTED]
[REDACTED]
Ymddiriedolaeth Archaeolegol Clwyd-Powys, Y Swyddfeydd, Coed y Dinas, Welshpool, SY21 8RP,
Swyddfa Gofrestredig fel yr uchod. Rhif Cwmni 1212455, Rhif Elusen 508301, Sefydliad Cofrestredig ClfA.

Clwyd-Powys Archaeological Trust, The Offices, Coed y Dinas, Welshpool, SY21 8RP.
Registered Office as above. Company No 1212455, Charity No 508301. Chartered Institute for Archaeologists
Registered Organisation No 6.

Please note that I do not work Fridays

PLANNING CONSULTATION REFERENCE 063069

[REDACTED]
Wed 09/06/2021 12:23

To: [REDACTED] <[REDACTED]>
<[REDACTED]> planning.consultation@flintshire.gov.uk
<planning.consultation@flintshire.gov.uk>

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With kind regards,

Sophie

Sophie Watson

Swyddog Rheoli Datblygiad / Development Control Archaeologist

Ymddiriedolaeth Archaeolegol Clwyd-Powys / Clwyd-Powys Archaeological Trust

[REDACTED]

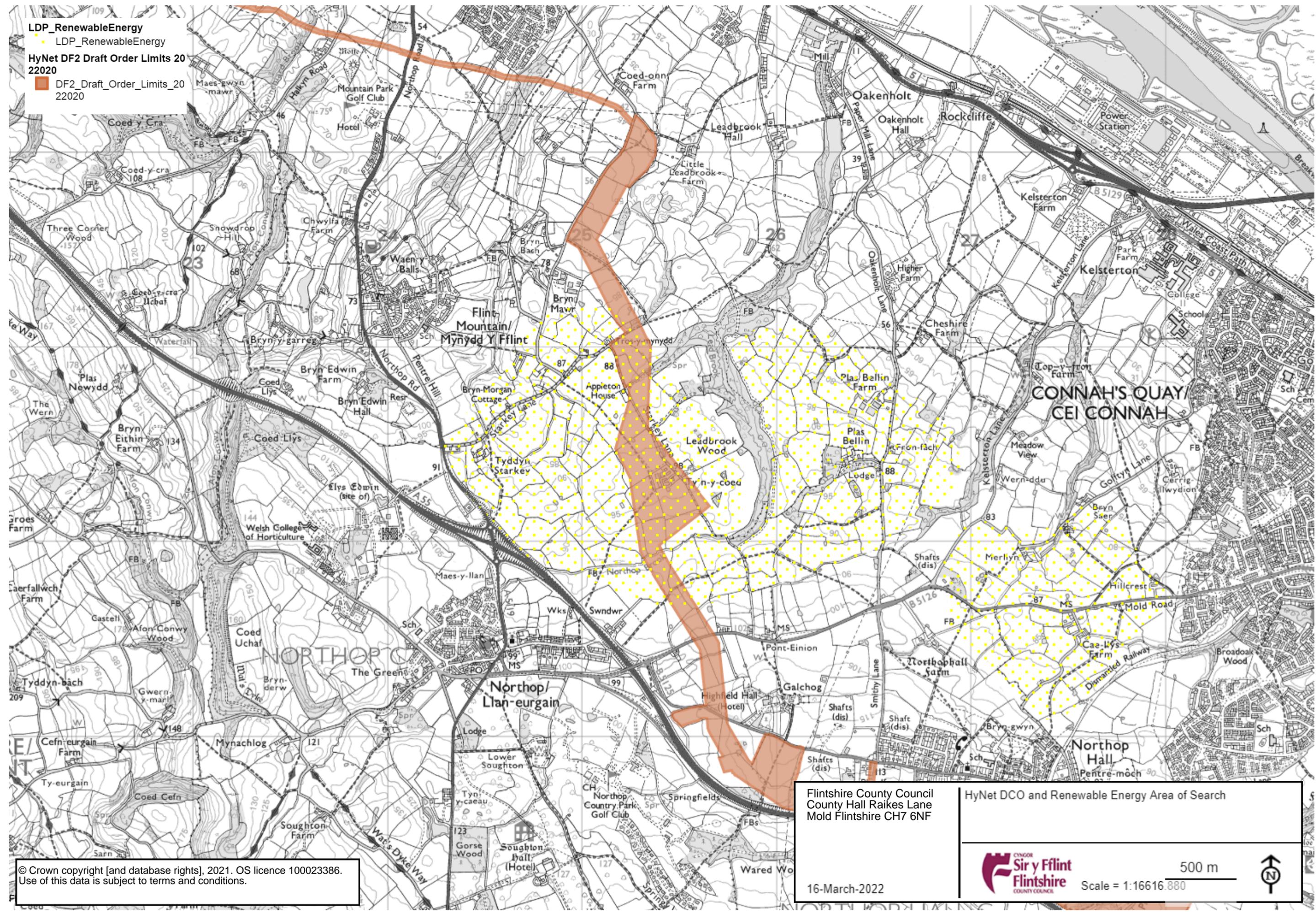
Please note my working hours are Monday to Thursday. Due to the ongoing Coronavirus situation I am working from home the majority of the time and can be contacted on the above mobile phone number.

Ymddiriedolaeth Archaeolegol Clwyd-Powys, Y Swyddfeydd, Coed y Dinas, Welshpool, SY21 8RP,
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LDP_RenewableEnergy
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 HyNet DF2 Draft Order Limits 20
 22020
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 22020



CONNAH'S QUAY/
 CEI CONNAH

NORTHOP C
 The Green

Northop/
 Llan-eurgain

Flintshire County Council
 County Hall Raikes Lane
 Mold Flintshire CH7 6NF

HyNet DCO and Renewable Energy Area of Search

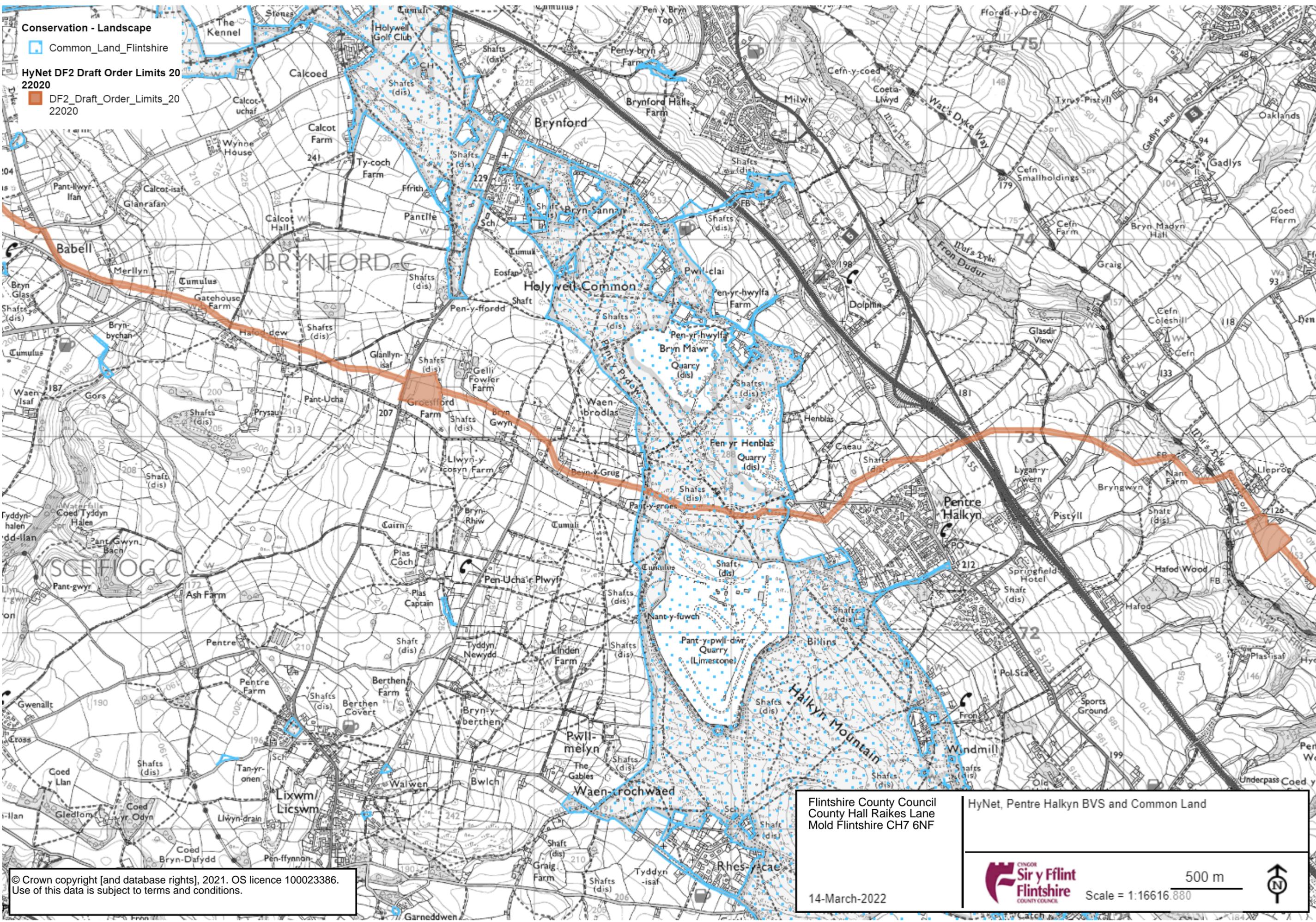
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16-March-2022



500 m
 Scale = 1:16616.880





Conservation - Landscape
 Common_Land_Flintshire
 HyNet DF2 Draft Order Limits 20220
 DF2_Draft_Order_Limits_20220

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Flintshire County Council
 County Hall Raikes Lane
 Mold Flintshire CH7 6NF

HyNet, Pentre Halkyn BVS and Common Land

14-March-2022



500 m
 Scale = 1:16616.880



map produced by the Welsh Government (<https://gov.wales/agricultural-land-classification-predictive-map>). Clarification required.

11.4.18 – Table 11-3: Magnitude of Impact – The references to ‘agricultural land’ in the criteria for ‘major’ and ‘moderate’ should be amended to ‘*Best and Most Versatile (BMV) agricultural land*’.

In respect of BMV agricultural land, it is noted that the magnitude impact table considers >20ha loss to be ‘*Major*’ and 1-20ha loss to be ‘*Moderate*’. Planning Policy Wales (PPW) and the National Development Framework (NDF) - Future Wales 2040 do not specify significance thresholds for impact on BMV agricultural land. It is expected that the policy is taken account of in full as per paragraph 3.58 and 3.59 of PPW.

11.4.18 - Table 11-4: Sensitivity Criteria – The table notes ALC grades 1 and 2 as ‘very high’ sensitivity and ALC grade 3a as ‘high’ sensitivity. The Department does not accept this assessment.

PPW 11 paragraph 3.58 is explicitly clear that ‘*Agricultural land of grades 1, 2 and 3a of the Agricultural Land Classification system (ALC) is the best and most versatile, and should be conserved as a finite resource for the future*’. The department considers that loss of BMV agricultural land is ‘very high’ sensitivity irrespective of ALC grade.

The Predictive ALC Map and associated guidance has been made available by the Department and uses the best available information to predict the grade of land on national basis. It has been designed to help Local Planning Authorities, Developers, Surveyors and Land Use Managers make informed long term decisions over the use of land in the planning system.

11.4.20 – Assumptions and Limitations – It is noted that the ALC survey has not yet been undertaken.

The Department is available to provide advice on survey requirements and validate any commissioned agricultural land classification surveys in respect of this application. This service allows the Authority to have confidence in the information being presented.

Should any party refuse or neglect to commission a survey, or if a survey is not accepted by the Department, the ALC Predictive Map Grade will be taken as the best available information for the site as per published [Departmental guidance](#).

11.5.27 – As noted previously, the department does not accept the sensitivity definitions noted. PPW and NDF – Future Wales 2040 does not distinguish between grades of BMV agricultural land in terms of sensitivity. This section should also be amended as the reference to NPPF is applicable to England – [PPW](#) and the [NDF](#) set out the planning policies in Wales.

11.5.28 – It is unclear if the ALC grades within the study area noted are based on the Predictive ALC Map (2019) or on field surveyed information. Grateful if this could be confirmed and clarified.

11.5.53 – Future Baseline – the department expects the proposals for soil handling (stripping, storage and placement) and aftercare proposals to be based on an ALC and soil physical resources field survey. The department would welcome further details and be consulted once the surveys have been undertaken.

11.7.3 – Table 11-15 and 11-16 – As noted previously, the department does not accept the sensitivity differentiation between different ALC grades of BMV land. Grades 1, 2 and 3a are BMV agricultural land.

11.8.3 – Soil Management Plan - The Department requests to be consulted on the proposed Soil Management Plan (SMP). For areas of confirmed BMV agricultural land, the SMP needs to reflect the physical soil resource present to ensure the integrity of the BMV land is maintained. The SMP must include methods for stripping, handling, storage and placement of the soil profiles as established by the ALC field survey. As noted previously, the department remains available to validate any ALC surveys undertaken.

11.8.11 – Decommissioning - The Department requests to be consulted on the proposed Demolition Management Plan (DMP).

11.9.1 - Table 11-18: Summary of Residual Effects – Construction Phase – it is unclear if there is any loss of agricultural land, either temporary or permanent. Grateful if this could be clarified.

11.9.1 - Table 11-20: Summary of Residual Effects – Decommissioning – the table notes a slight beneficial effect on soil quality. The department does not agree as, even with best intentions, there could be risks to the integrity of disturbed BMV agricultural land.

11.10.1 – ALC Survey – The Department would expect to be consulted on the ALC survey report and to validate it. Validation is a free of charge service completed by the Department on behalf of the Planning Authority. The ALC surveyor should ensure that the survey report includes the complete auger boring and pit schedule (identifying topsoil and subsoil horizon depths, texture, stoniness, structure, porosity, depth at which gleying comes in and morphology - matrix colour, ped face colour where applicable, mottling), auger boring and pit location plan and top soil texture analysis results report.

If a detailed ALC survey is not undertaken, or that a survey is not accepted by the Welsh Government, then the Predictive ALC Map grade should be accepted as the best available information.

11.10.1 – Continued Liaison – it is welcomed that the developer is proposing continued liaison with the statutory consultees. The Department is available to engage in such discussions.

11.11 – References – the department considers the [National Development Framework \(NDF\) Future Wales: The National Plan 2040 – 2021](#) needs to be included. In respect of BMV agricultural land, Chapter 2; Policy 9 is applicable.

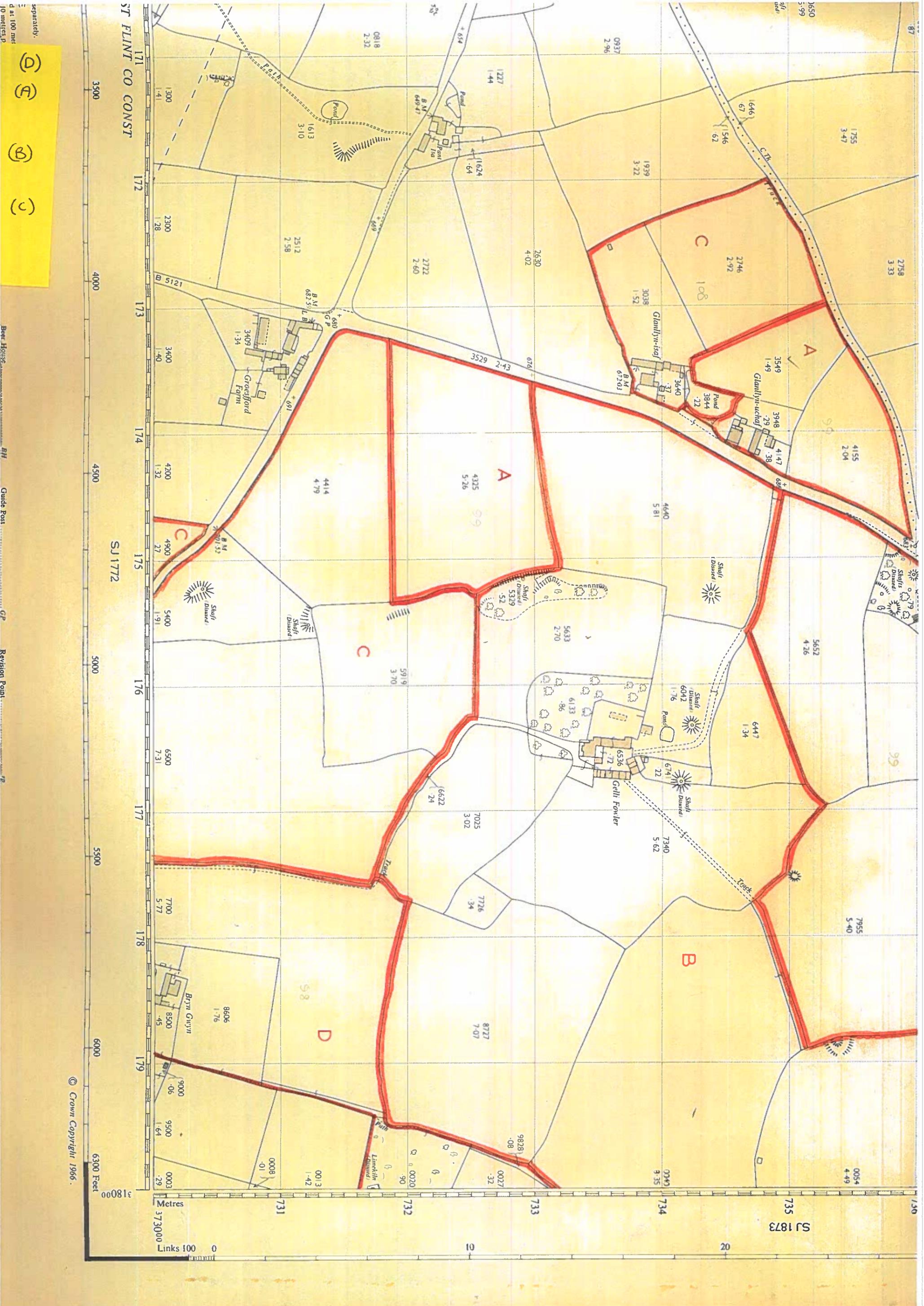
The Department's advice identifies concerns in relation to the proposed development and how those concerns can be addressed. It does not bind any other part of the Department or Welsh Government commenting on the proposal.

I trust the above comments and associated remarks are clear and unambiguous. Please do not hesitate to contact if necessary.

Yours sincerely



Arwel Williams.
Agricultural Land Use & Soil Policy Advisor
Soil Policy & Agricultural Land Use Planning Unit - LQAS@gov.wales



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 10 metres p

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Beer House BH Guide Post GP Revision Point

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42d letter

HyNet
North West



The Secretary
Peel NRE Limited
Venus Building
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Urmston
Manchester
M41 7HA

Registered Office
Liverpool Bay CCS Ltd
Eni House, 10 Ebury Bridge Road
London SW1W 8PZ
United Kingdom
Tel: +44 (0) 20 7344 6000
Fax: +44 (0) 20 7344 6044

Ref: hynet-s42-07022022-2911891

07 February 2022

Dear Sir/Madam,

HYNET NORTH WEST CARBON DIOXIDE PIPELINE

STATUTORY CONSULTATION UNDER SECTION 42 OF THE PLANNING ACT 2008

PRE-APPLICATION PUBLICITY IN ACCORDANCE WITH SECTION 48 OF THE PLANNING ACT 2008 AND REGULATION 13 OF THE INFRASTRUCTURE PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017

I write in relation to Liverpool Bay CCS Limited's proposals to develop, install and operate a new carbon dioxide ('CO₂') pipeline between Ince near Stanlow, and Flint, and to repurpose an existing 24-inch natural gas pipeline between Flint and Point of Ayr Terminal for transportation of CO₂.

As the new carbon dioxide pipeline is classified as a Nationally Significant Infrastructure Project ('NSIP') under the Planning Act 2008 ('PA2008'), its construction and operation require permission known as a Development Consent Order ('DCO'). As part of this process, Liverpool Bay CCS Limited will be holding a statutory public consultation to inform its proposals before finalising its DCO application.

The public consultation will be held over a six-week period from Wednesday 9 February 2022 to Tuesday 22 March 2022. We have included within this letter more information about the Proposed Development, where you can find more information, and how you can provide your feedback. Please note that this public consultation will close at 11.59pm on 22 March 2022 and we therefore invite responses on or before this date.

We are contacting you, in accordance with Sections 42, 44 and 47 of the PA2008, because we believe that you have an interest in land that may be affected by the Proposed Development. If you have instructed a land agent to act on your behalf, we have also written to your land agent enclosing a copy of this letter.

1. The proposed development

The development for which the DCO will be sought is:

- a) Construction and use of Ince Above Ground Installation ('AGI') to Stanlow AGI pipeline (up to 20").
- b) Construction and use of Stanlow AGI to Flint AGI pipeline (36").
- c) Construction and use of Flint AGI to Flint Connection pipeline (24").
- d) The repurposing and use for CO₂ of the Flint Connection to Point of Ayr Terminal pipeline (24").
- e) Construction and use of Ince AGI.
- f) Construction and use of Flint AGI.

- g) Construction and use of Stanlow AGI.
- h) Construction and use of Northop Hall AGI.
- i) Construction and use of Block Valve Stations ('BVSs') located along the existing natural gas Flint Connection to Point of Ayr pipeline and Stanlow AGI to Flint AGI pipeline.

Items a-i together form the 'Pipeline'.

- j) Other infrastructure such as Cathodic Protection (CP) transformer rectifier cabinets.
- k) Ancillary works integral to the construction of the Pipeline including construction compounds and access tracks.

All of items a-k together form the 'Proposed Development'.

2. Section 42 'Duty to consult'

Section 42 of the PA2008 requires Liverpool Bay CCS Limited to consult on its proposed DCO application with those persons specified by the PA2008 and its associated regulations. These persons include, for example, local authorities within or near to the Proposed Development, prescribed consultation bodies (for example, the Environment Agency or Natural Resources Wales), those with an interest in the land to which the DCO application relates (such as landowners, tenants, occupiers, or persons with other interests in the land) and those who may be entitled to bring a claim under certain land compensation legislation should the Proposed Development be constructed and the land used for the Proposed Development.

Liverpool Bay CCS Limited has identified that you fall into one of the categories of people that it needs to consult under section 42 of the PA2008. As such, please find enclosed plans and an overview of the Proposed Development.

You can also find the following documents at www.hynethub.co.uk:

- i. The Preliminary Environmental Information Report ('PEIR') which details the proposed development and a preliminary assessment of its likely significant environmental effects.
- ii. The Non-Technical Summary ('NTS') of the findings in the PEIR.
- iii. The public consultation brochure.

Hard copies will also be available for inspection at the venues detailed in part 6 of this letter and available on request. If you would like a hard copy version of the documents, you can contact us using the details below. The public consultation brochure can also be made available in large print format, braille or other languages upon request.

3. Section 48 of the PA2008 and Regulation 13 Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 ('EIA Regulations 2017') 'Duty to publicise'

Section 48 of the PA2008 requires applicants for a DCO to publicise their proposed application via a notice in a national newspaper and in the London Gazette. A notice must also be published for two consecutive weeks in a local newspaper circulating in the vicinity of the land to which the development relates.

In addition, Regulation 13 of the EIA Regulations 2017 requires that the prospective applicant for the DCO, at the same time as publishing notice of the proposed application in accordance with section 48 of the PA2008, sends a copy of that notice to the prescribed consultees set out in Schedule 1 of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009. If you are a local authority or other prescribed consultation body, you will find the Section 48 notice enclosed with this letter, as required under the EIA Regulations 2017. If you have an interest in land or may be entitled to make a claim in connection with the Proposed Development, we have also sent you the Section 48 notice for information purposes.

4. The DCO process

Liverpool Bay CCS Limited intends to submit the DCO application to the Secretary of State for Business, Energy and Industry Strategy ('**Secretary of State**') in Summer 2022. The DCO application will include supporting documents including a Consultation Report, which will record the results of this public consultation and demonstrate how Liverpool Bay CCS Limited has had regard to the public consultation responses in preparing its DCO application. There will be an opportunity for any person who wishes to comment on the DCO application, once it has been submitted by Liverpool Bay CCS Limited and accepted, to do so directly to the Planning Inspectorate. Further notices advertising the period allowed for making such comments will be issued at that time.

The DCO application will be examined by an Examining Authority (a single Inspector or panel of Inspectors appointed from the Planning Inspectorate) on behalf of the Secretary of State over a six-month examination period. Liverpool Bay CCS Limited anticipates that the examination period will run from around the fourth quarter 2022 until early 2023. The Examining Authority will then make a recommendation to the Secretary of State who will then make the final decision whether or not to grant a DCO in the third quarter of 2023.

If granted, the DCO would authorise the construction and operation of the Proposed Development. The DCO would also include compulsory acquisition powers for the permanent acquisition of land and / or rights over land. The DCO may also include (if required) powers for the temporary occupation of land, the extinguishment or overriding of easements and other rights over or affecting land required for the Proposed Development, the application and / or disapplication of legislation relevant to the Proposed Development, highway powers and tree and hedgerow removal, amongst other matters.

5. Environmental Impact Assessment

As the proposed development falls under paragraph 2(1) of Schedule 1 of the EIA Regulations 2017, the DCO application will also be supported by an Environmental Statement ('**ES**') that will be prepared following the undertaking of an Environmental Impact Assessment ('**EIA**'). The ES will contain information about the likely significant environmental effects of the Proposed Development, and how any adverse effects will be mitigated.

As part of this public consultation, you can view the PEIR, which sets out Liverpool Bay CCS Limited's preliminary view of the likely significant environmental effects. The PEIR does not contain the final findings, as the EIA is ongoing and a full ES will be submitted as part of the DCO application. The Non-Technical Summary of the PEIR provides a non-technical overview of the findings set out in the PEIR.

6. The public consultation

The public consultation will be held from 9 February 2022 to 22 March 2022 and gives you the opportunity to provide your feedback or questions on the proposals for the Proposed Development.

Please provide your feedback by 11.59pm on 22 March 2022. More information can be found at

[\[REDACTED\].k](#)

Liverpool Bay CCS Limited plans to hold online presentations and drop-in face-to-face events in the vicinity of the Proposed Development as set out in Table 1 below. All appropriate COVID-19 precautions will be taken and relevant government guidance at the time of the events will be followed. If it is not possible to hold in-person events due to COVID-19 restrictions, an additional online event shall be organised in lieu of each cancelled face-to-face event. We advise those interested in attending any of the in-person events to check [\[REDACTED\]](#) prior to attending for any updates to the events.

Table 1

Date	Location	Time
Tuesday 15 February 2022	Llanasa Village Hall, Llanasa, Holywell, CH8 9NF	2-4pm
Tuesday 15 February 2022	Talacre Community Centre, Gamfa Wen, Talacre, CH8 9RT	5-7pm
Monday 28 February 2022	Vernon Institute, 62 Hermitage Road, Saughall, CH1 6EN	3-7pm
Saturday 5 March 2022	Quay Building, Fron Road, Connah's Quay, CH5 4PJ	11am - 1pm
Saturday 5 March 2022	Northop Village Hall, High Street, Northop, CH7 6BQ	2-4pm
Saturday 5 March 2022	Queensferry War Memorial Institute, Chester Road West, Queensferry, CH5 1SA	5-7pm
Wednesday 9 March 2022	Ellesmere Port Civic Hall, Civic Way, Ellesmere Port, CH65 0AZ	3-7pm
Saturday 19 February 2022	Online event - book your place at [REDACTED]	1-2pm
Thursday 24 February 2022	Online event - book your place at [REDACTED]	6-7pm
Friday 11 March 2022	Online event - book your place at [REDACTED]	11am - 12pm

Throughout the public consultation period from 9 February 2022 to 22 March 2022, you can view hard copies of the consultation materials at the deposit point locations and times listed in Table 2 below.

Table 2

Venue and address	Opening times
Ellesmere Port Library Civic Way, Ellesmere Port, CH65 0BG 0151 337 4684	Monday 9am-7pm, Tuesday 9am-5pm, Wednesday 9am-5pm, Thursday 9am-7pm, Friday 9am-7pm, Saturday 9am-1pm, Sunday Closed.
Flint Library Church Street, Flint, CH6 5AP 01352 703737	Monday 9:30am-5pm, Tuesday 9:30am-7pm, Wednesday 9:30am-5pm, Thursday 9:30am-7pm, Friday 9:30am-5pm, Saturday 9:30am-12pm, Sunday Closed.
Prestatyn Library 21 King's Avenue, Prestatyn, LL19 9AA	Monday 9.30am-6pm, Tuesday 9.30am-5pm, Wednesday 9.30am-1pm; Thursday 9.30am-5pm, Friday 9.30am-5pm, Saturday 9.30am-12.30pm, Sunday Closed.

01745 854841	
Chester Library at Storyhouse Hunter Street, Chester, CH1 2AR 01244 409113, option two	Monday - Saturday 8.30am-7pm, Sunday 9.30am-6pm.

We advise members of the public to check with the relevant venue regarding any COVID-19 restrictions that may be in place prior to visiting. In the event of needing to cancel the use of deposit points due to COVID-19 restrictions, the consultation materials will remain available to view online at [REDACTED]

Hard copies of the consultation materials will also be made available upon request, regardless of the COVID-19 situation. Copies of the public consultation brochure and non-technical summary of the PEIR will be provided free of charge. Due to the size of the PEIR as a detailed technical document, a charge of £200 will be made for the printing and delivery of the PEIR upon request.

7. How to respond to the consultation

We would welcome your views on the Proposed Development. You can respond to the consultation by:

- Completing a questionnaire online at: [REDACTED]
- Emailing us at: info@hynet.co.uk
- Writing to us at: FREEPOST HYNET NORTH WEST

When providing a response or representation, please include your name / the name of the body or organisation you represent, the main contact person and an address where correspondence about your response or representation may be sent.

Your responses will be analysed by Liverpool Bay CCS Limited and its appointed agents and may be passed in due course to the Secretary of State for Business, Energy and Industrial Strategy, the Planning Inspectorate and any other relevant statutory authorities so that your comments can be considered as part of the DCO application process. Your responses may therefore be made public, however, we will request that your personal details are not placed on public record. Liverpool Bay CCS Limited, its affiliates and appointed agents will hold your personal details securely and in accordance with applicable data protection legislation. They will be used solely in connection with the consultation process and subsequent DCO application and, except as noted above, they will not be passed to third parties.

We are very keen to discuss the Proposed Development with you personally at one of the events listed in Table 1 or, alternatively, to meet with you at a time and place convenient for you. A member of our team will contact you in the near future to arrange a meeting. If you have any questions about this letter or the enclosures, please call on 0203 116 5919 or send an email to hynet@wsp.com.

Yours faithfully,

[REDACTED]

Martin Currie
Director
Liverpool Bay CCS Limited

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SECTION 48 PLANNING ACT 2008 – HYNET NORTH WEST CARBON DIOXIDE PIPELINE
REGULATION 4 THE INFRASTRUCTURE PLANNING (APPLICATIONS: PRESCRIBED FORMS AND PROCEDURE) REGULATIONS 2009
REGULATION 13 THE INFRASTRUCTURE PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017
NOTICE OF PROPOSED APPLICATION FOR A DEVELOPMENT CONSENT ORDER FOR THE HYNET NORTH WEST CARBON DIOXIDE PIPELINE

1. Notice is hereby given that Liverpool Bay CCS Limited, whose registered office address is at Eni House, 10 Ebury Bridge Road, London, SW1W 8PZ, (the '**Applicant**') proposes to make an application (the '**DCO Application**') under section 37 of the Planning Act 2008 to the Secretary of State for Business, Energy and Industrial Strategy ('**Secretary of State**') for a Development Consent Order ('**DCO**') to authorise the installation and operation of a new carbon dioxide ('**CO₂**') pipeline between Ince, near Stanlow, and Flint, and to repurpose an existing 24" natural gas pipeline between Flint and Point of Ayr Terminal for transportation of CO₂.

2. The development for which the DCO will be sought is:
 - a) Construction and use of Ince Above Ground Installation ('**AGI**') to Stanlow AGI pipeline (up to 20").
 - b) Construction and use of Stanlow AGI to Flint AGI pipeline (36").
 - c) Construction and use of Flint AGI to Flint Connection pipeline (24").
 - d) The repurposing and use for CO₂ of the Flint Connection to Point of Ayr Terminal pipeline (24").
 - e) Construction and use of Ince AGI.
 - f) Construction and use of Flint AGI.
 - g) Construction and use of Stanlow AGI.
 - h) Construction and use of Northop Hall AGI.
 - i) Construction and use of Block Valve Stations ('**BVSs**') located along the existing natural gas Flint Connection to Point of Ayr pipeline and Stanlow AGI to Flint AGI pipeline.

Items a-i together form the '**Pipeline**'.

- j) Other infrastructure such as Cathodic Protection (CP) transformer rectifier cabinets.
- k) Ancillary works integral to the construction of the Pipeline including construction compounds, and access tracks.

All of items a-k together form the '**Proposed Development**'.

3. As the Proposed Development is a pipeline project crossing local authority boundaries and approximately 60km in length, it is classed as a Nationally Significant

Infrastructure Project under section 14(1)(g) and section 21 of the Planning Act 2008 ('**PA2008**'). The Applicant must therefore apply to the Secretary of State for a DCO, in order to construct, operate and maintain the Proposed Development.

4. The DCO Application will seek the authorisation of the Proposed Development through the DCO. The DCO Application will include the construction and operation of a new CO₂ pipeline, AGIs and BVSs and repurposing and use of an existing natural gas pipeline. The DCO will include powers required to construct and operate the Proposed Development including compulsory acquisition powers for the permanent acquisition of land and / or rights over land and powers to convey CO₂ through the length of the existing natural gas pipeline. The DCO may also include (if required) powers for the temporary occupation of land, the extinguishment or overriding of easements and other rights over or affecting land required for the Proposed Development, the application and / or disapplication of legislation relevant to the Proposed Development, highway powers and tree and hedgerow removal, amongst other matters.
5. The Applicant intends to apply separately for planning permission via the Town and Country Planning Act 1990 ('**TCPA**') for works to the existing Point of Ayr Terminal and works to the foreshore area between the Point of Ayr Terminal and mean low water mark at Point of Ayr. The TCPA application will also include extension of the duration of existing consents.

Environmental Impact Assessment

6. The Proposed Development is 'EIA development' for the purposes of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the '**EIA Regulations**') and an Environmental Statement ('**ES**') will form part of the DCO Application for the Proposed Development. The Applicant has notified the Secretary of State in writing under Regulation 8(1)(b) of the EIA Regulations that it proposes to provide an ES in respect of the Proposed Development.
7. The ES will provide a detailed description of the Proposed Development and its environmental effects, as well as other matters required by the EIA Regulations. The Applicant has prepared a Preliminary Environmental Information Report ('**PEIR**'), which sets out the Applicant's preliminary view of the likely significant effects of the Proposed Development based on the assessment undertaken to date as well as a non-technical summary of the PEIR. You can view the PEIR and the non-technical summary at: [REDACTED]

Consultation Documents

8. The PEIR and non-technical summary and other information including a consultation brochure and plans showing the nature and location of the Proposed Development (together the '**Consultation Documents**') are available to view and comment on from **9 February until 11.59pm on 22 March 2022** at the following engagement portal: [REDACTED], which is also accessible from the HyNet North West project website (www.hynet.co.uk). They will also be available for inspection free of charge at the locations and times listed in the table below, subject to COVID-19 restrictions. We advise that members of the public check with the relevant venue regarding any restrictions that may be in place prior to visiting. In the event of needing to cancel the use of the deposit points listed in the table below due to COVID-19 restrictions, materials will remain available online at [REDACTED]

Venue and address	Opening times
Ellesmere Port Library Civic Way, Ellesmere Port, CH65 0BG 0151 337 4684	Monday 9am-7pm, Tuesday 9am-5pm, Wednesday 9am-5pm, Thursday 9am-7pm, Friday 9am-7pm, Saturday 9am-1pm, Sunday Closed
Flint Library Church Street, Flint, CH6 5AP 01352 703737	Monday 9:30am-5pm, Tuesday 9:30am-7pm, Wednesday 9:30am-5pm, Thursday 9:30am-7pm, Friday 9:30am-5pm, Saturday 9:30am-12pm, Sunday Closed
Prestatyn Library 21 King's Avenue, Prestatyn, LL19 9AA 01745 854841	Monday 9.30am-6pm, Tuesday 9.30am-5pm, Wednesday 9.30am-1pm; Thursday 9.30am-5pm, Friday 9.30am-5pm, Saturday 9.30am-12.30pm, Sunday Closed
Chester Library at Storyhouse Hunter Street, Chester, CH1 2AR 01244 409113, option two	Monday - Saturday 8.30am-7pm, Sunday 9.30am-6pm.

9. If you have any enquiries in relation to the Consultation Documents, please call 0203 116 5919 or email info@hynet.co.uk.

10. The Applicant also plans to hold online presentations and drop-in face-to-face events in the vicinity of the Proposed Development to provide an opportunity for the local community and stakeholders to view the proposals and speak to the project team. We aim to have a Welsh language interpreter at all in-person events held in Wales. The events will be held as follows:

Date	Location	Time
Tuesday 15 February 2022	Llanasa Village Hall, Llanasa, Holywell, CH8 9NF	2-4pm
Tuesday 15 February 2022	Talacre Community Centre, Gamfa Wen, Talacre, CH8 9RT	5-7pm
Monday 28 February 2022	Vernon Institute, 62 Hermitage Road, Saughall, CH1 6EN	3-7pm
Saturday 5 March 2022	Quay Building, Fron Road, Connah's Quay CH5 4PJ	11am - 1pm
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Wednesday 9 March 2022	Ellesmere Port Civic Hall, Civic Way, Ellesmere Port, CH65 0AZ	3-7pm
Saturday 19 February 2022	Online presentation - book your place at [REDACTED]	1-2pm
Thursday 24 February 2022	Online presentation - book your place at [REDACTED]	6-7pm
Friday 11 March 2022	Online presentation - book your place at [REDACTED]	11am - 12pm

11. If it is not possible to hold in-person events due to restrictions relating to the COVID-19 pandemic, the Applicant will provide an additional online event in lieu of each cancelled in-person event. Please check on [REDACTED] before attending any event that it is going ahead on the planned date.

12. Hard copies of the Consultation Documents are available on request. Copies of the consultation brochure and non-technical summary of the PEIR will be provided free of charge. Due to the size of the PEIR as a detailed technical document, a charge of £200 will be made for the printing and delivery of the full PEIR upon request.

Responding to this Notice

13. If you wish to respond to this notice in respect of the Proposed Development, responses and representations may be submitted in the following ways:

Website: 

Email: info@hynet.co.uk

Mail: FREEPOST HYNET NORTH WEST

14. When making a response or representation, please include your name, the organisation you are representing (if applicable) and an address where correspondence relating to the Proposed Development can be sent.
15. All responses and representations must be received by the Applicant no later than **11.59pm on 22 March 2022**. If you have any questions about the Proposed Development, you can contact us at the above details or by telephone on 0203 116 5919.
16. Your responses will be analysed by the Applicant and its appointed agents and may be passed in due course to the Secretary of State for Business, Energy and Industrial Strategy, the Planning Inspectorate and any other relevant statutory authorities so that your comments can be considered as part of the DCO Application process. Your responses may therefore be made public, however, we will request that your personal details are not placed on public record. The Applicant, Eni UK Limited (the company which owns the Applicant) and their appointed agents will hold your personal details securely and in accordance with applicable data protection legislation. The Applicant will use them solely in connection with the consultation process and subsequent DCO Application and, except as noted above, they will not be passed to third parties.

Liverpool Bay CCS Limited
February 2022