



**Canal &
River Trust**

Making life better by water

National Infrastructure Planning
Temple Quay House
2 The Square
Bristol
BS1 6PN

Your Ref EN070007

Our Ref HYCO-EIA071

Thursday 9th March 2023

hynetco2pipeline@planninginspectorate.gov.uk

Dear Sir

RE: Planning Act 2008 – Section 88 and 89 and The Infrastructure Planning (Examination Procedure) Rules 2010 – Rules 4, 6 and 9.

Application by Liverpool Bay CCS Limited for an Order Granting Development Consent for the HyNet Carbon Dioxide Pipeline Project (“the Application”)

The Canal & River Trust (“The Trust”) responded on 13th January 2023 to register and comment as an Interested Party for the Examination relating to the HyNet Carbon Dioxide Pipeline Project.

The Examining Authority’s (ExA’s) letter dated 20th February 2023 has invited all Interested Parties to register to attend the Preliminary Meeting to discuss the procedure for the Examination of the above application.

Preliminary Meeting and Annex C

Having reviewed the Initial Assessment of Principal Issues contained at Annex C to your letter, these appear extensive and cover all the matters relevant to the Trust as set out in our S.56 Relevant Representation, namely:

- Compulsory Acquisition of Trust Land
- The draft Development Consent Order (DCO)
- Protective Provisions for the Trust
- The Trust’s Third Party Works Code of Practice
- Surface water drainage to the canal
- Environmental Mitigation and the Outline Landscape Environmental Management Plan
- The Construction Environment Management Plan
- The Construction Traffic Management Plan
- Landscape and Visual Impact

As such, the Trust do plan to attend the Preliminary Meeting, however we do not intend to speak on any agenda item and instead just observe the meeting/discussion.

The meeting will be attended by Tim Bettany-Simmons (MRTPI) on behalf of the Canal & River Trust, our unique reference is HYCO-EIA071. Email: [REDACTED]@canalrivertrust.org.uk [REDACTED].

Canal & River Trust

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Draft Examination Timetable (Annex D)

The Trust has reviewed the draft Examination Timetable at Annex D to your letter and can confirm that we have no comment to make on the timetable and suggested deadlines. Similarly, we have no preference in terms of the arrangements for future Examination hearings.

Other Procedural Decisions made by the Examining Authority (Annex E)

We can update the ExA that the Applicant and the Trust are at the early stages of discussing a Statement of Common Ground (SoCG). The Trust are hopeful that a first draft of the SoCG can be shared at Deadline 1.

We note that the ExA undertook an unaccompanied site visit on 15th November 2022 to view the project in relation to the interface with the Shropshire Union Canal and Rock Bank BVS. Given this, we do not consider that an accompanied site inspection is necessary to view the works in the vicinity of the Shropshire Union Canal.

The Trust are hopeful that matters raised within our Relevant Representation will be able to be addressed with the Applicant through negotiation/written submissions and as such will not require Examination time in relation to either a Compulsory Acquisition Hearing or Open Floor Hearing. We will update the ExA further at Deadline 1 in relation to this requirement and we reserve our position on this matter at this stage.

We look forward to receiving the Applicants response to our Relevant Representation. The Trust is however disappointed that the Applicant has not made any progress on agreeing our preferred Protective Provisions for the Trust or provided any comments on the suggested draft that we shared with our Relevant Representations. Reaching agreement on these Protective Provisions would save the Examination time as they would address our concerns and objection.

The Trust will update the ExA on the progress made in relation to the SoCG, protective provisions and other matters at each relevant deadline.

Please do not hesitate to contact me with any queries you may have in relation to the above matters.

Yours sincerely,

Tim Bettany-Simmons MRTPI
Area Planner & Special Projects

[REDACTED]@canalrivertrust.org.uk

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