

COVER LETTER PROCEDURAL DEADLINE A

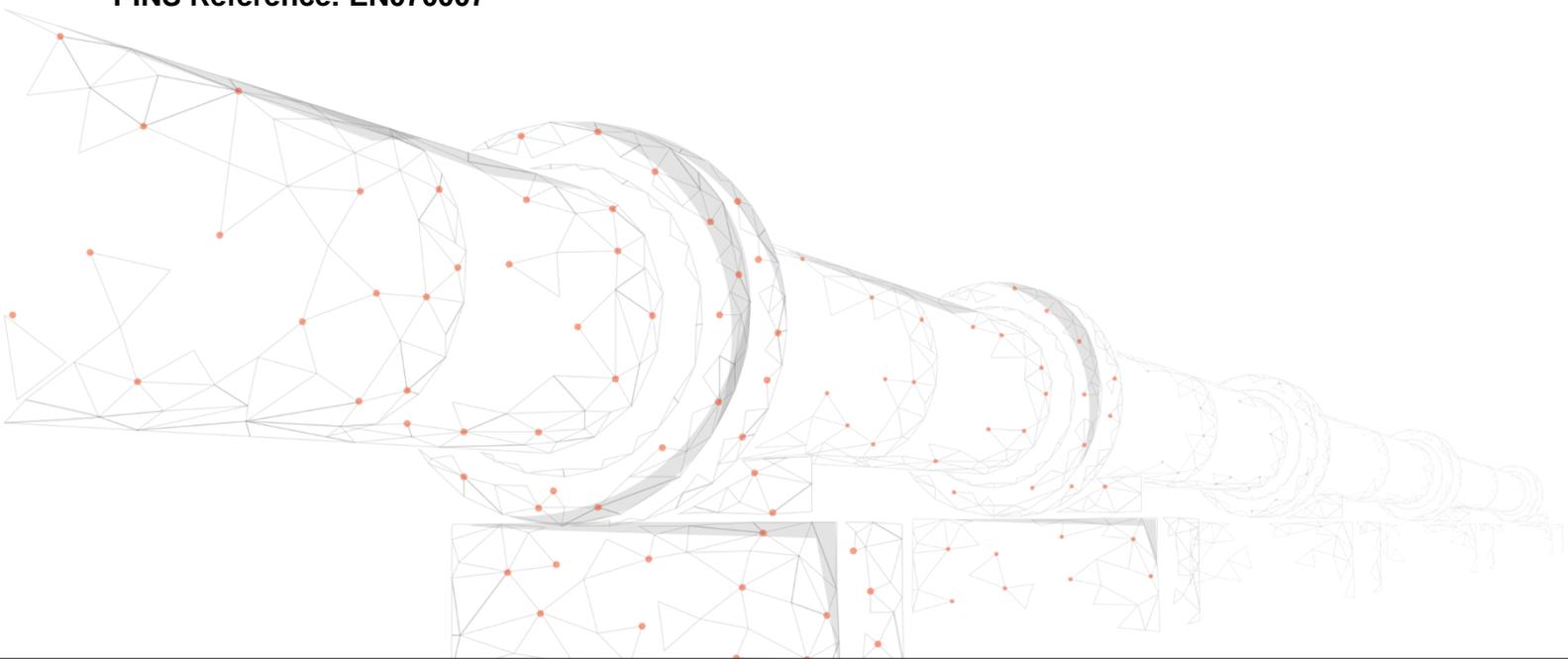
HyNet Carbon Dioxide Pipeline

Planning Act 2008

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Applicant: Liverpool Bay CCS Ltd

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PUBLIC

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09 March 2023

Dear Mr Stephens,

EN070007 HyNet Carbon Dioxide Pipeline – Procedural Deadline A

Please find enclosed the information requested in the Examining Authority's Rule 6 Letter dated 20 February 2023 at Procedural Deadline A. This submission comprises:

- A written submission on Examination procedure (see below **Table 1.1** on Examination Timetable);
- Confirmation that the Applicant wishes to speak at the Preliminary Meeting;
- A draft itinerary for the Accompanied Site Inspection (ASI) setting out the Applicant's suggested locations to be included (see enclosed), and
- Confirmation that the Applicant wishes to submit a material change request.

Examination Timetable

The Applicant requests that the Examining Authority (ExA) considers making the following changes to the Examination Timetable for the reasons set out in **Table 1.1** below. Please note that the Applicant has discussed and agreed the following proposed changes with the relevant Local Planning Authorities (Flintshire County Council and Cheshire West and Chester Council).

Table 1.1 – Applicant’s requests for changes to the Examination Timetable

Rule 6 Letter	Proposed Change	Reason for Request
<p>Week reserved for Hearings – w/c Monday 5 June 2023</p>	<p>Move to w/c Monday 22 May 2023</p>	<p>To avoid a clash with Drax Bioenergy with Carbon Capture and Storage Project DCO hearings as some of the specialists are working on both projects and will be required to attend Issue Specific Hearings for both projects in the week commencing 5 June 2023. The Applicant’s lead advocate is also not available in the latter part of that week. This means that hearings in this week, especially the latter part of the week, are likely to be less helpful than if the timing is amended.</p> <p>The Applicant also notes that initial attempts to reserve space in hearing venues for the week commencing 5 June have highlighted considerable difficulty in availability in that week. The Applicant’s suggested English venue has no availability at all in that week and availability at the Welsh venue is limited.</p> <p>The Applicant notes that there are only 5 days between Deadline 3 (16 May) and 22 May. However, noting that the Deadline 3 submissions are primarily responses to Deadline 2 and should in practice have a smaller number of submissions, the Applicant submits that this would have no adverse impact on any interested party and would allow sufficient time to prepare for the hearings.</p> <p>The Applicant also understands that moving to hearings to this week would avoid school half term holidays.</p>
<p>ASI – w/c Monday 5 June 2023</p>	<p>Separate from hearings</p>	<p>The Applicant suggests that it is likely that the ASI will take a whole day (depending on what sites the ExA wish to visit).</p> <p>Should the ExA wish to visit sites within operational areas then, in addition to the consent of the operators of those sites being required (which the Applicant will seek to facilitate but cannot guarantee), time will be required for the carrying out of identity checks on attendees and health and</p>

Rule 6 Letter	Proposed Change	Reason for Request
		safety briefings as required by the operator, which does add to the itinerary. Therefore, the Applicant suggests it may be practical to retain 2 days in this week for the ASI.
Deadline 6 – Tuesday 11 July	Move to w/c Monday 17 July	To allow for a consistent two-week gap between deadlines. At this time there is only one week between Deadline 5 and Deadline 6. Deadline 5 could involve a considerable number of documents being submitted (depending in particular on the number of further written questions asked). While the Inspectorate's staff are usually very efficient in uploading submissions, with a midnight deadline it is likely all parties will not realistically be in a position to review the Deadline 5 submissions until Thursday 6 th July. This will leave a very curtailed period to prepare responses, particularly during the peak summer holiday period.
Deadline 8 – Updated Local Impact Reports requested (if required)	Deadline 7 - Updated Local Impact Reports requested (if required)	To allow the Applicant the opportunity to comment on the Local Planning Authorities' submissions. The Applicant submits that it would be procedurally unfair not to allow it the opportunity to respond to these submissions given that the ExA is under a statutory duty to have regard to them.

Change Request

The Applicant advises that it is currently preparing a composite change request (i.e. a number of changes in a single change process). The Applicant would be pleased to have the opportunity to raise this in the preliminary meeting, either under any other business or as an additional agenda item.

Reason for change

The change request is being prepared primarily in response to ongoing engagement with landowners. It is also intended to pick up some changes the Applicant has identified through ongoing design work and engagement with potential contractors.

Nature of change

The change includes relocation of some surface works and amendments to the design of drainage for surface sites, which would change the Order Limits and which would result in changes in the land subject to compulsory acquisition. The Applicant is accordingly adopting the approach that it is likely that the ExA will consider the change to be material.

Timing of change request

Given that many elements of the change are proposed to address and resolve landowner objections, the Applicant would wish to put this request before the ExA as soon as practicable. The Applicant's currently anticipated timing proposal for this change is:

- Notification of intention to submit a change request submitted on 21 March;
- Change requested submitted on 27 March;
- ExA has 28 days to decide whether to accept: decision by 24 April (between Deadlines 1 and 2). An early decision would however be much appreciated, which may allow the remaining timetable set out below to be accelerated;
- If accepted, Applicant would carry out a 6 week consultation between 24 April and 9 June (assuming newspaper publication dates can be made for week commencing 24 April), consultation would run until 9 June (to allow for two consecutive weeks of newspaper notices as required by the Infrastructure Planning (Compulsory Acquisition) Regulations 2010);
- Consultation report prepared and submitted on 26 June (between Deadlines 4 and 5), and
- Issues could be raised by Interested Parties on the changes in hearings programmed for week commencing 7 August, and further questions could be included in EXQ3 programmed for issue on 15 August.

Yours sincerely,

Martin Currie

Director, Liverpool Bay CCS Ltd