

HyNet North West

OTHER CONSENTS AND LICENCES

HyNet Carbon Dioxide Pipeline DCO

Planning Act 2008

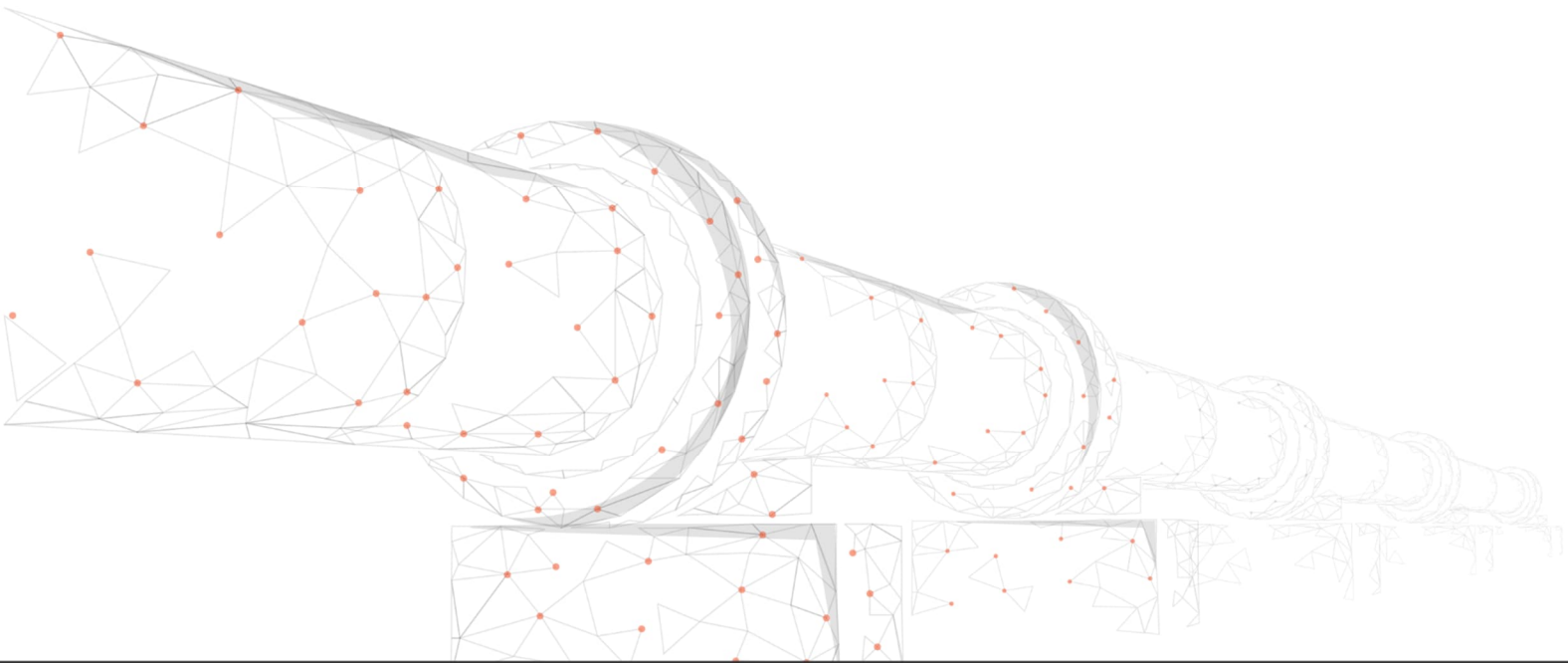
The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 – Regulation 5(2)(q)

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1. INTRODUCTION

1.1. OVERVIEW

- 1.1.1. This Other Consents and Licences document has been prepared on behalf of Liverpool Bay CCS Limited ('the Applicant') to support an application ('the Application') for a Development Consent Order ('DCO') that has been submitted to the Secretary of State ('SoS') for Business, Energy and Industrial Strategy ('BEIS') under Section 37 of the Planning Act 2008 (as amended) ('the PA 2008'). The Application relates to the CO₂ pipeline which constitutes the DCO Proposed Development.

1.2. PURPOSE OF THIS DOCUMENT

- 1.2.1. This document is prepared by WSP on behalf of the Applicant and provides a list of other consents, licences and permits that the Applicant may need to obtain to enable the construction, operation, maintenance and decommissioning of the DCO Proposed Development. These are *not* obtained as part of the DCO.
- 1.2.2. In accordance with Regulation 5 of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (the 'APFP Regulations'), this document is not a document required to accompany an application for Development Consent, however details of other consents, licences and permits are required to be detailed in the standard Application Form (**D.1.4**).
- 1.2.3. The requirement to provide this information is additionally referred to within Paragraph 45 of the Department for Communities and Local Government Application Form Guidance (Department for Communities and Local Government, 2013).
- 1.2.4. This document may be updated and resubmitted during the examination to demonstrate progress made on obtaining any other necessary consents, licences or permits.
- 1.2.5. This document has been prepared in accordance with the guidance above to provide the outlined information.

2. OTHER CONSENTS, LICENCES AND PERMITS REQUIRED

- 2.1.1. Information on the other consents, licences or permits that are, or may be, required in connection with the construction, operation, maintenance or decommissioning of the DCO Proposed Development is set out in **Table 2.1** and **Table 2.2** below.
- 2.1.2. Decommissioning of the DCO Proposed Development is included within **Table 2.1** and **Table 2.2** below, though these consents, licences or permits are not expected for some time in the future, by which time the permits required may be different or no longer needed.
- 2.1.3. **Table 2.1** is applied where other consents, licences or permits are required in England and Wales, whilst **Table 2.2** is applied where other consents, licences and permits are required in Wales only.
- 2.1.4. The document will be updated by the Applicant, as required, during the examination of the Application by the Examining Authority (ExA) on behalf of the Secretary of State (SoS).

Table 2.1 – Other Consents, Licences and Permits: England and Wales

Ref No.	Topic/Area Covered	Regulations	Consent/Licence/ Permit	Activity	Relevant Body	Comments and Agreements (as required)	Stage required for	Anticipated Submission Date/Timescales
1	Health and Safety	The Control of Major Accident Hazards (COMAH) Regulations 2015	Abide by regulations to prevent major accidents involving dangerous substances	Any which activity which may present a risk of accident involving dangerous substances	Health and Safety Executive (HSE)	Carbon dioxide is not currently classified as a Dangerous Substance under COMAH.	Construction	Application(s) or notification(s) to be made, if required, by the Stanlow Site operator to reflect changes resulting from the new T&S System AGI.
2	Health and Safety	The Pipeline Safety Regulations 1996 (Regulation 20)	Pipeline Safety Notification	Prior notification of construction of a major accident hazard pipeline to the Executive at least 6 months before commencement	Health Safety Executive (HSE)		Pre-Construction	No action required at present as carbon dioxide is out with the scope of PSR. If regulations are updated to bring carbon dioxide into scope, the HSE will be notified a minimum of 6 months prior to commencement of construction.
3	Health and Safety	The Regulatory Reform (Fire Safety) Order 2005.	Framework for regulating fire safety in all non-domestic premises	Any which activity which will incur fire risk	Health Safety Executive (HSE) and Local fire and rescue authority	A fire safety risk assessment in respect of work on construction sites and an action plan to be produced in relation to such assessments.	Prior to determination, Pre-Construction	Will be sought after the DCO has been made by the SoS in advance of construction activities in consultation with local fire and rescue authority and the HSE. Prior to start of construction of the Proposed DCO Development.
4	Building Regulations	The Building Regulations 2010 (as amended)	Building Regulations Approval	Carrying out new structural works and infrastructure	Local Planning Authority (Respective)	AGIs and BVSs are classed as buildings	Pre-Construction / Construction / Post-Construction	Buildings Regulations Approval would be sought prior to and during the construction phase, if required, as well as post-construction for sign off.
5	Waste	Environmental Permitting (England and Wales) Regulations 2016	Bespoke	Waste Operations	Environment Agency and Natural Resources Wales		Pre-Construction / Construction / Post-Construction	Would be applied for prior to the start of construction, or prior to specific construction activities, if required.
6	Waste	Environmental Permitting (England and Wales) Regulations 2016	Standard Rules	Waste Operations	Environment Agency and Natural Resources Wales		Pre-Construction / Construction / Post-Construction	Would be applied for prior to the start of construction, or prior to specific construction activities, if required.
7	Waste	Environmental Permitting (England and Wales) Regulations 2017	Exemptions	Waste Operations	Environment Agency and Natural Resources Wales		Pre-Construction / Construction / Post-Construction	Would be applied for prior to the start of construction, or prior to specific construction activities, if required.
8	Waste	Environmental Permitting (England and Wales) Regulations 2018	Regulatory Position Statement	Waste Operations	Environment Agency and Natural Resources Wales		Pre-Construction / Construction / Post-Construction	Would be applied for prior to the start of construction, or prior to specific construction activities, if required.
9	Waste	Environmental Permitting (England and Wales) Regulations 2019	Waste Transfer Notes	Waste Operations	Environment Agency and Natural Resources Wales		Pre-Construction / Construction / Post-Construction	During construction
10	Waste	Environmental Permitting (England and Wales) Regulations 2020	Waste Consignment Notes	Waste Operations	Environment Agency and Natural Resources Wales		Pre-Construction / Construction / Post-Construction	During construction
11	Waste	Environmental Permitting (England and Wales) Regulations 2021	Waste Carriers Licence	Waste Operations	Environment Agency and Natural Resources Wales		Pre-Construction / Construction / Post-Construction	During construction
12	Waste	Hazardous Waste Regulations 2005 (England and Wales)	Hazardous Waste Producer Registration	(Hazardous) Waste Operations	Environment Agency and Natural Resources Wales		Pre-Construction / Construction / Post-	If required, during construction

Ref No.	Topic/Area Covered	Regulations	Consent/Licence/ Permit	Activity	Relevant Body	Comments and Agreements (as required)	Stage required for	Anticipated Submission Date/Timescales
							Construction/Decommissioning	
13	Transport and Highways	The Road Vehicles (Authorisation of Special Types) 2003, or under the Road Traffic Act 1988	Permit for Transport of Abnormal Loads. Road Vehicles (Authorisation of Special Type)	Highways Operations	Vehicle Certification Agency (VCA) - (the Executive Agency of the Department for Transport); National Highways; Local Highways Authority	This falls outside standard practice or main DCO consent.	Prior to determination, Pre-Construction	No action required at present. Applications will be submitted once the DCO has been made and by the appointed contractor, if required.
14	Noise	The Control of Pollution Act 1974 (Section 61)	Construction Noise Consent	Any works that may cause noise nuisance	Local Authority	Prior consent for works proposed to potentially cause a noise nuisance to agree working hours, noise levels and further mitigation measures	Pre-Construction, Construction	Apply for prior to the start of construction (or prior to specific construction activities), if required.
15	Mobile Plant	The Environmental Permitting (England and Wales) Regulations 2016	Standard Rules (SR2008No27) for Mobile Plant for treatment or soils and contaminated material, substances or products	Treatment, waste recovery, mixing, blending, ex-situ treatment of pumped groundwater	Environment Agency, Natural Resources Wales		Construction	If required, during construction
16	Mobile Plant	The Environmental Permitting (England and Wales) Regulations 2016	Standard Rules (SR2010No5) for Mobile Plant for reclamation, restoration or improvement of land	Storage and mixing of permitted wastes	Environment Agency, Natural Resources Wales		Construction, Post-Construction	If required, during construction
17	Mobile Plant	The Environmental Permitting (England and Wales) Regulations 2016, Pollution Prevention and Control Act, 1999	Mobile crushing and screening plant permit	Crushing grinding or size reduction, with machinery designed for that purpose of: bricks, tile or concrete or any designated mineral: Screening the product	Local Authority, Environment Agency, Natural Resources Wales		Construction	If required, during construction
18	Installation	The Environmental Permitting (England and Wales) Regulations 2016	A1 Installation permit - bespoke	Schedule 1 listed activities	Environment Agency, Natural Resources Wales	Relevant Schedule 1 activities.	Construction	If required, during construction
19	Installation	The Environmental Permitting (England and Wales) Regulations 2017	A1 Installation permit - standard rules (low impact)	Low impact installation activities	Environment Agency, Natural Resources Wales	Low impact installations must have: containment measures to prevent emissions escaping to surface water, sewer or land, which are maintained at all times; only a low risk of causing offence due to noise and odour – you cannot be a low impact installation if noise and odour are noticeable outside the boundary of your site	Construction	If required
20	Air Quality	The Environmental Permitting (England and Wales) Regulations 2016	Specified generator permit - standard rules (low risk), simple bespoke (low risk) or	Cover emissions of SO ₂ , NO _x and dust to air. Applies to generators with a capacity up to 50MWth burning any fuel	Environment Agency, Natural Resources Wales		Construction	If required, during construction

Ref No.	Topic/Area Covered	Regulations	Consent/Licence/ Permit	Activity	Relevant Body	Comments and Agreements (as required)	Stage required for	Anticipated Submission Date/Timescales
			complex bespoke (high risk)					
21	Ecology	The Conservation of Habitats and Species Regulations 2017, Wildlife and Countryside Act 1981 (Schedule 5,6,8)	European Protected Species Licence	Killing, injuring, or disturbing European Protected Species or damage or destruction to habitat or place of shelter/rest	Natural England, Natural Resources Wales	Applies to bats, otters, and great crested newts within England	Pre-Construction / Construction / Post-Construction	Submission of draft licences during DCO Examination. Submission of formal EPS licence application prior to construction.
22	Ecology	The Protection of Badgers Act 1992 (as amended)	Badgers: licence to interfere with setts for development purposes (A24 and LR24)	Impacts and/or effects to badger setts, of any type, including disturbance of badger within setts/resting places	Natural England, Natural Resources Wales	Required for currently considered impacts to badger and their setts arising from construction of the DCO Proposed Development.	Pre-Construction / Construction / Post-Construction	Submission of draft licences during DCO Examination. Submission of formal EPS licence application prior to construction.
23	Ecology	Wildlife and Countryside Act 1981 (Schedule 5)	Protected Species Licence - Water Vole	Water voles and their burrows are protected under the Act from killing, injury and burrows from obstruction or damage	Natural England		Pre-Construction / Construction / Post-Construction	Submission of draft licences during DCO Examination. Submission of formal EPS licence application prior to construction.
24	Ecology	Wildlife and Countryside Act 1981 (Schedule 5)	Protected Species Licence - fish	Protection of fish and associated habitat	Natural England, Natural Resources Wales		Pre-Construction, Construction	If required, during construction
25	Ecology	Wildlife and Countryside Act 1981	Invasive non-native (alien) species: licence to manage and control them (IAS A02)	Management of invasive plant and animal species	Natural England		Pre-Construction, Construction, Post-Construction	If required, during construction
26	Ecology	Salmon and Freshwater Fisheries Act 1975	Trap or remove non-native crayfish in England	Management of signal crayfish	Environmental Agency		Pre-Construction	If required, during construction
27	Arboriculture	Forestry Act 1967 (as amended)	Tree felling licence	Felling of living trees/hedgerows	Forestry Commission, Natural Resources Wales		Pre-Construction	If required, during construction
28	Flood Risk	Environmental Permitting (England and Wales) Regulations 2016	Flood Risk Activity Permit - Bespoke	All temporary or permanent works on or near a main river, on or near a flood defence structure, on or near a sea defence or in a flood plain	Environment Agency, Natural Resources Wales		Post-grant of DCO, prior to construction, construction	Post grant of DCO, prior to relevant works
29	Flood Risk	Environmental Permitting (England and Wales) Regulations 2016	Flood Risk Activity - Exemption	Some level of construction or maintenance of structures, repair, improvement works etc	Environment Agency, Natural Resources Wales		Post-grant of DCO, pre-construction	If required, during construction
30	Flood Risk	Environmental Permitting (England and Wales) Regulations 2016	Flood Risk Activity Permit - Exclusion	Smaller scale works e.g. works within or on existing structures, signage, fences, works carried out in an emergency	Environment Agency, Natural Resources Wales		Post-grant of DCO, pre-construction	If required, during construction
31	Water Abstraction	Water Resources Act 1991 (Section 24, 24a), Water Act 2003 (Section 1)	Water Abstraction Licence (full)	For most types of water abstraction over 20 cubic metres a day	Environment Agency, Natural Resources Wales		Post-grant of DCO, pre-construction, construction	If required, during construction
32	Water Abstraction	Water Resources Act 1991 (Section 24, 24a), Water Act 2003 (Section 1)	Water Abstraction Licence (transfer)	To move over 20 cubic metres of water a day from one source to another without intervening use	Environment Agency, Natural Resources Wales		Post-grant of DCO, pre-construction, construction	If required, during construction
33	Water Abstraction	Water Resources Act 1991 (Section 24, 24a), Water Act 2003 (Section 1)	Water Abstraction Licence (temporary)	To abstract more than 20 cubic metres of water a day over a period of less than 28 days	Environment Agency, Natural Resources Wales		Post-grant of DCO, pre-construction, construction	If required, during construction
34	Water Impoundment	Water Resources Act 1991 (Section 25)	Water Impoundment Licence	Any construction, alteration, repairs or removal of existing impoundment structures, or constructing culverts, retaining walls, dams, weirs, or temporary diversions during construction work.	Environment Agency, Natural Resources Wales		Post-grant of DCO, pre-construction, construction	If required, during construction

Ref No.	Topic/Area Covered	Regulations	Consent/Licence/ Permit	Activity	Relevant Body	Comments and Agreements (as required)	Stage required for	Anticipated Submission Date/Timescales
35	Water Impoundment	Water Resources Act 1991 (Section 25), Water Abstraction and Impounding (Exemptions) Regulations 2017	Water Impoundment Exemption	<p>where a public authority that manages or owns waterways or harbours constructs any new impoundment, alters an existing impoundment or obstructs or impedes the flow of inland waters while exercising its powers or undertaking its duties;</p> <p>where the impoundment is authorised by a drought order or drought permit;</p> <p>where the persons doing the works are Crown exempt;</p> <p>where structures and works are authorised by legislation (for example an act of Parliament);</p> <p>where the Environment Agency serves notice requiring impoundment only for the purpose of screening or passage for eels</p>	Environment Agency, Natural Resources Wales		Post-grant of DCO, pre-construction, construction	If required

Table 2.2 – Other Consents, Licences and Permits: Wales

Ref No.	Topic/Area Covered	Regulations	Consent/Licence/ Permit/Requirement	Activity	Relevant Body	Comments and Agreements (as required)	Stage required for	Anticipated Submission Date/Timescales
1	Ecology	Invasive Alien Species (Enforcement and Permitting) Order 2019	Invasive Species - Licence to implement management measures	Management of signal crayfish	Natural Resources Wales		Pre-Construction	If required, during construction
2	Ecology	Invasive Alien Species (Enforcement and Permitting) Order 2019	Management Measure Licence	Management of invasive species	Natural Resources Wales		Pre-Construction, Construction, Post-Construction	If required, during construction
3	Ecology	Section 28 of the Wildlife and Countryside Act 1981	SSSI Assent	Construction Activities within/affecting SSSIs	Natural Resources Wales	SSSI Assent likely to be needed for River Dee crossing (TBC)	Prior to determination, Pre-Construction	If required, pre-construction
4	Marine	Marine and Coastal Access Act 2009	Marine Licence	Activities undertaken within a marine licensable area	Natural Resources Wales	<p>Marine Licence for River Dee crossing.</p> <p>The range licensable by Natural Resources Wales is below mean high water springs and out to 12 nautical miles.</p>	Prior to determination	To be submitted during DCO examination.
5	Marine	Marine and Coastal Access Act 2010, Marine Licensing (Exempted Activities) (Wales) Order 2011	Marine Licence exemptions	Activities undertaken within a marine licensable area	Natural Resources Wales, Cadw, Local Authority		Pre-Construction, Construction	If required, pre-construction.