

DRAFT STATEMENT OF COMMON GROUND WITH UNITED UTILITIES

HyNet Carbon Dioxide Pipeline DCO

Planning Act 2008

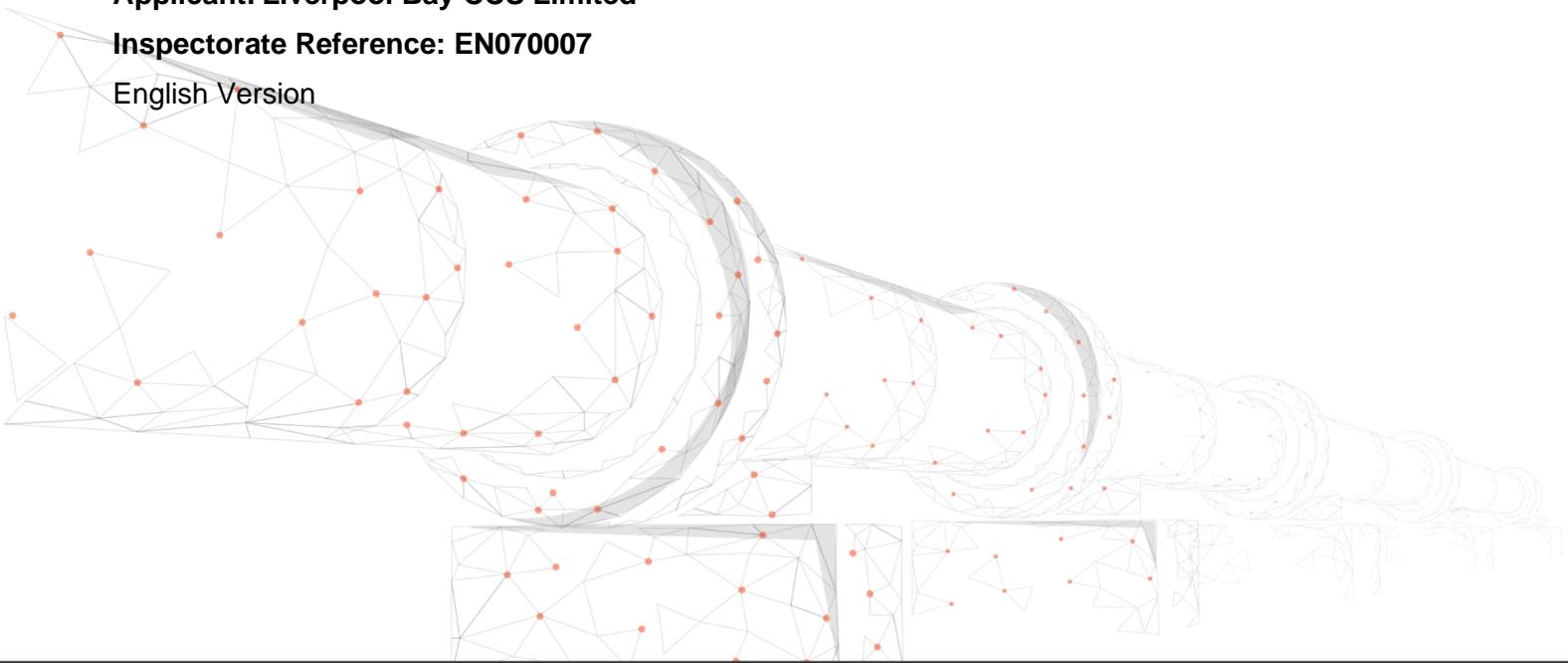
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STATEMENT OF COMMON GROUND

This Statement of Common Ground has been prepared and agreed by (1) Liverpool Bay CCS Limited and (2) United Utilities

Signed

[NAME]

[POSITION]

on behalf of Liverpool Bay CCS Limited

Date: **[DATE]**

Signed

[NAME]

[POSITION]

on behalf of United Utilities

Date: **[DATE]**

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1. INTRODUCTION

1.1. PURPOSE OF THIS DOCUMENT

- 1.1.1. This draft Statement of Common Ground (SoCG) has been prepared by Liverpool Bay CCS Limited (the Applicant) and United Utilities (UU).
- 1.1.2. For the purpose of this draft SoCG, the Applicant and UU will jointly be referred to as the 'Parties'.
- 1.1.3. The purpose of this draft SoCG is to set out the agreement that has been reached between the Parties in respect of a number of matters related to the Development Consent Order (DCO) Proposed Development. It also lists any points on which discussions are ongoing. SoCGs are an established means in the DCO planning process of allowing all Parties to identify and focus on specific issues that may need to be addressed during the examination.
- 1.1.4. **Chapter 2** of this draft SoCG records the consultation undertaken with UU by the Applicant. **Chapter 3** of this draft SoCG sets out the areas of agreement in relation to the above matters, and any areas of ongoing discussion between the Parties.

1.2. THE DCO PROPOSED DEVELOPMENT

- 1.2.1. HyNet (the Project) is an innovative low carbon hydrogen and carbon capture, transport and storage project that will unlock a low carbon economy for the North West of England and North Wales and put the region at the forefront of the UK's drive to Net-Zero. The detail of the project and the DCO Proposed Development can be found in the main DCO documentation. The DCO Proposed Development and this SoCG relate to the onshore CO₂ pipeline element of HyNet only. Other elements of HyNet are subject to separate consenting processes and are not addressed here.
- 1.2.2. The DCO Proposed Development (DCO) impacts UU primarily as a utility provider and land owner.
- 1.2.3. The Applicant has identified the following plots in which UU hold an interest:
1-01, 1-04, 1-14, 1-15, 1-17, 1-19, 12-05, 1-24, 1-25, 2-02, 2-02a, 2-03, 2-04, 2-04a, 2-05, 2-06, 2-08, 2-09, 2-11, 2-12, 3-03, 3-04, 3-05, 3-06, 3-11, 3-13, 3-14, 3-15, 4-02, 4-04, 4-09, 4-11, 4-12, 4-14, 4-15, 4-19, 6-20, 6-22, 6-24, 6-25, 9-01, 9-07, 9-08, 9-09, 9-10, 9-12, 9-14, 9-17, 9-19, 9-20
- 1.2.4. A full description of the DCO Proposed Development is detailed in Chapter 3 of the Environmental Statement (ES) **[APP- 055]**.

1.3. TERMINOLOGY

- 1.3.1. In the Issues tables in **Chapter 3** of this draft SoCG, 'Agreed' and 'Not Agreed' indicates a final position, and 'Under Discussion' indicates where these points will be the subject of on-going discussion wherever possible to resolve or refine, the extent of disagreement between the Parties.

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2. RECORD OF ENGAGEMENT

- 2.1.1. This Chapter provides a summary of the engagement to date between the Applicant and UU in relation to the DCO Proposed Development.

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Table 2-1 – Record of Engagement in relation to the Proposed Development

Date	Form of Correspondence	Key Topics Discussed and Key Outcomes
07/03/2022	Email and Microsoft Teams correspondence between United Utilities (UU) and the Applicant	<p>Key Topics</p> <p>Proposed Hynet Pipeline interface with existing United Utilities assets.</p> <p>Discussions and Outcomes</p> <p>The Applicant acknowledges the standard requirements of United Utility Standard Conditions for Works Adjacent to Pipelines Document Ref. 90048 and will review accordingly.</p> <p>United Utilities studying GIS files containing construction compounds to advise on possible easement interference. Screenshot of all interface areas sent to United Utilities to assure compliance with tech requirements.</p>
07/03/2022 - 09/03/2022 - 06/04/2022	Email correspondence between UU and the Applicant	<p>Key Topics</p> <ul style="list-style-type: none"> • Information request for flood risk assessment including the surface water or foul sewer issues, properties on the DG5 flooding register, construction of new foul/surface water sewers, section 104 adoptions or section 185 sewer diversions, capital development sewer upgrading schemes and unrecorded UU assets within 200m of the pipeline. <p>Discussions and Outcomes</p> <p>The information has not been provided by UU. There was a meeting scheduled between the Applicant and UU, although this was not focusing on flood risk.</p>
05/04/2022	Microsoft Teams meeting with UU and the Applicant	<p>Key Topics</p> <ul style="list-style-type: none"> • Discussion on overview of areas where HyNet overlaps with UU assets. <p>Discussions and Outcomes</p> <p>The meeting sought to discuss the overview of areas where HyNet overlaps with UU assets. UU advised the need for a clearer understanding related to the interaction between the equipment yard/compound and UU assets. It was noted that the Mollington area is the most complex area. There are a number of utilities (including a Cadent HP gas pipeline) and a railway line in this location. Protection measures might be needed if over 8.5kN/m2 limit for any crossings of UU pipelines.</p>
07/04/2022	Microsoft Teams meeting with UU, and the Applicant	<p>Key Topics</p> <ul style="list-style-type: none"> • Discuss the overview of HyNet Project for areas overlapping with UU assets <p>Discussions and Outcomes</p> <p>The meeting sought to discuss the overview of HyNet Project areas where Project overlaps with UU assets. UU advised the need for a clearer understanding related to the interaction between the equipment yard/compound and UU assets. UU to be provided with GIS Shapefile for the Preliminary Environment Information Report (PEIR) which shows the permanent and temporary features of the scheme (actioned 20/04/22). UU to review the pipeline route against their assets and advise if further surveys are required, particularly in Mollington area.</p>

Date	Form of Correspondence	Key Topics Discussed and Key Outcomes
20/04/2022 - 25/04/2022	Email conversation between UU and the Applicant	<p>Key Topics</p> <ul style="list-style-type: none"> HyNet flood risk and drainage enquiry. <p>Discussions and Outcomes</p> <p>United Utilities referred to a letter dated 08/04/2022, in which they provided some responses to the questions related to flood risk as part of their formal response to the consultation on the Preliminary Environment Information Report (PEIR). Among the points discussed in relation to flood risk in the letter, the requirement not to increase flood risk as a consequence of the development, consideration of any existing surface water flood path, and maintenance of hydrological regime during construction.</p>
05/05/2022	Microsoft Teams meeting with UU and the Applicant	<p>Key Topics</p> <ul style="list-style-type: none"> HyNet Pipelines route interface <p>Discussions and Outcomes</p> <p>The meeting sought to follow up on the HyNet Pipelines route interface. The Applicant to send UU updated GIS file with temporary construction compounds. Further queries were raised on the Biodiversity Net Gain (BNG) and it was advised that there are no proposed BNG mitigation measures for the project to be located over UU assets. Additionally, it was agreed that the Applicant would liaise with UU with regards to BNG.</p>
16/05/2022	Email conversation between UU and the Applicant	<p>Key Topics</p> <ul style="list-style-type: none"> KMZ file with construction compound. <p>Discussions and Outcomes</p> <p>Updated KMZ file with construction compounds have been sent to United Utilities. Follow up meetings were tabled for w/e 27 May 2022.</p>
16/11/2022	Microsoft Teams meeting with UU and the Applicant	<p>Key Topics</p> <ul style="list-style-type: none"> Updated HyNet Pipelines route interface. <p>Discussions and Outcomes</p> <p>UU will undertake a high level review of the new pipeline crossing points with UU assets and advise on the most strategic assets (example at Mollington was raised).</p> <p>The strategic assets identified will be subjected to detailed engineering by the Applicant and reviewed by UU.</p> <p>Statement of Common Ground (SOCG) can be used to capture results of high level review.</p> <p>Further meetings over the next couple of weeks will be aimed at identifying strategic assets.</p>
13/01/2023	Microsoft Teams meeting with UU and the Applicant	<p>Key Topics</p> <ul style="list-style-type: none"> Introduction to the SOCG <p>Discussions and Outcomes</p>

Date	Form of Correspondence	Key Topics Discussed and Key Outcomes
		<p>Project status and update provided by the Applicant.</p> <p>UU to review plots flagged in section 1.</p> <p>Engineering review of the route with asset locations which are of concern in terms of crossing points was shared.</p>

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3. ISSUES

3.1.1. This chapter sets out the areas of agreement in relation to specific issues relating to the DCO Proposed Development, and any areas of ongoing discussion between the Parties. The topics discussed between the Applicant and UU are as follows:

- Engagement, Land, ES & Other Application Documents; and
- Design

Table 3-1 – Engagement, Land, ES & Other Application Documents

Ref.	Description of Matter	Current Position	Status
Engagement			
UU 3.1.1	Engagement	The Parties agree that engagement has been ongoing in the pre-application period (as set out in the record of engagement) and the Applicant has sought to bring forward a design which has had regard to UU's views. UU has been formally consulted on the application as required by the Planning Act 2008 (PA2008).	Under Discussion
Land			
UU 3.1.2	Land Use	The Parties are seeking to determine, where relevant, land rights and use.	Under Discussion
ES			
UU 3.1.3	ES	The Parties agree that the cumulative assessment within the ES is appropriate. UU concurs with the conclusions of the ES	Under Discussion
Other application documents			
UU 3.1.4	Other application documents	UU agrees that its interests are correctly reflected in the Book of Reference [AS-023] .	Under Discussion

Table 3-2 – Issues related to the DCO Proposed Development – Design

Ref.	Description of Matter	Current Position	Status
UU 3.2.1	UU Requirements	The Applicant commits to compliance with United Utilities Standard Conditions for Works Adjacent to Pipelines, Document Ref. 90048 for safe working in vicinity of United Utilities Assets.	Under Discussion
UU 3.2.2	Flood Risk	The Applicant will engage with UU further regarding a formal instruction but welcomes UU to formally review Chapter 18 Water Resources and Flood Risk [APP-070] and supporting appendices [APP-163 to APP-171] which sets out all the relevant water environment related detail.	Under Discussion
UU 3.2.3	Groundwater Environment	UU have raised concern with the assessment of the impact on the groundwater environment and that any development should be considered as part of the DCO application and agreed with UU. The Applicant acknowledges UU's request to understand approach to the assessment of the impact on the groundwater environment and has submitted relevant documents as part of the DCO submission. The Applicant has provided an assessment within Chapters 11 Land and Soils [APP-063] and Chapter 18 Water Resources and Flood Risk [APP-070] .	Under Discussion
UU 3.2.4	Water Supply	UU have raised that the Applicant has not confirmed whether any water will be required from UU either during the construction process or during the operational life of the development. The Applicant will confirm any requirement of water from UU through the detailed design stage.	Under Discussion

Ref.	Description of Matter	Current Position	Status
UU 3.2.5	Foul water Discharge	<p>UU have raised concern that no detailed foul and surface water drainage plans have been reviewed as part of the DCO application although note that they have not comprehensively reviewed the submission documents.</p> <p>The Applicant confirms that the DCO Proposed Development does not have a foul water drainage requirement, as each site has a sustainable drainage system which does not require connecting to the public sewer. Drainage Hierarchy shown in the Outline Surface Water Drainage Strategy [APP-241].</p>	Under Discussion
UU 3.2.6	UU Assets	<p>UU have confirmed they have a number of significant assets and property interests including large diameter trunk mains, water supply mains, raw water mains, sewers and gravity sewers within the Order Limits. These assets include the Dee aqueduct.</p> <p>The Applicant notes UU's concerns related to protection of assets due to proposed development and need of protective provisions and will continue engagement.</p>	Under Discussion