

COVER LETTER DEADLINE 2

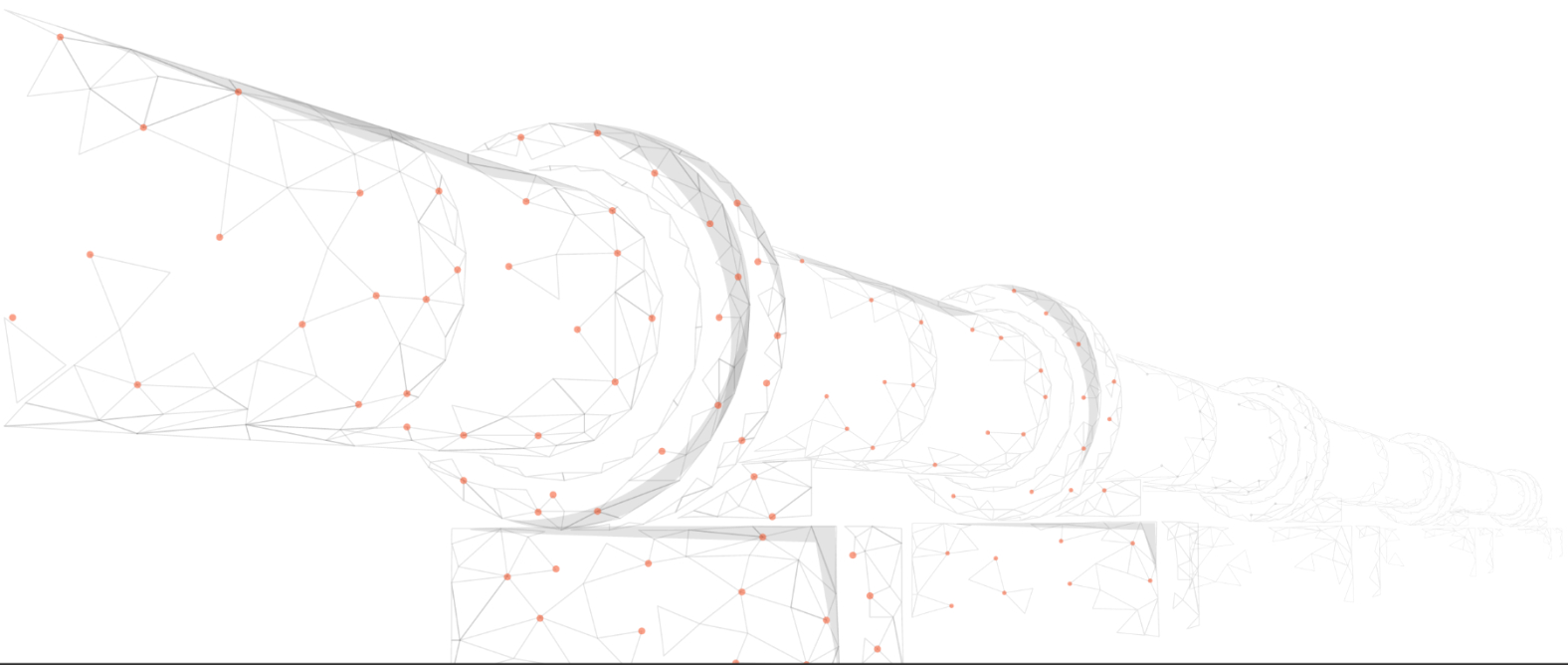
HyNet Carbon Dioxide Pipeline

Planning Act 2008

Document Reference Number D.7.1.5

Applicant: Liverpool Bay CCS Limited

Inspectorate Reference: EN070007



REVISION: A

DATE: May 2023

DOCUMENT OWNER: WSP UK Limited

PUBLIC

Jake Stephens

Case Manager – National Infrastructure
(Environment)
Temple Quay House
Temple Quay
Bristol
BS1 6PN

Registered Office
Liverpool Bay CCS Limited
Eni House, 10 Ebury Bridge Road
London SW1W 8PZ
Tel: +44 (0) 20 7344 6000
Fax: +44 (0) 20 7344 6044

10 May 2023

Dear Mr Stephens,

EN070007 HyNet Carbon Dioxide Pipeline – Deadline 2

Please find enclosed the information requested by the Examining Authority (ExA) for Deadline 2 in Annex A (Examination Timetable) of the Rule 8 Letter **[PD-012]** dated 27 March 2023. A full list of documents submitted at this Deadline can be found in **Table 1** of this letter below.

The Applicant has been in discussion with Interested Parties (IPs) on various aspects of the draft Development Consent Order (DCO) wording and will submit a revised version of the draft DCO at Deadline 3 reflecting those changes which it has agreed to propose.

National Planning Policy Framework/National Development Management Policies Trackers

No updates have been made to the draft National Planning Policy Framework (NPPF) since Deadline 1 and as such it remains the view of the Applicant that the policy changes proposed within the NPPF prospectus (December 2022) are not relevant to this Application. Therefore, using the discretion provided by the ExA in the Rule 8 Letter **[PD-012]**, the Applicant has not submitted a tracker of this document to avoid surplus information being submitted into the Examination.

The Applicant will comment on any National Development Management Policies (NDMP) if these are released during the Examination. As no NDMP were released in advance of Deadline 2, in accordance with the direction given by the ExA in the Rule 8 Letter **[PD-012]**, no tracker of this document has been submitted.

Change Request 1

The documents that have been updated at Deadline 2 by the Applicant have taken into account, where relevant, Change Request 1 which was submitted by the Applicant on 27 March 2023 and accepted into the Examination by the ExA on 24 April 2023. Where the Change Request did not impact a particular document, the version submitted by the Applicant at Deadline 2 is a revision of the submission at Deadline 1 or an earlier version. The Examination Library references in **Table 1** of this letter reflect this, with the references

denoting from which version the document is being updated. Furthermore, the Application Document Tracker (document reference: **D.1.3**) submitted at Deadline 2, includes the latest revision letter and document reference.

Statement of Progress on SoCGs

Table 1 includes the stakeholders for which the Applicant has prepared and submitted a draft Statement of Common Ground (SoCG) at Deadline 2.

The Statement of Commonality (SoC) (document reference: **D.7.2**) submitted at Deadline 2 outlines the position of all SoCGs that the Applicant has, intends to, or intends not to enter into with relevant stakeholders/IPs. For the latter, this is where the stakeholder/IP has specifically stated they do not wish to enter into an SoCG with the Applicant. Further details on the status of all SoCG's are provided in Table 2-1 of the SoC.

The Applicant has drafted a number of SoCGs in response to the ExA's Rule 6 letter [**PD-011**], but is not able to share them at Deadline 2 as engagement has been delayed with the stakeholder/IPs or because certain matters need to be discussed before they are able to agree an SoCG for submission. This relates to the following SoCG's:

- Welsh Water
- Scottish Power Energy Networks (SPEN)
- Health and Safety Executive (HSE)
- Royal Mail Group Limited
- Woodland Trust

The Applicant is also preparing some additional SoCG's that were not included in the ExA's Rule 6 letter [**PD-011**] and are not included in the Deadline 2 submission but are intended to be included at a future Examination deadline. As above, this is where engagement has been delayed with the stakeholders/IPs or certain matters need to be discussed before they are able to agree an SoCG for submission. This includes the following SoCG's:

- Enso Energy (land at Picton)
- Wales & West Utilities
- Shell
- Anesco (Land at Thornton Le Moors)
- Vertex Hydrogen Limited
- Cadent Hydrogen DCO

Lane End Development Ltd were previously on this list, but the ExA should note that the SoCG with this stakeholder has been paused as the company has recently gone into administration.

Applicant's update on the Marine Licence (ML) submission and progress

There is no update on the Marine Licence (ML) submission further to the submitted information in the Applicant's Cover Letter for Deadline 1 [**REP1-001**].

Notification to Submit a Change Request 2

The Applicant submitted a Notification to Submit a Change Request **[AS-066]** for the attention of the ExA on 03 May 2023. Please refer to that letter for a breakdown of the proposed changes.

Updates to BVS/AGI Elevation Plans in response to ExA Written Question Q1.12.6

In Written Question Q1.12.6 **[PD-013, PD-014]**, the ExA requested “*the [Above Ground Installation (AGI) and Block Valve Station (BVS)] elevation plans be amended to correctly show levels/ topography of the proposed AGI/ BVS sites and the immediately adjoining land*”. The Applicant agreed to provide these updated Plans in its response to this written question. However, with acceptance of the change request from the ExA outstanding at Deadline 1, to avoid confusion, the Applicant proposed that it would submit appropriate updated versions once the Change Request had been accepted. Change Request 1 was accepted by the ExA on 24 April 2023. Therefore, please find enclosed an updated revision of the BVS and AGI Elevation Plans **[CR1-005 and CR1-015]**, which incorporate the accepted Change Request 1.

Furthermore, during review of these plans it was discovered that the inset of the Stanlow AGI (Sheet 2) **[CR1-005]** showed the incorrect layout. This has been rectified in the submitted versions at Deadline 2.

Updates to Land/Works Plans in response to ExA Written Questions Q1.19.43 (vii) and Q1.1.16 (iv).

As above, the Applicant proposed to submit updated Land and Works Plans in response to the ExA’s Written Questions Q1.19.43 (vii) and Q1.1.16 (iv) **[PD-013, PD-014]**, once the decision on Change Request 1 had been made by the ExA. Following the acceptance by the ExA of Change Request 1, updated versions have been submitted by the Applicant at Deadline 2.

Protective provisions

The Applicant has not provided public comments as part of its Deadline 2 submissions on proposed Protective Provisions submitted by Interested Parties (IPs) at Deadline 1, due to the nature of these discussions. The Applicant is continuing to engage directly with IPs on this and other matters.

Items in which the Applicant has not provided a response

The Applicant has not provided a response at Deadline 2 where the IP’s submission does not contain any substantive points to which a reply can be formed, or no comment has been provided by the IP. Deadline 1 submissions where a response has not been provided have been listed in the Introduction section of each document submitted by the Applicant at Deadline 2.

Cheshire West and Chester Council (CWCC) Written Representation Addendum

The Applicant has not responded to the addendum to the Written Representation submitted by CWCC at Deadline 1A **[REP1A-004]**. Given the Applicant’s existing commitment to respond to the Written Representations received at Deadline 1, and taking into account its

desire to respond comprehensively, the Applicant considers it appropriate to respond to the addendum at Deadline 3.

Table 1: Documents submitted by the Applicant at Deadline 2

Application Document Reference	Previous Examination Library Reference¹	Document Details	Comments
D.1.3	REP1-002	Application Document Tracker (Rev F) (clean)	Includes Word version
D.1.3	REP1-003	Application Document Tracker (Rev F) (tracked change)	
D.2.2	AS-010 and CR1-009	Land Plans (Rev D)	
D.2.4	AS-012 and CR1-011	Work Plans (Rev D)	
D.2.8	APP-016 and CR1-015	BVS Elevation Plans (Rev C)	
D.2.11	APP-019 and CR1-005	AGI Elevation Plans (Rev C)	
D.4.1	AS-021 and CR1-020	Statement of Reasons (Rev D) (clean)	
D.4.1	AS-022 and R1-021	Statement of Reasons (Rev D) (tracked change)	
D.4.1.1	REP1-009	Schedule of Negotiations with Land Interests (Rev C) (clean)	Includes Excel version (Rev B)
D.4.1.1	REP1-010	Schedule of Negotiations with Land Interests (Rev C) (tracked change)	Includes Excel version (Rev B)
D.4.3	AS-023 and CR1-022	Book of Reference (Rev D) (clean)	
D.4.3	AS-024 and CR1-023	Book of Reference (Rev D) (tracked change)	

¹ (Reference for the previously submitted document for which the document submitted at Deadline 2 is updated from).

Application Document Reference	Previous Examination Library Reference¹	Document Details	Comments
D.4.3.1	N/A	Schedule of Changes to the Book of Reference (Rev A)	
D.5.4	REP1-013	Planning Statement (Rev C) (clean)	
D.5.4	REP1-014	Planning Statement (Rev C) (tracked change)	
D.6.5.1	CR1-109 and REP1-015	Register of Environmental Actions and Commitments (REAC) (Rev E) (clean)	
D.6.5.1	CR1-110 and REP1-016	Register of Environmental Actions and Commitments (REAC) (Rev E) (tracked change)	
D.6.5.3	APP-224 and CR1-117	Outline Construction Traffic Management Plan (OCTMP) (Rev C) (clean)	
D.6.5.3	CR1-118	Outline Construction Traffic Management Plan (OCTMP) (Rev C) (tracked change)	
D.6.5.4	REP1-017 and CR1-119	Outline Construction Environmental Management Plan (OCEMP) (Rev E) (clean)	
D.6.5.4	REP1-018 and CR1-120	Outline Construction Environmental Management Plan (OCEMP) (Rev E) (tracked change)	
D.6.5.6	CR-121	Habitats Regulations Assessment (Rev C) (clean)	

Application Document Reference	Previous Examination Library Reference¹	Document Details	Comments
D.6.5.6	CR122	Habitats Regulations Assessment (Rev C) (tracked change)	
D.7.2	REP1-019	Statement of Commonality for Statements of Common Ground (Rev B)	
D.7.2.1	REP1-020	SoCG Flintshire County Council (FCC) (Rev B)	
D.7.2.2	REP1-021	SoCG Cheshire West and Chester Council (CWCC) (Rev B)	
D.7.2.8	REP1-027	SoCG Peel NRE Limited (Rev B)	
D.7.2.9	REP1-028	SoCG National Highways (Rev B)	
D.7.2.18	N/A	SoCG Exolum Pipeline Systems (Rev A)	
D.7.2.26	REP1-037	SoCG Network Rail (England & Wales) (Rev B)	
D.7.2.29	REP1-039	SoCG CF Fertilisers UK Ltd (Rev B)	
D.7.2.36	N/A	SoCG Encirc (Rev A)	
D.7.13	REP1-050	National Policy Statement (NPS) tracker (Rev B) (clean)	
D.7.13	N/A	National Policy Statement (NPS) tracker (Rev B) (tracked change)	
D.7.15	REP1-051	Outline Operational and Maintenance Environmental	

Application Document Reference	Previous Examination Library Reference¹	Document Details	Comments
		Management Plan (OMEMP) (Rev B) (clean)	
D.7.15	N/A	Outline Operational and Maintenance Environmental Management Plan (OMEMP) (Rev B) (tracked change)	
D.7.16	N/A	Applicant's Comments on Responses to ExA's First Written Questions (Rev A)	
D.7.17	N/A	Applicant's Responses to Deadline 1 Submissions (Rev A)	
D.7.18	N/A	Applicant's Comments on Local Impact Reports (LIR's) (Rev A)	
D.7.19	N/A	Applicant's Responses to Written Representations (Rev A)	
D.7.23	N/A	Draft Biodiversity Net Gain (BNG) Strategy Update (Rev A)	
D.7.24	N/A	Outline Dust Management Plan (Rev A)	
D.7.25	N/A	Outline Odour Management Plan (Rev A)	

Yours sincerely,

Martin Currie
Director
Liverpool Bay CCS Limited