

HyNet North West

COVER LETTER DEADLINE 3

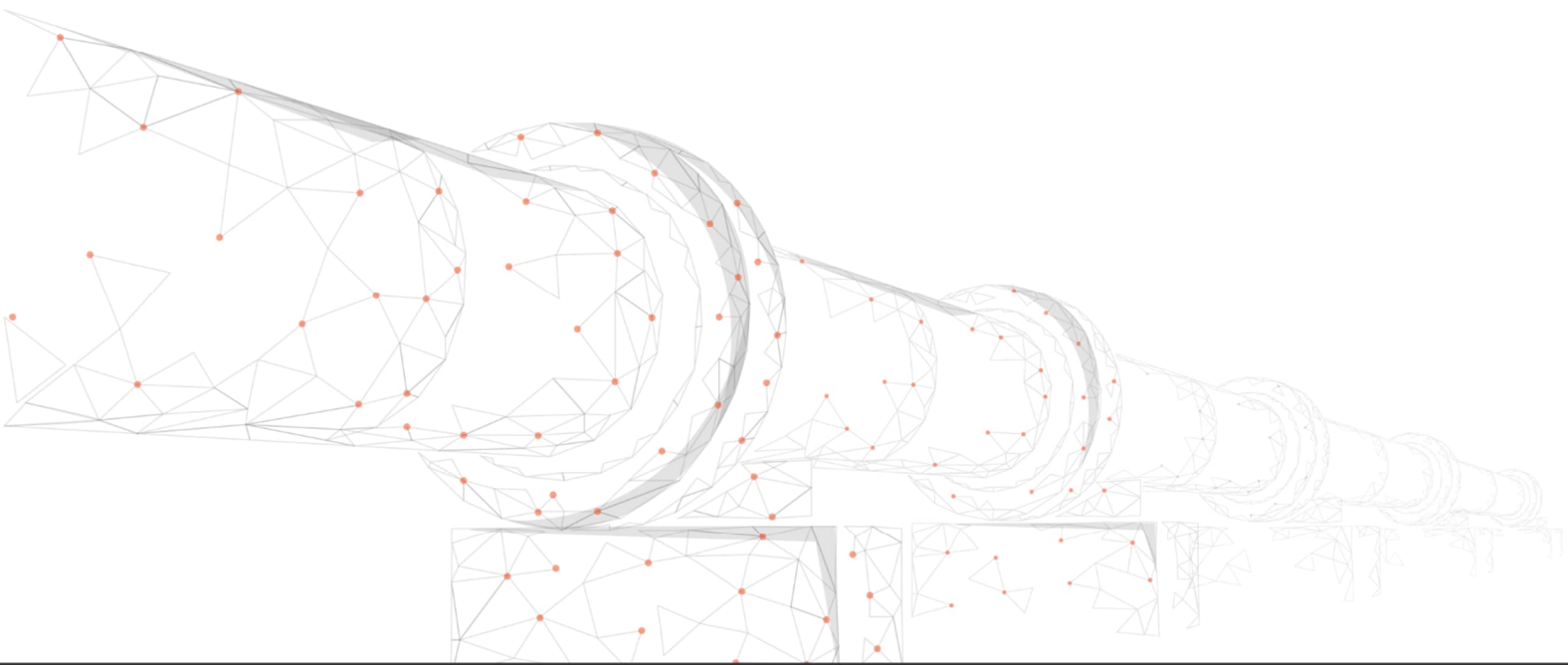
HyNet Carbon Dioxide Pipeline

Planning Act 2008

Document Reference Number D.7.1.6

Applicant: Liverpool Bay CCS Limited

Inspectorate Reference: EN070007



REVISION: A

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PUBLIC

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23 May 2023

Dear Mr Stephens,

EN070007 HyNet Carbon Dioxide Pipeline – Deadline 3

Please find enclosed the information requested by the Examining Authority (ExA) for Deadline 3 in Annex A (Examination Timetable) of the Rule 8 Letter dated 27 March 2023. A full list of documents submitted at this Deadline can be found in **Table 1** of this letter below.

National Planning Policy Framework/National Development Management Policies Trackers

No updates have been made to the draft National Planning Policy Framework (NPPF) since Deadline 2 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, 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 3, in accordance with the direction given by the ExA in the Rule 8 Letter, no tracker of this document has been submitted.

National Policy Statement Tracker

No updates have been made to the compliance assessment in the National Policy Statement Tracker for Deadline 3, as such this has not been submitted, in accordance with the direction given by the ExA in the Rule 8 Letter.

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 3.

The updated Statement of Commonality (SoC) **[REP02-025]** submitted at Deadline 3 outlines the position of all SoCGs that the Applicant has, intends to, or intends not to enter into with relevant stakeholders/IPs. Stakeholders / IPs in the last category have 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 3 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)
- The Woodland Trust

The Applicant is also preparing additional SoCGs that were not included in the ExA's Rule 6 letter **[PD-011]** and are not included in the Deadline 3 submission but are intended to be included at a future Examination deadline. As noted above, engagement with these stakeholders/IPs is in progress, or certain matters need to be discussed before they are able to agree an SoCG for submission. This includes the following SoCGs:

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

The Applicant has provided an update in previous Cover Letters on the status of SoCGs that are not required at the stakeholders' request **[REP1-001]** or due to the stakeholder going into administration **[REP2-001]** and therefore no further updates are required at this deadline.

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

A Marine Licence (ML) Application for the licensable works at the River Dee has been submitted by the Applicant to Natural Resources Wales (NRW) on 23 May 2023.

Protective provisions

The Applicant has not provided public comments as part of its Deadline 3 submissions on proposed Protective Provisions submitted by IPs at Deadline 1 and Deadline 2 due to the nature of these discussions. The Applicant is continuing to engage directly with IPs on this and other matters and a summary is provided in the relevant SoCGs.

Items in which the Applicant has not provided a response

The Applicant has not provided a response at Deadline 3 where the IP's submission does not contain any substantive points for which a reply can be formed, or no comment has

been provided by the IP. Deadline 2 submissions where a response has not been provided have been listed in the Introduction section of the Applicant's Comments on Submissions Received at Deadline 2 (document reference: **D.7.21**).

Cheshire West and Chester Council (CWCC) Written Representation Addendum

As noted in the Applicant's Deadline 2 Cover Letter [**REP2-001**], the Applicant deferred the submission of responses to the addendum to the Written Representation submitted by CWCC at Deadline 1A [**REP1A-004**], given its commitment to respond to the Written Representations received at Deadline 1. The Applicant has submitted a response to this document at Deadline 3.

Outline Odour Management Plan moved from the OCEMP to the OMEMP

For clarity, and to accurately reflect the purpose of documentation submitted by the Applicant during the examination, the Applicant has moved the Outline Odour Management Plan [**REP2-044**], submitted at Deadline 2 from Appendix 4 of the Outline Construction Environment Management Plan (OCEMP) [**REP2-021**] to Appendix 1 of the Outline Operational and Maintenance Environmental Management Plan (OMEMP) [**REP2-036**].

Notification of wish to attend ASI(s)

The Applicant would like to register its wish to attend any Accompanied Site Inspections (ASIs) held by the ExA during the Examination.

Responses to comments on Local Impact Reports

No responses were made by IPs to the Local Impact Reports submitted by the Local Planning Authorities at Deadlines 1 and 1A. Therefore, the Applicant has not provided a response.

Update on Timetable of engagement with landowners and strategic bodies (response to ExQ1.4.5 (vi)) - position justification

As stated in the Applicant's Response to ExQ1.4.5 (vi) [**REP1-044**], the Applicant is continuing to engage with landowners and interested parties to explore the opportunities to meet BNG targets. The Applicant previously stated in their response that a timetable of engagement would be prepared and submitted for Deadline 2. However, following recent discussions the Applicant is of the view that it would be more useful to include a list of future actions on BNG to the ExA, rather than a timetable. This is provided in the BNG Strategy Update Document (document reference: **D.7.23**) which the Applicant is submitting for Deadline 3. This sets out the consultation undertaken with key external stakeholders to date and further work being undertaken on the BNG Strategy.

Table 1: Documents submitted by the Applicant at Deadline 3

Application Document Reference	Previous Examination Library Reference¹	Document Details	Comments
D.1.3	REP2-002	Application Document Tracker (Rev G) (clean version)	Includes Word version
D.1.3	REP2-003	Application Document Tracker (Rev G) (tracked version)	
D.2.3	CR1-010	Crown Land Plans (Rev D)	
D.3.1	REP1-004 and CR1-017	Draft Development Consent Order (dDCO) (Rev E) (clean version)	Includes Word version
D.3.1	REP1-005 and CR1-018	Draft Development Consent Order (dDCO) (Rev E) (tracked version)	
D.3.2	REP1-006	Explanatory Memorandum (clean version) (Rev D)	
D.3.2	REP1-007	Explanatory Memorandum (tracked version) (Rev D)	
D.3.3	REP1-008 and CR1-019	Schedule of Changes to dDCO (Rev D)	
D.4.1	REP2-008	Statement of Reasons (Rev E) (clean version)	
D.4.1	REP2-009	Statement of Reasons (Rev E) (tracked version)	
D.4.1.1	REP2-010	Schedule of Negotiations with Land Interests (Rev D) (clean version)	Includes Excel version (Rev C)

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.4.1.1	REP2-011	Schedule of Negotiations with Land Interests (Rev D) (tracked version)	Includes Excel version (Rev C)
D.4.3	REP2-012	Book of Reference (Rev E) (clean version)	
D.4.3	REP2-013	Book of Reference (Rev E) (tracked version)	
D.4.3.1	REP2-014	Schedule of Changes to the Book of Reference (Rev B)	
D.5.2	REP1-011	Other Consents and Licences (Rev C) (clean version)	
D.5.2	REP1-012	Other Consents and Licences (Rev C) (tracked version)	
D.6.4.17.6	CR1-094	Environmental Statement - Figure 17.6 PROW Diversions (Rev C)	
D.6.5.3	REP2-019	Outline Construction Traffic Management Plan (OCTMP) (Rev D) (clean version)	
D.6.5.3	REP2-020	Outline Construction Traffic Management Plan (OCTMP) (Rev D) (tracked version)	
D.6.5.12	APP-231 to APP-236	Biodiversity Net Gain (BNG) Assessment (clean version)	
D.6.5.12	N/A	Biodiversity Net Gain (BNG) Assessment (tracked version)	
D.7.2	REP2-025	Statement of Commonality (Rev C)	

Application Document Reference	Previous Examination Library Reference¹	Document Details	Comments
D.7.2.1	REP2-026	Draft Statement of Common Ground with Flintshire County Council (Rev C)	
D.7.2.4	REP1-023	Draft Statement of Common Ground with Natural Resources Wales (Rev B)	
D.7.2.8	REP2-028	Draft Statement of Common Ground with Peel NRE Limited (Rev C)	
D.7.2.11	REP1-030	Draft Statement of Common Ground with Canal & River Trust (Rev B)	
D.7.2.13	REP1-032	Draft Statement of Common Ground with Essar Oil (UK) Limited (Rev B)	
D.7.2.19	REP1-036	Draft Statement of Common Ground with National Gas Transmission (Rev B)	
D.7.2.26	REP2-031	Draft Statement of Common Ground with Network Rail (England & Wales) (Rev C)	
D.7.2.32	N/A	Draft Statement of Common Ground with Royal Mail Group Limited (Rev A)	
D.7.9	REP1-043	Outline Public Rights of Way Management Plan (clean version) (Rev B)	
D.7.9	N/A	Outline Public Rights of Way Management Plan (tracked version) (Rev B)	

Application Document Reference	Previous Examination Library Reference¹	Document Details	Comments
D.7.19.1	N/A	Applicant's Response to CWCC's Written Representation Addendum (Biodiversity)	
D.7.21	N/A	Applicant's Comments on Submissions Received at Deadline 2	
D.7.23	REP2-042	Draft Biodiversity Net Gain (BNG) Strategy Update (clean version) (Rev B)	
D.7.23	N/A	Draft Biodiversity Net Gain (BNG) Strategy Update (tracked version) (Rev B)	
D.7.27	N/A	Alltami Brook Crossing - Options Appraisal (Rev A)	

Yours sincerely,

Martin Currie
 Director, Liverpool Bay CCS Limited