

## DRAFT STATEMENT OF COMMON GROUND WITH CADENT GAS

HyNet Carbon Dioxide Pipeline DCO

**Planning Act 2008**

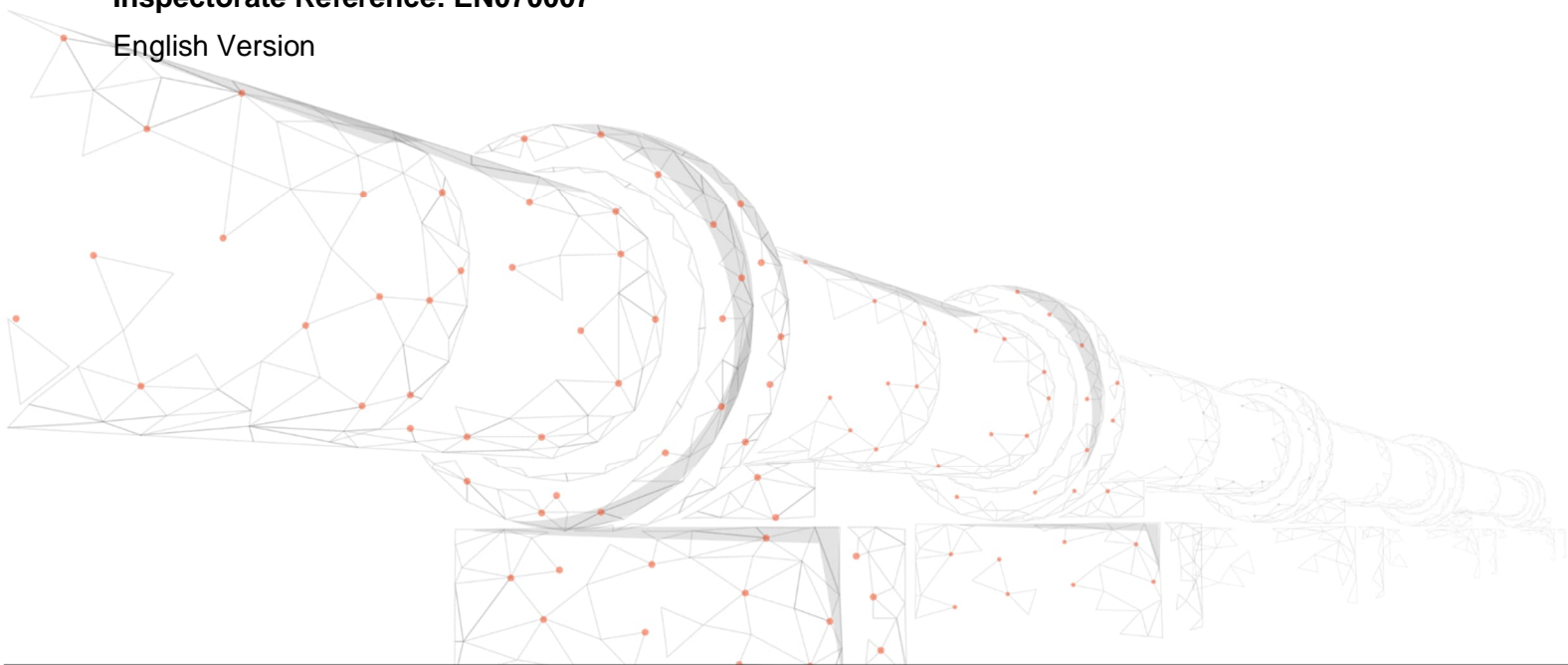
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**STATEMENT OF COMMON GROUND**

**This Statement of Common Ground has been prepared and agreed by (1) Liverpool Bay CCS Limited and (2) Cadent Gas**

Signed .....

**[NAME]**

**[POSITION]**

on behalf of Liverpool Bay CCS Limited

Date: **[DATE]**

Signed .....

**[NAME]**

**[POSITION]**

on behalf of Cadent Gas

Date: **[DATE]**

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# 1. INTRODUCTION

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## 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 Cadent Gas (Cadent).
- 1.1.2. For the purpose of this draft SoCG, the Applicant and Cadent 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 so 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 Cadent 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 CO<sub>2</sub> pipeline element of HyNet only. Other elements of HyNet are subject to separate consenting processes and are not addressed here.
- 1.2.2. Cadent is promoting the hydrogen pipeline element of HyNet. The DCO Proposed Development impacts Cadent primarily as a statutory undertaker, assets owner, land rights holder and landowner /developer of the proposed hydrogen pipeline DCO project.
- 1.2.3. The Applicant has identified the following plots in which Cadent Gas hold an interest:  
*2-04, 2-04a, 2-05, 2-06, 2-08, 2-12, 2-13, 3-01, 3-02, 3-03, 3-13, 3-14, 3-15, 4-01, 4-02, 4-05, 6-09, 6-20, 6-22, 6-24, 6-25, 9-01, 9-03, 9-05, 9-06, 9-07, 9-08, 9-09, 9-10, 9-12, 9-13, 9-14, 9-15, 9-18, 9-19, 9-20, 10-01, 10-04, 10-12, 12-05*
- 1.2.4. A full description of the DCO Proposed Development is detailed in Chapter 3 of the Environmental Statement (ES) **[APP-055]**. On the 27 March 2023, the Applicant submitted Change Request 1, which includes '2023 ES Addendum

Change Request 1' [**CR1-124 to 126**], and ES Addendum Chapter 3 provides an update to the description of the DCO Proposed Development [**APP-055**]. On the 2 June 2023, the ExA accepted the Applicant's Change Request 2; subsequently the description of the development has been updated, to include Chapter 3 of the 2023 ES Addendum Change Request 2 [**CR2-017**].

### **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**

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- 2.1.1. This Chapter provides a summary of the engagement to date between the Applicant and Cadent 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
<p><b>11/02/2022</b> <b>28/02/2022</b></p>	<p>Email correspondence between Cadent to the Applicant</p>	<p><b>Key Topics</b></p> <ul style="list-style-type: none"> <li>• Cadent’s response as a section 42 consultee to the EIA Scoping Report consultation</li> </ul> <p><b>Discussions and Outcomes</b></p> <p>Cadent Plant Protection team confirmed that they had no objection to the DCO Proposed Development from a planning perspective. The team provided a note and plans regarding the prevention of damage to their assets.</p>
<p><b>13/05/2022</b></p>	<p>Hybrid Correspondence over email &amp; Microsoft Teams between Cadent and the Applicant</p>	<p><b>Key Topics</b></p> <ul style="list-style-type: none"> <li>• Approach for discussion with the Applicant</li> </ul> <p><b>Discussions and Outcomes</b></p> <p>Cadent team to arrange meeting between Plant Protection Team and the Applicant</p>
<p><b>01/06/2022</b></p>	<p>Microsoft Teams meeting between Cadent and the Applicant</p>	<p><b>Key Topics</b></p> <ul style="list-style-type: none"> <li>• Information regarding Cadent representative</li> </ul> <p><b>Discussions and Outcomes</b></p> <p>Cadent to appoint a dedicated Cadent representative for consultation. A meeting was tabled for w/e 17 June 2022</p>
<p><b>07/07/2022</b></p>	<p>Microsoft Teams meeting between Cadent (Plant Protection and Pipeline integrity Team) and the Applicant</p>	<p><b>Key Topics</b></p> <ul style="list-style-type: none"> <li>• Request for information on crossing points</li> <li>• Submission of LSBUD request</li> </ul> <p><b>Discussions and Outcomes</b></p> <p>The Cadent Plant Protection and Pipeline integrity Team sought to request information on crossing points including BH data for review and a LSBUD request to formalise crossing consents process. Information provided and a new LSBUD to be submitted.</p>
<p><b>14/11/2022</b></p>	<p>Microsoft Teams meeting between Cadent (Plant Protection and Pipeline integrity Team) and the Applicant</p>	<p><b>Key Topics</b></p> <ul style="list-style-type: none"> <li>• Issuing of LSBUD request</li> <li>• Approach for meetings with Legal Team</li> </ul> <p><b>Discussions and Outcomes</b></p> <p>A meeting was held to discuss topics related to the issue of new LSBUD request including allocation of job number, site visit and review of BH data. Cadent (Plant Protection and Pipeline integrity Team) to provide contact for Legal and separate meetings for Protective Provisions and SoCG with the Legal Team were agreed.</p>
<p><b>23/12/2022</b></p>	<p>Email correspondence between The Applicant and Cadent</p>	<p><b>Key Topics</b></p> <p>Key Information Exchange</p>



Date	Form of Correspondence	Key Topics Discussed and Key Outcomes
		<p><b>Discussions and Outcomes</b></p> <p>Applicant shared a draft SoCG with Cadent</p>
24/01/2023	Microsoft Teams meeting between Cadent (Plant Protection and Pipeline integrity Team) and the Applicant	<p><b>Key Topics</b></p> <ul style="list-style-type: none"> <li>• Project Update</li> <li>• SoCG introduction</li> </ul> <p><b>Discussions and Outcomes</b></p> <p>Cadent to review current wording of issues in Chapter 3 and provide comments.</p> <p>Cadent confirm their main comment in RR around protective provisions.</p> <p>Cadent agree to capture Hydrogen DCO Project as new table within SoCG Template.</p>
13/04/2023	Microsoft Teams meeting between Cadent (Plant Protection and Pipeline integrity Team) and the Applicant	<p><b>Key Topics</b></p> <ul style="list-style-type: none"> <li>• SoCG discussion</li> </ul> <p><b>Discussions and Outcomes</b></p> <p>It was agreed that the Applicant would cover the Hydrogen DCO Project in a separate SoCG.</p>
02/06/2023	Microsoft Teams meeting between Cadent and the Applicant	<p><b>Key Topics</b></p> <ul style="list-style-type: none"> <li>• SoCG discussion</li> </ul> <p><b>Discussions and Outcomes</b></p> <p>The Applicant shared the SoCG on screen. All rows in Table 3-1 were changed in status to 'Agreed'. Cadent requested that the Applicant check that all technical guidance has been included for item Cadent 3.2.1 (as per s42 consultation response). The Applicant updated this after the meeting.</p>

### **3. ISSUES**

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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 Cadent are as follows:

- Engagement, Land & Other Application Documents ;
- Design and Assets; and
- Issues related to the DCO Proposed Development – Draft DCO (including requirements to the draft DCO).

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

Ref.	Description of Matter	Current Position	Status
<b>Engagement</b>			
<b>Cadent 3.1.1</b>	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 Cadent's views.  Cadent has been formally consulted on the application as required by the Planning Act 2008.	Agreed
<b>Land</b>			
<b>Cadent 3.1.2</b>	Cadent Land Use (other than assets)	The Parties are seeking to determine, where relevant, existing Cadent land rights and use. The Parties will seek agreement where required. The Applicant does not consider that it impacts upon Cadent land (freehold or leasehold). However Cadent agrees that any identified would be dealt with through Protective Provisions.	Agreed
<b>Other application documents</b>			
<b>Cadent 3.1.3</b>	Other application documents	Cadent agrees that its interests are correctly reflected in the Book of Reference <b>[AS-023]</b> .	Agreed

**Table 3-2 – Issues related to Design and Assets**

Ref.	Description of Matter	Current Position	Status
<b>Cadent 3.2.1</b>	<b>Cadent Requirements</b>	<ul style="list-style-type: none"> <li>• The Applicant acknowledges Cadent specification for safe working in vicinity of Cadent assets, CAD/SP/SSW/22 has been provided by Cadent. The Applicant will share this specification with appointed construction contractor. The Parties agree that this will be secured via the Protective Provisions.</li> <li>• The Applicant also acknowledges the need to comply with the following standard and technical guidance notes: <ul style="list-style-type: none"> <li>• TGN 287</li> <li>• HSE Guidance Notes HS(G)47</li> </ul> </li> </ul>	Under Discussion
<b>Cadent 3.2.2</b>	<b>Cadent Assets</b>	<p>The Applicant acknowledges Cadent's rights to retain its apparatus in situ and rights of access to inspect, maintain, renew and repair such apparatus located within or in close proximity to the order limits should be maintained at all times and access to inspect such apparatus must not be restricted.</p> <p>The Applicant acknowledges Cadent's concern in relation to adequate protective provisions and will seek to engage further on an agreed form of Protective Provisions.</p>	Under Discussion

**Table 3-3 – Issues related to the the DCO Proposed Development - Draft DCO (including requirements to the draft DCO)**

Ref.	Description of Matter	Current Position	Status
Cadent 3.3.1	Protective Provisions	The form of Protective Provisions is still under discussion. Engagement between the parties is iterative and constructive. There are currently a couple of points still being discussed between both Parties.	Under Discussion