

HyNet North West

OTHER CONSENTS AND LICENCES

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HyNet Carbon Dioxide Pipeline DCO

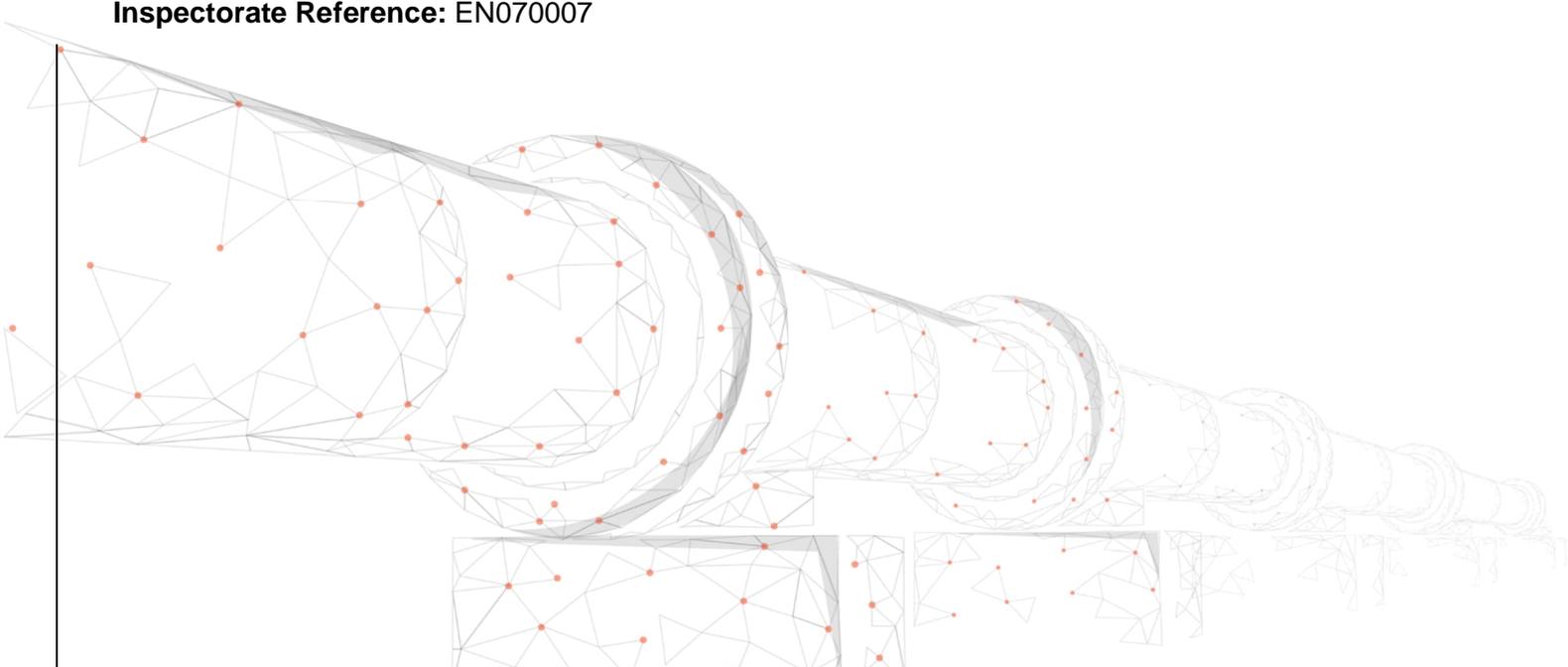
Planning Act 2008

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 the Department for Energy Security and Net Zero (DESNZ) 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 and 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 and 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 and 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 activity which may present a risk of an 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	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 stage, if required, as well as post-construction for sign off.
3	Waste	Environmental Permitting (England and Wales) Regulations 2016	Bespoke	Waste Operations	Environment Agency and Natural Resources Wales		Pre-Construction / Construction / Post-Construction	Apply for prior to the start of construction (or prior to specific construction activities), if required.
4	Waste	Environmental Permitting (England and Wales) Regulations 2016	Standard Rules	Waste Operations	Environment Agency and Natural Resources Wales		Pre-Construction / Construction / Post-Construction	Apply for prior to the start of construction (or prior to specific construction activities), if required.
5	Waste	Environmental Permitting (England and Wales) Regulations 2016	Exemptions	Waste Operations	Environment Agency and Natural Resources Wales		Pre-Construction / Construction / Post-Construction	Apply for prior to the start of construction (or prior to specific construction activities), if required.
6	Waste	Environmental Permitting (England and Wales) Regulations 2016	Regulatory Position Statement	Waste Operations	Environment Agency and Natural Resources Wales		Pre-Construction / Construction / Post-Construction	Apply for prior to the start of construction (or prior to specific construction activities), if required.
7	Waste	The Waste (England and Wales) Regulations 2011	Waste Transfer Notes	Waste Operations	Environment Agency and Natural Resources Wales		Pre-Construction / Construction / Post-Construction	Apply for prior to specific construction activities
8	Waste	The Hazardous Waste (England and Wales) Regulations 2005	Waste Consignment Notes	Waste Operations	Environment Agency and Natural Resources Wales		Pre-Construction / Construction / Post-Construction	Apply for prior to specific construction activities
9	Waste	The Waste (England and Wales) Regulations 2011	Waste Carriers Licence	Waste Operations	Environment Agency and Natural Resources Wales		Pre-Construction / Construction / Post-Construction	Apply for prior to specific construction activities
10	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-Construction/Decommissioning	Apply for prior to specific construction activities, if required,
11	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		Prior to determination, Pre-Construction	Apply for prior to the start of construction (or prior to specific construction activities), if required.
12	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.
13	Mobile Plant	The Environmental Permitting (England and Wales) Regulations 2016	Standard Rules (SR2008No27) for Mobile Plant for treatment or soils and contaminated material,	Treatment, waste recovery, mixing, blending, ex-situ treatment of pumped groundwater	Environment Agency, Natural Resources Wales		Construction	Apply for prior to the start of construction (or prior to specific construction activities), if required.

Ref No.	Topic/Area Covered	Regulations	Consent/Licence/ Permit	Activity	Relevant Body	Comments and Agreements (as required)	Stage required for	Anticipated Submission Date/Timescales
			substances or products					
14	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	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, 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	Apply for prior to the start of construction (or prior to specific construction activities), if required.
16	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	Apply for prior to the start of construction (or prior to specific construction activities), if required.
17	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	Apply for prior to the start of construction (or prior to specific construction activities), if required.
18	Air Quality	The Environmental Permitting (England and Wales) Regulations 2016	Specified generator permit - standard rules (low risk), simple bespoke (low risk) or complex bespoke (high risk)	Cover emissions of SO2, NOx and dust to air. Applies to generators with a capacity of between 1MWth and 50MWth burning any fuel	Environment Agency, Natural Resources Wales		Construction	Apply for prior to the start of construction (or prior to specific construction activities), if required.
19	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, otter, and great crested newt within England and Wales. Required for currently considered impacts to species and their places of shelter/rest arising from Construction of the DCO Proposed Development.	Pre-Construction / Construction /	Submission of draft licences during DCO Examination. Submission of formal European Protected Species licence application prior to construction.
20	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 /	Submission of draft licences during DCO Examination. Submission of formal licence application prior to construction.
21	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, possession, or disturbance	Natural England	Required for currently considered impacts to water vole and their	Pre-Construction / Construction /	Submission of draft licences during DCO Examination. Submission of

Ref No.	Topic/Area Covered	Regulations	Consent/Licence/ Permit	Activity	Relevant Body	Comments and Agreements (as required)	Stage required for	Anticipated Submission Date/Timescales
				when occupying a shelter, and burrows from obstruction or damage		burrows arising from construction of the DCO Proposed Development.		formal licence application prior to construction.
22	Ecology	Salmon and Freshwater Fisheries Act 1975	-Permit to translocate fish and authorisation to use fishing instruments other than rod and line in England and Wales (FR2)	Protection of fish and associated habitat	Environment Agency, Natural Resources Wales	Required for currently considered impacts to fish arising from construction of the DCO Proposed Development.	Pre-Construction, Construction	Apply for prior to the start of construction (or prior to specific construction activities), if required.
23	Ecology	Salmon and Freshwater Fisheries Act 1975	Exemption to work within spawning periods for European eel, lamprey, salmonids and coarse fish species.	Protection of fish and associated habitat	Environment Agency, Natural Resources Wales	If required, this will be subject to agreement with the Environment Agency and/or Natural Resources Wales.	Pre-Construction, Construction	Apply for prior to the start of construction (or prior to specific construction activities), if required.
24	Ecology	Salmon and Freshwater Fisheries Act 1975	Trap or remove non-native crayfish in England and Wales (CR1)	Management of non-native crayfish	Environmental Agency, Natural Resources Wales		Pre-Construction	Apply for prior to the start of construction (or prior to specific construction activities), if required.
25	Arboriculture	Forestry Act 1967 (as amended)	Tree felling licence	Felling of living trees/hedgerows	Forestry Commission, Natural Resources Wales		Pre-Construction	Apply for prior to the start of construction (or prior to specific construction activities), if required.
26	Flood Risk	Environmental Permitting (England and Wales) Regulations 2016	Flood Risk Activity Permit - Bespoke	All temporary and 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	Apply for prior to the start of construction (or prior to specific construction activities), if required.
27	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	Apply for prior to the start of construction (or prior to specific construction activities), if required.
28	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	Apply for prior to the start of construction (or prior to specific construction activities), if required.
29	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. <u>Includes surface and groundwater abstraction.</u>	Environment Agency, Natural Resources Wales		Post-grant of DCO, pre-construction, construction	Apply for prior to the start of construction (or prior to specific construction activities), if required.
30	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. <u>Includes surface and groundwater.</u>	Environment Agency, Natural Resources Wales		Post-grant of DCO, pre-construction, construction	Apply for prior to the start of construction (or prior to specific construction activities), if required.
31	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. <u>Includes surface and groundwater.</u>	Environment Agency, Natural Resources Wales		Post-grant of DCO, pre-construction, construction	Apply for prior to the start of construction (or prior to specific construction activities), if required.
32	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	Apply for prior to the start of construction (or prior to specific construction activities), if required.
33	Water Impoundment	Water Resources Act 1991 (Section 25), Water Abstraction and Impounding (Exemptions) Regulations 2017	Water Impoundment Exemption	where a public authority that manages or owns waterways or harbours constructs any new impoundment, alters an existing impoundment or obstructs or	Environment Agency, Natural Resources Wales		Post-grant of DCO, pre-construction, construction	Apply for prior to the start of construction (or prior to specific construction activities), if required.

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				<p>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>				
34	Groundwater	Water Resources Act 1991 (Section 32 (3)) (as amended by the Water Act 2003)	Groundwater Investigation Consent	Permission to construct a borehole or well, excavate a catchpit, complete pumping tests and abstract more than 20 cubic metres of water a day for testing. This investigation will show if there is groundwater present and what effect abstracting groundwater would have on the environment.	Environment Agency		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	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)	Pre-Construction	Apply for prior to the start of construction (or prior to specific construction activities), if required.
2	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.
3	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	Apply for prior to the start of construction (or prior to specific construction activities), if required
4	Surface water drainage systems	Schedule 3 of the Flood and Water Management Act 2010 (FWMA) The Sustainable Drainage (Approval and Adoption Procedure) (Wales) Regulations 201	Approval of surface water drainage system	All new developments of more than 1 house or where the construction area is of 100m² or more will require sustainable drainage to manage on-site surface water. Surface water drainage systems must be designed and built in accordance with mandatory standards for sustainable drainage published by Welsh Ministers.	Flintshire County Council (SUDS Approving Body (SAB))	Drainage systems must be approved by the local authority acting in its SuDS Approving Body (SAB) role before construction begins.	Pre-Construction	Apply for prior to the start of construction (or prior to specific construction activities).

