

COVER LETTER DEADLINE 5

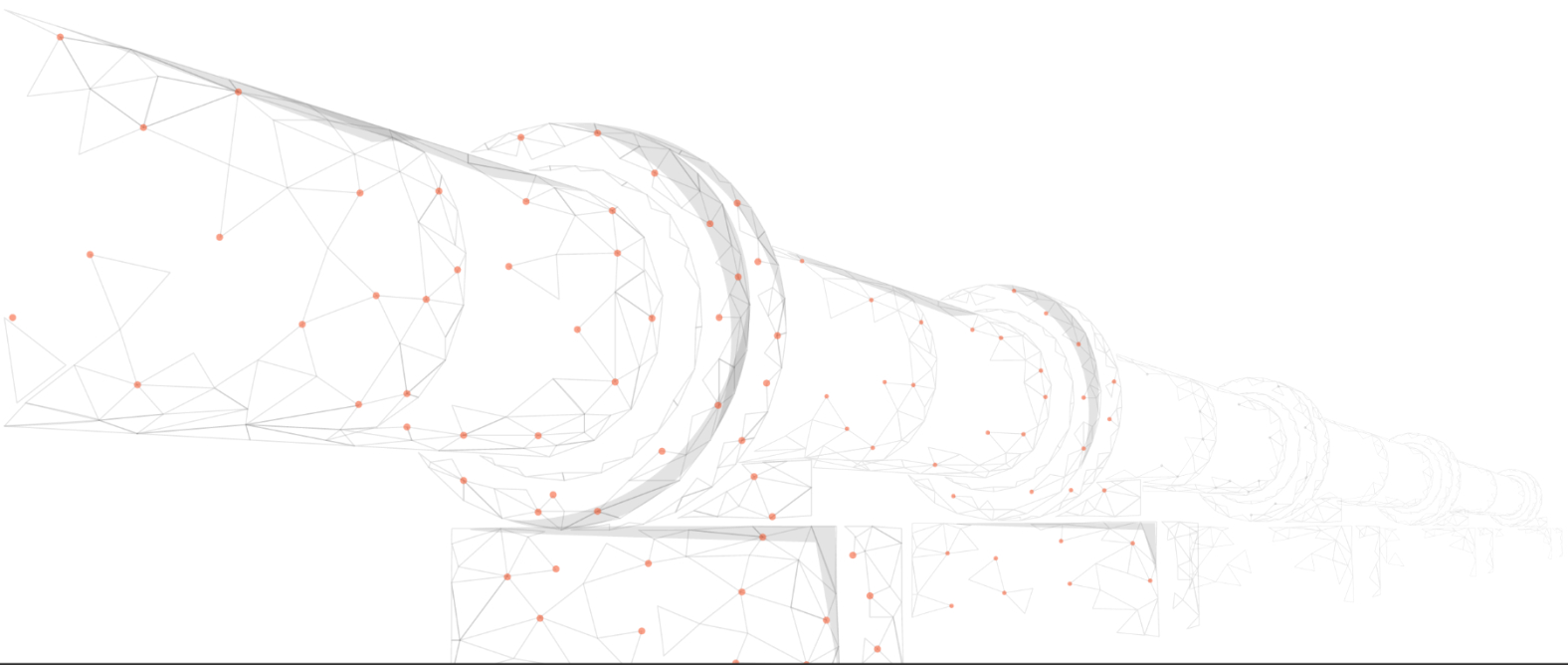
HyNet Carbon Dioxide Pipeline DCO

Planning Act 2008

Document Reference Number D.7.1.9

Applicant: Liverpool Bay CCS Limited

Inspectorate Reference: EN070007



REVISION: A

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DOCUMENT OWNER: WSP UK Limited

PUBLIC

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04 July 2023

Dear Mr Stephens,

EN070007 HyNet Carbon Dioxide Pipeline – Deadline 5

Please find enclosed the information requested by the Examining Authority (ExA) for Deadline 5 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) for Deadline 5 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 revision 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 5, 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 5, 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 Statements of Common Ground

Table 1 includes the stakeholders for which the Applicant has prepared and submitted a draft Statement of Common Ground (SoCG) at Deadline 5.

The updated Statement of Commonality (SoC) submitted at Deadline 5 outlines the position of all SoCGs that the Applicant has, intends to, or intends not to enter into with relevant stakeholders/Interested Parties (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 5 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:

- Scottish Power Energy Networks (SPEN)
- Health and Safety Executive (HSE)

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 5 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:

- Enso Energy (land at Picton)
- 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.

The Applicant submitted an SoCG with United Utilities [REP1-035] for Deadline 1. However, United Utilities have since noted their intention to focus discussions solely on Protective Provisions. Therefore, as it stands, the Applicant does not envisage that this SoCG will be signed and submitted by the close of Examination.

The Applicant previously advised the ExA that they intended to submit an SoCG with Shell. Following further discussions, Shell have confirmed that they no longer wish to proceed with an SoCG and therefore this document will not be submitted into the Examination. Appendix A of the SoC will be updated once the formal letter from Shell is received.

Applicant's update on the Marine Licence submission and progress

The Applicant submitted the Marine Licence (ML) application on 23 May 2023. Natural Resources Wales subsequently requested additional information to be produced for the consultation of the ML application within a 10-day period. The Applicant requested additional time for this request due to the resource required for the Examination. Unfortunately, it was not possible to agree an extension to this deadline; therefore, it was agreed between both parties that the Applicant would withdraw the ML application and resubmit at a later date. The Applicant formally withdrew the ML application on 21 June 2023. The Applicant is currently preparing the additional information and will make an updated ML application once this is complete. The Applicant will continue to keep the ExA updated on progress.

Protective Provisions

The Applicant has not provided public comments as part of its Deadline 5 submissions on all of the proposed Protective Provisions submitted by IPs at previous Deadlines 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 to one Deadline 4 submission where the IP’s submission does not contain any substantive points where no comment has been provided by the IP. The Deadline 4 submission where a response has not been provided has been listed in the Introduction section of the Applicant’s Comments on Submissions Received at Deadline 4 (document reference: **D.7.37**).

Applicant’s Responses to Action Points from the Hearing of week commencing 05 June 2023

The Applicant has responded to the action points arising from Issue Specific Hearing 1, Compulsory Acquisition Hearing 1 and Issue Specific Hearing 2 [**EV-026**] required at Deadline 5 in:

- Applicants Response to Action Point ISH1-AP3 - Local Policy Assessment of Community / Cultural Benefits (document reference: **D.7.49**)

Table 1: Documents submitted by the Applicant at Deadline 5

Application Document Reference	Previous Examination Library Reference¹	Document Details	Comments
D.1.2	APP-002	Application Guide (Rev B) (Clean)	
D.1.2	N/A	Application Guide (Rev B) (Tracked Change)	
D.1.3	CR2-001	Application Document Tracker (Rev J) (Clean)	Includes Word version Includes Change Request 3 documents

¹ (Reference for the previously submitted document for which the document submitted at Previous Deadlines/ Change Requests is updated from).

Application Document Reference	Previous Examination Library Reference¹	Document Details	Comments
D.1.3	CR2-002	Application Document Tracker (Rev J) (Tracked Change)	Includes Change Request 3 documents
D.4.1.1	REP3-012	Schedule of Negotiations with Land Interests (Rev F) (Clean)	Includes Excel version (Rev F)
D.4.1.1	REP3-013	Schedule of Negotiations with Land Interests (Rev F) (Tracked Change)	Includes Excel version (Rev F)
D.7.2	REP4-245	Statement of Commonality (Rev E)	
D.7.2.9	REP2-029	Draft Statement of Common Ground with National Highways (Rev C)	
D.7.2.15	REP1-033	Draft Statement of Common Ground with British Pipeline Agency (Rev B)	
D.7.2.23	N/A	Draft Statement of Common Ground with Wales & West Utilities (Rev A)	
D.7.23	REP3-034	BNG Strategy Update (Clean) (Rev C)	
D.7.23	REP3-035	BNG Strategy Update (Tracked Change) (Rev C)	
D.7.36	N/A	Alltami Brook Hydrogeological Impact Appraisal (Rev A)	
D.7.37	N/A	Applicants Comments on Submissions Received at Deadline 4 (Rev A)	

Application Document Reference	Previous Examination Library Reference¹	Document Details	Comments
D.7.38	N/A	Without Prejudice WFD Derogation Case for Alltami Brook Crossing (Rev A)	
D.7.39	N/A	Outline Noise and Vibration Management Plan (Rev A)	
D.7.40	N/A	Outline Waste Management Plan (Rev A)	
D.7.41	N/A	Outline Groundwater Management and Monitoring Plan (Rev A)	
D.7.42	N/A	Outline Biosecurity Management Plan (Rev A)	
D.7.43	N/A	Outline Surface Water Management and Monitoring Plan (Rev A)	
D.7.44	N/A	Outline Dewatering Management Plan (Rev A)	
D.7.45	N/A	Outline Stakeholder Communications Plan (Rev A)	
D.7.48	N/A	Applicant's Responses to Examining Authority's Second Written Questions (EXQ2) Rev A	
D.7.49	N/A	Applicants Response to Action Point ISH1-AP3	

Yours sincerely,

Martin Currie
Director, Liverpool Bay CCS Limited