



APPLICATION BY LIVERPOOL BAY CCS LIMITED FOR AN ORDER GRANTING DEVELOPMENT CONSENT FOR THE HYNET CARBON DIOXIDE PIPELINE

**APPLICATION REF EN070007
PIBLINELL CARBON DEUOCSID HYNET / HYNET CARBON DIOXIDE PIPELINE**

**FLINTSHIRE COUNTY COUNCIL'S RESPONSE TO TABLE 2-15 OF [REP5-015] – DEADLINE 5 SUBMISSION - D.7.37 APPLICANT'S COMMENTS ON
SUBMISSIONS RECEIVED AT DEADLINE 4**

SUBMITTED AT DEADLINE 6 – TUESDAY 18 JULY 2023

Please find in the column to the right FCC's comments on Table 2-15 – Applicant's Comments on Flintshire County Council (FCC) - Deadline 4 Submission: Written summaries of oral submissions made at any Hearings held during the week commencing 5 June 2023 (ISH1) [REP4-286]

Reference	FCC Reference	FCC Response	Applicant's Response	FCC Response at DL6
	2.	Agenda Item 2		
2.15.1	2.1	FCC confirmed to the Examining Authority (ExA) that FCC would continue to liaise with the applicant with regards to any planning applications and planning permission that may be submitted in the future in the Development Consent Order Limits. FCC would also keep the ExA informed of any developments that may be permitted in the Order limits.	The Applicant notes the response and has no further comments on this matter.	Noted
	3.	Agenda Item 3 - Biodiversity		
2.15.2	3.1	Amanda Davies, FCC's ecologist confirmed that FCC has been liaising with Cheshire West and Chester Council (CWAC)'s ecologist with regards to the metric requirement to provide Biodiversity Net Gain in England. Amanda Davies confirmed that this is not a requirement in Wales.	The Applicant notes the response and has no further comments on this matter.	Noted
2.15.3	3.2	Amanda Davies confirmed to the Examining Authority that the Local Development Plan Policies relevant to the application in relation to biodiversity are, Strategic Policy STR14 which seeks to conserve, protect and enhance Flintshire's natural environment and biodiversity. Policy EN6 provides a detailed criteria-based policy which includes a mitigation hierarchy with regards to providing enhancements. The Policy requires measures to create, restore and enhance nature conservation and habitats.	The Applicant believes this should reference Policy STR13: Natural and Built Environment, Green Networks and Infrastructure, not STR14: Climate Change and Environmental Protection.	FCC can confirm that the current Strategic Policy Reference is STR13: Natural and Built Environment Green Networks and Infrastructure. I can confirm that this was typographical error, apologies.
2.15.4	3.3	Welsh Government has just completed a consultation on Planning Policy Wales with regards to a targeted policy change on net benefit for biodiversity and ecosystems resilience, (incorporating changes to strengthen policy on Sites of Special Scientific Interest, Trees and Woodlands and Green Infrastructure).	The Applicant notes the response and has no further comments on this matter.	Noted
2.15.5	3.4	Discussion took place with regards to how the applicant could increase the amount of biodiversity net gain.	The Applicant notes the response and has no further comments on this matter.	Noted
2.15.6	3.5	Amanda Davies, FCC's ecologist suggested that there are opportunities through the European Protect Species Licences for example for great crested newts to enhance the terrestrial and aquatic habitats. Also, there are opportunities for connecting habitats through hedgerow improvements to identify where hedgerows can be enhanced to link habitats. There are other opportunities in the wider area beyond Flintshire for a nature recovery plan which would involve working with other organisations such as the wildlife trust. There are ongoing projects but nothing specific.	The Applicant can confirm that opportunities for enhancement will be considered and explored during the development of the detailed design and construction stages, as captured by item D-BD-066 within the Outline Construction Environmental Management Plan (OCEMP) [REP4-237] secured by Requirement 5 of the dDCO [REP4-008]. Enhancement opportunities will be considered within European Protected Species Licences, where these are considered appropriate.	Noted

2.15.7	3.6	When the Examining Authority asked about priority habitats such as peatland. FCC confirmed that peatlands are not a feature of Flintshire, unlike Denbighshire and parts of Conwy.	The Applicant notes the response and has no further comments on this matter.	Noted
2.15.8	3.7	A discussion took place with regards to concerns raised by CWAC with regards to the range of ecological surveys for certain species, however Amanda Davies confirmed that Flintshire was satisfied with the range proposed, and that there are proposals for ongoing checks and surveys.	The Applicant notes the response and has no further comments on this matter.	Noted
2.15.9	3.8	When the Examining Authority asked FCC's ecologist with regards to the aquatic environment, Amanda Davies confirmed that Flintshire have not raised any concerns with regards to the aquatic environment and that no additional surveys would be required.	The Applicant notes the response and has no further comments on this matter.	Noted
	4.	Agenda Item 4 - Trees		
2.15.10	4.1	Flintshire County Council confirmed to the Examining Authority that there was nothing further to add wither regards to the comments on trees.	The Applicant notes the response and has no further comments on this matter.	Noted
	5.	Agenda Item 5 – Private Water Supplies		
2.15.11	5.1	FCC confirmed that as a Local Authority, Flintshire will be made aware of any new private water supplies in the Flintshire area and FCC will commit to provide an update to the Examination if those circumstances arose.	The Applicant notes the response and has no further comments on this matter.	Noted
	6.	Agenda Item 5 – Community Benefit		
2.15.12	6.1	FCC made an oral representation on the views of the County Council in relation to the need for the applicant to enter into a voluntary community benefit fund, building on written evidence already provided to the Examining Authority. Whilst there may not be a legal requirement for the applicant to provide such a fund, the Council strongly believe that the developer should provide a voluntary fund such as those provided by developers of other large infrastructure projects in North Wales. FCC would welcome further discussions with the developer.	The Applicant notes FCC's request and as previously advised is working to provide a voluntary proposal for a community benefit fund, and the form such a proposal might take. As any funding would be provided on a voluntary basis and not tied to the DCO, the review and approval cycle is not currently following the same timescale as the DCO process. However, the Applicant has had some early discussions with some FCC members and is happy to continue to engage on this outside of the DCO process, as the proposal develops.	Noted, FCC would welcome further discussions.