

COVER LETTER DEADLINE 6

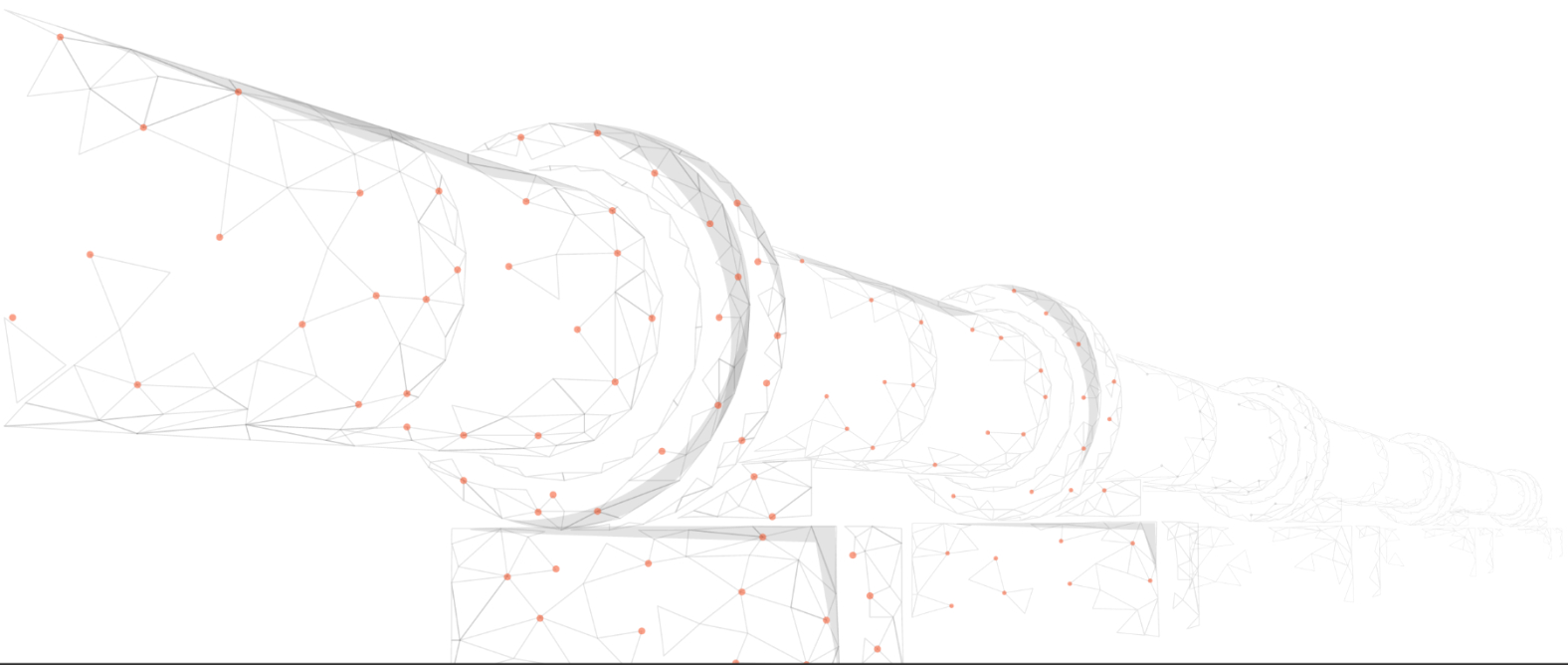
HyNet Carbon Dioxide Pipeline DCO

Planning Act 2008

Document Reference Number D.7.1.11

Applicant: Liverpool Bay CCS Limited

Inspectorate Reference: EN070007



REVISION: A

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PUBLIC

Jake Stephens

Case Manager – National Infrastructure
(Environment)
Temple Quay House
Temple Quay
Bristol
BS1 6PN

Registered Office
Liverpool Bay CCS Limited
Eni House, 10 Ebury Bridge Road
London SW1W 8PZ
Tel: +44 (0) 20 7344 6000
Fax: +44 (0) 20 7344 6044

18 July 2023

Dear Mr Stephens,

EN070007 HyNet Carbon Dioxide Pipeline – Deadline 6

Please find enclosed the information requested by the Examining Authority (ExA) for Deadline 6 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 6 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 6, 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 6, 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 6.

The updated Statement of Commonality (SoC) submitted at Deadline 6 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 6 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 SoCGs:

- 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 6 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
- 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]** **[REP5-001]** or due to the stakeholder going into administration **[REP2-001]** and therefore no further updates are required at this deadline.

The Applicant has attempted to engage with Anesco (Land at Thornton Le Moors) who are promoting development which would interact with the Order Limits of the DCO Proposed Development (see the SoC submitted at Deadline 6 (document reference **D.7.2**) for evidence). However, this stakeholder has not been forthcoming with replies on the SoCG up to this deadline. Therefore, in the interest of resource and expediency, the Applicant has suspended its efforts in engaging with this stakeholder. The Applicant remains willing to enter discussions if Anesco (Land at Thornton Le Moors) meaningfully engage on the SoCG and/or the Examination in short course. The Applicant notes that it considers it is unlikely that an SoCG could be meaningfully progressed by the close of examination if such engagement is not forthcoming ahead of the next deadline.

Applicant's update on the Marine Licence submission and progress

The Applicant has no further update to provide at this deadline on the Marine Licence (ML) application. The update in the Cover Letter for Deadline 5 **[REP5-001]** provides the current position. The Applicant formally withdrew the application on 21 June 2023, is currently preparing the additional information and will submit an updated ML application to Natural Resources Wales once this is complete. The Applicant will continue to keep the ExA updated on the progress.

Applicant's clarification on Habitats Regulations Assessment requested in ExA's Procedural Decision on Change Request 3

In response to the clarification requested in the ExA's Procedural Decision on Change Request 3 **[PD-025]**, the Applicant notes that Change Request 3 may result in minor nominal changes to cited distances of internationally designated sites and their proximity to the Order Limits. The Applicant considers that the Change Request 3 amendments do not

result in any change to the assessment of Likely Significant Effects as previously reported in the Habitats Regulations Assessment [REP4-243]. As such, no amendment to the results or conclusions of the Habitats Regulations Assessment is required and the cited distances will be updated in the Habitats Regulations Assessment and submitted prior to the close of examination.

Protective Provisions

The Applicant has not provided public comments as part of its Deadline 6 submissions on any 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 Deadline 5 submissions where the IP’s submission does not contain any substantive points, or where no comment has been provided by the IP. The Deadline 5 submissions where a response has not been provided has been listed in the Introduction section of the Applicant’s Comments on Submissions Received at Deadline 5 (document reference: **D.7.50**).

Table 1: Documents submitted by the Applicant at Deadline 6

Application Document Reference	Previous Examination Library Reference¹	Document Details	Comments
D.1.3	REP5-004	Application Document Tracker (Rev K) (Clean)	Includes Word version Includes Change Request 3 documents
D.1.3	REP5-005	Application Document Tracker (Rev K) (Tracked Change)	Includes Change Request 3 documents
D.4.1.1	REP5-006	Schedule of Negotiations with Land Interests (Rev G) (Clean)	Includes Excel version (Rev G)

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.4.1.1	REP5-007	Schedule of Negotiations with Land Interests (Rev G) (Tracked Change)	Includes Excel version (Rev G)
D.6.5.1	REP4-235	Register of Environmental Actions and Commitments (REAC) (Clean) (Rev G)	
D.6.5.1	REP4-236	Register of Environmental Actions and Commitments (REAC) (Tracked Change) (Rev G)	
D.6.5.4	REP4-237	Outline Construction Environmental Management Plan (OCEMP) (Clean) (Rev G)	
D.6.5.4	REP4-238	Outline Construction Environmental Management Plan (OCEMP) (Tracked Change) (Rev G)	
D.7.2	REP5-008	Statement of Commonality (Rev F)	
D.7.2.1	REP3-025	Draft Statement of Common Ground with Flintshire County Council (FCC) (Rev D)	
D.7.2.2	REP2-027	Draft Statement of Common Ground with Cheshire West and Chester Council (CWCC) (Rev C)	
D.7.2.3	REP4-246	Draft Statement of Common Ground with Natural England (Rev C)	

Application Document Reference	Previous Examination Library Reference¹	Document Details	Comments
D.7.2.4	REP3-026	Draft Statement of Common Ground with Natural Resources Wales (Rev C)	
D.7.2.6	REP1-025	Draft Statement of Common Ground with Historic England (Rev B)	
D.7.2.7	REP4-247	Draft Statement of Common Ground with Cadw (Rev C)	
D.7.2.8	REP4-248	Draft Statement of Common Ground with Peel NRE Limited (Rev E)	
D.7.2.9	REP5-009	Draft Statement of Common Ground with National Highways (Rev D)	
D.7.2.10	REP4-250	Draft Statement of Common Ground with Welsh Government (Rev C)	
D.7.2.11	REP3-030	Draft Statement of Common Ground with Canal & River Trust (Rev C)	
D.7.2.12	REP4-251	Draft Statement of Common Ground with Cadent Gas (Rev C)	
D.7.2.13	REP3-031	Draft Statement of Common Ground with Essar (Rev C)	
D.7.2.14	N/A	Draft Statement of Common Ground with Dwr Cymru Welsh Water (Rev A)	
D.7.2.16	REP4-252	Draft Statement of Common Ground with National Grid	

Application Document Reference	Previous Examination Library Reference¹	Document Details	Comments
		Electricity Transmission (Rev C)	
D.7.2.19	REP4-254	Draft Statement of Common Ground with National Gas Transmission (Rev D)	
D.7.2.26	REP3-036	Draft Statement of Common Ground with Network Rail (England & Wales) (Rev D)	
D.7.2.27	REP4-262	Draft Statement of Common Ground with 2 Sisters Food Group (Amber Real Estate) (Rev C)	
D.7.2.28	TBC	Draft Statement of Common Ground with Vertex Hydrogen Limited (Rev A)	
D.7.2.32	REP3-037	Draft Statement of Common Ground with Royal Mail Group Limited (Rev B)	
D.7.2.34	REP4-256	Draft Statement of Common Ground with The Woodland Trust (Rev B)	
D.7.2.36	REP2-033	Draft Statement of Common Ground with Encirc (Rev B)	
D.7.2.37	TBC	Draft Statement of Common Ground with HyNet North West Hydrogen Pipeline (Rev A)	
D.7.23	REP5-012	BNG Strategy Update Document (Clean) (Rev D)	

Application Document Reference	Previous Examination Library Reference¹	Document Details	Comments
D.7.23	REP5-013	BNG Strategy Update Document (Tracked Change) (Rev D)	
D.7.50	N/A	Applicant's Comments on Submissions Received at Deadline 5 (Rev A)	
D.7.51	N/A	Applicant's comments on Responses to ExA's WQ2 (Rev A)	
D.7.52	N/A	Ewloe Routing and Mitigation Position Paper (Rev A)	

Yours sincerely,

Martin Currie
 Director, Liverpool Bay CCS Limited