

DRAFT STATEMENT OF COMMON GROUND WITH NATIONAL GRID ELECTRICITY TRANSMISSION

HyNet Carbon Dioxide Pipeline DCO

Planning Act 2008

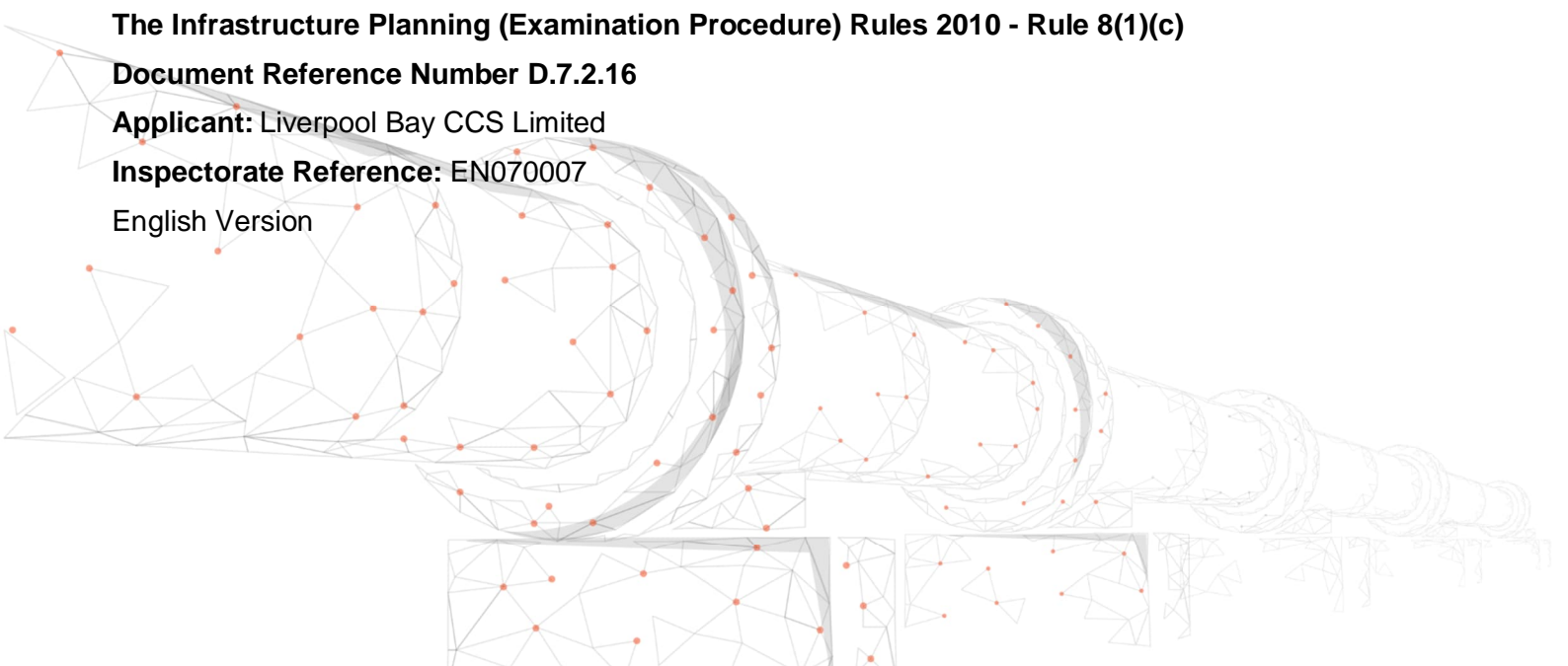
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STATEMENT OF COMMON GROUND

This Statement of Common Ground has been prepared and agreed by (1) Liverpool Bay CCS Limited and (2) National Grid Electricity Transmission

Signed

[NAME]

[POSITION]

on behalf of Liverpool Bay CCS Limited

Date: **[DATE]**

Signed

[NAME]

[POSITION]

on behalf of National Grid Electricity Transmission

Date: **[DATE]**

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1. INTRODUCTION

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 National Grid Electricity Transmission (NGET).
- 1.1.2. For the purpose of this draft SoCG, the Applicant and NGET 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 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 NGET 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 CO₂ pipeline element of HyNet only. Other elements of HyNet are subject to separate consenting processes and are not addressed here.
- 1.2.2. The DCO Proposed Development (DCO) impacts NGET primarily as a statutory undertaker, assets owner, land rights holder and landowner.
- 1.2.3. The Applicant has identified the following plots in which NGET hold an interest:
1-03, 1-06, 1-20, 13-01, 13-02, 13-03, 16-29, 20-12, 20-13, 20-14, 20-17, 20-18, 20-19, 2-02, 20-20, 2-02a, 2-03, 2-04, 2-04a, 2-05, 2-06, 2-08, 2-09, 2-10, 2-11, 2-13, 29-02, 3-03, 3-06, 3-11, 3-12, 3-14, 3-15, 4-02, 4-04, 4-06, 4-09, 4-10, 4-11, 4-12, 4-13, 4-14, 4-15, 4-19, 7-07, 7-09, 7-10, 8-05, 8-06, 8-07, 8-09, 8-10, 8-12, 8-15, 8-16
- 1.2.4. A full description of the DCO Proposed Development is detailed in Chapter 3 of the consolidated Environmental Statement (ES) **[REP4-029]**, submitted at Deadline 4. On 12 July 2023, the ExA accepted the Applicant's Change

Request 3, subsequently the description of the development will be updated in accordance with Change Request 3 Environmental Technical Note **[CR3-019]**, towards the end of the Examination.

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

- 2.1.1. This Chapter provides a summary of the engagement to date between the Applicant and NGET in relation to the DCO Proposed Development.

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Table 2-1 – Record of Engagement in relation to the DCO Proposed Development

| Date | Form of Correspondence | Key Topics Discussed and Key Outcomes |
|------------|--|---|
| 19/05/2022 | Email correspondence between National Grid and the Applicant | <p>Key Topics</p> <p>Proposed Hynet Pipeline interface with existing National Grid assets</p> <p>Discussions and Outcomes</p> <p>Route kmz file sent to NGET for review.</p> |
| 20/05/2022 | Email correspondence between National Grid and the Applicant | <p>Key Topics</p> <ul style="list-style-type: none"> • Existing Utilities <p>Discussions and Outcomes</p> <p>Native files for buried and surface existing utilities shared by National Grid, reviewed by the Applicant.</p> |
| 30/08/2022 | Email correspondence between NGET and the Applicant | <p>Key Topics</p> <ul style="list-style-type: none"> • Proposal for future meeting date <p>Discussions and Outcomes</p> <p>Information provided on the separation between NGET and National Grid Transmission (NGT) and point of contact shared for NGT.</p> |
| 08/09/2022 | Teams meeting between NGET and the Applicant | <p>Key Topics</p> <ul style="list-style-type: none"> • Proposed route and location of proposed above ground infrastructure (AGIs) • CPO <p>Discussions and Outcomes</p> <p>NGET advised on location of AGIs and temporary construction compounds, NGET noted that some laydown compounds infringe on their easement requirement for maintenance. NGET informed size of laydown area is for DCO purposes and easement will be respected.</p> <p>NGET advised Burges Salmon are the Hynet DCO Solicitors. NGET also asked if CPO is being considered, advised consent is being sought and CPO yet to be considered but not ruled out. Meeting proposed with NGET's Land Team.</p> |
| 21/11/2022 | Email correspondence between NGET and the Applicant | <p>Key Topics</p> <ul style="list-style-type: none"> • DCO Status <p>Discussions and Outcomes</p> <p>Meeting set for 1st Dec to provide project update</p> |
| 01/12/2022 | Teams meeting between NGET and the Applicant | <p>Key Topics</p> <ul style="list-style-type: none"> • DCO Status |

| Date | Form of Correspondence | Key Topics Discussed and Key Outcomes |
|------------|--|---|
| | | <ul style="list-style-type: none"> • Route Overview <p>Discussions and Outcomes</p> <p>The Applicant to send updated route shape files</p> <p>NGET to identify high value crossing points along pipeline route.</p> <p>NGET to identify which assets are above ground and which are below ground</p> <p>Protective Provisions – exchange of Applicant and NGET legal contacts</p> <p>SOCG draft to be sent by Applicant for NGET review</p> |
| 16/01/2023 | Teams meeting between NGET and the Applicant | <p>Key Topics</p> <ul style="list-style-type: none"> • Project Update • Introduction to SoCG <p>Discussions and Outcomes</p> <p>NGET request further details of construction operations around NGET apparatus</p> <p>NGET agree to review plots named in SoCG and check whether accurate.</p> <p>Engagement to be verified by NGET</p> <p>Request for shapefile to send to NGET to overlay against their assets.</p> |
| 02/06/2023 | Microsoft Teams meeting between NGET and the Applicant | <p>Key Topics</p> <ul style="list-style-type: none"> • SoCG discussion <p>Discussions and Outcomes</p> <p>The Applicant shared the SoCG on screen. All rows in Table 3-1 were changed in status to 'Agreed'. NGET requested that the Applicant check that all technical guidance has been included for item NGET 3.2.1 (as per s42 consultation response). The Applicant updated this after the meeting.</p> |

3. ISSUES

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 FCC are as follows: Engagement, ES & Other Application Documents;

- Engagement, Land & Other application documents;
- Design; and
- Issues related to the DCO Proposed Development - Draft DCO & Protective Provisions (including requirements to the draft DCO).

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

| Ref. | Description of Matter | Current Position | Status |
|------------------------------------|------------------------------|--|--------|
| Engagement | | | |
| NGET 3.1.1 | 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 NGET's views. NGET has been formally consulted on the application as required by the Planning Act 2008. | Agreed |
| Land | | | |
| NGET 3.1.2 | Land Use (other than assets) | The Parties are seeking to determine, where relevant, existing NGET land rights and use. The Parties will seek agreement where required. The Applicant does not consider that it impacts upon NGET land (freehold or leasehold). However, NGET agrees that any identified would be dealt with through Protective Provisions. | Agreed |
| Other application documents | | | |
| NGET 3.1.3 | Other application documents | NGET agrees that its interests are correctly reflected in the Book of Reference [CR3-013] . | Agreed |

Table 3-2 – Issues related to the Proposed Development – Design

| Ref. | Description of Matter | Current Position | Status |
|-------------------|----------------------------------|--|--------|
| NGET 3.2.1 | NGET Standard Technical Guidance | The Applicant acknowledges the need to comply with the following standard and technical guidance notes: <ul style="list-style-type: none"> • TGN 287_Third party guidance for working near NGET equipment • Technical Specification E-43-8 for "Overhead Line Clearances • HSE Guidance Notes HS(G)47 "Avoiding Danger from Underground Services" • HSE Guidance Notes Note GS 6 "Avoidance of Danger from Overhead Electric Lines | Agreed |
| NGET 3.2.2 | NGET Assets | The Applicant acknowledges NGET's rights of access to inspect, maintain, renew and repair such apparatus. Also, that assets must also be maintained at all times and access to inspect and maintain such apparatus must not be restricted. | Agreed |

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

| Ref. | Description of Matter | Current Position | Status |
|-------------------|---------------------------------------|--|------------------|
| NGET 3.3.1 | NGET Assets and Protective Provisions | NGET requires its standard protective provisions to be included within the draft DCO to safeguard NGET Assets. The form of Protective Provisions is still under discussion. Engagement between the parties is iterative and constructive. | Under Discussion |