

HyNet North West

CHANGE REQUEST 2 CONSULTATION REPORT

HyNet Carbon Dioxide Pipeline DCO

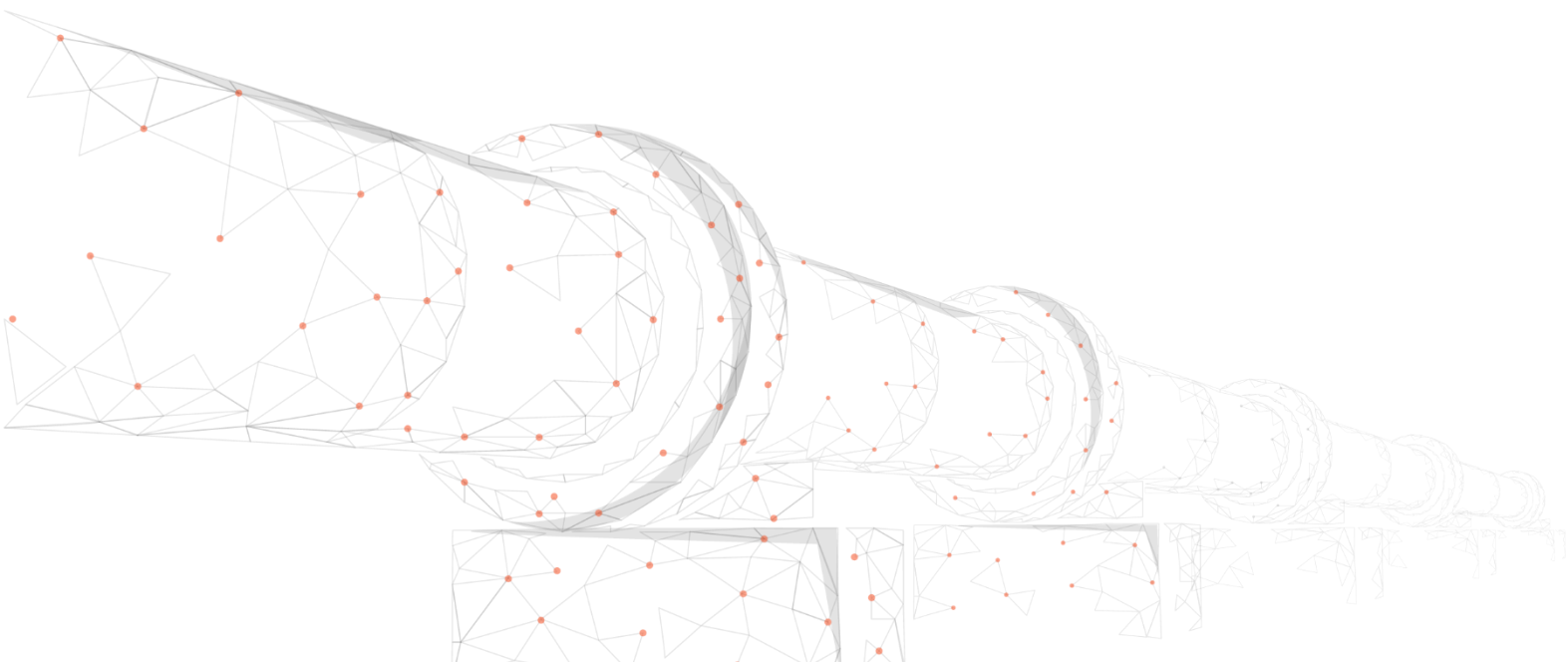
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1. INTRODUCTION

1.1. BACKGROUND

- 1.1.1. This document has been prepared on behalf of Liverpool Bay CCS Limited ('the Applicant') and relates to an application ('the Application') for a Development Consent Order (DCO) that has been submitted to the Secretary of State (SoS) for Energy Security & Net Zero (ESNZ) under Section 37 of the Planning Act 2008 ('the PA 2008'). The Application relates to the carbon dioxide (CO₂) pipeline which constitutes the DCO Proposed Development.

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 details of the project can be found in the main DCO documentation.
- 1.2.2. 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.
- 1.2.3. On the 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. PURPOSE OF THE REPORT

- 1.3.1. This report describes the additional consultation undertaken between 6 June and 17 July 2023 in relation to the two identified changes submitted as 'Change Request 2' on 26 May 2023. This was accepted into the DCO Examination on 2 June 2023. This report sets initially sets out the method and timing of consultation, what was consulted on and why before describing how the consultation was carried out, with whom, and the methods used. The matters raised during the consultation are then summarised, followed by the Applicant's regard to those matters raised and explanations of how they have been considered.
- 1.3.2. An Applicant who intends to request a material change to a DCO application has a duty to publicise any changes to proposed powers of acquisition under Regulation 8 of the Infrastructure Planning (Compulsory Acquisition) Regulations 2010 and is expected to consult all those prescribed in the Planning Act 2008 under section 42(a) to (d) who would be affected by the proposed change (giving a minimum of 28 days).

1.3.3. The proposed changes have arisen following consultation on the DCO application and feedback received from stakeholders. The Applicant, therefore, considers that consultation on the proposed changes in advance of submission of Change Request 2 is unnecessary as the changes requested result from the responses provided to previous consultation and subsequent engagement with interested parties.

1.4. METHOD AND TIMING OF THE CONSULTATION ON THE PROPOSED CHANGES

1.4.1. The consultation took place between 6 June and 17 July 2023. Section 42(1)(a), Section 42(1)(b) and Section 42(1)(d) consultees, including Regulation 11(c) consultees listed in the Scoping Opinion, were informed of the consultation by letter or, if they had previously expressed a preference for it, by email. Section 47 consultees were contacted by letter and email (see Appendix A). The site notice in English and Welsh, if appropriate, was sent with this letter or email (see Appendix B). These were sent on 6 June 2023.

1.4.2. All consultees were instructed to submit any responses to the consultation through the Registration and Relevant Representation Form on the Planning Inspectorate's website.

1.4.3. All consultation materials contained the following information:

- Complete the form on the Website: Registration and Relevant Representation Form at <https://infrastructure.planninginspectorate.gov.uk/projects/wales/hynet-carbon-dioxide-pipeline/>
- Emailing: hynetco2pipeline@planninginspectorate.gov.uk
- Writing to: National Infrastructure Planning, Temple Quay House, 2 The Square, Bristol, BS1 6PN
- Calling: 0303 444 5000

1.4.4. In line with the requirements, a newspaper notice (see Appendix D) was submitted to two local papers, The Chester Chronicle (8 June, 15 June 2023) and The Daily Post (8 June, 15 June 2023), the London Gazette (8 June 2023), and The Guardian (9 June 2023). Appendix D includes the newspaper notices in both English and Welsh. Where the publication publishes in Wales, the Welsh version was also provided.

1.5. COMPLIANCE WITH NOTIFICATION OF INTENTION TO SUBMIT A CHANGE REQUEST

1.5.1. The table below sets out the proposed approach described in the Notification of Intention to Submit a Change Request (2) [AS-066] submitted to the Examining Authority (ExA) on the 03 May 2023.

Commitment	Response
<p>An Applicant who intends to make a request for a change which involves ‘additional land’ to a DCO application-must consult all those prescribed in the Planning Act 2008 under section 42(a) to (d) who would be affected by the proposed change (giving a minimum of 28 days). Although the determination is made by the ExA, applicants are required to consider and submit their views as to whether consultation is required to enable affected persons to make representations on the changes to the application.</p>	<p>As set out in Section 1.4 above, the Applicant contacted all consultees prescribed in section 42(a) to (d).</p>
<p>The Applicant has prepared Supplementary Environmental Information (SEI) (2023 ES Addendum Change Request 2 [CR2-017]) to support the proposed change request. The Applicant notes that there is no statutory requirement to consult on or publicise this SEI under EIA Regulations and that this is noted in Advice Note Sixteen.</p>	<p>The ExA did not request that the Applicant carries out separate Supplementary Environmental Information consultation and therefore only one period of consultation was undertaken.</p>
<p>If accepted, the Applicant would carry out a consultation between 26 June and 04 August (assuming newspaper publication deadlines can be met for week commencing 26 June), and to allow for two consecutive weeks of newspaper notices as required by the Infrastructure Planning (Compulsory Acquisition) Regulations 2010.</p>	<p>Change Request 2 was accepted by the ExA on 2 June 2023 [PD-016]. The consultation commenced on 6 June and closed on 17 July 2023 as the Change Request was accepted earlier than predicted.</p>
<p>Consultation report would be submitted during week commencing 07 August (between Deadlines 6 and 7).</p>	<p>Due to the Change Request being accepted and the consultation period started earlier than predicted, this Consultation Report is submitted on 28 July 2023.</p>

2. THE PROPOSED CHANGES

2.1.1. A total of two changes to the DCO Proposed Development were consulted on. The changes include the inclusion of alternative construction options, changes to the Order Limits and change to the compulsory acquisition sought.

2.1.2. The two changes are described in **Table 2.1** below.

Table 2.1 Description of the Proposed Changes

Proposed change	Nearest Address	Reason for change
1. The introduction of optionality for the Alltami Brook crossing at Work No. 43, consisting of an alternative option for an embedded pipe bridge. This will act as an alternative to the Applicant's preferred trenched crossing of Alltami Brook (Applicant's reference PS25) and change to the compulsory acquisition sought from sub-surface interests only to full acquisition to allow for the above ground bridge.	Pinfold Lane, Hawarden, Northop Hall, Flintshire, CH7 6LE	The change is being proposed in response to submissions from Natural Resources Wales concerning the Water Framework Directive (WFD) compliance of the trenched crossing proposal
2. The addition and removal of small parcels of land to the Order Limits at Work No. 34 to optimise temporary construction access near Chester Road East so as to minimise impacts on 2 Sisters Food Group (Applicant's reference PS26) and change to the compulsory acquisition sought.	Chester Road East, Hawarden, Sandycroft, Flintshire, CH5 2QL	The change is being proposed in response to a request from the landowner.

2.1.3. Non-prescribed groups were also informed by email. Site notices were displayed at each location and were checked weekly throughout the consultation period (see Appendix E).

2.1.4. Site notices were also deposited in libraries and along the route to improve consultation awareness. These were in place by no later than 7 June 2023. The site notice locations can be found in Appendix F.

2.1.5. The site notices were regularly checked throughout the consultation period. There were eleven instances where site notices were lost, destroyed, or damaged during the consultation. These were replaced with new site notices.

- 2.1.6. The Applicant sent a copy of the site notice and Regulation 8 notice to all Section 42(1)(a) and Section 42(1)(b) stakeholders who can be found in Appendix G1 and G2. This letter was sent on 6 June 2023. This letter was sent in both English and Welsh. The Regulation 8 Notice can be found in Appendix H.
- 2.1.7. The Applicant sent a copy of the site notice and Regulation 8 notice to all Section 42(1)(d) stakeholders with a land interest in the areas of the DCO Proposed Development proposed to change. This letter was sent on 6 June 2023. This letter was sent in both English and Welsh. The Regulation 8 Notice can be found in Appendix H.
- 2.1.8. A list of all stakeholders can be found in Appendix G.

3. SUMMARY OF RESPONSES TO THE PROPOSED CHANGES

- 3.1.1. The number of responses to the proposed changes consultation was two. Responses were received from:
- The Coal Authority
 - Natural Resource Wales (NRW)
- 3.1.2. Table 3.1 shows how the Applicant has had regard to feedback on the proposed changes.

Table 3.1 Summary of Responses and Regard Had

Reference	Comment	Response
The Coal Authority [CR2RR-001]		
CR2-01	<p>We previously made comments on the Coal Mining Risk Assessment, included within the Environmental Statement and prepared for the project by WSP UK. This Risk Assessment concluded that there are specific areas of the pipeline impacted by former coal mining activity. The report authors recommended that the pipeline routing avoids these areas where possible. WSP note that in the event that the pipeline cannot avoid the areas, intrusive ground investigations will be required in order to confirm the ground conditions present and inform any remedial measures required to mitigate the risk posed to the pipeline and associated infrastructure from coal mining features. The 2023 ES Addendum Change Request 2 document states that that is are changes to the ground/land conditions assessment. On this basis we assume that the changes proposed to the project have been considered in cognisance of the recommendations by WSP and that any works required to investigate and mitigate risks posed by coal mining features will be carried out. It is recommended that the measures proposed within the submitted Coal Mining Risk Assessment prepared by WSP UK Limited to address risks posed to the development by past coal mining activity are included as requirements of any Order granted for the project.</p>	<p>The Applicant confirms that there is no change to the assessment nor recommendations contained within the Coal Mining Risk Assessment following the changes.</p>
CR2-02a	<p>This letter comprises Natural Resources Wales' (NRW) relevant response for the Applicant's Change Request 2 for the above proposal.</p>	<p>The Applicant has no further comments, at this time.</p>

Reference	Comment	Response
	<p>Our comments are made without prejudice to any further comments NRW may wish to make in relation to this application and examination whether in relation to the ES, provisions of the draft DCO and its Requirements, SoCG or other evidence and documents provided by Liverpool Bay CCS Ltd. and their consultants ('the Applicant'), the Examining Authority or other interested parties.</p> <p>NRW is a Statutory Party under the Planning Act 2008 and Infrastructure Planning (Interested Parties) Regulations 2015 and as an 'interested party' under s102(1) of the Planning Act 2008. It is consulted in respect of this change request under the Infrastructure Planning (changes to, and revocation of, Development Consent Orders) Regulations 2011. In addition, NRW exercises distinct and separate functions under legislation as detailed in the cover letter of NRW's Deadline 1 Written Representations [REP1-071]. Our Relevant Representation for Change Request 2 is contained within Annex A of this letter. In summary, NRW has no objection to the two proposed changes. In particular, we would welcome Change 1, namely the alternative embedded pipe bridge option for crossing Alltami Brook.</p> <p>Of relevance to Change 1, being the alternative crossing option presented within Change Request 2, NRW acknowledges receipt of the Applicant's Hydrological Impact Appraisal [REP5-014] and Article 4(7) Water Framework Directive Derogation report [REP5-016] and will be providing advice on these documents separately into the examination.</p> <p>NRW is satisfied that this advice is consistent with its general purpose of pursuing the sustainable management</p>	

Reference	Comment	Response
	<p>of natural resources in relation to Wales and applying the principles of sustainable management of natural resources. In particular, NRW acknowledges that the principles of sustainable management include taking account of all relevant evidence and gathering evidence in respect of uncertainties, and taking account of the short-, medium- and long-term consequences of actions. NRW further acknowledges that it is an objective of sustainable management to maintain and enhance the resilience of ecosystems and the benefits they provide and, in so doing meet the needs of present generations of people without compromising the ability of future generations to meet their needs and contribute to the achievement of the well-being goals in section 4 of the Well-being of Future Generations (Wales) Act 2015.</p>	
<p>CR2-02b</p>	<p>1.1 NRW raised concerns in its Written Representation [REP1-071] that the Applicant's submitted WFD compliance assessment [APP-165] does not contain sufficient evidence to demonstrate that "potential construction and operation impacts are unlikely to cause a deterioration in the status of quality elements or overall status at the Wepre Brook water body scale with the mitigation within the CEMP, REAC and monitoring measures implemented". Further, in respect of para 5.5.20 there is insufficient evidence to demonstrate that "The DCO Proposed Development therefore would not compromise the ability of the water bodies potentially impacted to achieve Good Ecological Potential/Status." 1.2 NRW considers that there may be deterioration of Wepre Brook water body, as a result of the proposed open-cut crossing of Alltami Brook. This is because there is a</p>	<p>The Applicant has had regard to the concerns raised by NRW in relation to the Wepre Brook WFD water body and specifically the Alltami Brook, which forms part of the Wepre Brook water body.</p> <p>The Applicant has addressed NRW's concerns regarding the potential for the proposed trenched crossing to cause a deterioration in the WFD status of the Wepre Brook surface water body in a Hydrogeological Impact Appraisal (HIA) [REP5-014]. The HIA concludes that there is no clear mechanism present which would allow for a discernible loss of flow from the Alltami Brook to the underlying bedrock aquifer. The Applicant considers that the concerns raised have been adequately addressed.</p>

Reference	Comment	Response
	<p>risk that excavating bedrock for the proposed Alltami Brook open-cut crossing could create a pathway for surface water to be lost to the ground/contaminated mine workings; this could cause water courses to dry up downstream. This continues to be NRW's position with the Applicant's preferred open-cut crossing option.</p>	<p>The Applicant considers that the evidence gathered to inform the WFD assessment is robust and that the trenched crossing is WFD compliant. However, given NRW's position, the Applicant has submitted a Without Prejudice WFD Derogation Case for Alltami Brook Crossing [REP5-016] which presents robust evidence for meeting the Article 4(7) tests set out within the WFD legislation.</p> <p>The Applicant has also proposed Change Request 2 in response to NRW's position, which considers a non-preferred alternative crossing methodology of the Alltami Brook should the trenched crossing be found to be non-compliant and the derogation to proceed not be granted.</p> <p>The Applicant acknowledges that NRW is satisfied with the proposed Change Request 2 and the outcomes of the associated WFD compliance assessment for the Embedded Pipe Bridge [CR2-019] and that NRW considers that watercourse crossing option to be WFD compliant and therefore no WFD derogation would be required.</p>
CR2-02c	<p>1.3 However, based on the information submitted in support of Change Request 2 NRW concur with the following statement within Appendix 18.3 Water Framework Directive Assessment Addendum [CR2-019] for the alternative embedded pipe bridge option: "Detailed assessment of the proposed design option PS25 concludes that the Alltami Brook embedded pipe bridge option is WFD compliant" (para. 1.4.13)".</p>	<p>The Applicant acknowledges that NRW agrees with the conclusions of WFD assessment for Change Request 2 within Appendix 18.3 Water Framework Directive Assessment Addendum [CR2-019] for the alternative Embedded Pipe Bridge option and that this is compliant with the WFD and there would be no requirement for derogation provisions under The Water Environment (Water Framework Directive) (England and Wales) Regulations 2017.</p>

Reference	Comment	Response
	<p>1.4 NRW therefore considers that the alternative embedded pipe bridge crossing option, would address the concerns regarding the risk of surface water flow loss from the Alltami Brook currently presented by the Applicant’s preferred open-cut crossing option, as raised in our Written Representation. Consequently, NRW does not consider that the derogation provisions under the Water Environment (Water Framework Directive) Regulations 2017 would need to be engaged in the event that the Applicant elects to proceed with this option.</p>	<p>The Applicant retains its position that the preferred trenched crossing option is also compliant with the WFD and that the evidence presented in the HIA [REP5-014] provides a robust case for no discernible loss of flow to the Alltami Brook.</p>
<p>CR2-02d</p>	<p>1.1: Hydrogeology 1.1.1 Section 2.1.9 of the 2023 Environmental Statement Addendum Change Request 2 [CR2-017] states the following with regards to the alternative embedded pipe bridge crossing option design: “It is expected that piled foundations will not be required due to the shallow bedrock within the gorge; however, piled foundations for the abutments, as an alternative to standard shallow and direct foundations, could be required depending on the actual soil conditions and the associated mechanical properties. This will need to be further investigated during detailed design”. 1.1.2 The main difference between the open-cut option versus the embedded pipeline option is largely the nature and extent of construction excavation and whether the operational performance, in terms of the potential for integrity loss of a grouted open excavation over time under the open-cut option, could result in some flow loss from the Alltami Brook to the underlying bedrock. This is in direct contrast when considering if the same risk applies to the foundations for the embedded pipeline option, which are</p>	<p>The Applicant does not consider there to be a potential for discernible flow loss from the Alltami Brook to bedrock from either the trenched crossing option or the pipe-bridge option. The Applicant considers that this concern has been adequately addressed in other documents produced (e.g., Hydrogeological Impact Appraisal [REP5-014]).</p> <p>The Applicant acknowledges that NRW consider that the embedded pipe bridge option does not present a risk in terms of surface water flow loss from Alltami Brook to the underlying bedrock.</p>

Reference	Comment	Response
	<p>not within the Alltami Brook channel bedrock and therefore do not possess a potential for brook flow loss.</p> <p>1.1.3 A review of the proposed foundations [CR2-021] shows that the nature of the proposed excavation appears to be significantly reduced and would not occur within the channel bedrock of Alltami Brook but rather within the adjacent banking; it therefore does not pose a potential risk for surface water flow loss from the brook, as a result of encountering a transmissive fracture(s) for example.</p> <p>1.1.4 NRW acknowledges that the embedded pipe bridge option includes the potential for piles to be required depending on the load-bearing properties of the local bedrock for supporting the bridge, and this would be further investigated during detailed design. However, such piling is considered to be far less intrusive in comparison to the bedrock excavations within the brook channel proposed for the open-cut option (which we note would affect a 4m length of channel).</p> <p>1.1.5 In summary, based on the evidence available, NRW advises that the embedded pipe bridge option does not present a risk in terms of surface water flow loss from Alltami Brook to the underlying bedrock. In contrast, the open-cut option presents a risk for surface water flow loss because bedrock excavation would occur directly within a 4m extent of the brook channel itself as opposed to within the adjacent banking.</p>	
CR2-02e	<p>1.2: Geomorphology</p> <p>1.2.1 From a geomorphological perspective, NRW has no objection to the proposed embedded pipe bridge crossing given the current risk of surface water flow loss associated</p>	<p>The Applicant has presented robust evidence that indicates that there is no hydraulic gradient for the risk of surface water flow loss associated with the trenched crossing option.</p>

Reference	Comment	Response
	<p>with the Applicant's preferred open-cut option within the channel bedrock.</p> <p>1.2.2 During temporary works associated with any diversion of the Alltami Brook, NRW advises that sandbags should be replaced with bags of washed gravels (Visqueen wrapped if needed) such that should a bag split only habitat-beneficial gravels would enter the watercourse and not potentially habitat-smothering sands.</p>	<p>However, the Applicant acknowledges NRW's response in relation to Change Request 2 and that they have no objection to the proposed Embedded Pipe Bridge from a geomorphological perspective.</p> <p>The advice on use of washed gravels is noted. For the temporary works, the methods employed would be developed with the input of the ecology specialists and will include any relevant measures prescribed by granted permits from NRW, as secured in D-BD-061 of the Register of Environmental Actions and Commitments (REAC) [REP4-235].</p>
CR2-02f	<p>1.3: Hydrology</p> <p>1.3.1 Based on the information submitted, NRW considers that the embedded pipe bridge option would remove the risk of surface water from Alltami Brook being lost to the ground as a result of the pipeline crossing, which could otherwise be caused by the required excavation into the bedrock under the Alltami Brook for the Applicant's preferred open-cut crossing option. In the absence of any ground investigation data from the site to verify the Applicant's assessment conclusions regarding this risk, we consider that the embedded pipe bridge option would enable surface water quantities in the Alltami Brook watercourse to remain protected.</p>	<p>The Applicant does not consider there to be a potential for discernible flow loss from the Alltami Brook to bedrock from either the trenched crossing option or the pipe-bridge option. The Applicant considers that this concern has been adequately addressed in other documents produced (i.e., Hydrogeological Impact Appraisal) [REP5-014].</p> <p>The Applicant has presented robust evidence that indicates that there is no hydraulic gradient for the risk of surface water flow loss associated with the trenched crossing option. This is presented in the Hydrogeological Impact Assessment report [REP5-014].</p> <p>However, the Applicant acknowledges NRW's response in relation to Change Request 2 and has no further comments at this time.</p>
CR2-02g	2) Flood risk	The Applicant has no further comments at this time.

Reference	Comment	Response
	<p>2.1 NRW has reviewed the information submitted in support of Change Request 2 including the ES Addendum Change Request 2 - Appendix B – Technical Appendices Addenda [CR2-019], specifically Appendix 18.5 Flood Consequences Assessment.</p> <p>2.2 NRW has previously provided advice on the flood risk design parameters for an alternative embedded pipe bridge crossing over Alltami Brook in our Written Representations (REP1-071, paragraph 3.8), advising that the soffit level of the bridge should be set 300mm above the flood level for the 1% Annual Exceedance Probability (AEP) (1 in 100) event with an allowance for climate change. Whilst this is acknowledged by the Applicant this approach has not yet been adopted due to the absence of any detailed flood modelling data for the Alltami Brook watercourse.</p> <p>2.3 Instead, a qualitative approach has been undertaken and the proposal is for the soffit level of the bridge to be set 1500mm above the dry weather flow water level of the watercourse. Based on the justification provided in the FCA (local topography and the culvert upstream controlling flows) NRW considers this to be a reasonable approach.</p> <p>2.4 The Applicant also states that it is not expected that the structure (including its abutments) would result in increased flood risk elsewhere due to the topography of the deep channel and the modelled extents shown on the Flood Map for Planning (FMfP). Again, NRW considers this is a reasonable conclusion based on readily available information.</p> <p>2.5 NRW is also satisfied with the suggested maintenance requirements for the structure, from a flood risk</p>	

Reference	Comment	Response
	perspective, as outlined in Section 2.1.16 of the ES Addendum [CR2-017].	
CR2-02h	2.6 The FCA recommends undertaking a hydraulic model for the section of Alltami Brook to confirm the design criteria for the embedded pipe bridge option as part of the detailed design stage (paragraph 1.5.36). Whilst NRW considers the approach taken to be reasonable given the lack of any detailed flood modelling data, we concur that detailed hydraulic modelling should be undertaken at the detailed design stage in order to quantify flood levels. This would ensure that the soffit of the bridge is raised above the design flood level and enable the potential impacts on flood risk elsewhere to be fully understood. However, we advise that this could result in further design changes post any DCO consent and some of the parameters shown on the 'Indicative Arrangement' plan [CR2-021] may need to be amended to reflect the modelling outputs, including the minimum clearance above water levels and the location of the abutments.	The Applicant has no further comments at this time.
CR2-02i	2.7 NRW notes that sub-paragraph (8) of Requirement 4 [REP4-008] aims to provide a suitable mechanism within the DCO to secure the submission of the above detailed design information for approval prior to construction. However, we advise that the following minor amendments are made to the wording of this requirement, as underlined below: "8) Where the crossing of Alltami Brook uses an embedded pipe bridge (Work No. 43E), the details submitted under sub-paragraph (5) must be accompanied by a flood consequences assessment showing the maximum water level reached in a 1 in 100 year event plus 20% climate change scenario. The soffit level of the	The Applicant is seeking to discuss this amendment further with NRW as it has carried out its work to date using a climate change allowance of +40% not +20%. The Applicant is requesting further clarification from NRW as to why +20% is proposed in this case before making any DCO amendment to understand the NRW proposal. The Applicant has no objection to the FCA amendment.

Reference	Comment	Response
	<p>embedded pipe bridge over the Alltami brook must be set no less than 300 millimetres above that maximum water level. The flood consequences assessment must also demonstrate that the impacts of the proposal on flood risk elsewhere can be managed to an acceptable level”.</p>	
<p>CR2-02j</p>	<p>2.8 NRW also notes that the Outline Construction Environmental Management Plan [REP4-237] and Register of Environmental Actions and Commitments [REP4-235] include reference to the need for hydraulic modelling (D-WR-076) and for the bridge design to provide a minimum freeboard of 300mm above the 1% AEP event with an allowance for climate change (D-WR-075). 2.9 However, contrary to paragraph 1.5.18 of the ES Addendum Change Request 2 - Appendix B - Technical Appendices Addenda [CR2-019] and the subsequent wording of D-WR-076, please note that the construction of the embedded pipe bridge would not require a Flood Risk Activity Permit (FRAP), as the Alltami Brook watercourse is not a designated main river. The works (including any temporary works required to facilitate construction) may require an Ordinary Watercourse Consent (OWC), which would be administered by the Lead Local Flood Authority (LLFA). Furthermore, the final design of the structure should be approved by the LLFA since it would cross an Ordinary Watercourse. We therefore advise consultation with the LLFA in this regard.</p>	<p>The Applicant acknowledges that the reference to a FRAP is incorrect.</p> <p>Paragraph 1.5.18 of the ES Addendum Change Request 2 - Appendix B - Technical Appendices Addenda [CR2-019] now superseded by paragraph 5.4.17 of Appendix 18.5 [REP4-180] will be updated in the ES prior to the end of Examination.</p> <p>Please note that through the DCO OWCs are disapplied. The Outline Surface Water Management and Monitoring Plan [REP5-021] sets out how the Applicant will engage with the LLFAs in relation to relevant details for works affecting ordinary watercourses The Applicant is in negotiation as to what details the LLFAs require for these crossings.</p>
<p>CR2-02k</p>	<p>2.10 In relation to the proposed changes to land plots (Change 2, CR2-016], NRW advises that a FRAP would be required for any additional crossings on Pentre Drain North, as this is a designated main river.</p>	<p>The Applicant notes this response and confirms that FRAPS will be applied for all main rivers affected as stated in the Other Consents and Licences document [REP4-020].</p>

Reference	Comment	Response
CR2-02I	3) Protected Species 3.1 NRW has no objection to either of the two proposed scheme amendments from a protected species conservation perspective. 4) Fisheries 4.1 NRW has no objection to either of the two proposed scheme amendments from a fisheries perspective.	The Applicant welcomes the position from NRW.