

STATEMENT OF COMMON GROUND WITH HISTORIC ENGLAND

HyNet Carbon Dioxide Pipeline DCO

Planning Act 2008

The Infrastructure Planning (Examination Procedure) Rules 2010 - Rule 8(1)(c)

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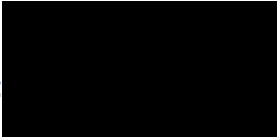
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STATEMENT OF COMMON GROUND

This Statement of Common Ground has been prepared and agreed by (1) Liverpool Bay CCS Limited and (2) Historic England

Signed 

Martin Currie

Director

on behalf of Liverpool Bay CCS Limited

Date: 8 August 2023

Signe 

Marie Smallwood

Head of Advice North

on behalf of Historic England

Date: 3rd August 2023

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1. INTRODUCTION

1.1. PURPOSE OF THIS DOCUMENT

- 1.1.1. This Statement of Common Ground (SoCG) has been prepared by Liverpool Bay CCS Limited (the Applicant) and Historic England (HE).
- 1.1.2. For the purpose of this SoCG, the Applicant and HE will jointly be referred to as the 'Parties'.
- 1.1.3. The purpose of this 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 or where the Parties have concluded agreement cannot be reached. SoCGs are an established means in the DCO planning process of allowing all Parties to identify and so focus on specific issues that may need to be addressed during the examination.
- 1.1.4. **Chapter 2** of this SoCG records the consultation undertaken with Historic England by the Applicant. **Chapter 3** of this 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 HE primarily as a statutory historic environment and cultural heritage body.
- 1.2.3. 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 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. TERMINOLOGY

- 1.3.1. In the Issues tables in **Chapter 3** of this 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.

2. RECORD OF ENGAGEMENT

- 2.1.1. This chapter provides a summary of the engagement undertaken to date between the Parties in relation to the DCO Proposed Development.

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

Date	Form of Correspondence	Key Topics Discussed and Key Outcomes
27/05/2021	Microsoft Teams meeting between Cheshire West and Chester Council (CWCC), Historic England, Cadw, Clywd-Powys Archaeological Trust (CPAT) and the Applicant	<p>Key Topics</p> <ul style="list-style-type: none"> • Scope and assessment strategy for the cultural heritage assessment for the DCO • Scope and strategy for geophysical survey <p>Discussions and Outcomes</p> <p>Wider study area for designated assets requested for the Welsh sections of the DCO Proposed Development (3km). Paleoenvironmental potential particularly in Gowy river valley (confirmed that paleoenvironmental potential is scoped into assessment). The absence of archaeological remains cannot be assumed by no results within the geophysical survey.</p>
24/08/2022	Email conversation between Historic England and the Applicant	<p>Key Topics</p> <ul style="list-style-type: none"> • Arrangement of meeting <p>Discussions and Outcomes</p> <p>Enquiry to arrange a subsequent meeting due to the absence of HE at the cultural heritage meeting held on 18 August 2022</p>
06/10/2022	Email conversation between Historic England and the Applicant	<p>Key Topics</p> <p>Minutes for meeting held on 18 August 2022 disseminated. No response was received.</p>
06/12/2022	Microsoft Teams Meeting between Historic England and the Applicant	<p>Key Topic</p> <ul style="list-style-type: none"> • Introduction to the Statement of Common Ground (SoCG) <p>Discussions and Outcomes</p> <p>Update provided on the status of the DCO Proposed Development. SoCG template introduced and reviewed by the Parties. Agreed to follow up following HE review of DCO submission documents</p>
05/01/2023	Microsoft Teams Meeting between Historic England and the Applicant	<p>Key Topic</p> <ul style="list-style-type: none"> • SoCG 2nd Meeting • Discussion of DCO Submission Documents <p>Discussions and Outcomes</p> <p>The Parties agreed to keep the engagement point as ongoing discussion. The study area and baseline are appropriate and agreed. Grade II listed buildings considered by HE to be of high value (as they are a national designation) has been captured in the SoCG under Impact Assessment Methodologies as medium; to be further discussed.</p>

Date	Form of Correspondence	Key Topics Discussed and Key Outcomes
		Confirmed that the geoarchaeological deposit model was appropriate and thorough; the mitigation strategy to be broadly appropriate.
23/03/2023	Microsoft Teams Meeting between Historic England and the Applicant	<p>Key Topic</p> <ul style="list-style-type: none"> • SoCG 3rd Meeting <p>Discussions and Outcomes</p> <p>The parties agree that most of the points within the ES SoCG section are agreed. Noted where the discussions are ongoing.</p> <p>Only two Grade II listed buildings are impacted and the change in the value would not alter the conclusion, text has been added to this point.</p> <p>The SoCG draft was issued to HE for review and editing following the meeting and returned to the Applicant on 11 April 2023 with comments and additional information.</p>
11/03/23	Microsoft Teams Meeting between Historic England and the Applicant	<p>Key Topic</p> <ul style="list-style-type: none"> • SoCG 4th Meeting <p>Discussions and Outcomes</p> <p>The parties confirmed that all of the points within the ES SoCG section are agreed.</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 HE are as follows:

- Engagement and ES;
- Cultural Heritage; and
- Issues related to the DCO Proposed Development - Draft DCO (including requirements to the draft DCO).

Table 3-1 – Engagement and ES

Ref.	Description of Matter	Current Position	Status
Engagement			
HE 3.1.1	Engagement	HE has been formally consulted on the application as required by the Planning Act 2008 (PA2008).	Agreed
ES			
HE 3.1.2	ES	Regarding the ES, HE broadly agree to the following: <ul style="list-style-type: none"> • The Parties agree that the study area as set out in the ES is appropriate • The Parties agree that the baselines as set out in the ES are appropriate • HE considers that appropriate regard has been had to the statutory historic environment and cultural heritage methodologies in the cumulative assessment. 	Agreed
HE 3.1.3		HE have reviewed the revised impacts on potential effects caused by dewatering and are satisfied that there are no impacts upon heritage assets or deposits outside of the DCO Proposed Development. No further work is required.	Agreed

Table 3-2 – Issues related to the DCO Proposed Development – Cultural Heritage

Ref.	Description of Matter	Current Position	Status
HE 3.2.1	Assessment Methodology – Grade II Listed Buildings	<p>HE have raised that Grade II listed buildings are “high value” (as they are a national designation) whilst within the DCO Submission these are considered “medium value”.</p> <p>There are two listed buildings which will be temporarily affected by the DCO Proposed Development in England. These are the Grade II listed The Willows (NHLE 1229983) and associated buildings (barn (NHLE 1229984) and sundial (NHLE 1278832) and a Grade II listed footpath guidepost. Both are assessed as having a minor adverse magnitude of impact during the Construction stage, resulting in a temporary slight adverse (not significant) effect. If these were considered to be of high value, using the methodology in Section 8.5 of Chapter 8 of the 2022 ES [REP4-039], this significance of effect would remain as a temporary slight adverse (not significant) effect.</p>	Agreed
HE 3.2.2	REAC	HE confirm that measures for the protection of cultural heritage, and for the mitigation of impacts upon it as included in the Register of Environmental Actions and Commitments (REAC) [REP4-235] are appropriate.	Agreed
HE 3.2.3	Outline AWSI	HE confirm that they consider that the Outline AWSI [APP-223] follows best practice in terms of proposals for sampling and evaluating archaeological and geoarchaeological deposits impacted by the DCO Proposed Development. HE further confirm that the paths of reporting outlined at 3.5.3 of the Outline AWSI [APP-223] are appropriate.	Agreed

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

Ref.	Description of Matter	Current Position	Status
HE 3.3.1	Draft DCO	HE confirm they have submitted comments on measures for the identification and protection of cultural heritage, and for the mitigation of impacts upon it as included in Draft DCO [CR3-008] to PINS. They are content with the wording of the draft DCO.	Agreed







SOCG - Historic England Rev 2

Final Audit Report

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