

## HyNet\_10 Aug\_OFH\_PT1

Created on: 2023-08-10 15:17:07

Project Length: 01:06:47

File Name: HyNet\_10 Aug\_OFH\_PT1

File Length: 01:06:47

### FULL TRANSCRIPT (with timecode)

00:00:04:29 - 00:00:35:21

Good afternoon and welcome, everybody. Pro Honda, Krystle. It is now 2:00. Just. Just go. And it's time for this meeting on the high net carbon dioxide pipeline national infrastructure project to begin. And would like to welcome you all to this open floor hearing, which is now open before the examining authority introduces itself. We'd like to deal with a few preliminary matters. This would be a good time to switch off mobile phones or at least put them to silent, please. Thank you.

00:00:36:25 - 00:00:46:24

Can the tin confirm that you can hear me and that the meeting, recording and live streaming of the event has started? Please. Thank you. Can everybody in the room hear what I'm saying?

00:00:48:15 - 00:00:54:00

Yeah, getting indications that people can hear. And anybody online who can't hear me.

00:00:55:22 - 00:01:00:15

Now, if you if you signal if you can hear me, it would be better, I suppose.

00:01:02:15 - 00:01:08:29

And get no signals at all. But I'm assuming you can hear me because nobody's saying anything at all. So thank you very much. Um.

00:01:11:26 - 00:01:30:23

No special requests have been made for any special measures or arrangements for enabling people to participate in this hearing today, but just like to confirm that. Still correct? Thank you. Is there anybody who needs special arrangements? Thank you. No indication either online or in the room. So I'm going to move on.

00:01:34:00 - 00:02:09:27

In terms of fire alarms. There's no fire drill planned for today. So if you hear the fire alarm, it's it means we will leave fire exits through this door behind me. You go through the lobby out onto the roof. You turn immediately left and you go down the stairs. That brings you down to the road in front of the hotel. You stay on that side of the road, which is the opposite side to the hotel entrance, and you congregate at the front of the hotel on this side of the road. Alternatively, you can go out that door to my left that takes you into another conference room.

00:02:09:29 - 00:02:15:19

You go through that conference room, you turn immediately left. You go through the doors opposite you. That takes you,

00:02:17:05 - 00:02:47:08

that takes you out onto another roof form. You turn right and that takes you to a stairs, which brings you down on the other side of the hotel, on the same side of the road. You congregate in front of the hotel, but on this side of the road, if you do have to leave and we have to congregate outside the front

of the hotel, make sure you do it in a safe manner. Please try and avoid standing on the road and vehicles as they go past. Toilets are located outside of the door on this side on the right.

00:02:47:15 - 00:02:56:09

So if you go out into this room, the ladies toilets is immediately to your left. The gentlemen's, if you go through into the room on the far left corner.

00:02:58:03 - 00:03:35:21

Apologies. Excuse me. There is another door. If you go through there, the toilet for the gentleman's is on the on the left through that door. In terms of introductions, my name is Christopher Butler. I was appointed on the 17th of January 2023 under section 65 of the Planning Act 2008 under delegation from the Secretary of State as lead panel member to examine this application. I am a chartered member of the Royal Town Planning Institute and have academic qualifications in town and country planning. I have made a declaration of interests responding to the planning inspectorate's conflict of interest policy and can confirm that I have no declared interests in relation to this appointment.

00:03:36:05 - 00:03:39:03

I'm now going to ask my fellow panel member to introduce himself.

00:03:41:15 - 00:03:42:10

Good afternoon.

00:03:42:15 - 00:04:13:14

My name is Matthew Shrigley and I was also appointed on the 17th of January 2023 as a panel member to examine the application, and that was under section 65 of the Planning Act 2008 as amended, and a town planner and a full chartered member of the Rural Town Planning Institute. I've made a declaration of interests regarding the planning inspectorate's conflict of interest policy and can confirm I have no deliverable interest in relation to this appointment.

00:04:13:16 - 00:04:14:01

Thank you.

00:04:15:14 - 00:04:47:16

Together we constitute the examining authority for this application and we will be reporting to the Secretary of State for Energy Security and net zero with a recommendation as to whether the development consent order should be made or not. Also present today are members of the Planning Inspectorate's case team working with both Mr. Shrigley and I on this National Infrastructure problem project. At the at this event. We have Mr. Jake Stevens, who is the case manager. He's leading the Inspectorate's case team on this national infrastructure application.

00:04:47:18 - 00:05:17:06

But in addition to that, we have Phoebe Ellis and Jennifer Savage, who are working in the planning specialist operation Group two, who are providing online support for those joining virtually and the virtual aspects of this blended event. Technicians from CVS are in attendance solely for the purpose of managing audio and visual services, including the recording and the live stream of this meeting. In addition, a translator from Simon or Simon translation is in attendance for the purpose of translation from Welsh to English.

00:05:19:06 - 00:05:47:22

Let's add the other members of the Planning Inspectorate might join the primary meeting, either in person or virtually as observers. And this is part of the planning Inspectorate's commitment to continuing professional development. If you have any questions or concerns about today's event, please speak to the a member of the case team first. So if you're here in the room, that would be Mr.

Stevens or if you're attending virtually, if you could speak to either the two members of the virtual case team that I've identified, I'd be grateful.

00:05:49:15 - 00:05:52:11

Before we move on to the procedure of running this open floor hearing.

00:05:54:05 - 00:06:25:24

We would ask you, we would draw your attention to the agenda for today's meeting, which was published on the Planning Inspectorate's Project for this national infrastructure. The web page for this project on the National Infrastructure Planning website. For those taking part today, whether in person or virtually, or for any of those attending or watching the live stream or listening to the digital recording, you might find it of assistance to have a digital copy or a printed version in front of you. If it's available document sorry, it is available in the documents.

00:06:25:26 - 00:06:34:17

Library Access via the Proposals Proposal Project page on the National Infrastructure website using our document Reference 027.

00:06:38:01 - 00:07:01:15

In terms of the running procedure for running this open floor hearing. This is very similar to that set out this morning at the compulsory acquisition hearing. But see, there's people here now that weren't here this morning. So I apologize to everybody who's heard this already once, but will go through it again just so that the people that weren't here this morning have have full knowledge of what the procedure is.

00:07:08:20 - 00:07:46:25

Firstly want to address language. We recognise that national infrastructure submission is a cross-border development proposal affecting both Wales and England. As such, we aim to make this meeting and the examination is open and inclusive as possible. We have translation facilities available at this meeting and they will be available for all subsequent hearings if they are required or held in terms of persons being at this event in person. If you wish to address the examining authority in Welsh. A translator is available here and will translate from Welsh to English for those persons attending in person wishing to listen to the translation in English.

00:07:46:27 - 00:08:16:26

All you need to do is to switch on the headphones that have been provided and listen through them. You wear them with the band under your chin as opposed to over the top of your head. They need to be switched on before you'll be able to hear anything at all though. So there's a little switch just on the corner. If you don't have the headphones available to you, they're at the back of the room and the translator can provide them to you if you need them, but they'll only be in use if anybody wishes to speak in Welsh.

00:08:18:24 - 00:08:49:05

For those persons attending. I'm sorry that already for those persons attending the hearing virtually you will have seen from the joining instructions. There is a choice of channels in relation to this meeting on the teams channel available. One of the channels accommodates those wishing to speak and participate in Welsh and the other channel accommodates. For those wishing to speak and participate in English when using the correct channel, these those speaking Welsh will have their words translated in the other channel so that Welsh speakers can participate and be understood.

00:08:50:23 - 00:09:22:23

Joining instructions also advised those wishing to take part by telephone That simultaneous translation is also available for those wishing to take part using that method. Should you experience any issues

regarding translation methods being provided, we would ask you to speak to the case team in the first instance. Who will endeavor to resolve any issues you may have? You will also have seen all documents issued by us are being published in both Welsh and English, and this will continue throughout the examination. Mr. Stevens, our case manager here today, also speaks Welsh.

00:09:23:27 - 00:09:46:22

The rest of us on the panel will endeavour to pronounce place names, places and names correctly. But I'd like to apologize in advance for any mistakes that we do make. And please feel free to point out our mistakes if and when we do make them. We welcome contributions in both English and Welsh and would ask if anybody participating here today, both in the room or virtually would like to participate using Welsh at all. Please.

00:09:48:24 - 00:10:05:06

I'm getting no indications, so I'm going to move on. Thank you for that. Of course, if anybody does wish to speak Welsh or anybody changes their mind and still wishes or wishes to speak in Welsh, that's not an issue at all. We just wanted to check to make sure that we were prepared in advance.

00:10:07:04 - 00:10:10:22

In terms of the type event. This is a blended event. Um.

00:10:13:10 - 00:10:25:05

It allows for attendance both in person and virtually through Microsoft teams. The blended event and full virtual events form part of the Plan Inspectorate's future operating model. So these will become more and more common.

00:10:27:22 - 00:11:01:24

The examining authority attending this meeting. From Chester. As as of several of the attendees and for those attending virtually, please be rest assured that you have our full attention at all times, even if we are not looking at the camera. However, to avoid visual or noise distractions please those attending virtually, could you keep your cameras and microphones switched off unless you were invited to speak? For all those participating today, especially those watching the live streaming or listening to the digital recording, you might find it of assistance to have a copy of the agenda open before you. And as previously indicated, that is document reference 027.

00:11:02:21 - 00:11:37:17

If for any medical reasons or other reasons, anyone needs a break at a specific time, can you please let the case team know and we'll hopefully be able to adjust the timetable to meet those needs? In terms of timings, we will take a 15 minute break at approximately 3:30. We aim to finish at around 5:30, but we will keep this under review. Once the business has listed on the agenda is concluded, the hearing will close, so it may conclude earlier than 5:30. Although there is a there is potential for a number of people to speak, so we'll keep it under review.

00:11:37:19 - 00:12:04:08

As I've said, the timings are approximate. If you are joining for a particular agenda item, we recommend you keep in contact with the case team who can tell you if the sessions are running ahead or behind schedule for virtual attendees. If you decide to leave the meeting during any breaks, then you can rejoin using the same link provided on your invitation email. If you are watching the live streaming, then you need to refresh your browser to resume any subsequent session.

00:12:05:27 - 00:12:14:13

Please note that the chat function in teams is not being used today, so please do not send any messages via the chat function as it will not be monitored.

00:12:16:06 - 00:12:51:24

If at any point in the meeting you can't hear me or my fellow panel member or should you wish to speak, can I ask that you put your hand up and ask for permission to speak at an appropriate time? If you are a virtual attendee taking part in the hearing, can we ask that you turn your camera on if it's turned off and use that or use and or use the raise hand function in teams. If you do not have a raise hand function, then please just ask the examining authority for permission to speak at an appropriate point in time. Whether you are here in person or joining virtually, there may be some delay before we can acknowledge your wish to speak, but we will come to you as soon as we can.

00:12:53:00 - 00:13:15:04

The case team will have explained what to do if you lose any connection. If you are joining virtually and we are able to adjourn for short periods of time if an interested party experiences more significant connection problems. If you do lose connection, use the same link that you've used to log on this morning or this afternoon, and the case team will endeavour to reconnect you as soon as they can.

00:13:17:04 - 00:13:53:27

If you do experience any problems with the live streaming or digital recording of the event will be published on the national infrastructure website as soon as practicable after the event has ended. I need to make a few comments with regard to the data protection regulations and live streaming. We would make you aware that this event is both being live streamed and recorded. The digital recording that we make will be retained and published. They will form a part of the public record and can contain personal information to which the general data protection regulations apply. It's the planning inspectorate's practice to retain and publish recordings for a period of five years from the Secretary of State's decision on the development consent order.

00:13:53:29 - 00:14:25:00

Consequently, if you are participating in today's issue specifically open floor hearing, it is important that you understand that you will be recorded and that you are therefore consenting to the retention and publication of the digital recording. It is very unlikely that the examining authority will ask you to put any sensitive personal information into the public domain. Indeed, we would actively encourage you not to do that. However, if for some reason you feel it's necessary for you to refer to sensitive personal information, we would encourage you to speak to the case team in the first instance.

00:14:25:02 - 00:14:32:07

We will then explore. They will then explore with you whether the information can be provided in a written format which may be redacted before it is published.

00:14:33:24 - 00:15:14:25

Bearing that bearing in mind that the only official please bear in mind that the only official record of the proceedings is the digital recording that be placed on the project page on the national infrastructure website, tweets, blogs or similar communications arising out of this meeting will not be accepted as evidence of the. Of the evidence in the examination of the application. Just briefly touching on conduct and management of the hearing with regard to conduct and management. We are conducting the meeting in accordance with Section 93 and 94 of the Planning Act 2008 and the infrastructure planning examination procedure rules specifically rule 14 relating to the procedures at hearings.

00:15:15:07 - 00:15:48:21

We would remind you all that Section 94 eight of the Planning Act 2008 allows that the Examiner authority may refuse to allow representations to be made at the hearing, including representations made in an exercise of entitlement under section 93 three. If the Examiner authority considers that the representations are relevant, vexatious or frivolous relate to merits of policy set out in a national policy statement, repeat other representations already made in any form or by any person, or relate to the compensation of compulsory acquisition.

00:15:49:05 - 00:15:57:10

Compensation for the compulsory acquisition of land and sorry, or any of any interest in rights over land.

00:16:00:05 - 00:16:24:04

Turning to the agenda, rule 14, two of the examination procedure rules requires that the start of the hearing, the examining authority, shall identify matters to be considered at the hearing. The agenda, as I've already indicated, was published on planning Inspectorate's National Infrastructure Project Web page on the 1st of August. Those are the only matters we are looking to discuss today, and we consider that the main discussion points are.

00:16:25:20 - 00:16:43:13

Confirmation of the interested part of of interested parties who have notified the examining authority of a wish to be heard at this open floor hearing, together with the order in which they will be heard. The oral submissions of those interested parties wishing to be heard and the oral submissions from any other interested parties wishing to be heard.

00:16:45:14 - 00:17:11:02

Today's agenda is only for guidance and we would add other matters for discussion as we progress. If they required, however, we will endeavour to stick to the agenda as as the focus of today's open floor hearing, we will seek to allocate sufficient time to each issue to allow proper consideration of them. Should should consideration of the issues take longer than anticipated. It may be necessary to ask for written submissions at a subsequent deadline.

00:17:12:21 - 00:17:28:12

At the close of the meeting, we may summarize any action points depending on what is said during the open floor hearing. If there are too many action points to list, then we will endeavor to publish action points as soon as they can. After the closing of the open floor hearing,

00:17:31:08 - 00:17:37:11

the assumption is that any action points arising will be responded to by Deadline seven, which is Tuesday the 5th of May.

00:17:40:11 - 00:18:01:17

Finally, for the purpose of identification, for the for the benefit of those who may be listening to a digital recording later, we would ask that every point you wish to speak, could you please give your name if you are representing an organization or an individual who it is that you are representing? Um, please ensure you speak loudly and clearly when making your submissions.

00:18:03:15 - 00:18:36:27

So just moving on to the purpose of the hearing. The formal purpose of this open floor hearing is to discharge discharge examining authority's duty to interested parties who have requested to be heard. An open floor hearing is an opportunity for interested parties to make their case on relevant matters orally. It is therefore your opportunity to make the examining authority aware of first hand thoughts about the application. However, all such hearings, the applicant has a right of reply, so they will be asked if they wish to comment.

00:18:37:06 - 00:19:04:11

Once an interested party has made an oral submission, should they wish to do so. What we are actually proposing to do is to allow everybody to speak in the first instance and then ask the applicant at the end of everybody speaking whether or not they wish to have a right of reply. Unless they object

to that and wish to respond after hearing each individual party. We will ask that when we come to the introductions.

00:19:10:03 - 00:19:47:02

Before confirming those that have notified the examining authority have a wish to be heard. We briefly wanted to say that we will aim to temper efficiency with fairness and allow those wishing to speak to have their say. As a result, we would request that you please make sure that your contributions are to the point and focused so that we can make the best use of the time of available to us and to allow everybody who wishes to speak, to speak an opportunity to do so before moving on to agenda item three. Do any parties have any questions in relation to the introductions, arrangement and arrangements for the hearing or in regard to the purpose of this open floor hearing? If there are, would you let yourself known either in the room or virtually?

00:19:49:04 - 00:19:54:07

I'm getting no indication from either. So I'm going to pass on to my colleague who will take us to agenda item three.

00:19:56:27 - 00:20:03:06

Thank you, Mr. Butler. Turning to items three and four, I'm going to deal with these collectively.

00:20:04:22 - 00:20:20:15

We are aware of the number of parties attending today, both in person and online. As is always the case, in the interest of hearing efficiency, if we are seeking that all contributions made are made as capped, as focused as possible.

00:20:22:18 - 00:21:11:23

Depending on the amount of people wanting to speak. We are initially saying that these should be capped to no more than around ten minutes per person, but we can review this. There is no need to repeat any of the information you've already submitted in writing, but you may wish to highlight certain elements. And if you do, please, please do that. I'd also like to point out if the oral contributions being made today are overly repetitive or excessive or any of the elements are deemed inappropriate by the examination panel, we do reserve the right to ask you to bring your contributions to a close, and we can consider a written submission, as Mr.

00:21:11:25 - 00:21:43:04

Butler alluded to as well. And all of that would be undertaken under the hearings procedure. The people have registered to speak presently. I'm going to read them out in no particular order, but I've got Hannah McCarthy on behalf of Carolyn Thomas. I've got Fisher German, who is represented by Mr. Baker and possibly John Russell Brown.

00:21:43:06 - 00:22:03:24

But these may have changed and there may be others. But for now, I will come back to any party I've missed in just a second. But for now, could the parties have read out? If possible, introduce yourself in that order and can confirm. Can you confirm whether or not you still want to speak today?

00:22:05:25 - 00:22:08:16

So that's starting with Hannah McCarthy.

00:22:16:17 - 00:22:29:16

No indication online. Just have to pause because there can be a delay with people online. So I've just had a message that none of those are actually attending, so don't have anybody else

00:22:31:03 - 00:22:57:03

on the list presently who is actually attending. In terms of the people I've read out, tell me if I'm wrong or let me know. Okay. Is there anybody else who wishes to speak today? If so, could you introduce yourself and who you represent? There's a lady at the front here. Sorry. The person with the hand up on the the room here. If you want to.

00:22:57:05 - 00:23:03:16

Provide her with a microphone. Or would you like to come to the center of the table to speak? Because there's microphones on the front of the table here.

00:23:07:10 - 00:23:08:15

All right. Sorry, man.

00:23:10:25 - 00:23:12:08

My big room.

00:23:14:00 - 00:23:21:22

I glanced at the room. Yeah. My name is Don Naylor, and I wish to speak on behalf of Liverpool Friends of the Earth.

00:23:22:18 - 00:23:34:24

Okay. Before we ask you to speak, Mr. Leader, we're just going to identify whether there's anybody else present. So we've got a list of and an order so we know what is going on. Would you like to come forward as well and speak?

00:23:38:26 - 00:23:49:24

Yeah. If you can come forward and just introduce yourself. Sorry to, to, to do it this way. It's. It's just so the people online know who's speaking as well. Thank you.

00:23:50:22 - 00:23:56:07

My name is Nikki Crosbie. I'm here as a member of the public and I'd like to make a representation.

00:23:56:13 - 00:24:02:06

Okay. Thank you. The previous person was Mr. Naylor.

00:24:07:04 - 00:24:07:23

AK.

00:24:08:15 - 00:24:11:10

I've noted those as anybody else who wishes to speak.

00:24:16:05 - 00:24:25:08

I'll just pause a second for anybody online. Nobody's indicating that they want to speak. So we've got two speakers at the moment. So, um.

00:24:26:24 - 00:24:30:18

Do either. If you have a preference as to which one goes first. So.

00:24:35:09 - 00:24:36:05

I think of the.

00:24:41:22 - 00:24:42:07

The.



00:24:43:20 - 00:24:52:11

What Mr. Shrigley has said is that we will limit to ten minutes if that's acceptable to you. We'll give you a warning about nine minutes, if that's okay.

00:24:53:03 - 00:24:57:27

Yeah, that's absolutely fine. Did a practice run this morning and it was ten minutes ish.

00:24:58:04 - 00:24:58:19

Okay.

00:24:58:21 - 00:25:12:17

Well, as there's there's only two speakers at the moment, we'll have some leeway. But we were expecting more, but quite a number of dropped out. So if you'd like to. Go ahead, Mr. Naylor. Yes.

00:25:12:19 - 00:25:45:29

So thank you, Chair. Just to reiterate, my name is Don Naylor, and I'm speaking on behalf of the Friends of the Earth. I'm reading from a written statement which is structured to have some questions embedded, advised that questions are appropriate. I'm sure you'll guide me if that's not the case. Otherwise, I'll just begin now. In outline, this representation explores some ethical and legal perspectives, particularly given key Welsh legislation.

00:25:46:01 - 00:26:06:10

Would it be globally just for any corporates that profited from and knowingly contributed to decades of climate harm and which now seeks to expand its UK and global fossil fuel portfolios to be publicly funded for a large scale experiment aspiring to reduce or reverse that harm.

00:26:07:25 - 00:26:40:00

As a community organization based within high net geographical footprint, Liverpool Friends of the Earth made an earlier representation, supporting and referencing representations of other interested parties. We also responded to the applicant D 7.1 6th May 2023 responses and further reference some of the applicants answers from its May the 10th, 2023 AGM about the high net carbon dioxide pipeline and Liverpool Bay CCS.

00:26:40:23 - 00:27:02:16

We suggest that various of those AGM answers, in addition to global corporate actions undertaken by the applicant, appear significantly disengaged from matters of global justice, which we believe are central to both wales well-being of future generations. Act am allowed to use acronyms from now on.

00:27:02:18 - 00:27:06:22

Chair Yes, as long as you've defined them in the first instance, that's fine.

00:27:06:24 - 00:27:37:00

I can just perhaps shorthand that to future generations and core membership of the Beyond Oil and Gas Alliance, which are probably use the acronym Boga in future, if that's okay. Berger Members are, quote, working together to facilitate the issue of oil and gas production phase outs in international climate dialogues, mobilise action commitments and create an international community of practice.

00:27:38:06 - 00:28:07:01

Responding to one AGM question, the applicant acknowledged that it will monitor the integrity of Liverpool Bay geology against CO2 leakage for only 20 years following final CO2 injection without

publicly agreed certainty around monitoring and remediation over a multi-generational timescale. We feel the proposed period shortness negates the rationale of the high net CO2 pipeline

00:28:08:19 - 00:28:41:06

arising from another AGM response. We feel the applicant did not adequately address questions related to the well-being of Future generations Act nor strategic ramifications of Wales core membership of of yoga rather rather than merely noting, quote, a continuous dialogue with different departments of the earth as the applicant did, we feel there should be clear, detailed responses, mindful of legislation.

00:28:41:16 - 00:29:21:27

There is no evidence that the applicant has properly understood or strategically contextualized these policies interfaces with the pipeline proposals in 2016. The UK Health and Safety Executive in regards to a trunnion pipe supports failure in the Irish Sea, found that the applicant had, quote, failed to ensure that dangerous situations are monitored at suitable intervals despite the applicant's 2023 AGM response that, quote, transport and storage of CO2 will take place in full compliance with what is required under the relevant legislation.

00:29:21:29 - 00:29:58:14

With this legacy of patchy infrastructure monitoring, can North Wales communities be confident that they will be fully and knowingly protected from failures of untested at scale pipeline infrastructure? We acknowledge the applicants earlier, noting this is a reference to documents online table. 2.9 x Q1. 1.9.3. Quotes have regard to the explicit guidance that Future Generations Act should be applied so as to avoid silo approaches.

00:29:59:00 - 00:30:36:29

We do, however, suggest that globally overarching perspectives fundamental to the spirit of both Future Generations Act and Welles's core member of Boger, make it untenable to focus on the high net pipeline silo alone. Reports of the applicant's seemingly globally harmful fossil fuel extractive ism in Mozambique and portfolio ambition in the Gulf of Mexico and Guinea-Bissau cannot be ignored. I didn't mention that I'd embedded some questions in this text, so here's the first question, suggested question.

00:30:40:24 - 00:31:04:12

In light of the above, is the confidence that the applicant's corporate ethos is compatible with future generation acts thinking and acting in a way that is globally responsible. Could just get some guidance. Is it appropriate for me to suggest who who that question is directed to in the round or is that a matter for yourselves?

00:31:04:21 - 00:31:40:03

Just so you're aware, we we will not be answering any questions today. Um, it is not our role to answer the questions. It's our role to hear the evidence and then to hear the reply of the applicant and then come to a conclusion in our recommendation report to the Secretary of State. So what we're doing is gathering evidence, listening to what the parties are saying, and then coming to our own conclusions based on what the evidence is, is that was introduced during the examination process. That's both during the hearings that we've been holding and in response to written questions.

00:31:40:05 - 00:32:10:13

And the deadline responses. What we will be doing is we'll be inviting the applicant to respond at the end of your statement. And they have because as with any sort of process like this, they have a final right of reply. Um, and it will be at their choice as to whether or not they seek to address any of the questions that you actually ask. So I don't think that really gives you a.

00:32:11:12 - 00:32:26:04

Any clear answer as to whether you're going to get any answers today. But most certainly it's not the examining authority's role to answer your questions at these hearings. The applicant has a final right to reply. Whether they choose to address those questions or not is entirely up to them.

00:32:27:16 - 00:32:44:12

So thank you for that clarification. I'd just further ask, if you don't mind. So would you deem it appropriate for me to suggest other interested parties who may be particularly interested in any question? Or is that not appropriate for me to do now?

00:32:45:07 - 00:32:53:18

I don't understand what you mean. Do you. Do you mean you are seeking to introduce new parties into the examination or do. Do you mean.

00:32:53:20 - 00:32:54:11

That?

00:32:54:18 - 00:32:57:00

What exactly do you mean by other parties?

00:32:57:04 - 00:33:10:12

I mean that of existing interested parties. My sense is that some of those may be particularly interested in having this question drawn to their attention. It can do that or not go there.

00:33:10:15 - 00:33:47:00

If what I would suggest to you, Mr. Naylor, is obviously you've got a written text in front of you. There is nothing to prevent you from submitting that written text into the examination at the next deadline, which is deadline seven. And indeed, I would have probably asked you to do that in any event. Um, then that is then formally published and people at the next deadline, which would be deadline eight, which would be just thinking of dates, I think it's the 12th of September would have the opportunity then to respond to your written questions should they wish to do so.

00:33:47:29 - 00:34:04:23

The problem that I have is I cannot compel anybody to actually answer a specific question. Um, and um, you know, it's, it's within the applicant and any other interested parties own right as to whether or not they choose to do so.

00:34:06:12 - 00:34:12:17

Right. Thank you. I will not ask again. Don't think for any further clarifications. Thank you. That was really helpful. Just.

00:34:12:20 - 00:34:27:19

Just so you're aware, I've paused your time because I'm quite conscious that we've been chatting about the process, so I will allow another three minutes on top of what the time you would normally have had, if that's okay.

00:34:27:21 - 00:35:08:17

That's. That's perfect. Thank you. Appreciate that. Okay. So sorry about the the break in reading the text here. So the the question that I just highlighted will read again for continuity in light of the above is the confidence that the applicant's corporate ethos is compatible with future generations. Act, quote, thinking and acting in a way that is globally responsible. We wonder if other views may contrast with the applicants. 2023 AGM responses quote that the high Net West project has no connection with operations in Mozambique and proposals for the Gulf of Mexico.

00:35:09:14 - 00:35:45:01

In 2022, the Swedish government awarded Mozambique and climate activist Annabella Lima its anchor human rights prize. Ms. Lima is director of the environmental rights group Justicia Ambiental, also known as Friends of the Earth Mozambique. The citation explaining this award includes Michelin, has worked for 20 years to protect the environment and help those affected by climate change. She is fighting against foreign corporations, exploitation of natural gas and other natural resources in Mozambique.

00:35:45:03 - 00:36:53:07

She insists on not giving up, despite her and her co-workers being exposed to threats, harassment and burglary. We have worked to directly with Ms. Lima's team and understand they have long standing concerns regarding the applicants on and offshore operations in Mozambique, particularly in the northern province of Cabo Delgado, where civil unrest is widespread. Leading to our second question can it be clarified with this internationally recognized human rights and climate campaigner that she believes Mozambican communities and NGOs are now assured by the applicant that operations in that country are not and will not contribute towards either community or ecosystem harm? Following a global lobbying and greenwashing lawsuit issued against the applicant on May 9th, 2023, by civil complainants, including 12 citizens in Rome, we feel that the financial footing of any major project where the applicant is central must be reappraised further.

00:36:53:09 - 00:37:23:09

Greenpeace Italy and advocacy group Raikonen were on July 26th, hit with a seemingly retaliatory strategic lawsuit against public participation. Slapp by the applicant slaps our civil lawsuits, which may be brought by powerful organizations or individuals in an apparent attempt to deter public protest and in order to drain economic resources from defendants. The third question

00:37:24:26 - 00:38:09:25

Does the backdrop of the action brought against the applicants by Italian civil groups and individuals, and more particularly the applicants counter action undermine confidence for meaningfully transparent discussions and negotiations involving the applicant and North Wales in elected representatives and communities. On November the 21st 2022, the applicant announced the launch of the Bacton Thames Net zero Cooperation Agreement, citing perhaps prematurely given today's open floor hearing, quote, a successful track record in carbon capture and storage thanks to its work in guiding the high net project in Liverpool Bay area.

00:38:10:24 - 00:38:53:10

Additionally, in June this year, the purchase was announced by the applicant of one of the biggest producers of gas in the North Sea, Neptune Energy, in a £2.1 billion deal, it can be anticipated that the applicants may further expand its North Sea gas extraction portfolio, taking advantage of the UK government's now questionable domestic energy security aspirations. The fourth question given the applicant's sometimes sketchy announcements and its anticipated huge growth in UK fossil fuel extraction, Neptune's annual North Sea output has been of the order of 100,000 barrels equivalent.

00:38:53:19 - 00:39:21:08

Does this further impact on its credibility as an infrastructure provider in North Wales helping to deliver Future Generation Act and bigger goals on much? 19, 2021, the applicant offered to pay \$14 million to settle a Congo-Brazzaville graft inquiry relating to payment of suspected bribes when oil licences were being renewed in 2015. Mr. Naidoo.

00:39:21:10 - 00:39:25:16

Just to let you know, you've got a minute left, I'm sorry to stop you mid flow, but that's.

00:39:27:06 - 00:40:00:06

Nearly perfect timing. Thank you. In a statement, the applicant said the request was not an admission of guilt, but an initiative aimed at avoiding the continuation of a judicial process that would entail further expenditure of resources from from the applicant and all the involved parties. Pages 330 to 334 of the applicants. 2022 Annual Report document a range of proceedings concerning criminal or administrative corporate responsibility and other proceedings concerning criminal matters.

00:40:00:08 - 00:40:28:24

Within these, there are proceedings which are ongoing or pending. Fifth question, which is my penultimate one, may not get to the sixth one, but this is the fifth one. Will the outcomes of these proceedings be constantly monitored in order to understand any direct or indirect risks or reputational harm to the pipeline project and other high net matters? Would you like me to stop now or can I continue with that much more text?

00:40:30:25 - 00:40:31:23

I'm sorry. I'll give you some.

00:40:31:25 - 00:40:43:00

Leeway to finish off. If. If it's only a marginal amount, that's. That's fine. I'm conscious that we had probably 6 or 7 minutes of discussion during the middle. So if you'd like to finish it, please do so.

00:40:43:02 - 00:41:13:12

Thank you. In advance of the applicant's 2023 AGM, the following question was submitted. Increasingly, graduates do not want to work for companies who whose portfolio remains dominated by oil and gas. Universities within the high net geographical footprint are beginning to beginning to ban fossil fuel companies from recruitment fairs. For example. Wrexham Wrexham Glyndwr University in December 2022.

00:41:13:19 - 00:41:40:19

How will the applicant address the resultant skills shortage and the applicant's written response that the AGM was? There are currently no particular shortages in the availability of personnel, so arising from that. A sixth and final question is, is this response indicative of the applicants intent not to create well-paid, skilled and secure employment from within local communities? Thank you, Chair.

00:41:41:27 - 00:42:20:07

Mr. Naylor, before you move away, can I just ask a couple of questions? I read your relevant representation followed following. I'm assuming it was yours. It was. It was on behalf of Liverpool Friends of the Earth, but I'm assuming you're the author behind it. Probably. It sounds very similar to the the the texts you've just read out. Is it the same or is it just, you know, have you expanded on it? Um, I'm just conscious that if you enter it into the examination, is it a duplicate of the text you've already sent us?

00:42:21:29 - 00:42:34:27

I would describe it as building on the previous submission that did reference events which I believe have taken place or some events which have taken place since that previous submission.

00:42:35:04 - 00:43:09:22

That's fine. It was really just that. The point is, I've read your relevant representation and a lot of what you said sounded very similar to what I recall having read. I would ask you to enter that into the examination at the next available deadline, if at all possible. You can do that by the next deadline, which is deadline seven, which is the 5th of September. Okay. I'll ask you to stay there for a moment with the applicant like a right of reply now, or would you like to respond at the end after we've heard everybody I'm getting a nod to the second.

00:43:09:29 - 00:43:27:02

Second. So. So the applicant will be invited to reply after we've heard the the next the lady that would like to speak as well. So Nikki, sorry, I've forgotten your name already, but Nikki Crosbie, apologies for that. Thank you, Mr. Naylor.

00:43:45:26 - 00:43:47:24

Do you want to go ahead and make your contributions?

00:43:47:26 - 00:44:05:03

Yes, but thank you. But before I do, when I read this out at home, it took 20 minutes and it includes quite a lot of technical. Detail that I'm going to find it rather difficult to shorten. Okay, well, what would you like me to do?

00:44:05:05 - 00:44:05:21

Well.

00:44:06:20 - 00:44:43:17

Should we? We originally allocated ten minutes because we thought there was a number of parties speaking because the indication was there would be at least ten parties that wanted to add another contribution in some way or other to the to the to the meeting. And that would have taken an hour and 40 minutes at ten, ten at ten people speaking for ten minutes. So bearing in mind there's only two actually indicated, I'm happy to give you a little bit of leeway. What I would remind you of, though, is that something that's repetitive or been said before, we can ask you to move on, etcetera.

00:44:43:19 - 00:45:15:26

So just just be conscious of that. I will put the timer on, but I won't stop you at ten minutes. I'll remind you when you get close to your 20 minutes and hopefully you'll be most of the way through your your points that you wish to make. But again, the examining authority won't be answering any questions that you may want to ask in relation to the project. We're here purely to hear what you have to say, and we're here to consider the evidence that you you introduce into the examination.

00:45:15:28 - 00:45:19:16

But we're not here to answer your questions with regard to specifics. Okay?

00:45:19:18 - 00:45:40:09

Yes, thank you. And yeah, and the things you've said earlier about repetition. Um, my name is Nicky Crosbie. I'm a member of the public who has concerns about the high net project and whether it will genuinely contribute to mitigating the climate and ecological emergency.

00:45:42:00 - 00:46:18:17

Firstly, I want to question the project justification in terms of climate impacts and ask the applicant for more information about the sources of carbon dioxide to be stored. Secondly, I have concerns that the application doesn't follow cumulative environmental impact assessment guidelines. Thirdly, I question the safety of the pipeline and the adequacy of current understanding and regulation to assess that safety. And finally, I question whether flood risk has been adequately assessed in an attempt not to be too lengthy.

00:46:19:00 - 00:46:25:04

I've taken out most of the references on which my questions are based, but I'll include them in the written representation.

00:46:27:09 - 00:46:44:19

So firstly, climate impacts. In their cover letter referencing the wider high net project, the applicant estimates a projected reduction of 10 million tonnes of carbon dioxide emissions a year by the early 2030. I questioned the justification for this claim.

00:46:46:09 - 00:47:22:04

Firstly, a lot of it rests on blue hydrogen production. There is growing evidence that blue hydrogen is not a low carbon fuel and that investment in it is misplaced. Research by the National University of Australia comparing both emissions and economics of blue hydrogen finds, and I'm quoting establishing hydrogen supply chains on the basis of fossil fuels, as many national strategies for, say, may be incompatible with decarbonisation objectives and raise the risk of stranded assets.

00:47:23:24 - 00:47:56:08

Peer reviewed research found that the greenhouse gas footprint of hydrogen is more than 20% greater than burning natural gas or coal for heat. I no dispute this research and argue that their Johnson Matthey steam reforming process is more efficient and will capture 9790 6.7 of emissions per cent of emissions. However, this impressive figure refers only to emissions from the reforming process itself, and neither includes upstream fugitive emissions.

00:47:56:10 - 00:48:24:05

When exploring for extracting and transporting the methane nor emissions from powering the carbon capture process which is known as the energy penalty. More recent research has confirmed that upstream emissions of blue hydrogen production are not acknowledged and or underestimated, and it concluded that as much as five times more methane is being leaked from oil and gas production than reported.

00:48:25:23 - 00:48:56:05

The environmental statement states carbon dioxide and missed some bits will be captured from proposed hydrogen production facilities, forming part of the wider project and existing industrial sources in the north west of England and North Wales. So as blue hydrogen is not low carbon, can the applicant explain what proportion of carbon captured will come from sources other than blue hydrogen production?

00:48:59:16 - 00:49:00:01

Um.

00:49:00:20 - 00:49:43:14

There's also the unproven nature of carbon capture and storage. That makes me question the climate mitigation. Large scale projects globally have failed to meet projected projected sequestration targets. The Gorgon project in Australia was initially planned to capture and inject up to 4 million tonnes of reservoir carbon dioxide each year, but are actually sequestered on average less than 1 million tonnes a year. Quest A blue hydrogen shell project in Canada projected capture of 90% of emitted greenhouse gases, but actually achieved 48% over a five year period.

00:49:43:16 - 00:50:25:24

Overall, project emissions at Quest were at 7.7 million tonnes, significantly exceeded carbon dioxide captured, which was 4.8 million tonnes. And you can see from the scale of these projects, this applicant claims that they will be sequestering 10 million tonnes a year. So international experience of projects at this stage is non-existent. The applicant intends to store carbon dioxide in depleted oil and gas fields in Liverpool Bay, although it's widely assumed that undersea storage is secure, there is a risk of long term escape of sequestered gas.

00:50:25:26 - 00:50:36:16

And this doesn't only negate climate mitigation claims, it also leads to oxygen depletion, acidification and elevated carbon dioxide concentrations in the ocean.

00:50:38:18 - 00:51:18:06

Recent research into the Norwegian fields, two of the Norwegian fields that are frequently cited as successful models of carbon dioxide storage shows that there are uncertainties around security and stability at one of the fields, Leitner. Three years into the project, carbon dioxide had unexpectedly, expectedly risen in large quantities to a previously unknown shallow layer at snow that the other one, a geological structure that was thought to have 18 years worth of storage capacity, was indicating less than six months of further usage potential.

00:51:18:15 - 00:51:29:16

And this unexpected turn of events baffled scientists and engineers, while at the same time jeopardizing the viability of more than \$7 billion US dollars of investment.

00:51:31:22 - 00:52:07:05

This demonstrates is that each storage carbon dioxide storage project has a unique geology. That storage performance for each site can change over time, and that high quality monitoring and engineering response is a required constant is an ongoing requirement. And as Mr. Naylor said in their written responses to their 2023 questions, any indicated that they only guarantee to monitor emissions from storage in Liverpool Bay for 20 years.

00:52:08:27 - 00:52:11:11

After. That's after the storage site is closed.

00:52:13:06 - 00:52:37:05

Um, I also wanted to ask about carbon dioxide venting because the Aggies all include supply manifold and temporary carbon dioxide vent facilities in Watts and wanted to ask in what circumstances will carbon dioxide be vented? How will this regulated? And what modeling has been done to assess impact on claimed climate mitigation?

00:52:38:21 - 00:53:09:28

My second point is about cumulative environmental impact assessment. In the applicant's words, the proposed development enables further elements of the high net project to be developed, which includes the production of low carbon, hydrogen and a hydrogen distribution network. Without the CO2 pipeline, the wider high net project in cluster cannot take place. Despite being asked by the examining authority in their first written questions.

00:53:10:00 - 00:53:36:16

One point. 1.6 The applicant has not adequately shown that this application does not breach the relevant threshold and significance criteria under the regulations. What is in substance and reality? A very large set of interrelated projects has been salami sliced into a series of smaller projects, and the cumulative environmental impact of the whole cannot be assessed.

00:53:39:20 - 00:53:45:03

This approach is problematic not only from the point of view of regulations.

00:53:46:19 - 00:54:15:27

Liverpool Bay and other high net partners are currently negotiating with government for public money to subsidise construction. This means that the risk is not only theirs, but if the Treasury's and the taxpayers. In addition, if this consent is granted, could there be unfair pressure on decision makers to grant consent for subsequent related projects because of the public money already committed?



00:54:17:21 - 00:54:51:24

And thirdly, I wanted to talk about the integrity and, um, regulation around the land based pipeline. Carbon dioxide is odorless, colorless, heavier than air, so will not disperse quickly and is an intoxicant. So transporting carbon dioxide by pipeline poses serious public safety risks. Firstly, there's a risk of corrosion. Historically, pipelines have transported relatively dry and pure carbon dioxide.

00:54:51:26 - 00:55:37:06

But in this pipeline, different sources of carbon dioxide will likely introduce higher water content and more impurities. And these are corrosive and exacerbate the risk of brittle fracture. There are additional risks associated with repurposing pipelines previously used to transport hydrocarbons, as in the case of this one. The Health and Safety Executive states with regard to the re-use of existing pipelines, any proposal to change the fluid conveyed will require a reassessment of the original pipeline design to ensure that the pipeline is capable of conveying the fluids safely.

00:55:38:00 - 00:56:02:06

There appears to be little information in this application concerning the repurposing of the 24 kilometre pipeline between the Flint Connection and Point of Air that has previously carried in methane from Liverpool Bay. Can the applicant explain how risk of corrosion and fracture is managed both in the new and in the repurposed pipeline?

00:56:04:11 - 00:56:57:27

Soil stability. The risk of rupture in addition to corrosion will be exacerbated by climate change related increased rainfall and temperatures, which may impact on soil stability in areas previously considered stable. In 2020, a pipeline in Cetacean, Mississippi ruptured, leading to the evacuation of around 200 residents and 46 people being treated in local hospitals. The investigation into the incident undertaken by US Regulatory Authority, the Pipeline and Hazardous Material Safety Administration, which I'll refer to as Mssa in future, implicated a landslide triggered by heavy rains which created axial strain on the pipeline and resulted in a full circle differential circumferential.

00:56:58:04 - 00:57:16:11

You can't do that. Girth Weld failure. The subsequent issued an advisory note listing 17 significant pipeline incidents in the US related to Earth movement in the period 2016 to 2022.

00:57:20:09 - 00:57:20:28

Um.

00:57:21:08 - 00:58:07:11

And there's limited understanding and regulation internationally. Regulation and guidance has not kept up with recent interest in systems and new large scale pipelines associated with them. The incidents in Satoshi prompted the NSA to initiate new research and development projects related to the safe transportation of carbon dioxide through pipelines. They attempt to address knowledge gaps, for example, in relation to fracture, toughness and steel pipe quality needed to prevent leak and eruptions ruptures the effects of corrosion, dents, cracks or gouges on a wide range of steel grades.

00:58:08:06 - 00:58:38:23

Odor ization strategies, which is one of the simplest ways to ensure leak detection as well as public safety and emergency response. Defining a safe distance or plume Dispersion This dispersion model for developing a potential impact area. And again, without a potential impact area, it's impossible to establish accurate emergency response, safe distances, potentially with deadly consequences.

00:58:39:02 - 00:58:46:09

These reports that have been commissioned by the US Regulatory Authority will not report for two years.

00:58:50:07 - 00:59:32:10

In the UK the situation is similar. The states that currently the I'm quoting currently the behaviour of carbon dioxide, when released in its dense and supercritical phases, is not yet fully understood, and that details standards and codes of practice written specifically for the design and operation of dense phase or supercritical carbon dioxide plant and pipelines are still being developed. A 2009 report concluded that carbon dioxide for has sufficient toxicity to be regarded as a dangerous fluid under the pipeline safety regulations.

00:59:32:12 - 01:00:02:26

But these regulations have not been updated since 1996. A 2011 report. These are reports, by the way, concluded that carbon dioxide has major accident hazard potential if released at or above its critical pressure. Yet it is not currently defined as a dangerous substance under the control of major accident hazard regulations of 1999

01:00:04:15 - 01:00:28:10

as part of a written response in July this year to my request for information about regulation of carbon dioxide transport. HSC responded. HSC has initiated a four year programme of work to developing modelling capacity capability for carbon dioxide pipelines to support Hse's role as a statutory consultee in the planning system.

01:00:30:22 - 01:01:02:07

The applicant states in Chapter 13 of the environmental statement on accidents and Disasters that it has followed the principle of the regulations to ensure the risks are identified and managed out. But I ask how can risk be eliminated when international understanding is and understanding is limited in so many ways. Programs of research will not report for several years and regulation is so out of date.

01:01:04:27 - 01:01:23:18

Finally, the adequacy of flood risk assessment government advice in relation to sea level rises and climate change states. If you develop nationally significant infrastructure projects, you may need to assess the flood risk from a credible maximum climate change scenario.

01:01:25:14 - 01:02:07:16

Climate Central is an organisation that gives sea level rise predictions that are based on credible IPCC data from 2021. It's known that IPCC data is 12 to 24 months old by the time it is reported, and that new evidence of accelerating sea level rise and ice melting was released in the autumn of 2022. So these predictions are conservative. Their maps indicate that Aston Hill, Stan Low, AGI and the point of air terminal know the point of air terminal is scoped out of this assessment, but on the wider project depends on it and.

01:02:08:20 - 01:02:28:15

Will be below annual flood levels by 2050. The pipeline will be in use till 2065. What provisions has the applicant made to monitor and maintain sections that may be below sea level by that time? And that concludes my presentation. Thank you.

01:02:29:21 - 01:02:30:17

Thank you very much.

01:02:40:09 - 01:02:45:00

Thank you for those contributions. We've we've heard all of those and we'll take those into account.

01:02:47:05 - 01:02:57:15

Um, I'm just aware that the applicant may want to uptake their right of reply. I'm just having a look to see if that they want to do that or not.

01:02:57:27 - 01:03:30:15

What's they're doing that can ask, is it Mrs. Crosby or is it Ms.. Crosby? I don't know which. Ms.. Crosby, if you'd like to submit your written text, you're welcome to do so by the end of the next deadline. I did read your submission that you made in response to the change request initially when we went back out to relevant representations. Um, a lot of what you said was also included that. But no, you've built on it as well as you've gone through, so you're welcome to submit it at the next available deadline.

01:03:30:17 - 01:03:44:20

That also then gives the applicant an opportunity to respond should they wish, by the following deadline, which would be deadline eight. So you'll be submitting by the 5th of September, which is the deadline seven. The applicant then has a week to respond if they wish to do so.

01:03:47:02 - 01:03:47:17

Sorry.

01:03:47:21 - 01:03:52:03

Can you come to the mixer? Because. Because otherwise people online won't be able to hear what you're saying.

01:03:55:12 - 01:04:12:17

Can I ask if there's any advantage in intend to submit by the next deadline, which is September the 4th or fifth, isn't it? Think. Can I ask whether there's any advantage for yourselves or for the applicant in submitting earlier than that to this?

01:04:12:19 - 01:04:47:20

You're welcome to submit as possible. The examiners authority has the ability to accept it and publish it earlier than that as an additional submission, if you ask us to consider it. But it's it's down to us once it's submitted to review it and decide that may give. Interested parties and the applicant more time to have a look at the additional submission and to respond. And the same same applies to Mr. Naylor's comments. You're welcome to submit and ask for it to be published as an additional submission at an earlier stage for the same reason.

01:04:47:28 - 01:05:20:22

Um, and it will be then down to us to decide whether to publish it earlier than the next deadline or not. Um, what I can't guarantee is that you will get the answers to the questions that you ask because obviously it's up to the relevant interested party or the applicant to respond as they see fit. And we've got no control on telling them how to respond. So all we're doing is gathering the evidence, seeing the responses and then coming to a conclusion. But you're welcome to submit earlier if you feel that that would be more beneficial to you.

01:05:20:24 - 01:05:32:10

And as I say, then down to us to decide whether to accept it. Can't see any reason at this point in time why we wouldn't but but can't guarantee we will either. Thank you.

01:05:35:00 - 01:05:47:09

So think the applicants team are still deliberating it the back of the room but will just offer it back to them whether or not they want to uptake a right of response within this hearing.

01:05:49:00 - 01:05:49:15

Yes.

01:05:51:26 - 01:05:53:15

You'd like a few more minutes, okay?

01:05:53:17 - 01:05:54:03

Yeah.

01:06:07:07 - 01:06:40:17

In light of what's been discussed, what we're going to do is we're going to briefly adjourn for ten minutes just to give the applicants time to deliberate on what they want to do in terms of response. So we're seeking to now it's just gone 3:05, so we're going to adjourn quickly for ten minutes to have a break and return it. Well, roughly, I would say 21st. And yeah, there's a few nods at the back of the room, so will adjourn briefly and return at 21st.

01:06:40:19 - 01:06:41:28

The hearing is adjourned. Thank you.