

From: [REDACTED]
To: [Hynet CO2 Pipeline](#)
Cc: [REDACTED]; [Stephens, Jake](#)
Subject: EN070007 – HyNet Carbon Dioxide Pipeline | Unique Reference: 20033872 | Submission from Cllr Simon Eardley
Date: 08 August 2023 18:49:00
Attachments: [HyNet representation - Cllr Simon Eardley - August 2023.pdf](#)
Importance: High

Cllr Simon Eardley
Saughall and Mollington Ward
Cheshire West and Chester Council

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Your Reference: EN070007 – HyNet Carbon Dioxide Pipeline
Unique Reference: 20033872

FAO: Mr Christopher Butler, Lead Member of the Examining Authority (ExA)

Dear Mr Butler,

Please find attached a submission from me in respect of the HyNet Carbon Dioxide Pipeline Examination Process for your consideration. I have included below a summary of the document as the submission is in excess of 1500 words.

Yours sincerely

Cllr Simon Eardley

Summary of the points raised in this submission owing to it being in excess of 1500 words:

- General context and introduction.
- Comment regarding accessibility of the process for residents affected by it.
- Comment regarding the veracity of consultation processes and community engagement hitherto in the process.
- Specific points of concern in relation to the location of the proposed pipeline, highways matters in specific locations, hours of work, impact on local businesses and other amenities, specific residential impact / amenity concerns, safety matters in relation to the environmental impact of block valve stations, trenchless crossings and other construction matters, the capacity to return the disrupted land to its pre-development state impact and on trees and hedgerows.
- Comment in support of representations already made by Cheshire West and Chester Council and around which I am in agreement.
- Comment on the imperative for ongoing robust engagement around highways and traffic management matters.
- Comment regarding the potential for a community benefit scheme to arise from this project to mitigate the impact on residential amenity.

- Two appendices with images in support of observations made above.
- Concluding remarks.

Cllr Simon Eardley | Saughall and Mollington Ward

Shadow Cabinet Member for Environment, Transport, Highways, Climate Emergency, Energy & Green Spaces

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The original registration as an Interested Party contained the following comments which I believe are largely addressed in the material presented below:

“As the Cheshire West and Chester Borough councillor for several parishes affected by the proposed implementation of the CO2 pipeline scheme, I would like to address the Examination on points relating to: - The impact on residential amenity, including the proximity to housing, regarding the works and the infrastructure to be introduced to the area as a result of this project - The impact on the wider amenity of local businesses and organisations such as education facilities, community facilities etc - Highways considerations and mitigations that are needed - particularly in the context of a rural area / rural communities - Logistical considerations, including traffic congestion - Safety concerns. Cllr Simon Eardley.”

**Cllr Simon Eardley
Saughall and Mollington Ward
Cheshire West and Chester Council**

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Dear Mr Butler,

Liverpool Bay CCS Limited – HyNet Carbon Dioxide Pipeline Project

Submission by Cllr Simon Eardley, Cheshire West and Chester Councillor for the Saughall and Mollington Ward

I am grateful for the opportunity to make this submission to the examination process around the above project and regret that I am unable to appear in person to make an oral submission as part of it. I write as the Cheshire West and Chester Council elected representative for the Saughall and Mollington Ward which includes the parishes of Backford and District, Lea-by-Backford, Mollington and Saughall & Shotwick Park which are all variously affected by the proposals. The comments below follow from discussions undertaken at various meetings of parish councils in recent months and as far as possible reflect the views expressed by parish councillors either on their own account or that of the residents whom they and I represent. This submission is, however, in my own words on the whole and should be taken as such. They do not reflect the views of Cheshire West and Chester Council as such who have made extensive representations themselves as part of this examination process.

Whilst stating that I am grateful for the opportunity to make this submission, I would wish to make the following general observations at the outset which I feel should be put on the record on behalf of the residents I represent in relation to the totality of this process.

For most people, the planning process is something they encounter on a personal basis in respect of development or other proposals at their own individual properties. Whilst relatively complicated, that process is undertaken in a manner which encourages engagement amongst fellow residents and nearby neighbours and indeed other bodies, such as parish councils. I appreciate the complexity of the proposals before the Examining Authority which are so by their very nature and the extent of this project in terms of its scope and depth. However, for residents who do not have an expertise or experience in these matters, this whole process is both very complicated and couched in language that is not at all conducive to full understanding and appreciation of the issues raised, some of which will have a direct short- and long-term impact on their residential amenity. I make this point with due respect to the Examining Authority and I accept that it is beyond the remit of you to address it as such.

But I did want to place this observation on record as I strongly believe that important projects of this nature should encourage as wider a pool of people as possible to engage with them and I fear that is incredibly challenging unless you have specific expertise and understanding of the terminology employed.

Furthermore, and whilst this matter has improved in recent months, I believe there have also been deficiencies in the public information exercises that have been undertaken to raise awareness of the project, its implications, this examination process and the ongoing impact that it will have for many years to come. Whilst it is not unusual for residents to miss communications, I am troubled by the large number of people who have approached me directly with concerns that they 'know very little' about the project, where it will impact, the wider impacts of it on the local environment and in respect of practical considerations such as highways and traffic management. Whilst public awareness events have taken place, some of these haven't always been in locations to aid the greatest accessibility of residents in villages which are directly impacted. For example, at the request of the parish councils listed above, an event with the proponents of this project was held with parish councillors on 23 February 2023 which followed on from an online engagement event in early December 2022 which was restricted to upper tier local authorities and combined mayoral authorities. The willingness of the project leaders to do this subsequent event, which took place at Backford Village Hall (serving the 'five villages' in the immediate local area) was welcomed, but the point remains that this was a valuable means to engage key personnel which was not part of the overall plan for community engagement. A further event was also held on 20 June 2023 and was again welcomed by those able to engage with it. My point here though would be that this has all been at the instigation of the parish councils in the latter example or by me in terms of the initial process. This doesn't feel acceptable and I would urge all future engagement on any aspect of the project to be as robust and comprehensive as possible. This is an imperative as far as I am concerned.

The final general observation I would make is that the actual location of the proposed pipeline, despite some refinements in recent months, remains quite broad. It is challenging to make definite observations on this whole application when there is potential for the final route to change considerably. To an extent this is inevitable but it does create the very real possibility of substantial change which may result in unknown implications which interested parties might wish to comment on. How will this be managed going forward?

Parish councillors have observed that the current planned route would appear to be overly complicated and of a 'zig zag' nature rather than following what might be considered to be logical routes which could potentially reduce the wider impact in a range of areas, including that of the impact on the environment. Whilst there may be practical reasons why this is not possible, and no doubt the subject of extensive research and modelling, the suggestion has been made, for example, that the route of the pipeline might more conveniently follow that of the Shropshire Union Canal (in broad terms). Whilst not perfect in terms of location, this is an existing, logical and relatively straight 'pathway' from the Ellesmere Port industrial area through to at least part of Section 3 of the proposed route. A reasonable query has been stated as follows: "Why is the proposed pipeline following a tortuous course which brings it to within 1/4 mile of the centre of Mollington village, for example, and nearer than that to a primary school of over 120 children, and also adjacent to residential properties?"

I would now turn to some specific observations as follows:

- Chorlton-by-Backford – use of Chorlton Lane and Little Rake Lane. The lanes in this village are narrow, of a relative low quality and some are subject to severe road surface deterioration issues. The impact of heavy vehicle movements on these

routes is of considerable concern from a safety and accessibility perspective given their nature. In addition, there are regular (circa. 10 per day) heavy vehicle movements by Hoyer oil tankers to the Exolum fuel storage site off Chorlton Lane. Detailed information will be required around how an increase in traffic will be managed and how the inevitable impact on the highway network will be mitigated in respect of road surfaces that are already seriously degraded. Access to the fuel storage site in particular is challenging and subject to particular narrow lanes and limited sight lines on both roads stated here. Assurances around the robustness of any traffic management plan would be appreciated and of considerable interest to those residents most affected.

- Station Road, Backford / Lea-by-Backford. There are several points of concern regarding this road:
 - Access from Liverpool Road (A41) at Backford onto Liverpool Road. Please refer to the Appendix 1 images I have also supplied in relation to this comment. This is a very challenging junction to access Lea-by-Backford through to Mollington but will be the main route to reach 'Trenchless Crossing Compound TRS-18 A41 Liverpool Road.' How will this be managed from a safety and vehicle movement perspective? The road incline from Liverpool Road onto Station Road is considerable at this fast paced and dangerous location, particularly for road users seeking to turn left onto Liverpool Road from Lea-by-Backford. The images supplied illustrate the challenging nature of this location. They are taken from approximately 20 metres below the main junction and are intended to show the 'steep' incline. What cannot be illustrated sufficiently here is the difficulty vehicles can have exiting this junction from Station Road to Liverpool Road when turning left with limited sight lines. This is likely to be exacerbated by any increase in vehicle movements from Liverpool Road to Station Road. It would be appreciated if consideration could be given to the introduction of semi-permanent traffic management in this location, i.e. traffic lights to manage vehicle movements, and which might then be left as a permanent and positive legacy from the project to the management of traffic in an identified difficult highways' location.
 - Backford Brook bridge, Station Road. Please refer to the Appendix 2 images I have also supplied in relation to this comment in order to illustrate the nature of the bridge referred to here. Has proper consideration been given to the impact on this small bridge by heavy vehicle movements? The works associated with this project will inevitably increase the movement of such traffic over a relatively weak and narrow point on Station Road which is a concern to all users of this location and especially the residents who live immediately adjacent to the bridge in question. Any deterioration to it could have a significant impact from an environmental, drainage and flooding perspective. It is my assumption that at the end of the project tests will be undertaken to confirm that the bridge has not been weakened in any way as a result of the additional heavy traffic. Appropriate assurances would be appreciated.
- Hours of work. Residents have expressed concern regarding the potential detrimental impact of the proposed amendment which will see the operational hours of work extended to include Saturday working. Whilst there may be some logic to this in the hope and aspiration that it will mean the work is expedited more quickly, there

is inevitable anxiety that this will add to the disruptive nature of the operations and the amenity of residents which are already to be extensive during the totality of the 'working week'. It has been stated that the villages affected, including the largest, Mollington, are generally quiet at weekends, and any extension of the hours of work to include Saturdays represents a loss of residents' amenities at this time to which they are entitled. Residents regard this as unacceptable and I agree.

- Impact on local businesses and other amenities. There is an appreciation that for a project of this nature, there will be some inevitable disruption to the lives of residents and those operating businesses and other services such as education providers. I note the following aspiration in paragraph 17.10.5 (page 31) of the ENVIRONMENTAL STATEMENT (VOLUME II): "Ensure that any impact to local communities and the local economy is reduced as far as reasonably practical." This is welcomed but it must be followed through by action and actual implementation during the construction phase of the works. I note that Grove Road, Mollington is not designated as a 'trenchless crossing' location which is of concern, not least owing to the presence of St Oswald's Church of England Primary School on this road. It has also been raised that, given Grove Road is a key access route into the village of Mollington via Lea-by-Backford, what consideration will be given to access for emergency vehicles on a full basis whilst the works are underway? The impact of not following through on the ambition as stated in the above paragraph is a concern. Hours of operation are relevant in this context, particularly in respect of key morning and afternoon peak times for those accessing this large village education facility. A substantial number of pupils are from 'outside the area' so there are already considerable vehicle movements. Cutting off one of the main access routes towards this school (one of three – on one other there are Hynet related works also underway – Station Road) will cause major disruption which will need to be managed thoroughly and robustly in the final traffic management plan for the project.
- Specific resident concern. Please redact the address details if this submission is published in any form. I have been asked to ensure that the following comments are noted within this representation from the residents of [REDACTED], [REDACTED] which were relayed to me following the 20 June 2023 engagement meeting with the Applicants referenced above:

"I attended the "Presentation" at the Hall yesterday where some representatives from Hynet attended. On the basis of the new plans they distributed it would seem that the temporary 'service road' running across the field next to us from Station Road towards the canal, and the pipeline route, will run just a few metres from the boundary of our property. At the start of the road at the Station Road end they seem to be laying down a "pad" that will be approximately 25 metres square which will be used as a turning circle and for vehicles waiting to make the crossing to the pipeline. Naturally I am concerned about the effect this might have on both my property and the area in general e.g. numbers of and sizes of vehicles that may be involved and the length of time the work might take and I wondered if you had any contact within Hynet who might be able to provide such information. It was indicated that they had assessed the area to ensure it was suitable but I'm sure you can appreciate my concern, particularly with regard to school traffic twice a day, lack of pavements on Station Road and the weak bridge near the hall."

This is just one example of specific residential concern in relation to the impact of the project on their individual residential amenity. Assurances on these points would be

welcome as they also speak to other observations made in the body of this representation.

- Environmental impact of block valve stations. A query has been raised as to whether there will be venting as part of the block valve stations at compound locations. Please can clarification be given as to the venting impact assessment on residents that might or might not have taken place in the planning of these block valve stations and what full mitigations might need to be introduced to minimise this impact.
- Trenchless crossings. I understand from the following document that a number of crossings for the pipeline are intended to be 'trenchless': [Environmental Statement \(Volume III\) \(planninginspectorate.gov.uk\)](#). This is to be welcomed as there are a number of examples in this document which would cause significant disruption if they were not, for example:
 - Work Number 22 - TRS-18 - Prevent disruption to traffic on the A41 Liverpool Road
 - Work Number 25 - TRS-21 - Prevent disruption to traffic on Station Road (although see comments elsewhere in relation to this road and the compound located off it
 - Work Number 25 - TRS-22 - Prevent disruption to traffic on Townfield Lane
 - Work Number 28 - TRS-24 - Prevent disruption to traffic on the A540 (Parkgate Road).
 - Work Number 28 - TRS-25 - Prevent disruption to traffic on Hermitage Road.

Of particular interest is:

- Work Number: 30 / Reference: TRS-27 / Reason for Crossing - Prevent disruption to traffic on the A548 Sealand Road.

This crossing is to be regarded as an imperative for trenchless work but I am given to understand that there could be significant geological challenges owing to the historic course of the River Dee in this location which may cause significant difficulties in the operation of the preferred method of tunnelling. Early knowledge and confirmation of whether the preferred method will be possible is essential here as the impact of any closure of Sealand Road would be significant to the whole greater Chester area, Blacon, Sealand itself and the village of Saughall in my council ward. There is concern that if an overground method of tunnelling were employed, then the implications on traffic management would be extensive and represent major disruption.

- In the context of 'trench works' but in respect of the construction works generally, an assurance that the contractors, as a minimum, return the villages and land affected to the condition that they were in prior to the work commencing would be appreciated. Ideally they should aim to improve the environment after the disruption. Far too often it is the case that contractors carry out work in the villages and fail to complete the remedial work to a satisfactory condition.
- Draft DCO Requirement 13 – Construction hours (Draft DCO 2.2.2). I support Cheshire West and Chester Council's wish for further clarification of the Applicant's

definition of 'start-up and shut-down operations'. See Table 1.1 of the Council's 'Response to Submissions Made at Deadline 5' (submitted at Deadline 6 – Tuesday 18 July 2023).

- Draft DCO Requirement 13 – Construction hours (Draft DCO 2.2.3). I support Cheshire West and Chester Council's reiterated wish for a better understanding of which activity / activities are proposed to be excluded from Requirement 13.3(a) in respect of the process of trenchless crossing including equipment used and the likely resulting noise sources etc. Furthermore, as stated by Cheshire West and Chester Council in Table 1.1 of the Council's 'Response to Submissions Made at Deadline 5' (submitted at Deadline 6 – Tuesday 18 July 2023), I support the Council's wish for clarification around which aspects of trenchless crossing construction have to be done at night and that is proposed to be excluded via Requirement 13.3(a). In both this comment and the one above I consider these to be essential matters of detailed clarification in order that the potential for amenity impacts can be adequately assessed and it determined whether or not further / additional controls might be required.
- Environmental impact on trees and hedges. The detail provided in the Applicant's 'ENVIRONMENTAL STATEMENT (VOLUME III) Appendix 9-11 Arboricultural Impact Assessment (Clean)' report is to be welcomed but there remains considerable community concern around the impact on trees in the vicinity of the construction route. Section 3 of the route, which broadly covers the area I am most concerned with in my ward, is detailed extensively in the report after page 34 (tree listings from page 25 to 35). It is challenging to judge the actual and real impact owing to the lack of a definitive route within the overall scope area allowed for the construction.

In summary, the report states at paragraph 3.7.6 (page 25) on a 'RAG status' the following:

- There are 242 trees graded A to U which are identified for removal / partial removal.
- There are 656 trees graded A to U at risk but aiming to retain.
- There are 516 trees graded A to U to be retained with protection measures.

This makes a total of 1414 trees likely to be impacted by these works, although it could be more, or it could be less. The assurances around the potential impact on veteran trees and the protections anticipated (identified as a result of the walkover rather than the desk-based study) are to be welcomed but they must be followed through with the utmost careful attention to detail and be as robust as possible. I am not assured by the phrase 'aiming to retain' which suggests to me a licence in effect to 'aim to retain' but there is no guarantee. This category is by far the largest and should the balance of probability be on removal then the overall impact on trees along the proposed route will be very extensive and unwelcome. As a minimum, residents and myself would expect replacement planting to mitigate the impact on a high quality basis. In other words, the 'like for like' replacement of trees removed, accepting that the age, size and condition of them will change.

There are strongly expressed views regarding the impact of the construction on hedgerows along the route which may not have the same visual impact or assessment for quality and retention in the report analysis although there is some

specific mention in relation to historic native hedgerows worthy of consideration. There is an inevitable acceptance that the impact on hedgerows will be extensive and may be indiscriminate in nature. Assurances that this will not be the case would be welcomed.

I am aware of liaison that will take place with the principal highways authority in the area in respect of the pipeline within England, Cheshire West and Chester Council (CWaC), around this specific focus of interest and activity and on an ongoing basis. This work will be of crucial importance in terms of mitigating impact on residential amenity and I cannot stress enough the importance of it. I am assured that CWaC will have an ongoing role to play in terms of signing of traffic management plans. Please can the communications around this be as strong, detailed and robust as possible? Visibility and assurances around the robust nature (i.e. is it sufficiently robust) of the traffic management plan are imperative. Whilst these matters can to a large extent be considered a desk-based exercise, as the borough council representative for the area, I am most anxious to limit as far as possible the actual impact that the works will inevitably bring about or at the very least ensure that residents are fully informed and aware of what they might be and when they might be.

Finally, I would respectfully reiterate that the impact of this scheme on the parishes of Backford and District, Lea-by-Backford, Mollington and Saughall & Shotwick Park are not inconsiderable. The residential amenity impact is clear and obvious and the inconvenience that will follow from the project will be extensive unless fully and properly managed. There are valid and specific environmental impacts, whilst to a large extent mitigated through appropriate plans and mitigations, which will need to be carefully considered as the project progresses. Whilst the impact on privately owned land for the long term in respect of its value and current use will be compensated appropriately, it is unclear to me whether similar compensation schemes in relation to the immediate and long-term impact on parishes and residents will also follow. Similar projects in the area have contained provision for 'community benefit', such as the Protos Community Benefit Fund, see <https://www.protos.co.uk/community?p=community>. This makes funds available for local community causes every year. The benefit fund is open to bids for funding from organisations and causes in the parishes of Ince, Elton, Helsby, Frodsham, Thornton-le-Moors and Little Stanney. Transport, community buildings, sport, youth, and heritage are among the wide range of causes considered. Consideration for a similar opportunity arising from the HyNet project would be appreciated. Please accept my apologies if this point is not within the remit of the Examining Authority but by capturing it here, I trust that it will be noted by the Applicant and their associates.

I would wish to place on record once again my appreciation for the opportunity to make these comments on behalf of the communities that I represent. I trust that they will be taken into account in due course and where possible borne fully in mind during the final stages of the work of the Examining Authority.

I look forward to learning of the final outcome in due course.

Yours sincerely

Simon Eardley

Cllr Simon Eardley
Saughall and Mollington Ward, Cheshire West and Chester Council

Appendix 1 – Liverpool Road, Backford access to Station Road, Backford / Lea-by-Backford







Appendix 2 – Station Road, Backford – Backford Brook bridge



