



**APPLICATION BY LIVERPOOL BAY CCS LIMITED FOR AN ORDER GRANTING DEVELOPMENT  
CONSENT FOR THE HYNET CARBON DIOXIDE PIPELINE**

**APPLICATION REF EN070007  
PIBLINELL CARBON DEUOCSID HYNET / HYNET CARBON DIOXIDE PIPELINE**

**FLINTSHIRE COUNTY COUNCIL'S RESPONSE TO  
THE EXAMINING AUTHORITY'S THIRD ROUND OF QUESTIONS**

**SUBMITTED AT DEADLINE 7 – TUESDAY 5 SEPTEMBER 2023**

**Ex Q3: 15 August 2023**

**Flintshire County Council Responses due by Deadline 7: Tuesday 5 September 2023**

| Ex Q3  | Question                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
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| Q3.1.3 | <ul style="list-style-type: none"> <li>• <b>NRW</b> is understood by the ExA to have established a previous Creative Nature Partnership (linked with the Arts Council of Wales). Is that nature partnership link still currently active and being implemented through live projects?</li> <li>• NRW is anticipated to be supporting of the aims contained within the Wellbeing of Future Generations Act which establishes a duty on public bodies to improve the environmental, cultural, economic, physical, and mental wellbeing of the people of Wales.</li> <li>• <b>In your view would environmental considerations towards nature and the water environment also form part of the cultural expectations indicated in the Act?</b></li> <li>• The ExA is seeking a greater understanding of any cultural aspects/ implications the DCO scheme would result in, through inviting NRW or the Welsh Government or any other IPs to make whatever comments are deemed to be appropriate when considering the definitions and terminology applicable within the Act.</li> <li>• Do you think the Applicant has done enough to meet the cultural expectations triggered by the scheme?</li> </ul> | <p>FCC are not aware of the Creative Nature Partnership but it is understood that funding has just ceased for the Green Communities project run by Cadwyn Clwyd:</p> <p><i>The Green Communities project aims to bring people and nature together, for the benefit of the environment and communities; enabling communities to transform their local area into a more desirable place to live, work and play; increase opportunities to volunteer locally outdoors while also creating opportunities for wildlife to flourish.</i></p> <p><a href="https://cadwynclwyd.co.uk/green-communities/">https://cadwynclwyd.co.uk/green-communities/</a></p> <p>Landmap – the Welsh landscape baseline includes “cultural landscape” as one the five spatial datasets</p> <p><a href="https://naturalresources.wales/guidance-and-advice/business-sectors/planning-and-development/evidence-to-inform-development-planning/landmap-the-welsh-landscape-baseline/?lang=en">https://naturalresources.wales/guidance-and-advice/business-sectors/planning-and-development/evidence-to-inform-development-planning/landmap-the-welsh-landscape-baseline/?lang=en</a></p> |

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| <p>Q3.2.1</p> | <ul style="list-style-type: none"> <li>• For the avoidance of direct impacts upon an <b>existing slurry tank at New Bridge Farm</b> referred to in DL4 submissions notes that two options of the Stanlow AGI to Flint AGI Pipeline indicative alignment have been considered separately. Both require the same extension of the Newbuild Infrastructure Boundary to the North-West and West, towards the Ancient Woodland south of Holywell Road. The two proposed design options being: <ul style="list-style-type: none"> <li>• <b>PS02a</b> – Removal of the slurry tank at New Bridge Farm and the pipeline would be constructed outside of the 15m Ancient Woodland buffer within the indicative alignment of the Stanlow AGI to Flint AGI Pipeline.</li> <li>• <b>PS02b</b> – Retention of the slurry tank at New Bridge Farm in its current location with the pipeline being constructed further North-West and West than the indicative alignment of the Stanlow AGI to Flint AGI Pipeline. It would remain outside of the Ancient Woodland itself, but work would be required within 15m of the Ancient Woodland.</li> </ul> </li> </ul> | <p>FCC considers that Option PS02b is acceptable. The details of the agreed option are contained as stated in entry FCC 3.6.3 of the Council's Statement of Common Ground.</p>  |
| <p>Q3.2.4</p> | <ul style="list-style-type: none"> <li>• Given NRW's position that the open trenched method proposed by the Applicant is not Water Framework Directive (WFD) compliant (which the Applicant does not agree with), a further design option is possible which would utilise an embedded pipe bridge solution.</li> <li>• Should the Secretary of State not accept the conclusions of the WFD assessment presented and determine that derogation cannot be applied, an alternative option is included in the application by the Applicant on a without prejudice basis.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <p>The Council would respectfully defer to the advice of NRW on this matter as it is considered that they are best placed to provide an answer to the ExA to this question.</p> |

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| Q3.2.5                   | <ul style="list-style-type: none"> <li>• ES Chapter 4 Paragraph 4.5.64 sets out the alternative methods considered for crossing Alltami Brook. <b>An open trench method</b> of construction remains the Applicant's preferred option for crossing Alltami Brook. Yet, this would still have significant temporary impacts on the watercourse.</li> <li>• The ExA notes that mitigation measures are proposed reducing overall working width and width of the trench, as well as micro siting to the least sensitive section of the riverbed as outlined in Table 4.8 and detailed in the Register of Environmental Actions and Commitments (REAC).</li> </ul> <p>IPs</p> <ul style="list-style-type: none"> <li>• Please make whatever comments you deem to be necessary.</li> </ul> | <p>The Council would respectfully defer to the advice of NRW on this matter as it is considered that they are best placed to provide an answer to the ExA to this question.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <b>5. Climate Change</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Q3.5.1                   | <ul style="list-style-type: none"> <li>• Further clarify how the development would successfully mitigate against the probable shrinking and cracking of soils within the DCO application area during operation of the scheme?</li> <li>• What are the known consequences of inadequate mitigation? For example, would existing soil carbon sequestration be significantly reduced in affected land areas?</li> </ul> <p>Would any new hedgerow reinforcement currently anticipated boost soil carbon sequestration through the strengthening of existing microbial/fungal networks? If so, what are the optimal locations for new or reinforced hedgerow relative to the DCO Scheme.</p>                                                                                             | <p>It is considered that this is a specialist area, however mycorrhizal fungi (that have a symbiotic relationship with plants) and other microbes contribute to carbon sequestration in the soil alongside sequestration from plant growth. It would be expected that a healthy hedge would have a thriving soil microbial activity supporting healthy growth. Within the context of the proposed DCO scheme, the agricultural soils (except for very poorly drained land) will be suitable for hedge planting with planting, establishment and aftercare more critical than identifying optimal locations. It is considered that all of the proposed sites within Flintshire for hedgerow planting are suitable.</p> |

| 7. Cultural Heritage and the Historic Environment |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
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| Q3.7.1                                            | In the light of the Applicant's Archaeological Evaluation Report [REP4-267], can IP's confirm that they are satisfied with the Applicant's proposed mitigations, as set out in table 5.1 of that document?                                                                                                                                                                                                                                                                                 | FCC can confirm that we are in agreement with the parameters of the required watching brief. Advice on cultural heritage and historic environment has been provide by Clwyd and Powys Archaeological Trust, who have confirmed that they are in agreement with the proposed mitigation.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 8. Design and Layout                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Q3.8.1                                            | <ul style="list-style-type: none"> <li>• Are IPs satisfied with the design implications of the Applicant's options for the Alltami Brook embedded bridged crossing design brought around by the change requests?</li> <li>• <b>Does FCC have any comments in relation to the application of green wedge policy to the embedded pipe bridge crossing? Would that option be compliant with local policy?</b></li> <li>• Please make whatever comments you deem to be appropriate.</li> </ul> | <p>FCC can confirm that the Alltami Brook falls outside of the Green Wedge designation, therefore, it is considered that the proposed embedded pipe bridge crossing could not harm the openness of the Green Wedge as its falls outside of this designation.</p> <p>FCC provided an additional submission prior to Issues Specific Hearing 3 (ISH3) to confirm the location of the Green Wedge designation which was accepted at the discretion of the Examining Authority ref <b>[AS-078]</b>. This submission/map clearly shows that the location of the Green Wedge and the that the Alltami Brook and the point of the Alltami Brook crossing point is outside of the Green Wedge.</p> <p>Policy EN11 Green Wedges of the adopted Flintshire Local Development Plan clearly states that the policy applies to development <i>within</i> the green wedge, and does not require policy consideration to development <i>adjacent</i> to the Green Wedge designation.</p> |

| 10. Flood Risk, Hydrology, Water Resources and Contamination |                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
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| Q3.10.1-6                                                    | The Applicant's WFD Assessment (Appendix 18.3, Volume III) (updated at DL4) has screened for both the potential construction and operational impacts of the DCO Proposed Development upon WFD water bodies for main rivers, canals, ordinary watercourses, transitional waterbodies, and objectives from the North-West and Dee River Basin Management Plans (RBMP) and groundwater resources.                                       | The Council would respectfully defer to the advice of NRW on this matter as it is considered that they are best placed to provide an answer to the ExA to this question.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 12. Landscape and Visual                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| Q3.12.1                                                      | <p>Are IPs satisfied in regard to the landscape and visual impacts of the alternative option related to the crossing of the Alltami Brook (ie the embedded pipe crossing proposal), which has been entered into the Examination for consideration.</p> <p><b>Do NRW, FCC or Ips have a view on whether the Applicant has fully considered this option and proposed suitable mitigation in relation to it, where appropriate?</b></p> | <p>It is accepted that the visual impact of the embedded pipe crossing would be limited and largely confined to users of the Public Right of Way no.39A during the construction and the operational phases. Whether the crossing is open trenched or an embedded pipe the impact on the trees/woodland, and consequent wider landscape, would result from the crossing's position and the pipe's route up the north slope of the brook. Micro-siting, aided by an arboricultural survey, should seek to minimise the adverse impact to trees and in turn reduce landscape impact.</p> <p>If it is deemed necessary to remove an embedded pipe bridge crossing at the decommissioning stage then the felling of replacement trees is likely to be required to gain access. An open trenched crossing would not have any adverse landscape and visual impact at the decommissioning stage if, as proposed, it remains in situ.</p> |