

## **APPLICANT'S COMMENTS ON THE REPORT ON THE IMPLICATIONS FOR EUROPEAN SITES (RIES)**

### **HyNet Carbon Dioxide Pipeline DCO**

Planning Act 2008

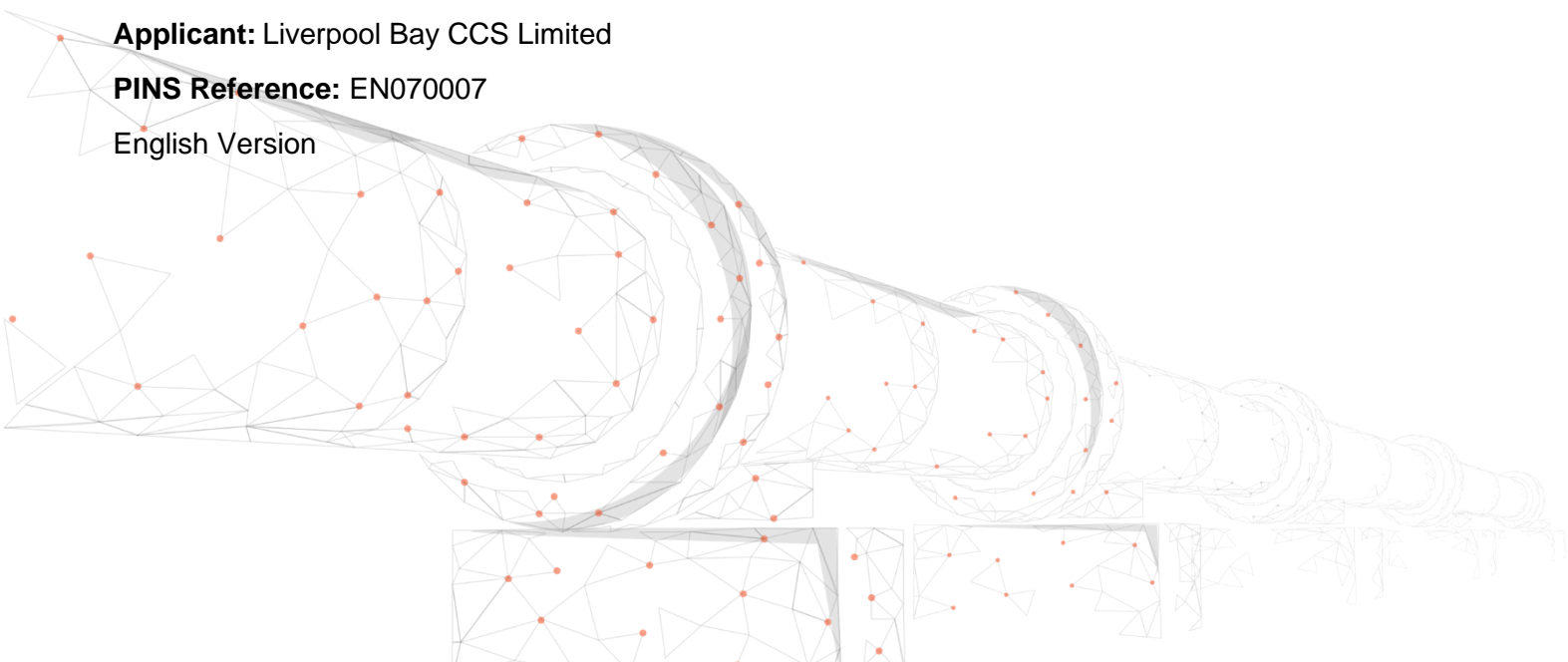
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# 1. INTRODUCTION

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## 1.1. PURPOSE OF THIS DOCUMENT

- 1.1.1. This document has been prepared on behalf of Liverpool Bay CCS Limited ('the Applicant') and relates to an application ('the Application') for a Development Consent Order (DCO) that has been submitted to the Secretary of State (SoS) for the Department of Energy Security and Net Zero (DESNZ) under Section 37 of the Planning Act 2008 ('the PA 2008'). The Application relates to the carbon dioxide (CO<sub>2</sub>) pipeline which constitutes the DCO Proposed Development.
- 1.1.2. This document provides the Applicant's comments on the Report on the Implications for European Sites issued by the Examining Authority (ExA) on 1<sup>st</sup> August 2023 [OD-008].

## 1.2. THE DCO PROPOSED DEVELOPMENT

- 1.2.1. HyNet (the Project) is an innovative low carbon hydrogen and carbon capture, transport and storage project that will unlock a low carbon economy for the North West of England and North Wales and put the region at the forefront of the UK's drive to Net-Zero. The details of the project can be found in the main DCO documentation.
- 1.2.2. A full description of the DCO Proposed Development is detailed in Chapter 3 of the consolidated Environmental Statement (ES) [REP4-029], submitted at Deadline 4. On the 12 July 2023, the Examining Authority (ExA) accepted the Applicant's Change Request 3, subsequently the description of the development has been updated in accordance with Change Request 3 Environmental Technical Note [CR3-019] and a consolidated ES submitted at Deadline 7.

**Table 1-1 – Applicant’s Comments on the Report on the Implications for European Sites (RIES)**

The full RIES can be found here: [EN070007-001246-HYCO - Report on the Implications for European Sites.pdf \(planninginspectorate.gov.uk\)](https://planninginspectorate.gov.uk/EN070007-001246-HYCO-Report-on-the-Implications-for-European-Sites.pdf)

Applicant Reference	RIES Reference	ExA Query / Applicant’s Clarifications	Applicant Response
1	Paragraph 2.1.3 and Table 2.1	Applicant’s Clarification / suggested amendment to REIS	The Applicant would like to clarify that the distances cited within the ‘Distance from Proposed Development’ column of Table 2.1 in the RIES [OD-008], match that of the Habitats Regulations Assessment (HRA) submitted at Deadline 4 [REP4-243] and not that of the HRA submitted with the DCO application [APP-226] as alluded to within paragraph 2.1.3 in the RIES [OD-008]. It is therefore suggested that paragraph 2.1.3 should be updated to reference [REP4-243].
2	Paragraph 2.3.1	Applicant’s Clarification / suggested amendment to REIS	The Applicant would like to clarify that as per paragraph 6.4.1 of the HRA [REP4-243], Appendix B of the document listed 41 ‘Other Developments’, not 42 as stated within the RIES [OD-008]. The Applicant can confirm that additional ‘Other Developments’ have been included for consideration as part of the in-combination assessment within the HRA [REP4-243] submitted at Deadline 7. It is therefore suggested that paragraph 2.3.1 should be updated to state 41 ‘Other Developments’.
3	Paragraph 3.1.5	Please could the Applicant update paragraph 4.2.3 in the next version of the Habitats Regulations Assessment Report (HRAR) to reflect the information on survey visits as set out in REP1-042.	The Applicant does not propose to update the HRA text as currently presented. The response to row 2.56.1 in the Applicant’s Response to the Relevant Representations [REP1-042] discusses the timing of bird surveys associated with Transect 2 which represents functionally linked land of the Dee Estuary SPA/Ramsar, the basis of Natural England’s query. The approach to bird surveys has been discussed with Natural England directly outwith the written responses. Natural England has agreed with the assessment and its conclusions following receipt of additional information on the extent of surveys and the potential impacts arising from the DCO Proposed Development and how these would be mitigated. Item NE 3.3.4 of the Statement of Common Ground with Natural England [REP6-023] demonstrates agreement of this point following confirmation from Natural England of their acceptance of the updated HRA and information received. The timings and frequency of bird surveys presented within paragraph 4.2.3 of the HRA are correct and match that presented within paragraph 2.2.3 in Appendix 9.8 – Bird Report [REP4-112].
4	Table 4.1: 2	The ExA requests an update on this matter from the Applicant and NRW for D7, and a statement from the Applicant about when an updated HRAR will be submitted.	The Applicant has included, within revisions to the HRA as submitted at Deadline 7, consideration of potential GCN dispersal distances of up to 1.6km (see Section 6 paragraph 6.2.22 in particular). The Applicant has submitted an updated Statement of Common Ground with Natural Resources Wales (NRW) at Deadline 7 that captures NRW’s agreement with the revised assessment criteria and conclusions based on the inclusion and consideration of potential great crested newt dispersal distances of up to 1.6km.
5	Table 1.4 – Deeside and Buckley Newt sites SAC	Applicant’s Clarification / suggested amendment to REIS	Following the inclusion of text regarding potential Great Crested Newt (GCN) dispersal distances of up to 1.6km within the HRA (submitted at Deadline 7) and acknowledging the updated text confirming NRW’s agreement with the revised assessment criteria and conclusions (as presented within the updated Statement of Common Ground for NRW submitted at Deadline 7), it is suggested that items noted as “not agreed” under the AEoI column of Table 1.4 should be changed to “agreed”.