

## **STATEMENT OF COMMON GROUND WITH SCOTTISH POWER ENERGY NETWORKS (SPEN)**

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

Planning Act 2008

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

Document Reference Number D.7.2.20

Applicant: Liverpool Bay CCS Limited

Inspectorate Reference: EN070007

English Version

REVISION: B

DATE: August 2023

DOCUMENT OWNER: WSP UK Ltd

PUBLIC


# QUALITY CONTROL

<b>Document Reference</b>	<b>D.7.2.20</b>				
<b>Document Owner</b>	<b>WSP</b>				
<b>Revision</b>	<b>Date</b>	<b>Comments</b>	<b>Author</b>	<b>Check</b>	<b>Approver</b>
<b>A</b>	August 2023	Deadline 6a	CP	AV	AH
<b>B</b>	September 2023	Deadline 7	CP	AV	AH

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**STATEMENT OF COMMON GROUND**

**This Statement of Common Ground has been prepared and agreed by (1) Liverpool Bay CCS Limited and (2) Scottish Power Energy Networks (SPEN)**

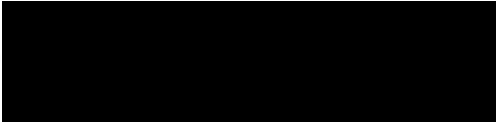
**Signed**  .....

**Martin Currie**

**Director**

**on behalf of Liverpool Bay CCS Limited**

**Date: 21<sup>st</sup> August 2023**

**Signed ...**  .....

**Steven Edwards**

**Senior Environmental Planner**

**on behalf of Scottish Power Energy Networks**

**Date: 21<sup>st</sup> August 2023**

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# 1. INTRODUCTION

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## 1.1. PURPOSE OF THIS DOCUMENT

- 1.1.1. This Statement of Common Ground (SoCG) has been prepared by Liverpool Bay CCS Limited (the Applicant) and Scottish Power Energy Networks (SPEN).
- 1.1.2. For the purpose of this SoCG, the Applicant and SPEN jointly be referred to as the 'Parties'.
- 1.1.3. The purpose of this SoCG is to set out the agreement that has been reached between the Parties in respect of a number of matters related to the Development Consent Order (DCO) Proposed Development. It also lists any points on which discussions are ongoing. SoCGs are an established means in the DCO planning process of allowing all Parties to identify and focus on specific issues that may need to be addressed during the examination.
- 1.1.4. **Chapter 2** of this SoCG records the consultation undertaken with SPEN by the Applicant. **Chapter 3** of this SoCG sets out the areas of agreement in relation to the above matters, and any areas of ongoing discussion between the Parties.

## 1.2. THE DCO PROPOSED DEVELOPMENT

- 1.2.1. HyNet (the Project) is an innovative low carbon hydrogen and carbon capture, transport and storage project that will unlock a low carbon economy for the North West of England and North Wales and put the region at the forefront of the UK's drive to Net-Zero. The detail of the Project and the DCO Proposed Development can be found in the main DCO documentation. The DCO Proposed Development and this SOCG relate to the onshore CO<sub>2</sub> pipeline element of HyNet only. Other elements of HyNet are subject to separate consenting processes and are not addressed here.
- 1.2.2. The DCO Proposed Development impacts SPEN as a utility provider and asset owner.
- 1.2.3. The Applicant has identified the following plots in which SPEN hold an interest:  
*1a-01, 1a-02, 1a-03, 1-01, 1-01a, 1-02, 1-04, 1-05, 1-06, 1-06a, 1-06b, 1-08, 1-09, 1-11, 1-12, 1-13, 1-14, 1-15, 1-17, 1-18, 1-24, 2-04, 2-04a, 2-05, 2-06, 2-08, 2-09, 2-10, 2-11, 3-06, 3-11, 3-12, 3-14, 3-15, 3-16, 3-17, 3-18, 3-18a, 4-11, 4-12, 4-15, 4-18, 4-20, 5-01, 5-02, 5-03, 5-10, 5-13, 5-14, 5-16, 8-15, 9-01, 9-03, 9-05, 9-22, 9-25, 10-01, 10-02, 10-04, 10-12, 10-13, 11-06, 11-07, 11-08, 11-13, 11-14, 11-16, 11-17, 12-05, 12-06, 12-13, 12-14, 12-16, 12-17, 12-20, 12-21, 13-01, 13-0, 13-03, 13-04, 13-05, 13-06, 13-08, 13-09, 13-10, 13-11, 13-12, 13-13, 13-20, 13-21, 14-14, 14-14a, 14-20, 14-22, 14-28, 14-30a, 15-01, 15-07, 15-11, 15-12, 15-13, 15-14, 16-12, 16-13, 16-14, 16-15, 16-18, 16-19, 16-20, 16-21, 16-22, 16-23, 16-24, 16-27, 16-28, 16-28a, 16-29, 16-30, 17-02, 17-03, 17-04, 17-06, 17-07, 17-13, 17-16, 17-17, 17-19, 17-29, 17-31, 17-33, 17-34, 17-*

37, 17-39, 17-40, 17-44, 18-01, 18-02, 18-03, 18-04, 18-05, 18-08, 18-09, 18-10, 18-11, 18-12, 18-13, 18-14, 18-16, 18-19, 18-24, 18-26, 18-27, 18-28, 18-30, 18-31, 18-32, 18-33, 19-04, 19-04a, 19-04b, 19-04c, 19-05, 19-06, 19-07, 19-08, 19-09, 19-12, 19-13, 20-03, 20-04, 20-05, 21-05, 22-07, 22-08, 22-09, 22-10.

- 1.2.4. A full description of the DCO Proposed Development is detailed in Chapter 3 of the consolidated Environmental Statement (ES) **[REP4-029]**, submitted at Deadline 4. On the 12 July 2023, the ExA accepted the Applicant's Change Request 3, subsequently the description of the development will be updated in accordance with Change Request 3 Environmental Technical Note **[CR3-019]**, towards the end of the Examination.

### **1.3. TERMINOLOGY**

- 1.3.1. In the Issues tables in **Chapter 3** of this SoCG, 'Agreed' and 'Not Agreed' indicates a final position, and 'Under Discussion' indicates where these points will be the subject of on-going discussion wherever possible to resolve or refine, the extent of disagreement between the Parties.

## **2. RECORD OF ENGAGEMENT**

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- 2.1.1. This chapter provides a summary of the engagement to date between the Applicant and SPEN in relation to the DCO Proposed Development.

**Table 2.1 – Record of Engagement in relation to the Proposed Development**

Date	Form of Correspondence	Key Topics Discussed and Key Outcomes
07/09/2022	Email correspondence between SPEN and the Applicant	<p><b>Key Topics</b></p> <ul style="list-style-type: none"> <li>• Key crossover points of interests</li> </ul> <p><b>Discussions and Outcomes</b></p> <p>Identification of key crossover points of interest as follows (with existing high voltage 132kV and 33kV assets, which in some cases include the sites of the later proposed changes)</p> <ul style="list-style-type: none"> <li>• North west Chester services</li> <li>• West of Backford</li> <li>• Saughall</li> <li>• Sealand Road</li> <li>• South of River Dee</li> <li>• South Queensferry</li> <li>• Connah’s Quay</li> <li>• Halkyn</li> </ul> <p>Request by SPEN to see crossing plans.</p>
08/09/2022	Email correspondence between SPEN and the Applicant	<p><b>Key Topics</b></p> <ul style="list-style-type: none"> <li>• Exchange of information</li> </ul> <p><b>Discussions and Outcomes</b></p> <p>Requested information sent except typicals drawings, KMZ file, field layout explaining site specific drawing (to be available once specialist contractor is on board). Request related to teams meeting sent.</p>
24/11/2022	Teams meeting between SPEN and the Applicant	<p><b>Key Topics</b></p> <ul style="list-style-type: none"> <li>• Discussion on location of SPEN high value assets</li> <li>• Discussion on SPEN new A5117 sub-station and its interface with proposed pipelines</li> <li>• Easement conditions</li> <li>• Land rights</li> <li>• Proximity of SPEN poles to proposed pipelines</li> </ul> <p><b>Discussions and Outcomes</b></p> <p>SPEN to send shape files containing location of SPEN assets and SPEN Substation.</p> <p>Easement and land rights conditions to be addressed in Protective Provisions.</p> <p>SPEN to send HSE Guidelines on Statutory Clearances.</p>
08/12/2022	Email correspondence between SPEN and the Applicant	<p><b>Key Topics</b></p>



Date	Form of Correspondence	Key Topics Discussed and Key Outcomes
		<ul style="list-style-type: none"> <li>Exchange of information</li> </ul> <p><b>Discussions and Outcomes</b></p> <p>SPEN sent Proposed Planning Layout for 33kV switch room at Chester motorway services.</p>
27/02/2023	Email correspondence between SPEN and the Applicant	<p><b>Key Topics</b></p> <ul style="list-style-type: none"> <li>Exchange of information</li> </ul> <p><b>Discussions and Outcomes</b></p> <p>The Applicant provided acceptance of Licence Terms and Conditions ODR22 for the Applicant's open data request.</p> <p>Confirmation of receipt of Licence Terms and Conditions ODR22 for open data request by SPEN. Location of all SPEN existing assets sent by SPEN.</p>
29/03/2023	Teams meeting between SPEN and the Applicant	<p><b>Key Topics</b></p> <ul style="list-style-type: none"> <li>Discussion on overlay plans showing crossover points (particular focus on 132kv crossovers)</li> <li>Protective Provisions</li> <li>Statement of Common Ground (SOCG)</li> </ul> <p><b>Discussions and Outcomes</b></p> <p>The Applicant provided a detailed overview of the crossing interface points with SPEN assets (overhead and buried assets) to identify associated risks. SPEN advised that a 15m buffer zone / standoff to their assets is typically required. SPEN requested the Applicant to prepare a draft Outline Construction Method Statement for any construction works that affect SPEN's assets (i.e. those within the 15m buffer). It was also noted that the majority of the interface points between SPEN assets and the DCO Proposed Development were outside of the 15m buffer zone.</p> <p>The Applicant shared the draft SOCG on screen with SPEN and advised this would be shared with them ahead of sending to the Planning Inspectorate for Deadline 1 (17 April). This was sent to SPEN on 14 April. Protective Provisions were discussed - the Applicant is currently reviewing.</p>
17/04/2023	Email correspondence from SPEN	<p><b>Key Topics</b></p> <ul style="list-style-type: none"> <li>SPEN shared a link to an example of an Outline Construction Method Statement from the Awel Y Môr DCO scheme.</li> </ul> <p><b>Discussions and Outcomes</b></p> <p>SPEN advised that the Outline Construction Method Statement is a generic document but would cover the issues sufficiently taken into combination with the Protective Provisions. The Applicant is currently reviewing this.</p>
16/05/2023	Microsoft Teams meeting between the Applicant and SPEN	<p><b>Key Topics</b></p> <ul style="list-style-type: none"> <li>Further discussion regarding Protective Provisions</li> <li>Information provided on Change Request 2</li> </ul>

Date	Form of Correspondence	Key Topics Discussed and Key Outcomes
		<ul style="list-style-type: none"> <li>• Protective Provisions</li> </ul> <p><b>Discussions and Outcomes</b></p> <p>The Applicant provided information in relation to the procedural elements of a proposed change request to include, the consultation period, number of changes and status. SPEN confirm that upon first review of the notification letter <b>[AS-060]</b> that there would be no impact on their assets. The Applicant confirms that wherein there is a change, engagement is ongoing with those affected.</p> <p>SPEN raised the substation within the curtilage at Chester Services. The Applicant confirms that there is enough space within the corridor to avoid an impact on this asset and share an indicative revised design wherein the routing would fall (up to) 22.5m away. SPEN's easement is confirmed to be 15m.</p> <p>SPEN clarify that they have sent over wording (in relation to another scheme) and requested this be included within the protective provisions. It is clarified that the Construction Method Statement was provided to support the drafting of the PP's. The Applicant raises that the level of detail expected is not available to date and signposts to application documents such as the OCEMP <b>[REP6-008]</b>.</p> <p>SPEN will re-circulate their general standards GS6 &amp; EN43-8. The Applicant suggests that adherence to SPEN's general standards is captured in the PPs which is agreed by SPEN in principle.</p>
<b>06/07/2023 &amp; 07/07/2023</b>	Email correspondence between SPEN and the Applicant	<p><b>Key Topics</b></p> <ul style="list-style-type: none"> <li>• Exchange of information</li> <li>• Discussion and Outcomes</li> </ul> <p><b>Discussions and Outcomes</b></p> <p>SPEN provided the links for the following documents:</p> <ul style="list-style-type: none"> <li>• ENA 43-8 Overhead line clearances</li> <li>• ESQCR (The Electricity Safety, Quality and Continuity Regulations 2002)</li> <li>• HSE Guidance Notes HS(G)47 "Avoiding Danger from Underground Services".</li> <li>• HSE Guidance Notes GS 6 "Avoidance of Danger from Overhead Electric Lines".</li> </ul>

### **3. ISSUES**

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3.1.1. This chapter sets out the areas of agreement in relation to specific issues relating to the DCO Proposed Development, and any areas of ongoing discussion between the Parties. The topics discussed between the Applicant and SPEN are as follows:

- Engagement, Land & Other Application Documents;
- Design and Assets; and
- Issues related to the DCO Proposed Development - Draft DCO (including requirements to the draft DCO).

**Table 3-1 – Engagement, Land & Other Application Documents**

Ref.	Description of Matter	Current Position	Status
<b>Engagement</b>			
SP 3.1.1	Engagement	<p>SPEN has been formally consulted on the Applicant’s DCO application as required by the Planning Act 2008.</p> <p>The Parties agree that the Applicant has sought to bring forward a design which has had regard to SPEN’s views.</p>	Agreed
<b>Land</b>			
SP 3.1.2	Land Acquisition	<p>The Parties are seeking to agree a voluntary land acquisition agreement. SPEN will require all land rights affected by the DCO Proposed Development that need to be amended to be agreed in full with them.</p> <p>The Applicant will continue to proactively engage with SPEN regarding SP Manweb’s assets.</p>	Agreed
<b>Other application documents</b>			
SP 3.1.3	Other application documents	<p>SPEN to agree that its interests are correctly reflected in the Book of Reference <b>[CR3-013]</b>.</p> <p>SP Manweb were added to the following plots at REP 4 (Deadline 4), following a utility search refresh 1a-01, 1a-02, 1a-03, 1-25, 4-19, 5-07, 5-08, 7-07, 7-08, 10-04a, 10-07, 10-08, 10-10, 12-09, 12-10, 14-30, 16-26, 17-08, 17-12, 18-29, 20-06, 20-08, 20-11, 20-12, 20-19, 20-19a, 20-20, 20-24, 20-25, 20-26, 21-06, 25-08, 25-10, 27-02, 28-03, 29-05</p>	Agreed

**Table 3-2 – Issues related to the DCO Proposed Development – Design and Assets**

Ref.	Description of Matter	Current Position	Status
SP 3.2.1	SPEN Network Assets	<p>SPEN provided a relevant representation [RR-075] to the Planning Inspectorate on behalf of SP Manweb, the licenced Distribution Network Operator (DNO) for the area covered by the DCO Proposed Development.</p> <p>SPEN advised they wanted the Applicant to avoid SPEN Manweb assets being adversely impacted by the DCO Proposed Development and wanted clarification on which assets would be affected. The Applicant is engaging with SPEN over this asset's protection.</p> <p>The Applicant had a meeting with SPEN on 29/03/23 to discuss the SP Manweb network assets in detail as discussed in Chapter 2 of this SoCG.</p>	Agreed
SP 3.2.2	Diversions	<p>SPEN has requested that where necessary, any related consents for diverting the network are included in the DCO.</p> <p>The Applicant confirms that no diversions are known to be required. Any diversion needed would be small and within the scope of the DCO.</p>	Agreed
SP 3.2.3	AGIs, BVSs and CP Cabinet will require electricity connections from the local electricity network at the nearest practicable connection points.	<p>The Applicant has been in contact with SPEN (Connections Services department) since April 2022 and has submitted an application for all 10 locations and has received quote estimates with preliminary designs which has given confidence that the Applicant can get the power connections in accordance with its requirements, though some of the design proposals need further discussion regarding cable routing. The Applicant has not signed any supply contract as the final investment decision on the DCO Proposed Development is yet to be taken.</p>	Agreed

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

Ref.	Description of Matter	Current Position	Status
SP 3.3.1	Protective Provisions	<p>The Applicant and SPEN have agreed Protective Provisions. A copy of the Protective Provisions has been attached to this SoCG at Appendix A.</p>	Agreed