

HyNet North West

STATEMENT OF COMMON GROUND WITH ROYAL MAIL GROUP LTD

HyNet Carbon Dioxide Pipeline DCO

Planning Act 2008

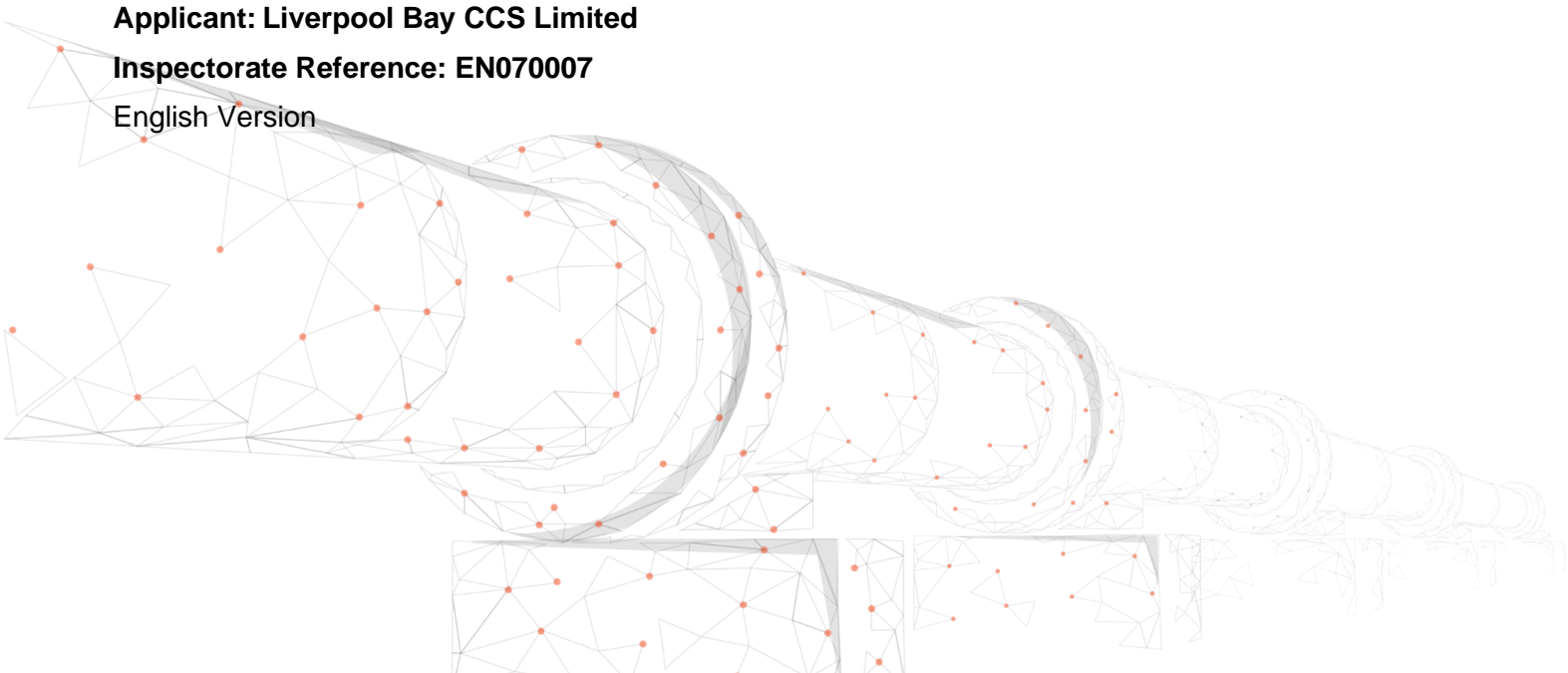
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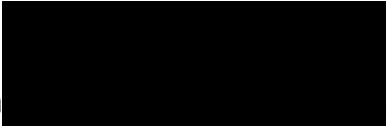
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STATEMENT OF COMMON GROUND

This Statement of Common Ground has been prepared and agreed by (1) Liverpool Bay CCS Limited and (2) Royal Mail Group Ltd

Sign 

[NAME] Martin Currie

[POSITION] Director

on behalf of Liverpool Bay CCS Limited

Date: [DATE] 5 September 2023

Signed

[NAME] *Natalie Brown*

[POSITION] *Legal Advisor Property*

on behalf of Royal Mail Group Ltd

Date: [DATE] *5 September 2023*

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1. INTRODUCTION

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 Royal Mail Group Ltd (Royal Mail).
- 1.1.2. For the purpose of this SoCG, the Applicant and Royal Mail will 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 Development Consent Order (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 Royal Mail 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 CO2 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 (DCO) impacts Royal Mail primarily as a postal service provider.
- 1.2.3. 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 has been updated in accordance with Change Request 3 Environmental Technical Note **[CR3-019]**. The Applicant has submitted a further consolidated Environmental Statement (ES) at Deadline 7 which contains the concluding description of the DCO Proposed Development.

1.3. TERMINOLOGY

- 1.3.1. In the Issues tables in **Chapter 3** of this draft 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

- 2.1.1. This chapter provides a summary of the engagement undertaken to date between the Parties in relation to the DCO Proposed Development.

Table 2-1 – Record of Engagement in relation to the DCO Proposed Development

Date	Form of Correspondence	Key Topics Discussed and Key Outcomes
17/03/2023	Meeting between Royal Mail and the Applicant	<p>Key Topics</p> <p>Introduction to the project and request to be sent to the correct department to progress SoCG discussions.</p> <p>Discussions and Outcomes</p> <p>Royal Mail have provided the correct internal link to the appropriate personnel and have committed to make contact with the Applicant.</p>
17/04/2023	Email Correspondence	<p>Key Topics</p> <p>Deadline 1 Representation</p> <p>Discussions and Outcomes</p> <p>Royal Mail Group Limited Deadline 1 Representation which included matters such as the CTMP, impact to assets and road closures. The Applicant Responded accordingly within the Applicant's Reponse to Relevant Representations [REP1-042].</p>
26/04/2023	Email correspondence from Royal Mail to the Applicant	<p>Key Topics</p> <p>Confirmation that the correct lead contact in Royal Mail has been established.</p> <p>Discussions and Outcomes</p> <p>The Applicant confirmed receipt of the Deadline 1 Submission comments from Royal Mail and suggested a meeting after the Applicant completed its review of Royal Mail's comments; Royal Mail agreed with this approach.</p>
17/05/2023	Microsoft Teams Meeting between Royal Mail and the Applicant	<p>Key Topics</p> <ul style="list-style-type: none"> • DCO Proposed Development and wider HyNet Project update; and • Introduction and run through of SoCG draft. <p>Discussions and Outcomes</p> <p>Royal Mail enquire as to whether there would be any major road closures, the Applicant confirms that by utilising trenchless crossing techniques that this can be avoided. Closures are limited to smaller, rural roads only. The Applicant is engaging with National Highways on this matter.</p> <p>Under section 35 of the Postal Services Act 2011, Royal Mail has been designated by Ofcom as a provider of the Universal Postal Service.</p> <p>Royal Mail confirm that they will agree to item 3.1.3. subject to the Applicant providing evidence of a referencing search which confirms no assets are impacted. Royal Mail raise that assets such as post boxes are typically affected.</p> <p>Royal Mail agree to 3.2.1 subject to some amended wording which is agreed by the Applicant.</p>

Date	Form of Correspondence	Key Topics Discussed and Key Outcomes
		<p>Royal Mail agree to 3.2.3 subject to a clarification sentence added signposting the relevant paragraph of the Outline Construction Traffic Management Plan (OCTMP) [REP3-020].</p> <p>The Applicant agrees to notify or signpost Royal Mail to any updated OCTMP during the examination.</p>
19/05/2023	Email Correspondence between the Applicant and Royal Mail	<p>Key Topics</p> <ul style="list-style-type: none"> • Royal Mail provided the Applicant with its previous representation regarding the DCO Application to include: <ul style="list-style-type: none"> ○ EIA Scoping consultation holding statement – July 2021; ○ S42 consultation rep/holding statement – March 2022; ○ Further consultation reps – July 2022; ○ Interested Party registration Relevant reps – Jan 2023; and ○ Deadline 1 Rep – April 2023. <p>Discussions and Outcomes</p> <p>The Applicant acknowledges the correspondence provided by Royal Mail to include its previous submissions on matters such as EIA Scoping, the application’s Section 42 consultation in July 2022, Royal Mail registering to be an Interested Party to the Examination in order to protect its position and ensure that the future CTMP secures mitigations for Royal Mail and its Deadline 1 response which was responded too accordingly within the Applicant's Response to Relevant Representations [REP1-042].</p>

3. ISSUES

- 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 Royal Mail are as follows:
- Engagement & Other Application documents; and
 - Issues related to the Draft DCO.

Table 3-1 – Engagement & Other Application Documents

Ref.	Description of Matter	Current Position	Status
Engagement			
Royal Mail 3.1.1	Project Support	Royal Mail Group Limited supports this proposed Hynet Carbon Dioxide Pipeline, but is seeking to secure mitigations to protect its road based operations during the construction phase.	Agreed
Other Application Documents			
Royal Mail 3.1.2	Other application documents	Royal Mail agree that they have no land interests in the scheme and are therefore not listed within the Book of Reference [REP3-014] . The Applicant has formally confirmed this to Royal Mail.	Agreed
Other			
Royal Mail 3.1.3	Current Position	Royal Mail are satisfied that outstanding issues in relation to the DCO Proposed Development have been resolved. The Applicant has provided Royal Mail with a draft final version of the OCTMP prior to Deadline 7. Early sight was provided with the intent of closing discussions and agreeing all matters within the SoCG.	Agreed

Table 3-2 – Issues Related to the DCO Proposed Development - Draft DCO (Including Requirements to the Draft DCO)

Ref.	Description of Matter	Current Position	Status
Royal Mail 3.2.1	Draft Outline Construction Traffic Management Plan	<p>Royal Mail supports the proposed Hynet Carbon Dioxide Pipeline but is seeking to secure reasonable mitigations to protect its road-based operations during the construction phase. Royal Mail and its advisor BNP Paribas Real Estate have reviewed the Outline Construction Traffic Management Plan (OCTMP) Revision A document dated September 2022 as included within the Environmental Statement (Volume III).</p> <p>Royal Mail has 4 operational properties within 8 miles of the proposed HyNet Carbon Dioxide Pipeline:</p> <ul style="list-style-type: none"> • BE 2472 Flint DO; • BE 2475 Chester MC; • BE 2454 Chester DO; and • BE BE2528 Ellesmere Port DO. <p>The OCTMP (2022) [APP-224] as submitted, states that construction traffic will use the M53, A55, A494, B roads, and other adjacent local roads. In exercising its statutory duties, Royal Mail vehicles use all of these roads on a daily basis for access to the Delivery Offices and for deliveries. Any periods of road congestion, disruption / closure, night or day, on or to the roads immediately connected to the Pipeline or the surrounding highway network will have the potential to adversely impact Royal Mail operations.</p>	Agreed

Ref.	Description of Matter	Current Position	Status
		<p>The Applicant has invited Royal Mail and its advisors to review Chapter 17 Traffic and Transport of the 2022 Environmental Statement (ES) [APP-069], the Environmental Statement Addendum Change Request [CR1-124], and Appendix 17.13 Transport Assessment [CR1-042].</p> <p>The Applicant notes that the conclusions of those assessments are that, with the implementation of appropriate mitigation measures outlined in those documents and the OCTMP [REP2-019], and as submitted at Deadline 2, the construction traffic associated with the DCO Proposed Development can be accommodated without compromising the safe and efficient operation of the local and strategic transport networks.</p> <p>Royal Mail agrees that reasonable measures to minimise construction impacts have been taken.</p>	
Royal Mail 3.2.2	Royal Mail's Performance of the Universal Service Provider	<p>Royal Mail's performance of the Universal Service Provider obligations is in the public interest and should not be affected detrimentally by any statutorily authorised project. Accordingly, Royal Mail seeks to take all reasonable steps to protect its assets and operational interests from any potentially adverse impacts of proposed development.</p> <p>The Applicant acknowledges Royal Mail's obligations as set out in their representation at Deadline 1 [REP1-076].</p>	Agreed
Royal Mail 3.2.3	Notice on any proposed road closures / diversion / alternative access arrangement	<p>Royal Mail does not wish to stop or delay the HyNet Carbon Dioxide Pipeline from coming forward for development. However, Royal Mail does wish to ensure the protection of its future ability to provide an efficient mail sorting and delivering service to the public from and to the above identified operational facilities in accordance with its statutory obligations.</p> <p>To achieve this, the Applicant confirms that Royal Mail will be consulted on the details of any proposed road closures, diversions and/or alternative access arrangements at least one month in advance. This is secured in the updated OCTMP [REP2-019], as submitted at Deadline 2, specifically shown in paragraph 8.1.4. The Applicant agrees to send links to future revisions of the OCTMP when issued.</p>	Agreed
Royal Mail 3.2.4	Transport Review Group	<p>The Applicant confirms that Royal Mail will be invited to join as a stakeholder of the Transport Review Group referenced in the OCTMP [REP2-019]. The Applicant will advise Royal Mail of appropriate contacts and the details of the Transport Review Group no less than two months before the date on which the first of any construction activity resulting in road closures/diversions will commence. This is secured in the updated OCTMP [REP2-019], as submitted at Deadline 2.</p> <p>The Applicant updated the OCTMP at Deadline 3 [REP3-020] to either ensure Royal Mail attendance at the Transport Review Group or at least receive information from it to ensure that Royal Mail is kept up to date with construction plans and developments. The consolidated CTMP is secured by requirement 6 of the dDCO [REP4-007].</p>	Agreed
Royal Mail 3.2.5	Consultation	<p>The Applicant confirms that Royal Mail will be pre-consulted by the Applicant or its Construction Contractor(s) on the content of the final Construction Traffic Management Plan secured by Requirement 6 of the dDCO [REP4-007]. This is secured in the updated OCTMP [REP2-019], as submitted at Deadline 2.</p> <p>The Applicant's Construction Contractor will contact the Royal Mail legal team to link the appropriate contact to the Transport Review Group no less than 2 months prior to construction starts.</p> <p>The Applicant updated the OCTMP at Deadline 3 [REP3-020] to either ensure Royal Mail attendance at the Transport Review Group or at least receive information from it to ensure that Royal Mail is kept up to date with construction plans and developments. The consolidated CTMP is secured by requirement 6 of the draft development consent order [REP4-007].</p>	Agreed