

By email only:
hynetco2pipeline@planninginspectorate.gov.uk

Your ref: EN070007

National Highways Limited
9th Floor Piccadilly Gate
Store Street
Manchester
M1 2WD

14th February 2024

Dear Sirs

Planning Act 2008 and The Infrastructure Planning (Examination Procedure) Rules 2010.

Application by Liverpool Bay CCS Limited (“the Applicant”) for an Order granting Development Consent for the proposed HyNet Carbon Dioxide Pipeline.

Thank you for your letter of 31 January 2024. It is noted that this request for information includes one question directed at National Highways Limited (“National Highways”).

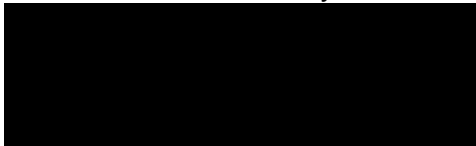
12. National Highways is requested to update as to whether Commercial Agreement(s) and Protective Provision at Schedule 10, Part 17 of the DCO have been agreed and whether it can now withdraw its objection.

On behalf of National Highways, I can confirm that no further dialogue has taken place with the Applicant since the close of the Examination regarding the Protective Provisions and the need to control any works taking place in and around the strategic road network (SRN). National Highways maintains its objection to the application. Its position remains as it was at the close of the Examination and as set out in National Highways’ deadline 7 submission para 3.2 and 3.7 [REP7-316](#) and deadline 8 submission para 4 [REP8-046](#).

With regard to National Highways’ specific objection to compulsory acquisition powers, discussions have taken place, and the parties are in the process of negotiating an option agreement for a lease of easement. There are only a few outstanding points to agree regarding notification provisions and it is expected that this agreement can be concluded shortly. As has been stated in National Highways’ submissions during the examination, and evidenced by its conduct since the examination closed, National Highways is happy to grant a lease of easement to the applicant and therefore compulsory acquisition powers in respect of National Highways’ land and interests is unnecessary. With specific regard to the Applicant’s apparatus beneath the SRN, a lease arrangement enables this to be controlled and would only apply to the specific corridor(s) needed for the apparatus. Compulsory acquisition of the entire freehold

estate is disproportionate and unnecessary and would cause serious detriment to National Highways' undertaking.

Yours sincerely



John Hope
Spatial Planning Manager – Operations NW
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