

Viking CCS Pipeline

9.8 Responses to Relevant Representations

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a Harbour Energy Company
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1 Introduction

1.1 Purpose of this Document

- 1.1.1 This document has been prepared for the Viking CCS Pipeline (the 'Proposed Development') on behalf of Chrysaor Production (UK) Limited ('the Applicant'), in relation to an application ('the Application') for a Development Consent Order (DCO) that has been submitted under Section 37 of the Planning Act 2008 (PA 2008) to the Secretary of State (SoS) for Energy Security and Net Zero.
- 1.1.2 This document provides the Applicant's responses to the Relevant Representations submitted by Interested Parties.

1.2 The DCO Proposed Development

- 1.2.1 The Proposed Development comprises a new onshore pipeline which will transport CO₂ from the Immingham industrial area to the Theddlethorpe area on the Lincolnshire coast, supporting industrial and energy decarbonisation, and contributing to the UK target of Net-Zero by 2050. The details of the Proposed Development can be found within the submitted DCO documentation. In addition to the pipeline, the Proposed Development includes a number of above ground infrastructure, including the Immingham Facility, Theddlethorpe Facility and three Block Valve Stations.
- 1.2.2 A full, detailed description of the Proposed Development is outlined in Environmental Statement (ES) Volume II Chapter 3: Description of the Proposed Development **[APP-045]**.

2 The Applicant's response to Relevant Representations

- 2.1.1 This section includes a table for each of the 121 Relevant Representations received and, where possible, a response from the Applicant to each of the points raised in the order they are published on the Planning Inspectorate's website.

Table 2-1: Masons Rural on behalf of A E Graves & Son Ltd – RR-001

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.1.1	Land / Compensation	<p>My client wishes to raise the following concerns surrounding the project;</p> <ul style="list-style-type: none"> Failed to agree commercial terms due to a lack of meaningful consultation with the landowners and their agents 	<p>The Applicant notes the comments from Masons Rural on behalf of A E Graves & Son Ltd and acknowledges that discussions on the Option Agreement for Lease remain ongoing. The Applicant has been engaging with Masons Rural on behalf of A E Graves & Son Ltd since March 2022 and has been discussing commercial terms since July 2023. This includes an in-person meeting with the Affected Person and appointed Land Agent in January 2024. The Applicant will continue to engage with Masons Rural on behalf of A E Graves & Son Ltd with a view to reaching a commercial agreement.</p>
2.1.2	Construction	<ul style="list-style-type: none"> Failed to agree a method statement for the pipeline construction and failure to provide clarity regarding construction depth of the pipeline and assurances that the land can be farmed going forward 	<p>The pipeline will be buried at a minimum depth of 1.2m to the top of the pipe, apart from under exceptional circumstances not anticipated in the location of the Proposed Development. This will be greater at crossing points of railways, roads, and watercourses.</p> <p>Once the pipeline is installed, normal agricultural practices will be able to resume above the pipeline. This is set out in paragraph 3.7.32 of ES Chapter 3: Description of the Proposed Development [APP-045]. Further, section 3.12 of Chapter 3 sets out the approach to construction in more detail.</p> <p>Details of the depth of the pipeline has also been shared with the affected parties' Agent and reference has been made to this in the proposed Heads of Terms, for which the Applicant is progressing with an aim to reach agreement.</p>
2.1.3	Easements	<ul style="list-style-type: none"> No consultation has taken place regarding potential future development of the pipeline corridor and compensation provision via a development clause 	<p>As noted above, the Applicant has consulted and engaged with A E Graves & Son Ltd since March 2022. The Applicant will continue to engage with the landowner and compensation will be assessed on a case-by-case basis in accordance with the Compensation Code.</p>
2.1.4	Construction	<ul style="list-style-type: none"> No consultation regarding the implementation of a haul road during the construction period 	<p>As set out in paragraph 3.12.38 of ES Chapter 3: Description of the Proposed Development [APP-045], the entrance directly off the public highway would be laid to hardcore. The temporary access routes which lead to the pipeline spread and the running track itself would have the topsoil removed and stored to one side. The "running track" is effectively the haul road which will be constructed along the entire right of way (excluding certain crossing locations), to allow the passage of vehicles, plant and materials/pipe. Upon completion of construction, these tracks will be levelled, and the topsoil replaced, and land restored to its original condition.</p> <p>Paragraph 3.12.39 states that, where necessary depending on ground conditions and weather conditions, some areas may temporarily be covered with a geotextile membrane and stone surface to facilitate traffic movements.</p>
2.1.5	Engineering and Design	<p>Finally, my client has huge concerns over the drainage issues during and post construction as the land in this part of the country will never properly recover and would urge the scheme to be rerouted to avoid their field.</p>	<p>The Draft Construction Environmental Management Plan (CEMP) [APP-068] includes a number of requirements relating to agriculture and soils that will be adhered to in the construction of the Proposed Development. Commitment F5 states that existing field drainage systems will be re-instated to ensure that land capability is maintained, and drainage related to flooding issues will not be worsened. Items G2 and G3 of the Draft CEMP set out that:</p> <p><i>G2: The location and condition of existing land drainage will be established, and a record compiled. Subject to landowner/occupier agreement, existing drains should be restored, or new drains established to help prevent damage to soil structure, maintain work areas in a dry condition and to enable current drainage systems to continue to operate through the construction period.</i></p> <p><i>G3: The design of these drainage schemes will be agreed by The Applicant's, the Contractor(s), and the landowners / occupiers. A specialist drainage contractor in most instances will carry out the work. Permanent records of the land drainage locations will be produced.</i></p> <p>The Applicant has also appointed a land drainage consultancy to advise on pre/post construction drainage including engagement with respective landowners.</p> <p>The Outline Soil Management Plan (SMP) [APP-096] included in the DCO application sets out principles and procedures for good practice (embedded mitigation measures) and bespoke mitigation measures in soil handling, storage, and reinstatement to be used for the Viking CCS Pipeline. This outline SMP will be developed further during the FEED stage, to set out the framework that the appointed Contractor will follow to minimise adverse effects on soil resources.</p>

Table 2-2: DDM Agriculture Ltd on behalf of A J Hilton and Sons – RR-002

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.2.1	Land / Compensation	•Failure to agree commercial terms due to a lack of meaningful consultation with the landowners and their agents	The Applicant notes the comments from DDM Agriculture Ltd on behalf of A J Hilton and Sons and acknowledges that discussions on the Option Agreement for Lease remain ongoing. The Applicant has been engaging with DDM Agriculture Ltd on behalf of A J Hilton and Sons since March 2022 and has been discussing commercial terms since July 2023. The Applicant will continue to engage with DDM Agriculture Ltd on behalf of A J Hilton and Sons with a view to reaching a commercial agreement.
2.2.2	Construction	•Failure to agree a method statement for the pipeline construction and failure to provide clarity regarding construction depth of the pipeline and assurances that the land can be farmed going forward	The pipeline will be buried at a minimum depth of 1.2m to the top of the pipe, apart from under exceptional circumstances not anticipated in the location of the Proposed Development. This will be greater at crossing points of railways, roads, and watercourses. Once the pipeline is installed, normal agricultural practices will be able to resume above the pipeline. This is set out in paragraph 3.7.32 of ES Chapter 3: Description of the Proposed Development [APP-045]. Further, section 3.12 of Chapter 3 sets out the approach to construction in more detail. Details of the depth of the pipeline has also been shared with the affected parties' Agent and reference has been made to this in the proposed Heads of Terms, for which the Applicant is progressing with an aim to reach agreement.
2.2.3	Easements	•No consultation has taken place regarding potential future development of the pipeline corridor and compensation provision via a development clause	As noted above, the Applicant has consulted and engaged with A J Hilton and Sons since March 2022. The Applicant will continue to engage with the landowner and compensation will be assessed on a case-by-case basis in accordance with the Compensation Code.
2.2.4	Construction	•No consultation regarding the implementation of a haul road during the construction period	As set out in paragraph 3.12.38 of ES Chapter 3: Description of the Proposed Development [APP-045], the entrance directly off the public highway would be laid to hardcore. The temporary access routes which lead to the pipeline spread and the running track itself would have the topsoil removed and stored to one side. The "running track" is effectively the haul road which will be constructed along the entire right of way (excluding certain crossing locations), to allow the passage of vehicles, plant and materials/pipe. Upon completion of construction, these tracks will be levelled, and the topsoil replaced, and land restored to its original condition. Paragraph 3.12.39 states that, where necessary depending on ground conditions and weather conditions, some areas may temporarily be covered with a geotextile membrane and stone surface to facilitate traffic movements.

Table 2-3: Charles Russell Speechlys LLP on behalf of Air Products (BR) Limited – RR-003

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.3.1	General	Air Products is also currently working with Associated British Ports to promote the Immingham Green Energy Terminal application for development consent, which was Accepted for Examination on 19 October 2023. Air Products will be the first user of the proposed new terminal with the proposed landside development of a hydrogen production facility in Immingham. Air Products supports, in principle, the development of Viking and welcomes any contribution it would make towards the decarbonisation of UK industrial activities and the UK meeting its net zero targets, subject to	The Applicant welcomes Air Products in principle support for the Proposed Development and will work with them through the examination to address their concerns in respect of their operational assets.

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		<p>its concerns relating to its existing assets in the area (set out below) being fully addressed</p>	
2.3.2	<p>Protective Provisions Engineering and Design</p>	<p>AIR PRODUCTS' ASSETS</p> <p>Air Products operates in and around the Stallingborough area and has existing assets which currently serve two oil refineries which are likely to be affected by Viking.</p> <p>In particular:</p> <p>An oxygen pipeline which runs as shown coloured red on the plan at Annex 1 (submitted via separate email) and in parts buried where shown hatched. Air Products operates and maintains this pipeline pursuant to a deed easement granted by Phillips 66 Limited who owns the full length;</p> <p>A nitrogen pipeline which runs as shown coloured green and red on the plan at Annex 2 (submitted via separate email) and in parts buried where shown hatched. Air Products operates and maintains this pipeline under a licence granted by Phillips 66 Limited and Humber Oil Terminals (Trustees) Limited who together own the full length;</p>	<p>The Applicant notes the detail of Air Products' assets and the plan provided.</p>
2.3.3	<p>Land / Compensation</p>	<p>INTERFERENCE WITH AIR PRODUCTS' ASSETS</p> <p>Air Products objects to the proposed powers of compulsory acquisition over land in which it has an interest.</p> <p>To date there has been limited communication with the Applicant in relation to their proposals, the powers sought over the land in which Air Products has an interest, and what kind of interference is proposed by Viking. Air Products would welcome further opportunity to discuss with the Applicant to better understand its proposals and their potential impact on Air Products' operations.</p>	<p>The Applicant notes Air Products' objection to the proposed powers of compulsory acquisition over land in which it has an interest. The Applicant submitted a change request to the Examining Authority on 19 March 2024 [AS038 to AS-054]. Amongst other things, that change requests seeks to modify the DCO application with the effect that option to route the pipeline through the Humber Refinery is removed from the application.</p> <p>This will be reflected in the Works Plans and Land Plans [AS-049] and the Applicant will no longer be seeking compulsory acquisition over this land. This will reduce potential interaction between the Proposed Development and Air Products' assets. The Applicant will engage with the Air Products in relation to the potential impacts on its operational assets and its request for Protective Provisions to safeguard these.</p>
2.3.4	<p>Protective Provisions</p>	<p>PROTECTION OF AIR PRODUCTS' ASSETS</p> <p>Air Products would like to agree with the Applicant the inclusion of Protective Provisions in the draft DCO for the protection of Air Products' existing infrastructure, and/or an asset protection agreement as relevant.</p> <p>Air Products reserves the right to make further representations as part of the Examination</p>	

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		process and would welcome further opportunity to discuss with the Applicant with a view to reaching agreement on these matters.	

Table 2-4: Masons Rural on behalf of Alan Willson – RR-004

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.4.1	Land / Compensation	My client wishes to raise the following concerns surrounding the project; •Failure to agree commercial terms due to a lack of meaningful consultation with the landowners and their agents. Have not ever met with the client either.	The Applicant notes the comments from Masons Rural on behalf of Alan Willson and acknowledges that discussions on the Option Agreement for Lease remain ongoing. The Applicant has been engaging with Masons Rural on behalf of Alan Willson since March 2022 and has been discussing commercial terms since July 2023. This includes an in-person meeting with the Affected Person and appointed Land Agent in October 2023. The Applicant will continue to engage with Masons Rural on behalf of Alan Willson with a view to reaching a commercial agreement.
2.4.2	Construction	•Failure to agree a method statement for the pipeline construction and failure to provide clarity regarding construction depth of the pipeline and assurances that the land can be farmed going forward	The pipeline will be buried at a minimum depth of 1.2m to the top of the pipe, apart from under exceptional circumstances not anticipated in the location of the Proposed Development. This will be greater at crossing points of railways, roads and watercourses. Once the pipeline is installed, normal agricultural practices will be able to resume above the pipeline. This is set out in paragraph 3.7.32 of ES Chapter 3: Description of the Proposed Development [APP-045]. Further, section 3.12 of Chapter 3 sets out the approach to construction in more detail. Details of the depth of the pipeline has also been shared with the affected parties' Agent and reference has been made to this in the proposed Heads of Terms, for which the Applicant is progressing with an aim to reach agreement.
2.4.3	Easements	•No consultation has taken place regarding potential future development of the pipeline corridor and compensation provision via a development clause	As noted above, the Applicant has consulted and engaged with Alan Willson since March 2022. The Applicant will continue to engage with the landowner and compensation will be assessed on a case-by-case basis in accordance with the Compensation Code. No known or reasonably anticipated development prospect has been raised by Masons Rural on behalf of Alan Willson to date, and, as such a development clause has not been considered appropriate.
2.4.4	Construction	•No consultation regarding the implementation of a haul road during the construction period	As set out in paragraph 3.12.38 of ES Chapter 3: Description of the Proposed Development [APP-045], the entrance directly off the public highway would be laid to hardcore. The temporary access routes which lead to the pipeline spread and the running track itself would have the topsoil removed and stored to one side. The "running track" is effectively the haul road which will be constructed along the entire right of way (excluding certain crossing locations), to allow the passage of vehicles, plant and materials/pipe. Upon completion of construction, these tracks will be levelled, and the topsoil replaced, and land restored to its original condition. Paragraph 3.12.39 states that, where necessary depending on ground conditions and weather conditions, some areas may temporarily be covered with a geotextile membrane and stone surface to facilitate traffic movements.

Table 2-5: DDM Agriculture on behalf of Albert Larder – RR-005

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.5.1	Land / Compensation	•Failure to agree commercial terms due to a lack of meaningful consultation with the landowners and their agents	The Applicant notes the comments from DDM Agriculture Ltd on behalf of Albert Larder and acknowledges that discussions on the Option Agreement for Lease remain ongoing. The Applicant has been engaging with DDM Agriculture Ltd on behalf of Albert Larder since March 2022 and has been discussing commercial terms since July 2023. The Applicant will continue to engage with DDM Agriculture Ltd on behalf of Albert Larder with a view to reaching a commercial agreement.

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.5.2	Construction	•Failure to agree a method statement for the pipeline construction and failure to provide clarity regarding construction depth of the pipeline and assurances that the land can be farmed going forward	<p>The pipeline will be buried at a minimum depth of 1.2m to the top of the pipe, apart from under exceptional circumstances not anticipated in the location of the Proposed Development. This will be greater at crossing points of railways, roads and watercourses.</p> <p>Once the pipeline is installed, normal agricultural practices will be able to resume above the pipeline. This is set out in paragraph 3.7.32 of ES Chapter 3: Description of the Proposed Development [APP-045]. Further, section 3.12 of Chapter 3 sets out the approach to construction in more detail.</p> <p>Details of the depth of the pipeline has also been shared with the affected parties' Agent and reference has been made to this in the proposed Heads of Terms, for which the Applicant is progressing with an aim to reach agreement.</p>
2.5.3	Easements	•No consultation has taken place regarding potential future development of the pipeline corridor and compensation provision via a development clause	<p>As noted above, the Applicant has consulted and engaged with Albert Larder since March 2022. The Applicant will continue to engage with the landowner and compensation will be assessed on a case-by-case basis in accordance with the Compensation Code.</p> <p>No known or reasonably anticipated development prospect has been raised by DDM Agriculture Ltd on behalf of Albert Larder to date, and, as such a development clause has not been considered appropriate.</p>
2.5.4	Construction	•No consultation regarding the implementation of a haul road during the construction period	<p>As set out in paragraph 3.12.38 of ES Chapter 3: Description of the Proposed Development [APP-045], the entrance directly off the public highway would be laid to hardcore. The temporary access routes which lead to the pipeline spread and the running track itself would have the topsoil removed and stored to one side. The "running track" is effectively the haul road which will be constructed along the entire right of way (excluding certain crossing locations), to allow the passage of vehicles, plant, and materials/pipe. Upon completion of construction, these tracks will be levelled, and the topsoil replaced, and land restored to its original condition.</p> <p>Paragraph 3.12.39 states that, where necessary depending on ground conditions and weather conditions, some areas may temporarily be covered with a geotextile membrane and stone surface to facilitate traffic movements.</p>

Table 2-6: Alison Beet – RR-006

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.6.1	Safety	I am very concerned about the health and safety of this project, especially that it is so close to people.	<p>The Applicant is highly experienced in health and safety management and takes very seriously its legal duty under the UK's Health and Safety at Work Act to protect workers and the public from its activities. The Applicant places the utmost importance on the safety of the communities it interacts with, its employees and its contractors who will work on this project.</p> <p>Several important factors were considered in routing the pipeline. These were the safety of local communities, avoiding built up areas and sensitive buildings, areas protected for their habitat and species, the Lincolnshire Wolds Area of Outstanding Beauty, areas that are liable to flood and historic monuments.</p> <p>The pipeline has been designed in compliance with Engineering Standard BSI PD 8010-1:2016, which makes specific provision for CO₂ pipelines and the approach to routing including minimum distances to buildings. In addition, the pipeline has been designed in accordance with the established principle of ALARP ("As Low As Reasonably Practicable"), as described in the Health and Safety Executive's (HSE's) longstanding framework document "Reducing Risks, Protecting People". The purpose of ALARP is to ensure risks are reduced as far as is reasonably practicable.</p> <p>The Applicant has referenced the HSE's Tolerability of Risk framework (which is defined in the "Reducing Risks, Protecting People" framework document mentioned above) to assess the pipeline risks. This assessment shows that the risk to members of the public living near to the Viking CCS pipeline route is well within the framework's lowest classification of risk. Under the framework, the HSE considers that "risks falling into this region are generally regarded as insignificant and adequately controlled."</p> <p>The HSE does not usually require further action to reduce risks in this lowest classification unless reasonably practicable measures are available, such as developing comprehensive emergency response plans. The Applicant will work with all relevant local authorities to develop such plans.</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
			<p>The Applicant has engaged with the HSE, including their science division, to seek their expert opinion on the pipeline design and associated risk assessments. The Applicant has also engaged with other industry experts and will continue to engage both regulator and industry experts throughout the pipeline design and subsequent operation.</p> <p>The Applicant has adopted a robust design and route selection process for the Proposed Development, with safety of local communities being a key consideration. The routing and design accords with adopted guidance, including on managing risk, and has been informed by advice from experienced technical consultants.</p>

Table 2-7: DDM Agriculture Ltd on behalf of Andrew Cartwright – RR-007

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.7.1	Land / Compensation	•Failure to agree commercial terms due to a lack of meaningful consultation with the landowners and their agents	The Applicant notes the comments from DDM Agriculture Ltd on behalf of Andrew Cartwright and acknowledges that discussions on the Option Agreement for Lease remain ongoing. The Applicant has been engaging with DDM Agriculture Ltd on behalf of Andrew Cartwright since March 2022 and has been discussing commercial terms since July 2023. The Applicant will continue to engage with DDM Agriculture Ltd on behalf of Andrew Cartwright with a view to reaching a commercial agreement.
2.7.2	Construction	•Failure to agree a method statement for the pipeline construction and failure to provide clarity regarding construction depth of the pipeline and assurances that the land can be farmed going forward	<p>The pipeline will be buried at a minimum depth of 1.2m to the top of the pipe, apart from under exceptional circumstances not anticipated in the location of the Proposed Development. This will be greater at crossing points of railways, roads and watercourses.</p> <p>Once the pipeline is installed, normal agricultural practices will be able to resume above the pipeline. This is set out in paragraph 3.7.32 of ES Chapter 3: Description of the Proposed Development [APP-045]. Further, section 3.12 of Chapter 3 sets out the approach to construction in more detail.</p> <p>Details of the depth of the pipeline has also been shared with the affected parties' Agent and reference has been made to this in the proposed Heads of Terms, for which the Applicant is progressing with an aim to reach agreement.</p>
2.7.3	Easements	•No consultation has taken place regarding potential future development of the pipeline corridor and compensation provision via a development clause	<p>As noted above, the Applicant has consulted and engaged with Andrew Cartwright since March 2022. The Applicant will continue to engage with the landowner and compensation will be assessed on a case-by-case basis in accordance with the Compensation Code.</p> <p>No known or reasonably anticipated development prospect has been raised by DDM Agriculture Ltd on behalf of Andrew Cartwright to date, and, as such a development clause has not been considered appropriate.</p>
2.7.4	Construction	•No consultation regarding the implementation of a haul road during the construction period	<p>As set out in paragraph 3.12.38 of ES Chapter 3: Description of the Proposed Development [APP-045], the entrance directly off the public highway would be laid to hardcore. The temporary access routes which lead to the pipeline spread and the running track itself would have the topsoil removed and stored to one side. The "running track" is effectively the haul road which will be constructed along the entire right of way (excluding certain crossing locations), to allow the passage of vehicles, plant and materials/pipe. Upon completion of construction, these tracks will be levelled, and the topsoil replaced, and land restored to its original condition.</p> <p>Paragraph 3.12.39 states that, where necessary depending on ground conditions and weather conditions, some areas may temporarily be covered with a geotextile membrane and stone surface to facilitate traffic movements.</p>

Table 2-8: Andrew Tempest – RR-008

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.8.1	General Environmental Impacts	I object to this project, as it will industrialise a rural, agricultural, tourist area, and will have negative impacts on the rich wildlife and environment.	A thorough assessment of the environmental impacts associated with the Proposed Development was included within the Environmental Statement submitted as part of the DCO application. This included an assessment of the effects of the proposed development on Ecology and Biodiversity [APP-048], Landscape and Visual [APP-049], Traffic and Transport [APP-054], Agriculture and Soils [APP-052] and Socio-economics [APP-058].

Table 2-9: Anglian Water Services – RR-009

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.9.1	General	Anglian Water Services is the statutory water and wastewater services provider for the proposed pipeline route from Immingham to Theddlethorpe in North East Lincolnshire and East Lindsey District areas. Anglian Water's response to the Scoping consultation April 2022 sets out the main issues which the Applicant should consider and assess in the design and mitigation of the project. This includes matters required to be considered under relevant National Policy Statements.	This is noted and was taken into consideration during the development of the Environmental Statement and identification of appropriate mitigation measures.
2.9.2	Water Environment	<p>• Water Supply As part of our Water Resources Management Plan (WRMP) process for the AMP8 (2025 to 2030) period, Anglian Water has been in discussion with other developers on the South Humber about their potential water demands. The initial outcome of that work is that some 60MLD of additional water supply has been included in the draft WRMP. The final determination by regulators of the WRMP is anticipated to be concluded in or about December 2024. The need for an additional 60MLD of supply was identified through assessment of the existing and future water supplies. Currently the Water Resource Zone (WRZ) within which the project sits has a headroom of 3.6MLD. That is forecast to decline as housing growth, climate change and abstraction reductions increase demand and reduces supply. In June 2023, Anglian Water published a position statement on non-domestic water demands. In summary, this advises that where a request for a new or increased non-domestic water demand may compromise Anglian Water's ability to supply existing and forecast new domestic customers that request is likely to be declined. New water demand requests are currently assessed on a first come, first served, and then connected basis and requests are not prioritised on the basis of national policy such as the net zero transition or through cumulative assessment of the impacts and benefits of projects. Anglian Water Services is currently unable to enter an agreement to supply water which is for a connection and supply that is more than 12 months in the future. Anglian Water</p>	<p>As noted by Anglian Water, the construction does not require any significant new non-domestic water supply. Temporary abstraction licences may be required for dewatering activities. As noted in the associated embedded mitigation (ES Chapter 11: Water Environment [APP-053], Section 11.6) all abstractions will be sought from the Environment Agency, Lead Local Flood Authority / Internal Drainage Board (IDB) / Canal and River Trust where necessary. Any water abstracted for dewatering would be treated and filtered in accordance with a water treatment plan. To reduce the potential impacts to water features and other abstractions additional mitigation is proposed (ES Chapter 11: Water Environment [APP-053], Section 11.8), with water being returned to watercourses following treatment, subject to contamination testing.</p> <p>The Applicant notes the requirement to understand the water demands and source of this water. A full water supply calculation will be advanced through the FEED process. ES Chapter 11: Water Environment [APP-056] sets out an assessment of potential impacts on the water environment from the Proposed Development. Section 11.11 includes a cumulative assessment with other projects.</p> <p>The NPS for Water Resources provides planning guidance for nationally significant water resources infrastructure, including reservoirs, desalination plants and infrastructure designed to transfer water. The Proposed Development is not designed to transfer water, nor does it fulfil the other definitions of water resources infrastructure, and therefore does not meet the definition of infrastructure considered under the NPS for Water Resources. The Proposed Development has been assessed against the NPS that are considered most relevant to the type of infrastructure, that is the Overarching NPS for Energy (EN-1) and the NPS for Gas Supply Infrastructure and Gas and Oil Pipelines (EN-4).</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		<p>understands that the Viking CCS project will not require a water supply from Anglian Water for construction, operation or decommissioning. Instead, the industries on the South Humber will require water for their carbon capture processes. The Environmental Statement (ES) submitted with the Viking CCS application states that for water supply: The potential impact on potable water supply throughout the study area includes reduced availability of water for abstraction within surface water bodies due to abstraction for construction activities associated with installation of the pipeline. The associated embedded mitigation (Section 11.6) states that all abstractions will be sought from the Environment Agency, Lead Local Flood Authority / Internal Drainage Board (IDB) / Canal and River Trust where necessary. Abstraction licenses are also temporary (less than 28 days per water feature). Therefore, the magnitude of impact of reduced availability of water for potable supply is considered to be Negligible, therefore the significance of the effect is Negligible and therefore Not Significant. This therefore explains why Anglian Water has not had an application for a new non- domestic water supply for construction and operation of the 55km long pipeline from the Viking CCS project. The ES advises that water for hydrostatic testing will be 'sourced from outside of the local area and delivered to the site by road-going water tankers or from the Phillips 66 site'. Anglian Water requests that Chrysaor, as the Viking CCS project promoter, provide updates for the Examination and Secretary of State on the projects of the prospective pipeline customers (see paragraphs 11.11.2 to 11.11.5), their latest water demand calculations and the position on when, how and where this will be sourced as an upstream cumulative impact. To support appropriate water resource planning, Anglian Water Services (AWS) now requires that significant new non-domestic water demands are set out in a Water Resources Assessment (WRA). For applications under the 2008 Act the WRA (or a summary of the WRA) will form part of the Environmental Impact Assessment sufficient to enable regulators including the Environment Agency to advise the Examining</p>	

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		<p>Authority and the Secretary of State that the supply of water to the project is potentially deliverable and sustainable. Given the current water supply proposals for the Viking CCS project its WRA may have limited inputs from Anglian Water. It will be for those separate carbon capture projects as subsequent applications, to set out in detail their own and cumulative impacts on water supply and resources. AWS requests that the ES (Table 11-1 page 11-2 to 11-4) includes and considers the National Policy Statement for Water Resources designated on 18 September 2023.</p>	
2.9.3	Water Environment	<ul style="list-style-type: none"> Water supply surface assets AWS notes that potential impacts on Covenham reservoir are considered at 11.5.47 and wider water resources at 11.5.61 and also shown on Figures 11-1 to 11-4. These receptors are then assigned values in Table 11-21. Covenham is correctly ascribed a 'Very High Importance' given its role in public water supply. We note the conclusions in paragraphs 11.5.72 to 11.5.81 that no significant changes to baseline conditions are identified as a result of the three project stages. Anglian Water considers that the embedded mitigation and measures set out in Tables 11-22 and 11-23 including the development, use and monitoring (11.10.1) of the Construction Environment Management Plan (CEMP) at Appendix 3.1 and Water Management Plan at Appendix 11.6 are likely to provide sufficient safeguards for these water supply assets. AWS pipelines are a separate matter which required specific Protective Provisions. 	Noted and agreed.
2.9.4	Water Environment	<ul style="list-style-type: none"> Water Recycling AWS notes that the project at Table 11-4 proposes that 'all foul drainage include collection of foul drainage, which would be self-contained and removed from site for treatment'. Table 11-23 later advises in relation to Anglian Water's drainage network that foul drainage 'will be mitigated through the embedded mitigation whereby there will be an independently managed foul drainage system at the construction compounds with the foul water contained on site, regularly pumped, emptied, and transported off site.' On that basis AWS considers that the right to connect to the public sewer in the Part 4 of draft DCO 	<p>The Applicant does not anticipate needing to connect into the public sewer as part of the construction or operation of the proposed development. However, as the Front End Engineering Design has not been completed, the Applicant wishes to retain this power in the Draft DCO in case a need to do so is identified. The Applicant considers that this power is standard for projects of this nature.</p> <p>If a need to connect into the public sewer was required, the Applicant would discuss this with Anglian Water and the local authority, with the mitigation measures in the final CEMP reflecting such a proposal.</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		Order is not necessary and should be deleted from the draft DCO Order.	
2.9.5	Water Environment	<ul style="list-style-type: none"> • Flooding and surface water AWS supports the project in managing surface water on site and along the pipeline route through the use of Sustainable Drainage systems (SuDS). AWS notes the planned update to the Environment Agency flood models in 2024 which will include revised climate change allowances. If the revised model, then requires consideration by the project of the use of the public sewer network to manage additional surface water flows, AWS will require it to be included as a consultee to the Drainage Strategy (document number 6.4.11.3) including the relevant DCO Order Requirements. 	This requirement is noted by the Applicant. The Drainage Strategy does not include discharge to the public sewer network, instead discharging either to existing drainage channels or via infiltration. In the event that this changes through the FEED, and discharge to an AWS asset is required, then AWS will be included as a consultee.
2.9.6	Protective Provisions	<ul style="list-style-type: none"> • Existing AWS assets AWS considers that the protection of existing network assets in and near the project site and so the protection of water and water recycling services can be secured through Protective Provisions. Template Protective Provisions were supplied to the project during the Pre-Application stage. Our intention is that agreement on these Provisions and other matters will be covered by the bilateral Statement of Common Ground. With regards to the AWS assets identified in the Book of Reference [AS-045] the crossing locations include pipelines varying in size and material from 4inches PVC pipe to twin 1000mm & 900mm steel mains. 	The Applicant has contacted Anglian Water as part of the DCO process with a Statement of Common Ground and Protective Provisions to be prepared including design/construction activities requirements.
2.9.7	Construction	<p>AWS requires that for mobilisation, pre-construction and construction works:</p> <ol style="list-style-type: none"> 1. Trial holes to be undertaken to confirm mains depth prior to works commencing 2. Safe dig techniques to be followed for the trial holes and main works (after 500mm depth hang dig is required until the AWS main has been located) 3. The use of excavators without teeth on the buckets 4. No more than 2m of the mains to be exposed 5. If a joint is found, AWS network teams may need to call in additional engineering advice to attend to review the need for pipeline support 	<p>The Applicant has contacted Anglian Water as part of the DCO process with a Statement of Common Ground and Protective Provisions to be prepared including design/construction activities requirements.</p> <p>These measures are noted and will be included in the Construction Contractor's list of procedures / measures which will be required to be followed.</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		<p>6. Network Team representative to be onsite for the duration of the excavation works at crossing points or if works are to be undertaken within standoff distances Our standard approach on standoff distances requires that these are as a minimum starting point:</p> <p>(a) 4 metres both sides of the pipe where the diameter of the pipe is less than 250 millimetres;</p> <p>(b) 5 metres both sides of the pipe where the diameter of the pipe is between 250 and 400 millimetres, and</p> <p>1 m distance to be agreed on a case-by-case basis where the diameter of the pipe exceeds 400 millimetres.</p> <p>With reference to I for the eight locations where 400mm or more pipe sizes will be crossed by the project AWS considers that a 7 metre standoff distance is required on both sides of the AWS pipelines. This will enable the project to effectively programme ground investigation and excavation works and so ensure an AWS network representative is in attendance for works within the 7m standoff distances.</p>	

Table 2-10: Associated British Ports – RR-010

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.10.1	Need case	<p>This representation is submitted on behalf of Associated British Ports (“ABP”) in respect of the application for development consent for the Viking CCS Pipeline (the “Viking CCS Project”).</p> <p>ABP wishes to register as an interested party in the Viking CCS Project Examination. ABP is promoting the application for development consent for IGET (the “IGET Application”).</p> <p>IGET comprises the alteration of a harbour facility for the construction, operation and maintenance of a multi-user terminal to facilitate the import and export of liquid bulks associated with the energy sector, together with associated development. The terminal</p>	The Applicant welcomes the in-principal support from Associated British Ports.

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		<p>includes a jetty and associated loading and unloading infrastructure and pipelines.</p> <p>IGET will be located in North East Lincolnshire, on the south bank of the Humber Estuary, to the east of the Port of Immingham, which is owned and operated by ABP as statutory harbour authority. Import of green ammonia is the first but not the only liquid bulk product for which IGET is designed – the terminal itself is designed as a common user terminal facility, providing port capacity for multiple customers, which are expected to include customers in the carbon capture and storage sector. IGET will have the capacity to support the import and export of a range of liquid bulk energy products, including liquefied carbon dioxide (“CO2”) to facilitate carbon capture and storage and connect into adjacent carbon transport and storage networks for sequestration in the North Sea.</p> <p>In line with national and local policy, including the National Policy Statement for Ports (“NPSfP”), the energy National Policy Statement (“NPS”) and draft Energy NPS, IGET will provide essential port infrastructure, capacity, and resilience to support the growth and changing strategic needs of the energy sector, and will support decarbonisation within the Humber industrial cluster and wider geographic need. The Humber industrial cluster is one of the heaviest emitters of carbon dioxide in the country. In order to meet the Government’s legally binding 2050 net zero target, decarbonisation of the area is required.</p> <p>The NPSfP recognises that ports will play an integral role in supporting sustainable development through providing additional capacity for the development of renewable energy. Further, the draft Energy NPS identifies the urgent need for new CCS infrastructure to be developed, and the Government’s recognition that ports will be needed to enable the transfer of CO2 from onshore infrastructure onto ships. IGET therefore provides an appropriate solution to the established need for port infrastructure to support the transition to net zero and decarbonisation agenda.</p>	

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.10.2	Need Case	<p>The Viking CCS Project consists of an underground pipeline which commences at a facility in the Immingham industrial area, receiving CO2 from industrial activity in Immingham and the surrounding area and transporting that CO2 to a repurposed pipeline and onwards to the sequestration site in the North Sea.</p> <p>The proposed Viking CCS Project is therefore in strategic proximity to IGET, and the main stated objective of the Viking CCS Project is “to connect emitters of CO2 located in the Immingham industrial area to the offshore geological stores under the North Sea to provide a long term storage of carbon dioxide” (see paragraph 6.4.13 of the Planning Design and Access Statement [APP-129]).</p> <p>ABP supports, in principle, the development of the Viking CCS project, and welcomes the potential both projects have towards furthering the goals of decarbonisation of the Humber industrial cluster and achieving the UK’s net zero goals, and wider contributions to sustainable development.</p>	

Table 2-11: Town Legal LLP on behalf of Associated Petroleum Terminals (Immingham) Limited and Humber Oil Terminals Trustee Limited – RR-011

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.11.1	General	<p>This is a relevant representation (“RR”) for and on behalf of Associated Petroleum Terminals (Immingham) Limited (“APT”) and Humber Oil Terminals Trustee Limited (“HOTT”) (collectively referred to in the RR as “the IOT Operators”) in respect of the application (“the Application”) made by Chrysaor Production (UK) Limited (“the Applicant”) for the Viking CCC Carbon Dioxide Pipeline Development Consent Order (“the Proposed Order”).</p> <p>If granted, the Proposed Order would authorise the construction, operation and decommissioning of a pipeline that will transport captured carbon dioxide from Immingham to the Theddlethorpe Facility, together with associated development (“the Scheme”).</p> <p>The Application for the Proposed Order was submitted and is being promoted by the</p>	<p>The Applicant notes the comments from the IOT Operators and will continue to engage with them throughout the Examination.</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		<p>Applicant and has been allocated Planning Inspectorate reference EN070008.</p> <p>The IOT Operators support the objectives and principle of the Scheme.</p> <p>The Humber is the highest emitting region within the UK and stands to benefit from the deployment of technologies such as carbon capture and storage and lower carbon hydrogen to be facilitated, among other things, by the Scheme.</p> <p>However, the IOT Operators object to and have a number of concerns in respect of the details of the Proposed Order in its current form.</p>	
2.11.2	Protective Provisions	<p>The IOT Operators interests and operations will be adversely affected by the Proposed Order in its current form. In summary:</p> <p>The Applicant is seeking compulsory acquisition and/or temporary possession powers in the Proposed Order over excessive amounts of land which the IOT Operators have an operational interest in, some of which is not necessary for the purposes of the Scheme and will adversely impact upon its interests and operations; and</p> <p>The Proposed Order does not provide appropriate safeguards, protective provisions, and mitigation measures in relation to the IOT Operators interests and operations.</p> <p>In addition, the Application also fails to properly assess the adverse impacts of the Proposed Order (in its current form) on the IOT Operators. Such an impact assessment is required, in particular, if the second option for section one of the proposed new pipeline from Rosper Road, Immingham to A180 through the Humber Refinery ("HR") is taken forward by the Applicant ("Pipeline Route Option 2").</p>	<p>The IOT Operators' comments are noted.</p> <p>The Applicant submitted a change request to the Examining Authority, which amongst other things, modified the DCO application with the effect that option to route the pipeline through the Humber Refinery, referred to by the IOT Operators as "Pipeline Route Option 2", is removed from the application. This will be reflected in the Works Plans and Land Plans [AS-049] and the Applicant will no longer be seeking compulsory acquisition over this land.</p>
2.11.3	Land / Compensation	<p>Accordingly, the IOT Operators consider that the Proposed Order should not be made by the Secretary of State unless and until (in summary):</p> <p>The Application is amended so that Pipeline Route Option 2 is removed from the Proposed Order and any operational land of the HR is excluded from the Proposed Order limits; and</p>	<p>As set out above, the Applicant has submitted a Change Request to amend the application with the effect that Pipeline Route Option 2 is removed.</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		<p>The permanent and temporary land take proposed in respect of the IOT Operators interests for the purposes of the Scheme (particularly in relation to the above ground elements) are reduced so as: (i) To remove all and any Order Plots associated with Pipeline Route Option 2 and/or HR operational land; (ii) To limit the proposed permanent and temporary land take in respect of the IOT Operators interests to that which is proportionate and reasonably necessary and required for the purposes of carrying out the Scheme; and</p> <p>Appropriate safeguards, protective provisions, and mitigation measures are fully incorporated and built into the terms of the Proposed Order in order to safeguard the IOT Operators interests and operations.</p>	
2.11.4	General	<p>APT is a limited company (company number 00564394) whose registered office is Queens Road, Immingham, Grimsby, North East Lincolnshire, DN40 2PN.</p> <p>HOTT is a limited company (company number 008794993) whose registered office is Queens Road, Immingham, Grimsby, North East Lincolnshire, DN40 2PN.</p> <p>HOTT is the licensee from Associated British Ports (“ABP”) of the Immingham Oil Terminal Jetty (“IOT”) and lessee (from ABP) of the associated oil terminal and tank farm (“Oil Depot”).</p> <p>APT operates IOT and the Oil Depot on behalf of HOTT. HOTT and APT are referred to together in this RR as “the IOT Operators”.</p> <p>The IOT Operators are joint venture companies owned equally by Phillips 66 Limited (“P66”) and Prax Lindsey Oil Refinery Limited (“Prax”).</p> <p>Phillips 66 is the owner of the HR and Prax is the owner of the Lindsey Oil Refinery (“LOR”).</p> <p>The primary activity of the IOT Operators is the operation of marine terminals on behalf of Phillips 66 and Prax. They are also responsible for the operation of much of the pipeline system in the pipeline corridor between the IOT, the Oil Depot, and the HR and the LOR (collectively referred to as “the Refineries”).</p> <p>The pipeline systems run through the Common</p>	<p>The IOT Operators’ comments are noted.</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		<p>Pumping station (“CPS”) that is used to route imports and exports between the IOT, Oil Depot, and the Refineries and to boost transfer rates of hydrocarbon products from the Refineries to ships via the IOT for exports.</p> <p>The IOT, Oil Depot and CPS (including the pipelines on the pipeline corridor) were opened in 1969 and built to serve the oil refineries that had been built near west of the Immingham Dock site, namely the Continental Oil Refinery (now the HR) and the LOR.</p> <p>The IOT, Oil Depot, CPS and the pipeline corridor all continue to be a critical aspect of the operation of the Refineries.</p> <p>The activity of the IOT Operators is almost entirely in response to the requirements of Phillips 66 and Prax for marine movements of feedstock and products to and from the Refineries.</p> <p>The principle aim of the IOT Operators is to maximise the efficiency with which its facilities (including CPS and the pipeline corridor) are used whilst having proper regard for safety and the environment.</p>	
2.11.5	General	<p>The Humber Refinery (HR) is at the heart of the Humber region’s economy providing highly skilled and high value roles for 770 employees and 395 contractors, this rises to around 600 during turnarounds.</p> <p>The HR is one of the most complex and sophisticated refineries in Europe. It has an expansive range of upgrading units that differentiate it from its peers. For example, the HR is the only at-scale producer of Sustainable Aviation (SAF) within the UK, with supply contracts which include British Airways.</p> <p>The HR is a nationally significant piece of infrastructure, providing around 15% of UK road fuel demand. The HR is also Europe’s only producer of specialty petroleum coke. This high-value product has traditionally been used as the anode with electric arc furnaces to recycle steel and this remains a growing market. However, specialty petroleum coke also represents a precursor material for synthetic graphite, which is classified by the EU as a Critical Mineral given its usage within</p>	

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		<p>electric vehicle (EV) and consumer electronic (CE) batteries. The HR is an industrial-scale supplier into the rapidly expanding global EV and CE markets.</p> <p>The HR is a critical component of the country's economy. Any material adverse effects to HR's ongoing operations arising from the implementation of Proposed Order would be contrary to the public interest.</p>	
2.11.6	General	<p>The Lindsey Oil Refinery (LOR) is owned by Prax. The LOR extends to over 500 acres and incorporates some of the most advanced refining and conversion processes in Europe and has the capacity to process up to 113,000 barrels of oil a day. The LOR is highly valuable to the region's economy and employs approximately 400 staff and another 400 contractors.</p> <p>The greater part of the LOR's output is petrol and diesel for road vehicles, with the remaining proportion being speciality products such as fuel oil, bitumen, kerosene and aviation fuel.</p>	
2.11.7	General	<p>The IOT is essential to the operations of the HOR and the LOR, as crude oil arrives by tanker at the IOT before being transferred to the refineries by pipeline.</p> <p>Furthermore, approximately 40% of the HOR's production and 33% of the LOR's production is exported and the IOT is essential to that export capabilities of the refineries. Products from the refinery are transported via pipeline to the IOT and can then be transported onwards via tanker.</p>	
2.11.8	Construction	<p>The CPS is located just southeast of the Phillips 66 South Tank Farm area of the HOR and is accessed off Humber Road (A160) close to the junction with Manby Road.</p> <p>The CPS facility has two main functions.</p> <p>The first main function is provision of routing pipelines in the pipeline corridor from the IOT to the Refineries or from the Refineries to IOT or the Oil Depot. There is also provision to transfer product to the Exolum terminal on the Eastern side of Immingham Dock. There are 7 HOTT pipelines (within the pipeline corridor) varying from 18" to 36" that join CPS to the IOT</p>	

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		<p>with various take offs into the Oil Depot. These allow for crude imports from IOT to the Refineries and a number of distillate, motor spirit and fuels imports or exports between the Refineries, IOT and/ or the Oil Depot</p> <p>The second main function of CPS is to provide pumps for boosting product transfer rates between the Refineries and IOT. There are 4 booster pumps located within CPS for motor spirit, distillate, and fuel oil use. CPS and the pipeline corridor are critical to the operation of IOT, the Oil Depot and the Refineries.</p> <p>The CPS facility allows for the refineries import of feedstocks and export of products and fuels for both the UK market and markets abroad.</p>	
2.11.9	Land / Compensation	<p>The Land Plans, Work Plans and the Book of Reference [AS-045] for the Scheme identify numerous plots within the Proposed Order limits which relate to the IOT Operators operational interest including, in summary, Plots 1/22, 1/24, 1/33, 1/68, 1/69, 1/70 and 1/74:</p> <p>Broadly, it appears from the Application that powers are sought over land relating to the IOT Operators interests and operations:</p> <p>For the construction of above ground infrastructure known as the Immingham Facility (“Immingham Facility”); and</p> <p>For section 1 of the pipeline route (“Pipeline Route”) from the Immingham Facility to A180 in relation to which two separate options are included in the Proposed Order comprising (in summary):</p> <p>(i) Option 1: The pipeline leaves the tie-in at the Immingham Facility, crosses Humber Road (twice) and the railway line, and then runs parallel to Manby Road before crossing it south of the Immingham Calor Cylinder Distribution site, heading in a south westerly direction north of Immingham towards the former Immingham Golf Club. The pipeline would then continue to travel westwards before changing direction southwards towards Mill Lane which it then crosses, before crossing Harborough Road between the Old School House and Luxmore Farm before continuing southwards and crossing the A180 (“Pipeline Route Option 1”);</p>	<p>As set out above, the Applicant has submitted a Change Request to amend the application with the effect that Pipeline Route Option 2 is removed. Rights are no longer be sought over plots 1/22, 1/24, 1/33, 1/68, 1/69 and 1/70. These have been removed from the Book of Reference [AS-045] and Land Plans [AS-049].</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		<p>and</p> <p>(ii) Option 2: the pipeline would go through the HR site, exiting between Houlton's Covert and Children's Avenue towards the south east. The route would then continue until it reached the alignment of the route as detailed in paragraph 4.2.2(i) above ("Pipeline Route Option 2").</p> <p>The proposed Pipeline Route Option 2 for the Pipeline Route is adjacent to the CPS and its pipeline corridor.</p> <p>The proposed Pipeline Route Option 1 for the Pipeline Route is adjacent to the pipeline corridor which are critical for feedstock and product movements to and from the IOT and the Oil Depot which are critical to the operation of the Refineries.</p>	
2.11.10	Land / Compensation Construction	<p>While the IOT Operators intend to set out their grounds of objection in more detail (if required) in its Written Representations ("WR"), in summary, the IOT Operators object to the making of the Proposed Order (as is) for the following main reasons:</p> <p>First, the Application fails to properly assess and address the adverse effects on the IOT Operators interests and operations arising from the proposed permanent and temporary acquisition and use of land, and the construction and operation of the Scheme.</p>	The Applicant will engage with the IOT Operators in relation to the potential impacts on its operational assets and its request for Protective Provisions to safeguard these.
2.11.11	Protective Provisions	<p>The IOT Operators note that no Protective Provisions for the benefit of the IOT Operators are proposed by the Applicant in the Proposed Order.</p> <p>For the reasons set out above, it is imperative that suitable Protective Provisions are included in the Proposed Order to effectively regulate the Applicant's activity so as to avoid undue disruption to the IOT Operators interests and operations.</p> <p>In summary, the IOT Operators would propose that such Protective Provisions should include the following key measures, to ensure, among other things (a) that during the construction phase of the Scheme that its constructions methods and activities will not adversely impact upon its pipelines and (b) that during the construction and operational phases of the</p>	

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		<p>Scheme there is no interference with or impediments to the IOT Operators wayleave, namely provisions requiring- in terms:</p> <p>Plans and sections of the proposed works to cross its operational land must be submitted to the IOT Operators;</p> <p>No works which may have an impact on the operation, maintenance or abandonment of IOT Operators pipelines or access to them may commence until those plans and sections are approved; provided that (i) No approval may be unreasonably withheld or delayed; and (ii) The IOT Operators may impose such reasonable requirements on the Applicant as may be required for the continuing safety and operational viability of the pipelines and the IOT's requirement to have uninterrupted access to them at all times.</p> <p>An ability for the IOT Operators to withhold its authorisation for any crossing works where it can reasonably demonstrate that the Scheme would significantly adversely affect the safety of its pipeline; Provisions for the resolution of any differences between the Applicant and the IOT Operators by reference to an expert;</p> <p>A minimum period of 28 days' notice of the commencement of works to be provided to the IOT Operators so that an engineer can observe the relevant works being carried out;</p> <p>Minimum clearance required between the existing pipelines and the Scheme;</p> <p>Monitoring of the IOT Operators pipelines during the carrying out of works in their vicinity;</p> <p>Provisions for the immediate cessation of works and evacuation of personnel in the event of any of the IOT Operators pipeline assets being damaged;</p> <p>In carrying out any works the Applicant is to comply with relevant regulations concerning health and safety;</p> <p>Restrictions on the exercise of the powers in the Proposed Order so as to minimise impacts on the operation of the IOT Operators existing pipeline corridor;</p> <p>A requirement for the Applicant to obtain appropriate insurance (and provide the IOT</p>	

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		<p>Operators with evidence of such) before carrying out works which may affect its pipeline assets;</p> <p>The payment of the IOT Operators' reasonable costs incurred in relation to the supervision or other engagement with the Applicant in respect of any crossing works;</p> <p>The provision of an indemnity to the IOT Operators in respect of all damages, expenses, consequential loss and damages arising from crossing works; and</p> <p>A series of further measures requiring notice in the event of certain circumstances under the operation of the remainder of the Proposed Order.</p>	
2.11.12	General	<p>The IOT Operators have engaged with the Applicant in relation to the Scheme during the pre-Application consultation exercise.</p> <p>It is the intention of the IOT Operators to continue to work closely with the Applicant during the examination period to seek to address the issues it identifies in this RR including seeking mutually to agree the necessary safeguards, measures, and protective provisions to mitigate the Scheme's impacts on the IOT Operators interests and operations.</p>	<p>The Applicant is grateful to the IOT Operators for their engagement to date and will continue to work with them through the Examination.</p>
2.11.13	General	<p>For the reasons above, the IOT Operators consider that the Proposed Order should not be made, and development consent should not be granted for the Scheme, unless and until the IOT Operators interests have been fully protected.</p> <p>The IOT Operators hereby reserve the right to expand on the points outlined in this RR (among other things through its WR) in response to how the Applicant's case is promoted through the DCO examination, and in response to any questions from the Examining Authority.</p> <p>The IOT Operators further seeks its costs of engaging in the Proposed Order process, in accordance with the Secretary of State's Guidance 'Awards of costs: examinations of applications for development consent orders', which provides that (page 13, Part D,</p>	<p>Noted.</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		paragraph 2): “ Where the objections to a compulsory acquisition request have neither been disregarded by the Examining Authority nor withdrawn before the decision of the Secretary of State on a development consent application and the objectors have been successful in objecting to the compulsory acquisition request, an award of costs will normally be made against the Applicant for development consent and in favour of the objectors...”	

Table 2-12: DDM Agriculture on behalf of Aylesbury Manor Farms Limited RR-012

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.12.1	Land / Compensation	<ul style="list-style-type: none"> • No attempt to meet to discuss commercial terms whatsoever and a lack of meaningful consultation with the landowners and their agents. • No attempt to discuss a methodology for the pipeline construction with the landowner. • No attempt since 14th February 2023 has taken place to consult the landowner on their proposed future alternative development over land affected by the proposed pipeline corridor, and no clarity on the compensation provision has been provided to the landowner. 	<p>The Applicant notes the comments from DDM Agriculture Limited on behalf of Aylesby Manor Farms Limited, and provides comment on the points made below:</p> <p>In March 2022 the Applicant wrote to the Affected Person introducing the Scheme and inviting them to attend a non-Statutory consultation during September 2022.</p> <p>In April 2022 the Applicant invited landowners to public consultation. A public consultation on the Viking CCS Pipeline ran for six weeks from Tuesday 26 April to Tuesday 7 June 2022.</p> <p>In November 2022 the Applicant wrote to the Affected Person inviting them to take part in the statutory consultation taking place between 22 November 2022 and 24 January 2023.</p> <p>In April the Applicant wrote to the Affected Person inviting them to take part in the targeted statutory consultation taking place between 14 April 2023 to May14 2023.</p> <p>Draft templated Heads of Terms ('HoTs') were issued to Land Agents on 07 July 2023, with a revised template sent to the Land Information Group ('LIG') on 20 July 2023 to initiate discussions on the HoTs. The LIG were a group of Land Agents working as a collective which included DDM, and therefore Aylesby Manor Farms Limited by extension.</p> <p>On 18 August 2023, a response was issued to the LIG with updated Template HoTs following the LIG's amendments to the documents.</p> <p>HoTs for Aylesby Manor Farms Limited were formally issued to DDM on 26 August 2023, in addition to the Lands Plans. A meeting was held with members of the LIG in person on 21 September 2023 to further review the HoTs with a view to discuss and reach agreement on terms.</p> <p>Following the in-person meeting with the LIG, HoTs were sent back to the LIG on 02 October 2023 with updated terms to reflect the discussions had. Further meeting times were also offered at this time.</p> <p>The LIG were written to several times requesting comments on the HoTs to progress matters, with a response only being received on 16 November 2023.</p> <p>Fully termed HoTs were re-issued to DDM on 20 December 2023.</p>
2.12.2	Land/ Compensation	<ul style="list-style-type: none"> •No attempt to negotiate a development clause, to mitigate a potential loss of income, leading to concerns of statutory blight 	<p>As noted above, the Applicant has consulted and engaged with Aylesby Farms Ltd since March 2022. The Applicant will continue to engage with the landowner and compensation will be assessed on a case-by-case basis in accordance with the Compensation code. The Applicant has met with the Landowner and has requested details of the alternative development mentioned here in order that consideration can be given should it be forthcoming.</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
			The Applicant has not received a blight claim and further does not consider that it would be applicable to the scheme.
2.12.3	Construction	<ul style="list-style-type: none"> • A lack of integrity by the acquiring authority on the width of the option area corridor, construction width, depth, and timeframes of the pipeline. • No consultation on land drainage, and mitigation for potential contamination of a large pond area containing protected species. 	<p>The pipeline will be buried at a minimum depth of 1.2m to the top of the pipe. This will be greater at crossing points of railways, roads and watercourses.</p> <p>Once the pipeline is installed, normal agricultural practices will be able to resume above the pipeline. This is set out in paragraph 3.7.32 of ES Chapter 3: Description of the Proposed Development [APP-045]. Further, section 3.12 of Chapter 3 sets out the approach to construction in more detail.</p> <p>Details of the depth of the pipeline and the area impacted has also been shared with the affected parties' Agent and reference has been made to this in the proposed Heads of Terms, for which the Applicant is progressing with an aim to reach agreement.</p> <p>The Draft Construction Environmental Management Plan (CEMP) [APP-068] includes a number of requirements relating to agriculture and soils that will be adhered to in the construction of the Proposed Development. Commitment F5 states that existing field drainage systems will be re-instated to ensure that land capability is maintained, and drainage related to flooding issues will not be worsened. Items G2 and G3 of the Draft CEMP set out that:</p> <p><i>G2: The location and condition of existing land drainage will be established, and a record compiled. Subject to landowner/occupier agreement, existing drains should be restored, or new drains established to help prevent damage to soil structure, maintain work areas in a dry condition and to enable current drainage systems to continue to operate through the construction period.</i></p> <p><i>G3: The design of these drainage schemes will be agreed by The Applicant's, the Contractor(s), and the landowners / occupiers. A specialist drainage contractor in most instances will carry out the work. Permanent records of the land drainage locations will be produced.</i></p> <p>The Applicant has also appointed a land drainage consultancy to advise on pre/post construction drainage including engagement with respective landowners.</p>
		<ul style="list-style-type: none"> • No consultation regarding the implementation of a haul road or means to work over differing land types during the construction period, in line with Soil Association and AHDB guidance for construction sites. 	<p>As set out in paragraph 3.12.38 of ES Chapter 3: Description of the Proposed Development [APP-045], the entrance directly off the public highway would be laid to hardcore. The temporary access routes which lead to the pipeline spread and the running track itself would have the topsoil removed and stored to one side. The "running track" is effectively the haul road which will be constructed along the entire right of way (excluding certain crossing locations), to allow the passage of vehicles, plant and materials/pipe. Upon completion of construction, these tracks will be levelled, and the topsoil replaced, and land restored to its original condition.</p> <p>Paragraph 3.12.39 states that, where necessary depending on ground conditions and weather conditions, some areas may temporarily be covered with a geotextile membrane and stone surface to facilitate traffic movements.</p>
2.12.4	Lands / Compensation	<ul style="list-style-type: none"> • No consultation on the loss of income from diversification, environmental schemes/shoots etc. • Lack of integrity/disingenuous conversations regarding the option area, a 100m option corridor was never mentioned and it was proposed that instead 10m would be suitable due to proposed suitable alternative development. 	<p>As noted above, the Applicant has consulted and engaged with Aylesby Farms Ltd since March 2022. The Applicant will continue to engage with the landowner and compensation will be assessed on a case-by-case basis in accordance with the Compensation Code. The Applicant, through consultation with the landowner, has sought to mitigate any potential impacts on the land with the location of the routing corridor. The Applicant will continue to engage with the landowner throughout FEED design to mitigate impacts as far as is practical and safe to do so.</p>
2.12.5	Engineering and Design	<p>Block valve – location of it is not the location the landowner was informed it would be, potential loss of land and sterilized land around it which can no longer be farmed, what are the terms on offer and what is the basis of valuation for this item? No attempt to provide</p>	<p>DDM have had the fully detailed Block Valve terms for review since 26 August 2023, as per the HoT issue and re-issue timeframes detailed in the consultation section above. The proposed location of the Block Valve suggested by the landowner was assessed and deemed not viable due to an Anglian Water Easement. The Applicant will continue to engage with the landowner and compensation will be assessed on a case-by-case basis in accordance with the Compensation Code.</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		any information to the landowner beyond indicative location.	
2.12.6	Land / Compensation	<ul style="list-style-type: none"> The landowner has expressed a willingness to work with the acquiring authority but is not being listened to or kept informed on progress of the scheme, considering the proposed route corridor affects the family considerably across their landownership. An option area consisting of approximately 78 Acres of is currently the subject of negotiation and this goes through the centre of several fields and the heart of the farm. 	Consultation with DDM and the LIG have been detailed in the above sections.
2.12.7	Consultation	<ul style="list-style-type: none"> S.42 Planning Act 2008 Duty to Consult – this obligation has not been met. There has not been a reasonable level of engagement as is required by the Planning Act. 	<p>In addition to the consultation detailed above, the following consultation has been undertaken with the affected party:</p> <p>In April 2022 the Applicant invited the Affected Party to public consultation. A public consultation ran for six weeks from 26 April 2022 to 07 June 2022.</p> <p>In September 2022 the Applicant wrote to the Affected Party introducing the Scheme and inviting them to complete and return a Land Interest Questionnaire form.</p> <p>In November 2022 the Applicant wrote to the Affected Party inviting them to take part in the statutory consultation taking place between 22 November 2022 and 24 January 2023.</p> <p>The Applicant met with the Affected Party in February 2023 and following that consultation made a substantial reroute of the Pipeline Corridor to accommodate requests made by the landowner necessitating in a further targeted statutory consultation for the scheme.</p> <p>In April 2023 the Applicant wrote to the Affected Party inviting them to take part in the targeted statutory consultation taking place between 14 April 2023 to 14 May 2023.</p> <p>In November 2023 the Applicant's Land Agent Gateley Hamer issued to the Affected Person a notice of acceptance of an application for a Development Consent Order (DCO) by the Planning Inspectorate under Section 56 of the Planning Act 2008.</p> <p>The Applicants Agent has met with the affected party and their Agent in March 2024 to progress matters with the intention of reaching agreement before the close of examination.</p>

Table 2-13: DDM Agriculture Ltd on behalf of Beelsby Farming Company – RR-013

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.13.1	Land / Compensation	<ul style="list-style-type: none"> Failure to agree commercial terms due to a lack of meaningful consultation with the landowners and their agents 	<p>The Applicant notes the comments from DDM Agriculture Ltd on behalf of Beelsby Farming Company and acknowledges that discussions on the Option Agreement for Lease remain ongoing.</p> <p>The Applicant has been engaging with DDM Agriculture Ltd on behalf of Beelsby Farming Company since March 2022 and has been discussing commercial terms since July 2023.</p> <p>The Applicant will continue to engage with DDM Agriculture Ltd on behalf of Beelsby Farming Company t with a view to reaching a commercial agreement.</p>
2.13.2	Construction	<ul style="list-style-type: none"> Failure to agree a method statement for the pipeline construction and failure to provide clarity regarding construction depth of the pipeline and assurances that the land can be farmed going forward 	The pipeline will be buried at a minimum depth of 1.2m to the top of the pipe, apart from under exceptional circumstances not anticipated in the location of the Proposed Development. This will be greater at crossing points of railways, roads and watercourses.

Ref	Topic	Matter raised in Relevant Representation	Applicant response
			<p>Once the pipeline is installed, normal agricultural practices will be able to resume above the pipeline. This is set out in paragraph 3.7.32 of ES Chapter 3: Description of the Proposed Development [APP-045]. Further, section 3.12 of Chapter 3 sets out the approach to construction in more detail.</p> <p>Details of the depth of the pipeline has also been shared with the affected parties' Agent and reference has been made to this in the proposed Heads of Terms, for which the Applicant is progressing with an aim to reach agreement.</p>
2.13.3	Easements	•No consultation has taken place regarding potential future development of the pipeline corridor and compensation provision via a development clause	<p>As noted above, the Applicant has consulted and engaged with Beelsby Farming Company since March 2022. The Applicant will continue to engage with the landowner and compensation will be assessed on a case-by-case basis in accordance with the Compensation Code.</p> <p>No known or reasonably anticipated development prospect has been raised by DDM Agriculture Ltd on behalf of Beelsby Farming Company to date, and, as such a development clause has not been considered appropriate.</p>
2.13.4	Construction	•No consultation regarding the implementation of a haul road during the construction period	<p>As set out in paragraph 3.12.38 of ES Chapter 3: Description of the Proposed Development [APP-045], the entrance directly off the public highway would be laid to hardcore. The temporary access routes which lead to the pipeline spread and the running track itself would have the topsoil removed and stored to one side. The "running track" is effectively the haul road which will be constructed along the entire right of way (excluding certain crossing locations), to allow the passage of vehicles, plant and materials/pipe. Upon completion of construction, these tracks will be levelled, and the topsoil replaced, and land restored to its original condition.</p> <p>Paragraph 3.12.39 states that, where necessary depending on ground conditions and weather conditions, some areas may temporarily be covered with a geotextile membrane and stone surface to facilitate traffic movements.</p>

Table 2-14: Beverley Seymore – RR014

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.14.1	Safety	I have great concerns about carbon capture coming to Theddlethorpe. The main concern is the depth of the pipe, if this is fractured it will be life-threatening.	<p>The Applicant is highly experienced in health and safety management and takes very seriously its legal duty under the UK's Health and Safety at Work Act to protect workers and the public from its activities. The Applicant places the utmost importance on the safety of the communities it interacts with, its employees and its contractors who will work on this project.</p> <p>Several important factors were considered in routing the pipeline. These were the safety of local communities, avoiding built up areas and sensitive buildings, areas protected for their habitat and species, the Lincolnshire Wolds Area of Outstanding Beauty, areas that are liable to flood and historic monuments.</p> <p>The pipeline has been designed in compliance with Engineering Standard BSI PD 8010-1:2016, which makes specific provision for CO₂ pipelines and the approach to routing including minimum distances to buildings. However, the Applicant has elected to exceed the design requirements set by the standard. This includes taking a conservative approach with thick wall design across the full pipeline length.</p> <p>In addition, the pipeline has been designed in accordance with the established principle of ALARP ("As Low As Reasonably Practicable"), as described in the Health and Safety Executive's (HSE's) longstanding framework document "Reducing Risks, Protecting People". The purpose of ALARP is to ensure risks are reduced as far as is reasonably practicable.</p> <p>The Applicant has referenced the HSE's Tolerability of Risk framework (which is defined in the "Reducing Risks, Protecting People" framework document mentioned above) to assess the pipeline risks. This assessment shows that the risk to members of the public living near to the Viking CCS pipeline route is well within the framework's lowest classification of risk. Under the framework, the HSE considers that "risks falling into this region are generally regarded as insignificant and adequately controlled."</p> <p>The HSE does not usually require further action to reduce risks in this lowest classification unless reasonably practicable measures are available, such as developing comprehensive emergency response plans. The Applicant will work with all relevant local authorities to develop such plans.</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
			<p>The Applicant has engaged with the HSE, including their science division, to seek their expert opinion on the pipeline design and associated risk assessments. The Applicant has also engaged with other industry experts and will continue to engage both regulator and industry experts throughout the pipeline design and subsequent operation.</p> <p>The Applicant has adopted a robust design and route selection process for the Proposed Development, with safety of local communities being a key consideration. The routing and design accords with adopted guidance, including on managing risk, and has been informed by advice from experienced technical consultants.</p> <p>The pipeline will be buried at a minimum depth of 1.2m to the top of the pipe, apart from under exceptional circumstances not anticipated in the location of the Proposed Development. This will be greater at crossing points of railways, roads and watercourses.</p>
2.14.2	General Environmental Impacts	<p>I live a short distance from the proposed site and run a glamping pod site, this will greatly effect my income along with the value of my property, which originally was valued at £625,000 and which now has been reduced significantly through desperation to leave as I have been caused nothing but anxiety due to constant thoughts on how my livelihood will be destroyed and fears of being gassed unknowingly.</p>	<p>The Applicant is highly experienced in health and safety management and takes very seriously its legal duty under the UK's Health and Safety at Work Act to protect workers and the public from its activities. The Applicant places the utmost importance on the safety of the communities it interacts with, its employees and its contractors who will work on this project.</p> <p>Several important factors were considered in routing the pipeline. These were the safety of local communities, avoiding built up areas and sensitive buildings, areas protected for their habitat and species, the Lincolnshire Wolds Area of Outstanding Beauty, areas that are liable to flood and historic monuments.</p> <p>The pipeline has been designed in compliance with Engineering Standard BSI PD 8010-1:2016, which makes specific provision for CO₂ pipelines and the approach to routing including minimum distances to buildings. In addition, the pipeline has been designed in accordance with the established principle of ALARP ("As Low As Reasonably Practicable"), as described in the Health and Safety Executive's (HSE's) longstanding framework document "Reducing Risks, Protecting People". The purpose of ALARP is to ensure risks are reduced as far as is reasonably practicable.</p> <p>The Applicant has referenced the HSE's Tolerability of Risk framework (which is defined in the "Reducing Risks, Protecting People" framework document mentioned above) to assess the pipeline risks. This assessment shows that the risk to members of the public living near to the Viking CCS pipeline route is well within the framework's lowest classification of risk. Under the framework, the HSE considers that <i>"risks falling into this region are generally regarded as insignificant and adequately controlled."</i></p> <p>The HSE does not usually require further action to reduce risks in this lowest classification unless reasonably practicable measures are available, such as developing comprehensive emergency response plans. The Applicant will work with all relevant local authorities to develop such plans.</p> <p>The Applicant has engaged with the HSE, including their science division, to seek their expert opinion on the pipeline design and associated risk assessments. The Applicant has also engaged with other industry experts and will continue to engage both regulator and industry experts throughout the pipeline design and subsequent operation.</p> <p>The Applicant has adopted a robust design and route selection process for the Proposed Development, with safety of local communities being a key consideration. The routing and design accords with adopted guidance, including on managing risk, and has been informed by advice from experienced technical consultants.</p> <p>The Applicant has designed the pipeline to avoid and minimise any potential impacts on residential properties. This has meant there are no residential properties included within the Order Limits. As a result of this, and the fact the pipeline will be buried, the Applicant does not expect that the project will have any impact on residential property values.</p> <p>When planning construction activities, the Applicant will engage with relevant landowners to minimise any disruption. This will include seeking to maintain access to properties and farm tracks.</p>
2.14.3	General Environmental Impacts	<p>My well being has had a profound decline, not only can I not leave due to the fact that no body would willingly live within less than a quarter of a mile of carbon capture and a nuclear waste disposal doubt come to stay for a holiday at my site.</p>	<p>The Applicant recognises that individuals who live close to an infrastructure project will have concerns about the impact that it might have on them.</p> <p>The Applicant has undertaken a detailed Environmental Impact Assessment to identify the likely effects that the project will have on affected parties. In designing the project, the Applicant has sought to avoid and mitigate impacts wherever possible.</p>

Table 2-15: Perkins George Mawer & Co. on behalf of Brian Mager Limited – RR-015

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.15.1	Land / Compensation	•Failure to agree commercial terms due to a lack of meaningful consultation with the landowners and their agents	The Applicant notes the comments from Perkins George Mawer & Co. on behalf of Brian Mager Limited and acknowledges that discussions on the Option Agreement for Lease remain ongoing. The Applicant has been engaging with Perkins George Mawer & Co. on behalf of Brian Mager Limited since March 2022 and has been discussing commercial terms since July 2023. The Applicant will continue to engage with Perkins George Mawer & Co. on behalf of Brian Mager Limited with a view to reaching a commercial agreement.
2.15.2	Construction	•Failure to agree a method statement for the pipeline construction and failure to provide clarity regarding construction depth of the pipeline and assurances that the land can be farmed going forward	The pipeline will be buried at a minimum depth of 1.2m to the top of the pipe, apart from under exceptional circumstances not anticipated in the location of the Proposed Development. This will be greater at crossing points of railways, roads and watercourses. Once the pipeline is installed, normal agricultural practices will be able to resume above the pipeline. This is set out in paragraph 3.7.32 of ES Chapter 3: Description of the Proposed Development [APP-045]. Further, section 3.12 of Chapter 3 sets out the approach to construction in more detail. Details of the depth of the pipeline has also been shared with the affected parties' Agent and reference has been made to this in the proposed Heads of Terms, for which the Applicant is progressing with an aim to reach agreement.
2.15.3	Easements	•No consultation has taken place regarding potential future development of the pipeline corridor and compensation provision via a development clause	As noted above, the Applicant has consulted and engaged with Brian Mager Limited since March 2022. The Applicant will continue to engage with the landowner and compensation will be assessed on a case-by-case basis in accordance with the Compensation Code. No known or reasonably anticipated development prospect has been raised by Perkins George Mawer & Co. on behalf of Brian Mager Limited to date, and, as such a development clause has not been considered appropriate.
2.15.4	Construction	•No consultation regarding the implementation of a haul road during the construction period	As set out in paragraph 3.12.38 of ES Chapter 3: Description of the Proposed Development [APP-045], the entrance directly off the public highway would be laid to hardcore. The temporary access routes which lead to the pipeline spread and the running track itself would have the topsoil removed and stored to one side. The "running track" is effectively the haul road which will be constructed along the entire right of way (excluding certain crossing locations), to allow the passage of vehicles, plant and materials/pipe. Upon completion of construction, these tracks will be levelled, and the topsoil replaced, and land restored to its original condition. Paragraph 3.12.39 states that, where necessary depending on ground conditions and weather conditions, some areas may temporarily be covered with a geotextile membrane and stone surface to facilitate traffic movements.

Table 2-16: British Pipeline Agency Ltd – RR-016

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.16.1	Protective Provisions	BPA maintains the Prax owned high pressure fuel pipeline that is crossed by this project. Consequently, all activities in close proximity to the pipeline must be reviewed and accepted by us to ensure no damage is caused to the critical national infrastructure pipeline.	The Applicant has contacted BPA as part of the DCO process and a Statement of Common Ground has been submitted at Deadline 1.

Table 2-17: Masons Rural on behalf of Buckley Brothers – RR-017

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.17.1	Land / Compensation	<p>The schemes has;</p> <ul style="list-style-type: none"> Failed to agree commercial terms due to a lack of meaningful consultation with the landowners and their agents 	<p>The Applicant notes the comments from Masons Rural on behalf of the Buckley Brothers and acknowledges that discussions on the Option Agreement for Lease remain ongoing.</p> <p>The Applicant has been engaging with Masons Rural on behalf of the Buckley Brothers since March 2022 and has been discussing commercial terms since July 2023. The Applicant will continue to engage with Masons Rural on behalf of the Buckley Brothers with a view to reaching a commercial agreement.</p>
2.17.2	Construction	<ul style="list-style-type: none"> Failed to agree a method statement for the pipeline construction and failure to provide clarity regarding construction depth of the pipeline and assurances that the land can be farmed going forward 	<p>The pipeline will be buried at a minimum depth of 1.2m to the top of the pipe, apart from under exceptional circumstances not anticipated in the location of the Proposed Development. This will be greater at crossing points of railways, roads, and watercourses.</p> <p>Once the pipeline is installed, normal agricultural practices will be able to resume above the pipeline. This is set out in paragraph 3.7.32 of ES Chapter 3: Description of the Proposed Development [APP-045]. Further, section 3.12 of Chapter 3 sets out the approach to construction in more detail.</p> <p>Details of the depth of the pipeline has also been shared with the affected parties' Agent and reference has been made to this in the proposed Heads of Terms, for which the Applicant is progressing with an aim to reach agreement.</p>
2.17.3	Easements	<ul style="list-style-type: none"> No consultation has taken place regarding potential future development of the pipeline corridor and compensation provision via a development clause 	<p>As noted above, the Applicant has consulted and engaged with the Buckley Brothers since March 2022. The Applicant will continue to engage with the landowner and compensation will be assessed on a case-by-case basis in accordance with the Compensation Code.</p> <p>No known or reasonably anticipated development prospect has been raised by Masons Rural on behalf of the Buckley Brothers to date, and, as such a development clause has not been considered appropriate.</p>
2.17.4	Construction	<ul style="list-style-type: none"> No consultation regarding the implementation of a haul road during the construction period 	<p>As set out in paragraph 3.12.38 of ES Chapter 3: Description of the Proposed Development [APP-045], the entrance directly off the public highway would be laid to hardcore. The temporary access routes which lead to the pipeline spread and the running track itself would have the topsoil removed and stored to one side. The "running track" is effectively the haul road which will be constructed along the entire right of way (excluding certain crossing locations), to allow the passage of vehicles, plant and materials/pipe. Upon completion of construction, these tracks will be levelled, and the topsoil replaced, and land restored to its original condition.</p> <p>Paragraph 3.12.39 states that, where necessary depending on ground conditions and weather conditions, some areas may temporarily be covered with a geotextile membrane and stone surface to facilitate traffic movements.</p>

Table 2-18: Masons Rural on behalf of C Laughton & Sons Ltd – RR-018

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.18.1	Land / Compensation	<p>My client wishes to raise the following concerns surrounding the project;</p> <ul style="list-style-type: none"> Failure to agree commercial terms due to a lack of meaningful consultation with the landowners and their agents. Have not ever met with the client either. 	<p>The Applicant notes the comments from Masons Rural on behalf of C Laughton & Sons Ltd and acknowledges that discussions on the Option Agreement for Lease remain ongoing. The Applicant has been engaging with Masons Rural on behalf of C Laughton & Sons Ltd since March 2022 and has been discussing commercial terms since July 2023. The Applicant will continue to engage with Masons Rural on behalf of C Laughton & Sons Ltd with a view to reaching a commercial agreement.</p>
2.18.2	Construction	<ul style="list-style-type: none"> Failure to agree a method statement for the pipeline construction and failure to provide clarity regarding construction depth of the pipeline and assurances that the land can be farmed going forward 	<p>The pipeline will be buried at a minimum depth of 1.2m to the top of the pipe, apart from under exceptional circumstances not anticipated in the location of the Proposed Development. This will be greater at crossing points of railways, roads and watercourses.</p> <p>Once the pipeline is installed, normal agricultural practices will be able to resume above the pipeline. This is set out in paragraph 3.7.32 of ES Chapter 3: Description of the Proposed Development [APP-045]. Further, section 3.12 of Chapter 3 sets out the approach to construction in more detail.</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
			Details of the depth of the pipeline has also been shared with the affected parties' Agent and reference has been made to this in the proposed Heads of Terms, for which the Applicant is progressing with an aim to reach agreement.
2.18.3	Easements	•No consultation has taken place regarding potential future development of the pipeline corridor and compensation provision via a development clause	As noted above, the Applicant has consulted and engaged with C Laughton & Sons Ltd since March 2022. The Applicant will continue to engage with the landowner and compensation will be assessed on a case-by-case basis in accordance with the Compensation Code. No known or reasonably anticipated development prospect has been raised by Masons Rural on behalf of C Laughton & Sons Ltd to date, and, as such a development clause has not been considered appropriate.
2.18.4	Construction	•No consultation regarding the implementation of a haul road during the construction period	As set out in paragraph 3.12.38 of ES Chapter 3: Description of the Proposed Development [APP-045], the entrance directly off the public highway would be laid to hardcore. The temporary access routes which lead to the pipeline spread and the running track itself would have the topsoil removed and stored to one side. The "running track" is effectively the haul road which will be constructed along the entire right of way (excluding certain crossing locations), to allow the passage of vehicles, plant and materials/pipe. Upon completion of construction, these tracks will be levelled, and the topsoil replaced, and land restored to its original condition. Paragraph 3.12.39 states that, where necessary depending on ground conditions and weather conditions, some areas may temporarily be covered with a geotextile membrane and stone surface to facilitate traffic movements.

Table 2-19: C R H Bennett & Co – RR-019

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.19.1		• The scheme has; Failed to agree commercial terms due to a lack of meaningful consultation with the landowners and their	The Applicant notes the comments from C R H Bennett & Co on and acknowledges that discussions on the Option Agreement for Lease remain ongoing. The Applicant has been engaging with C R H Bennett & Co since March 2022 and has been discussing commercial terms since July 2023. The Applicant will continue to engage with Masons Rural on behalf of C R H Bennett with a view to reaching a commercial agreement.
2.19.2		• No consultation has taken place regarding potential future development of the pipeline corridor and compensation provision via a development clause	The pipeline will be buried at a minimum depth of 1.2m to the top of the pipe, apart from under exceptional circumstances not anticipated in the location of the Proposed Development. This will be greater at crossing points of railways, roads and watercourses. Once the pipeline is installed, normal agricultural practices will be able to resume above the pipeline. This is set out in paragraph 3.7.32 of ES Chapter 3: Description of the Proposed Development [APP-045]. Further, section 3.12 of Chapter 3 sets out the approach to construction in more detail. Details of the depth of the pipeline has also been shared with the affected parties' Agent and reference has been made to this in the proposed Heads of Terms, for which the Applicant is progressing with an aim to reach agreement. No known or reasonably anticipated development prospect has been raised by Masons Rural on behalf of C R H Bennett to date, and, as such a development clause has not been considered appropriate.
2.19.3		• No consultation regarding the implementation of a haul road during the construction period	As set out in paragraph 3.12.38 of ES Chapter 3: Description of the Proposed Development [APP-045], the entrance directly off the public highway would be laid to hardcore. The temporary access routes which lead to the pipeline spread and the running track itself would have the topsoil removed and stored to one side. The "running track" is effectively the haul road which will be constructed along the entire right of way (excluding certain crossing locations), to allow the passage of vehicles, plant and materials/pipe. Upon completion of construction, these tracks will be levelled, and the topsoil replaced, and land restored to its original condition. Paragraph 3.12.39 states that, where necessary depending on ground conditions and weather conditions, some areas may temporarily be covered with a geotextile membrane and stone surface to facilitate traffic movements.

Table 2-20: Fisher German LLP on behalf of Cadent Gas Limited – RR-020

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.20.1	Protective Provisions	<p>Cadent wishes to make a relevant representation to the Viking CCS Pipeline DCO in order to protect its position in light of infrastructure which is within or in close proximity to the proposed DCO boundary. Cadent's rights to retain its apparatus in situ and rights of access to inspect, maintain, renew and repair such apparatus located within or in close proximity to the order limits including should be maintained at all times and access to inspect such apparatus must not be restricted.</p> <p>The documentation and plans submitted for the above proposed scheme have been reviewed in relation to impacts on Cadent's existing apparatus located within this area, and Cadent has identified that it will require adequate protective provisions to be included within the DCO to ensure that its apparatus and land interests are adequately protected and to include compliance with relevant safety standards.</p> <p>Cadent has medium, intermediate and high-pressure gas pipelines and associated apparatus located within the order limits which are affected by works proposed, the extent to which is still being assessed and which may require diversions subject to the impact.</p> <p>Furthermore, the promoter is seeking to acquire rights over Cadent operational land, Plots 3/1, 3/9, 4/1, 4/5, 4/6, 4/10, 4/11, 6/4, 6/7, 7/1, 7/2, 11/13, 19/30, 19/31 and 19/32).</p>	<p>Cadent's comments are noted.</p> <p>Detailed discussions regarding adequate protection of Cadent assets are ongoing.</p> <p>Information on interactions between the Applicant and Cadent infrastructure is being shared to facilitate the ongoing discussions and negotiations in relation to the protective provisions. The Applicant hopes to conclude those negotiations in advance of the Examination closing.</p>
2.20.2	Engineering / Design	<p>Proposed diversions have not yet reached detailed design stage and so the positioning, land rights and consents required for these gas diversions are not confirmed. At this stage, Cadent is not satisfied that the DCO includes all land and rights required to accommodate such diversions as design studies will need to influence these requirements. Cadent will not decommission its existing apparatus and/or commission new apparatus until it has sufficient land and rights in land (to its satisfaction) to do so, whether pursuant to the DCO or otherwise. This is a fundamental matter of health and safety. At this stage,</p>	

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		<p>Cadent is not satisfied that the tests under section 127 of the PA 2008 can be met.</p> <p>Cadent has experience of promoters securing insufficient rights in land within DCOs for necessary diversions of its apparatus or securing rights for the benefit of incorrect entities. It is important that sufficient rights are granted to Cadent to allow Cadent to maintain its gas distribution network in accordance with its statutory obligations.</p>	
2.20.3	Protective Provisions	<p>As a responsible statutory undertaker, Cadent's primary concern is to meet its statutory obligations and ensure that any development does not impact in any adverse way upon those statutory obligations. Adequate protective provisions for the protection of Cadent's statutory undertaking have not yet been agreed but are in discussion between parties.</p> <p>Cadent wishes to reserve the right to make further representations as part of the examination process but will seek to engage with the promoter to reach a satisfactory agreement.</p>	

Table 2-21: Lambert Smith Hampton on behalf of Calor Gas Limited – RR-021

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.21.1	General	<p>Calor Gas Limited are the owners and operators of the Calor Cylinder Distribution site, which is located off Manby Road (A1173) and is used for the storage and distribution of liquefied petroleum gas and the repair of trunking vehicles. The site comprises a mix of storage, workshop and office buildings, associated staff parking and areas of hardstanding for tanker parking. It is accessed / egressed via Manby Road through a one-way system.</p> <p>Calor are generally supportive of the proposed Viking CCS Pipeline project and recognise its role in reducing carbon emissions to meet the UK's target of net zero emissions by 2050. However, given the proximity of the proposed pipeline to their site, Calor wish to make the following representations:</p>	Noted.

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.21.2	Engineering and Design	<p>1) Preference for 'Option 2' pipeline route at Section 1 of the DCO boundary (Immingham Facility to A180) shows the following two options for the pipeline route:</p> <ul style="list-style-type: none"> - Option 1 shows the pipeline running from the Immingham Facility and parallel to Manby Road before heading South West towards Immingham Golf Club. This option routes the pipeline / DCO boundary alongside the roadside frontage and southern boundary of the Calor site; - Option 2 shows the pipeline running through the Humber Refinery site and exiting west of Houlton's Covert. This would route the pipeline approx. 300m to the west of the Calor site away from Manby Road. Having reviewed the two options, Calor are concerned that Option 1 may have an adverse impact on its operations during the construction phase given the proximity of the pipeline / DCO boundary to the Calor site and the site access / egress. Option 2 is unlikely to have any adverse impacts on the operations of the Calor site and, therefore, should be selected as the preferred option (subject to the outcome of ongoing discussions with Phillips 66). 	<p>The Applicant can confirm that Option 2 was withdrawn from the DCO application as part of a change request accepted by the Examining Authority on the 3 April 2024. Therefore, routing Option 1 will be implemented,</p> <p>The Applicant is engaging with Calor Gas to ensure access to its facilities is not impacted by the Proposed Development. A full traffic management plan will be developed during the FEED stage and updated accordingly prior to commencement of the construction phase.</p>
2.21.3	Construction	<p>2) Potential impact on Calor's operations during the construction phase The Calor site is a distribution facility and currently operates 24 hours a day without restriction. As such, it is vital that vehicle access (via Manby Road) is maintained at all times during the construction period. In this regard, NPS EN-1 is clear that Applicants of energy NSIPs should ensure any impacts on transport infrastructure (including during construction) should be mitigated.</p> <p>Paragraph 5.13.6 states: 'A new energy NSIP may give rise to substantial impacts on the surrounding transport infrastructure and the IPC should therefore ensure that the Applicant has sought to mitigate these impacts, including during the construction phase of the development'. Calor have previously raised concerns with the Applicant regarding the potential impact of the construction works on the operations of the Calor site. In this regard, Calor welcomes the Applicant's comments within the Consultation Report (Appendix E - Ref: EN070008/APP/5.2.5) which note</p>	<p>The Applicant is engaging with Calor Gas to ensure access to its facilities is not impacted by the Proposed Development. A full traffic management plan will be developed during the FEED stage and updated accordingly prior to commencement of the construction phase.</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		<p>(amongst other things) that the Applicant will seek to maintain access to the Calor site during the construction period. However, despite this, it is noted that the Draft Construction Traffic Management Plan ('CTMP') (Ref: EN070008/APP/6.4.12.5) does not make any reference to the Calor site or indicate how access will be maintained during the construction phase.</p> <p>Whilst the Draft DCO requires the submission and approval of a CTMP prior to the commencement of each stage of development (Schedule 2, Part 1, Para 6), Calor remains concerned that the Application documents do not clarify how access arrangements will be maintained during the construction period.</p> <p>Calor requests that this information is submitted during the examination process to provide certainty that their business operations will remain unimpeded during the construction period.</p>	
2.21.4	Engineering and Design	<p>3) Potential impact on future development at the Calor site during the operational phase Paragraph 3.7.31 of the Description of Development (Ref: EN070008/APP/6.2.3) notes that a permanent pipeline easement (minimum width 8m) will be established to allow access to the pipeline for inspection, maintenance and repair. Paragraph 3.7.32 goes on to state: 'Once the pipeline has been installed, normal agricultural practices will be able to resume above the pipeline. Restrictions will be imposed on other activities over or in close proximity through the pipeline. Landowners and occupiers will need to seek consent from the undertaker to carry out activities that might interfere with the authorised development'.</p> <p>Given the proximity of the proposed pipeline to the Calor site (under Option 1) and taking into account the degree of flexibility that may be considered appropriate within a DCO application, Calor seeks assurance that their site would not fall within the easement widths of the pipeline and that future development of the site is not stymied.</p>	<p>The Applicant is engaging with Calor Gas to ensure there is no adverse impact on its operations as a result of the Proposed Development.</p>

Table 2-22: Strutt & Parker on behalf of Centrica PLC – RR-022

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.22.1	General	Upon reviewing the Viking CCS Pipeline documents, it has come to our attention that Centrica owns an asset – the CES+ Condensate pipeline which runs between Easington and Immingham, and is located in the immediate vicinity and apparently within the red line boundary of the proposed Viking CCS Pipeline; specifically nearby the proposed 'Immingham Facility' in Section 1, as referred to in the application documents.	Noted.
2.22.2	Protective Provisions Easements	<p>The CES+ Condensate pipeline is located under or immediately adjacent to Rosper Road, at the western boundary of the proposed Immingham Facility site. In the first instance we are concerned to</p> <p>(a) ensure that Harbour Energy are aware of the existence of the condensate pipeline,</p> <p>(b) establish whether there is any potential conflict between the planned Viking CCS Pipeline and the existing CES+ Condensate pipeline, and</p> <p>(c) establish the necessary processes to ensure that the proposed Viking CCS Pipeline and associated works are able to be implemented safely and without undue disruption to the Condensate pipeline.</p>	<p>The Applicant has engaged with Centrica and a Statement of Common Ground has been submitted at Deadline 1.</p> <p>Line Search Before U Dig (LSBUD) has been completed as requested and details will be agreed as applicable with Centrica.</p>
2.22.3	Construction	Prior to any works being undertaken, and to identify any underground services, the planning details for the Viking CCS pipeline route should be submitted through Home - LinesearchbeforeUdig (lsbud.co.uk), this will identify the CES+ pipeline and any other assets in the vicinity. Once the scope of works has been assessed, it will be determined if the CES+ pipeline route needs to be positively identified at site or have close supervision by a Penspen Pipelines Superintendent to ensure works are carried out in accordance with HSG47 – Avoiding danger from underground services.	
2.22.4	Engagement	We would be interested to establish direct contact with Harbour Energy to discuss the matters raised above. We also wish to be kept informed of all developments regarding the Immingham Facility going forward.	

Table 2-23: Masons Rural on behalf of Chris Waller – RR-023

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.23.1	Land / Compensation	<p>My client wishes to raise the following concerns surrounding the project;</p> <ul style="list-style-type: none"> •Failure to agree commercial terms due to a lack of meaningful consultation with the landowners and their agents. 	<p>The Applicant notes the comments from Masons Rural on behalf of Chris Waller and acknowledges that discussions on the Option Agreement for Lease remain ongoing.</p> <p>The Applicant has been engaging with Masons Rural on behalf of Chris Waller since March 2022 and has been discussing commercial terms since July 2023. This includes an in-person meeting with the Affected Person and appointed Land Agent in September 2023.</p> <p>The Applicant will continue to engage with Masons Rural on behalf of Chris Waller and the Executors of his Estate with a view to reaching a commercial agreement.</p>
2.23.2	Construction	<ul style="list-style-type: none"> •Failure to agree a method statement for the pipeline construction and failure to provide clarity regarding construction depth of the pipeline and assurances that the land can be farmed going forward 	<p>The pipeline will be buried at a minimum depth of 1.2m to the top of the pipe, apart from under exceptional circumstances not anticipated in the location of the Proposed Development. This will be greater at crossing points of railways, roads and watercourses.</p> <p>Once the pipeline is installed, normal agricultural practices will be able to resume above the pipeline. This is set out in paragraph 3.7.32 of ES Chapter 3: Description of the Proposed Development [APP-045]. Further, section 3.12 of Chapter 3 sets out the approach to construction in more detail.</p> <p>Details of the depth of the pipeline has also been shared with the affected parties' Agent and reference has been made to this in the proposed Heads of Terms, for which the Applicant is progressing with an aim to reach agreement</p>
2.23.3	Easements	<ul style="list-style-type: none"> •No consultation has taken place regarding potential future development of the pipeline corridor and compensation provision via a development clause 	<p>As noted above, the Applicant has consulted and engaged with Chris Waller since March 2022. The Applicant will continue to engage with the Executors of Chris Wallers' Estate and compensation will be assessed on a case-by-case basis in accordance with the Compensation Code.</p> <p>No known or reasonably anticipated development prospect has been raised by Masons Rural on behalf of Chris Waller or the Executors of his Estate to date, and, as such a development clause has not been considered appropriate.</p>
2.23.4	Construction	<ul style="list-style-type: none"> •No consultation regarding the implementation of a haul road during the construction period 	<p>As set out in paragraph 3.12.38 of ES Chapter 3: Description of the Proposed Development [APP-045], the entrance directly off the public highway would be laid to hardcore. The temporary access routes which lead to the pipeline spread and the running track itself would have the topsoil removed and stored to one side. The "running track" is effectively the haul road which will be constructed along the entire right of way (excluding certain crossing locations), to allow the passage of vehicles, plant and materials/pipe. Upon completion of construction, these tracks will be levelled, and the topsoil replaced, and land restored to its original condition.</p> <p>Paragraph 3.12.39 states that, where necessary depending on ground conditions and weather conditions, some areas may temporarily be covered with a geotextile membrane and stone surface to facilitate traffic movements.</p>

Table 2-24: Clare Barker – RR-024

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.24.1	General Environmental Impacts	<p>It will cause chaos in the village. Leading to road closures. As a young family, we are busy and need to access school, clubs and health care easily. The pollution will hinder our health. 2 of us have (redacted). It will disturb wild animals, birds and nature as well as the surrounding farm animals.</p>	<p>A thorough assessment of the environmental impacts associated with the Proposed Development was included within the Environmental Statement submitted as part of the DCO application. This included an assessment of the proposed development on Ecology and Biodiversity [APP-048], Air Quality [APP-056] and Traffic and Transport [APP-054].</p>

Table 2-25: Masons Rural on behalf of D Spetch – RR-025

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.25.1	Land / Compensation	<p>My client wishes to raise the following concerns surrounding the project;</p> <ul style="list-style-type: none"> •Failure to agree commercial terms due to a lack of meaningful consultation with the landowners and their agents. Have not ever met with the client either. 	<p>The Applicant notes the comments from Masons Rural on behalf of D Spetch and acknowledges that discussions on the Option Agreement for Lease remain ongoing. The Applicant has been engaging with Masons Rural on behalf of D Spetch since March 2022 and has been discussing commercial terms since July 2023. This includes an in-person meeting with the Affected Person and appointed Land Agent in October 2023. The Applicant will continue to engage with Masons Rural on behalf of D Spetch with a view to reaching a commercial agreement.</p>
2.25.2	Construction	<ul style="list-style-type: none"> •Failure to agree a method statement for the pipeline construction and failure to provide clarity regarding construction depth of the pipeline and assurances that the land can be farmed going forward 	<p>The pipeline will be buried at a minimum depth of 1.2m to the top of the pipe, apart from under exceptional circumstances not anticipated in the location of the Proposed Development. This will be greater at crossing points of railways, roads and watercourses.</p> <p>Once the pipeline is installed, normal agricultural practices will be able to resume above the pipeline. This is set out in paragraph 3.7.32 of ES Chapter 3: Description of the Proposed Development [APP-045]. Further, section 3.12 of Chapter 3 sets out the approach to construction in more detail.</p> <p>Details of the depth of the pipeline has also been shared with the affected parties' Agent and reference has been made to this in the proposed Heads of Terms, for which the Applicant is progressing with an aim to reach agreement.</p>
2.25.3	Easements	<ul style="list-style-type: none"> •No consultation has taken place regarding potential future development of the pipeline corridor and compensation provision via a development clause 	<p>As noted above, the Applicant has consulted and engaged with D Spetch since March 2022. The Applicant will continue to engage with the landowner and compensation will be assessed on a case-by-case basis in accordance with the Compensation Code.</p> <p>No known or reasonably anticipated development prospect has been raised by Masons Rural on behalf of D Spetch to date, and, as such a development clause has not been considered appropriate.</p>
2.25.4	Construction	<ul style="list-style-type: none"> •No consultation regarding the implementation of a haul road during the construction period 	<p>As set out in paragraph 3.12.38 of ES Chapter 3: Description of the Proposed Development [APP-045], the entrance directly off the public highway would be laid to hardcore. The temporary access routes which lead to the pipeline spread and the running track itself would have the topsoil removed and stored to one side. The "running track" is effectively the haul road which will be constructed along the entire right of way (excluding certain crossing locations), to allow the passage of vehicles, plant and materials/pipe. Upon completion of construction, these tracks will be levelled, and the topsoil replaced, and land restored to its original condition.</p> <p>Paragraph 3.12.39 states that, where necessary depending on ground conditions and weather conditions, some areas may temporarily be covered with a geotextile membrane and stone surface to facilitate traffic movements.</p>

Table 2-26: Masons Rural on behalf of Darren Howell – RR-026

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.26.1	Land / Compensation	<p>My client wishes to raise the following concerns surrounding the project;</p> <ul style="list-style-type: none"> •Failure to agree commercial terms due to a lack of meaningful consultation with the landowners and their agents. Have not ever met with the client either. 	<p>The Applicant notes the comments from Masons Rural on behalf of Darren Howell and acknowledges that discussions on the Option Agreement for Lease remain ongoing.</p> <p>The Applicant has been engaging with Darren Howell since March 2022 and has been discussing commercial terms since July 2023. Meeting times, whether in person or via Teams have been offered throughout this period and remain offered to any affected party of Agent representative.</p> <p>An in-person meeting was organised with the affected party (and Masons Rural) with the Applicants agent in September 2023, where the affected party failed to show for the meeting. The Applicants agent has since met with the affected party in March 2024.</p> <p>The Applicant will continue to engage with Darren Howell with a view to reaching a commercial agreement.</p>
2.26.2	Construction	<ul style="list-style-type: none"> •Failure to agree a method statement for the pipeline construction and failure to provide clarity regarding construction depth of the 	<p>The pipeline will be buried at a minimum depth of 1.2m to the top of the pipe, apart from under exceptional circumstances not anticipated in the location of the Proposed Development. This will be greater at crossing points of railways, roads and watercourses.</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		pipeline and assurances that the land can be farmed going forward	Once the pipeline is installed, normal agricultural practices will be able to resume above the pipeline. This is set out in paragraph 3.7.32 of ES Chapter 3: Description of the Proposed Development [APP-045]. Further, section 3.12 of Chapter 3 sets out the approach to construction in more detail. Details of the depth of the pipeline has also been shared with the affected parties' Agent and reference has been made to this in the proposed Heads of Terms, for which the Applicant is progressing with an aim to reach agreement.
2.26.3	Easements	•No consultation has taken place regarding potential future development of the pipeline corridor and compensation provision via a development clause	As noted above, the Applicant has consulted and engaged with Darren Howell since March 2022. The Applicant will continue to engage with the landowner and compensation will be assessed on a case-by-case basis in accordance with the Compensation Code. No known or reasonably anticipated development prospect has been raised by Darren Howell to date, and, as such a development clause has not been considered appropriate.
2.26.4	Construction	•No consultation regarding the implementation of a haul road during the construction period	As set out in paragraph 3.12.38 of ES Chapter 3: Description of the Proposed Development [APP-045], the entrance directly off the public highway would be laid to hardcore. The temporary access routes which lead to the pipeline spread and the running track itself would have the topsoil removed and stored to one side. The "running track" is effectively the haul road which will be constructed along the entire right of way (excluding certain crossing locations), to allow the passage of vehicles, plant and materials/pipe. Upon completion of construction, these tracks will be levelled, and the topsoil replaced, and land restored to its original condition. Paragraph 3.12.39 states that, where necessary depending on ground conditions and weather conditions, some areas may temporarily be covered with a geotextile membrane and stone surface to facilitate traffic movements.

Table 2-27: Masons Rural on behalf of David Wrisdale – RR-027

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.27.1	Land / Compensation	My client wishes to raise the following concerns surrounding the project; •Failure to agree commercial terms due to a lack of meaningful consultation with the landowners and their agents. Have not ever met with the client either.	The Applicant notes the comments from Masons Rural on behalf of David Wrisdale and acknowledges that discussions on the Option Agreement for Lease remain ongoing. The Applicant has been engaging with Masons Rural on behalf of David Wrisdale since March 2022 and has been discussing commercial terms since July 2023. The Applicant will continue to engage with Masons Rural on behalf of David Wrisdale with a view to reaching a commercial agreement.
2.27.2	Construction	•Failure to agree a method statement for the pipeline construction and failure to provide clarity regarding construction depth of the pipeline and assurances that the land can be farmed going forward	The pipeline will be buried at a minimum depth of 1.2m to the top of the pipe, apart from under exceptional circumstances not anticipated in the location of the Proposed Development. This will be greater at crossing points of railways, roads and watercourses. Once the pipeline is installed, normal agricultural practices will be able to resume above the pipeline. This is set out in paragraph 3.7.32 of ES Chapter 3: Description of the Proposed Development [APP-045]. Further, section 3.12 of Chapter 3 sets out the approach to construction in more detail. Details of the depth of the pipeline has also been shared with the affected parties' Agent and reference has been made to this in the proposed Heads of Terms, for which the Applicant is progressing with an aim to reach agreement.
2.27.3	Easements	•No consultation has taken place regarding potential future development of the pipeline corridor and compensation provision via a development clause	As noted above, the Applicant has consulted and engaged with David Wrisdale since March 2022. The Applicant will continue to engage with the landowner and compensation will be assessed on a case-by-case basis in accordance with the Compensation Code. No known or reasonably anticipated development prospect has been raised by Masons Rural on behalf of David Wrisdale to date, and, as such a development clause has not been considered appropriate.

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.27.4	Construction	•No consultation regarding the implementation of a haul road during the construction period	<p>As set out in paragraph 3.12.38 of ES Chapter 3: Description of the Proposed Development [APP-045], the entrance directly off the public highway would be laid to hardcore. The temporary access routes which lead to the pipeline spread and the running track itself would have the topsoil removed and stored to one side. The “running track” is effectively the haul road which will be constructed along the entire right of way (excluding certain crossing locations), to allow the passage of vehicles, plant and materials/pipe. Upon completion of construction, these tracks will be levelled, and the topsoil replaced, and land restored to its original condition.</p> <p>Paragraph 3.12.39 states that, where necessary depending on ground conditions and weather conditions, some areas may temporarily be covered with a geotextile membrane and stone surface to facilitate traffic movements.</p>

Table 2-28: Debbi-Jayne Challenger – RR-028

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.28.1	General	We have just moved here. A long-awaited move to a place where coast and countryside collide. We chose this area because of the beautiful countryside, the close proximity to the sea, the wildlife and flora and fauna. This was meant to be our home for the rest of our lives This 'project', for want of a better word, did not come up on our searches with our solicitor so we are horrified that this is going to be on our doorstep. It absolutely has no place here, or anywhere.	The Applicant recognises that individuals who live close to an infrastructure project will have concerns about the impact that it might have on them. In the pre-application phase, the Applicant has undertaken considerable consultation with local communities. As part of this, it has communicated the potential impacts from the Proposed Development to potentially affected people through consultation materials and supporting technical documents. The Applicant has also taken account of their comments and feedback in designing the project, the Applicant has designed the pipeline to avoid and minimise any potential impacts on residential properties. This has meant there are no residential properties included within the Order Limits.
2.28.2	Need Case	Carbon capture is not an effective solution to solving our climate problems. The technology is inefficient and expensive as it generates it's own emissions. It just seems to me it is being flaunted as a magical solution but it's not. All it is doing is allowing the big fossil fuel companies to continue instead of ending the fossil fuel era. The government should be looking at ways to stop producing it in the first place! It takes more energy to capture it and at what risks to our environment?	<p>The UK government has a target of achieving net zero by 2050 and meeting this target will require reduced emissions of CO₂ from existing industries within the Humber and Lincolnshire region. Carbon capture and storage (CCS) is recognised by the Intergovernmental Panel on Climate Change (the IPCC) and the UK government as a vital step on the road to achieving net zero carbon dioxide emissions, with the 6th Carbon Budget outlining plans to capture and store between 20 and 30 million tonnes of CO₂ a year by 2030.</p> <p>The revised draft National Policy Statement for Energy (EN-1) recognises that there is “an urgent need for new CCS infrastructure to support the transition to a net zero economy”. CCS is one of many proposed approaches to tackling CO₂ emissions and climate change and is considered a transitional technology.</p> <p>More information is available in the Need Case [APP-131].</p>
2.28.3	Offshore Scheme	Storage leaks could contaminate our groundwater and soil for a start! We are very much against it.	The Applicant has over 40 years of experience in the operation of gas reservoirs and pipeline systems in the North Sea. The identified storage reservoir has capacity to store over 300 million tonnes of carbon dioxide, sufficient for approximately 30 years of operation. The storage reservoir is covered with an extensive cap rock layer which acts as a "super seal". The reservoir is located approximately 140 km offshore 2.7km beneath the seabed. This same reservoir has securely held natural gas for millions of years.
2.28.4	Safety	We are concerned also at the safety aspect and our health,	<p>The Applicant is highly experienced in health and safety management and takes very seriously its legal duty under the UK's Health and Safety at Work Act to protect workers and the public from its activities. The Applicant places the utmost importance on the safety of the communities it interacts with, its employees and its contractors who will work on this project.</p> <p>Several important factors were considered in routing the pipeline. These were the safety of local communities, avoiding built up areas and sensitive buildings, areas protected for their habitat and species, the Lincolnshire Wolds Area of Outstanding Beauty, areas that are liable to flood and historic monuments.</p> <p>The pipeline has been designed in compliance with Engineering Standard BSI PD 8010-1:2016, which makes specific provision for CO₂ pipelines and the approach to routing including minimum distances to buildings. In addition, the pipeline has been designed in</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
			<p>accordance with the established principle of ALARP (“As Low As Reasonably Practicable”), as described in the Health and Safety Executive’s (HSE’s) longstanding framework document “Reducing Risks, Protecting People”. The purpose of ALARP is to ensure risks are reduced as far as is reasonably practicable.</p> <p>The Applicant has referenced the HSE’s Tolerability of Risk framework (which is defined in the “Reducing Risks, Protecting People” framework document mentioned above) to assess the pipeline risks. This assessment shows that the risk to members of the public living near to the Viking CCS pipeline route is well within the framework’s lowest classification of risk. Under the framework, the HSE considers that <i>“risks falling into this region are generally regarded as insignificant and adequately controlled.”</i></p> <p>The HSE does not usually require further action to reduce risks in this lowest classification unless reasonably practicable measures are available, such as developing comprehensive emergency response plans. The Applicant will work with all relevant local authorities to develop such plans.</p> <p>The Applicant has engaged with the HSE, including their science division, to seek their expert opinion on the pipeline design and associated risk assessments. The Applicant has also engaged with other industry experts and will continue to engage both regulator and industry experts throughout the pipeline design and subsequent operation.</p> <p>The Applicant has adopted a robust design and route selection process for the Proposed Development, with safety of local communities being a key consideration. The routing and design accords with adopted guidance, including on managing risk, and has been informed by advice from experienced technical consultants.</p>
2.28.5	Construction impacts	not to mention how visually, it will carve up our countryside, plus the noise and total disruption of setting it all up. This area has over 100,000 visitors a year. It concerns us greatly as to how all this will affect that. To sum up. It's a big fat NO. Look to other ways of reducing our carbon emissions as a country.	<p>The Applicant has undertaken a detailed Environmental Impact Assessment to identify the likely effects that the project will have on affected parties. In designing the project, the Applicant has sought to avoid and mitigate impacts wherever possible. Effects on landscape character and visual amenity/ views are considered in detail in ES Chapter 7: Landscape and Visual [APP-049]. Potential noise impacts and associated mitigation are reported in ES Chapter 13: Noise and Vibration [APP-055].</p> <p>The Applicant recognises the importance during the construction phase of keeping the local community informed. If consent is granted, the Applicant will put in place a Construction Environmental Management Plan (CEMP), which will be agreed with the local planning authority. That plan will include, amongst other things, a stakeholder communications plan setting out how the developer will carry out community engagement before and during the construction phase. This is set out in more detail in section 8.5 of the Draft CEMP [APP-068].</p>

Table 2-29: Defence Infrastructure Organisation – RR-029

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.29.1	General	Application route south-eastern extent of the pipeline is located just to the south of the Donna Nook Air Weapon Range estate but is within the plan R (Range) statutory consultation zone. The MOD wish to register as an interested party	Noted.

Table 2-30: Veale Wasbrough Vizards LLP on behalf of Driver and Vehicle Standards Agency (DVSA) – RR-030

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.30.1	Land / Compensation Engineering and Design	We act for DVSA and we have been liaising with solicitors and agents acting for the Promoter. DVSA occupies a site on which Promoter's agent has confirmed the Promoter intends to use, at the very minimum, for	The Applicant is grateful to the DVSA for their engagement to date and will continue to work with them through the Examination with a view to reaching a voluntary agreement to acquire the necessary rights in land for the Proposed Development.

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		<p>welfare facilities and storage to facilitate the Scheme.</p> <p>Importantly, the pipeline itself may be laid through DVSA's site, which will entirely disrupt DVSA's operations. If the pipeline route does indeed cross the site, DVSA will need to relocate as it cannot operate from the site during construction. DVSA will require substantial notice to do so as any alternative site will need to be sizeable with specific infrastructure, and DVSA's relocation costs will need to be borne by the Promoter. While these points (and others) are being negotiated with the Promoter, DVSA requires the ability to participate in the Examination and submit further representations as an Interested Party in order to protect its interests.</p>	

Table 2-31: East Lindsey District Council – RR-031

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.31.1	General	<p>We have been engaged with the Applicant's team over a significant period of time and have responded to the previous consultations within which we have identified a number of issues which are relevant to the Council.</p> <p>We have undertaken a review of the submitted documents and would like to make the following comments:</p> <ul style="list-style-type: none"> • East Lindsey District Council is broadly supportive of the proposals for a variety of reasons including but not limited to: <ul style="list-style-type: none"> o The proposed use would lead to employment within an area. o The proposal would bring investment and create opportunities for improvement in skills and employment during the construction phase. o The proposals would see carbon dioxide captured and stored in an underground storage facility in the North Sea. Helping the UK Government to achieve Net Zero target by 2050. 	<p>The Applicant acknowledges that East Lindsey District Council is broadly supportive of the Applicant's proposals. The Applicant has continued to consult with East Lindsey District Council and provide them with further details and responses to the clarifications for the topics which they have raised.</p> <p>The Applicant has sought to hold further discussions to understand the issues which require further clarification. This has allowed a Draft Statement of Common Ground to be developed outlining the areas where agreement has been reached, and those areas where additional work is still required. In particular, the Statement of Common Ground covers Landscape and Visual, Archaeology and Heritage, Noise and Vibration, Highways and Transport, PRow, Transport, Community Impact, Socio-economic, and other wider environmental considerations such as climate, ecology and biodiversity.</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.31.2	General	<ul style="list-style-type: none"> • East Lindsey District Council does however believe there are a series of issues which require further detail, clarification, analysis or discussion, these include but are not limited to: <ul style="list-style-type: none"> o Landscape and Visuals; o Archaeology and Heritage; o Environmental considerations including landscape, dust, climate change, waste, ecology and biodiversity; o Noise and Vibration; o Highways and Sustainable Transport; o Public Rights of Way, Recreation and Tourism; o Community impact and maximising opportunities to create a positive legacy for the villages and towns impacted; o Socio-economic benefits. 	
2.31.3	SoCG	<ul style="list-style-type: none"> • We provided initial comments on the Statement of Community Involvement and the draft DCO, and its schedules, and have suggested some initial changes. We appreciate that the DCO may need to evolve throughout the DCO process as the applicant seeks to respond to any issues raised. <p>We remain committed to engaging with the process and will seek to work proactively with the Applicants to seek agreement on as many matters as possible during the next stages of the process. We hope therefore we can agree Statements of Common Ground and Local Impact Reports which will address these areas of focus. There will no doubt be other issues which arise throughout the examination processes, including feedback from other relevant statutory and non-statutory bodies, as well as partner organisations and local stakeholders. The Council reserves the right to amend its position or comments following analysis of such comments.</p>	
2.31.4	General	<p>As a general position statement, the Council remains broadly supportive of the development, and believes that it can have a significant positive impact for the area, subject to any adverse impacts being appropriately eliminated or mitigated. We therefore remain</p>	<p>The Applicant has noted that East Lindsey District Council is broadly supportive of the project which will help the UK towards achieving its legally binding target for achieving Net Zero by 2050 while also providing low carbon industry, manufacturing, and energy production to support a low carbon economy and creating employment opportunities in the Humber Region.</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		committed to engaging with the NSIP process and would seek to work proactively with the Inspector, the Applicants, and wider partners/stakeholders in connection with this project.	The Applicant will continue to liaise with East Lindsey District Council during the examination stage as is necessary. The first draft of the Statement of Common Ground has been prepared by the Applicant and shared with East Lindsey District Council. The Applicant is continuing to liaise with the Authority on highways and ecology and biodiversity matters to agree the points in the Statement of Common Ground.

Table 2-32: Elaine Dennis-Skuce – RR-032

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.32.1	General	I am against this project	Noted.

Table 2-33: DDM Agriculture Ltd on behalf of Elizabeth Greetham – RR-033

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.33.1	Land / Compensation	•Failure to agree commercial terms due to a lack of meaningful consultation with the landowners and their agents	<p>The Applicant notes the comments from DDM Agriculture Ltd on behalf of Elizabeth Greetham and acknowledges that discussions on the Option Agreement for Lease remain ongoing.</p> <p>The Applicant has been engaging with DDM Agriculture Ltd on behalf of Elizabeth Greetham since March 2022 and has been discussing commercial terms since July 2023.</p> <p>The Applicant will continue to engage with DDM Agriculture Ltd on behalf of Elizabeth Greetham with a view to reaching a commercial agreement.</p>
2.33.2	Construction	•Failure to agree a method statement for the pipeline construction and failure to provide clarity regarding construction depth of the pipeline and assurances that the land can be farmed going forward	<p>The pipeline will be buried at a minimum depth of 1.2m to the top of the pipe, apart from under exceptional circumstances not anticipated in the location of the Proposed Development. This will be greater at crossing points of railways, roads, and watercourses.</p> <p>Once the pipeline is installed, normal agricultural practices will be able to resume above the pipeline. This is set out in paragraph 3.7.32 of ES Chapter 3: Description of the Proposed Development [APP-045]. Further, section 3.12 of Chapter 3 sets out the approach to construction in more detail.</p> <p>Details of the depth of the pipeline has also been shared with the affected parties' Agent and reference has been made to this in the proposed Heads of Terms, for which the Applicant is progressing with an aim to reach agreement.</p>
2.33.3	Easements	•No consultation has taken place regarding potential future development of the pipeline corridor and compensation provision via a development clause	<p>As noted above, the Applicant has consulted and engaged with Elizabeth Greetham since March 2022. The Applicant will continue to engage with the landowner and compensation will be assessed on a case-by-case basis in accordance with the Compensation Code.</p> <p>No known or reasonably anticipated development prospect has been raised by DDM Agriculture Ltd on behalf of Elizabeth Greetham to date, and, as such a development clause has not been considered appropriate.</p>
2.33.4	Construction	•No consultation regarding the implementation of a haul road during the construction period	<p>As set out in paragraph 3.12.38 of ES Chapter 3: Description of the Proposed Development [APP-045], the entrance directly off the public highway would be laid to hardcore. The temporary access routes which lead to the pipeline spread and the running track itself would have the topsoil removed and stored to one side. The "running track" is effectively the haul road which will be constructed along the entire right of way (excluding certain crossing locations), to allow the passage of vehicles, plant and materials/pipe. Upon completion of construction, these tracks will be levelled, and the topsoil replaced, and land restored to its original condition.</p> <p>Paragraph 3.12.39 states that, where necessary depending on ground conditions and weather conditions, some areas may temporarily be covered with a geotextile membrane and stone surface to facilitate traffic movements.</p>

Table 2-34: Environment Agency – RR-034

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.34.1	General	<p>These Relevant Representations contain an overview of the project issues, which fall within our remit. They are given without prejudice to any future detailed representations that we may make throughout the examination process. We may also have further representations to make if supplementary information becomes available in relation to the project.</p> <p>We have reviewed the Development Consent Order (DCO) application, Environmental Statement (ES) and supporting documents submitted as part of the above-mentioned application, following notification of its acceptance for Examination on 22 November 2023. Our comments below are presented using the document references and ES Chapter headings relevant to our remit.</p>	This is noted and further responses are provided below.
2.34.2	Draft DCO	<p>Article 2: Interpretation – the interpretation of ‘Theddlethorpe Facility (Option 1)’ is incorrect. Option 1 is shown as Work No. 44 (not Work No. 42) on Sheet 35 of the Works Plans. The interpretation of ‘Theddlethorpe Facility (Option 2)’ is also incorrect. Option 2 is shown as Work No. 42 (not Work No. 44) on Sheet 35 of the Works Plans. We also request the inclusion of the definition of “watercourse” in this Article, as per our comments under paragraph 3.5 below.</p>	The Applicant has updated the Draft DCO (Revision C) (document reference 2.1) in response to this comment. The Works Numbers have been corrected and a new definition of “watercourse” has been added.
2.34.3	Draft DCO	<p>Article 17: Discharge of Water – we note that the wording of this Article is based (according to the explanatory memorandum [APP-007]) on model provisions and can be found in other DCOs including Article 18 of the Southampton to London Pipeline DCO, Article 15 of the North Shropshire Electricity Distribution Network Order 2020 and Article 15 of the North Vanguard DCO 2020. Although such a provision does feature in these DCOs some of the wording is different. In respect of subclause (7), this refers to discharges into ‘controlled waters’ and subclause 8(b) provides interpretation for the Article, referring to the Environmental Permitting (England and Wales) Regulations 2016, which does not replicate the</p>	The Applicant has updated the Draft DCO (Revision C) (document reference 2.1) in response to this comment.

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		<p>cited DCOs.</p> <p>It is our view that the cited DCOs include the correct text for this Article. Accordingly, we request subclause 7 is amended to read: "Nothing in this article overrides the requirement for an environmental permit under regulation 12(1)(b) of the Environmental Permitting (England and Wales) Regulations 2016 in respect of a water discharge activity or groundwater permit". 3.4 Subclause 8(b) should be amended to read: "other expressions, excluding watercourse, used both in this article and in the Water Resources Act 1991 have the same meaning as in that Act". 3.5 It will also then be appropriate to include a definition of "watercourse" in Article 2 Interpretation to read: "includes all rivers, streams, ditches, drains, canals, cuts, culverts, dykes, sluices, sewers and passages through which water flows except a public sewer or drain".</p>	
2.34.4	Draft DCO	<p>Article 36 : Application and modification of legislative provisions - We are currently discussing the wording of protective provisions with the Applicant and hope to reach an agreement on these, which would then enable us to agree to disapply Regulation 12 (the requirement for environmental permit) of the Environmental Permitting (England and Wales) Regulations 2016 in respect of flood risk activities. We will provide further updates on this during the examination.</p> <p>If we can agree to this, it is our view that the drafting of Article 36 will need to be amended to delete the reference to the repealed section of the Water Resources Act 1991 as it has no relevance to the current Environmental Permitting Regulations 2016. Accordingly, we request Article 36(1)(a) is amended as follows:</p> <p>"the 2016 Regulations, (requirement for environmental permit) of to the extent that they require a permit for anything that would have required consent made under section 109 of the Water Resources Act 1991(b) immediately before the repeal of that section or for any activities defined under the Environmental Permitting (England and Wales) Regulations 2016, in respect of a as flood risk activities</p>	<p>The Applicant has updated the Draft DCO (Revision C) (document reference 2.1) in response to this comment and incorporated the suggested drafting.</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		only;"	
2.34.5	Draft DCO	<p>Article 44: Certification of plans, etc – we note this Article refers to an “outline operational and maintenance environmental management plan (document number 6.4.3.6)”. This document number relates to the ES Appendix 3-6 Operational Phase Mitigation [APP-073]. We request that confirmation is provided on whether document 6.4.3.6 is the intended outline operational and maintenance environmental management plan. Also see comments in paragraph 3.11 below regarding this plan and Requirement 15 in Schedule 2.</p>	<p>The reference to the ‘operational and maintenance environmental management plan’ in the Draft DCO is incorrect and has been updated to refer to the ‘Operational Phase Mitigation’. Revision C of the Draft DCO has been submitted at Deadline 1 (document reference 2.1).</p>
2.34.6	Draft DCO	<p>Schedule 2, Part 1, Requirements</p> <p>Requirement 5: Construction environmental management plan – The Environment Agency requests that it is added as a specific consultee to the discharge of this requirement so that it can advise on matters within its remit.</p>	<p>The Applicant has updated the Draft DCO (Revision C) (document reference 2.1) in response to this comment and has added the Environment Agency as a consultee.</p>
2.34.7	Draft DCO	<p>Requirement 9: Contaminated land and groundwater – The wording of this requirement is not satisfactory and should be amended to ensure that work ceases in any location where contamination is suspected. This is necessary to prevent the risk of contaminant migration or further pathways for pollution to reach sensitive receptors. The Environment Agency also requests it is added as a specific consultee to the discharge of this requirement. Accordingly, we request that Requirement 9 is amended to include the following additional [underlined] text:</p> <p>9. (1) In the event that contamination is found at any time when carrying out the authorised development then works in that location must cease immediately and it must be reported in writing to the relevant planning authority as soon as reasonably practicable.</p> <p>(2) Where contamination has been reported to the relevant planning authority in accordance with sub-paragraph (1), an investigation and risk assessment must be completed in accordance with a contamination scheme to assess the nature and extent of any contamination on the part of the Order limits within which works are being carried out, whether or not that contamination originates on</p>	<p>The Applicant has updated the Draft DCO (Revision C) (document reference 2.1) in response to this comment.</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		<p>that part of the Order limits; and—</p> <p>(a) the contents of that scheme are subject to the approval of the relevant planning authority, following consultation with the Environment Agency; and</p> <p>(b) that investigation and risk assessment must be undertaken within timescales agreed with the relevant planning authority and the Environment Agency, and in accordance with the approved contamination scheme and a written report of the findings must be submitted to the relevant planning authority.</p> <p>(3) Where remediation is determined by the relevant planning authority to be required having had regard to the results of an investigation and risk assessment carried out under sub-paragraph</p> <p>(2), a detailed remediation scheme must be prepared and submitted for the approval of the relevant planning authority, following consultation with the Environment Agency.</p> <p>(4) The approved remediation scheme must be implemented in accordance with its terms.</p>	
2.34.8	Draft DCO	<p>Requirement 15: Operational and maintenance environmental management plan – as mentioned in paragraph 3.8 above, we are unsure if document 6.4.3.6 “Operational Phase Mitigation” constitutes this plan. If this is the case then the document should be renamed so that it is clear this document is the one that any final plan submitted under this requirement has to be in accordance with. Paragraph 5.6 below provides further comment in relation to the contents of document 6.4.3.6.</p>	<p>The reference to the ‘operational and maintenance environmental management plan’ in the Draft DCO is incorrect and has been updated to refer to the ‘Operational Phase Mitigation’. Revision C of the Draft DCO has been submitted at Deadline 1 (document reference 2.1).</p>
2.34.9	Draft DCO	<p>Requirement 16: Decommissioning environmental management plan – the Environment Agency requests that it is added as a specific consultee to the discharge of this requirement so that it can advise on the decommissioning of any apparatus below main rivers, as well as general pollution prevention issues and waste management arrangements.</p>	<p>The Applicant has updated the Draft DCO (Revision C) (document reference 2.1) in response to this comment and has added the Environment Agency as a specific consultee.</p>
2.34.10	Draft DCO	<p><u>Schedule 2, Part 2, Procedure for discharge of Requirements</u></p> <p>Requirement 22: Further information - The</p>	<p>Schedule 2, Part 2 has been updated in the Draft DCO (Revision C) (document reference 2.1). This update has taken account of the comments from the Environment Agency.</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		<p>Environment Agency is of the view that the provisions in this requirement will not provide sufficient time for adequate consultation to take place for the discharge of requirements. In particular, 22(3) requires the discharging authority to notify the Applicant in writing of any further information it needs within 21 days of receipt of the application. This would not provide sufficient time for the discharging authority to request a consultee's comments or for the consultee to adequately consider and respond to the consultation request.</p> <p>The Environment Agency requests that this is amended so that the discharging authority has 20 business days in which to notify the undertaker of the further information requested to provide sufficient consultation timescales that align with those in the Development Management Procedure Order 2015, i.e. 21 days (equivalent to 15 business days) in addition to the 5 business days allocated for the relevant discharging authority to issue the consultation. The words "<i>and in any event within 21 days of receipt of the application</i>" should be deleted.</p> <p>We also request that the term 'business days' as defined in Article 1 Interpretation is used throughout Schedule 2 Part 2 to provide clarity to the drafting.</p> <p>We note that the Applicant's justification for including these procedural requirements takes the form of wording that has been established in a number of other DCOs. However, the practical application of the "10 business days" timescale will not facilitate adequate consultation.</p>	
2.34.11	Draft DCO	<p><u>Schedule 2, Part 7, Protective Provisions</u></p> <p>As mentioned in paragraph 3.6 above, we are in discussions with the Applicant regarding protective provisions. The protective provisions included in the draft DCO are not</p>	<p>The Applicant will continue to engage with the Environment Agency with a view to agreeing protective provisions as soon as possible.</p>
2.34.12	Land / Compensation	<p>3.3 Book of Reference <u>[AS-045]</u></p> <p>The Environment Agency has various land interests recorded in the Book of Reference for plot references 1/56, 1/65, 26/7, 26/10, 31/12 and 33/5. The Environment Agency is not the registered owner of any of these and does not</p>	<p>The Applicant notes that the Environment Agency has no comments for plots 1/56, 1/65, 26/7, 26/10, 31/12 and 33/5.</p> <p>The Applicant has identified the EA as rights holders over plots 1/56 and 1/65 as listed on the relevant HMLR titles. The plots 26/7, 26/10, 31/12 and 33/5, EA hold an interest due to the Statutory main river status applied to the rivers contained in these plots.</p> <p>The Applicant has spoken to the EA representative who submitted the written rep and confirmed the nature of EA's interests in the above plots.</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		<p>have any comments to make in respect of the plots.</p>	
2.34.13	Water and Environment	<p>6.2.3 ES Chapter 3: Description of the Proposed Development Document [APP-045]</p> <p>We welcome the confirmation in paragraph 3.12.226 that groundwater is not being considered as a source of water for hydrostatic testing of the pipelines. This satisfies our previous concerns about water availability in this location.</p>	<p>This is noted. No further response required.</p>
2.34.14	Construction	<p>6.4.3.1 Appendix 3-1: Draft Construction Environmental Management Plan (CEMP) [APP-068]</p> <p>There is a typo in Table 2 where the Drainage Strategy is given as Appendix 14-3, when it should be 11-3.</p> <p>We agree with the proposed mitigation outlined in Table 3, and section E specifically. Of particular note for the Applicant's attention is:</p> <ul style="list-style-type: none"> • E3 – the project manager needs to have regard for the abstraction licensing requirements for dewatering; the requirement for a Water Resources Abstraction Licence applies unless the activity is exempt under The Water Abstraction and Impounding (Exemptions) Regulations 2017. The contractor should determine the need for an abstraction licence at an early stage. We advise early consideration is given to this so that permitting timescales can be built into the development programme so as not to cause delays. We will not agree to disapply the need for such a licence in the DCO. • E8 - we look forward to further correspondence in relation to the discovery and disposal strategy for dealing with potential unsuspected contamination. • E28 - the potential for uncontrolled water resource loss, due to unexpected artesian flow, needs to be planned for and managed. An abstraction licence may be required if no exemption or regulatory position statement applies. The ground investigation and groundwater monitoring proposals should provide a better understanding of the 	<p>Table 2 – Noted. The reference has been updated in Revision A of the Draft CEMP has been submitted at Deadline 1 (document reference 6.4.3.1).</p> <p>Table 3 – Noted.</p> <p>E3 – The Applicant can confirm that the DCO does not seek to disapply the need for abstraction licences. The Consents and Agreements Position Statement (Revision A) (document reference 7.2) has been amended accordingly.</p> <p>E8 – The Applicant will provide details of the proposed discovery and disposal strategy for dealing with potential unsuspected contamination.</p> <p>E28 – Noted. The Applicant will provide further details once the ground investigation works are complete.</p> <p>F29 – Noted. The reference has been updated in Revision A of the Draft CEMP has been submitted at Deadline 1 (document reference 6.4.3.1).</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		<p>hydrogeological conditions to expect during construction.</p> <ul style="list-style-type: none"> • F9 – the relevant British Standard for topsoil is now BS3882:2015, not BS3882:2007. 	
2.34.15	Engineering and Design	<p>6.4.3.2 ES - Appendix 3-2: Crossing Schedule [APP-069]</p> <p>We have reviewed the Crossing Schedule, and this is satisfactory.</p>	This is noted. No further response required.
2.34.16	Engineering and Design	<p>6.4.3.5 ES - Appendix 3-5: Decommissioning Strategy [APP-072] Decommissioning may include the removal of redundant infrastructure under flood defence assets. However, we are satisfied that providing the Environment Agency is added as a specific consultee to the discharge of Requirement 19 (Decommissioning Environmental Management Plan), this will allow us adequate opportunity to provide advice on this at the relevant time.</p>	This is noted. No further response required.
2.34.17	Engineering and Design	<p>6.4.3.6 ES - Appendix 3-6: Operational Phase Mitigation [APP-073]</p> <p>Commitment reference number Op04 is additional mitigation and enhancement measure G27. Commitment reference number Op05 is similar in wording to additional mitigation and enhancement measure G1. Please refer to our comments on these for Chapter 11: Water Environment in paragraphs 8.21-8.22 and 8.38-8.40 below.</p>	This is noted. No further response required.
2.34.18	Geology and Hydrogeology	<p>6.2.9 ES Chapter 9: Geology and Hydrogeology [APP-051]</p> <p>We welcome the full consideration and inclusion of all potable water supplies and corrections/adjustments made to hydrogeological and sensitivity classifications. We also note that the remediation of the Theddlethorpe and Immingham facilities will be secured prior to development through the lease agreement.</p> <p>We welcome the intention to consult the Environment Agency regarding further hydrogeological and remediation assessments, and on the proposed contamination inspection and discovery strategy (we need to be a consultee to the discharge of Requirements 5</p>	<p>Commitments E3 and E28 will be amended to include reference to the potential need for abstraction licences.</p> <p>Once the ground investigation is completed, the Applicant will use the information to undertake detailed hydrogeological risk assessments for all proposed HDD activities. The results will be shared with the Environment Agency and further consultation will be undertaken.</p> <p>The Applicant has updated the Draft DCO (Revision C) (document reference 2.1) to include the Environment Agency as a consultee under requirement 5.</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		<p>and 9 to facilitate this). Any dewatering strategy required either for the pipeline or at the reception facilities needs to take account of the requirement for a Water Resources Abstraction Licence (and associated timescales for obtaining this) unless the activity is exempt under The Water Abstraction and Impounding (Exemptions) Regulations 2017. The Applicant should determine the need for an abstraction licence at an early stage. This should be included within the commitment to mitigation measures of E3 and E28 of the draft Construction Environmental Management Plan (CEMP).</p> <p>Horizontal Directional Drilling (HDD) or piling which will exceed 10m in depth will require careful consideration and control, in consultation with the Environment Agency, in terms of risks of groundwater contamination as well as losses through artesian flow, and management of dewatering. This should be the focus of further detailed hydrogeological risk assessments for such activities. We acknowledge that full ground investigation and groundwater monitoring is planned to inform such activities, which is covered in paragraphs 9.8.9-12.</p> <p>The mitigation measures proposed within the Draft CEMP provide confidence that risks should be suitably managed, in particular A5, E1 - E3, E6 – E8, E17, E19 – E20, and E27 – E28. Accordingly, we refer to our request to be a specific consultee to the discharge of Requirement 5 to enable us to comment on the details of these measures.</p>	
2.34.19	Geology and Hydrogeology	<p>6.4.9.3 Appendix 9-3: Hydrogeological Risk Assessment [APP-094]</p> <p>Section 1.3.2 states that groundwater safeguard zones are meant to be designated in Figures 1.2 and 1.3; these are not evident on the diagrams.</p> <p>We note that in the absence of site-specific ground investigation data at this stage, the Hydrogeological Risk Assessment (HyRA) is considered to be 'preliminary' and will be reviewed and updated based on the findings of future ground investigations. We would like to be consulted on any future updates and</p>	<p>Noted, and the error in Section 1.3.2 was due to a figure update between review phases. Updated figures can be provided if required, and potential additional (unidentified) sources of pollution can be added to the assessment, but the Applicant does not believe this addition changes the overall conclusions of the assessment.</p> <p>Noted. The Applicant agrees to the additional points and notes the Environment Agency's request to be consulted on future updates to the hydrogeological risk assessment.</p> <p>The Applicant welcomes further discussion on the requirements for control measures for HDD / piling. The Applicant agrees to the point on additional consultation. There is a potential that HDD may extend to 20m depth in places, and the wording of the hydrogeological risk assessment can be amended to make this clearer if the EA confirms this is required. However, this is not considered to be necessary by the Applicant given that the risk assessment will be updated at a later date once ground investigation information is available. Following ground investigation to confirm the depth to chalk in these areas, the hydrogeological risk assessment will be updated to consider risks associated with uncontrolled groundwater pressure in the chalk.</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		<p>believe this is secured through mitigation measure E3 in the draft CEMP (subject to our request to be a specific consultee to the final CEMP discharge).</p> <p>Section 1.3.4 confirms that if drilling is required greater than a depth of 10m within the chalk bedrock, the Environment Agency would be consulted, which we welcome.</p> <p>Sections 1.3.14, 35, 55, 73 and 94 confirm the requirement for a dewatering plan – this should be developed with regard to all licencing requirements previously outlined. Sections 1.3.21 and 42 confirm the need for an abstraction licence for dewatering more than 20m³/d; timescales of obtaining the licence need to be factored into the works programme.</p> <p>Sections 1.3.18, 39, 58, 77 and 97 do not reference potential additional (unidentified) sources of pollution including migration of contaminants already present within the ground due to historical use, mobilised by construction. Additional pathways which are not referenced include deeper drilling (HDD) or piling.</p> <p>Sections 1.3.13 and 34 states that HDD may extend to 20m depth – can the Applicant please confirm if this is correct? This seems to contradict other text. If it is correct, the risk is less about contaminants entering the chalk bedrock, but more about managing the uncontrolled artesian groundwater pressure – this needs to be fully considered and addressed in tables 4 and 10.</p>	
2.34.20	Agriculture and Soils	<p>6.2.10 ES - Chapter 10: Agriculture and Soils [APP-052]</p> <p>We welcome the inclusion of G33 in the Draft CEMP, whereby an Environmental Emergency Response Plan will be prepared, documenting measures to prevent pollutants from infiltrating into the soils beneath the site and reaching surface and groundwater receptors. We look forward to commenting on these as a consultee to the final CEMP.</p>	This is noted. No further response required.
2.34.21	Water Environment	<p>6.2.11 ES Chapter 11: Water Environment [APP-053]</p> <p>Paragraph 11.5.65 – the Environment Agency</p>	The Applicant agrees with the matter raised. Definitions, inclusion of policy and referencing will be updated in ES Chapter 11: Water Environment [APP-053] which will be issued as Revision A at Deadline 2.

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		<p>has permissive powers for the management of flood risk.</p> <p>Paragraph 11.5.67 - the definitions shown in this paragraph are incorrect.</p> <p>The Flood Zones shown on the Flood Map for Planning (Rivers and Sea) shows flood risk from rivers and the sea only. The flood zones are defined as:</p> <ul style="list-style-type: none"> • Zone 1 Low Probability: Land having a less than 0.1% annual probability of river or sea flooding. (Shown as 'clear' on the Flood Map for Planning – all land outside Zones 2 and 3) • Zone 2 Medium Probability: Land having between a 1% and 0.1% annual probability of river flooding; or land having between a 0.5% and 0.1% annual probability of sea flooding. (Land shown in light blue on the Flood Map) • Zone 3a High Probability: Land having a 1% or greater annual probability of river flooding; or Land having a 0.5% or greater annual probability of sea. (Land shown in dark blue on the Flood Map) <p>The risk of flooding from surface water map shows four levels of flood risk. These are:</p> <ul style="list-style-type: none"> ▪ High - each year, the area has a chance of flooding of greater than 1 in 30 (3.3%) ▪ Medium - each year, the area has a chance of flooding of between 1 in 100 (1%) and 1 in 30 (3.3%) ▪ Low - each year, the area has a chance of flooding of between 1 in 1000 (0.1%) and 1 in 100 (1%) ▪ Very low - each year, the area has a chance of flooding of less than 1 in 1000 (0.1%) <p>The risk of flooding from Reservoirs shows the maximum extent of flooding from reservoirs when:</p> <ul style="list-style-type: none"> • river levels are normal; and • there is also flooding from rivers. 	
2.34.22	Water Environment	<p><i>Table 11-16 - Section 1 of Pipeline Corridor within DCO Site Boundary</i></p> <p>Tidal: The level of flood risk is unclear as this paragraph states average breach depths rather</p>	<p>The Applicant acknowledges the Environment Agency's comments related to breach flood depths. The Applicant have discussed the breach depths (including climate change) with the Environment Agency and will issue a technical note that justifies the use of the breach values applied.</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		<p>than potential maximum breach depths (2006 0.5% and 0.1% breach maximum depths are greater).</p> <p>Climate Change: Again, the level of flood risk is unclear as this paragraph states average breach depths rather than potential maximum breach depths (2006 0.5% and 0.1% breach maximum depths are greater).</p>	
2.34.23	Water Environment	<p>Table 11-17: Section 2 of Pipeline Corridor within DCO Site Boundary</p> <p>Fluvial: the 'Comments' section refers to Ref 1 and Figure 2 - should this refer to Figure 11.41 and Figure 11-7 respectively?</p>	This should refer to Ref 11-36, Figure 11-7 and Figure 11-8. This will be updated in Revision A of ES Chapter 11: Water Environment [APP-053] which will be issued at Deadline 2.
2.34.24	Water Environment	<p>Table 11-17: Section 2 of Pipeline Corridor within DCO Site Boundary, Table 11-18: Section 3 of Pipeline Corridor within DCO Site Boundary and Table 11-19: Section 4 of Pipeline Corridor within DCO Site Boundary</p> <p>Fluvial: There are also non-main river crossings that lie within Flood Zones 2 and 3. These sections also contain an incorrect definition of fluvial Flood Zone 2.</p> <p>Fluvial Flood Zone 2 is defined as land having between a 1% and 0.1% annual probability of river flooding.</p> <p>Climate Change: Climate change is likely to result in an increased risk of flooding from all sources, not just groundwater.</p>	The comment is acknowledged. These tables were included to provide a high-level summary of flood risk information that is considered in the FRA. Any incorrect definition will be updated and expanded upon in an in Revision A of ES Chapter 11: Water Environment [APP-053] which will be issued at Deadline 2.
2.34.35	Water Environment	<p>Table 11-20: Section 5 of Pipeline Corridor within DCO Site Boundary</p> <p>Climate change: The Shoreline Management Plan for Saltfleet to Gibraltar Point has a policy of 'Hold the Line' in the short-medium term. However, there is a 'Hold the Line/Managed Realignment' policy in the long term (from 2055- 2105) between Theddlethorpe St Helen to Gibraltar Point. Although this epoch is beyond the stated lifetime of this proposed development, it is something to be aware of if the operational life of the pipeline is extended.</p>	This is noted and will be updated in Revision A of ES Chapter 11: Water Environment [APP-053] which will be issued at Deadline 2.
2.34.26	Water Environment	<p>Table 11-21: Receptor Importance Values</p> <p>For many of the receptor importance values, the flood risk importance is medium importance as located within an area with industrial / less vulnerable development. However, there are</p>	The Applicant acknowledges this comment; however, this would not increase the flood risk impact given that impacts are to be mitigated to negligible. Following consultation with the Environment Agency, the Applicant is happy to update the wording to include consideration of the residential properties within the ES chapter and have updated the sensitivity, this does not result in changes to the effects. This will be updated in Revision A of ES Chapter 11: Water Environment [APP-053] which will be issued at Deadline 2.

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		instances where the proposed development is close to development of a higher vulnerability, for example, residential properties.	
2.34.27	Water Environment	<p>Table 11-22: Embedded and Standard Mitigation</p> <p>Pre-Construction Mitigation - Topsoil will be stripped, in accordance with the Outline Soil Management Plan (ES Volume IV: Appendix 10.1 (Application Document 6.4.10.1)). The Outline Soil Management Plan (paragraph 4.7.3) states, 'topsoil and subsoil will not be stored directly adjacent to the watercourse but will be stored a minimum of 20m from the watercourse' and 'no topsoil or subsoil will be stored within a fluvial or surface water flood zone (flood zone 2 and 3) unless supported by a risk assessment (i.e. consideration of weather forecast and duration of storage) and additional mitigation (i.e. drainage bypass channel for overland flow)'.</p> <p>However, the FRA (Appendix 11-5: Flood Risk Assessment [APP-101]) does not adequately consider and assess impacts of working within the floodplain. The Environment Agency does not generally support storage [of materials] in the floodplain.</p>	<p>Whilst the Applicant recognises the Environment Agencies concern, it does not consider that this would increase flood risk in the circumstances of the Proposed Development. Storage of materials will be outside of the identified and mapped fluvial floodplains, further details will be included within the updated ES chapter, following consultation with the Environment Agency. This will be updated in Revision A of ES Chapter 11: Water Environment [APP-053] which will be issued at Deadline 2.</p>
2.34.28	Water Environment	<p>Construction Mitigation - All works within 10m of main rivers will require Flood Risk Activity Permits (FRAPs). Prior approval of the Environment Agency is required for any permanent or temporary works:</p> <ul style="list-style-type: none"> ▪ on or within 8 metres of a main river, flood defence structure or culverted main river (16 metres if tidal); ▪ on or within 16 metres of a sea defence; ▪ any excavation within 16 metres of any main river, flood defence or culvert; or ▪ within the floodplain of a main river if the activity could affect flood flow or storage and potential impacts are not controlled by a planning permission. <p>There is no embedded and standard mitigation in respect of people working within the floodplain during construction and operation. We support the intention to produce a flood warning and evacuation plan (FWEP) as</p>	<p>Measure G1 in the Draft CEMP [APP-068] secures the need for a flood warning and evacuation plan to be developed by the contractor for the construction stage.</p> <p>Emergency plans and shutdown procedures will be developed as the design of the Proposed Development progresses. Please refer to the Applicant's response to WQ 1.10.15 for further detail.</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		<p>additional mitigation to protect construction workers.</p> <p>However, although Table 11-22 (page 11-110) implies there are no welfare requirements at any of the facilities, the FRA (page 14, Table 5 Section 1) states that the “<i>CCR at the Immingham Facility would be manned 24 hours a day, seven days a week</i>”. Again, we support the intention to produce a FWEP as additional mitigation to address flood risk at this facility, but further consideration should be given to the possibility of including other embedded mitigation measures such as raising finished floor levels, places of refuge etc.</p>	
2.34.29	Water Environment	<p>Table 11-23: Assessment of Potential Impact: Construction Phase</p> <p>This table acknowledges there is a risk of displacing floodwater via the storage of materials / plant in the floodplain. However, the impact and any necessary mitigation required have not been considered.</p>	<p>Whilst the Applicant recognises the Environment Agencies concern, it does not consider that this would increase flood risk in the circumstances of the Proposed Development. Storage of materials will be outside of the identified and mapped fluvial floodplains. This matter was discussed with the EA, and the ES chapter wording will be updated capture the consultation outcomes.</p>
2.34.30	Water Environment	<p>Risk of Breach - Assessment of Potential Impacts and Residual Effects</p> <p>[this is paragraph Y] Chapter 11 refers to the likelihood of a breach occurring as being very low and in the event of a breach the site will not be operational. We would highlight that the Environment Agency cannot provide prior warning of a breach. Breaches in flood defences can, and do, happen without warning at any time day or night. In the event of a breach, the consequences are likely to be significant given the location of the Immingham and Theddlethorpe facilities. The onset of water would be extremely quick and given the likely depths and velocities, floodwater would be hazardous resulting in a greater magnitude of risk.</p> <p>Emergency plans and shutdown procedures should be considered further to ensure that the development can either remain operational or can be brought back online after flooding and those working on the sites, remain safe. This will be a key part of the flood risk mitigation with respect to the safety of people and the recoverability of the site.</p>	<p>A flood warning and evacuation plan is included as mitigation for both construction and operation, and therefore the Applicant considers this to already be adequately secured (CEMP G1 [APP-068]). Emergency plans and shutdown procedures will be developed as the design of the Proposed Development progresses. Please refer to the Applicant's response to WQ 1.10.15 for further detail.</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.34.31	Water Environment	<p>Development and works within the floodplain – Assessment of Potential Impacts and Residual Effects</p> <p>We have concerns regarding a potential reduction in floodplain storage, which could result from the stockpiling and storage of materials during construction. Additional mitigation and enhancement measures are proposed but no assessment on the impact of such activities in the floodplain has been made. Also see comments in paragraphs 8.32 – 8.34 below regarding this.</p>	<p>Whilst the Applicant recognises the Environment Agencies concern, it does not consider that this would increase flood risk in the circumstances of the Proposed Development. Storage of materials will be outside of the identified and mapped fluvial floodplains. This matter was discussed with the EA, and the ES chapter wording will be updated capture the consultation outcomes. This will be updated in Revision A of ES Chapter 11: Water Environment [APP-053] which will be issued at Deadline 2.</p>
2.34.32	Water Environment	<p>Paragraph 11.8.4: Construction Mitigation and Enhancement – We support the majority of the mitigation and enhancement measures proposed but draw attention to the following:</p> <p>G20: We do not generally support the storage of materials in floodplain. This measure does not consider the impacts of the displacement of floodwater and whether any floodplain compensation is required. The FRA must assess the impact of construction, operation and decommissioning on the proposed development and third parties. Any compound, storage area or soil storage area must be set back further than 8m from the main rivers. These comments are also applicable for P9 referenced in the FRA and P7 within the Draft CEMP.</p> <p>P23, P24, G27 and also P3 within the draft CEMP use the average breach depths for the site, which may result in potential flood depths not being mitigated (the maximum breach depths are greater). The 2115 0.1% breach depths and the critical flood level should be confirmed for both the Immingham Facility and Theddlethorpe Facility to ensure that the critical electrical equipment is set above this level.</p> <p>Given the significant flood depths that both sites are likely to experience, we strongly recommend that the advice of a structural engineer is sought regarding the design of any 'watertight surround' and the pressure it will need to withstand.</p> <p>Flood resistance measures cannot normally be set more than 600mm above floor levels. If the</p>	<p>Whilst the Applicant recognises the Environment Agencies concern, it does not consider that this would increase flood risk in the circumstances of the Proposed Development. Storage of materials will be outside of the identified and mapped fluvial floodplains. This matter was discussed with the EA, and the ES chapter wording will be updated capture the consultation outcomes.</p> <p>The Applicant has discussed the breach levels with the Environment Agency and will provide further information to justify the breach levels used within the assessment, in line with the consultation outcomes. This will form part of the updated Flood Risk Assessment [APP-101] to be submitted at Deadline 2.</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		<p>difference in flood depths between the inside and outside of buildings is greater than 600mm then structural damage is likely to occur.</p>	
2.34.33	Water Environment	<p>6.4.11.3 Appendix 11-3: Drainage Strategy [APP-099]</p> <p>Sections 3.1.14 and 3.2.7 describe the preference for infiltration drainage of surface water at Washingdales Lane block valve station only. We would highlight that this must not include drainage of areas subject to contamination and must be designed in line with best practice.</p>	<p>The Applicant can confirm that there are no areas potentially subject to contamination at any of the Block Valve Stations, this will be confirmed via ground investigations (CEMP Ref. E1). Additionally, there are unlikely to be any new areas of contamination, given best practice measured to be employed during construction, and no significant contamination sources during operation.</p> <p>The drainage plans for the Block Valve Stations will be developed further during construction, and the Applicant can confirm they will be designed and constructed in line with best practice.</p>
2.34.34	Water Environment	<p>6.4.11.4 Appendix 11-4: Water Framework Directive (WFD) Assessment [APP-100]</p> <p>We have reviewed this document, which is not currently adequate for the reasons outlined below. Accordingly, we wish to make a holding objection to the application as the assessment is not sufficient for us to advise on the project's compliance with the relevant River Basin Management Plans and the WFD, as required by the relevant National Planning Policies.</p> <p>Table 1 – groundwater bodies are scoped in with the justification that '<i>WFD groundwater bodies may be directly impacted by the Proposed Development due to a range of activities that would interact with the <u>local watercourse</u> network during construction, operation, and decommissioning phases</i>'. There may be risks to groundwater which do not bear any relevance to local watercourses.</p> <p>Table 2 – groundwater bodies are scoped out for the Immingham facility (and other construction elements) with no groundwater body-specific reasoning given.</p> <p>The Applicant should provide further reasoning for this.</p> <p>Table 3 - Quantitative Elements. There are potential impacts from groundwater ingress to excavations for non-intrusive crossings on certain water bodies, roads, and the railway. This is not a quantitative issue, but a chemical risk. Unexpected artesian flow and water resource loss would be the quantity issues to address, which have been highlighted to the Applicant during pre-application consultation.</p>	<p>The Applicant acknowledges the matters raised and has discussed with the Environment Agency. The WFD [APP-100] Assessment will be updated to provide additional detail associated with groundwater which will be issued at Deadline 2.</p> <p>The key mitigation associated with groundwater are the HRA, which will allow for further consultation with the EA prior to works taking place.</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		<p>Table 12 – again, Quantity tests are included under groundwater Quality issues.</p> <p>This may be a misunderstanding of terminology – the table heading should not be ‘WFD Quality Element’ but instead ‘WFD Status Element’.</p>	
2.34.35	Water Environment	<p>6.4.11.5 Appendix 11-5: Flood Risk Assessment [APP-101]</p> <p>We have reviewed the Flood Risk Assessment (FRA) and consider that it does not adequately assess the flood risks to and from the development for the reasons outlined below. Accordingly, we wish to make a holding objection to the application as the assessment is not sufficient for us to advise on the project’s compliance with the relevant National Policy Statements and National Planning Policy Framework requirements on flood risk and safety.</p>	Further responses are provided below for each individual point raised
2.34.36	Water Environment	<p><i>Vulnerability of the development</i> - The FRA confirms that the development is ‘Essential Infrastructure’ as described in Annex 3 of the National Planning Policy Framework (NPPF). The Planning Practice Guidance (PPG) (Flood Risk and Coastal Change section, paragraph 079, Notes to table 2) states that ‘<i>In Flood Zone 3a Essential Infrastructure should be designed and constructed to remain operational and safe in times of flood</i>’. The FRA confirms that the proposed development will not be operational during a breach event, due to the closure of the industries that feed CO2 into the proposed development. The Environment Agency considers that it is a business decision to be made by the Applicant as to whether or not the development remains operational or shuts down during a flood.</p>	Noted and agree.
2.34.37	Water Environment	<p><i>Lifetime of the development</i></p> <p>The FRA states a development lifetime of 25 years, but in line with flood risk policy it has assessed for a lifetime of 75 years. The Environment Agency hazard mapping for 2115 has been used in the assessment of flood risk and proposed mitigation measures.</p>	Agreed. The lifetime of the development is assessed for a lifetime of 75 years, in line with NPPF/PPG requirements. Tidal flood risk is assessed to 2115 using the flood breach data provided by the Environment Agency.

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.34.38	Water Environment	<p><i>Assessment of Flood Risk - development within the floodplain</i></p> <p>The FRA acknowledges that the proposed development lies within the floodplain and includes mitigation measure P9 (minimal storage of materials/plant in the floodplain). However, no assessment of the impact of the storage of materials/plant in the floodplain has been made.</p> <p>Both the Immingham and Theddlethorpe facilities as well as some of the pipeline route, temporary compounds, temporary working, access and laydown areas are within the floodplain. The FRA must assess the impacts of land raising/storage on the displacement of floodwater from main river and non-main river sources and whether any flood plain compensatory storage is required. We would recommend that compounds, storage areas and stockpiles be outside of fluvial flood areas. The FRA must also assess the impacts on the tidal floodplain, particularly with regard to flood flow routes, to demonstrate that the proposed development will not increase flood risk to third parties, by deflecting flood water. Any compound or storage areas must be set back further than 8.0m from the main rivers. Paragraph 1.2.2 and 3.3.4: There are also non-main river crossings that lie within Flood Zones 2 and 3.</p>	<p>Storage of materials will be outside of the identified and mapped fluvial floodplains. Construction compounds, temporary laydown areas etc, may be located within the tidal floodplain, however the risk of flooding in these areas is residual and compensation storage is not required. Should tidal flooding occur the extent of flooding would mean development in proximity to the Proposed Development would be flooded to a similar depth and displacement of floodwater would be negligible. Equipment and materials in these areas will be appropriately stored/contained in line with best practice.</p> <p>This matter was discussed with the EA, and the ES chapter wording will be updated capture the consultation outcomes. This will be updated in Revision A of ES Chapter 11: Water Environment [APP-053] which will be issued at Deadline 2.</p>
2.34.39	Water Environment	<p><i>Shutdown:</i> Paragraph 3.3.14 confirms that the proposed development will not be operational during a breach event, due to the closure of the industries that feed CO2 into the Proposed Development. Please see paragraph 8.16 above regarding 'Risk of Breach - Assessment of Potential Impacts and Residual Effects' for Chapter 11: Water Environment.</p> <p>Given the length of the pipeline and the considerable distance between the Immingham facility and the Theddlethorpe facility (both of which are at tidal flood risk), the FRA should further detail shutdown arrangements in the event of a breach at one site and not the other and vice versa – will the whole pipeline be shut down? (Please note this comment is also applicable to paragraph 5.3.18 of the FRA).</p>	<p>Emergency plans and shutdown procedures will be developed as the design of the Proposed Development progresses. Please refer to the Applicant's response to WQ 1.10.15 for further detail.</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.34.40	Water Environment	<p><i>Flood Warning and Evacuation Plan</i></p> <p>Emergency plans are a key part of the flood risk mitigation with respect to the safety of people and the recoverability of the site (to ensure that the development remains operational or can be brought back online after flooding), particularly with respect to a breach risk.</p> <p>We do not normally comment on or approve the adequacy of flood emergency response procedures accompanying development proposals, as we do not carry out these roles during a flood. Our involvement with this development during an emergency will be limited to delivering flood warnings to occupants/users covered by our flood warning network.</p> <p>In paragraph 5.13.19, mitigation measure G1 states that “<i>A Flood Warning and Evacuation Plan should be produced, including the locations of safe refuge provision, and implemented</i>”. There is no information on the locations of safe refuge provision within the application. We appreciate that the flood warning and evacuation plan will be developed post consent, under the CEMP, but the application should include an indication of how and where such safe refuge provision will be provided, i.e. will this be within buildings with finished floor levels above the predicted flood level etc.</p>	<p>Emergency plans and shutdown procedures will be developed as the design of the Proposed Development progresses. Please refer to the Applicant's response to WQ 1.10.15 for further detail.</p>
2.34.41	Water Environment	<p><i>Central Control Room (CCR)</i></p> <p>No specific details of the CCR have been provided. The FRA states that the pipeline operation would be managed from a CCR, manned 24 hours a day, seven days a week, at the Immingham Facility. The CCR will remotely monitor all aspects of the pipeline operations and open or close valves at the block valve stations and the Theddlethorpe Facility, as necessary. The Immingham Facilities Plot Plan, Routing and Elevations (Document Reference: EN070008/APP/4.6) shows a maximum elevation of 5.0m for the CCR. We request the Applicant confirms if this is the only building that is to be manned. Also, what mitigation is proposed to ensure users of the Immingham facility (including the CCR) are</p>	<p>Emergency plans and shutdown procedures will be developed as the design of the Proposed Development progresses. Please refer to the Applicant's response to WQ 1.10.15 for further detail.</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		safe (finished floor levels, refuge, etc?)	
2.34.42	Water Environment	<p><i>Construction Phase including Crossing Techniques</i></p> <p>Paragraph 5.5.6: We have advised the Applicant that the temporary crossings of the main rivers must not be flumed. This comment is also relevant for Table 11-22: Embedded and Standard Mitigation (ES Vol II Chapter 11 – Water Environment).</p> <p>Paragraph 5.5.9: P9: Minimal storage of materials/plant in the floodplain. Please see comments in paragraphs 8.32 – 8.35 above on the 'Assessment of Flood Risk - development within the floodplain'.</p> <p>Can the Applicant please explain why the 50% confidence bound levels have been used within the information in Table 13, Table 14, Table 16 and Table 17. We would expect the 97.5% confidence bound to have been used.</p>	<p>Agreed – the Applicant has no plans to flume any main rivers, as shown on the crossing schedule (Environmental Statement Volume IV – Appendix 3-2: Crossing Schedule [APP-069]) all main rivers are either avoided by the access road or crossed with bailey bridge. This assessed in ES Volume II Chapter 11: Water Environment [APP-053].</p> <p>The Applicant agrees to avoid storage of materials/plant in the identified and mapped fluvial floodplain. This matter was discussed with the EA, and the ES chapter wording will be updated address the matter raised. This will be updated in Revision A of ES Chapter 11: Water Environment [APP-053] which will be issued at Deadline 2.</p> <p>The Applicant has discussed the breach levels with the Environment Agency and are providing a document to justify the breach levels used within the assessment, in line with the consultation outcomes. This will be submitted at Deadline 2.</p>
2.34.43	Water Environment	<p><i>Table 15: 2010 Northern Area Tidal Modelling study – breach scenario flood depths -</i></p> <p>The level of flood risk is unclear as this paragraph states average breach depths rather than maximum breach depth, which should be used to give an accurate account of the risk</p>	<p>Applicant has discussed the breach levels with the Environment Agency and are providing a document to justify the breach levels used within the assessment, in line with the consultation outcomes. This will be submitted at Deadline 2</p>
2.34.44	Water Environment	<p><i>Table 18: EA 2010 Northern Area Tidal Modelling study – Future overtopping scenario flood depths – again, the level of flood risk is unclear as this paragraph states average overtopping depths rather than maximum depths (2115 0.5% and 0.1% overtopping maximum depths are marginally greater).</i></p>	<p>As above, the Applicant has discussed the breach levels with the Environment Agency and are providing a document to justify the breach levels used within the assessment, in line with the consultation outcomes. This will be submitted at Deadline 2.</p>
2.34.45	Water Environment	<p>Paragraph 5.13.15: The Shoreline Management Plan (SMP) for Saltfleet to Gibraltar point has a policy of 'Hold the Line' in the short-medium term (but a 'Hold the Line/Managed Realignment' policy in the long term (from 2055- 2105) between Theddlethorpe St Helen to Gibraltar Point. Although this epoch is beyond the stated lifetime of this proposed development, it is something to be aware of in the event that the operational life of the pipeline is extended.</p>	<p>Noted.</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.34.46	Water Environment	<p><i>Table 20 and paragraph 5.13.21 – H++ Sensitivity Test</i></p> <p>The Applicant should explain why the 50% confidence bound levels have been used. We would expect the 97.5% confidence bound to be used. They should also provide additional information on:</p> <ul style="list-style-type: none"> • What does this mean for the development? • How sensitive is the development to changes in the climate for different future scenarios? • Is there adequate built-in resilience from the outset to ensure resilience to flood levels based on a current understanding of flood risk? <p>Please also see the comment in paragraph 8.47 above regarding the SMP policy.</p>	<p>Applicant has discussed the breach levels with the Environment Agency and are providing a document to justify the breach levels used within the assessment, in line with the consultation outcomes. This will be submitted at Deadline 2.</p>
2.34.47	Water Environment	<p><i>Section 6 - Flood Risk from the Development</i></p> <p>Please see earlier comments on the 'Assessment of Flood Risk - development within the floodplain' (paragraph 8.32 – 8.35 above). No assessment of the impact of the development has been made particularly in respect of the fluvial floodplain.</p> <p><i>Section 7 – Conclusion</i></p> <p>Please refer to all other comments on the FRA and Chapter 11: Water Environment.</p>	<p>There is no permanent above ground development proposed within the fluvial floodplain, as the pipeline will be buried, and all permanent above ground infrastructure is outside of the fluvial floodplain.</p> <p>During construction the storage of materials (including topsoil storage) would be outside of the mapped fluvial floodplain.</p> <p>The risks associated with flooding from all sources has been considered together in Section 6 to avoid repetition. The text in the ES chapter will be updated in Revision A of ES Chapter 11: Water Environment [APP-053] which will be issued at Deadline 2.</p>
2.34.48	Climate Change	<p>6.2.15 ES Chapter 15: Climate Change [APP-057]</p> <p><i>Table 15-31 Climate Change Resilience Assessment Summary: Operation Phase</i></p> <p>Sea level rise: Only considers the potential for damage to the Theddlethorpe facility. The Applicant is asked to explain why the Immingham facility, which is also within the floodplain, has been excluded.</p>	<p>As stated in paragraph 15.5.3 [APP-057], the study area for the climate change risk assessment considers the whole DCO site boundary, so considers sea level rise risks on all infrastructure.</p> <p>Table 15-15 [APP-057] presents the climate data used for the assessment (except sea level), using the nearest weather station (Cleethorpes). The nearest station is the same for all areas of the Proposed Development.</p> <p>Table 15-15 of ES Chapter 15: Climate Change [APP-057] accounts for sea-level rise for the Immingham facility. The extracted climate data is from the closest meteorological station to both sites, as stated in paragraph 15.5.8 [APP-057]. Table 15-15 [APP-057] accounts for sea-level rise for the Theddlethorpe facility. This was used to assess sea level rise for the Proposed Development.</p> <p>The data extracted to measure sea-level rise analyses a 25km square grid of the sea closest to both sites. As shown in the table below the data for both sites are the same, within two decimal points, for sea-level anomalies between 2010 and 2039. Considering the uncertainty boundaries of each projection, they are broadly considered to be similar projections of sea level rise. Therefore, the data used for the Climate Change Risk Assessment is considered sufficient. The Immingham site is not listed in Table 15-31 [APP-057] but would be subject to the same level of risk and significance i.e. Minor Adverse.</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response										
			Time-mean sea level anomaly location	RCP 8.5 (2010-2039)	RCP 8.5 (2040-2069)	RCP 8.5 (2070-2099)							
			<table border="1"> <tr> <td>Immingham</td> <td>0.13 (0.10 to 0.16)</td> <td>0.33 (0.25 to 0.42)</td> <td>0.60 (0.45 to 0.79)</td> </tr> <tr> <td>Theddlethorpe</td> <td>0.13 (0.10 to 0.16)</td> <td>0.34 (0.26 to 0.43)</td> <td>0.62 (0.46 to 0.81)</td> </tr> </table>	Immingham	0.13 (0.10 to 0.16)	0.33 (0.25 to 0.42)	0.60 (0.45 to 0.79)	Theddlethorpe	0.13 (0.10 to 0.16)	0.34 (0.26 to 0.43)	0.62 (0.46 to 0.81)	<p>All sites susceptible to Flood risk have also been identified and assessed in the Flood Risk Assessment [APP-101], with a conclusion that it will be possible to manage flood risks to and from the Proposed Development in paragraph 7.1.31 [APP-101]. Therefore, there is no need to update the climate change risk assessment as there is no significant effect to the proposed development.</p>	
Immingham	0.13 (0.10 to 0.16)	0.33 (0.25 to 0.42)	0.60 (0.45 to 0.79)										
Theddlethorpe	0.13 (0.10 to 0.16)	0.34 (0.26 to 0.43)	0.62 (0.46 to 0.81)										
2.34.49	Materials and Waste	6.2.18 ES Chapter 18: Materials and Waste [APP-060] We have reviewed this Chapter and this is satisfactory – we have no comments to make on it.	This is noted. No further discussion required.										
2.34.50	Materials and Waste	6.4.18.1 Appendix 18-1: Outline Site Waste Management Plan [APP-113] We have reviewed this outline plan and this is satisfactory – we have no comments to make on it.	This is noted. No further discussion required.										
2.34.51	Major Accidents and Disasters	6.2.19 ES Chapter 19: Major Accidents and Disasters [APP-061] Table 19-6, Fluvial flooding: this table states that sections 1 and 5 are at risk of fluvial flooding. However, there are also parts of the pipeline within Sections 2, 3 and 4 that are at risk of fluvial flooding.	This is noted. Risk of fluvial flooding within sections 2, 3 and 4 are at specific localised areas associated with existing watercourse, none of which are located at the location of the above ground infrastructure (i.e. the Block Valve Stations nor their construction areas).										
2.34.52	Cumulative Effects	6.2.20 ES Chapter 20: Cumulative Effects Assessment [APP-062] We have no comments to make on this Chapter	This is noted. No further discussion required.										
2.34.53	Draft DCO	7.2 Consents and Agreements Position Statement [APP-0130] Paragraph 3.1.4 explains the various powers and consents that have been included in the draft DCO.	The Applicant confirms that the DCO does not seek to disapply the need for abstraction and impoundment licences. The Consents and Agreements Position Statement has been amended accordingly and submitted at Deadline 1 (document reference 7.2).										

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		<p>Paragraph 3.1.5 then lists “<i>The permits, consents and agreements that may be required for the construction and operation of the Proposed Development in addition to the powers included in the DCO</i>”. However, this list includes some consents that are also listed under paragraph 3.1.4 – for example, a Flood Risk Activity Permit.</p> <p>Paragraph 3.1.6 states that the final set of permits, consents and agreements will be dependent on the finalisation of the detailed design, and that discussion with consenting authorities is developing; Appendix A confirms that these discussions will take place during or following the examination period if needed. Appendix A implies that a water abstraction licence and an impoundment licence could be permitted under the powers of the DCO in Part 6 Article 36(a) and (b).</p> <p>For the avoidance of doubt, the Environment Agency will not consent to the disapplication of legislation for either a water abstraction licence or an impoundment licence.</p>	
2.34.51	General	<p>Further representations</p> <p>In summary, we can confirm that we have no objection to the principle of the proposed development, as submitted. The issues and holding objections outlined above are all capable of resolution and we look forward to receiving additional information to resolve our outstanding concerns. We will also continue to work with the Applicant to agree on the wording of the protective provisions.</p> <p>We reserve the right to add or amend these representations, including requests for DCO requirements and protective provisions should further information be forthcoming during the examination on issues within our remit.</p>	<p>This is noted. Further discussions and consultation have taken place between the Applicant and the Environment Agency to address the issues raised and allow them to withdraw the holding objections as additional information has been provided.</p>

Table 2-35: Frank Norman Smith – RR-035

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.35.1	Safety	<p>Construction of pipelines and safety valves? And gas leaks</p>	<p>The Applicant is proposing to have three block valve stations along the route. Their location, number and spacing is in accordance with the relevant design codes.</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
			<p>Block valve stations will allow for sections of the pipeline to be shut off either at the site or remotely. This could be used to allow for maintenance or in the highly unlikely event of an emergency.</p> <p>The block valve sites will also require minimal ground works and fencing installed, meaning that disruption to the environment and local wildlife will be minimal.</p> <p>The Applicant is highly experienced in health and safety management and takes very seriously its legal duty under the UK's Health and Safety at Work Act to protect workers and the public from its activities. The Applicant places the utmost importance on the safety of the communities it interacts with, its employees and its contractors who will work on this project.</p> <p>Several important factors were considered in routing the pipeline. These were the safety of local communities, avoiding built up areas and sensitive buildings, areas protected for their habitat and species, the Lincolnshire Wolds Area of Outstanding Beauty, areas that are liable to flood and historic monuments.</p> <p>The pipeline has been designed in compliance with Engineering Standard BSI PD 8010-1:2016, which makes specific provision for CO₂ pipelines and the approach to routing including minimum distances to buildings. In addition, the pipeline has been designed in accordance with the established principle of ALARP ("As Low As Reasonably Practicable"), as described in the Health and Safety Executive's (HSE's) longstanding framework document "Reducing Risks, Protecting People". The purpose of ALARP is to ensure risks are reduced as far as is reasonably practicable.</p> <p>The Applicant has referenced the HSE's Tolerability of Risk framework (which is defined in the "Reducing Risks, Protecting People" framework document mentioned above) to assess the pipeline risks. This assessment shows that the risk to members of the public living near to the Viking CCS pipeline route is well within the framework's lowest classification of risk. Under the framework, the HSE considers that <i>"risks falling into this region are generally regarded as insignificant and adequately controlled."</i></p> <p>The HSE does not usually require further action to reduce risks in this lowest classification unless reasonably practicable measures are available, such as developing comprehensive emergency response plans. The Applicant will work with all relevant local authorities to develop such plans.</p> <p>The Applicant has engaged with the HSE, including their science division, to seek their expert opinion on the pipeline design and associated risk assessments. The Applicant has also engaged with other industry experts and will continue to engage both regulator and industry experts throughout the pipeline design and subsequent operation.</p> <p>The Applicant has adopted a robust design and route selection process for the Proposed Development, with safety of local communities being a key consideration. The routing and design accords with adopted guidance, including on managing risk, and has been informed by advice from experienced technical consultants.</p>
2.35.2	Safety	And gas leaks	<p>Only carbon dioxide will be transported along the Viking CCS pipeline. As outlined in paragraph 3.7.28 of ES Chapter 3: Description of the Proposed Development [APP-045], a pipeline Leak Detection System would monitor the whole pipeline length and would alert the operator to potential leaks, together with the location, along the pipeline route. The operator would have the ability to exercise direct control of the pipeline isolation valves as necessary. The type of Leak Detection System would be considered at the Front-End Engineering Design (FEED) stage.</p>

Table 2-36: Gillian Henshaw – RR-036

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.36.1	Safety	The fear of this exploding or leaking is having a detrimental effect on my life	<p>The Applicant is highly experienced in health and safety management and takes very seriously its legal duty under the UK's Health and Safety at Work Act to protect workers and the public from its activities. The Applicant places the utmost importance on the safety of the communities it interacts with, its employees and its contractors who will work on this project.</p> <p>Several important factors were considered in routing the pipeline. These were the safety of local communities, avoiding built up areas and sensitive buildings, areas protected for their habitat and species, the Lincolnshire Wolds Area of Outstanding Beauty, areas that are liable to flood and historic monuments.</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
			<p>The pipeline has been designed in compliance with Engineering Standard BSI PD 8010-1:2016, which makes specific provision for CO₂ pipelines and the approach to routing including minimum distances to buildings. However, the Applicant has elected to exceed the design requirements set by the standard. This includes taking a conservative approach with thick wall design across the full pipeline length.</p> <p>In addition, the pipeline has been designed in accordance with the established principle of ALARP (“As Low As Reasonably Practicable”), as described in the Health and Safety Executive’s (HSE’s) longstanding framework document “Reducing Risks, Protecting People”. The purpose of ALARP is to ensure risks are reduced as far as is reasonably practicable.</p> <p>The Applicant has referenced the HSE’s Tolerability of Risk framework (which is defined in the “Reducing Risks, Protecting People” framework document mentioned above) to assess the pipeline risks. This assessment shows that the risk to members of the public living near to the Viking CCS pipeline route is well within the framework’s lowest classification of risk. Under the framework, the HSE considers that “risks falling into this region are generally regarded as insignificant and adequately controlled.”</p> <p>The HSE does not usually require further action to reduce risks in this lowest classification unless reasonably practicable measures are available, such as developing comprehensive emergency response plans. The Applicant will work with all relevant local authorities to develop such plans.</p> <p>The Applicant has engaged with the HSE, including their science division, to seek their expert opinion on the pipeline design and associated risk assessments. The Applicant has also engaged with other industry experts and will continue to engage both regulator and industry experts throughout the pipeline design and subsequent operation.</p> <p>The Applicant has adopted a robust design and route selection process for the Proposed Development, with safety of local communities being a key consideration. The routing and design accords with adopted guidance, including on managing risk, and has been informed by advice from experienced technical consultants.</p> <p>As outlined in paragraph 3.7.28 of ES Chapter 3: Description of the Proposed Development [APP-045], a pipeline Leak Detection System would monitor the whole pipeline length and would alert the operator to potential leaks, together with the location, along the pipeline route. The operator would have the ability to exercise direct control of the pipeline isolation valves as necessary. The type of Leak Detection System would be considered at the Front-End Engineering Design (FEED) stage.</p>
2.36.2	Landscape and Visual	I and my family strongly oppose to the 25 metre vent stack and pipeline being built in my village.	A 25m vent stack is required for venting off small quantities of CO ₂ prior to periodic maintenance of the pipeline system (approximately every two years). The venting of these small amounts of CO ₂ from the vent stack poses no risk to people or wildlife.
2.36.3	Landscape and Visual	The stack will be in view of my house and will be a blot on the landscape which is an area of outstanding beauty and recently been named as the Lincoln Coronation Coast National Nature Reserve by King Charles III.	Effects on landscape character and visual amenity/views are considered in detail in ES Chapter 7: Landscape and Visual [APP-049]. This includes assessment of changes in views as a result of the vent stack, under Option 1 (Preferred) and Option 2 of its potential siting. In relation to Option 1, effects on landscape character are assessed as ‘negligible adverse’, reflecting its location within the former TGT terminal. Those from Option 2 are assessed as ‘minor adverse’, reflecting its greater visibility outside of the former TGT terminal. The effects on views are assessed by reference to multiple viewpoints in and around Theddlethorpe and consider the context and degree of screening and/or distance of the viewer (including residential properties). Viewpoints in and around Theddlethorpe are assessed as VP24-VP27 in Appendix 7.2 of the ES [APP-088]. From residential locations the effects on views are assessed as ‘negligible adverse’, which is not considered to be a significant change. The nearest landscape designated for its scenic value/beauty is the Lincolnshire Wolds AONB/National Landscape) which is approximately 12km from the former TGT site.

Table 2-37: DDM Agriculture on behalf of Grainsby Farms Limited – RR-037

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.37.1	Protective Provisions	<ol style="list-style-type: none"> 1. Agreement on unfarmable severed areas; 2. Management of severed land; 3. Control of (injurious) weeds on stored soils; 	<p>There have been a number of meetings with the Affected Party and their Agent to discuss the Heads of Terms and the points raised within this representation.</p> <p>The negotiations have dealt with the matters raised and Grainsby Farms Limited have now signed and returned the Heads of Terms having been satisfied that each of the matters has been addressed in sufficient detail.</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		<p>4. Maintaining on-going water supplies to residential premises;</p> <p>5. Confirmation that the Traffic Management Plan (TMP) will preclude any construction traffic going through Grainsby from the A.16 or from the pipeline spread to the A16;</p> <p>6. The TMP will prohibit access down Grainsby Lane from the A.18 to the pipeline spread, other than allowing a small number of LGVs and cars;</p> <p>7. Initial minimum public liability insurance of not less than £10,000,000;</p> <p>8. A minimum depth of pipeline cover of not less than 1.20 metres;</p> <p>9. Protection of rights to install future infrastructure and/or services across the pipeline easement;</p> <p>10. Security provisions to prevent unauthorised access to private property via the pipeline spread;</p> <p>11. Agreement over temporary amendments to Public Rights of Way during construction works;</p> <p>12. Provision of specific methods of working for all aspects of construction;</p> <p>13. Agreement of all access points onto the pipeline spread;</p> <p>14. Confirmation that there will be no Temporary Construction Compounds (TCC) on our property;</p> <p>15. Confirmation that construction and reinstatement works will only take place when ground conditions are appropriate;</p> <p>16. Pre- and post-construction drainage works will be agreed prior to first entry for construction;</p> <p>17. Pre-construction drainage works will be implemented prior to first entry for construction works;</p> <p>18. Agreement as to detailed boundaries of the proposed Block Valve (BV) site on our property, including possible curvature of southern corner(s);</p>	<p>Additional information is provided here where it is not commercially sensitive.</p> <p>The management of land has been agreed between parties, with regards compensation it will be dealt with on a case-by-case basis in accordance with the Compensation Code.</p> <p>The Construction Traffic Management Plan will provide full details of all routing restrictions and measures to ensure that these are enforced. An undertaking has been given to the Affected Party confirming the traffic restrictions. This includes where access points will be to the pipeline spread.</p> <p>Public Liability insurance for the project is agreed at £10 Million for each claim,</p> <p>The pipeline will be buried at a minimum depth of 1.2m to the top of the pipe. This will be greater at crossing points of railways, roads, and watercourses.</p> <p>Once the pipeline is installed, normal agricultural practices will be able to resume above the pipeline. This is set out in paragraph 3.7.32 of ES Chapter 3: Description of the Proposed Development [APP-045]. Further, section 3.12 of Chapter 3 sets out the approach to construction in more detail.</p> <p>The Landowner will be granted rights to install further services and utilities including land drains in the Leased Area subject to approval by the Developer of the detailed proposals and subject to all necessary protective provisions being agreed to the Developer's satisfaction and protective works being carried out before such installation is commenced.</p> <p>Security – In so much as is reasonably practical the Applicant is to be responsible for preventing access to the working width.</p> <p>The Applicant has agreed to consult with the Landowner in respect of any deviations from the PROW diversions as listed within the DCO.</p> <p>For Construction - Risk Assessment and Method statements will be developed by the construction contractor and agreed with the Applicant prior to execution of agreed works.</p> <p>It has been agreed that there will be 1 No. temporary working compound within the land owned by the Affected Party.</p> <p>It has been agreed that construction and reinstatement works will only take place when ground conditions are appropriate;</p> <p>It has been agreed that Pre-construction and post-construction drainage works will be agreed with the Landowner prior to first entry for construction. It has also been agreed that the works will commence after the serving of the notice to take occupation and not prior to first entry for construction works.</p> <p>It has been agreed to discuss with the landowner and reach agreement in respect of the boundary treatment and any impact on adjacent land including how compensation is to be assessed.</p> <p>The block valve will be designed so as to have its own independent access and will be positioned to allow the free movement of wide agricultural machinery.</p> <p>Should the Developer at any time decide to abandon the Pipeline the Developer will render and keep the Pipeline harmless in accordance with the Pipelines Safety Regulations 1996 or any amending legislation thereto and regulation made thereunder and shall give the Landlord and any Occupier(s) written notice to that effect. The notice will include an option for the Landlord to call for the lease to be surrendered.</p> <p>It has been agreed that the land shall be reinstated back to ground level with any above ground infrastructure removed.</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		<p>19. Review of the most appropriate access to the BV site during construction;</p> <p>20. The location of the BV site must not be so close to the existing farm track that it precludes the free movement of wide agricultural machinery;</p> <p>21. Confirmation that the BV will have its own independent access from the public highway;</p> <p>22. Confirmation that the Lease will be surrendered when/if the pipeline is no longer required for the transmission of carbon dioxide; and</p> <p>23. Confirmation that reinstatement of the proposed Block Valve site will return the property to the same condition as shown in the pre-entry Record of Condition.</p>	

Table 2-38: Gren Energy Limited – RR-038

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.38.1	Need Case	<p>We are an energy developer and service provider, deploying several large scale decarbonised energy projects across the UK, including potentially in the area to which the development relates (acknowledging however the development is nationally significant). It is important to our decarbonisation narrative that projects such as this DCO are viable and deliverable and its progress may affect the decisions we make as to how and where we deploy our resources when minimising the impacts of carbon. This includes any decision made as to whether to utilise this DCO for that purpose.</p>	Noted.

Table 2-39: Guardians of the East Coast – RR-039

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.39.1	Consultation	<p>This dangerous unproven proposition is being railroaded onto the people of the East Coast of Lincolnshire.</p>	<p>In the pre-application phase, the Applicant has undertaken considerable consultation with local communities. As part of this, it has communicated the potential impacts from the Proposed Development to potentially affected people through consultation materials and supporting technical documents. The Applicant has designed the pipeline to avoid and minimise any potential impacts on residential properties. This has meant there are no residential properties included within the Order Limits.</p> <p>Consultation activities, the feedback received and how this feedback was considered is detailed within the Consultation Report [APP-034]. In particular, Chapter Six and the relevant appendices detail the feedback to the statutory consultation and how regard was had for this feedback.</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
			<p>Ultimately, a decision whether to grant Development Consent will be for the relevant Secretary of State, following an examination process that people can play a further part in.</p>
2.39.2	Safety	<p>The safety case has not been met. The proposed venting of CO₂ via a 25 metre vent stack close to residential properties could kill anyone and anything within a 15 kilometre radius.</p>	<p>The Applicant is highly experienced in health and safety management and takes very seriously its legal duty under the UK's Health and Safety at Work Act to protect workers and the public from its activities. The Applicant places the utmost importance on the safety of the communities it interacts with, its employees and its contractors who will work on this project.</p> <p>Several important factors were considered in routing the pipeline. These were the safety of local communities, avoiding built up areas and sensitive buildings, areas protected for their habitat and species, the Lincolnshire Wolds Area of Outstanding Beauty, areas that are liable to flood and historic monuments.</p> <p>The pipeline has been designed in compliance with Engineering Standard BSI PD 8010-1:2016, which makes specific provision for CO₂ pipelines and the approach to routing including minimum distances to buildings. In addition, the pipeline has been designed in accordance with the established principle of ALARP ("As Low As Reasonably Practicable"), as described in the Health and Safety Executive's (HSE's) longstanding framework document "Reducing Risks, Protecting People". The purpose of ALARP is to ensure risks are reduced as far as is reasonably practicable.</p> <p>The Applicant has referenced the HSE's Tolerability of Risk framework (which is defined in the "Reducing Risks, Protecting People" framework document mentioned above) to assess the pipeline risks. This assessment shows that the risk to members of the public living near to the Viking CCS pipeline route is well within the framework's lowest classification of risk. Under the framework, the HSE considers that <i>"risks falling into this region are generally regarded as insignificant and adequately controlled."</i></p> <p>The HSE does not usually require further action to reduce risks in this lowest classification unless reasonably practicable measures are available, such as developing comprehensive emergency response plans. The Applicant will work with all relevant local authorities to develop such plans.</p> <p>The Applicant has engaged with the HSE, including their science division, to seek their expert opinion on the pipeline design and associated risk assessments. The Applicant has also engaged with other industry experts and will continue to engage both regulator and industry experts throughout the pipeline design and subsequent operation.</p> <p>The Applicant has adopted a robust design and route selection process for the Proposed Development, with safety of local communities being a key consideration. The routing and design accords with adopted guidance, including on managing risk, and has been informed by advice from experienced technical consultants.</p> <p>A 25m vent stack is required for venting off small quantities of CO₂ prior to periodic maintenance of the pipeline system (approximately every two years). The venting of these small amounts of CO₂ from the vent stack poses no risk to people or wildlife.</p> <p>As outlined in paragraph 3.7.28 of ES Chapter 3: Description of the Proposed Development [APP-045], a pipeline Leak Detection System would monitor the whole pipeline length and would alert the operator to potential leaks, together with the location, along the pipeline route. The operator would have the ability to exercise direct control of the pipeline isolation valves as necessary. The type of Leak Detection System would be considered at the Front-End Engineering Design (FEED) stage.</p>
2.39.3	General Environmental Impacts	<p>There will be major impacts on wildlife during the construction phase which have not been sufficiently accounted for. The area attracts over 100,000 tourists at any given time during the summer and any leak or venting would be catastrophic.</p>	<p>The impacts of the Proposed Development on wildlife as a result of construction, and committed mitigation measures, are reported in ES Chapter 6: Ecology and Biodiversity [APP-048].</p>

Table 2-40: DDM Agriculture on behalf of Haigh 1st Estate Settlement (themselves & others listed in REPS) – RR-040

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.40.1	Land / Compensation	<p>Representations on behalf of The Haigh Family First Estate Settlement (for themselves, R H C Haigh, the R Haigh 2022 No. 1 Settlement and S A C Haigh):- 1. Agreement on unfarmable severed areas; 2. Management of severed land; 3. Control of (injurious) weeds on stored soils; 4. Maintaining on-going water supplies to residential premises; 5. Confirmation that the Traffic Management Plan (TMP) will preclude any construction traffic going through Grainsby from the A.16 or from the pipeline spread to the A16; 6. The TMP will prohibit access down Grainsby Lane from the A.18 to the pipeline spread, other than allowing a small number of LGVs and cars; 7. Initial minimum public liability insurance of not less than £10,000,000; 8. A minimum depth of pipeline cover of not less than 1.20 metres; 9. Protection of rights to install future infrastructure and/or services across the pipeline easement; 10. Security provisions to prevent unauthorised access to private property via the pipeline spread; 11. Agreement over temporary amendments to Public Rights of Way during construction works; 12. Provision of specific methods of working for all aspects of construction; 13. Agreement of all access points onto the pipeline spread; 14. Confirmation that there will be no Temporary Construction Compounds (TCC) on our property; 15. Confirmation that construction and reinstatement works will only take place when ground conditions are appropriate; 16. Pre- and post-construction drainage works will be agreed prior to first entry for construction; 17. Pre-construction drainage works will be implemented prior to first entry for construction works; 18. Agreement as to detailed boundaries of the proposed Block Valve (BV) site on our property, including possible curvature of southern corner(s); 19. Review of the most appropriate access to the BV site during construction; 20. The location of the BV site must not be so close to the existing farm track that it precludes the free movement of wide agricultural machinery; 21. Confirmation that the BV will have its own independent access from the public highway; 22. Confirmation that the Lease will be surrendered when/if the</p>	<p>There have been a number of meetings with the Affected Party and their Agent to discuss the Heads of Terms and the points raised within this representation.</p> <p>The negotiations have dealt with the matters raised and The Haigh Family First Estate Settlement (for themselves, R H C Haigh, the R Haigh 2022 No. 1 Settlement and S A C Haigh) have now signed and returned the Heads of Terms having been satisfied that each of the matters has been addressed in sufficient detail.</p> <p>Additional information is provided here where it is not commercially sensitive.</p> <p>The management of land has been agreed between parties, with regards compensation it will be dealt with on a case-by-case basis in accordance with the Compensation Code.</p> <p>The Construction Traffic Management Plan has will provide full details of all routing restrictions and measures to ensure that these are enforced. An undertaking has been given to the Affected Party confirming the traffic restrictions. This includes where access points will be to the pipeline spread.</p> <p>Public Liability insurance for the project is agreed at £10 Million for each claim,</p> <p>The pipeline will be buried at a minimum depth of 1.2m to the top of the pipe. This will be greater at crossing points of railways, roads, and watercourses.</p> <p>Once the pipeline is installed, normal agricultural practices will be able to resume above the pipeline. This is set out in paragraph 3.7.32 of ES Chapter 3: Description of the Proposed Development [APP-045]. Further, section 3.12 of Chapter 3 sets out the approach to construction in more detail.</p> <p>The Landowner will be granted rights to install further services and utilities including land drains in the Leased Area subject to approval by the Developer of the detailed proposals and subject to all necessary protective provisions being agreed to the Developer's satisfaction and protective works. being carried out before such installation is commenced.</p> <p>Security – In so much as is reasonably practical the Applicant is to be responsible for preventing access to the working width.</p> <p>The Applicant has agreed to consult with the Landowner in respect of any deviations from the PROW diversions as listed within the DCO.</p> <p>For Construction - Risk Assessment and Method statements will be developed by the construction contractor and agreed with the Applicant prior to execution of agreed works.</p> <p>It has been agreed that there will be 1 No. temporary working compound within the land owned by the Affected Party.</p> <p>It has been agreed that construction and reinstatement works will only take place when ground conditions are appropriate;</p> <p>It has been agreed that Pre-construction and post-construction drainage works will be agreed with the Landowner prior to first entry for construction. It has also been agreed that the works will commence after the serving of the notice to take occupation and not prior to first entry for construction works.</p> <p>It has been agreed to discuss with the landowner and reach agreement in respect of the boundary treatment and any impact on adjacent land including how compensation is to be assessed.</p> <p>The block valve will be designed so as to have its own independent access and will be positioned to allow the free movement of wide agricultural machinery.</p> <p>Should the Developer at any time decide to abandon the Pipeline the Developer will render and keep the Pipeline harmless in accordance with the Pipelines Safety Regulations 1996 or any amending legislation thereto and regulation made thereunder and shall give the Landlord and any Occupier(s) written notice to that effect. The notice will include an option for the Landlord to call for the lease to be surrendered.</p> <p>It has been agreed that the land shall be reinstated back to ground level with any above ground infrastructure removed.</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		pipeline is no longer required for the transmission of carbon dioxide; and 23. Confirmation that reinstatement of the proposed Block Valve site will return the property to the same condition as shown in the pre-entry Record of Condition.	

Table 2-41: Historic England – RR0-41

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.41.1	Historic Environment	<p>Historic England has engaged in constructive preapplication discussions with the Applicant, their heritage advisors and the local authority's archaeological curators.</p> <p>We have advised broadly on the need for a robust and timely programme of archaeological investigation so that where possible impacts upon buried remains can be avoided. Or if not avoidable then archaeological mitigation can be planned and budgeted for in an efficient and effective manner leading to the optimum return of information and understanding in the public interest.</p>	<p>The Applicant welcomes Historic England's comments regarding the constructive preapplication discussions that have been undertaken.</p> <p>The Applicant notes Historic England's comments regarding the need for a robust and timely programme of archaeological investigation to inform the detailed archaeological mitigation strategy. A WSI for archaeological trial trenching is included at Appendix 8-3 of the ES [APP-091].</p>
2.41.2	Historic Environment	<p>Our discussions continue as work progresses, it will be important to make best use of the time between now and determination to maximise understanding and information through targeted intrusive archaeological investigations. Where possible focussing first on areas of greatest archaeological and engineering risk.</p>	<p>The Applicant notes Historic England's comments and welcomes ongoing dialogue regarding the archaeological investigations. A programme of archaeological investigations has commenced and will focus first on areas of greatest archaeological and engineering risk. A Statement of Common Ground has also been agreed, a draft of which has been submitted at Deadline 1.</p>

Table 2-42: Masons Rural on behalf of J H Pridgeon – RR-042

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.42.1	Land / Compensation	<p>My client wishes to raise the following concerns surrounding the project;</p> <ul style="list-style-type: none"> •Failure to agree commercial terms due to a lack of meaningful consultation with the landowners and their agents. Have not ever met with the client either. 	<p>The Applicant notes the comments from Masons Rural on behalf of J H Pridgeon and acknowledges that discussions on the Option Agreement for Lease remain ongoing. The Applicant has been engaging with Masons Rural on behalf of J H Pridgeon since March 2022 and has been discussing commercial terms since July 2023. Meeting times, whether in person or via Teams have been offered throughout this period and remain offered to any affected party of Agent representative.</p> <p>An in-person meeting was attended by the affected party (and Masons Rural) with the Applicant and the Applicants agent in April 2023. The Applicants agent has also met with the affected party and their agent in January 2024. The Applicant will continue to engage with Masons Rural on behalf of J H Pridgeon with a view to reaching a commercial agreement.</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.42.2	Construction	<ul style="list-style-type: none"> •Failure to agree a method statement for the pipeline construction and failure to provide clarity regarding construction depth of the pipeline and assurances that the land can be farmed going forward 	<p>The pipeline will be buried at a minimum depth of 1.2m to the top of the pipe, apart from under exceptional circumstances not anticipated in the location of the Proposed Development. This will be greater at crossing points of railways, roads and watercourses.</p> <p>Once the pipeline is installed, normal agricultural practices will be able to resume above the pipeline. This is set out in paragraph 3.7.32 of ES Chapter 3: Description of the Proposed Development [APP-045]. Further, section 3.12 of Chapter 3 sets out the approach to construction in more detail.</p> <p>Details of the depth of the pipeline has also been shared with the affected parties' Agent and reference has been made to this in the proposed Heads of Terms, for which the Applicant is progressing with an aim to reach agreement.</p>
2.42.3	Easements	<ul style="list-style-type: none"> •No consultation has taken place regarding potential future development of the pipeline corridor and compensation provision via a development clause 	<p>As noted above, the Applicant has consulted and engaged with J H Pridgeon since March 2022. The Applicant will continue to engage with the landowner and compensation will be assessed on a case-by-case basis in accordance with the Compensation Code.</p> <p>No known or reasonably anticipated development prospect has been raised by Masons Rural on behalf of J H Pridgeon to date, and, as such a development clause has not been considered appropriate.</p>
2.42.4	Construction	<ul style="list-style-type: none"> •No consultation regarding the implementation of a haul road during the construction period 	<p>As set out in paragraph 3.12.38 of ES Chapter 3: Description of the Proposed Development [APP-045], the entrance directly off the public highway would be laid to hardcore. The temporary access routes which lead to the pipeline spread and the running track itself would have the topsoil removed and stored to one side. The "running track" is effectively the haul road which will be constructed along the entire right of way (excluding certain crossing locations), to allow the passage of vehicles, plant and materials/pipe. Upon completion of construction, these tracks will be levelled, and the topsoil replaced, and land restored to its original condition.</p> <p>Paragraph 3.12.39 states that, where necessary depending on ground conditions and weather conditions, some areas may temporarily be covered with a geotextile membrane and stone surface to facilitate traffic movements.</p>

Table 2-43: Masons Rural on behalf of J R Greenfield Ltd – RR-043

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.43.1	Land / Compensation	<p>My client wishes to raise the following concerns surrounding the project;</p> <ul style="list-style-type: none"> •Failure to agree commercial terms due to a lack of meaningful consultation with the landowners and their agents. Have not ever met with the client either. 	<p>The Applicant notes the comments from Masons Rural on behalf of J R Greenfield Ltd and acknowledges that discussions on the Option Agreement for Lease remain ongoing. The Applicant has been engaging with Masons Rural on behalf of J R Greenfield Ltd since March 2022 and has been discussing commercial terms since July 2023. This includes an in-person meeting with the Affected Person and appointed Land Agent in October 2023. The Applicant will continue to engage with Masons Rural on behalf of J R Greenfield Ltd with a view to reaching a commercial agreement.</p>
2.43.2	Construction	<ul style="list-style-type: none"> •Failure to agree a method statement for the pipeline construction and failure to provide clarity regarding construction depth of the pipeline and assurances that the land can be farmed going forward 	<p>The pipeline will be buried at a minimum depth of 1.2m to the top of the pipe, apart from under exceptional circumstances not anticipated in the location of the Proposed Development. This will be greater at crossing points of railways, roads and watercourses.</p> <p>Once the pipeline is installed, normal agricultural practices will be able to resume above the pipeline. This is set out in paragraph 3.7.32 of ES Chapter 3: Description of the Proposed Development [APP-045]. Further, section 3.12 of Chapter 3 sets out the approach to construction in more detail.</p> <p>Details of the depth of the pipeline has also been shared with the affected parties' Agent and reference has been made to this in the proposed Heads of Terms, for which the Applicant is progressing with an aim to reach agreement.</p>
2.43.3	Easements	<ul style="list-style-type: none"> •No consultation has taken place regarding potential future development of the pipeline 	<p>As noted above, the Applicant has consulted and engaged with J R Greenfield Ltd since March 2022. The Applicant will continue to engage with the landowner and compensation will be assessed on a case-by-case basis in accordance with the Compensation Code.</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		corridor and compensation provision via a development clause	No known or reasonably anticipated development prospect has been raised by Masons Rural on behalf of J R Greenfield Ltd to date, and, as such a development clause has not been considered appropriate.
2.43.4	Construction	•No consultation regarding the implementation of a haul road during the construction period	<p>As set out in paragraph 3.12.38 of ES Chapter 3: Description of the Proposed Development [APP-045], the entrance directly off the public highway would be laid to hardcore. The temporary access routes which lead to the pipeline spread and the running track itself would have the topsoil removed and stored to one side. The “running track” is effectively the haul road which will be constructed along the entire right of way (excluding certain crossing locations), to allow the passage of vehicles, plant and materials/pipe. Upon completion of construction, these tracks will be levelled, and the topsoil replaced, and land restored to its original condition.</p> <p>Paragraph 3.12.39 states that, where necessary depending on ground conditions and weather conditions, some areas may temporarily be covered with a geotextile membrane and stone surface to facilitate traffic movements.</p>

Table 2-44: Jeanette Louise Tempest – RR-044

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.44.1	Safety Needs Case	I have already responded via feedback during the consultation period, but in summary I am concerned about the proposal as I am not convinced from the information provided that carbon capture is safe or has proven benefits.	<p>The Applicant is highly experienced in health and safety management and takes very seriously its legal duty under the UK’s Health and Safety at Work Act to protect workers and the public from its activities. The Applicant places the utmost importance on the safety of the communities it interacts with, its employees and its contractors who will work on this project.</p> <p>Several important factors were considered in routing the pipeline. These were the safety of local communities, avoiding built up areas and sensitive buildings, areas protected for their habitat and species, the Lincolnshire Wolds Area of Outstanding Beauty, areas that are liable to flood and historic monuments.</p> <p>The pipeline has been designed in compliance with Engineering Standard BSI PD 8010-1:2016, which makes specific provision for CO₂ pipelines and the approach to routing including minimum distances to buildings. In addition, the pipeline has been designed in accordance with the established principle of ALARP (“As Low As Reasonably Practicable”), as described in the Health and Safety Executive’s (HSE’s) longstanding framework document “Reducing Risks, Protecting People”. The purpose of ALARP is to ensure risks are reduced as far as is reasonably practicable.</p> <p>The Applicant has referenced the HSE’s Tolerability of Risk framework (which is defined in the “Reducing Risks, Protecting People” framework document mentioned above) to assess the pipeline risks. This assessment shows that the risk to members of the public living near to the Viking CCS pipeline route is well within the framework’s lowest classification of risk. Under the framework, the HSE considers that “risks falling into this region are generally regarded as insignificant and adequately controlled.”</p> <p>The HSE does not usually require further action to reduce risks in this lowest classification unless reasonably practicable measures are available, such as developing comprehensive emergency response plans. The Applicant will work with all relevant local authorities to develop such plans.</p> <p>The Applicant has engaged with the HSE, including their science division, to seek their expert opinion on the pipeline design and associated risk assessments. The Applicant has also engaged with other industry experts and will continue to engage both regulator and industry experts throughout the pipeline design and subsequent operation.</p> <p>The Applicant has adopted a robust design and route selection process for the Proposed Development, with safety of local communities being a key consideration. The routing and design accords with adopted guidance, including on managing risk, and has been informed by advice from experienced technical consultants.</p> <p>As outlined in paragraph 3.7.28 of ES Chapter 3: Description of the Proposed Development [APP-045], a pipeline Leak Detection System would monitor the whole pipeline length and would alert the operator to potential leaks, together with the location, along the pipeline route. The operator would have the ability to exercise direct control of the pipeline isolation valves as necessary. The type of Leak Detection System would be considered at the Front-End Engineering Design (FEED) stage.</p> <p>The UK government has a target of achieving net zero by 2050 and meeting this target will require reduced emissions of CO₂ from existing industries within the Humber and Lincolnshire region. Carbon capture and storage (CCS) is recognised by the</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
			<p>Intergovernmental Panel on Climate Change (the IPCC) and the UK government as a vital step on the road to achieving net zero carbon dioxide emissions, with the 6th Carbon Budget outlining plans to capture and store between 20 and 30 million tonnes of CO₂ a year by 2030.</p> <p>The revised draft National Policy Statement for Energy (EN-1) recognises that there is “an urgent need for new CCS infrastructure to support the transition to a net zero economy”. CCS is one of many proposed approaches to tackling CO₂ emissions and climate change and is considered a transitional technology.</p> <p>More information is available in the Need Case [APP-131].</p>
2.44.2	General Environmental Impacts	I also do not agree with damage to the rural area and environment caused by such industrialisation which could well have an adverse effect on the tourist trade and the adjacent nature reserve.	<p>Effects on landscape character and visual amenity/ views are considered in detail in ES Chapter 7: Landscape and Visual [APP-049].</p> <p>Potential effects on tourism are considered in ES Chapter 16: Socio-economics [APP-058]. This assessment concludes that there would be a negligible effect at most during construction. No effects were anticipated during the operation of the Proposed Development. and operational effects were therefore not included in the scope of the EIA (see ES Appendix 6.4.5.2 [APP-075])</p> <p>A range of ecological surveys have been undertaken to inform the Environmental Impact Assessment, including surveys of protected species such as bats, badger, otter and water vole. This information has helped identify potential impacts and mitigation measures have been developed to avoid or reduce any potential effects, including any potential effects on sites designated for their nature conservation value. The ecological impact assessment and committed mitigation measures are reported in ES Chapter 6: Ecology and Biodiversity [APP-048].</p>

Table 2-45: Julie Sullivan – RR-045

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.45.1	Need Case	Don't want it here. It has already been proved not to work, in other countries around the world.	<p>The UK government has a target of achieving net zero by 2050 and meeting this target will require reduced emissions of CO₂ from existing industries within the Humber and Lincolnshire region. Carbon capture and storage (CCS) is recognised by the Intergovernmental Panel on Climate Change (the IPCC) and the UK government as a vital step on the road to achieving net zero carbon dioxide emissions, with the 6th Carbon Budget outlining plans to capture and store between 20 and 30 million tonnes of CO₂ a year by 2030.</p> <p>The revised draft National Policy Statement for Energy (EN-1) recognises that there is “an urgent need for new CCS infrastructure to support the transition to a net zero economy”. CCS is one of many proposed approaches to tackling CO₂ emissions and climate change and is considered a transitional technology.</p> <p>More information is available in the Need Case [APP-131].</p>
2.45.2	Safety	Its a dangerous thing to be going under the field next to my house.	<p>The Applicant is highly experienced in health and safety management and takes very seriously its legal duty under the UK's Health and Safety at Work Act to protect workers and the public from its activities. The Applicant places the utmost importance on the safety of the communities it interacts with, its employees and its contractors who will work on this project.</p> <p>Several important factors were considered in routing the pipeline. These were the safety of local communities, avoiding built up areas and sensitive buildings, areas protected for their habitat and species, the Lincolnshire Wolds Area of Outstanding Beauty, areas that are liable to flood and historic monuments.</p> <p>The pipeline has been designed in compliance with Engineering Standard BSI PD 8010-1:2016, which makes specific provision for CO₂ pipelines and the approach to routing including minimum distances to buildings. In addition, the pipeline has been designed in accordance with the established principle of ALARP (“As Low As Reasonably Practicable”), as described in the Health and Safety Executive's (HSE's) longstanding framework document “Reducing Risks, Protecting People”. The purpose of ALARP is to ensure risks are reduced as far as is reasonably practicable.</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
			<p>The Applicant has referenced the HSE's Tolerability of Risk framework (which is defined in the "Reducing Risks, Protecting People" framework document mentioned above) to assess the pipeline risks. This assessment shows that the risk to members of the public living near to the Viking CCS pipeline route is well within the framework's lowest classification of risk. Under the framework, the HSE considers that "risks falling into this region are generally regarded as insignificant and adequately controlled."</p> <p>The HSE does not usually require further action to reduce risks in this lowest classification unless reasonably practicable measures are available, such as developing comprehensive emergency response plans. The Applicant will work with all relevant local authorities to develop such plans.</p> <p>The Applicant has engaged with the HSE, including their science division, to seek their expert opinion on the pipeline design and associated risk assessments. The Applicant has also engaged with other industry experts and will continue to engage both regulator and industry experts throughout the pipeline design and subsequent operation.</p> <p>The Applicant has adopted a robust design and route selection process for the Proposed Development, with safety of local communities being a key consideration. The routing and design accords with adopted guidance, including on managing risk, and has been informed by advice from experienced technical consultants.</p> <p>The Applicant has designed the pipeline to avoid and minimise any potential impacts on residential properties. This has meant there are no residential properties included within the Order Limits.</p>
2.45.3	Construction	Not only is it dangerous it will cause years of disruption to my life.	As set out in section 3.12.12-15 of ES Chapter 3: Description of the Proposed Development [APP-045], the Applicant will develop a detailed programme at the construction phase of the pipeline that will aim to limit the amount of time specific locations are affected by construction. The Applicant will aim for the installation of the pipe to be completed within one year, with the construction phase, as a whole, completed in two years.

Table 2-46: Masons Rural on behalf of Katherine Barker – RR-046

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.46.1	Land / Compensation Engineering and Design Consultation	My clients property is affected by a proposed permanent access route to the above ground infrastructure and there has been little consultation regarding this	The Applicant has engaged with landowners throughout the pre-application period. This has included four stages of consultation (one of which was targeted). Direct engagement with landowners and their agent has continued outside of these periods and has increased as the route has been further defined and impacts better understood.
2.46.2	Landscape and Visual	Also, the above ground infrastructure site will be intrusive to their outlook and property.	<p>The Theddlethorpe Facility Option 2 would include a 10m wide planting strip to provide screening, as outlined in the Outline Landscape and Ecological Management Plan [APP-127]. In respect of views of the Theddlethorpe Facility Option 2 Chapter 7 Landscape and Visual [APP-049] states that:</p> <p>"Overall, considering the change in views/ localised geographical extent but permanent nature of the change, effects on visual amenity would be low magnitude and minor adverse effects that are not significant in Year 1 reducing to very low magnitude and negligible adverse effects that are not significant by Year 15."</p> <p>Theddlethorpe Facility Option 1 would benefit from the current planting and screening that currently exists around the former Theddlethorpe Gas Terminal.</p>
2.46.3	Design Evolution	This should be move to utilise the existing facility at Theddlethorpe Gas Terminal which is already screened and has its own access.	No decision has yet been made on a final location for the Theddlethorpe facility. The Applicant's preferred option is to locate the Theddlethorpe facility on the site of the former gas terminal.

Table 2-47: Kathleen Jane Webb – RR-047

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.47.1	General Environmental Impacts	Impacts to residents	<p>The Applicant recognises that individuals who live close to an infrastructure project will have concerns about the impact that it might have on them. In the pre-application phase, the Applicant has undertaken considerable consultation with local communities. As part of this, it has communicated the potential impacts from the Proposed Development to potentially affected people through consultation materials and supporting technical documents. The Applicant has also taken account of their comments and feedback in designing the project.</p> <p>The Applicant has undertaken a detailed Environmental Impact Assessment to identify the likely effects that the project will have on affected parties. In designing the project, the Applicant has sought to avoid and mitigate impacts wherever possible.</p> <p>The Applicant recognises the importance during the construction phase of keeping the local community informed. Once consent is granted, the Applicant will put in place a Construction Environmental Management Plan (CEMP), which will be agreed with the local planning authority. That plan will include, amongst other things, a stakeholder communications plan setting out how the developer will carry out community engagement before and during the construction phase. This is set out in more detail in section 8.5 of the Draft CEMP [APP-068].</p>
2.47.2	Engineering and Design	Depth of Pipeline	<p>The pipeline will be buried at a minimum depth of 1.2m to the top of the pipe, apart from under exceptional circumstances not anticipated in the location of the Proposed Development. This will be greater at crossing points of railways, roads and watercourses. Further, section 3.12 of Chapter 3 sets out the approach to construction in more detail.</p>
2.47.3	Safety	Safety issues if pipe ruptures	<p>The Applicant is highly experienced in health and safety management and takes very seriously its legal duty under the UK's Health and Safety at Work Act to protect workers and the public from its activities. The Applicant places the utmost importance on the safety of the communities it interacts with, its employees and its contractors who will work on this project.</p> <p>Several important factors were considered in routing the pipeline. These were the safety of local communities, avoiding built up areas and sensitive buildings, areas protected for their habitat and species, the Lincolnshire Wolds Area of Outstanding Beauty, areas that are liable to flood and historic monuments.</p> <p>The pipeline has been designed in compliance with Engineering Standard BSI PD 8010-1:2016, which makes specific provision for CO₂ pipelines and the approach to routing including minimum distances to buildings. However, the Applicant has elected to exceed the design requirements set by the standard. This includes taking a conservative approach with thick wall design across the full pipeline length.</p> <p>In addition, the pipeline has been designed in accordance with the established principle of ALARP ("As Low As Reasonably Practicable"), as described in the Health and Safety Executive's (HSE's) longstanding framework document "Reducing Risks, Protecting People". The purpose of ALARP is to ensure risks are reduced as far as is reasonably practicable.</p> <p>The Applicant has referenced the HSE's Tolerability of Risk framework (which is defined in the "Reducing Risks, Protecting People" framework document mentioned above) to assess the pipeline risks. This assessment shows that the risk to members of the public living near to the Viking CCS pipeline route is well within the framework's lowest classification of risk. Under the framework, the HSE considers that <i>"risks falling into this region are generally regarded as insignificant and adequately controlled."</i></p> <p>The HSE does not usually require further action to reduce risks in this lowest classification unless reasonably practicable measures are available, such as developing comprehensive emergency response plans. The Applicant will work with all relevant local authorities to develop such plans.</p> <p>The Applicant has engaged with the HSE, including their science division, to seek their expert opinion on the pipeline design and associated risk assessments. The Applicant has also engaged with other industry experts and will continue to engage both regulator and industry experts throughout the pipeline design and subsequent operation.</p> <p>The Applicant has adopted a robust design and route selection process for the Proposed Development, with safety of local communities being a key consideration. The routing and design accords with adopted guidance, including on managing risk, and has been informed by advice from experienced technical consultants.</p>

Table 2-48: Kim Conroy – RR-048

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.48.1	Safety	I am completely against the proposal. I live within the area and do not want the risks associated with the project	<p>The Applicant is highly experienced in health and safety management and takes very seriously its legal duty under the UK's Health and Safety at Work Act to protect workers and the public from its activities. The Applicant places the utmost importance on the safety of the communities it interacts with, its employees and its contractors who will work on this project.</p> <p>Several important factors were considered in routing the pipeline. These were the safety of local communities, avoiding built up areas and sensitive buildings, areas protected for their habitat and species, the Lincolnshire Wolds Area of Outstanding Beauty, areas that are liable to flood and historic monuments.</p> <p>The pipeline has been designed in compliance with Engineering Standard BSI PD 8010-1:2016, which makes specific provision for CO₂ pipelines and the approach to routing including minimum distances to buildings. In addition, the pipeline has been designed in accordance with the established principle of ALARP ("As Low As Reasonably Practicable"), as described in the Health and Safety Executive's (HSE's) longstanding framework document "Reducing Risks, Protecting People". The purpose of ALARP is to ensure risks are reduced as far as is reasonably practicable.</p> <p>The Applicant has referenced the HSE's Tolerability of Risk framework (which is defined in the "Reducing Risks, Protecting People" framework document mentioned above) to assess the pipeline risks. This assessment shows that the risk to members of the public living near to the Viking CCS pipeline route is well within the framework's lowest classification of risk. Under the framework, the HSE considers that <i>"risks falling into this region are generally regarded as insignificant and adequately controlled."</i></p> <p>The HSE does not usually require further action to reduce risks in this lowest classification unless reasonably practicable measures are available, such as developing comprehensive emergency response plans. The Applicant will work with all relevant local authorities to develop such plans.</p> <p>The Applicant has engaged with the HSE, including their science division, to seek their expert opinion on the pipeline design and associated risk assessments. The Applicant has also engaged with other industry experts and will continue to engage both regulator and industry experts throughout the pipeline design and subsequent operation.</p> <p>The Applicant has adopted a robust design and route selection process for the Proposed Development, with safety of local communities being a key consideration. The routing and design accords with adopted guidance, including on managing risk, and has been informed by advice from experienced technical consultants.</p>

Table 2-49: Kristina Maria McGill – RR-049

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.49.1	General Environmental Impacts	completely reject this as well as the nuclear storage on our nature reserve at the Terminal.	The former Theddlethorpe Gas Terminal site is not within any designated nature reserve. The nearest nature reserve is the Lincolnshire Coronation Coast National Nature Reserve (NNR) The Proposed Development will have no direct or indirect effects on the features for which the Lincolnshire Coronation Coast NNR was designated. Further information is contained in both ES Volume II Chapter 6: Ecology and Biodiversity [APP-048] and ES Volume II Chapter 7: Landscape and Visual [APP-049].
2.49.2	Planning	We were promised this land would go back to green when conico finished onsite.	The project proposes to use some of the former TGT site where the Viking CCS pipeline will connect into the existing LOGGs pipeline. The wider former TGT site is not part of the project and is not owned by the Applicant.

Table 2-50: Lincolnshire County Council – RR-050

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.50.1	General	<p>Following an initial review of the DCO application material, this letter provides a summary of the issues which LCC currently agrees/and or disagrees with together with an appropriate explanation in accordance with Planning Inspectorate note 8.3. The comments/view expressed in this representation therefore are made without prejudice to a detailed assessment of the examination documents and we reserve the right to raise any further matters/issues at a later stage and as part of our Local Impact Report (LIR) and subsequent Written Representations.</p> <p>In summary an outline of the principal topics which LCC intends to address in relation to the application during the examination will cover the following: • Minerals and Waste – as Minerals and Waste Planning Authority; • Historic Environment (Archaeology); • Highways and Transportation – as Local Highway Authority for Lincolnshire; • Surface Water, Flooding and Drainage – as Lead Local flood Authority for Drainage; • Public Rights of Way; • Landscape and Visual; • Ecology; • Agriculture and soils; • Socio-economics; • Health and Well-being; and • Cumulative effects.</p>	<p>The Applicant notes this comment and has undertaken further work with Lincolnshire County Council (LCC) to address the matters which have been raised. In particular, this has been addressed through the development of the Statement of Common Ground. Further consultation and discussions will take place as required.</p>
2.50.2	Minerals and Waste	<p>The DCO site boundary does not affect any safeguarded mineral resources in the LCC administrative boundary and the Council therefore has no mineral safeguarding objections to the application. However, it should be noted that the Theddlethorpe Facility Option 1 site is located on land that benefits from a number of extant mineral planning permissions associated with the former Theddlethorpe gas terminal. There are conditions associated with these planning permissions requiring restoration of the land back to agricultural use that have not to date been complied with. The DCO, if granted, would conflict with these restoration requirements. The Council will therefore make further comments on the impact of the development on these requirements in the LIR. The Council has reviewed Chapter 18:</p>	<p>The Applicant refers to its response to WQ1.17.4 and will continue to engage with LCC on its comments re historic planning permissions on the site.</p> <p>Further discussions have taken place in relation to the materials and waste assessment and the latest position of both parties is set out in the Statement of Common Ground.</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		<p>Materials and Waste of the Environmental Statement (ES) and at this stage has the following comments to make. The Council will have some points of detail in relation to 1) the Study Area, 2) Landfill Capacity (noting that 2021 data has been used rather than 2022 data which is available) and 3) Potential Impacts and Assessment effects, in particular the absence of material by material assessment. These will be picked up in the LIR and through discussions with the Applicant.</p>	
2.50.3	Historic Environment	<p>On the whole the Council is satisfied that the submitted documents in respect of archaeology, for the most part, have been undertaken to a high standard and provide the necessary baseline evidence to move forward. There are a few areas of concern such as the desk based assessment (DBA) being limited to a 500m search of the Historic Environment Record (HER) rather than the 1km which was promised in the scoping documents, no LiDAR included in the AP/LiDAR assessment figures, geophys starting out at half the width of the pipeline corridor and the results are yet to be submitted. However, we are very pleased to see a robust programme of trenching has been included in the Written Scheme of Investigation (WSI) and would only advise that the number of trenches be increased to compensate in those areas where geophysical survey has not been undertaken. Regarding the Archaeological WSI, section 8.1.2 states that 'Following acceptance of the programme by the Consultant and the Client and approval of the WSI, the Archaeological Contractor shall mobilise to Site (subject to clearance from environmental disciplines and approval from the Client's lands liaison team and landowners).' This should include 'and approved by the Local Planning Authorities (LPAs).' The trenching programme should be undertaken as part of the application process, the results of which are required to inform the mitigation strategy, rather than post consent.</p>	<p>The Applicant welcomes LCC's comments that they are satisfied that the submitted documents in respect of archaeology have been undertaken to a high standard and provide the necessary baseline evidence.</p> <p>The Applicant notes LCC's concern with regards to the study area, but notes that 500m is considered to provide a proportionate study area, given that within the DCO Site Boundary the pipeline impact will be limited to 30m (and further reduced in highly sensitive areas). It should be noted that Sites beyond the 500m study area have also been considered in the impact assessment where these provide appropriate context and explanation for the heritage assets encountered within the 500m study area.</p> <p>The Applicant notes LCC's comment regarding the lack of LiDAR figures. The AP/LiDAR Assessment comprises a specialist review of existing publicly available data, which is synthesised for presentation in the report figures by the specialist. The Applicant does not consider that this is a shortcoming of the report.</p> <p>The Applicant notes LCC's comments regarding the scope of the geophysical survey. Following a review of the geophysical survey results from the 5% surveyed using a 50m transect, it is not considered that this presents a substantive deficiency in survey coverage. The Applicant has submitted a Geophysical Addendum (document reference 9.7) at Deadline 1.</p> <p>The Applicant notes LCC's comments on the trial trenching WSI. The Trial Trenching WSI has now been approved for use.</p> <p>The above points have also been captured within the Statement of Common Ground prepared between the Applicant and LCC.</p>
2.50.4	Traffic and Transport	<p>The Highway Authority has reviewed Chapter 12 of the ES – Traffic and Transport and provided the following comments at this stage. The trip generation and distribution numbers seem appropriate for this type of development and results in % increases of generally less</p>	<p>The Applicant notes the comments from LCC. The Applicant will work with the LCC highways team to ensure measures are in place to accommodate two-way construction traffic on Read Leas Lane, Pick Hill Lane and Thoroughfare. Further details will be provided within the final Construction Traffic Management Plan (CTMP).</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		<p>than 10% on most links, this is within the daily variation and would not be a concern in terms of highway capacity or safety. Some links would incur higher % increase, but these are links with existing low baseline flows, the increase in vehicle numbers would not generally be a concern in capacity or safety terms. However, at ATC 66 and 67 – Red Leas Lane and Pick Hill Lane – both these are narrow (3m) lanes and vehicles have to pass at house/field accesses or on the verges. Given that the increases on these links are over 30% and the roads are not really suitable for significant 2-way traffic flows it is therefore recommended that some passing places are provided, unless it can be demonstrated that they would not be required. Similarly, ATC 10, thoroughfare is another single tracked road with a significant increase (over 40%) in vehicle numbers and passing places should be provided, as suitable mitigation, unless it can be demonstrated that they would not be required.</p>	
2.50.5	Water Environment	<p>The Flood Risk Assessment (ES Vol 4, App. 11.5) considers surface water flood risk in Section 5.7 to 5.9 and outlines some mitigation measures that may be necessary during the construction phase, these seem appropriate.</p>	<p>This is noted and has been reflected within the Statement of Common Ground.</p>
2.50.6	Agriculture and Soils	<p>The potential impacts on Best and Most Versatile (BMV) agricultural land in respect of this scheme and cumulatively with other projects that are emerging/known about in Lincolnshire will be raised in the LIR and written submissions. It is noted that the calculations of BMV agricultural land is based on existing published data and no new site survey data has been obtained to inform the assessment. The development would result in the loss of use and disturbance to large areas of BMV agricultural land during the construction phase, albeit for the most part short term. Long term (permanent loss) would also occur in areas proposed for block valve stations and at the Theddlethorpe Facility (Option 2) location. There is also potential for disturbance during the decommissioning phase. It is therefore imperative that good practice and mitigation measures are put in place to protect the soil resources during these periods and to ensure that the land is restored</p>	<p>This is noted and has been reflected within the Statement of Common Ground.</p> <p>The Applicant can confirm that good practice mitigation measures will be put in place to protect the soil resources during construction and to ensure land is restored to agricultural use without any degrading of land quality.</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		<p>to agricultural use without any degrading of land quality. The Applicant's Soil Management Plan, designed to minimise the impact of the development on soils, is therefore welcomed. The Council raises concern about the potential for permanent loss of BMV land should the Theddlethorpe Option 2 site be brought forward, the impact of which is assessed in the ES Chapter 10 as Minor Adverse, whereas the Option 1 site in its current unrestored condition, would not result in the loss of BMV land, notwithstanding the restoration requirements on the extant mineral planning permissions. The loss of BMV agricultural land and the cumulative loss with other developments, stated in chapter 10, para 10.10.11 to potentially result in a Major impact resulting in a significant effect, as a worst case scenario, will be considered further in the Council's LIR and written submissions.</p>	
2.50.7	Socio-economics	<p>The Council has reviewed Chapter 16: Socio Economics of the ES. Based on the Economic Impacts section of the Socio Economics chapter. What is considered and the assessment methodology appears reasonable. The section acknowledges a realistic leakage and displacement figure and the multiplier that has been used for GVA impact may be a little high and the labour market catchment assumption (90% of national employees commute under 60 mins) does not apply so well to rural locations. It is also felt that some businesses could lose some trade due to the impacts of the line being installed, which appears not to be captured accurately within the documentation. It is acknowledged and welcomed that a skills, employment and supply chain plan will be developed by the contractor with the North Lincolnshire Council, North East Lincolnshire Council, East Lindsey and West Lindsey; however, Lincolnshire County Council would also welcome the opportunity to be involved. Although what is included in the ES looks reasonable, the Council would also be keen to see benefits to the local communities and economy in the vicinity of the pipeline explored further.</p>	<p>This is noted and further discussions have been reflected within the Statement of Common Ground.</p>
2.50.8	EIA	<p><i>Public Rights of Way, Landscape and Visual, Ecology and Biodiversity and Public Health</i></p>	<p>This is noted and has been reflected within the Statement of Common Ground.</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		The Council will make any relevant comments in the LIR and written submissions.	
2.50.9	Cumulative Effects	There are a number of other potential NSIP proposals coming forward that the Council are aware of in the East Lindsey District area. Whilst the timings of these proposals coming forward and precise locations is not yet fully understood there is potential for a cluster of NSIP developments in the area, the combined impacts of which could be significant, particularly in respect of amenity for the communities affected and on the sensitive coastal environment, over long periods of time. The Council will therefore make further comments on the potential cumulative impact of the development with other NSIP proposals in the LIR and in written representations as further information on the other projects comes forward.	This is noted and has been reflected within the Statement of Common Ground.
2.50.10	Draft DCO	At this stage the Council reserves its position on the relevant parts of the draft DCO including the proposed requirements which are likely to be needed, to be amended or added to as the examination progresses. The Council will review the draft DCO to ensure that LCC's role is sufficiently recognised as a discharging authority in relation to relevant requirements and that LCC's role as Highway Authority is appropriately referred to within the draft DCO in relation to any proposed highway works or traffic regulation measures. The Council wishes to participate in any Issue Specific Hearing in relation to the drafting of the DCO.	This is noted by the Applicant. Discussions with LCC will continue throughout the examination phase and will be reflected in the Statement of Common Ground between both parties.
2.50.11	General	In conclusion the Council looks forward to working with the Applicant and the Planning Inspectorate as the project progresses through the DCO process and welcomes the opportunity to comment on matters of detail throughout the examination.	The Applicant welcomes this comment and will work proactively with LCC throughout the examination phase.
2.50.12	Land / Compensation	This representation concerns the following works proposed within the Application (as identified on sheet 3 of the Works Plan submitted with the Application): 1. Work 43 (Carbon Dioxide Pipeline Works); 2. Work 44a (Permanent Access Associated with Option 1 (preferred);	

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		<p>3. Work 45 (Electrical Connection), and</p> <p>4. Work 46 (Temporary Access), (together “the Works”).</p> <p>To enable the Works to be carried out, the Applicant is proposing to compulsorily acquire various parcels of land (and new rights over land), which are currently owned by National Gas. The relevant compulsory acquisition plans are contained within the Application at sheet 35 of the Land Plan.</p>	
2.50.13	Protective Provisions	<p>Statera is a market leader in grid/system flexibility developing, building and operating projects including battery energy storage systems, pumped storage hydro, electrolysis, green hydrogen and thermal plant. It has been working with National Gas on plans to develop a thermal generating facility (or flexible power station) on land next to the decommissioned Theddlethorpe gas terminal (“the Proposed Facility”). Statera is currently engaged in negotiations with National Gas for Mablethorpe to take a long lease of the land on which the Proposed Facility is to be developed (“the Mablethorpe Land”). National Gas will be retaining land for the purposes of building a new gas terminal to feed the gas generated by the Proposed Facility into the mains gas transmission network. The Proposed Facility is therefore ideally situated given the proximity to the proposed new terminal. The Proposed Facility is likely to be made up of turbines to generate electricity that could be fuelled by natural gas from National Gas’ adjoining network and use carbon capture storage, or made up of turbines fuelled by hydrogen, which could be produced as part of the Proposed Facility. Statera’s plans include facilities in keeping with a large infrastructure power project including but not limited to: turbine halls, substations, accesses, welfare/operations buildings and balance of plant equipment.</p> <p>The development of the Proposed Facility will include the construction, installation, operation, repair, replacement, renewal and decommissioning of a possible combination of thermal generating facility with onsite gas or hydrogen storage and associated infrastructure (which will include a private electrical</p>	

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		<p>substation). This plant could use carbon capture, be fuelled with natural gas or hydrogen or a mixture of both and a National Grid Electricity Transmission (NGET) substation comprising all structures, frames, cables, switchgear, roadways and ancillary equipment reasonably necessary for the generation of electricity for export to the grid.</p> <p>Issue with the Application The Mablethorpe Land is currently included within the Order Limits as set out in the Application and on which the Works are to be carried out. The Application (as per Sheet 35 of the Land Plan) proposes the compulsory acquisition of the following areas of land to facilitate the Works:</p> <ul style="list-style-type: none"> - The land shaded orange on sheet 35 of the Land Plan, which is proposed to be subject to permanent acquisition of the subsurface and which is purported to be required in respect of Work 43 and part of Work 45. - The land shaded blue on sheet 35 of the Land Plan, which is proposed to be subject to permanent rights and temporary use and which is purported to be required in respect of Work 44a, part of Work 45 and Work 46. <p>The proposed compulsory purchase of these areas of land would materially impact Statera's plans for the Proposed Facility, as these areas are required by Statera/Mablethorpe for the development of the Proposed Facility itself, including access. Relationship with National Gas Statera has been engaged in extensive negotiations with National Gas over the past 12 months in respect of the proposed lease of the Mablethorpe Land and negotiations are at an advanced stage. Statera has carried out detailed investigations and engaged relevant experts in respect of the development of the Proposed Facility and has accordingly incurred substantial costs to date in connection with this. It is also in receipt of a Connection Application Agreement with NGET.</p> <p>National Gas, as current owner of the Mablethorpe Land, is already known to the Applicant. National Gas is submitting its own representations in respect of the Application, and this submission by Statera and Mablethorpe should be read in conjunction with such representation. Statera and</p>	

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		<p>Mablethorpe's position Statera and Mablethorpe's position is that, whilst they do not object to the Application in principle, the Order Limits as proposed in the Application, insofar as these relate to the Works and the corresponding compulsory purchase measures referred to above, should be revised to take account of the Proposed Facility as follows:</p> <p>1. In relation to the orange land shown on sheet 35 of the Land Plan (which the Applicant proposes should be permanently acquired for the purposes of carrying out Work 43 and part of Work 45), Statera and Mablethorpe consider that this area is a) too wide and b) in any event that permanent acquisition of this land is not necessary or justified. Instead, Statera and Mablethorpe propose that a narrower easement strip should be granted, such that the Applicant may be able to access this land to install the underground pipeline without the need to permanently acquire the land.</p> <p>2. In relation to the blue shaded area on sheet 35 of the Land Plan (which the Applicant proposes should be subject to permanent rights and temporary use in connection with part of Work 45 and Work 46), Statera and Mablethorpe are of the view that this area is too wide and should be moved further East so as not to encroach on the Proposed Facility. Part of the blue shaded area follows the route of the main access to the site (comprised by Work 44a) and is also intended to be used by Statera/Mablethorpe as the main access to the Proposed Facility. Statera and Mablethorpe therefore propose that an arrangement be made with the Applicant such that this access road may be shared between the Applicant and Statera/Mablethorpe, in order for the two developments to co-exist, rather than this access road be subject to compulsory acquisition rights. Conclusion Currently, the limits of deviation in the Application are too wide and the proposed permanent acquisition of land and rights over the main access to the site are not justified. Statera and Mablethorpe are of the view that the two developments can co-exist, provided that the Applicant engages meaningfully with Statera/Mablethorpe to make suitable modifications to the Application as outlined above. Ultimately, if the Application</p>	

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		<p>were granted in its current form, this would significantly conflict with Statera's plans for the Proposed Facility, such that it would impact on the ability to develop out the Proposed Facility. This would not be within the public interest, particularly given that the two schemes are capable of co-existing (and indeed this makes the most efficient use of the wider land). Statera has a strong track record of delivering on projects, having delivered 1GW of flexible and storage assets since its inception in 2015. Statera and Mablethorpe are open to further engagement with the Applicant and reserve their position to make further representation and submit additional detail in support of their position in due course.</p>	

Table 2-51: DDM Agriculture on behalf of Linda Pickering – RR-051

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.51.1	Land / Compensation	<ul style="list-style-type: none"> •Failure to agree commercial terms due to a lack of meaningful consultation with the landowners and their agents 	<p>The Applicant notes the comments from DDM Agriculture Ltd on behalf of Linda Pickering and acknowledges that discussions on the Option Agreement for Lease remain ongoing. The Applicant has been engaging with DDM Agriculture Ltd on behalf of Albert Larder since September 2022 and has been discussing commercial terms since July 2023. The Applicant will continue to engage with DDM Agriculture Ltd on behalf of Linda Pickering with a view to reaching a commercial agreement.</p>
2.51.2	Construction	<ul style="list-style-type: none"> •Failure to agree a method statement for the pipeline construction and failure to provide clarity regarding construction depth of the pipeline and assurances that the land can be farmed going forward 	<p>The pipeline will be buried at a minimum depth of 1.2m to the top of the pipe, apart from under exceptional circumstances not anticipated in the location of the Proposed Development. This will be greater at crossing points of railways, roads and watercourses. Once the pipeline is installed, normal agricultural practices will be able to resume above the pipeline. This is set out in paragraph 3.7.32 of ES Chapter 3: Description of the Proposed Development [APP-045]. Further, section 3.12 of Chapter 3 sets out the approach to construction in more detail.</p> <p>Details of the depth of the pipeline has also been shared with the affected parties' Agent and reference has been made to this in the proposed Heads of Terms, for which the Applicant is progressing with an aim to reach agreement.</p>
2.51.3	Easements	<ul style="list-style-type: none"> •No consultation has taken place regarding potential future development of the pipeline corridor and compensation provision via a development clause 	<p>As noted above, the Applicant has consulted and engaged with Linda Pickering since September 2022. The Applicant will continue to engage with the landowner and compensation will be assessed on a case-by-case basis in accordance with the Compensation Code.</p> <p>No known or reasonably anticipated development prospect has been raised by DDM Agriculture Ltd on behalf of Linda Pickering to date, and, as such a development clause has not been considered appropriate.</p>
2.51.4	Construction	<ul style="list-style-type: none"> •No consultation regarding the implementation of a haul road during the construction period 	<p>As set out in paragraph 3.12.38 of ES Chapter 3: Description of the Proposed Development [APP-045], the entrance directly off the public highway would be laid to hardcore. The temporary access routes which lead to the pipeline spread and the running track itself would have the topsoil removed and stored to one side. The "running track" is effectively the haul road which will be constructed along the entire right of way (excluding certain crossing locations), to allow the passage of vehicles, plant and materials/pipe. Upon completion of construction, these tracks will be levelled, and the topsoil replaced, and land restored to its original condition.</p> <p>Paragraph 3.12.39 states that, where necessary depending on ground conditions and weather conditions, some areas may temporarily be covered with a geotextile membrane and stone surface to facilitate traffic movements.</p>

Table 2-52: Lindsey Marsh Drainage Board – RR-052

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.52.1	Engineering and Design	<p>There are numerous watercourses (Board maintained, riparian and Environment Agency Main Rivers) that are situated within the path of the proposed pipeline. Please note that all Board watercourses are subject to Byelaws, which are intended to protect the watercourses and the Board's ability to maintain them.</p> <p>With this in mind I would advise the following. Byelaw Number 3 states that: No person shall as a result of development (within the meaning of section 55 of the Town and Country Planning Act 1990 as amended ("the 1990 Act")) (whether or not such development is authorised by the 1990 Act or any regulation or order whatsoever or none of them) for any purpose by means of any channel, siphon, pipeline or sluice or by any other means whatsoever introduce any water into any watercourse in the District so as to directly or indirectly increase the flow or volume of water in any watercourse in the District (without the previous consent of the Board)."</p> <p>Consent will only be granted for the increase in flow to a watercourse where the Board is happy that in doing so no demonstrable harm will be caused. It may be the case that appropriate mitigations are required to be put in place to either attenuate flow or to enhance the existing watercourse to ensure no detriment. If this is not possible alternative outfall locations may need to be considered.</p>	<p>The comments from Lindsey Marsh Drainage Board are noted.</p> <p>The Applicant has engaged with Lindsey Marsh Drainage Board as part of the DCO process and a Statement of Common Ground has been submitted at Deadline 1.</p> <p>The Applicant is engaging with Lindsey Marsh Drainage Board on protective provisions to be included within the DCO and will continue to engage with the drainage board on detailed design for any relevant crossings.</p>
2.52.2	Engineering and Design	<p>Byelaw Number 10 states that: No person without the previous consent of the Board shall erect any building or structure, whether temporary or permanent, or plant any tree, shrub, willow or other similar growth within nine metres of the landward toe of the bank where there is an embankment or wall or within nine metres of the top of the batter where there is no embankment or wall, or where the watercourse is enclosed within nine metres of the enclosing structure. This will relate primarily to the location of compounds, transformer stations and any fencing etc which might be installed in relation to this project.</p>	

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.52.3	Engineering and Design	<p>Byelaw number 17 states that: No person shall without the previous consent of the Board –</p> <p>(a) place or affix or cause or permit to be placed or affixed any gas or water main or any pipe or appliance whatsoever or any electrical main or cable or wire in, under or over any watercourse or in, over or through any bank of any watercourse;</p> <p>(b) cut, pare, damage or remove or cause or permit to be cut, pared, damaged or removed any turf forming part of any bank of any watercourse, or dig for or remove or cause or permit to be dug for or removed any stone, gravel, clay, earth, timber or other material whatsoever forming part of any bank of any watercourse or do or cause or permit to be done anything in, to or upon such bank or any land adjoining such bank of such a nature as to cause damage to or endanger the stability of the bank;</p> <p>(c) make or cut or cause or permit to be made or cut any excavation or any tunnel or any drain, culvert or other passage for water in, into or out of any watercourse or in or through any bank of any watercourse;</p> <p>(d) erect or construct or cause or permit to be erected or constructed any fence, post, pylon, wall, wharf, jetty, pier, quay, bridge, loading stage, piling, groyne, revetment or any other building or structure whatsoever in, over or across any watercourse or in or on any bank thereof;</p> <p>(e) place or fix or cause or permit to be placed or fixed any engine or mechanical contrivance whatsoever in, under or over any watercourse or in, over or on any bank of any watercourse in such a manner or for such length of time as to cause damage to the watercourse or banks thereof or obstruct the flow of water in, into or out of such watercourse.</p>	
2.52.4	Engineering and Design Protective Provisions	<p>Provided that this Byelaw shall not apply to any temporary work executed in an emergency but a person executing any work so excepted shall, as soon as practicable, inform the Board in writing of the execution and of the circumstances in which it was executed and</p>	

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		<p>comply with any reasonable directions the Board may give with regard thereto.</p> <p>The Board will require all watercourses to be crossed by means of HDD at a depth no less than 2 metres PLUS the cable safety distance below the hard bed level of all watercourses (to ODN if EA or IDB maintained). This will allow the IDBs to have the flexibility to improve watercourses in the future due to climate change (works will include deepening & widening of watercourses). It is anticipated that the above requirements would be covered by SOCGs, MOU, and via Protective Provisions within the DCO.</p>	
2.52.5	Engineering and Design Protective Provisions	<p>This matter should be discussed further and in more detail as the proposed cable route is refined. Any culverting or other works within the bed of any riparian watercourse within the Board's district be they temporary or permanent will also require consent. It should be noted that the Board's consent is required irrespective of any permission gained under the Town and Country Planning Act 1990.</p> <p>The Board's consent will only be granted where proposals are not detrimental to the flow or stability of the watercourse/ culvert or the Board's machinery access to the watercourse/ culvert which is required for annual maintenance, periodic improvement and emergency works. I hope that the above is of assistance.</p>	

Table 2-53: Louth Navigation Trust – RR-053

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.53.2	Engineering and Design	<p>Louth navigation Trust are keen to ensure the pipeline passes underneath the canal and the river Lud using some form of directional drilling so as not to block the canal for water users. LNT are in the process of planning for new slipways to allow more water use in the future for sporting activities.</p>	<p>The Applicant has contacted Louth Navigation Trust as part of the DCO process and a draft Statement of Common Ground was submitted at Deadline 1. As set out in 3.12.182 of ES Chapter 3: Description of the Proposed Development [APP-045], the crossing beneath the Louth Navigation Canal has been identified as a "Trenchless Crossing". It will therefore not block any recreational or leisure use of the waterway.</p>

Table 2-54: Masons Rural on behalf of M S Pridgeon – RR-054

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.54.1	Land / Compensation	<p>My client wishes to raise the following concerns surrounding the project;</p> <ul style="list-style-type: none"> •Failure to agree commercial terms due to a lack of meaningful consultation with the landowners and their agents. Have not ever met with the client either. 	<p>The Applicant notes the comments from Masons Rural on behalf of M S Pridgeon and acknowledges that discussions on the Option Agreement for Lease remain ongoing. The Applicant has been engaging with Masons Rural on behalf of M S Pridgeon since March 2022 and has been discussing commercial terms since July 2023.</p> <p>An in-person meeting was attended by the affected party (and Masons Rural) with the Applicants agent in January 2024. The Applicant will continue to engage with Masons Rural on behalf of M S Pridgeon with a view to reaching a commercial agreement.</p>
2.54.2	Construction	<ul style="list-style-type: none"> •Failure to agree a method statement for the pipeline construction and failure to provide clarity regarding construction depth of the pipeline and assurances that the land can be farmed going forward 	<p>The pipeline will be buried at a minimum depth of 1.2m to the top of the pipe, apart from under exceptional circumstances not anticipated in the location of the Proposed Development. This will be greater at crossing points of railways, roads and watercourses.</p> <p>Once the pipeline is installed, normal agricultural practices will be able to resume above the pipeline. This is set out in paragraph 3.7.32 of ES Chapter 3: Description of the Proposed Development [APP-045]. Further, section 3.12 of Chapter 3 sets out the approach to construction in more detail.</p> <p>Details of the depth of the pipeline has also been shared with the affected parties' Agent and reference has been made to this in the proposed Heads of Terms, for which the Applicant is progressing with an aim to reach agreement.</p>
2.54.3	Easements	<ul style="list-style-type: none"> •No consultation has taken place regarding potential future development of the pipeline corridor and compensation provision via a development clause 	<p>As noted above, the Applicant has consulted and engaged with M S Pridgeon since March 2022. The Applicant will continue to engage with the landowner and compensation will be assessed on a case-by-case basis in accordance with the Compensation Code.</p> <p>No known or reasonably anticipated development prospect has been raised by Masons Rural on behalf of M S Pridgeon to date, and, as such a development clause has not been considered appropriate.</p>
2.54.4	Construction	<ul style="list-style-type: none"> •No consultation regarding the implementation of a haul road during the construction period 	<p>As set out in paragraph 3.12.38 of ES Chapter 3: Description of the Proposed Development [APP-045], the entrance directly off the public highway would be laid to hardcore. The temporary access routes which lead to the pipeline spread and the running track itself would have the topsoil removed and stored to one side. The "running track" is effectively the haul road which will be constructed along the entire right of way (excluding certain crossing locations), to allow the passage of vehicles, plant and materials/pipe. Upon completion of construction, these tracks will be levelled, and the topsoil replaced, and land restored to its original condition.</p> <p>Paragraph 3.12.39 states that, where necessary depending on ground conditions and weather conditions, some areas may temporarily be covered with a geotextile membrane and stone surface to facilitate traffic movements.</p>

Table 2-55: Mablethorpe and Sutton Town Council – RR-055

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.55.1	Safety	<p>Mablethorpe and Sutton Town Council resolved, at the planning meeting on Monday 8th January, to register as an interested party and be involved in the process with the objective of protecting our community against potential dangers of this project.</p>	<p>The Applicant is highly experienced in health and safety management and takes very seriously its legal duty under the UK's Health and Safety at Work Act to protect workers and the public from its activities. The Applicant places the utmost importance on the safety of the communities it interacts with, its employees and its contractors who will work on this project.</p> <p>Several important factors were considered in routing the pipeline. These were the safety of local communities, avoiding built up areas and sensitive buildings, areas protected for their habitat and species, the Lincolnshire Wolds Area of Outstanding Beauty, areas that are liable to flood and historic monuments.</p> <p>The pipeline has been designed in compliance with Engineering Standard BSI PD 8010-1:2016, which makes specific provision for CO₂ pipelines and the approach to routing including minimum distances to buildings. In addition, the pipeline has been designed in accordance with the established principle of ALARP ("As Low As Reasonably Practicable"), as described in the Health and Safety Executive's (HSE's) longstanding framework document "Reducing Risks, Protecting People". The purpose of ALARP is to ensure risks are reduced as far as is reasonably practicable.</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
			<p>The Applicant has referenced the HSE's Tolerability of Risk framework (which is defined in the "Reducing Risks, Protecting People" framework document mentioned above) to assess the pipeline risks. This assessment shows that the risk to members of the public living near to the Viking CCS pipeline route is well within the framework's lowest classification of risk. Under the framework, the HSE considers that <i>"risks falling into this region are generally regarded as insignificant and adequately controlled."</i></p> <p>The HSE does not usually require further action to reduce risks in this lowest classification unless reasonably practicable measures are available, such as developing comprehensive emergency response plans. The Applicant will work with all relevant local authorities to develop such plans.</p> <p>The Applicant has engaged with the HSE, including their science division, to seek their expert opinion on the pipeline design and associated risk assessments. The Applicant has also engaged with other industry experts and will continue to engage both regulator and industry experts throughout the pipeline design and subsequent operation.</p> <p>The Applicant has adopted a robust design and route selection process for the Proposed Development, with safety of local communities being a key consideration. The routing and design accords with adopted guidance, including on managing risk, and has been informed by advice from experienced technical consultants.</p>

Table 2-56: Mablethorpe Flexible Generation Limited – RR-056

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.56.1	Land / Compensation	<p>This representation concerns the following works proposed within the Application (as identified on sheet 3 of the Works Plan submitted with the Application):</p> <ol style="list-style-type: none"> 1. Work 43 (Carbon Dioxide Pipeline Works); 2. Work 44a (Permanent Access Associated with Option 1 (preferred)); 3. Work 45 (Electrical Connection), and 4. Work 46 (Temporary Access), (together "the Works"). <p>To enable the Works to be carried out, the Applicant is proposing to compulsorily acquire various parcels of land (and new rights over land), which are currently owned by National Gas. The relevant compulsory acquisition plans are contained within the Application at sheet 35 of the Land Plan.</p>	<p>The Applicant notes the comments from Mablethorpe Flexible Generation Limited in respect to the land affected by the proposed and contained with sheet 35 of the Land Plans [AS-049].</p>
2.56.2	Land / Compensation	<p>Statera is a market leader in grid/system flexibility developing, building and operating projects including battery energy storage systems, pumped storage hydro, electrolysis, green hydrogen and thermal plant. It has been working with National Gas on plans to develop a thermal generating facility (or flexible power station) on land next to the decommissioned Theddlethorpe gas terminal ("the Proposed Facility"). Statera is currently engaged in</p>	

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		<p>negotiations with National Gas for Mablethorpe to take a long lease of the land on which the Proposed Facility is to be developed ("the Mablethorpe Land"). National Gas will be retaining land for the purposes of building a new gas terminal to feed the gas generated by the Proposed Facility into the mains gas transmission network. The Proposed Facility is therefore ideally situated given the proximity to the proposed new terminal. The Proposed Facility is likely to be made up of turbines to generate electricity that could be fuelled by natural gas from National Gas' adjoining network and use carbon capture storage, or made up of turbines fuelled by hydrogen, which could be produced as part of the Proposed Facility. Statera's plans include facilities in keeping with a large infrastructure power project including but not limited to: turbine halls, substations, accesses, welfare/operations buildings and balance of plant equipment.</p> <p>The development of the Proposed Facility will include the construction, installation, operation, repair, replacement, renewal and decommissioning of a possible combination of thermal generating facility with onsite gas or hydrogen storage and associated infrastructure (which will include a private electrical substation). This plant could use carbon capture, be fuelled with natural gas or hydrogen or a mixture of both and a National Grid Electricity Transmission (NGET) substation comprising all structures, frames, cables, switchgear, roadways and ancillary equipment reasonably necessary for the generation of electricity for export to the grid.</p> <p>Issue with the Application The Mablethorpe Land is currently included within the Order Limits as set out in the Application and on which the Works are to be carried out.</p> <p>The Application (as per Sheet 35 of the Land Plan) proposes the compulsory acquisition of the following areas of land to facilitate the Works:</p> <ul style="list-style-type: none"> - The land shaded orange on sheet 35 of the Land Plan, which is proposed to be subject to permanent acquisition of the subsurface and 	

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		<p>which is purported to be required in respect of Work 43 and part of Work 45.</p> <p>- The land shaded blue on sheet 35 of the Land Plan, which is proposed to be subject to permanent rights and temporary use and which is purported to be required in respect of Work 44a, part of Work 45 and Work 46.</p> <p>The proposed compulsory purchase of these areas of land would materially impact Statera's plans for the Proposed Facility, as these areas are required by Statera/Mablethorpe for the development of the Proposed Facility itself, including access. Relationship with National Gas Statera has been engaged in extensive negotiations with National Gas over the past 12 months in respect of the proposed lease of the Mablethorpe Land and negotiations are at an advanced stage. Statera has carried out detailed investigations and engaged relevant experts in respect of the development of the Proposed Facility and has accordingly incurred substantial costs to date in connection with this. It is also in receipt of a Connection Application Agreement with NGET.</p> <p>National Gas, as current owner of the Mablethorpe Land, is already known to the Applicant. National Gas is submitting its own representations in respect of the Application, and this submission by Statera and Mablethorpe should be read in conjunction with such representation. Statera and Mablethorpe's position Statera and Mablethorpe's position is that, whilst they do not object to the Application in principle, the Order Limits as proposed in the Application, insofar as these relate to the Works and the corresponding compulsory purchase measures referred to above, should be revised to take account of the Proposed Facility as follows:</p> <p>1. In relation to the orange land shown on sheet 35 of the Land Plan (which the Applicant proposes should be permanently acquired for the purposes of carrying out Work 43 and part of Work 45), Statera and Mablethorpe consider that this area is a) too wide and b) in any event that permanent acquisition of this land is not necessary or justified. Instead, Statera and Mablethorpe propose that a narrower easement strip should be granted, such that</p>	

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		<p>the Applicant may be able to access this land to install the underground pipeline without the need to permanently acquire the land.</p> <p>2. In relation to the blue shaded area on sheet 35 of the Land Plan (which the Applicant proposes should be subject to permanent rights and temporary use in connection with part of Work 45 and Work 46), Statera and Mablethorpe are of the view that this area is too wide and should be moved further East so as not to encroach on the Proposed Facility. Part of the blue shaded area follows the route of the main access to the site (comprised by Work 44a) and is also intended to be used by Statera/Mablethorpe as the main access to the Proposed Facility. Statera and Mablethorpe therefore propose that an arrangement be made with the Applicant such that this access road may be shared between the Applicant and Statera/Mablethorpe, in order for the two developments to co-exist, rather than this access road be subject to compulsory acquisition rights. Currently, the limits of deviation in the Application are too wide and the proposed permanent acquisition of land and rights over the main access to the site are not justified. Statera and Mablethorpe are of the view that the two developments can co-exist, provided that the Applicant engages meaningfully with Statera/Mablethorpe to make suitable modifications to the Application as outlined above. Ultimately, if the Application were granted in its current form, this would significantly conflict with Statera's plans for the Proposed Facility, such that it would impact on the ability to develop out the Proposed Facility. This would not be within the public interest, particularly given that the two schemes are capable of co-existing (and indeed this makes the most efficient use of the wider land). Statera has a strong track record of delivering on projects, having delivered 1GW of flexible and storage assets since its inception in 2015. Statera and Mablethorpe are open to further engagement with the Applicant and reserve their position to make further representation and submit additional detail in support of their position in due course.</p>	

Table 2-57: Malcom Grebby RR-057

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.57.1	Consultation	1) I attended 2 seminars at both I was told that the co2 produced was going to be the by product of Blue hydrogen. This is not the case.	<p>The Applicant explained during the pre-application period including during non-statutory and statutory consultation that CO₂ would be captured at the Immingham industrial cluster, before being transported underground along the Viking CCS pipeline, to the site of the former Theddlethorpe Gas Terminal.</p> <p>Emitter projects are being developed by separate companies and as such are outside the scope of the Proposed Development.</p>
2.57.2	Consultation	2 Original plans did not show the pumping stations on route.	<p>The plans available at both non-statutory and statutory consultation outlined a potential route corridor for the Viking CCS pipeline, as well as an overview of the above ground infrastructure required to operate the pipeline, including Block Valve Stations.</p> <p>The Proposed Development does not propose to use pumping stations for any purpose as part of the project, which is why no pumping stations were not included on any plans.</p>
2.57.3	General Environmental Impacts	The use of Diesel to operate them is not really acceptable	<p>Once operational, the Immingham Facility, Block Valve Stations and the Theddlethorpe Facility will use power from the local electrical distribution network. As set out in the Draft CEMP [APP-068], the Applicant will seek to avoid the use of diesel- or petrol-powered generators and use mains electricity or battery powered equipment where practicable during construction. This is set out in commitment J32 of the Draft CEMP.</p>
2.57.4	General Environmental Impacts	plus the King granted the area a place of natural beauty,	<p>The Lincolnshire Coronation Coast National Nature Reserve (NNR) largely consolidates two existing NNRs: the Donna Nook NNR and the Saltfleetby-Theddlethorpe Dunes NNR. There are some small additions to the overall area covered, but these are minor in the vicinity of the Proposed Development. NNRs are open to the public, though the designation itself seeks to protect important habitats and geological features. The Proposed Development will have no direct or indirect effects on the features for which the Lincolnshire Coronation Coast NNR was designated, as confirmed in Table 6-13 in [APP-048].</p>
2.57.5	Safety	3) One of the pipelines in America fractured,, fortunately no one was in proximity what's to stop this happening here . The trench is only 6 foot deep carrying a 2 foot diameter pipe	<p>The Applicant is highly experienced in health and safety management and takes very seriously its legal duty under the UK's Health and Safety at Work Act to protect workers and the public from its activities. The Applicant places the utmost importance on the safety of the communities it interacts with, its employees and its contractors who will work on this project.</p> <p>Several important factors were considered in routing the pipeline. These were the safety of local communities, avoiding built up areas and sensitive buildings, areas protected for their habitat and species, the Lincolnshire Wolds Area of Outstanding Beauty, areas that are liable to flood and historic monuments.</p> <p>The pipeline has been designed in compliance with Engineering Standard BSI PD 8010-1:2016, which makes specific provision for CO₂ pipelines and the approach to routing including minimum distances to buildings. However, the Applicant has elected to exceed the design requirements set by the standard. This includes taking a conservative approach with thick wall design across the full pipeline length.</p> <p>In addition, the pipeline has been designed in accordance with the established principle of ALARP ("As Low As Reasonably Practicable"), as described in the Health and Safety Executive's (HSE's) longstanding framework document "Reducing Risks, Protecting People". The purpose of ALARP is to ensure risks are reduced as far as is reasonably practicable.</p> <p>The Applicant has referenced the HSE's Tolerability of Risk framework (which is defined in the "Reducing Risks, Protecting People" framework document mentioned above) to assess the pipeline risks. This assessment shows that the risk to members of the public living near to the Viking CCS pipeline route is well within the framework's lowest classification of risk. Under the framework, the HSE considers that "<i>risks falling into this region are generally regarded as insignificant and adequately controlled.</i>"</p> <p>The HSE does not usually require further action to reduce risks in this lowest classification unless reasonably practicable measures are available, such as developing comprehensive emergency response plans. The Applicant will work with all relevant local authorities to develop such plans.</p> <p>The Applicant has engaged with the HSE, including their science division, to seek their expert opinion on the pipeline design and associated risk assessments. The Applicant has also engaged with other industry experts and will continue to engage both regulator and industry experts throughout the pipeline design and subsequent operation.</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
			<p>The Applicant has adopted a robust design and route selection process for the Proposed Development, with safety of local communities being a key consideration. The routing and design accords with adopted guidance, including on managing risk, and has been informed by advice from experienced technical consultants.</p> <p>The incident in Mississippi in February 2020 was caused by large-scale ground movement. The Proposed Development does not cross any areas with historic records of landslides, as identified from the British Geological Survey National Landslide Database.</p> <p>As outlined in paragraph 3.7.28 of ES Chapter 3: Description of the Proposed Development [APP-045], a pipeline Leak Detection System would monitor the whole pipeline length and would alert the operator to potential leaks, together with the location, along the pipeline route. The operator would have the ability to exercise direct control of the pipeline isolation valves as necessary. The type of Leak Detection System would be considered at the Front-End Engineering Design (FEED) stage.</p>

Table 2-58: DDM Agriculture on behalf of Manby Farms Limited – RR-058

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.58.1		<ul style="list-style-type: none"> Failure to agree commercial terms due to a lack of meaningful consultation with the landowners and their agents 	<p>Draft templated Heads of Terms ('HoTs') were issued to Land Agents on 07 July 2023, with a revised template sent to the Land Information Group ('LIG') on 20 July 2023 to initiate discussions on the HoTs. The LIG were a group of Land Agents working as a collective which included DDM, and therefore Manby Farms Limited by extension.</p> <p>HoTs for Manby Farms Limited were formally issued to on 16 August 2023, in addition to the Lands Plans.</p> <p>Following this, on 18 August 2023, a response was issued to the LIG with updated Template HoTs following the LIG's amendments to the documents.</p> <p>A meeting was held with members of the LIG in person on 21 September 2023 to further review the HoTs with a view to discuss and reach agreement on terms.</p> <p>Following the in-person meeting with the LIG, HoTs were sent back to the LIG on 02 October 2023 with updated terms to reflect the discussions had, and as a final position. Further meeting times were also offered at this time.</p> <p>The LIG were written to several times requesting comments on the HoTs to progress matters, with a response being received on 16 November 2023.</p> <p>HoTs were re-issued to DDM on 20 December 2023.</p>
		<ul style="list-style-type: none"> Failure to agree a method statement for the pipeline construction and failure to provide clarity regarding construction depth of the pipeline and assurances that the land can be farmed going forward 	<p>The pipeline will be buried at a minimum depth of 1.2m to the top of the pipe. This will be greater at crossing points of railways, roads and watercourses.</p> <p>Once the pipeline is installed, normal agricultural practices will be able to resume above the pipeline. This is set out in paragraph 3.7.32 of ES Chapter 3: Description of the Proposed Development [APP-045]. Further, section 3.12 of Chapter 3 sets out the approach to construction in more detail.</p> <p>Details of the depth of the pipeline and the area impacted has also been shared with the affected parties' Agent and reference has been made to this in the proposed Heads of Terms, for which the Applicant is progressing with an aim to reach agreement.</p>
		<ul style="list-style-type: none"> No consultation has taken place regarding potential future development of the pipeline corridor and compensation provision via a development clause 	<p>A development clause has not been offered as part of the Heads of Terms, as it is not considered appropriate or necessary in this case.</p>
		<ul style="list-style-type: none"> No consultation regarding the implementation of a haul road during the construction period 	<p>As set out in paragraph 3.12.38 of ES Chapter 3: Description of the Proposed Development [APP-045], the entrance directly off the public highway would be laid to hardcore. The temporary access routes which lead to the pipeline spread and the running track itself would have the topsoil removed and stored to one side. The "running track" is effectively the haul road which will be constructed</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
			<p>along the entire right of way (excluding certain crossing locations), to allow the passage of vehicles, plant and materials/pipe. Upon completion of construction, these tracks will be levelled, and the topsoil replaced, and land restored to its original condition.</p> <p>Paragraph 3.12.39 states that, where necessary depending on ground conditions and weather conditions, some areas may temporarily be covered with a geotextile membrane and stone surface to facilitate traffic movements.</p> <p>The Outline Soil Management Plan (SMP) [APP-096] included in the DCO application sets out principles and procedures for good practice (embedded mitigation measures) and bespoke mitigation measures in soil handling, storage, and reinstatement to be used for the Viking CCS Pipeline. This outline SMP will be developed further during the FEED stage, to set out the framework that the appointed Contractor will follow to minimise adverse effects on soil resources.</p> <p>The Draft CEMP [APP-068] includes a number of requirements relating to agriculture and soils that will be adhered to in the construction of the Proposed Development. Commitment F5 states that existing field drainage systems will be re-instated to ensure that land capability is maintained, and drainage related to flooding issues will not be worsened. Items G2 and G3 of the draft CEMP set out that:</p> <p><i>G2: The location and condition of existing land drainage will be established, and a record compiled. Subject to landowner/occupier agreement, existing drains should be restored, or new drains established to help prevent damage to soil structure, maintain work areas in a dry condition and to enable current drainage systems to continue to operate through the construction period.</i></p> <p><i>G3: The design of these drainage schemes will be agreed by The Applicant's, the Contractor(s), and the landowners / occupiers. A specialist drainage contractor in most instances will carry out the work. Permanent records of the land drainage locations will be produced.</i></p> <p>The Applicant has also appointed a land drainage consultancy to advise on pre/post construction drainage including engagement with respective landowners.</p>

Table 2-59: Margaret Kujawa – RR-059

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.59.1	Safety	You are proposing to put your pipeline down the side of my house, and a stack at the back of my house that will give off toxic CO2 every now and then,	<p>The Applicant is highly experienced in health and safety management and takes very seriously its legal duty under the UK's Health and Safety at Work Act to protect workers and the public from its activities. The Applicant places the utmost importance on the safety of the communities it interacts with, its employees and its contractors who will work on this project.</p> <p>Several important factors were considered in routing the pipeline. These were the safety of local communities, avoiding built up areas and sensitive buildings, areas protected for their habitat and species, the Lincolnshire Wolds Area of Outstanding Beauty, areas that are liable to flood and historic monuments.</p> <p>The pipeline has been designed in compliance with Engineering Standard BSI PD 8010-1:2016, which makes specific provision for CO₂ pipelines and the approach to routing including minimum distances to buildings. In addition, the pipeline has been designed in accordance with the established principle of ALARP ("As Low As Reasonably Practicable"), as described in the Health and Safety Executive's (HSE's) longstanding framework document "Reducing Risks, Protecting People". The purpose of ALARP is to ensure risks are reduced as far as is reasonably practicable.</p> <p>The Applicant has referenced the HSE's Tolerability of Risk framework (which is defined in the "Reducing Risks, Protecting People" framework document mentioned above) to assess the pipeline risks. This assessment shows that the risk to members of the public living near to the Viking CCS pipeline route is well within the framework's lowest classification of risk. Under the framework, the HSE considers that "risks falling into this region are generally regarded as insignificant and adequately controlled."</p> <p>The HSE does not usually require further action to reduce risks in this lowest classification unless reasonably practicable measures are available, such as developing comprehensive emergency response plans. The Applicant will work with all relevant local authorities to develop such plans.</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
			<p>The Applicant has engaged with the HSE, including their science division, to seek their expert opinion on the pipeline design and associated risk assessments. The Applicant has also engaged with other industry experts and will continue to engage both regulator and industry experts throughout the pipeline design and subsequent operation.</p> <p>The Applicant has adopted a robust design and route selection process for the Proposed Development, with safety of local communities being a key consideration. The routing and design accords with adopted guidance, including on managing risk, and has been informed by advice from experienced technical consultants.</p> <p>The Applicant has designed the pipeline to avoid and minimise any potential impacts on residential properties. This has meant there are no residential properties included within the Order Limits.</p> <p>A 25m vent stack is required for venting off small quantities of CO₂ prior to periodic maintenance of the pipeline system (approximately every two years). The venting of these small amounts of CO₂ from the vent stack poses no risk to people or wildlife.</p>
2.59.2	Need Case	I do not think this is a very good idea when you are going to be making more CO2 sending the gasses under the sea.	<p>The UK government has a target of achieving net zero by 2050 and meeting this target will require reduced emissions of CO₂ from existing industries within the Humber and Lincolnshire region. Carbon capture and storage (CCS) is recognised by the Intergovernmental Panel on Climate Change (the IPCC) and the UK government as a vital step on the road to achieving net zero carbon dioxide emissions, with the 6th Carbon Budget outlining plans to capture and store between 20 and 30 million tonnes of CO₂ a year by 2030.</p> <p>The revised draft National Policy Statement for Energy (EN-1) recognises that there is “an urgent need for new CCS infrastructure to support the transition to a net zero economy”. CCS is one of many proposed approaches to tackling CO₂ emissions and climate change and is considered a transitional technology.</p> <p>More information is available in the Need Case [APP-131].</p> <p>The Proposed Development aims to capture and transport 10 million tonnes of CO₂ per year by 2030 and 15 million tonnes of CO₂ per year by 2035. Whilst some emissions to air are inevitable during the construction phase, these will be far outweighed by a significant order of magnitude once the Proposed Development is operational and transporting CO₂ for storage.</p>
2.59.3	Safety	If the pipeline ruptures, everything within a 15 mile radius will die, Animals, insects and of course humans.	<p>The Applicant is highly experienced in health and safety management and takes very seriously its legal duty under the UK’s Health and Safety at Work Act to protect workers and the public from its activities. The Applicant places the utmost importance on the safety of the communities it interacts with, its employees and its contractors who will work on this project.</p> <p>Several important factors were considered in routing the pipeline. These were the safety of local communities, avoiding built up areas and sensitive buildings, areas protected for their habitat and species, the Lincolnshire Wolds Area of Outstanding Beauty, areas that are liable to flood and historic monuments.</p> <p>The pipeline has been designed in compliance with Engineering Standard BSI PD 8010-1:2016, which makes specific provision for CO₂ pipelines and the approach to routing including minimum distances to buildings. In addition, the pipeline has been designed in accordance with the established principle of ALARP (“As Low As Reasonably Practicable”), as described in the Health and Safety Executive’s (HSE’s) longstanding framework document “Reducing Risks, Protecting People”. The purpose of ALARP is to ensure risks are reduced as far as is reasonably practicable.</p> <p>The Applicant has referenced the HSE’s Tolerability of Risk framework (which is defined in the “Reducing Risks, Protecting People” framework document mentioned above) to assess the pipeline risks. This assessment shows that the risk to members of the public living near to the Viking CCS pipeline route is well within the framework’s lowest classification of risk. Under the framework, the HSE considers that <i>“risks falling into this region are generally regarded as insignificant and adequately controlled.”</i></p> <p>The HSE does not usually require further action to reduce risks in this lowest classification unless reasonably practicable measures are available, such as developing comprehensive emergency response plans. The Applicant will work with all relevant local authorities to develop such plans.</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
			<p>The Applicant has engaged with the HSE, including their science division, to seek their expert opinion on the pipeline design and associated risk assessments. The Applicant has also engaged with other industry experts and will continue to engage both regulator and industry experts throughout the pipeline design and subsequent operation.</p> <p>The Applicant has adopted a robust design and route selection process for the Proposed Development, with safety of local communities being a key consideration. The routing and design accords with adopted guidance, including on managing risk, and has been informed by advice from experienced technical consultants.</p> <p>As outlined in paragraph 3.7.28 of ES Chapter 3: Description of the Proposed Development [APP-045], a pipeline Leak Detection System would monitor the whole pipeline length and would alert the operator to potential leaks, together with the location, along the pipeline route. The operator would have the ability to exercise direct control of the pipeline isolation valves as necessary. The type of Leak Detection System would be considered at the Front-End Engineering Design (FEED) stage.</p>
2.59.4	Need Case	Do you really think this is a very good idea? If you plant broad leaf trees they will dispose of the CO2 gasses as they have for hundreds of years, a much healthier option for the whole world, human and Animals alike. Cutting down trees and rain forest's is what has caused the build up we are now seeing.	<p>The UK government has a target of achieving net zero by 2050 and meeting this target will require reduced emissions of CO₂ from existing industries within the Humber and Lincolnshire region. Carbon capture and storage (CCS) is recognised by the Intergovernmental Panel on Climate Change (the IPCC) and the UK government as a vital step on the road to achieving net zero carbon dioxide emissions, with the 6th Carbon Budget outlining plans to capture and store between 20 and 30 million tonnes of CO₂ a year by 2030.</p> <p>The revised draft National Policy Statement for Energy (EN-1) recognises that there is “an urgent need for new CCS infrastructure to support the transition to a net zero economy”. CCS is one of many proposed approaches to tackling CO₂ emissions and climate change and is considered a transitional technology.</p> <p>More information is available in the Need Case [APP-131].</p>

Table 2-60: Marine Management Organisation – RR-060

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.60.1	Offshore Scheme	The Marine Management Organisation (MMO) will retain a watching brief on this proposal. A draft deemed marine licence has not been submitted, therefore the MMO have no comments at present. However, if this changes the MMOs Marine Licensing Team wish to be consulted. The Marine Licensing Teams remit includes marine licensable activities below mean high water springs.	<p>Although the Order Limits extend down to MLWS with no works are proposed to take place seaward of the Dune Isolation Valve (Work Number). From this point down to MLWS the existing LOGGS pipeline will be reused, albeit for the offshore transport of CO₂ rather than the onshore importation of natural gas.</p> <p>The Applicant will engage with the MMO as necessary as the project progresses.</p> <p>An application to the Offshore Petroleum Regulator for Environmental and Decommissioning (OPRED) for the Viking CCS Project offshore works, some 118km offshore, is being made separately and the MMO will be involved in the process.</p> <p>Please see the Applicant's response to the Examining Authority's First Written Question 1.7.4.</p>

Table 2-61: DDM Agriculture Ltd on behalf of Mark Casswell – RR-061

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.61.1	Land / Compensation	•Failure to agree commercial terms due to a lack of meaningful consultation with the landowners and their agents	<p>The Applicant notes the comments from DDM Agriculture Ltd on behalf of Mark Casswell and acknowledges that discussions on the Option Agreement for Lease remain ongoing.</p> <p>The Applicant has been engaging with DDM Agriculture Ltd on behalf of Mark Casswell since March 2022 and has been discussing commercial terms since July 2023.</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
			The Applicant will continue to engage with DDM Agriculture Ltd on behalf of Mark Casswell with a view to reaching a commercial agreement.
2.61.2	Construction	•Failure to agree a method statement for the pipeline construction and failure to provide clarity regarding construction depth of the pipeline and assurances that the land can be farmed going forward	<p>The pipeline will be buried at a minimum depth of 1.2m to the top of the pipe, apart from under exceptional circumstances not anticipated in the location of the Proposed Development. This will be greater at crossing points of railways, roads and watercourses.</p> <p>Once the pipeline is installed, normal agricultural practices will be able to resume above the pipeline. This is set out in paragraph 3.7.32 of ES Chapter 3: Description of the Proposed Development [APP-045]. Further, section 3.12 of Chapter 3 sets out the approach to construction in more detail.</p> <p>Details of the depth of the pipeline has also been shared with the affected parties' Agent and reference has been made to this in the proposed Heads of Terms, for which the Applicant is progressing with an aim to reach agreement.</p>
2.61.3	Easements	•No consultation has taken place regarding potential future development of the pipeline corridor and compensation provision via a development clause	<p>As noted above, the Applicant has consulted and engaged with Mark Casswell since March 2022. The Applicant will continue to engage with the landowner and compensation will be assessed on a case-by-case basis in accordance with the Compensation Code.</p> <p>No known or reasonably anticipated development prospect has been raised by DDM Agriculture Ltd on behalf of the Mark Casswell to date, and, as such a development clause has not been considered appropriate.</p>
2.61.4	Construction	•No consultation regarding the implementation of a haul road during the construction period	<p>As set out in paragraph 3.12.38 of ES Chapter 3: Description of the Proposed Development [APP-045], the entrance directly off the public highway would be laid to hardcore. The temporary access routes which lead to the pipeline spread and the running track itself would have the topsoil removed and stored to one side. The "running track" is effectively the haul road which will be constructed along the entire right of way (excluding certain crossing locations), to allow the passage of vehicles, plant and materials/pipe. Upon completion of construction, these tracks will be levelled, and the topsoil replaced, and land restored to its original condition.</p> <p>Paragraph 3.12.39 states that, where necessary depending on ground conditions and weather conditions, some areas may temporarily be covered with a geotextile membrane and stone surface to facilitate traffic movements.</p>

Table 2-62: Martin Brady – RR-062

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.62.1	General Environmental Impacts	Technical and environmental impacts	A thorough assessment of the environmental impacts associated with the Proposed Development was included within the Environmental Statement that was submitted as part of the DCO application. A Non-Technical Summary [APP-041] of the ES was also submitted.

Table 2-63: Michael Glynn Crookes – RR-063

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.63.1	Safety Need Case	I do not believe that this proposal is safe. The unproven technology being used will have minimal effects on CO2 levels being taken out of the atmosphere but maximum opportunity to kill people if it goes wrong.	<p>The Applicant is highly experienced in health and safety management and takes very seriously its legal duty under the UK's Health and Safety at Work Act to protect workers and the public from its activities. The Applicant places the utmost importance on the safety of the communities it interacts with, its employees and its contractors who will work on this project.</p> <p>Several important factors were considered in routing the pipeline. These were the safety of local communities, avoiding built up areas and sensitive buildings, areas protected for their habitat and species, the Lincolnshire Wolds Area of Outstanding Beauty, areas that are liable to flood and historic monuments.</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
			<p>The pipeline has been designed in compliance with Engineering Standard BSI PD 8010-1:2016, which makes specific provision for CO₂ pipelines and the approach to routing including minimum distances to buildings. In addition, the pipeline has been designed in accordance with the established principle of ALARP (“As Low As Reasonably Practicable”), as described in the Health and Safety Executive’s (HSE’s) longstanding framework document “Reducing Risks, Protecting People”. The purpose of ALARP is to ensure risks are reduced as far as is reasonably practicable.</p> <p>The Applicant has referenced the HSE’s Tolerability of Risk framework (which is defined in the “Reducing Risks, Protecting People” framework document mentioned above) to assess the pipeline risks. This assessment shows that the risk to members of the public living near to the Viking CCS pipeline route is well within the framework’s lowest classification of risk. Under the framework, the HSE considers that “risks falling into this region are generally regarded as insignificant and adequately controlled.”</p> <p>The HSE does not usually require further action to reduce risks in this lowest classification unless reasonably practicable measures are available, such as developing comprehensive emergency response plans. The Applicant will work with all relevant local authorities to develop such plans.</p> <p>The Applicant has engaged with the HSE, including their science division, to seek their expert opinion on the pipeline design and associated risk assessments. The Applicant has also engaged with other industry experts and will continue to engage both regulator and industry experts throughout the pipeline design and subsequent operation.</p> <p>The Applicant has adopted a robust design and route selection process for the Proposed Development, with safety of local communities being a key consideration. The routing and design accords with adopted guidance, including on managing risk, and has been informed by advice from experienced technical consultants.</p> <p>The UK government has a target of achieving net zero by 2050 and meeting this target will require reduced emissions of CO₂ from existing industries within the Humber and Lincolnshire region. Carbon capture and storage (CCS) is recognised by the Intergovernmental Panel on Climate Change (the IPCC) and the UK government as a vital step on the road to achieving net zero carbon dioxide emissions, with the 6th Carbon Budget outlining plans to capture and store between 20 and 30 million tonnes of CO₂ a year by 2030.</p> <p>The revised draft National Policy Statement for Energy (EN-1) recognises that there is “an urgent need for new CCS infrastructure to support the transition to a net zero economy”. CCS is one of many proposed approaches to tackling CO₂ emissions and climate change and is considered a transitional technology.</p> <p>More information is available in the Need Case [APP-131].</p>

Table 2-64: Perkins George Mawer & Co on behalf of Mountain Family – RR-064

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.64.1	Land / Compensation	<ul style="list-style-type: none"> Failure to agree commercial terms due to a lack of meaningful consultation with the landowners and their agents 	<p>The Applicant notes the comments from Perkins George Mawer & Co. On behalf of Mountain Family, and provides comments on the points made below:</p> <p>Discussions with the relevant parties for survey access was initiated in March 2022.</p> <p>Non-Statutory Consultation took place from 26 April 2022 to 7 June 2022, with the Land Information Questionnaire following in September 2022, and finally Statutory consultation taking place from 22 November 2022 to 24 January 2023.</p> <p>Draft templated Heads of Terms (‘HoTs’) were issued to Land Agents on 07 July 2023, with a revised template sent to the Land Information Group (‘LIG’) on 20 July 2023 to initiate discussions on the HoTs. The LIG were a group of Land Agents working as a collective which included Perkins George Mawer & Co (PGMC), and therefore the Mountain Family by extension.</p> <p>HoTs for the Mountain Family were formally issued to PGMC on 15 August 2023, in addition to the Lands Plans. Following this, on 18 August 2023, a response was issued to the LIG with updated Template HoTs following the LIG’s amendments to the documents.</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
			<p>A meeting was held with members of the LIG in person on 21 September 2023 to further review the HoTs with a view to discuss and reach agreement on terms.</p> <p>Attempts to engage with PGMC throughout September 2023 was met with limited reply, with only a holding response referring to the LIG meeting received.</p> <p>Following the in-person meeting with the LIG, HoTs were sent back to the LIG on 2 October 2023 with updated terms to reflect the discussions had, and as a final position. Further meeting times were also offered at this time.</p> <p>Attempts to engage with PGMC in October and November 2023 were made, with no reply received.</p> <p>The LIG were written to several times requesting comments on the HoTs to progress matters, with a response being received on 16 November 2023.</p> <p>HoTs were re-issued to PGMC on 19 December 2023 taking account of comments received.</p>
2.64.2	Construction	<ul style="list-style-type: none"> Failure to agree a method statement for the pipeline construction and failure to provide clarity regarding construction depth of the pipeline and assurances that the land can be farmed going forward 	<p>The pipeline will be buried at a minimum depth of 1.2m to the top of the pipe, apart from under exceptional circumstances not anticipated in the location of the Proposed Development. This will be greater at crossing points of railways, roads and watercourses.</p> <p>Once the pipeline is installed, normal agricultural practices will be able to resume above the pipeline. This is set out in paragraph 3.7.32 of ES Chapter 3: Description of the Proposed Development [APP-045]. Further, section 3.12 of Chapter 3 sets out the approach to construction in more detail.</p> <p>Details of the depth of the pipeline has also been shared with the affected parties' Agent and reference has been made to this in the proposed Heads of Terms, for which the Applicant is progressing with an aim to reach agreement.</p>
2.64.3	Easements	<ul style="list-style-type: none"> No consultation has taken place regarding potential future development of the pipeline corridor and compensation provision via a development clause 	<p>A development clause has not been offered as part of the Heads of Terms, as it is not considered appropriate or necessary in this case.</p>
2.64.4	Construction	<ul style="list-style-type: none"> No consultation regarding the implementation of a haul road during the construction period 	<p>As set out in paragraph 3.12.38 of ES Chapter 3: Description of the Proposed Development [APP-045], the entrance directly off the public highway would be laid to hardcore. The temporary access routes which lead to the pipeline spread and the running track itself would have the topsoil removed and stored to one side. The "running track" is effectively the haul road which will be constructed along the entire right of way (excluding certain crossing locations), to allow the passage of vehicles, plant and materials/pipe. Upon completion of construction, these tracks will be levelled, and the topsoil replaced, and land restored to its original condition.</p> <p>Paragraph 3.12.39 states that, where necessary depending on ground conditions and weather conditions, some areas may temporarily be covered with a geotextile membrane and stone surface to facilitate traffic movements.</p>

Table 2-65: DDM Agriculture Ltd on behalf of Mr George Sanderson RR-065

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.65.1	Land / Compensation	<ul style="list-style-type: none"> Failure to agree commercial terms due to a lack of meaningful consultation with the landowners and their agents 	<p>Draft templated Heads of Terms ('HoTs') were issued to Land Agents on 07 July 2023, with a revised template sent to the Land Information Group ('LIG') on 20 July 2023 to initiate discussions on the HoTs. The LIG were a group of Land Agents working as a collective which included DDM, and therefore Mr George Sanderson by extension.</p> <p>HoTs for Mr George Sanderson were formally issued to on 16 August 2023, in addition to the Lands Plans.</p> <p>Following this, on 18 August 2023, a response was issued to the LIG with updated Template HoTs following the LIG's amendments to the documents.</p> <p>A meeting was held with members of the LIG in person on 21 September 2023 to further review the HoTs with a view to discuss and reach agreement on terms.</p> <p>Following the in-person meeting with the LIG, HoTs were sent back to the LIG on 02 October 2023 with updated terms to reflect the discussions had, and as a final position. Further meeting times were also offered at this time.</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
			<p>The LIG were written to several times requesting comments on the HoTs to progress matters, with a response only being received on 16 November 2023.</p> <p>HoTs were re-issued to DDM on 19 December 2023 taking account of further negotiations.</p>
2.65.2	Construction	<ul style="list-style-type: none"> Failure to agree a method statement for the pipeline construction and failure to provide clarity regarding construction depth of the pipeline and assurances that the land can be farmed going forward 	<p>The pipeline will be buried at a minimum depth of 1.2m to the top of the pipe, apart from under exceptional circumstances not anticipated in the location of the Proposed Development. This will be greater at crossing points of railways, roads and watercourses.</p> <p>Once the pipeline is installed, normal agricultural practices will be able to resume above the pipeline. This is set out in paragraph 3.7.32 of ES Chapter 3: Description of the Proposed Development [APP-045]. Further, section 3.12 of Chapter 3 sets out the approach to construction in more detail.</p> <p>Details of the depth of the pipeline has also been shared with the affected parties' Agent and reference has been made to this in the proposed Heads of Terms, for which the Applicant is progressing with an aim to reach agreement.</p>
2.65.3	Easements	<ul style="list-style-type: none"> No consultation has taken place regarding potential future development of the pipeline corridor and compensation provision via a development clause 	<p>A development clause has not been offered as part of the Heads of Terms, as it is not considered appropriate or necessary in this case.</p>
2.65.4	Construction	<ul style="list-style-type: none"> No consultation regarding the implementation of a haul road during the construction period 	<p>As set out in paragraph 3.12.38 of ES Chapter 3: Description of the Proposed Development [APP-045], the entrance directly off the public highway would be laid to hardcore. The temporary access routes which lead to the pipeline spread and the running track itself would have the topsoil removed and stored to one side. The "running track" is effectively the haul road which will be constructed along the entire right of way (excluding certain crossing locations), to allow the passage of vehicles, plant and materials/pipe. Upon completion of construction, these tracks will be levelled, and the topsoil replaced, and land restored to its original condition.</p> <p>Paragraph 3.12.39 states that, where necessary depending on ground conditions and weather conditions, some areas may temporarily be covered with a geotextile membrane and stone surface to facilitate traffic movements.</p> <p>The Outline Soil Management Plan (SMP) [APP-096] included in the DCO application sets out principles and procedures for good practice (embedded mitigation measures) and bespoke mitigation measures in soil handling, storage and reinstatement to be used for the Viking CCS Pipeline. This outline SMP will be developed further during the FEED stage, to set out the framework that the appointed Contractor will follow to minimise adverse effects on soil resources.</p> <p>The Draft CEMP [APP-068] includes a number of requirements relating to agriculture and soils that will be adhered to in the construction of the Proposed Development. Commitment F5 states that existing field drainage systems will be re-instated to ensure that land capability is maintained, and drainage related to flooding issues will not be worsened. Items G2 and G3 of the draft CEMP set out that:</p> <p><i>G2: The location and condition of existing land drainage will be established, and a record compiled. Subject to landowner/occupier agreement, existing drains should be restored, or new drains established to help prevent damage to soil structure, maintain work areas in a dry condition and to enable current drainage systems to continue to operate through the construction period.</i></p> <p><i>G3: The design of these drainage schemes will be agreed by The Applicant's, the Contractor(s), and the landowners / occupiers. A specialist drainage contractor in most instances will carry out the work. Permanent records of the land drainage locations will be produced.</i></p> <p>The Applicant has also appointed a land drainage consultancy to advise on pre/post construction drainage including engagement with respective landowners.</p>

Table 2-66: DD Agriculture on behalf of Mr J Spilman – RR-066

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.66.1	Land / Compensation	<ul style="list-style-type: none"> •No attempt to meet to discuss commercial terms whatsoever and a lack of meaningful consultation with the landowners and their agents. •No attempt since 14th February 2023 has taken place to consult the landowner on their proposed future alternative development over land affected by the proposed pipeline corridor, and no clarity on the compensation provision has been provided to the landowner. •A lack of integrity by the acquiring authority on the width of the option area corridor, construction width, depth, and timeframes of the pipeline. •No consultation on the loss of income from diversification, environmental schemes/shoots etc. •The landowner has expressed a willingness to work with the acquiring authority but is not being listened to or kept informed on progress of the scheme, considering the proposed route corridor affects the family considerably across their landownership. An option area consisting of approximately 78 Acres of is currently the subject of negotiation and this goes through the centre of several fields and the heart of the farm. 	<p>In March 2022 the Applicant wrote to the Affected Person introducing the Scheme and inviting them to attend a non-Statutory consultation during September 2022.</p> <p>In April 2022 the Applicant invited landowners to public consultation. A public consultation on the Viking CCS Pipeline ran for six weeks from Tuesday 26 April to Tuesday 7 June 2022.</p> <p>In November 2022 the Applicant wrote to the Affected Person inviting them to take part in the statutory consultation taking place between 22 November 2022 and 24 January 2023.</p> <p>In April the Applicant wrote to the Affected Person inviting them to take part in the targeted statutory consultation taking place between 14 April 2023 to May 14 2023.</p> <p>Draft templated Heads of Terms ('HoTs') were issued to Land Agents on 07 July 2023, with a revised template sent to the Land Information Group ('LIG') on 20 July 2023 to initiate discussions on the HoTs.</p> <p>The LIG were a group of Land Agents working as a collective which included DDM, and therefore Mr J Spilman by extension.</p> <p>Following this, on 18 August 2023, a response was issued to the LIG with updated Template HoTs following the LIG's amendments to the documents.</p> <p>HoTs for Mr J Spilman were formally issued to DDM on 25 August 2023, in addition to the Lands Plans.</p> <p>A meeting was held with members of the LIG in person on 21 September 2023 to further review the HoTs with a view to discuss and reach agreement on terms.</p> <p>Following the in-person meeting with the LIG, HoTs were sent back to the LIG on 02 October 2023 with updated terms to reflect the discussions had, and as a final position. Further meeting times were also offered at this time.</p> <p>The LIG were written to several times requesting comments on the HoTs to progress matters, with a response being received on 16 November 2023.</p> <p>Fully termed HoTs were re-issued to DDM on 20 Dec 2023.</p>
2.66.2	Easement	<ul style="list-style-type: none"> •No attempt to negotiate a development clause, to mitigate a potential loss of income, leading to concerns of statutory blight. 	<p>As noted above, the Applicant has consulted and engaged with Mr J Spilman since March 2022. The Applicant will continue to engage with the landowner and compensation will be assessed on a case-by-case basis in accordance with the Compensation Code. The Applicant has met with the Affected Person's representative and has requested details of the alternative development mentioned here in order that consideration can be given should it be forthcoming.</p> <p>The Applicant has not received a blight claim and further does not consider that it would be applicable to the Proposed Development.</p>
2.66.3	Construction	<ul style="list-style-type: none"> •No attempt to discuss a methodology for the pipeline construction with the landowner. 	<p>The pipeline will be buried at a minimum depth of 1.2m to the top of the pipe, apart from under exceptional circumstances not anticipated in the location of the Proposed Development. This will be greater at crossing points of railways, roads and watercourses.</p> <p>Once the pipeline is installed, normal agricultural practices will be able to resume above the pipeline. This is set out in paragraph 3.7.32 of ES Chapter 3: Description of the Proposed Development [APP-045]. Further, section 3.12 of Chapter 3 sets out the approach to construction in more detail.</p> <p>Details of the depth of the pipeline has also been shared with the affected parties' Agent and reference has been made to this in the proposed Heads of Terms, for which the Applicant is progressing with an aim to reach agreement.</p> <p>Details of the pipeline construction methodology and depth including pre-construction/post construction activities, land drainage and reinstatement are outlined with Chapter 3: Description of the Proposed Development of the DCO submittal & in the consultation materials accordingly. The pipeline corridor (100m) will be reduced to a working width of 30m on completion of the pipeline route</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
			<p>alignment, which will be executed in 2024. The option of a reduced working width corridor (circa 10m) is still a viable option; however, this will be subject upon what infrastructure is existing/present at the time of construction. On completion of construction, a pipeline easement of 8m will be the restricted future development area over the pipeline (4m either side of the centreline).</p> <p>The Option Area, Pipeline Construction Corridor, and timeframes have been communicated to the agents and LIG throughout the process and within the terms contained within the HoTs.</p>
2.66.4	Construction	<p>•No consultation regarding the implementation of a haul road or means to work over differing land types during the construction period, in line with Soil Association and AHDB guidance for construction sites.</p>	<p>As set out in paragraph 3.12.38 of ES Chapter 3: Description of the Proposed Development [APP-045], the entrance directly off the public highway would be laid to hardcore. The temporary access routes which lead to the pipeline spread and the running track itself would have the topsoil removed and stored to one side. The “running track” is effectively the haul road which will be constructed along the entire right of way (excluding certain crossing locations), to allow the passage of vehicles, plant and materials/pipe. Upon completion of construction, these tracks will be levelled, and the topsoil replaced, and land restored to its original condition.</p> <p>As set out in paragraph 3.12.39 of Chapter 3, where necessary, depending on ground conditions and weather conditions, some areas may temporarily be covered with a geotextile membrane and stone surface to facilitate traffic movements.</p>
2.66.5	Land / Compensation	<p>•Lack of integrity/disingenuous conversations regarding the option area, a 100m option corridor was never mentioned and it was proposed that instead 10m would be suitable due to proposed suitable alternative development.</p>	<p>The Option Area, Pipeline Construction Corridor, and timeframes have been communicated to the agents and LIG throughout the process and within the terms contained within the HoTs.</p> <p>The 100m Option Area will be reduced to a 30m Pipeline Construction Corridor prior to construction. Following construction, an 8m wide surface easement & sub-surface lease over the required area only will be retained by the Applicant.</p>
2.66.6	Consultation	<p>•S.42 Planning Act 2008 Duty to Consult – this obligation has not been met. There has not been a reasonable level of engagement as is required by the Planning Act.</p>	<p>In addition to the consultation detailed above, the following consultation has been undertaken with the affected party:</p> <p>In March 2022 the Applicant engaged with the Affected Person in relation to survey access and will continue to do so until examination.</p> <p>In September 2022 the Applicant wrote to the Affected Person introducing the Scheme and inviting them to complete and return a Land interest questionnaire form.</p> <p>In April 2022 Viking invited landowners to public consultation. A public consultation on the Viking CCS Pipeline ran for six weeks from Tuesday 26 April to Tuesday 7 June 2022.</p> <p>In November 2022 the Applicant wrote to the Affected Person inviting them to take part in the statutory consultation taking place between 22 November 2022 and 24 January 2023.</p> <p>The Applicant met with the Affected Partys’ representative in February 2023 and following that consultation made a substantial reroute of the Pipeline Corridor to accommodate requests made by the landowner necessitating in a further targeted statutory consultation for the scheme.</p> <p>In April 2023 the Applicant wrote to the Affected Person inviting them to take part in the targeted statutory consultation taking place between 14 April 2023 to 14 May 2023.</p> <p>In November 2023 the Applicant’s Land Agent Gateley Hamer issued to the Affected Person a notice of acceptance of an application for a Development Consent Order (DCO) by the Planning Inspectorate under Section 56 of the Planning Act 2008.</p> <p>The Applicants Agent has met with the affected parties representative and their Agent in March 2024 to progress matters with the intention of reaching agreement before the close of examination.</p>
2.66.7	Engineering and Design	<p>•Block valve – location of it is not the location the landowner was informed it would be, potential loss of land and sterilized land around it which can no longer be farmed, what are the terms on offer and what is the basis of valuation for this item? No attempt to provide</p>	<p>DDM have had the fully detailed Block Valve terms for review since 25 August 2023, as per the HoT issue and re-issue timeframes detailed in the consultation section above. The proposed location of the Block Valve suggested by the landowner was assessed and deemed not viable due to an Anglian Water Easement.</p> <p>The Applicant will continue to engage with the landowner and compensation will be assessed on a case-by-case basis in accordance with the Compensation Code. Consultation with DDM and the LIG have been detailed in the above sections.</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		any information to the landowner beyond indicative location.	
2.66.8	Land / Compensation	<ul style="list-style-type: none"> No consultation on land drainage, and mitigation for potential contamination of a large pond area containing protected species. 	<p>The Draft CEMP [APP-068] includes a number of requirements relating to agriculture and soils that will be adhered to in the construction of the Proposed Development. Commitment F5 states that existing field drainage systems will be re-instated to ensure that land capability is maintained, and drainage related to flooding issues will not be worsened. Items G2 and G3 of the draft CEMP set out that:</p> <p><i>G2: The location and condition of existing land drainage will be established, and a record compiled. Subject to landowner/occupier agreement, existing drains should be restored, or new drains established to help prevent damage to soil structure, maintain work areas in a dry condition and to enable current drainage systems to continue to operate through the construction period.</i></p> <p><i>G3: the design of these drainage schemes will be agreed by The Applicant's, the Contractor(s), and the landowners / occupiers. A specialist drainage contractor in most instances will carry out the work. Permanent records of the land drainage locations will be produced.</i></p> <p>The Applicant has also appointed a land drainage consultancy to advise on pre/post construction drainage including engagement with respective landowners.</p>

Table 2-67: DDM Agriculture on behalf of Mr Paul Davey – RR-067

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.67.1	Land / Compensation	<ul style="list-style-type: none"> Failure to agree commercial terms due to a lack of meaningful consultation with the landowners and their agents 	<p>The Applicant notes the comments from DDM Agriculture Limited on behalf of Mr Paul Davey, and provides comment on the points made below:</p> <p><u>Consultation</u></p> <p>In April the Applicant wrote to the Affected Person inviting them to take part in the targeted statutory consultation taking place between 14 April 2023 to May 14 2023.</p> <p>Draft templated Heads of Terms ('HoTs') were issued to Land Agents on 07 July 2023, with a revised template sent to the Land Information Group ('LIG') on 20 July 2023 to initiate discussions on the HoTs.</p> <p>The LIG were a group of Land Agents working as a collective which included DDM, and therefore Paul Davey by extension.</p> <p>Fully termed HoTs for Paul Davey were formally issued to DDM on 15 August 2023, in addition to the Lands Plans.</p> <p>Following this, on 18 August 2023, a response was issued to the LIG with updated Template HoTs following the LIG's amendments to the documents.</p> <p>A meeting was held with members of the LIG in person on 21 September 2023 to further review the HoTs with a view to discuss and reach agreement on terms.</p> <p>Following the in-person meeting with the LIG, HoTs were sent back to the LIG on 02 October 2023 with updated terms to reflect the discussions had, and as a final position. Further meeting times were also offered at this time.</p> <p>The LIG were written to several times requesting comments on the HoTs to progress matters, with a response being received on 16 November 2023.</p> <p>Fully termed HoTs were re-issued to DDM on 20 December 2023.</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.67.2	Construction	<ul style="list-style-type: none"> Failure to agree a method statement for the pipeline construction and failure to provide clarity regarding construction depth of the pipeline and assurances that the land can be farmed going forward 	<p>The pipeline will be buried at a minimum depth of 1.2m to the top of the pipe, apart from under exceptional circumstances not anticipated in the location of the Proposed Development. This will be greater at crossing points of railways, roads and watercourses.</p> <p>Once the pipeline is installed, normal agricultural practices will be able to resume above the pipeline. This is set out in paragraph 3.7.32 of ES Chapter 3: Description of the Proposed Development [APP-045]. Further, section 3.12 of Chapter 3 sets out the approach to construction in more detail.</p> <p>Details of the depth of the pipeline has also been shared with the affected parties' Agent and reference has been made to this in the proposed Heads of Terms, for which the Applicant is progressing with an aim to reach agreement.</p> <p>Details of the pipeline construction methodology and depth including pre-construction/post construction activities, land drainage and reinstatement are outlined with Chapter 3: Description of the Proposed Development of the DCO submittal & in the consultation materials accordingly. The pipeline corridor (100m) will be reduced to a working width of 30m on completion of the pipeline route alignment, which will be executed in 2024. On completion of construction, a pipeline easement of 8m will be the restricted future development area over the pipeline (i.e. 4m either side of the centreline).</p>
2.67.2	Easements	<ul style="list-style-type: none"> No consultation has taken place regarding potential future development of the pipeline corridor and compensation provision via a development clause 	<p>A development clause has not been offered as part of the Heads of Terms, as it is not considered appropriate or necessary in this case.</p>
2.67.3	Construction	<ul style="list-style-type: none"> No consultation regarding the implementation of a haul road during the construction period 	<p>As set out in paragraph 3.12.38 of ES Chapter 3: Description of the Proposed Development [APP-045], the entrance directly off the public highway would be laid to hardcore. The temporary access routes which lead to the pipeline spread and the running track itself would have the topsoil removed and stored to one side. The "running track" is effectively the haul road which will be constructed along the entire right of way (excluding certain crossing locations), to allow the passage of vehicles, plant and materials/pipe. Upon completion of construction, these tracks will be levelled, and the topsoil replaced, and land restored to its original condition.</p> <p>Paragraph 3.12.39 states that, where necessary depending on ground conditions and weather conditions, some areas may temporarily be covered with a geotextile membrane and stone surface to facilitate traffic movements.</p>
2.67.4	Land / Compensation	<ul style="list-style-type: none"> Failure to consult with the tenant regarding his carbon credit opportunities and current environmental schemes and the impact the project will have on both the landowner's environmental and financial positions. 	<p>In addition to the consultation outlined above, the Applicant met with Paul Davey (and his Agent, DDM Agriculture Ltd) on 5 December 2023.</p> <p>Discussions with the Affected Person and his Land Agent are ongoing, in an effort to enter into a negotiated agreement. The Applicant will continue to engage with the landowner and compensation will be assessed on a case-by-case basis in accordance with the Compensation Code.</p>

Table 2-68: DDM Agriculture Ltd on behalf of Mr Steven Shepherd – RR-068

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.68.1	Land / Compensation	<ul style="list-style-type: none"> Failure to agree commercial terms due to a lack of meaningful consultation with the landowners and their agents 	<p>The Applicant notes the comments from DDM Agriculture Ltd on behalf of Steven Shepherd and acknowledges that discussions on the Option Agreement for Lease remain ongoing. The Applicant has been engaging with DDM Agriculture Ltd on behalf of Steven Shepherd since September 2022 and has been discussing commercial terms since July 2023.</p> <p>The Applicant will continue to engage with DDM Agriculture Ltd on behalf of Steven Shepherd with a view to reaching a commercial agreement.</p>
2.68.2	Construction	<ul style="list-style-type: none"> Failure to agree a method statement for the pipeline construction and failure to provide clarity regarding construction depth of the 	<p>The pipeline will be buried at a minimum depth of 1.2m to the top of the pipe, apart from under exceptional circumstances not anticipated in the location of the Proposed Development. This will be greater at crossing points of railways, roads and watercourses.</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		pipeline and assurances that the land can be farmed going forward	<p>Once the pipeline is installed, normal agricultural practices will be able to resume above the pipeline. This is set out in paragraph 3.7.32 of ES Chapter 3: Description of the Proposed Development [APP-045]. Further, section 3.12 of Chapter 3 sets out the approach to construction in more detail.</p> <p>Details of the depth of the pipeline has also been shared with the affected parties' Agent and reference has been made to this in the proposed Heads of Terms, for which the Applicant is progressing with an aim to reach agreement</p>
2.68.3	Easements	•No consultation has taken place regarding potential future development of the pipeline corridor and compensation provision via a development clause	<p>As noted above, the Applicant has consulted and engaged with Mark Casswell since September 2022. The Applicant will continue to engage with the landowner and compensation will be assessed on a case-by-case basis in accordance with the Compensation Code.</p> <p>No known or reasonably anticipated development prospect has been raised by DDM Agriculture Ltd on behalf of the Mark Casswell to date, and, as such a development clause has not been considered appropriate.</p>
2.68.4	Construction	•No consultation regarding the implementation of a haul road during the construction period	<p>As set out in paragraph 3.12.38 of ES Chapter 3: Description of the Proposed Development [APP-045], the entrance directly off the public highway would be laid to hardcore. The temporary access routes which lead to the pipeline spread and the running track itself would have the topsoil removed and stored to one side. The "running track" is effectively the haul road which will be constructed along the entire right of way (excluding certain crossing locations), to allow the passage of vehicles, plant and materials/pipe. Upon completion of construction, these tracks will be levelled, and the topsoil replaced, and land restored to its original condition.</p> <p>Paragraph 3.12.39 states that, where necessary depending on ground conditions and weather conditions, some areas may temporarily be covered with a geotextile membrane and stone surface to facilitate traffic movements.</p>

Table 2-69: Mrs Emma Owen – RR-069

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.69.1	Planning	We are sick and tired of all of this. Give the land back to agriculture as promised.	<p>The UK government has a target of achieving net zero by 2050 and meeting this target will require reduced emissions of CO₂ from existing industries within the Humber and Lincolnshire region. Carbon capture and storage (CCS) is recognised by the Intergovernmental Panel on Climate Change (the IPCC) and the UK government as a vital step on the road to achieving net zero carbon dioxide emissions, with the 6th Carbon Budget outlining plans to capture and store between 20 and 30 million tonnes of CO₂ a year by 2030.</p> <p>The revised draft National Policy Statement for Energy (EN-1) recognises that there is "an urgent need for new CCS infrastructure to support the transition to a net zero economy". CCS is one of many proposed approaches to tackling CO₂ emissions and climate change and is considered a transitional technology.</p> <p>More information is available in the Need Case [APP-131].</p> <p>The Proposed Development proposes to use some of the former TGT site where the Viking CCS pipeline will connect into the existing LOGGs pipeline. A compound is required to connect the Viking CCS Pipeline to the existing LOGGS Pipeline and will make use of the smallest area of land for safe and efficient operation of the pipeline.</p> <p>The wider TGT site will not be part of the project and is not owned by the Applicant.</p>
2.69.2	General Environmental Impacts	Not to mention the fact that the impact everything has on the very near by nature reserves where there are rare flora, fauna and animal species. Leave the countryside I grew up in alone	<p>A range of ecological surveys have been undertaken to inform the Environmental Impact Assessment, including surveys of protected species such as bats, badger, otter and water vole. This information has helped identify potential impacts and mitigation measures have been developed to avoid or reduce any potential effects, including any potential effects on sites designated for their nature conservation value. The assessment and committed mitigation measures are described ES Chapter 6: Ecology and Biodiversity [APP-048].</p>

Table 2-70: National Gas Transmission Plc – RR-070

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.70.1	Protective Provisions	<p>NGT is a statutory undertaker for the purposes of PA 2008. As such, section 127(2) and (5) of PA 2008 provide that any order granting development consent for the Viking CCS DCO may only include provision authorising the compulsory acquisition of NGT's land or rights therein if this can be done without serious detriment to the carrying on of NGT's undertaking (whether by the provision of replacement land or otherwise) or any detriment in consequence of the acquisition of a right can be made good. NGT's Land at Theddlethorpe NGT owns land at Theddlethorpe in Lincolnshire that extends to some 125 Ha. This was acquired, and is currently needed, for NGT's own operational purposes. It is land earmarked to be used, subject to all the necessary consents and approvals, as an energy hub to include hydrogen production. Negotiations relating to certain land parcels for hydrogen production, including parcels within the proposed Viking CCS DCO Order limits, are at an advanced stage with Mablethorpe Flexible Generation Limited, a company within the Statera Energy Limited group. In addition to being required for NGT's operational purposes, the Theddlethorpe site offers a prime and premium location as an energy hub as a result of:</p> <ul style="list-style-type: none"> • its access to strategically important pipelines for CCS (or other similar) purposes; • direct connectivity to NGT's NTS apparatus for transmission of both natural gas and hydrogen; • it being a large, in part previously developed, land parcel with a history of energy uses; • it being immediately adjacent to the coast with the resulting offshore wind, interconnector and other opportunities that are available, including convenient access to water for desalination and cooling. <p>NGT submits that this makes Theddlethorpe a highly significant economic asset that is of national importance. It is therefore vital that it is used as efficiently and productively as</p>	<p>The Applicant has contacted National Gas Transmission as part of the DCO process with a Statement of Common Ground and Protective Provisions to be prepared including design and construction activities requirements.</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		<p>possible. This means that development proposals at Theddlethorpe should minimise the amount of land acquired as far as possible in order to avoid unnecessarily limiting the potential for the development of additional schemes in the future. This is an important factor that should be given significant weight when determining whether a compelling case in the public interest exists for the compulsory acquisition of land at Theddlethorpe.</p>	
2.70.2	Protective Provisions	<p><i>Protection of NGT Gas Apparatus</i></p> <p>As a responsible statutory undertaker, NGT is concerned to meet its statutory obligations and ensure that any development does not impact in any adverse way upon those statutory obligations. As such, NGT has a duty to protect its position in relation to infrastructure and land which is within or in close proximity to the draft Order Limits. NGT's rights to retain its apparatus in situ and rights of access to inspect, maintain, renew and repair such apparatus located within or in close proximity to the Order Limits must be maintained at all times and access to inspect and maintain such apparatus must not be restricted. NGT will require protective provisions to be included within the draft Development Consent Order (the "Order") for the Project to ensure that its interests are adequately protected and to ensure compliance with relevant safety standards. NGT is liaising with the Applicant in relation to such protective provisions, along with any supplementary agreements which may be required. NGT requests that the Applicant continues to engage with it to provide explanation and reassurances as to how the Applicant's works pursuant to the Order (if made) will ensure protection for those NGT assets which will remain in situ, along with facilitating all future access and other rights as are necessary to allow NGT to properly discharge its statutory obligations. NGT will continue to liaise with the Applicant in this regard with a view to concluding matters as soon as possible during the DCO Examination and will keep the Examining Authority updated in relation to these discussions.</p>	<p>The Applicant has contacted National Gas Transmission as part of the DCO process with a Statement of Common Ground and Protective Provisions to be prepared including design and construction activities requirements.</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.70.3	<p>Protective Provisions</p> <p>Compulsory Acquisition</p>	<p>Summary of NGT's Position NGT seeks the following:</p> <ul style="list-style-type: none"> • appropriate protective provisions in the DCO for its pipeline network and associated apparatus, including compliance with relevant standards for works proposed within close proximity; • adequate rights of access, including to lay, inspect, maintain, renew and repair pipelines, cables and apparatus over and across their own property. • the retention of as much of its freehold land at Theddlethorpe as possible, with flexibility to be able to progress plans to establish an energy hub to include facilities for the production, storage and transmission of hydrogen. <p>Whilst there has been a lengthy period of dialogue with the Applicant, NGT remains concerned that the Applicant's approach and current DCO proposals do not safeguard NGT's interests and, inter alia, they:</p> <ul style="list-style-type: none"> • include an excessive amount of land within the Order Limits, thereby adversely and unnecessarily affecting substantially more of NGT's Theddlethorpe site than is necessary to deliver the Applicant's scheme; • involve the permanent acquisition of an excessive parcel of land within the centre of NGT's Theddlethorpe property, which will sterilise and adversely affect NGT's future use and the clean energy and other opportunities available for their surrounding land; • involve the re-use of NGT's pipework located within the former Viking Terminal meaning such pipework is not available for alternative energy uses; • includes the temporary use in the form of the "Southern Construction Compound" of NGT's surfaced car park meaning this is unavailable for NGT's own or other uses, including access, for the whole of the relevant period; • involve the permanent acquisition of the subsurface on an east / west alignment across a substantial part of NGT's Theddlethorpe property, thereby sterilising the use and connectivity of NGT's adjoining property where 	<p>The Applicant has contacted National Gas Transmission as part of the DCO process with a Statement of Common Ground and Protective Provisions to be prepared including design and construction activities requirements.</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		<p>the taking of a pipeline easement would confer sufficient rights and protection whilst facilitating development at the surface. This part of the Applicant's DCO proposals would have such a significant adverse impact on the proposed development by Mablethorpe Flexible Generation Limited as to stop the development proceeding;</p> <ul style="list-style-type: none"> fail to provide the necessary protective provisions within the draft Order to ensure that NGT's interests are adequately protected and to ensure compliance with relevant safety requirements. NGT will continue to liaise with the Applicant and seek to reach a satisfactory agreement. In the interim and to safeguard NGT's operational and related interests, NGT OBJECTS to the application. NGT submits that, as matters currently stand, compulsory acquisition of its land or rights cannot be permitted without serious detriment to the carrying on of its undertaking, nor can any detriment be made good. Further, the excessive amount of land currently sought by the Applicant has the potential to stymie the future development of the Theddlethorpe site, with the attendant negative economic consequences. For this reason, no compelling case in the public interest can be made for the powers of compulsory acquisition the Applicant is seeking. <p>NGT reserves the right to make further representations as a part of the Examination process and requests that the Examining Authority treat NGT as an Interested Party for the purposes of the Examination.</p>	

Table: 2-71: National Grid Electricity Transmission Plc – RR-071

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.71.1	Protective Provisions	<p>This relevant representation is submitted on behalf of National Grid Electricity Transmission Plc ("NGET") in respect of the Project, and in particular National Grid's infrastructure and land which is within or in close proximity to the proposed Order Limits.</p> <p>NGET will require appropriate protection for retained apparatus including compliance with relevant standards for works proposed within</p>	<p>NGET's comments are noted.</p> <p>Detailed discussions regarding adequate protection of NGET assets are ongoing.</p> <p>Information on interactions between the Applicant and NGET's infrastructure is being shared to facilitate the ongoing discussions and negotiations in relation to the protective provisions. The Applicant hopes to conclude those negotiations in advance of the Examination closing.</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		<p>close proximity of its apparatus. NGET's rights of access to inspect, maintain, renew and repair such apparatus must also be maintained at all times and access to inspect and maintain such apparatus must not be restricted.</p> <p>Further, where the Applicant intends to acquire land or rights, or interfere with any of NGET's interests in land or NGET's apparatus, NGET will require appropriate protection and further discussion is required on the impact to its apparatus and rights. Further detail is set out below.</p> <p>NGET infrastructure within/in close proximity to the proposed Order Limits NGET owns or operates the following infrastructure within or in close proximity to the proposed Order Limits for the Project: NGET has high voltage electricity overhead transmission lines within and in close proximity to the proposed Order Limits. The overhead lines form an essential part of the electricity transmission network in England and Wales.</p> <p>The details of the electricity assets are as follows:</p> <ul style="list-style-type: none"> • 2AH 400kV overhead line - Grimsby West – South Humber Bank Killingholme – South Humber Bank • 4KG 400kV overhead line - Grimsby West – South Humber Bank Grimsby West – Keadby <p>As a responsible statutory undertaker, NGET's primary concern is to meet its statutory obligations and ensure that any development does not impact in any adverse way upon those statutory obligations. As such, NGET has a duty to protect its position in relation to infrastructure and land which is within or in close proximity to the draft Order Limits.</p> <p>As noted, NGET's rights to retain its apparatus in situ and rights of access to inspect, maintain, renew and repair such apparatus located within or in close proximity to the Order Limits should be maintained at all times and access to inspect and maintain such apparatus must not be restricted.</p> <p>NGET will require protective provisions to be included within the draft Development Consent Order (the "Order") for the Project to ensure</p>	

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		<p>that its interests are adequately protected and to ensure compliance with relevant safety standards.</p> <p>NGET is liaising with the Applicant in relation to such protective provisions, along with any supplementary agreements which may be required. NGET requests that the Applicant continues to engage with it to provide explanation and reassurances as to how the Applicant's works pursuant to the Order (if made) will ensure protection for those NGET assets which will remain in situ, along with facilitating all future access and other rights as are necessary to allow NGET to properly discharge its statutory obligations.</p> <p>NGET will continue to liaise with the Applicant in this regard with a view to concluding matters as soon as possible during the DCO Examination and will keep the Examining Authority updated in relation to these discussions. Compulsory Acquisition Powers in respect of the Project As noted, where the Applicant intends to acquire land or rights, or interfere with any of NGET's interests in land, NGET will require further discussion with the Applicant. NGET</p>	
2.72.2	Protective Provisions	<p>NGET has identified potential interfaces with the Viking CCS Pipeline project and the following proposed NGET infrastructure projects:</p> <ul style="list-style-type: none"> • Eastern Green Link (EGL) 3 & 4 projects - which are needed to increase electricity network capability to connect new offshore wind farms that are being developed • Walpole to Grimsby upgrade - The Grimsby to Walpole upgrade is a proposal to build a new high voltage overhead line in Lincolnshire, including building new pylons and new substations. It is needed to increase network capability to connect new offshore windfarms and interconnectors, to carry new clean green energy to homes and businesses where it is needed. <p>It has been identified that the Project interacts with the above proposed NGET infrastructure projects and NGET therefore requests further assurances from the Applicant including satisfactory agreement on a form of Protective</p>	

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		<p>Provisions to include protection for its future projects. NGET welcomes further discussion with the Applicant on these interactions.</p> <p>NGET reserves the right to make further representations as part of the Examination process in relation to specific interactions with its existing or future assets but in the meantime will continue to liaise with the Applicant with a view to reaching a satisfactory agreement.</p>	

Table 2-72: National Highways – RR-072

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.7.1	General	<p>NATIONAL HIGHWAYS LIMITED (“National Highways”) has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 as the highway authority, traffic authority and street authority for the Strategic Road Network (“SRN”). As such, National Highways are responsible for managing the SRN in accordance with the requirements of our statutory licence and in general conformity with the requirements of the Highways Act 1980, and to satisfy the reasonable requirements of road safety.</p>	<p>The Applicant is undertaking ongoing engagement with National Highways to discuss a range of matters and has drafted a SoCG submitted at Deadline 1 and further discussion on these topics will be captured in further iterations of this document related to areas of agreement and/or matters to be resolved.</p>
2.7.2	General	<p>This is the section 56 representation of National Highways provided in respect of Chrysaor Production (UK) Limited’s (“Applicant”) application for a Development Consent Order (“Order”) which seeks powers to enable the installation of a new 55 km (approx.) onshore underground pipeline from the point of receipt of dense phase CO2 at Immingham, through its transportation to facilities at TGT, and transportation from TGT through the existing LOGGS pipeline to Mean Low Water Spring together with associated infrastructure and ancillary works.</p>	<p>Noted.</p>
2.7.3	Protective Provisions	<p>National Highways objects to this application for the following reasons:</p> <p>1. The DCO includes a number of provisions which authorise the interference with statutory powers belonging to National Highways and/or grant the Applicant powers over the SRN which would have significant safety implications if not properly and proportionately controlled through</p>	<p>The Applicant notes this objection.</p> <p>The Applicant confirms that it shall use trenchless installation techniques to install the pipeline under all roads in the SRN. Further detail is set out within:</p> <ul style="list-style-type: none"> - Environmental Statement Volume IV - Appendix 3-2: Crossing Schedule [APP-069] - Environmental Statement Volume II - Chapter 3: Description of the Proposed Development Document [APP-045] <p>Statement of Reasons (Revision A) [AS-013], paragraph 6.1.5</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		National Highways' protective provisions. In addition it is noted that the Applicant proposes to carry out street works (within the meaning of the New Roads and Street Works Act 1991) beneath the SRN yet these works are not included in Schedule 3 of the draft DCO.	
2.7.4	Traffic and Transport	2. National Highways should be consulted to determine and agree the scope of the Transport Assessment. National Highways has concerns with regard to the vague approach undertaken to derive the traffic impact resulting from the construction phase of the Authorised Development; at this stage, the construction programme is approximate and has been developed for the purpose of estimating traffic flows. The transport impacts of proposed development should also be considered relative to national planning policies relevant to the SRN, particularly; DfT Planning Policy Paper, Circular 01/2022, The Strategic Road Network and the Delivery of Sustainable Development; and the National Highways guidance document - The Strategic Road Network: Planning for The Future.	The Applicant is engaging with National Highways on a range of matters, including the scope of the Transport Assessment. A draft SoCG has been submitted at Deadline 1 and will be updated throughout the Examination as discussions progress.
2.7.5	Traffic and Transport	3. The Applicant should provide certainty that a full Construction Traffic Management Plan and a Construction Workers' Travel Plan will be submitted and agreed with National Highways prior to on-site works. As the relevant highway authority National Highways should have an approval role rather than merely being consulted. It is recommended that the Applicant identify the relationship between the proposed development and the emerging carbon capture plants, including identification of any cumulative impacts during the construction or operational phases.	The Applicant is engaging with National Highways on a range of matters, including the Construction Traffic Management Plan (CTMP). A draft SoCG has been submitted at Deadline 1 and will be updated throughout the Examination as discussions progress. Requirement 6 of the Draft DCO (Revision A) (document reference 2.1) requires a CTMP to be submitted to and approved by the relevant highway authority before any stage of the authorised development can commence. A draft CTMP [APP-107] has been submitted as part of the application.
2.7.6		4. The Authorised Development involves subterranean pipe crossings of the SRN however insufficient detail has been provided to identify the form of infrastructure required or the mechanism for delivery of such infrastructure. National Highways has significant concerns around safety in respect of such works and must fully understand the Applicant's proposals to be able to meaningfully contribute to this examination.	The Applicant will proactively engage with National Highways to address its concerns.

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.7.7	Protective Provisions	<p>5. In addition, the Book of Reference identifies numerous plots of land owned or occupied by National Highways for the purposes of its undertaking in respect of which compulsory acquisition powers are sought. To safeguard National Highways and the safety and integrity of the SRN, National Highways objects to Compulsory Powers being granted in respect of its land and interests. The Plots constitute land acquired by National Highways for the purpose of maintaining its statutory undertaking and, accordingly, this representation is made under section 56 and sections 127 and 138 of the Planning Act 2008. It is however noted that the Applicant has sort to address National Highways concerns in this regard by the inclusion of protective provisions, although not word for word the National Highways standard position.</p> <p>If it is the case that National Highways' approval is required prior to any powers of compulsion being exercised then National Highways is satisfied that this would not result in serious detriment to the SRN.</p> <p>National Highways is prepared to withdraw its objection subject to the Applicant addressing its concerns and agreeing to the inclusion of the National Highways protective provisions (in the form found at Appendix 1 of this document which we will send via email) on the DCO. Whilst it is noted that the Applicant has included protective provisions for the benefit of National Highways in its application, these differ from the version that National Highways provided to the Applicant pre-application and no justification has been given for the deviation from National Highways' standard provisions. National Highways reserves the right to produce additional grounds of objection to the Examining Authority, should it be necessary, as the examination progresses.</p>	<p>The Applicant notes National Highways' response. As set out above, the Applicant will use trenchless installation techniques under major infrastructure such as the SRN and therefore will not impact the land in a detrimental way.</p> <p>The Applicant will work proactively with National Highways to avoid any adverse impacts to assets and seek to allow National Highways to remove its objection. The Applicant will further discuss the inclusion of Protective Provisions in the DCO.</p>

Table 2-73: Natural England – RR-073

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.73.1	General	Natural England considers that the Applicant has provided insufficient evidence and is not	<p>Noted. Please refer to the Applicant's responses to NE1 to NE29 below.</p> <p>Additional engagement has been undertaken which has led to the development of a Statement of Common Ground, which has been submitted at Deadline 1. The clarifies where issues have now been agreed, whilst also showing areas which still require more work</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		<p>yet satisfied that the following issues have been addressed:</p> <p>Internationally designated sites</p> <p>Humber Estuary Special Protection Area (SPA) and Ramsar</p> <ul style="list-style-type: none"> • Temporary loss of functionally linked land for non-breeding birds during construction. • Noise and visual disturbance to breeding and non-breeding birds within functionally linked land (all phases). • Lighting disturbance to breeding and non-breeding birds within functionally linked land (all phases). <p>Nationally designated sites</p> <p>Humber Estuary Site of Special Scientific Interest (SSSI)</p> <ul style="list-style-type: none"> • As above. <p>Nationally Designated Landscape</p> <p>Lincolnshire Wolds National Landscape</p> <ul style="list-style-type: none"> • Effective mitigation for negative impact on reasons for designation <p>Our comments are set out against the following sub-headings which represent our key areas of remit:</p> <ul style="list-style-type: none"> • Internationally designated sites • Nationally designated sites • Biodiversity net gain • Protected species • Protected landscapes 	<p>to reach agreement.</p>
2.73.2	General	<p>Natural England has been working with AECOM, on behalf of Chrysaor Production (UK) Limited to provide advice and guidance on the project since 2022. This has included a currently running contract with the Applicant under our Discretionary Advice Service.</p> <p>Part I of these representations provides an overview of the issues and a summary of Natural England's advice. The designated sites and natural features for which there may be impact pathways for this application are identified.</p>	<p>Noted. To better align the responses, the Applicant has provided a direct response to each point raised (NE1 to NE26) in the table below.</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		<p>Part II of these representations sets out all the significant issues which remain outstanding, and which Natural England advises should be addressed by Chrysaor Production (UK) Limited and the Examining Authority as part of the Examination process. These are primarily issues on which further information would be required in order to allow the Examining Authority to properly undertake its task or where further work is required to determine the effects of the project and to develop mitigation proposals and to potentially consider compensation proposals to provide a sufficient degree of confidence as to their efficacy.</p> <p>Natural England will continue discussions with AECOM, on behalf of Chrysaor Production (UK) Limited, to seek to resolve these concerns and agree outstanding matters in a Statement of Common Ground. Failing satisfactory agreement, Natural England advises that these matters will require consideration by the Examining Authority as part of the Examination process.</p> <p>The Examining Authority may wish to ensure that the matters set out in these relevant representations are addressed as part of the Examining Authority's first set of questions to ensure the provision of information early in the examination process.</p> <p>Due to resource constraints within the team, Natural England has prioritised detailed review of key documents and associated figures, including 6.5 Report to Inform the Habitats Regulations Assessment (dated October 2023) (hereafter 'the shadow HRA'). Therefore, we may have additional comments to make in our Written Representations, for example if relevant information has not been included in the shadow HRA document.</p> <p>Natural England will provide comments on the draft Development Consent Order (DCO) and associated documents in our Written Representations. At this stage, we advise that further information (outlined in Part II) is required to determine our comments on these documents.</p>	

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.73.3	Ecology and Biodiversity	<p>Internationally designated sites</p> <p>In relation to Special Protection Areas (SPAs) and Specials Areas of Conservation (SACs), the assessment provisions of the Conservation of Habitats and Species Regulations 2017 (and the Offshore Habitat Regulations) require that a competent authority may only agree to a plan or project of this nature after having ascertained, on the basis of an appropriate assessment, that it will not affect the integrity of the site(s). By this it is meant that such a plan or project may be granted authorisation only on the condition that the competent authority is certain, beyond reasonable scientific doubt, that it will not adversely affect the integrity of the site(s) concerned. On the basis of the information submitted, Natural England is not yet satisfied for 'amber' issues identified in the text below that it can be ascertained beyond reasonable scientific doubt that the project would not have an adverse effect alone or in combination on the integrity of the following internationally designated sites:</p> <ul style="list-style-type: none"> • Humber Estuary SAC • Humber Estuary SPA • Humber Estuary Ramsar <p>Further information is required to assess the following impact pathways for the Humber Estuary designated sites:</p> <ul style="list-style-type: none"> • Temporary loss of functionally linked land for non-breeding birds during construction (NE6, NE12) • Noise and visual disturbance to non-breeding birds within functionally linked land during construction and decommissioning (NE7, NE16, NE17, NE18) • Noise and visual disturbance to breeding birds within functionally linked land during construction (NE14, NE15) • Lighting disturbance to breeding and non-breeding birds within functionally linked land during all phases (NE8) • Noise and visual disturbance to breeding birds within functionally linked land during operation (NE9) 	<p>Noted. Please refer to the Applicant's responses to NE1 to NE29 below.</p> <p>Further discussions between the Applicant and NE will also continue to take place to ensure all comments on the HRA are adequately addressed.</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		<ul style="list-style-type: none"> • Noise and visual disturbance to non-breeding birds within functionally linked land during operation (NE10) • In-combination assessment (NE24) • Cumulative assessment (NE25) <p>Natural England has also noted 'yellow' issues in relation to the Humber Estuary designated sites. As stated in section 1, we would ideally like these to be addressed, but we are satisfied that for this particular project it is unlikely to make a material difference to our advice or the outcome of the decision making process. Please find a summary of each 'yellow' issue below, and refer to Table 1 for further details:</p> <ul style="list-style-type: none"> • Non-breeding bird surveys - pipeline route (NE4) <p>Natural England is satisfied that 'green' issues are unlikely to result in adverse effects on the integrity (AEoI) of the Humber Estuary designated sites, subject always to the appropriate mitigation / compensation as outlined in the application documents being secured adequately. Please find a summary of each 'green' issue below, and refer to Table 1 for further details:</p> <ul style="list-style-type: none"> • General HRA screening approach (NE1) • Permanent loss of functionally linked land for breeding birds during construction (NE11) • Noise and visual disturbance to breeding birds within functionally linked land during the construction of the Dune Isolation Valve connection (NE13) • Atmospheric Pollution – dust and particulates during construction and decommissioning (NE19) • Effects upon river lamprey and sea lamprey during construction (NE20) 	
2.73.4	Ecology and Biodiversity Nationally Designated Sites	<p>Natural England's position regarding nationally designated sites is summarised below. Further detail on our reasoning for this is given against each impact pathway in Part II.</p> <p>On the basis of the information submitted in relation to these sites, Natural England is not yet satisfied that the project is not likely to</p>	Noted. Please refer to the Applicant's responses to NE1 to NE29 below.

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		<p>damage features of interest of the following nationally designated sites:</p> <ul style="list-style-type: none"> • Humber Estuary SSSI • Lincolnshire Wolds National Landscape (formerly known as Lincolnshire Wolds Area of Outstanding Natural Beauty) <p><u>Humber Estuary SSSI</u></p> <p>We note that the Humber Estuary SSSI nationally designated site features that are affected by this proposal are broadly the same as the internationally designated site features. Please refer to the points in the 'Internationally designated sites' section above for all 'amber' and 'yellow' issues, that also apply to the Humber Estuary SSSI.</p> <p>Natural England has no current issues to raise regarding other designated sites considered at the PEIR and Environmental Assessment stages (namely Saltfleetby – Theddlethorpe Dunes SSSI and Saltfleetby – Theddlethorpe Dunes and Gibraltar Point SAC; Humber Estuary SSSI; Ramsar; and SAC and North Killingholme Haven Pits SSSI). This will be further clarified during the Statement of Common Ground process.</p>	
2.73.5	Landscape and Visual	<p><u>Lincolnshire Wolds National Landscape</u></p> <p>The proposed development is partially within the Lincolnshire Wolds National Landscape. On 22 November 2023, all designated Areas of Outstanding Natural Beauty (AONBs) in England and Wales were renamed 'National Landscapes'. Whilst AONBs are still in designation under the 1949 Act, the new name reflects their national importance: the vital contribution they make to protect the nation from the threats of climate change, nature depletion and the wellbeing crisis, whilst also creating greater understanding and awareness for the work that they do. The statutory purpose of the National Landscape is to conserve and enhance the area's natural beauty. The application will need to be assessed as to whether the proposed development would have a significant impact on or harm that statutory purpose.</p> <p>Natural England is a statutory consultee on planning proposals that could affect the</p>	<p>The Applicant has noted that following on from the submission its application, all designated Areas of Outstanding Natural Beauty (AONBs) in England and Wales were renamed 'National Landscapes'.</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		<p>reasons for its designation. Planning Practice Guidance states that this duty also applies to proposals outside the designated area but impacting on its natural beauty i.e. its setting.</p> <p>The Examining Authority will need to use national and local policies, together with local landscape expertise and information to determine such proposals.</p> <p>Further information is required to assess the following impact pathways for other nationally designated sites:</p> <p>Please refer to 'Internationally designated sites' section above and Table 1, for 'green' issues that Natural England consider are unlikely to damage or destroy the interest features for which the relevant nationally designated sites have been notified, subject to the appropriate mitigation as outlined in the application documents being secured adequately.</p>	
2.73.6	<p>Ecology and Biodiversity</p> <p>Protected Species</p>	<p>Natural England is not providing bespoke advice on the protected species information provided in the Environmental Statement (ES) for this project. Please refer to Table 1 for a summary of our standing advice ('grey').</p> <p>The Natural England Wildlife Licence Service (NEWLS) has been part of discussions with the Applicant on great crested newt. At the early stages of discussions on the project proposal Natural England aimed to introduce District Level Licensing (DLL) for the whole of Lincolnshire (North Lincolnshire been already part of a scheme). The DLL Team advised in early 2022 that even if not, that NE can still service linear schemes such as pipelines that run through areas that are outside of our usual scheme areas. Plans have been put in place for dealing with this and other pipeline projects that will probably come through DLL in the future.</p> <p>Natural England will continue to engage with the Applicant regarding Natural England's the licensing need for great crested newts. The Applicant has submitted a DLL Enquiry Form.</p>	Noted. Please refer to the Applicant's responses to NE1 to NE29 below.
2.73.7	Ecology and Biodiversity	Natural England's position regarding provision of Biodiversity Net Gain (BNG) is summarised	Noted. Please refer to the Applicant's responses to NE1 to NE29 below

Ref	Topic	Matter raised in Relevant Representation	Applicant response
	Biodiversity Net Gain	<p>below. Further detail on our reasoning for this is given in Part II:</p> <p>Natural England welcome the commitment to delivering BNG on this project. It is currently anticipated that the statutory requirement for Biodiversity Net Gain for NSIPs will be implemented from 2025. This will fall within the construction period. We will be recommending to the Examining Authority that a means of securing the target increase of 10% is put forward by the Applicant. The draft BNG Strategy has been produced and we will be able to provide updated advice. We recommend that the target increase in BNG of 10% across all biodiversity unit types is secured by a suitably worded requirement in the DCO ('grey').</p>	
2.73.8	Agriculture and Soils Soils and Agricultural Land	<p>Natural England's position regarding soils and agricultural land is summarised below. Further detail on our reasoning for this is given in Part II.</p> <p>Natural England is responsible for all consultations on applications involving the loss of more than 20 ha of Best and Most Versatile agricultural land (BMV) Natural England has previously noted that the proposal will not lead to the loss of 20 ha or more of BMV soil. However, we still be advising the Applicant and Examining Authority on soil resource protection considerations that can be addressed by reference to good practice guidance. Permanent impact is limited and restricted (largely infrastructure development) to the construction stage. The operational stage has been phased out. We will be reviewing the draft Soil Management Plan which has taken on board recommended measures previously provided by Natural England and advising the Applicant and Examining Authority.</p>	<p>Natural England's response is noted. The Applicant confirms that the Outline Soil Management Plan (<i>ES Volume IV: Appendix 10.1 [APP-096]</i>) follows the recommendations made by Natural England and welcomes further feedback on soil resource protection considerations and the development of the Soil Management Plan.</p>
2.73.9	General	<p>Natural England's overall conclusions Natural England's advice is that there are a number of matters which have not been resolved satisfactorily as part of the pre-application process that must be addressed by Chrysaor Production (UK) Limited and the Examining Authority as part of the Examination and consenting process before development</p>	Noted.

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		<p>consent can be granted, as summarised above and outlined in further detail in Part II below.</p> <p>Some of these matters are important enough to mean that if they are not satisfactorily addressed it would not be lawful to permit the project due to its impacts on SAC, SPA, Ramsar and SSSI interests. The specific concerns in relation to each are detailed in Part II</p>	
2.73.10	<p>NE1 International Designated Sites</p> <ul style="list-style-type: none"> • Humber Estuary SAC • Humber Estuary SPA • Humber Estuary Ramsar • Greater Wash SPA • Saltfleetby-Theddlethorpe Dunes and Gibraltar Point SAC 	<p>Natural England broadly agrees with the conclusions in Table 7-1 of the Report to Inform the Habitats Regulations Assessment ('HRA') regarding the potential for likely significant effects on the relevant designated sites, except where detailed comments are provided below (key issue ref NE6, NE7, NE8, NE9, NE10).</p>	<p>Noted. Please refer to the Applicant's responses to NE6, NE7, NE8, NE9 and NE10 below.</p>
2.73.11	<p>NE2 International Designated Sites</p> <ul style="list-style-type: none"> • Humber Estuary SPA • Humber Estuary Ramsar 	<p>Natural England advises that the most recent list of component species of the Humber Estuary SPA waterbird assemblage (Appendix A) should be referred to in determining the relevant features, with justification provided where impacts on a more limited list of species are assessed.</p>	<p>Appendix A of the report to inform HRA [AS-026] has been updated with the updated waterbird assemblage. The updated Revision B of the HRA will be submitted at Deadline 2.</p>
2.73.12	<p>NE3 International Designated Sites</p> <ul style="list-style-type: none"> • Humber Estuary SPA 	<p>We note that the significance of qualifying bird populations has been assessed on a per field basis. We advise there is potential for cumulative impacts to SPA birds using functionally linked land across the project area. The HRA should therefore consider the significance of bird numbers across the project</p>	<p>The HRA report has been updated to discuss the likelihood of cumulative impacts across the development site. The key areas of value for SPA birds are identified to be in particular, parts of the scheme separated by a large distance, and pipeline route sections will be installed sequentially rather than simultaneously. Therefore, it is considered that there is actually limited potential for cumulative impacts from multiple parts of the Proposed Development being worked simultaneously.</p> <p>The updated Revision B of the HRA will be submitted at Deadline 2.</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
	<ul style="list-style-type: none"> Humber Estuary Ramsar 	area and the potential for cumulative impacts (see key issue NE12 below).	
2.73.13	<p>NE4 International Designated Sites</p> <ul style="list-style-type: none"> Humber Estuary SPA Humber Estuary Ramsar 	<p>Section 1.3.16 of Appendix 6-7 states that surveys were conducted once per month during the non-breeding season. Natural England generally advises that two surveys per month during the winter and spring and autumn passage periods should be completed (with weekly visits during the autumn and spring passage periods where birds are likely to be present in the migration period only, due to high turnover of birds during migration).</p> <p>Based on the temporary nature of construction works of the pipeline route, Natural England considers that the survey frequency is sufficient to inform the assessment in this case. However, we advise that a precautionary approach should be taken to assessing the results in the HRA, with appropriate consideration given to potential limitations of the data, such as the potential for peak counts of SPA birds to have been missed.</p>	<p>Surveys were undertaken in line with the methodology that was set out in the scoping report and PEIR submitted by AECOM, and on which no objections were raised by stakeholders. The Applicant notes that Natural England considers the survey effort to be sufficient.</p> <p>A precautionary approach has already been taken within the HRA with regard to use of peak counts, but this will be further reviewed and assessed within the updated Revision B of the HRA which will be submitted at Deadline 2.</p>
2.73.14	<p>NE5 International Designated Sites</p> <ul style="list-style-type: none"> Humber Estuary SPA Humber Estuary Ramsar 	We note from Figure 3 of Appendix 6-7 that no bird surveys have been undertaken at the location of the Northern Compound, which is within 10km of the Humber Estuary SPA. We advise further assessment is required to determine if this area is functionally linked to the Humber Estuary SPA.	The Northern Compound will be located within an arable field immediately south of the A160. It is also relevant to confirm that this site has previously been used as a construction compound for other projects which have now been completed. The land at the Northern Compound was appraised for its suitability to support breeding and wintering birds during a scoping visit on 4 July 2022 and again on 17 August 2022, and due to the proximity to a major road, was considered unlikely to be functionally linked. This will be confirmed within the updated Revision B of the HRA which will be submitted at Deadline 2.
2.73.15	<p>NE6 International Designated Sites</p> <ul style="list-style-type: none"> Humber Estuary SPA Humber Estuary Ramsar 	<p>Table 7-1 of the HRA identifies likely significant effects on golden plover and curlew.</p> <p>However, Figures 13-31 of Appendix 6-7 indicate other qualifying SPA bird species, including lapwing and pink-footed goose, have been recorded in numbers greater than 1% of qualifying populations in proximity to the red line boundary. We advise that likely significant effects for lapwing and pink-footed goose cannot be screened out and should be included in the list of species in Table 7-1 for further assessment.</p>	<p>Paragraph 6.2.57 of the report to inform HRA identifies that lapwing and pink-footed goose have the potential to be affected by noise and visual disturbance and will be taken forward to Appropriate Assessment.</p> <p>For clarity, lapwing and pink-footed goose have been added into Table 7-1 in the updated Revision B of the HRA, which will be submitted at Deadline 2.</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.73.16	<p>NE7 International Designated Sites</p> <ul style="list-style-type: none"> • Humber Estuary SPA • Humber Estuary Ramsar 	<p>Significant numbers of black-tailed godwit are present at Rosper Road Pools. We therefore advise that likely significant effects for black-tailed godwit cannot be screened out and should be included in the list of species in Table 7-1 for further assessment .</p>	<p>The Applicant has reviewed the ornithology survey data for this location and have included greater clarity in the HRA on whether black-tailed godwit is taken forward to appropriate assessment. Since impacts on Rosper Road Pools have already been taken forward for appropriate assessment this is not considered likely to change materially the appropriate assessment even if black tailed godwit were taken forward.</p>
2.73.17	<p>NE8 International Designated Sites</p> <ul style="list-style-type: none"> • Humber Estuary SPA • Humber Estuary Ramsar 	<p>We advise that further details should be provided on the proposed lighting across the project area, for all phases. We advise potential impacts from lighting should be considered at the HRA screening stage, proceeding to appropriate assessment where likely significant effects cannot be ruled out.</p>	<p>Detailed information on lighting requirements for the Proposed Development were included within ES Chapter 3: Description of the Proposed Development [APP-045]. Lighting impacts were discussed in the HRA report. However, further detail has been added to the updated Revision B of the HRA report (submitted at Deadline 2) to provide further clarity on potential impacts from lighting during construction, operation, and decommissioning.</p>
2.73.18	<p>NE9 International Designated Sites</p> <ul style="list-style-type: none"> • Humber Estuary SPA • Humber Estuary Ramsar 	<p>We note from Table 7-1 of the HRA that likely significant effects from noise and visual disturbance to SPA breeding birds during operation has been screened out. However, section 4.2.30 of the Environmental Statement Volume I – Non-Technical Summary states maintenance to the Dune Isolation Valve is required. We advise that further assessment is required to determine potential impacts to SPA breeding birds at 'Viking Fields' during maintenance visits.</p>	<p>Paragraph 6.3.14 of the HRA [AS-026] discusses maintenance of the Dune Isolation Valve. Maintenance visits will require a maximum of two workers using hand tools or small powered hand tools. The dune valve location is adjacent to an existing track. Additionally, there is a caravan site to the south of the Dune Valve, therefore the location is already subject to some anthropogenic disturbance. It is considered unlikely that the minor maintenance works necessary to maintain the dune valve would create a disturbance event greater than existing baseline levels. This clarification will be added into the update HRA report submitted at Deadline 2.</p>
2.73.19	<p>NE10 International Designated Sites</p> <ul style="list-style-type: none"> • Humber Estuary SPA • Humber Estuary Ramsar 	<p>As above (NE9). We advise that further assessment is required to determine potential impacts to SPA non-breeding birds at 'Viking Fields' during maintenance visits.</p>	<p>As noted for NE9 above, paragraph 6.3.14 of the Report to Inform HRA discusses maintenance of the Dune Isolation Valve. Maintenance visits will require a maximum of two workers using hand tools or small powered hand tools. The dune valve location is adjacent to an existing track and is publicly accessible. There is a caravan site to the south of the Dune Valve, therefore the location is already subject to some anthropogenic disturbance. It is considered unlikely that the minor maintenance works necessary to maintain the Dune Valve would create a disturbance event greater than existing baseline level. This clarification will be added into the update HRA report submitted at Deadline 2.</p>
2.73.20	<p>NE11 International Designated Sites</p> <ul style="list-style-type: none"> • Humber Estuary SPA 	<p>Natural England agrees with the justification provided in section 7.3.4 of the HRA that there will be no permanent habitat loss for breeding avocet at the Theddlethorpe Facility.</p>	<p>Noted. No further response required.</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
	<ul style="list-style-type: none"> Humber Estuary Ramsar 		
2.73.21	<p>NE12 International Designated Sites</p> <ul style="list-style-type: none"> Humber Estuary SPA Humber Estuary Ramsar 	<p>Justification is provided in section 7.3.8 of the HRA as to why the temporary loss of land will not have negative implications at the population level of SPA bird species. Natural England does not agree that the assessment is sufficient to rule out adverse effects on the Humber Estuary SPA in this case, due to the location of Proposed works and number of SPA birds recorded within/adjacent to the construction area. Therefore, we advise that further assessment is required regarding the potential impacts to Humber Estuary SPA birds, in particular curlew, from temporary loss of functionally linked land during construction.</p> <p>Natural England highlights that loss of habitat may result in an increase in local bird densities and have consequences for individual bird fitness in terms of increased energy expenditure for flight, competition with other birds for food, and lack of knowledge of foraging resources in other areas which might make it more difficult to find food (Mander et al., 20212). Consequently, this may lead to effects on breeding productivity and ultimately population size (Baker et al., 20043; Piersma et al., 20164; Studds et al., 20175).</p> <p>Satellite tagging of curlews on the Humber has demonstrated that individuals are highly site faithful and forage within a short distance of their high tide roost sites. During the study period, curlew home ranges were found to be between 4.4 and 9.6 km² (Cook et al, 20166). Displacement from foraging sites will therefore have consequences for the birds' fitness in terms of increased energy expenditure for flight, competition with other birds for food, and lack of knowledge of foraging resources in other areas which might make it more difficult to find food. Therefore, we advise further consideration should be given to potential impacts on curlew associated with displacement from known foraging areas.</p> <p>We advise further assessment is required on the scale and timing of construction (i.e. if cable works happening sequentially or simultaneously across the project area) during</p>	<p>The baseline survey data will be reviewed in order to provide further clarification, particularly regarding potential effects upon curlew. In particular, further detail will be provided on the sequence / timing of works and the availability of roost and feeding sites within the study area to provide context on the proportion of suitable habitat that would be affected at any one time. This will be added to the updated HRA report to provide further justification for conclusions on loss of functionally linked land. The updated, Revision B of the HRA will be submitted at Deadline 2, further discussions between the Applicant and NE will also continue to take place to ensure all comments on the HRA are adequately addressed.</p> <p>The Applicant notes that Natural England have identified that, depending on that further justification, seasonal constraints on works in some areas may be required. This will be kept under review.</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		<p>sensitive periods to understand cumulative impacts.</p> <p>We advise further assessment of available alternative roosting/feeding sites in proximity to the works areas is required.</p> <p>If impacts cannot be ruled out, it may be necessary to consider mitigation measures such as restrictions on the timing/extent of works at sensitive times of the year.</p>	
2.73.22	<p>NE13 International Designated Sites</p> <ul style="list-style-type: none"> • Humber Estuary SPA • Humber Estuary Ramsar 	<p>Section 7.3.13 of the HRA discusses the connection through 'Viking Fields' to the Dune Isolation Valve and concludes that mitigation is required to prevent disturbance to breeding avocet. Based on the information provided, Natural England agrees with the mitigation approach to restrict works to August/September.</p>	<p>Noted. No further response required.</p>
2.73.23	<p>NE14 International Designated Sites</p> <ul style="list-style-type: none"> • Humber Estuary SPA • Humber Estuary Ramsar 	<p>Section 4.2.29 of the Environmental Statement Volume I – Non-Technical Summary states a replacement valve is required. We advise that further clarification is provided in the HRA on the nature of this work and if it will also be restricted to August/September.</p>	<p>Information on the Dune Valve and its replacement has been included within Section 3.11 of ES Chapter 3: Description of the Proposed Development [APP-045].</p> <p>Paragraph 7.3.13 of the HRA [AS-026] states that all works at Viking Fields will need to be undertaken during August / September. This paragraph of the HRA will be updated to clarify that this includes replacement of the Dune Valve.</p>
2.73.24	<p>NE15 International Designated Sites</p> <ul style="list-style-type: none"> • Humber Estuary SPA • Humber Estuary Ramsar 	<p>We note no assessment is provided regarding potential noise and visual disturbance impacts to breeding SPA birds using Viking Fields from works associated with the Theddlethorpe Facility and Southern Compound. Therefore, we advise that further information is required to determine potential impacts.</p>	<p>The HRA has been updated to clarify potential impacts from noise and visual disturbance from works associated with the Theddlethorpe Facility and southern compound.</p> <p>Existing woodland to the east of the proposed Southern Compound location provides screening between the works and Viking Fields, therefore effects from noise, lighting and visual disturbance at this location will not be significant.</p> <p>Theddlethorpe Facility Option 2 is included in the design of the Proposed Development. This is approximately 700m west of Viking Fields and is screened by a shelter belt of dense mixed woodland, therefore any potential impacts arising from construction of the Theddlethorpe Facility would be limited to Option 1 and the Southern Compound.</p>
2.73.25	<p>NE16 International Designated Sites</p> <ul style="list-style-type: none"> • Humber Estuary SPA 	<p>Section 7.3.16 of the HRA states that, with mitigation, average construction noise would be below the baseline. Section 7.3.19 of the HRA states 'noise fencing will be included for works within 500m of the relevant survey fields'. We advise that further detail is provided regarding the locations at which noise mitigation is required, taking into consideration</p>	<p>Additional information will be included within the updated Revision B of the HRA (which will be submitted at Deadline 2) outlining the sectors where noise fencing will be required. However, the final locations will be confirmed once the exact route of the pipeline (within the DCO site boundary) is confirmed and following a pre-construction check by an ornithologist, and locations may need to move in relation to works.</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
	<ul style="list-style-type: none"> • Humber Estuary Ramsar 	our advice on functionally linked land assessment above (NE12).	
2.73.26	<p>NE17 International Designated Sites</p> <ul style="list-style-type: none"> • Humber Estuary SPA • Humber Estuary Ramsar 	<p>Section 7.3.12 of the HRA states that, with close-board fencing as mitigation, construction noise levels at Rosper Road Pools would be below the baseline. On the basis of the information provided, Natural England agrees with the conclusion of no adverse effects on the Humber Estuary SPA/Ramsar from of the project alone, subject to securing and adequate implementation of these mitigation measures.</p> <p>Natural England notes there is no detailed in-combination assessment for noise and visual disturbance effecting Rosper Road Pools. See key point NE23 below.</p>	<p>It is assumed that Natural England is referring to key point 24 regarding in-combination assessment (rather than point 23). A response to NE24 is provided below.</p> <p>It should be noted that the nature of noise and its mitigation is that if noise levels from the Proposed Development with mitigation are within an acceptable threshold, the contribution of Proposed Development to any cumulative or in-combination effects will be resolved since the disturbing noise threshold is not exceeded and noise sources do not cumulatively build upon each other. Any necessity to control noise from other developments would arise from those developments and would fall on those other developers.</p>
2.73.27	<p>NE18 International Designated Sites</p> <ul style="list-style-type: none"> • Humber Estuary SPA • Humber Estuary Ramsar 	We note no assessment is provided regarding potential disturbance impacts to non-breeding SPA birds using 'Viking Fields' from works associated with the Theddlethorpe Facility and Southern Compound. Therefore, we advise that further information is required to determine potential impacts.	<p>The HRA has been updated to clarify potential impacts from noise and visual disturbance from works associated with the Theddlethorpe facility and southern compound on non-breeding SPA birds.</p> <p>Existing woodland to the east of the proposed Southern Compound location provides screening between the works and Viking Fields, therefore effects from noise, lighting and visual disturbance at this location will not be significant.</p> <p>Theddlethorpe Facility Option 2 is included in the design of the Proposed Development. This is approximately 700m west of Viking Fields and is screened by a shelter belt of dense mixed woodland, therefore any potential impacts arising from construction of the Theddlethorpe Facility would be limited to Option 1 and the Southern Compound.</p>
2.73.28	<p>NE19 International Designated Sites</p> <ul style="list-style-type: none"> • Humber Estuary SPA • Humber Estuary Ramsar 	Natural England welcomes the mitigation measures set out in section 7.3.23 of the HRA for dust and particulates. We agree with the conclusion of no adverse effect on integrity of the Humber Estuary SPA and Ramsar from atmospheric pollution, subject to securing and adequate implementation of these mitigation measures.	Noted. No further response required.
2.73.29	<p>NE20 International Designated Sites</p> <ul style="list-style-type: none"> • Humber Estuary SPA • Humber Estuary Ramsar 	<p>Natural England welcomes the commitments to use horizontal directional drilling ('HDD') to cross major watercourses, reinstate minor watercourses, and secure the construction mitigation measures outlined in 7.3.28 of the shadow HRA via the Construction Environmental Management Plan (CEMP).</p> <p>In this case, we highlight that the relevant watercourses appear to fall outside the Humber Estuary lamprey migration routes.</p>	Noted. No further response required.

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		Therefore, we advise that no further assessment is required to assess potential impacts to lamprey associated with the Humber Estuary SAC/Ramsar.	
2.73.30	<p>NE21 International designated sites</p> <ul style="list-style-type: none"> • Saltfleetby – Theddlethorpe Dunes and Gibraltar Point SAC 	Clarification needed that no works/fencing/vehicle access will take place within the SAC.	It is confirmed that no works/ fencing/ vehicle access will be required within the SAC. This will be further clarified in the updated, Revision B of the HRA Report, submitted at Deadline 2.
2.73.31	<p>NE22 International designated sites</p> <ul style="list-style-type: none"> • Saltfleetby – Theddlethorpe Dunes and Gibraltar Point SAC 	Natural England is content with the assessment provided and finds no water quality issues.	Noted. No further response required.
2.73.32	<p>NE23 International designated sites</p> <ul style="list-style-type: none"> • Saltfleetby-Theddlethorpe Dunes and Gibraltar Point SAC • Humber Estuary Ramsar 	Natural England notes the identified the potential effect upon natterjack toad during the construction phase. Natterjack toad are qualifying species of the Humber Estuary SAC and Ramsar. Natural England is content that this species of designated sites of designated sites has been considered and appropriately followed correct guidelines and appropriate mitigation measures put forward.	Noted. No further response required.
2.73.33	<p>NE24 International designated sites</p> <ul style="list-style-type: none"> • Humber Estuary SPA • Humber Estuary Ramsar 	Natural England notes that Table 7-2 of the HRA considers in- combination effects with other plans and projects. However, we advise that this table should identify where impacts have been fully avoided through mitigation and where there is still a residual impact that could act in-combination. This assessment should consider the residual effects of the identified developments acting together. If mitigation or compensation has completely avoided or	Table 7-2 of the HRA report will be reviewed with specific reference to the use of the identified wording. The table was intended to refer to residual effects, since if there are no residual effects for a given impact pathway there are no in combination effects that require discussion. It should be noted that Table 7-2 must be read in conjunction with paragraphs 7.4.4 and 7.4.5 which does discuss residual effects and whether overlapping impact areas or similar impact pathways exist. This will be made clearer and clarified within the updated Revision B of the HRA Report submitted at Deadline 2.

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		<p>removed the effect, then this would not act in-combination with other projects.</p> <p>We note that section 7.4.4 of the HRA states 'Where similar impact pathways exist... the mitigation that is proposed for both the other project and Proposed Development will collectively ensure that overall impacts are reduced to a non-significant level.' However, this does not take into consideration residual effects. Therefore,</p> <p>we advise that the in-combination assessment should be revised.</p> <p>Natural England will review the assessment in more detail after further information is provided about impacts (and associated mitigation) as detailed above.</p>	
2.73.34	<p>NE25 International designated sites</p> <ul style="list-style-type: none"> • Humber Estuary SPA • Humber Estuary Ramsar 	<p>Natural England advises that an assessment of cumulative effects should also be provided in the HRA.</p> <p>In addition to the requirement for an in-combination assessment (outlined above), it is also necessary to consider the existing influences on the site which have affected and are continuing to affect the condition of relevant designated site features. These influences constitute what is referred to as the 'current environmental baseline'. A cumulative effect might arise when a succession of individual impacts, which have each been previously assessed in isolation as being trivial or insignificant, accumulate over time to reach an incremental scale of loss which becomes adverse (or risks becoming adverse if it continues).</p> <p>The cumulative effects assessment should therefore consider the impact of the additional impacts of the project against the current environmental baseline of the Humber Estuary.</p> <p>The cumulative effects assessment should make reference to the Supplementary Advice on Conservation Objectives. Where the Supplementary Advice includes targets to restore an attribute of the site feature (such as habitat area or species population size), consideration should be given to whether</p>	<p>The inclusion of further references to the conservation objectives of the European sites into the updated HRA report will be considered, regarding Natural England's references to an assessment against the 'current environmental baseline'. However, it should be noted that the entire HRA accounts for the current environmental baseline (for example, it uses the Wetland Bird Survey Humber Estuary population data for 2017/18-2021/22 in determining whether survey parcels support more than 1% of the Humber Estuary SPA population). This is not normally written as a separate section as the current condition of the SPA features is part of determining whether an adverse effect on integrity will arise, even from the project alone.</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		cumulative impacts will hinder the restoration of these attributes.	
2.73.35	NE26 Soils and Best and Most Versatile Agricultural Land	<p>Natural England's position regarding soils and agricultural land is summarised below. Further detail on our reasoning for this is given in Part II.</p> <p>Natural England is responsible for all consultations on applications involving the loss of more than 20 ha of Best and Most Versatile agricultural land (BMV) Natural England has previously noted that the proposal will not lead to the loss of 20 ha or more of BMV soil. However, we still be advising the Applicant and Examining Authority on soil resources. We note that predictions of expected loss could change owing to finalisation of the route. Mitigation and restoration considerations can be addressed by reference to good practice guidance. We will be reviewing the Soil Management Plan and advising the Applicant and Examining Authority.</p>	Noted. No further response required.
2.73.36	NE27 Protected Species	<p>Natural England has adopted <u>standing advice</u> for protected species, which includes guidance on survey and mitigation measures. Natural England is not providing bespoke advice on the protected species information provided in the ES for this project.</p> <p>A separate protected species licence from Natural England or Defra may be required. Applicants should refer to the guidance at <u>Wildlife licences: when you need to apply</u> to check to see if a mitigation licence is required. Applicants can also make use of Natural England's charged service <u>Pre-Submission Screening Service</u> for a review of a draft wildlife licence application. Natural England can then review a full draft licence application to issue a Letter of No Impediment (LONI) which explains that based on the information reviewed to date, that it sees no impediment to a licence being granted in the future should the DCO be issued. See <u>Advice Note Eleven, Annex C – Natural England and the Planning Inspectorate National Infrastructure Planning</u> for details of the LONI process.</p>	Draft licences for water vole and badger are being prepared and will be submitted to Natural England to review via the pre-submission screening service.

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.73.37	<p>NE28 Biodiversity Net Gain (BNG)</p>	<p>The Environment Act 2021 includes NSIPs in the requirement for Biodiversity Net Gain (BNG). The biodiversity gain objective for NSIPs is defined as at least a 10% increase in the pre-development biodiversity value of the on-site habitat.</p> <p>It's the intention that BNG should apply to all terrestrial NSIPs accepted for examination from November 2025. This includes the intertidal zone but excludes the subtidal zone.</p> <p>We welcome the commitment to delivering BNG on this project.</p> <p>We recommend that the target increase in BNG of at least 10% across all biodiversity unit types is secured by a suitably worded requirement in the DCO. Natural England has not reviewed the draft BNG strategy and assessment at this stage, but, depending on resources will aim to provide advice and /or comments. Biodiversity Net Gain Issue has been produced and a Biodiversity and Environmental Management Plan (BEMP), or similar will be forthcoming.</p> <p>In addition to the Applicant's intent to link current BNG sites to new proposals we would advise that opportunities are explored to extend appropriate habitats to designated sites.</p> <p>The biodiversity baseline should include all land contained within the site's red line boundary and proposals can be iteratively refined over time and throughout detailed design.</p> <p>We encourage developers to:</p> <ul style="list-style-type: none"> • develop BNG proposals in adherence with well-established BNG principles: <ul style="list-style-type: none"> o <u>BS 8683:2021 Process for designing and implementing Biodiversity Net Gain</u> o CIEEM/IEEMA/CIRIA good practice <u>principles</u> (2016) and <u>guidance</u> (2019). • use the Defra biodiversity metric to calculate BNG and adhere to the rules and principles set out within the metric guidance. <p>Biodiversity gains should be secured for a minimum of 30 years and be subject to</p>	<p>Noted. The Applicant is making a voluntary commitment to deliver a 10% net gain in biodiversity relating to the permanent habitat losses at the Immingham Facility, Theddlethorpe Facility and Block Valve Stations.</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		<p>adaptive management and monitoring. BNG plans should be secured by a suitably worded requirement in the DCO.</p>	
2.73.38	NE29 Landscape and Visual	<p>The proposed scheme includes a small section of the preferred cable corridor that is within the Lincolnshire Wolds Area of Outstanding Natural Beauty (AONB). The Applicant has advised that other routes were considered, these other route options were not discussed with stakeholders.</p> <p>However, the Applicant has advised that the preferred route was chosen on grounds of the alternatives proximity to proximity to community sites, and this option was less populated. Given this, we have continued to seek advice from the Lincolnshire Wolds AONB Partnership who has provided valuable input into the assessment of , and recommendations for mitigation within, the AONB and its setting. Natural England is of the opinion that further discussion is needed between the three parties to ensure that once construction is complete that mitigation is of sufficient quality to ensure that all of the AONB's special qualities, for which it is designated, are returned.</p> <p>NE needs to finalise opinion on the proposed Lincolnshire Heritage Coast and that any identified impacts has provided with satisfactory mitigation. Detailed comments will be provided at the Written Representation Stage.</p>	<p>The Applicant would be pleased to continue discussions with Natural England and the Lincolnshire Wolds AONB Partnership to ensure that sufficient measures are in place so that once construction is complete, the mitigation implemented is of sufficient quality to ensure that all of the AONB's special qualities, for which it is designated, are returned.</p> <p>The comments related to the Lincolnshire Heritage Coast are noted.</p>
2.73.39	Appendix A	<p>Humber Estuary Special Protection Area: non-breeding waterbird assemblage (Version 1.2, June 2023)</p> <p>The Humber Estuary Special Protection Area (SPA) qualifies under article 4.2 of the European Commission Bird Directive (79/409/EEC) in that it supports an internationally important assemblage of waterbirds. Confusion can arise concerning which species to consider when assessing the Humber Estuary SPA non-breeding, waterbird assemblage feature.</p> <p>Natural England recommends focusing on what are referred to as the 'main component species' of the assemblage. Main component species are defined as:</p>	<p>The HRA will be updated with the non-breeding bird assemblage Version 1.2. This will be submitted as Revision B of the HRA and will be submitted at Deadline 2.</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		<p>a) All species listed individually under the assemblage feature on the SPA citation (i.e. the species that qualified in 2007 when the site was designated).</p> <p>b) Species which might not be listed on the SPA citation but occur at site levels of more than 1% of the national population according to the most recent Humber Estuary Wetland Bird Survey (WeBS) 5-year average count (currently 2017/18 - 2021/22).</p> <p>c) Species where more than 2000 individuals are present according to the most recent Humber Estuary WeBS count.</p> <p>The assemblage qualification is therefore subject to change as species' populations change. It should be noted that species listed on the citation under the assemblage features, whose populations have fallen to less than 1% of the national population, retain their status as a main component species and should be considered when assessing the impacts of a project or plan on the Humber Estuary SPA.</p> <p>Natural England advises that the main component species of the Humber Estuary SPA non- breeding waterbird assemblage include (June 2023):</p> <p>a) Species listed individually under the assemblage feature on the SPA citation:</p> <ul style="list-style-type: none"> • Avocet, <i>Recurvirostra avosetta</i> (non-breeding) • Bar-tailed godwit, <i>Limosa lapponica</i> (non-breeding) • Bittern, <i>Botaurus stellaris</i> (non-breeding) • Black-tailed godwit, <i>Limosa islandica</i> (non-breeding)¹ • Brent goose, <i>Branta bernicla</i> (non-breeding)¹ • Curlew, <i>Numenius arquata</i> (non-breeding)¹ • Dunlin, <i>Calidris alpina</i> (non-breeding)¹ • Golden plover, <i>Pluvialis apricaria</i> (non-breeding)¹ • Goldeneye, <i>Bucephala clangula</i> (non-breeding) 	

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		<ul style="list-style-type: none"> • Greenshank, T. nebularia (non-breeding) • Grey plover, P. squatarola (non-breeding) • Knot, Calidris canutus (non-breeding) • Lapwing, Vanellus vanellus (non-breeding)1 • Mallard, Anas platyrhynchos (non-breeding)1 • Oystercatcher, Haematopus ostralegus (non-breeding) • Pochard, Aythya farina (non-breeding) • Redshank, Tringa totanus (non-breeding)1 • Ringed plover, Charadrius hiaticula (non-breeding) • Ruff, Philomachus pugnax (non-breeding)1 • Sanderling, Calidris alba (non-breeding) • Scaup, Aythya marila (non-breeding) • Shelduck, Tadorna tadorna (non-breeding) 1 • Teal, Anas crecca (non-breeding)1 • Turnstone, Arenaria interpres (non-breeding) • Whimbrel, N. phaeopus (non-breeding)1 • Wigeon, Anas Penelope (non-breeding)1 <p>And</p> <p>b) Species which are not listed on the SPA citation but occur at site levels of more than 1% of the national population according to the most recent Humber Estuary Wetland Bird Survey (WeBS) 5-year average count:</p> <ul style="list-style-type: none"> • Green sandpiper, Tringa ochropus (non-breeding) • Greylag goose, Anser anser (non-breeding)1 • Little egret, Egretta garzetta (non-breeding)1 • Pink-footed goose, Anser brachyrhynchus (non-breeding)1 • Shoveler, Anas clypeata (non-breeding) • Crane, Grus grus (non-breeding)1 <p>As stated above, the assemblage qualification is subject to change as species' populations change; therefore, the appropriate WeBS data should be considered in any assessment and the above list should be used as a guide only.</p>	

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		<p>Please note, the advice set out above should be considered when assessing potential impacts on the waterbird assemblage feature. You will also need to consider potential impacts on species which are not considered to be non-breeding waterbirds but are listed on the citation qualifying under article 4.1 and 4.2 of the Directive. These include:</p> <ul style="list-style-type: none"> • Hen harrier, <i>Circus cyaneus</i> (non-breeding)¹ • Marsh Harrier, <i>Circus aeruginosus</i> (breeding)¹ • Little tern, <i>Sterna albifrons</i> (breeding) • Avocet, <i>Recurvirostra avosetta</i> (breeding) • Bittern, <i>Botaurus stellaris</i> (breeding) <p>The species marked 1 in bold text are known to use off-site supporting habitat / functionally linked land (FLL) (e.g. arable farmland, grassland/pasture, and/or non-estuarine waterbodies) in the non-breeding season and may therefore be the most relevant for assessing potential impacts of a proposed plan/project on birds using FLL associated with the Humber Estuary SPA. However, please note that this list should be used as a guide only; usage may depend on factors such as the habitats available on the site and distance to the Humber Estuary etc. Therefore, assessments of potential impacts on birds using functionally linked land should consider all relevant species and clear justification should be provided if any species are excluded from the assessment.</p>	
2.73.40	Appendix B	<p>Appendix B: Recommended coordinated approach to terrestrial and marine elements of the proposal.</p> <p><u>Natural England text in relation to taking into account all aspects of the of an offshore windfarm project which may be subject to determination across multiple separate NSIPs/Consents with different owners for the terrestrial, coastal ports and marine with joint/shared infrastructure which may have cumulative impacts to nature conservation features.</u></p> <p>Natural England notes that where there is likely to be separate NSIP/consents for assets relating to the same project which adds</p>	The Applicant disagrees with Natural England's advice. See response to the Examining Authority's First Written Question 1.1.8.

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		<p>additional complexity and observe such a scenario could potentially result in up to three Development Consent Orders (DCOs) and/or marine licence with overlapping requirements.</p> <p>Therefore, we advise that prompt consideration is required by the relevant parties to consider how conditions including mitigation measures (and potential compensation measures) can be implemented and consented to ensure that Carbon Capture Utilisation and Storage (CCUS) projects impacts can be considered holistically, the risk of stranded assets can be avoided, and that CCUS can be delivered in a timely manner.</p> <p>From our experiences of the consenting process for both the Triton Knoll offshore windfarm 'array' NSIP and the Triton Knoll Electrical System NSIP. We provide the following advice on a without prejudice basis to help address the challenges that may be faced by projects where multiple NSIPs/consents are required but timeframes are unlikely to align, the merits of the applications are unlikely to be considered by the same examining authority/competent authority and there are subsequent implications for DCO requirement and marine licence discharge.</p> <p><u>Consideration of indirect, secondary and cumulative impacts</u></p> <p>We advise that in order for any one of the examining/competent authorities to assess the direct, indirect, secondary and cumulative impacts from multiple NSIPs/consents there will need to be sufficient information submitted on the indirect, secondary and cumulative impacts of the grid connection works with each we draw your attention to national policy statements which require projects to ensure they provide sufficient information on the indirect, secondary and cumulative effects. The competent authorities must be satisfied that there are no obvious reasons why the necessary approvals for the other element are likely to be refused.</p> <p>Though, it remains unclear to Natural England how this would work in practice when the Applicants for the different elements and/or the Applicant for any other associated project are</p>	

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		<p>different. There is a risk that due to timeframes the coordinated approach may well result in a detailed terrestrial/onshore scheme but may not have detailed proposals relating to the marine elements which doesn't accord with national policies.</p> <p>Natural England advises that it cannot be reasonably contended that a cumulative assessment does not need to be carried out of a project that is not only intrinsically linked to the proposed development, but is necessarily required to come forward for the proposed development to have any meaningful existence beyond, resulting in a stranded asset - be that the terrestrial or marine element.</p> <p><u>Consenting of associated NSIPS</u></p> <p>The competent authorities must be satisfied that there are no obvious reasons why the necessary approvals for the other elements are likely to be refused. For example, Natural England struggled during the Triton Knoll generation array examination to advise the Examining whether there were, or were not, any obvious reasons why the necessary approvals would be likely to be refused.</p> <p>For Triton Knoll Natural England also advised that a condition preventing the offshore works associated with the generation asset commencing until the necessary grid connection consents had been obtained. Such an approach would ensure that any secondary, indirect and cumulative impacts that were identified as arising during the course of any assessments into the grid connections works would prevent the authorised development coming forward, as they would result in the necessary grid connection consents being refused.</p> <p>Natural England advises, that without such a condition being included in the DCO for Viking Loggs, there would be no option open to the competent authorities other than to refuse the marine applications. This is because the Examining Authority wouldn't have before its sufficient information on the indirect, secondary and cumulative effects of the proposed development with the marine works which the Examining Authority is required to have by the</p>	

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		<p>EIA Regulations. In addition, without the suggested condition, we are concerned it would allow the terrestrial works to be built without any means of connecting them to the offshore storage area.</p> <p>Natural England highlights the risk that such a situation may pose to the Examining Authority, as the rationality of the decision could be questioned were it to allow the Applicant to construct an onshore pipeline that had no meaningful existence because it could not be connected to the storage area.</p>	

Table 2-74: Addleshaw Goddard LLP on behalf Network Rail Infrastructure Limited – RR-074

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.74.1	General	<p>This is the section 56 representation of Network Rail Infrastructure Limited (Network Rail) provided in respect of Chrysaor Production (U.K.) Limited's (Applicant's) application for a Development Consent Order (Order) to authorise the construction, maintenance and operation of the relevant works proposed to be set out in Schedule 1 to the Order to be carried out on or which affect railway property, including powers to compulsorily acquire land and rights over land (Scheme). Network Rail is a statutory undertaker and owns, operates and maintains the majority of the rail infrastructure of Great Britain.</p>	<p>Network Rail's comments are noted.</p> <p>The Applicant is in discussion with Network Rail regarding the completion of suitable land and asset protection agreements. Discussion is also ongoing on the terms of the Protective Provisions.</p>
2.74.2	Land / Compensation	<p>The Book of Reference (BoR) identifies 19 plots (Plots), identifiable on Sheets 1, 6, 29 and 30 of the Land Plans [AS-049], as land that Network Rail owns or has an interest in which compulsory acquisition powers to acquire new rights are sought. The compulsory acquisition powers sought are described in the BoR as being the compulsory acquisition of all subsurface only interests and rights in land (Compulsory Powers). Network Rail notes that the Compulsory Powers are sought in relation to operational railway (being the BR1 Brocklesby to Immingham Branch Line as well as the Habrough to Grimsby Branch Line (Railway Lines)). The Applicant proposes to construct and install a pipeline underneath the Railway Lines. Network Rail objects to the</p>	

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		<p>inclusion of the Plots in the Order. The Plots constitutes land acquired by Network Rail for the purpose of its statutory undertaking and, accordingly, this representation is made under section 56 and sections 127 and 138 of the Planning Act 2008.</p> <p>Network Rail also objects to all other compulsory powers in the Order to the extent that they affect, and may be exercised in relation to, Network Rail's property and interests.</p>	
2.74.3	Protective Provisions	<p>Network Rail is in the process of investigating whether the Scheme's construction traffic routes or vehicular movements will have any potential impact on local level crossings or bridges. Network Rail may seek mitigation measures to ensure the safety, security and operation of its railway assets. In order for Network Rail to be in a position to withdraw its objection Network Rail requires:</p> <p>(a) agreements with the Applicant that regulate:</p> <p>(i) the manner in which rights over the Plot and any other railway property are acquired and the relevant works are carried out including terms which protect Network Rail's statutory undertaking and agreement that compulsory acquisition powers will not be exercised in relation to such land; and</p> <p>(ii) the carrying out of works in the vicinity of the operational railway network to safeguard Network Rail's statutory undertaking; and</p>	
2.74.4	Protective Provisions	<p>(b) the inclusion of protective provisions in the DCO for its benefit. To safeguard Network Rail's interests and the safety and integrity of the operational railway, Network Rail objects to the inclusion of the Compulsory Powers and any other powers affecting Network Rail in the Order. Network Rail requests that the Examining Authority treat Network Rail as an Interested Party for the purposes of the Examination.</p>	

Table 2-75: Nicola Carden – RR-075

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.75.1	General	I don't want it. Local people don't want it.	<p>Noted.</p> <p>The UK government has a target of achieving net zero by 2050 and meeting this target will require reduced emissions of CO₂ from existing industries within the Humber and Lincolnshire region. Carbon capture and storage (CCS) is recognised by the Intergovernmental Panel on Climate Change (the IPCC) and the UK government as a vital step on the road to achieving net zero carbon dioxide emissions, with the 6th Carbon Budget outlining plans to capture and store between 20 and 30 million tonnes of CO₂ a year by 2030.</p> <p>The revised draft National Policy Statement for Energy (EN-1) recognises that there is “an urgent need for new CCS infrastructure to support the transition to a net zero economy”. CCS is one of many proposed approaches to tackling CO₂ emissions and climate change and is considered a transitional technology.</p> <p>More information is available in the Need Case [APP-131].</p>

Table 2-76: Nigel Barker – RR-076

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.76.1	Safety	Why aren't there more shut off valves in the 55km pipeline. Surely the more valves there are lessens the amount of Co2 that may potentially escape if there is a breach.	<p>Engineering design work was undertaken to refine the specific locations for the Block Valve Stations along the preferred pipeline route as described in the ES Chapter 2: Design Evolution and Alternatives [APP-044].</p> <p>The Applicant is highly experienced in health and safety management and takes very seriously its legal duty under the UK's Health and Safety at Work Act to protect workers and the public from its activities. The Applicant places the utmost importance on the safety of the communities it interacts with, its employees and its contractors who will work on this project.</p> <p>Several important factors were considered in routing the pipeline. These were the safety of local communities, avoiding built up areas and sensitive buildings, areas protected for their habitat and species, the Lincolnshire Wolds Area of Outstanding Beauty, areas that are liable to flood and historic monuments.</p> <p>The pipeline has been designed in compliance with Engineering Standard BSI PD 8010-1:2016, which makes specific provision for CO₂ pipelines and the approach to routing including minimum distances to buildings. In addition, the pipeline has been designed in accordance with the established principle of ALARP (“As Low as Reasonably Practicable”), as described in the Health and Safety Executive's (HSE's) longstanding framework document “Reducing Risks, Protecting People”. The purpose of ALARP is to ensure risks are reduced as far as is reasonably practicable.</p> <p>The Applicant has referenced the HSE's Tolerability of Risk framework (which is defined in the “Reducing Risks, Protecting People” framework document mentioned above) to assess the pipeline risks. This assessment shows that the risk to members of the public living near to the Viking CCS pipeline route is well within the framework's lowest classification of risk. Under the framework, the HSE considers that “risks falling into this region are generally regarded as insignificant and adequately controlled.”</p> <p>The HSE does not usually require further action to reduce risks in this lowest classification unless reasonably practicable measures are available, such as developing comprehensive emergency response plans. The Applicant will work with all relevant local authorities to develop such plans.</p> <p>The Applicant has engaged with the HSE, including their science division, to seek their expert opinion on the pipeline design and associated risk assessments. The Applicant has also engaged with other industry experts and will continue to engage both regulator and industry experts throughout the pipeline design and subsequent operation.</p> <p>The Applicant has adopted a robust design and route selection process for the Proposed Development, with safety of local communities being a key consideration. The routing and design accords with adopted guidance, including on managing risk, and has been informed by advice from experienced technical consultants.</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.76.2	Safety	Has Co2 been categorised yet as a highly dangerous gas/liquid.	The UK does not legislate CO ₂ as a dangerous fluid.
2.76.3	Safety	What are the emergency routines if there is an escape of Co2 and how do these routines protect people, animals and wildlife.	Emergency routines will be established during the Front-End Engineering Design (FEED) development and approved prior to commencing operation of the pipeline and associated facilities. Regular inspection of the pipeline route and facilities will be completed to ensure no third party or unauthorised works are undertaken near the pipeline. 24-hour monitoring of the pipeline operations and facilities will be provided to identify any CO ₂ escape and implement the emergency response procedure expediently. Further detail has been submitted in response to the WQ 1.1.23.
2.76.4	Safety Land / Compensation	Is there going to be any form of compensation for those people living adjacent to the pipeline and also next to the proposed reception point at TGT.	The Applicant has designed the pipeline to minimise any potential impacts on residential properties. This has meant there are no residential properties included within the Order Limits. As a result of this, and the fact the pipeline will be buried, the Applicant does not expect that the project will trigger any requirement for compensation. If the Applicant needs to take land, or rights over land, as a result of the project there is a process for claiming compensation in accordance with the statutory Compensation Code.

Table 2-77: Nikki McCreight – RR-077

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.77.1	Design Evolution and Alternatives	I object to it as I live in a house on the proposed project	The Applicant has designed the pipeline to avoid and minimise any potential impacts on residential properties. This has meant there are no residential properties included within the Order Limits.

Table 2-78: North East Lincolnshire Council – RR-078

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.78.1	Historic Environment	We have been liaising directly with the developer for some time now and have provided comments and updates throughout the pre submission period. These comments have been on the following matters. 1. Conservation and Heritage: We have raised the need to consider conservation and heritage and we are aware that there have been ongoing discussions with our Heritage Officer. Policy 39 of the North East Lincolnshire Local Plan Adopted 2018 (NELLP) is the relevant policy on this matter.	The Applicant notes NELC's comment that they have engaged in pre-submission discussions and welcomes ongoing dialogue with NELC's Heritage Officer regarding Conservation and Heritage matters.
2.78.2	Ecology and Biodiversity	2. Ecology: The development should be considered in line with Policy 41 of the NELLP and the information provided so far is acknowledged. In particular, the reference to	Noted and agreed.

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		Biodiversity Net Gain. In relation to ecology, any impacts along the route should be sufficiently mitigated if required.	
2.78.3	Traffic and Transport	3. Highways: Highway considerations need to be through the Transport Assessment and Construction Management Plan with associated Travel Plan.	Highway considerations were included within the Transport Assessment [APP-106] and the Draft Construction Traffic Management Plan [APP-107] .
2.78.4	Landscape and Visual	4. Landscape: We have raised the need to consider landscape and impacts to trees and we are aware that there have been ongoing discussions with our Trees & Woodlands Officer. Policy 42 of the North East Lincolnshire Local Plan Adopted 2018 (NELLP) is the relevant policy on this matter.	Noted and agreed.
2.78.5	Water Environment	5. Drainage: Drainage is a consideration. It would be beneficial if all drainage works are identified as within the Order limits to avoid the need for any separate future applications in relation to drainage works.	All anticipated drainage will be within the DCO Order Limits, with the exception potentially some drainage outfalls. An outline of the Drainage Strategy [APP-099] was included within the application, however it has been noted that this was missing the Annexes showing the permanent drainage plans. These will be shared showing the draft operational drainage layouts. The temporary construction drainage will be developed prior to construction with the aid of a local specialist drainage consultant. It is the aim to contain as much of the drainage works within the DCO Order Limits as possible, however it cannot be guaranteed at this stage due to the varying elevations along the pipeline route.
2.78.6	Air Quality	6. Environmental Health: Air quality will need to be considered.	Air quality and health effects have been considered within the Environmental Statement, particularly within ES Chapter 14: Air Quality [APP-056] and Chapter 17: Health and Wellbeing [APP-059] .
2.78.7	PRoW	7. Rights of Way: We have raised the need to consider the public rights of way along the route and we are aware that there have been ongoing discussions with our Rights of Way Officer.	Noted and agreed. The impact of the Proposed Development on Public Rights of Way has been assessed within the application. A Public Rights of Way Management Plan [APP-123] has also been prepared.
2.78.8	Safety	8. Safety and HS:E Previous discussions on the designation of the pipeline are acknowledged and that the pipeline is unlikely to be a hazardous pipeline under HSE designation. However, clarity in relation to safety is considered to be an important factor. We hope the above is of value. We look forward to working on this project as the examination proceeds.	The Applicant is highly experienced in health and safety management and takes very seriously its legal duty under the UK's Health and Safety at Work Act to protect workers and the public from its activities. The Applicant places the utmost importance on the safety of the communities it interacts with, its employees and its contractors who will work on this project. Several important factors were considered in routing the pipeline. These were the safety of local communities, avoiding built up areas and sensitive buildings, areas protected for their habitat and species, the Lincolnshire Wolds Area of Outstanding Beauty, areas that are liable to flood and historic monuments. The pipeline has been designed in compliance with Engineering Standard BSI PD 8010-1:2016, which makes specific provision for CO ₂ pipelines and the approach to routing including minimum distances to buildings. In addition, the pipeline has been designed in accordance with the established principle of ALARP ("As Low As Reasonably Practicable"), as described in the Health and Safety Executive's (HSE's) longstanding framework document "Reducing Risks, Protecting People". The purpose of ALARP is to ensure risks are reduced as far as is reasonably practicable. The Applicant has referenced the HSE's Tolerability of Risk framework (which is defined in the "Reducing Risks, Protecting People" framework document mentioned above) to assess the pipeline risks. This assessment shows that the risk to members of the public living near to the Viking CCS pipeline route is well within the framework's lowest classification of risk. Under the framework, the HSE considers that "risks falling into this region are generally regarded as insignificant and adequately controlled."

Ref	Topic	Matter raised in Relevant Representation	Applicant response
			<p>The HSE does not usually require further action to reduce risks in this lowest classification unless reasonably practicable measures are available, such as developing comprehensive emergency response plans. The Applicant will work with all relevant local authorities to develop such plans.</p> <p>The Applicant has engaged with the HSE, including their science division, to seek their expert opinion on the pipeline design and associated risk assessments. The Applicant has also engaged with other industry experts and will continue to engage both regulator and industry experts throughout the pipeline design and subsequent operation.</p> <p>The Applicant has adopted a robust design and route selection process for the Proposed Development, with safety of local communities being a key consideration. The routing and design accords with adopted guidance, including on managing risk, and has been informed by advice from experienced technical consultants.</p>

Table 2-79: North Lincolnshire Council – RR-079

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.79.1	General	<p>To assist the Examining Authority in forming its initial assessment of principal issues in advance of the preparation of the draft examination timetable, and ahead of the submission of our Local Impact Report, North Lincolnshire Council wishes to make the following initial representation to identify its main areas of interest at this stage in relation to the Development Consent Order Application.</p> <p>North Lincolnshire Council acknowledge that there is a recognised need and support for renewable and low carbon energy technology through national planning policy and that the proposed development would contribute towards the targets set for the UK's greenhouse gas emission reduction and increasing the country's energy supply from more renewable sources. Notwithstanding this 'in principle' national policy support, the impacts of the proposal must be fully assessed in order to complete a full, fair and detailed planning balance assessment.</p>	<p>The Applicant has undertaken a detailed assessment of its proposals, the findings of which can be found within the whole suite of application documents. In particular, the assessment is included within the Environmental Statement Volume I to IV [APP-041 to APP-117].</p>
2.79.2	EIA	<p>North Lincolnshire Council considers that the main issues arising at this stage from the proposal that need to be weighed in the planning balance are as follows:</p> <ul style="list-style-type: none"> • Landscape and visual impacts of the proposed development • Cultural heritage • Ecological impacts and considerations, including mitigation and enhancement 	<p>This is noted. An assessment of the impacts associated with the Proposed Development covering the topics listed (along with numerous others) are included within the Environmental Statement:</p> <ul style="list-style-type: none"> - Chapter 7: Landscape and Visual [APP-049] - Chapter 8: Historic Environment [APP-050] - Chapter 6: Ecology and Biodiversity [APP-048] - Chapter 17: Health and Wellbeing [APP-059] - Chapter 12: Traffic and Transport [APP-054]

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		<ul style="list-style-type: none"> • Amenity impacts • Traffic and transport 	
2.79.3	General	<p>North Lincolnshire Council will, at the required time, be producing a Local Impact Report which will set out its position in full on the above and its view on the broader planning issues relating to this DCO application. We will continue to engage with the Applicant with the aim of providing a completed and signed Statement of Common Ground during the examination.</p>	<p>The Applicant has continued to engage with North Lincolnshire Council and as a result have developed a draft of the Statement of Common Ground which has been submitted at Deadline 1.</p>

Table 2-80: Weightmans LLP on behalf of Northern Powergrid (Yorkshire) Plc – RR-080

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.80.1	Protective Provisions	<p>Northern Powergrid is in principle supportive of the Viking CCS Pipeline DCO project but has concerns relating to the impacts which the proposed scheme will have on Northern Powergrid's existing assets, and their pending improvement works.</p> <p>There is a significant amount of Northern Powergrid infrastructure within the red line boundary area of the Order and thus the project has a direct impact on Northern Powergrid's existing critical national infrastructure which serves significant numbers of customers in the local and wider area. Northern Powergrid's rights for these assets are essential in maintaining an uninterrupted power supply to the customers they serve. The proposed development seeks to interfere with Northern Powergrid's existing apparatus; there are many points at which the Viking CCS Pipeline crosses both overhead lines and underground cables at 33kV, 11kV and 415v which are vital for Northern Powergrid's existing operations.</p> <p>Northern Powergrid therefore reserves the right to review the position as the scheme progresses and protect its existing apparatus including with bespoke protective provisions in the Order, as at this stage, the specific details of the Pipeline structure including the depth, diameter and respective easement strips are unknown.</p>	<p>The Applicant has engaged with Northern Powergrid as part of the DCO process and a draft Statement of Common Ground has been submitted at Deadline 1. The Applicant will continue to engage with Northern Powergrid to prepare Protective Provisions including design and construction activities requirements.</p> <p>The Applicant welcomes Northern Powergrid's in principle support for the Project.</p> <p>Northern Powergrid's comments are noted in respect of managing interactions between the Project and Northern Powergrid's existing rights and infrastructure.</p> <p>Detailed discussions regarding adequate protection of Northern Powergrid's assets are ongoing.</p> <p>Information on interactions between the Project and Northern Powergrid infrastructure is being shared to facilitate the ongoing discussions and negotiations in relation to the protective provisions. The Applicant hopes to conclude those negotiations in advance of the Examination closing.</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.80.2	Land / Compensation	The accompanying Compulsory Purchase Order for the development seeks to acquire land and interests which, if acquired, would adversely affect Northern Powergrid's ability to use, access, maintain and where necessary upgrade its equipment. It is not necessary to acquire these interests where an agreement between the parties would be more appropriate.	
2.80.3	Protective Provisions	<p>In addition to the technical impacts of the proposed development, Northern Powergrid has concerns over the proposed protective provisions contained within the draft Order as they do not take into account site specific issues and do not accord with Northern Powergrid's standard protective provision requirements. Northern Powergrid has discussed its concerns with Chrysaor Production (U.K.) Limited ('the Applicant') and the parties are working closely to reduce the project's impacts on Northern Powergrid's apparatus and agree bespoke protective provisions within the draft Order.</p> <p>Northern Powergrid is keen to keep an open dialogue with the Applicant and to engage with the Applicant's legal representative to agree appropriate amendments to the protective provisions.</p>	

Table 2-81: DDM Agriculture on behalf of P&J Hoyes & Son – RR-081

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.81.1	Land / Compensation	•Failure to agree commercial terms due to a lack of meaningful consultation with the landowners and their agents	<p>The Applicant notes the comments from DDM Agriculture Ltd on behalf of P & J Hoyes & Son and acknowledges that discussions on the Option Agreement for Lease remain ongoing.</p> <p>The Applicant has been engaging with DDM Agriculture Ltd on behalf of P & J Hoyes & Son since March 2022 and has been discussing commercial terms since July 2023.</p> <p>The Applicant will continue to engage with DDM Agriculture Ltd on behalf of P & J Hoyes & Son with a view to reaching a commercial agreement.</p>
2.81.2	Construction	•Failure to agree a method statement for the pipeline construction and failure to provide clarity regarding construction depth of the	The pipeline will be buried at a minimum depth of 1.2m to the top of the pipe, apart from under exceptional circumstances not anticipated in the location of the Proposed Development. This will be greater at crossing points of railways, roads and watercourses.

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		pipeline and assurances that the land can be farmed going forward	<p>Once the pipeline is installed, normal agricultural practices will be able to resume above the pipeline. This is set out in paragraph 3.7.32 of ES Chapter 3: Description of the Proposed Development [APP-045]. Further, section 3.12 of Chapter 3 sets out the approach to construction in more detail.</p> <p>Details of the depth of the pipeline has also been shared with the affected parties' Agent and reference has been made to this in the proposed Heads of Terms, for which the Applicant is progressing with an aim to reach agreement.</p>
2.81.3	Easements	•No consultation has taken place regarding potential future development of the pipeline corridor and compensation provision via a development clause	<p>As noted above, the Applicant has consulted and engaged with P & J Hoyes & Son since March 2022. The Applicant will continue to engage with the landowner and compensation will be assessed on a case-by-case basis in accordance with the Compensation Code.</p> <p>No known or reasonably anticipated development prospect has been raised by DDM Agriculture Ltd on behalf of the P & J Hoyes & Son to date, and, as such a development clause has not been considered appropriate.</p>
2.81.4	Construction	•No consultation regarding the implementation of a haul road during the construction period	<p>As set out in paragraph 3.12.38 of ES Chapter 3: Description of the Proposed Development [APP-045], the entrance directly off the public highway would be laid to hardcore. The temporary access routes which lead to the pipeline spread and the running track itself would have the topsoil removed and stored to one side. The "running track" is effectively the haul road which will be constructed along the entire right of way (excluding certain crossing locations), to allow the passage of vehicles, plant and materials/pipe. Upon completion of construction, these tracks will be levelled, and the topsoil replaced, and land restored to its original condition.</p> <p>Paragraph 3.12.39 states that, where necessary depending on ground conditions and weather conditions, some areas may temporarily be covered with a geotextile membrane and stone surface to facilitate traffic movements.</p>

Table 2-82: DWF Law LLO on behalf of PD Port Services Limited – RR-082

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.82.1	Protective Provisions	<p>PD Ports wishes to make this Relevant Representation on two initial grounds. Firstly, in order to protect its position in relation to land within and adjacent to the proposed Order limits which PD Ports has the benefit of a restrictive covenant ("the Covenanted Land").</p> <p>Secondly, to ensure that access to and from the PD Ports warehousing site at Unit 7 Laporte Road, Stallingborough, Immingham DN40 2PR ("Laporte Road") is retained and PD Ports' operations from Laporte Road can continue unaffected from any impacts of the Project.</p>	Noted. A response to the detailed concerns is set out below.
2.82.2	General	<p>PD Ports is a subsidiary of PD Ports Limited. PD Ports Limited is a Middlesbrough headquartered port, shipping and logistics company. PD Ports Limited is the owner of Teesport, and ports at Hartlepool, Howden and Keadby, with additional operations at the Port of Felixstowe, Port of Immingham, and Port of Hull. PD Ports Limited employs around 1,500 people nationwide. PD Ports Limited's</p>	Noted.

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		<p>Immingham operations (which include those at Laporte Road) include 64,000 square feet of bonded covered warehousing and large open areas for storage of a diverse range of cargo such as metals, construction materials, forest products, agribulks and other cargo.</p> <p>Laporte Road benefits from the area's road access, with the A180 nearby connecting to the East Coast with motorways heading both north and south (M18, M1 and A1) and west (M62).</p>	
2.82.3	Land / Compensation	<p>The Covenanted Land is known as Unit 1 and Unit 2 Manby Road, South Killingholme North Lincolnshire and is registered under HMLR titles HS294686 and HS19809.</p> <p>The Covenanted Land is currently owned by Phillips 66 Limited (the "Landowner"). The Covenanted Land is subject to a covenant for PD Ports benefit restricting its use to those within Use Class B2 or B8 with an ancillary B1 user.</p> <p>The Covenanted Land was originally owned by PD Ports and was transferred to the tenant at the time, ConocoPhillips, subject to this covenant in 2012. The covenant was included to recognise PD Ports interests if the Covenanted Land is subsequently developed.</p> <p>Chrysaor is seeking to use the Covenanted Land for the construction of a 24-inch (610 millimetres) external diameter Carbon Dioxide pipeline section of approximately 1.1km length as shown on Work No.2 and Work No.3 of Sheet 1 of 36 of the Works Plan Part 1 [APP-014].</p> <p>Compulsory acquisition powers are sought for the subsurface of plots 1/15, being the northern corner of the Covenanted Land and Plots 1/37, 1/46, 1/58, being the eastern tip of the Covenanted Land as shown on Sheet 1 of 36 of the Lands Plans [APP-016]. 7. PD Ports understands from the "Schedule of Negotiations and Powers Sought" [APP-012] that the Landowner has entered into negotiations for a voluntary agreement for the rights to construct and operate the Project. However, PD Ports considers that it is presently unclear as to how any rights given to Chrysaor through the DCO will take into account this covenant and that the location of</p>	<p>The Applicant is engaging with Phillips 66 as landowner with the hope of reaching a voluntary agreement that would ensure there was no interference with PD Ports' operations.</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		the pipeline will not affect the future development potential of the Covenanted Land.	
2.82.4	Protective Provisions	It is also unclear whether sufficient protections are within the draft DCO [APP-006] to ensure that the pipeline will only be used as a Carbon Dioxide pipeline and that after its installation, the pipeline will not be used for any other purpose.	Article 4 of the Draft DCO [AS-040] provides the principal power to use and operate the authorised development for the purpose for which it is designed. "Authorised development" is defined in article 1 by reference to Schedule 1 of the Draft DCO. Schedule 1 includes reference to the authorised development being a CO ₂ pipeline. If any future owner/operator of the pipeline was intending to use it for an alternative purpose, then they would need to obtain the necessary consents and land rights to do so. Such alternative use would not be authorised through the provisions in the Draft DCO.
2.82.5	Construction	PD Ports is concerned whether access to Laporte Road will be adversely affected by road closures and diversions associated with the Project. Access to Laporte Road will also be affected by the proposed Immingham Green Energy Terminal DCO ("IGET"). Road closures and diversions may be exacerbated if the impacts of the two projects overlap	Pipeline route and construction traffic are not required to use Laporte Road with no actual works in the area that would directly affect this access route. All pipeline crossings of the road network in this area are planned by trenchless technique, hence no diversion or closures would be required. A full construction traffic management plan will be developed during the FEED stage and updated accordingly prior to commencement of the construction phase with consultation with PD Ports as applicable.
2.82.6	Cumulative Effects	The IGET proposed road closures and diversions will restrict access to Laporte Road from the Immingham Dock to a three-mile diversion route using the A1173 and Kiln lane during its construction phase. Egress from Laporte Road uses Kiln Lane to access the A180 and the wider national road network. The Project proposes works along the A180 and A1173 as shown at Sheets 5 and 8 (at Point 8-SB) of the Public Access and Rights of Way Plan [APP-033]. These works may affect access to and from Laporte Road and potentially interfere with PD Ports' operations. It is unclear how access will be maintained while the IGET diversions are also in place and that these will not result in a further interference with PD Ports' operations.	Pipeline crossing of the A1173 and A180 are planned by trenchless technique, therefore no diversion or closures would be required. A full construction traffic management plan will be developed during the FEED stage and updated accordingly prior to commencement of the construction phase with consultation with PD Ports as applicable.
2.82.7	General	Further, PD Ports considers there is a lack of information provided by Chrysaor with respect to vehicle restrictions, particularly regarding potential weight and height restrictions on the A180 and A1173. Altogether, the lack of this information means that PD Ports cannot fully consider the impact on its own operations as a result of the Project or its impact alongside that of IGET. In light of the above, PD Ports requests to be registered as an Interested Party to the examination and reserves the right to make	Pipeline crossing of the A1173 and A180 are by trenchless technique, therefore height/weight restrictions will NOT be required. A full construction traffic management plan will be developed during the FEED stage and updated accordingly prior to commencement of the construction phase with consultation with PD Ports as applicable.

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		further representations during the examination process in response to any further information provided by Chrysaor.	

Table 2-83: DDM Agriculture Ltd on behalf of Peter Strawson Limited – RR-083

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.83.1	Land / Compensation	•Failure to agree commercial terms due to a lack of meaningful consultation with the landowners and their agents	<p>The Applicant notes the comments from DDM Agriculture Ltd on behalf of Peter Strawson Limited and acknowledges that discussions on the Option Agreement for Lease remain ongoing.</p> <p>The Applicant has been engaging with DDM Agriculture Ltd on behalf of Peter Strawson Limited since March 2022 and has been discussing commercial terms since July 2023.</p> <p>This includes an in-person meeting with the Affected Person and appointed Land Agent in December 2023.</p> <p>The Applicant will continue to engage with DDM Agriculture Ltd on behalf of Peter Strawson Limited with a view to reaching a commercial agreement.</p>
2.83.2	Construction	•Failure to agree a method statement for the pipeline construction and failure to provide clarity regarding construction depth of the pipeline and assurances that the land can be farmed going forward	<p>The pipeline will be buried at a minimum depth of 1.2m to the top of the pipe, apart from under exceptional circumstances not anticipated in the location of the Proposed Development. This will be greater at crossing points of railways, roads and watercourses.</p> <p>Once the pipeline is installed, normal agricultural practices will be able to resume above the pipeline. This is set out in paragraph 3.7.32 of ES Chapter 3: Description of the Proposed Development [APP-045]. Further, section 3.12 of Chapter 3 sets out the approach to construction in more detail.</p> <p>Details of the depth of the pipeline has also been shared with the affected parties' Agent and reference has been made to this in the proposed Heads of Terms, for which the Applicant is progressing with an aim to reach agreement.</p>
2.83.3	Easements	•No consultation has taken place regarding potential future development of the pipeline corridor and compensation provision via a development clause	<p>As noted above, the Applicant has consulted and engaged with Peter Strawson Limited since March 2022. The Applicant will continue to engage with the landowner and compensation will be assessed on a case-by-case basis in accordance with the Compensation Code.</p> <p>No known or reasonably anticipated development prospect has been raised by DDM Agriculture Ltd on behalf of the Peter Strawson Limited to date, and, as such a development clause has not been considered appropriate.</p>
2.83.4	Construction	•No consultation regarding the implementation of a haul road during the construction period	<p>As set out in paragraph 3.12.38 of ES Chapter 3: Description of the Proposed Development [APP-045], the entrance directly off the public highway would be laid to hardcore. The temporary access routes which lead to the pipeline spread and the running track itself would have the topsoil removed and stored to one side. The "running track" is effectively the haul road which will be constructed along the entire right of way (excluding certain crossing locations), to allow the passage of vehicles, plant and materials/pipe. Upon completion of construction, these tracks will be levelled, and the topsoil replaced, and land restored to its original condition.</p> <p>Paragraph 3.12.39 states that, where necessary depending on ground conditions and weather conditions, some areas may temporarily be covered with a geotextile membrane and stone surface to facilitate traffic movements.</p>
2.83.5	Design Evolution and Alternatives	• Failure to respond in a timely manner to valid concerns regarding the pipeline route that were submitted during the statutory consultation period on 24 January 2023. Since the consultation period, the only meeting arranged was 11 months later with the Projects land agents; however, there was still a failure to provide an adequate/satisfactory explanation	<p>The Applicant has been engaging with Masons Rural on behalf of Peter Strawson since March 2022 and has been discussing commercial terms since July 2023. The Applicant will continue to engage with Masons Rural on behalf of Peter Strawson with a view to reaching a commercial agreement.</p> <p>Chapter 6: Ecology and Biodiversity of the ES [APP-048] presents the assessment of the likely impacts on veteran trees identified within the Order Limits of the Proposed Development. The assessment includes consideration of the likely direct and indirect impacts to trees.</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		<p>as to why the pipeline could not be slightly re-routed to take it avoid the removal of valuable ancient trees. A response remains outstanding.</p>	<p>All veteran trees within the DCO Site Boundary will be retained and protected. Veteran trees will be retained and protected in accordance with British Standard (BS) 5837 - Trees in Relation to Design, Demolition and Construction to Construction – Recommendations. The extent of demarcation of retained trees will be driven by assessed Root Protection Areas (RPA) of retained trees. Where encroachment within RPAs is required to facilitate construction, Ecological Clerk of Works and arboriculturist advice will be sought to discuss sensitive working methods in order to protect retained trees. This mitigation is secured through the Outline Landscape and Ecology Management Plan [APP-127].</p> <p>The route avoids woodland so far as is practicable. Where a larger area of woodland (Mayflower Woods west of Immingham) intersects the route, trenchless crossing methods will be used to minimise the loss of habitat. Although minimal, there are a number of smaller wooded areas through which the open-cut pipeline excavation route will pass. Within these areas, the detailed design process would consider a reduction to the working width whilst maintaining safe working practices/conditions. The target will be to reduce the working width to 10m in these locations.</p>

Table 2-84: Town Legal LLP on behalf of Phillips 66 Limited – RR-084

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.84.1	Protective Provisions	<p>Phillips 66 supports the objectives and principle of the Scheme. The Humber is the highest emitting region within the UK and stands to benefit from the deployment of technologies such as carbon capture and storage and lower carbon hydrogen to be facilitated, among other things, by the Scheme.</p> <p>However, Phillips 66 objects to and has a number of concerns in respect of the details of the Proposed Order in its current form.</p> <p>Phillips 66 owns and operates the Humber Refinery (“the HR”) which sits on a 480-acre site at South Killingholme on the Humber estuary. Its operations are highly complex, heavily regulated, and extremely sensitive to disruption and interference. Phillips 66 is a major employer in the area and is key to the local industry and economy.</p>	<p>The Applicant has engaged with Phillips 66 as part of the DCO process and a Draft Statement of Common Ground will be submitted at Deadline 2.</p> <p>Protective Provisions are being prepared.</p>
2.84.2		<p>Phillips 66’s operations and landholdings will be adversely affected by the Proposed Order in its current form. In summary:</p> <p>The Applicant is seeking compulsory acquisition and/or temporary possession powers in the Proposed Order over excessive amounts of Phillips 66’s landholdings, some of which are not necessary for the purposes of the Scheme and will adversely impact upon Phillips 66’s operations; and</p> <p>The Proposed Order does not provide appropriate safeguards, protective provisions,</p>	

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		and mitigation measures in relation to Phillips 66's landholdings and operations.	
2.84.3		In addition, the Application also fails to properly assess the adverse impacts of the Proposed Order (in its current form) on Phillips 66 and consequently, on the industry and local economy of the Humber region. Such an impact assessment is required, in particular, if Option 2 for section 1 of the proposed new pipeline from Rosper Road, Immingham to A180 through the HR is taken forward by the Applicant ("Pipeline Route Option 2"). As set out in further detail below, Pipeline Route Option 2 would be highly detrimental to Phillips 66's operations.	Option 2 has been withdrawn and no longer considered following further discussions with Phillips 66.
2.84.4	Protective Provisions	<p>Accordingly, Phillips 66 considers that the Proposed Order should not be made by the Secretary of State unless and until (in summary):</p> <p>The Application is amended so that Pipeline Route Option 2 is removed from the Proposed Order and any operational land of the HR is excluded from the Proposed Order limits;</p> <p>The permanent and temporary land take proposed in respect of Phillips 66's landholdings for the purposes of the Scheme (particularly in relation to the above ground elements) are reduced so as:</p> <p>(i) To remove all and any Order Plots associated with Pipeline Route Option 2 and/or HR operational land; and</p> <p>(ii) To limit the proposed permanent and temporary land take in respect of Phillips 66's landholdings to that what is proportionate and reasonably necessary and required for the purposes of carrying out the Scheme.</p> <p>Appropriate safeguards, protective provisions and mitigation measures are fully incorporated and built into the terms of the Proposed Order in order to safeguard Phillips 66's operations and that of its employees and customers.</p>	<p>Option 2 will be withdrawn and no longer considered following further discussions with Phillips 66.</p> <p>Further consultation with Phillips 66 has reduced the order limits further to an agreeable proportion requested.</p> <p>The Applicant has engaged with Phillips 66 as part of the DCO process and a Draft Statement of Common Ground will be submitted at Deadline 2.</p> <p>Protective Provisions are being prepared.</p>
2.84.5		Phillips 66 is a limited company (number 00529086) whose registered office address is at 7th Floor, 200-202 Aldersgate Street, London, EC1A 4HD. 3.2 Phillips 66 owns and	<p>The Applicant has engaged with Phillips 66 as part of the DCO process and a Draft Statement of Common Ground will be submitted at Deadline 2.</p> <p>Protective Provisions are being prepared.</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		<p>operates the HR which sits on a 480-acre site at South Killingholme on the Humber estuary.</p> <p>The HR is at the heart of the Humber region's economy providing highly skilled and high value roles for 770 employees and 395 contractors, this rises to around 600 during turnarounds.</p> <p>The HR is one of the most complex and sophisticated refineries in Europe. It has an expansive range of upgrading units that differentiate it from its peers. For example, the HR is the only at-scale producer of Sustainable Aviation (SAF) within the UK, with supply contracts which include British Airways.</p> <p>The HR is a nationally significant piece of infrastructure, providing around 15% of UK road fuel demand. The HR is also Europe's only producer of specialty petroleum coke. This high-value product has traditionally been used as the anode with electric arc furnaces to recycle steel and this remains a growing market. However, specialty petroleum coke also represents a precursor material for synthetic graphite, which is classified by the EU as a Critical Mineral given its usage within electric vehicle (EV) and consumer electronic (CE) batteries. The HR is an industrial-scale supplier into the rapidly expanding global EV and CE markets. 3.6 Since 2012 to 2023 to date, Phillips 66, with the HR as its economic engine, has paid over £547 million in corporation tax to the HM's Treasury.</p> <p>The HR is a critical component of the country's economy. Any material adverse effects to HR's ongoing operations arising from the implementation of Proposed Order would be contrary to the public interest.</p> <p>The importance of the HR to the region and wider country's economy is expressly acknowledged in a wide range of economic and development plan policy documents, including for example:</p> <p>The Greater Lincolnshire LEP – Strategic Economic Plan: 2014-2030 (at page 27);</p> <p>The North Lincolnshire Core Strategy (at 9.39);</p> <p>and</p>	

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		<p>The North East Lincolnshire Council – Local Plan 2013 to 2032 (at 6.9)</p> <p>HR is an upper tier site under the Control of Major Accident Hazards Regulations 2015 (the “COMAH Regulations”). As such, any use of HR operational land or nearby land for the Scheme needs to be subject to detailed review and assessment of any impact on the COMAH risk scenarios, mitigation measures and emergency response measures.</p>	
2.84.6	Land / Compensation	<p>The Land Plans, Work Plans, and the Book of Reference for the Scheme identify numerous plots within the Proposed Order limits which relate to Phillips 66’s landholdings. Specifically, this includes:</p> <p>Plots 1/7, 1/9, 1/32, 1/57, 159, which are subject to proposed powers of permanent acquisition for the purposes of Works 01, 01a, 01b, 01c, and 02 of the Scheme comprising, in summary, works related to the permanent AGI, construction works, electrical connection, carbon dioxide pipeline, permanent AGI construction works, and temporary working area, temporary and permanent access (“Proposed Permanent Acquisition Land”);</p> <p>4.1.2 Plots 1/3, 1/4, 1/6, 1/10, 1/12, 1/13, 1/15, 1/16, 1/17, 1/18, 1/19, 1/20, 1/21, 1/22, 1/23, 1/24, 1/26, 1/31, 1/33, 1/36, 1/37, 1/38, 1/40, 1/41, 1/44, 1/46, 1/50, 1/53, 1/54, 1/58, 1/60, 1/68, 1/69, 1/70, 2/6, 2/7, 2/8, 2/9, 2/10, 2/11, 2/12, 2/13, which are subject to proposed powers of permanent acquisition of the subsurface for the purposes of Works 02, 03, and 04 of the Scheme comprising, in summary, carbon dioxide pipeline related works (“Proposed Permanent Acquisition Subsurface Land”);</p> <p>Plots 1/43, 1/62, 1/63, which are subject to the proposed creation of permanent rights and powers of temporary use for the purposes of Works 01b and 01c of the Scheme comprising, in summary, works/usage relating to temporary and permanent access and electrical connection (“Proposed Permanent Rights and Temporary Use Land”); and Plots 1/25, 1/27, 1/29, 1/30, and 1/34, which are subject to proposed powers of temporary possession and use for the purposes of Works 02a, and 02b of the Scheme comprising, in summary,</p>	<p>The Applicant has engaged with Phillips 66 as part of the DCO process and a Draft Statement of Common Ground will be submitted at Deadline 2.</p> <p>Protective Provisions are being prepared.</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.84.7	Engineering and Design	<p>works/usage related to temporary access and laydown location ("Proposed Temporary Possession and Use Land")</p> <p>Broadly, it appears from the Application document that powers are sought over Phillips 66's landholdings:</p> <p>For the construction of above ground infrastructure known as the Immingham Facility ("Immingham Facility");</p> <p>For section 1 of the pipeline route ("Pipeline Route") from the Immingham Facility to A180 in relation to which two options are included in the Proposed Order comprising:</p> <p>(i) Option 1: The pipeline leaves the tie-in at the Immingham Facility, crosses Humber Road (twice) and the railway line, and then runs parallel to Manby Road before crossing it south of the Immingham Calor Cylinder Distribution site, heading in a south westerly direction north of Immingham towards the former Immingham Golf Club. The pipeline would then continue to travel westwards before changing direction southwards towards Mill Lane which it then crosses, before crossing Harborough Road between the Old School House and Luxmore Farm before continuing southwards and crossing the A180 ("Pipeline Route Option 1").</p> <p>(ii) Option 2: the pipeline would go through the HR site, exiting between Houlton's Covert and Children's Avenue towards the south east. The route would then continue until it reached the alignment of the route as detailed in paragraph 4.2.2(i) above ("Pipeline Route Option 2").</p>	<p>The Applicant has engaged with Phillips 66 as part of the DCO process and a Draft Statement of Common Ground will be submitted at Deadline 2.</p> <p>Protective Provisions are being prepared.</p>
2.84.8		<p>Specifically, as to the Immingham Facility proposals:</p> <p>paragraph 6.1.3 of the Statement of Reasons states that "it would be located in a currently unused section of land to the south of the VPI Immingham site. This facility would require a relatively small area, consisting of approximately 2.47 acres (10,000 m²). The existing land comprises a grassed field to the west of Rosper Road, which was formerly used for construction laydown for the Immingham power station".</p>	<p>The Applicant has engaged with Phillips 66 as part of the DCO process and a Draft Statement of Common Ground will be submitted at Deadline 2.</p> <p>Protective Provisions are being prepared.</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		<p>while the land referred to and held freehold by Phillips 66, comprising the Proposed Permanent Acquisition Land, is currently unused, as the Applicant is aware through ongoing discussions with Phillips 66 (see further below), it is highly likely that this land will be required for other significant proposed projects including a post-combustion carbon capture facility project to remove compress; and to transport carbon dioxide from the flue gases generated by an adjoining combined heat and power generating facility.</p> <p>it is therefore essential that the location of the Immingham Facility is compatible with the future development and use of the currently unused land and does not prejudice these other proposed projects from being brought forward.</p> <p>in addition, Phillips 66 consider that the Proposed Order limits should not include more land than is required by the Applicant for the purposes of the Scheme.</p> <p>In discussions with the Applicant, Phillips 66 understand that the actual land take requirement of the Applicant for the purposes of the Immingham Facility elements of the Scheme to be a maximum of 2.47 acres (10,000 m2) but compulsory acquisition powers are currently sought in relation to the whole of the Immingham Facility which comprises 11.03 acres (44,647 m2).</p>	
2.84.9		<p>As to the Pipeline Route Option 2 proposals:</p> <p>The provision of the pipeline through the HR would require very complex feasibility and safety assessments and a prior comprehensive agreement to be in place between Phillips 66 and the Applicant regulating its use and operation;</p> <p>While there have been some discussions as to the technical and commercial feasibility of Pipeline Route Option 2, no such detailed assessments have been carried out and no such agreements have been entered into with the Applicant and it is unlikely given the highly technical nature of such workstreams that any agreement could be finalised by the end of the</p>	<p>The Applicant's change request to remove Option 2 at Immingham was accepted by the Examining Authority on 3 April 2024 [PD-009].</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		<p>examination of the Application for the Proposed Order.</p> <p>Accordingly, Phillips 66's firm position is that Pipeline Route Option 2 should not be further pursued by the Applicant and the Proposed Order amended accordingly. Furthermore, and for the same reasons, Phillips 66's stance is that all and any operational land of the HR should be removed from the Proposed Order Limits.</p>	
2.84.10	Construction	<p>While Phillips 66 hereby reserves the right to raise other matters in its Written Representations ("WR") should an early agreement with the Applicant to address its concerns with the details of the Proposed Order not be reached, at this juncture, Phillips 66 would also raise the following concerns that need to be thoroughly addressed by the Applicant during the Examination of the Application:</p> <p>Firstly, the Scheme will have both construction impacts and operational impacts in the local area and on the HR. It is essential that these impacts are robustly assessed and any resulting risks adequately mitigated to ensure no adverse impacts on the HR.</p>	Applicant has engaged with Phillips 66 as part of the DCO process with a Statement of Common Ground and Protective Provisions to be prepared including design and construction activities requirements.
2.84.11	Cumulative Effects	<p>Secondly, the cumulative impacts of the Project need to be robustly considered in conjunction with the existing operation of the HR, as well as other existing or approved projects that are under development in the area and could be constructed and operated in a similar timeframe to the Scheme.</p>	Applicant has engaged with Phillips 66 as part of the DCO process with a Statement of Common Ground and Protective Provisions to be prepared including design and construction activities requirements.
2.84.12	Ecology and Biodiversity	<p>Thirdly, where the Scheme results in a loss of biodiversity on Phillips 66s land, whether temporary or permanent, it should be the Applicant's responsibility to deliver an equivalent increase in biodiversity, as well as any net gain needed, on alternative land and Phillips 66 should not be obligated to deliver any of the Applicant's biodiversity related requirements, whether that land was used specifically for the Scheme or otherwise.</p>	
2.84.13	Safety	<p>Fourthly, given HR's status as an upper tier site under the COMAH Regulations, any use of HR's operational land or nearby land for any development related to the Scheme needs to</p>	Applicant has engaged with Phillips 66 as part of the DCO process with a Statement of Common Ground and Protective Provisions to be prepared including design and construction activities requirements.

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		<p>be subject to detailed review and assessment of any impact on the COMAH risk scenarios, mitigation measures and emergency response measures. Depending on the nature and extent of such proposed works to be carried out pursuant to the Scheme, an update of the HR's COMAH report for review by the COMAH Competent Authority may be required.</p>	
2.84.14		<p>While Phillips 66 intends to set out its grounds of objection in more detail (if required) in its WRs, in summary, Phillips 66 objects to the making of the Proposed Order (as is) for the following reasons:</p> <p>the Application fails to properly assess and address the adverse effects on Phillips 66 arising from the proposed permanent and temporary acquisition and use of land, and the construction and operation of the Scheme.</p> <p>the proposed temporary and permanent land take and effects of the Scheme would have a serious adverse effect on Phillips 66's business and, in turn, the business of the wider industry and economy of the Humber region;</p> <p>The proposed temporary and permanent land take exceeds that which is reasonably and proportionately required to carry out the Scheme;</p> <p>As a result of this, and generally, the Applicant has not incorporated in the Proposed Order or otherwise provided for proper mitigation of the Scheme's impacts on Phillips 66 nor sufficiently safeguarded Phillips 66's important interests, among other things, through the inclusion of suitably worded Protective Provisions (see further below).</p>	<p>Applicant has engaged with Phillips 66 as part of the DCO process with a Statement of Common Ground and Protective Provisions to be prepared including design and construction activities requirements. Applicant has engaged with Phillips 66 as part of the DCO process with a Statement of Common Ground and Protective Provisions to be prepared including design and construction activities requirements.</p>
2.84.15	Construction	<p>As explained in section 3 above, Phillips 66 operates a complex and highly regulated HR. The safe and successful operation of a HR on a scale of operation carried on at HR requires, among other things, reliable and unencumbered transportation routes and sufficient useable operational and laydown space to deliver the HR's operations in a safe and viable way. This is achieved through Phillips 66's current arrangements at HR. The Applicant has failed to properly understand and</p>	

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		<p>assess the nature of Phillips 66's operations at the HR.</p>	
2.84.16	Protective Provisions	<p>Without adequate mitigation, safeguards, and Protective Provisions built into the Proposed Order, the Scheme would (in summary) have the potential for the following adverse impacts on Phillips 66's business, namely:</p> <p>Excessive Land take- see paragraph 4.35 above:</p> <p>During the construction phase of the Scheme, ensuring the maintenance of sufficient:</p> <p>(i) road access; and</p> <p>(ii) security arrangements for Phillips 66 facilities:</p> <p>Timing and uncertainty arising from the Proposed Order:</p> <p>(i) Given the nature of the operations and facilities described above, any proposed temporary or permanent land take or operational impediment (such as road closures) cannot take place at short notice to Phillips 66 without significant disruption.</p> <p>(ii) Phillips 66 is an exceptional case and requires a far longer lead-in time.</p> <p>(iii) Protective provisions are therefore required in the Proposed Order to control the Applicant's activity so as to avoid disruption to Phillips 66 and its operations.</p> <p>(iv) In addition, Phillips 66 is concerned that the adverse effects and uncertainty caused by the Proposed Order are a potential disincentive to future investment in the HR and give rise to the potential for unsettling key customers, suppliers and the wider supply chain.</p>	<p>Applicant has engaged with Phillips 66 as part of the DCO process with a Statement of Common Ground and Protective Provisions to be prepared including design and construction activities requirements.</p>
2.84.17	EIA	<p>Phillips 66 further queries the adequacy of the suite of assessments carried out by the Applicant as part of the application for the Proposed Order in relation to the construction and operational impacts of the Scheme on Phillips 66's operations and landholdings.</p> <p>For the reasons summarised above, Phillips 66 considers that the Proposed Order (as is) would have the potential for significant adverse impacts on its operations and the local</p>	

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		<p>economy, and the Applicant has failed to properly assess or mitigate this in the Application.</p>	
2.84.18	Protective Provisions	<p>Phillips 66 notes that no Protective Provisions for the benefit of Phillips 66 are proposed by the Applicant in the Proposed Order.</p> <p>For the reasons set out above, it is imperative that suitable Protective Provisions are included in the Proposed Order to effectively regulate the Applicant's activity so as to avoid undue disruption to Phillips 66 and its operations.</p> <p>Phillips 66 would propose that such Protective Provisions should include the following measures:</p> <p>Plans and sections of the proposed works to cross Phillips 66's operational land must be submitted to Phillips 66;</p> <p>No works which may have an impact on the operation, maintenance or abandonment of Phillips 66's pipelines or access to them may commence until those plans and sections are approved; provided that:</p> <p>(i) No approval may be unreasonably withheld or delayed; and</p> <p>(ii) Phillips 66 may impose such reasonable requirements on the Applicant as may be required for the continuing safety and operational viability of the pipelines and Phillips 66's requirement to have uninterrupted access to them at all times.</p> <p>An ability for Phillips 66 to withhold its authorisation for any crossing works where it can reasonably demonstrate that the Scheme would significantly adversely affect the safety of its pipeline;</p> <p>Provisions for the resolution of any differences between the Applicant and Phillips 66 by reference to an expert;</p> <p>A minimum period of 28 days' notice of the commencement of works to be provided to Phillips 66 so that an engineer can observe the relevant works being carried out;</p> <p>Minimum clearance required between the existing pipelines and the Scheme;</p>	<p>Applicant has engaged with Phillips 66 as part of the DCO process with a Statement of Common Ground and Protective Provisions to be prepared including design and construction activities requirements.</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		<p>Monitoring of Phillips 66's pipelines during the carrying out of works in their vicinity;</p> <p>Provisions for the immediate cessation of works and evacuation of personnel in the event Phillips 66's pipeline asset is damaged;</p> <p>In carrying out any works the Applicant is to comply with relevant regulations concerning health and safety;</p> <p>Restrictions on the exercise of the powers in the Proposed Order so as to minimise impacts on the operation of Phillips 66's existing pipeline;</p> <p>A requirement for the Applicant to obtain appropriate insurance (and provide Phillips 66 with evidence of such) before carrying out works which may affect Phillips 66's pipeline;</p> <p>The payment of Phillips 66's reasonable costs incurred in relation to the supervision or other engagement with the Applicant in respect of any crossing works;</p> <p>The provision of an indemnity to Phillips 66 in respect of all damages, expenses, consequential loss and damages arising from crossing works; and</p> <p>A series of further measures requiring notice in the event of certain circumstances under the operation of the remainder of the Proposed Order. These Protective Provisions are standard practice in Proposed Orders where works to a high value oil refinery asset are proposed. They are necessary to adequately protect Phillips 66's operations and interests.</p>	
2.84.19		<p>Phillips 66 has engaged with the Applicant in relation to the Scheme over approximately the last three (3) years.</p> <p>Through those constructive discussions with the Applicant, Phillips 66 have identified a series of safeguards, mitigation measures, and protective provisions necessary to resolve Phillips 66's concerns with regards to the proposed permanent and temporary land take and details of the Proposed Order.</p> <p>In this regard:</p> <p>draft Heads of Terms are in circulation for a lease of the Immingham Facility;</p>	<p>Applicant has engaged with Phillips 66 as part of the DCO process with a Statement of Common Ground and Protective Provisions to be prepared including design and construction activities requirements.</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		<p>a draft deed of easement for the Pipeline Route Option 1 is proposed;</p> <p>the Applicant has orally agreed to amend its Application for the Proposed Order to exclude Pipeline Route Option 2; and</p> <p>There have been some outline discussions around the need for and scope of proposed Protective Provisions.</p> <p>However, as at the date of the submission of these RR's it is the case that:</p> <p>no legal agreement has been entered into with the Applicant to secure the measures summarised in paragraph 9.3 above; and 9.4.2 no amendment to the Proposed Order has been brought forward by the Applicant.</p>	
2.84.20	Protective Provisions	<p>It is the intention of Phillips 66 to continue to work closely and proactively with the Applicant during the examination period to seek to address the issues it identifies in this RR including seeking mutually to agree the necessary safeguards, measures, and protective provisions to mitigate the Scheme's impacts on Phillips 66's land interests and operations.</p> <p>In order to ensure Phillips 66's operational integrity, such protective works and safeguards must be completed in advance of the implementation of the Scheme.</p>	Applicant has engaged with Phillips 66 as part of the DCO process with a Statement of Common Ground and Protective Provisions to be prepared including design and construction activities requirements.
2.84.21		<p>For the reasons above, Phillips 66 considers that in respect of the Proposed Order (as is):</p> <p>That the Applicant has not currently sufficiently demonstrated there is a compelling case in the public interest for the compulsory acquisition and temporary powers in particular in relation to all of the proposed Permanent Acquisition Land being unnecessary for the purposes of the Scheme; and</p> <p>That the Proposed Order should therefore not be made, and development consent should not be granted for the Scheme, unless and until Phillips 66's interests have been fully protected.</p> <p>Phillips 66 reserves the right to expand on the arguments outlined in this RR (among other things through its WR) in response to how the</p>	Applicant has engaged with Phillips 66 as part of the DCO process with a Statement of Common Ground and Protective Provisions to be prepared including design and construction activities requirements.

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		<p>Applicant's case is promoted through the DCO examination, and in response to any questions from the Examining Authority.</p> <p>Phillips 66 further seeks its costs of engaging in the Proposed Order process, in accordance with the Secretary of State's Guidance 'Awards of costs: examinations of applications for development consent orders', which provides that (page 13, Part D, paragraph 2): "Where the objections to a compulsory acquisition request have neither been disregarded by the Examining Authority nor withdrawn before the decision of the Secretary of State on a development consent application and the objectors have been successful in objecting to the compulsory acquisition request, an award of costs will normally be made against the applicant for development consent and in favour of the objectors..."</p>	

Table 2-85: R & A Needham Farms Ltd – RR-085

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.85.1	Land / Compensation	<p>My client wishes to raise the following concerns surrounding the project;</p> <ul style="list-style-type: none"> •Failure to agree commercial terms due to a lack of meaningful consultation with the landowners and their agents. Have not ever met with the client either. 	<p>The Applicant notes the comments from Masons Rural on behalf of R & A Needham Farms Ltd and acknowledges that discussions on the Option Agreement for Lease remain ongoing. The Applicant has been engaging with Masons Rural on behalf of R & A Needham Farms Ltd since March 2022 and has been discussing commercial terms since July 2023.</p> <p>This includes an in-person meeting with the Affected Person and appointed Land Agent in October 2023. The Applicant will continue to engage with Masons Rural on behalf of R & A Needham Farms Ltd with a view to reaching a commercial agreement.</p>
2.85.2	Construction	<ul style="list-style-type: none"> •Failure to agree a method statement for the pipeline construction and failure to provide clarity regarding construction depth of the pipeline and assurances that the land can be farmed going forward 	<p>The pipeline will be buried at a minimum depth of 1.2m to the top of the pipe, apart from under exceptional circumstances not anticipated in the location of the Proposed Development. This will be greater at crossing points of railways, roads and watercourses.</p> <p>Once the pipeline is installed, normal agricultural practices will be able to resume above the pipeline. This is set out in paragraph 3.7.32 of ES Chapter 3: Description of the Proposed Development [APP-045]. Further, section 3.12 of Chapter 3 sets out the approach to construction in more detail.</p> <p>Details of the depth of the pipeline has also been shared with the affected parties' Agent and reference has been made to this in the proposed Heads of Terms, for which the Applicant is progressing with an aim to reach agreement.</p>
2.85.3	Easements	<ul style="list-style-type: none"> •No consultation has taken place regarding potential future development of the pipeline corridor and compensation provision via a development clause 	<p>As noted above, the Applicant has consulted and engaged with R & A Needham Farms Ltd since March 2022. The Applicant will continue to engage with the landowner and compensation will be assessed on a case-by-case basis in accordance with the Compensation Code.</p> <p>No known or reasonably anticipated development prospect has been raised by Masons Rural on behalf of R & A Needham Farms Ltd to date, and, as such a development clause has not been considered appropriate.</p>
2.85.4	Construction	<ul style="list-style-type: none"> •No consultation regarding the implementation of a haul road during the construction period 	<p>As set out in paragraph 3.12.38 of ES Chapter 3: Description of the Proposed Development [APP-045], the entrance directly off the public highway would be laid to hardcore. The temporary access routes which lead to the pipeline spread and the running track itself would have the topsoil removed and stored to one side. The "running track" is effectively the haul road which will be constructed</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
			<p>along the entire right of way (excluding certain crossing locations), to allow the passage of vehicles, plant and materials/pipe. Upon completion of construction, these tracks will be levelled, and the topsoil replaced, and land restored to its original condition.</p> <p>Paragraph 3.12.39 states that, where necessary depending on ground conditions and weather conditions, some areas may temporarily be covered with a geotextile membrane and stone surface to facilitate traffic movements.</p>

Table 2-86: Masons Rural on behalf of R Caudwell (Produce) Ltd – RR-086

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.86.1	Land / Compensation	<p>The schemes has;</p> <ul style="list-style-type: none"> Failed to agree commercial terms due to a lack of meaningful consultation with the landowners and their agents 	<p>The Applicant notes the comments from Masons Rural on behalf of R Caudwell (Produce) Ltd and acknowledges that discussions on the Option Agreement for Lease remain ongoing. The Applicant has been engaging with Masons Rural on behalf of R Caudwell (Produce) Ltd since March 2022 and has been discussing commercial terms since July 2023.</p> <p>This includes an in-person meeting with the Affected Person and appointed Land Agent in January 2024. The Applicant will continue to engage with Masons Rural on behalf of R Caudwell (Produce) Ltd with a view to reaching a commercial agreement.</p>
2.86.2	Construction	<ul style="list-style-type: none"> Failed to agree a method statement for the pipeline construction and failure to provide clarity regarding construction depth of the pipeline and assurances that the land can be farmed going forward 	<p>The pipeline will be buried at a minimum depth of 1.2m to the top of the pipe, apart from under exceptional circumstances not anticipated in the location of the Proposed Development. This will be greater at crossing points of railways, roads and watercourses.</p> <p>Once the pipeline is installed, normal agricultural practices will be able to resume above the pipeline. This is set out in paragraph 3.7.32 of ES Chapter 3: Description of the Proposed Development [APP-045]. Further, section 3.12 of Chapter 3 sets out the approach to construction in more detail.</p> <p>Details of the depth of the pipeline has also been shared with the affected parties' Agent and reference has been made to this in the proposed Heads of Terms, for which the Applicant is progressing with an aim to reach agreement.</p>
2.86.3	Easements	<ul style="list-style-type: none"> No consultation has taken place regarding potential future development of the pipeline corridor and compensation provision via a development clause. My client has an ongoing option agreement for a large solar park on the land subject to this scheme and the schemes agents have not taken this seriously nor has it been addressed in any of the paperwork sent out to date. 	<p>The Applicant has met with and will continue to engage with the landowner and solar developer with an aspiration to allow for both developments to proceed. The Applicant will continue to engage with the landowner and compensation will be assessed on a case-by-case basis in accordance with the Compensation Code.</p>
2.86.4	Construction	<ul style="list-style-type: none"> No consultation regarding the implementation of a haul road during the construction period 	<p>The Applicants agent met with the affected party and Masons Rural in January 2024 where this matter was discussed.</p> <p>As set out in paragraph 3.12.38 of ES Chapter 3: Description of the Proposed Development [APP-045], the entrance directly off the public highway would be laid to hardcore. The temporary access routes which lead to the pipeline spread and the running track itself would have the topsoil removed and stored to one side. The "running track" is effectively the haul road which will be constructed along the entire right of way (excluding certain crossing locations), to allow the passage of vehicles, plant and materials/pipe. Upon completion of construction, these tracks will be levelled, and the topsoil replaced, and land restored to its original condition.</p> <p>Paragraph 3.12.39 states that, where necessary depending on ground conditions and weather conditions, some areas may temporarily be covered with a geotextile membrane and stone surface to facilitate traffic movements.</p>

Table 2-87: Masons Rural on behalf of R Scaman Farms – RR-087

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.87.1	Land / Compensation	<p>My client wishes to raise the following concerns surrounding the project;</p> <ul style="list-style-type: none"> •Failure to agree commercial terms due to a lack of meaningful consultation with the landowners and their agents. Have not ever met with the client either. 	<p>The Applicant notes the comments from Masons Rural on behalf of R Scaman Farms and acknowledges that discussions on the Option Agreement for Lease remain ongoing. The Applicant has been engaging with Masons Rural on behalf of R Scaman Farms since September 2022 and has been discussing commercial terms since July 2023.</p> <p>This includes an in-person meeting with the Affected Person and appointed Land Agent in January 2024. The Applicant will continue to engage with Masons Rural on behalf of R Scaman Farms with a view to reaching a commercial agreement.</p>
2.87.2	Construction	<ul style="list-style-type: none"> •Failure to agree a method statement for the pipeline construction and failure to provide clarity regarding construction depth of the pipeline and assurances that the land can be farmed going forward 	<p>The pipeline will be buried at a minimum depth of 1.2m to the top of the pipe, apart from under exceptional circumstances not anticipated in the location of the Proposed Development. This will be greater at crossing points of railways, roads and watercourses.</p> <p>Once the pipeline is installed, normal agricultural practices will be able to resume above the pipeline. This is set out in paragraph 3.7.32 of ES Chapter 3: Description of the Proposed Development [APP-045]. Further, section 3.12 of Chapter 3 sets out the approach to construction in more detail.</p> <p>Details of the depth of the pipeline has also been shared with the affected parties' Agent and reference has been made to this in the proposed Heads of Terms, for which the Applicant is progressing with an aim to reach agreement.</p>
2.87.3	Easements	<ul style="list-style-type: none"> •No consultation has taken place regarding potential future development of the pipeline corridor and compensation provision via a development clause 	<p>As noted above, the Applicant has consulted and engaged with R Scaman Farms since September 2022.</p> <p>The Applicant will continue to engage with the landowner and compensation will be assessed on a case-by-case basis in accordance with the Compensation Code.</p> <p>No known or reasonably anticipated development prospect has been raised by Masons Rural on behalf of R Scaman Farms to date, and, as such a development clause has not been considered appropriate.</p>
2.87.4	Construction	<ul style="list-style-type: none"> •No consultation regarding the implementation of a haul road during the construction period 	<p>As set out in paragraph 3.12.38 of ES Chapter 3: Description of the Proposed Development [APP-045], the entrance directly off the public highway would be laid to hardcore. The temporary access routes which lead to the pipeline spread and the running track itself would have the topsoil removed and stored to one side. The "running track" is effectively the haul road which will be constructed along the entire right of way (excluding certain crossing locations), to allow the passage of vehicles, plant and materials/pipe. Upon completion of construction, these tracks will be levelled, and the topsoil replaced, and land restored to its original condition.</p> <p>Paragraph 3.12.39 states that, where necessary depending on ground conditions and weather conditions, some areas may temporarily be covered with a geotextile membrane and stone surface to facilitate traffic movements.</p>

Table 2-88: DDM Agriculture Ltd on behalf of RAD Unsworth Ltd – RR-088

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.88.1	Land / Compensation	<ul style="list-style-type: none"> •Failure to agree commercial terms due to a lack of meaningful consultation with the landowners and their agents 	<p>The Applicant notes the comments from DDM Agriculture Ltd on behalf of RAD Unsworth Ltd and acknowledges that discussions on the Option Agreement for Lease remain ongoing. The Applicant has been engaging with DDM Agriculture Ltd on behalf of RAD Unsworth Ltd since November 2022 and has been discussing commercial terms since July 2023.</p> <p>This includes an in-person meeting with the Affected Person and appointed Land Agent in December 2023. The Applicant will continue to engage with DDM Agriculture Ltd on behalf of RAD Unsworth Ltd with a view to reaching a commercial agreement.</p>
2.88.2	Construction	<ul style="list-style-type: none"> •Failure to agree a method statement for the pipeline construction and failure to provide clarity regarding construction depth of the pipeline and assurances that the land can be farmed going forward 	<p>The pipeline will be buried at a minimum depth of 1.2m to the top of the pipe, apart from under exceptional circumstances not anticipated in the location of the Proposed Development. This will be greater at crossing points of railways, roads and watercourses.</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
			<p>Once the pipeline is installed, normal agricultural practices will be able to resume above the pipeline. This is set out in paragraph 3.7.32 of ES Chapter 3: Description of the Proposed Development [APP-045]. Further, section 3.12 of Chapter 3 sets out the approach to construction in more detail.</p> <p>Details of the depth of the pipeline has also been shared with the affected parties' Agent and reference has been made to this in the proposed Heads of Terms, for which the Applicant is progressing with an aim to reach agreement.</p>
2.88.3	Easements	<ul style="list-style-type: none"> No consultation has taken place regarding potential future development of the pipeline corridor and compensation provision via a development clause 	<p>As noted above, the Applicant has consulted and engaged with RAD Unsworth Ltd since November 2022. The Applicant will continue to engage with the landowner and compensation will be assessed on a case-by-case basis in accordance with the Compensation Code.</p> <p>No known or reasonably anticipated development prospect has been raised by DDM Agriculture Ltd on behalf of RAD Unsworth Ltd to date, and, as such a development clause has not been considered appropriate.</p>
2.88.4	Construction	<ul style="list-style-type: none"> No consultation regarding the implementation of a haul road during the construction period 	<p>As set out in paragraph 3.12.38 of ES Chapter 3: Description of the Proposed Development [APP-045], the entrance directly off the public highway would be laid to hardcore. The temporary access routes which lead to the pipeline spread and the running track itself would have the topsoil removed and stored to one side. The "running track" is effectively the haul road which will be constructed along the entire right of way (excluding certain crossing locations), to allow the passage of vehicles, plant and materials/pipe. Upon completion of construction, these tracks will be levelled, and the topsoil replaced, and land restored to its original condition.</p> <p>Paragraph 3.12.39 states that, where necessary depending on ground conditions and weather conditions, some areas may temporarily be covered with a geotextile membrane and stone surface to facilitate traffic movements.</p>
2.88.5	Design Evolution and Alternatives	<ul style="list-style-type: none"> Failure to respond in a timely manner to valid concerns regarding the pipeline route that were submitted during the statutory consultation period on 24 January 2023. Since the consultation period, the only meeting arranged was 11 months later with the Projects land agents; however, there was still a failure to provide an adequate/satisfactory explanation as to why the pipeline could not be slightly re-routed to take it further away from a residential property. A response remains outstanding. 	<p>The Applicant has been engaging with DDM Agriculture Ltd on behalf of RAD Unsworth Ltd on commercial terms since July 2023. The Applicant will continue to engage with DDM Agriculture Ltd on behalf of RAD Unsworth Ltd with a view to reaching a commercial agreement.</p> <p>The route selected for the pipeline was based on a detailed consideration of a range of factors. A summary of the process is set out in ES Chapter 2 Design Evolution and Alternatives [APP-044].</p> <p>Meeting times, whether in person or via Teams were offered throughout this period and remain offered to any affected party of Agent representative.</p>

Table 2-89: Dr Ian Fraser McKee on behalf of Residents of Corner Farm – RR-089

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.89.1	Consultation	<p>Our primary concern is in relation to survivability in the event of a pipeline rupture. Unfortunately, throughout the consultation process, the Applicant has been unwilling to engage with affected parties at a technical level, so we have had to rely on estimates of risk based on research published by third parties.</p>	<p>Please refer to the Applicant's response the Examining Authority's First Written Question 1.1.22</p>
2.89.2	Safety	<p>Firstly, we turn to 'Technical guidance on hazard analysis for onshore carbon capture installations and onshore pipelines: a guidance document' (Energy Institute, London; 2010). SLOT, SLOD, and blast ranges are estimated</p>	<p>Please refer to the Applicant's response the Examining Authority's First Written Question 1.1.22</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		<p>for a range of pipe diameters at 117 barg; higher pressures would render these underestimates. Ranges for SLOT and blast limit of fatal risk may be interpolated for a 24" pipeline - both are linear functions of pipe diameter. So, for a 24" pipe, the blast limit of fatal risk would be approximately 90 m. For a 24" full-diameter rupture, SLOT would be exceeded at approximately 345 m directly downwind. For a 4" jet, considered to be an order of magnitude more common, SLOT would be exceeded at approximately 185 m for an unimpeded jet and at approximately 320 m for an impeded jet (e.g. from under a roadway). For estimates of SLOT within residential buildings, we turn to Lyons CJ, Race JM, Hopkins HF, and Cleaver P (2015) 'Prediction of the consequences of a CO2 pipeline release on building occupants' In: Hazards 25. Institution of Chemical Engineers Symposium Series, 160. The Institution of Chemical Engineers, GBR. (Later publications test the model against experiment.) Using the DNV-GL COOLTRANS model, a simplified infiltration scenario, and assuming valve closure within 15 minutes and pipeline CO2 at 30°C, Lyons concludes that "safe shelter will be provided in any building located more than 150m from the release for this case study". Leakier buildings such as the average old Lincolnshire farmhouse, will reach a SLOT DTL at greater distances (see Lyons' published thesis), but in the absence of better data, this is an appropriate working figure. Following the first round of consultation, an alteration was made to the preferred route as it passes Grimoldby. The original route, which we assume met other QRA requirements, placed 8 homes, on Pickhill Lane and around the junction of Northgate Lane with Middlesykes Lane, within outdoor SLOT range for a full-bore rupture. None of these were within indoor SLOT range and none within fatal blast range. The diverted route placed 7 different homes, on Red Leas Lane, Marsh Lane, and Pickhill Lane, within outdoor SLOT range. One of these (ours) was placed within both indoor SLOT range and fatal blast range. Following further consultation a small adjustment was made to the preferred route, bisecting the gap between our house and the adjacent farm. If the route indeed sticks</p>	

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		<p>religiously to the midline between the farmhouses, neither would lie within the 90 m range of fatal blast estimated above. However, if the line deviated significantly or the pressure significantly exceeded 117 barg (The operating range in Dense Phase will be 100 – 150 barg.), one or both of the houses would fall back within fatal blast range. Both houses now lie within the indoor SLOT range of 150 m and could not be relied upon for safe refuge in the event of a rupture. Escape routes may be rendered unusable. We assume that the Applicant has used a QRA approach similar to that outlined by Cooper R, and Barnett J, 'Pipelines for transporting CO2 in the UK' Energy Procedia 63 (2014) 2412 – 2431, and that the requirements of this model were satisfied by both the original preferred route and the diverted route. The difficulty of this approach is that, while it controls overall societal risk, it can leave residents of smaller clusters and isolated dwellings exposed to elevated individual risk and without safe refuge in the event of a rupture. These residents can effectively be left living under the sword of Damocles.</p> <p>In Appendix F6, the Applicant's response under the sub-theme 'Safety' is frustratingly superficial. This is PR, not an adequate response to consultation. Given that experience with CCS is limited and that, as the HSE acknowledges, safety codes remain a work in progress, we suggest that risk mitigation should take priority in design and planning and we would urge a cautious, layered approach, making use of 'safe distance' wherever practicable, rather than relying predominantly on engineering solutions. QRA calibrated to control societal risk should at minimum be supplemented by a safe-refuge requirement in residential settings to control individual risk. That is, at minimum, to control indoor exposure in the event of a rupture below the SLOT DTL, and, on the ALARP principle, wherever practicable, to control outdoor exposure below the SLOT DTL. We do not believe that the Applicant has yet done as much as they should or could reasonably do to reduce the risk to residents on the diverted route. We hope that, with sufficient</p>	

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		<p>encouragement, they may yet reconsider their preferred route in the interests of safety.</p>	
2.89.3	<p>Consultation Design Evolution</p>	<p>In our response to the consultation on the diverted route, we suggested practicable alternative routes, which would take all affected dwellings on the diversion out of both indoor and outdoor SLOT range. The Applicant misinterpreted our suggestions, rejecting the use of corridor E-1B as it was difficult to avoid the ribbon development on the B1200, and implying that our suggestion would place a local school at risk. The school in question actually closed in 2016 and our suggested route passed nowhere near to where it used to be or to any other school. Our suggested route used part of route E-1B, linked to E-2 by a short new section east of Grimoldby and crossing the B1200 on the current preferred route. Table 6-3 of the submitted Consultation Report (Document Reference: EN070008/APP/5.1) lists only the Applicant's misinterpretation of one of our suggested alternative routes under DCR058, concluding that "it would therefore not bring any benefits in terms of avoiding properties", which is incorrect. The Applicant also objected that corridor E1-B entered flood zones 2 and 3 earlier than they would prefer. Set against safety concerns this is an insubstantial objection. The original diversion itself increased the length crossing flood zones 2 and 3 at the Grayfleet, and the incursion into flood zones 2 and 3 along the first part of E1-B is minor in comparison with the preferred route after it crosses the B1200. In Appendix F6 (Main theme: Area north of Grimoldby), the Applicant's only response to this point is 'Noted'. In our response to the consultation on the adjustment to the diverted route, we clarified our suggested alternative route, with diagrams to avoid ambiguity, and suggested other, shorter alternatives that might incur less onerous reconsultation. Any of these suggestions would have clear safety benefits. In Appendix F6, the Applicant's only response to these suggestions is 'Noted'.</p>	<p>As set out in Table 2-2 of ES Chapter 2: Design Evolution and Alternatives [APP-044] corridor E2 was preferred due to most of the corridor being outside of the alluvium superficial geology and outside of Flood Zones 2 and 3, and the presence of fewer biodiversity priority habitats and planning applications. There was also considered to be better access to local roads for construction vehicles. The Applicant did not therefore proceed with either E1-A or E1-B. The Applicant also did not prefer the respondent's suggested option of connecting E1-B to E2, as this would still have resulted in an extensive additional section of route in Flood Zones 2 and 3.</p> <p>The Applicant acknowledges that the route corridor change adopted following the non-statutory slightly increases the length of route in Flood Zones 2 & 3; however, this remains a substantially smaller length than if corridor E1-B had been selected.</p> <p>The Applicant also considered the additional, localised changes submitted at the Design Revisions Consultation. These did not perform better than the preferred route on the relevant assessment factors and therefore the proposed change was not adopted.</p>

Table 2-90: Riby Estate Farming Company – RR-090

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.90.1	Land / Compensation	•Failure to agree commercial terms due to a lack of meaningful consultation with the landowners and their agents	The Applicant notes the comments from DDM Agriculture Ltd on behalf of Riby Estate Farming Company and acknowledges that discussions on the Option Agreement for Lease remain ongoing. The Applicant was advised in February 2024 by DDM Agriculture Ltd on behalf of Riby Estate Farming Company that Riby Estate Farming Company held a tenancy over land affected by the Scheme. The Applicant will continue to engage with DDM Agriculture Ltd on behalf of Riby Estate Farming Company with a view to reaching a commercial agreement.
2.90.2	Construction	•Failure to agree a method statement for the pipeline construction and failure to provide clarity regarding construction depth of the pipeline and assurances that the land can be farmed going forward	The pipeline will be buried at a minimum depth of 1.2m to the top of the pipe, apart from under exceptional circumstances not anticipated in the location of the Proposed Development. This will be greater at crossing points of railways, roads and watercourses. Once the pipeline is installed, normal agricultural practices will be able to resume above the pipeline. This is set out in paragraph 3.7.32 of ES Chapter 3: Description of the Proposed Development [APP-045]. Further, section 3.12 of Chapter 3 sets out the approach to construction in more detail. Details of the depth of the pipeline has also been shared with the affected parties' Agent and reference has been made to this in the proposed Heads of Terms, for which the Applicant is progressing with an aim to reach agreement.
2.90.3	Easements	•No consultation has taken place regarding potential future development of the pipeline corridor and compensation provision via a development clause	Compensation will be assessed on a case-by-case basis in accordance with the Compensation Code. No known or reasonably anticipated development prospect has been raised by DDM Agriculture Ltd on behalf of Riby Estate Farming Company to date, and, as such a development clause has not been considered appropriate.
2.90.4	Construction	•No consultation regarding the implementation of a haul road during the construction period	As set out in paragraph 3.12.38 of ES Chapter 3: Description of the Proposed Development [APP-045], the entrance directly off the public highway would be laid to hardcore. The temporary access routes which lead to the pipeline spread and the running track itself would have the topsoil removed and stored to one side. The "running track" is effectively the haul road which will be constructed along the entire right of way (excluding certain crossing locations), to allow the passage of vehicles, plant and materials/pipe. Upon completion of construction, these tracks will be levelled, and the topsoil replaced, and land restored to its original condition. Paragraph 3.12.39 states that, where necessary depending on ground conditions and weather conditions, some areas may temporarily be covered with a geotextile membrane and stone surface to facilitate traffic movements.

Table 2-91: Robert Palgrave – RR-091

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.91.1	Need Case	This proposal facilitates the Capture and Storage of Carbon Dioxide, in an attempt to curb rising atmospheric levels of greenhouse gases which are the cause of global heating / anthropogenic climate change. The contribution that this proposal could theoretically make to emissions reduction and drawdown is tiny and is an extremely wasteful use of public money. And it further delays the implementation of effective, proven and lower cost measures that would make a greater contribution. The proposal extends the use of fossil fuels which is inimical to efforts to halt climate breakdown.	The UK government has a target of achieving net zero by 2050 and meeting this target will require reduced emissions of CO ₂ from existing industries within the Humber and Lincolnshire region. Carbon capture and storage (CCS) is recognised by the Intergovernmental Panel on Climate Change (the IPCC) and the UK government as a vital step on the road to achieving net zero carbon dioxide emissions, with the 6th Carbon Budget outlining plans to capture and store between 20 and 30 million tonnes of CO ₂ a year by 2030. The revised draft National Policy Statement for Energy (EN-1) recognises that there is "an urgent need for new CCS infrastructure to support the transition to a net zero economy". CCS is one of many proposed approaches to tackling CO ₂ emissions and climate change and is considered a transitional technology. More information is available in the Need Case [APP-131].

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.91.2	Safety	The risk that leaks and accidents could release large amounts of CO ₂ , injurious to human and animal life, should be given full weight in the consenting examination.	<p>The Applicant is highly experienced in health and safety management and takes very seriously its legal duty under the UK's Health and Safety at Work Act to protect workers and the public from its activities. The Applicant places the utmost importance on the safety of the communities it interacts with, its employees and its contractors who will work on this project.</p> <p>Several important factors were considered in routing the pipeline. These were the safety of local communities, avoiding built up areas and sensitive buildings, areas protected for their habitat and species, the Lincolnshire Wolds Area of Outstanding Beauty, areas that are liable to flood and historic monuments.</p> <p>The pipeline has been designed in compliance with Engineering Standard BSI PD 8010-1:2016, which makes specific provision for CO₂ pipelines and the approach to routing including minimum distances to buildings. In addition, the pipeline has been designed in accordance with the established principle of ALARP ("As Low As Reasonably Practicable"), as described in the Health and Safety Executive's (HSE's) longstanding framework document "Reducing Risks, Protecting People". The purpose of ALARP is to ensure risks are reduced as far as is reasonably practicable.</p> <p>The Applicant has referenced the HSE's Tolerability of Risk framework (which is defined in the "Reducing Risks, Protecting People" framework document mentioned above) to assess the pipeline risks. This assessment shows that the risk to members of the public living near to the Viking CCS pipeline route is well within the framework's lowest classification of risk. Under the framework, the HSE considers that <i>"risks falling into this region are generally regarded as insignificant and adequately controlled."</i></p> <p>The HSE does not usually require further action to reduce risks in this lowest classification unless reasonably practicable measures are available, such as developing comprehensive emergency response plans. The Applicant will work with all relevant local authorities to develop such plans.</p> <p>The Applicant has engaged with the HSE, including their science division, to seek their expert opinion on the pipeline design and associated risk assessments. The Applicant has also engaged with other industry experts and will continue to engage both regulator and industry experts throughout the pipeline design and subsequent operation.</p> <p>The Applicant has adopted a robust design and route selection process for the Proposed Development, with safety of local communities being a key consideration. The routing and design accords with adopted guidance, including on managing risk, and has been informed by advice from experienced technical consultants.</p>

Table 2-92: S G Smith & Partners – RR-092

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.92.1	Land / Compensation	•Failure to agree commercial terms due to a lack of meaningful consultation with the landowners and their agents	The Applicant notes the comments from DDM Agriculture Ltd on behalf of S G Smith & Partners and acknowledges that discussions on the Option Agreement for Lease remain ongoing. The Applicant has been engaging with DDM Agriculture Ltd on behalf of S G Smith & Partners since March 2022 and has been discussing commercial terms since July 2023. The Applicant will continue to engage with DDM Agriculture Ltd on behalf of S G Smith & Partners with a view to reaching a commercial agreement.
2.92.2	Construction	•Failure to agree a method statement for the pipeline construction and failure to provide clarity regarding construction depth of the pipeline and assurances that the land can be farmed going forward	<p>The pipeline will be buried at a minimum depth of 1.2m to the top of the pipe, apart from under exceptional circumstances not anticipated in the location of the Proposed Development. This will be greater at crossing points of railways, roads and watercourses.</p> <p>Once the pipeline is installed, normal agricultural practices will be able to resume above the pipeline. This is set out in paragraph 3.7.32 of ES Chapter 3: Description of the Proposed Development [APP-045]. Further, section 3.12 of Chapter 3 sets out the approach to construction in more detail.</p> <p>Details of the depth of the pipeline has also been shared with the affected parties' Agent and reference has been made to this in the proposed Heads of Terms, for which the Applicant is progressing with an aim to reach agreement</p>
2.92.3	Easements	•No consultation has taken place regarding potential future development of the pipeline	As noted above, the Applicant has consulted and engaged with S G Smith & Partners since March 2022. The Applicant will continue to engage with the landowner and compensation will be assessed on a case-by-case basis in accordance with the Compensation Code.

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		corridor and compensation provision via a development clause	No known or reasonably anticipated development prospect has been raised by DDM Agriculture Ltd on behalf of S G Smith & Partners to date, and, as such a development clause has not been considered appropriate.
2.92.4	Construction	•No consultation regarding the implementation of a haul road during the construction period	<p>As set out in paragraph 3.12.38 of ES Chapter 3: Description of the Proposed Development [APP-045], the entrance directly off the public highway would be laid to hardcore. The temporary access routes which lead to the pipeline spread and the running track itself would have the topsoil removed and stored to one side. The “running track” is effectively the haul road which will be constructed along the entire right of way (excluding certain crossing locations), to allow the passage of vehicles, plant and materials/pipe. Upon completion of construction, these tracks will be levelled, and the topsoil replaced, and land restored to its original condition.</p> <p>Paragraph 3.12.39 states that, where necessary depending on ground conditions and weather conditions, some areas may temporarily be covered with a geotextile membrane and stone surface to facilitate traffic movements.</p>

Table 2-93: DDM Agriculture Ltd on behalf of S H Somerscales Limited – RR-093

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.93.1	Land / Compensation	•Failure to agree commercial terms due to a lack of meaningful consultation with the landowners and their agents	The Applicant notes the comments from DDM Agriculture Ltd on behalf of S H Somerscales Limited and acknowledges that discussions on the Option Agreement for Lease remain ongoing. The Applicant has been engaging with DDM Agriculture Ltd on behalf of S H Somerscales Limited since March 2022 and has been discussing commercial terms since July 2023. The Applicant will continue to engage with DDM Agriculture Ltd on behalf of S H Somerscales Limited with a view to reaching a commercial agreement.
2.93.2	Construction	•Failure to agree a method statement for the pipeline construction and failure to provide clarity regarding construction depth of the pipeline and assurances that the land can be farmed going forward	<p>The pipeline will be buried at a minimum depth of 1.2m to the top of the pipe, apart from under exceptional circumstances not anticipated in the location of the Proposed Development. This will be greater at crossing points of railways, roads and watercourses.</p> <p>Once the pipeline is installed, normal agricultural practices will be able to resume above the pipeline. This is set out in paragraph 3.7.32 of ES Chapter 3: Description of the Proposed Development [APP-045]. Further, section 3.12 of Chapter 3 sets out the approach to construction in more detail.</p> <p>Details of the depth of the pipeline has also been shared with the affected parties' Agent and reference has been made to this in the proposed Heads of Terms, for which the Applicant is progressing with an aim to reach agreement</p>
2.93.3	Easements	•No consultation has taken place regarding potential future development of the pipeline corridor and compensation provision via a development clause	<p>As noted above, the Applicant has consulted and engaged with S H Somerscales Limited since March 2022. The Applicant will continue to engage with the landowner and compensation will be assessed on a case-by-case basis in accordance with the Compensation Code.</p> <p>No known or reasonably anticipated development prospect has been raised by DDM Agriculture Ltd on behalf of S H Somerscales Limited to date, and, as such a development clause has not been considered appropriate.</p>
2.93.4	Construction	•No consultation regarding the implementation of a haul road during the construction period	<p>As set out in paragraph 3.12.38 of ES Chapter 3: Description of the Proposed Development [APP-045], the entrance directly off the public highway would be laid to hardcore. The temporary access routes which lead to the pipeline spread and the running track itself would have the topsoil removed and stored to one side. The “running track” is effectively the haul road which will be constructed along the entire right of way (excluding certain crossing locations), to allow the passage of vehicles, plant and materials/pipe. Upon completion of construction, these tracks will be levelled, and the topsoil replaced, and land restored to its original condition.</p> <p>Paragraph 3.12.39 states that, where necessary depending on ground conditions and weather conditions, some areas may temporarily be covered with a geotextile membrane and stone surface to facilitate traffic movements.</p>

Table 2-94: Sarah Michelle Goodley – RR-094

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.94.1	General environmental impacts	This plan will obliterate the only safe footpath into Mablethorpe from Theddlethorpe.	No Public Rights of Way (PRoW) in the Theddlethorpe / Mablethorpe area will be permanently altered or closed. As outlined within the Public Rights of Way Management Plan [APP-123] , temporary diversions may be required. All locations where a PRoW may be impacted by the Proposed Development would have appropriate signage, which would advise of dates and hours affected. The Applicant / Contractor would develop this in discussion with Local Authority PRoW officers. More detail about PRoW diversions is provided in the Applicant's response to ExQ1 1.16.25.
2.94.2	General environmental impacts	This is nearer domestic residence than the first 2 plans that were bad enough.	The Applicant has designed the pipeline to avoid and minimise any potential impacts on residential properties. There are no properties within the Order Limits for the Proposed Development.
2.94.3	Historic Environment	This plan would destroy a very important ancient rig and Furrow grassland.	<p>The Historic Environment Desk Based Assessment [APP-089] identifies several areas where ridge and furrow is visible on aerial photographs and in LiDAR data. The majority of this is within arable land and either levelled or heavily degraded as a result of modern farming practices.</p> <p>Should discernible upstanding ridge and furrow earthworks be directly impacted by the works, additional mitigation measures are set out in the Draft Construction Environmental Management Plan [APP-068] within Section D of the Mitigation Register:</p> <p>D7: Upstanding earthworks, including ridge and furrow earthworks, which are impacted by the Project would be reinstated post-construction to restore their form and character, based on pre-commencement topographic survey of the features.</p>
2.94.4	Landscape and Visual	The prison style fence is totally out of keeping with this rural area	<p>The fencing is essentially wire mesh security fencing that is referred to as 'prison fencing' in the construction industry. This type of fencing is widely used at commercial and industrial facilities and is needed to provide a secure enclosure around the block valve stations, the Immingham Facility, and the Theddlethorpe Facility. The facilities have been designed with consideration to the surrounding environment and visual amenity.</p> <p>Landscape and visual effects have been assessed and reported in ES Chapter 7 [APP-049] by reference to numerous viewpoint location in the vicinity. The existing TGT site is currently industrial / brownfield land and fenced. Redevelopment of the TGT terminal under Option 1 (the preferred option) is consistent with its character, including fencing and will include retention of existing well established screening vegetation/woodland. Mitigation planting is included to the perimeter of Option 2 and will screen the security fencing within a maximum of 5 years.</p>
2.95.5	Safety	and the health aspects of the enormous stack for those of us living so close have not been looked into.	A 25m vent stack is required for venting off small quantities of CO ₂ prior to periodic maintenance of the pipeline system (approximately every two years). The venting of these small amounts of CO ₂ from the vent stack poses no risk to people or wildlife.
2.96.6	Engineering and Design Safety	The pipeline is not deep enough for traditional ploughing techniques and a rupture would be inevitable resulting in the death of every air breathing life form in a 15k radius from oxygen deprivation.	<p>The Applicant is highly experienced in health and safety management and takes very seriously its legal duty under the UK's Health and Safety at Work Act to protect workers and the public from its activities. The Applicant places the utmost importance on the safety of the communities it interacts with, its employees and its contractors who will work on this project.</p> <p>Several important factors were considered in routing the pipeline. These were the safety of local communities, avoiding built up areas and sensitive buildings, areas protected for their habitat and species, the Lincolnshire Wolds Area of Outstanding Beauty, areas that are liable to flood and historic monuments.</p> <p>The pipeline has been designed in compliance with Engineering Standard BSI PD 8010-1:2016, which makes specific provision for CO₂ pipelines and the approach to routing including minimum distances to buildings. However, the Applicant has elected to exceed the design requirements set by the standard. This includes taking a conservative approach with thick wall design across the full pipeline length.</p> <p>In addition, the pipeline has been designed in accordance with the established principle of ALARP ("As Low As Reasonably Practicable"), as described in the Health and Safety Executive's (HSE's) longstanding framework document "Reducing Risks, Protecting People". The purpose of ALARP is to ensure risks are reduced as far as is reasonably practicable.</p> <p>The Applicant has referenced the HSE's Tolerability of Risk framework (which is defined in the "Reducing Risks, Protecting People" framework document mentioned above) to assess the pipeline risks. This assessment shows that the risk to members of the public</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
			<p>living near to the Viking CCS pipeline route is well within the framework's lowest classification of risk. Under the framework, the HSE considers that <i>"risks falling into this region are generally regarded as insignificant and adequately controlled."</i></p> <p>The HSE does not usually require further action to reduce risks in this lowest classification unless reasonably practicable measures are available, such as developing comprehensive emergency response plans. The Applicant will work with all relevant local authorities to develop such plans.</p> <p>The Applicant has engaged with the HSE, including their science division, to seek their expert opinion on the pipeline design and associated risk assessments. The Applicant has also engaged with other industry experts and will continue to engage both regulator and industry experts throughout the pipeline design and subsequent operation.</p> <p>The Applicant has adopted a robust design and route selection process for the Proposed Development, with safety of local communities being a key consideration. The routing and design accords with adopted guidance, including on managing risk, and has been informed by advice from experienced technical consultants.</p> <p>The pipeline will be buried at a minimum depth of 1.2m to the top of the pipe, apart from under exceptional circumstances not anticipated in the location of the Proposed Development. This will be greater at crossing points of railways, roads and watercourses.</p> <p>Once the pipeline is installed, normal agricultural practices will be able to resume above the pipeline. This is set out in paragraph 3.7.32 of ES Chapter 3: Description of the Proposed Development [APP-045]. Further, section 3.12 of Chapter 3 sets out the approach to construction in more detail.</p>
2.96.7	General environmental impacts	This project will adversely affect my health and wellbeing due to the stress of living next to something that could kill my family and myself at any moment in time.	<p>The Applicant is highly experienced in health and safety management and takes very seriously its legal duty under the UK's Health and Safety at Work Act to protect workers and the public from its activities. The Applicant places the utmost importance on the safety of the communities it interacts with, its employees and its contractors who will work on this project.</p> <p>Several important factors were considered in routing the pipeline. These were the safety of local communities, avoiding built up areas and sensitive buildings, areas protected for their habitat and species, the Lincolnshire Wolds Area of Outstanding Beauty, areas that are liable to flood and historic monuments.</p> <p>The pipeline has been designed in compliance with Engineering Standard BSI PD 8010-1:2016, which makes specific provision for CO₂ pipelines and the approach to routing including minimum distances to buildings. In addition, the pipeline has been designed in accordance with the established principle of ALARP ("As Low As Reasonably Practicable"), as described in the Health and Safety Executive's (HSE's) longstanding framework document "Reducing Risks, Protecting People". The purpose of ALARP is to ensure risks are reduced as far as is reasonably practicable.</p> <p>The Applicant has referenced the HSE's Tolerability of Risk framework (which is defined in the "Reducing Risks, Protecting People" framework document mentioned above) to assess the pipeline risks. This assessment shows that the risk to members of the public living near to the Viking CCS pipeline route is well within the framework's lowest classification of risk. Under the framework, the HSE considers that <i>"risks falling into this region are generally regarded as insignificant and adequately controlled."</i></p> <p>The HSE does not usually require further action to reduce risks in this lowest classification unless reasonably practicable measures are available, such as developing comprehensive emergency response plans. The Applicant will work with all relevant local authorities to develop such plans.</p> <p>The Applicant has engaged with the HSE, including their science division, to seek their expert opinion on the pipeline design and associated risk assessments. The Applicant has also engaged with other industry experts and will continue to engage both regulator and industry experts throughout the pipeline design and subsequent operation.</p> <p>The Applicant has adopted a robust design and route selection process for the Proposed Development, with safety of local communities being a key consideration. The routing and design accords with adopted guidance, including on managing risk, and has been informed by advice from experienced technical consultants.</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.96.8	Need Case	The whole thing is a really bad idea and has not been successful anywhere in the world.	<p>The UK government has a target of achieving net zero by 2050 and meeting this target will require reduced emissions of CO₂ from existing industries within the Humber and Lincolnshire region. Carbon capture and storage (CCS) is recognised by the Intergovernmental Panel on Climate Change (the IPCC) and the UK government as a vital step on the road to achieving net zero carbon dioxide emissions, with the 6th Carbon Budget outlining plans to capture and store between 20 and 30 million tonnes of CO₂ a year by 2030.</p> <p>The revised draft National Policy Statement for Energy (EN-1) recognises that there is “an urgent need for new CCS infrastructure to support the transition to a net zero economy”. CCS is one of many proposed approaches to tackling CO₂ emissions and climate change and is considered a transitional technology.</p> <p>More information is available in the Need Case [APP-131].</p>

Table 2-95: Perkins George Mawer & Co on behalf of Sir Charles Nicholson Bt, Lady Nicholson, Gordon Lee-Steere (North Ormsby Trustees) – RR-095

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.95.1	Construction	<p>Practical Comments</p> <p>- The works are carried out and completed on the land within a 12-month period ending June, to enable the land to be returned to full agricultural production, timely that autumn AND that all land drains must be re-instated carefully and warranted against future defect for a 30-year period to ensure the agricultural productivity of the land is maintained for the future.</p>	<p>An initial construction schedule has been developed which sets out all of the key activities and associated timelines, as shown in Figure 3-29 of ES Chapter 3: Description of the Proposed Development [APP-045].</p> <p>The main construction activities are expected to take around 12 months, with additional time required beforehand for pre-construction and site preparation activities and afterwards for commissioning works. Main pipe laying works are predominantly planned during late spring, summer and early autumn months.</p> <p>In the Draft Construction Environmental Management Plan [APP-068] the Applicant has committed to reinstating existing drainage following construction (commitment reference F5 and G2).</p>
2.95.2	Land / Compensation	- Heads of Terms to be agreed and signed in a timely manner.	<p>Heads of Terms agreement and signing terms and clauses can be found contained within the Heads of Terms issued to date (11 August 2023 and 19 December 2023).</p> <p>The Applicant is aligned on the desire to progress promptly the securing of required rights needed for the project by agreement with affected parties.</p>

Table 2-96: Sir Richard Sutton Limited – RR-096

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.96.1	Land / Compensation	•Failure to agree commercial terms due to a lack of meaningful consultation with the landowners and their agents	The Applicant notes the comments from DDM Agriculture Ltd on behalf of Sir Richard Sutton Limited and acknowledges that discussions on the Option Agreement for Lease remain ongoing. The Applicant has been engaging with DDM Agriculture Ltd on behalf of Sir Richard Sutton Limited since March 2022 and has been discussing commercial terms since July 2023. The Applicant will continue to engage with DDM Agriculture Ltd on behalf of Sir Richard Sutton Limited with a view to reaching a commercial agreement.
2.96.2	Construction	•Failure to agree a method statement for the pipeline construction and failure to provide clarity regarding construction depth of the pipeline and assurances that the land can be farmed going forward	<p>The pipeline will be buried at a minimum depth of 1.2m to the top of the pipe, apart from under exceptional circumstances not anticipated in the location of the Proposed Development. This will be greater at crossing points of railways, roads and watercourses.</p> <p>Once the pipeline is installed, normal agricultural practices will be able to resume above the pipeline. This is set out in paragraph 3.7.32 of ES Chapter 3: Description of the Proposed Development [APP-045]. Further, section 3.12 of Chapter 3 sets out the approach to construction in more detail.</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
			Details of the depth of the pipeline has also been shared with the affected parties' Agent and reference has been made to this in the proposed Heads of Terms, for which the Applicant is progressing with an aim to reach agreement.
2.96.3	Easements	•No consultation has taken place regarding potential future development of the pipeline corridor and compensation provision via a development clause	As noted above, the Applicant has consulted and engaged with Sir Richard Sutton Limited since March 2022. The Applicant will continue to engage with the landowner and compensation will be assessed on a case-by-case basis in accordance with the Compensation Code. No known or reasonably anticipated development prospect has been raised by DDM Agriculture Ltd on behalf of Sir Richard Sutton Limited to date, and, as such a development clause has not been considered appropriate.
2.96.4	Construction	•No consultation regarding the implementation of a haul road during the construction period	As set out in paragraph 3.12.38 of ES Chapter 3: Description of the Proposed Development [APP-045] , the entrance directly off the public highway would be laid to hardcore. The temporary access routes which lead to the pipeline spread and the running track itself would have the topsoil removed and stored to one side. The "running track" is effectively the haul road which will be constructed along the entire right of way (excluding certain crossing locations), to allow the passage of vehicles, plant and materials/pipe. Upon completion of construction, these tracks will be levelled, and the topsoil replaced, and land restored to its original condition. Paragraph 3.12.39 states that, where necessary depending on ground conditions and weather conditions, some areas may temporarily be covered with a geotextile membrane and stone surface to facilitate traffic movements.

Table 2-97: Masons Rural on behalf of T J Denby – RR-097

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.97.1	Land / Compensation	The schemes has; • Failed to agree commercial terms due to a lack of meaningful consultation with the landowners and their agents	The Applicant notes the comments from Masons Rural on behalf of T J Denby and acknowledges that discussions on the Option Agreement for Lease remain ongoing. The Applicant has been engaging with Masons Rural on behalf of T J Denby since March 2022 and has been discussing commercial terms since July 2023. This includes an in-person meeting with the Affected Person and appointed Land Agent in October 2023. The Applicant will continue to engage with Masons Rural on behalf of T J Denby with a view to reaching a commercial agreement.
2.97.2	Construction	• Failed to agree a method statement for the pipeline construction and failure to provide clarity regarding construction depth of the pipeline and assurances that the land can be farmed going forward	The pipeline will be buried at a minimum depth of 1.2m to the top of the pipe, apart from under exceptional circumstances not anticipated in the location of the Proposed Development. This will be greater at crossing points of railways, roads and watercourses. Once the pipeline is installed, normal agricultural practices will be able to resume above the pipeline. This is set out in paragraph 3.7.32 of ES Chapter 3: Description of the Proposed Development [APP-045] . Further, section 3.12 of Chapter 3 sets out the approach to construction in more detail. Details of the depth of the pipeline has also been shared with the affected parties' Agent and reference has been made to this in the proposed Heads of Terms, for which the Applicant is progressing with an aim to reach agreement
2.97.3	Easements	• No consultation has taken place regarding potential future development of the pipeline corridor and compensation provision via a development clause	As noted above, the Applicant has consulted and engaged with T J Denby since March 2022. The Applicant will continue to engage with the landowner and compensation will be assessed on a case-by-case basis in accordance with the Compensation Code. No known or reasonably anticipated development prospect has been shared by Masons Rural on behalf of the T J Denby to date, and, as such a development clause has not been considered appropriate.
2.97.4	Construction	• No consultation regarding the implementation of a haul road during the construction period	As set out in paragraph 3.12.38 of ES Chapter 3: Description of the Proposed Development [APP-045] , the entrance directly off the public highway would be laid to hardcore. The temporary access routes which lead to the pipeline spread and the running track itself would have the topsoil removed and stored to one side. The "running track" is effectively the haul road which will be constructed along the entire right of way (excluding certain crossing locations), to allow the passage of vehicles, plant and

Ref	Topic	Matter raised in Relevant Representation	Applicant response
			<p>materials/pipe. Upon completion of construction, these tracks will be levelled, and the topsoil replaced, and land restored to its original condition.</p> <p>Paragraph 3.12.39 states that, where necessary depending on ground conditions and weather conditions, some areas may temporarily be covered with a geotextile membrane and stone surface to facilitate traffic movements.</p>

Table 2-98: DDM Agriculture on behalf of Tennants Consolidated Limited – RR-098

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.98.1	Land / Compensation	<ul style="list-style-type: none"> • Failure to agree commercial terms due to a lack of meaningful consultation with the landowners and their agents 	<p>The Applicant notes the comments from DDM Agriculture Limited on behalf of Tennants Consolidated Limited, and provides comment on the points made below:</p> <p>In March 2022 the Applicant wrote to the affected party introducing the scheme.</p> <p>In April 2022 the Applicant invited the Affected Party to public consultation. The consultation ran for six weeks from 26 April 2022 to 07 June 2022.</p> <p>In November 2022 the Applicant wrote to the Affected Party inviting them to take part in the statutory consultation taking place between 22 November 2022 and 24 January 2023.</p> <p>Draft templated Heads of Terms ('HoTs') were issued to Land Agents on 07 July 2023, with a revised template sent to the Land Information Group ('LIG') on 20 July 2023 to initiate discussions on the HoTs. The LIG were a group of Land Agents working as a collective which included DDM, and therefore Tennants Consolidated Limited by extension.</p> <p>On 18 August 2023, a response was issued to the LIG with updated Template HoTs following the LIG's amendments to the documents.</p> <p>Fully terms HoTs for Tennants Consolidated Limited were formally issued to DDM in August 2023, in addition to the Lands Plans.</p> <p>A meeting was held with members of the LIG in person on 21 September 2023 to further review the HoTs with a view to discuss and reach agreement on terms.</p> <p>Following the in-person meeting with the LIG, HoTs were sent back to the LIG on 02 October 2023 with updated terms to reflect the discussions had. Further meeting times were also offered at this time.</p> <p>The LIG were written to several times requesting comments on the HoTs to progress matters, with a response only being received on 16 November 2023.</p> <p>Fully termed HoTs were re-issued to DDM in December 2023.</p> <p>The Applicant will continue to engage with the Affected Person and their Land Agent with a view to concluding a deal before the end of examination.</p>
2.98.2	Construction	<ul style="list-style-type: none"> • Failure to agree a method statement for the pipeline construction and failure to provide clarity regarding construction depth of the pipeline and assurances that the land can be farmed going forward 	<p>The pipeline will be buried at a minimum depth of 1.2m to the top of the pipe, apart from under exceptional circumstances not anticipated in the location of the Proposed Development. This will be greater at crossing points of railways, roads and watercourses.</p> <p>Once the pipeline is installed, normal agricultural practices will be able to resume above the pipeline. This is set out in paragraph 3.7.32 of ES Chapter 3: Description of the Proposed Development ES [APP-045]. Further, section 3.12 of Chapter 3 sets out the approach to construction in more detail.</p> <p>Details of the depth of the pipeline has also been shared with the affected parties' Agent and reference has been made to this in the proposed Heads of Terms, for which the Applicant is progressing with an aim to reach agreement.</p>
2.98.3	Easements	<ul style="list-style-type: none"> • No consultation has taken place regarding potential future development of the pipeline corridor and compensation provision via a development clause 	<p>A development clause has not been offered as part of the Heads of Terms, as it is not considered appropriate or necessary in this case.</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.98.4	Construction	•No consultation regarding the implementation of a haul road during the construction period	<p>As set out in paragraph 3.12.38 of ES Chapter 3: Description of the Proposed Development [APP-045], the entrance directly off the public highway would be laid to hardcore. The temporary access routes which lead to the pipeline spread and the running track itself would have the topsoil removed and stored to one side. The “running track” is effectively the haul road which will be constructed along the entire right of way (excluding certain crossing locations), to allow the passage of vehicles, plant and materials/pipe. Upon completion of construction, these tracks will be levelled, and the topsoil replaced, and land restored to its original condition.</p> <p>Paragraph 3.12.39 states that, where necessary depending on ground conditions and weather conditions, some areas may temporarily be covered with a geotextile membrane and stone surface to facilitate traffic movements.</p>

Table 2-99: The Braders – RR-099

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.99.1	Land / Compensation	•Failure to agree commercial terms due to a lack of meaningful consultation with the landowners and their agents	The Applicant notes the comments from DDM Agriculture Ltd on behalf of The Braders and acknowledges that discussions on the Option Agreement for Lease remain ongoing. The Applicant has been engaging with DDM Agriculture Ltd on behalf of The Braders since March 2022 and has been discussing commercial terms since July 2023. The Applicant will continue to engage with DDM Agriculture Ltd on behalf of The Braders with a view to reaching a commercial agreement.
2.99.2	Construction	•Failure to agree a method statement for the pipeline construction and failure to provide clarity regarding construction depth of the pipeline and assurances that the land can be farmed going forward	<p>The pipeline will be buried at a minimum depth of 1.2m to the top of the pipe, apart from under exceptional circumstances not anticipated in the location of the Proposed Development. This will be greater at crossing points of railways, roads and watercourses.</p> <p>Once the pipeline is installed, normal agricultural practices will be able to resume above the pipeline. This is set out in paragraph 3.7.32 of ES Chapter 3: Description of the Proposed Development [APP-045]. Further, section 3.12 of Chapter 3 sets out the approach to construction in more detail.</p> <p>Details of the depth of the pipeline has also been shared with the affected parties' Agent and reference has been made to this in the proposed Heads of Terms, for which the Applicant is progressing with an aim to reach agreement.</p>
2.99.3	Easements	•No consultation has taken place regarding potential future development of the pipeline corridor and compensation provision via a development clause	<p>As noted above, the Applicant has consulted and engaged with The Braders since March 2022. The Applicant will continue to engage with the landowner and compensation will be assessed on a case-by-case basis in accordance with the Compensation Code.</p> <p>No known or reasonably anticipated development prospect has been raised by DDM Agriculture Ltd on behalf of The Braders to date, and, as such a development clause has not been considered appropriate.</p>
2.99.4	Construction	•No consultation regarding the implementation of a haul road during the construction period	<p>As set out in paragraph 3.12.38 of ES Chapter 3: Description of the Proposed Development [APP-045], the entrance directly off the public highway would be laid to hardcore. The temporary access routes which lead to the pipeline spread and the running track itself would have the topsoil removed and stored to one side. The “running track” is effectively the haul road which will be constructed along the entire right of way (excluding certain crossing locations), to allow the passage of vehicles, plant and materials/pipe. Upon completion of construction, these tracks will be levelled, and the topsoil replaced, and land restored to its original condition.</p> <p>Paragraph 3.12.39 states that, where necessary depending on ground conditions and weather conditions, some areas may temporarily be covered with a geotextile membrane and stone surface to facilitate traffic movements.</p>

Table 2-100: The Brocklesby Estate – RR-100

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.100.1	Land / Compensation	<ul style="list-style-type: none"> • Failure to agree commercial terms due to a lack of meaningful consultation with the landowners and their agents 	<p>The Applicant notes the comments from DDM Agriculture Ltd on behalf of The Brocklesby Estate and acknowledges that discussions on the Option Agreement for Lease remain ongoing. The Applicant has been engaging with DDM Agriculture Ltd on behalf of The Brocklesby Estate since March 2022 and has been discussing commercial terms since July 2023. The Applicant will continue to engage with DDM Agriculture Ltd on behalf of The Brocklesby Estate with a view to reaching a commercial agreement.</p>
2.100.2	Construction	<ul style="list-style-type: none"> • Failure to agree a method statement for the pipeline construction and failure to provide clarity regarding construction depth of the pipeline and assurances that the land can be farmed going forward 	<p>The pipeline will be buried at a minimum depth of 1.2m to the top of the pipe, apart from under exceptional circumstances not anticipated in the location of the Proposed Development. This will be greater at crossing points of railways, roads and watercourses.</p> <p>Once the pipeline is installed, normal agricultural practices will be able to resume above the pipeline. This is set out in paragraph 3.7.32 of ES Chapter 3: Description of the Proposed Development [APP-045]. Further, section 3.12 of Chapter 3 sets out the approach to construction in more detail.</p> <p>Details of the depth of the pipeline has also been shared with the affected parties' Agent and reference has been made to this in the proposed Heads of Terms, for which the Applicant is progressing with an aim to reach agreement.</p>
2.100.3	Easements	<ul style="list-style-type: none"> • No consultation has taken place regarding potential future development of the pipeline corridor and compensation provision via a development clause 	<p>As noted above, the Applicant has consulted and engaged with The Brocklesby Estate since March 2022. The Applicant will continue to engage with the landowner and compensation will be assessed on a case-by-case basis in accordance with the Compensation Code.</p> <p>No known or reasonably anticipated development prospect has been raised by DDM Agriculture Ltd on behalf of The Brocklesby Estate to date, and, as such a development clause has not been considered appropriate.</p>
2.100.4	Construction	<ul style="list-style-type: none"> • No consultation regarding the implementation of a haul road during the construction period 	<p>As set out in paragraph 3.12.38 of ES Chapter 3: Description of the Proposed Development [APP-045], the entrance directly off the public highway would be laid to hardcore. The temporary access routes which lead to the pipeline spread and the running track itself would have the topsoil removed and stored to one side. The "running track" is effectively the haul road which will be constructed along the entire right of way (excluding certain crossing locations), to allow the passage of vehicles, plant and materials/pipe. Upon completion of construction, these tracks will be levelled, and the topsoil replaced, and land restored to its original condition.</p> <p>Paragraph 3.12.39 states that, where necessary depending on ground conditions and weather conditions, some areas may temporarily be covered with a geotextile membrane and stone surface to facilitate traffic movements.</p>

Table 2-101: Masons Rural on behalf of The Clayton Family – RR-101

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.101.1	Land / Compensation	<p>The schemes has;</p> <ul style="list-style-type: none"> • Failed to agree commercial terms due to a lack of meaningful consultation with the landowners and their agents 	<p>The Applicant notes the comments from Masons Rural on behalf of The Clayton Family and acknowledges that discussions on the Option Agreement for Lease remain ongoing. The Applicant has been engaging with Masons Rural on behalf of The Clayton Family since March 2022 and has been discussing commercial terms since July 2023.</p> <p>This includes an in-person meeting with the Affected Person and appointed Land Agent in January 2024. The Applicant will continue to engage with Masons Rural on behalf of The Clayton Family with a view to reaching a commercial agreement.</p>
2.101.2	Construction	<ul style="list-style-type: none"> • Failed to agree a method statement for the pipeline construction and failure to provide clarity regarding construction depth of the pipeline and assurances that the land can be farmed going forward 	<p>The pipeline will be buried at a minimum depth of 1.2m to the top of the pipe, apart from under exceptional circumstances not anticipated in the location of the Proposed Development. This will be greater at crossing points of railways, roads and watercourses.</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
			<p>Once the pipeline is installed, normal agricultural practices will be able to resume above the pipeline. This is set out in paragraph 3.7.32 of ES Chapter 3: Description of the Proposed Development [APP-045]. Further, section 3.12 of Chapter 3 sets out the approach to construction in more detail.</p> <p>Details of the depth of the pipeline has also been shared with the affected parties' Agent and reference has been made to this in the proposed Heads of Terms, for which the Applicant is progressing with an aim to reach agreement</p>
2.101.3	Easements	<ul style="list-style-type: none"> No consultation has taken place regarding potential future development of the pipeline corridor and compensation provision via a development clause 	<p>As noted above, the Applicant has consulted and engaged with The Clayton Family since March 2022. The Applicant will continue to engage with the landowner and compensation will be assessed on a case-by-case basis in accordance with the Compensation Code.</p> <p>No known or reasonably anticipated development prospect has been raised by Masons Rural on behalf of the Clayton Family to date, and, as such a development clause has not been considered appropriate.</p>
2.101.4	Construction	<ul style="list-style-type: none"> No consultation regarding the implementation of a haul road during the construction period 	<p>As set out in paragraph 3.12.38 of ES Chapter 3: Description of the Proposed Development [APP-045], the entrance directly off the public highway would be laid to hardcore. The temporary access routes which lead to the pipeline spread and the running track itself would have the topsoil removed and stored to one side. The "running track" is effectively the haul road which will be constructed along the entire right of way (excluding certain crossing locations), to allow the passage of vehicles, plant and materials/pipe. Upon completion of construction, these tracks will be levelled, and the topsoil replaced, and land restored to its original condition.</p> <p>Paragraph 3.12.39 states that, where necessary depending on ground conditions and weather conditions, some areas may temporarily be covered with a geotextile membrane and stone surface to facilitate traffic movements.</p>

Table 2-102: DDM Agriculture on behalf of The Cook Family – RR-102

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.102.1	Land / Compensation	<ul style="list-style-type: none"> Failure to agree commercial terms due to a lack of meaningful consultation with the landowners and their agents. Failure to consult landowner following the re-routing of the pipeline on their land to a less favourable position. 	<p>The Applicant notes the comments from DDM Agriculture on behalf of The Cook Family and acknowledges that discussions on the Option Agreement for Lease remain ongoing. The Applicant has been engaging with DDM Agriculture on behalf of The Cook Family since March 2022 and has been discussing commercial terms since July 2023. The Applicant will continue to engage with DDM Agriculture on behalf of The Cook Family with a view to reaching a commercial agreement.</p>
2.102.2	Construction	<ul style="list-style-type: none"> Failure to agree a method statement for the pipeline construction and failure to provide clarity regarding construction depth of the pipeline and assurances that the land can be farmed going forward 	<p>The pipeline will be buried at a minimum depth of 1.2m to the top of the pipe, apart from under exceptional circumstances not anticipated in the location of the Proposed Development. This will be greater at crossing points of railways, roads and watercourses.</p> <p>Once the pipeline is installed, normal agricultural practices will be able to resume above the pipeline. This is set out in paragraph 3.7.32 of ES Chapter 3: Description of the Proposed Development [APP-045]. Further, section 3.12 of Chapter 3 sets out the approach to construction in more detail.</p> <p>Details of the depth of the pipeline has also been shared with the affected parties' Agent and reference has been made to this in the proposed Heads of Terms, for which the Applicant is progressing with an aim to reach agreement.</p>
2.102.3	Easements	<ul style="list-style-type: none"> No consultation has taken place regarding potential future development of the pipeline corridor and compensation provision via a development clause 	<p>A development clause has not been offered as part of the Heads of Terms, as it is not considered appropriate or necessary in this case.</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.102.4	Construction	<ul style="list-style-type: none"> No consultation regarding the implementation of a haul road during the construction period 	<p>As set out in paragraph 3.12.38 of ES Chapter 3: Description of the Proposed Development [APP-045], the entrance directly off the public highway would be laid to hardcore. The temporary access routes which lead to the pipeline spread and the running track itself would have the topsoil removed and stored to one side. The “running track” is effectively the haul road which will be constructed along the entire right of way (excluding certain crossing locations), to allow the passage of vehicles, plant and materials/pipe. Upon completion of construction, these tracks will be levelled, and the topsoil replaced, and land restored to its original condition.</p> <p>Paragraph 3.12.39 states that, where necessary depending on ground conditions and weather conditions, some areas may temporarily be covered with a geotextile membrane and stone surface to facilitate traffic movements.</p>

Table 2-103: The Exors of the late D Tuxworth – RR-103

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.103.1	Land / Compensation	<p>My client wishes to raise the following concerns surrounding the project;</p> <ul style="list-style-type: none"> Failure to agree commercial terms due to a lack of meaningful consultation with the landowners and their agents. Have not ever met with the client either. 	<p>The Applicant notes the comments from The Exors of the late D Tuxworth and acknowledges that discussions on the Option Agreement for Lease remain ongoing. The Applicant has been engaging with The Exors of the late D Tuxworth and their appointed Land Agent Masons Rural since November 2022 and has been discussing commercial terms since July 2023. The Applicant will continue to engage with The Exors of the late D Tuxworth and their appointed Land Agent Masons Rural with a view to reaching a commercial agreement.</p>
2.103.2	Construction	<ul style="list-style-type: none"> Failure to agree a method statement for the pipeline construction and failure to provide clarity regarding construction depth of the pipeline and assurances that the land can be farmed going forward 	<p>The pipeline will be buried at a minimum depth of 1.2m to the top of the pipe, apart from under exceptional circumstances not anticipated in the location of the Proposed Development. This will be greater at crossing points of railways, roads and watercourses.</p> <p>Once the pipeline is installed, normal agricultural practices will be able to resume above the pipeline. This is set out in paragraph 3.7.32 of ES Chapter 3: Description of the Proposed Development [APP-045]. Further, section 3.12 of Chapter 3 sets out the approach to construction in more detail.</p> <p>Details of the depth of the pipeline has also been shared with the affected parties' Agent and reference has been made to this in the proposed Heads of Terms, for which the Applicant is progressing with an aim to reach agreement</p>
2.103.3	Easements	<ul style="list-style-type: none"> No consultation has taken place regarding potential future development of the pipeline corridor and compensation provision via a development clause 	<p>No known or reasonably anticipated development prospect has been raised by The Exors of the late D Tuxworth to date, and, as such a development clause has not been considered appropriate.</p>
2.103.4	Construction	<ul style="list-style-type: none"> No consultation regarding the implementation of a haul road during the construction period <p>Finally, the placement of permeant roadway and above ground infrastructure on my clients field. The positioning of the site makes the field very difficult to farm afterwards and creates awkward corners for farm machinery. This could mean that areas of production are sterilized. Adjacent to my clients field is the former Theddlethorpe Gas Terminal which makes an ideal site for any above ground infrastructure as access and screening is already in place. In the worst case scenario that the above ground infrastructure must be</p>	<p>As set out in paragraph 3.12.38 of ES Chapter 3: Description of the Proposed Development [APP-045], the entrance directly off the public highway would be laid to hardcore. The temporary access routes which lead to the pipeline spread and the running track itself would have the topsoil removed and stored to one side. The “running track” is effectively the haul road which will be constructed along the entire right of way (excluding certain crossing locations), to allow the passage of vehicles, plant and materials/pipe. Upon completion of construction, these tracks will be levelled, and the topsoil replaced, and land restored to its original condition.</p> <p>Paragraph 3.12.39 states that, where necessary depending on ground conditions and weather conditions, some areas may temporarily be covered with a geotextile membrane and stone surface to facilitate traffic movements.</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		located on my clients land, the positioning of this needs to be amended.	

Table 2-104: The Gilyeat Family – RR-104

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.104.1	Consultation	We are not in favour of this project. We have asked for more information that lay people can understand but have been ignored.	<p>The Applicant has aimed provide information at varying levels of detail to allow people to engage with the proposals at a level they deem appropriate. Consultation materials (such as the Consultation Brochure) were written in accessible, non-technical language. These were supported by the technical documents, which included a non-technical summary as appropriate (for example, the Non-Technical Summary Preliminary Environmental Information Report). There is also a Non-Technical Summary of the Environmental Statement [APP-041] submitted as part of the application for development consent. Stakeholders have also been able to ask questions of the project team through a project telephone number and inbox, as well as invitations for feedback through the project website.</p> <p>Additionally, Section 6.6 of the Consultation Report lays out how the Applicant has taken due regard to all written queries throughout the period of consultation.</p>

Table 2-105: Savills on behalf of The Needham-Teanby Family – RR-105

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.105.1	Land / Compensation	My client has yet to agree terms for the Option Agreement for Lease, we reserve the ability to make personal reps or changes to these document in the future. My client has yet to agree terms for a licence for surveys, we reserve the ability to make personal reps or changes to these documents in the future.	The Applicant notes the comments from Savills on behalf of The Needham-Teanby Family and acknowledges that discussions on the Option Agreement for Lease and Survey Licences remain ongoing. The Applicant will continue to progress matters with a view to securing the required rights needed for the project by agreement.

Table 2-106: The Partners of J W Needham and Co – RR-106

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.106.1	Land / Compensation	My client has yet to agree terms for the Option Agreement for Lease, we reserve the ability to make personal reps or changes to these document in the future. My client has yet to agree terms for a licence for surveys, we reserve the ability to make personal reps or changes to these documents in the future.	The Applicant notes the comments from The Partners of J W Needham and Co and acknowledges that discussions on the Option Agreement for Lease and Survey Licences remain ongoing. The Applicant will continue to progress matters with a view to securing the required rights needed for the project by agreement.

Table 2-107: Perkins George Mawer & Co on behalf of The Robinson-Preston Family – RR-107

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.107.1	Land/ Compensation	<ul style="list-style-type: none"> • Failure to agree commercial terms due to a lack of meaningful consultation with the landowners and their agents 	<p>The Applicant notes the comments from Perkins George Mawer & Co on behalf for The Robinson-Preston Family and acknowledges that discussions on the Option Agreement for Lease remain ongoing.</p> <p>The Applicant has been engaging with Perkins George Mawer & Co on behalf for The Robinson-Preston Family since November 2022 and has been discussing commercial terms since July 2023.</p> <p>The Applicant will continue to engage with Perkins George Mawer & Co on behalf for The Robinson-Preston Family with a view to reaching a commercial agreement.</p>
2.107.2	Construction	<ul style="list-style-type: none"> • Failure to agree a method statement for the pipeline construction and failure to provide clarity regarding construction depth of the pipeline and assurances that the land can be farmed going forward 	<p>The pipeline will be buried at a minimum depth of 1.2m to the top of the pipe, apart from under exceptional circumstances not anticipated in the location of the Proposed Development. This will be greater at crossing points of railways, roads and watercourses.</p> <p>Once the pipeline is installed, normal agricultural practices will be able to resume above the pipeline. This is set out in paragraph 3.7.32 of ES Chapter 3: Description of the Proposed Development ES [APP-045]. Further, section 3.12 of Chapter 3 sets out the approach to construction in more detail.</p> <p>Details of the depth of the pipeline has also been shared with the affected parties' Agent and reference has been made to this in the proposed Heads of Terms, for which the Applicant is progressing with an aim to reach agreement.</p>
2.107.3	Easements	<ul style="list-style-type: none"> • No consultation has taken place regarding potential future development of the pipeline corridor and compensation provision via a development clause 	<p>A development clause has not been offered as part of the Heads of Terms, as it is not considered appropriate or necessary in this case.</p>
2.107.4	Construction	<ul style="list-style-type: none"> • No consultation regarding the implementation of a haul road during the construction period 	<p>As set out in paragraph 3.12.38 of ES Chapter 3: Description of the Proposed Development [APP-045], the entrance directly off the public highway would be laid to hardcore. The temporary access routes which lead to the pipeline spread and the running track itself would have the topsoil removed and stored to one side. The "running track" is effectively the haul road which will be constructed along the entire right of way (excluding certain crossing locations), to allow the passage of vehicles, plant and materials/pipe. Upon completion of construction, these tracks will be levelled, and the topsoil replaced, and land restored to its original condition.</p> <p>Paragraph 3.12.39 states that, where necessary depending on ground conditions and weather conditions, some areas may temporarily be covered with a geotextile membrane and stone surface to facilitate traffic movements.</p> <p>The Outline Soil Management Plan (SMP) [APP-096] included in the DCO application sets out principles and procedures for good practice (embedded mitigation measures) and bespoke mitigation measures in soil handling, storage and reinstatement to be used for the Viking CCS Pipeline. This outline SMP will be developed further during the FEED stage, to set out the framework that the appointed Contractor will follow to minimise adverse effects on soil resources.</p>

Table 2-108: The Shareholders of J W Needham & Co – RR-108

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.108.1		<p>My client has yet to agree terms for the Option Agreement for Lease, we reserve the ability to make personal reps or changes to these document in the future. My client has yet to agree terms for a licence for surveys, we reserve the ability to make personal reps or changes to these documents in the future.</p>	<p>The Applicant notes the comments from The Shareholders of J W Needham Ltd and acknowledges that discussions on the Option Agreement for Lease and Survey Licences remain ongoing. The Applicant will continue to progress matters with a view to securing the required rights needed for the project by agreement.</p>

Table 2-109: DDM Agriculture Ltd on behalf of The Spilman Family – RR-109

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.109.1	Construction	<ul style="list-style-type: none"> Failure to agree a method statement for the pipeline construction and failure to provide clarity regarding construction depth of the pipeline and assurances that the land can be farmed going forward 	<p>The pipeline will be buried at a minimum depth of 1.2m to the top of the pipe. This will be greater at crossing points of railways, roads and watercourses.</p> <p>Once the pipeline is installed, normal agricultural practices will be able to resume above the pipeline. This is set out in paragraph 3.7.32 of ES Chapter 3: Description of the Proposed Development [APP-045]. Further, section 3.12 of Chapter 3 sets out the approach to construction in more detail.</p> <p>Details of the depth of the pipeline and the area impacted has also been shared with the affected parties' Agent and reference has been made to this in the proposed Heads of Terms, for which the Applicant is progressing with an aim to reach agreement.</p> <p>Details of the pipeline construction methodology and depth including pre-construction/post construction activities, land drainage and reinstatement are outlined with Chapter 3: Description of the Proposed Development of the DCO submittal & in the consultation materials accordingly.</p> <p>The pipeline corridor (100m) will be reduced to a working width of 30m on completion of the pipeline route alignment, which will be executed during FEED stage in 2024. On completion of construction, a pipeline easement of 8m will be the restricted future development area over the pipeline (4m either side of the centreline).</p>
2.109.2	Easements	<ul style="list-style-type: none"> No consultation has taken place regarding potential future development of the pipeline corridor and compensation provision via a development clause 	<p>The Applicant has consulted and engaged with The Spilman Family since March 2022. The Applicant will continue to engage with the landowner and their agent and compensation will be assessed on a case-by-case basis in accordance with the Compensation code.</p> <p>The Applicant has met with the Landowners representative and has requested details of any alternative development in order that consideration can be given should it be forthcoming.</p>
2.109.3	Construction	<ul style="list-style-type: none"> No consultation regarding the implementation of a haul road during the construction period 	<p>As set out in paragraph 3.12.38 of ES Chapter 3: Description of the Proposed Development [APP-045], the entrance directly off the public highway would be laid to hardcore. The temporary access routes which lead to the pipeline spread and the running track itself would have the topsoil removed and stored to one side. The "running track" is effectively the haul road which will be constructed along the entire right of way (excluding certain crossing locations), to allow the passage of vehicles, plant and materials/pipe. Upon completion of construction, these tracks will be levelled, and the topsoil replaced, and land restored to its original condition.</p> <p>As set out in paragraph 3.12.39, where necessary depending on ground conditions and weather conditions, some areas may temporarily be covered with a geotextile membrane and stone surface to facilitate traffic movements.</p>
2.109.4	Engineering and Design	<ul style="list-style-type: none"> No consultation has taken place on drainage 	<p>The Draft CEMP [APP-068] includes a number of requirements relating to agriculture and soils that will be adhered to in the construction of the Proposed Development. Commitment F5 states that existing field drainage systems will be re-instated to ensure that land capability is maintained, and drainage related to flooding issues will not be worsened. Items G2 and G3 of the Draft CEMP set out that:</p> <p><i>G2: The location and condition of existing land drainage will be established, and a record compiled. Subject to landowner/occupier agreement, existing drains should be restored, or new drains established to help prevent damage to soil structure, maintain work areas in a dry condition and to enable current drainage systems to continue to operate through the construction period.</i></p> <p><i>G3: The design of these drainage schemes will be agreed by The Applicant's, the Contractor(s), and the landowners / occupiers. A specialist drainage contractor in most instances will carry out the work. Permanent records of the land drainage locations will be produced.</i></p> <p>The Applicant has also appointed a land drainage consultancy to advise on pre/post construction drainage including engagement with respective landowners.</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.09.5	Land / Compensation	• Lack of integrity/being disingenuous regarding the option area	<p>The Option Area has been communicated to the agents and LIG throughout the process and within the terms contained within the HoTs that have been issued to The Spilman Family in August and December 2023.</p> <p>The 100m Option Area will be reduced to a 30m Pipeline Construction Corridor prior to construction. Following construction, an 8m wide surface easement and sub-surface lease over the required area only will be retained by the Applicant.</p>
2.09.6	Engineering and Design	•No consultation on certain matters regarding the block valve for example: location, how will the landowner be compensated for this? What are the rights? How will it work alongside Anglian Waters infrastructure?	<p>DDM, the appointed agent of The Spilman Family, have had the fully detailed Block Valve terms for review since 25 August 2023. The proposed location of the Block Valve suggested by the landowner was assessed and deemed not viable due to an Anglian Water Easement.</p> <p>The Applicant will continue to engage with the landowner and compensation will be assessed on a case-by-case basis in accordance with the Compensation Code.</p>

Table 2-110: Theddlethorpe All Saints & St Helen's Parish Council – RR-110

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.110.1	General Environmental Impacts	The proposed Viking CCS pipeline and associated heavy construction works will have a direct, and we believe negative, impact on the lives and homes of residents in our village.	<p>The Applicant recognises the importance during the construction phase of keeping the local community informed. Once consent is granted, the Applicant will put in place a Construction Environmental Management Plan (CEMP), which will be agreed with the local planning authority. That plan will include, amongst other things, a stakeholder communications plan setting out how the developer will carry out community engagement before and during the construction phase. This is set out in more detail in section 8.5 of the Draft CEMP [APP-068].</p>
2.110.2	Safety	Many local people have already expressed serious safety concerns regarding the proposed project- both medium and long term. These range from possibilities for explosion to concerns about a discharge of CO2 into the village.	<p>The Applicant is highly experienced in health and safety management and takes very seriously its legal duty under the UK's Health and Safety at Work Act to protect workers and the public from its activities. The Applicant places the utmost importance on the safety of the communities it interacts with, its employees and its contractors who will work on this project.</p> <p>Several important factors were considered in routing the pipeline. These were the safety of local communities, avoiding built up areas and sensitive buildings, areas protected for their habitat and species, the Lincolnshire Wolds Area of Outstanding Beauty, areas that are liable to flood and historic monuments.</p> <p>The pipeline has been designed in compliance with Engineering Standard BSI PD 8010-1:2016, which makes specific provision for CO₂ pipelines and the approach to routing including minimum distances to buildings. In addition, the pipeline has been designed in accordance with the established principle of ALARP ("As Low As Reasonably Practicable"), as described in the Health and Safety Executive's (HSE's) longstanding framework document "Reducing Risks, Protecting People". The purpose of ALARP is to ensure risks are reduced as far as is reasonably practicable.</p> <p>The Applicant has referenced the HSE's Tolerability of Risk framework (which is defined in the "Reducing Risks, Protecting People" framework document mentioned above) to assess the pipeline risks. This assessment shows that the risk to members of the public living near to the Viking CCS pipeline route is well within the framework's lowest classification of risk. Under the framework, the HSE considers that <i>"risks falling into this region are generally regarded as insignificant and adequately controlled."</i></p> <p>The HSE does not usually require further action to reduce risks in this lowest classification unless reasonably practicable measures are available, such as developing comprehensive emergency response plans. The Applicant will work with all relevant local authorities to develop such plans.</p> <p>The Applicant has engaged with the HSE, including their science division, to seek their expert opinion on the pipeline design and associated risk assessments. The Applicant has also engaged with other industry experts and will continue to engage both regulator and industry experts throughout the pipeline design and subsequent operation.</p> <p>The Applicant has adopted a robust design and route selection process for the Proposed Development, with safety of local communities being a key consideration. The routing and design accords with adopted guidance, including on managing risk, and has been informed by advice from experienced technical consultants.</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
			A 25m vent stack is required for venting off small quantities of CO ₂ prior to periodic maintenance of the pipeline system (approximately every two years). The venting of these small amounts of CO ₂ from the vent stack poses no risk to people or wildlife.
2.110.3	Landscape and Visual	Not to mention, the unsightly nature of the 25 meter tall exhaust stack is completely out of character for Theddlethorpe.	Effects on landscape character and visual amenity/people's views are considered in detail in ES Chapter 7: Landscape and Visual [APP-049] . This includes assessment of changes in views as a result of the Theddlethorpe vent stack, under Option 1 (the preferred option) and Option 2 of its potential siting. In relation to Option 1, effects on landscape character are assessed as 'negligible adverse', reflecting its location within the former TGT terminal. Those from Option 2 are 'minor adverse', reflecting its potential location outside of the former TGT footprint. Viewpoints in and around Theddlethorpe are assessed as VP24-VP27 in Appendix 7.2 of the ES [APP-088] .
2.110.4	Traffic and Transport	In addition, the only access to the site is via a single carriageway A road upon which several residents live; they are already concerned about the amount of HGV and bus traffic which uses that road, and some have experienced damage to their homes as a result of this.	The Applicant has worked with local highways authorities to better understand the local road network, and which roads are better suited to heavy goods vehicles. Roads will be surveyed in advance of construction and the Applicant will repair any damage, should it occur. Mitigation measures will be put in place to ensure that any effects on residents are appropriately managed in line with best practice guidelines. Both the traffic and transport assessment and the subsequent traffic management plan will carefully consider any potential impacts of construction traffic. A Draft Construction Traffic Management Plan [APP-107] has been submitted as part of the application for development consent. Impacts on the local highway network during construction are reported in ES Chapter 12: Traffic and Transport [APP-054] .
2.110.5	General	Lastly, our community is very close knit and small, with many residents at a technological disadvantage. The Parish Council need to be able to represent those who are unable to otherwise engage in the consultation process.	The Applicant recognises that individuals who live close to an infrastructure project will have concerns about the impact that it might have on them. In the pre-application phase, the Applicant has undertaken considerable consultation with local communities. Through this consultation process the Applicant has communicated the potential impacts from the Proposed Development to potentially affected people through consultation materials and supporting technical documents. The Applicant has also taken account of their comments and feedback in designing the project. The Applicant has sought to make consultation materials as accessible as possible for local residents, both digitally and through hard copies. Consultation materials were deposited at document inspection venues. These materials included the consultation brochure, FAQs, maps, the Statement of Community Consultation (SoCC), the Preliminary Environmental Information Report (PEIR) and the PEIR NTS. Five document inspection venues were used, and these were chosen based on their proximity to the site of the proposed pipeline, as well as their accessibility for local communities. In-person consultation events, as well as hearing events during the Examination stage, have allowed further participation in the consultation process for the Viking CCS pipeline, independent of the need to use technology to engage in the process.

Table 2-111: Theddlethorpe Village Residents' Association – RR-111

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.111.1	General Environmental Impacts	As a community we are very concerned about the potential impact of such a massive project. Information received to date has not filled us with confidence.	The Applicant recognises that individuals who live close to an infrastructure project will have concerns about the impact that it might have on them. In the pre-application phase, the Applicant has undertaken considerable consultation with local communities. Through this consultation process the Applicant has communicated the potential impacts from the Proposed Development to potentially affected people through consultation materials and supporting technical documents. The Applicant has also taken account of their comments and feedback in designing the project. The Applicant has undertaken a detailed Environmental Impact Assessment to identify the likely effects that the project will have on affected parties. In designing the project, the Applicant has sought to avoid and mitigate impacts wherever possible.

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.111.2	Construction	The construction work will have a detrimental affect on our roads and farmland and will cause major disruption to the area.	<p>The Applicant recognises the importance during the construction phase of keeping the local community informed. Once consent is granted, the Applicant will put in place a Construction Environmental Management Plan (CEMP), which will be agreed with the local planning authority. That plan will include, amongst other things, a stakeholder communications plan setting out how the developer will carry out community engagement before and during the construction phase. This is set out in more detail in section 8.5 of the Draft CEMP [APP-068].</p> <p>A Construction Traffic Management Plan, based upon the Draft Construction Traffic Management Plan [APP-107], will also be in place to manage traffic impacts.</p>
2.111.3	Safety	We also have grave concerns as to the safety of such a project. The proposed pipeline is close to dwellings and is only buried a couple of meters down. There is also concern about the number of vents along the pipeline.	<p>The Applicant is highly experienced in health and safety management and takes very seriously its legal duty under the UK's Health and Safety at Work Act to protect workers and the public from its activities. The Applicant places the utmost importance on the safety of the communities it interacts with, its employees and its contractors who will work on this project.</p> <p>Several important factors were considered in routing the pipeline. These were the safety of local communities, avoiding built up areas and sensitive buildings, areas protected for their habitat and species, the Lincolnshire Wolds Area of Outstanding Beauty, areas that are liable to flood and historic monuments.</p> <p>The pipeline has been designed in compliance with Engineering Standard BSI PD 8010-1:2016, which makes specific provision for CO₂ pipelines and the approach to routing including minimum distances to buildings. In addition, the pipeline has been designed in accordance with the established principle of ALARP ("As Low As Reasonably Practicable"), as described in the Health and Safety Executive's (HSE's) longstanding framework document "Reducing Risks, Protecting People". The purpose of ALARP is to ensure risks are reduced as far as is reasonably practicable.</p> <p>The Applicant has referenced the HSE's Tolerability of Risk framework (which is defined in the "Reducing Risks, Protecting People" framework document mentioned above) to assess the pipeline risks. This assessment shows that the risk to members of the public living near to the Viking CCS pipeline route is well within the framework's lowest classification of risk. Under the framework, the HSE considers that <i>"risks falling into this region are generally regarded as insignificant and adequately controlled."</i></p> <p>The HSE does not usually require further action to reduce risks in this lowest classification unless reasonably practicable measures are available, such as developing comprehensive emergency response plans. The Applicant will work with all relevant local authorities to develop such plans.</p> <p>The Applicant has engaged with the HSE, including their science division, to seek their expert opinion on the pipeline design and associated risk assessments. The Applicant has also engaged with other industry experts and will continue to engage both regulator and industry experts throughout the pipeline design and subsequent operation.</p> <p>The Applicant has adopted a robust design and route selection process for the Proposed Development, with safety of local communities being a key consideration. The routing and design accords with adopted guidance, including on managing risk, and has been informed by advice from experienced technical consultants.</p> <p>The Applicant has designed the pipeline to avoid and minimise any potential impacts on residential properties. This has meant there are no residential properties included within the Draft Order Limits.</p> <p>The pipeline will be buried at a minimum depth of 1.2m to the top of the pipe, apart from under exceptional circumstances not anticipated in the location of the Proposed Development. This will be greater at crossing points of railways, roads and watercourses.</p> <p>A 25m vent stack is required for venting off small quantities of CO₂ prior to periodic maintenance of the pipeline system (approximately every two years). The venting of these small amounts of CO₂ from the vent stack poses no risk to people or wildlife.</p>
2.111.4	Need Case	Without huge subsidy from the tax payer, we doubt this project would be economically viable.	The Funding Statement [AS-011] sets out how the Proposed Development, and its operation, will be adequately funded by the Applicant.

Table 2-112: Tim Watson – RR-112

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.112.1	General Environmental Impacts	I do not consent to having the only safe foot path to Mablethorpe altered or fenced in, I am also totally against the pipeline in any and all ways	No Public Rights of Way (PRoW) in the Theddlethorpe / Mablethorpe area will be permanently altered or closed. As outlined within the Public Rights of Way Management Plan [APP-123], temporary diversions may be required. All locations where a PRoW may be impacted by the Proposed Development would have appropriate signage, which would advise of dates and hours affected. The Applicant / Contractor would develop this in discussion with Local Authority PRoW officers. More detail about PRoW diversions is provided in the Applicant's response to ExQ1 1.16.25.

Table 2-113: UK Health Security Agency and Office for Health Improvement and Disparities – RR-113

Ref	Topic	Matter raised in Relevant Representation	Applicant response																																		
2.113.1	Air Quality	We can confirm that based on updated information provided in the Environmental Statement (ES): • The Promoter provides an assessment of construction phase traffic data that predicts exceedances of IAQM and DMRB screening criteria in the construction phase. They conclude that due to the temporary nature of the works, the good baseline air quality, and the fact that the data represents a worst-case increase in traffic, no significant effects (with respect to air quality) are anticipated. UKHSA are of the opinion that it is unclear what the ramifications of these exceedances are as no detailed assessments have been provided .	<p>According to the IAQM planning guidance referred to in the Relevant Representation, the screening criteria set out in that guidance are “<i>precautionary and should be treated as indicative</i>”. The guidance states that they “<i>function as a sensitive ‘trigger’ for initiating an assessment in cases where there is a possibility of significant effects arising on local air quality</i>”.</p> <p>It is the Applicant's opinion that where traffic impacts exceed the IAQM screening criteria, as listed in the ES Chapter 14: Air Quality [APP-056], there is no possibility of a significant effect arising.</p> <p>For an impact to have a potential significant effect, the IAQM suggest the following for describing the impact at individual receptors.</p> <p>Table 6.3: Impact descriptors for individual receptors.</p> <table border="1"> <thead> <tr> <th rowspan="2">Long term average Concentration at receptor in assessment year</th> <th colspan="4">% Change in concentration relative to Air Quality Assessment Level (AQAL)</th> </tr> <tr> <th>1</th> <th>2-5</th> <th>6-10</th> <th>>10</th> </tr> </thead> <tbody> <tr> <td>75% or less of AQAL</td> <td>Negligible</td> <td>Negligible</td> <td>Slight</td> <td>Moderate</td> </tr> <tr> <td>76-94% of AQAL</td> <td>Negligible</td> <td>Slight</td> <td>Moderate</td> <td>Moderate</td> </tr> <tr> <td>95-102% of AQAL</td> <td>Slight</td> <td>Moderate</td> <td>Moderate</td> <td>Substantial</td> </tr> <tr> <td>103-109% of AQAL</td> <td>Moderate</td> <td>Moderate</td> <td>Substantial</td> <td>Substantial</td> </tr> <tr> <td>110% or more of AQAL</td> <td>Moderate</td> <td>Substantial</td> <td>Substantial</td> <td>Substantial</td> </tr> </tbody> </table> <p>The effect and its significance are then determined by professional judgement, taking account of how many receptors are affected by each impact descriptor, the current risk and future risk of an air quality standard being exceeded, and other factors, such as the duration of increased exposure.</p> <p>Table 14-11 of ES Chapter 14 demonstrates the baseline air quality in the vicinity of the Proposed Development. The monitoring has been undertaken by the Local Authorities and represent background and roadside locations. Except for monitoring undertaken within the Cleethorpes Air Quality Management Area, annual mean nitrogen dioxide (NO₂) concentrations are 75% or less of the air quality objective.</p> <p>This suggests that even a change in annual mean concentration of NO₂ of up to 25% of the air quality objective (10 µg/m³) would not cause an exceedance of that objective.</p> <p>It is the Applicant's opinion that the traffic impacts reported in Table 14-17 of ES Chapter 14 are not capable of increasing annual mean NO₂ concentrations by anything like that required to cause ‘moderate’ or ‘substantial’ impacts, as described by the IAQM. The temporary nature of the traffic impacts only goes to strengthen this opinion.</p> <p>It should be noted that traffic impacts on the A180 Cleethorpe Road (through the AQMA) do not exceed the air quality screening criteria set out in the IAQM guidance. It should also be noted that whilst the air quality chapter of the ES does refer to the DMRB air quality screening criteria, it does so only for the purpose of informing the ecology assessment.</p>	Long term average Concentration at receptor in assessment year	% Change in concentration relative to Air Quality Assessment Level (AQAL)				1	2-5	6-10	>10	75% or less of AQAL	Negligible	Negligible	Slight	Moderate	76-94% of AQAL	Negligible	Slight	Moderate	Moderate	95-102% of AQAL	Slight	Moderate	Moderate	Substantial	103-109% of AQAL	Moderate	Moderate	Substantial	Substantial	110% or more of AQAL	Moderate	Substantial	Substantial	Substantial
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Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.113.2	Health and Wellbeing	<ul style="list-style-type: none"> The Promoter should assess the potential public health impact of EMFs arising from the electrical equipment associated with the development. Alternatively, a statement should be provided to explain why EMFs can be scoped out We can confirm that we have registered an interest on the Planning Inspectorate Website. 	<p>The permanent facilities are located and suitably designed with security measures to prevent the general public from gaining access, whilst the electrical cabinets/kiosks are enclosed to protect the workforce and accessible by qualified personnel only.</p> <p>On site construction works are not envisaged to use radiation but phased array for Ultrasonic Testing, however if radiation was employed suitable protection/safety measures would be implemented accordingly.</p> <p>A statement relating to why further EMF assessment was scoped out was included within ES Chapter 17: Health and Wellbeing Table 17.3 and paragraphs 17.7.66 to 17.7.70 [APP-059].</p>

Table 2-114: Uniper RR-114

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.114.1	Protective Provisions	The proposed CO2 pipeline route overlaps with Uniper's high pressure natural gas pipeline from Theddlethorpe to Killingholme. There is a HSSE risk and therefore Uniper must be fully engaged at all times.	The Applicant has engaged with Uniper as part of the DCO process and will continue to do so as the project progresses to ensure all HSSE risks associated with working in proximity to their asset are identified and managed.

Table 2-115: VPI Immingham LLP – RR-115

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.115.1	Protective Provisions	<p>VPI Immingham LLP owns and operates the existing 1260-megawatt (MW) Combined Heat and Power (CHP) plant which is an important provider of heat and steam to local industry, and of electricity both locally and to the national grid. VPI Immingham is now bringing forward the Humber Zero VPI Immingham Post-combustion Carbon Capture project, which is a proposed anchor emitter project for the Viking CCS transportation and storage system. As such, VPI Immingham LLP strongly supports the development of the Viking CCS pipeline proposed by Chrysaor Production (UK) Limited (the Applicant) – the Viking CCS pipeline and Humber Zero are mutually dependent.</p> <p>There are, however, certain land, programme and engineering conflict issues arising from the Applicant's DCO application that must be resolved in order for the Viking CCS system and our emitter project to both proceed. We look forward to continuing to work with the Applicant in order to resolve all such issues. The Humber Zero project Humber Zero is a combined set of projects that aim to decarbonise the world-scale industrial complex</p>	The Applicant has contacted VPI Immingham as part of the DCO process with a Statement of Common Ground and Protective Provisions to be prepared including design and construction activities requirements.

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		<p>at Immingham, comprising VPI's CHP plant and the adjacent Humber Oil Refinery operated by Phillips 66. Humber Zero's initial phase focuses on the post-combustion carbon capture components of this strategy. At VPI Immingham, this phase will deliver up to 3.3 mega tonnes per annum (MTPA) of abated CO2 emissions via a post-combustion carbon capture retrofit to two gas turbines and two auxiliary gas boilers. The captured CO2 will be exported from the planned VPI Immingham Post-combustion Carbon Capture plant to the Viking CCS pipeline. The VPI Post-combustion Carbon Capture plant will be located between the existing VPI Immingham CHP plant and the proposed Viking CCS pipeline project's AGI (Work No. 1).</p>	
2.115.2	Protective Provisions	<p>VPI's planning process commenced in 2021, and preparation spanned two years with key activities including public consultation events, archaeological excavations, environmental surveys, data collection and analysis, all of which culminated in the production and submission of an environmental impact assessment. The application for planning permission for the VPI development was submitted to North Lincolnshire Council (the LPA) in March 2023, under the Town and Country Planning Act 1990. Permission is sought for "the construction and operation of a post-combustion carbon capture plant, including carbon dioxide compressor and metering, cooling equipment, stacks, substations, internal roads, partial ditch realignment, new and modified services, connections, accesses, maintenance and laydown areas". The red line boundary for the VPI development overlaps in part with areas which are included in the Viking CCS pipeline DCO application Order limits. The LPA undertook public consultation on the application (reference PA/2023/421) which ended in June 2023, and the application is now in its final stages. Having satisfied all the requirements of the LPA and statutory consultees, we anticipate approval will be granted in January 2024.</p>	<p>The Applicant has contacted VPI Immingham as part of the DCO process with a Statement of Common Ground and Protective Provisions to be prepared including design and construction activities requirements.</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.115.3	Draft DCO	The VPI development and the Viking CCS pipeline proposal will need to come forward together in a co-ordinated way, allowing both to proceed and with overlaps and interactions of land, programme and engineering matters addressed via protective provisions and / or an agreement between the parties. The use of the powers in the DCO (such as those relating to land, access and highways) will need to be controlled as part of those documents. VPI Immingham LLP is strongly supportive of the Applicant's proposed Viking CCS pipeline, and as noted above looks forward to continuing to work with the Applicant to allow both key decarbonisation projects to come forward.	The Applicant has contacted VPI Immingham as part of the DCO process with a Statement of Common Ground and Protective Provisions to be prepared including design and construction activities requirements.

Table 2-116: Masons Rural on behalf of W T Morgan – RR-116

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.116.1	Land / Compensation	My client wishes to raise the following concerns surrounding the project; •Failure to agree commercial terms due to a lack of meaningful consultation with the landowners and their agents. Have not ever met with the client either.	The Applicant notes the comments from Masons Rural on behalf of W T Morgan and acknowledges that discussions on the Option Agreement for Lease remain ongoing. The Applicant has been engaging with Masons Rural since March 2022 and has been discussing commercial terms since July 2023. The Applicant will continue to engage with Masons Rural on behalf of W T Morgan with a view to reaching a commercial agreement.
2.116.2	Construction	•Failure to agree a method statement for the pipeline construction and failure to provide clarity regarding construction depth of the pipeline and assurances that the land can be farmed going forward	The pipeline will be buried at a minimum depth of 1.2m to the top of the pipe, apart from under exceptional circumstances not anticipated in the location of the Proposed Development. This will be greater at crossing points of railways, roads and watercourses. Once the pipeline is installed, normal agricultural practices will be able to resume above the pipeline. This is set out in paragraph 3.7.32 of ES Chapter 3: Description of the Proposed Development [APP-045] . Further, section 3.12 of Chapter 3 sets out the approach to construction in more detail. Details of the depth of the pipeline has also been shared with the affected parties' Agent and reference has been made to this in the proposed Heads of Terms, for which the Applicant is progressing with an aim to reach agreement.
2.116.3	Easements	•No consultation has taken place regarding potential future development of the pipeline corridor and compensation provision via a development clause	As noted above, the Applicant has consulted and engaged with W T Morgan since March 2022. The Applicant will continue to engage with the landowner and compensation will be assessed on a case-by-case basis in accordance with the Compensation Code. No known or reasonably anticipated development prospect has been raised by Masons Rural on behalf of W T Morgan to date, and, as such a development clause has not been considered appropriate.
2.116.4	Construction	•No consultation regarding the implementation of a haul road during the construction period	As set out in paragraph 3.12.38 of ES Chapter 3: Description of the Proposed Development [APP-045] , the entrance directly off the public highway would be laid to hardcore. The temporary access routes which lead to the pipeline spread and the running track itself would have the topsoil removed and stored to one side. The "running track" is effectively the haul road which will be constructed along the entire right of way (excluding certain crossing locations), to allow the passage of vehicles, plant and

Ref	Topic	Matter raised in Relevant Representation	Applicant response
			<p>materials/pipe. Upon completion of construction, these tracks will be levelled, and the topsoil replaced, and land restored to its original condition.</p> <p>Paragraph 3.12.39 states that, where necessary depending on ground conditions and weather conditions, some areas may temporarily be covered with a geotextile membrane and stone surface to facilitate traffic movements.</p>

Table 2-117: West Lindsey District Council – RR-117

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.117.1	General	<p>The application documents have been reviewed. The area of the proposals which run through and are adjacent to the West Lindsey District are in line with our previous consultation responses and therefore we have no further comments to make at this stage. West Lindsey does not need to participate in the Examination hearings for the project.</p>	<p>This is noted and has been reflected within the Statement of Common Ground with West Lindsey District Council.</p>

Table 2-118: DDM Agriculture on behalf of Wienerberger Limited – RR-118

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.118.1	Land / Compensation	<p>•Failure to agree commercial terms due to a lack of meaningful consultation with the landowners and their agents</p>	<p>The Applicant notes the comments from DDM Agriculture Ltd on behalf of Wienerberger Limited and acknowledges that discussions on the Option Agreement for Lease remain ongoing. The Applicant has been engaging with DDM Agriculture Ltd on behalf of Wienerberger Limited since March 2022 and has been discussing commercial terms since July 2023. The Applicant will continue to engage with DDM Agriculture Ltd on behalf of Wienerberger Limited with a view to reaching a commercial agreement.</p>
2.118.2	Construction	<p>•Failure to agree a method statement for the pipeline construction and failure to provide clarity regarding construction depth of the pipeline and assurances that the land can be farmed going forward</p>	<p>The pipeline will be buried at a minimum depth of 1.2m to the top of the pipe, apart from under exceptional circumstances not anticipated in the location of the Proposed Development. This will be greater at crossing points of railways, roads and watercourses.</p> <p>Once the pipeline is installed, normal agricultural practices will be able to resume above the pipeline. This is set out in paragraph 3.7.32 of ES Chapter 3: Description of the Proposed Development [APP-045]. Further, section 3.12 of Chapter 3 sets out the approach to construction in more detail.</p> <p>Details of the depth of the pipeline has also been shared with the affected parties' Agent and reference has been made to this in the proposed Heads of Terms, for which the Applicant is progressing with an aim to reach agreement.</p>
2.118.3	Easements	<p>•No consultation has taken place regarding potential future development of the pipeline corridor and compensation provision via a development clause</p>	<p>As noted above, the Applicant has consulted and engaged with Wienerberger Limited since March 2022. The Applicant will continue to engage with the landowner and compensation will be assessed on a case-by-case basis in accordance with the Compensation Code.</p> <p>No known or reasonably anticipated development prospect has been raised by DDM Agriculture Ltd on behalf of Wienerberger Limited to date, and, as such a development clause has not been considered appropriate.</p>
2.118.4	Construction	<p>•No consultation regarding the implementation of a haul road during the construction period</p>	<p>As set out in paragraph 3.12.38 of ES Chapter 3: Description of the Proposed Development [APP-045], the entrance directly off the public highway would be laid to hardcore. The temporary access routes which lead to the pipeline spread and the running track itself would have the topsoil removed and stored to one side. The "running track" is effectively the haul road which will be constructed along the entire right of way (excluding certain crossing locations), to allow the passage of vehicles, plant and</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
			<p>materials/pipe. Upon completion of construction, these tracks will be levelled, and the topsoil replaced, and land restored to its original condition.</p> <p>Paragraph 3.12.39 states that, where necessary depending on ground conditions and weather conditions, some areas may temporarily be covered with a geotextile membrane and stone surface to facilitate traffic movements.</p>

Table 2-119: Masons Rural on behalf of Woodthorpe Garden Centre – RR-119

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.119.1	Land / Compensation	<p>My client wishes to raise the following concerns surrounding the project;</p> <ul style="list-style-type: none"> •Failure to agree commercial terms due to a lack of meaningful consultation with the landowners and their agents. Have not ever met with the client either. 	<p>The Applicant notes the comments from Masons Rural on behalf of Woodthorpe Garden Centre and acknowledges that discussions on the Option Agreement for Lease remain ongoing. The Applicant has been engaging with Masons Rural on behalf of Woodthorpe Garden Centre since November 2022 and has been discussing commercial terms since July 2023. The Applicant will continue to engage with Masons Rural on behalf of Woodthorpe Garden Centre with a view to reaching a commercial agreement.</p>
2.119.2	Construction	<ul style="list-style-type: none"> •Failure to agree a method statement for the pipeline construction and failure to provide clarity regarding construction depth of the pipeline and assurances that the land can be farmed going forward 	<p>The pipeline will be buried at a minimum depth of 1.2m to the top of the pipe, apart from under exceptional circumstances not anticipated in the location of the Proposed Development. This will be greater at crossing points of railways, roads and watercourses.</p> <p>Once the pipeline is installed, normal agricultural practices will be able to resume above the pipeline. This is set out in paragraph 3.7.32 of ES Chapter 3: Description of the Proposed Development [APP-045]. Further, section 3.12 of Chapter 3 sets out the approach to construction in more detail.</p> <p>Details of the depth of the pipeline has also been shared with the affected parties' Agent and reference has been made to this in the proposed Heads of Terms, for which the Applicant is progressing with an aim to reach agreement.</p>
2.119.3	Easements	<ul style="list-style-type: none"> •No consultation has taken place regarding potential future development of the pipeline corridor and compensation provision via a development clause 	<p>As noted above, the Applicant has consulted and engaged with Woodthorpe Garden Centre since November 2022. The Applicant will continue to engage with the landowner and compensation will be assessed on a case-by-case basis in accordance with the Compensation Code.</p> <p>No known or reasonably anticipated development prospect has been raised by Masons Rural on behalf of Woodthorpe Garden Centre to date, and, as such a development clause has not been considered appropriate.</p>
2.119.4	Construction	<ul style="list-style-type: none"> •No consultation regarding the implementation of a haul road during the construction period 	<p>As set out in paragraph 3.12.38 of ES Chapter 3: Description of the Proposed Development [APP-045], the entrance directly off the public highway would be laid to hardcore. The temporary access routes which lead to the pipeline spread and the running track itself would have the topsoil removed and stored to one side. The "running track" is effectively the haul road which will be constructed along the entire right of way (excluding certain crossing locations), to allow the passage of vehicles, plant and materials/pipe. Upon completion of construction, these tracks will be levelled, and the topsoil replaced, and land restored to its original condition.</p> <p>Paragraph 3.12.39 states that, where necessary depending on ground conditions and weather conditions, some areas may temporarily be covered with a geotextile membrane and stone surface to facilitate traffic movements.</p>

Table 2-120: Woodthorpe Hall Farms Ltd – RR-120

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.120.1	Land / Compensation	<p>My client wishes to raise the following concerns surrounding the project;</p>	<p>The Applicant notes the comments from Masons Rural on behalf of Woodthorpe Hall Farms Ltd and acknowledges that discussions on the Option Agreement for Lease remain ongoing. The Applicant has been engaging with Masons Rural on behalf of Woodthorpe</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		•Failure to agree commercial terms due to a lack of meaningful consultation with the landowners and their agents. Have not ever met with the client either.	Hall Farms Ltd since November 2022 and has been discussing commercial terms since July 2023. The Applicant will continue to engage with Masons Rural on behalf of Woodthorpe Hall Farms Ltd with a view to reaching a commercial agreement.
2.120.2	Construction	•Failure to agree a method statement for the pipeline construction and failure to provide clarity regarding construction depth of the pipeline and assurances that the land can be farmed going forward	<p>The pipeline will be buried at a minimum depth of 1.2m to the top of the pipe, apart from under exceptional circumstances not anticipated in the location of the Proposed Development. This will be greater at crossing points of railways, roads and watercourses.</p> <p>Once the pipeline is installed, normal agricultural practices will be able to resume above the pipeline. This is set out in paragraph 3.7.32 of ES Chapter 3: Description of the Proposed Development [APP-045]. Further, section 3.12 of Chapter 3 sets out the approach to construction in more detail.</p> <p>Details of the depth of the pipeline has also been shared with the affected parties' Agent and reference has been made to this in the proposed Heads of Terms, for which the Applicant is progressing with an aim to reach agreement.</p>
2.120.3	Easements	•No consultation has taken place regarding potential future development of the pipeline corridor and compensation provision via a development clause	<p>As noted above, the Applicant has consulted and engaged with Woodthorpe Hall Farms Ltd since November 2022. The Applicant will continue to engage with the landowner and compensation will be assessed on a case-by-case basis in accordance with the Compensation Code.</p> <p>No known or reasonably anticipated development prospect has been raised by Masons Rural on behalf of Woodthorpe Hall Farms Ltd to date, and, as such a development clause has not been considered appropriate.</p>
2.120.4	Construction	•No consultation regarding the implementation of a haul road during the construction period	<p>As set out in paragraph 3.12.38 of ES Chapter 3: Description of the Proposed Development [APP-045], the entrance directly off the public highway would be laid to hardcore. The temporary access routes which lead to the pipeline spread and the running track itself would have the topsoil removed and stored to one side. The "running track" is effectively the haul road which will be constructed along the entire right of way (excluding certain crossing locations), to allow the passage of vehicles, plant and materials/pipe. Upon completion of construction, these tracks will be levelled, and the topsoil replaced, and land restored to its original condition.</p> <p>Paragraph 3.12.39 states that, where necessary depending on ground conditions and weather conditions, some areas may temporarily be covered with a geotextile membrane and stone surface to facilitate traffic movements.</p>

Table 2-121: David Spilman – RR-121

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.121.1	Land / Compensation	No attempt to meet to discuss commercial terms whatsoever and a lack of meaningful consultation with the landowners and their agents.	The Applicant notes the comments from David Spilman and acknowledges that discussions on the Option Agreement for Lease remain ongoing. The Applicant has been engaging with David Spilman since April 2022 and has been discussing commercial terms with his appointed agent DDM Agriculture since July 2023. The Applicant will continue to engage with DDM Agriculture on behalf of David Spilman with a view to reaching a commercial agreement.

Ref	Topic	Matter raised in Relevant Representation	Applicant response
2.121.2	Construction	No attempt to discuss a methodology for the pipeline construction with the landowners. No attempt since 14th February 2023 has taken place to consult the landowner on their proposed future alternative development over land affected by the proposed pipeline corridor, and no clarity on the compensation provision has been provided to the landowner. No attempt to negotiate a development clause, to mitigate a potential loss of income, leading to concerns of statutory blight. This is a working farm, and affects our business progression and our livelihood	<p>The pipeline will be buried at a minimum depth of 1.2m to the top of the pipe, apart from under exceptional circumstances not anticipated in the location of the Proposed Development. This will be greater at crossing points of railways, roads and watercourses.</p> <p>Once the pipeline is installed, normal agricultural practices will be able to resume above the pipeline. This is set out in paragraph 3.7.32 of ES Chapter 3: Description of the Proposed Development ES [APP-045]. Further, section 3.12 of Chapter 3 sets out the approach to construction in more detail.</p> <p>Details of the depth of the pipeline has also been shared with the affected parties' Agent and reference has been made to this in the proposed Heads of Terms, for which the Applicant is progressing with an aim to reach agreement.</p> <p>As noted above, the Applicant has consulted and engaged with David Spilman since March 2022. The Applicant will continue to engage with the landowner and compensation will be assessed on a case-by-case basis in accordance with the Compensation code.</p> <p>The Applicant has met with the Landowner and has requested details of the alternative development mentioned here in order that consideration can be given should it be forthcoming.</p> <p>The Applicant has not received a blight claim and further does not consider that it would be applicable to the scheme.</p>
2.121.3	Construction	A lack of integrity by the acquiring authority on the width of the option area corridor, construction width, depth, and timeframes of the pipeline.	<p>Details of the pipeline construction methodology, depth and estimated timelines including pre-construction/post construction activities, land drainage and reinstatement are outlined with Chapter 3: Description of the Proposed Development of the DCO submittal and in the consultation materials accordingly.</p> <p>The pipeline corridor (100m) will be reduced to a working width of 30m on completion of the pipeline route alignment, which will be executed during FEED stage in 2024. On completion of construction, a pipeline easement of 8m will be the restricted future development area over the pipeline (4m either side of the centreline).</p>
2.121.4	Construction	No consultation regarding the implementation of a haul road or means to work over differing land types during the construction period, in line with Soil Association and AHDB guidance for construction sites. No Assurances that the land will be reinstated or intentions on how and where its soils will be stored during construction.	<p>As set out in paragraph 3.12.38 of ES Chapter 3: Description of the Proposed Development [APP-045], the entrance directly off the public highway would be laid to hardcore. The temporary access routes which lead to the pipeline spread and the running track itself would have the topsoil removed and stored to one side. The "running track" is effectively the haul road which will be constructed along the entire right of way (excluding certain crossing locations), to allow the passage of vehicles, plant and materials/pipe. Upon completion of construction, these tracks will be levelled, and the topsoil replaced, and land restored to its original condition.</p> <p>Paragraph 3.12.39 states that, where necessary depending on ground conditions and weather conditions, some areas may temporarily be covered with a geotextile membrane and stone surface to facilitate traffic movements.</p>
2.121.5	Construction	No consultation on land drainage, and mitigation for potential contamination of a large pond area containing protected species.	<p>The Draft CEMP [APP-068] includes a number of requirements relating to agriculture and soils that will be adhered to in the construction of the Proposed Development. Commitment F5 states that existing field drainage systems will be re-instated to ensure that land capability is maintained, and drainage related to flooding issues will not be worsened. Items G2 and G3 of the Draft CEMP set out that:</p> <p><i>G2: The location and condition of existing land drainage will be established, and a record compiled. Subject to landowner/occupier agreement, existing drains should be restored, or new drains established to help prevent damage to soil structure, maintain work areas in a dry condition and to enable current drainage systems to continue to operate through the construction period.</i></p> <p><i>G3: The design of these drainage schemes will be agreed by The Applicant's, the Contractor(s), and the landowners / occupiers. A specialist drainage contractor in most instances will carry out the work. Permanent records of the land drainage locations will be produced.</i></p> <p>The Applicant has also appointed a land drainage consultancy to advise on pre/post construction drainage including engagement with respective landowners.</p>
2.121.6	Land / Compensation	No consultation on the loss of income from diversification, environmental schemes/shoots etc.	<p>The Option Area, Pipeline Construction Corridor, and timeframes have been communicated to the agents and LIG throughout the process and within the terms contained within the HoTs.</p>

Ref	Topic	Matter raised in Relevant Representation	Applicant response
		Lack of integrity/disingenuous conversations regarding the option area, a 100m option corridor was never mentioned and it was proposed that instead 10m would be suitable due to proposed suitable alternative development.	<p>Details of the pipeline construction methodology and depth including pre-construction/post construction activities, land drainage and reinstatement are outlined with Chapter 3: Description of the Proposed Development of the DCO submittal and in the consultation materials accordingly.</p> <p>The pipeline corridor (100m) will be reduced to a working width of 30m on completion of the pipeline route alignment, which will be executed during FEED stage in 2024. Following construction, an 8m wide surface easement & sub-surface lease over the required area only will be retained by the Applicant.</p> <p>Any loss of income will be assessed on an individual basis and compensation will be in accordance with the Compensation Code.</p>
2.121.7	Engineering and Design	<p>Block valve – the proposed location of it is not the location the landowner was informed it would be, potential loss of land and sterilized land around it which can no longer be farmed, what are the terms on offer and what is the basis of valuation for this item?</p> <p>No attempt to provide any information to the landowner beyond indicative location.</p>	<p>DDM have had the fully detailed Block Valve terms for review since 26 August 2023, as per the HoT issue and re-issue timeframes detailed in the consultation section above.</p> <p>The proposed location of the Block Valve suggested by the landowner was assessed and deemed not viable due to an Anglian Water Easement.</p> <p>The Applicant will continue to engage with the landowner and compensation will be assessed on a case-by-case basis in accordance with the Compensation Code.</p>
2.121.8	Land / Compensation	<p>The landowner has expressed a willingness to work with the acquiring authority but is not being listened to or kept informed on progress of the scheme, considering the proposed route corridor affects the family considerably across their landownership.</p> <p>An option area consisting of approximately 78 Acres of land is currently the subject of negotiation and this goes through the centre of several fields and the heart of the farm, blighting future prospects and development until we know the easement corridor. It is not clear why it is reasonable to blight 100m of land for the sake of the limits of deviation, for such an unreasonably long period of time, seemingly whilst the acquiring authority undertake the surveys they should have undertaken before submitting their application to PINS.</p>	<p>The Applicant has met with the Landowner and has requested details of the potential alternative development mentioned in order that consideration can be given should it be forthcoming.</p> <p>The Applicant has not received a blight claim and further does not consider that it would be applicable to the scheme</p>