

Viking CCS Pipeline

8.1 Draft Statement of Common Ground – North East Lincolnshire Council

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Applicant: Chrysaor Production (U.K.) Limited,
a Harbour Energy Company
PINS Reference: EN070008
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This Draft Statement of Common Ground has been agreed between Chrysaor Production (UK) Limited and North East Lincolnshire Council on the day specified below

Signed:

Print Name:

Job Title:

Date:

Duly Authorised for and on behalf of North East Lincolnshire Council

Signed:

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Date:

Duly Authorised for and on behalf of Chrysaor Production (UK) Limited

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1 Introduction

1.1 Overview

- 1.1.1 This Statement of Common Ground (SoCG) has been prepared by Chrysaor Production (UK) Ltd (the ‘Applicant’) in conjunction with North East Lincolnshire Council in respect of the Viking CCS Pipeline project (the ‘Proposed Development’).
- 1.1.2 The SoCG sets out the matters of agreement between the Applicant and North East Lincolnshire Council and also explains those matters which, at the time of writing, remain unresolved between the parties. The agreements to date have been reached through consultation and continuing discussions between the parties through online meetings.

1.2 The Role of North East Lincolnshire Council

- 1.2.1 North East Lincolnshire Council is one of the five local planning authorities within the Order limits. North East Lincolnshire Council determines planning applications for the majority of development types in the district and has a statutory duty to prepare a local development plan.
- 1.2.2 As a host local authority, North East Lincolnshire Council has specific responsibilities, including:
- Responding to consultations by the applicant:
 - Discussing DCO requirements and legal agreements with the applicant:
 - Providing ‘adequacy of consultation’ responses to PINS:
 - Preparing statements of common grounds and local impact reports: and
 - Submitting written representations to PINS and participating in the examination process.

1.3 Purpose of this Statement of Common Ground

- 1.3.1 The purpose of this document is to summarise the agreements reached between the parties on matters relevant to the examination of the application and to assist the Examining Authority (‘ExA’). It also sets out the matters that remain unresolved at the time of writing, but which both parties are working positively toward resolving. As such, it is expected that further iterations of the SoCG will be submitted to the ExA throughout the Examination and prior to the making of any Development Consent Order (‘DCO’) for the Proposed Development.
- 1.3.2 The SoCG has been prepared with regard to the guidance in ‘Planning Act 2008: examination of applications for development consent’ (Department for Communities and Local Government, March 2015).
- 1.3.3 The remainder of this SoCG is structured as follows:
- Section 2 - Summary of consultation and discussions; and
 - Section 3 - Position of the parties

1.4 Status of this Statement of Common Ground

- 1.4.1 This SoCG is currently in draft form.

2 Summary of Consultation and Discussions

Introduction

2.1.1 In addition to the consultation undertaken as part of statutory consultation, there have been a number of meetings and correspondence relating to the Proposed Development. Details of various meetings and key correspondence are set out in Table 2-1 Record of meetings and correspondence with North East Lincolnshire Council. Table 2-1 below.

Table 2-1 Record of meetings and correspondence with North East Lincolnshire Council.

Date of meeting/ correspondence	Description of meeting/correspondence
22 February 2022	<p>Introduction to the project, including extent of the project corridor, other project interactions, environmental and engineering considerations and EIA scoping and survey information. Planned stakeholder engagement and consenting programme was highlighted.</p> <p>Feedback from the meeting noted that:</p> <ul style="list-style-type: none"> • The role of EQUANS was outlined. • Questioned whether the pipeline would be hazardous under the HSE. • It was questioned whether the pipeline would be constructed underground and the extent of land use above ground. • Planning Performance Agreements were discussed. • In terms of community involvement, parish councils should be consulted, as well as Love Lincolnshire Wolds Group. • The impact of the project on the GDF proposals was questioned.
19 October 2022	<p>Scheme update, including rebranding, corridor realignment and above ground installation update. Update includes an update on consultation, role of feedback, the SoCC process and statutory consultation timescales.</p> <p>Feedback from the meeting noted that:</p> <ul style="list-style-type: none"> • A request was made for a presentation to planning committee and for Lincolnshire Wolds to be invited to LCC meeting. • Compound on A18 would need consultation with Highways teams. • Hornsea experiences drainage issues and this should be included within the proposals. • Regular engagement requested prior to statutory consultation.
30 November 2022	<p>Presentation to the planning committee. Presentation included an update on the engineering and environmental considerations, revisions to the project since the EIA scoping and route corridor refinement. Overview of the non-statutory consultations, and statutory consultation was provided.</p>
28 March 2023	<p>Scheme update meeting, including recap of the project, purpose and rate of carbon dioxide capture. Distance within NELC confirmed and</p>

Date of meeting/ correspondence	Description of meeting/correspondence
	<p>timescales for project outlined. Stakeholder and consultation update provided, alongside environment update.</p> <p>Feedback from the meeting noted that:</p> <ul style="list-style-type: none"> • Receptors at Barnoldby Le Beck should be considered as sensitive. • Continued engagement with council specialists encouraged and it was questioned whether engagement had taken place with the ecologist. Contacts for technical disciplines were agreed to be provided. • Safety of the pipeline was queried, including around Barnoldby Le Beck and whether HSE zone had been established for the pipeline. • The location of housing should be accounted for during routing considerations of the pipeline. • It was questioned whether combined meetings with host authorities could take place. • Council confirmed would review cumulative impact assessment, including list of developments.
<p>March 2023</p>	<p>Joint meeting with Lincolnshire County Council to discuss construction traffic, numbers, routeing and access points.</p>

Date of meeting/ correspondence	Description of meeting/correspondence
31 March 2023	<p>Meeting to introduce the highways officer to the project. The meeting was held with representatives of all local highways authorities, which means it included representatives from NELC, NLC and LCC.</p> <p>A presentation was given explaining the purpose and location of the Proposed Development. It was agreed that a second meeting would be held once more definition was available regarding proposed traffic access routes and access points and also when an indication of traffic levels was available.</p>
11 July 2023	Meeting with highways officer.
22 May 2023	Meeting to discuss and agree viewpoints to inform the LVIA.
28 June 2023	<p>Scheme update meeting with a planning officers that included an overview of progress preparing the DCO application documents, project schedule, environment surveys and assessments and the additional consultation during April and May 2023.</p> <p>Points of discussion included:</p> <ul style="list-style-type: none"> • The number of attendees at the additional consultation during April and May 2023. • Engagement with the NELC archaeologist.
8 March 2024	<p>Project update meeting with a planning officer. The applicant provided an overview of the activities that had taken place following the submission of the application to PINS.</p> <p>The applicant also discussed with the planning officer arrangements for the Preliminary meeting including venue and timings, relevant representations received and summary of key themes, progress towards Statements of Common Ground and future work.</p>
10 April 2024	<p>Meeting with planning officers of all the host authorities to discuss matters arising during the Issue Specific Hearings on the 27th March 2023.</p> <p>Discussions included the process for discharging DCO such as the authority responsible for discharging obligations, the time limit for approvals of requirements and highways works, payment of fees to the discharging authority.</p>

3 Position of the Parties

3.1.1 Table 3-1 below sets out the position of the parties relating to the following topics:

- **Consultation** – including comment on the consultation documents and consultation process. The principal application document is the PIER.
- **Environmental Impacts** – including landscape and visual impact viewpoints; ecology and biodiversity; geology and hydrogeology; traffic and transport; air quality impacts; noise and vibration; cumulative Impacts; water environment; historic environment; agriculture and soils; and biodiversity net gain. The principal application documents are:
 - Chapter 7 Landscape and Visual [APP-049] and appendices
 - Chapter 6 Ecology and Biodiversity [APP-048] and appendices
 - Chapter 9 Geology and Hydrogeology [APP-051] and appendices
 - Chapter 12 Traffic and Transport [APP-054] and appendices
 - Chapter 14 Air Quality [APP-056] and appendices
 - Chapter 13 Noise and Vibration [APP-055] and appendices
 - Chapter 11 Water Environment [APP-053] and appendices
 - Chapter 8 Historic Environment [APP-050] and appendices
 - Chapter 10 Agriculture and Soils [APP-052] and appendices
 - Initial Biodiversity Net Gain Assessment [APP-125] and Draft Biodiversity Net Gain Strategy [APP-126]
 - Chapter 20 Cumulative Impact Assessment [APP-062]
 - Planning Policy Matters – reference to matters regarding planning policy. The principal application document is the PDAS [APP-129].

3.1.2 To provide clarity, each of the matters for which a position has been attributed have been colour coded as follows:

Agreed	The matter is agreed between the parties, or there is no significant disagreement such that the matter is considered closed.
Not agreed - no material impact	The matter is not agreed between the parties; however the outcome of the approach taken by the Applicant or North East Lincolnshire Council is not considered to result in a material impact to the assessment conclusions. Discussions on this matter have concluded.
In discussion	This matter is neither ‘agreed’ or ‘not agreed’. Technical work is being undertaken with the aim of achieving agreement, though the risk of disagreement remains.
Not agreed	The matter is not agreed between the parties and the outcome of the approach taken by the Applicant or North East Lincolnshire Council is considered to result in a materially different impact to the assessment conclusions.

Table 3-1 Position of the Parties

ID	Matter	Detail	Related documents and their references	Comments from the Parties	Position
Consultation					
NELC1	Consultation process	The pre-application engagement undertaken by the applicant has been proactive and professional and accords with the Statement of Community Consultation (SoCC).	Appendix E to the Consultation Report [APP-039] providing the Statutory Consultation Responses.	Applicant: Agreed North East Lincolnshire: Agreed	Agreed
Socio-Economics					
NELC2	Social Value	The approach used for the Assessment of potential socio-economic impacts reported in chapter 11 of the Environmental Statement [APP-058] follows standard best practice for projects of this nature. The baseline data, survey methods and assessment methodology used are appropriate and follow standard guidelines.	Appendix E to the Consultation Report [APP-039] providing the Statutory Consultation Responses. ES Chapter 16: Socio Economics [APP-058]	Applicant: The methodology for the Assessment is considered appropriate and includes the necessary receptors and baseline data. North East Lincolnshire: Agreed, the methodology was discussed and agreed the pre-application period. The Economic Development Officer has reviewed the details and confirmed they agree with the information.	Agreed
Landscape and Visual					
NELC3	Assessment methodology	The scope of the assessment and assessment methodology in chapter 7 - Landscape and Visual [APP-049] of the Environmental Statement are suitable and acceptable.	Chapter 7 Landscape and Visual [APP-049] and appendices. NELC Relevant Representation dated 15 th January 2024.	Applicant: Agreed North East Lincolnshire: Agreed, the methodology was discussed and agreed the pre-application period. The Trees and Woodlands Officer has reviewed the details and confirmed they agree with the information.	Agreed
NELC4	Data collection, methods, baseline data and the identification and sensitivity of relevant features and receptors	The baseline information used in the assessment for the Landscape and Visual Impact is appropriate for the purposes of assessment. The sensitivity and types of receptors used in the landscape and visual impact assessment are appropriate, and the relevant receptors have been identified within the study area.	Appendix E to the Consultation Report [APP-039] providing the Statutory Consultation Responses. Chapter 7 Landscape and Visual [APP-049] and appendices	Applicant: Agreed, the methodology and viewpoints used in the assessment is considered appropriate and includes the necessary receptors and baseline data which was discussed and agreed during the pre-application period. North East Lincolnshire: Agreed, the methodology and viewpoints were discussed and agreed the pre-application period.	Agreed

ID	Matter	Detail	Related documents and their references	Comments from the Parties	Position
NELC5	Assessment findings	<p>The conclusions of the Assessment of Effects in chapter 7 - Landscape and Visual [APP-049], are appropriate in identifying and assessing the significance of (in EIA terms) and effects of change resulting from the construction, operation and decommissioning of the Project on landscape and visual receptors. In accordance with the impact assessment’s methodology, effects which have been assessed to be ‘moderate’ or ‘major’ are considered significant in EIA terms.</p> <p>The impact assessment concluded that potential significant effects (in EIA terms) would be experienced by users of a group of PRowS and from Station Road. These effects would be in the construction phase only. Beyond this group of receptors, assuming the inclusion of embedded mitigation measures, effects on landscape and visual receptors would not be considered significant in EIA terms.</p> <p>No potential significant effects were identified in the operation or decommissioning phase.</p>	Chapter 7 Landscape and Visual [APP-049]	<p>Applicant: as set out in the ‘Detail’ column.</p> <p>North East Lincolnshire: Agree with the conclusions set out in chapter 7 - Landscape and Visual.</p>	Agreed
NELC6	Securing mitigation	All relevant mitigation measures specified in ES Chapter 7 Landscape and Visual [APP-049] is adequately secured through the Outline Landscape and Ecological Management Plan [APP-127] . The proposed mitigation is appropriate for managing construction and post construction impacts from the Project on landscape and visual receptors. Requirement 11 of the DCO [AS-008] states that the final Landscape Management Plan will accord with the Outline Landscape Management Plan submitted in support of the DCO application.	<p>Chapter 7 Landscape and Visual [APP-049]</p> <p>Outline Landscape and Ecological Management Plan [APP-127]</p> <p>Draft DCO [AS-008]</p>	<p>Applicant: Agreed</p> <p>North East Lincolnshire: Agreed. The mitigation measures are acceptable by NELC Trees and Woodlands Officer.</p>	Agreed
NELC7	Assessment findings	The conclusions of the Cumulative Effects Assessment as detailed in ES Chapter 7- Landscape and Visual Impact [APP-049] , are appropriate in concluding that the cumulative effects of the Project and other projects are unlikely to be greater than the Project alone.	Chapter 7 Landscape and Visual [APP-049]	<p>Applicant: Agreed</p> <p>North East Lincolnshire: Agreed. The findings are acceptable by NELC Trees and Woodlands Officer.</p>	Agreed
NELC8	Assessment findings	It is agreed that the Arboricultural Report appended to the Environmental Statement [APP-086] has been carried out in accordance with requirements of NELC following discussions with the Trees and Woodlands Officer.	NELC relevant representation dated 15 th January 2024.	Applicant: Agreed	Agreed

ID	Matter	Detail	Related documents and their references	Comments from the Parties	Position
			Arboricultural Report [APP-086]	North East Lincolnshire: Agreed. The findings are acceptable by NELC Trees and Woodlands Officer.	
Ecology and Biodiversity					
NELC9	Assessment methodology	The assessment scope and methodology in chapter 6 – Ecology and Biodiversity [APP-048] of the Environmental Statement are suitable and acceptable.	Chapter 6 Ecology and Biodiversity [APP-048] and appendices	Applicant: Agreed North East Lincolnshire: Discussions ongoing with Ecology Officer.	In Discussion
NELC10	Data collection, methods, baseline data and the identification and sensitivity of relevant features and receptors	The baseline information used in the assessment for Ecology and Biodiversity in chapter 6 – Ecology and Biodiversity [APP-048] of the Environmental Statement is appropriate for the purposes of assessment. The sensitivity and types of receptors used in the Ecology and Biodiversity assessment are appropriate, and the relevant receptors have been identified within the study area.	Appendix E to the Consultation Report [APP-039] providing the Statutory Consultation Responses. Chapter 6 Ecology and Biodiversity [APP-048] and appendices Relevant Representation submitted by NELC 15 th January 2024.	Applicant: Agreed North East Lincolnshire: Discussions ongoing with Ecology Officer.	In Discussion
NELC11	Assessment findings	The conclusions of the Assessment of Effects in chapter 6 – Ecology and Biodiversity [APP-048] of the Environmental Statement during construction, operation and decommissioning are appropriate, and assuming the inclusion of proposed mitigation, are considered not significant in EIA terms.	Chapter 6 Ecology and Biodiversity [APP-048]	Applicant: Agreed North East Lincolnshire: Discussions ongoing with Ecology Officer.	In Discussion
NELC12	Securing mitigation	All relevant mitigation measures specified in Chapter 6 - Ecology and Biodiversity [APP-048] of the Environmental Statement are adequately secured through the draft Construction Environmental Management Plan [APP-068] . The proposed mitigation is appropriate for managing construction and post construction impacts from the Project. The provision of mitigation is secured by requirement 5 of the DCO [AS-008] which requires that the CEMP must be prepared and approved before commencement of development.	Chapter 6 Ecology and Biodiversity [APP-048] Outline Landscape and Ecological Management Plan [APP-127]	Applicant: Agreed North East Lincolnshire: Discussions ongoing with Ecology Officer.	In Discussion

ID	Matter	Detail	Related documents and their references	Comments from the Parties	Position
		<p>The Outline Landscape Environmental Management Plan [APP-127] outlines a number of other measures as part of an ecology strategy to provide additional safeguards. The provision of these measures is secured by requirement 11 of the DCO [AS-008] which requires that the CEMP must be prepared and approved before commencement of development.</p>	<p>Draft DCO [AS-008]</p>		
NELC13	Assessment findings	<p>The conclusions of the Cumulative Effects Assessment as detailed in ES Chapter 6 - Ecology and Biodiversity [APP-048], are appropriate in concluding that the cumulative effects of the Project and other projects are unlikely to be greater than the Project alone.</p>	<p>Chapter 6 Ecology and Biodiversity [APP-048]</p>	<p>Applicant: Agreed</p> <p>North East Lincolnshire: Discussions ongoing with Ecology Officer.</p>	In Discussion
Geology and hydrogeology					
NELC14	Assessment methodology	<p>The scope of the assessment and assessment methodology in chapter 9 – Geology and Hydrogeology of the Environmental Statement [APP-051] are suitable and acceptable.</p>	<p>Chapter 9 Geology and Hydrogeology [APP-051] and appendices</p>	<p>Applicant: Agreed</p> <p>North East Lincolnshire: Agreed. The methodology is acceptable by NELC Drainage Officer. However, it may be prudent to have this reviewed and agreed with the Environment Agency.</p>	Agreed
NELC15	Data collection, methods, baseline data and the identification and sensitivity of relevant features and receptors	<p>The baseline Information used in the assessment for Geology and Hydrogeology is appropriate for the purposes of assessment.</p> <p>The sensitivity and types of receptors used in the Geology and Hydrogeology assessment are appropriate, and the relevant receptors have been identified within the study area.</p>	<p>Appendix E to the Consultation Report [APP-039] providing the Statutory Consultation Responses.</p> <p>Chapter 9 Geology and Hydrogeology [APP-049] and appendices</p>	<p>Applicant: Agreed, the methodology used in the assessment is considered appropriate and includes the necessary receptors and baseline data which was discussed and agreed during the pre-application period.</p> <p>North East Lincolnshire: Agreed. The methods are acceptable by NELC Drainage Officer. However, it may be prudent to have this reviewed and agreed with the Environment Agency.</p>	Agreed
NELC16	Assessment findings	<p>The conclusions of the Assessment of Effects in chapter 9 – Geology and Hydrogeology [APP-051] of the Environmental Statement during construction and operation are appropriate, and assuming the inclusion of proposed mitigation, are considered not significant in EIA terms.</p>	<p>Chapter 9 Geology and Hydrogeology [APP-051]</p>	<p>Applicant: Agreed</p> <p>North East Lincolnshire: Agreed. The findings are acceptable by NELC Drainage Officer. However, it may be prudent to have this reviewed and agreed with the Environment Agency.</p>	Agreed

ID	Matter	Detail	Related documents and their references	Comments from the Parties	Position
NELC17	Securing mitigation	All relevant mitigation measures specified in ES Chapter 9 Geology and Hydrogeology [APP-051] is adequately secured through the draft Construction Environmental Management Plan [APP-068]. The proposed mitigation is appropriate for managing construction and post construction impacts from the Project. The provision of mitigation is secured by requirement 5 of the DCO [AS-008] which requires that the CEMP must be prepared and approved before commencement of development.	Chapter 9 Geology and Hydrogeology [APP-051] Draft DCO [AS-008]	Applicant: Agreed North East Lincolnshire: Agreed. The mitigation measures are acceptable by NELC Drainage Officer. However, it may be prudent to have this reviewed and agreed with the Environment Agency.	Agreed
NELC18	Assessment findings	The conclusions of the Cumulative Effects Assessment as detailed in the ES 9 Geology and Hydrogeology [APP-051], are appropriate in concluding that the cumulative effects of the Project and other projects are unlikely to be greater than the Project alone.	Chapter 9 Geology and Hydrogeology [APP-051]	Applicant: Agreed North East Lincolnshire: Agreed. The findings are acceptable by NELC Drainage Officer. However, it may be prudent to have this reviewed and agreed with the Environment Agency.	Agreed
Traffic and transport					
NELC19	Assessment methodology	The scope of the assessment and assessment methodology in chapter 12 – Traffic and Transport [APP-054] of the Environmental Statement are suitable and acceptable.	Chapter 12 Traffic and Transport [APP-054] and appendices	Applicant: Agreed North East Lincolnshire: Agreed. The methodology is acceptable by NELC Highways Officer. However, matters relating construction access positions and routes and acceptability thereof to be further discussed with NELC Highways Officers. This is required to ensure acceptability of access points.	In Discussion
NELC20	Data collection, methods, baseline data and the identification and sensitivity of relevant features and receptors	The baseline information used in the assessment for Traffic and Transport is appropriate for the purposes of assessment. The sensitivity and types of receptors used in the Traffic and Transport assessment are appropriate, and the relevant receptors have been identified within the study area.	Appendix E to the Consultation Report [APP-039] providing the Statutory Consultation Responses. Chapter 12 Traffic and Transport [APP-054] and appendices	Applicant: Agreed, the methodology used in the assessment is considered appropriate and includes the necessary receptors and baseline data which was discussed and agreed during the pre-application period. North East Lincolnshire: Agreed. The methods are acceptable by NELC Highways Officer.	Agreed
NELC21	Assessment findings	The conclusions of the Assessment of Effects in chapter 12 – Traffic and Transport [APP-054], are appropriate in identifying and assessing the significance of (in EIA terms) and effects of change resulting from the construction, operation and decommissioning of the Project on receptors. In accordance with the impact assessment’s methodology,	Chapter 12 Traffic and Transport [APP-054]	Applicant: Agreed North East Lincolnshire: Agreed. The findings are acceptable by NELC Highways Officer.	Agreed

ID	Matter	Detail	Related documents and their references	Comments from the Parties	Position
		<p>effects which have been assessed to be ‘moderate’ or ‘major’ during the construction phases and are considered significant in EIA terms.</p> <p>The impact assessment concluded that potential significant effects (in EIA terms) would be experienced at the locations of four Automated Traffic Counts along the A1031 during the construction phase following the implementation of mitigation.</p> <p>No potential significant effects were identified during the operation or decommissioning phases.</p>			
NELC22	Securing mitigation	<p>All relevant mitigation measures specified in ES Chapter 12 Traffic and Transport [APP-054] is adequately secured through the draft Construction Environmental Management Plan [APP-068]. The proposed mitigation is appropriate for managing construction and post construction impacts from the Project. The provision of mitigation is secured by requirement 5 of the DCO [AS-008] which requires that the CEMP must be prepared and approved before commencement of development.</p> <p>Further mitigation is provided in the Construction Traffic Management Plan (CTMP) which includes measures to be adopted during the construction phase. The proposed mitigation is appropriate for managing construction traffic impacts. The provision of mitigation is secured by requirement 6 of the DCO [AS-008] which requires that the CEMP must be prepared and approved before commencement of development.</p>	<p>Chapter 12 Traffic and Transport [APP-054]</p> <p>draft Construction Environmental Management Plan [APP-068]</p> <p>Draft Construction Traffic Management Plan [APP-107]</p> <p>Draft DCO [AS-008]</p> <p>NELC Relevant Representation 15th January 2024.</p>	<p>Applicant: Agreed</p> <p>North East Lincolnshire: Agreed. The mitigation measures are acceptable by NELC Highways Officer.</p>	Agreed
NELC23	Assessment findings	<p>The conclusions of the Cumulative Effects Assessment as detailed in ES Chapter 12 – Traffic and Transport [APP-054], are appropriate in concluding that the cumulative effects of the Project and other projects are unlikely to be greater than the Project alone.</p>	<p>Chapter 12 Traffic and Transport [APP-049]</p>	<p>Applicant: Agreed</p> <p>North East Lincolnshire: Agreed. The findings are acceptable by NELC Highways Officer.</p>	Agreed
Public Rights of Way					
NELC24	Assessment findings	<p>The conclusions of the Assessment of Effects in chapter 12 – Traffic and Transport [APP-054] of the ES, so far as they relate to the potential impact on public rights of way during</p>	<p>ES chapter 12 – Traffic and</p>	<p>Applicant: Agreed</p>	Agreed

ID	Matter	Detail	Related documents and their references	Comments from the Parties	Position
		<p>construction, operation and decommissioning are appropriate, and assuming the inclusion of proposed mitigation, are considered not significant in EIA terms</p> <p>Mitigation is adequately secured by means of the Public Rights of Way Management Plan [APP-123].</p>	<p>Transport [APP-054] is</p> <p>Public Rights of Way Management Plan [APP-123].</p> <p>NELC Relevant Representation 15th January 2024.</p>	<p>North East Lincolnshire: Agreed. The Public Rights of Way Officer has stated they have no issues. A suggestion for the new gates to be installed, to separate the PRoW from the works, to be bright red in colour. Furthermore, if diversion is required, the temporary one should be levelled off.</p>	
Air Quality					
NELC25	Assessment methodology	The scope of the assessment and assessment methodology in chapter 14 – Air Quality [APP-056] of the Environmental Statement are suitable and acceptable.	Chapter 14 Air Quality [APP-056] and appendices	<p>Applicant: Agreed</p> <p>North East Lincolnshire: The Environmental Protection Team acknowledges the Environmental Statement Volume II - Chapter 14: Air Quality and anticipates that the development will implement best practice dust control mitigation measures as stated within the Draft CEMP.</p>	Agreed
NELC26	Data collection, methods, baseline data and the identification and sensitivity of relevant features and receptors	<p>The baseline information used in the assessment for the Air Quality is appropriate for the purposes of assessment.</p> <p>The sensitivity and types of receptors used in the Air Quality assessment are appropriate, and the relevant receptors have been identified within the study area.</p>	<p>Appendix E to the Consultation Report [APP-03] providing the Statutory Consultation Responses.</p> <p>Chapter 14 Air Quality [APP-056] and appendices</p>	<p>Applicant: Agreed, the methodology was used in the assessment is considered appropriate and includes the necessary receptors and baseline data which was discussed and agreed during the pre-application period.</p> <p>North East Lincolnshire: The Environmental Protection Team acknowledges the Environmental Statement Volume II - Chapter 14: Air Quality and anticipates that the development will implement best practice dust control mitigation measures as stated within the Draft CEMP.</p>	Agreed
NELC27	Assessment findings	The conclusions of the Assessment of Effects in Chapter 14 Air Quality [APP-056] of the Environmental Statement during construction are appropriate, and assuming the inclusion of proposed mitigation, are considered not significant in EIA terms.	Chapter 14 Air Quality [APP-056]	<p>Applicant: Agreed</p> <p>North East Lincolnshire: The Environmental Protection Team acknowledges the Environmental Statement Volume II - Chapter 14: Air Quality and anticipates that the development will implement best practice dust control mitigation measures as stated within the Draft CEMP.</p>	Agreed
NELC28	Securing mitigation	All relevant mitigation measures specified in ES Chapter 14 Air Quality [APP-056] is adequately secured through the draft Construction Environmental Management Plan [APP-068] . The proposed mitigation is appropriate for air quality impacts from the Project. The provision of mitigation is	<p>Chapter 14 Air Quality [APP-056]</p> <p>Draft Construction Environmental</p>	<p>Applicant: Agreed</p> <p>North East Lincolnshire: The Environmental Protection Team acknowledges the Environmental Statement Volume II - Chapter 14: Air Quality and anticipates that</p>	Agreed

ID	Matter	Detail	Related documents and their references	Comments from the Parties	Position
		secured by requirement 5 of the DCO [AS-008] which requires that the CEMP must be prepared and approved before commencement of development.	Management Plan [APP-068] Draft DCO [AS-008]	the development will implement best practice dust control mitigation measures as stated within the Draft CEMP.	
NELC30	Assessment findings	It is agreed that environmental health for air quality has been adequately assessed and the conclusions of the assessment are suitable in Chapter 14 – Air Quality [APP-056] and chapter 17 – Health and Wellbeing of the Environmental Statement [APP-059] .	Chapter 14 – Air Quality in the Environmental Statement [APP-056] . Chapter 17 Health and Wellbeing in the Environmental Statement [APP-059] . NELC Relevant Representation dated 15 January 2024	Applicant: Agreed North East Lincolnshire: The Environmental Protection Team acknowledges the Environmental Statement Volume II - Chapter 14: Air Quality and anticipates that the development will implement best practice dust control mitigation measures as stated within the Draft CEMP.	Agreed
Noise and Vibration					
NELC31	Assessment methodology	The scope of the assessment and assessment methodology in chapter 13 – Noise and Vibration [APP-055] of the Environmental Statement are suitable and acceptable.	Chapter 13 Noise and vibration [APP-055] and appendices	Applicant: Agreed North East Lincolnshire: The Environmental Protection Team acknowledges the provisions for noise and vibration included within Environmental Statement Volume II – Chapter 13: Noise & Vibration and find them satisfactory.	Agreed
NELC32	Study Area	The general study area (zone of Influence) of 500 m from the Theddlethorpe Facility and Block Valve Stations, and 300 m from the Order Limits has been used to identify the sensitive receptors and is deemed to be appropriate.	Appendix E to the Consultation Report [APP-039] providing the Statutory Consultation Responses. Chapter 13 Noise and Vibration of the Environmental Statement [APP-055] .	Applicant: Agreed, the methodology and study area used in the assessment is considered appropriate and includes the necessary receptors and baseline data which was discussed and agreed during the pre-application period. North East Lincolnshire: The Environmental Protection Team acknowledges the provisions for noise and vibration included within Environmental Statement Volume II – Chapter 13: Noise & Vibration and find them satisfactory.	Agreed
NELC33	Data collection, methods, baseline data and the identification and	The baseline information used in the assessment for Noise and Vibration is appropriate for the purposes of assessment.	Appendix E to the Consultation Report [APP-039] providing the Statutory	Applicant: Agreed, the methodology used in the assessment is considered appropriate and includes the necessary receptors and baseline data which was discussed and Applicant during the pre-application period.	Agreed

ID	Matter	Detail	Related documents and their references	Comments from the Parties	Position
	sensitivity of relevant features and receptors	The sensitivity and types of receptors used in the Noise and Vibration assessment are appropriate, and the relevant receptors have been identified within the study area	Consultation Responses. Chapter 13 Noise and vibration [APP-055] and appendices	North East Lincolnshire: The Environmental Protection Team acknowledges the provisions for noise and vibration included within Environmental Statement Volume II – Chapter 13: Noise & Vibration and find them satisfactory.	
NELC34	Assessment findings	The conclusions of the Assessment of Effects in chapter 13 Noise and Vibration of the Environmental Statement [APP-055] during construction, operation and decommissioning are appropriate, and assuming the inclusion of proposed mitigation, are considered not significant in EIA terms.	Chapter 13 Noise and Vibration [APP-055]	Applicant: Agreed North East Lincolnshire: The Environmental Protection Team acknowledges the provisions for noise and vibration included within Environmental Statement Volume II – Chapter 13: Noise & Vibration and find them satisfactory.	Agreed
NELC35	Securing mitigation	All relevant mitigation measures specified in ES chapter 13 – Noise and Vibration [APP-055] are adequately secured through the draft Construction Environmental Management Plan CEMP [APP-068]. The proposed mitigation is appropriate for managing construction and post construction impacts from the Project on Noise and Vibration receptors Requirement 5 of the DCO [AS-008] requires that the CEMP must be prepared and approved before commencement of development.	Chapter 13 Noise and [APP-055] Construction Environmental Management Plan. [APP-068] Draft DCO [AS-008]	Applicant: Agreed North East Lincolnshire: The Environmental Protection Team acknowledges the provisions for noise and vibration included within Environmental Statement Volume II – Chapter 13: Noise & Vibration and find them satisfactory.	Agreed
NELC36	Assessment findings	The conclusions of the Cumulative Effects Assessment as detailed in ES Chapter 13 – Noise and Vibration [APP-055], are appropriate in concluding that the cumulative effects of the Project and other projects are unlikely to be greater than the Project alone.	Chapter 13 Noise and Vibration [APP-049]	Applicant: Agreed North East Lincolnshire: The Environmental Protection Team acknowledges the provisions for noise and vibration included within Environmental Statement Volume II – Chapter 13: Noise & Vibration and find them satisfactory.	Agreed
Water Environment					
NELC37	Assessment methodology	The scope of the assessment methodology in chapter 11 – Water Environment of the Environmental Statement [APP-053] are suitable and acceptable.	Chapter 11 Water Environment [APP-049] and appendices	Applicant: Agreed North ELC Lincolnshire: Agreed. The methodology is acceptable by NELC Drainage Officer. However, it may be prudent to have this reviewed and agreed with the Environment Agency.	Agreed
NELC38	Data collection, methods, baseline data and the identification and sensitivity of	The approach used for the Flood Risk Assessment reported in chapter 11 of the Environmental Statement [APP-053] follows standard best practice for projects of this nature. The baseline data, survey methods and assessment methodology used are appropriate and follow standard	PDAS Section 7.21 [APP-129] ES Chapter 11: Water Environment	Applicant: Agreed North East Lincolnshire: Agreed, the methodology was discussed and agreed during the pre-application period.	Agreed

ID	Matter	Detail	Related documents and their references	Comments from the Parties	Position
	relevant features and receptors	guidelines. The findings of the sequential and exceptions test are considered to be suitable.	[APP-053]	However, it may be prudent to have this reviewed and agreed with the Environment Agency.	
NELC39	Assessment findings	The conclusions of the Assessment of Effects in chapter 11 – Water Environment of the Environmental Statement [APP-053] during construction, operation and decommissioning are appropriate, and assuming the inclusion of proposed mitigation, are considered not significant in EIA terms.	ES Chapter 11 Water Environment [APP-053]	Applicant: Agreed North East Lincolnshire: Agreed. The findings are acceptable by NELC Drainage Officer. However, it may be prudent to have this reviewed and agreed with the Environment Agency.	Agreed
NELC40	Securing mitigation	All relevant mitigation measures specified in chapter 11 – Water Environment of the Environmental Statement [APP-053] are adequately secured through the draft Construction Environmental Management Plan CEMP [APP-068] . The proposed mitigation is appropriate for managing construction and post construction impacts from the Project. Requirement 5 of the DCO [AS-008] requires that the CEMP must be prepared and approved before commencement of development.	chapter 11 – Water Environment of the Environmental Statement [APP-053] chapter 11 – Water Environment of the Environmental Statement [APP-053] Construction Environmental Management Plan. [APP-068] Draft DCO [AS-008]	Applicant: Agreed North East Lincolnshire: Agreed. The mitigation measures are acceptable by NELC Drainage Officer. However, it may be prudent to have this reviewed and agreed with the Environment Agency.	Agreed
NELC41	Assessment findings	The conclusions of the Cumulative Effects Assessment as detailed in ES Chapter 11 – Water Environment of the Environmental Statement [APP-053] , are appropriate in concluding that the cumulative effects of the Project and other projects are unlikely to be greater than the Project alone.	chapter 11 – Water Environment of the Environmental Statement [APP-053]	Applicant: Agreed North East Lincolnshire: Agreed. The conclusions are acceptable by NELC Drainage Officer. However, it may be prudent to have this reviewed and agreed with the Environment Agency.	Agreed
Historic Environment					
NELC42	Assessment Methodology	The approach used for the assessment for the Historic Environment (chapter 8) reported in the Environmental Statement [APP-050] follows standard best practice. The baseline data, survey methods and assessment	PDAS Section 7.22 [APP-129]	Applicant: The methodology for the assessment of Historic Environment is considered appropriate and includes the necessary receptors and baseline data.	Agreed

ID	Matter	Detail	Related documents and their references	Comments from the Parties	Position
		<p>methodology used are appropriate and follow standard guidelines.</p>	<p>ES Chapter 8: Historic Environment [APP-050]</p>	<p>North East Lincolnshire: Agreed. The methodology is acceptable by NELC Heritage Officer.</p>	
NELC43	Assessment findings	<p>The conclusions of the Assessment of Effects in Chapter 8 Historic Environment [APP-050], are appropriate in identifying and assessing the significance of (in EIA terms) and effects of change resulting from the construction, operation and decommissioning of the Project on receptors. In accordance with the impact assessment’s methodology, effects which have been assessed to be ‘moderate’ or ‘major’ are considered significant in EIA terms.</p> <p>The impact assessment concluded that potential significant effects (in EIA terms) may occur during the construction phase on buried archaeological remains at Roxton and Greenlands Farm, the views of Grade II* listed Church of St Edmund, the setting of the Grade II Listed Manor House at Barnoldby le beck, and temporary changes to the setting of the Grade II Listed Ashleigh Farm and Dicote House during construction in respect of Theddlethorpe Option 2. During the operational phase, potential significant effects could occur on the setting of the Grade II Listed Ashleigh Farm as a result of Theddlethorpe Facility Option 2.</p> <p>Beyond these receptors, assuming the inclusion of embedded mitigation measures, effects on the historic landscape would not be considered significant in EIA terms.</p> <p>No potential significant effects were identified in the decommissioning phase.</p>	<p>PDAS Section 7.22 [APP-129]</p> <p>ES Chapter 8: Historic Environment [APP-050]</p>	<p>Applicant: Agreed</p> <p>North East Lincolnshire: The evaluation hasn’t yet been undertaken so the Heritage Officer does not yet have the information to comment on potential impacts of decommissioning. As the evaluation has not yet been done, although the in-principle methodology has been discussed, that this assessment is very much ongoing rather than accepted. The Desk Based Assessment and Geophysics has been received, and a specification for works has been approved. Discussions ongoing due to the ongoing trial trenching taking place.</p>	In Discussion
NELC44	Securing mitigation	<p>All relevant mitigation measures specified in chapter 8 – Historic Environment [APP-050]. This includes the preparation and implementation of a Written Scheme of Investigation (WSI) for an archaeological ground investigation to confirm the presence or absence of buried archaeology.</p> <p>The proposed mitigation is considered to be appropriate and is secured by requirement 10 of the DCO [AS-008] which requires a written scheme of investigation to be prepared and implemented for areas of archaeological interest.</p>	<p>Chapter 8 – Historic Environment [APP-050]</p> <p>Construction Environmental Management Plan. [APP-068]</p> <p>Draft DCO [AS-008]</p>	<p>Applicant: Agreed</p> <p>North East Lincolnshire: It is stated that the proposed evaluation are the mitigation works however it is suggested that mitigation works cannot be produced until the evaluation work has been undertaken because the mitigation is unknown - be it avoidance or excavation.</p>	In Discussion

ID	Matter	Detail	Related documents and their references	Comments from the Parties	Position
		The additional mitigation outlined in chapter 8 – Historic Environment [APP-050] will be secured through the draft Construction Environmental Management Plan CEMP [APP-068]. The need to prepare the CEMP is secured by Requirement 5 of the DCO [AS-008] requires that the CEMP must be prepared and approved before commencement of development.			
NELC45	Assessment findings	The conclusions the Assessment detailed in ES Chapter 8 – Historic Environment [APP-050], are appropriate in concluding that the cumulative effects of the Project and other projects are unlikely to be greater than the Project alone.	Chapter 8 – Historic Environment [APP-050]	Applicant: Agreed North East Lincolnshire: Agreed and specification approved. Discussions are ongoing following findings of trial trenching.	Agreed
Agriculture and Soils					
NELC46	Data collection, methods, baseline data and the identification and sensitivity of relevant features and receptors	The baseline information used in the assessment for the Agriculture and Soils assessment in Chapter 10 of the ES [APP-052] is appropriate for the purposes of assessment.	Chapter 10 Agriculture and Soils [APP-052] and appendices	Applicant: Agreed, North East Lincolnshire: This needs to be considered by Natural England and NELC informed accordingly.	In Discussion
NELC47	Assessment Methodology	The approach used for the assessment of Agriculture and Soils (chapter 10) of the Environmental Statement [APP-052] follows standard best practice. The baseline data, survey methods and assessment methodology used are appropriate and follow standard guidelines.	Chapter 10 Agriculture and Soils [APP-052] and appendices	Applicant: the methodology for the assessment of potential impacts on agricultural land is considered appropriate and includes the necessary receptors and baseline data. North East Lincolnshire: This needs to be considered by Natural England and NELC informed accordingly.	In Discussion
NELC48	Assessment findings	The conclusions of the Assessment of Effects in chapter 10 – Agriculture and Soils [APP-052], are appropriate in identifying and assessing the significance of (in EIA terms) and effects of change resulting from the construction, operation and decommissioning of the Project on agricultural land. In accordance with the impact assessment’s methodology, effects which have been assessed to be ‘moderate’ or ‘major’ adverse are considered significant in EIA terms. The impact assessment concluded that potential significant effects (in EIA terms) would be experienced resulting from the loss of 0.2ha of Grade 2 agricultural land for a Block	Chapter 10 Agriculture and Soils [APP-052] and appendices	Applicant: Agreed North East Lincolnshire: This needs to be considered by Natural England and NELC informed accordingly.	In Discussion

ID	Matter	Detail	Related documents and their references	Comments from the Parties	Position
		<p>Valve Station. These effects would occur during the construction phase.</p> <p>No potential significant effects were identified during the operation or decommissioning phase.</p>			
NELC49	Securing mitigation	All relevant mitigation measures specified in the Agriculture and Soils assessment in Chapter 10 of the ES [APP-052] are adequately secured through the draft Construction Environmental Management Plan CEMP [APP-068] . The proposed mitigation is appropriate for managing construction and post construction impacts from the Project on Noise and Vibration receptors Requirement 5 of the DCO [AS-008] requires that the CEMP must be prepared and approved before commencement of development.	<p>Chapter 10 Agriculture and Soils [APP-052] and appendices</p> <p>Construction Environmental Management Plan. [APP-068]</p> <p>Draft DCO [AS-008]</p>	<p>Applicant: Agreed</p> <p>North East Lincolnshire: This needs to be considered by Natural England and NELC informed accordingly.</p>	In Discussion
NELC50	Assessment findings	The conclusions of the Cumulative Effects Assessment as detailed in ES Chapter 10 – Agriculture and Soils [APP-052] , are appropriate in concluding that the cumulative effects of the Project and other projects are unlikely to be greater than the Project alone.	Chapter 10 Agriculture and Soils [APP-052] and appendices	<p>Applicant: Agreed</p> <p>North East Lincolnshire: This needs to be considered by Natural England and NELC informed accordingly.</p>	In Discussion
Biodiversity Net Gain					
NELC51	Approach to assessment of BNG	The approach to Biodiversity Net Gain, as presented in the Draft Biodiversity Net Gain Strategy [APP-126] , provides an appropriate approach to consideration of net gain within the Projects.	Draft Biodiversity Net Gain Strategy [APP-126]	<p>Applicant: Agreed</p> <p>North East Lincolnshire: Discussions ongoing with Ecology Officer.</p>	In Discussion
NELC52	Approach to assessment of BNG	The assessment methodologies used for the Biodiversity Net Gain Assessment, as presented in the Initial Biodiversity Net Gain Assessment [APP-125] , provide an appropriate approach to assessing potential impacts of the Projects.	Initial Biodiversity Net Gain Assessment [APP-125]	<p>Applicant: Agreed</p> <p>North East Lincolnshire: Discussions ongoing with Ecology Officer.</p>	In Discussion
Cumulative Impact					
NELC53	Assessment Methodology	The list of developments included in the cumulative impact assessment in chapter 20 of the Environmental Statement [APP-062] is adequate and suitable for the purposes of the assessment.	Chapter 20 - Cumulative impact assessment in the Environmental Statement [APP-062] .	<p>Applicant: Agreed</p> <p>North East Lincolnshire: Agreed.</p>	Agreed

ID	Matter	Detail	Related documents and their references	Comments from the Parties	Position
Planning policy matters					
NELC54	Need	The Proposed Development will reduce CO2 emissions to atmosphere and will help the Government to meet the legally binding target for reduce greenhouse gas emissions and achieve Net Zero by 2050 as set out in the Climate Change Act 2008 Order 2019.	PDAS Section 5 [APP-129]	<p>Applicant: Agreed that there is a demonstrated need for the development to reduce CO2 emissions and assist the government in achieving Net Zero by 2050.</p> <p>North East Lincolnshire: The nature of the project is considered to be in line with national CO2 reduction ambitions.</p>	Agreed
NELC55	Good Design	The Planning Design and Access Statement [APP-129] and ES Chapter 2: Design Evolution and Alternatives [APP-044] set out clearly the overarching design principles/objectives considered by the Applicant and how their design has been refined pre-application. These demonstrate good practice (including safety) and demonstrate Good Design.	<p>ES Chapter 2: Design Evolution and Alternatives [APP-044]</p> <p>PDAS Section 5 [APP-129]</p>	<p>Applicant: Agreed that the Proposed Development accords with the principles of good design.</p> <p>North East Lincolnshire: It is agreed that there are no design issues. Queries relating to HSE designation have been raised and whether the pipeline would be classed as a hazardous pipeline. It is acknowledged to date that the applicant has stated this would not be hazardous but we would welcome final confirmation. We have previously noted that concerns have been raised in the public consultation in regard to the safety of the pipeline. Whilst we are not in a position to comment on the technical safety design criteria, we seek confirmation on this matter. Moreover, even if this is determined not to be a hazardous pipeline, we are aware that standard safety easements are applied to such pipelines. These distances need to be confirmed.</p>	In Discussion
General					
		No areas of common ground to agree at this time.			

4 References

There are no documents referenced.