VikingCCS

Viking CCS Pipeline

9.37 Applicants Comments on the Additional Submissions made by Interested Parties at Deadline 2

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Applicant: Chrysaor Production (U.K.) Limited,
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 additional submissions from Interested Parties that were made at Deadline 2.

1.2 The DCO Proposed Development

1.2.1 The Proposed Development comprises a new onshore pipeline which will transport CO_2 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 comments on Additional Submissions made at Deadline 2

2.1.1 This section provides the Applicant's comments on additional submissions from Interested Parties made at Deadline 2.

Table 2-1: DWF Law LLP on behalf of PD Ports Limited – Comments on Responses to Relevant Representations [REP2-045]

Ref	Topic	Matter Raised in Comments on Responses to Relevant Representation	Applicant's Response
2.1.1		We act on behalf PD Ports Limited and write further to our client's Relevant Representation [RR-082] and Written Representation [REP1-092]. In response to the Promoter's Responses to Relevant Representations [REP1-044] where it refers to PD Ports' Relevant Representation at Table 2-82 (starting page 155), we note that the Promoter has not yet spoken directly to PD Ports on the concerns raised in either PD Ports' Relevant Representation or Written Representation; or explained how the voluntary agreement between the Promoter and Phillips 66 Limited would ensure no interference with PD Ports' operations. DWF Law LLP	The applicant has attempted to schedule a meeting with PD Ports since the PD Ports made its representation at Deadline 2 [REP2-045]. Whilst the applicant has successfully contacted PD Ports it has been difficult to arrange a meeting. The applicant can confirm that a meeting has now been arranged for the week commencing the 10th June.

Table 2-2: Environment Agency – Comments on Responses to Relevant Representations [REP2-038]

Ref	Topic	Matter Raised in Comments on Responses to Relevant Representation	Applicant's Response
2.2.1	General	**Application by Chrysaor Production (UK) Limited for an Order Granting Development Consent for the Viking Carbon Capture and Storage (CCS) Pipeline** In accordance with the Examination Timetable, please find below the Environment Agency's submission in respect of: • Comments on responses to Relevant Representations • Comments on any other information and submissions received at Deadline 1 We have reviewed the Applicant's response to our Relevant Representations (document reference EN070008/EXAM/9.8) [REP1-044] and we are pleased that the majority of these have been noted with a commitment to action/resolve in future submission documents. In some instances, it is stated that these have already been actioned and are included in submissions made at Deadline 1. Unfortunately, we have found some anomalies in respect of these as follows:	The Applicant has continued to liaise with the Environment Agency to address any outstanding issues. This has included submitting updated versions of the Flood Risk Assessment (FRA) [**REP2-022**], Water Framework Directive (WFD) Assessment [**REP2-020**] and ES Chapter 11 Water Environment [**REP2-004**], along with a new technical note on flood breach levels [**REP2-037**]. It has also included a further meeting on the 6th June 2024. The updated Statement of Common Ground [**EN070008/EXAM/8.9 Revision A**] submitted at deadline 3 provides a more detailed update on progress. We will continue to work with the Environment Agency to close out any remaining issues and address any final comments over the coming weeks.
2.2.2	Draft DCO	**Draft Development Consent Order, Revision C [clean REP1-002, tracked REP1- 003]** The Applicant states that corrections/amendments to Article 2 (Interpretation) and Article 36 (Disapplication of Legislation) have been made but this does not appear to be the case. In respect of Part 2 Procedure for discharge of Requirements, some amendments appear to have been made, which are stated to take account of representations made by the Local Authorities and the Environment Agency. Unfortunately, we remain of the view that the practical application of these procedures (as now drafted) will still not provide sufficient time for adequate consultation to take place. Requirement 22 now requires the discharging authority to consult a requirement consultee *"within 10 days of receipt of the application and must notify the undertaker in writing specifying any further information requested by the requirement consultee within 10 days of receipt of such a request and in any event within 21 days of receipt of the application"*. At best, the discharging authority may issue the consultation on the day following receipt of the application, which would then only allow 20 days for the consultee to respond. Practically, it is unlikely that the discharging authority would be satisfied with receiving comments back from the consultee on the deadline for requesting further information from the applicant if this is required. At worst, if the discharging authority does not issue the consultation until day 10 following receipt of the application, that would only allow the consultee 10-11 days to provide comments. Both of these timescales fall short of that in the Development Management Procedure Order 2015 (DMPO) for normal consultation under the Town and Country Planning regime. We would suggest that given the complexity of Nationally Significant Infrastructure Projects and the quantity of information usually involved in the discharge of requirement consultations, the timescale should at least reflect the minimum requirements of the DMPO. Accordingly, we ask that Requirement 22 be amended to facilitate a 21 day consultation period for a specified consultee to respond to the discharging authority in addition to any allowance at either side of this for appropriate notifications to take place. As stated in paragraph 3.14 of our Relevant Representation, we believe this period should be 20 business days but the Applicant seems to have chosen to delete reference to this term even though it is defined in Article 2 (Interpretation).	The Applicant has now amended Article 2 and Article 36 and is grateful to the Environment Agency for noting this omission from the previous draft DCO. In respect of Requirement 22, the Applicant has not made any further update to the timescales for the discharge of requirements. The Applicant notes that the timescales included within the draft DCO **(document reference 2.1)** are the same as those in the recently made HyNet Carbon Dioxide Pipeline Order 2024 and provide a longer period of time than The Net Zero Teesside Order 2024. The Applicant considers that the timeframes reflect the status of the Proposed Development as an NSIP and the fact that a number of the outline plans have already undergone considerable scrutiny through the Examination process. That has facilitated comments being received on the content of those plans and the outline drafts updated accordingly.

Ref	Topic	Matter Raised in Comments on Responses to Relevant Representation	Applicant's Response
2.2.3	Draft CEMP	**Draft Construction Environmental Management Plan, Revision A [clean REP1-013, tracked REP1-014]** The Applicant states in responses to Relevant Representations [REP1-044 – entry 2.34.14], that the typo in Table 2 where the Drainage Strategy is given as Appendix 14- 3 when it should be 11-3 has been corrected in Revision A of the draft CEMP. The Applicant also states in relation to F9, the relevant British Standard for topsoil, that this has also been corrected. However, neither of these corrections appear to have been made.	Both of these corrections have now been made and an update to the draft Construction Environmental Management Plan **[EN070008/APP/6.4.3.1 Revision C]** has been submitted at Deadline 3.
2.2.4	Water	**Applicant's Responses to Relevant Representations [REP1-044]** As mentioned above, we are pleased and thank the Applicant for taking on board the majority of the issues raised in our Relevant Representations. In respect of their response (reference 2.34.19 on page 56), to our request that groundwater safeguard zones should have been designated in Figures 1.2 and 1.3 of Appendix 9-3 (Hydrogeological Risk Assessment [APP-094]), we would like these to be added to the assessment. We note that the applicant does not believe this addition changes the overall conclusions of the assessment but for clarity and future references, these should be updated. They may not change the conclusions of the assessment, but an accurate representation of the risk factors should be demonstrated, otherwise there is no evidence on record that they have been understood.	The Applicant acknowledges the comment provided and will provide an update to the Hydrogeological Risk Assessment to address the comments by Deadline 4.
2.2.5	General	We welcome the Applicant's commitment to update Chapter 11 in respect of the Water Environment along with the Flood Risk Assessment and the Water Framework Directive assessment for submission at Deadline 2 and we look forward to reviewing these in due course. Should you require any additional information, or wish to discuss these matters further, please do not hesitate to contact me at the number below.	The Applicant notes these comments from the Environment Agency and can confirm that the following documents were submitted at deadline 2: Environmental Statement: Chapter 11 – Water Environment [REP2-004] Environmental Statement: Appendix 11-4 - Water Framework Directive assessment [REP2-020] Environmental Statement: Appendix 11-5 - Flood Risk Assessment [REP2-022] Further updates following the submission are provided in the updated Statement of Common Ground [**EN070008/EXAM/8.9 Revision A**] submitted at Deadline 3

Table 2--3: Marine Management Organisation – Comments on Responses to Relevant Representations [REP2-042]

Ref	Topic	Matter Raised in Comments on Responses to Relevant Representation	Applicant's Response
2.3.1	General	Planning Act 2008, Chrysaor Production (UK) Limited, Proposed Development Consent Order for the Viking Carbon Capture and Storage (CCS) Pipeline The Applicant seeks authorisation for the construction and operation of a CCS pipeline comprising of a 55.5 kilometre (km), 24-inch diameter onshore pipeline commencing at the Immingham Facility and ending at the Theddlethorpe Facility. The onshore pipeline will connect into the existing 36-inch Lincolnshire Offshore Gas Gathering System (LOGGS) offshore pipeline by means of a crossover. The pipeline will transport carbon dioxide. The offshore elements of the Viking CCS Project, including the transportation of Carbon Dioxide through the LOGGS pipeline to the Viking gas fields under the North Sea are subject to a separate consenting process, through the Offshore Petroleum Regulator for	The Applicant notes the MMO's response and has no further comment.

Ref	Topic	Matter Raised in Comments on Responses to Relevant Representation	Applicant's Response
		Environment and Decommissioning (OPRED) and the North Sea Transition Authority (NSTA).	
2.3.2	General	**Deadline 2 Submission** The MMO has received no questions or comments regarding submissions made in Deadline 1 and in turn have no comments to provide for Deadline 2. No further information has been requested by the Examining Authority from the MMO for this deadline. We will provide a response in due time if any is required from the MMO.	

Table 2-4: National Highways - Comments on Responses to ExA's First Written Questions [REP2-040]

Ref	Topic	Comment from National Highways	Applicant's Response
2.4.1	Street works	National Highways considers it necessary to respond to certain answers given by the Applicant in response to Examining Authority's First Written Questions. In respect of Q1.7.8, Q1.7.11(6) and 1.16.23 (all relating to 'street works') the Applicant responds in the following terms: *The Applicant does not consider the installation of the pipeline under a highway / the strategic road network to constitute 'street works', as the works would be outside of the zone of influence of the street. The subsurface land affected would therefore not be considered to form part of the street.* The Applicant appears to have misunderstood National Highways' position in this regard (and indeed the legal position). National Highways does not suggest that the subsurface land (outside of the zone of influence) forms part of the street. That is not to say however that the installation of the pipeline under the strategic road network (SRN) does not constitute 'street works'. Part III to the New Roads and Street Works Act 1991 (NRSWA) is clear that 'street works' don't merely apply to the 'zone of influence' but include works below this. Section 48 of NRSWA provides the definition of a "street" and "street works" for the purposes of Part III. It states as follows (emphasis added): *"(1) In this Part a "street" means the whole or any part of any of the following, irrespective of whether it is a thoroughfare—* *(a) any highway, road, lane, footway, alley or passage,* *(b) any square or court, and* *(c) any land laid out as a way whether it is for the time being formed as a way or not. …* *(3) In this Part "street works" means works of any of the following kinds (other than works for road purposes) executed in a street in pursuance of a statutory right or a street works licence—* *(a) placing apparatus, or* *(b) inspecting, maintaining, adjusting, repairing, altering or renewing apparatus, changing the position of apparatus or removing it, or works required for or incidental to any such works (including, in particular, breaking up or opening the street, or any sewer, drain* ***or tunnel under it, or tunnelling or boring under the street****).* Section 48(3) clearly states that works consisting of tunnelling or boring under the street are 'street works'. It must also be noted that the reference to "executed in a street" must be interpreted in accordance with the definitions provision for the purposes of Part III, namely section 105(1), which provides as follows (emphasis added): *""in," in a context referring to works, apparatus or other property in a street or other place includes a reference to works, apparatus or other property under, over, across, along or upon it"* It clearly matters not whether the works in question are physically in, over, on or under the highway; they are still 'street works' governed by Part III of NRSWA.	The Applicant notes the comments of National Highways and will update Schedule 3 of the draft DCO at the next deadline to include reference to sections of the strategic road network where the pipeline will be installed by trenchless technique. The Applicant will still require to obtain rights in land in respect of the substrata where the pipeline will be situated and will therefore continue to seek compulsory acquisition of the freehold of the substrata under the strategic road network. The Applicant will continue to engage with National Highways to agree suitable protective provisions to ensure that there would be no serious detriment to National Highways' undertaking.

Ref	Topic	Comment from National Highways	Applicant's Response
		It must also be noted that the reference to "executed in a street" must be interpreted in accordance with the definitions provision for the purposes of Part III, namely section 105(1), which provides as follows (emphasis added): It therefore follows, for example, that works involving trenchless technology which would not involve the actual breaking up of the surface of a highway in order to place infrastructure under the highway (outside the 'zone of influence') would still amount to 'street works' within the meaning of s.48(3) and would be governed by and regulated by NRSWA. This position is further evidenced by section 51 of NRSWA which is in the following terms (emphasis added): *51.— Prohibition of unauthorised street works.* *(1) It is an offence for a person other than the street authority—* *(a) to place apparatus in a street, or* *(b) to break up or open a street, or a sewer, drain* ***or tunnel under it, or to tunnel or bore under a street****, for the purpose of placing, inspecting, maintaining, adjusting, repairing, altering or renewing apparatus, or of changing the position of apparatus or removing it, otherwise than in pursuance of a statutory right or a street works licence.* It would appear that when drafting the DCO the Applicant was aware that street works can take place outside of the 'zone of influence' because Article 8 itself, headed 'Street Works', makes a number of references to works under the street, for example (emphasis added): *(b) tunnel or bore* ***under the street;*** *(c) remove or use all earth and materials in* ***or under the street****;* *(d) place or keep apparatus in* ***or under the street;*** *(e) maintain, alter or renew apparatus in* ***or under the street…*** Article 8(2) states: *(2) The authority given by paragraph (1) is a statutory right for the purposes of sections 48(3) (streets, street works and undertakers) and 51(1) (prohibition of unauthorised street works) of the 1991 Act.* 12.It is without question that works involving the installation of the pipeline beneath the SRN (and indeed any highway) are 'street works' for the purposes of NRSWA.	

Table 2-5: Natural England – Additional Response to EXA's First Written Questions [REP2-041]

Ref	Topic	Question	Interested Party Response	Applicant's Response
2.5.1	Marine Environment	**1.12.15 Marine Environment** NE recommends the terrestrial and marine aspects are considered at a holistic level because the Proposed Development is intrinsically linked to an offshore project [RR-073]. 1) What implications does / would this have on the HRA carried out to date? 2) How should the competent authority approach or consider such matters when undertaking the Appropriate Assessment?	Natural England recognises that it is unlikely that all the necessary information and/or data on the marine elements will be available within the examination timeframes to inform the HRA. Whilst it is the responsibility of the competent Authority to determine how best to proceed with the HRA, within our Relevant Rep advice [Annex B REP-073] we advised that there may be an acceptable (to the Secretary of State) alternative approach to completing a Holistic HRA when all the relevant marine information is available. However, this would require a planning condition restricting the commencement of the terrestrial elements, until such time that the holistic HRA had been completed and the marine elements have been consented on the basis that AEoI could be excluded for the whole project or suitably compensated for. If this approach was to be adopted then, NE advises that the HRA for this consent should consider the impacts of the terrestrial element alone, then consider the impacts in-combination/cumulatively with the marine element and other plans and projects based on best available evidence at that time.	As the onshore scheme does not include any works in the intertidal zone or wider marine environment there is no potential for marine-based receptors to be affected that could also be affected by the offshore works which are being consented separately. As the nearest offshore works will be 118km offshore there is also considered to be no potential for the offshore works to have an AEoI on terrestrial receptors. It is the view of the project ornithologist that there is no potential that bird species/populations impacted by the onshore scheme could also be impacted by works 118km offshore, and vice versa. In addition to this, in practice, the Applicant is not going to construct the Proposed Development without certainty that it will be able to store the carbon dioxide offshore. The Applicant therefore considers that there is no need for a requirement to restrict the commencement of the terrestrial elements until a 'Holistic HRA' has been completed for the offshore scheme and the marine elements have been consented. The information set out in the Report to Inform the Habitats Regulations Assessment [REP2-024] contains sufficient information for the Secretary of State to conclude beyond reasonable scientific doubt that there will be no AEoI of European Sites as a result of the Proposed Development either alone, or in combination with other projects, including the offshore infrastructure forming part of the wider Viking CCS Project.

Table 2-6: National Gas Transmission Plc – Response to the ExA's Rule 17 Letter [REP2-039]

Ref	Topic	Question	Interested Party Response	Applicant's Response
2.6.1	Land / Protective Provisions	**1.5.17 Theddlethorpe** It is stated at paragraph 10.4.8 of the SoR [AS-013] that the Theddlethorpe Gas Terminal (TGT) site does not meet the requirements set out in s127(1) PA2008 for Statutory Undertaker's Land. Please provide a justification for this assessment as the site was decommissioned as recently as 2021 and, as stated at paragraph 10.4.9, National Grid has been "exploring plans for future development"?	NGT has now had the benefit of reading the Applicant's position statement ("PS"), which was submitted at Deadline 1 (EN070008/EXAM/9.16). While NGT broadly agrees with the history of the TGT as set out in the PS, some corrections are required, as follows: • Paragraph 2.1 – The operator leases did not expire. They were terminated by notice given by Chrysaor on 4 March 2020 terminating the leases on 1 April 2023. It would be more accurate to include an additional line in the history of the site stating "2020 operator of the TGT terminal serves 2 year notice to terminate the leases" and to change "expires" to "terminate" in the line for 2023. • Paragraph 3.2 – It would be more accurate to say "the Applicant has passed responsibility for ground conditions and any necessary remediation to NGT by a settlement agreement agreed between the Applicant and NGT on the termination of the leases". NGT assumes based on the PS that the only dispute as to the applicability of s.127 Planning Act 2008 is in relation to s.127(1)(c). In order for s.127 to be engaged, this requires that the Secretary of State be satisfied that: (i) the land is used for the purposes of carrying on the statutory undertakers' undertaking, or (ii) an interest in the land is held for those purposes. As noted in NGT's Relevant Representation, the Theddlethorpe site is intended to be used as an energy hub, subject to obtaining all of the necessary consents and approvals. NGT considers Theddlethorpe to be a prime location for this use due to its direct connectivity to NGT's national transmission system, which will allow the transmission of natural gas and hydrogen. NGT proposes to develop the land around its existing, operational gas terminal as an energy park using that terminal to supply and receive gas and hosting new low or zero carbon energy technologies, which may include hydrogen production and storage, battery storage, carbon capture, electricity generation and distribution and associated activities such as desalination and biodiversity net gain. Such technologies work best when integrated with one another (for example, electricity generation and battery storage). Having an area of land compulsorily acquired would disrupt the proposals and make them more difficult to implement on the remaining land. In addition, NGT intends to use a leasehold structure to manage ground conditions, site drainage and contamination through enforceable lease covenants. Losing freehold land to compulsory acquisition would inhibit this optimal land management proposal. NGT submits that, on this basis, its interest in Theddlethorpe is plainly held for the purposes of its undertaking. The Applicant does not explain in the PS why it considers that this is not the case. In	The Applicant and NGT have made considerable progress in the negotiation of land agreements that will enable the Applicant to acquire the necessary rights over the TGT site to develop the Proposed Development. These agreements are now going through the internal approval process within each organisation, and it anticipated that these will be formally signed in early course, allowing NGT to withdraw its objection. The Applicant and NGT will continue to keep the Examining Authority updated on progress.

Ref	Topic	Question	Interested Party Response	Applicant's Response
			paragraph 4.7 the Applicant appears to be suggesting, though does not state expressly, that the land should only be treated as held for the purposes of NGT's undertaking where there is a live application for consent for a new use. If this is the Applicant's position, NGT submits that it is plainly wrong. NGT is not aware of any authority suggesting that this is the appropriate test (and none is cited by the Applicant), nor can such a test be derived from the words of the Act. Section 127 is clearly intended to provide a high degree of protection to statutory undertakers, which would be diluted if the Applicant's unduly narrow approach were taken. Section(1)(c)(ii) is intended to afford protection where land is not in active use at the relevant time, but continues to be held for the purposes of carrying on the statutory undertakers' undertaking. It would be highly onerous to require that statutory undertakers at all times maintain active applications for consent for alternative uses of such land in order that they may rely on the s.127 protection. NGT respectfully submits that such an interpretation should not be adopted by the ExA or by the Secretary of State. The Applicants submissions also do not take into account the fact that NGT could not implement plans for the wider site until the notice served by the Applicant to terminate the TGT leases had expired. This happened on 1 April 2023. In anticipation of the expiry date and since 1 April 2023 NGT has been negotiating with the Applicant and with Statera for the grant of options for the development of the NGT site as an energy park using its existing gas terminal and hosting new energy technologies, as set out above. Such proposals inevitably take time to develop. It is therefore unsurprising that applications for further consents are not currently live. Finally, the PS suggests that, if s.127 does apply, the relevant land could be purchased or a right in it acquired without causing serious detriment to NGT's undertaking. No justification for this conclusion is offered by the Applicant. NGT submits that the Secretary of State cannot be satisfied that serious detriment will not be caused on the basis of a bare assertion from the Applicant. For all the reasons set out above, NGT maintains its position that serious detriment would be caused.	
2.6.2	Land / Protective Provisions	**1.5.18 Theddlethorpe** In their representation [RR-070], National Gas Transmission Plc (NGT) say that their site "was acquired and is generally needed for NGT's own operational purposes." They add that "negotiations ..... are at an advanced stage". Is this still disputed by the Applicant and, if so, please can NGT and the Applicant provide details of the original	Please see NGT's response to Q1.5.18.	

Ref	Topic	Question	Interested Party Response	Applicant's Response
		acquisition and current proposals and activities with the site?		
2.6.3	Land / Protective Provisions	**1.5.19 Theddlethorpe** If it is found that NGT are not a Statutory Undertaker (SU) within s127 PA2008, then it is still argued [RR-070] that the land take includes "an excessive amount of land within the Order Limits" which will sterilise the future proposals for clean energy use on the site. The land required is shown on sheet 35 of the Land Plans [AS-016]. Can the Applicant be more specific as to their land requirements to minimise the effect on future alternative uses?	NGT has agreed and signed non-binding heads of terms with the Applicant and has instructed solicitors to draft and negotiate the documents required by the heads of terms including an option, lease and replies to commercial property standard enquiries. These negotiations are progressing, but not concluded. The order limits should be reduced to reflect the red line of the premises in the heads of terms together with a 50m wide easement corridor to the west of the premises (location to be determined) within which the carbon capture pipeline will be constructed and located, since this would be in line with the Applicant's actual needs.	
2.6.4	Land / Protective Provisions	**1.5.20 Immingham and Theddlethorpe** The terms of the restrictive covenants set out at page 35 of the SoR [AS-013] appear rather wide. Please clarify over which land these covenants are being sought as according to the BoR [AS-015] it would appear to be limited to the blue land at the proposed IAGI and TAGI? Do the Landowners have any further comments concerning the imposition of these covenants?	The restrictive covenants set out at page 35 of the SoR are wider than those agreed between NGT and the Applicant in the heads of terms. The Applicant has agreed in the heads of terms that the carbon pipelines will be laid in a 20m easement (an additional 30m strip will be available for construction and then returned to NGT). The Applicant is to construct and protect the pipelines such that: - NGT and those authorised by NGT can exercise the rights and reservations in the lease over and across the easement strip; - Normal arable and other agricultural operations can be undertaken without restriction; - The pipeline can be crossed in any direction by vehicles, plant and machinery which can travel on UK public highways. NGT will engage with the Application on the location of such access roads to agree any further special protective or other arrangements which shall be implemented at the Applicant's cost; - New pipelines, cables, drains, ducts and other services can be laid and retained by the Landlord and those authorised by the Landlord without special provisions or protective arrangements being made. NGT must provide prior information to the Applicant about such new service infrastructure and is to act reasonably and take account of	

Ref	Topic	Question	Interested Party Response	Applicant's Response
			reasonable representations made y the Applicant appreciating the need for the integrity and safe use of the pipelines to be maintained including any special protective or other arrangements being made which shall be implemented at the Applicant's cost; and - Where there are exceptional road crossings or service crossings i.e. for vehicles not permitted on UK public highways, NGT and the Applicant must agree the location and any special protective or other arrangements which shall be implemented at NGT's cost.	