

Application by Chrysaor (Production) Limited for an Order Granting Development Consent for the Viking CCS Pipeline Project

The Examining Authority's schedule of proposed changes to the draft Development Consent Order (dDCO)

Issued on Monday 12 August 2024

This document sets out the Examining Authority's (ExA) proposed changes to the latest version of the Applicant's dDCO submitted at Deadline 4 of the Examination [REP4-050].

Column 1 of the table sets out the unique reference number for each proposed change. Column 2 sets out the provision in the dDCO to which the proposed change relates. Column 3 describes the recommended change. Column 4 provides the ExA's reasoning as to the recommended change and any further commentary.

This document is without prejudice and does not reflect any decision made on these matters by the ExA at this stage, but is used as the latest most complete version of the dDCO on which all comments can be captured and is used to assist completeness, clarity and convenience.

There may be further changes to the dDCO which the ExA recommends to the Secretary of State to take account of other matters that have been and continue to be examined. This is particularly likely in the event that it is clear that there are fundamental differences between parties on a number of issues. These will need to be reported to the Secretary of State along with the ExA's conclusions when all the evidence has been submitted.

Should the Applicant or any other party wish to make any comments on this schedule of proposed changes then these should be submitted at **Deadline 5, Monday 2 September 2024**.

Parties are reminded that the ExA may close the Examination before the end of the statutory six-month period if it is satisfied that all relevant matters have been addressed. **Deadline 6 is the final opportunity for submissions**. Any matters (including Protective Provisions) not concluded/ agreed and fully documented as such by Deadline 6 will fall to be adjudicated by the ExA through its Recommendation.



Reference No.	Provision	Proposed Change	Reasoning
PC001	Requirement 2	Addition of new clause: (3) The authorised development must not commence unless and until the necessary offshore consents have been fully obtained from the appropriate authorities.	The ExA note that the construction programme appears to have slipped and there are enduring concerns over the approach to offshore consents. In addition, to ensure certainty over the delivery of the benefits for the Viking Carbon Capture and Storage (CCS) Pipeline project as a whole, the ExA proposes adding this clause into the Requirement.
PC002	Interpretation, Article 2	Delete and replace reference to “outline operational and maintenance environmental management plan” with “operational phase mitigation.”	There is no document in the Examination Library labelled outline operational and maintenance environmental management plan. The closest equivalent is the document identified [REP2-014], as referenced in Article 44(1)(n).
PC003	Interpretation, Article 2	Update the definition of “general arrangement plans” to refer, as necessary, to any updated plans or documents for each of the respective facilities.	To ensure no ambiguity in what constitutes a “general arrangement plan.” A cross reference to article 44 may be appropriate.
PC004	Article 8(1)	Replace “may without the consent of the street authority” with “following advance notification to the street authority, but without the need for express consent, may –“.	In response to Lincolnshire County Council’s sustained objection. This still removes the need for consent but provides some means of managing works within the public highway across the network.
PC005	Article 32 (4)(c)	Add ‘;’ at end of sentence.	Typographical.



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PC006	Article 32(8)	Change “precluded from” to “precluded from –“.	For formatting consistency with other similar articles drafted.
PC007	Article 33(13)	Merge with Article 33(12) preceding it.	The ExA question whether Article 33(13) has been misnumbered as it appears to be a follow on from 33(12) in terms of relevance and formatting.
PC008	Schedule 1	Under work number 11, delete (g).	Typographical error.
PC009	Schedule 1	Under work number 36, delete (g).	Typographical error.
PC010	Requirement 3	Remove ‘– ‘.	Typographical error.
PC011	Requirement 8	Rewrite 8(1).	The formatting and sentence structure in the first line has misplaced punctuation.
PC012	Requirement 16(2)	After the word “include” delete the ‘- ‘	Typographical error.
PC013	Requirement 22(3)	Replace “within 21 days of receipt of the application” with text “within 20 business days of receipt of the application.”	The ExA consider the slightly longer period, as originally advocated by the Environment Agency [REP2-038] [REP4-104], to be fairer when a consultee is engaged within the Requirement discharging process.
PC014	Requirement 25(7)	Change “sub-paragraph (7)” to “sub-paragraph (8)”.	The ExA query as to what “sub-paragraph (7)” relates to in this context and is believed to be a reference to sub-paragraph (8) below in relation to costs claims.