

Viking CCS Pipeline

## 8.16 Statement of Common Ground – Network Rail – Revision A (Tracked)

Document Reference: EN070008/EXAM/8.16

Applicant: Chrysaor Production (U.K.) Limited,  
a Harbour Energy Company  
PINS Reference: EN070008  
Planning Act 2008 (as amended)  
The Infrastructure Planning (Applications: Prescribed Forms  
and Procedure) Regulations 2009 - Regulation 5(2)(q)  
Date: September 2024

This Draft Statement of Common Ground has been agreed between Chrysaor Production (UK) Limited and Network Rail on the day specified below

<p>Signed:</p> <p>Print Name:</p> <p>Job Title:</p> <p>Date:</p> <p>Duly Authorised for and on behalf of Network Rail</p>
<p>Signed:</p> <p>Print Name:</p> <p>Job Title:</p> <p>Date:</p> <p>Duly Authorised for and on behalf of Chrysaor Production (UK) Limited</p>

## Revision History

Revision	Revision date	Details
Rev 1.0		<del>Version 2</del>

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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 Network Rail 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 Network Rail [Infrastructure Limited \('Network Rail'\)](#) 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 Network Rail

- 1.2.1 Network Rail owns, operates and maintains the majority of the rail infrastructure of Great Britain.
- 1.2.2 Network Rail ~~Limited~~ is the owner (via its subsidiary Network Rail Infrastructure Limited, known as Railtrack plc before 2002) and infrastructure manager of most of the railway network in Great Britain. Network Rail is a non-departmental public body of the Department for Transport.
- 1.2.3 Network Rail owns and manages the infrastructure, including the railway tracks, signals, overhead wires, tunnels, bridges, level crossings and most stations, but not the passenger or commercial freight rolling stock, other than its limited departmental stock.
- 1.2.4 Network Rail is considered a statutory consultee for the proposed Viking CCS pipeline under Section 42 of the Planning Act (2008).

## 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 Network Rail have identified the following assets that will be affected by the proposed development:
  - [BRI2BR4 Ulceby North Junction to Humber Road Jn. Brocklesby to Immingham Branch Line](#),
  - [MAC3 Harbrough Jn to Marsh West Jn. Harbrough to Grimsby Branch Line](#),
  - Plots on the Land Plans that Network Rail owns or has an interest in.
- 1.3.4 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 Network Rail. Table 2-1 below.

**Table 2-1 Record of meetings and correspondence with Network Rail.**

Date of meeting/ correspondence	Description of meeting/correspondence
02 December 2022	Discussion of Network Rail Guidance Notes, Asset Protection services, general information on construction, Site Specific Possession, line blockages information, site accommodations, and Network Rail's associated costs.  Feedback noted that it was agreed to set up a Basic Asset Protection Agreement.
March – May 2023	Ongoing email correspondence regarding applicable cost estimates.
17 May 2023	Email correspondence with Basic Asset Protection Agreement (BAPA) for agreement/signature.
22 August 2023	Email correspondence with agreed/signed Basic Asset Protection Agreement.
5 September 2023	Email correspondence on project progress to date
13 November 2023	Email correspondence on Network Rail Invoice/activities to date.
6 February 2024	Email correspondence regarding pipeline route and specific crossings including identification of affected level crossing on Roxton Road
<u>8 February 2024</u>	<u>Email correspondence and request for additional information on scheme and specifically where it may interface / impact upon NR infrastructure.</u>
<u>19 February 2024</u>	<u>Email correspondence confirming receipt of SoCG</u>
<u>26 February 2024</u>	<u>Email correspondence with draft response SoCG attached.</u>
<u>28 March 2024</u>	<u>Email correspondence received from Network Rail on progress of SoCG.</u>
<u>22 April 2024</u>	<u>Email correspondence with draft response SoCG from Addleshaw Goddard.</u>
<u>24 April 2024</u>	<u>Email correspondence from Network Rail with agreement in principle to SoCG subject to further engineering design development engagement.</u>
<u>29 May 2024</u>	<u>Email correspondence on progress of DCO application and SoCG</u>
<u>27 June 2024</u>	<u>Email correspondence on update of DCO application progress.</u>
<u>June – August 2024</u>	<u>On going dialogues on protective provisions between both parties</u>

### 3 Position of the Parties

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

- Engagement
- Protective Provisions

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

<b>Agreed</b>	The matter is agreed between the parties, or there are no significant disagreement such that the matter is considered closed.
<b>Not agreed - no material impact</b>	The matter is not agreed between the parties; however the outcome of the approach taken by the Applicant or Network Rail is not considered to result in a material impact to the assessment conclusions. Discussions on this matter have concluded.
<b>In discussion</b>	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.
<b>Not agreed</b>	The matter is not agreed between the parties and the outcome of the approach taken by the Applicant or Network Rail 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	Agreed / Not Agreed
NR1	Engagement	The pre-application engagement undertaken by the applicant has been proactive and professional.	N/A	Applicant: <del>Propose that this is agreed due to regular meetings during pre-application. (?)</del> <u>Agreed</u>  Network Rail: <u>Agreed</u>	Agreed?
NR2	Project Information	Details of the project, including its need, have been provided.	N/A	Applicant: Project information was notified through statutory consultation and correspondence during pre-application period.  Network Rail: <u>Agreed</u>	Agreed?
NR3	Protective Provisions	The protective provisions included in Part 6, Schedule 9 of the draft DCO (Revision A) [AS-008] <u>are intended to</u> ensure that appropriate protection and safeguarding measures for Network Rail's assets and interests are in place. <del>Both parties agree that appropriate protection is in place for Network Rail and that Network Rail will not suffer serious detriment to the carrying on of its undertaking as a result of the Project.</del>	[AS-008]	Applicant: Negotiation of protective provisions are ongoing and the Applicant hopes to agree these with Network Rail <del>in early course</del> <u>before the close of Examination</u> .  Network Rail: Negotiation of the protective provisions are ongoing. <del>However, Network Rail has concerns regarding the scope of acquisition powers sought over land in which it holds an interest. It is unusual for compulsory acquisition of Network Rail land to be sought and Network Rail are engaging with the Applicant to understand the reasoning for this and any impacts this may have on Network Rail interests.</del>	In Discussion

## 4 References

There are no documents referenced at present.