



# The Planning Inspectorate

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To the Applicant, National  
Highways, Natural England, Driver  
and Vehicle Standards Agency,  
Marine Management Organisation,  
North Lincolnshire Council and  
East Lindsey District Council

Your Ref:

Our Ref:

EN070008

Date:

6 September 2024

Dear Sir/ Madam

## **Planning Act 2008 (as amended) (PA2008) – and The Infrastructure Planning (Examination Procedure) Rules 2010 (as amended) – Rule 17**

### **Application by Chrysaor Production (UK) Limited for an Order Granting Development Consent for the Viking Carbon Capture and Storage (CCS) Pipeline**

#### **Request for Further Information**

We are writing under Rule 17 of the Infrastructure Planning (Examination Procedure) Rules 2010 (as amended). Specifically, we request the following:

#### Outstanding Responses to the Examining Authority's Second Written Questions (ExQ2) [PD-021]

**Driver and Vehicle Standards Agency** – question 2.5.28 was addressed to you for a response. Please provide.

**North Lincolnshire Council** – it is noted a response was not received from your authority at Deadline 5. There are questions across ExQ2 upon which responses from local authorities were sought. Please provide responses.

**Marine Management Organisation** – questions 2.5.11, 2.5.12 and 2.5.14 were addressed to you for a response. Please provide.



**East Lindsey District Council** – Responses to noise related questions are expected, as promised, at Deadline 6. However, as the Examination is nearly concluded, the Examining Authority (ExA) strongly suggests your responses are shared with the Applicant and the ExA in advance in the interests of transparency, fairness and reaching conclusions within the Examination timeframe. In addition, the ExA acknowledges an error in the reference used when referring to the Bill of Quantities [PD-021, Q2.4.1]. The reference should have been [REP4-051, Appendix A]. Any response you wish to make is invited.

### Protective Provisions

**Applicant** – a number of Statutory Undertakers (SU) provided comments at Deadline 5 suggesting that certain Protective Provisions were not being included in the draft Development Consent Order (DCO). These same SU's are registered as having outstanding objections on the Compulsory Acquisition Tracker. The SU's have helpfully provided 'insert' text for the ExA and the Secretary of State (SoS) to consider. If you are not accepting the insert text and if you are not amending the Protective Provisions to accommodate the SU's requests, provide rationale behind this including why such provisions would prejudice the Proposed Development or represent an impediment to its delivery.

**National Highways** – in your Deadline 5 submission, there is a reference to 'bonds' that are required to secure works to the Strategic Road Network. Please specify why these are necessary, examples of where these have been sought and accepted before in other development consent orders, the amount of bond required (£) and any text that you would want to be included to secure this in the DCO.

### Habitats Regulation Assessment (HRA)

**Natural England** – the response given at Deadline 5 in response to ExQ2.12.2 is that an Adverse Effect on Integrity (AEoI) cannot be ruled out, but derogation and compensation is unlikely to be necessary. The ExA queries this in relation to the HRA process, on the understanding that if an AEoI cannot be ruled out, the Applicant **should** make a case for Imperative Reasons of Overriding Public Interest and subsequently set out compensatory measures. Please explain why this is not the case and what enables the HRA process to be deviated from in the event that you conclude, at the end of this Examination, that an AEoI cannot be ruled out.

### Statements of Common Ground

**Applicant** – there are a great number of Statements of Common Ground that have yet to be signed. Whilst signed versions are due at Deadline 6 in the Examination timetable, the ExA seeks reassurance that each Statement of Common Ground submitted will actually be signed by an authorised signatory of



the relevant body who will print their name in capitals and also confirm their job title. Please can you confirm that this will be/ is the case.

**All of the above material should be submitted by Deadline 6 (Thursday 19 September 2024). Due to the limited time remaining in the Examination, it would be helpful if parties could supply this information to the Applicant alongside the Inspectorate. The Applicant should review the material submitted at Deadline 6 and provide any further or final comments on these matters by Deadline 7 (Thursday 26 September 2024). No new or significantly different documents should appear at that late stage.**

Other Interested Parties may also wish to respond to this request.

Should you have any questions about the contents of this letter, please do not hesitate to contact the case team by emailing [Vikingccpipeline@planninginspectorate.gov.uk](mailto:Vikingccpipeline@planninginspectorate.gov.uk).

Yours sincerely

*David Wallis*

**Lead Member of the Examining Authority**

