

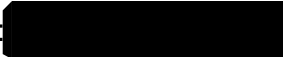
Viking CCS Pipeline

8.18 Statement of Common Ground – Lindsey Marsh Drainage Board – Revision B (Tracked)

Document Reference: EN070008/EXAM/8.18

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 Lindsey Marsh Drainage Board on the day specified below


Signed: 

Print Name: ANDREW MCGILL

Job Title: CHIEF EXECUTIVE

Date: 16th September 2024

Duly Authorised for and on behalf of Lindsey Marsh Drainage Board

Signed: 

Print Name: Paul Davis

Job Title: Viking CCS Onshore Development Manager

Date: 12/09/2024

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 Lindsey Marsh Drainage Board 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 Lindsey Marsh Drainage Board 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 Lindsey Marsh Drainage Board

- 1.2.1 Lindsey Marsh Drainage Board is an Inland Drainage Board (IDB) Authority. IDB's are public body that manage water levels in areas of special drainage need. They undertake works to reduce the flood risk to people and property, and manage water levels for agricultural and environmental needs within their district.
- 1.2.2 IDB's are independent Boards retaining responsibility for matters such as:
- supervision of all matters relating to the drainage of land in its area
 - objectives, strategy and policy
 - rating, finance, budgeting and audit
 - compliance with statutory and regulatory obligations
 - operational activities and capital works programmes
- 1.2.3 Lindsey Marsh Drainage Board is the largest drainage board in England. The Board's district comprises an area of fens and marshland stretching from the foot of the Lincolnshire Wolds eastwards to the sea and as far as Wainfleet to the south and Cleethorpes to the north.
- 1.2.4 Lindsey Marsh Drainage Board is 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 LMDB are responsible for 68 IDB's and other waterbodies within their district, of which sixteen (16) are managed.~~

~~1.3.4 Nine (9) have been identified as trenchless crossings, whilst seven (7) are proposed as open cut, namely:~~

- ~~Harrowsea Drain (DX074P)~~
- ~~Middle Sykes Road Sewer (DX078P)~~
- ~~Mablethorpe Middle Cut (DX089AP)~~
- ~~Two Mile Bank Drain (DX090BP)~~
- ~~Gayton North Fen Drain (DX093P)~~
- ~~New Gayton Engine Drain (DX095AP)~~
- Mill and Harps Drain (DX110P)

~~4.3.5~~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 FINAL~~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 Table 2-1 below.

Table 2-1 Record of meetings and correspondence with Lindsey Marsh Drainage Board

Date of meeting/ correspondence	Description of meeting/correspondence
14 th December 2022	Update provided on the Proposed Development covering, engineering considerations, environmental considerations, revisions to project since EIA scoping. Route corridor refinement and the consultation programme. Further information was requested on the draft crossing schedule
12 th January 2023	Updated draft crossing schedule provided
22 nd March 2023	Email correspondence regarding the crossing schedule for drains within the drainage board boundary. Update to Preliminary Crossings Schedule with LMDB comments/drain details.
2 ND December 2023	Email correspondence on LMDB requirements submitted to Gateley Hamer
31 st January 2024	Teleconference regarding HDD requirement for managed drains and trenchless/open cut technique in general

Date of meeting/ correspondence	Description of meeting/correspondence
<u>22nd March 2024</u>	<u>Telecom with Darren Cowling regarding Statement of Common Ground with response received post telecom.</u>
<u>29th March 2024</u>	<u>Request for presentation meeting on open cut technique and further discussion</u>
<u>4th April 2024</u>	<u>Follow up email to presentation request</u>
<u>5th April 2024</u>	<u>Notification that board meeting had been cancelled, LMDB email requesting dates for meeting issued internally</u>
<u>9th April 2024</u>	<u>Follow up email to presentation request</u>
<u>10th April 2024</u>	<u>Telecom and email correspondence regarding acceptance of trenchless crossing technique rather than HDD only and reluctance to agree open cut technique</u>
<u>15th April 2024</u>	<u>Email correspondence and issue of LMDB power point presentation regarding open/trenchless crossing techniques for review by LMDB</u>
<u>24th April 2024</u>	<u>Telecom and email correspondence on progress and request for deletion of sub sections 1.3.3 & 1.3.4 respectively (agreed references to open cut), awaiting return of draft SoCG with track changes</u>
<u>26th April 2024</u>	<u>Email correspondence returning draft SoCG with deletion of sub sections 1.3.3 & 1.3.4</u>
<u>13th May 2024</u>	<u>Email correspondence on progress and power point presentation on open/trenchless crossing techniques.</u>
<u>7th June 2024</u>	<u>Email correspondence on further inputs to SoCG</u>
<u>2nd July 2024</u>	<u>Email correspondence and clarification on responses</u>
<u>2nd September 2024</u>	<u>Email correspondence with updated draft SoCG for signature</u>

3 Position of the Parties

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

- General protective provisions for LMDB.
- Environmental assessment of potential impacts on the water environment.
- The draft DCO

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 are 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 Lindsey Marsh Drainage Board 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 Lindsey Marsh Drainage Board 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
General Matters					
LMDB1	Engagement	The pre-application engagement undertaken by the applicant has been proactive and professional.	N/A	Applicant: Propose that this is agreed due to regular engagement during pre-application (?) LMDB: Agreed	Agreed?
Water Environment					
LMDB2	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 LMDB: Agreed	AgreedIn Discussion
LMDB3	Data collection, methods, baseline data and the identification and sensitivity of relevant features and receptors	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 guidelines. The findings of the sequential and exceptions test are considered to be suitable.	PDAS Section 7.21 [APP-129] ES Chapter 11: Water Environment [APP-053]	Applicant: Agreed LMDB: Agreed	AgreedIn Discussion
LMDB4	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 LMDB: Agreed	AgreedIn Discussion
LMDB5	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]	Applicant: Agreed LMDB: Agreed	AgreedIn Discussion

ID	Matter	Detail	Related documents and their references	Comments from the Parties	Agreed / Not Agreed
			Construction Environmental Management Plan. [APP-068] Draft DCO [AS-008]		
LMDB6	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 LMDB: Agreed	Agreed In Discussion
Draft DCO					
LMBD7	Protective Provisions	The Applicant and LMDB have agreed a set of protective provisions for the benefit of LMDB.	N/A	Applicant: The Applicant is negotiating protective provisions with LMDB, and hopes to agree these in early course. LMDB: Agreed	Agreed In Discussion

4 References

~~There are no referenced documents. Ref 1-1 (Author, Date). Title. Accessed: Date.
Available at:~~

