

Viking CCS Pipeline

8.27 Statement of Common Ground – UKHSA – Revision A (Clean)

Document Reference: EN070008/EXAM/8.27

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 Statement of Common Ground has been agreed between Chrysaor Production (UK) Limited and UK Health Security Agency on the day specified below

Note: the UK Health Security Agency does not sign third party documents and has provided approval for this Statement of Common Ground by letter which is included in Appendix A.

Signed:

Print Name:

Job Title:

Date:

Duly Authorised for and on behalf of UK Health Security Agency

Signed: 

Print Name: Paul Davis

Job Title: Onshore Development Manager

Date: 11 September 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 UK Health Security Agency 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 UK Health Security Agency 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 UK Health Security Agency (UKHSA)

- 1.2.1 The UK Health Security Agency (UKHSA) is a government agency in the United Kingdom, responsible for England-wide public health protection and infectious disease capability and replacing Public Health England. It is an executive agency of the Department of Health and Social Care (DHSC).
- 1.2.2 The formation of the UKHSA essentially transferred Public Health England's health improvement functions to DHSC, while its health protection elements formed part of the new government agency.

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 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.

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 UKHSA. Table 2-1 below.

Table 2-1 Record of meetings and correspondence with UKHSA.

Date of meeting/ correspondence	Description of meeting/correspondence
N/A	The Examining Authority requested that a Statement of Common Ground be prepared in the Rule 6 letter (issued on 27th February 2024).
22 nd March 2024	Email correspondence regarding DCO Application acceptance and issue of SoCG
4 th April 2024	Request for telecom meeting to discuss SoCG
12 th April 2024	Email correspondence on arrangement of telecom meeting and invites
17 th April 2024	Telecom meeting, awaiting return of draft SoCG with UKHSA input
29 th April 2024	Email correspondence the draft SoCG not received
2 nd May 2024	Email correspondence to UKHSA with original email submittal and last version submitted at deadline 1.
13 th May 2024	Email correspondence to UKHSA on progress of SoCG
13 th May 2024	Email correspondence from UKHSA, notification of leave.
23 rd May 2024	Email correspondence from UKHSA with draft SoCG comments
28 th May 2024	Email correspondence from UKHSA with draft SoCG comments (native files)

3 Position of the Parties

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

- Assessment of effects on public health; and
- Mitigation of effects on public health

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 UKHSA 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 UKHSA 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
Environmental Assessment					
UKHSA1	Major Accidents and Disasters	Chapter 19 of the Environmental Statement (Major Accidents and Disasters) [APP-061] adequately assesses the reasonably foreseeable worst-case environmental consequences of any major accidents or disasters from the Proposed Development.	APP-061	<p>UKHSA: In the teleconference meeting held on the 17th April 2024, the UKHSA stated that matters relating to Major Accidents and Disasters covered by item IDs, UKHSA 1 and 2 are not within their remit to advise and should be directed to the Health and Safety Executive (HSE) for comments as they are the regulatory body for this topic.</p> <p>Applicant: The Applicant agrees this position.</p>	Agreed
UKHSA2	Major Accidents and Disasters	The mitigation measures set out in Chapter 19 of the Environmental Statement (Major Accidents and Disasters) [APP-061] and secured within the draft CEMP [APP-068] are appropriate to manage the risk of major accidents from the Proposed Development to an acceptable level.	APP-061; APP-068	<p>UKHSA: In the teleconference meeting held on the 17th April 2024, the UKHSA stated that matters relating to Major Accidents and Disasters covered by item IDs, UKHSA 1 and 2 are not within their remit to advise and should be directed to the Health and Safety Executive (HSE) for comments as they are the regulatory body for this topic.</p> <p>Applicant: The applicant agrees this position</p>	Agreed
UKHSA3	Public Health	Chapters 12 (Traffic and Transport) [APP-054], 13 (Noise and Vibration) [APP-055], 14(Air quality) [APP-056] and 17 (Health and Wellbeing) [APP-059] of the Environmental Statement adequately assesses the potential impacts of the Proposed Development on public health	APP-054; APP-055; APP-056; APP-059	<p>UKHSA: Air Quality - The Promoter provides an assessment of construction phase traffic data that predicts exceedances of IAQM and DMRB screening criteria in the construction phase. They conclude that due to the temporary nature of the works, the good baseline air quality, and the fact that the data represents a worst-case increase in traffic, no significant effects (with respect to air quality) are anticipated. UKHSA are of the opinion that it is unclear what the ramifications of these exceedances are as no detailed assessments have been provided.</p> <p>Applicant: Air Quality - According to the IAQM planning guidance referred to in the Relevant Representation, the screening criteria set out in that guidance are “precautionary and should be treated as indicative”. The guidance states that they “function as a sensitive ‘trigger’ for initiating an assessment in cases where there is a possibility of significant effects arising on local air quality”.</p>	Agreed

ID	Matter	Detail	Related documents and their references	Comments from the Parties	Agreed / Not Agreed																																		
				<p>It is the Applicant’s opinion that where traffic impacts exceed the IAQM screening criteria, as listed in the ES Chapter 14: Air Quality [APP-056], there is no possibility of a significant effect arising.</p> <p>For an impact to have a potential significant effect, the IAQM suggest the following for describing the impact at individual receptors.</p> <p>Table 6.3: Impact descriptors for individual receptors.</p> <table border="1"> <thead> <tr> <th rowspan="2">Long term average Concentration at receptor in assessment year</th> <th colspan="4">% Change in concentration relative to Air Quality Assessment Level (AQAL)</th> </tr> <tr> <th>1</th> <th>2-5</th> <th>6-10</th> <th>>10</th> </tr> </thead> <tbody> <tr> <td>75% or less of AQAL</td> <td>Negligible</td> <td>Negligible</td> <td>Slight</td> <td>Moderate</td> </tr> <tr> <td>76-94% of AQAL</td> <td>Negligible</td> <td>Slight</td> <td>Moderate</td> <td>Moderate</td> </tr> <tr> <td>95-102% of AQAL</td> <td>Slight</td> <td>Moderate</td> <td>Moderate</td> <td>Substantial</td> </tr> <tr> <td>103-109% of AQAL</td> <td>Moderate</td> <td>Moderate</td> <td>Substantial</td> <td>Substantial</td> </tr> <tr> <td>110% or more of AQAL</td> <td>Moderate</td> <td>Substantial</td> <td>Substantial</td> <td>Substantial</td> </tr> </tbody> </table> <p>The effect and its significance are then determined by professional judgement, taking account of how many receptors are affected by each impact descriptor, the current risk and future risk of an air quality standard being exceeded, and other factors, such as the duration of increased exposure.</p> <p>Table 14-11 of ES Chapter 14 demonstrates the baseline air quality in the vicinity of the Proposed Development. The monitoring has been undertaken by the Local Authorities and represent background and roadside locations. Except for monitoring undertaken within the Cleethorpes Air Quality Management Area, annual mean nitrogen dioxide (NO₂) concentrations are 75% or less of the air quality objective.</p> <p>This suggests that even a change in annual mean concentration of NO₂ of up to 25% of the air quality objective (10 µg/m³) would not cause an exceedance of that objective.</p> <p>It is the Applicant’s opinion that the traffic impacts reported in Table 14-17 of ES Chapter 14 are not capable of increasing annual mean NO₂ concentrations by anything like that required to cause ‘moderate’ or ‘substantial’ impacts, as described by the IAQM. The temporary nature of the traffic impacts only goes to strengthen this opinion.</p> <p>It should be noted that traffic impacts on the A180 Cleethorpe Road (through the AQMA) do not exceed the air quality screening criteria set out in the IAQM guidance. It should also be noted that whilst the air quality chapter of the ES does refer to the DMRB air quality screening criteria, it does so only for the purpose of informing the ecology assessment.</p> <p><u>UKHSA:</u></p>	Long term average Concentration at receptor in assessment year	% Change in concentration relative to Air Quality Assessment Level (AQAL)				1	2-5	6-10	>10	75% or less of AQAL	Negligible	Negligible	Slight	Moderate	76-94% of AQAL	Negligible	Slight	Moderate	Moderate	95-102% of AQAL	Slight	Moderate	Moderate	Substantial	103-109% of AQAL	Moderate	Moderate	Substantial	Substantial	110% or more of AQAL	Moderate	Substantial	Substantial	Substantial	
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				<p>Air Quality - In consideration of non-threshold airborne pollutants, the UKHSA position on air quality in relation to developments and related construction activities that have the potential to generate emissions to air is the following:</p> <p>“Reducing public exposures to non-threshold pollutants (such as particulate matter and nitrogen dioxide) below air quality standards has potential public health benefits. We support approaches which minimise or mitigate public exposure to non-threshold air pollutants, address inequalities (in exposure), and maximise co-benefits (such as physical exercise) and encourage their consideration during development design, environmental and health impact assessment, and development consent.”</p> <p>From the teleconference meeting that took place on the 17th April, the UKHSA are of the understanding that dispersion modelling will be undertaken to provide further context on air quality in relation to the proposed Development. The UKHSA will be provided the dispersion modelling report when complete.</p> <p>Applicant: The Applicant submitted document 9.24 Technical Note on Air Quality Modelling at deadline 3. This note reported the modelling that was undertaken on all receptors where screening criteria were exceeded.</p> <p>The modelling determined that the impact of Project construction traffic emissions is negligible for all pollutants considered at all receptors considered. The effect of such an impact is not considered to be significant.</p> <p>The quantitative assessment reported in the Technical Note confirmed the conclusions reported in ES Chapter 14 Air Quality [APP-056] that the construction phase road traffic emissions impacts would not have a significant effect on local air quality.</p>	
UKHSA4	Public Health	Chapter 17 (Health and Wellbeing) [APP-059] of the Environmental Statement adequately assesses the potential impacts of the Proposed Development on public health	APP-059	<p><u>UKHSA:</u></p> <p>EMF - The Promoter should assess the potential public health impact of EMFs arising from the electrical equipment associated with the development. Alternatively, a statement should be provided to explain why EMFs can be scoped out.</p> <p><u>Applicant:</u></p> <p>EMF - The former Department for Energy and Climate Change (DECC, now Department for Energy Security and Net Zero) Voluntary Code of Practice on compliance with EMF guidelines, states the following:</p> <p><i>“The Energy Networks Association will maintain a publicly-available</i></p>	Agreed

ID	Matter	Detail	Related documents and their references	Comments from the Parties	Agreed / Not Agreed
				<p><i>list on its website of types of equipment where the design is such that it is not capable of exceeding the ICNIRP exposure guidelines, with evidence as to why this is the case. Such types of equipment are likely to include:</i></p> <ul style="list-style-type: none"> • <i>overhead power lines at voltages up to and including 132 kV</i> • <i>underground cables at voltages up to and including 132 kV</i> • <i>substations at and beyond the publicly accessible perimeter</i> <p><i>Compliance with exposure guidelines for such equipment will be assumed unless evidence is brought to the contrary in specific cases“</i></p> <p>Paragraphs 17.7.66 to 17.7.70 in ES Chapter 17 Health and Wellbeing [APP-059] cover the issue of EMF and cite the DECC guidance.</p> <p>With reference to this guidance, paragraph 17.7.70 of ES Chapter 17 Health and Wellbeing [APP-059] confirms that:</p> <p><i>“The design of the Proposed Development does not include either high-voltage underground cables or overhead line cables within its design. As a result, there will be no effect during all stages of the Proposed Development arising in respect of human health and wellbeing in relation to EMF.”</i></p>	

4 References

There are no documents referenced at present.

Appendix A – UKHSA Approval



UK Health
Security
Agency

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www.gov.uk/ukhsa

Your Ref: EN070008
Our Ref: 65629

Mr Noel Cunningham
Senior Onshore Construction Advisor
Viking CCS Pipeline
Harbour Energy Rubislaw House
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17th September 2024

Dear Mr Cunningham,

**Nationally Significant Infrastructure Project
Viking CCS Pipeline. DCO, Statement of Common Ground,
PINS Reference EN070008**

UK Health Security Agency (UKHSA) received a draft (and final tracked) Statement of Common Ground (SoCG), from Harbour Energy on 12 September 2024. ***Please note that we request views from the Office for Health Improvement and Disparities (OHID) and the response provided below is sent on behalf of both UKHSA and OHID.***

We have reviewed your comments against our recommendations provided at the Registration of Interest stage. The draft SoCG sets out our position against each of the points, in addition we have the following comments:

1. We are currently in agreement with the status of matters (Agreed) showed in the latest SoCG UKHSA draft (Revision 1), and agree the following changes:
 - a. With regards to UKHSA 3 that relates to matters of air quality we have considered the Promoter's Technical Note on Air Quality Modelling and conclude that we are in agreement.

Yours sincerely

On behalf of UK Health Security Agency
nsipconsultations@ukhsa.gov.uk

Please mark any correspondence for the attention of National Infrastructure Planning Administration