



National Infrastructure Planning  
Temple Quay House  
2 The Square  
Bristol  
BS1 6PN

Your ref: EN070008

24 September 2024

Dear Planning Inspectorate,

### **The Viking Carbon Capture and Storage (CCS) Pipeline**

### **Application by Chrysaor Production (UK) Limited for a Development Consent Order under the Planning Act 2008**

### **Consent under Section 135 of the Planning Act 2008**

1. The Driver and Vehicle Standards Agency (“**DVSA**”) understands that Chrysaor Production (UK) Limited (“**Chrysaor**”) has applied for a development consent order (“**DCO**”) under the Planning Act 2008 (the “**Act**”) for the Viking CCS Pipeline. The Viking CCS Pipeline is classified as Nationally Significant Infrastructure Projects under Section 14(1)(g) and Section 21(1) of the Act.
2. Proposals for the Viking CCS Pipeline affect land in which the DVSA has an interest and which comes within the definition of 'Crown land' in section 227 of the Act. Such land comprises the following areas (together, the “**Land**”):
  - Plot 1/50 in the Book of Reference - approximately 2261 square metres of public roads (Ropser Road and Humber Road), private road, scrubland and hedgerow (South Killingholme)
  - Plot 1/60 in the Book of Reference - approximately 5 square metres of shrubland (south of Humber Road, South Killingholme)
  - Plot 1/67 in the Book of Reference - approximately 14379 square metres of private road, shrubland, hardstanding and hedgerow (north of Manby Road, A1173, South Killingholme)
  - Plot 1/71 in the Book of Reference - approximately 3500 square metres of hardstanding and hedgerow (north of Manby Road, A1173, South Killingholme)
3. Section 135(1) of the Act enables DCOs to authorise the compulsory acquisition of an interest in Crown land (which includes rights over land held by the relevant Crown

authority) where that interest is held by a party other than the Crown. If provisions to compulsorily acquire such interests are to be included in a DCO, then the consent of the appropriate Crown authority is needed before the DCO can be granted by the Secretary of State.

Section 135(2) of the Act allows a DCO to include any provision which applies "in relation to Crown land or rights benefiting the Crown", but only if the appropriate Crown authority consents to the inclusion of the provision.

4. Chrysaor seeks the consent of the DVSA to the inclusion of Crown land in the DCO and Book of Reference for Viking CCS Pipeline. As the owner of the Land], the DVSA is the appropriate Crown authority to give Crown land consent as prescribed by section 135 of the Act.
5. The Land is proposed to be included in the DCO on the basis that it would be subject to powers of compulsory acquisition and certain other provisions. Each of plots 1/50, 1/60, 1/67 and 1/71 would be areas used for the installation of the pipeline forming part of the development.

#### Section 135(1) Consent

6. In relation to any rights of compulsory acquisition which Chrysaor may seek in relation to interests in the Land plots noted above which are held otherwise than by or on behalf of the Crown falling within section 135(1) of the Act, I confirm that the DVSA grants its consent to the inclusion of such rights in the draft DCO for SEP and DEP, subject to Chrysaor obtaining DVSA's further consent in order to exercise such rights.

#### Section 135(2) Consent

7. I confirm that the DVSA is satisfied, in accordance with section 135(2) of the Act, with the following articles being applicable in relation to Crown land:
  - Article 3 (Development consent etc. granted by the order)
  - Article 4 (Operation and use of the authorised development)
  - Article 5 (power to maintain the authorised development)
  - Article 6 (Limits of deviation)
  - Article 20 (Authority to survey and investigate the land)
  - Article 22 (Removal of human remains)
  - Article 34 (Temporary use of land for maintaining the authorised development)
  - Article 42 (Crown rights)
  - Article 44 (planning legislation)
  - Article 47 (no double recovery)
8. The DVSA therefore consent to the inclusion of the articles in the draft DCO, as provided in section 135(2) of the Act.

## Crown Article

9. The DVSA's consent provided in this letter is conditional on the inclusion of the following article within the draft DCO:

### **Crown rights**

42.—(1) *Nothing in this Order affects prejudicially any estate, right, power, privilege, authority or exemption of the Crown and in particular, nothing in this Order authorises the undertaker or any licensee to take, use, enter upon or in any manner interfere with any land or rights of any description (including any portion of the shore or bed of the sea or any river, channel, creek, bay or estuary)—*

*(a) belonging to His Majesty in right of the Crown and forming part of The Crown Estate without the consent in writing of the Crown Estate Commissioners;*

*(b) belonging to His Majesty in right of the Crown and not forming part of The Crown Estate without the consent in writing of the government department having the management of that land; or*

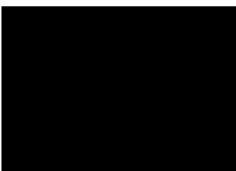
*(c) belonging to a government department or held in trust for His Majesty for the purposes of a government department without the consent in writing of that government department.*

*(2) Paragraph (1) does not apply to the exercise of any right under this Order for the compulsory acquisition of an interest in any Crown land (as defined in the 2008 Act) which is for the time being held otherwise than by or on behalf of the Crown.*

*(3) A consent under paragraph (1) may be given unconditionally or subject to terms and conditions; and is deemed to have been given in writing where it is sent electronically.*

The DVSA expects to be kept informed of Chrysaor's progress with the Scheme, both in relation to the application for the DCO and the implementation of that consent, should it be granted by the Secretary of State in due course.

Yours sincerely



**Loveday Ryder**  
**Chief Executive**