

# **Hynet North West Hydrogen Pipeline – EN060006**

**Cadent Gas Limited**

## **Section 51 Advice Log**

**Version: 14 April 2025**

There is a statutory duty under [section 51 \(s51\) of the Planning Act 2008](#) for the Planning Inspectorate to record the advice that it gives in relation to an application or potential application, and to make this publicly available.

This document comprises a record of the advice that has been provided by the Inspectorate to the applicant Cadent Gas Limited and their consultants during the pre-application stage. It will be updated by the Inspectorate after every interaction with the applicant during which s51 has been provided. The applicant will always be given the opportunity to comment on the Inspectorate's draft record of advice before it is published.

The applicant will use this Advice Log as the basis for demonstrating regard to section 51 advice within the application.

## Hynet North West Hydrogen Pipeline

### s51 Advice Log - Index

Date of meeting	Meeting overview
13 January 2022	<p><u>Inception Meeting:</u></p> <ul style="list-style-type: none"> <li>• Introduction to the Project</li> <li>• Proposed Development and Associated Development</li> <li>• Project Timescales</li> <li>• Approach to Statutory and Non-Statutory Consultation</li> <li>• Compulsory Acquisition and s53 applications</li> <li>• Contacts and follow up</li> </ul> <p>A meeting note is available for this meeting on the National Infrastructure Planning Website and this can be viewed at: <a href="#">View meeting note</a> (PDF, 112KB).</p>
20 June 2022	<p><u>Project Update Meeting:</u></p> <ul style="list-style-type: none"> <li>• Scoping Update</li> <li>• Section 35 Direction Request Update</li> <li>• Statutory Consultation</li> <li>• Land Referencing</li> <li>• Compulsory Acquisition</li> <li>• Environmental Outcome Reports (EORs).</li> </ul> <p>A meeting note is available for this meeting on the National Infrastructure Planning Website and this can be viewed at: <a href="#">View meeting note</a> (PDF, 165KB).</p>
31 March 2023	<p><u>Project Update Meeting:</u></p> <ul style="list-style-type: none"> <li>• Project Update</li> <li>• Statutory Consultation Response</li> <li>• Further Targeted Consultation</li> <li>• Health and Safety Executive (HSE) Approach</li> <li>• Environmental survey update</li> <li>• Land Rights Strategy</li> <li>• Draft Documentation Review</li> <li>• Enhanced Planning Inspectorate Application Service</li> </ul> <p>A meeting note is available for this meeting on the National Infrastructure Planning Website and</p>

	this can be viewed at: <a href="#">View meeting note</a> (PDF, 119KB).
4 July 2023	<p><u>Project Update Meeting:</u></p> <ul style="list-style-type: none"> <li>• Project Update</li> <li>• Early Adopters Programme</li> <li>• Any other Business – Timing and Approach to future meetings</li> </ul> <p>A meeting note is available for this meeting on the National Infrastructure Planning Website and this can be viewed at: <a href="#">View meeting note</a> (PDF, 132KB).</p>
19 September 2023	<p><u>Project Update Meeting:</u></p> <ul style="list-style-type: none"> <li>• Early Adopters Programme</li> <li>• Issues Tracking</li> <li>• Pre-application Principal Areas of Disagreement Summary Statements (PADSS)</li> <li>• Construction Environmental Management Plan (CEMP) Template</li> <li>• Programme</li> <li>• Specific decisions/ follow-up required</li> </ul> <p>A meeting note is available for this meeting on the National Infrastructure Planning Website and this can be viewed at: <a href="#">View meeting note</a> (PDF, 146KB).</p>
18 January 2024	<p><u>Project Update Meeting:</u></p> <ul style="list-style-type: none"> <li>• Project and Programme Updates</li> <li>• Early Adopters Programme</li> <li>• Post Meeting Note</li> </ul> <p>A meeting note is available for this meeting on the National Infrastructure Planning Website and this can be viewed at: <a href="#">View meeting note</a> (PDF, 146KB).</p>
25 September 2024	<p><u>Project Update Meeting:</u></p> <ul style="list-style-type: none"> <li>• Project and Programme Update</li> <li>• Statutory Consultation</li> <li>• PINS Enhanced Tier</li> </ul> <p>A meeting note is available for this meeting on the National Infrastructure Planning Website and this can be viewed at: <a href="#">View meeting note</a> (PDF, 76KB).</p>

<a href="#"><u>02 December 2024</u></a>	<u>Project Update Meeting</u> <ul style="list-style-type: none"> <li>• Update on Statutory Consultation</li> <li>• Landowner Engagement</li> <li>• Adequacy of Consultation Document</li> <li>• Draft documents</li> <li>• Enhanced Tier activities</li> </ul>
<a href="#"><u>27 January 2025</u></a>	<u>Multiparty meeting with HSE and the Applicant</u> <ul style="list-style-type: none"> <li>• Pipeline Safety Regulations (PSR) and Gas Safety Management regulations (GSMR) processes (HSE and Cadent)</li> <li>• PA2008 process and timescales for HSE input (PINS and Cadent)</li> <li>• LUPZ preparation (HSE and Cadent)</li> </ul>
<a href="#"><u>April 2025</u></a>	<u>Adequacy of Consultation milestone Review</u>
<a href="#"><u>08 April 2025</u></a>	<u>Project Update Meeting</u> <ul style="list-style-type: none"> <li>• Update on application and programme</li> <li>• Land negotiations tracker/compulsory acquisition update</li> <li>• Presenting Response to s51 in application documents</li> <li>• Adequacy of consultation milestone update</li> <li>• Targeted consultation</li> </ul>

Hynet North West Hydrogen Pipeline - s51 Advice Library	
Topic	Meeting date: 2 December 2024
Consultation Report	The Applicant updated on its second Statutory consultation that it had consulted various landowners, statutory consultees, and local authorities. It had received substantial feedback, which is currently under review. The Inspectorate advised the Applicant to clearly specify the documents made available during each consultation stages and to ensure that all the consultation activities are comprehensively documented in the Consultation Report.
Landowner engagement	The Applicant updated that it had received requests from some of the landowners for changes to the route. Examples included where apparatus would be located in the highway as well as more specific issues such as near Eaton Lane, which will be removed from the primary plan and designated for emergency use only during the construction period. The Inspectorate advised engaging with the landowners early in the process, and finalise a route taking potential alternatives into consideration, to seek to avoid applications for changes to the project after it has been formally submitted for examination.
Environmental Statement (ES)	The Inspectorate advised that the consideration of alternatives should be incorporated into the ES Chapters.
Protective Provisions agreements	The Inspectorate emphasised the importance of finalising Protective Provisions agreements prior to the submission of the application.
Adequacy of Consultation Milestone (AoCM) document	The Applicant informed the Inspectorate of its plan to submit the AoCM document in early January 2025, potentially followed by a targeted consultation. The Inspectorate advised the Applicant to consider submitting the AoCM document after the targeted consultation has been completed (if held), in order to allow the Inspectorate to consider the entire pre-application undertaken by the Applicant.
Draft Documents	The Applicant informed its plan to submit the draft documents for Inspectorate's review in January 2025. The Inspectorate advised the Applicant to consider providing the draft Explanatory Memorandum to accompany the draft Development Consent Order. The Inspectorate also advised to consider submitting the draft documents after the targeted consultation had completed (if held), to ensure that the Inspectorate is reviewing final versions of documents. The Inspectorate advised that it cannot review aspect chapters of the ES, however, in line with the new service it can review

	drafting associated with key issues and/ or novel approaches within the draft Environmental Statement such as GHG issues as mentioned by the Applicant.
Enhanced Tier activities	The Applicant inquired about the scope of enhanced tier activities and what they encompass. The Inspectorate advised that the list of additional components that an applicant can engage for the enhanced service is set out in the pre-application <a href="#">prospectus</a> . As such, the service the Applicant should review the prospectus and advise the Inspectorate as soon as possible about what component(s) it wishes to pursue. The Inspectorate further advised that the Policy Compliance Document may be a useful document to be reviewed.
Good Design Advice	The Inspectorate informed the Applicant that the Good Design Advice has recently been published and advised to demonstrate to have regard to it in the design evolution report when submitting its application. The Inspectorate advised that the linear advice page is likely to be published in the New Year.
Green Belt	The Applicant confirmed that some of the site is located on Green Belt (GB). The Inspectorate advised the Applicant to carefully consider the impacts, both during construction and operation, to ensure that any potential harm to the GB is minimised, such as landscape scarring. The Applicant also needs to demonstrate why it considers that very special circumstances exist to justify the project being located on GB. The Inspectorate advised that this matter is likely to be probed by any Examining Authority in due course, in addition to landscape effects.
<b>Topic</b>	<b>Meeting date: 27 January 2025</b>
Programme Document	Following recent changes to the Applicant's programme, the Inspectorate advised the Applicant to publish the updated Programme Document (PD) on its website and to send a copy to the Inspectorate. Additionally, the Inspectorate's website lists "2025" as the submission date for the project. Consideration should be given as to whether this should be narrowed down to reflect the PD.
Application Documents	The Applicant confirmed that the pipeline will have different diameters – in some places 42", some 30" and others 18". The Inspectorate advised the Applicant to ensure that this is clearly explained in the application documents, including in the draft Development Consent Order (DCO).

Application Documents	In relation to draft DCO application documents, the Inspectorate advised the Applicant to consider whether it could share any documents with the Health and Safety Executive (HSE) ahead of the submission.
Position Statement	Following a discussion around timing for matters that do not fall to be considered under the Planning Act 2008 (PA2008) regime, the Inspectorate advised the Applicant of how helpful a Position Statement would be to both the Examining Authority (ExA), and to the public, setting out why certain elements of the consenting process must follow each other, and cannot be done in parallel.
HSE involvement	The Inspectorate emphasised the importance of the HSE completing a comprehensive Relevant Representation in due course, setting out its position in relation to the DCO application. It is likely that the ExA in due course will have written questions for HSE and would welcome their attendance at any hearings that may be held, so HSE's consideration of how it could support this would be helpful. It should be noted that no representative from the HSE Land Use planning Division was present, so it is currently unclear if they are going to contribute to the process.
Advice Pages and Guidance	The Inspectorate has published a series of advice pages and guidance to support engagement in the PA2008 process. These can be found <a href="#">here</a> , and the Inspectorate advised the HSE to familiarise itself with these documents. The HSE can contact the Inspectorate's case team if it has any queries in due course. The HSE should also ensure that it has registered to receive e-mail updates at key stages of the DCO application. This can be done on the "Get Updates" section of the Inspectorate's <a href="#">project page</a> ;
The Inspectorate also provides the following advice, which although was not discussed at the meeting, would be helpful to the consideration of the application in due course:	
case for the Proposed Development	The case for the Proposed Development should clearly address the advice in the s35 Direction. In particular, the Applicant's attention is drawn to the statement that the Secretary of State has decided that he will not direct that the Energy NPSs should apply to the Proposed Development and that any application should be determined in accordance with s104 of the PA2008. Consideration will be given to the weight to be given to NPSs when the SoS considers the application. Accordingly, the Applicant is advised to clearly

	present its case in respect of the applicability of relevant NPSs.
s35 Direction	The s35 Direction was made on 5 July 2022. With proposals evolving since the s35 request was made, the Applicant is advised to demonstrate how the Proposed Development aligns with the terms of the s35 direction and to explain how any elements not covered by the Direction should be addressed. The Applicant should explain how will pipeline spurs be dealt with as they are not within the scope of the s35 Direction.
S35 Direction	The Applicant may find it helpful to review how the Examining Authority's Recommendation, and ultimately the Secretary of State's decision in respect of the Net Zero Teesside Project dealt with the issue of a s35 Direction, notwithstanding the difference between the two cases.
Engagement	The Applicant is encouraged to maintain effective engagement with host local authorities and other key Interested Parties as appropriate throughout the pre-Examination and subsequent stages of the process. Statements of Common Ground should be prepared noting that the identification of issues which are not agreed will be very helpful for the Examining Authority.
Protective Provisions	Given the nature of the Proposed Development and its location the Applicant is encouraged to progress any necessary Protective Provisions as soon as possible and avoid matters being unresolved at the end of an Examination.
Alternative alignments	Notwithstanding the requirements of the EIA Regulations, the Applicant is encouraged to set out clearly in its application how alternative alignments for the different corridors of development were addressed, justifying the proposed alignment and the reasons for rejecting alternatives.
Change Request	While recognising that as a large scale and complex proposal, not all elements might be finalised at the point of submission, Change Requests should be resisted as far as possible as they add complexity to the process for Interested Parties.
Other consents, licences and permissions	In its application the Applicant is encouraged to set out what other consents, licences and permissions will be required, why these cannot be addressed through the application under the PA2008 and the timescale for their progression. Given the Applicant's intention to use permitted development rights under the General Permitted Development Order, it is likely to be helpful for Interested Parties if the Applicant were



	to explain what these rights are and how they are intended to be used.
Compulsory Acquisition	In respect of Compulsory Acquisition, the Applicant is asked to consider the use of the Land Rights tracker which has recently been used in a number of Examinations.
Crown consent	Should Crown consent be required for the Proposed Development the Applicant is encouraged to demonstrate progress on this matter in its application. Again, this is a matter which should not be left to the later stages of an Examination.
Draft Development Consent Order	In preparing the draft Development Consent Order and Explanatory Memorandum the Applicant should clearly justify the inclusion of provisions in terms of the Proposed Development, not simply on the basis of precedented cases.
HSE engagement	We strongly encourage regular ongoing engagement between the Applicant and the HSE.
<b>Adequacy of Consultation Milestone (AoCM) Review</b>	
Feedback	On the basis of the information submitted in the AoCM, the Inspectorate does not consider that the consultation undertaken thus far is seriously adrift. However, the final decision on this matter can only be taken once the application has been submitted for examination.
<b>Topic</b>	<b>Meeting date: 08 April 2025</b>
Land negotiations/ DCO Submission	The Applicant updated that land negotiations would commence in July 2025, ahead of the submission of the DCO application in Autumn 2025. The Inspectorate advised of the importance of seeking to reach as many agreements as possible ahead of the application submission in order to assist with a smoother examination.
Hydrogen Transport Business Model	The Inspectorate queried the timeline of the Hydrogen Transport Business Model, and the Applicant clarified that it is likely to follow after the Government's spending review, potentially summer 2025. The Inspectorate advised the Applicant to update the Inspectorate on how the model impacts on the project in due course, including the funding statement.
Draft document review	The Inspectorate advised following the submission of draft documents for review on 14 March 2025, it will provide comments to Applicant by 25 April 2025. A draft document review meeting will be organised in May 2025 and the Inspectorate advised the Applicant to provide the queries

	they may have from the draft document review in advance of the meeting, to facilitate more a meaningful discussion.
Addressing S51 advice in the application documents	The Applicant confirmed that it intends to demonstrate its regard to s51 advice in the Planning Statement. The Inspectorate it is for the Applicant to decide how it records its response. However, the Inspectorate suggested it is made clear in the application cover letter.
Statutory Consultees engagement	The Planning Inspectorate advised the Applicant to evidence agreement of approaches with statutory consultees in the application documents. The Applicant should seek to resolve as many issues as possible before the application is submitted.
Targeted consultation	The Applicant provided the overview of the targeted consultation. The Inspectorate advised to explain in the consultation report why the Applicant considered targeted consultation to be more appropriate than a full round of consultation.