

CONSULTATION REPORT

Appendix B Section 46

HyNet Carbon Dioxide Pipeline DCO

Planning Act 2008

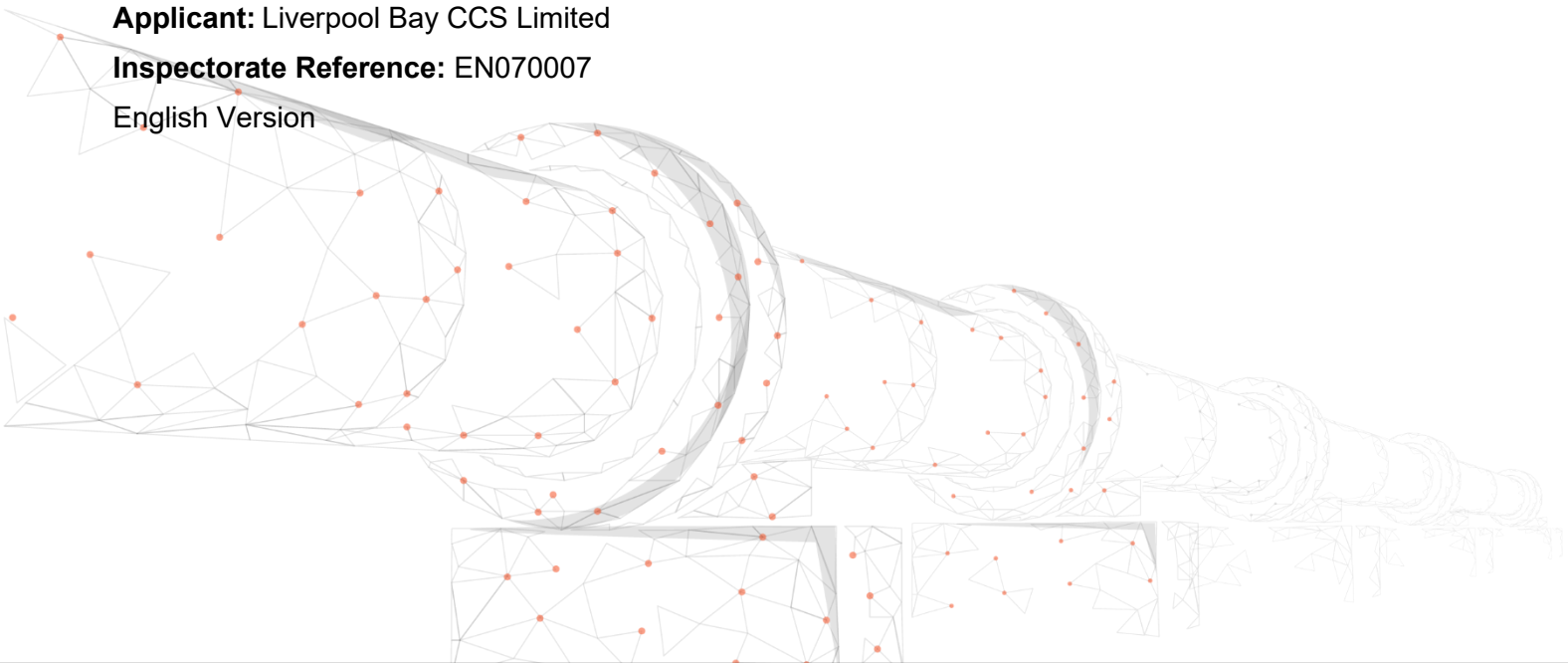
The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 – Regulations 5(2)(q)

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Appendix B

Section 46 Letter

HyNet North West

Document Number: D.5.1.2



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S46 Letter

HyNet
North West



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Secretary of State for Business, Energy and Industrial Strategy
c/o
The Planning Inspectorate
Temple Quay House
2 The Square
Temple Quay
Bristol, BS1 6PN

For the attention of: KJ Johansson

7 February 2022

Dear Sir / Madam,

HYNET NORTH WEST CARBON DIOXIDE PIPELINE

NOTIFICATION UNDER SECTION 46 OF THE PLANNING ACT 2008 TO THE SECRETARY OF STATE OF A PROPOSED DEVELOPMENT CONSENT ORDER APPLICATION

I write on behalf of Liverpool Bay CCS Limited (**'Liverpool Bay'**) in relation to our proposals to install and operate a new carbon dioxide (**'CO₂'**) pipeline between Ince, near Stanlow, and Flint, and to repurpose the existing Flint Connection to Point of Ayr pipeline. I confirm that Liverpool Bay intends to submit an application to the Secretary of State for Business, Energy and Industrial Strategy (**'Secretary of State'**) for a Development Consent Order (**'DCO'**) under section 37 of the Planning Act 2008 (**'PA2008'**).

This letter is Liverpool Bay's formal notification to the Secretary of State of the Proposed Application pursuant to section 46 of the PA2008, 'Duty to notify Secretary of State of proposed application'.

The development for which the DCO will be sought is:

- a. Construction and use of Ince Above Ground Installation (**'AGI'**) to Stanlow AGI pipeline (up to 20").
- b. Construction and use of Stanlow AGI to Flint AGI pipeline (36").
- c. Construction and use of Flint AGI to Flint Connection pipeline (24").
- d. The repurposing and use for CO₂ of the Flint Connection to Point of Ayr Terminal pipeline (24").
- e. Construction and use of Ince AGI.
- f. Construction and use of Flint AGI.
- g. Construction and use of Stanlow AGI.
- h. Construction and use of Northop Hall AGI.
- i. Construction and use of Block Valve Stations (**'BVSs'**) located along the existing natural gas Flint Connection to Point of Ayr pipeline and Stanlow AGI to Flint AGI pipeline.

Items a-i together form the **'Pipeline'**.

- j. Other infrastructure such as Cathodic Protection (CP) transformer rectifier cabinets.
- k. Ancillary works integral to the construction of the Pipeline including construction compounds, and access tracks.

All of items a-k together form the '**Proposed Development**'.

Section 42 of the PA2008 ('Duty to consult') requires Liverpool Bay to consult on its proposed application with those persons specified by the PA2008 and its associated regulations. Liverpool Bay will commence consultation with those persons by issuing a letter (with the address for the website where the consultation documents can be viewed) to such persons prior to the start of the consultation on 9 February 2022. Where prior consent has been given, prescribed consultees will receive the letter and link to the consultation documents by email.

The deadline stated for response to the consultation in the section 42 letter is 11.59pm on 22 March 2022.

Enclosed with this letter is a copy of the consultation documents issued to section 42 consultees. These documents are:

- i. An example copy of the section 42 letter.
- ii. Section 48 Notice which has also been published in local and national newspapers to publicise our proposed application.
- iii. The public consultation brochure which provides an overview of the Proposed Development.
- iv. The Preliminary Environmental Information Report ('**PEIR**') which details the Proposed Development and a preliminary assessment of its likely significant environmental effects.
- v. The Non-Technical Summary ('**NTS**') of the findings in the PEIR.
- vi. The Statement of Community Consultation which states how we are consulting the local community in the vicinity of the Proposed Development.

If you would like hard copies, please contact us.

I look forward to receiving the Planning Inspectorate's formal acknowledgement of this notification in compliance with section 46 of the PA2008. In the meantime, should you have any questions, please do not hesitate to contact us at [REDACTED]

Yours faithfully,

[REDACTED]

Martin Currie
Director
Liverpool Bay CCS Limited

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S46 acknowledge receipt

**HyNet
North West**





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

Customer Services: 0303 444 5000

e-mail: hynetco2pipeline@planninginspectorate.gov.uk

By email only

Your Ref:

Our Ref: EN070007

Date: 08 February 2022

Dear Mrs Corless

Planning Act 2008 (as amended) – Section 46 and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 – Regulation 8

Proposed application by Liverpool Bay CCS Limited for an Order Granting Development Consent for the HyNet North West Carbon Dioxide Pipeline

Acknowledgement of receipt of information concerning proposed application

Thank you for your letter of 8 of February 2022 and the following documentation:

- An example copy of the section 42 letter
- Section 48 Notice which has also been published in local and national newspapers to publicise our proposed application
- The public consultation brochure which provides an overview of the Proposed Development
- The Preliminary Environmental Information Report ('PEIR') which details the Proposed Development and a preliminary assessment of its likely significant environmental effects
- The Non-Technical Summary ('NTS') of the findings in the PEIR
- The Statement of Community Consultation which states how we are consulting the local community in the vicinity of the Proposed Development

I acknowledge that you have notified the Planning Inspectorate of the proposed application for an order granting development consent for the purposes of section 46 of the PA2008 and supplied the information for consultation under section 42. The following reference number has been given to the proposed application, which I would be grateful if you would use in subsequent communications:

EN070007

I also acknowledge notification in accordance with Regulation 8(1)(b) of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 that you propose to provide an environmental statement in respect of the proposed development.

I will be your point of contact for this application – my contact details are at the end of this letter.

The role of the Planning Inspectorate in the application process is to provide independent and impartial advice about the procedures involved and to have open discussions with potential applicants, statutory bodies and others about the processes and requirements of the new regime. It is important that you keep us accurately informed of your timetable and any changes that occur.

We will publish advice we give to you or other interested parties on our website and, if relevant, direct parties to you as the applicant. We are happy to meet at key milestones and/or provide advice as the case progresses through the pre-application stage.

Once you have prepared draft documents we are able to provide technical advice, in particular on the draft development consent order, explanatory memorandum, the consultation report and any draft HRA. You may therefore wish to build this into your timetables.

In the meantime, you may wish to have regard to the guidance and legislation material provided on our website including the Infrastructure Planning (Fees) Regulations 2010 (as amended) and associated guidance, which you will need to observe closely in establishing the correct fee to be submitted at the successive stages of the application process.

When seeking to meet your pre-application obligations you should also be aware of your obligation under the current data protection legislation to process personal data fairly and lawfully.

If you have any further queries, please do not hesitate to contact me.

Yours sincerely

Karl Jonas Johansson

Karl Jonas Johansson
Case Manager

[REDACTED]
[REDACTED]

This decision was made by officials on behalf of the Secretary of State under delegated powers.

This communication does not constitute legal advice.

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<https://infrastructure.planninginspectorate.gov.uk>

