



**Prosperous Communities
Committee**

Tuesday, 23 April 2024

**Subject: Nationally Significant infrastructure Project (NSIP): Viking CCS
pipeline**

Report by:	Director of Planning, Regeneration & Communities
Contact Officer:	Russell Clarkson Development Management Team Manager russell.clarkson@west-lindsey.gov.uk
Purpose / Summary:	To consider and agree the submission of a Local Impact Report (LIR) and Written Representations (WR) to the Examining Authority considering the Viking CCS Pipeline NSIP project.

RECOMMENDATION(S):

- **To accept the invitation and approve the submission of a Local Impact Report (LIR) and Written Representations (WR) to be made on the Viking CCS pipeline project at its current examination;**
- **To review the draft LIR/WR attached to this paper, and to delegate authority to the Director of Planning, Regeneration and Communities to complete, finalise and submit the LIR and WR to the Examination, having taken into consideration the committee's comments.**

IMPLICATIONS

Legal:

At a meeting of this committee on 1st August 2023 the scheme of decision and delegation protocols for NSIP projects was approved. This report is aligned with the approved process.

(N.B.) Where there are legal implications the report MUST be seen by the MO

Financial : FIN/13/25/PC/SST

No financial implications resulting from this report.

It is anticipated that there will be no extra costs incurred as this will be completed in house by a WLDC case officer, no external specialist services required.

(N.B.) All committee reports MUST have a Fin Ref

Staffing :

The project is not expected to require additional staffing resources.

(N.B.) Where there are staffing implications the report MUST have a HR Ref

Equality and Diversity including Human Rights :

The Local Impact Report (LIR) seeks to identify any members of the Community that may be impacted by the development.

Data Protection Implications :

None expected to arise from this report.

Climate Related Risks and Opportunities:

The Viking CCS pipeline is a 55km pipeline that the developer proposes will transport up to 10 million tonnes of carbon dioxide (CO₂) a year from Immingham (North East Lincolnshire) to the former Theddlethorpe Gas Terminal (East Lindsey). From there, it will join an existing offshore pipeline to the Viking area in the UK southern North Sea, where the CO₂ will be injected into depleted gas reservoirs 2.7km beneath the seabed.

The project plans to store 10 million tonnes of carbon dioxide (mtCO₂) a year by 2030, and 15mtCO₂ by 2035.

Section 17 Crime and Disorder Considerations:

Any potential crime and disorder considerations will be addressed as part of the Local Impact Report.

Health Implications:

Anticipated health implications for the local community are considered as part of the Local Impact Report.

Title and Location of any Background Papers used in the preparation of this report :

Nationally Significant Infrastructure Projects - Advice Note One: local impact reports

<https://www.gov.uk/government/publications/nationally-significant-infrastructure-projects-advice-note-one-local-impact-reports>

Nationally Significant Infrastructure Projects - Advice Note Two: The role of local authorities in the development consent process

<https://www.gov.uk/government/publications/nationally-significant-infrastructure-projects-advice-note-two-the-role-of-local-authorities-in-the-development-consent-process>

Nationally Significant Infrastructure Planning Advice Note 8.4: The Examination:

<https://www.gov.uk/government/publications/nationally-significant-infrastructure-projects-advice-note-eight-overview-of-the-nationally-significant-infrastructure-planning-process-for-members/nationally-significant-infrastructure-projects-advice-note-84-the-examination>

National Infrastructure Planning Project Information – Viking CCS Pipeline

<https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/EN070008>

Prosperous Communities Committee 1st August 2023 Delegation of Responsibility for Participation in NSIP examinations

<https://democracy.west-lindsey.gov.uk/ieListDocuments.aspx?CIId=176&MIId=3530&Ver=4>

Risk Assessment :**Call in and Urgency:**

Is the decision one which Rule 14.7 of the Scrutiny Procedure Rules apply?

i.e. is the report exempt from being called in due to urgency (in consultation with C&I chairman)

Yes

No

Key Decision:

A matter which affects two or more wards, or has significant financial implications

Yes

No

Executive Summary

- 1.0 The Viking CCS Pipeline is a development proposal by Chrysaor Production (UK) Limited. It would be a 55km long pipeline intended to transfer captured carbon from Immingham (N E Lincolnshire), to Theddlethorpe (E Lindsey) where it would then be piped into the North Sea and injected into depleted gas reservoirs under the sea.
- 2.0 Within West Lindsey itself, the project proposes for the pipeline to run below ground, approximately 2km – across agricultural fields, approximately 2.5km to the south east of the village of Keelby; and within 2km to the north east of the hamlet of Riby. The pipeline will be designed for a minimum operational life of 25 years. The pipeline is expected to have an external diameter of 24” (609 mm) and be buried to a minimum depth of 1.2 m to the top of the pipe. This will be greater at crossing points of railways, roads and watercourses
- 3.0 The project qualifies as a Nationally Significant Infrastructure Project (NSIP) and is subject to a separate consenting regime under the Planning Act 2008. The developer therefore seeks a Development Consent Order (DCO) from the Secretary of State.
- 4.0 The Planning Inspectorate are the Examining Authority (ExA) which will examine the project and make recommendations to the Secretary of State. The examination commenced on 26th March and is scheduled to have completed by 26th September 2024.
- 5.0 As part of the examination, the ExA has invited WLDC to submit a Local Impact Report (LIR) and written representations (WR) by deadline 1 on Friday 26th April 2024.
- 6.0 It is recommended that an LIR and WR are submitted to the examination, and draft documents have been produced for this purpose. It is recommended that the Committee review the draft LIR and WR, and delegate authority to the Director of Planning, Regeneration and Communities to complete, finalise and submit the final LIR and WR by the examination deadline, taking into consideration committee’s comments, and having consulted with the Chair of this Committee.

1 Introduction

- 1.1 The Viking CCS Pipeline is a development proposal by Chrysaor Production (UK) Limited. It is a 55km long pipeline intended to transfer captured carbon from Immingham (N E Lincolnshire), to Theddlethorpe (E Lindsey) where it will then be piped into the North Sea and injected into depleted gas reservoirs under the sea.
- 1.2 Onshore pipelines over 16.093 km (10 miles) in length are classified as Nationally Significant Infrastructure Projects (NSIPs) under section 14(1)(g) of the Planning Act 2008.
- 1.3 An NSIP project follows a different consenting regime to those planning applications typically considered by West Lindsey District Council. The applicant applies directly to the Government for a Development Consent Order (DCO). The Decision Maker will be the relevant Secretary of State – here, the Secretary of State for Energy Security and Net Zero (current role holder: The Rt Hon Claire Coutinho MP).
- 1.4 The Planning Inspectorate (PINS) are the Government Agency responsible for examining applications for NSIPs, known as the Examining Authority (ExA). Following examination, the ExA will make a recommendation to the relevant Secretary of State, who will make the final decision.
- 1.5 The Local Authority does not therefore determine the application. However, local authorities are strongly encouraged to participate in the NSIP process and examination.
- 1.6 The examination formally commenced on 26th March 2024, and the ExA is under a duty to complete the examination within six months, i.e. by Thursday 26th September 2024.
- 1.7 The ExA has invited West Lindsey District Council, as a host authority, to submit a Local Impact Report (LIR) and any Written Representations (WR) by Friday 26th April 2024 ('Deadline 1').

2.0 The Project

- 2.1 The development proposed is a carbon capture and storage (CCS) project. The UK Government has set a target of achieving Net Zero by 2050 and the Humber region is the largest emitter of carbon dioxide (CO₂) in the UK, emitting approximately 20 million tonnes per annum (mtpa).
- 2.2 The Viking CCS pipeline is a proposed 55.5km pipeline that would transport up to 10 million tonnes of carbon dioxide (CO₂) a year from Immingham (North East Lincolnshire) to the former Theddlethorpe Gas Terminal (East Lindsey) on the East Coast. It would then join an existing offshore pipeline where the CO₂ will be injected into depleted gas reservoirs, 2.7km below the sea bed. The project plans to store 10 million tonnes of carbon dioxide a year by 2030, and 15 million tonnes of carbon

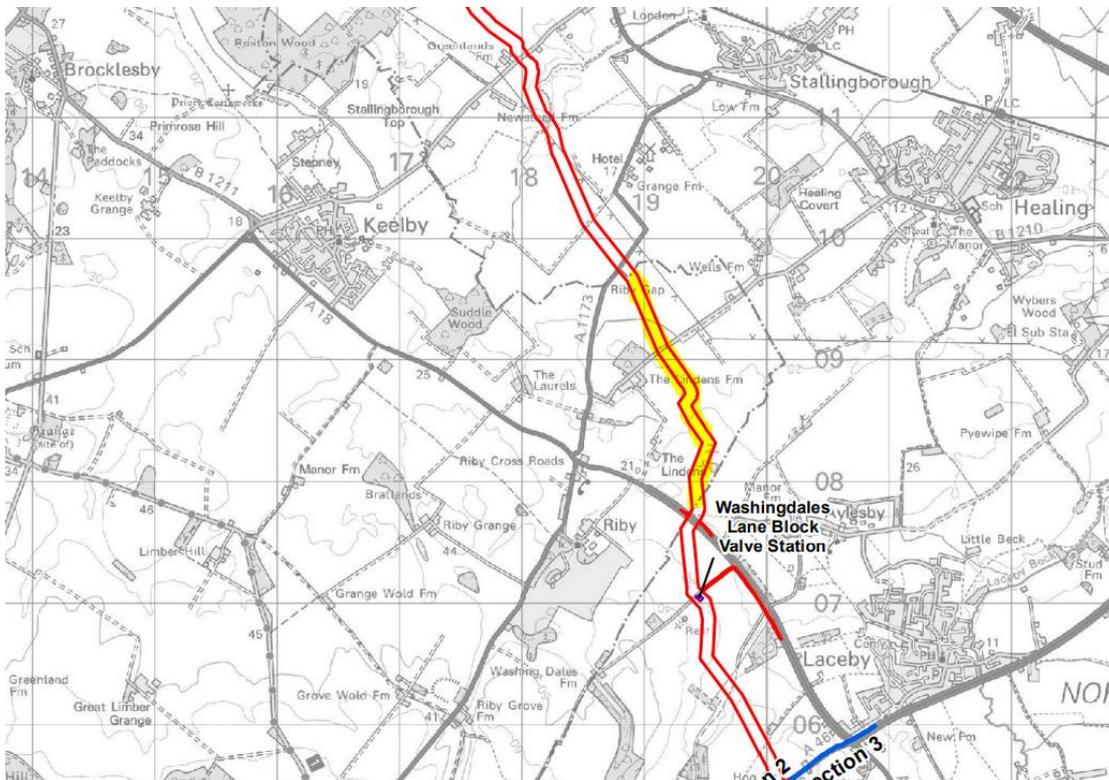
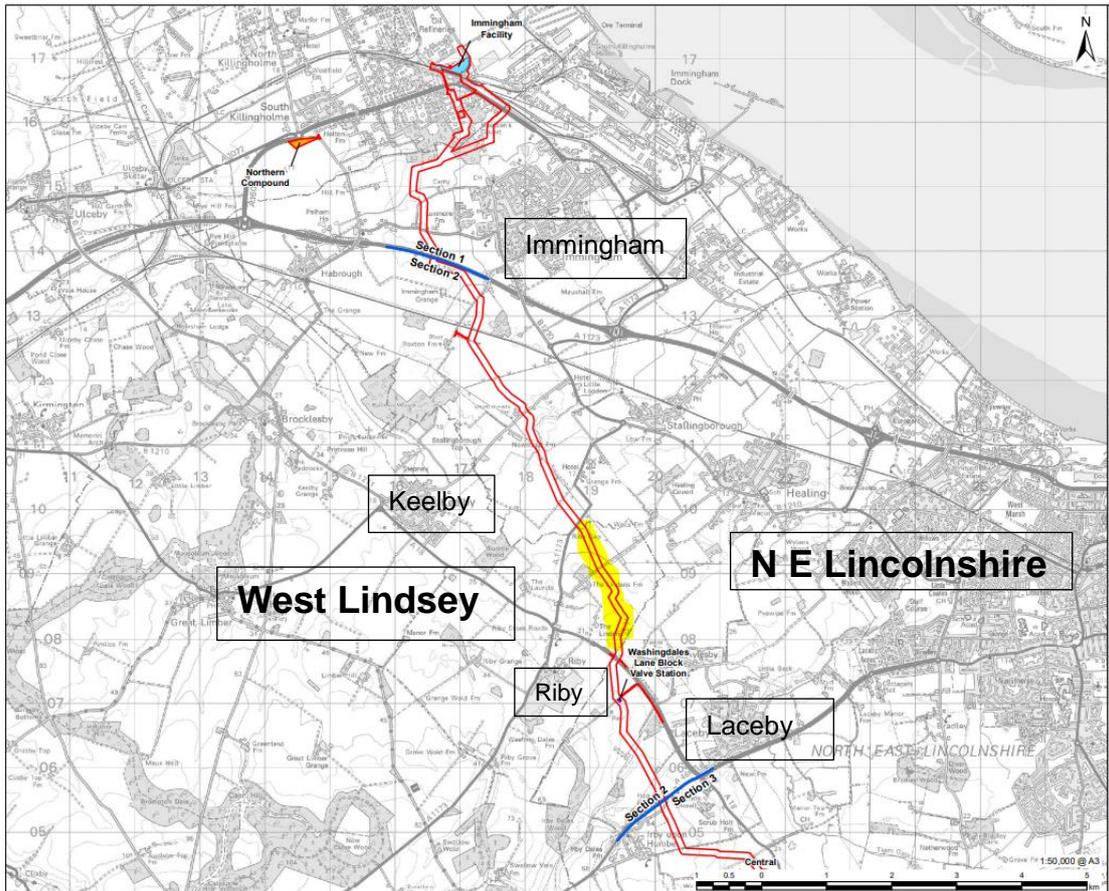
by 2035. The applicant claims the depleted Viking gas fields in the southern North Sea have been independently verified as having storage capacity for up to 300 million tonnes of CO₂.

2.3 The proposed development comprises the onshore elements of the scheme. Key components of the scheme will be:

- Immingham Facility;
- Approximately 55.5 km buried 24 inch (") onshore steel pipeline (including cathodic protection);
- Three Block Valve Stations;
- Theddlethorpe Facility
- Existing LOGGS Pipeline to the extent of the DCO Site Boundary and the Dune Isolation Valve;
- Temporary Works – construction compounds, temporary access points; and
- Other Works - permanent access, mitigation works, landscaping.

2.4 It will commence in the unitary authority of North East Lincolnshire where the pipeline will run approximately 22km; and into the County of Lincolnshire, partially through West Lindsey (2km) before running through East Lindsey (approximately 30km) to the coast.

2.5 Within West Lindsey itself, the project proposes for the pipeline to run below ground, at approximately 2,025 metres length – across agricultural fields. It would run approximately 2.5km away to the south east of the village of Keelby; and within 2km to the north east of the hamlet of Riby.



2.6 The pipeline will be designed for a minimum operational life of 25 years. The pipeline is expected to have an external diameter of 24" (609 mm) and be buried to a minimum depth of 1.2 m to the top of the pipe. This will be greater at crossing points of railways, roads and watercourses.

3.0 Local Impact Report (LIR)

3.1 As a “host authority”, the Examining Authority (ExA) has invited West Lindsey DC to submit a Local Impact Report (LIR).

3.2 A LIR is defined in legislation as ‘a report in writing giving details of the likely impact of the proposed development on the authority’s area (or any part of that area).’ (Planning Act 2008 Section 60(3)).

3.3 It is not a requirement for West Lindsey DC to submit an LIR. However, where one is submitted, the SoS is placed under a statutory duty to have regard to any Local Impact Report when making his decision. The National Infrastructure Planning advice note states that “as such local authorities should not underestimate the potential importance of this document in the context of the wider examination.”

3.4 The Advice note states that “Local authorities should cover any topics they consider relevant to the impact of the proposed development on their area. The LIR should be used by local authorities as the means by which their existing body of local knowledge and evidence on local issues can be reported to the ExA.”

3.5 In terms of its content, the guidance is clear that the LIR should cover any topics that they consider are relevant to the impact of the proposed development on their area. It does say:

“In producing a LIR, the local authority is not required to carry out its own consultation with the community. The report should consist of a statement of positive, neutral and negative local impacts, but it does not need to contain a balancing exercise between positives and negatives; nor does it need to take the form of a formal committee report. The Examining Authority will carry out a balancing exercise of relevant impacts, and these will include those local impacts specifically reported in the LIR. By setting out clearly evaluated impacts in a structured document, local authorities will assist the Examining Authority by identifying local issues which might not otherwise come to its attention in the examination process. It will also be very helpful to have the local authority’s appraisal of the proposed development’s compliance with local policy and guidance.”

3.6 The Advice Note does, however, make clear there is a distinction between LIRs and “written representations” – another key document that the local authority is being invited to make:

“Written representations and LIRs are distinct documents giving a local authority the opportunity to express information differently. The LIR is usually a technical document setting out an evidence based assessment of the impacts of a proposal on the communities affected. A written representation is the most appropriate document for a local authority to set out its view on the application i.e. whether or not it supports the application and its reasons.”

4.0 Written Representations (WR)

4.1 National Infrastructure Planning Advice Note 8.4 sets out that there is not a specific template for making Written Representations (WR). The advice does say:

“Written comments may support the application, object to the application, or be neutral. Comments and views can relate to the application as a whole or only address specific parts. It is also possible to support one aspect of the application and object to another. For example, a comment may support the location of a development, but object to the design of it. Comments may be about any aspect of the development or its impacts. It is very important that you explain the reasoning behind your views. The Examining Authority must have regard to any representations submitted by an Interested Party by the deadline set.”

4.2 As with the LIR, It is not mandatory for West Lindsey District Council to make written representations. However, this is the opportunity to set out the Council’s position and views on the development – to set out those aspects which we may wish to support, have a neutral view, or have objections to.

4.3 The Examining Authority must have regard to any WR submitted by the deadline. However, the Advice Note does say:

“Please note that once a representation is submitted it cannot be withdrawn. However, it is possible to provide further written and oral representations during the course of the examination, which can inform the ExA and interested parties if the local authority’s view or policy position changes, for example, due to a change in political leadership.”

5.0 Recommendations

5.1 It is recommended that West Lindsey District Council accepts the ExA invitation and submits a Local Impact Report (LIR) and written representations (WR) to the examination by deadline 1 (Friday 26th April).

5.2 In order to achieve this, both draft LIR and Written Representations have been prepared in advance for Members’ comment. The draft reports are appended to this report (see appendix 3 and 4).

5.3 It is recommended that the Committee review the draft LIR and WR, and delegate authority to the Director of Planning, Regeneration and Communities to complete, finalise and submit the final LIR and WR to the examination, taking into consideration committee’s comments, and having consulted with the Chair of this Committee.