

THE INFRASTRUCTURE PLANNING (APPLICATIONS: PRESCRIBED FORMS AND PROCEDURE) REGULATIONS 2009

Preesall Underground Gas Storage Facility, Lancashire

STATEMENT OF REASONS

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GLOSSARY

Term	Meaning/Definition
2008 Act	Planning Act 2008
A1P1	Article 1 of the First Protocol to the Convention
ABP	Associated British Ports
APFP Regulations	Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009
Book of Reference	a book of reference containing details of the land which would be acquired, and the names and addresses of all those who may be affected by the proposed acquisition
CCGTs	Combined Cycle Gas Turbines
Convention	The European Convention on Human Rights
DCO	Development Consent Order
DCO Application Documents	The Statement is part of a suite of DCO application documents listed in Appendix 1 to this Statement
ENWL	Electricity North West Limited
Funding Statement	A statement to explain how the proposals contained in the Order for compulsory acquisition will be funded
the Guidance	Department for Communities and Local Government: Planning Act 2008: Guidance related to procedures for compulsory acquisition
Halite	Halite Energy Group Limited
DCO Application Documents	DCO application documents listed in Appendix 1 to this Statement
IPC	Infrastructure Planning Commission
Land Plan	plans showing the plots of land that would be affected by compulsory acquisition
NSIP	nationally significant infrastructure project
NTS	National Grid National Transmission System
Order Land	the land which is specified in the Book of Reference
PESL	Preesall Energy Services Limited
Preesall Site	Project site at Preesall
Project	Underground Gas Storage facility at Preesall, Lancashire, together with associated infrastructure
Statement	Statement of Reasons
UGS	Underground Gas Storage

1 **SUMMARY**

- 1.1 Halite Energy Group Limited ("Halite") is applying to the Infrastructure Planning Commission ("IPC") for a Development Consent Order ("DCO") to construct and operate an Underground Gas Storage ("UGS") facility at Preesall, Lancashire, together with associated infrastructure ("Project").
- 1.2 This Statement of Reasons ("Statement") explains why it is necessary and justifiable for the DCO to contain powers of compulsory purchase and temporary use. In this Statement, the land which is specified in the Book of Reference (Doc. Ref. 7.3) is referred to as the "Order Land".
- 1.3 The matters covered by this Statement include:
- (a) a description of the Order Land and the area surrounding the Project site;
 - (b) details of the land required for the Project already in Halite's ownership or under contractual option;
 - (c) the land and rights to be subject to compulsory acquisition/temporary use and the purpose of such acquisition/temporary use;
 - (d) Halite's justification for granting compulsory purchase/temporary use powers.
 - (e) Human Rights Act aspects;
 - (f) special considerations affecting the land, in particular open space and Crown land;
 - (g) details of any other consents required in relation to the Project.
- 1.4 Halite and Preesall Energy Services Limited ("PESL") already own a substantial part of the interest required for the carrying out of the Project. Compulsory acquisition and temporary use powers are being sought by Halite in order to construct, operate, maintain and eventually decommission the Project on the Order Land. Without the Order Land, the Project cannot take place.
- 1.5 The Order Land required for compulsory acquisition is aligned with the requirements of the Project design. Halite has sought to design the Project with the minimum land requirement reasonably necessary. There are no alterations in design that would result in a material reduction in the land required for the Project.

- 1.6 The need for the Project is set out in national planning policy. The UK economy faces a major challenge as indigenous gas supplies decline and there is increasing dependence on imported gas. Without additional capacity to store gas, in the summer there will be higher gas prices for UK consumers and in winter an increased risk that supply disruptions will lead to gas shortages.
- 1.7 There is an acknowledged need for underground gas storage facilities in the UK and this is recognised in the overarching National Policy Statement ("NPS") for Energy (EN-1). The NPS states that a range of gas infrastructure is required including increased gas storage capacity.
- 1.8 There are a number of particular locational advantages to developing a UGS facility at Preesall:
- (a) Ideal salt deposit : The salt formation is not too deep below ground. The geological assessment that has been carried out by Halite confirms that the Preesall salt body is capable of storing gas safely.
 - (b) Excellent water source: Leaching salt caverns requires large amounts of water. Preesall's proximity to the sea allows the use of seawater for cavern washing and thus avoids significant demands on fresh water resources. The location also offers the opportunity to use the existing underutilised infrastructure at the Fleetwood Fish Dock as a water source.
 - (c) Large reliable existing electrical connection: The ICI Hillhouse complex at Thornton has historically been fed from the Stanah substation. The Stanah substation is one of the most robust and reliable connections to the NTS electrical grid. The proposed Stanah feed to the Project allows quiet, environmentally friendly electrical gas compression to be used and minimises the amount of new electrical infrastructure on the site needed to supply the Project.
 - (d) The existing NTS infrastructure: The National Gas Transmission System ("NTS") pipe system near Preesall was designed to handle the variable swing production from Morecambe Bay. It is extremely robust and ideally suited to supply and receive gas from Preesall.
 - (e) The location of the Project is at a physical midpoint on the NTS: The proposed pipeline connection from the Project is near the midpoint of the NTS. As pipelines are essentially pressure maintenance systems, ideally gas should enter any system at the midpoint. The midpoint connection is especially

good for system pressure maintenance during periods of high system demand or terminal interruption.

- (f) Replacement of Morecambe Bay's capabilities: The Morecambe Bay Gas Field was developed by British Gas as a super peaking gas supply. With the privatisation of British Gas, Morecambe Bay was used as a low load, high swing field that acted as a very large backstop to the capacity of the terminals. Morecambe Bay is now in decline and can no longer provide the swing it once could. The Project would have the ability to increase the swing capacity to make up that which is being lost from Morecambe Bay.
- (g) West coast terminals: The western leg of the Gas NTS has three main sources of supply, Fergus in Scotland, Barrow from Morecambe Bay and Burton Point from Liverpool Bay. These terminals are in decline and will continue to supply less gas each year to the UK. The Project would add capacity to the western leg of the NTS and assist the replacement of some of the lost terminal capacity.

1.9 Minerals can only be worked where they are found and Preesall is one of the few salt fields in the UK that does not already have an operating UGS facility or one that is under construction or with planning permission. There is therefore no practicable alternative to the proposed location of the UGS caverns forming part of the Project at Preesall.

1.10 Halite will seek to purchase land interests by agreement, conditionally upon the DCO being made, and/or through acquisition of options. Halite has demonstrated its commitment to purchasing land and rights by agreement, having already secured a substantial element of the land and interests required for the delivery of the Project.

1.11 There is a compelling case in the public interest for the grant of compulsory purchase/temporary use powers. The Project would:

- (a) meet the acknowledged need for underground gas storage facilities in the UK as recognised in Overarching National Policy Statement for Energy (EN-1).
- (b) be in accordance with national, regional and local planning and energy policy;
- (c) utilise the particular locational advantages of Preesall for underground gas storage;
- (d) provide employment opportunities;

(e) mitigate environmental impacts during its construction, operational and decommissioning phase.

1.12 Halite has the ability to procure the financial resources for the Project, which includes the cost of acquiring any land and the payment of compensation as applicable.

2 INTRODUCTION

- 2.1 Halite Energy Group Limited ("Halite") is applying to the Infrastructure Planning Commission ("IPC") for a Development Consent Order ("DCO") to construct and operate an Underground Gas Storage Facility ("UGS") Facility at Preesall, Lancashire, together with associated infrastructure ("Project").
- 2.2 This Statement of Reasons ("Statement") sets out the reasons for seeking powers for the compulsory purchase of land and rights and temporary use of land, in relation to the Project. These powers are being sought to ensure that Halite has the requisite powers to construct and operate the Project; a nationally significant piece of infrastructure for which there is a pressing need.
- 2.3 In this Statement, the land which is specified in the Book of Reference (Doc. Ref. 7.3) is referred to as the "Order Land".
- 2.4 This Statement explains how the inclusion of powers of compulsory acquisition in the DCO for the purposes of the Project meets the conditions of section 122 of the Planning Act 2008 ("2008 Act") and the relevant guidance of the Department for Communities and Local Government: Planning Act 2008: Guidance related to procedures for compulsory acquisition (the "Guidance"). In particular:
- (a) the need and support for such projects is established in the National Policy Statements, in particular the Overarching National Policy Statement for Energy (EN-1) and the National Policy Statement for Gas Supply Infrastructure and Gas and Oil Pipelines (EN-4);
 - (b) the Project is consistent with the Development Plan;
 - (c) investigations of all reasonable alternatives to compulsory acquisition demonstrate both the lack of availability of suitable alternative sites and that the land identified by Halite is the most appropriate for the purposes of the Project;
 - (d) clear and specific proposals of how the Order Land will be used demonstrate that the land required for the Project is no more than is reasonably required; and
 - (e) the requisite funds are available to meet any costs of land acquisition or compensation payable as a result of the use of compulsory acquisition powers.
- 2.5 The use of powers of compulsory purchase in these circumstances is legitimate and proportionate, and any interference with the human rights of those with interests in the land proposed to be acquired is

justified. Moreover, there is a compelling case in the public interest for the land to be acquired compulsorily.

- 2.6 This Statement also sets out the reasons for Halite seeking additional powers in the DCO for the temporary use of land (such powers are contained in Articles 2 & 24 of the draft DCO - Doc. Ref. 6.1).
- 2.7 The Statement is part of a suite of DCO application documents listed in Appendix 1 to this Statement ("DCO Application Documents"). It is informed by, and should be read alongside, those documents. It is intended that there should be minimal repetition between these documents and therefore where necessary short summaries are provided of the relevant information in this Statement and references are made to other DCO Application Documents where further detail is provided.

3 **THE LEGAL TESTS IN S122(2) AND 122(3) PLANNING ACT 2008 AND SUPPORTING REGULATIONS**

- 3.1 This Statement has been prepared in accordance with the requirements of Regulation 5(2)(h) of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (the "APFP Regulations") and the Guidance.
- 3.2 In accordance with the requirements of the APFP Regulations and the Guidance, Halite is providing the following documents relating to the compulsory acquisition/temporary use powers sought as part of the DCO application:
- (a) this Statement of Reasons;
 - (b) a statement to explain how the proposals contained in the Order for compulsory acquisition will be funded (the "Funding Statement" – Doc. Ref. 7.2);
 - (c) plans showing the plots of land that would be affected by the proposed acquisition (the "Land Plan" – Doc. Ref. 2.2); and
 - (d) a book of reference containing details of the land which would be acquired, and the names and addresses of all those who may be affected by the proposed acquisition (the "Book of Reference" – Doc. ref. 7.3).
- 3.3 Section 122 of the 2008 Act provides that an order granting development consent may include provisions authorising compulsory acquisition of land. To the extent that these are sought, the decision-maker must be satisfied that:
- (a) the land is required for the development;
 - (b) the land is required to facilitate or is incidental to the development; or
 - (c) the land is replacement land for commons, open spaces, etc.
- 3.4 It is also necessary for the decision-maker to be satisfied that there is a compelling case in the public interest for the inclusion of powers of compulsory acquisition in the DCO.¹
- 3.5 In addition to powers of compulsory acquisition, section 120 of the 2008 Act includes a power enabling the DCO to contain provisions

¹ This is required by section 122(3) of the 2008 Act.

relating to or matters ancillary to the development for which the DCO is sought. The matters in respect of which provision may be made include (but are not expressly limited to) the matters listed in Schedule 5 to the 2008 Act. These include:

- (a) 'the creation, suspension or extinguishment of, or interference with, interests in or rights over land.... compulsorily or by agreement' (paragraph 2);
- (b) 'the abrogation or modification of agreements relating to land' (paragraph 3); and
- (c) 'the payment of compensation' (paragraph 36).

3.6 At Article 21 of the draft DCO (Doc. Ref. 6.1) it is proposed, in reliance upon these powers, that a provision is included that expressly authorises any third party interests or encumbrances affecting the Order Land to be overridden pursuant to the DCO, ensuring that the Project can be constructed and operated, subject to the payment of compensation.

3.7 Section 122 of the 2008 Act further provides that a DCO that includes compulsory acquisition powers may be granted only if the conditions in sections 122(2) and 122(3) of the Act are met. The conditions are:

- (a) at section 122(2), that the land is required for the Project to which the DCO relates, or is required to facilitate or is incidental to the Project; and
- (b) at section 122(3), that there is a compelling case in the public interest for inclusion of powers of compulsory acquisition in the DCO.

3.8 The decision-maker must be persuaded that the public benefits derived from the compulsory acquisition will outweigh the private loss suffered by those whose land is to be acquired.

4 THE GUIDANCE TESTS

4.1 Annex 2 of the Guidance sets out the matters that a Statement of Reasons should address. The following sections of this Statement address those matters:

- (a) an outline of Halite's purpose in seeking to acquire the land, and details of the Project (see sections 5 and 8 of this Statement);
- (b) a brief description of the land subject to compulsory acquisition, its location, features and use (see sections 6 and 8 of this Statement);
- (c) an outline of Halite's justification for compulsory acquisition, including reference to the First Protocol to, and Article 8 of, the European Convention on Human Rights (see sections 9 and 10 of this Statement);
- (d) details of any reference to the land in an NPS. This is only relevant where there is a specific reference in a NPS to the development site in question. It is not applicable to the Project and is not dealt with further in this Statement;
- (e) description of the proposals for use or development of the land (see section 8 of this Statement);
- (f) any special considerations affecting the land to be acquired and details of how Halite intends to overcome any obstacle, or any prior consent needed before the scheme can be implemented, such as the need for an operational licence (see section 11 of this Statement); and
- (g) any other information of interest to someone who is or may be affected by the DCO (see this Statement generally and the DCO Application Documents listed at Appendix 1).

4.2 Paragraphs 20 to 22 of the Guidance set out a number of general matters that Halite must demonstrate to the satisfaction of the decision-maker to justify an order authorising compulsory acquisition. These are as follows:

- (a) that all reasonable alternatives to compulsory acquisition (including modifications to the Project) have been explored;
- (b) that the proposed interference with the rights of those with an interest in the Order Land is for a legitimate purpose and is necessary and proportionate;

- (c) that Halite has a clear idea of how the land it wishes to acquire will be used;
 - (d) that there is a reasonable prospect of the requisite funds for compensation becoming available; and
 - (e) that the purposes for which such powers are included are legitimate and sufficiently justify interfering with the human rights of those with an interest in the land affected.
- 4.3 In respect of the section 122(2) requirement, the Guidance makes clear (at paragraphs 23 and following) that the decision-maker must be in no doubt as to the purposes for which any land is to be compulsorily acquired. In relation to:
- (a) land required for a project to which the development consent relates: the promoter must be able to demonstrate that the land is needed and the decision maker must be satisfied that the land to be acquired is no more than is reasonably required for the purposes of the development; and
 - (b) land required to facilitate or land incidental to the proposed development: the land to be taken is no more than is reasonably necessary for the facilitation or for the incidental purpose, and that it is proportionate.
- 4.4 As required by s.122(3), paragraph 27 of the Guidance states that the decision-maker must be satisfied that there is a compelling case in the public interest for the land to be acquired compulsorily and that the public benefit will outweigh the private loss. In order for this condition to be met (see paragraph 28 of the Guidance) the decision-maker needs to be satisfied that the public benefits derived from the compulsory acquisition outweigh the impact on private rights that would be suffered by those whose land is acquired.
- 4.5 This Guidance has been followed in this Statement and sets out the information relevant to the matters set out above. Where necessary, it makes reference to more detailed information elsewhere in the DCO Application Documents.
- 4.6 The Statement is part of a suite of DCO Application Documents. It should be read in conjunction with the Land Plans (Doc. Ref. 2.2) and the Book of Reference (Doc. Ref. 7.3) and the other DCO Application Documents. It is intended that there should be minimal repetition between these documents and therefore where necessary short summaries are provided of the relevant information in this Statement and references are made to where further detail is provided in other DCO Application Documents.

5 THE PROJECT

5.1 Nationally Significant Infrastructure Project

5.1.1 Pursuant to sections 14 & 17 of the 2008 Act, an underground gas storage facility in England and Wales that is expected to have a working capacity of at least than 43,000,000 standard cubic metres storage is a nationally significant infrastructure project ("NSIP"). The proposed working capacity of the underground gas storage facility comprised within the Project is up to 600,000,000 standard cubic metres of gas storage and therefore the Project is a NSIP.

5.1.2 The need for UGS facilities is recognised in National Policy Statements, in particular the Overarching National Policy Statement for Energy (EN-1) and the National Policy Statement for Gas Supply Infrastructure and Gas and Oil Pipelines (EN-4).

5.2 Details of the Project

5.2.1 Halite is proposing to construct and operate an UGS facility comprising up to 19 underground natural gas storage caverns, providing up to 600 million standard cubic metres of 'working' gas, to be created by a solution mining process.

5.2.2 Other Associated Development (within the meaning section 115(2) of the 2008 Act) forming part of the Project includes:

- (a) wellhead compounds to accommodate the drilling rig and wellhead; gas manifolds and distribution infrastructure to connect the completed caverns to a gas compressor compound and interconnector pipeline;
- (b) water washing infrastructure to dissolve the salt and create caverns together with pumps and pipelines to draw seawater from the Fleetwood Fish Dock and pump it to the main Project site at Preesall and temporary drilling compounds at the dock. This includes a seawater pump station at Fleetwood Fish Dock and a booster pump station on the eastern bank of the River Wyre;
- (c) a gas compressor compound connected to the NTS near Nateby, approximately 12 km to the east of Preesall by gas distribution pipelines including a connection to the National Grid gas feeder pipelines;
- (d) a new access road from the A588 to the main Project site at Preesall;

- (e) a brine discharge pipeline from the main Project site at Preesall to a point approximately 2.3km offshore from Fleetwood to a two port diffuser;
- (f) two power, communication, control pipelines from Fleetwood Fish Dock to the main Project site at Preesall and underground electricity cables from United Utilities switchgear to the Stanah Switchyard to the gas compressor compound;
- (g) modification to the sea wall at Rossall, Fleetwood to accommodate brine outfall and new observation platform.

5.2.3 Further details of the Project are set out in the draft DCO (Doc. Ref. 6.1), Project Overview (Doc. Ref. 9.1.3) and the Environmental Statement (Doc. Ref. 5.1) which accompanies Halite's DCO application.

5.2.4 The works comprising the Project are described in Schedule 1 of the draft DCO. An outline of the works is as follows:

Work No. 1A— An underground gas storage facility to store gas in, extract gas from and inject gas into, with a total storage capacity of up to 900 million standard cubic metres and working capacity of up to 600 million standard cubic metres, both specified at standard temperatures and pressures, comprising up to 19 operational caverns formed by solution mining of the Preesall halite deposit; all to be constructed to any extent downwards below 220 metres below ground surface and to be confined within the Preesall halite deposit; and

Associated Development comprising—

Work No. 1B— Vertical wells, S-shaped wells, slant wells and extended reach slant wells and internal operational pipeline strings connecting the multiple well-head compounds (Work Nos. 2A to G) to the gas storage caverns (Work No.1A);

Work No. 2A— Wellhead compound area containing multiple wellheads

Work No. 2B— A wellhead compound area

Work No. 2C— A wellhead compound area

Work No. 2D— A wellhead compound area

Work No. 2E— A wellhead compound area

Work No. 2F— A wellhead compound area

- Work No. 2G**— A wellhead compound area
- Work No. 3**— A gas compressor compound
- Work No. 4**— A booster pump station
- Work No. 5**— A security and support facility at higher Lickow farm
- Work No. 6**— A new internal/external site road from the A588 up to and including the security and support facility at Higher Lickow farm (Work No. 5)
- Work No. 7**— A new internal site access road from the security and support facility at Higher Lickow farm (Work No. 5) to the gas compressor compound area (Work No. 3)
- Work No. 8**— New internal site access roads from the wellhead compounds (Works 2A to 2G) to the booster pump station (Work No. 4) and the gas compressor compound (Work No. 3)
- Work No. 9**— A gas manifold, distribution pipelines, power, control and telecommunications cables
- Work No. 10**— A wash water pipeline including underground pressure pipelines linking each wellhead compound (Work Nos. 2A to 2G) to the booster pump station and de-brine facility (Work No. 4)
- Work No. 11**— A brine outlet pipeline including underground pressure pipelines linking each wellhead compound (Work Nos. 2A to 2G) to the booster pump station and de-brine facility
- Work No. 12**— Wash water pipelines from the seawater pump station (Work No. 15) to the booster pump station (Work No. 4)
- Work No. 13**— A brine discharge pipeline between the booster pump station, (Work No. 4) and the seawater pump stations (Work No. 15)
- Work No. 14**— Twin 11kv power and control cables laid in pre-placed or proposed sleeves from the seawater pump station (Work No. 15) to the booster pump station and debrine facility (Work No. 4)
- Work No. 15**— A seawater pump station containing a wet well abstraction facility and multiple pumps connected to the fish dock by an existing culvert
- Work No. 16A**— A brine discharge pipeline from seawater pump station (Work No. 15) to United Utilities treatment plant

Work No. 16B— A brine discharge pipeline from United Utilities treatment plant to Jameson Road

Work No. 16C— A brine discharge pipeline from Jameson Road to the temporary works compound

Work No. 16D— A brine discharge pipeline from the Jameson Road temporary works compound

Work No. 16E— A brine discharge pipeline

Work No. 16F— A brine discharge pipeline

Work No. 16G— A brine discharge pipeline

Work No. 16H— A brine discharge pipeline

Work No. 16I— A brine discharge pipeline

Work No. 16J— A brine discharge pipeline

Work No. 16K— A brine discharge pipeline from the Rossall Promenade (sea wall) to approximately the mean low water mark

Work No. 16L— A brine discharge pipeline from approximately mean low water mark to the pipeline's termination at the single two-port diffuser

Work No. 17A— 132kv cables from the electric substation at the gas compressor compound (Work No. 3) to the south river crossing and splice pits laid in trench beneath Agglesby Road, Corcas Lane, the public highway linking High Gate Lane with Burrows Lane named as being part of High Gate Lane and Burrows Lane

Work No. 17B— Twin sleeves and 132kv electricity cables from the south river temporary exit compound

Work No. 17C— Twin sleeves and 132kv electricity cables from the south river temporary entry compound to National Grid substation and switchyard at Stanah

Work No. 18— 11kv electrical circuits from the electrical substation/switchyard at the gas compressor compound (Work No. 3) to the booster pump station (Work No. 4)

Work No. 19— Electrical control cables extending from the proposed electrical substation /switchyard at the gas compressor compound (Work No. 3) to the booster pump station (Work No. 4)

Work No. 20A— An interconnector gas pipeline from the gas compressor compound (Work No. 3) to the A588 Hall Gate Lane

Work No. 20B— An interconnector gas pipeline from the A588/Hall Gate Lane to Lancaster Road

Work No. 20C— An interconnector gas pipeline from Lancaster Road to Bradshaw Lane

Work No. 20D— An interconnector gas pipeline from Bradshaw Lane to Bone Hill Lane

Work No. 20E— Interconnector gas pipeline from Bone Hill Lane to Black Lane

Work No. 20F— An interconnector gas pipeline from Black Lane connecting to a metering station (Work No. 21)

Work No. 20G— An interconnector gas pipeline connecting from metering station (Work No. 21) National Grid feeder main No. 21 to Station Lane

Work No. 20H— An interconnector gas pipeline from Station Lane connecting to National Grid feeder main No. 15

Work No. 21— An interconnector gas pipeline metering station

In connection with the above Work Nos. further associated development within the Order Land is proposed consisting of:

- (a) mechanical, electrical and telecommunications equipment and the provision of utilities services;
- (b) ramps, means of access, footpaths and bridleways;
- (c) embankments, shafts, foundations, retaining walls, drainage, fencing and culverts;
- (d) works to alter the course of, or otherwise interfere with a watercourse other than a navigable watercourse;
- (e) works to remove or alter the position of apparatus including mains, sewers, drains and cables;
- (f) landscaping, ecological mitigation works and other works to mitigate any adverse effects of the construction, maintenance or operation of the Project;
- (g) works for the benefit or protection of land affected by the Project;

- (h) works required for the strengthening, improvement, maintenance or reconstruction of any streets;
- (i) works to install subsidence monitoring systems and equipment where any subsidence to existing brine caverns may affect any part of the Project; and
- (j) such other works, including working sites and works of demolition as may be necessary to expedite for the purposes of or in connection with the construction of the Project and which fall within the scope of the environmental impact assessment.

6 **THE ORDER LAND AND THE AREA SURROUNDING THE PROJECT SITE**

6.1 **Existing Land Use**

6.1.1 To the west of the Wyre Estuary is the Fleetwood peninsula, the eastern side of which is fronted from north to south by Fleetwood Docks, the former power station site (currently being reclaimed for ecological and recreational purposes), Jameson Road landfill/wastewater treatment works and land associated with the former ICI works.

6.1.2 The main Project infrastructure is located to the south east of Fleetwood, a seaside town situated on the Fylde Coast, and includes land on either side of the Wyre Estuary.

6.1.3 The area surrounding the main Project site at Preesall is mainly agricultural farmland. There are a number of small villages along the A588 in the vicinity of the development including Cold Row, Moor End, Stalmine and Preesall Park, along with isolated residential properties fronting a number of the minor roads in the area. There is also a recreational caravan park, 'The Heads', bounded by the southern half of the main Project site at Preesall adjacent to the estuary. The village of Staynall and a further caravan site are located at the southern end of the main Project site.

6.1.4 In the northern area of the Project site is Preesall Wastewater Treatment Works, Cote Walls Farm and a golf course, beyond which is the settlement of Knott End-on-Sea. To the north east is Preesall, to the east Stalmine and to the south Staynall (with Hambleton beyond). There are a number of scattered farmsteads in the area, which are typical of the rural area comprising old houses and a mixture of traditional and modern agricultural buildings and hard standings. There is one recreational static caravan park at 'The Heads'.

6.1.5 The Preesall area of the Project site is characterised by a mixture of scattered settlements, meandering lanes and open agricultural fields of varying quality, interspersed with blocks of woodland, dense hedgerows and farmsteads. The Wyre Estuary comprises a series of low lying salt marshes. The eastern bank has no industrial development.

6.2 **Topographical Features**

Topographically the Project area is predominantly low-lying with ground elevation typically below 10mAOD for the entirety of the Project. To the immediate east of the Wyre Estuary, the proposed

underground storage caverns area is situated within an undulating drumlinoid landscape, designated as a Local Geodiversity Site, however the majority of the permanent surface works are situated within low-lying regions, with only one proposed wellhead compound and the Stanah electricity cable trenching works, traversing the higher elevation drumlin land features.

6.3 Existing Highways, Public Rights of Way and Site Access

6.3.1 Roads within the Preesall area include Staynall Lane, High Gate Lane, Brown’s Lane, Cemetery Lane and Back Lane together with strategic (A588, A585 and M55 Motorway) networks. The A588 Hall Gate Lane is the main highway to the east of the site with minor roads (e.g. High Gate Lane and Back Lane) providing access to the main Project site. The Fleetwood area contains both local (Herring Arm Road, A585 Amounderness Way and West Way) and strategic (A585, A586 and M55 Motorway) routes. The A585 Amounderness Way is the main highway to the west of the main site at Fleetwood.

6.3.2 There is a network of public rights of way (PRoW) within the study area which includes several footpaths and bridleways. These include:

FP12	FP43
FP11	FP31
BW2a	BW29
FP42	FP34
FP61	FP39
FP45	FP4
	FP2

6.3.3 The Lancashire Coastal Way, a popular 137 mile footpath that follows the coastline between Merseyside and Cumbria, traverses the proposed brine outfall pipeline along the seawall.

6.3.4 In addition the Wyre Way long distance path traverses the Project site boundary on both sides of the Estuary. To the east it follows the line of the Wyre Estuary from Knott End to Hambleton and to the west it runs up through Stanah along the Estuary and along West Way eventually linking up with the Lancashire Coastal Way.

6.4 Designated Sites within the Project site and Surrounding Area

6.4.1 Statutory designated sites for nature conservation within the area of the Project site include Shell Flat and Lune Deep candidate Special Area of Conservation (cSAC), Liverpool Bay Special Protection Area (SPA), Morecambe Bay SAC, SPA and Ramsar, Wyre Estuary Site of Special Scientific Interest (SSSI), Lune Estuary SSSI and Winmarleigh Moss SSSI. In addition, several locally designated Biological Heritage Sites (BHSs) and a Local Geodiversity Site exist within the area.

6.4.2 Wyre Estuary SSSI, Morecambe Bay SPA and Ramsar, several BHSs and the Local Geodiversity Site are located within the DCO application boundary area.

6.5 Historical Land Use of the Project site and Surrounding Area

6.5.1 Historical land use varies throughout the area and includes historic landfills, former industrial facilities and historic underground workings. The underground workings are particularly relevant as they relate to the working of the Preesall halite deposit. Two methods of underground working were employed:

- (a) The Preesall Salt Mine was sunk and operated by the United Alkali Company between 1894 and 1934; thereafter ownership passed to ICI. Mining was undertaken by pillar and stall methods at two levels within the Preesall Halite deposit. The mine operated in a dry condition until 1919 however by 1930 groundwater control within the upper mine became untenable and the mine was abandoned. In 1934, a 5-acre collapse crater subsided above the north-east footprint of the mine. The mine was subsequently flooded and mine shafts capped.
- (b) The Preesall Brinefield: brinefields comprise underground cavities dissolved or washed into the salt deposit by boreholes sunk to the salt deposit, with the brine solute subsequently pumped to surface for salt extraction by evaporation. Between 1876 and 1993, successive owners (Fleetwood Salt Works, United Alkali and finally from 1956, ICI), sunk 112 brinewells typically to form cavities of 30-60m diameter and up to 100m height. Chronologically brinewell geographic distribution advanced from the north-east to the south-west as improvements in drilling techniques allowed exploitation of the thicker and deeper deposits. Brining techniques evolved over time; initially uncontrolled over-exploitation by 'wild-brining' and 'forced brining' techniques effectively undermined and weakened the overlying Mercia Mudstone.

- 6.5.2 Historic landfills in the Fylde Peninsula area include Rossall College, land at Jameson Road, Jameson Road Power Station and Fleetwood Power Station. To the eastern extent of the Project site, historic landfills are recorded at North Woods Hill Farm, Nateby-Garstang Railway cutting and Longmoor Lane, Garstang.

6.6 **Conservation and Heritage**

There are no Scheduled Ancient Monuments within the immediate surroundings although several other features of cultural heritage interest are located within the vicinity including Fleetwood Conservation area, Parrox Hall, Preesall (Grade II* Listed Building), Hackensall Hall, Preesall (Grade II Listed Building) together with several non-designated archaeological remains and marine archaeological sites.

7 **LAND REQUIRED FOR THE PROJECT ALREADY IN HALITE'S OWNERSHIP OR UNDER CONTRACTUAL OPTION**

- 7.1 Halite and Preesall Energy Services Limited (PESL) already own a freehold interest in 539.5 hectares (1,333 acres) of land at and around the main Project site at Preesall ("Preesall Site"). Halite has entered into an agreement with PESL which secures for Halite the necessary rights to construct and operate the Project on any land owned by PESL. The majority of the agricultural land is occupied and actively farmed under a series of agricultural tenancies which confer varying degrees of security on the tenants.
- 7.2 The Preesall Site is where the majority of the above ground infrastructure will be located, including the wellhead compounds, the gas compressor compound, the booster pump station, the security and support facility, the gas manifold and distribution infrastructure, certain segments of the seawater, brine discharge and gas interconnector pipelines, and other necessary infrastructure. The primary operations of the Project will be conducted and managed on the Preesall Site.
- 7.3 In addition to the Preesall Site, Halite has acquired the following interests and rights in land relating to the Project:
- 7.3.1 the freehold acquisition of land, a lease and an easement strip from the Associated British Ports ("ABP") in connection with the seawater pump station, seawater pipeline and brine pipeline. This land consists of approximately 2.2 hectares (5.5 acres) at Fleetwood Fish dock together with rights for a temporary construction compound and was acquired in 2006. The freehold land acquired is the former track bed of a disused railway line that supplied coal to the former power station on the site. The lease for the seawater abstraction, seawater pump station site, leasehold easement for the brine

pipelines and the temporary site for drilling operations is for 50 years from September 2006 at an annual rent.

- 7.3.2 An option to acquire 1.1 hectares (2.75 acres) of land for the gas metering station on the NTS Interconnector pipeline at Nateby. This option is for a period of four years from 9th September 2009 with an option to extend for a further four years. The land has full rights of access along the former disused railway line adjacent to the Transco compound on the NTS feeder pipeline.
- 7.3.3 The long sea outfall runs approximately 2.3 kilometres from Rossall Beach to the diffuser ports in the Irish Sea. The sea bed below the lowest astronomical tide is owned by The Crown. Principal terms have been agreed with The Crown for a lease for the long sea outfall based on a term of 50 years.
- 7.3.4 Halite is also progressing negotiations with the majority of other landowners and agricultural tenants that have interests in the Order Land to try and reach agreement.

8 THE LAND AND RIGHTS TO BE SUBJECT TO COMPULSORY ACQUISITION / TEMPORARY USE AND PURPOSE OF ACQUISITION / TEMPORARY USE

- 8.1 The Order Land is shown on the Land Plan (Doc. Ref. 2.2).
- 8.2 In broad terms, the purpose of the compulsory acquisition and temporary use powers being sought by Halite is to construct, operate, maintain and eventually decommission the Project on the Order Land.
- 8.3 **Summary of Compulsory Purchase Powers Being Sought**
 - 8.3.1 Whilst Halite has already acquired or has contractual options in place for a substantial element of the land and rights required for the Project (further details at section 7 above), a range of compulsory acquisition and temporary use powers are necessary to acquire and/or use the remaining land and rights. A summary of the land and rights required for the proposed Project which Halite do not currently own or have contractual options to acquire (and is therefore seeking compulsory purchase and temporary use powers in relation to such land and rights) is set out below:
 - 8.3.2 compulsory acquisition of rights relating to the interconnector pipeline from the Preesall Site to the National Grid NTS at Nateby approximately 12 kilometres to the east of the Preesall site.

- 8.3.3 compulsory acquisition of rights relating to the seawater and brine discharge pipeline between the Preesall Site and of the long sea outfall at Rossall.
- 8.3.4 compulsory acquisition of rights relating to the electricity supply cable between the Stanah Switchyard and the Preesall Site.
- 8.3.5 compulsory acquisition of land on Knott End Golf Course just to the north of the Preesall sewage works, which Halite requires for the development of a wellhead compound and landscaping.
- 8.3.6 compulsory acquisition of land for the permanent access road between A588 and Back Lane to provide access into the Preesall Site.
- 8.3.7 compulsory acquisition of rights relating to landscaping and ecological mitigation works.
- 8.4 In addition to the above, Halite is seeking compulsory purchase powers in respect of land which is within its freehold ownership (or that of PESL) but which is subject to agricultural tenancies. Halite is seeking powers to acquire interests or rights in such land as follows:
 - 8.4.1 compulsory acquisition of land for above ground infrastructure required for the Project on the Preesall site including the gas compressor compound, wellhead compounds, booster pump station, the security and support facility, the gas manifold and distribution infrastructure, certain segments of the seawater, brine discharge and gas interconnector pipelines, and other necessary infrastructure
 - 8.4.2 compulsory acquisition of rights for carrying out and maintaining landscaping and ecological mitigation works;
 - 8.4.3 compulsory acquisition of rights relating to gas manifolds, distribution pipelines, power, control and communications cables linking the wellhead compounds to the gas compressor compound;
 - 8.4.4 compulsory acquisition of rights in respect of the brine discharge pipeline, interconnector pipeline, electricity supply cable, seawater pipeline and brine outlet pipeline;
 - 8.4.5 compulsory acquisition of rights relating to the wells connecting the wellheads to the underground gas storage caverns;
- 8.5 To enable acquisition of any undisclosed or unknown interests and also the subsoil beneath Knott End Golf Club, Halite is seeking compulsory purchase powers to acquire any interests within the subsoil of the land within which the caverns will be created, at a depth of not less than 175 metres below the surface of the land (the underground gas storage caverns will be created below this depth). As described above, Halite own the freehold of land within which the

caverns will be created, save for the land beneath Knott End Golf Club. Halite is also seeking compulsory purchase of rights relating to the wells connecting the wellheads to the underground gas storage caverns in land outside its freehold ownership in the area of Knott End Golf Club.

8.6 The table at Appendix 2 sets out how each plot identified on the Land Plan is intended to be used for the Project.

8.7 **Summary of Temporary Use Powers Being Sought**

8.7.1 In order to minimise the extent of permanent compulsory acquisition of land or rights, Halite will where appropriate rely on temporary use powers in order to construct the Project on any land not within its control. This approach will enable Halite to minimise the exercise of compulsory acquisition of land or rights for the Project and allow land that is not required for the Project following completion of construction to revert to the landowners/occupiers. Halite consider that this is a proportionate exercise of compulsory purchase and temporary use powers.

8.7.2 All the Order Land will be required for temporary use during the construction of the Project, save that temporary use powers will not be exercised over land which will be subject to outright acquisition (as opposed to acquisition of rights only). In broad terms, the temporary use powers are required for:

- (a) construction of the Project;
- (b) creation of temporary work compounds for construction of the Project;
- (c) laying of the NTS interconnector pipeline, the brine discharge pipeline and the electricity supply cable and creation of working widths for these works;
- (d) laydown areas for construction materials;
- (e) creation of temporary accesses from the public highway or land outside the Order Limits to enable construction of the Project;
- (f) regulating access to Order Land during the construction period to ensure the construction areas are secure and safe.

8.8 The areas required for temporary use have been identified by Halite and its contractors who have sought to minimise the land required to that which is reasonably necessary. The table at Appendix 3 sets out the plots on the Land Plan proposed for temporary use and the purpose of such temporary use.

8.9 Halite is also seeking temporary use powers over the Order Land for maintenance of the Project.

8.10 **Third Party Rights affecting Order Land**

Easements and Other Rights

8.10.1 Article 21 of the draft DCO (Doc. Ref. 6.1) ensures that existing private rights over so much of the Order Land as is subject to outright acquisition under Article 18 of the draft DCO or acquisition of rights under Article 19 of the draft DCO are extinguished or suspended so as not to interfere with the construction, operation and maintenance of the Project; but such private rights will continue if Halite determines that they can be exercised without interfering with the Project, making extinguishment or suspension unnecessary. These private rights are identified in Part 3 of the Book of Reference.

8.10.2 Part 2 of The Book of Reference (Doc. Ref. 7.3) identifies those that might be entitled to make compensation claims for interference with legal rights they possess as a result of the Project under section 10 Compulsory Purchase Act 1965 or Part 1 Land Compensation Act 1973.

8.11 **Land in Unknown Ownership**

8.11.1 In respect of any land where the owner was not known following reasonable enquiries, site notices were affixed on site on or near the relevant plot of land, providing details of the Project and asking for any person with an interest in the land to contact Halite.

9 **HALITE'S JUSTIFICATION FOR COMPULSORY ACQUISITION**

9.1 **Requirement for Order Land**

9.1.1 The Order Land is required for (or incidental to) the purposes of the Project. Without the Order Land, the Project cannot take place.

9.1.2 Without powers of compulsory acquisition and temporary use, all of the Order Land would be unlikely to be assembled and Halite would be prevented from delivering the Project. The contribution of the Project to the recognised national need for underground storage gas facilities would not be met.

9.2 **Minimum Necessary Land Area**

9.2.1 The limits of the Order Land and the rights to be acquired identified in the Book of Reference, have been drawn as tightly as reasonably possible at this stage so as to avoid unnecessary land take. If, in the event, less land is required, Halite would not seek to acquire all the Order Land.

9.2.2 The Order Land required for compulsory acquisition is aligned with the requirements of the Project design. The Project design has emerged following extensive consultation with technical and other consultees. Halite has sought to design the Project with the minimum land requirement reasonably necessary. There are no alterations in design that would result in a material reduction in the land required for the Project. Moreover, from the perspective of compulsory acquisition, there is no reasonable prospect of an alternative design being proposed that would avoid the need for the acquisition of land and rights explained above.

9.2.3 As stated above, in order to minimise the extent of permanent compulsory acquisition of land or rights, Halite will where appropriate rely on temporary use powers in order to construct the Project on any land not within its control. This approach will enable Halite to minimise the exercise of compulsory acquisition of land or rights for the Project and allow land that is not required for the Project following completion of construction to revert to the landowners/occupiers.

9.3 **Need for the Project**

National Need

9.3.1 The need for the Project is set out in national planning policy and in the Report 'Preesall Need Case' (Doc. Ref. 9.1.5). The UK economy faces a major challenge as indigenous gas supplies decline and there is increasing dependence on imported gas. Without additional capacity to store gas, in the summer there will be higher gas prices for UK consumers and in winter an increased risk that supply disruptions will lead to gas shortages.

9.3.2 There is an acknowledged need for UGS facilities in the UK and this is recognised in the Overarching National Policy Statement for Energy (EN-1). The NPS makes the point that the UK is 'highly dependent on natural gas' (para 3.8.1) with 'strong seasonal variations in demand' (para 3.8.3) such that it needs a diverse mix of gas storage and supply infrastructure to respond effectively in future to the large daily and seasonal changes in demand and to provide endurance capacity during a cold winter (para 3.8.7).

9.3.3 The NPS makes reference research commissioned by DECC which examines the future risks to Great Britain's security of gas supplies over the medium term to 2025. Under the heading of the 'need for more gas infrastructure' NPS EN1 states:

'This assessment considered the impacts if various adverse events should occur – such as a particularly cold winter, an interruption to a major source of supply, a

failure of a major piece of infrastructure, or a combination of these events. Using cautious assumptions about the build-up of gas supply infrastructure, the assessment showed that, whilst the gas market is largely robust to a range of adverse events, the risk of shortfalls in supply cannot be ruled out, nor the risk that there may need to be significant rises in wholesale gas prices in order to balance the market. Further infrastructure – beyond that which exists or is under construction at present – will be needed in future in order to reduce supply or price risks to consumers’ (para 3.8.8).

9.3.4 The NPS makes the point that a range of gas infrastructure is required including ‘increased gas storage capacity, whether for gaseous gas in underground storage facilities, or as LNG in tanks above ground, is required to provide close-to-market ‘swing supply’ to help meet peak demand. Demand varies considerably throughout the day and it is necessary for some sources to be close to the market so that gas is quickly available. Gas supply infrastructure will also need to keep pace with any changes in the regional demand for gas across the UK – which may change due to changes in location of population and/or commercial or industrial demand’ (para 3.8.9)

9.3.5 The NPS notes that gas stored in caverns in salt strata deep underground, have fast withdrawal and refill rates which helps gas supply companies to respond to changing market conditions from day to day (“diurnal”) and week to week. Close-to-market gas storage also provides a prompt supply capability, which is particularly valuable when there is a delay before gas imports can respond to a market signal for increased supplies (para 3.8.12).

Suitable Storage Sites

9.3.6 There are very limited opportunities to build relatively low cost storage facilities in the UK. Shallow salt cavern storage of the type proposed by Preesall have the ideal operating characteristics for the 2020 energy market. There are limited other suitable sites for shallow salt storage development in the UK.

9.3.7 Preesall presents an ideal opportunity to develop a facility that could be used for decades to come with a lower carbon footprint than similar facilities.

Offshore Storage Costs

9.3.8 Offshore storage has always been expensive compared to onshore storage due to the high capital cost uplift for offshore developments compared to onshore. This explains why there are only 3 such projects in the European Union.

Locational Benefits

- 9.3.9 The ability of gas from Preesall to enter the NTS at a location where there is spare capacity is beneficial for UK consumers in that National Grid may not have to make any significant investment to accommodate Preesall gas flows.
- 9.3.10 In addition, the area close to the location of Preesall is a critical area of the NTS located between gas inputs at Barrow to the North and Milford Haven to the South respectively. Inputting gas at the heart of this network is beneficial because it can be directed down a number of different pipelines, providing flexibility to National Grid.
- 9.3.11 Gas moves relatively slowly through the NTS (around 30 mph) and hence the changes in demand for gas caused by the wind-Combined Cycle Gas Turbines ("CCGTs") interaction cannot easily be met by pipelines moving gas over long distances. NTS line-pack may be able to provide some short term flexibility, but this is limited in volume and duration. Preesall's location can provide more of the necessary flexibility due to its proximity to CCGTs.
- 9.3.12 The Morecambe Bay Gas Fields were developed by British Gas as a super peaking gas supply. Now almost 30 years old, the Morecambe gas production is low and the fields can no longer provide significant swing capacity. Preesall has the ability to replace the declining swing capacity of Morecambe Bay gas.

Economic and Environmental Benefits of Shallow Salt

Existing alternatives to Preesall where salt cavities have been developed are typically deep salt caverns. These require much higher pressures to operate flexibly (250 bar maximum) whereas Preesall only operates at a maximum pressure of around 95 bar.

Additional reasons why Preesall is a good location in the UK to develop a UGS facility:

- 9.3.13 Set out below are additional reasons why Preesall is a good location to develop a UGS facility:
- (a) Ideal salt deposit : The salt formation is not too deep being some 220 to 400 metres below ground. The geological assessment that has been carried out confirms that the salt body is capable of storing gas safely.
 - (b) Excellent water source: Leaching salt caverns requires large amounts of water. Preesall's proximity to the sea allows the use of seawater for cavern washing and thus avoids significant demands on fresh water resources. The location also offers

the opportunity to use the existing underutilised infrastructure at the Fleetwood Fish Dock as a water source.

- (c) Large reliable existing electrical connection: The ICI Hillhouse complex at Thornton has historically been fed from the Stanah substation. The Stanah substation is one of the most robust and reliable connections to the NTS electrical grid. The Stanah feed to the Preesall project allows quiet, environmentally friendly electrical gas compression to be used and minimises the amount of new electrical infrastructure on the site needed to supply the Project.
- (d) The existing NTS infrastructure: The National Gas Transmission System (NTS) pipe system near Preesall was designed to handle the variable swing production from Morecambe Bay. It is extremely robust and ideally suited to supply and receive gas from Preesall.
- (e) The location is at a physical midpoint on the NTS: The proposed pipeline connection from the Project is near the midpoint of the NTS. As pipelines are essentially pressure maintenance systems, ideally gas should enter any system at the midpoint. The midpoint connection is especially good for system pressure maintenance during periods of high system demand or terminal interruption.
- (f) Morecambe Bay's reduced capabilities: The Morecambe Bay Gas Field was developed by British Gas as a super peaking gas supply. With the privatisation of British Gas, Morecambe Bay was used as a low load, high swing field that acted as a very large backstop to the capacity of the terminals. Morecambe Bay gas production is now low and can no longer provide significant swing capacity. The Project would have the ability to increase the swing capacity to make up that which is being lost from Morecambe Bay.
- (g) West coast terminals: The western leg of the Gas NTS has three main sources of supply, Fergus in Scotland, Barrow from Morecambe Bay and Burton Point from Liverpool Bay. These terminals are in decline and will continue to supply less gas each year to the UK. The Project would add capacity to the western leg of the NTS and assist the replacement of some of the lost terminal capacity.

9.3.14 The Project would be an energy efficient gas storage project as the gas is stored virtually at the same pressure as the NTS which means that it requires less energy to store and return the gas to the NTS than is used in storage schemes that operate at greater depth and pressure.

- 9.3.15 There are clear policies and statements from the UK Government, National Grid and Ofgem that they are supportive of the development of new gas storage facilities to provide increased security of gas supplies. Without additional gas storage there will be both higher gas prices for UK consumers and an increased risk that supply disruptions in winter will lead to gas shortages. To maintain supplies to UK consumers at reasonable prices and to provide flexibility for wind generation, it is critical that new gas storage is developed in the UK. The rate of decline of indigenous UK gas production means that there is now some urgency in respect of this requirement.
- 9.3.16 As a result of the development of intermittent wind generation to meet climate change targets, there is an increasing requirement for flexible gas storage, which the Project will be able to provide.
- 9.3.17 These locational and Project specific capabilities give the Project specific advantages of scale, speed, reliability and costs in assisting security of gas supply in the UK. A more detailed analysis of need is set out in the 'Preesall Need Case' (Doc. Ref. 9.1.5) and in the 'Planning and Sustainability Statement' (Doc. Ref. 9.1.1).

9.4 **National Policy**

- 9.4.1 The planning basis to the need for the Project is derived from national planning policy. There is an acknowledged need for UGS facilities in the UK and this is recognised in the Overarching National Policy Statement for Energy (EN-1). The NPS makes the point that the UK is 'highly dependent on natural gas' (para 3.8.1) with 'strong seasonal variations in demand' (para 3.8.3) such that it needs a diverse mix of gas storage and supply infrastructure to respond effectively in future to the large daily and seasonal changes in demand and to provide endurance capacity during a cold winter (para 3.8.7).
- 9.4.2 Further details of national planning policy relevant to the Project is contained in the 'Planning and Sustainability Statement' (Doc. Ref. 9.1.1) and the 'Preesall Need Case' (Doc. Ref. 9.1.5).

9.5 **The Development Plan**

- 9.5.1 For the purposes of the Project, the development plan comprises:-
- (a) The North West of England Plan, Regional Spatial Strategy to 2021 (2008);
 - (b) The Lancashire Minerals and Waste Core Strategy 'Managing our Waste and Natural Resources' (2009);
 - (c) Fleetwood – Thornton Area Action Plan (2009)

- (d) The 'saved' policies of the Replacement Joint Lancashire Structure Plan 2001-2016 (2005);
- (e) The 'saved' policies of the Lancashire Minerals and Waste Local Plan 2006 (2001);
- (f) The 'saved' policies of the Wyre Borough Local Plan (1999).

9.5.2 A review of the Project against the development plan and other planning policies is set out in the 'Planning and Sustainability Assessment (Doc. Ref. 9.1.2). The assessment concludes that the Project accords with the provisions of the development plan. The construction of the booster pump station, the gas compressor compound, the wellheads and the interconnector metering station is development within the open countryside for which planning permission would not normally be granted. However, planning policy does make it clear that minerals can only be worked where they are found and, therefore, development can be acceptable. This is particularly the case with the Project as alternative sites for these aspects of the Project have been considered and rejected on operational and safety grounds.

9.6 **Existing Planning Status of the Site**

Whilst there is no planning permission in existence for the Project, this is entirely consistent with the requirements of the Planning Act 2008, as the DCO would authorise both the development and operation of the Project and the associated compulsory purchase powers that are required.

9.7 **Land Use Impacts of the Project**

The application for the DCO is supported by a full Environmental Statement (Doc. Ref. 5.1), the conclusions of which have been drawn on in the Planning and Sustainability Statement (Doc. Ref. 9.1.1). This concludes that all specific impact assessment criteria of the relevant NPSs and national, regional and local planning policy have been met.

9.8 **Consideration of reasonable Alternatives**

9.8.1 Minerals can only be worked where they are found and Preesall is one of the few saltfields in the UK that does not already have an operating UGS facility or one that is under construction or with planning permission. There is therefore no practicable alternative to the proposed location of the underground storage caverns forming part of the Project at Preesall. The Geology Summary Report (Doc. Ref. 9.2.2) explains why the proposed location of the underground gas storage caverns forming part of the Project is the most suitable

from a geological perspective. Although the underground gas storage caverns can only be located where suitable salt beds are located, Halite has examined a number of alternative designs for the Project. Proposals for a UGS facility at Preesall have had a long planning history and a number of alternative schemes have been submitted and refused planning permission. The Project represents a smaller and more compact development than previous proposals for a UGS facility at Preesall, but a number of alternatives have been assessed in the evolution of the Project design, including:

- (a) Alternative locations for the siting of caverns within the Preesall salt body;
- (b) Alternative locations for the siting of above ground infrastructure;
- (c) Alternative alignments for the routing of the gas interconnector to the NTS;
- (d) Alternatives for access into the main Project site.

9.8.2 These alternatives are assessed in the Environmental Statement (Doc. Ref. 5.1), the Design and Access Statement (Doc. Ref. 9.1.2) and details are also provided in the Planning and Sustainability Statement (Doc. Ref. 9.1.1). Halite consider that the most appropriate design for the Project has been identified.

9.8.3 The need for UGS facilities is clearly established by national policy. Due to the particular characteristics and advantages of the Project site at Preesall described in this Statement and other application documents referred to, it is considered that there are no reasonable alternatives to the Project. This means that the acquisition and temporary use of land and rights is necessary to enable the land required for the Project to be assembled.

9.9 **Acquisition by Agreement/Negotiation**

9.9.1 Halite will seek to purchase land and rights by agreement, conditionally upon the DCO being made and/or through acquisition of options. Halite's approach of making the application for compulsory powers as part of the DCO and, in parallel, conducting negotiations to acquire land by agreement is in accordance with the Department for Communities and Local Government Guidance (Planning Act 2008: Guidance Relating to Procedures for Compulsory Purchase) (paragraph 39).

9.9.2 Halite has demonstrated its commitment to purchasing land and rights by agreement having already secured a substantial element of the land and interests required for the delivery of the Project. In

addition, at the time of making the application for the DCO, Halite has reached heads of terms with a number of further landowners and is progressing towards binding agreements with such landowners. Further details of the extent of Halite's existing land ownership within the land required for the Project is set out in section 7 of this Statement and also contained in the Funding Statement (Doc. Ref. 7.2).

9.10 Halite has attempted to enter into negotiations with all landowners with an interest in the Order Land and will continue to try and acquire by agreement following submission of the DCO application.

9.11 **Compelling Case in the Public Interest**

9.11.1 The Planning and Sustainability Statement (Doc. Ref. 9.1.1), Preesall Need Case (Doc. Ref. 9.1.5) and this Statement of Reasons explain the national need for UGS facilities in the UK. To avoid repetition, it is not intended to repeat those details here. The Project would:

- (a) meet the acknowledged need for UGS facilities in the UK as recognised in Overarching National Policy Statement for Energy (EN-1).
- (b) be in accordance with national, regional and local planning and energy policy;
- (c) utilise the particular locational advantages of Preesall for underground gas storage;
- (d) provide employment opportunities;
- (e) mitigate environmental impacts during its construction, operational and decommissioning phase.

9.11.2 Halite considers that this Statement of Reasons and related DCO application documents demonstrate that there is a compelling case in the public interest for the DCO to be made and to include powers of compulsory acquisition, the exercise of which is being shown to be necessary and proportionate to the extent that interference with private land and rights is required.

9.12 **Prospects of Funding Acquisition Costs, including those relating to Blight**

9.12.1 The Funding Statement (Doc. Ref. 7.2) explains that Halite has the ability to procure the financial resources for the Project, which includes the cost of acquiring any land and the payments for compensation, as applicable.

- 9.12.2 To date, Halite has expended approximately £19.8 million to acquire the necessary interests and rights in land for the Project. This is approximately 89% of the estimated total cost of property related acquisitions required for the Project. This demonstrates Halite's substantial financial commitment to date in assembling land required for the Project.
- 9.12.3 Total estimated costs to acquire the remaining land and rights are approximately £2.5 million. Halite has sufficient committed funds and resources available to fund these acquisitions, related compensation and any statutory blight claims that may arise.
- 9.12.4 The Funding Statement (Doc. Ref. 7.2) also explains how Halite will fund the construction of the Project.

9.13 **Conclusion**

- 9.13.1 The inclusion of powers of compulsory acquisition in the DCO for the purposes of the Project meets the conditions of Section 122 of the 2008 Act and the Guidance.
- 9.13.2 In particular, for the reasons summarised in this Statement and elaborated upon in the documents to which it refers:
- (a) the Order Land is either required for the development to which the development consent sought relates, and/or is incidental to or required to facilitate the proposed development;
 - (b) the Order Land is no more than is reasonably required for those purposes;
 - (c) there is a compelling case in the public interest for the land to be acquired compulsorily. The very substantial public benefits to be derived from the proposed compulsory acquisition and temporary use of the Order Land would decisively outweigh the private loss that would be suffered by those whose land is to be acquired.

10 **THE EUROPEAN CONVENTION ON HUMAN RIGHTS**

10.1 **Interference with rights is proportionate**

The information set out in this Statement and elsewhere in the DCO Application Documents demonstrates that the interference with rights is for a legitimate purpose, both considered in its own right, and when considered in the light of the tests imposed under the 2008 Act. Halite has demonstrated specific purposes for how the Order Land will be used.

10.2 **The Human Rights Act: relevant Convention rights**

10.2.1 The European Convention on Human Rights (the "Convention") was applied within UK domestic law by the Human Rights Act 1998.

10.2.2 The Articles of the Convention that are relevant to the determination as to whether the DCO should be made so as to include powers of compulsory acquisition are:

(a) Article 6 entitles those affected by powers sought for the Project to a fair and public hearing by an independent and impartial tribunal. The requirements may be secured by the availability of judicial review if the decision-making is not independent within the meaning of Article 6.

(b) Article 8 protects the right of the individual to respect for his private and family life, his home and his correspondence. No public authority can interfere with these interests except if it is in accordance with the law and is necessary in the interests of inter alia national security, public safety or the economic well-being of the country. As with A1P1, any interference if justified must be proportionate,

(c) Article 1 of the First Protocol to the Convention ("A1P1"), which protects the right of everyone to the peaceful enjoyment of possessions. No one can be deprived of possessions except in the public interest and subject to the conditions provided by relevant national and international laws. Any interference with possessions must be proportionate and in determining whether a particular measure is proportionate, a "fair balance" should be struck between the demands of the general interest and the protection of the individual's rights.

10.2.3 The decision-maker, as a public body, is under a duty to consider whether the exercise of its powers engages the rights protected by the Convention. The approach to be taken to give effect to rights under the Convention is set out in the Guidance.

10.2.4 The DCO has the potential to infringe the human rights of persons who own property in the Order Land or have (unknown) rights over the Order Land. Such infringement is authorised by law provided (1) the statutory procedures for making the DCO are followed and there is a compelling case in the public interest for the inclusion of powers of compulsory acquisition in the DCO; and (2) any interference with any Convention right is proportionate to the legitimate aim(s) served.

10.3 **Compliance with the Convention and the Human Rights Act**

- 10.3.1 The Planning and Sustainability Statement (Doc. Ref. 9.1.1) demonstrates that whilst there is a potential for some adverse environmental effects from the construction and operation of the Project, these are significantly outweighed by the important benefits that the Project will deliver and the meeting of recognised national need for UGS facilities.
- 10.3.2 Halite is satisfied that, although Convention rights are likely to be engaged, the Project will not conflict with Convention rights and will be proportionate in that there is a compelling case in the public interest for the proposals which outweighs the impact on individual rights. In this context, it is relevant that those affected will be entitled to compensation. The public interest benefits are set out in section 9 of this Statement.
- 10.3.3 With regard to A1P1 and Article 8, Halite has weighed any interference with these Convention rights as a result of including compulsory powers within the DCO with the potential public benefits if the DCO is made. First, Halite considers that there would be very significant public benefit arising from the grant of the DCO. That benefit can only be realised if the DCO includes the grant of powers of compulsory acquisition and temporary use. Halite has concluded that the significant public benefits outweigh the effects of the DCO upon persons who own property in the Order Land such that there would not be a disproportionate interference with their Article 8 and A1P1 rights. Second, those affected by the exercise of compulsory acquisition or temporary use powers will be entitled to compensation and Halite has the resources to provide such compensation.
- 10.3.4 As for Article 6, third parties have been able to make representations on the application for the DCO whilst it is being prepared. In accordance with Part 5 of the 2008 Act, Halite consulted persons set out in the categories contained in section 44 of the 2008 Act. This included the known owners and occupiers of the Order Land and those who might be able to make claims either under section 10 of the Compulsory Purchase Act 1965 in respect of injurious affection, or under Part 1 of the Land Compensation Act 1973. The beneficiaries of restrictive covenants and other rights that would be overridden by the exercise of powers in the DCO would be capable of making claims under section 10 of the Compulsory Purchase Act 1965.
- 10.3.5 Furthermore, representations can be made by way of objections to the Application in response to any notice given under section 56 of the 2008 Act ('Notifying persons of accepted application'). In addition, the authority examining the application may decide to hold a written representations procedure in connection with the

Application, possibly supplemented by a compulsory acquisition hearing under section 92 of the 2008 Act.

- 10.3.6 Should the DCO be made, a person aggrieved may challenge the DCO by judicial review in the High Court if they consider that the grounds for doing so are made out pursuant to section 118 of the 2008 Act. In relation to disputes about compensation, affected persons have the right to apply to the Upper Tribunal (Lands Chamber), an independent tribunal.
- 10.3.7 For these reasons, Halite considers that the inclusion of powers of compulsory acquisition would not breach the Convention rights of those who are affected and that it would be appropriate and proportionate to make the DCO, including the grant of powers of compulsory acquisition.

11 SPECIAL CONSIDERATIONS AFFECTING THE LAND

11.1 Open space

- 11.1.1 Under sections 131 and 132 of the 2008 Act, a development consent order is subject to special parliamentary procedure to the extent that it authorises the compulsory acquisition of land, or a right over land, forming part of open space, unless the Secretary of State is satisfied that certain statutory criteria under those sections are met and issues a certificate to that effect.
- 11.1.2 Some of the pipelines or cables forming part of the Project run under parts of three small areas within the Order limits which constitute open space (the King George's Memorial Field (Playing Field), Kneps Farm Holiday Park and the Marine Parade area). However, it is submitted that neither exchange land, nor special parliamentary procedure, will be necessary for the DCO. An application will have been made to the Secretary of State for confirmation of this prior to submission of the DCO application. The certificate application is being made at this juncture with the intention that the Secretary of State will have the benefit of the same final form DCO Application Documents, such as the Book of Reference and draft DCO, as the IPC.
- 11.1.3 In summary, the basis of the certificate application to the Secretary of State is that:
 - (a) no land forming part of open space is being compulsorily acquired under the DCO, save in relation to the observation platform on the Rossall Promenade comprised in Work No. 16J in Schedule 1 of the DCO. The area to be acquired falls below the 200 sqm threshold in section 131(5)(a) of the 2008 Act and no exchange land is necessary because the observation

platform is ultimately to be transferred to the local planning authority for use by the public; and

- (b) the rights compulsorily acquired to enable, amongst other things, maintenance and related access, and for the pipelines and cables to remain installed underground, will leave the open space no less advantageous under section 132(3) of the 2008 Act after the relevant plots have been burdened with these.

11.1.4 Accordingly, subject to the Secretary of State's consideration of the matter, Halite is not aware of any reason why the requisite certificate should not be granted.

11.1.5 Save in relation to the observation platform described at paragraph 11.1.3(a) above, no land forming part of open space is being compulsorily acquired for installation of works. This follows Halite's broader approach for elements of the Project where works such as pipelines or cables are to be installed in subsoil but, after construction, the land is to be reinstated. In such cases, Halite is seeking powers under the draft DCO for the temporary possession of land, following the relevant Model Provision, rather than its compulsory acquisition. As there is no operational need for Halite to take such land permanently, it takes the view that the use of temporary possession powers is more proportionate in the circumstances: it allows use of the relevant land ultimately to revert back to its owners, whilst rights requiring infrequent use of the open space in question, including easements to retain the apparatus underground and to access it for maintenance, for example, are to be compulsorily acquired, as set out at paragraph 11.1.3(b) 11.1.3(b)above.

11.2 **Crown Land**

11.2.1 The Order Land includes Crown land for the purposes of section 235(1) PA 2008. There are three areas of Crown interests:

- (a) the seabed known as the Irish Sea west of Marine Parade Promenade is held by The Queen's Most Excellent Majesty in Right of Her Crown (Plot 1);
- (b) the foreshore comprising sand and shingle beach west of Marine Promenade is held by the Duchy of Lancaster (Plots 2, 3, 4, 5, 6, 7 8, and 9);
- (c) the shingle banks and beds and waterways and tidal pools known as the River Wyre Estuary situated east of Harbour Village Housing Development and Fleetwood Fish Dock is held by the Duchy of Lancaster (Plots 62, 63, 64 and 65);

- (d) marshland and riverbed and mud bank to the River Wyre situated south-west of Carters Farm and Burrows Lane is held by the Duchy of Lancaster (Plots 129, 130, 131, 132, 133, 134 and 135);
 - (e) the public road, verges and embankments forming the A585 at Amounderness Way is held by the Secretary of State for Transport (Plots 37 and 38).
- 11.2.2 Principal terms have been agreed with The Crown for a lease for the land required for the long sea outfall based on a term of 50 years (Plot 1).
- 11.2.3 Halite has held preliminary discussions with the Duchy of Lancaster and will negotiate for the purchase of the land by agreement. Conventionally, whenever powers are granted in respect of land including Crown land, the Crown is prepared to agree a voluntary sale.

11.3 **Statutory Undertakers**

- 11.3.1 The Order Land includes interfaces with statutory undertaker land as follows:
- (a) at the Stanah Switch Yard, powers to lay and retain electricity cables to provide power for the Project are required. Extensive discussions have taken place with National Grid in relation to this and Heads of Terms for an easement have been agreed;
 - (b) diversion of electricity pylons (32kv) operated by Electricity North West Limited ("ENWL") are required on the main Project site at Preesall. Halite has held discussions with ENWL regarding such diversion.
 - (c) Halite have agreed Heads of Terms with the landowners adjacent to the Stannah Switchyard into which the cables will be laid to make the connection to the supply. The proposal is for the cable conduit to be directionally drilled , rising within the ENWL compound from where ENWL will make the supply connection. An agreement with ENWL has already been entered into by Halite which involves improvements to the Stanah site to accommodate the proposed connection
 - (d) the brine discharge pipeline will pass within the curtilage of the United Utilities sewage treatment works. Heads of Terms for an easement have been agreed with United Utilities;

- (e) the location of the sea water pump station at Fleetwood Fish Dock is on land owned by Associated British Ports. As stated above, Halite has acquired freehold land and entered into a lease and an easement strip from Associated British Ports in connection with the sea water pump station, sea water pipeline and brine pipeline.

12 **OTHER CONSENTS NEEDED FOR THE PROJECT**

In addition to a certificate from the Secretary of State in respect of open space land (as set out at paragraph 11.1.2 above), a number of other consents, licences and permits will be required in relation to the Project. These are set out in Appendix 4 and will be obtained by Halite through applications direct to the relevant bodies or regulators.

- 12.1 Halite has held discussions with all relevant bodies and regulators. Halite is not aware of anything that would justify refusal of a consent and does not regard the need to obtain such consents as a material impediment to the delivery of the Project.

Berwin Leighton Paisner LLP

28th November 2011

Appendix 1
DCO Application Documents

Document	Document Reference
Covering Letter for Halite Energy Group Ltd (Halite) project	1.1
IPC Application Form for Halite project	1.2
Register of Application Documents	1.3
Newspaper Notices Report	1.6
Application boundary plans	2.1
Land plans	2.2
Works plans	2.3
Access and temporary stopping up plans	2.4
Design drawings, sections and overview plans	2.5
Consultation Report	3.1
Consultation Report Appendices	3.1.1
Information to Support a Habitats Regulations Assessment - Morecambe Bay SAC, Liverpool Bay SPA, Shell Flat and Lune Deep SAC	3.2
Information to Support a Habitats Regulations Assessment - Morecambe Bay SPA and Ramsar	3.3
Statement of Engagement of Section 79(1) of the Environmental Protection Act 1990 Matters (Statutory Nuisances	3.4
Application for deemed Hazardous Substance Consent (HSC)	4.1
Application for deemed Marine Consent	4.2
Environmental Statement Vol 1A	5.1
Environmental Statement Vol 1B - Technical Appendices	5.2
Environmental Statement Vol 2A - Supporting Figures (Project Information)	5.3
Environmental Statement Vol 2B - Supporting Figures (Environmental Information)	5.4

Document	Document Reference
Environmental Statement Non-Technical Summary	5.5
Development Consent Order	6.1
Explanatory Memorandum	6.2
Compulsory Acquisition Information-Statement of Reasons	7.1
Compulsory Acquisition Information-Funding Statement	7.2
Compulsory Acquisition Information-Book of Reference	7.3
Pipeline Statement	8.1
Planning & Sustainability Statement	9.1.1
Design & Access Statement	9.1.2
Project Overview	9.1.3
Development Consent Obligations (Heads of Terms)	9.1.4
Preesall Need Case	9.1.5
Construction Report	9.1.6
Health Impact Assessment Report (HIA)	9.1.7
Health Impact Assessment Appendices (HIA)	9.1.8
Legacy Brinewell Impact Assessment Report	9.2.1
Geology Summary Report	9.2.2
NTS Inter-connector at Preesall - Pipeline Subsidence Assessment Report	9.2.3
Assessment of Brinewell 45 Incident (Subsurface Aspects) Report	9.2.4
Proposed Drilling and Completion Programmes for the Preesall Underground Gas Storage Project	9.2.5
Gas Interconnector Pipeline to the NTS Report	9.2.6
Seismic Desk Study	9.2.7

Document	Document Reference
Risk Assessment Report	9.3.1
Technical Explanation of Development Consent Order Schedule (Authorised Development) and Work Plans	9.4.6

Appendix 2
Proposals for Use of Each Plot No.

Plot No. on Land Plan	Works No. on Works Plan
1	16L
2	16L
3	16K
4	16K
5	16K
6	16J-16K
7	16J-16K
8	16J-16K
9	16J
10	16I-16J
11	16I-16J
12	16I-16J
13	16J
14	16I
15	16I
16	16I
17	16I
18	16H-16I
19	16H-16I
20	16H-16I
21	16H
22	16H
23	16H
24	16H
25	16H
26	16H
27	16G-16H
28	16G-16H
29	16G
30	16F-16G
31	16F
32	16E-16F
33	16E-16F
34	16E-16F
35	16E
36	16E-16F
37	16E
38	16E
39	16D-16E
40	16D-16E

Plot No. on Land Plan	Works No. on Works Plan
41	16D
42	16D
43	16D
44	16D
45	16C-16D
46	16C-16D
47	16C
48	16B-16C
49	A16B
50	A16B
51	16A-16B
52	16A-16B
53	16A-16B
54	16A
55	16A
56	12-13-14
57	15
58	15
59	15
60	15
61	12-13-14
62	12-13-14
63	12-13-14
64	12-13-14
65	12-13-14
66	1A-1B-2A-2B-2C-2D-2E-2F-2G-3-4-5-6-7-8-9-10-11-12-13-14-17A-18-19-20A
67	1A-1B-2A-2B-2C-2D-2E-2F-2G-3-4-5-6-7-8-9-10-11-12-13-14-17A-18-19-20A
68	1A-1B-2A-2B-2C-2D-2E-2F-2G-3-4-5-6-7-8-9-10-11-12-13-14-17A-18-19-20A
69	1A-1B-2A-2B-2C-2D-2E-2F-2G-3-4-5-6-7-8-9-10-11-12-13-14-17A-18-19-20A
70	1A-1B-2A-2B-2C-2D-2E-2F-2G-3-4-5-6-7-8-9-10-11-12-13-14-17A-18-19-20A
71	1A-1B-2A-2B-2C-2D-2E-2F-2G-3-4-5-6-7-8-9-10-11-12-13-14-17A-18-19-20A
72	1A-1B-2A-2B-2C-2D-2E-2F-2G-3-4-5-6-7-8-9-10-11-12-13-14-17A-18-19-20A
73	1A-1B-2A-2B-2C-2D-2E-2F-2G-3-4-5-6-7-8-9-10-11-12-13-14-17A-18-19-20A
74	1A-1B-2A-2B-2C-2D-2E-2F-2G-3-4-5-6-7-8-9-10-11-12-13-14-17A-18-19-20A

Plot No. on Land Plan	Works No. on Works Plan
75	1A-1B-2A-2B-2C-2D-2E-2F-2G-3-4-5-6-7-8-9-10-11-12-13-14-17A-18-19-20A
76	1A-1B-2A-2B-2C-2D-2E-2F-2G-3-4-5-6-7-8-9-10-11-12-13-14-17A-18-19-20A
77	1A-1B-2A-2B-2C-2D-2E-2F-2G-3-4-5-6-7-8-9-10-11-12-13-14-17A-18-19-20A
78	1A-1B-2A-2B-2C-2D-2E-2F-2G-3-4-5-6-7-8-9-10-11-12-13-14-17A-18-19-20A
79	1A-1B-2A-2B-2C-2D-2E-2F-2G-3-4-5-6-7-8-9-10-11-12-13-14-17A-18-19-20A
80	1A-1B-2A-2B-2C-2D-2E-2F-2G-3-4-5-6-7-8-9-10-11-12-13-14-17A-18-19-20A
80a	1A-1B-2A-2B-2C-2D-2E-2F-2G-3-4-5-6-7-8-9-10-11-12-13-14-17A-18-19-20A
80b	1A-1B-2A-2B-2C-2D-2E-2F-2G-3-4-5-6-7-8-9-10-11-12-13-14-17A-18-19-20A
81	1A-1B-2A-2B-2C-2D-2E-2F-2G-3-4-5-6-7-8-9-10-11-12-13-14-17A-18-19-20A
82	1A-1B-2A-2B-2C-2D-2E-2F-2G-3-4-5-6-7-8-9-10-11-12-13-14-17A-18-19-20A
83	1A-1B-2A-2B-2C-2D-2E-2F-2G-3-4-5-6-7-8-9-10-11-12-13-14-17A-18-19-20A
84	1A-1B-2A-2B-2C-2D-2E-2F-2G-3-4-5-6-7-8-9-10-11-12-13-14-17A-18-19-20A
85	1A-1B-2A-2B-2C-2D-2E-2F-2G-3-4-5-6-7-8-9-10-11-12-13-14-17A-18-19-20A
86	1A-1B-2A-2B-2C-2D-2E-2F-2G-3-4-5-6-7-8-9-10-11-12-13-14-17A-18-19-20A
87	1A-1B-2A-2B-2C-2D-2E-2F-2G-3-4-5-6-7-8-9-10-11-12-13-14-17A-18-19-20A
88	1A-1B-2A-2B-2C-2D-2E-2F-2G-3-4-5-6-7-8-9-10-11-12-13-14-17A-18-19-20A
89	1A-1B-2A-2B-2C-2D-2E-2F-2G-3-4-5-6-7-8-9-10-11-12-13-14-17A-18-19-20A
90	1A-1B-2A-2B-2C-2D-2E-2F-2G-3-4-5-6-7-8-9-10-11-12-13-14-17A-18-19-20A
91	1A-1B-2A-2B-2C-2D-2E-2F-2G-3-4-5-6-7-8-9-10-11-12-13-14-17A-18-19-20A
92	1A-1B-2A-2B-2C-2D-2E-2F-2G-3-4-5-6-7-8-9-10-11-12-13-14-17A-18-19-20A
93	1A-1B-2A-2B-2C-2D-2E-2F-2G-3-4-5-6-7-8-9-10-11-12-13-14-17A-18-19-20A
94	1A-1B-2A-2B-2C-2D-2E-2F-2G-3-4-5-6-7-8-9-10-11-12-13-14-17A-18-19-20A

Plot No. on Land Plan	Works No. on Works Plan
95	1A-1B-2A-2B-2C-2D-2E-2F-2G-3-4-5-6-7-8-9-10-11-12-13-14-17A-18-19-20A
96	1A-1B-2A-2B-2C-2D-2E-2F-2G-3-4-5-6-7-8-9-10-11-12-13-14-17A-18-19-20A
97	1A-1B-2A-2B-2C-2D-2E-2F-2G-3-4-5-6-7-8-9-10-11-12-13-14-17A-18-19-20A
98	1A-1B-2A-2B-2C-2D-2E-2F-2G-3-4-5-6-7-8-9-10-11-12-13-14-17A-18-19-20A
99	1A-1B-2A-2B-2C-2D-2E-2F-2G-3-4-5-6-7-8-9-10-11-12-13-14-17A-18-19-20A
100	1A-1B-2A-2B-2C-2D-2E-2F-2G-3-4-5-6-7-8-9-10-11-12-13-14-17A-18-19-20A
101	1A-1B-2A-2B-2C-2D-2E-2F-2G-3-4-5-6-7-8-9-10-11-12-13-14-17A-18-19-20A
102	1A-1B-2A-2B-2C-2D-2E-2F-2G-3-4-5-6-7-8-9-10-11-12-13-14-17A-18-19-20A
103	1A-1B-2A-2B-2C-2D-2E-2F-2G-3-4-5-6-7-8-9-10-11-12-13-14-17A-18-19-20A
104	17A
105	1A-1B-2A-2B-2C-2D-2E-2F-2G-3-4-5-6-7-8-9-10-11-12-13-14-17A-18-19-20A
106	1A-1B-2A-2B-2C-2D-2E-2F-2G-3-4-5-6-7-8-9-10-11-12-13-14-17A-18-19-20A
107	1A-1B-2A-2B-2C-2D-2E-2F-2G-3-4-5-6-7-8-9-10-11-12-13-14-17A-18-19-20A
108	1A-1B-2A-2B-2C-2D-2E-2F-2G-3-4-5-6-7-8-9-10-11-12-13-14-17A-18-19-20A
109	17A
110	17A
111	17A
112	17A
113	17A
114	17A
115	17A
116	17A
117	17A
118	17A
119	17A
120	17A
121	17A
122	17A
123	17A
124	17A
125	17A-17B

Plot No. on Land Plan	Works No. on Works Plan
126	17A
127	17B
128	17A
129	17B
130	17B
131	17B
132	17B
133	17B
134	17B
135	17B
136	17C
137	17B
138	17C
139	17C
140	17C
141	17C
142	17C
143	17C
144	17C
145	17C
146	17C
147	6-20A
148	6-20A
149	6-20A
150	6-20A
151	6-20A
152	6-20A
153	6-20A
154	6-20A
155	6-20A
156	6-20A
157	6-20A
158	6
159	6-20A
160	20A
161	20B
162	20B
163	20B
164	20B
165	20B
166	20B
167	20B
168	20B

Plot No. on Land Plan	Works No. on Works Plan
169	20B
170	20B
171	20B
172	20B
173	20B
174	20B
175	20B
176	20B
177	20B
178	20B
179	20B
180	20B
181	20B
182	20B
183	20C
184	20C
185	20C
186	20C
187	20D
188	20D
189	20D
190	20D
191	20D
192	20D
193	20D
194	20D
195	20D
196	20D
197	20D
198	20E
199	20E
200	20E
201	20E
202	20F
203	20F
204	20F
205	20F
206	20F
207	20F
208	20F
209	20F
210	20F-20G
211	20G

Plot No. on Land Plan	Works No. on Works Plan
212	20H
213	20G
214	20H
215	20H

Appendix 3
Land of Which Temporary Possession May be Taken

Plot No. shown on Land Plan	Purpose for which temporary possession may be taken	Relevant part of the authorised development
1, 2, 3, 4, 5, 6, 7, 8, 10, 11, 12, 15, 16, 17, 18, 19, 20, 21, 22, 26, 27, 28, 29, 31, 32, 33, 35, 37, 38, 39, 40, 45, 46, 47, 48, 51, 52, 53, 56, 61, 62, 63, 64, 65, 66, 67, 70, 71, 73, 74, 75, 77, 79, 80, 80a, 80b, 81, 82, 83, 85, 86, 87, 88, 89, 90, 91, 93, 94, 95, 96, 97, 98, 99, 101, 102, 104, 105, 108, 110, 111, 114, 115, 117, 118, 119, 123, 124, 125, 127, 129, 130, 131, 132, 133, 134, 135, 136, 137, 142, 143, 144, 147, 148, 149, 150, 151, 152, 153, 154, 155, 157, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 184, 185, 186, 188, 189, 190, 191, 192, 193, 194, 195, 196, 198, 199, 200, 202, 203, 204, 206, 207, 208, 209, 210, 211, 214 and 215	Construction and carrying out of the authorised development; worksite for construction and carrying out of the authorised development	Work Nos. 1A, 1B, 2A, 2B, 2C, 2D, 2E, 2F, 2G, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16A, 16B, 16C, 16D, 16E, 16F, 16G, 16H, 16I, 16J, 16K, 16L, 17A, 17B, 17C, 18, 19, 20A, 20B, 20C, 20D, 20E, 20F, 20G, 20H and 21
14, 23, 24, 25, 30, 34, 36, 41, 42, 43, 44, 49, 50, 54, 55, 109, 112, 113, 116, 120, 121, 122, 126, 128, 158, 159, 160, 161, 183, 187, 197, 201 and 212	Construction and carrying out of the authorised development; worksite and access for construction of the authorised development	Works Nos. 6, 16A, 16B, 16C, 16D, 16E, 16F, 16H, 16I, 17A, 17B, 17C, 20A, 20B, 20C, 20D, 20E, 20F, 20G and 20H

Appendix 4
List of Other Consents/Licences/Permits Required in relation to the Project

Consent / Licence / Permit	Relevant Body
Approval of pre-construction safety report & pre-operational safety report under Control of Major Accident Hazards Regulations (COMAH) 1999	Health & Safety Executive and Environment Agency (HSE / EA)
Environmental permit under the Environmental Permitting Regulations 2010	EA and Wyre Borough Council
Water abstraction licence under Water Resources Act 1991	EA
Ofgem exemption from need for gas transporter licence	Office of Gas and Electricity Markets (Ofgem)
PGT exemption and pipeline operator's licence under the Gas Act 1986	Ofgem
National Grid storage connection agreement in respect of connection of the interconnecting gas pipeline to the national transmission system	National Grid
Nature conservation licences (European protected species) under the Conservation of Habitats and Species Regulations 2010	Natural England
Building regulations approvals	Local Authority

Note: Halite is applying for as part of the DCO application:

- deemed Hazardous Substances Consent pursuant to the Planning (Hazardous Substances Act) 1990 (as amended by Schedule 2, paragraphs 42 to 47 of the Planning Act 2008). Further details of this application are contained in the Application for Deemed Hazardous Substances Consent (Doc. Ref. 4.1).
- deemed marine licence under 149A Planning Act 2008. Further details of this application are contained in the Application for Deemed Marine Consent (Doc. Ref. 4.2).