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31 May 2022

Dear Robert Donovan and Rebecca Evans

**HYNET NORTH WEST HYDROGEN PIPELINE  
PLANNING ACT 2008: REQUEST FOR SECTION 35 DIRECTION**

Thank you for your letter of 16 May 2022 requesting that the Secretary of State should exercise his power under section 35 of the Planning Act 2008 (“the 2008 Act”) to direct that the proposed HyNet North West Hydrogen Pipeline (“the Project”) should be treated as development for which development consent is required (“the request”). Your letter set out the details of the Project and provided information to support the request.

The Secretary of State has considered the request. He has determined that further information is needed to enable him to decide whether to give the direction requested and the terms in which any direction should be given.

The Secretary of State would be grateful, therefore, for any further information you can provide to justify why you consider the ‘Pipeline Spurs’ (number 7 on the list of project components set out under ‘The Project’ heading in your 16 May letter) should benefit from a direction under section 35 of the 2008 Act.

If you provide the information requested within the period of 14 days beginning with the day on which you are asked to do so, then the Secretary of State is required to make the decision before the end of the period of 28 days beginning with the day on which the Secretary of State receives this information.

I am copying this letter to Robert Garden at CMS Cameron McKenna Nabarro Olswang for his information.

Yours sincerely

GARETH LEIGH  
Head of Energy Infrastructure Planning