

Hydrogen Networks and Markets team
Department for Energy Security and Net Zero
5th Floor, Victoria
1 Victoria Street
London
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Correspondence by email only

22nd May 2023

To whom it may concern,

Offshore hydrogen regulation consultation

The Historic Buildings and Monuments Commission for England, otherwise known as Historic England, is the Government's statutory adviser on all matters relating to the historic environment in England. We are a non-departmental public body established under the National Heritage Act 1983 and sponsored by the Department for Digital, Culture, Media and Sport (DCMS). Our purpose is to improve people's lives by championing and protecting the historic environment and our vision is for a heritage that is valued, celebrated and shared by everyone. A historic environment that people connect with and learn from and that we are proud to pass on to future generations.

We understand that this consultation exercise, which commenced 24th April 2023, is to designate hydrogen as a gas and to bring offshore hydrogen pipeline and storage in scope of the 2020 Offshore Oil and Gas Exploration, Production, Unloading and Storage (Environmental Impact Assessment) Regulations.

Furthermore, we appreciate that this consultation does not propose any specific legislative changes in respect of the environmental regulations, as referenced above; with the acknowledgment that these regulations may be reviewed as part of other departmental workstreams.



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We offer the following response to the questions set out in the consultation document:

1. *Do you agree with Government's approach to use the powers in Part 3, section 24 of the Petroleum Act 1998, to specify hydrogen pipelines to be covered by Part 3 of the Petroleum Act 1998? Please state "Yes" or "No" and your reasons why.*

Yes, we agree with the regulatory framework identified as best suited to provide the necessary consenting mechanism.

2. *Do you agree with Government's proposal to bring offshore hydrogen pipeline decommissioning under Part 4 of the Petroleum Act? Please state "Yes" or "No" and your reasons why.*

Yes, we agree with the regulatory framework identified as best suited to provide the necessary consenting mechanism.

3. *Do you agree with Government's proposal to make a statutory instrument designating hydrogen as a gas under section 2(4) of the Energy Act 2008? Please state "Yes" or "No" and your reasons why.*

Yes, we agree with the regulatory framework identified as best suited to provide the necessary consenting mechanism.

4. *Do you agree that hydrogen storage installations should be subject to decommissioning under Part 4 of the Petroleum Act 1998? Please state "Yes" or "No" and your reasons why.*

Yes, we agree with the regulatory framework identified as best suited to provide the necessary consenting mechanism.

5. *Are there additional issues with future offshore hydrogen storage regulation that need to be addressed? Please state "Yes" or "No" and your reasons why.*

Yes. We suggest, that if it is feasible that geological storage options are selected for hydrogen, that future options for capacity expansion needs to be provided for in the accompanying assessment and regulatory procedures.

Yours faithfully,



Dr Christopher Pater
Head of Marine Planning

cc. Sarah Lewis (Senior Policy Advisor, Historic England)



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