



Frodsham Solar
Statement of Common Ground with
Liverpool Bay CCS Limited

April 2026



PINS Ref: EN010153
Document Ref: EN010153/DR/8.19
**Planning Act 2008; and Infrastructure Planning (Applications:
Prescribed Forms and Procedure) Regulations Regulation 5(2)(g)**

Revision P02

Document Control

Revision	Date
P01	December 2025
P02	April 2026

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Appendix A - Agreement

1.0 INTRODUCTION

1.1 Purpose of this Document

1.1.1 This is a Statement of Common Ground (“SoCG”) made between the following parties:

Frodsham Solar Ltd (hereafter referred to as ‘the Applicant’)

and

Liverpool Bay CCS Limited (LBCCS)

1.1.2 The purpose and scope of this SoCG is to identify areas of agreement and, as appropriate, disagreement, between the parties in respect of the assessment of the Applicant’s proposals.

1.2 The Proposed Development

1.2.1 The Proposed Development comprises a new solar energy generating station and an associated on-site Battery Energy Storage System (BESS) on land at Frodsham Marsh, Frodsham, Cheshire West and Chester (‘the Site’). The Proposed Development also includes the associated infrastructure for connection to the local electricity distribution network, as well as a private wire electricity connection that would enable local businesses to utilise the renewable energy generated by the Proposed Development.

1.2.2 The current design for the Proposed Development would enable the generation of approximately 147 megawatts (MW) of electricity¹, as well as the storage of approximately 100 MW of electricity in a BESS. The precise generating capacity and storage capacity will be subject to detailed design, but it should be noted that at present the grid connection offer from the District Network Operator (DNO) is for 100 MW export and 50 MW import. As noted above, the Proposed Development would also be capable of exporting electricity directly to local businesses.

¹ The generating capacity is described in terms of the maximum combined capacity of installed inverters (measured in AC)

- 1.2.3 Subject to obtaining the necessary consents, construction is anticipated to commence in January 2028 and be completed in mid to late 2030. The Proposed Development comprises a temporary development with an operational phase of up to 40 years. Decommissioning activities would therefore commence in 2070, 40 years after final commissioning.
- 1.2.4 The Proposed Development has been divided into the following Work Packages, or 'Works' as follows:
- i) Work No. 1 – a ground mounted solar photovoltaic generating station;
 - ii) Work No. 2 – a Battery Energy Storage System (BESS);
 - iii) Work No. 3 – an on-site substation (Frodsham Solar Substation);
 - iv) Work No. 4a – an electrical connection from Frodsham Solar Substation (Work No. 3) to Frodsham SPEN Substation including
 - v) Work No 4b - a direct private wire connection from Frodsham Solar Substation (Work No. 3) to nearby businesses;
 - vi) Work No. 5 - works including electrical cables and communication cables connecting Work No. 1 to Work No. 3; Work No. 1 to Work No. 2; and, Work No. 2 to Work No. 3;
 - vii) Work No. 6a - works to create, enhance and maintain green infrastructure;
 - viii) Work No. 6b - works to create skylark plots to provide skylark foraging habitat;
 - ix) Work No. 6c – the creation and management of a Non Breeding Bird Mitigation Area.;
 - x) Work No. 7 - construction and decommissioning compounds; and
 - xi) Work No. 8 – works for the improvement, maintenance, repair and use of existing streets, private tracks, public rights of way and access roads.
- 1.2.5 There are a number of distinct development areas within the Site as follows:
- i) The Solar Array Development Area (SADA) that would include solar photovoltaic (PV) modules and support frames, internal access tracks, cabling, inverters, transformers, the solar array substation (known as the 'Frodsham Solar Substation) and the BESS;
 - ii) Main Site Access route;

- iii) SPEN Grid Connection linking Frodsham Solar Substation to the SP Energy Networks (SPEN) Frodsham Substation
- iv) SPEN / National Grid Substation and access to the substation compound
- v) Private Wire Connection to local businesses
- vi) Non Breeding Bird Mitigation Area (NBBMA)
- vii) Skylark Mitigation Area

1.2.6 These areas are illustrated on **ES Vol 3 Figure 1-2: Proposed Development Areas, Environmental Statement: Volume 3 Chapter 1 Figures (APP-105)**.

1.2.7 A more detailed description of the Proposed Development is provided within **Environmental Statement: Volume 1 Chapter 2: The Proposed Development (APP-035)**.

1.3 The Site

1.3.1 The Site is located approximately 500 m to the north of the centre of Frodsham Town Centre within the administrative areas of Cheshire West and Chester Council (CWaCC), which is the Local Planning Authority (LPA).

1.3.2 The Site is approximately centred on National Grid Reference (NGR) 351000E, 378500N and is located approximately 500 m to the north Frodsham Town Centre at its nearest point.

1.3.3 The Site comprises a single red line boundary that covers all land expected to be included within the Proposed Development, which in total is approximately 337.5 ha. The Solar Array Development Area covers an area of approximately 246ha, and would be located at the eastern extent of Frodsham and Helsby Marsh, an area of land between the Mersey Estuary and the M56. The northern boundary of the Solar Array Development Area is formed by the River Weaver and the former INEOS Inovyn Dredging Deposit Ground, the north-west boundary by the Manchester Ship Canal, with the Mersey Estuary lying beyond. The western boundary of the Solar Array Development Area is formed by the former Manchester Ship Canal Dredging Deposit Ground Cells; Cell 2, Cell 3 and Cell 6. The entirety of Cell 2 and Cell 3 form part of the NBBMA. The southern boundary of the Solar Array Development Area is formed by agricultural fields and the M56 motorway.

- 1.3.4 The Main Site Access is from the west, leading from Pool Lane roundabout. Vehicles accessing the Site would turn onto Grinsome Road (a private road) from Pool Lane roundabout and travel east towards Protos² for approximately 1.5 km, routing north at Grinsome Road Roundabout, along Road 1 of Protos. Vehicles would then turn east along Marsh Lane which provides access to Frodsham Wind Farm. The Frodsham Wind Farm access tracks provide access to the Solar Array Development Area. There would be no access to the Site from Frodsham during construction, operation or decommissioning, other than for emergency vehicles, and access to the potential new public car parking area on Moorditch Lane, via Brook Furlong.
- 1.3.5 The Manchester Ship Canal forms the northern boundary of the Site and is separated from the Mersey Estuary by Frodsham Score, a 100-200 m wide strip of low-lying marshland. The Mersey Estuary and Frodsham Score are designated as a Special Protection Area (SPA), SSSI and Ramsar site. The SSSI also covers a strip of land approximately 100m wide on the southern side of the Manchester Ship Canal, the eastern 500m of which lies within the Site. The Solar Array Development Area is also designated as a Local Wildlife Site (Frodsham, Helsby and Ince Marshes Local Wildlife Site) and as Green Belt.
- 1.3.6 Neither the Site nor the immediate surrounding area is covered by any statutory landscape designations, e.g. National Parks or National Landscapes (formally referred to as Areas of Outstanding Natural Beauty (AONB)). There are no designated heritage assets within the Site.
- 1.3.7 The eastern half of the Site lies within Flood Zone 3a, which benefits from flood defences along the River Weaver. The Manchester Ship Canal Dredging Deposit Ground Cells in the western half of the Site are raised and so lie within Flood Zone 1.
- 1.3.8 A detailed description of the Site is provided in **Environmental Statement: Volume 1 Chapter 1: Introduction (APP-034)**.

² A significant strategic development site with the benefit of planning permissions for a range of energy generation and resource management businesses

1.4 Status of the SoCG

- 1.4.1 This SoCG has been progressed throughout the examination and the Applicant and Liverpool Bay CCS Limited have reached an agreed position on the majority of matters.
- 1.4.2 A signing sheet between the Applicant and Liverpool Bay CCS Limited is provided at Appendix A.

2.0 ROLE OF LIVERPOOL BAY CCS LIMITED IN DCO PROCESS AND SUMMARY OF CONSULTATION AND ENGAGEMENT TO DATE

2.1 Role of Liverpool Bay CCS Limited

- 2.1.1 Liverpool Bay CCS Limited (LBCCS), a member of the Eni SpA Group, is leading the development of the Runcorn Carbon Dioxide (CO₂) Spur Pipeline Proposed Development (Runcorn Spur Pipeline Proposed Development).
- 2.1.2 LBCCS is developing a CO₂ transportation and storage system that will serve the HyNet industrial decarbonisation clusters by transporting the CO₂ from capture plants at existing industrial sites and storing it safely in depleted natural gas reservoirs under the seabed in Liverpool Bay.
- 2.1.3 In April 2025 the Secretary of State for the Department of Energy Security and Net Zero granted LBCCS an economic licence to develop and operate the CO₂ Transport and Storage (T&S) system, which incorporates existing infrastructure at Liverpool Bay. LBCCS is the applicant that submitted the planning application for the Runcorn Spur Pipeline Proposed Development to Cheshire West and Chester Council and Halton Borough Council in July 2025 (reference 25/02108/FUL), this Spur Pipeline being part of the Approved Project Development Plan that forms part of LBCCS's economic licence.
- 2.1.4 The Runcorn Spur Pipeline Proposed Development interacts with the Frodsham Proposed Development, in particular the NBBMA. As a result LBCCS has submitted a Relevant Representation to the Examination for the Proposed Development and will therefore be an Interested Party in the Examination.

2.2 Summary of Consultation and Engagement Undertaken

2.2.1 The SoCG has been informed by the meetings between the parties summarised in Table 1 below:

Table 1: Consultation between the Applicant and Liverpool Bay CCS Limited

Date	Method of Consultation	Points of Discussion
13/7/2023	MS Teams	Introductory call between both parties to present respective development schemes.
17/8/2023	MS Teams	Update on design progress of both schemes. Set-up of NDA.
31/8/2023	MS Teams	<i><General discussions regards to individual project activities, NDA and project timeframes.</i>
6/10/2023	MS Teams	<i>Discussion regards to finalisation of NDA between parties.</i>
9/11 /2023	MS Teams	<i><General discussions regards to individual project activities, NDA and project timeframes.</i>
23/11/2023	MS Teams	Update on design progress of both schemes. Set-up of document sharing between both parties.
6/12/2023	MS Teams	Joint meeting with Peel (as land owner). Update on Frodsham Solar substation potential locations and discussion of interaction with potential pipeline routes.
18/1/2024	MS Teams	<i>General project updates</i>
29/1/2024	MS Teams	Update from Applicant on new project design responsibilities. Update from Applicant on potential substation locations. Update from Eni on new Weaver crossing location.

Date	Method of Consultation	Points of Discussion
15/2/2024	MS Teams	<p>Update from Applicant on potential substation locations.</p> <p>Discussion of potential routing options to reach Weaver crossing location.</p>
28/3/2024	MS Teams	<p>Update from Applicant on potential substation locations.</p> <p>Sharing of route options and constraints for Cubico designers to consider.</p> <p>Update on respective schedules and how to align design to meet respective upcoming design freezes.</p>
11/4/2024	MS Teams	General project updates
25/4/2024	MS Teams	General project updates
9/5/2024	MS Teams	Management alignment meeting 1.
6/6/2024	Eni UK office, London	<p>Management alignment meeting 2.</p> <p>Presentation by Eni on wider project and recent engagement with DESNZ.</p> <p>Discussion of hierarchy of solutions to implement to ensure both developments can coexist.</p> <p>Sharing of latest solar farm layout.</p>
June – October 2025	MS Teams	Fortnightly meetings between LBCCS/Cubico have continued through to October 2025, focussing on design development, assessment of effects and mitigation relating to each project, integration of site work activities, planning application progress.
June – October 2025	MS Teams	Monthly meetings held between WSP Ecologists and Avian Ecology during the planning application stage.

Date	Method of Consultation	Points of Discussion
8 December 2025	MS Teams	Meeting to discuss latest position following Applicant's response to Relevant Representations and first set of Hearings
January to April 2026	MS Team	A series of meetings have been held between to discuss outstanding matters in relation to the coordination between the two projects during the construction phase and the approach adopted to cumulative effects assessment.

3.0 MATTERS OF AGREEMENT, UNDER DISCUSSION AND DISAGREEMENT

3.1.1 Table 2 provides a summary of the current position of the Applicant and the Liverpool Bay CCS Limited in relation to specific matters that have been under discussion to date. The table provides a summary of the position between the parties in relation to specific matters that have been under discussion during the examination. The table sets out issues that are 'agreed', 'not agreed' or are 'under discussion'

3.1.2 Where a matter is not represented in the table, it should be assumed that it is either: (i) agreed between the parties and has never required detailed discussion; or, (ii) not relevant to the discussion between the parties.

Table 2: Position between the Applicant and Liverpool Bay CCS Limited on matters of discussion / consultation

From table 2 above, it can be seen that the Applicant and LBCCS are cooperating with the aim of ensuring that both their respective projects can be constructed and operated in a way that minimises impacts on the other.

Ref.	Matter / Topic	Liverpool Bay CCS Limited Position	Applicant Position	Status
1	CO ₂ Spur Pipeline Route	<p>As part of discussions between the parties, LBCCS revised the route of the Runcorn Spur Pipeline Proposed Development from that shown in figure 1 below where the pipeline was originally proposed to be routed centrally through the Frodsham marshes, to that identified in Figure 2, the Northern Route through the Frodsham marshes and adjacent to the Manchester Ship Canal.</p> <p>This revision results in approx. 500m of the Runcorn Spur Pipeline Proposed Development through the Frodsham Solar development in comparison to the original route in which there was 1,500m of pipeline through the Cubico Frodsham Solar development.</p> <p>The change is clearly beneficial to both developments by minimising the impact and extent of each project interaction between neighbouring developments and was welcomed by the Applicant.</p> <p>LBCCS wishes it to be recognised that this pipeline route modification required additional environmental surveys to be performed by LBCCS</p>	<p>Modifications made to align with the Proposed Development.</p>	Agreed

Ref.	Matter / Topic	Liverpool Bay CCS Limited Position	Applicant Position	Status
		<p>as well as significant additional assessment due to the proximity of the pipeline in relation to the SSSI and the RAMSAR sites.</p> <p>LBCCS also wishes it to be recognised that in addition, this modification necessitates engagement with new landowners in order to agree and secure the route of the Runcorn Spur Pipeline Proposed Development, these discussions whilst progressing are not yet finalised. Putting these issues to one side, LBCCS recognize the potential positive benefit of this change to LBCCS.</p>		
2	Applicant Contractor Mobilisation	<p>Based on the Applicant’s current project programme, construction of Frodsham Solar is anticipated to commence in January 2028.</p> <p>This could allow LBCCS to complete the installation works through dredging cells 1, 2 and 3 prior to the installation of the Non-Breeding Bird Mitigation Area (‘NBBMA’).</p>	The Applicant agrees that this assumption is correct based on the project programme as it currently stands.	Agreed
3	Runcorn Spur Pipeline Proposed Development Installation Sequencing	<p>LBCCS have been investigating potential opportunities to install the Runcorn Spur Pipeline Proposed Development through cells, 1, 2 & 3 as well as executing the trenchless crossing under the Weaver River prior to the planned mobilisation of the Applicant’s construction Contractor(s).</p> <p>LBCCS’ position is that the Runcorn Spur Pipeline will be installed through Cells 2 and 3 prior to the creation of the NBBMA. This execution scenario</p>	The Applicant notes this and considers that this ‘base case’ is not something to be secured through the DCO as it should not be required to ‘wait’ for another project to be brought forward before the Proposed Development’s critical national	Agreed

Ref.	Matter / Topic	Liverpool Bay CCS Limited Position	Applicant Position	Status
		<p>has informed the submitted TCPA for the Runcorn Spur Pipeline application. LBCCS will not be considering other alternative execution scenarios.</p> <p>LBCCS consider this is not the appropriate process to impose planning conditions on the Runcorn Spur Pipeline planning consent.</p> <p>LBCCS consider that a condition which requires it to meet this programme assumption, or update its HRA to demonstrate no adverse effects on integrity if this programme assumption proves to not come to fruition, is an acceptable way forward.</p>	<p>priority benefits are able to be delivered.</p> <p>It therefore welcomes and agrees LBCCS's position in respect of a planning condition being imposed on its consent and considers this is an appropriate way to ensure adverse effects on integrity are avoided.</p>	
4	<p>Parallel Construction Execution Activities - 1</p>	<p>The Applicant has advised that, absent to ecological constraints, it would be possible in practical construction terms for LBCCS to install the Runcorn Spur Pipeline Proposed Development through Dredging Cells 1 at the same time as the Applicant is working on the creation of the NBBMA in Dredging cells 2 and 3.</p> <p>However, in order to minimise the extent of cumulative construction traffic and ecological effects, LBCCS propose to have the Runcorn Spur Pipeline Proposed Development installed through Cells 1 prior to the works to create the NBBMA in Cells 2 and 3 commencing.</p> <p>Commitments given by the Applicant in the Outline CEMP and the Information to Inform HRA, and</p>	<p>In the event that the installation of the Runcorn Spur Pipeline Proposed Development through Cell 3 is undertaken at the same time as the creation of the NBBMA, there should be no construction works associated with the Runcorn Spur Pipeline undertaken within Cells 1, 2 and 5 unless this has been expressly agreed with CWaCC as part of the agreement of the OEMP for the Runcorn Spur Pipeline.</p> <p>Should the Proposed Development and the Runcorn Spur Pipeline undertake</p>	Agreed

Ref.	Matter / Topic	Liverpool Bay CCS Limited Position	Applicant Position	Status
		<p>compliance with those commitments, are in principle matters for the Applicant.</p> <p>LBCCS has put forward commitments to work with the Applicant moving forward, and agrees that a condition requiring a CEMP as part of the Runcorn Spur Pipeline planning application that requires it to work with other parties in respect of managing cumulative impacts is appropriate.</p> <p>LBCCS also intends to work with the Applicant, within the scope and parameters of the Runcorn Spur Pipeline Proposed Development and associated planning permission, to manage timings and impacts in a scenario where both developments undertake construction in Cells 1 and 5 at the same time.</p> <p>LBCCS acknowledges that, should pipeline installation prior to the NBBMA works associated with the DCO not be feasible, any variation would need to be addressed through the appropriate statutory and regulatory processes</p>	<p>construction in Cells 1, 2, and 5 at the same time the works for both projects the Applicant will work with LBCCS to ensure that the works are phased in order to avoid any potentially significant cumulative/in-combination effects arising, for example, avoiding noisy activities from both projects being undertaken close to the boundary of the NBBMA at the same time. The details of the specific phasing agreed between the parties would be set out in the detailed management plans submitted to CWaCC for approval under each project's respective consents.</p>	
5	Parallel Construction Execution Activities - 2	LBCCS' position is that the Runcorn Spur Pipeline will be installed through Cell 3 prior to the creation of the NBBMA. This execution scenario has informed the planning application submitted for the Runcorn Spur Pipeline application. Other	If LBCCS is unable to install the Runcorn Spur Pipeline Proposed Development through Cell 3 prior to the creation of the NBBMA, then	Under discussion

Ref.	Matter / Topic	Liverpool Bay CCS Limited Position	Applicant Position	Status
		<p>alternative execution scenarios have not been considered as part of this application.</p> <p>LBCCS consider that a condition which requires it to meet this programme assumption, or update its HRA to demonstrate no adverse effects on integrity if this programme assumption proves to not come to fruition, is an acceptable way forward.</p>	<p>(a) if the construction activities are to take place whilst NBBMA works are taking place, such activities must be programmed to take place in such a way so as not to inhibit the achievement of the NBBMA ecological outcomes and undermine the conclusions of the HRA or the commitments in the CEMP– this requires further discussion and a commitment from LBCCS to become part of the Working Group proposed as part of the Outline CEMP; and</p> <p>(b) LBCCS should be required to update its HRA to demonstrate how it will manage impacts to ensure no adverse effects on integrity are caused.</p> <p>It therefore welcomes and agrees LBCCS’s position in respect of planning condition being imposed on its consent and considers this is an appropriate way to ensure adverse effects on integrity are avoided.</p>	

Ref.	Matter / Topic	Liverpool Bay CCS Limited Position	Applicant Position	Status
			<p>The Applicant would expect that, above and beyond conditions on the Runcorn Spur Pipeline planning permission, suitable negotiated protections to be put in place to ensure that it is not put in a worse position in respect of its DCO commitments in respect of the NBBMA (including LBCCS having to remediate any issues caused by the Runcorn Spur Pipeline Proposed Development works) and is only content for such works to take place if article 38 of the Draft Order is retained in the made Order, to have the effect that there is clarity in the legal position that works undertaken by LBCCS do not constitute a breach of the DCO.</p>	
6	Environmental Surveys	<p>LBCCS have shared results of several environmental surveys as well as GI data with the Applicant in the spirit of joint cooperation with the objective of ensuring consistency of results and alignment of reporting.</p> <p>In addition, LBCCS have engaged with Avian ecology (ecologists for the Applicant) throughout the development process.</p>	<p>The Applicant is grateful for LBCCS's co-operation in this regard</p>	Agreed

Ref.	Matter / Topic	Liverpool Bay CCS Limited Position	Applicant Position	Status
7	Land arrangements	<p>LBCCS and the Applicant have agreed to holding triparty land agreement meetings along with Peel NRE who are the freehold landowner, to seek to reach agreement between the three parties on land requirements for the Proposed Development and the LBCCS project, noting that the Applicant already has an option agreement in place with Peel NRE for the solar development areas. LBCCS understand from previous discussions the freehold landowner (Peel NRE) is open to reaching a voluntary land agreement with LBCCS subject to commercial terms being agreed. As a result, there is no impediment to LBCCS's project.</p>	<p>The Applicant is working with LBCCS and Peel NRE in respect of these discussions.</p> <p>It notes that it already holds an Option over the relevant land meaning that LBCCS's project will only be able to proceed if the Applicant grants consent to an additional option being granted to LBCCS over the same land, even if that is agreed by Peel NRE.</p>	Under discussion
9	Representation of CO2 Spur Pipeline route on Frodsham Solar development EIA / DCO planning submission documentation.	<p>Further to discussions in November 2024, when the Applicant issued their PEIR based on the largest scheme possible across the full land allocation without explicitly accommodating for the route of the Runcorn spur pipeline development, as of April 2025 the Applicant confirmed agreement to show the agreed revised routing of the Runcorn Spur Pipeline on the Cumulative Impact Assessment layout drawings which show all adjacent developments.</p>	<p>This has been provided.</p>	Agreed

Ref.	Matter / Topic	Liverpool Bay CCS Limited Position	Applicant Position	Status
10	Easement width reduced to 18m (for 20" diameter pipeline)	LBCCS have reviewed the Easement width for the Runcorn Spur Pipeline and confirmed that for the 20" pipeline an Easement width of 18m will be adopted compared to 24.4m for the 36" HyNet main Onshore Pipeline.	This is understood and acknowledged by the Applicant	Agreed
11	Commercial principles / compensation	<p>LBCCS has proposed a high-level commercial approach that could compensate the Applicant for the resulting reduction of land available for commercial solar development.</p> <p>These principles have been agreed verbally and will be further developed as the respective projects develop.</p> <p>LBCCS and Cubico have agreed to progressing commercial agreements as applicable prior to the end of the DCO determination.</p>	This is welcomed by the Applicant	Under discussion
12	Co-operation Agreement between the Parties	<p>The Applicant and LBCCS intend to enter into an agreement that seeks to deal with the following matters:</p> <ul style="list-style-type: none"> managing the design of and carrying out of the Proposed Development within the LBCCS Easement land; managing interacting construction programmes with a view to enabling both developments to take place without detrimental impact to the other; 	The Applicant agrees that these discussions are on-going and looks forward to working with LBCCS to reach completion on the Agreement.	Agree (agreement discussions ongoing)

Ref.	Matter / Topic	Liverpool Bay CCS Limited Position	Applicant Position	Status
		<ul style="list-style-type: none"> • ensuring compliance with UKOPA (United Kingdom Onshore Pipelines Operators Association) Good Practice Guide – Requirements for the siting and installation of Solar Photovoltaic (PV) Installations in the Vicinity or Buried Pipelines (UKOPA/GP014 Edition 2 dated September 2023); • pipeline maintenance access; and • commercial arrangements for land unable to be developed for the Proposed Development. 		
13	High level Protective Provisions	<p>Protective provisions for the benefit of LBCCS are sought to ensure that the Proposed Development is constructed, operated and maintained in a manner that provides suitable protection for the Runcorn Spur Pipeline Proposed Development. Protective Provisions on the face of the Order shall include but not limited to.</p> <ul style="list-style-type: none"> • not to erect, construct, or place, or suffer to be erected, constructed or placed on the Easement Strip any: <ul style="list-style-type: none"> ○ building or structure; or ○ fencing <p>without the previous consent in writing of LBCCS.</p>	<p>In the absence of a DCO or any other form of consent for the Runcorn Spur Pipeline, the Applicant does not agree in principle to Protective Provisions (PPs) for the benefit of LBCCS.</p> <p>Furthermore, in the absence of a DCO, the Applicant has no opportunity to put in place reciprocal arrangements other than through an Agreement between the Parties, which is what is intended through the Agreement referred to in row 12 above.</p>	Under discussion

Ref.	Matter / Topic	Liverpool Bay CCS Limited Position	Applicant Position	Status
		<ul style="list-style-type: none"> • May lay, maintain and support sewers, drains, pipes, cables and other services reasonably required across the Property or the Easement Strip subject to first providing plans designs, timing schedules and procedures or other appropriate details to LBCCS of the work and not commence works until approved in writing by LBCCS. • May not plant any plants trees or shrubs on the Easement Strip without the previous consent in writing of LBCCS and not to allow the roots or canopy of any plants, trees or shrubs planted on the Landlord’s Property to encroach on the Easement Strip so as to interfere with the pipeline project. • May not carry out any excavation or materially raise or lower the existing level of the surface of the Easement Strip without the previous consent in writing of LBCCS. • May not undermine or damage the pipeline or do anything which may interfere with free flow and passage through the pipeline; • May not to carry out any blasting on the Landlord’s Property without the previous consent in writing. • May not surface the Easement Strip with concrete tarmac or any other covering or material nor install any further roads, access tracks, dykes, ditches, hard 	<p>Many of the points that LBCCS is seeking to put into PPs are dependent on timing of the respective projects and would not be appropriate if the Runcorn Spur Pipeline were to come after the Proposed Development and the Applicant considers it is not appropriate for it having to obtain retrospective consent.</p> <p>The two projects need to be designed together, rather than restrictions being put in place now which unduly restrict the benefits of either scheme.</p> <p>The Applicant considers that the approach to the Hynet Hydrogen pipeline in the Outline CEMP is a more appropriate approach. Without prejudice to the above, the Parties have exchanged travelling drafts of the draft Protective Provisions put forward by LBCCS at Deadline 6 and some progress has been made which is reflected in the Parties’ Deadline 7 submissions (namely paragraph 1 and the definition of ‘apparatus’), and these discussions will continue between the parties post submission. The Applicant’s</p>	

Ref.	Matter / Topic	Liverpool Bay CCS Limited Position	Applicant Position	Status
		<p>boundaries or piling or further land drainage works on the Easement Strip without the previous consent in writing of the Tenant.</p> <ul style="list-style-type: none"> • May only transverse the easement strip by vehicle at designated and agreed crossing points. <p>LBCCS agree that restrictions should not be put in place which unduly restrict the benefits of either scheme; LBCCS's preference is to reach a mutually acceptable form of agreement with a view to preserving both sets of benefits and ensuring deliverability.</p> <p>LBCCS considers that Protective Provisions are necessary in line with the above points in order to ensure that the assets comprised in LBCCS's development are adequately protected and to ensure that impacts on those assets are duly addressed and resolved. This includes restrictions on compulsory acquisition powers where those would interfere with land rights for the constructed Runcorn pipeline assets and the ongoing provision of access to that pipeline.</p>	<p>view remains that Protective Provisions should not be put on the face of the DCO in respect of the pipeline. However, if the Secretary of State disagrees, it has put its own version of the Protective Provisions forward in its Deadline 7 submissions, with justification, noting that LBCCS has done the same at Deadline 7.</p>	

Ref.	Matter / Topic	Liverpool Bay CCS Limited Position	Applicant Position	Status
		<p>We have provided our requested Protective Provisions to the Applicant, and without prejudice to the ongoing process of negotiation we are submitting our own version of the Protective Provisions in our Deadline 7 submissions.</p> <p>LBCCS do not consider that the Applicant's CEMP provides either sufficient protection or sufficient certainty to protect LBCCS's assets, being a document which is ultimately approved, managed and enforced by CWCC.</p>		
14	Programme	The Applicant and LBCCS have agreed, as a general principle, to work proactively to mitigate delays to each other's projects.	The Applicant agrees with this principle.	Agreed
15	Practical position in the "After Scenario"	<p>LBCCS has advanced the planning application for the Runcorn Spur Pipeline Proposed Development on the basis of the development (insofar as it intersects with the NBBMA) occurring before the DCO development.</p> <p>In a scenario where this does not occur for an unforeseen reason, and without prejudice to the primary position described in the planning application, LBCCS expects the parties to work</p>	The Applicant agrees with this principle.	Agreed

Ref.	Matter / Topic	Liverpool Bay CCS Limited Position	Applicant Position	Status
		collaboratively, positively and in good faith to facilitate the development of both schemes in parallel in a mutually acceptable, viable and deliverable way.		



Figure 1 - Original route of Runcorn Spur Pipeline Centrally though Frodsham Marshes



Figure 2 - Revised Northern Route of Runcorn Spur Pipeline North through Frodsham marshes



Figure 3 - Outlined Interaction of Runcorn Spur CO2 pipeline with Frodsham Solar Development (latest proposal)

Appendix A - Agreement

FRODSHAM SOLAR LTD:

Name: Joe Chambers

Signature: _____

Position: Cubico UK Development Lead

On behalf of: Frodsham Solar Ltd

Date: _____

Name: Rosie Vetter

Signature: _____

Position: Cubico Head of UK Development

On behalf of: Frodsham Solar Ltd

Date: _____

Liverpool Bay CCS Limited:

Name:

Signature:

Position:

On behalf of:

Liverpool Bay CCS Limited

Date:

.....