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Fosse Green Energy
Development Consent Order 202[]

8.14 Statement of Common Ground with Phillips 66 Limited

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1. Statement of Common Ground Signatures

This Statement of Common Ground has been prepared and agreed by Fosse Green Energy Limited and Phillips 66 Limited.

Signed on behalf of Fosse Green Energy Limited

Name:

Position:

Date:

Signature:

Signed by British Pipeline Agency Limited on behalf of Phillips 66 Limited

Name:

Position:

Date:

Signature:

2. Introduction

2.1 Purpose of this document

- 2.1.1 This Statement of Common Ground ("SoCG") relates to the application submitted to the Planning Inspectorate on 18 July 2025 ("the Application") by Fosse Green Energy Limited ("the Applicant") for a Development Consent Order ("DCO") for the Fosse Green Energy solar project ("the Proposed Development").
- 2.1.2 This SoCG has been prepared by the Applicant and Phillips 66 Limited ("P66") (together known as "the Parties") in respect of the Proposed Development.
- 2.1.3 This SoCG has been produced to confirm to the Examining Authority ("ExA") where agreement has been reached between the Parties and where agreement has not yet been reached. This SoCG will be revised and updated as appropriate and/or required by the ExA at relevant examination deadlines.
- 2.1.4 Key issues discussed in this SoCG include:
- a. the desire to reach agreement on a safe crossing and design parameters relating to the P66 Pipeline; and
 - b. the desire to embed the details agreed in relation to (a) above in protective provisions appropriate for safeguarding a nationally significant fuel infrastructure asset (to include adequate protections and indemnities relating to any damage or interference caused); and
 - c. recovery of costs incurred by or on behalf of Prax/P66 in relation to the Proposed Development.
- 2.1.5 Application document references are taken from the EN010154 – Fosse Green Energy Examination Library.

2.2 The Proposed Development

- 2.2.1 The Application is for the construction, operation (including maintenance), and decommissioning of a ground-mounted solar photovoltaic (PV) electricity generating station with a capacity exceeding 50 megawatts, with battery storage, onsite substation, and associated infrastructure to generate and export/import electricity. The associated development includes, but is not limited to, access provision, battery storage, underground cabling, areas of landscaping and biodiversity enhancement, and a 400 kV underground Grid Connection Cable to connect the Proposed Development to the national electricity transmission network.
- 2.2.2 The Proposed Development will provide a significant amount of renewable energy over its 60-year operational lifetime supporting resilience, security and affordability of electricity supplies. It would be a critical part of the national portfolio of renewable energy generation that is required to decarbonise the UK's energy supply quickly.

2.2.3 The Proposed Development will help meet the urgent need for this infrastructure to support “energy objectives, together with the national security, economic, commercial, and net zero benefits” as set out in the Overarching National Policy Statement for energy (NPS EN-1) (Ref 1). As such it is infrastructure defined of critical national priority.

2.3 Parties to this Statement of Common Ground

- 2.3.1 The timeline of the engagement between the Parties is shown at Table 2.1.
- 2.3.2 P66 is the owner of the Lindsey Oil Refinery to Buncefield fuel line together with all apparatus and equipment ancillary thereto (“P66 Pipeline”). The P66 Pipeline was purchased by P66 on 28 April 2026. Prior to this, Prax Lindsey Oil Refinery Limited (in liquidation) (PLOR) was the owner of the P66 Pipeline and Prax Downstream UK Limited (in liquidation) (PDUK) was the beneficiary of the land rights relating to the P66 Pipeline. PDUK and PLOR are together referred to as "Prax".
- 2.3.3 This SoCG also refers to British Pipeline Agency Limited ("BPA") which acts as agent for P66 to operate and maintain the P66 Pipeline and to act on its behalf in relation to the Proposed Development, for consistency matters being discussed with the Parties will be referred to as P66. Prior to the purchase by P66, BPA acted as agents for Prax, appointed by the liquidators.
- 2.3.4 The Applicant is a partnership between Windel Energy Limited and Recurrent Energy.
- 2.3.5 Founded in 2018, Windel Energy is a privately held company dedicated to driving the transition towards a sustainable future. Specialising in the origination, development and integration of renewable energy projects and low-carbon disruptive technologies, Windel Energy is at the forefront of clean energy innovation.
- 2.3.6 With a portfolio exceeding 5 gigawatts of renewable power in various stages of development, Windel's team of talented professionals bring a deep understanding and high level of expertise in land viability, electricity networks, planning (Town and Country Planning Act 1990, Developments of National Significance) and consenting for Nationally Significant Infrastructure Projects, legal processes and construction feasibility.
- 2.3.7 Windel Energy adopt a long-term ownership approach, ensuring the efficient operation and management of renewable assets. Leveraging an extensive network of relationships, institutional grade infrastructure and in-house industry expertise, Windel is committed to delivering impactful and enduring energy solutions.
- 2.3.8 Recurrent Energy, a subsidiary of Canadian Solar Inc., is one of the world's largest and most geographically diversified utility-scale solar and energy storage project development, ownership, and operations platforms. With an industry-leading team of in-house energy experts, Recurrent Energy serves as Canadian Solar's global development and power services business. To date, Recurrent Energy has successfully developed, built, and connected

approximately 12 GWp of solar projects and 6.2 GWh of energy storage projects across six continents. As of December 31, 2025, the Company had a total global solar project development pipeline of approximately 23 GWp and a battery energy storage project development pipeline of 75 GWh. The company also has nearly 15 GW of solar and energy storage projects under operations and maintenance (O&M) contracts.

2.4 Terminology

2.4.1 In the tables in Section 3 of this SoCG, 'Matters agreed, not agreed or under discussion' are colour coded in column 5 and categorised as follows:

- a. "Agreed" (green) indicates where the issue has been resolved;
- b. "Not Agreed" (red) indicates a final position that a matter cannot be agreed; and
- c. "Under discussion" (amber) indicates where these points will be the subject of ongoing discussion wherever possible to resolve, or refine, the extent of disagreement between the Parties.

3. Record of Engagement

3.1 Summary of consultation

- 3.1.1 A summary of the meetings and correspondence that has occurred between the Applicant, BPA as agents for Prax (and subsequently P66) is set out in **Table 3-1**. Due to the transfer of the P66 Pipeline taking place on 28 April 2026, P66 was not a party to the engagement process prior to that date and was therefore not involved in any meetings, nor copied on or party to any correspondence referred to in **Table 3-1** prior to 28 April 2026.
- 3.1.2 Please note that all correspondence sent prior to 21 October 2024 is likely to have been sent to Prax directly as its liquidators had not authorised BPA to act as agents in this matter until that date. BPA can only confirm matters in their own knowledge including correspondence it received and sent from 21 October 2024 onwards (being the timeframe from which the Applicant and its agents started to include BPA as addressee in respect of the Proposed Development).
- 3.1.3 The Applicant's legal representative is Womble Bond Dickinson (UK) LLP ("WBD").
- 3.1.4 P66's legal representative via its agent BPA is Fieldfisher LLP ("FF").

Table 3-1: Engagement between the Applicant, AECOM, Prax, P66 and BPA

Date	Form of Correspondence	Details
26/10/2023	Meeting – MS Teams	Fosse Green Update Meeting 1 Project Introductions. Details of statutory consultation shared.
01/11/2023	Email	Details of proposed permissive paths shared and comments received.
08/08/2024	Letter	Land Interest Questionnaire issued to Prax by the Applicant.
22/08/2024	Letter	Land Interest Questionnaire chaser issued to Prax by the Applicant.
18/09/2024	Email	Applicant to Prax for a response for the Land Interest Questionnaire.
21/10/2024	Letter	S42(d) – Notice of statutory consultation issued.
07/03/2025	Email	Applicant to Prax for a response for the Land Interest Questionnaire.
02/04/2025	Meeting – MS Teams	Details of the proposed Cable Corridor shared and comments received.

Date	Form of Correspondence	Details
		Applicant agreed to supply to BPA exact locations and design information in respect of the proposed crossing of the P66 Pipeline.
02/06/2025	Email	BPA chased the Applicant for location and design information (pursuant to 02/04/25 email).
03/06/2025	Email	WBD provided BPA with the requested shapefiles and requested the details of its legal representatives to commence discussion on protective provisions ("PPs").
06/08/2025 and 20/08/2025	Email	WBD asked BPA for details of its legal representatives to allow discussions on PPs to commence.
21/08/2025	Email	BPA provided WBD with the details of its legal representatives.
22/08/2025	Email	<p>WBD:</p> <ul style="list-style-type: none"> • confirmed to FF that they act for the Applicant; • supplied draft PPs; • asked FF to review the PPs and take instructions from BPA as to whether these would provide appropriate protection to the rights and apparatus within the Order Limits of the Proposed Development.
07/09/2025	Email	WBD followed up with FF in relation to email of 22/08/2025.
08/09/2025	Email	FF confirmed they were not yet instructed but would keep WBD updated.
18/09/2025	Letter	S56 – Notice of acceptance of DCO application.
22/09/2025 and 30/09/2025	Emails	BPA chased the Applicant again for specific location and design information (pursuant to 02/04/25 meeting).
02/10/2025	Relevant Representation (FE20B848E)	FF on behalf of BPA for Prax.
07/10/2025	Email	BPA chased the Applicant again for location and design information (pursuant to 02/04/25 meeting).

Date	Form of Correspondence	Details
10/10/2025	Emails	<ul style="list-style-type: none"> • BPA chased the Applicant again for location and design information pursuant to 02/04/25 meeting. • Applicant to BPA stating the location and design information would be shared in due course.
13/10/2025	Email	Applicant provided BPA with confirmation that the crossing angle would be 60 degrees or greater and to supply generic crossing information relating to 400kV crossings.
22/10/2025	Email	BPA confirmed to the Applicant that specific risk assessment was needed in respect of AC interference.
24/10/2025	Email	Applicant responded to BPA that the <i>"modelling [BPA] have requested would be undertaken post-consent"</i> and offered the potential for PPs to be agreed.
24/10/2025	Relevant Representation (F7876C980)	FF on behalf of BPA for Prax.
05/11/2025	Email	FF to WBD: <ul style="list-style-type: none"> • sent Relevant Representations [redacted] and [redacted] • confirmed FF were instructed; and • requested an urgent all parties meeting.
07/11/2025	Email	WBD to FF: <ul style="list-style-type: none"> • requested availability for an all parties meeting; and • asked if FF had bespoke PPs to share for review.
12/11/2025	Emails	<ul style="list-style-type: none"> • WBD to FF – followed up on availability for an all-parties meeting and requested bespoke PPs. • FF to WBD – confirmed (1) they were waiting for BPA's availability and (2) given that there has been no AC interference testing and thus no certainty that the Order limits will be sufficient to install any mitigation work needed to protect the P66 Pipeline,

Date	Form of Correspondence	Details
		<p>bespoke PPs would be needed which FF would prepare subject to an undertaking being given by WBD.</p> <ul style="list-style-type: none"> WBD requested an estimate of FF's incurred and anticipated costs for PPs, and noted that the Applicant would not expect to be covering FF's costs for submission of relevant representations.
25/11/2025	Email	FF emailed WBD to refer to the Inspectorate's request for the Parties to act urgently in respect of agreeing a SoCG and request engagement on that front.
26/11/2025	Meeting – MS Teams	<ul style="list-style-type: none"> Attended by legal representatives and project teams of both the Applicant and Prax. Details of the proposed Cable Corridor shared. FF repeated concerns set out in Relevant Representation [REDACTED] (whether the dDCO and Order Limits as drafted were sufficient to deliver the necessary rights and powers to protect the fuel pipeline given that to date no risk assessment as to what (if any mitigation) would be required had been carried out). Applicant agreed to undertake modelling of AC interference as a matter of urgency. Parties discussed that it would be difficult to negotiate PPs while the question of whether the Order limits were sufficient to deliver any mitigation remained open in the absence of a risk assessment. FF pointed out that if a risk assessment was unlikely to be achievable in the necessary timeframe the Parties could agree PPs which confirm that the Proposed Development will not be constructed or energised over the P66 Pipeline until the Parties had (acting reasonably) agreed on how this could be done safely and referred WBD to

Date	Form of Correspondence	Details
		PPs agreed in respect of the CATS pipeline as part of the Net Zero Teesside DCO.
05/12/2025	Email	<p>BPA:</p> <ul style="list-style-type: none"> • provided the Applicant with further detail of the P6 Pipeline, including the location of cathodic protection post locations; and • requested an update on when modelling data will be provided to BPA.
09/12/2025	Email	FF chased WBD as a matter of urgency in respect of the requested risk assessment and asked for cost cover.
12/12/2025	Email	Applicant confirmed BPA that the draft SoCG would be provided in the coming weeks.
17/12/2025	Email	<p>WBD confirmed that:</p> <ul style="list-style-type: none"> • AC modelling was "ongoing" and that a draft of the PPs could be provided subject to the risk assessment; and • cost cover of £6,500 plus VAT would be offered in respect of Prax's legal fees for the preparation and negotiation of PPs and any associated agreements, including the justification for this amount based on similar work required with statutory undertakers and noting that the Applicant did not intend to cover costs beyond this, in the same way that costs of submitting an objection under the CPO regime would not normally be recoverable. <p>WBD also:</p> <ul style="list-style-type: none"> • shared the email from 12/12/2025 which enclosed the draft SoCG with FF; and • gave advance notice to FF of the details for the upcoming hearings due to take place in January 2026.
22/12/2025	Email / Document	The Applicant provided Prax with a draft SoCG for review and comment.

Date	Form of Correspondence	Details
22/12/2025	Email	WBD updated FF that the Applicant hoped to have the results of the risk assessments by the end of January 2026.
07/01/2026 - 08/01/2026	Emails	<ul style="list-style-type: none"> • FF sent WBD an updated version of the plot interactions' table highlighting where plots relevant to Prax were still missing from the Book of Reference ("BoR") together with title references. • WBD confirmed to FF that the BoR and Schedule of Negotiations ("SoN") had been updated and provided comments/queries from the land referencing team. • FF responded to comments/queries sent by WBD. • BoR / SoN updated in line with information confirmed by FF.
08/01/2026	Hearing	During CAH1, the Applicant stated that the results of the risk assessments would be ready for the Applicant's team to consider at the end of the following week (i.e. 16/01/2026). The Applicant stated that these would then be released to Prax for review as soon as possible afterwards.
16/01/2026	Email	FF requested an update from WBD on the risk assessment information due to be provided by 16/01/2026 which remained outstanding.
19/01/2026	Email	WBD clarified that, as per the oral submissions at CAH1, the Applicant had been expecting to receive the results of the risk assessment on 16/01/2026 and once the Applicant's team had considered these, they would be shared with Prax. WBD requested an update on the draft SoCG.
20/01/2026	Email	BPA chased the Applicant for the results of the AC Interference Modelling Study (or Risk Assessment).
22/01/2026	Email	The Applicant chased Prax / BPA for any comments on the draft SoCG.

Date	Form of Correspondence	Details
29/01/2026	Email	WBD provided FF with a copy of the completed AC Interference Modelling Study (or Risk Assessment).
06/02/2026	Emails	BPA provided comments and concerns on the Risk Assessment to WBD. WBD acknowledged email.
11/02/2026	Meeting	<p>Meeting between the Applicant and BPA:</p> <ul style="list-style-type: none"> • Discussed the results of the AC Interference Modelling Study (or Risk Assessment). • Discussed that the Applicant would re-run and re-issue the AC Interference Modelling Study (or Risk Assessment) to include other developments in the area and including soil test data.
20/02/2026	Emails	<p>WBD to FF:</p> <ul style="list-style-type: none"> • provided draft PPs acknowledging that these may need amending to refer to the correct entity; and • requested FF review the PPs, take instructions and provide comments. <p>FF confirm that the PPs should be for the benefit of Prax, reiterated that the Risk Assessment was inadequate and confirmed that there were errors in the land categorisation.</p>
24/02/2026	Emails	<ul style="list-style-type: none"> • WBD provided amended draft PPs referring to “Prax” (as opposed to “BPA”) and asked FF to review, take instructions and provide comments. WBD note that AECOM are to liaise directly with BPA to address queries on the risk assessments and requested soil resistivity testing. • FF provided WBD with a copy of the additional submission [AS-129]. • FF reiterated the Risk Assessment was inadequate.

Date	Form of Correspondence	Details
		<ul style="list-style-type: none"> WBD provided an undertaking for £6,500 reiterating that this was for the negotiation of PPs.
26/02/2026	Email	FF provided WBD with the draft SoCG with amendments.
27/02/2026	Email	WBD to FF: <ul style="list-style-type: none"> noted the statement from FF that "<i>the provisions provided are generic in nature and unsuited to govern the specific concerns relating to the crossing of an operational fuel pipeline</i>"; and confirmed that WBD await receipt of comments on the draft PPs in order to consider these and take instructions.
27/02/2026	Email	FF confirmed: <ul style="list-style-type: none"> the Risk Assessment remains inadequate; it was therefore not possible to assess the safety issues /extent of mitigation required; it could create bespoke PPs but these would need to be very wide given the absence of agreed safety data; and the term and quantum of the £6,500 cost undertaking provided was not acceptable.
06/03/2026	Emails (incl. BPA response)	<ul style="list-style-type: none"> Applicant to BPA – suggested a meeting to discuss the soil test methodology. BPA to Applicant – responded that the team did not have availability. Statement of preferred requirements of soil testing from BPA.
09/03/2026	Email	WBD confirmed that: <ul style="list-style-type: none"> the Applicant expected soil sampling to be undertaken on 12 March 2026 and that the modelling will then be updated (w/c 16/03/2026 or as soon as possible thereafter); any draft PPs would be subject to the final outcome of the remodelled risk

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		<p>assessment and whether any mitigation was required; and</p> <ul style="list-style-type: none"> the undertaking specifically covers legal fees for preparing and negotiating protective provisions and did not intend to cover Prax's costs in relation to engaging including in respect of the SoCG.
09/03/2026	Email	<p>FF outlined to WBD that:</p> <ul style="list-style-type: none"> Prax was not a statutory undertaker and did not benefit from statutory rights or powers and therefore needed bespoke PPs and agreement relating to the area where the Proposed Development crossed the P66 Pipeline; the Applicant had not been able to provide correct or sufficient safety data meaning that Prax needed to maintain their objection to the dDCO as drafted; and the terms of the offered costs undertaking remained unacceptable.
09/03/2026	Emails (incl. BPA response)	<ul style="list-style-type: none"> Applicant emailed BPA engineering team with further details on the soil testing. Further clarification of preferred requirements of soil testing from BPA/comment on approach. Request for call/meeting.
09/03/2026	Email	<p>Applicant emailed BPA to suggest a meeting to discuss the soil test results and proposed approach to the revised modelling.</p>
10/03/2026	Meeting	<ul style="list-style-type: none"> Discussion between the Applicant and BPA to review basis for soil testing requirements and modelling works. BPA confirmed position on objecting to the dDCO until BPA are satisfied that the impact on the P66 Pipeline was minimal, including consideration of cumulative impacts across multiple planned projects potentially impacting pipeline.

Date	Form of Correspondence	Details
16/03/2026	Email	WBD explained to FF that it could not provide an undertaking using the requested wording but suggested alternative terms.
18/03/2026	Email	The Applicant emailed BPA to suggest a meeting to discuss the soil test results and proposed approach to the revised modelling.
18/03/2026	Email	FF provided WBD with draft bespoke PPs in line with the basis agreed at CAH2.
19/03/2026	Email	The Applicant sent the revised version of the SoCG to Prax/BPA for review and comment.
20/03/2026	Email	The Applicant followed up with Prax/BPA for any comments or amendments to the SoCG.
23/03/2026	Email	Prax/BPA confirmed they would respond on 24/03/2026 following a review of the SoCG.
23/03/2026 and 24/03/2026	Email	<ul style="list-style-type: none"> WBD emailed FF to acknowledge receipt of FF's draft PPs and noted that given the timings it would submit the Applicant's preferred protective provisions at Deadline 3A. FF responded on the SoCG advising they would be submitting an amended version of a previous iteration of the draft SoCG to the Examination at Deadline 3A.
24/03/2026	Meeting	<p>All Parties meeting to discuss the crossing of the P66 Pipeline:</p> <ul style="list-style-type: none"> The Applicant agreed that it would provide an updated AC interference modelling report ('Risk Assessment') by 27 March 2026. BPA suggested verbally that its preference is a 90 degree crossing angle, asking that the Applicant consider this.
02/04/2026	Email	<p>WBD to FF:</p> <ul style="list-style-type: none"> outlined that the Applicant's technical experts were continuing to work on updating modelling and that the Applicant would hope that when the updated modelling report is provided the draft PPs it provided previously

Date	Form of Correspondence	Details
		<p>would form the basis of negotiations rather than the FF drafted PPs provided on 18 March 2026.</p> <ul style="list-style-type: none"> • This was on the basis that those provided by the Applicant were better suited to a situation where no mitigation is required. • WBD suggested that progress on negotiating PPs was paused pending the outcome of technical discussions.
07/04/2026	Email	<p>FF to WBD:</p> <ul style="list-style-type: none"> • chased for the outstanding risk assessment; and • requested WBD/the Applicant review and return the draft PPs provided by FF on 18 March 2026.
07/04/2026	Email	<p>Applicant to BPA – Following feedback from BPA, the AC interference report ('Risk Assessment') was updated and shared with BPA. This included site soil testing to gather soil resistivity data, and incorporated some other updated modelling assumptions based on comments from BPA, most notably the request to include the existing overhead line within a baseline calculation. This report utilised a 600mm separation but maintained the 58-degree crossing angle (as opposed to the agreed 90-degree crossing angle).</p>
08/04/2026	Email	<p>The Applicant notified BPA and FF that the AC interference report ('Risk Assessment') would be updated again to accommodate a 90-degree crossing angle, which BPA had previously requested verbally could resolve matters.</p>
08/04/2026	Email	<p>FF requested changes to the offered terms of the costs undertaking.</p>
09/04/2026	Email	<p>WBD confirmed to FF that the Applicant would commit to crossing the P66 Pipeline at 90 degrees and sought clarification as to whether this would change the form of draft PPs provided on behalf of Prax.</p>

Date	Form of Correspondence	Details
10/04/2026	Email	FF to WBD/Applicant – Sent amended draft SoCG.
10/04/2026	Email	FF to WBD: <ul style="list-style-type: none"> • confirmed that the PPs drafted by FF pursuant to the CAH2 commitments remain Prax’s preferred position, and this was not altered by the proposed crossing angle; • requested that the updated risk assessment (based on the 90-degree crossing angle) was provided by midday on 13 April 2026 as it was not otherwise possible to assess what safeguards may or may not be required; and • requested confirmation that the PPs it provided on 18 March 2026 would be reviewed by the Applicant.
10/04/2026	Email	WBD responded to FF noting Prax’s position and confirmed that the draft PPs provided by FF would be reviewed.
13/04/2026	Email	BPA confirmed to WBD/the Applicant that the updated report was received on 7 April 2026, but it did not propose reviewing this, as the Applicant would be providing a further revision.
13/04/2026	Email	WBD (to FF) acknowledged Prax’s position and confirmed that review of the draft PPs provided by FF was ongoing.
14/04/2026	Email	WBD confirmed to FF that it would provide a revised undertaking subject to some terms.
14/04/2026	Email	FF reiterated Prax’s requirements in relation to the AC interference study in an email to WBD which was passed to the Applicant’s technical team. FF reiterated that the continued delay would prejudice Prax’s ability to deliver the material required for Deadline 5.
14/04/2026	Email	WBD confirmed to FF that Prax’s comments had been passed to the Applicant’s technical team, but asked that technical correspondence was passed directly

Date	Form of Correspondence	Details
		between the relevant experts, without legal involvement.
15/04/2026	Email	FF clarified that the 'incorrect assumptions' relate to the crossing report not being based on the correct crossing angle which is fundamental to any AC load calculation.
15/04/2026	Email	The Applicant provided BPA and FF with a copy of the updated AC Interference Modelling Study (or Risk Assessment), which now included a 90 degree crossing. The Applicant suggests a meeting on 17 April 2026 and twice weekly meetings thereafter up to Deadline 5.
15/04/2025	Email	FF queried the angle of the crossing which did not look to be 90 degrees with the Applicant.
15/04/2025	Email	The Applicant confirmed to FF that the crossing was at 90 degrees.
16/04/2026	Email	BPA suggested a meeting on 22 April 2026 to discuss the updated AC Interference Modelling Study (or Risk Assessment).
16/04/2026	Email	FF provided WBD with updated draft PPs following receipt of the updated report by Prax.
16/04/2026	Email	WBD confirmed receipt of the revised draft PPs and requested copies of the documents listed under "the Prax requirements" in the draft PPs so that these could be reviewed in parallel to the draft PPs.
17/04/2026	Email	BPA provided the documents requested by WBD.
20/04/2026	Emails	FF to WBD: <ul style="list-style-type: none"> • chased for comments on the draft PPs and SoCG; and • confirmed that the existing undertaking remained unacceptable in terms and inadequate in quantum and put forward a revised undertaking proposal.
21/04/2026	Email	BPA provided feedback to the Applicant on the AC interference report (risk assessment)

Date	Form of Correspondence	Details
		to assist a meeting scheduled on 22 April 2026.
22/04/2026	Meeting	<ul style="list-style-type: none"> • Meeting between the Applicant team and BPA and FF. • Parties discussed comments on the risk assessment and proposed design parameters. • The Applicant team agreed to share the updated Proposed Development Parameters ahead of Deadline 5 for BPA and Prax to review. • Costs were discussed, and FF agreed to provide invoices incurred by BPA to date for consideration by the Applicant.
22/04/2026	Email	WBD sent FF a markup of the draft PPs with comments.
23/04/2026	Email	The Applicant shared an updated SoCG with FF and BPA for review and editing.
23/04/2026	Emails	<ul style="list-style-type: none"> • FF provided copy invoices together with detailed narratives. • WBD requested individual time entry data for all time incurred. • FF confirmed that individual financial / time entry data was market sensitive and confidential and could not be shared.
23/04/2026	Email	The Applicant team sent FF updated SoCG.
24/04/2026	Emails	<ul style="list-style-type: none"> • The Applicant team shared an updated AC interference report (risk assessment) with FF and BPA. • FF shared comments on the draft PPs requested that these be returned by midday on Monday 27 April.
27/04/2026	Emails	<ul style="list-style-type: none"> • The Applicant team requested an update on the SoCG and suggested a meeting to finalise the SoCG the same day. • FF replied that the FF and BPA teams were not available for a meeting that day and the intention is that Prax

Date	Form of Correspondence	Details
		<p>would be submitting its own version of the SoCG at Deadline 5 accepting all amends that can be agreed¹.</p> <ul style="list-style-type: none"> WBD on behalf of the Applicant shared an updated markup of the PPs with comments for FF to consider in line with FF's request.
27/04/2026	Phone call	<p>BPA called Applicant team to discuss a point in the risk assessment (the exact parameters for the cable and where any transition from trefoil to flat formation will be carried out). The Applicant agreed to update the report. BPA provided verbal confirmation that the technical solution is agreed in principle.</p>
27/04/2026	Emails	<ul style="list-style-type: none"> The Applicant team shared an updated AC interference report (risk assessment) with FF and BPA. FF replied to WBD saying it did not envisage being able to respond to the PPs before Deadline 5. FF later replied on points still not agreed on the PPs subject to client instructions. WBD provided comments on the lists of points not agreed on the PPs subject to client instructions. WBD emailed FF explaining that the ExA required a final and signed SoCG to be submitted at Deadline 5 and reiterated that the SoCG is intended to set out the position of each party, and that matters can be marked as 'not agreed' in the SoCG. Emails between Applicant and BPA on the updated AC interference modelling report and length of trefoil arrangement.
27/04/2026	Phone call	<p>BPA and Applicant discussed resolution of technical matters and fees.</p>

¹ This was the day before the transfer to P66 and Prax and the Liquidators were therefore not available for meetings.

Date	Form of Correspondence	Details
28/04/2026	Phone call	<ul style="list-style-type: none"> WBD called FF seeking an update, particularly in relation to the SoCG provided on 23.04.26 FF confirmed they were unable to provide an update at that time but would come back to WBD².
28/04/2026	Emails	Between BPA and the Applicant re costs.
28/04/2026	Email	From Applicant to BPA requesting engagement between the technical teams as to the proposed technical solution.
28/04/2026	Email	From Applicant to BPA stating: <ul style="list-style-type: none"> that the Applicant has no liability to pay costs; technical solution (as opposed to a full outline specification) agreed in principle between the Parties technical teams; and that other than a 'contribution' to PPs drafting it would not be contributing to any other fees.
28/04/2026	Email	From Applicant to BPA re lack of further progress towards agreed PPs and SoCG and re costs.
28/04/2026	Email	FF email to WBD (and the wider Applicant team) providing copies of the submissions made on behalf of BPA as agents for P66 and stating that P66 was now the owner of the assets.
30/04/2026	Email	FF to WBD re costs.
06/05/2026	Email	WBD to FF re costs.
07/05/2026	Emails	<ul style="list-style-type: none"> The Applicant team provided updated Crossing Details and confirmed that will update the full report and circulate. BPA confirmed that the Crossing Details were agreed in principle³.
07/05/2026 and 08/05/2026	Emails	<ul style="list-style-type: none"> The Applicant team sent the updated SoCG to FF and BPA requesting comments by 11/05/2026.

² Note that this was the day of the transfer to P66.

³ These are subject to P66 engineering sign off

Date	Form of Correspondence	Details
		<ul style="list-style-type: none"> FF confirmed to WBD it would review the SoCG and take instructions from BPA/P66.
08/05/2026	Email	FF to WBD re costs.
08/05/2026	Email	Applicant provided updated risk assessment to BPA.
08/05/2026	Email	FF to WBD stating that FF awaited comments on the protective provisions it submitted at Deadline 5.
11/05/2026	Email	WBD to FF providing a further draft of the protective provisions and requesting details of the Phillips 66 Limited acquisition.
12/05/2026	Call	Call from AECOM to FF in respect of the SoCG.
12/05/2026	Email	FF to AECOM confirming that instructions were awaited in respect of the SoCG.



4. Matters agreed, not agreed or under discussion

4.1 Land matters

Table 4-1: Land matters

Reference	Description of Matter	P66 Position	Applicant Position	Status
4.1.1	Engagement	<p>The Applicant has only recently addressed the significant safety and other concerns relating to the P66 Pipeline (which is part of critical national infrastructure), in respect of the risk and safety data as outlined in AS-129 as evidenced by:</p> <ul style="list-style-type: none"> On 29 January 2026 the Applicant provided a risk assessment (produced by AECOM) which was inadequate in its scope and contained incorrect calculations in relation to AC interference. An updated risk assessment was due to be provided by 27 March 2026. On 16 April 2026 an updated risk assessment (produced by AECOM) was eventually sent to BPA which was again incorrect as 	<p>Table 3-1 provides the sequences of correspondence between the Applicant and Prax/P66’s team. The lengthy lag time between the initial AC interference modelling study (Risk Assessment) on 29 January 2026 and updated study was due to the need to carry out soil testing data requested by BPA to verify the model parameters (and the time taken to procure this work and arrange site access). The Applicant said it was aiming to share the report by 27 March but it may be slightly later.</p> <p>The Applicant has opted to retain the original parameter in the report, with the soil test data showing this is likely to be a worst case assumption that overestimates the impact on the P66 Finaline pipeline. The Applicant does not consider the previous iterations to be</p>	Under Discussion



Reference	Description of Matter	P66 Position	Applicant Position	Status
		<p>it was based on an incorrect crossing angle.</p> <ul style="list-style-type: none"> • On Friday 24 April 2026 at 16.24 (one working day prior to Deadline 5), a revised version of the risk assessment based on a 90 degree crossing angle and proposed crossing details for embedding in the PPs was sent to BPA. The risk assessment needed to be updated following discussions between the Applicant and BPA. • On 27 April 2026 (the day before Deadline 5), an updated risk assessment and crossing details were provided however the crossing details incorrectly contained reference to a gas pipeline. • On 7 May 2026, the Applicant provided corrected draft crossing details. • On 8 May 2026 the updated risk assessment and updated crossing details were provided to BPA by the Applicant. The risk assessment and crossing details is agreed in 	<p>based on incorrect crossing angle, however, to help move forward an updated report was provided on 7 April and BPA was informed on 8 April that the report would be further revised with a 90-degree crossing angle which was reflected in the further updated report provided on 15 April. Following a meeting on 22 April, a further revised report was provided on 24 April. Further amendments were requested by BPA during a phone call on 27 April. The report was updated accordingly with amended assumptions and provided that same morning. Therefore, BPA was aware of the contents of the report well in advance of Deadline 5 on 28 April.</p> <p>In summary, the Applicant is in discussion with FF regarding bespoke protective provisions to be included in the draft DCO [APP-016] and significant progress has been made in this regard, with only a limited number of points now outstanding, as explained in Appendix B. In addition, the Applicant has undertaken and provided an AC Interference Modelling</p>	



Reference	Description of Matter	P66 Position	Applicant Position	Status
		<p>principle subject to final approval by P66.</p> <ul style="list-style-type: none"> There has been very little engagement on agreeing reasonable cost cover. A cost undertaking for £6,500 plus VAT was received from WBD on 24 February 2026 however this was on unacceptable terms and a cost undertaking on acceptable terms has not to date been provided. <p>Please see 4.1.5 in relation to the protective provisions following submission of the report.</p>	<p>Study (or Risk Assessment) which assessed the risk to the pipeline from the underground Cable Corridor to be negligible (as explained further below). This report has been agreed with P66, along with the technical solution for crossing of the pipeline. There is no requirement for mitigation outside of the Order limits.</p> <p>The AC Interference Modelling Study has been updated to account for comments from BPA on the earlier iteration, to amend the crossing angle to 90 degrees, which was suggested by BPA, and with a separation distance of 600mm from the pipeline. It also now includes the existing overhead line. The report shows that the Proposed Development contributes less than 0.1% of the corrosion threshold, and when added to the existing overhead line, the Proposed Development AC current interferes with and shields the pipeline from the AC current from the existing overhead line, leading to a negligible beneficial effect overall.</p>	



Reference	Description of Matter	P66 Position	Applicant Position	Status
			<p>The Applicant has carried out soil test data and retained the previous assumptions in the model, which are an unrealistic worst case and therefore the Applicant considers likely to have overestimated the impact of the Proposed Development on the pipeline. With this in mind, along with the negligible beneficial effect associated with the Proposed Development, the Applicant considers the confidence associated with the soil parameters to be adequate. The report demonstrates that safety thresholds are met, and the safety risk is acceptable, subject to the Proposed Development Parameters being updated to reflect the report parameters.</p> <p>The Applicant's comments on the draft Protective Provisions were provided to FF on 22 April 2026 and, following receipt of FF's comments at 16:28 on Friday 24 April 2026, the Applicant provided further comments at 11:42 on Monday 27 April 2026.</p> <p>The Applicant has stated on several occasions that costs cover will be limited</p>	



Reference	Description of Matter	P66 Position	Applicant Position	Status
			to legal fees for the negotiation of protective provisions, as per agreements with statutory undertakers.	
4.1.2	P66's position vis a vis the dDCO	<p>Considerable concerns vis a vis the Project have been addressed in the written submissions (Relevant Representations RR-038, RR-039, REP1087 and AS-129) and oral submissions (at CAH1 (EV3-002 – EV3-005) and ISH2 (EV4-002 and EV4-003) and at CAH2). These include:</p> <ul style="list-style-type: none"> a) Please see 4.1.1 in relation to the Final Risk Assessment and Crossing Details; and b) Formal agreement must be reached in terms of safeguarding P66's continued ability to operate, access, repair, maintain, and replace the P66 Pipeline; and c) Formal agreement must be put in place to ensure that all short and long term mitigation measures and land rights necessary to protect the P66 Pipeline (and by extension, the environment) from the risk of harm can be delivered by the 	<p>The Applicant is in discussion with FF regarding bespoke protective provisions to be included in the draft DCO [APP-016] and has undertaken and provided an AC Interference Modelling Study (or Risk Assessment) which assessed the risk to the pipeline from the underground Cable Corridor. The report demonstrates on its own the Proposed Development has a negligible effect on the corrosion and safety risks of the pipeline, contributing less than 0.1% of the corrosion threshold. When added to the baseline, it reduces the corrosion risk by a negligible extent, due to the interaction of AC currents leading to the shielding of the AC current from the existing overhead line.</p> <p>The Proposed Development Parameters was updated at Deadline 5 to include the (embedded) mitigation measures included in the AC interference modelling study.</p>	Under discussion



Reference	Description of Matter	P66 Position	Applicant Position	Status
		<p>Order and within the Order limits as drafted; and</p> <p>d) Formal agreement needed to indemnify P66 from damage caused to the P66 Pipeline together with any claims flowing therefrom; and</p> <p>e) Acceptable protective provisions embedding agreed Crossing Details and design parameters to be agreed.</p> <p>P66's position on the protective provisions is shown at 4.1.5.</p>	<p>It is expected (and is to be confirmed formally within the terms of the protective provisions) that no work shall be undertaken without an updated risk assessment based on the detailed design in the event the DCO is granted, which shall be provided to P66 ahead of any works. The works shall be structured so that the cable installation and operation shall not interfere with P66's ability to meet its obligations under the Pipeline Safety Regulations (PSR. 1996), in particular not obstructing its ability to meet PSR Regulation 13. The Applicant is aware of its responsibilities under PSR Regulation 15, and shall provide suitable demonstration of minimisation of risks (including demonstration of suitable: work approaches/procedures, technical impact, ongoing monitoring, where required) as the detailed design of the Proposed Development progresses. Industry best practices (i.e. UKOPA GPG) shall be followed, or suitable alternative agreements shall be progressed if required during detailed design. The</p>	



Reference	Description of Matter	P66 Position	Applicant Position	Status
			<p>specific points flagged by P66 are capable of being addressed by the Applicant and it is expected that agreement can be reached.</p> <p>The Applicant sent FF comments on its proposed draft protective provisions on 22 April 2026 and following receipt of FF's comments at 16:28 on Friday 24 April 2026, provided a further markup and comments at 11:42 on Monday 27 April 2026.</p> <p>No mitigation measures or land rights outside the Order Limits are required.</p>	
4.1.3	Land rights	<p>P66 does not consider it proportionate to sterilise land rights relating to the P66 Pipeline within the Order limits and suggests that the P66 Pipeline and necessary rights of access are excluded from the ambit of the dDCO (sharing rights where appropriate).</p> <p>P66 reserves its position in terms of making further representations once</p>	<p>The Applicant notes that P66 do not object to the principle of the Proposed Development provided that a number of concerns can be met in terms of health and safety, potential damage to the Finaline pipeline and the retention of land rights can be satisfactorily addressed. The Applicant acknowledges the objection to the proposed acquisition of land and rights in the absence of agreed protective provisions.</p>	Under discussion



Reference	Description of Matter	P66 Position	Applicant Position	Status
		further investigations have been carried out.	<p>The all-party call in November 2025 focussed on FF and BPAs concerns and resulted in the Applicant agreeing to carry out an AC interference modelling study (the Risk Assessment).</p> <p>The Applicant is in discussion with FF regarding bespoke protective provisions to be included in the draft DCO [APP-016] and has undertaken and provided an AC Interference Modelling Study (or Risk Assessment) which assessed the risk to the pipeline from the Cable Corridor. These PPs will ensure that Prax maintain the necessary rights to allow continued operation and maintenance of its pipeline. The Applicant's position is identified at matter 3.1.2. The Applicant considers it very unlikely that mitigation works would be required in the area and has committed to crossing the pipeline at 90 degrees to reduce impacts.</p>	
4.1.4	Order Limits	The results of the Final Risk Assessment appear to demonstrate that no such mitigation works are required and	The Applicant's position is identified at matter 3.1.2. The results of the risk assessment demonstrate that no such mitigation works are required and	Agreed



Reference	Description of Matter	P66 Position	Applicant Position	Status
		therefore no rights outside of the Order Limits are required to be granted.	therefore no rights outside of the Order Limits are required to be granted.	
4.1.5	Protective Provisions	<ul style="list-style-type: none"> On 18 March 2026 in accordance with the submissions and timeline outlined at CAH2, P66's solicitor provided the Applicant's solicitor with draft bespoke protective provisions based on the Exolum Seal Sand Ltd and Exolum Riverside Ltd protective provisions included in the Net Zero Teesside DCO ("P66 PPs") (updated on 16 April 2026 to include reference to the Crossing Details). On 22 April 2026, the Applicant's solicitor issued its comments and amendments on the P66 PPs. On 24 April 2026, P66's solicitor issued its further comments and amendments on the P66 PPs to the Applicant's solicitor. The Applicant's solicitor returned the P66 PPs to P66's solicitor on 27 April 2026 and P66's solicitor 	<p>The Applicant is currently in discussion with FF regarding the nature and scope of the protective provisions to be included within the draft DCO [APP-016].</p> <p>The Applicant provided draft PPs to FF on 20 February and in line with FF's request, provided amended draft PPs which benefit Prax (as opposed to BPA) on 24 February seeking comments from FF.</p> <p>The Applicant did not receive any substantive comments on these draft PPs despite requesting this on several occasions.</p> <p>FF provided their version of the draft PPs on 18 March, and a revised version of these on 16 April. The Applicant reviewed these and provided a markup and comments on 22 April 2026. Following receipt of FF's comments at 16:28 on</p>	Under Discussion



Reference	Description of Matter	P66 Position	Applicant Position	Status
		<p>provided a list of the points that it believed were not agreed but this was subject to P66's instructions.</p> <ul style="list-style-type: none"> On 27 April at 22.23 the Applicant's solicitor provided further comments on the list on points but noted that this was subject to the Applicant's instructions. Both Parties submitted their own versions of the P66 PPs at Deadline 5. On 8 May 2026, P66's solicitor chased the Applicant's solicitor for comments on the P66 PPs it submitted at Deadline 5. <p>The draft DCO fails to include bespoke protective provisions for P66. Adequate protective provisions must be put in place so as to safeguard the ability of a private pipeline operator to access, operate, repair, maintain and replace the P66 Pipeline. P66 requires these to include provisions to ensure that:</p> <ul style="list-style-type: none"> appropriate indemnities and making good obligations are agreed in respect of any damage to the P66 Pipeline (to 	<p>Friday 24 April 2026, the Applicant provided a further markup and comments at 11:42 on Monday 27 April 2026. Further comments on outstanding points were shared with FF later the same day subject to final instructions.</p> <p>The Applicant's position with regard to AC Interference Modelling Study (or Risk Assessment) is identified at matter 3.1.2.</p> <p>The Applicant submitted an amended Book of Reference [APP-022] and Statement of Reasons [APP-020] at Deadline 1 so they are consistent. The Book of Reference [APP-022] is accurate in line with HMLR records and has been updated on the basis of additional information provided to WBD by FF. FF confirmed on 27/02/2026 that the BoR is in fact correct and all rights have been included.</p> <p>There are no intentions for the P66 Pipeline to be relocated.</p>	



Reference	Description of Matter	P66 Position	Applicant Position	Status
		<p>include cover for indirect and consequential loss bearing in mind that any damage would also affect supply of product).</p> <ul style="list-style-type: none"> • appropriate protective measures will be installed over any parts of the P66 Pipeline, which could be crossed as a result of the Project Works; and • works over and in the vicinity of the apparatus will be agreed between the parties to ensure compliance with health and safety requirements and P66’s reasonable requirements ; and • that the P66 Pipeline is not to be relocated and that the safety and integrity and ability to move product through the P66 Pipeline is safeguarded at all times; and • any replacement rights to be provided are to be at least as extensive as those enjoyed for the existing apparatus; and • that all costs incurred by BPA, Prax and P66 in terms of engaging or complying with the dDCO and any protective provisions or side agreements collateral thereto 		



Reference	Description of Matter	P66 Position	Applicant Position	Status
		<p>including but not limited to putting in place measures to protect their existing apparatus, and obtaining or varying land rights will be met by the Applicant.</p>		
4.1.6	Works Plans	<p>The Application (specifically the Works Plan) does not include the information necessary for P66 to assess and quantify:</p> <ul style="list-style-type: none"> • either the potential risks of the Project Works/Cable installation (in their proposed form) on the Prax Pipeline and whether these can be carried out safely; or • to the extent that the Project Works/Cable installation can be carried out safely with appropriate mitigation what the proposed mitigation is and the data on which that assessment has been made. <p>P66 hope that the Parties can formalise agreement on the methodology and consenting process of the crossing works in the P66 PPs (on the basis of the in principle agreed crossing specifications).</p>	<p>The Applicant’s position with regard to the AC Interference Modelling Study (or Risk Assessment) is identified at matter 3.1.2. The report includes sufficient information for P66 to assess and quantify the potential risks to the Finaline pipeline and need for mitigation. The report shows that the Proposed Development contributes less than 0.1% of the corrosion threshold, and when added to the existing overhead line, the Proposed Development AC current interferes with and shields the pipeline from the AC current from the existing overhead line, leading to a negligible beneficial effect overall. The embedded mitigation concerning the angle of crossing and separation distance is included in the Proposed Development</p>	Under discussion



Reference	Description of Matter	P66 Position	Applicant Position	Status
		However, to date protective provisions remain outstanding as per 4.1.5.	Parameters; it has not been necessary to include this in the Works Plan.	

4.2 Pipeline Matters

Table 4-2: Pipeline matters

Reference	Description of Matter	P66 Position	Applicant Position	Status
4.2.1	Pipeline crossing	<ul style="list-style-type: none"> P66's concerns in relation to safety and security of national fuel supply have been outlined in detail in its written and oral submissions. The Crossing Details are approved in principle (subject to final approval by P66) and subject to including this as the "outline specification" within a set of protective provisions (in a form either (a) as agreed between the parties or (b) in the form submitted by Fieldfisher on behalf of BPA/Prax (now P66) at Deadline 5. 	<p>The Applicant's position with regard to the AC Interference Modelling Study (or Risk Assessment) is identified at matter 3.1.2.</p> <p>Further information on the proposed works, offset distances, and crossing angle are provided in the updated AC interference modelling report and engagement is continuing with P66 to secure appropriate protective provisions which reflect this.</p>	Under discussion
4.2.2	Risk to National Infrastructure (and by extension the Environment)	<ul style="list-style-type: none"> The P66 Pipeline forms part of the Fina network, which supplies fuel to nationally significant sites including airports. Due to the fact that the crossing infrastructure is a high voltage cable and the P66 Pipeline is made of steel, the proximity of the Project Works raises serious concerns as has 	<p>The Applicant's position with regard to the AC Interference Modelling Study (or Risk Assessment) is identified at matter 3.1.2.</p> <p>The Applicant does not consider there to be a likely significant effect on the P66 pipeline. Accelerated corrosion and leakage is not anticipated and this is</p>	Under discussion



Reference	Description of Matter	P66 Position	Applicant Position	Status
		<p>been addressed in its various written and oral submissions.</p> <ul style="list-style-type: none"> • Failure to address P66’s significant concerns adequately could lead to catastrophic consequences as a result of the potential for accelerated corrosion of the P66 Pipeline (which, if resulting in instability or rupture) would have a significant impact not only on the national fuel supply but also on the environment. • Approved Crossing Details need to be embedded in the P66 PPs with appropriate safeguards. 	<p>evidenced by the AC interference modelling report. The report shows that the Proposed Development contributes less than 0.1% of the corrosion threshold, and when added to the existing overhead line, the Proposed Development AC current interferes with and shields the pipeline from the AC current from the existing overhead line, leading to a negligible beneficial effect overall. The Proposed Development is therefore not expected to affect the integrity of the pipeline, and as such there is no likely significant effect on the environment resulting from AC interference that needs to be assessed in the Environmental Statement.</p> <p>The Applicant published an updated Proposed Development Parameters document at Deadline 5, which includes the (embedded) mitigation measures presented in the AC interference modelling study.</p>	
4.2.3	Environmental Statement	<ul style="list-style-type: none"> • The crossing of the P66 Pipeline and the potential risks flowing therefrom have not been sufficiently addressed in the 	The potential interaction between P66’s Finaline pipeline and the Proposed Development has been considered within Chapter 14: Other Environmental	Under discussion



Reference	Description of Matter	P66 Position	Applicant Position	Status
		<p>Environmental Statement as required by Regulations 4 and 5 and Schedule 4 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017.</p> <ul style="list-style-type: none"> The current EIA assumes that mitigation can and will be undertaken. If adequate mitigation works are not carried out (for example because these cannot be agreed or adequate land interests obtained) then there is significant risk of harm to the environment due to the potential that the P66 Pipeline corrodes at an accelerated and unpredictable rate due to AC interference and there is a resultant fuel leak. <p>By failing to include this risk in the Environmental Statement, P66 would argue that it is ab initio defective.</p> <ul style="list-style-type: none"> If the Applicant cannot demonstrate that the Proposed Development as planned can be carried out in such a manner that will be safe both in the short and 	<p>Topics of the ES [APP-039] – see paragraph 14.7.10 (g) which notes the consideration within the assessment of the Finaline pipeline referred to: “(g) The Finaline Killingholme to Buncefield underground fuel pipeline”.</p> <p>The assessment establishes the requirement for embedded mitigation to ensure adverse effects are avoided. As such the Framework Construction Environmental Management Plan (CEMP) [APP-189] (ref. MAD-C1) states the following commitment: “To identify any existing infrastructure constraints, both consultation and a desk-based study will be undertaken prior to construction so that appropriate mitigation such as buffers can be incorporated into the design. Cable Avoidance Tool (CAT) scans will also be used by Contractors to check for buried utilities prior to earth breaking site activities. The Applicant will endeavour to engage with utilities providers as appropriate.” The Framework CEMP [APP-189] is to be developed into a detailed CEMP, substantially in accordance with the Framework Plan, as</p>	



Reference	Description of Matter	P66 Position	Applicant Position	Status
		<p>long term then it is likely that damage will be caused to the P66 Pipeline by AC interference. Any damage so caused would be a breach of the Pipeline Safety Regulations 1996 which is an offence.</p> <ul style="list-style-type: none"> If the HSE were of the opinion that such damage was occurring or was likely to occur it might need to prevent the Proposed Development going ahead. 	<p>secured under Requirement 12 of Schedule 2 to the draft DCO [APP-016].</p> <p>The ES is only required to identify likely significant effects. The Applicant does not consider there to be likely significant effects associated with P66's Finaline pipeline and its position is that the industry standard mitigation and inbuilt design measures in the ES are adequate to avoid significant effects on the pipeline. This is evidenced by the AC interference modelling report ('Risk Assessment').</p> <p>The Proposed Development Parameters was updated at Deadline 5 to include the (embedded) mitigation measures included in the AC interference modelling study.</p> <p>The Applicant's position with regard to the AC Interference Modelling Study (or Risk Assessment) is identified at matter 3.1.2.</p> <p>The Applicant is aware of its responsibilities under PSR (1996) and shall demonstrate an acceptable works</p>	



Reference	Description of Matter	P66 Position	Applicant Position	Status
			<p>plan and technical assessment ahead of any works being conducted.</p> <p>The HSE has not shared any concerns with the Applicant.</p>	

References

- Ref 1 Department for Energy Security & Net Zero (2026). Overarching National Policy Statement for Energy (EN-1). Available at: <https://assets.publishing.service.gov.uk/media/695d1015f41883f4e50ed9ab/overarching-national-policy-statement-for-energy-en-1-web-accessible.pdf>

Appendix A Applicant's Preferred Protective Provisions



Appendix B P66's Preferred Protective Provisions

