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Applicant and  
Phillips 66 (C/o Emily Tetley Jones,  
Fieldfisher LLP)

Our Ref: EN010154

Date: 18 May 2026

Dear Sirs

## The Infrastructure Planning (Examination Procedure) Rules 2010 – rule 17

### Application by Fosse Green Energy Limited for an order granting development consent for the Fosse Green Energy Project

#### Request for further information

We are writing seeking further information/clarification under rule 17 of the Infrastructure Planning (Examination Procedure) Rules 2010, further to your Deadline 5A responses concerning our requests for further information included in [PD-019].

We are mindful of Phillips 66's (P66) recent acquisition of the interests previously controlled by Prax Downstream UK Limited and Prax Lindsey Oil Refinery Limited (Prax). Nevertheless we are extremely concerned that a final and signed statement of common ground (SoCG) has not been submitted to date. We say that bearing in mind that Prax were active participants during both the first and second rounds of hearings, respectively held in January and March 2026, and therefore the issues of concern to P66 (formerly Prax) have been well known to both parties since the beginning of the examination.

The examination's midpoint (Deadline 3A – 24 March 2026) passed some time ago and that was the point at which the Examining Authority (ExA) had expected all requested SoCGs would be submitted in their final and signed form. Given the examination is drawing to its conclusion, the ExA considers there is now a very urgent need for a final and signed SoCG between P66 and the applicant to be submitted. Accordingly, the outstanding SoCG **MUST** be submitted no later than **Deadline 6** (2 June 2026).

The final and signed SoCG must identify the matters that are agreed and any matters that continue to be subject to disagreement. With respect to any matters that continue to be subject to disagreement, the full reasons for any differences of view must be included in the final and signed SoCG, no matter how unpalatable the text preferred by one party might be to the opposing party. Should there continue to be disagreement about the form of protective provisions to be included in Part 9 of Schedule 14 of the draft development

consent order, the SoCG should identify any wording that is not agreed and any preferred alternative forms of wording.

In issuing this further request for information the ExA wishes to make it known to both P66 and the applicant that it does not wish to see any further correspondence in which one party blames the other for any delay in submitting this outstanding SoCG. Instead the parties' must prioritise concluding their discussions about the proposed protective provisions and getting a final and signed version of a SoCG submitted without failure by not later than examination Deadline 6.

Yours sincerely

*Grahame Gould*

**Grahame Gould**  
**Lead member of the panel of Examining Inspectors**

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