



Connah's Quay Low Carbon Power

Consultation Report: Appendix F Compliance

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Planning Act 2008 (as amended)

Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 - Regulation 5(2)(q)
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1. Appendix F-1: Compliance Checklist

1.1 Table 1: Statutory requirements for pre-application consultation

Statutory Source	Requirement	Compliance / Further Information
Consultation with statutory consultees		
Section 42(1)(a) of the Planning Act 2008 (2008 Act); and Regulation 3 and column 1 of Schedule 1 of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (APFP Regulations)	"The applicant must consult the following about the proposed application—[...] such persons as may be prescribed"	The Applicant consulted with the prescribed bodies pursuant to section 42(1)(a) of the 2008 Act. Statutory Consultation: See Section 5.5 of the Report for details of the process used for identifying prescribed consultees and Appendix D-1: List of Section 42(1)(a) and (b) Consultees (Confidential) (EN010166/APP/5.2) and Appendix D-2: List of Section 42(1)(d) Consultees for (Confidential) (EN010166/APP/5.2) for the distribution lists.
Section 42(1)(aa) 2008 Act	"The applicant must consult the following about the proposed application—[...] the Marine Management Organisation, in any case where the proposed development would affect, or would be likely to affect, any of the areas specified in subsection (2) ¹ "	The Applicant consulted the Marine Management Organisation as the Proposed Development would likely affect the areas specified in section 42(2) of the 2008 Act.
Sections 42(1)(b) and 43(1) – (2A) 2008 Act	"The applicant must consult the following about the proposed application—[...] each local authority that is within section 43" "(1) A local authority is within this section if the land is in the authority's area. (2) A local authority ("A") is within this section if— (a) the land is in the area of another local authority ("B"), (aa) B is a unitary council or a lower-tier district council, and (b) any part of the boundary of A's area is also a part of the boundary of B's area."	The Applicant consulted with the relevant local authorities pursuant to section 42(1)(b) of the 2008 Act. The Consultation Report (EN010166/APP/5.1) identifies the local authorities within section 42(1)(b) of the PA 2008 that were consulted on the Project for the Statutory Consultation. Following a reduction in the Indicative Site Boundary that took place after the Statutory Consultation had ended, the land within the Proposed Development Site that fell within the administrative boundary of Cheshire West and Chester Council (CWCC) was removed from the eventual Order limits as constitute the Proposed Development Site for the purposes of the Application, see Section 5.5.4 of the Consultation Report

¹ Section 42(2) of the 2008 Act states: "The areas are—(a) waters in or adjacent to England up to the seaward limits of the territorial sea; (b) an exclusive economic zone, except any part of an exclusive economic zone in relation to which the Scottish Ministers have functions; (c) a Renewable Energy Zone, except any part of a Renewable Energy Zone in relation to which the Scottish Ministers have functions; (d) an area designated under section 1(7) of the Continental Shelf Act 1964, except any part of that area which is within a part of an exclusive economic zone or Renewable Energy Zone in relation to which the Scottish Ministers have functions."

Statutory Source	Requirement	Compliance / Further Information
	<p>(2A) If the land is in the area of an upper-tier county council ("C"), a local authority ("D") is within this section if—</p> <p>(a) D is not a lower-tier district council, and</p> <p>(b) any part of the boundary of D's area is also part of the boundary of C's area."</p>	<p>(EN010166/APP/5.1) for further details. This meant that the category within which Cheshire West and Chester Council falls changed from local authority (B) to local authority (A), and consequently Chester East, Shropshire, Warrington and Halton are no longer a local authority consultee, under section 43 of the 2008 Act.</p>
Section 42(1)(c) 2008 Act	"The applicant must consult the following about the proposed application—[...] the Greater London Authority if the land is in Greater London"	The land is not in Greater London, so the Applicant did not consult the Greater London Authority.
Sections 42(1)(d) and 44 2008 Act	<p>"The applicant must consult the following about the proposed application—[...] each person who is within one or more of the categories set out in section 44"</p> <p>"(1) A person is within Category 1 if the applicant, after making diligent inquiry, knows that the person is an owner, lessee, tenant (whatever the tenancy period) or occupier of the land.</p> <p>(2) A person is within Category 2 if the applicant, after making diligent inquiry, knows that the person—</p> <p>(a) is interested in the land, or</p> <p>(b) has power—</p> <p>(i) to sell and convey the land, or</p> <p>(ii) to release the land.</p> <p>[...]</p> <p>(4) A person is within Category 3 if the applicant thinks that, if the order sought by the proposed application were to be made and fully implemented, the person would or might be entitled—</p> <p>(a) as a result of the implementing of the order,</p> <p>(b) as a result of the order having been implemented, or</p> <p>(c) as a result of use of the land once the order has been implemented, to make a relevant claim². This is subject to subsection (5).</p> <p>(5) A person is within Category 3 only if the person is known to the applicant after making diligent inquiry.</p>	<p>The Applicant consulted with each person who is within one or more of the categories set out in section 44 of the 2008 Act.</p> <p>Statutory Consultation: See Section 5.5 of the Consultation Report (EN010166/APP/5.1) for details of the process used for identifying section 44 consultees and Appendix D-1: List of Section 42(1)(a) and (b) Consultees (Confidential) (EN010166/APP/5.2) and Appendix D-2: List of Section 42(1)(d) Consultees (Confidential) (EN010166/APP/5.2) for the distribution lists.</p>

² Section 44(6) of the 2008 Act defines "relevant claim" as: (a) a claim under section 10 of the Compulsory Purchase Act 1965; (b) a claim under Part 1 of the Land Compensation Act 1973; and (c) a claim under section 152(3).

Statutory Source	Requirement	Compliance / Further Information
Section 45 2008 Act	<p>"(1) The applicant must, when consulting a person under section 42, notify the person of the deadline for the receipt by the applicant of the person's response to the consultation.</p> <p>(2) A deadline notified under subsection (1) must not be earlier than the end of the period of 28 days that begins with the day after the day on which the person receives the consultation documents.³"</p>	<p>The letters sent to the section 42 consultees all identified a deadline for responses that was at more than 28 days beginning with the day after the day on which the consultees received the consultation documents.</p> <p>Statutory Consultation: The letters were sent on 03 October 2024, with a response deadline of 19 November 2024.</p> <p>Where any new land interests or prescribed consultees were consulted under section 42 outside of the above stages, the relevant consultee was given a deadline of not less than 28 days beginning with the day after the day on which the consultees received the consultation documents - see Section 5.5 of the Consultation Report (EN010166/APP/5.1) for details.</p> <p>Very shortly before submission of the DCO application, despite diligent efforts earlier in the pre-application process to identify consultees, a number of new landowners were identified following an exercise to update landowner details in preparation for submission of the DCO application. In line with the guidance, the Applicant sent the newly identified consultees a letter explaining how they could, if they wished, engage with the process if the DCO Application were to be accepted for examination. The letter was sent on 24 June 2025 (first update) and 17 July 2025 (second update).</p>

Notification to Secretary of State

Section 46 2008 Act	<p>"(1) The applicant must supply the Secretary of State with such information in relation to the proposed application as the applicant would supply to the Secretary of State for the purpose of complying with section 42 if the applicant were required by that section to consult the Secretary of State about the proposed application.</p> <p>(2) The applicant must comply with subsection (1) on or before commencing consultation under section 42."</p>	<p>The Applicant sent a letter to the Planning Inspectorate (on behalf of the Secretary of State) pursuant to section 46 of the 2008 Act on 01 October 2024 (see Appendix D-4: Section 46 Notification and Acknowledgment (EN010166/APP/5.2) in advance of commencing consultation on 08 October 2024. An Acknowledgment of S46 Notification was issued by the Planning Inspectorate on 07 October 2024 (see Appendix D-4: Section 46 Notification and Acknowledgment (EN010166/APP/5.2)).</p>
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³ Section 45(3) of the 2008 Act defines "the consultation documents" as "the documents supplied to the person by the applicant for the purpose of consulting the person".

Statutory Source	Requirement	Compliance / Further Information
Regulation 8 EIA Regulations	<p>"(1) A person who proposes to make an application for an order granting development consent must, before carrying out consultation under section 42 (duty to consult) either—</p> <p>(a) ask the Secretary of State to adopt a screening opinion in respect of the development to which the application relates; or</p> <p>(b) notify the Secretary of State in writing that the person proposes to provide an environmental statement in respect of that development.</p> <p>[...]</p> <p>(3) A person making a request under paragraph (1)(a) must provide the following information—</p> <p>(a) a plan sufficient to identify the land;</p> <p>(b) a description of the development, including in particular—</p> <p>(c) a description of the physical characteristics of the whole development and, where relevant, of demolition works;</p> <p>(i) a description of the location of the development, with particular regard to the environmental sensitivity of geographical areas likely to be affected;</p> <p>(ii) a description of the aspects of the environment likely to be significantly affected by the development; and</p> <p>(d) to the extent the information is available, a description of any likely significant effects of the development on the environment resulting from—</p> <p>(i) the expected residues and emissions and the production of waste, where relevant; and</p> <p>(ii) the use of natural resources, in particular soil, land, water and biodiversity.</p> <p>(3A) A person notifying the Secretary of State under paragraph (1)(b) must provide, at the same time as giving notification, the information listed in paragraph (3)(a) and (b)."</p>	<p>Paragraph 1.1.6 of the Scoping Report submitted to the Planning Inspectorate on 08 February 2024 (see ES Appendix 1-A: EIA Scoping Report (EN010166/APP/6.4)) confirmed that the Application would be accompanied by an Environmental Statement. The section 46 letter dated 03 October 2024 referenced that statement in the Scoping Report.</p>

Consultation with local community

Section 47(1) 2008 Act	<p>"The applicant must prepare a statement setting out how the applicant proposes to consult, about the proposed</p>	<p>The Applicant prepared and made available a SoCC in October 2024. A copy can be found in Appendix B-3: Statement of Community Consultation (EN010166/APP/5.2). For</p>
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Statutory Source	Requirement	Compliance / Further Information
	application, people living in the vicinity of the land."	further details, see Section 4.3 of the Consultation Report (EN010166/APP/5.1) .
Sections 47(2) and 43(1) 2008 Act	<p>"Before preparing the statement, the applicant must consult each local authority that is within section 43(1) about what is to be in the statement."</p> <p>"A local authority is within this section if the land is in the authority's area."</p>	<p>Before preparing the SoCC, the Applicant consulted each local authority within section 43(1), namely: Flintshire County Council (FCC) and CWCC on the draft SoCC. Copies of the covering letters can be found in Appendix B-1: Local Authority Emails and Letters on Statement of Community Consultation (EN010166/APP/5.2). For further details, see Section 4.3 of the Consultation Report (EN010166/APP/5.1).</p> <p>It is noted that at the point of Statutory Consultation, the Indicative Site Boundary also included land within the administrative area of CWCC in England. This land was potentially required to facilitate works to Ellesmere Port for the delivery of Abnormal Indivisible Loads (AILs) to the Port. However, ongoing design work and engagement with the Port following Statutory Consultation has determined that works will not be required to Ellesmere Port to facilitate the scale of AILs required for the Proposed Development. Therefore, the Applicant has been able to remove Ellesmere Port from the Order limits and, consequently, there are no elements of the Proposed Development which sit within CWCC's authority area. This means that, whilst CWCC was a host authority for the purposes of Statutory Consultation, it is not a host authority for the purposes of the Application. Due to the amendments to the Order limits following Statutory Consultation, there is no longer any part of the Order limits located within England.</p>
Section 47(3) 2008 Act	"The deadline for the receipt by the applicant of a local authority's response to consultation under subsection (2) is the end of the period of 28 days that begins with the day after the day on which the local authority receives the consultation documents."	The relevant local authorities were emailed a copy of the draft SoCC and a covering letter on 13 June 2024, notifying them of the commencement of the consultation on the draft SoCC and requesting feedback by the deadline for responses of 12 July 2024.
Section 47(5) 2008 Act	"In preparing the statement, the applicant must have regard to any response to consultation under subsection (2) that is received by the applicant before the deadline imposed by subsection (3)."	Responses were received from CWCC and FCC (although FCC did not have any comments). A detailed overview of how the Applicant had regard to the comments provided when finalising the SoCC is within Appendix B-2: Regard had to Host Authorities' Responses

Statutory Source	Requirement	Compliance / Further Information
		to Statement of Community Consultation (EN010166/APP/5.2).
Section 47(6)(za) 2008 Act	"Once the applicant has prepared the statement, the applicant must—(za) make the statement available for inspection by the public in a way that is reasonably convenient for people living in the vicinity of the land"	The Applicant made the SoCC available for inspection by the public on the Project website and in hard copy at the Public Information Points listed in Section 4.3.7 of the Report from 08 October 2024.
Section 47(6)(a) 2008 Act	"Once the applicant has prepared the statement, the applicant must—(a) publish, in a newspaper circulating in the vicinity of the land, a notice stating where and when the statement can be inspected"	<p>A notice publicising the SoCC, including details of where and when it could be inspected, was published on 26 September 2024 in The Chester Standard and The Leader and on 25 September 2024 in the Wirral Globe.</p> <p>Copies of the SoCC notice as published in the local newspapers are provided in Appendix B-4: Section 47 Notices for Statement of Community Consultation (EN010166/APP/5.2).</p>
Section 47(6)(b) 2008 Act	"Once the applicant has prepared the statement, the applicant must— publish the statement in such manner as may be prescribed."	The Applicant publicised the statement in accordance with the prescribed manner, see above.
Section 47(7) 2008 Act	"The applicant must carry out consultation in accordance with the proposals set out in the statement."	The Applicant undertook the Statutory Consultation with the local community pursuant to section 47 of the 2008 Act in accordance with the details set out in SoCC. See Section 5 of the Consultation Report (EN010166/APP/5.1) for a summary of the actions undertaken by the Applicant to meet the obligations outlined in SoCC. See also Table 3 below.
Regulation 12(1) EIA Regulations	<p>"The consultation statement prepared under section 47 (duty to consult local community) must set out—</p> <p>whether the development for which the applicant proposes to make an application for an order granting development consent is EIA development; and</p> <p>if that development is EIA development, how the applicant intends to publicise and consult on the preliminary environmental information⁴."</p>	<p>The Applicant stated in the SoCC that the proposed development will be subject to an EIA assessment and that the Applicant intended to publicise and consult on preliminary environmental information.</p> <p>The SoCC stated that the Applicant would produce a Preliminary Environmental Information Report (PEIR) which would be publicised and consulted on as part of the Statutory Consultation.</p> <p>A copy of the SoCC can be found in Appendix B-3: Statement of</p>

⁴ Regulation 12(2) of the EIA Regulations defines "preliminary environmental information" to mean "information referred to in regulation 14(2) which— (a) has been compiled by the applicant; and (b) is reasonably required for the consultation bodies to develop an informed view of the likely significant environmental effects of the development (and of any associated development)."

Statutory Source	Requirement	Compliance / Further Information
		Community Consultation (EN010166/APP/5.2).
Publicity		
Section 48(1) 2008	"The applicant must publicise the proposed application in the prescribed manner."	The Applicant publicised the proposed application in accordance with the prescribed manner, see below.
Regulation 4(2) APFP Regulations	<p>"The applicant must publish a notice, which must include the matters prescribed by paragraph (3) of this regulation, of the proposed application—</p> <p>(a) for at least two successive weeks in one or more local newspapers circulating in the vicinity in which the proposed development would be situated;</p> <p>(b) once in a national newspaper;</p> <p>(c) once in the London Gazette and, if land in Scotland is affected, the Edinburgh Gazette; and</p> <p>(d) where the proposed application relates to offshore development—</p> <p>(i) once in Lloyd's List; and</p> <p>(ii) once in an appropriate fishing trade journal."</p>	<p>The Applicant published a section 48 notice for the Statutory Consultation (see Appendix C-15: Section 48 Newspaper Notices (EN010166/APP/5.2)) in the following newspapers on the following dates:</p> <ul style="list-style-type: none"> • The Times: 03 October 2024 • Lloyds List: 03 October 2024 • Fishing News: 03 October 2024 • Deeside.com: 03 and 10 October 2024 • The Leader: 03 and 10 October 2024 • Chester Standard: 03 and 10 October 2024 • The London Gazette: 03 October 2024
Regulation 4(3) APFP Regulations	<p>"The matters which the notice must include are—</p> <p>(a) the name and address of the applicant;</p> <p>(b) a statement that the applicant intends to make an application for development consent to the Secretary of State;</p> <p>(c) a statement as to whether the application is EIA development;</p> <p>(d) a summary of the main proposals, specifying the location or route of the proposed development;</p> <p>(e) a statement that the documents, plans and maps showing the nature and location of the proposed development are available for inspection free of charge on a website maintained by or on behalf of the applicant;</p> <p>(ea) the address of the website where the documents, plans and maps may be inspected;</p>	The section 48 notice included all of the prescribed details, see Appendix C-15: Section 48 Newspaper Notices (EN010166/APP/5.2) .

Statutory Source	Requirement	Compliance / Further Information
	<p>(eb) the place on the website where the documents, plans and maps may be inspected;</p> <p>(ec) a telephone number which can be used to contact the applicant for enquiries in relation to the documents, plans and maps;</p> <p>(f) the latest date on which those documents, plans and maps will be available for inspection on the website (being a date not earlier than the deadline in sub-paragraph (i));</p> <p>(g) whether a charge will be made for copies of any of the documents, plans or maps and the amount of any charge;</p> <p>(h) details of how to respond to the publicity; and</p> <p>(i) a deadline for receipt of those responses by the applicant, being not less than 28 days following the date when the notice is last published."</p>	

Regulation 13 EIA Regulations	"Where the proposed application for an order granting development consent is an application for EIA development, the applicant must, at the same time as publishing notice of the proposed application under section 48(1), send a copy of that notice to the consultation bodies ⁵ and to any person notified to the applicant in accordance with regulation 11(1)(c)."	As the proposed development is EIA development, a copy of the section 48 notice was sent to all section 42 consultees, including the consultation bodies, as an enclosure to the section 42 letters for the Statutory Consultation (see Appendix D-3: Sample Letters sent to Section 42 Consultees (EN010166/APP/5.2)). No additional persons were notified to the Applicant in accordance with Regulation 11(1)(c) of the EIA Regulations.
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Duty to take account of responses

Section 49(2) 2008 Act	"The applicant must, when deciding whether the application that the applicant is actually to make should be in the same terms as the proposed application, have regard to any relevant responses ⁶ ."	The Applicant had regard to all relevant responses as explained in the relevant appendices of the Consultation Report Appendix A-5, Appendix A-6, Appendix E and Appendix G-8 and Appendix G-9 (EN010166/APP/5.2) .
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Guidance about the pre-application process

⁵ Regulation 3(1) of the EIA Regulations defines "the consultation bodies" to mean: "(a) a body prescribed under section 42(1)(a) (duty to consult) and listed in column 1 of the table set out in Schedule 1 to the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 where the circumstances set out in column 2 of that table are satisfied in respect of that body; (b) each authority that is within section 43 (local authorities for purposes of section 42(1)(b)); and (c) if the land to which the application, or proposed application, relates or any part of that land is in Greater London, the Greater London Authority".

⁶ Section 49(3) of the 2008 Act defines "relevant response" to mean: "(a) a response from a person consulted under section 42 that is received by the applicant before the deadline imposed by section 45 in that person's case, (b) a response to consultation under section 47(7) that is received by the applicant before any applicable deadline imposed in accordance with the statement prepared under section 47, or (c) a response to publicity under section 48 that is received by the applicant before the deadline imposed in accordance with section 48(2) in relation to that publicity."

Statutory Source	Requirement	Compliance / Further Information
Section 50(3) 2008 Act	<p>"The applicant must have regard to any guidance under this section."</p> <p>'Planning Act 2008: Pre-application stage for Nationally Significant Infrastructure Projects' (April 2024) guidance published by the Department for Levelling Up, Housing and Communities under section 50(3) of the 2008 Act.</p> <p>'Guidance on procedural requirements for major infrastructure projects' was published by the former Ministry of Housing, Communities and Local Government in July 2020. To the extent that this applies to the pre- application process stage, the guidance is statutory pursuant to section 50 of the 2008 Act.</p>	<p>The Applicant has had regard to all guidance published under section 50(3) of the 2008 Act as set out below.</p>

1.2 Table 2: Guidance on the pre-application stage

Paragraph No / Section	Extract from Guidance	Compliance / Further Information
Planning Act 2008: Pre-application stage for Nationally Significant Infrastructure Projects Guidance		
6	<p>"During the preapplication stage an applicant must:</p> <ul style="list-style-type: none"> • notify the Planning Inspectorate acting on behalf of the Secretary of State of the proposed application on or before commencing statutorily required consultation under section 46 of the Planning Act, principally with statutory bodies, local authorities and persons with interests in the land; • notify the Planning Inspectorate on behalf of the Secretary of State that they intend to provide an Environmental Statement in respect of the proposed development, or that they will be asking the Planning Inspectorate on behalf of the Secretary of State to adopt a screening opinion ahead of submitting the application (Regulation 8 of the EIA Regulations 2017); this should be informed by early engagement with interested parties before formal consultation under section 42 of the Planning Act; • prepare a statement in consultation with the relevant local authority or authorities, commonly termed the Statement of Community Consultation ("SoCC"), which describes how the applicant proposes to consult the local community about their project and then carry out consultation in accordance with that statement, as required by section 47 of the Planning Act and Regulation 12 of the EIA Regulations 2017; • make the SoCC available for inspection by the public in a way that is reasonably convenient for people living in the vicinity of the land where the development is proposed, publishing the statement and a newspaper notice stating where and when the statement can be inspected, as required by section 47 of the Planning Act; • identify and consult statutory consultees, local authorities and all persons with land interests as required by section 42 of the Planning Act and Regulation 3 and Schedule 1 to the Infrastructure Planning (Applications: Prescribed Forms and Procedure) 	<p>See Table 1 above for details of how the statutory requirements have been complied with. This document is part of the Consultation Report (EN010166/APP/5.1) that has been submitted in support of the DCO Application in compliance with section 37 of the 2008 Act. This Table (2) explains the regard given to the Guidance.</p>

Paragraph No / Section	Extract from Guidance	Compliance / Further Information
	<p>Regulations 2009 (as amended) ("the APFP Regulations 2009");</p> <ul style="list-style-type: none"> • set a deadline for consultation responses required by section 42 of the Planning Act of not less than 28 days from the day after receipt of the consultation documents as required by section 45 of the Planning Act; • publicise the proposed application in accordance with section 48 of the Planning Act, Regulation 13 of the EIA Regulations 2017 and Regulation 4 of the APFP Regulations 2009; • have regard to relevant responses to publicity and consultation required by section 49 of the Planning Act; • prepare a consultation report showing how the applicant has met the consultation requirements of sections 42, 47 and 48 of the Planning Act and how the proposed application has been amended to take account of the relevant responses; • meet the requirements of section 37 of the Planning Act by submitting this consultation report to the Planning Inspectorate acting on behalf of the Secretary of State with the application for development consent for consideration in the decision whether the application is accepted for examination; and • have regard to this guidance as required by section 50 of the Planning Act. <p>Further statutory requirements under other legislation may also exist, depending on the nature of the proposed NSIP."</p>	
7	<p>"Applicants will normally carry out preparatory work of project development, including informal early engagement with local communities, local authorities and statutory consultees prior to the formal start of the pre- application stage of the NSIP consenting process.</p> <p>There is no prescribed period of time for the pre- application stage. The amount of work involved in preparation and consultation will vary, driven by the complexity of the proposed NSIP, the time necessary to address issues raised in the preparation of the application, and other factors including any surveys necessary for an environmental impact assessment.</p>	<p>Sections 2 and 7 of the Consultation Report (EN010166/APP/5.1) provide details of the early engagement undertaken for the Project. A summary of the key pre-application consultation milestones is provided in Table 1 of the Report.</p>

Paragraph No / Section	Extract from Guidance	Compliance / Further Information
	<p>Nonetheless, evidence suggests that the average timeframe for the pre- application stage is 2 years, and this is therefore taken as the benchmark. This is measured from the date of the Inception Meeting between the applicant and the Planning Inspectorate and the receipt of the application for acceptance by the Planning Inspectorate.</p> <p>Where an applicant is plainly making little or no progress towards submission of an application, the Planning Inspectorate may advise removal of the proposed application from the 'Register of applications' on the National Infrastructure Planning website managed by the Planning Inspectorate."</p>	
8	"In most cases applicants will need to engage statutory consultees and others early in the preparation of applications. Separate guidance on cost recovery explains where and how the Planning Inspectorate and some statutory consultees may recover costs for the services they provide in relation to NSIP applications / proposed applications."	Sections 2 and 7 of the Consultation Report (EN010166/APP/5.1) provide details of the early engagement undertaken for the Proposed Development.
8	"Before commencing statutory consultation under section 42 of the Planning Act, section 46 of the Planning Act requires an applicant to notify the Planning Inspectorate acting on behalf of the Secretary of State of their intention to make an application for development consent, and it must supply information in relation to the proposed application. This will be recorded and published by the Planning Inspectorate on the appropriate project page of the National Infrastructure Planning website. Where an applicant has not yet submitted a request or notification under Regulation 8 of the EIA Regulations 2017, they can ask the Planning Inspectorate to delay publication of early project discussions by up to 6 months (further advice is provided in the Planning Inspectorate's Pre-application Prospectus - to be published Spring 2024)."	Details of the section 46 notice are provided in Table 1 above.
9	"The pre-application process is applicant-led. To deliver a good pre- application process, including effective engagement and a well- prepared application, applicants should put together a Programme Document at the outset of the pre- application stage for submission to the Planning Inspectorate and agreement at the Inception Meeting. The Programme Document is an essential element of the	The Applicant produced a Pre-application Programme Document (EN010166/APP/1.6) . Throughout the pre- application process, there have been regular meetings with the Planning Inspectorate during which updates were provided on the consultation for the Proposed Development and the Programme Document discussed.

Paragraph No / Section	Extract from Guidance	Compliance / Further Information
	<p>quality standard for applications seeking a fast-track route to consent.</p> <p>The Programme Document will enable all those engaged in the pre- application process, particularly statutory consultees, to understand the timescales and ensure their contribution is programmed into the pre-application stage at the most effective point. It will also assist the applicant in managing the preparation and subsequent submission of the application documents for consideration by the Planning Inspectorate at the acceptance stage."</p>	
9	<p>"Following the Inception Meeting, it is expected that the applicant will host and maintain the agreed Programme Document on its website, and update it as necessary during the pre-application period to publicise completion of significant stages and demonstrate progress in preparation of the application."</p>	<p>The Applicant's Pre-application Programme Document (EN010166/APP/1.6) was made available on the Project website (https://uniperuk.consulting/cqlcp/project-consultation-documents-3/) from Thursday 11 July 2024 and was updated continuously throughout the lifecycle of the project.</p>
10	<p>"The Programme Document is not a statutory requirement and is not for consultation apart from agreement with the Planning Inspectorate. It should set out the timetable and activities necessary for an effective pre-application process including the level of pre-application services from the Planning Inspectorate, and consultation with various parties required under the Planning Act."</p>	<p>The Applicant produced a Pre-application Programme Document (EN010166/APP/1.6) and Section 2 sets out the timetable and activities necessary for an effective pre-application process. The Programme Document also confirmed at Section 1.3.4 that the Application will receive Standard service tier support from the Planning Inspectorate and Table 3.1 sets out the consultation with parties required under the 2008 Act.</p>
10	<p>"The Programme Document should include:</p> <ul style="list-style-type: none"> the date the applicant intends to submit their application; a comprehensive timetable of the applicant's pre- application process, the main events with dates and milestones demonstrating how the pre-application process will be completed (using the maximum target of 2 years as a benchmark); the applicant's view on the main issues for resolution and activities they will undertake to address those; the applicant's proposals for engaging with statutory consultees and local authorities during the pre- application period and any intended financial support agreements, such as Planning Performance Agreements (PPAs); 	<p>The Pre-application Programme Document (EN010166/APP/1.6) includes the intended date for submission of the Application and a comprehensive timetable of the pre-application process at Section 2.</p> <p>Section 4 of the Programme Document sets out the main issues for resolution and the activities that will be undertaken to address these.</p> <p>Section 3 of the Programme Document sets out the Applicant's proposals for pre-application consultation, including engagement with statutory consultees and local authorities during the pre-application stage, with cross-references to the SoCC and also the position with regard to any PPA.</p>

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	<ul style="list-style-type: none"> the applicant's identification of risks to achievement of the pre-application stage and the process by which these risks are tracked and managed; and cross references to the SoCC required by section 47 of the Planning Act." 	
11	"Major infrastructure projects will normally be of a size, scale and nature that they will constitute Environmental Impact Assessment (EIA) development described within the terms of the EIA Regulations 2017. An applicant cannot begin to carry out statutory consultation under section 42 of the Planning Act until they have taken the necessary steps under Regulation 8 of the EIA Regulations 2017 to establish whether an EIA is required."	The Project is EIA development. See Table 1 above for details of compliance with Regulation 8 of the EIA Regulations 2017.
11	"Where the proposed development is determined to be EIA development, an applicant will need to submit an Environmental Statement along with their application. Although it is not mandatory, an applicant can request the Planning Inspectorate on behalf of the Secretary of State to provide an opinion on the scope of the Environmental Statement (the 'scoping opinion') i.e. what the assessment does, and does not, need to consider. Such a request must be accompanied by the information provided by the applicant required by Regulation 10 of the EIA Regulations 2017 in order that the Planning Inspectorate can make a fully informed view and respond within 42 days."	<p>Paragraph 1.1.6 of the Scoping Report submitted to the Planning Inspectorate on 08 February 2024 (see ES Appendix 1-A: EIA Scoping Report (EN010166/APP/6.4)) confirmed that the Application would be accompanied by an Environmental Statement.</p> <p>A Scoping Opinion (ES Appendix 1-B: EIA Scoping Opinion (EN010166/APP/6.4)) was received from the Planning Inspectorate.</p>
11	<p>"The scoping opinion will take into account advice received from statutory consultees and other relevant organisations following the required consultation over a 28- day period within the 42 days. Any potential for transboundary effects must also be considered.</p> <p>The scoping opinion will confirm the programme of data collection and studies to be undertaken by the applicant, and contain recommendations where there is no need to explore certain topics (based on the information submitted at that time)."</p>	A Scoping Opinion (ES Appendix 1-B: EIA Scoping Opinion (EN010166/APP/6.4)) was received from the Planning Inspectorate.
11	"...Applicants should adopt a proportionate approach in the type and volume of information they request from statutory bodies during the preparation of their Environmental Statements to meet the requirements of Regulations 5, 14 and Schedule 4 of the EIA Regulations 2017[.]	<p>The ES (EN010166/APP/6.1-6.4) adopts a proportionate approach, which has regard to information received from statutory bodies in its preparation.</p> <p>The Rochdale Envelope approach has been adopted to secure the maximum parameters of the proposal and the</p>

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	<p>At the same time, applicants also have to consider the level of detailed information which is actually available to enable the environmental effects to be assessed and included in the Environmental Statement. Applicants often naturally seek flexibility and may choose to describe the proposal in terms of the maximum parameters of the proposal and the establishment of a worst-case scenario for environmental assessment. The 'Rochdale Envelope' is now a well-established part of the approach to striking this balance.</p> <p>Applicants should always provide sufficiently robust and detailed data of the effects of the proposed development on the environment, so that these can be considered throughout the NSIP consenting process. Taking the Rochdale Envelope approach increases the spatial extent of the project, and will therefore increase the amount of evidence required to be submitted in support of the application. It is not an excuse to submit applications with insufficient supporting survey material. This can lead to an inadequate Environmental Statement and risk non acceptance of the application for examination."</p>	<p>establishment of a worst-case scenario for environmental assessment.</p> <p>Robust supporting survey material has been prepared and included within the ES, this is presented in detail throughout the ES Appendices (EN010166/APP/6.4).</p>
11	"Regulation 14 of the EIA Regulations 2017 requires that an Environmental Statement includes a description of the reasonable alternatives studied by the applicant, and an indication of the main reasons for the option chosen, including a comparison of the effects of the development on the environment (Schedule 4 of the EIA Regulations 2017)..."	ES Chapter 6: Project Alternatives (EN010166/APP/6.2.6) presents a description of the reasonable alternatives studied by the Applicant.
11	<p>"Regulation 12 of the EIA Regulations 2017 requires that the applicant's SoCC must state whether the project constitutes EIA development and, if it does, how the applicant intends to publicise and consult on preliminary environmental information (PEI); and</p> <p>Regulation 13 of the EIA Regulations 2017 requires that publicity of project proposals under section 48 of the Planning Act must also encompass the requirements of the EIA process and at the time of publishing the proposed application, applicants must notify all the notified consultation bodies."</p>	See Table 1 above for details of how the Applicant has complied with these statutory requirements.
11	"Applicants need to give consultation bodies sufficient information about the characteristics of the proposed NSIP in order to enable them to respond in an	The Applicant's team drew on its previous experience in order to provide sufficient information about the Project to consultation bodies. As mentioned

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	effective and timely way about the likely environmental effects and avoid unnecessary delay. Applicants should discuss providing digital material where possible with relevant statutory consultees."	<p>above, the Applicant also worked closely with the relevant local authorities to ensure that the consultation was appropriate to the scale and nature of the Project with the agreed approach documented in the SoCC.</p> <p>The Applicant undertook a four-week Non-Statutory Consultation, a six-week Statutory Consultation and a four-week non-statutory Targeted Consultation. This well exceeded the 28-day statutory minimum.</p> <p>The consultation was designed to be flexible and a range of online and offline communication methods were used to engage a wide number of people in the consultation process.</p>
12	"Where an NSIP is determined to be EIA development in line with Regulation 8 of the EIA Regulations 2017 the applicant is required by Regulation 12 of the EIA Regulations 2017 to publish sufficient Preliminary Environmental Information (PEI) to enable consultees to develop an informed view of the likely significant environmental effects of the proposed development. The information required will be different for different types and sizes of projects and it may also vary depending on the audience of a particular consultation."	<p>The SoCC confirmed that the Applicant intended to consult on preliminary environmental information.</p> <p>The Applicant prepared a PEIR, together with a Non-Technical Summary, which was made available in October 2024 to enable consultees to develop an informed view of the Project as part of the Statutory Consultation.</p>
12	"Applicants are advised to consult any relevant existing environmental assessments or survey information, in the first instance to get an idea of what environmental effects could arise."	Details of the information reviewed by the Applicant, including any existing assessments and survey information, are included in the ES (EN010166/APP/6.1-6.4) .
12	"...The key issue is that the information presented must be clear to all consultees, even if it is of specialised technical nature."	<p>The consultation documents were written in non-technical language, and a non-technical summary of the PEIR was provided.</p> <p>Consultees were encouraged to provide feedback and a user friendly feedback form was used through which consultees could provide their comments on the Proposed Development.</p>
12	"As required by Schedule 4 of the EIA Regulations 2017 any difficulties or areas of uncertainty such as in data collection, forecasting methods or scientific knowledge must be identified and acknowledged."	Details of any relevant limitations and assumptions were set out in the PEIR and are explained in the ES (EN010166/APP/6.1-6.4) .
12	"There is no prescribed format for PEI. However, depending on the availability of material, applicants are encouraged to	The Statement of Community Consultation (Appendix B-3 of the Consultation Report)

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	prepare this as an early draft of the Environmental Statement and include it as such as part of the statutory consultation under sections 42, 47 and 48 of the Planning Act. If applicants decide to take a different approach, they should be clear with consultees about the status of the PEI."	(EN010166/APP/5.2) confirmed that the Applicant intended to consult on preliminary environmental information. The Applicant prepared a PEIR, together with a Non-Technical Summary, which was made available in October 2024 to enable consultees to develop an informed view of the Project as part of the Statutory Consultation. The preliminary nature of the PEIR was made clear in this document.
12	"In any event, applicants will need to maintain close dialogue with statutory consultees throughout the pre- application period. The provision of PEI can help statutory consultees to understand the environmental effects of the development and may assist in the identification and addressing of potential issues at an early stage in the pre- application process."	The Applicant has undertaken extensive non-statutory and statutory consultation, as well as ongoing engagement, to identify issues up front at the pre-application stage.
12	"The Planning Inspectorate will not review any of the draft PEI material unless specifically included as part of the agreed pre- application service, but applicants are encouraged to include their approach to preparing PEI in the Programme Document for discussion with the Planning Inspectorate. Further information can be found in the Planning Inspectorate's Pre- Application Prospectus (to be published Spring 2024)."	The Applicant included the approach and timings for preparing the PEIR within the Pre-application Programme Document (EN010166/APP/1.6) .
13	"... the applicant must provide a [Habitats Regulations Assessment] report as required by Regulation 5(2)(g) of the APFP Regulations 2009. This must include the site(s) that may be affected, together with sufficient information to enable the relevant Secretary of State, as decision maker, to conclude whether an appropriate assessment is required under the Habitats Regulations, and, if so, to undertake such an assessment..."	A Report to Inform Habitats Regulation Assessment (EN010166/APP/6.12) has been prepared and submitted by the Applicant with the DCO Application.
13	"The Planning Inspectorate can also comment on the applicant's draft HRA report if agreed as part of the pre- application service in advance of formal submission of the application. Applicants must therefore build in sufficient time during the pre-application stage to consult with the SNCBs and, if they consider it appropriate, with any relevant non-statutory nature conservation bodies, in order to gather the necessary evidence and material."	The Applicant consulted with Natural Resources Wales during the Statutory Consultation. The Applicant also undertook non-statutory engagement with Natural Resources Wales to seek input into the Report to Inform Habitats Regulation Assessment (EN010166/APP/6.12) .

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14	<p>"Applicants should involve a diverse range of people including where appropriate, planners, environmental specialists, landscape architects, architects, engineers and community groups in informing the project vision, narrative, design principles, and project design process to support delivery of the outcomes of the project.</p> <p>Applicants should explain how the design responds to the National Infrastructure Commission (NIC) design principles for national infrastructure: climate, people, places and value."</p>	<p>These details are provided in the Design Approach Document (DAD) (EN010166/APP/7.7).</p>
15	<p>"...applicants do now routinely set out in brief the main alternatives to their preferred scheme which were considered early during the pre- application stage and the consultees' responses to them. Applicants are encouraged to do so as this can demonstrate how project designs have been refined to take into account environmental, socio-economic and community effects. Any such consideration of alternatives should be submitted as part of the application, perhaps as part of the Planning Statement. All this will help to reinforce the applicant's case for promoting the NSIP in the particular form of the submitted application.</p> <p>Very exceptionally, there may be some real alternatives to elements of a proposed NSIP which the applicant chooses to put forward for examination on the basis that the Examining Authority could be able to recommend a preference to the Secretary of State. There may also be circumstances where an element of a proposed NSIP is so exceptional it is in the applicant's interest to provide a more particular consideration of alternatives to help demonstrate their eventual preference in the light of the policy requirements of the relevant NPS. In such cases, the applicant will need to ensure that sufficient technical material is included as part of the application to enable it to be properly investigated during the examination without leading to substantial delays."</p>	<p>The PEIR published for the Statutory Consultation included a chapter (Chapter 6 Alternatives) which provided details of the alternatives that had been considered.</p> <p>Details of the alternatives considered by the Applicant are provided in ES Chapter 6: Project Alternatives (EN010166/APP/6.2.6).</p>
16	<p>"The strong expectation is that applicants of proposed NSIPs will act reasonably in engaging with landowners, and likewise landowners will cooperate with applicants to provide them with the information that they need and facilitate access to their land as required, even if they object to the principle of the development. Such cooperation does not preclude, remove or</p>	<p>Details of the engagement that has been undertaken with landowners are provided in the Statement of Reasons (EN010166/APP/4.3) and Pre-Application Land and Rights Negotiation Tracker (EN010166/APP/4.2).</p>

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	reduce any of the landowner's rights to participate in the consultation on an application or make representations about it during the examination."	
17	"The presumption should be therefore that where an applicant proposes a provision within their DCO to remove a requirement for a prescribed non- planning consent to be granted by the relevant body, the body that would normally be responsible for granting this consent is expected to make every effort to agree to the proposal. Such a body should only object to the inclusion of such provision with good reason, and after careful consideration of reasonable alternatives. It is therefore essential that such bodies are consulted at an early stage, and that applicants give thorough and early consideration to this aspect of pre-application preparation."	The Draft Development Consent Order (EN010166/APP/3.1) includes a provision to remove a requirement for prescribed non-planning consent to be granted by a relevant body. The relevant bodies have been consulted.
17	"Some permits regularly required to implement DCOs lie outside the provisions of section 150 of the Planning Act, for example an environmental permit to operate a particular development issued by the Environment Agency. In this case, an applicant should confirm if an environmental permit is required for the proposed project at an early stage in the preparation of an application."	A Consents and Agreements Position Statement (EN010166/APP/3.3) has been submitted with the DCO Application.
19	<p>"Applicants are responsible for consulting on proposed applications for DCOs. Applicants are specifically required to undertake statutory pre- application consultation activities as stipulated in the following legislation:</p> <ul style="list-style-type: none"> • section 42 of the Planning Act, together with the provisions of sections 43 and 44 of the Planning Act, requires applicants to consult certain persons, including statutory consultees, local authorities, and others with a relevant interest in the land to which the proposed application relates, prior to the submission of an application. The prescribed list of statutory consultees for the purposes of section 42 of the Planning Act is set out in Schedule 1 to the APFP Regulations 2009, as amended by the Infrastructure Planning (Miscellaneous Provisions) Regulations 2024; • section 47 of the Planning Act requires applicants to consult relevant local authorities on what is to be in their SoCC setting out how applicants intend to consult the local community on the 	See Table 1 above for details of how these statutory requirements have been complied with.

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	<p>proposed DCO application, and then carry out consultation in accordance with the SoCC;</p> <ul style="list-style-type: none"> • section 48 of the Planning Act requires applicants to publicise the proposed application in the prescribed manner as set out in Regulation 4 of the APFP Regulations 2009; and • the EIA Regulations 2017 set out requirements for preparing Environmental Statements prior to the submission of a DCO application, including engaging with statutory consultees and local authorities prior to formal pre-application activities under section 42 of the Planning Act." 	
19	"Effective pre-application consultation is key to developing well-prepared applications that are understood by the public. Consultation on development proposals allows consultees and local communities to influence how infrastructure that meets a national need can be accommodated in their area, and enables applicants to more effectively shape proposals."	As explained throughout the Report, the Applicant has undertaken comprehensive consultation. Appendices A-5, A-6, E, G-8 and G-9 of the Consultation Report (EN010166/APP/5.2) explain how the Applicant has had regard to responses to consultation and how that has influenced the proposals.
19	"Early involvement of local communities, local authorities and statutory consultees during the pre- application stage, both through consultation and other forms of engagement, can bring about significant benefits for all parties..."	The Applicant engaged with local authorities, the local community and key stakeholders early in the pre-application process as outlined in the Consultation Report (EN010166/APP/5.1) .
19	"Without adequate pre- application consultation in line with the legislation, the subsequent application when it is submitted to the Planning Inspectorate will not be accepted to proceed to examination. The Planning Inspectorate takes into account the responses received from local authorities during the acceptance period to determine on behalf of the Secretary of State whether the consultation is adequate."	The Applicant has undertaken extensive non-statutory and statutory consultation, as well as ongoing engagement, to identify issues up front at the pre-application stage. The Applicant has had regard to all of the consultation feedback in finalising its proposals in advance of submitting the DCO Application
20	"The pre-application consultation undertaken should be proportionate to the scale and nature of the project and its effects. A 'one-size-fits-all' approach is not appropriate. For a straightforward and uncontroversial application, an applicant may choose to discharge the obligations of sections 42, 47 and 48 of the Planning Act concurrently in a single round of consultation, or in separate stages. For more complex proposals, an applicant may choose to conduct a non-statutory round of	The Applicant developed a consultation strategy through engagement with the relevant local authorities, including through the preparation of the SoCC, that was appropriate to the scale and nature of the Project. Regard was had to the comments received from the local authorities about the consultation strategy as detailed in Appendix B-2: Regard had to Host Authorities' Responses to Statement of

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	consultation (for example considering options) before undertaking a statutory round of consultation, or they may choose to run a multi-stage statutory consultation process."	Community Consultation (EN010166/APP/5.2).
20	"What consultation is planned and when will form a key part of the applicant's overall programme for completing the pre-application stage. It will need to be included in the Programme Document supplied by the applicant to the Planning Inspectorate for the Inception Meeting. Some applicants may have their own distinct approaches to consultation, perhaps drawing on their own or relevant sector experience, for example if there are industry protocols that can be adapted. Larger, more complex applications are likely to warrant going beyond the statutory 28- day minimum timescales for consultation laid down in the Planning Act to ensure enough time for consultees to understand project proposals and formulate a response."	<p>Section 2 of the Pre-application Programme Document (EN010166/APP/1.6) detailed the consultation planned.</p> <p>The Applicant's team drew on its experience in the sector when preparing its consultation strategy. As mentioned above, the Applicant also worked closely with the relevant local authorities to ensure that the consultation was appropriate to the scale and nature of the Project.</p> <p>The Applicant undertook the following rounds of consultation: a four-week Non-Statutory Consultation, a six-week Statutory Consultation and a four-week Targeted Consultation. This well exceeded the 28-day statutory minimum.</p>
20	<p>"The timing and duration of consultation will be likely to vary from project to project, depending on size and complexity, and the range and scale of the effects. Applicants should therefore set consultation deadlines that are realistic and proportionate to the proposed project.</p> <p>Equally, it is also important that consultees do not withhold information that might affect a project, and that they respond in good time to applicants. Where responses are not received by the deadline, the applicant is not obliged to take those responses into account."</p>	<p>The consultation deadlines that were set for the consultation on the Project were realistic and proportionate to the Project. The Applicant undertook the following rounds of consultation: a four-week Non-Statutory Consultation, a six-week Statutory Consultation and a four-week Targeted Consultation. This well exceeded the 28-day statutory minimum. This well exceeded the 28-day statutory minimum.</p>
20	<p>"Once applicants have completed the consultation process set out in their SoCC, where a proposed application is amended in the light of responses to consultation then, unless those amendments materially and substantially change the proposed application or materially changes its effects as a whole, the amendments themselves should not trigger a need for further consultation.</p> <p>The amendments can be reported as part of the consultation report submitted with the application."</p>	<p>Following Statutory Consultation, the Applicant undertook a Targeted Consultation to consult on the proposed increase in the stack heights forming part of the Proposed Development. This Targeted Consultation was carried out during May and June 2025. Whilst non-statutory in nature, a minimum time period of at least 28 days was allowed for consultee comments.</p>
20	"Only where the project taken as a whole changes very significantly, and to such a large degree that what is being taken	

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	<p>forward is fundamentally different from what was previously consulted on, should re-consultation on the proposed application as a whole be considered.</p> <p>In understanding whether there has been a material and substantial change, applicants should take into account the following guiding factors:</p> <ul style="list-style-type: none"> • the degree of change as compared to the proposals previously consulted upon as a whole; • the number of materially worse environmental effects as compared to what has been the subject of previous consultations; and • the level of public interest, and the likelihood that such interest would merit further consideration in the context of that change." 	
20	"For any material change to a part of the proposed application where the project as a whole is not fundamentally changed, for example in the case of linear aspects where new information leads to a new alignment for a particular section of the proposal, a bespoke and targeted approach to further consultation can be adopted, which can address the specific consultation obligations arising proportionately."	See response above.
20	"Targeted consultation can be statutory or non- statutory or a combination of the two depending on whether new persons needing to be consulted under section 42 of the Planning Act have been identified, but such targeted consultation will not require the production of PEI provided proportionate and appropriate information on environmental implications of any changes, where necessary, is provided."	The Applicant undertook a Targeted Consultation after the Statutory Consultation process to consult on the proposed increase to the stack heights forming part of the Proposed Development. This Targeted Consultation was carried out during May and June 2025. Whilst non-statutory in nature, a minimum time period of at least 28 days was allowed for consultee comments.
21	"Sections 42 to 44 of the Planning Act, Regulation 3 and Schedule 1 to the APFP Regulations 2009 set out details of who must be consulted, including statutory bodies, the Marine Management Organisation where appropriate, local authorities, and persons having an interest in the land to be developed. Section 47 of the Planning Act sets out the applicant's statutory duty to consult local communities. In addition, applicants will want to consider the issues that may need to be addressed ahead of submission and may also wish to seek the views of other people who are not	<p>Statutory Consultation: Appendix D-1: List of Section 42(1)(a) and (b) Consultees (Confidential) (EN010166/APP/5.2) and Appendix C-2: List of Section 42(1)(d) Consultees (Confidential) (EN010166/APP/5.2) lists the section 42 consultees consulted as part of the Statutory Consultation.</p> <p>Section 5.5.2 of the Consultation Report (EN010166/APP/5.1) details the methodology used to identify those consultees. The Applicant also contacted directly a range of parish and</p>

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	statutory consultees, but who may be significantly affected by the project."	town councils, local community groups and other interested people (see Section 5.6 of the Consultation Report (EN010166/APP/5.1)).
21	"The Infrastructure Planning (Miscellaneous Provisions) Regulations 2024 amended the APFP Regulations 2009 by substituting a new table of persons prescribed for the purpose of section 42(1)(a) of the Planning Act (duty to consult) and also section 56(2) of the Planning Act (notifying persons of an accepted applications) which is covered in the acceptance guidance. It is the applicant's responsibility to ensure all relevant prescribed consultees are consulted about a proposed application."	The Applicant consulted all those prescribed consultees as per the amendments made by The Infrastructure Planning (Miscellaneous Provisions) Regulations 2024 as evidenced by Appendix D-1: List of Section 42(1)(a) and (b) Consultees (Confidential) (EN010166/APP/5.2) .
21	"While the list of prescribed bodies who must be consulted was updated in April 2024, from time to time a body may cease to exist but may still be listed as a statutory consultee in the Regulations pending their updating. In such situations applicants should identify any successor body and consult with them in the same manner as they would have with the original body. Where there is no obvious successor, applicants should seek the advice of the Planning Inspectorate, who may be able to identify an appropriate alternative consultee. Whether or not an alternative is identified, the consultation report should briefly note any cases where compliance with statutory requirements was impossible and the reasons why."	The Applicant reviewed the listed statutory bodies in Schedule 1 of the APFP Regulations and all relevant statutory bodies or their successors were consulted by the Applicant where their statutory remit was relevant to the Proposed Development.
22	"It is good practice for applicants to work with local stakeholders in the formative stages of the project, through early engagement. This can help inform the Programme Document that they later take to the Inception Meeting with the Planning Inspectorate. Early engagement with local authorities, parish and town councils can help applicants to ensure they find the best approach to engage the relevant communities in the most effective and proportionate way."	The Applicant undertook non-statutory consultation in February to March 2024. This was to engage with the local community and key stakeholders early in the development of the Project. The Applicant chose to undertake a multi-stage and iterative consultation process to ensure feedback from the consultation could be used to influence the design of the Project as well as to inform the Pre-application Programme Document (EN010166/APP/1.6) . A summary of the topics raised in the responses received to the Non-Statutory Consultation and the regard had to those by the Applicant is provided in Appendix A-5: Regard Had to Statutory Bodies Responses and Appendix A-6: Regard Had to Local Community/General Public Responses (EN010166/APP/5.2) .

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22	<p>"Under section 47 of the Planning Act, applicants are required to produce a SoCC, setting out how they intend to consult the local community on the proposed application.</p> <p>Applicants should consider how they can engage communities in a way that supports them to understand the necessary issues at an appropriate stage to support preparation of their application, and how they will show how they have responded to their issues of concern."</p>	<p>A range of consultation methods were used throughout the consultation, as explained in Section 5 of the Consultation Report (EN010166/APP/5.1). These methods were agreed with the local authorities through the consultations on the Statement of Community Consultation (Appendix B-3 of the Consultation Report) (EN010166/APP/5.2).</p>
22	<p>"Local communities may need support to help them to input to the NSIP consenting process.</p> <p>Independent community liaison chairs or forums can be used to provide support to local communities and non-statutory consultees to enable them to provide an effective input to the pre- application process. Applicants will want to consider whether these should be used, not least to assist an applicant's own assessment of potential examination issues in preparing their Programme Document and SoCC."</p>	<p>The importance of ensuring that local communities, particularly hard-to-reach and seldom-heard groups, are supported in their ability to effectively contribute to the NSIP consenting process is recognised. Whilst there was no community liaison group or forum established for this project, a range of measures designed to provide accessible and inclusive engagement opportunities were implemented. These efforts aimed to enable effective participation and input from all members of the community, including those who might face barriers to involvement. This included holding webinars at various times, including evenings and weekends, to accommodate individuals with differing schedules and commitments. Recognising that not all residents have access to the internet, a community newsletter was distributed to every address within the Primary Consultation Zone (PCZ).</p> <p>Key materials, such as the consultation brochure and feedback form, were made available at public information points.</p> <p>All public information points and in-person events were hosted at venues chosen for their accessibility, ensuring they were easily reachable by the broader community.</p> <p>Consultation materials were made available in alternative formats, such as Braille, upon request, to cater to individuals with specific accessibility needs.</p> <p>A variety of local community and voluntary organisations, including Flintshire Local Voluntary Council and Connah's Quay Salvation Army were contacted. These organisations were encouraged to share project information</p>

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		<p>and promote the consultation through their established communication channels.</p> <p>A range of communication options was provided to ensure ease of access for all, including a Freephone number, a dedicated email address and a Freepost address.</p> <p>Local organisations representing hard-to-reach groups were contacted to ensure the consultation process and materials were accessible. This included offering information in formats suitable for their needs and actively addressing any concerns raised.</p>
23	<p>" Applicants must:</p> <ul style="list-style-type: none"> • consult the prescribed bodies as appropriate under Regulation 3 and Schedule 1 to the APFP Regulations 2009, as well as the Marine Management Organisation in certain circumstances, under section 42 of the Planning Act, giving the consultees at least 28 days to respond; • publicise their proposed application under section 48 of the Planning Act, and Regulation 4 of the APFP Regulations 2009 sets out the detail of what this publicity must entail; and • by section 49 of the Planning Act have regard to any relevant consultation responses from either statutory consultees under section 42 of the Planning Act, local communities under section 47 of the Planning Act, or wider publicity under section 48 of the Planning Act." 	<p>See Table 1 for details of how these statutory requirements have been complied with.</p>
23	<p>"Applicants will often need detailed technical input from statutory consultees as expert bodies to assist with identifying and mitigating the impacts of projects, and other important matters. In many cases applicants will need to engage statutory consultees and others before the Inception Meeting with the Planning Inspectorate."</p>	<p>The ES (EN010166/APP/6.1-6.4) provides information about the consultation and engagement that has been undertaken with technical bodies in order to inform the EIA undertaken for the Project. A PEIR was published for consultation during the pre-application stage.</p> <p>Section 7 of the Consultation Report (EN010166/APP/5.1) provides details of the engagement that has been undertaken with statutory consultees prior to the Inception Meeting.</p>
23	<p>"Some statutory consultees have cost recovery arrangements in place for the advice they provide. The ability for statutory consultees to respond effectively to pre-</p>	<p>The Applicant engaged with local authorities, the local community and key stakeholders early in the pre-application process as outlined in Sections 2 and 7</p>

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	application requests for advice means they have the information they need from applicants to do so. It is essential therefore that applicants arrange early engagement with statutory consultees to avoid unnecessary delays and the costs of having to make changes at later stages of the consenting process."	of the Consultation Report (EN010166/APP/5.1) .
24	"Where an applicant proposes to compulsorily acquire an interest or take temporary possession of land it does not own in order to implement a proposed NSIP, under section 42 of the Planning Act they must identify and consult people, including those who own, occupy or have another interest in the land in question."	See Table 1 above for information on the consultation that has been undertaken under section 42 of the 2008 Act.
24	"It is the applicant's responsibility to demonstrate at submission of the application to the Planning Inspectorate that due diligence has been undertaken in identifying all land interests. Applicants must ensure that the Book of Reference (which records and categorises those land interests) is sufficiently up to date at the time of submission (acknowledging the timescales for preparing and updating it) and fully meets the requirements of Regulations 5 and 7 of the APFP Regulations 2009."	Details of how the Applicant has exercised due diligence in identifying all persons under section 42(1)(d) are provided in Section 5.5 of the Consultation Report (EN010166/APP/5.1) . The Applicant confirms that the Book of Reference (EN010166/APP/4.1) is sufficiently up to date and fully meets the requirements of Regulations 5 and 7 of the APFP Regulations.
24	"Where appropriate, the Book of Reference should be supplemented by a Land and Rights Negotiation Tracker, submitted by the applicant and updated during the examination, setting out the status of negotiations with landowners, Crown bodies and statutory undertakers affected by proposals for compulsory acquisition of land or rights and temporary possession."	The Applicant has submitted a Pre-Application Land and Rights Negotiations Tracker (EN010166/APP/4.2) as part of the DCO Application which will be updated during the examination stage as required.
24	"In addition, land interests can change over time and new or additional interests may emerge after an applicant has concluded statutory consultation but just before an application is submitted. In such a situation, the applicant should provide a proportionate opportunity to any new person identified with a land interest to make their views known on the application. Where new interests in land are identified very shortly before the intended submission of an application, despite diligent efforts earlier in the process, it may be difficult at that stage for applicants to consult and take account of any responses from those new interests before submitting their application as intended. If this situation arises applicants should be proactive and	Very shortly before submission of the DCO application, despite diligent efforts earlier in the pre-application process to identify consultees, a number of new landowners were identified following an exercise to update landowner details in preparation for submission of the DCO application. In line with the guidance, the Applicant sent the newly identified consultees a letter explaining how they could, if they wished, engage with the process if the DCO Application were to be accepted for examination. The letter was sent on 24 June 2025 (first update) and 17 July 2025 (second update). A sample letter is provided at Appendix

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	helpful in ensuring that the person understands how they can, if they so wish, engage with the process if the application is accepted for examination."	D-8 and D-9 of the Consultation Report (EN010166/APP/5.2).
24	"Applicants should explain in the consultation report how they have dealt with any new interests in land emerging after conclusion of their statutory consultation having regard to their duties to consult and take account of any responses."	As above. See Section 5.5 of the Report for details.
25	<p>"The Programme Document will enable the Planning Inspectorate to determine at the Inception Meeting that the proposed consultation arrangements are adequate for the level of complexity of the proposed project. The Programme Document should also identify an appropriate milestone during the pre-application stage to enable the Planning Inspectorate to test the progress of the consultation.</p> <p>This adequacy of consultation milestone should be early enough to enable applicants to consider how to undertake any additional engagement that may be needed, but sufficiently towards the end of the pre-application stage to assess the adequacy of the consultation that has been done. It is likely therefore to be no later than around 3 months before the intended date of submission of the application."</p>	<p>The Pre-application Programme Document (EN010166/APP/1.6) identified an adequacy of consultation milestone of January 2025 to test the progress of the consultation being more than 3 months before the date of submission of the Application in July 2025.</p>
25	<p>"The adequacy of consultation milestone should be recorded by the applicant and submitted to the Planning Inspectorate as a short statement of the elements of consultation which have been carried out compared with the components set out in the Programme Document and the SoCC. The statement should include the views and any relevant supporting material from local authorities if available.</p> <p>The adequacy of consultation milestone is an informal but nonetheless important opportunity to check that the pre-application programme is on track, and if it is seriously adrift the Planning Inspectorate will advise the applicant about the steps necessary to enable the application to be submitted having fulfilled the statutory requirements. Inevitably this could mean a renegotiation of the expected date of submission, with the objective of avoiding the prospect of an application not being accepted for examination."</p>	<p>The Applicant submitted a short statement in order to document and record the adequacy of consultation milestone being met as set out in Appendix F-2: Adequacy of Consultation Milestone Report (EN010166/APP/5.2).</p>

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26	<p>"Applicants are required under section 37 of the Planning Act to produce a consultation report alongside their application, which details how they have complied with the consultation requirements set out in the Planning Act and how the proposed application has been shaped as a result. The Planning Inspectorate on behalf of the Secretary of State will consider this report when deciding whether or not the applicant has complied with the pre- application consultation requirements, and ultimately, whether or not an application can be accepted to proceed to examination.</p> <p>This report should not include an excessively detailed description of every element of the consultation programme. The main objective should be to provide clarity not just on what consultation has been done but, crucially, how the applicant has taken it into account. It should therefore:</p> <ul style="list-style-type: none"> • provide a general description of the consultation process undertaken including the timeline; • set out specifically what the applicant has done to comply with the statutory requirements of the Planning Act, including advice issued under section 51 of the Planning Act, relevant secondary legislation and this guidance; • set out how the applicant has complied with the requirements to consult local communities described in the SoCC; • set out any relevant responses to consultation (but not a complete list of responses); • provide a description of how the proposed application for submission has been informed and influenced by taking account of those responses, showing any significant changes made as a result; • provide an explanation as to why any responses advising on changes to a proposed project, including advice from statutory consultees and local authorities on effects, were not followed; and • be expressed in terms sufficient to enable the Planning Inspectorate to understand fully how consultation has been undertaken, and how the issues 	<p>The Consultation Report (EN010166/APP/5.1) provides these details.</p>

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	raised through consultation have been addressed or responded to."	
26	"It is good practice that those who have contributed to the consultation are informed of the results. The consultation report may not be the most appropriate format in which to respond to the points raised by various consultee groups and bodies. Applicants should therefore consider producing a summary note in plain English for the local community setting out headline findings and how they have been addressed, together with a link to the full consultation report for those interested."	<p>The Statutory Consultation Newsletter (see Appendix C-2: Statutory Consultation Newsletter (EN010166/APP/5.2)) published as part of Statutory Consultation provided information on the feedback received from the Non-Statutory Consultation.</p> <p>A newsletter was also issued as part of the Targeted Consultation to provide an update to stakeholders on the project following the Statutory Consultation (see Appendix G-1: Targeted Consultation Materials (EN010166/APP/5.2)).</p> <p>These documents were written in clear, accessible and non-technical language.</p> <p>The Applicant also undertook a number of meetings with stakeholders to discuss consultation feedback as outlined in Section 7 of the Consultation Report (EN010166/APP/5.1).</p>
26	"A response to points raised by consultees with technical information is likely to need to focus on the specific impacts for which the body has expertise. The applicant should make a judgement as to whether the consultation report provides sufficient detail on the relevant effects, or whether a targeted response would be more appropriate."	<p>In preparing the Consultation Report (EN010166/APP/5.1), it was made sure that responses to points raised by consultees with technical information are detailed.</p> <p>However, for particularly nuanced or complex issues, it was recognised that a targeted response may be more effective. In such cases, it has been ensured that consultees receive a tailored reply addressing their specific queries, while the Report provides a summary of the issue and response.</p> <p>This approach balances the need for sufficient detail in the Report with the benefits of targeted engagement for consultees.</p>
30	"The programme-led approach, driven by the applicant through their Programme Document, is intended to support preparation of the application and address the issues it gives rise to in such a way as those which remain outstanding at examination are minimised. Applicants, working with those engaged in the pre-application process, have an important role to play to ensure that an examination focuses on the main differences between the parties."	<p>Initial draft SoCGs have been submitted with the DCO Application.</p> <p>A Potential Main Issues for Examination Report (PMIE) (EN010166/APP/7.23) has also been submitted with the DCO Application.</p>

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	<p>Statements of Common Ground (SoCG) can support this by providing a written statement (prepared by the applicant and another party or parties), setting out matters on which they agree or disagree. Applicants are encouraged to submit SoCGs as part of the application documents, even if they are of a provisional or draft nature to be developed during the examination. It is therefore important that these are prepared during the pre-application period wherever possible, particularly with statutory consultees and affected local authorities.</p> <p>Principal Areas of Disagreement Summary Statements (PADSS) record the key areas of disagreement together with a statement as to what precise change to the draft DCO is sought by the relevant interested party to resolve the issues. Submission of PADSS are suitable for all types of application but are an essential element of a potential fast-track application."</p>	
31	<p>"An application for an Order granting development consent must be made in the form and include such matters prescribed by section 37 of the Planning Act and Regulations 5, 6 and 7 of the APFP Regulations 2009. These cover a wide range of plans and documents which must be submitted and compliance with the requirements of these regulations is one of the main tests the Planning Inspectorate applies in reaching a decision about whether or not to accept the application for examination..."</p>	<p>Paragraph 31 of the Guidance has been complied with and this is evidenced elsewhere within the DCO Application documentation.</p>
32	<p>"Applicants are required to consult the local authority in whose area a proposed NSIP project lies (the 'host' local authority). They are also required to identify and consult the neighbouring local authorities under the requirements of section 43(2) and (2A) of the Planning Act. This explains how lower tier or unitary authorities adjacent to the host authority, and upper tier authorities adjacent to the upper tier authority within which the proposal is located, should be consulted. Determining which neighbouring authorities should be involved can only be done on a case-by-case basis. If the boundaries of the proposed applications change, applicants will need to consider whether there are any changes to the local authorities they need to consult."</p>	<p>The Applicant consulted with both the host and neighbouring local authorities, as explained in Section 5.5 of the Consultation Report (EN010166/APP/5.1).</p>
32	<p>"Applicants need to appreciate the range of local government structures in England</p>	<p>See response above.</p>

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	particularly, and the meaning of 'local authority' in section 43(3) of the Planning Act for the purposes of consultation under the section 42 of the Planning Act. Where a combined authority or combined county authority is in place, applicants are recommended to review whether the relevant legislation which established those authorities brings them within scope of the consultation requirements under the Planning Act. Unless functions of county, district or unitary authorities have been specifically transferred by legislation, then these type of government bodies would not be a 'local authority' under these sections of the Planning Act. However, it is good practice for applicants to work with the constituent local authorities to consider how a combined authority could best support development of the application."	
32	"Depending on the nature and scale of the NSIP, and the extent to which a particular authority is affected, Planning Performance Agreements or mechanisms that provide cost recovery may be appropriate. This should be set out in the applicant's Programme Document for discussion and agreement with the Planning Inspectorate at the Inception Meeting."	Paragraph 3.1.5 of the Pre-application Programme Document (EN010166/APP/1.6) sets out the position with regard to Planning Performance Agreements.
34	"In preparing a SoCC under section 47 of the Planning Act, applicants may need to consult with a number of different local authorities."	As set out in Table 1 above, the Applicant consulted with the host local authorities about the SoCC. Whilst there were two host local authorities for the purposes of Statutory Consultation, updates to the red line boundary since this consultation mean that there is now just one host local authority for the purposes of the DCO Application submission.
36	"Where a local authority raises an issue or concern about the draft SoCC which the applicant feels unable to address, the applicant is advised to work with the authority to find an appropriate way forward. Where this is not possible, they should explain the reasons for this and rationale for their course of action in the consultation report submitted as part of their application."	There were no issues identified with the Statement of Community Consultation (Appendix B-3 of the Consultation Report) (EN010166/APP/5.2) that the Applicant was not able to address.
36	"Applicants have a statutory duty to consult any local authority in whose land a project is sited. So, where an offshore project also features land-based development such as an onshore cable route and substation, the applicant should treat the local authority	As set out in Table 1 above, the Applicant consulted with the host local authorities about the Statement of Community Consultation (Appendix B-3 of the Consultation Report) (EN010166/APP/5.2) .

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	where the land- based development is located as the main consultee for the SoCC. The applicant is also advised to consider seeking views on the SoCC from local authorities whose communities may be affected by the project, for example visually or through construction traffic, even if the project is in fact some distance from the area in question. In addition, applicants may find it beneficial to discuss their SoCC with any local authorities in the vicinity where there could be an effect on harbour facilities."	
37	"Applicants are expected to work with local authorities in preparing their Programme Document, including about how they support authorities to be effectively resourced to engage in a way that supports this Programme Document."	<p>The Applicant has sought to support the host local authority (Flintshire County Council (FCC)) through the pre-application phase of the project. The Pre-application Programme Document (EN010166/APP/1.6) was updated throughout the pre-application phase.</p> <p>The Applicant regularly engaged FCC on a number of environmental matters as set out within the Draft Flintshire Council SoCG (EN010166/APP/8.1), thereby keeping them informed of programme and next steps. A number of meetings were also held with FCC regarding resourcing opportunities through a PPA or an alternative contract. The most recent meeting took place on 16 June 2025 to discuss how the Applicant could support FCC during the pre-examination and Examination phase. The Applicant is also seeking to put in place with Net Zero Industry Wales (NZIW) a means to provide this support.</p>

Guidance on procedural requirements for major infrastructure projects

Making documentation available for inspection	"The 2020 Regulations remove the obligations on applicants (or the Secretary of State, as the case may be) to include in relevant notices the addresses (including at least one address in the vicinity of the relevant project) where certain documentation is available for inspection. Instead, notices published by applicants must specify that the documents are available free of charge on a website, the address of the website and details of how the documents may be obtained from that website. Applicants are also required to provide a telephone number for general enquiries on where to find relevant	<p>The section 48 notices (see Appendix C-15: Section 48 Newspaper Notices (EN010166/APP/5.2)) explained that the consultation documents were available free of charge on the Project website at https://uniperuk.consulting/cqlcp/project-consultation-documents-3/ and details of the relevant tab on the website where the documents could be found. The notices also provided a Freephone telephone number for general enquiries on where to find relevant information and on the documentation itself.</p>
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	information and on the documentation itself."	
Making documentation available for inspection	<p>"Applicants should ensure the relevant website is well signposted when publishing their notices and that the documents are readily accessible, i.e. documents should be clearly named and logically structured.</p> <p>Where needing to refer to a website maintained by or on behalf of the Secretary of State, we expect applicants to refer to the relevant project webpage on the Planning Inspectorate's National Infrastructure Planning website."</p>	<p>The Project website was well signposted, with all consultation documents available to download within the tab specified in the section 48 notices. The documents were clearly named on the website and structured in a logical and user friendly manner.</p> <p>Screenshots of the Project website during the Statutory Consultation period are provided in Section 5.2 of the Consultation Report (EN010166/APP/5.1). It was not necessary in the notices to refer to a website maintained by or on behalf of the Secretary of State.</p>
Making documentation available for inspection	"As is currently the case, and subject to any charge that may be made, hard copies of any of the relevant documents must be provided by the applicant or the Secretary of State (as the case may be) on request."	The Applicant offered to provide a full set of consultation documents on a USB memory stick upon request free of charge and hard copies could be obtained upon request (with the exception of a hard copy of the PEIR which was charged at a maximum of £250). The Applicant issued 2 USBs and 0 hard copies.
Making documentation available for inspection	"Applicants should engage proactively with local authorities and local communities to find alternative means to provide access to the documentation where required, to ensure on- going fair participation in the planning process, for example by providing copies of documents on a USB flash drive where parties have access to a computer but have limited or no internet access or, where reasonably practicable, by making copies of documents available for inspection free of charge where a person is unable to access the documentation electronically or finds it difficult to do so."	The consultation documents were available to download on the Project website and to view free of charge at the Public Information Points as agreed with the relevant local authorities through the SoCC process. The Applicant also made hard and soft copies of the consultation documents available upon request.
Statement of Community Consultation	"Section 47(6) of the Planning Act 2008 requires that at the pre- application stage the Statement of Community Consultation must be made available for inspection. This requirement can be met by making documents available for inspection online. Applicants should take reasonable steps to ensure that anyone wishing to view the documentation can find these documents on their website. Hard copies should be made available by the applicant on request."	The Statement of Community Consultation (Appendix B-3 of the Consultation Report (EN010166/APP/5.2)) was made available on the Project website and in hard copy at the locations listed in Section 4.3.7 of the Consultation Report (EN010166/APP/5.1) .
Newspaper notices	"Requirements exist under the Planning Act 2008 to place notices in local newspapers."	It was not necessary to rely only on online newspaper publications, and the

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	In circumstances where local newspapers are currently not available in a print format, this requirement can be met by placing adverts in appropriate online local newspaper publications."	notices were placed in the print versions of the required local and national newspapers, as explained in Sections 4.3 and 5.1 of the Consultation Report (EN010166/APP/5.1) .

1.3 Table 3: SoCC Compliance

SoCC Reference	Commitment	Explanation of compliance
5.3	[A consultation period which meets or exceeds the statutory minimum period required by the 2008 Act will be facilitated.]	The consultation took place from Tuesday 8 October for a period of six weeks up to 19 November 2024.
5.3 and 6.5	Hold three in-person consultation events and two public webinar consultations and two dedicated stakeholder webinars.	<p>Three in-person consultation events, two stakeholder webinars and three public webinar sessions were undertaken by the Applicant. Consultation events were held at the following dates, times and locations:</p> <ul style="list-style-type: none"> • Stakeholder webinar 1 - Thursday 18 October 2024, 17:00 - 18:00 • Stakeholder webinar 2 - Thursday 18 October 2024, 18:30 - 19:30 • Online webinar 1 – Saturday 19 October 2024, 11:00 – 12:00 • Online webinar 2 – Tuesday 22 October 2024, 13:00 – 14:00 • Conference Centre, Coleg Cambria Deeside, Kelsterton Road, Connah's Quay, CH6 5NW – Wednesday 23 October 2024, 16:00 – 20:00 • Flint Town Hall, Holywell Street, Flint, CH6 5NW – Saturday 26 October 2024, 11:00 – 16:00 • Connah's Quay Cricket Club, 5 Cable Street, Connah's Quay, CH5 4DZ – Thursday 7 November 2024, 13:00 – 18:00 • Online webinar 3 – Monday 4 November 2024, 18:00 – 19:00 <p>In addition to these advertised consultation events, the Applicant also held a pop-up event in a local high-footfall location to speak with people that may not have had the time or opportunity to attend an event. The pop-up event was held during the day at Flint Library on Friday 25 October 2024.</p>
6.5	[In-person events will be held at venues within the PCZ and publicised alongside online events, in the Consultation Newsletter, poster, advert and press release.]	The venues of the in-person events were within the PCZ and were consulted on with FCC and CWAC. In-person and online events were publicised in the consultation newsletter, stakeholder consultation launch letter, Section 48 notice, consultation website, advert, poster, brochure and press release.

SoCC Reference	Commitment	Explanation of compliance
6.5	[Briefings with key political stakeholders will be offered prior to the public consultation events, to provide an opportunity for feedback and input. Briefings will be conducted both in-person at dedicated consultation exhibition sessions and remotely using webinars.]	Key political stakeholders, as identified by the Applicant's comprehensive stakeholder mapping exercise, were offered one-to-one briefings, invited to an online stakeholder webinar on Thursday 18 October and a dedicated in-person drop-in session at the Connah's Quay Power Station Education Centre on Wednesday 16 October. The briefings targeted key affected stakeholders, including FCC and CWCC, the host Members of the UK Parliament and the Senedd, host ward councillors, portfolio holders and host community councils.
6.7	[As the Main Development Area spans across the electoral boundary of Alyn and Deeside, we will hold consultation events within this constituency.]	All in-person consultation events took place within Alyn and Deeside constituency.
6.7	At the consultation events, [key project information will be provided on large consultation boards and members of our project team will be on hand to discuss the project, answer questions and receive feedback.]	The Applicant produced consultation event banners based off content from the consultation brochure, which explained the proposals and how feedback would be gathered. Members of the project team from various levels of expertise and specialism were in attendance at all consultation events to ensure that any query raised could be addressed.
6.8	The stakeholder events will be by invite only, the public webinars will be open to any interested individuals or groups and are anticipated to be hosted on Livestorm.	The Applicant contacted key stakeholders including host ward councillors, portfolio holders, and host community councils to offer them the opportunity for a separate briefing on the project. The public webinars were open to all interested individuals and parties and were hosted on Livestorm.
5.5 and 6.4	[All homes and businesses within the PCZ will directly receive a newsletter in the post at the start of the Statutory Consultation period.] [The newsletter indicates where the relevant project information can be found and publicises the consultation events, including locations, dates, and times. This will be sent to all homes and businesses within the PCZ and will be available on the consultation website, at events, information points and on request by post.]	The newsletter was issued to all addresses in the PCZ - approximately 25,000 addresses. The PCZ was in the SoCC and agreed with the host authorities during the SoCC consultation. The newsletter was also available on the consultation website, at events, at information points and on request by post. The newsletter included locations, dates and times for all events and listed the locations of information points where further information could be obtained.
6.4	[The SoCC document will be made available online as part of the consultation and is available in paper format at our consultation events and information points for reference.]	The SoCC was published on the project consultation website and was available in hard copy format at the consultation events and at the information points.

SoCC Reference	Commitment	Explanation of compliance
6.5	[The newsletter will also be issued by email to wider consultees, including community groups and hard-to-reach groups.]	All mapped stakeholders were sent a copy of the consultation newsletter by email when the Statutory Consultation opened.
6.5	[The press release would be circulated with local media outlets and trade titles.]	<p>The press release was sent to the following trade titles and local media outlets:</p> <ul style="list-style-type: none"> • Carbon Capture Journal • Argus Media • Montel News • BBC One North West 2 • BBC One North West 1 • Flintshire Leader • Chester and District Standard • ITV News Granada 2 • Chester Chronical • Wales on Sunday • Daily Post Wales • BBC Radio Merseyside 2 • BBC Radio Merseyside 1 • ITV News Granada 1 • Energy Live News • International Power Engineer • Modern Power Systems • Natural Gas World • Energy Industry Times • Carbon Pulse • Carbon Brief • New Power Magazine • Business Green • Power Engineering International • S&P Global.
6.5	[Emails will be sent to stakeholders informing them of the Statutory Consultation, upcoming events, how to request further information, and how to feed back on the project proposals.]	Emails were sent to statutory and non-prescribed stakeholders identified in the Section 42 consultee list. The email informed stakeholders how to take part in the consultation, how to provide their feedback and where to find more information.
6.5	[The project consultation website will be updated on the launch of the Statutory Consultation. This update will include details of consultation events,	The project consultation website provided, similar to the non-statutory consultation, an overview of the Proposed Development, information on

SoCC Reference	Commitment	Explanation of compliance
	consultation materials, and information on how to feed back on the project proposals. A more detailed set of project information will also be included, with uploads of the technical documents.]	the Applicant's updated plans, details of the planning process, copies of all the consultation materials and technical documents available to download, FAQs, information on the public consultation events and information on how to feedback on the updated proposals.
6.5	[A Welsh version of the project consultation website will also be available.]	Similarly to the Non-Statutory Consultation, the website updates for Statutory Consultation were published in Welsh.
6.5	[Statutory notices to publicise the consultation and the SoCC will be published in local and national news publications in advance of the consultation launching.]	These statutory notices were published in local and national news publications in advance of the consultation launching.
6.5	[We will run adverts in the local media prior to commencement of the consultation period. The adverts will be designed in a clear, accessible format, clearly communicating what the consultation is about, when it is running and how to take part.]	<p>Adverts were published in the following local media publications:</p> <ul style="list-style-type: none"> • The Wirral Globe - 2 October 2024 • The Leader - 3 October 2024 The Chester Standard - 3 October 2024 • The North Wales Chronicle - 3 October 2024 <p>The adverts ran for two weeks.</p>
6.5	[We will also contact local community councils and invite them to share the advert through their own social channels.]	As part of email outreach for the Statutory Consultation, the Applicant contacted local community councils to inform them of the consultation and requested they let their residents know through their own channels.
6.5	[Notices placed in publicly accessible locations within the Indicative Order Limits to notify of the consultation.]	Site notices were placed in the vicinity of the Proposed Development. Further details of this are included in the Report.
5.3	[Making copies of all consultation documents available - including copies of the PEIR (and non-technical summary), consultation brochure providing a non-technical overview of the project, and feedback questionnaire – both online and available in printed copy.]	The PEIR was provided in hard copy at Flint Library and in Connah's Quay Library. These were the two host Local Authority boundaries' information points. The remaining deposit locations had USB sticks containing a copy of the full PEIR, PEIR NTS, consultation brochure, feedback form and newsletter for members of the public to view on the information points' computers. The PEIR, PEIR NTS, consultation brochure, feedback form and newsletter were available on the project consultation website and in person at consultation events and at information points.

SoCC Reference	Commitment	Explanation of compliance
6.4	[The Consultation Brochure will include the following information: a summary of the proposals we are consulting on; details of how people can take part in the consultation; information on the potential benefits and impacts of the project; how we propose to mitigate potential environmental effects; how stakeholder feedback will be considered; and the timeline for the proposals.]	The consultation brochure contained the information listed. Further details of this are included in the Report.
6.4	[Hard copies of the Consultation Brochure will be available at our consultation events, at information points, and on request by post, free of charge.]	Hard copies of the consultation brochure were available at the information points, on the consultation website, at consultation events and could requested in hard copy free of charge via the Project contact centre channels.
6.4	[The questionnaire can be completed online, or downloaded if required and sent in to the consultation via Freepost.]	An online version of the feedback form was on the project consultation website and could be downloaded from the document library. Hard copies of the feedback form were available at all information points and at in-person events. Completed hard copy feedback forms could be completed and sent free of charge using the project freepost address.
6.4	[Paper copies of the Feedback Form will be available at consultation events, the public information points, and via post on request.]	Paper copies of the Feedback Form were available at consultation events, the public information points, and via post on request. Further details of this are included in the Report.
6.4	[A Non-Technical Summary of the PEIR will be available for download from the project consultation website.]	The NTS, alongside all other consultation materials, was available to download on the project consultation website via the document library.
6.4	[Paper copies of the PEIR and the Non-Technical Summary will be available at our consultation events for reference.]	Hard copies of the NTS and PEIR were available at the in-person consultation events.
6.4	[All Statutory Consultation documents will be available online, on the project consultation website, and in hard copy at information points and in-person events.]	All Statutory Consultation documents were available online, on the project consultation website, and in hard copy at information points and in-person events. Further details of this are included in the Report.
6.4	The newsletter, brochure, feedback form and NTS will be available in Welsh on the project consultation website.	All consultation materials with the exception of the PEIR and SoCC were available in Welsh on the project consultation website, at information points and at in-person consultation events.

SoCC Reference	Commitment	Explanation of compliance
6.4	[Documents can be made available in alternative formats, such as braille, speaking text, or alternative language, upon request.]	No requests were made for documents to be provided in alternative formats, but arrangements had been made to facilitate this and requests would be considered on a case-by-case basis.
7	[Attendees at consultation events will be able to complete an online feedback form on tablets provided. Alternatively, a paper copy of a feedback form can be provided to be filled in and handed to a member of the project team or posted back to us via Freepost.]	Tablets were available at the consultation events for participants to complete feedback forms. Hard copies were also available, to be returned either by freepost or to hand in-person at the event to a member of the project team.
7	[Anyone can share their views by submitting their comments via email or in writing to the Freepost address.]	The Applicant also accepted all written feedback received via email or in writing.
6.2	[Uniper will be seeking feedback on all aspects of the Proposed Development. This will involve inviting comments on topics including, but not limited to: how the Proposed Development can be accommodated in the area; the changes to the project Order Limits following the publication of the Scoping Report; the potential mitigation measures for any identified environmental effects of the Proposed Development at this preliminary stage, set out in our PEIR; other plans, maps, and documents to accompany the PEIR; the proposals for construction, operation, and decommissioning of the site set out in the PEIR, including options, where these are presented; and any local issues or sensitivities that we should be aware of.]	Opportunities to provide feedback on these topics were provided in the feedback form. The feedback form gave to provide consultees with examples of the information that would be useful to the project team.
5.3	[Setting up two public information points containing hard copies of the consultation brochure, feedback form and the Non-Technical Summary of the PEIR.]	<p>The Applicant set up a total of five information points at the following locations:</p> <ul style="list-style-type: none"> • Flint Library, Church St, Flint, CH6 5AP • Connah's Quay Library, Wepre Dr, Connah's Quay, CH5 4HA Buckley Library, The Precinct, Brunswick Rd, Buckley CH7 2EF • Ellesmere Port Library, Civic Way, Ellesmere Port CH65 0BG • Holywell Library, Holywell Leisure Centre, North Road, Holywell, Flintshire, CH8 7UZ

SoCC Reference	Commitment	Explanation of compliance
6.3	[In addition to the PCZ, Uniper will consult the following groups: local authorities falling within section 43 of the PA 2008; local residents and businesses within the vicinity of the Proposed Development; landowners with interest in the Proposed Development (those falling within section 44 of the PA 2008); town councils; community groups; environmental groups in the vicinity of the Proposed Development; schools and colleges within the vicinity of the Proposed Development; seldom-heard or hard-to-reach groups; other statutory consultees (as set out in Schedule 1 to the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009); non-statutory consultees; and members of parliament and local government.]	All consultee groups were consulted as part of the Statutory Consultation. Further details of this are included in the Report.
6.10	[Ongoing engagement will be undertaken ahead of the launch of the consultation with relevant stakeholders, including Natural Resources Wales, local authorities, MPs, MSs, and with local interest groups, residents, and landowners who get in touch.]	The Applicant contacted the consultee groups listed to organise briefings ahead of the Statutory Consultation launch.
6.11	We will seek to engage with hard-to-reach and seldom-heard groups by holding webinars at a variety of times, including evenings and weekends, to enable participation from people with different time commitments.	Webinars were organised at a range of times, with an event being held on a weekend, during the day on a weekday and in the evening on a weekday.
6.11	[We will seek to engage with hard-to-reach and seldom-heard groups by choosing accessible venues for public information points and in-person events.]	Risk assessments were conducted on venues to confirm accessibility and all info points were public buildings with appropriate accessibility.
6.11	[Organisations representing hard-to-reach and local interest groups that we will contact include, but are not limited to, the following: FCC; Flintshire Local Voluntary Council; Connah's Quay Salvation Army; Deeside Citizens Advice Bureau; and Deeside Community Trust.]	All consultee groups were contained within the Section 42 consultee list and contacted as part of the Statutory Consultation. Further details of this are included in the Report.

2. Appendix F-2: Adequacy of Consultation Milestone Report

Connah's Quay Low Carbon Power

Adequacy of Consultation Milestone Report

Planning Inspectorate Reference: EN010166

Revision 1.0
January 2025

Prepared for:
Uniper UK Limited

Prepared by:
Copper Consultancy Limited



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1. Introduction

1.1 Purpose of this document

- 1.1.1 This Adequacy of Consultation Milestone Report (the 'Report') has been prepared on behalf of Uniper UK Limited (the 'Applicant') pursuant to the Department for Levelling Up, Housing and Communities' (now Ministry of Housing, Communities and Local Government) Planning Act 2008: Pre-application stage for Nationally Significant Infrastructure Projects¹ guidance dated 30th April 2024 (the 'Guidance').
- 1.1.2 This Report relates to a proposed application (the 'Application') for a Development Consent Order (a 'DCO'), that is expected to be submitted to the Secretary of State for Energy Security and Net Zero (the 'SoS'), under Section 37 of the Planning Act 2008² ('the 2008 Act') in late Q1 2025.
- 1.1.3 The Applicant is seeking development consent for the Connah's Quay Low Carbon Power project (referred to herein as 'CQLCP' or the 'Proposed Development') on land at, and in the vicinity of, the existing Connah's Quay Power Station, Kelsterton Road, Connah's Quay, within the administrative area of Flintshire County Council ('FCC'), North Wales. The existing power station is currently owned and operated by the Applicant.
- 1.1.4 In addition to the Guidance introduced in April 2024, the Planning Inspectorate issued the Nationally Significant Infrastructure Projects: 2024 Pre-application Prospectus³ ('the Prospectus') in May 2024. Both the Guidance and the Prospectus set out updated requirements for those wishing to apply for development consent via a DCO application.
- 1.1.5 The adequacy of consultation milestone ('AoCM') provides the Applicant with an opportunity to outline the stages of consultation that have taken place to date and demonstrate compliance with the Statement of Community Consultation ('SoCC') and the Programme Document, as well as summarise the consultation responses and the way in which these responses are shaping the Application, to the Planning Inspectorate.
- 1.1.6 The Guidance describes the AoCM as "*a short statement of the elements of consultation which have been carried out compared with the components set out in the Programme Document and the SoCC*". Intended to be submitted no later than around three months before submission of the Application, the AoCM is also described within the Guidance as an "*informal but nonetheless important opportunity to check that the pre-application programme is on track, and if it is seriously adrift the Planning Inspectorate will advise the applicant about the steps necessary to enable the application to be submitted having fulfilled the statutory requirements*".
- 1.1.7 Under Section 55(4)(b) of the 2008 Act, at the acceptance stage, the Planning Inspectorate will seek the formal views from local authorities about the adequacy of consultation. The Guidance also states that the Report should

¹ Planning Act 2008: Pre-application stage for Nationally Significant Infrastructure Projects - GOV.UK

² Planning Act 2008

³ Nationally Significant Infrastructure Projects: 2024 Pre-application Prospectus - GOV.UK

include the views and any relevant supporting material from local authorities if available.

- 1.1.8 The Applicant is committed to carrying out meaningful, statutory pre-application consultation and engagement with the local community in the vicinity of the Proposed Development, as well as landowners, businesses, parish councils, elected representatives, and other stakeholders such as hard to reach groups and community organisations, where appropriate. In order to ensure all potential impacts have been considered, the Applicant has gone beyond the minimum requirements set out in the 2008 Act to ensure the views of communities and wider stakeholders are recognised and help shape proposals ahead of submission.
- 1.1.9 This Report provides an overview of the engagement and consultation activity to date and how this complies with the requirements of the 2008 Act.

2. Proposed Development overview

2.1 The need for the Proposed Development

- 2.1.1 The Applicant is proposing to develop a new Combined Cycle Gas Turbine ('CCGT') power station with carbon capture technology, known as the Connah's Quay Low Carbon Power project.
- 2.1.2 To achieve the UK's ambition of Net Zero by 2050, and as we become more reliant on electricity, with the electrification of sectors such as transport, heating and industry, more generation capacity will be needed. According to the UK's independent advisor on climate change, the Climate Change Committee ('CCC'), demand for electricity is forecast to increase by 50% by 2035.⁴ To meet this increasing demand and achieve the UK's decarbonisation goals, the CCC has also advised that a range of different technologies with both renewables and decarbonised generation, such as gas with carbon capture and storage ('CCS'), will be needed to maintain a secure and stable supply of electricity.⁵
- 2.1.3 The proposed new CCGT power station with CCP at Connah's Quay would be able to flexibly and reliably generate low carbon power to meet the growing need for electricity, whenever it is required. Power stations such as this will play a crucial role in the future energy system, as they can help ensure that energy is available at times when it is needed most, and when power from renewable sources cannot meet demand.
- 2.1.4 The Connah's Quay Power Station site (the 'Main Site') is an ideal location for the Proposed Development, due to its proximity to suitable CO₂ transport and storage infrastructure (the HyNet industrial cluster), while it also offers benefits of the re-use of existing infrastructure connections, including water, natural gas and electricity.

2.2 The Proposed Development

- 2.2.1 The Proposed Development comprises the demolition of an existing gas treatment plant ('GTP') and above-ground installation ('AGI'), store buildings, and contractors' facilities on site and the construction, operation and maintenance of a Combined Cycle Gas Turbine ('CCGT') generating plant with Carbon Capture Plant ('CCP') including the Proposed Carbon Dioxide (CO₂) AGI.
- 2.2.2 The Proposed Development is comprised of up to two 'Trains', with a combined net electrical output capacity of up to 1,380 MWe to be located at the existing Connah's Quay Power Station site, Flintshire, North Wales.
- 2.2.3 The Proposed Development would be fuelled by natural gas and would require electricity, cooling water, mains water, data/telecommunications, and CO₂ transport and storage ('T&S') connections. It will be designed to operate with a post-combustion CCP installed and will generally be operated as a dispatchable low carbon generating station.

⁴ In its Balanced Pathway for the Sixth Carbon Budget (Dec 2020), the UK's Climate Change Committee (CCC) forecast a 50% increase in electricity demand by 2035 and a doubling in electricity demand by 2050 (Sixth Carbon Budget - Climate Change Committee (theccc.org.uk)).

⁵ CCC Sixth Carbon Budget electricity generation sector summary Sector-summary-Electricity-generation.pdf (theccc.org.uk)

2.2.4 The location of the Proposed Development makes use of the existing available infrastructure links including electrical grid and gas (specifically the National Grid Electricity Transmission ('NGET') and National Gas Transmission ('NGT') networks) and has been sited to facilitate its connection to the emerging proposals for the HyNet CO₂ Pipeline Project, which was granted development consent in March 2024. This is being developed to connect carbon capture plants in the region via an onshore CO₂ T&S network to enable transportation via offshore pipelines for storage in existing depleted oil and gas fields in Liverpool Bay. The HyNet CO₂ Pipeline Project is being developed by Liverpool Bay CCS Ltd.

2.2.5 Key components of the Proposed Development include:

- Demolition works at the existing Connahs Quay Power Station Site, including demolition of the existing GTP, AGI, store buildings and contractors' facilities.
- A CCGT electricity generating station of no less than 350 MW net electrical output with CCP and ancillary buildings and structures within the Main Site. The CCGT with CCP plant would comprise up to two new 'Trains' (each Train comprising one CCGT and one CCP).
- Associated Development, including:
 - proposed carbon dioxide ('CO₂') AGI – which would be located within the Main Site.
 - repurposed CO₂ Connection Corridor – the plans for the Proposed Development are to utilise approximately 3 km of an existing natural gas pipeline for the export of CO₂. It includes a buffer zone of up to 24.4 m width.
 - proposed CO₂ Connection Corridor – captured CO₂ emissions from the Proposed Development would be discharged from the Repurposed CO₂ Connection Corridor, via a new proposed CO₂ pipeline that is around 350 metres in length (the Proposed CO₂ Connection) into Liverpool Bay CCS Ltd's Flint AGI (which is part of the proposed HyNet CO₂ Pipeline Project) and then into the HyNet CO₂ Pipeline.
 - Water Connection Corridor – cooling water for the Proposed Development would be abstracted from and discharged to the River Dee, in-line with the current process for the existing Connahs Quay Power Station. This will require the refurbishment of the existing cooling water abstraction and discharge infrastructure.
 - Electrical Connection Corridor – a new connection will be required from the CCGT plant to the Applicant's existing 400 kilovolt (kV) banking compound. The existing electrical connection from the Applicant's banking compound is expected to be used to connect the Proposed Development to the existing Connah's Quay Substation located south-east of the Main Site.
 - a Construction Laydown and Indicative Enhancement Area.
 - accesses and access works.
 - AIL Routes – routes required to facilitate the transport of Abnormal Indivisible Loads ('AIL') to the Main Site, including the local highway

network between the Port of Mostyn and the Main Site, as well as works at the Connah's Quay North Jetty and local highway network between the Jetty and the Main Site.

- Further associated development comprising such other works or operations as may be necessary or expedient.
- 2.2.6 The Applicant is seeking development consent for the demolition of the GTP, AGI, store buildings, and contractors' facilities at the existing Connah's Quay power station site and the construction, operation and maintenance of the Proposed Development including associated and ancillary development on land at the Main Site and within its vicinity in the administrative area of FCC.
- 2.2.7 The Proposed Development is located on land at, and in the vicinity of, the existing Connah's Quay power station (Kelsterton Road, Connah's Quay, Flintshire CH6 5SJ), North Wales.
- 2.2.8 The Site comprises a number of areas, including the Main Site, encompassing the existing Connah's Quay power station which would be the location for the new CCGT power station with CCP, and a number of corridors of land for electrical grid connection, CO2 and water connections, and other areas of land for construction laydown, biodiversity enhancement area and access works. The Main Site is approximately 56.5 hectares ('ha'), with the entire Site extending to approximately 186 ha.
- 2.2.9 At the point of Statutory Consultation, the Indicative Site Boundary also included land within the administrative area of Cheshire West and Chester Council ('CWCC') in England. This land was potentially required to facilitate works to Ellesmere Port for the delivery of AILs to the Port. However, ongoing design work and engagement with the Port following Statutory Consultation has determined that works will not be required to Ellesmere Port to facilitate the scale of AILs required for the Proposed Development. Therefore, the Applicant has been able to remove Ellesmere Port from the Order limits and, consequently, there are no elements of the Proposed Development which sit within CWCC's authority area. This means that, whilst CWCC was a host authority for the purposes of Statutory Consultation, it is not a host authority for the purposes of the Application. Due to the amendments to the Order limits following Statutory Consultation, there is no longer any part of the Order limits located within England.
- 2.2.10 Further information about the Site will be provided in the Consultation Report and the Environmental Statement as part of the Application.

3. Consultation and engagement overview

3.1 Consultation and engagement approach

- 3.1.1 The Applicant has developed its consultation and engagement approach in line with the requirements set out in the 2008 Act, along with recommendations made in the Guidance and in the Planning Inspectorate's advice for applicants.⁶
- 3.1.2 In order to maximise the opportunity for a wide range of stakeholders to participate in the programme of consultation and engagement, and to increase the range of local views able to influence proposals, the Applicant committed to undertake a multi-phase programme.
- 3.1.3 In February 2024, the Applicant officially publicly launched the Proposed Development and announced plans for an initial Non-Statutory Consultation to provide members of the local community and stakeholders an opportunity to learn more about the proposals and give their initial feedback at a formative stage.
- 3.1.4 During this stage of engagement, an informal 'Approach to Consultation' document was provided to officers at FCC prior to Non-Statutory Consultation. This document provided a brief description of the objectives of the overall consultation programme and the phases of activity, along with more detailed information about the initial non-statutory phase of consultation. Feedback received from the local authority informed the approach taken to early engagement and was used to aid in the preparation of the SoCC to ensure consistency of approach.
- 3.1.5 The Non-Statutory Consultation took place from Monday 26 February 2024 to Monday 25 March 2024. During this consultation period, the Applicant received a total of 54 responses from various stakeholders, including community members, local authorities and environmental organisations. Please refer to Section 3.2 for further information on the Non-Statutory Consultation.
- 3.1.6 Prior to commencement of Statutory Consultation, the SoCC was prepared, which detailed how the Applicant planned to consult with the local community on its proposals in accordance with the 2008 Act. Feedback from this Statutory Consultation will inform the final proposals which form the DCO submission.
- 3.1.7 At the point of Statutory Consultation, the Indicative Site Boundary also included land within the administrative area of CWCC in England as the Applicant explored options for delivery of AILs to the Site. As a result of this, both FCC and CWCC were treated as host Section 43 local planning authorities prior to and throughout Statutory Consultation.⁷
- 3.1.8 The following neighbouring local planning authorities also received the SoCC for their reference:

⁶ Nationally Significant Infrastructure Projects: Advice pages – GOV.UK

⁷ Since the close of the Statutory Consultation, the proposed Indicative Site Boundary has been updated to remove Ellesmere Port. As a result of this change, CWCC will not be considered a host authority for the purposes of the Application.

- Denbighshire County Council
- Wrexham County Borough Council
- Wirral Council
- Liverpool City Council
- Halton Borough Council
- Warrington Borough Council
- Shropshire Council
- Cheshire East Council.

3.1.9 Statutory Consultation took place from Tuesday 8 October 2024 to Tuesday 19 November 2024. A total of 132 responses were received during this round of engagement. The consultation set out the refined proposals inclusive of environmental assessments and technical detail contained within the Preliminary Environmental Information Report ('PEIR'). The Applicant welcomed feedback on all aspects of the Proposed Development including, but not limited to:

- the location of the Proposed Development;
- the changes to the Order Limits following the publication of the Scoping Report;
- the potential mitigation measures for any identified environmental effects of the Proposed Development at this preliminary stage, set out in the PEIR;
- other plans, maps, and documents to accompany the PEIR;
- the proposals for construction, operation, and decommissioning of the Main Site set out in the PEIR, including options, where these are presented; and
- any local issues or sensitivities that the Applicant should be aware of.

3.1.10 Table 1 below details the briefings that were undertaken with key local stakeholders and representatives as part of the Non-Statutory and Statutory consultation phases.

Table 1: Stakeholder meetings

Stakeholder	Date
Natural Resources Wales	19 December 2023
North Wales Mersey Dee Business Council	20 December 2023
Welsh Government	21 December 2023
Net Zero North West	8 January 2024
Advanced Manufacturing Research Centre	9 January 2024
Wales & West Utilities and SP Energy Networks	15 January 2024
Flintshire County Council	22 January 2024
Connah's Quay Town Council	7 February 2024

Stakeholder	Date
Flint Town Council	12 February 2024
University of Sheffield	21 February 2024
Transport for Wales	21 February 2024
Health and Safety Executive	21 February 2024
Environment Agency	21 February 2024
Flintshire County Council	21 February 2024
Connah's Quay Town Council	21 February 2024
Cheshire West and Chester Council	21 February 2024
North Wales Mersey Dee Business Council	7 March 2024
Mark Tami MP	8 March 2024
Bangor University	14 March 2024
Mark Isherwood MS	15 March 2024
Deeside Decarbonisation Forum	19 March 2024
Deeside Naturalists Society	29 May 2024
Sam Rowlands MS	7 June 2024
Flint Town Council	11 June 2024
DECG	26 June 2024
RSPB	24 July 2024
Flintshire County Council	10 October 2024
Environment Agency	10 October 2024
Highways Agency	10 October 2024
Ambition North Wales	10 October 2024
Flint Town Council	10 October 2024
Dee Conservancy Harbour Master	16 October 2024
Welsh Government	16 October 2024
Flintshire County Council	17 October 2024
Flint Town Council	21 October 2024
Connah's Quay Town Council	6 November 2024

3.1.11 Throughout the DCO pre-application phase of engagement, the Applicant has engaged with a number of statutory consultees including, but not limited to:

- Natural Resources Wales
- Cadw
- National Grid Electricity Transmission plc
- Natural England
- Environment Agency.

- 3.1.12 This ongoing engagement informed the technical design and environmental assessment work being carried out, helping to shape the PEIR and informing the Environmental Statement. A summary of engagement undertaken with relevant statutory consultees will be included in the Environmental Statement and Consultation Report.
- 3.1.13 Following close of Statutory Consultation on Tuesday 19 November 2024, the Applicant has been analysing all responses received. A summary of the feedback received will be contained within the Consultation Report as part of the Application. The Consultation Report will be produced in accordance with Section 37(3)(c)⁸ of the 2008 Act and will set out how the feedback from the consultation has shaped and influenced the final proposals.
- 3.1.14 The Applicant will continue to engage with statutory consultees on any outstanding issues in the months leading up to submission of the Application, which is currently anticipated for the end of Q1 2025.

3.2 Non-Statutory Consultation

- 3.2.1 A four-week Non-Statutory Consultation took place from Monday 26 February 2024 to Monday 25 March 2024. This phase of engagement on the Proposed Development included the following activities:
- **Launch of a consultation website** – including messaging and information about the Proposed Development and upcoming engagement activities. The website also included contact details for people to get in touch with the Community Relations Team.
 - **A consultation newsletter** – delivered to 20,821 addresses in the Primary Consultation Zone ('PCZ') informing local residents of the Proposed Development and how they could get involved in the upcoming consultation.
 - **Public engagement** – three in-person public consultation events, four online webinars (two public and two invite-only), two drop-in sessions at the existing power station site and distribution of key materials to two information points located in Flint and Connah's Quay. In total, there were 81 attendees at the in-person and virtual events.
 - **Press release** – shared with regional and trade publications to disseminate information about the Proposed Development among a wider audience beyond the PCZ. The press release included information about the Proposed Development, next steps for engagement, and contact information for people to get in touch (also hosted on the consultation website).
 - **Digital advert** – adverts with information regarding the consultation and with links to the consultation website were published through the North Wales Chronicle as well as Deeside.com. These adverts were published a week before the launch of Non-Statutory Consultation and ran for the duration of the consultation.
 - **Print advertising** – adverts with information regarding the consultation were also published in local print media publications The Leader and the Wirral Globe. These ran for one week prior to start of consultation.

⁸ <https://www.legislation.gov.uk/ukpga/2008/29/section/37>

- **Consultation posters** - Posters were printed and distributed throughout the local area in high footfall locations. The posters were similar in format to the adverts and communicated what the consultation was about, when it was running and how to take part. The Applicant also provided local town and community councils with copies of the poster to display on local notice boards.
 - **Briefings with key stakeholders** – notably the constituency MP, local Members of the Welsh Senedd, officers at FCC, host town councils, Natural Resources Wales and the Deeside Naturalists' Society. These briefings provided background information on the Proposed Development and the consultation approach ahead of consultation launch.
- 3.2.2 Alongside the consultation newsletter, the Applicant produced a consultation brochure, feedback form, webinar presentation and consultation banners to provide information on the Proposed Development in a non-technical, easy to understand format. With the exception of the webinar presentation, all materials were available to view on the consultation website, with the brochure, feedback form and newsletter available in hard copy at information points. Welsh language versions of the consultation brochure, feedback form, consultation newsletter and Non-Technical Summary of the PEIR were also made available.
- 3.2.3 The Applicant received 54 responses to the Non-Statutory Consultation. This feedback enabled the Applicant to prepare a progressed concept design for the Proposed Development, including the proposed maximum dimensions (height, width and length) of key buildings and items of plant and the amount of land that may be required for laydown and construction activities, with greater detail on potential impacts and how any adverse effects could potentially be mitigated.
- 3.2.4 Feedback received during the Non-Statutory Consultation informed the Applicant's proposals and the approach to Statutory Consultation. See Table 7 for more information on how pre-application consultation feedback is shaping the Application to the Planning Inspectorate.

3.3 Statutory Consultation

- 3.3.1 In accordance with the 2008 Act, the six-week Statutory Consultation was held from Tuesday 8 October 2024 to Tuesday 19 November 2024 and provided an opportunity for the Applicant to present the updated proposals for the Proposed Development to enable consultees to formally provide their feedback.
- 3.3.2 The primary aim of this Statutory Consultation was to ensure that the community, landowners, stakeholders, and technical consultees had a formal opportunity to understand, comment on and influence aspects of the proposals before submission of the Application. A total of 132 responses were received during this round of engagement. The Applicant is considering these consultation responses as it shapes the Application to be submitted.
- 3.3.3 Under Section 47 of the 2008 Act, the Applicant has a duty to consult people living in the vicinity of the proposals. The Applicant is committed to going above and beyond the requirements of the 2008 Act, and to help facilitate and guide the engagement with the local community, the PCZ was updated following Non-Statutory Consultation.

- 3.3.4 The PCZ was developed to be proportionate to the size and potential impact of the Proposed Development and was based on the assessment of the Indicative Site Boundary and local authority boundaries.
- 3.3.5 The PCZ was extended at Statutory Consultation to incorporate the updated Indicative Site Boundary. As a result, the new PCZ comprised 25,401 addresses and covered approximately a 5km radius from the Site, reflecting the potential impacts of abnormal load transport to the Main Site during the construction phase.
- 3.3.6 The PCZ incorporated both the core settlements of Flint and Connah's Quay, homes and businesses along the A548 to the Port of Mostyn who may be impacted by transportation of AILs during construction and those in the immediate vicinity of Ellesmere Port who may also have been impacted by works required for the transportation of AILs during construction.
- 3.3.7 All homes and businesses within the PCZ directly received a newsletter in the post at the start of the Statutory Consultation period. Plate 1 below shows the PCZ for the Statutory Consultation.

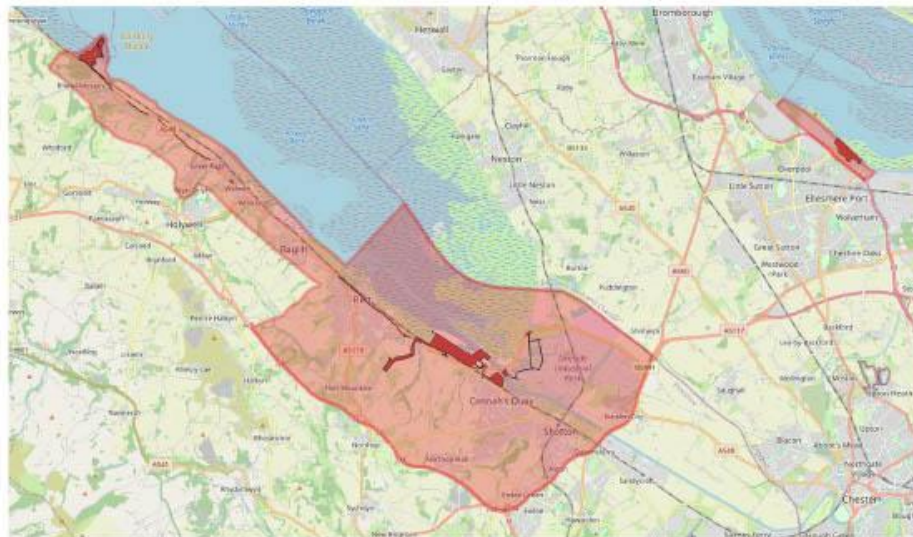


Plate 1: The Primary Consultation Zone

- 3.3.8 The Applicant also recognised that people who live and work beyond the PCZ may have an interest in the Proposed Development and may wish to participate in the Statutory Consultation. As a result, a Secondary Consultation Zone (SCZ) was developed to ensure all individuals, communities, and organisations in the wider north west region were able to participate in the consultation. This zone was originally designed to incorporate the area of potential visual impact that was identified as part of assessments for the PEIR. More details of this can be found in Chapter 15 of the PEIR. Within the SCZ, which covered approximately a 15km radius from the Site, the Applicant raised awareness of the Statutory Consultation using a number of methods, such as advertising and a press release sent out to the local media, as well as engagement with parish and town councils. See Table 3 for further details.
- 3.3.9 In addition to the PCZ, the Applicant consulted the following groups:

- local authorities falling within Section 43 of the 2008 Act
 - landowners with interest in the Proposed Development (those falling within Section 44 of the 2008 Act)
 - town councils
 - community groups
 - environmental groups in the vicinity of the Proposed Development
 - schools and colleges within the vicinity of the Proposed Development
 - seldom-heard or hard-to-reach groups
 - other statutory consultees (as required by Section 42(1)(a) of the 2008 Act and set out in Schedule 1 to the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009)
 - non-statutory consultees
 - members of parliament and local government.
- 3.3.10 During Statutory Consultation, the Applicant used a range of methods to ensure the consultation was inclusive and accessible for all stakeholder audiences. In addition to making information available online, the Applicant hosted three in-person events, three online webinars, two drop-in sessions for near neighbours and key stakeholders, a pop-up event at a high footfall location close to the Proposed Development and a door knock to the homes and businesses closest to the Main Site. Stakeholder briefings were also undertaken – details of which can be found in Table 3.
- 3.3.11 Table 2 details the documents that were made available as part of the Statutory Consultation.

Table 2: Statutory Consultation documents

Document	Detail
Consultation newsletter	A high-level overview of the Proposed Development, the consultation events, and how people can get involved. The newsletter indicated where the relevant consultation information was available and publicised the consultation events, including locations, dates, and times. This was sent to all homes and businesses within the PCZ and was available on the consultation website, at events, information points and on request by post.
Consultation brochure	The consultation brochure included the following information: <ul style="list-style-type: none"> • a summary of the proposals • details of how people could take part in the consultation • information on the potential benefits and impacts of the Proposed Development • proposed mitigations to potential environmental effects • an overview of how stakeholder feedback will be considered and the timeline for the proposals. Hard copies of the consultation brochure were made available at consultation events, at information points, and on request by post, free of charge.
Feedback form	A feedback form was prepared to allow people to provide feedback on the proposals. The questionnaire could be

Document	Detail
	completed online, or downloaded if required and sent in to the consultation via Freepost. Paper copies of the feedback form were available at consultation events, the public information points, and via post on request.
PEIR and Non-Technical Summary	The PEIR contained a description of the Proposed Development, a preliminary assessment of the potential environmental effects, and the initial strategies being considered to mitigate any likely significant adverse effects. The PEIR was based on information available at that time, but the assessments will continue to be developed taking account of any design evolution that has taken place, as well as feedback received during consultation and reported within the Environmental Statement to be submitted with the Application. A Non-Technical Summary of the PEIR was also available for download from the consultation website. Hard copies of the PEIR and the Non-Technical Summary were available at consultation events for reference.
Statement of Community Consultation (SoCC)	The SoCC document was made available online as part of the consultation and was available in hard copy format at consultation events and information points for reference.

3.3.12 All Statutory Consultation documents were available online, on the consultation website, and in hard copy at information points and in-person events. All materials listed in Table 2 (with the exception of the SoCC and PEIR) were available in Welsh on the consultation website. This includes the PEIR Non-Technical Summary. Documents were available in alternative formats, such as braille, speaking text, or alternative language, upon request.

3.3.13 During the Statutory Consultation period, the Applicant identified that Figures 15-10 to 15-29 of the PEIR showing both the viewpoints wireframe and winter viewpoints photography were previously unavailable to view under the documents tab of the consultation website. On 31 October 2024, these missing figures were uploaded to the consultation website and a note was added to the homepage to inform visitors of this addition. On 7 November 2024, the missing figures were added to the hard copy versions of the PEIR at the remaining consultation event and at the following information points:

- Flint Library, Church St, Flint CH6 5AP
- Connah's Quay Library, Wepre Dr, Connah's Quay CH5 4HA.

3.3.14 The Applicant used a variety of methods to make people in the PCZ and SCZ aware of the Proposed Development and advertise the consultation in addition to the activities already outlined. These methods are described in Table 3.

Table 3: Engagement methods

Method	Detail
Consultation newsletter	All residents, local businesses, and communities within the PCZ were notified of the start of Statutory Consultation through a consultation newsletter. The newsletter was issued by email to wider consultees, including community groups and hard-to-reach groups.
Press release	A press release provided wider notification to local stakeholders of the consultation events, reaching

Method	Detail
	stakeholders outside the PCZ. The press release was circulated with local media outlets and trade titles. A full list of the publications contacted can be found in Table 5.
Emails and Section 42 letters	Emails were sent to stakeholders informing them of the Statutory Consultation, upcoming events, how to request further information, and how to feed back. Section 42 consultees were identified and were sent a Section 42 letter, consultation newsletter and Section 48 notice.
Consultation website	The consultation website was updated on the launch of the Statutory Consultation. This update included details of consultation events, consultation materials, and information on how to feed back on the project proposals. A Welsh version of the consultation website was also available.
Statutory notices and adverts	Statutory notices to publicise the consultation and the SoCC were published in local and national news publications in advance of the consultation launching. The Applicant ran adverts in the local media prior to commencement of the consultation period. Local community councils were invited to share the advert through their own social channels.
Consultation posters	Posters were printed and distributed throughout the local area in high footfall locations. The posters were similar in format to the adverts and communicated what the consultation was about, when it was running and how to take part. The Applicant also provided local town and community councils with copies of the poster to display on local notice boards.
Information points	Hard copies of the consultation newsletter, consultation brochure and the feedback form were available to take home from a number of information points within the SCZ. A copy of the SoCC and Non-Technical Summary of the PEIR were also available to inspect at local locations.
Site notices	Notices were placed in publicly accessible locations within the Indicative Site Boundary to notify of the consultation.
Online and in-person consultation events	The Applicant held three in-person and three online consultation events for anyone with an interest in the Proposed Development to attend, learn about the proposals and provide their feedback. In-person events were held at venues within the PCZ and publicised alongside online events in the consultation newsletter, poster, advert, press release and on the consultation website. Interested parties could register to attend online events via the consultation website, or by contacting the Community Relations Team directly.
Stakeholder briefings & previews	Briefings with key political stakeholders were offered prior to the public consultation events, to provide an opportunity for feedback and input. Briefings were conducted both in-person at dedicated consultation exhibition sessions, and remotely using webinars. The briefings targeted key affected stakeholders, including FCC and CWCC, the host Member(s) of the UK Parliament and the Senedd, host ward councillors, portfolio holders and host community councils.

3.3.15 In addition to the methods described above, consultees were able to find out about the consultation, ask questions and request documents through the

freephone number, email address and freepost. Consultation feedback was also accepted via these channels.

3.3.16 Contact channels for the Proposed Development are as follows:

Telephone: 0800 012 9156

Email: info@connahsquaylcp.co.uk

Post: FREEPOST CQLCP (no stamp required).

3.4 Compliance under Section 42 of the 2008 Act

3.4.1 The Applicant consulted with the prescribed bodies pursuant to Section 42(1)(a) of the 2008 Act.⁹

3.4.2 The Applicant identified prescribed consultees with careful reference to:

- Schedule 1 of the 'The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009' ('APFP Regulations') (as amended)); and
- the list of consultation bodies in Appendix 1 of the EIA Scoping Opinion adopted by the Planning Inspectorate (on behalf of the Secretary of State) pursuant to Regulation 10 of the EIA Regulations dated 20 March 2024.

3.4.3 The Applicant consulted the Marine Management Organisation as the Proposed Development would likely affect the areas specified in Section 42(2) of the 2008 Act.

3.4.4 In accordance with Section 42(1)(b) of the 2008 Act, the following local authorities were contacted for Statutory Consultation:

- Flintshire County Council
- Cheshire West and Chester Council
- Denbighshire County Council
- Wrexham County Borough Council
- Wirral Council
- Halton Borough Council
- Warrington Borough Council
- Shropshire Council
- Cheshire East Council.

3.4.5 Consultation letters were sent to Section 42 consultees on 2 October 2024 to arrive ahead of the consultation launch on 8 October 2024. The letters notified consultees about the launch of the consultation on 8 October 2024, identified where consultees could view the consultation material, explained how consultees could respond to the consultation and confirmed the deadline for receipt of consultation responses, being 19 November 2024. The letters provided a link to the consultation website where all of the consultation documents could be downloaded. Enclosed was a copy of the Section 48 notice.

⁹ <https://www.legislation.gov.uk/ukpga/2008/29/section/42>

- 3.4.6 A second email was sent to Section 42 consultees on 8 October 2024 to notify them that Statutory Consultation was officially open and how consultees could provide their feedback. The Applicant also enclosed a copy of the consultation newsletter which was sent to homes and businesses within the PCZ.
- 3.4.7 After the launch of the Statutory Consultation, a number of additional Section 42 consultees were identified. Upon those consultees being identified, consultation letters were sent to those consultees and they were given a deadline for providing feedback of at least 28 days beginning with the day after the day on which they received the consultation letter.

3.5 Compliance under Section 48 of the 2008 Act

- 3.5.1 In accordance with Regulation 4(2) of the APFP Regulations,¹⁰ the Applicant published a notice as required by Section 48 of the 2008 Act for the Statutory Consultation in the following newspapers on the following dates:
- The Times: 3rd October 2024
 - Lloyds List: 3rd October 2024
 - Fishing News: 3rd October 2024
 - Deeside.com: 3rd and 10th October 2024
 - The Leader: 3rd and 10th October 2024
 - Chester Standard: 3rd and 10th October 2024
 - The London Gazette: 3rd October 2024
- 3.5.2 As per Regulation 4 of the APFP Regulations, the Applicant was required to publish the Section 48 notice:
- for at least two successive weeks in one or more local newspapers circulating in the vicinity in which the proposed development would be situated
 - once in a national newspaper
 - once in the London Gazette
 - where the proposed application relates to offshore development:
 - once in Lloyd's List
 - once in an appropriate fishing trade journal.
- 3.5.3 The Section 48 notice included all details prescribed by Regulation 4(3) APFP Regulations,¹¹ and a copy of the notice was sent to all Section 42 consultees, including the consultation bodies as an enclosure to the Section 42 letters for the Statutory Consultation.
- 3.5.4 The Consultation Report will outline in greater detail how the Applicant identified and consulted with the relevant prescribed bodies and local authorities as required under Section 42 and how it publicised the application in line with the requirements of Section 47 and 48 of the 2008 Act.

¹⁰ The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

¹¹ The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

3.6 Landowner Engagement

3.6.1 Land referencers were appointed by the Applicant to complete a diligent enquiry process prior to and throughout the pre-application stage to identify relevant persons with an interest in land. The following process was followed:

- Landowners and other interested parties were identified initially through title searches with the Land Registry. These searches were refreshed at regular intervals to ensure the information held was accurate. Previously unregistered areas of land were also periodically checked to ensure the land remained unregistered.
- Land referencing questionnaires were issued to all interests identified through Land Registry searches. These forms sought to confirm the contact details of the affected parties and also to ask for details of any other parties who may hold an interest in the land. Where new interested parties were revealed, these parties were also issued with a request for information form to confirm the details provided. This confirmation process has been on going throughout all stages of consultation.
- Where ownership could not be determined or request for information forms were not returned, further reminder letters were issued and site visits were conducted. The site visits involved identifying and visiting potential landowner residences, neighbours and other properties to try and identify landowners and/or occupiers. Land referencing questionnaires requesting clarity on land ownership, and details of other persons with an interest in the land, were issued and completed on site where possible.
- Further information was obtained where possible with follow-up site visits, desktop research, letters, emails and telephone calls.

3.6.2 Under Section 42(1)(d) of the 2008 Act,¹² the Applicant consulted each person who is within one or more of the three categories set out in Section 44 of the 2008 Act. These categories are:

- Category 1: A person is within Category 1 if the Applicant, after making diligent inquiry, knows that the person is an owner, lessee, tenant (whatever the tenancy period) or occupier of the land.
- Category 2: A person is within Category 2 if the Applicant, after making diligent inquiry, knows that the person is interested in the land, or has power to sell and convey the land or to release the land.
- Category 3: A person is within Category 3 if the Applicant thinks that, if the DCO were made and fully implemented, the person would or might be entitled as a result of (a) the implementing of the DCO, (b) the DCO having been implemented, or (c) use of the land once the DCO has been implemented, to make a 'relevant claim'. There are three types of relevant claim: a claim under Section 10 of the Compulsory Purchase Act 1965;¹³ a claim under Part 1 of the Land Compensation Act 1973;¹⁴ and a claim under Section 152(3) of the 2008 Act. A person is within Category 3 only if the person is known to the Applicant after making diligent inquiry. These parties were identified based on the Proposed Development proposals,

¹² <https://www.legislation.gov.uk/ukpga/2008/29/section/42>

¹³ <https://www.legislation.gov.uk/ukpga/1965/58/section/10>

¹⁴ <https://www.legislation.gov.uk/ukpga/1973/28/part/I>

redline boundaries, construction activities, and environmental information available.

- 3.6.3 During the Statutory Consultation, the Applicant identified an additional Category 3 landowner with subsoil interests who was issued with a Section 42 letter on 29 October 2024 and given a deadline of 26 November 2024 to respond to the consultation. Following this, a further 60 landowners with category 3 and subsoil interests were identified by the Applicant. These additional landowners were issued with Section 42 letters on 12 November 2024 and given an extended deadline of 12 December 2024 to respond to the consultation. All material was retained online and in the deposit locations until the end of the extended deadline.

4. Statement of Community Consultation

4.1 Development of the SoCC

- 4.1.1 Ahead of conducting Statutory Consultation, the SoCC was prepared and the relevant local authorities were consulted as prescribed in Section 47 of the 2008 Act.
- 4.1.2 The Applicant initially met with FCC in January 2024 ahead of the public launch of the Proposed Development on 15 February 2024. During this session, the Applicant shared an indicative timeline along with initial information about the Proposed Development, the developer and the engagement strategy. Following this briefing session, officers and the Chief Executive at FCC were supplied with an 'Approach to Consultation' document. This document functioned as a precursor to the formal SoCC, providing a brief description of the objectives of the programme and the phases of activity, along with more detailed information about the initial non-statutory phase of consultation. Feedback received from the local authority informed the approach taken to early engagement.
- 4.1.3 Following close of Non-Statutory Consultation, the Applicant began preparing the SoCC, which built upon the Approach to Consultation document shared with the host authority. As previously detailed, due to changes to the Indicative Site Boundary prior to Statutory Consultation, CWCC were also included as a host authority for the SoCC consultation.
- 4.1.4 The SoCC set out how the Applicant planned to consult and engage with the local community on the Proposed Development.

4.2 SoCC consultation

- 4.2.1 The Applicant identified FCC and CWCC as the relevant host local authorities under Section 43(1) of the 2008 Act. Denbighshire County Council, Wrexham County Borough Council, Wirral Council and Liverpool City Council, Halton Borough Council, Warrington Borough Council, Shropshire Council and Cheshire East Council also received the SoCC for their reference.
- 4.2.2 In line with the requirements of the 2008 Act, the Applicant undertook formal consultation on the SoCC with FCC, CWCC and the neighbouring authorities and had regard to all comments received. The draft SoCC was sent on Thursday 13 June 2024 and the deadline for responses was Friday 12 July 2024.
- 4.2.3 FCC responded on Tuesday 18 June 2024 confirming that they had no comment to make on the content of the draft SoCC. A copy of this response is included in Appendix A. On Thursday 11 July CWCC responded with comments. A copy of this response is included in Appendix B.
- 4.2.4 Table 4 below outlines the comments that were made by CWCC and the Applicant's response. A version of this response was sent to the host authority prior to publication of the SoCC beginning Wednesday 25 September 2024. The full response provided to CWCC is included in Appendix B.

Table 4: Regard had to feedback received on the Draft SoCC from CWCC

Comment	Regard had
It is critical that the timing of the consultation takes place following the publication of sufficient information on the project to enable a proper engagement and that the PEIR is sufficiently detailed in this regard.	The Applicant confirmed that the consultation would follow the publication of the PEIR, and the PEIR will be sufficiently detailed to enable proper engagement with consultees. A Non-Technical Summary (NTS) of the PEIR was made available to ensure that key information was accessible to all, as well as a consultation brochure, which explained the Proposed Development in a clear and straightforward way. As per Section 6.4 of the SoCC, all Statutory Consultation documents were available online, on the consultation website, and in hard copy at information points and in-person events.
It would be useful to understand what level of information would be provided.	The Applicant confirmed that the NTS and PEIR would provide an appropriate level of detail given the stage the Proposed Development was at when the Statutory Consultation took place. The subsequent ES and DCO application will take into account design development, further surveys and assessments, public consultation feedback and technical engagement.
If the proposals change during the course of the pre-application process what, if any, consideration will be given to targeted consultation on the changes.	The Applicant confirmed that if, following the Statutory Consultation, it was considered necessary to undertake further targeted or supplementary consultation, this would be undertaken, so far as relevant and proportionate, in accordance with the principles and methods set out in the Statement of Community Consultation.
In terms of the consultees, consideration should be given to including ORIGIN Ellesmere Port who represent the business interests of many of the employers in and adjacent to the Order Limits in Ellesmere Port.	ORIGIN Ellesmere Port were added to the Section 42 consultee list and the Applicant liaised with them as one of the non-statutory consultee groups throughout the Statutory Consultation.
There is likely to be environmental (specifically ecological and visual) impacts on the eastern side of the Dee Estuary. Has any consideration been given to undertaking a targeted consultation with environmental groups (e.g. RSPB Burton Mere) in this area?	The Applicant acknowledged concerns regarding potential environmental impacts, particularly ecological and visual effects on the eastern side of the Dee Estuary. While this area lay outside the primary consultation zone, it was explained that the Applicant developed a Secondary Consultation Zone (SCZ) to ensure all individuals, communities, and organisations in the wider north west region were able to participate in the Statutory Consultation. Within the SCZ the Applicant raised awareness of the consultation using a number of methods, such as advertising and a press release sent out to the local media, and engagement with parish and town councils. This activity is outlined in Section 6.5 of the SoCC. There were also three deposit locations in the SCZ. The Applicant mapped out a number of stakeholder groups that were engaged with on the eastern side of the Dee Estuary, as well as other environmental consultee groups. These were outlined in Appendix A of the SoCC.

4.2.5 The Consultation Report and its supporting appendices will include all evidence of compliance with the SoCC consultation process.

4.3 Publicity under Section 47 of the 2008 Act

4.3.1 In compliance with the publicity requirements of Section 47(6) of the 2008 Act, the SoCC was published in local news publications in advance of consultation launch and issuing of the Section 48 notice. This notice provided information on how the Applicant intended to engage with stakeholders and local communities during the upcoming Statutory Consultation. Section 47 notices were published as follows:

- The Chester Standard – Thursday 26 September 2024
- The Leader – Thursday 26 September 2024
- Wirral Globe – Wednesday 25 September 2024

4.3.2 Hard copies of the SoCC were placed at the following information points:

- Flint Library, Church St, Flint CH6 5AP
- Connah's Quay Library, Wepre Dr, Connah's Quay CH5 4HA
- Buckley Library, The Precinct, Brunswick Rd, Buckley CH7 2EF
- Ellesmere Port Library, Civic Way, Ellesmere Port CH65 0BG
- Holywell Library, Holywell Leisure Centre, North Road, Holywell, Flintshire CH8 7UZ.

4.3.3 The SoCC was also made available in hard copy at each of the three consultation events held during the consultation period, and a digital version was viewable on the consultation website from Tuesday 8 October 2024.

4.4 Compliance with the SoCC

4.4.1 Table 5 below shows how the Statutory Consultation held between Tuesday 8 October 2024 and Tuesday 19 November 2024 was undertaken in compliance with the SoCC, as per the requirements of Section 47(7) of the 2008 Act.

4.4.2 The Consultation Report and its supporting appendices will include all evidence of compliance.

Table 5: SoCC commitments and compliance

SoCC Reference	Commitment	Explanation of compliance
5.3	A consultation period which meets or exceeds the statutory minimum period required by the 2008 Act will be facilitated.	The consultation took place from Tuesday 8 October for a period of six weeks up to 19 November 2024. The 2008 Act states that the consultation period should last for a minimum of 28 days.
5.3 and 6.5	Hold three in-person consultation events and two public webinar consultations and two dedicated stakeholder webinars.	Three in-person consultation events, two stakeholder webinars and three public webinar sessions were undertaken by the Applicant. Consultation events were held at the following dates, times and locations: <ul style="list-style-type: none"> Stakeholder webinar 1 - Thursday 18 October 2024, 17:00–18:00 Stakeholder webinar 2 - Thursday 18 October 2024, 18:30–19:30 Online webinar 1 – Saturday 19 October 2024, 11:00–12:00 Online webinar 2 – Tuesday 22 October 2024, 13:00–14:00 Conference Centre, Coleg Cambria Deeside, Kelsterton Road, Connah's Quay CH6 5NW – Wednesday 23 October 2024, 16:00–20:00 Flint Town Hall, Holywell Street, Flint CH6 5NW – Saturday 26 October 2024, 11:00–16:00 Connah's Quay Cricket Club, 5 Cable Street, Connah's Quay CH5 4DZ – Thursday 7 November 2024, 13:00–18:00 Online webinar 3 – Monday 4 November 2024, 18:00 – 19:00. In addition to these advertised consultation events, the Applicant also held a pop-up event in a local high-footfall location to speak with people that may not have had the time or opportunity to attend an event. The pop-up event was held during the day at Flint Library on Friday 25 October 2024.
6.5	In-person events will be held at venues within the PCZ and publicised alongside online events, in the Consultation Newsletter, poster, advert and press release.	The venues of the in-person events were within the PCZ and were consulted on with FCC and CWAC. In-person and online events were publicised in the consultation newsletter, stakeholder consultation launch letter, Section 48 notice, consultation website, advert, poster, brochure and press release.
6.5	Briefings with key political stakeholders will be offered prior to the public consultation events, to provide an opportunity for feedback and input. Briefings will be conducted both in-person at	Key political stakeholders, as identified by the Applicant's comprehensive stakeholder mapping exercise, were offered one-to-one briefings, invited to an online stakeholder webinar on Thursday 18 October and a dedicated in-person drop-in session at the Connah's Quay Power Station Education Centre on Wednesday 16 October. The briefings targeted key affected

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SoCC Reference	Commitment	Explanation of compliance
	dedicated consultation exhibition sessions, and remotely using webinars.	stakeholders, including FCC and CWCC, the host Member(s) of the UK Parliament and the Senedd, host ward councillors, portfolio holders and host community councils.
6.7	As the Main Site spans across the electoral boundary of Alyn and Deeside, we will hold consultation events within this constituency.	All in-person consultation events took place within Alyn and Deeside constituency.
6.7	At the consultation events, key project information will be provided on large consultation boards and members of our project team will be on hand to discuss the project, answer questions and receive feedback.	The Applicant produced consultation event banners based off content from the consultation brochure, which explained the proposals and how feedback would be gathered. Members of the team possessing various levels of expertise and specialism were in attendance at all consultation events to ensure that any query raised could be addressed.
6.8	The stakeholder events will be by invite only, the public webinars will be open to any interested individuals or groups and is anticipated to be hosted on Livestorm.	The Applicant contacted key stakeholders including host ward councillors, portfolio holders, and host community councils to offer them the opportunity for a separate briefing on the Proposed Development. The public webinars were open to all interested individuals and parties and were to be hosted on Livestorm.
6.8	Details of how to register for online events will be provided in the following prior to and throughout the consultation: consultation website; consultation brochure; consultation newsletter; consultation launch letter; adverts; and poster.	Prior to and throughout the consultation period, consultees were informed of how to register for online events via the materials listed. Consultees could also contact the community relations team directly to find out how to register.
8	All feedback received during the consultation period will be processed into a secure database and then read and analysed. Thematically similar comments will be identified and grouped together into 'issues'. All comments per issue will then be summarised as 'issue statements' and considered by the Uniper project team.	The Applicant is committed to thoroughly reviewing all issues raised as part of the ongoing design process. The Applicant is carefully assessing how potential impacts from the Proposed Development can be avoided, managed, or mitigated. Furthermore, the Applicant is considering suggestions from stakeholders where feasible and appropriate, ensuring that all feedback is taken into account in shaping the Proposed Development.
8	A Consultation Report will be produced as part of our DCO application, which will be submitted to the SoS for DESNZ. This document will set	The Applicant is currently drafting the Consultation Report and on 13 January 2025 provided the Planning Inspectorate with a draft of this report for initial review ahead of formal submission. This report will cover the

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SoCC Reference	Commitment	Explanation of compliance
	out how the feedback from the consultation has shaped and influenced the final proposals.	outcomes from both the Non-Statutory Consultation and Statutory Consultation and provide further detail on how the Applicant met the requirements set out in the 2008 Act.
5.5	All homes and businesses within the PCZ will directly receive a newsletter in the post at the start of the Statutory Consultation period. The newsletter indicates where the relevant project information can be found and publicises the consultation events, including locations, dates, and times. This will be sent to all homes and businesses within the PCZ and will be available on the consultation website, at events, information points and on request by post.	The newsletter was issued to all addresses in the PCZ - approximately 25,000 addresses. The PCZ was in the SoCC and agreed with the host authorities during the SoCC consultation. The newsletter was also available on the consultation website, at events, at information points and on request by post. The newsletter included locations, dates and times for all events and listed the locations of information points where further information could be obtained.
6.4	The SoCC document will be made available online as part of the consultation and is available in paper format at our consultation events and information points for reference.	The SoCC was published on the consultation website and was available in hard copy format at the consultation events and at the information points.
6.5	The newsletter will also be issued by email to wider consultees, including community groups and hard-to-reach groups.	All mapped stakeholders were sent a copy of the consultation newsletter by email when the Statutory Consultation opened.
6.5	The press release will be circulated with local media outlets and trade titles.	The press release was sent to the following trade titles and local media outlets: <ul style="list-style-type: none"> • Carbon Capture Journal • Montel News • Chester Chronical • Wales on Sunday • BBC One North West • ITV News Granada • Chester and District Standard • Flintshire Leader • Daily Post Wales • BBC Radio Merseyside

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SoCC Reference	Commitment	Explanation of compliance
		<ul style="list-style-type: none"> • Modern Power Systems • Energy Live News • Natural Gas World • Energy Voice • International Power Engineer • Energy Industry Times • Carbon Pulse • New Power Magazine • Business Green • Power Engineering International • S&P Global • Carbon Brief.
6.5	Emails will be sent to stakeholders informing them of the Statutory Consultation, upcoming events, how to request further information, and how to feed back.	FAO emails were sent to statutory and non-prescribed stakeholders identified in the Section 42 consultee list. The email informed stakeholders how to take part in the consultation, how to provide their feedback and where to find more information.
6.5	The consultation website will be updated on the launch of the Statutory Consultation. This update will include details of consultation events, consultation materials, and information on how to feed back on the proposals. A more detailed set of project information will also be included, with uploads of the technical documents.	The consultation website provided, similar to the non-statutory consultation, an overview of the Proposed Development, information on the Applicant's updated plans, details of the planning process, copies of all the consultation materials and technical documents available to download, FAQs, information on the public consultation events and information on how to feedback on the updated proposals.
6.5	A Welsh version of the consultation website will also be available.	Similarly to the Non-Statutory Consultation, the website updates for Statutory Consultation were published in Welsh.
6.5	Statutory notices to publicise the consultation and the SoCC will be published in local and national news publications in advance of the consultation launching.	Section 47 notices were published as follows: <ul style="list-style-type: none"> • The Chester Standard – Thursday 26 September 2024 • The Leader – Thursday 26 September 2024 • Wirral Globe – Wednesday 25 September 2024.

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SoCC Reference	Commitment	Explanation of compliance
		Section 48 notices were published as follows: <ul style="list-style-type: none"> The Times: 03 October 2024 Lloyds List: 03 October 2024 Fishing News: 03 October 2024 Deeside.com: 03 and 10 October 2024 The Leader: 03 and 10 October 2024 Chester Standard: 03 and 10 October 2024 The London Gazette: 03 October 2024.
6.5	We will run adverts in the local media prior to commencement of the consultation period. The adverts will be designed in a clear, accessible format, clearly communicating what the consultation is about, when it is running and how to take part.	Adverts were published in the following local media publications: <ul style="list-style-type: none"> The Wirral Globe - 2 October 2024 The Leader - 3 October 2024 The Chester Standard - 3 October 2024 The North Wales Chronicle - 3 October 2024. The adverts ran for two weeks.
6.5	We will contact local community councils and invite them to share the advert through their own social channels.	As part of email outreach for the Statutory Consultation, the Applicant contacted local community councils to inform them of the consultation and requested they let their residents know through their own channels.
6.5	Notices to be placed in publicly accessible locations within the Indicative Site Boundary to notify of the consultation.	Site notices were placed in the vicinity of the Proposed Development. Further details of this will be included in the Consultation Report.
5.3	Making copies of all consultation documents available - including copies of the PEIR (and non-technical summary), consultation brochure providing a non-technical overview of the project, and feedback questionnaire - both online and available in printed copy.	The PEIR was provided in hard copy at Flint Library and in Connah's Quay Library. These were the two host Local Authority boundaries' information points. The remaining deposit locations had USB sticks containing a copy of the full PEIR, PEIR NTS, consultation brochure, feedback form and newsletter for members of the public to view on the information points' computers. The PEIR, PEIR NTS, consultation brochure, feedback form and newsletter were available on the consultation website and in person at consultation events and at information points.
6.4	The consultation brochure will include the following information: a summary of the proposals we are consulting on details of how	The consultation brochure contained the information listed. Further details of this will be included in the Consultation Report.

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SoCC Reference	Commitment	Explanation of compliance
	people can take part in the consultation; information on the potential benefits and impacts of the project; how we propose to mitigate potential environmental effects; how stakeholder feedback will be considered; and the timeline for the proposals.	
6.4	Hard copies of the consultation brochure will be available at our consultation events, at information points, and on request by post, free of charge.	Hard copies of the consultation brochure were available at the information points, on the consultation website, at consultation events and could be requested in hard copy free of charge via the contact centre channels.
6.4	The questionnaire can be completed online, or downloaded if required and sent in to the consultation via Freepost.	An online version of the feedback form was on the consultation website and could be downloaded from the document library. Hard copies of the feedback form were available at all information points and at in-person events. Completed hard copy feedback forms could be completed and sent free of charge using the freepost address.
6.4	Paper copies of the feedback form will be available at consultation events, the public information points, and via post on request.	Paper copies of the feedback form were available at consultation events, the public information points, and via post on request. Further details of this will be included in the Consultation Report.
6.4	A Non-Technical Summary of the PEIR will be available for download from the consultation website.	The NTS, alongside all other consultation materials, was available to download on the consultation website via the document library.
6.4	Paper copies of the PEIR and the Non-Technical Summary will be available at our consultation events for reference.	Hard copies of the NTS and PEIR were available at the in-person consultation events.
6.4	All Statutory Consultation documents will be available online, on the consultation website, and in hard copy at information points and in-person events.	All Statutory Consultation documents were available online, on the consultation website, and in hard copy at information points and in-person events. Further details of this will be included in the Consultation Report.
6.4	The newsletter, brochure, feedback form and NTS will be available in Welsh on the consultation website.	All consultation materials with the exception of the PEIR and SoCC were available in Welsh on the consultation website, at information points and at in-person consultation events.

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SoCC Reference	Commitment	Explanation of compliance
6.4	Documents can be made available in alternative formats, such as braille, speaking text, or alternative language, upon request.	No requests were made for documents to be provided in alternative formats, but arrangements had been made to facilitate this and requests would be actioned on a case-by-case basis.
7	Attendees at consultation events will be able to complete an online feedback form on tablets provided. Alternatively, a paper copy of a feedback form can be provided to be filled in and handed to a member of the project team or posted back to us via Freepost.	Tablets were available at the consultation events for participants to complete feedback forms. Hard copies were also available, to be returned either by freepost or to hand in-person at the event to a member of the team.
7	Anyone can share their views by submitting their comments via email or in writing to the Freepost address.	The Applicant also accepted all written feedback received via email or in writing.
6.2	The Applicant will be seeking feedback on all aspects of the Proposed Development. This will involve inviting comments on topics including, but not limited to: how the Proposed Development can be accommodated in the area; the changes to the project Order Limits following the publication of the Scoping Report; the potential mitigation measures for any identified environmental effects of the Proposed Development at this preliminary stage, set out in our PEIR, other plans, maps, and documents to accompany the PEIR; the proposals for construction, operation, and decommissioning of the site set out in the PEIR, including options, where these are presented; and any local issues or sensitivities that we should be aware of.	Opportunities to provide feedback on these topics were provided in the feedback form. The feedback form provided consultees with examples of the information that would be useful to the Applicant.
5.3	Set up two public information points with hard copies of the consultation brochure and feedback questionnaire.	The Applicant set up a total of five information points at the following locations: <ul style="list-style-type: none"> Flint Library, Church St, Flint CH6 5AP Connah's Quay Library, Wepre Dr, Connah's Quay CH5 4HA

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SoCC Reference	Commitment	Explanation of compliance
		<ul style="list-style-type: none"> Buckley Library, The Precinct, Brunswick Rd, Buckley CH7 2EF Ellesmere Port Library, Civic Way, Ellesmere Port CH65 0BG Holywell Library, Holywell Leisure Centre, North Road, Holywell, Flintshire CH8 7UZ
6.3	In addition to the PCZ, the Applicant will consult the following groups: local authorities falling within Section 43 of the 2008 Act; local residents and businesses within the vicinity of the Proposed Development; landowners with interest in the Proposed Development (those falling within Section 44 of the 2008 Act); town councils; community groups; environmental groups in the vicinity of the Proposed Development; schools and colleges within the vicinity of the Proposed Development; seldom-heard or hard-to-reach groups; other statutory consultees (as set out in Schedule 1 to the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009); non-statutory consultees; and members of parliament and local government.	All consultee groups were contained within the Section 42 consultee list and contacted as part of the Statutory Consultation. Further details of this will be included in the Consultation Report.
6.10	Ongoing engagement will be undertaken ahead of the launch of the consultation with relevant stakeholders, including Natural Resources Wales, local authorities, MPs, MSs, and with local interest groups, residents, and landowners who get in touch.	The Applicant contacted the consultee groups listed to organise briefings ahead of the Statutory Consultation launch.
6.11	We will seek to engage with hard-to-reach and seldom-heard groups by holding webinars at a variety of times, including evenings and weekends, to enable participation from people with different time commitments.	Webinars were organised at a range of times, with an event being held on a weekend, during the day on a weekday and in the evening on a weekday.
6.11	We will seek to engage with hard-to-reach and seldom-heard groups by choosing accessible	Risk assessments were conducted on venues to confirm accessibility and all info points were public buildings with appropriate accessibility.

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SoCC Reference	Commitment	Explanation of compliance
	venues for public information points and in-person events.	
6.11	Organisations representing hard-to-reach and local interest groups that we will contact include, but are not limited to, the following: FCC; Flintshire Local Voluntary Council; Connah's Quay Salvation Army; Deeside Citizens Advice Bureau; and Deeside Community Trust.	All consultee groups were contained within the Section 42 consultee list and contacted as part of the Statutory Consultation. Further details of this will be included in the Consultation Report.

5. Programme Document compliance

5.1.1 In Section 3 of the Programme Document published on the consultation website, the Applicant outlined its proposals for consultation and engagement during the pre-application phase. In addition to the SoCC, Table 6 outlines the proposals that were made in the Programme Document and how the Applicant has complied with these proposals during the pre-application phase.

Table 6: Programme Document commitments and compliance

Activity outlined in the Programme Document	Explanation of compliance
SoCC consultation	The Applicant held a consultation on the SoCC with relevant host and neighbouring local authorities in June and July 2024. All comments and feedback received during this consultation were inputted into the final SoCC where appropriate (see Table 4). The final SoCC document was made available online as part of the Statutory Consultation and was made available in hard copy format at in-person consultation events and information points for reference.
Consultation newsletter to PCZ	The consultation newsletter provided a high-level overview of the Proposed Development, the consultation dates and events, and how people could get involved. The newsletter indicated where the relevant information can be found and publicised the consultation events, including locations, dates, and times. This was delivered to all homes and businesses within the Primary Consultation Zone ('PCZ') on 1 October 2024 ahead of the Statutory Consultation and was made available on the consultation website, at events, information points and on request by post. The consultation newsletter was also issued by email to wider consultees, including Section 42 consultees, community groups and hard-to-reach groups. The newsletter was made available in Welsh on the consultation website, at information points, in-person consultation events and upon request via the contact centre.
Press release	The press release provided wider notification to local stakeholders of the consultation events, reaching stakeholders outside the PCZ. It was sent to the following trade titles and local media outlets: <ul style="list-style-type: none"> • Carbon Capture Journal • Montel News • Chester Chronical • Wales on Sunday • BBC One North West • ITV News Granada • Chester and District Standard • Flintshire Leader • Daily Post Wales • BBC Radio Merseyside • Modern Power Systems • Energy Live News • Natural Gas World • Energy Voice • International Power Engineer • Energy Industry Times

Activity outlined in the Programme Document	Explanation of compliance
	<ul style="list-style-type: none"> • Carbon Pulse • New Power Magazine • Business Green • Power Engineering International • S&P Global • Carbon Brief.
Emails	<p>Emails were sent to stakeholders at the following dates to inform them of the Statutory Consultation and its progress, any upcoming events, how to request further information, and how to provide feedback:</p> <ul style="list-style-type: none"> • Wednesday 2 October 2024 • Tuesday 8 October 2024 • Friday 15 November 2024 • Tuesday 19 November 2024. <p>These emails allowed stakeholders to engage with the consultation and to share the consultation information among their networks, such as with local constituents or group members.</p> <p>Stakeholders and those that registered on the consultation website to be kept informed also received reminder emails during the consultation period and notification that the consultation had closed. This final email gave further details of next steps, and how consultees can stay engaged with the Proposed Development.</p>
Consultation website	<p>The consultation website was updated on the launch of the Statutory Consultation. This update provided details of consultation events, consultation materials, and information on how to provide feedback on the proposals.</p> <p>The website featured a document library tab, which listed out all key technical documents available for download. Consultation documents that were made available include the brochure, newsletter, feedback form, SoCC, PEIR and Non-Technical Summary of the PEIR.</p> <p>A Welsh translated version of the website was produced containing Welsh versions of the consultation booklet, feedback form, newsletter and Non-Technical Summary of the PEIR for download.</p>
Letters to Section 42 consultees	<p>A letter was sent to prescribed persons (as prescribed by the APFP Regulations, the Marine Management Organisation, relevant local authorities and persons with relevant landownership interests. The letter provided information on the Proposed Development, including how the Section 42 consultees can access the Preliminary Environmental Information compiled within the PEIR, how to submit comments and the deadline for doing so.</p>
Statutory notices and adverts	<p>Section 47 notices were published as follows:</p> <ul style="list-style-type: none"> • The Chester Standard – Thursday 26 September 2024 • The Leader – Thursday 26 September 2024 • Wirral Globe – Wednesday 25 September 2024 <p>Section 48 notices were published as follows:</p> <ul style="list-style-type: none"> • The Times: 03 October 2024 • Lloyds List: 03 October 2024 • Fishing News: 03 October 2024

Activity outlined in the Programme Document	Explanation of compliance
	<ul style="list-style-type: none"> • Deeside.com: 03 and 10 October 2024 • The Leader: 03 and 10 October 2024 • Chester Standard: 03 and 10 October 2024 • The London Gazette: 03 October 2024. <p>Adverts were published in the following local media publications:</p> <ul style="list-style-type: none"> • The Wirral Globe - 2 October 2024 • The Leader - 3 October 2024 • The Chester Standard - 3 October 2024 • The North Wales Chronicle - 3 October 2024. <p>The adverts ran for two weeks.</p>
Consultation posters	<p>Posters advertising the Statutory Consultation were printed and distributed throughout the local area in high footfall locations. The Applicant also provided local town and community councils with copies of the poster to display on local notice boards.</p> <p>Consultation poster placement locations included:</p> <ul style="list-style-type: none"> • Connah's Quay Library, Wepre Drive CH5 4HA • Connah's Quay Morrisons, Ffordd Llanarth CH5 4WL • Connah's Quay Swimming Pool, Wepre Drive CH5 4HA • Deeside Library, Chester Rd E CH5 1SA • Deeside Leisure Centre, Chester Rd E CH5 1SA • Flint Sainsbury's, Flintshire Retail Park, Holywell Rd CH6 5GB • Flint Town Hall, Market Square CH6 5NW • Flint Library, Church St CH6 5AP.
Information points	<p>Hard copies of the consultation newsletter, consultation brochure, feedback form and USB sticks containing all consultation materials including the PEIR were available to take home from a number of local information points within the PCZ. Copies of the SoCC and Non-Technical Summary of the PEIR were also available to inspect at all information points, and a full hard copy of the PEIR was available for reference at the two information points located closest to the Proposed Development.</p> <p>Consultation materials were hosted at the following information points:</p> <ul style="list-style-type: none"> • Flint Library, Church St, Flint CH6 5AP (A hard copy of the PEIR was available at this location for reference) • Connah's Quay Library, Wepre Dr, Connah's Quay CH5 4HA (A hard copy of the PEIR was available at this location for reference) • Buckley Library, The Precinct, Brunswick Rd, Buckley CH7 2EF • Ellesmere Port Library, Civic Way, Ellesmere Port CH65 0BG • Holywell Library, Holywell Leisure Centre, North Road, Holywell, Flintshire CH8 7UZ.
Site notices	<p>Site notices were placed in publicly accessible locations within the Indicative Site Boundary of the Application to notify people of the consultation on 1 October 2024. The notice was also issued to the Planning Inspectorate on 1 October 2024.</p>

Activity outlined in the Programme Document	Explanation of compliance
Online and in-person consultation events	<p>The Applicant held in-person and online consultation events for anyone with an interest in the Proposed Development to attend, learn about the proposals and provide their feedback. In-person events were at venues within the PCZ and were publicised alongside online events, in the consultation newsletter, poster, advert and press release.</p> <p>Interested parties could register to attend online events via the consultation website, or by contacting the Community Relations Team directly.</p> <p>Consultation events were held at the following dates, times and locations:</p> <ul style="list-style-type: none"> • Online webinar 1 – Saturday 19 October 2024, 11:00–12:00 • Online webinar 2 – Tuesday 22 October 2024, 13:00–14:00 • Conference Centre, Coleg Cambria Deeside, Kelsterton Road, Connah's Quay CH6 5NW – Wednesday 23 October 2024, 16:00–20:00 • Flint Town Hall, Holywell Street, Flint CH6 5NW – Saturday 26 October 2024, 11:00–16:00 • Connah's Quay Cricket Club, 5 Cable Street, Connah's Quay CH5 4DZ – Thursday 7 November 2024, 13:00–18:00 • Online webinar 3 – Monday 4 November 2024, 18:00–19:00. <p>In addition to these advertised consultation events, the Applicant also held a pop-up event in a local high-footfall location to speak with people that may not have had the time or opportunity to attend an event. The pop-up event was held during the day at Flint Library on Friday 25 October 2024.</p>
Door knocking	<p>Prior to the commencement of the Statutory Consultation period, on Thursday 3 October 2024 the Applicant carried out a door knock of homes and businesses closest to the Proposed Development. Residents/business owners were informed of the upcoming consultation and invited to a one-to-one drop-in session at the Education Centre on the current Connah's Quay Power Station site. Interested residents could book a thirty minute time slot by contacting the Community Relations Team. During the drop-in event, which took place on 15 October 2024, attendees were given the opportunity to speak with the team in confidence and raise any concerns they had regarding the Proposed Development. They were also given the opportunity to take home copies of the consultation brochure, feedback form, newsletter and Non-Technical Summary of the PEIR to further inform their feedback. In total, eight people attended the drop-in session at the Education Centre.</p>
Stakeholder briefings and previews	<p>Briefings with key political stakeholders were offered prior to the public consultation events, to provide an opportunity for feedback and input. Briefings were conducted both in-person at dedicated consultation exhibition sessions, and remotely using webinars. The briefings targeted key affected stakeholders, including FCC and CWCC, the host Member(s) of the UK Parliament and the Senedd, host ward councillors, portfolio holders and host community councils.</p> <p>On 16 October 2024, the Applicant held a stakeholder drop-in session at the Education Centre on the current Connah's Quay Power Station site. A total of six stakeholders attended this session, both in person and online. Table 1 of this report details the additional briefings that took place as part of the Statutory Consultation.</p>

Activity outlined in the Programme Document	Explanation of compliance
Ongoing engagement	As outlined in the Programme Document, engagement is ongoing with a number of statutory consultees, local authorities and persons/organisations. The outcomes of these ongoing conversations will be detailed in the Consultation Report and the Environmental Statement submitted as part of the Application

6. Summary of pre-application consultation responses

- 6.1.1 Table 7 below provides a summary of the feedback themes that have been identified throughout the pre-application consultation phase of the Proposed Development, and how these responses are shaping the Applicant's final proposals. Full details of how the Applicant has had regard to the feedback received during both the Non-Statutory and Statutory Consultation periods will be provided in the Consultation Report submitted as part of the Application.

Table 7: Summary of pre-application consultation responses and how they are shaping the Application

Feedback theme	Applicant's response
The Applicant received feedback regarding increased noise and vibration caused by construction traffic.	<p>The Applicant is in the process of developing a framework Construction Environmental Management Plan and Outline Construction Traffic Management Plan, which will be submitted as part of the DCO application. These documents will set out the principles, controls, and measures to manage and mitigate the potential environmental impact during construction, including the impact of noise and vibration. The Outline Construction Traffic Management Plan will specifically set out measures to control construction HGV traffic.</p> <p>In addition, an Outline Construction Worker Management Plan is also being produced as part of the Application that will set out measures to reduce the impact of construction workers travelling to and from the Main Development Area.</p>
The Applicant received feedback regarding potential impacts on biodiversity in the nearby Deeside Nature Reserve.	<p>The Applicant is committed to taking steps to protect existing habitats and enhance biodiversity where possible. This includes working with Natural Resources Wales and local groups to maintain the Site of Special Scientific Interest (SSSI) on the land.</p> <p>While the Proposed Development aims to meet national energy needs, there is recognition of the importance of local wildlife and the ecological significance of the area. Standard practice mitigation measures will be put in place to ensure that impacts on biodiversity are carefully managed, and the importance of local ecological benefits is acknowledged.</p>
The Applicant received feedback regarding potential impacts on the Dee Estuary.	<p>The Applicant has reduced the proposed works within the Water Connection Corridor that were potentially impacting the marine environment of the Dee Estuary. The works now comprise the replacement of eel screens and minor repairs to the existing cooling water infrastructure. This has significantly reduced the potential impacts compared with new infrastructure previously being considered.</p>
The Applicant received feedback requesting more information on how the Proposed Development will bring community benefit and contribute to the local economy in Flintshire and North Wales.	<p>The Applicant understands the importance of being a good neighbour and contributing to the local community. If consented and developed, the Proposed Development could contribute significantly to economic growth in the region, by providing skilled technical jobs and creating new opportunities during construction, along with potential opportunities through the wider supply chain.</p>

Feedback theme	Applicant's response
	<p>As part of the Applicant's plans for the future of Connah's Quay, the education centre at the existing power station site is currently being redeveloped with the intention that it will play a part in helping local schools deliver STEM lessons.</p> <p>The Applicant acknowledges the suggestion for an open day for the local community and will strive to engage with the community effectively to foster positive relationships and ensure that local residents feel included in the Proposed Development.</p> <p>The Proposed Development has the potential to contribute up to £1.5bn to the UK economy, of which up to £811m could benefit the local area.</p> <p>The Applicant intends to ensure that the benefits of the Proposed Development extend beyond just economic impacts, fostering community well-being and development alongside its operational objectives.</p>
The Applicant received feedback pertaining to the visual impact of the Proposed Development.	<p>The proposed design will consider the overall appearance to as far as possible reduce visual impact, accepting the scale of the Proposed Development. To understand the potential impacts from a range of perspectives, the Applicant has conducted various studies into landscape and visual impacts. This includes computer modelling, desk-based assessments and field visits to determine how visible the new facility will be.</p> <p>The importance of thoughtful design and aesthetic integration to minimise detrimental views and preserve the local character of the area is acknowledged. The proposed design for the new CCGT power station will consider the overall appearance to reduce visual impact as much as possible.</p> <p>Community suggestions, such as painting the facility to blend with the surroundings and incorporating landscaping and vegetation, are valuable and will be explored further during the design development process. The final design will be determined during the Front End Engineering Design (FEED) which commenced at the end of December 2024.</p>
The Applicant received feedback on the legitimacy and safety of CCS technology	<p>Both the UK's Climate Change Committee (CCC) and the International Energy Agency have stated that carbon capture and storage (CCS/CCUS) is an essential component of a transition to net zero. And, to support this, under the previous government, the 2023 budget included a commitment of up to £20 billion to establish a CCUS sector in the UK, to help unlock economic opportunities and support investment in the sector. The current government in its manifesto committed a further £1bn and is legislating to create GB Energy which would include in its remit co-investment in power CCS.</p> <p>CO₂ is stored safely offshore deep underground, typically between 0.8km to 3km down, for thousands of years. CO₂ storage sites are carefully chosen to ensure the highest confidence in permanent storage and there is rigorous site</p>

Feedback theme	Applicant's response
	<p>characterisation, monitoring and verification procedures in place to ensure the CO₂ stays safely stored. These assessments and procedures are required by CCUS regulations before a project is allowed to proceed.</p> <p>Many of the potential storage site opportunities are large saline aquifers or depleted oil and gas fields which are well understood and have already stored gas and CO₂ naturally for millions of years.</p>
The Applicant received feedback on the inclusion of the Port of Mostyn and Ellesmere Port within the draft Order Limits	The Port of Mostyn and Ellesmere Port were included within the draft Order Limits for temporary access and laydown of abnormal indivisible loads. The Applicant has now removed the Port of Mostyn and Ellesmere Port from the draft Order Limits and is continuing engagement with the Port of Mostyn for shipborne deliveries of abnormal indivisible loads.
The Applicant received feedback opposing the development of a new gas-fired power station.	<p>To ensure the UK continues to have a secure and reliable power system as reliance on electricity continues to increase, more generation capacity will be needed. According to the UK's independent advisor on climate change, the Climate Change Committee (CCC), demand for electricity is forecast to increase by 50% by 2035. To meet this increasing demand and achieve the UK's decarbonisation goals, the CCC has also advised that a range of different technologies with both renewables and decarbonised generation, such as gas with CCS, will be needed to maintain a secure and stable supply of electricity.</p> <p>The proposed new CCGT power station with carbon capture at Connah's Quay would be able to flexibly and reliably generate low carbon power to meet the growing need for electricity, whenever it is required. The Proposed Development would play a crucial role in the future energy system, as it can help ensure that energy is available at times when it is needed most, and when power from renewable sources can't meet demand.</p>

7. Next steps

7.1 Stakeholder engagement

- 7.1.1 The Applicant is continuing to engage with key statutory bodies and host local authorities on any outstanding issues raised during or following the Statutory Consultation. This dialogue will continue as the Application is developed, finalised and submitted later this year.
- 7.1.2 The Applicant will continue to keep the local community and interested parties informed about the progress being made with the Application in the run up to and following submission. The Applicant will update the consultation website with information about the outcomes of the Statutory Consultation and will send email updates to those that signed up to the keep informed list.
- 7.1.3 Key stakeholders will also be sent the Programme Document, which is currently available on the Applicant's consultation website. This document outlines all activities undertaken during the pre-application stage of the Proposed Development, and further demonstrates the Applicant's compliance with the SoCC and the 2008 Act.

7.2 Statutory consultation responses

- 7.2.1 The Applicant is currently in the process of analysing all responses received as part of the Statutory Consultation. The Consultation Report will be produced in accordance with Section 37(3)(c) of the 2008 Act.
- 7.2.2 All feedback received during the consultation period is being processed into a secure database and then read and analysed. Thematically similar comments will be identified and grouped together into 'issues'. All comments per issue will then be summarised as 'issue statements' and considered by the Applicant.
- 7.2.3 The Applicant will consider all issues statements as part of the ongoing design process and assess how potential impacts of the Proposed Development can be avoided, managed or mitigated and how this mitigation should be secured through requirements in the Application that is submitted, while taking on board suggestions where possible and appropriate. The Applicant will actively engage with hard to reach groups and community organisations to ensure all seldom heard groups are aware of ongoing updates and upcoming opportunities to engage.
- 7.2.4 The Consultation Report will set out how the feedback from the consultation has shaped and influenced the final proposals. All feedback submitted during the Statutory Consultation will be responded to within the Consultation Report and included within the document with all personal details redacted. We will take reasonable care to comply with the requirements of the Data Protection Act 2018 and the [Planning Inspectorate's Privacy Policy](#).

7.3 The Application

- 7.3.1 All stakeholders identified and contacted throughout the pre-application stage of the Proposed Development and those who signed up to be kept informed will be informed via email once the Application has been submitted. Within this, the Applicant will outline the next steps with regard to acceptance and

consideration of the Application, along with indicative timelines for all upcoming activities. The Applicant will also publish an update on the consultation website and send a press release to regional publications to disseminate the news to a wider audience.

8. Appendices

8.1 Appendix A: Flintshire County Council response to the draft SoCC

From [REDACTED]
Sent on: Tuesday, June 18, 2024 11:36:24 AM
To: connahsquaylcp <info@connahsquaylcp.co.uk>
Subject: RE: CQLCP draft Statement of Community Consultation

Dear [REDACTED]

Planning Act 2008 Section 47: Duty to Consult Local Community – Request for comments on the draft Statement of Community Consultation

Thank you for submission of the Draft Statement of Community Consultation. I have reviewed the document and have no comments to make.

Many Thanks

[REDACTED]

Uwch Swyddog Cynllunio | Senior Planning Officer
Gwasanaeth Cynllunio Mwynau a Gwastraff Gogledd Cymru | North Wales Minerals and Waste Planning Service
Cynllunio, Amgylchedd ac Economi | Planning, Environment & Economy
Cyngor Sir y Fflint | Flintshire County Council

[REDACTED]

<http://www.sir-yfflint.gov.uk> | <http://www.flintshire.gov.uk>
<http://www.twitter.com/csyfflint> | <http://www.twitter.com/flintshirecc>



Gydlyn gilydd gallwn ni i gyd helpu i gadw Sir y Fflint yn ddiogel
Together we can all help to keep Flintshire safe

8.2 Appendix B: Cheshire West and Chester Council response to the draft SoCC and the Applicant's response to feedback

From: [REDACTED]
Sent: Thursday, July 11, 2024 6:00 PM
To: connahsquaylcp <info@connahsquaylcp.co.uk>
Subject: RE: CQLCP draft Statement of Community Consultation

Hi [REDACTED]

Thank you for the correspondence. A couple of comments/queries on the document are provided below. I would be happy to discuss these further should you wish.

- It is critical that the timing of the consultation takes place following the publication of sufficient information on the project to enable a proper engagement and that the PEIR is sufficiently detailed in this regard. It would be useful to understand what level of information would be provided and also whether, if the proposals change during the course of the pre-application process what, if any, consideration will be given to targeted consultation on the changes.
- In terms of the consultees, consideration should be given to including ORIGIN Ellesmere Port who represent the business interests of many of the employers in and adjacent to the order limits in Ellesmere Port. This can, however, be managed through contacts internally within the Council though any response will be independent.
- There is likely to be environmental (specifically ecological and visual) impacts on the eastern side of the Dee estuary but outside of the consultation zone. Has any consideration been given to undertaking a targeted consultation with environmental groups (e.g. RSPB Burton Mere) in this area?

I would be happy to discuss these further should you wish.

Kind regards

Principal Planning Officer (Team Leader)

Cheshire West and Chester Borough Council

Email: [REDACTED]

Visit: www.cheshirewestandchester.gov.uk

From: connahsquaylcp <info@connahsquaylcp.co.uk>
Sent on: Monday, September 16, 2024 4:33:46 PM
To: [REDACTED]
CC: [REDACTED]
Subject: RE: CQLCP draft Statement of Community Consultation

Dear [REDACTED]

First, we would like to apologise for the delay in responding to your comments. The consultation timeline was delayed internally, and we wanted to ensure that we could come back to you with firm answers to the points you raised.

Thank you for your feedback on the Statement of Community Consultation (SoCC). We appreciate your thorough review and constructive comments.

Below, we've addressed the key points raised:

Comment	Regard Had
The timing of the consultation takes place following the publication of sufficient information on the project to enable a proper engagement and the PEIR is sufficiently detailed in this regard	We can confirm that the consultation will follow the publication of the Preliminary Environmental Information Report (PEIR), and the PEIR will be sufficiently detailed to enable proper engagement with consultees. A Non-Technical Summary (NTS) will also be made available to ensure that key information is accessible to all, as well as a Consultation Brochure, which will explain the project in a clear and straightforward way. As per Section 6.4 of the SoCC, all Statutory Consultation documents will be available online, on the project consultation website, and in hard copy at information points and in-person events. Documents can be made available in alternative formats, such as braille, speaking text, or alternative language, upon request. To note, CWACC will be notified shortly of the confirmed dates for the Statutory Consultation.
It would be useful to understand what level of information would be provided.	We believe the NTS and PEIR will provide an appropriate level of detail given the stage the project is at. The subsequent ES and DCO application will take into account design development, further surveys and assessments, public consultation feedback and technical engagement. We are committed to keeping all stakeholders well-informed and ensuring that the information provided is both relevant and accessible.
If the proposals change during the course of the pre-application process what, if any, consideration will be given to targeted consultation on the changes.	If, following the Statutory Consultation, we consider it is necessary to undertake further targeted or supplementary consultation, this would be undertaken, so far as relevant and proportionate, in accordance with the principles and methods set out in the Statement of Community Consultation.
Consideration should be given to including ORIGIN Ellesmere Port.	Thank you for highlighting ORIGIN Ellesmere Port. We will liaise with them as one of the non-statutory consultee groups we intend to engage with in the run-up to the Statutory Consultation. As non-statutory consultees, they will be contacted at the launch of the consultation and will be kept informed about the proposals.
There is likely to be environmental (specifically ecological and visual) impacts on the eastern side of the Dee Estuary. Has any consideration been given to undertaking a targeted consultation with environmental groups (e.g. RSPB Burton Mere) in this area?	We acknowledge your concerns regarding potential environmental impacts, particularly ecological and visual effects on the eastern side of the Dee Estuary. While this area lies outside primary consultation zone, we have also developed a Secondary Consultation Zone (SCZ) to ensure all individuals, communities, and organisations in the wider north west region are able to participate in the Statutory Consultation. Within the SCZ we will raise awareness using a number of methods, such as advertising and a press release sent out to the local media, and engagement with parish and town councils. This is outlined in Section 6.5 of the SoCC. There are also planned to be three deposit locations in the SCZ. We have mapped out a number of stakeholder groups that we will engage with that cover the eastern side of the Dee Estuary, as well as other environmental consultee groups – these are outlined in Appendix A of the SoCC and in our comprehensive stakeholder mapping, which we have undertaken for the project. This includes Dee Estuary Conservation Group (DECG). If there are any additional groups that we should engage with, please do let us know.

8.3 Appendix C: Flintshire County Council AoCM response

Chief Officer
(Planning, Environment &
Economy)
Prif Swyddog (Cynllunio,
Amgylchedd ac Economi)



Sent by email to:-
info@connahsquaylcp.co.uk

Your Ref/Ffich: EN010166
Our Ref/Ffich: [REDACTED]
Date/Dyddig: 23/01/2025
Ask for/Cofrestrwch: [REDACTED]
Direct Dial/Ffôn: [REDACTED]
Fax/Ffôn: [REDACTED]
Email/e-bost: [REDACTED]

Dear [REDACTED]

Planning Act 2008 (as amended) – Section 37 (Pre-Application)

Application by Uniper UK Limited for an Order Granting Development Consent for the Connah's Quay Low Carbon Power

Adequacy of Consultation Request

I write on behalf of Flintshire County Council in response to your email dated 15 January 2025 requesting the Council's views on the adequacy of the consultation for the above project in advance your drafting of the Consultation Report and Adequacy of Consultation Milestone Report following commitments made in the statement of community consultation (SoCC) and the Programme Document. The approach follows Government published guidance 'Nationally Significant Infrastructure Projects: 2024 Pre-application Prospectus' (May 2024).

I can confirm that:

Flintshire County Council received a letter dated 2 October 2024 which gave notice of the formal pre-application consultation period and invited comments on the proposed Connah's Quay Low Carbon Power project ("the proposed development"), Preliminary Environmental Information Report (PEIR) and associated consultation documents in accordance with the provisions of Section 42 of the Planning Act 2008. The Statutory Consultation closed on Tuesday 19 November 2024.

During the statutory consultation period, it is understood that a number of 'in person' and virtual consultation events took place as prescribed within the project's statement of community consultation (SoCC) and the Programme Document.



County Hall, Mold, CH7 6NB
www.flintshire.gov.uk
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We welcome correspondence in Welsh. We will respond to correspondence received in Welsh in that language.
Byddwn yn croeso cerbydau golyddiaeth Cymraeg. Byddwn yn ateb cerbydau golyddiaeth Cymraeg yn yr iaith hon.

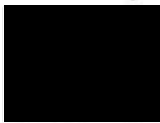
Details of the various events were also publicised within the project's newsletter and on the project's website.

There has been regular contact with my officer [REDACTED] in relation to the pre-application consultation and also in relation to the content of the SoCC.

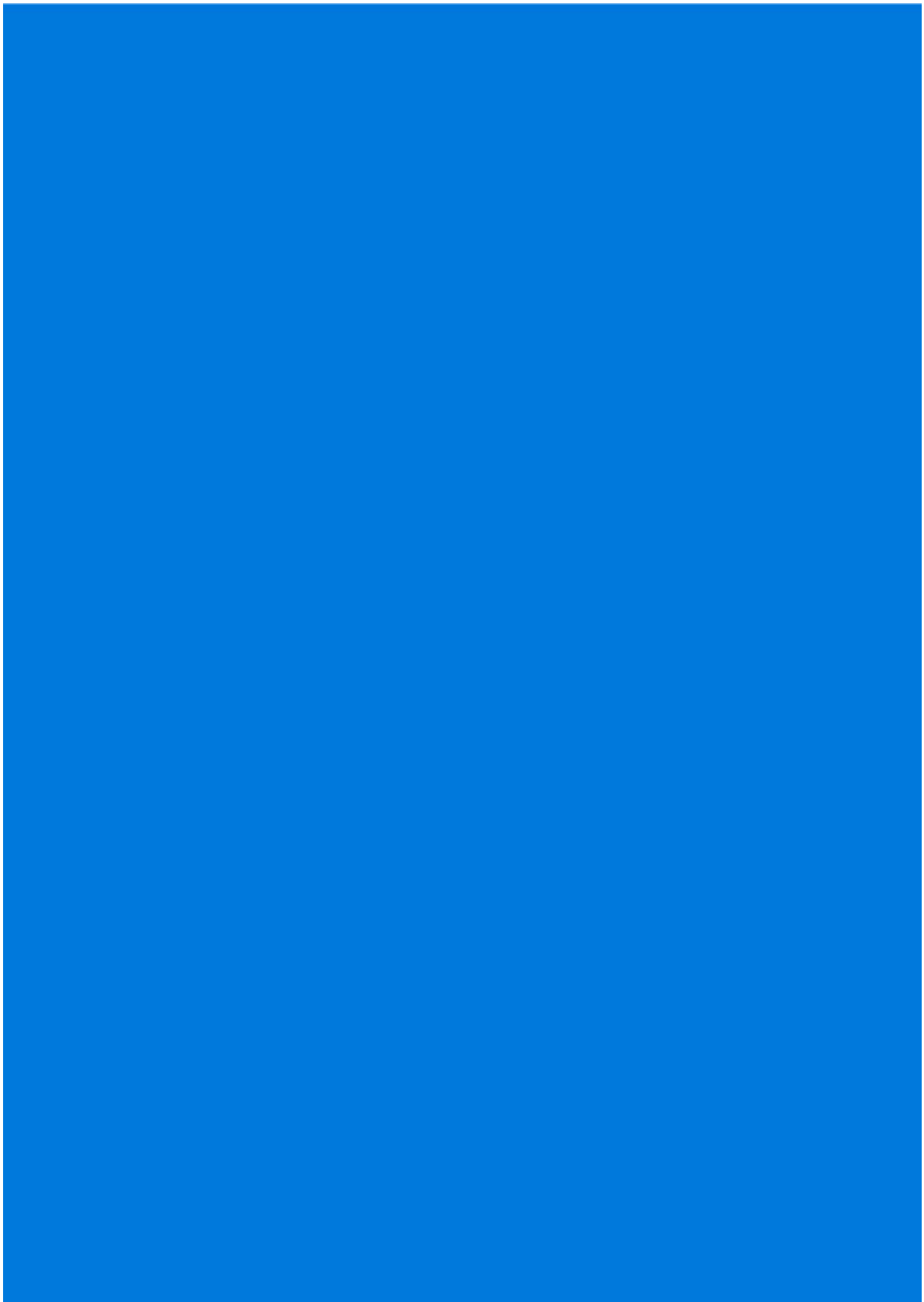
Furthermore, meetings have taken place between Flintshire County Council Officers and the project consultants throughout the pre-application process to shape the proposed development and design.

In conclusion, the Council is satisfied with the activity to date and considers that guidance provided by the Council has been followed. Subsequently there is no objection to the adequacy of consultation undertaken for the above project so far.

Yours sincerely



Chief Officer (Planning, Environment & Economy)
Prif Swyddog (Cynllunio, Amgylchedd ac Economi)



3. Appendix F-3: Regard had to Section 51 Advice

3.1 Table 1: Regard had to section 51 advice on draft Application Documents

Ref. No.	Article / Schedule / Requirement Paragraph / Section	Comment or Question	Applicant Response
General			
1	N/A	<i>The DCO has been written in accordance with the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009. As statutory consultation commenced after 30 April 2024, the applicant should consider whether the Infrastructure Planning (Miscellaneous Provisions) Regulations 2024 apply instead.</i>	<p>The Infrastructure Planning (Miscellaneous Provisions) Regulations 2024 (2024 Regulations) amend the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (APFP Regulations). Therefore, it is still correct to reference the APFP Regulations but acknowledging that they have been amended by the 2024 Regulations. The APFP Regulations as amended by the 2024 Regulations have been used by the Applicant in the pre-application processes followed.</p> <p>The draft DCO (EN010166/APP/3.1) footnotes referencing the APFP Regulations have been updated since the draft version shared with the Planning Inspectorate (referred to as either 'PINS' or the 'Inspectorate') so that the version submitted with the Application now includes clarification that the APFP Regulations footnoted have been amended by the 2024 Regulations.</p>

Ref. No.	Article / Schedule / Requirement Paragraph / Section	Comment or Question	Applicant Response
Draft Development Consent Order (DCO) and Draft Explanatory Memorandum (EM)			
1	Various	<p><i>The term “materially new or materially different environmental effects...” is inconsistently used. For Article 2, Article 6(2) and Requirement 17(2), it is used as above. However, in Schedule 2 Part 1 (interpretations), the term “materially new or materially different significant environmental effects...” (Inspectorate emphasis) is used. The ExA is likely to want an explanation for the difference in use and will very likely want to define what “significant” means in this context. The term should be consistent throughout the DCO. The applicant should consider whether “materially new or materially worse...” is used instead, as this provides the flexibility for the applicant to make amendments as well as providing something “different” which is a betterment of the scheme.</i></p>	<p>The draft DCO (EN010166/APP/3.1) has been updated since the draft version shared with PINS to ensure that the term "materially new or materially different environmental effects" is used throughout.</p> <p>Rather than adding "adverse" to the phrase used throughout, clarity on the approach has been added at Article 2(9) clarifying that "<i>In this Order, references to materially new or materially different environmental effects in comparison with those reported in the environmental statement must not be construed so as to include the avoidance, removal or reduction of an adverse environmental effect or positive environmental effect, or the increase of an assessed positive environmental effect, that was reported in the environmental statement as a result of the authorised development.</i>"</p> <p>This achieves the outcome recommended by PINS and follows the precedent found to be acceptable to the Secretary of State in The A122 (Lower Thames Crossing) Development Consent Order 2025. Further detail on the rationale for this drafting can be found within the EM (EN010166/APP/3.2).</p>

Ref. No.	Article / Schedule / Requirement Paragraph / Section	Comment or Question	Applicant Response
2	Article 8(3)(d)	<i>The power allows the undertaker to transfer the benefit of the Order without the Secretary of State's consent where the transferee "is a registered company who is a member of the Uniper Group". There is no explanation in the EM as to the need for this specific power and if accepted for Examination, the ExA is likely to want to examine who these other companies are and whether they are appropriate and lawful holders of this Order. The Inspectorate recommends this is explained in the EM or removed.</i>	The Applicant has removed reference to the Uniper Group from the draft DCO (EN010166/APP/3.1) so that the Secretary of State's consent would be required for any entity not specified within the list.
3	Various	<i>Articles 16(1), (3) and (5) and Article 17(5) use the words in relation to streets etc "temporarily stopping up/stop up". The applicant should consider whether it would be more appropriate to amend to temporarily 'close' / 'restrict' and if so, to which users.</i>	The draft DCO (EN010166/APP/3.1) drafting has evolved since the version reviewed in draft by PINS. Article 15 covers the " <i>stopping up of streets, public rights of way and rights of navigation</i> ". The use of the term 'stopping-up' aligns with extant legislation covering public rights of way. In the context of Article 15, streets is defined to include public and private highway. Because there will be a need for stopping up of private and public rights of way, this term is correct to use and reflects the precedented position in a number of previous DCOs, as identified in the EM (EN010166/APP/3.2) . Article 16 relates to the road closures required as part of the Accommodation Works for Abnormal Indivisible Loads

Ref. No.	Article / Schedule / Requirement Paragraph / Section	Comment or Question	Applicant Response
			(AILs). This article includes the terminology proposed by PINS and this reflects the nature of the restrictions which will be put in place under the parameters of the powers granted by this Article. Again, this wording is widely precedented, as identified in the EM (EN010166/APP/3.2) .
4	Article 36(8)	<i>This power prevents the undertaker from compulsory acquiring any part of the land identified for temporary possession "except that the undertaker is not precluded from acquiring new rights over any part of the land under A28". The EM does not explain the necessity or reasoning for this additional wording, and if accepted for Examination, any ExA may want to examine whether the Applicant is seeking to allow itself powers to compulsory acquire land identified for temporary possession and why. The current wording could lead to uncertainty and confusion for those affected by such powers. The Article should prevent temporary possession powers land from being acquired. If there is land in which could be needed for new rights under Article 28, these should be specifically identified and carved out. An explanation in the EM will then be required.</i>	<p>Subparagraph (8) reads "<i>The undertaker may not compulsorily acquire under this Order the land referred to in paragraph (1)(a)(i) and (ii) except that the undertaker is not to be precluded from acquiring new rights over any part of that land under article 28 (compulsory acquisition of rights and restrictive covenants).</i>"</p> <p>This allows for works to be undertaken temporarily and then rights in relation to such works to be retained for maintenance etc. The Land Plans (EN010166/APP/2.2), Book of Reference (EN010166/APP/4.1) and Schedule 9 of the draft DCO (EN010166/APP/3.1) make clear where there is land in which new rights are being acquired and so landowners would not be misled into thinking the acquisition is only temporary if their land falls within a plot where permanent rights are also sought.</p>
5	Schedule 1	<i>Work No.2(a) does not display the length of the proposed high-pressure gas pipeline.</i>	This description has been further refined within the draft DCO (EN010166/APP/3.1) and, with this new description,

Ref. No.	Article / Schedule / Requirement Paragraph / Section	Comment or Question	Applicant Response
			the length of the pipeline is not required to be specified.
6	Requirement 22(2)(c)	<i>No Order should impose or direct time limits on the Secretary of State. The term “28 days” should be removed and replaced with “as soon as practicably possible/as soon as practicable”</i>	Whilst this wording is preceded in The HyNet Carbon Dioxide Pipeline Order 2024, the draft DCO (EN010166/APP/3.1) has been amended to remove this time limit.
7	Schedule 11	<i>The EM should explain in further detail the status of protective provisions and where there are disputes with the named statutory undertaker. If accepted for Examination, the ExA will likely seek an early progress report and explanations of why protective provisions are not completed. If disputes occur, the ExA will likely require evidence of where the disputed wording has (or has not) been used on other Orders and an explanation of why, if applicable, protective provisions depart from those made Orders.</i>	The EM (EN010166/APP/3.2) has been amended for the submission of the Application to reflect the status of protective provision negotiations.
Draft Statement of Reasons (SoR)			
1	Alternatives	<i>Only the ‘Do Nothing’ alternative is discussed with reference to NPS EN-1. All other alternatives are discussed in ES Volume 2, Chapter 6: Project Alternatives – which was not submitted for Draft Document review.</i>	Chapter 6: Project Alternatives (EN010166/APP/6.2.6) has been submitted with the Application. The SoR (EN010166/APP/4.3) has also been amended for the submission of the Application to add more detail on the alternatives approach.

Ref. No.	Article / Schedule / Requirement Paragraph / Section	Comment or Question	Applicant Response
Draft Consultation Report, including section 42 consultee list			
1	General	<i>The draft Consultation Report was incomplete and as such, the Inspectorate had no detailed observations to make on the submitted information. However, some generic advice is provided below (see published advice pages for further information).</i>	The Applicant notes this comment. The version supplied for review was an initial draft but has been completed and finalised for submission.
2	Compliance with Statutory Consultation Requirements	<ul style="list-style-type: none"> • <i>Ensure full demonstration of compliance with Sections 42 (duty to consult), 47 (duty to consult the local community), and 48 (duty to publicise).</i> • <i>Clearly outline how consultation activities align with the Planning Act 2008 and associated guidance.</i> 	Appendix F of the Consultation Report (EN010166/APP/5.2) shows compliance with all statutory and guidance requirements.
3	Adequacy of Consultation Materials and Methods	<ul style="list-style-type: none"> • <i>Provide more detail on how consultation materials were prepared, made available, and adapted for accessibility.</i> • <i>Assess the effectiveness of consultation methods and any adjustments made to improve engagement.</i> 	Detail of how consultation materials were prepared, made available and adapted for accessibility can be found in sections 5.1 to 5.6 of the Consultation Report (EN010166/APP/5.1) . Adjustments to improve engagement with hard-to-reach groups were made during statutory consultation and this is detailed in section 5.6 of the Consultation Report (EN010166/APP/5.1) .
4	Evidence of Consultation and	<ul style="list-style-type: none"> • <i>Ensure a clear record of consultation responses,</i> 	Appendix E of the Consultation Report (EN010166/APP/5.2) details

Ref. No.	Article / Schedule / Requirement Paragraph / Section	Comment or Question	Applicant Response
	Responses Received	<p><i>categorised by statutory consultees, local authorities, community groups, and the public.</i></p> <ul style="list-style-type: none"> <i>Strengthen the explanation of how feedback has been considered and influenced project development.</i> <i>Demonstration of regard to consultation feedback</i> <i>Expand on how responses have been analysed and summarised, ensuring a clear audit trail.</i> <i>Provide explicit examples of changes made to the project in response to consultation feedback or justification where no changes were made.</i> 	<p>regard had to section 42 consultation responses as well as section 47 and 48 consultation responses.</p> <p>Appendix E demonstrates how feedback has been regarded, considered and influenced the Proposed Development.</p> <p>Specific examples of design evolution as a result of consultation responses are provided within Appendix E.</p>
5	Clarity and Structure of the Report	<ul style="list-style-type: none"> <i>Improve structure to ensure clarity and ease of reference, with cross-referencing to supporting evidence.</i> <i>Include a robust executive summary highlighting key themes, feedback received, and project adjustments made.</i> 	<p>The Consultation Report (EN010166/APP/5.1) follows a structure consistent with precedent Consultation Reports and sets out the key detail in a clear structure with cross-references.</p> <p>An executive summary has been included at the beginning of the Consultation Report (EN010166/APP/5.1).</p>
6	Ongoing Engagement	<ul style="list-style-type: none"> <i>Clearly outline any further consultation or engagement activities</i> 	<p>Following review of the draft Consultation Report by PINS, a further non-statutory targeted</p>

Ref. No.	Article / Schedule / Requirement Paragraph / Section	Comment or Question	Applicant Response
		<p><i>planned before the application submission.</i></p> <ul style="list-style-type: none"> • <i>Ensure the report demonstrates a fully completed consultation process, addressing any remaining gaps before submission.</i> 	<p>consultation took place as a result of design evolution of the Proposed Development. This has been clearly documented in Section 6 of the Consultation Report (EN010166/APP/5.1).</p> <p>The version supplied for review was an initial draft but has been completed and finalised for submission.</p>

Draft sample Land Plan

1	General	<p><i>The draft Land Plan was incomplete, and no other plans were submitted for review. As such, the Inspectorate had no detailed observations to make on the submitted information. However, some generic advice relating to plans is provided below (see published advice pages for further information) to assist with finalising the documents ahead of the application submission.</i></p>	<p>The Applicant notes this comment. The version supplied for review was an initial draft but has been completed and finalised for submission.</p>
2	Compliance with Statutory Requirements	<ul style="list-style-type: none"> • <i>Ensure all plans are legislatively compliant and are of a high quality and are clearly legible in order to be easily interpreted by stakeholders.</i> • <i>Ensure consistency with the Book of Reference and other application documents (such as the DCO and Statement of Reasons).</i> 	<p>The Land Plans (EN010166/APP/2.2) meet the legal requirements of size and scale and clearly identify north.</p> <p>All details shown on the Land Plans (EN010166/APP/2.2) are consistent with the Book of Reference (EN010166/APP/4.1), Statement of Reasons (EN010166/APP/4.3) and all other relevant application documents.</p>

Ref. No.	Article / Schedule / Requirement Paragraph / Section	Comment or Question	Applicant Response
3	Accuracy and Clarity of Mapping	<ul style="list-style-type: none"> Base plans should use up-to-date Ordnance Survey mapping at an appropriate scale (typically 1:2500 in rural areas and 1:1250 in urban areas). Use a standardised legend and key to distinguish different land categories (e.g., compulsory acquisition, temporary possession, rights). 	<p>Base mapping for plans prepared by the Applicant uses up to date Ordnance Survey mapping with a scale of 1:2500.</p> <p>A standardised legend is provided. For example:</p> <ul style="list-style-type: none"> Pink identifies freehold compulsory acquisition; Blue identifies compulsory acquisition of rights; and Grey identifies land where no powers of acquisition are sought.

3.2 Table 2: Regard had to section 51 advice during pre-application meetings

Ref. No.	Topic	Advice	Applicant Response
Inception Meeting 13 December 2023			
1	Scoping Opinion	<i>Regarding the anticipated request for a Scoping Opinion, the Inspectorate advised the Applicant to pay close attention to their project description and ensure that technical information is contained within it and highlight how the Applicant has addressed key points.</i>	The project description within the scoping request and Appendix 1:A Scoping Report of the ES (EN010166/APP/6.4) align. The same approach has been taken with the Proposed Development description generally, and that used in the ES (EN010166/APP/6.1-6.4) .
2	Non-statutory consultation	<i>The Inspectorate noted a potential overlap in timing of the non-statutory consultation and the Inspectorate's scoping</i>	Timing of the non-statutory consultation was moved to between 26 February and 25 March 2024 to avoid any

Ref. No.	Topic	Advice	Applicant Response
		<i>consultation. The Inspectorate advised the Applicant to consider avoiding any consultation overlaps, if possible, to ensure that there is no confusion for parties responding to the appropriate consultation.</i>	overlap with the scoping consultation.
3	Wales	<i>The Inspectorate advised the Applicant to look at other projects in Welsh waters, which are listed on the [PINS] National Infrastructure Planning website, regarding approaches to Marine Licensing. Further, the Inspectorate advised the Applicant of the importance in engaging with National Resource Wales (NRW) at the earliest opportunity.</i>	The Applicant has taken careful consideration of precedented projects based in Wales to determine best practice for Welsh Nationally Significant Infrastructure Projects. Such best practice has been followed by the Applicant in preparing the Application. NRW have been engaged with by the Applicant throughout the pre-application process.
4	File sharing	<i>The Inspectorate advised the Applicant to carry out a trial run of any file sharing site before the submission of the EIA [Environmental Impact Assessment] Scoping Opinion request, to ensure that it is shared in a way PINS can access.</i>	The Scoping request was shared via a file sharing platform with PINS.

Update Meeting 3 July 2024

1	Design/scheme changes	<i>The Inspectorate highlighted that the Infrastructure Planning (Miscellaneous Provisions) Regulations 2024 came into force on 30 April 2024 and amended the list of bodies an applicant needs to consult, as set out in Schedule 1 of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009, as well as</i>	The statutory consultation undertaken by the Applicant was carried out in accordance with the APFP Regulations as amended by the 2024 Regulations.
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Ref. No.	Topic	Advice	Applicant Response
		<i>scope of the 'relevance test' applied. The Applicant was advised to check the position with regard to the regulations and the transitional provisions ahead of the statutory consultation for the Proposed Development.</i>	
2		<i>The Inspectorate advised that the Applicant would need to consider if the changes to the RLB [red line boundary] would necessitate seeking a new Scoping Opinion. The Applicant responded that they would consult with their legal advisors but do not anticipate that the changes, which include adding the AILs route to enable minor temporary works along this route, would materially alter the proposed approach in the EIA for the Proposed Development or its likely significant environmental effects.</i>	An updated Scoping Opinion was not required as a result of the changes made to the Indicative Site Boundary (which was the red line boundary for statutory consultation stage) to accommodate potential AIL routes.
3	Key consultation dates & activities	<i>The Inspectorate asked the Applicant whether there were any new host authorities added to the consultation as a result of the recent changes to the Proposed Development. The Applicant responded that Cheshire West and Chester Council were a new host authority and had been included in the consultation on the draft SoCC.</i>	For the purposes of the statutory consultation Cheshire West and Chester Council were a host authority and were consulted on that basis. However, following statutory consultation, reductions to red line boundary meant that Cheshire West and Chester Council was no longer a host authority within the Order limits.
4		<i>The Inspectorate asked the Applicant to provide a summary of the non-statutory consultation earlier in the year. The Applicant</i>	The Applicant provided an update in the meeting with PINS so no further response is required.

Ref. No.	Topic	Advice	Applicant Response
		<i>responded that around 100 people participated both online and in person, mostly from within the local area. The Applicant added that issues largely focused on ecology impacts, but the nature of consultation included asking questions rather than making comments.</i>	
5	Draft documents for review	<i>The Inspectorate asked the Applicant whether it envisages submitting any draft documents for review. The Applicant stated that they may seek a review with the draft documents likely to be submitted in early Q1 2025 but will confirm in due course.</i>	Documents were shared for PINS review on 13 January 2025.
6	Policy Compliance Document and Design Approach Document examples	<p><i>The Inspectorate advised that the Applicant may wish to visit the project webpage for Five Estuaries to look at an example of a Policy Compliance Document, and the project webpage for Outer Dowsing to look at an example of a Design Approach Document. The Inspectorate noted that these projects have not yet proceeded through examination and therefore cannot comment on the quality of these documents.</i></p> <p><i>The Inspectorate confirmed that the Policy Compliance Document and the Design Approach Document are key elements of the enhanced service of the updated pre-application process but are</i></p>	<p>The Applicant considered the advice given and following the publication of the Nationally Significant Infrastructure Projects: Advice on Good Design by the Planning Inspectorate in October 2024, sought to ensure that the design approach taken by the project reflected best practice. A Design Approach Document (DAD) (EN010166/APP/7.7) is submitted with the Application. This confirms the design approach taken by the Applicant and how the DCO will secure good design.</p>

Ref. No.	Topic	Advice	Applicant Response
		<i>not mandatory for the standard service level tier.</i>	
7	Stakeholder engagement	<p><i>The Applicant notified the Inspectorate that engagement with Flintshire County Council (FCC) regarding the Planning Performance Agreement is ongoing, and that Net Zero Industry Wales are now engaging with FCC regarding resourcing.</i></p> <p><i>The Inspectorate asked the Applicant whether there had been any engagement with Natural Resources Wales to date. The Applicant responded that a Discretionary Advice Service agreement is in place and engagement is ongoing on key topics including marine environment and permitting; further engagement on terrestrial ecology and flood risk is planned.</i></p>	The Applicant provided an update in the meeting with PINS so no further response is required.

Update Meeting 3 December 2024

1	Project updates	<p><i>The Applicant informed the Inspectorate of key changes to the red line boundary of the scheme.</i></p> <p><i>The Applicant further updated on the ongoing technical engagement with the Design Commission for Wales (DCFW).</i></p> <p><i>The Inspectorate queried whether a DCFW review has been undertaken. The Applicant confirmed that a review has not been carried out and the Inspectorate advised that it would be helpful to facilitate one, and to demonstrate the design</i></p>	<p>Following advice given by PINS, the Applicant has considered its approach to design. Whilst the DCFW has not yet been engaged, the Applicant is committed to doing so. Design Principle 37 of the Design Approach Document (EN010166/APP/7.7) confirms that the detailed design of each relevant stage of Work No. 1 (generating station) will be subject to a design review by the DCFW prior to submission of details for that stage to the relevant planning authority for approval pursuant to Requirement 3 of the Draft DCO (EN010166/APP/3.1).</p>
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Ref. No.	Topic	Advice	Applicant Response
		<p><i>evolution in the application documents. Should the application be accepted for examination, DCfW may register as an Interested Party. By undertaking a review during the pre-application stage, the Applicant could resolve any potential disagreements in advance of the Examination.</i></p> <p><i>The Inspectorate queried whether the Flint Above Ground Installation (AGI) (granted for development consent in the HyNet Carbon Dioxide Pipeline Order) would be subject to any works as part of this application. The Applicant confirmed that no works were intended and that the site would be used as a connection point only.</i></p>	By way of clarification, the Proposed Development will include minor modifications to the AGI at Flint to facilitate the connection but such modifications should not have external design implications.
2	Consultation Report	<p><i>The Applicant informed the Inspectorate that non-statutory consultation took place between 26 February 2024 and 25 March 2024. Its statutory consultation period followed, from 8 October 2024 to 19 November 2024. Responses to statutory consultation are being collated and as a result of the high level of feedback.</i></p> <p><i>The Inspectorate queried whether Natural Resources Wales had engaged, to which the Applicant confirmed it had.</i></p>	The Applicant provided an update in the meeting with PINS so no further response is required.
3	Compulsory Acquisition and Temporary Possession	<i>The Inspectorate advised that it would be helpful if the number of plots subject to Compulsory Acquisition and Temporary Possession could</i>	Details of the plots subject to compulsory acquisition and / or temporary possession are provided in the Book of

Ref. No.	Topic	Advice	Applicant Response
		<i>be confirmed at the next project update meeting.</i>	Reference (EN010166/APP/4.1).
4	Preliminary Environmental Information Report (PEIR)	<p><i>The Applicant informed the Inspectorate that the PEIR was published on 8 October 2024. It confirmed that no significant adverse effects have been identified following implementation of both embedded and additional mitigation for several topics, including (but not limited to) air quality, socio-economics, climate change and marine ecology.</i></p> <p><i>The Inspectorate advised the Applicant to ensure the mitigation hierarchy is applied and clearly demonstrated in the application documents. The Applicant confirmed that it is conscious of the mitigation hierarchy and would demonstrate its application in the application documents.</i></p> <p><i>The Inspectorate queried the potential for significant effects within the Habitats Regulations Assessment (HRA). The Applicant confirmed that some changes in design have been made as a result of applying the mitigation hierarchy.</i></p> <p><i>The Inspectorate reminded the Applicant of the need to consider that mitigation should not be taken into account at the screening stage for the Habitat Regulations Assessment (HRA) and that the Applicant should clearly explain where design changes have been</i></p>	<p>The Applicant has applied the mitigation hierarchy when undertaking assessments relevant to the Application and determining the appropriate mitigation for adverse effects identified.</p> <p>The Applicant's approach to HRA is compliant with the statutory requirements for HRAs.</p>

Ref. No.	Topic	Advice	Applicant Response
		<i>undertaken to mitigate an effect and apply that to the HRA accordingly.</i>	
5	Draft Documents and DCO Submission	<p><i>The Applicant informed the Inspectorate that the Adequacy of Consultation Milestone (AoCM) is intended to be submitted in January 2025, along with draft documents. The Applicant informed that the DCO application is intended to be submitted in March 2025. The Inspectorate advised the Applicant of the six-week draft document review period, and how time to make any amendments following the review should be factored into these timescales.</i></p> <p><i>For resourcing purposes, the Applicant was advised to provide an accurate date for when its draft documents were to be submitted and ensure that this is reflected in the Programme Document. It was also advised to submit a list of which documents will be submitted for review.</i></p> <p><i>An accurate date for the application submission was also requested, and again should be reflected in the Programme Document.</i></p>	<p>The AoCM was submitted on 29 January 2025.</p> <p>The draft documents for PINS review were submitted on 13 January 2025.</p> <p>The submission of the Application was postponed until August 2025 but confirmation of this was provided to PINS.</p>
6	Good Design Advice	<i>The Inspectorate informed the Applicant that the Good Design Advice Page has been published and advised to demonstrate regard to it within the application documents.</i>	The Applicant has had regard to the Good Design Advice Page in preparing the Application.

Ref. No.	Topic	Advice	Applicant Response
7	Protective Provisions	<i>The Inspectorate advised the Applicant to ensure that discussions with key parties relating to Protective Provisions commence early, to help facilitate a smoother examination in due course. The Applicant confirmed that it has begun to identify where Protected Provisions are required and have discussions with those parties scheduled soon.</i>	The Applicant has engaged with all statutory undertakers who will require protective provisions within the draft DCO (EN010166/APP/3.1) . A summary of the status of this engagement is provided within Schedule 12 in the EM (EN010166/APP/3.2) .
8	Grid co-ordinates	<i>The Inspectorate highlighted that the map on the project website is currently inaccurate. As such, requested that the Applicant provide the National Grid easting and northing references for the site, to ensure that the map is accurate.</i>	Further coordinates were provided to PINS to accurately locate the project within their systems. The Applicant also provided a GIS shapefile of the Order limits in advance of the DCO submission.

Update meeting 12 March 2025

1	Additional non-statutory consultation	<p><i>The applicant highlighted that targeted non-statutory consultation was being planned to consult on a change to the design of the project. The consultation materials have not yet been finalised but the approach to consultation will be discussed with Flintshire County Council shortly.</i></p> <p><i>Whilst the Inspectorate was not informed of the nature of the changes, the timing and duration for the consultation period was discussed, in view of the Easter period.</i></p> <p><i>The Inspectorate advised about ensuring sufficient time after the close of the consultation to review all feedback and demonstrate</i></p>	<p>The non-statutory targeted consultation commenced in May 2025 (after the Easter holidays) with a deadline of 29 days for consultation responses.</p> <p>Following the close of the targeted consultation in June 2025, the Applicant carefully reviewed and had regard to feedback received whilst preparing for submission of the Application in August 2025.</p>
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Ref. No.	Topic	Advice	Applicant Response
		<i>regard to the feedback in the consultation report.</i>	
2	Adequacy of Consultation	<i>The Inspectorate confirmed that the [AoCM] Report was comprehensive and that it had no comments. The Inspectorate confirmed that this advice would be reflected in the s51 Advice Log.</i>	The Applicant notes this advice on the AoCM.
3	Programme Update	<i>The applicant explained that the DCO application submission had previously been planned for April 2025. However, that date has now slipped, in view of the targeted consultation, and there was no updated date for the submission. The Inspectorate advised that it required a submission date as a matter of urgency in order to deploy resources effectively. It highlighted the requirement of the pre-application service to ensure that a programme document is published and maintained, to ensure that bodies are able to effectively resource projects.</i>	The updated Programme Document was published on the project website on 28 April 2025, confirming a submission date of July 2025. The Applicant did not consider it necessary to update the Programme Document given that the final submission date was the 5 August 2025 (less than one week beyond the original submission date). The Applicant kept the Planning Inspectorate updated on the programme slippage staying in regular contact with the Case Manager. An email was sent on the 30 July 2025 advising the Planning Inspectorate of the need to postpone submission to the 5 August 2025. The Planning Inspectorate responded to this email on the 31 July 2025 noting the amended submission date.
4	Draft documents and DCO	<i>The Inspectorate advised that regard should be had by the applicant to its comments on draft documents issued on 25 February 2025. The applicant confirmed that this would be addressed as an appendix to the Consultation Report.</i>	This Appendix (Appendix F: Compliance (EN010166/APP/5.2)) demonstrates regard had to PINS section 51 advice.

Ref. No.	Topic	Advice	Applicant Response
		<i>The Inspectorate is to clarify with the applicant whether it wanted to see the commitments register in its current form which is based on the PEIR and not the emerging ES.</i>	
5	Design Impact on scoping, EIA and HRA	<p><i>The Inspectorate highlighted that it was unable to advise on environmental implications of the design changes without detail of them, however advised that the applicant needed to ensure it considered any implications on the scoping of the environmental impact assessment which has already been undertaken. This should be considered prior to the planned consultation.</i></p> <p><i>The applicant highlighted that the potential implications for EIA and HRA scoping are paramount with the EIA team considering this.</i></p> <p><i>The applicant was advised to ensure that should any changes to the design also be mitigation for HRA matters, that these should be assessed in the HRA at the appropriate stage of assessment.</i></p>	<p>A Supplementary Information Report was prepared and made available as part of the targeted consultation providing information on the environmental implications of the design changes.</p> <p>The Proposed Development, as updated, has been considered fully in the ES (EN010166/APP/6.1-6.4) submitted with the Application.</p> <p>These changes have also been considered at the appropriate stage of the HRA.</p>
6	Design approach	<i>The Inspectorate advised the applicant to clearly demonstrate its design journey, including how it has addressed requirements set out in the National Policy Statements and National Infrastructure Commission design principles, as reflected in the</i>	<p>Following advice given by PINS, the Applicant has considered its approach to design. Whilst the DCFW has not yet been engaged by the Applicant, the Applicant is committed to doing so. Design Principle 37 of the Design Approach Document (EN010166/APP/7.7) confirms that the detailed design of each</p>

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		<p><i>Inspectorate's Good Design Advice page.</i></p> <p><i>The Inspectorate queried If the project had been subject to an independent review by the Design Commission of Wales to which the applicant confirmed it had not. The Inspectorate strongly advised the applicant to consider a review ahead of the submission of the application, which could assist with a smoother examination in due course.</i></p>	<p>relevant stage of Work No. 1 (generating station) will be subject to a design review by DCFW prior to the submission of details for that stage to the relevant planning authority for approval pursuant to Requirement 3 of the Draft DCO (EN010166/APP/3.1).</p>
7	Welsh Translations	<p><i>The applicant queried which key documents would need to be translated. The applicant has prepared a list of documents to be submitted with the Development Consent Order in English and Welsh.</i></p> <p><i>The Inspectorate advised that ultimately it is for the applicant to decide which document it makes available bilingually. The Inspectorate confirmed that all documents it produces will be bilingual. The Inspectorate advised the applicant to ensure that simultaneous translation facilities are present for all examination events.</i></p>	<p>The Welsh Language Impact Statement (EN010166/APP/7.21) explains the Applicant's approach to Welsh translations.</p>
8	Statement of Need	<p><i>The applicant queried if it was required to provide a statement of need.</i></p> <p><i>The Inspectorate advised that the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 set out what documents are required to accompany an application. It</i></p>	<p>A full explanation for the need for the Proposed Development is included within the Planning Statement (EN010166/APP/7.6). The Application Cover Letter (EN010166/APP/1.2) explains the approach that has been taken to this.</p>

Ref. No.	Topic	Advice	Applicant Response
		<i>advised that ultimately it is for the applicant to consider whether to submit the statement of need as a standalone document or whether to address need within other documents, such as the planning statement. Whichever approach the applicant takes should be clearly set out within the application covering letter.</i>	

Update meeting 3 July 2025

1	Project Updates	<p><i>The Inspectorate queried whether the project was reliant on government funding and whether that funding is likely to be in place ahead of the submission of the application.</i></p> <p><i>The applicant confirmed that the project is reliant on the despatchable power agreement, which is being sought in parallel to the DCO application.</i></p> <p><i>The Inspectorate advised the applicant to ensure that this is explained in the funding statement.</i></p>	This is noted. A full explanation is provided within the Funding Statement (EN010166/APP/4.4).
2	Project Updates	<p><i>In relation to noise and vibration, the Inspectorate advised the applicant to ensure that the Public Sector Equality Duty Assessment (PSEDA) is appropriately addressed, particularly in relation to the nearby traveller community. The applicant was encouraged to demonstrate how the protected</i></p>	Details of the traveller site, the consideration of the PSEDA and a summary of the assessment of impacts are contained within the Planning Statement (EN010166/APP/7.6).

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		<i>characteristics of vulnerable communities have been considered in the assessment of impacts.</i>	
3	Project Updates	<i>The Inspectorate highlighted the importance of accounting for early morning construction activities (e.g. mobilisation before 8am) in the noise assessment and to consider recent decisions made by the Secretary of State in relation to working hours (ie Mona offshore wind project). The applicant was advised to ensure that this is clearly addressed within the Construction Management Plan and associated documentation.</i>	This has been noted and considered in the Framework Construction Environmental Management Plan (EN010166/APP/6.5) and the Framework Construction Traffic Management Plan (EN010166/APP/6.6) . Please also refer to Chapter 5: Construction Management and Programme of the ES for more information (EN010166/APP/6.2.5).
4	Project Updates	<i>The Inspectorate advised the applicant to clearly demonstrate, within the Habitats Regulations Assessment (HRA), where engagement with statutory consultees has taken place and where agreement has been reached. The applicant was encouraged to be transparent in documenting these discussions, to support a smoother acceptance and examination process.</i>	The Applicant recognises the importance of engagement with statutory consultees with regards to the HRA process in order to reach agreement on relevant matters where possible. Appendix F of the Report to Inform Habitats Regulation Assessment (EN010166/APP/6.12) provides a summary of correspondence with Natural Resources Wales in relation to the findings of the assessment.
4	Project Updates	<i>The Inspectorate advised the applicant to clearly demonstrate, within the Habitats Regulations Assessment (HRA), where engagement with statutory consultees has taken place and where agreement has been reached. The applicant was encouraged to be transparent in documenting</i>	The Applicant recognises the importance of engagement with statutory consultees with regards to the HRA process in order to reach agreement on relevant matters where possible. Appendix F of the Report to Inform Habitats Regulation Assessment (EN010166/APP/6.12) provides a summary of correspondence

Ref. No.	Topic	Advice	Applicant Response
		<i>these discussions, to support a smoother acceptance and examination process.</i>	with Natural Resources Wales in relation to the findings of the assessment.
4	Project Updates	<i>The Inspectorate advised the applicant to clearly demonstrate, within the Habitats Regulations Assessment (HRA), where engagement with statutory consultees has taken place and where agreement has been reached. The applicant was encouraged to be transparent in documenting these discussions, to support a smoother acceptance and examination process.</i>	The Applicant recognises the importance of engagement with statutory consultees with regards to the HRA process in order to reach agreement on relevant matters where possible. Appendix F of the Report to Inform Habitats Regulation Assessment (EN010166/APP/6.12) provides a summary of correspondence with Natural Resources Wales in relation to the findings of the assessment.
5	Project Updates	<i>The Inspectorate queried whether the project had been subject to an independent review by the Design Commission for Wales (DCfW). The applicant was advised to explain the rationale for the absence of such a review within the application documents.</i>	The Applicant confirmed that the indicative design has not been subject to an independent review by the Design Commission for Wales. Please refer to the Design Approach Document (DAD) (EN010166/APP/7.7) . for further details. As set out within the Design Principles Document (EN010166/APP/7.8) , the detailed design of each relevant stage of Work No. 1 will be subject to a design review by the Design Commission for Wales prior to submission of details for that stage to the relevant planning authority for approval pursuant to Requirement 3 of the Draft DCO (EN010166/APP/3.1) .
6	Targeted Consultation	<i>The Inspectorate noted the applicant's efforts to conduct a targeted non-statutory consultation in response to design changes, including</i>	The Applicant acknowledges the Inspectorate's advice and the rationale for these changes, along with their environmental implications, are clearly set out

Ref. No.	Topic	Advice	Applicant Response
		<i>alterations to stack height. The applicant was advised to ensure that the rationale for these changes, and their environmental implications (particularly in relation to air quality), are clearly explained in the application documents.</i>	<p>in the application documents. The rationale for the design change is set out in Section 5.3 of the Design Approach Document (EN010166/APP/7.7). The ES also sets out the environmental implications of this change and how comments received were addressed within the ES. For example, Table 8-4 of Chapter 8: Air Quality of the ES (EN010166/APP/6.2.8) and within the Consultation Report (EN010166/APP/5.1) and Chapter 6: Project Alternatives (EN010166/APP/6.2.6) of the ES.</p> <p>The Applicant is confident that the information provided demonstrates how feedback has informed the evolving design and how potential environmental effects have been appropriately assessed and addressed.</p>
7	Target Consultation	<i>The Inspectorate queried the status of the marine licence application with Natural Resources Wales (NRW). The applicant was advised to provide a clear update on the licensing requirements and anticipated timescales within the application documents.</i>	The Applicant notes this is required. This would be applied for prior to the start of construction below the Mean High Water Springs (MHWS). Please refer to the Consents and Agreement Position Statement (EN010166/APP/3.3) .
8	Targeted Consultation	<i>The Inspectorate acknowledged the applicant's engagement with stakeholders and the public through newsletters, technical notes, and local information points. The applicant was advised to ensure that feedback received during the</i>	The Applicant welcomes the Inspectorate's acknowledgement of its stakeholder and public engagement activities. In line with the advice received, the Applicant has ensured that all feedback from both statutory and non-statutory consultation

Ref. No.	Topic	Advice	Applicant Response
		<i>consultation is clearly addressed in the Consultation Report.</i>	<p>has been clearly recorded and addressed.</p> <p>This includes detailed 'Regard Had' tables, which outline the main themes raised and how the Applicant has considered and, where appropriate, responded to that feedback in the final design and accompanying application documents.</p> <p>These tables can be found in the relevant Appendices of the Consultation Report – Appendix A, Appendix E and Appendix G (EN010166/APP/5.2).</p>
9	Submission of application	<i>The Inspectorate emphasised the importance of providing a firm and realistic submission date, particularly in light of the summer holiday period and associated resourcing constraints. The applicant was advised to give as much notice as possible if the submission date is likely to change, to support effective resource planning by the Inspectorate.</i>	The Applicant kept the Planning Inspectorate updated on the intended submission date.
10	Submission of application	<i>The Inspectorate queried whether local authorities had been consulted regarding their capacity to return Adequacy of Consultation (AoC) responses within the required two-week period. The applicant was advised to continue engagement with local authorities on technical and resourcing matters to support timely responses.</i>	<p>The Applicant acknowledges the Inspectorate's advice and can confirm that it has maintained ongoing engagement with the relevant local authorities throughout the pre-application process.</p> <p>While formal consultation on the AoC process is carried out by the Planning Inspectorate post-submission, the Applicant has kept the relevant local authorities informed of anticipated submission timelines and has remained</p>

Ref. No.	Topic	Advice	Applicant Response
			<p>available to discuss any concerns.</p> <p>The Applicant will continue to engage constructively with the relevant local authorities to support them to respond within the required two-week period following submission.</p>
11	Submission of application	<p><i>The Inspectorate advised the applicant to ensure that the electronic index is finalised and available ahead of submission, and to confirm arrangements for payment of the acceptance fee.</i></p> <p>Post Meeting Note: <i>The Inspectorate has shared the recently revised electronic index with the applicant ahead of the submission of the application.</i></p>	<p>The Applicant shared the draft electronic index with the Inspectorate on the 23 July 2025 and attended a meeting to discuss feedback with the Inspectorate on the 24 July 2024. The Applicant can confirm that the acceptance fee was paid ahead of submission as confirmed in Part 3 of the Application Form (EN010166/APP/1.1).</p>

3.3 Table 3: Regard had to written section 51 advice from PINS

Ref. No.	Topic	Advice	Applicant Response
Email advice on the Infrastructure Planning (Miscellaneous Provisions (MP)) Regulations 2024 – Section 42 consultation dated 21 May 2024			
1	Infrastructure Planning (Miscellaneous Provisions (MP)) Regulations 2024	<p><i>The Infrastructure Planning (Miscellaneous Provisions (MP)) Regulations 2024 came into force on 30 April 2024 and amend the Infrastructure Planning (Applications: Prescribed Forms and Procedure (APFP)) Regulations 2009. The transitional provisions at Regulation 4 of the MP Regulations 2024 confirm that the recently amended APFP Regulations do not apply to any proposed application for an order granting development consent where the applicant has started to consult under Section 42 of the Planning Act 2008 before 30 April 2024. The Inspectorate is contacting you as it understands that consultation under Section 42 for the Connah's Quay Low Carbon Power Project had not commenced prior to 30 April 2024.</i></p> <p><i>The Inspectorate would like to inform you that as the scoping opinion request for Connah's Quay Low Carbon Power Project was received prior to 30 April 2024, the list of consultation bodies notified and consulted by the Planning Inspectorate before adopting the scoping opinion (as set out in the 'Regulation 11 list' provided to the Applicant as per Regulation 11(1)b of the Infrastructure Planning</i></p>	The statutory consultation undertaken by the Applicant was carried out in accordance with the APFP Regulations as amended by the 2024 Regulations.

Ref. No.	Topic	Advice	Applicant Response
		<p><i>(Environmental Impact Assessment (EIA)) Regulations 2017), will not reflect the recent amendments to the APFP Regulations. The Applicant is therefore advised to review the transitional provisions in Regulation 4 of the MP Regulations 2024, together with the amendments to the APFP Regulations, and consider whether any new or different consultation bodies should be included in the consultations for the project. Please be aware that it is the responsibility of the Applicant to ensure their consultation fully accords with the requirements of the Planning Act 2008 and associated regulations and guidance. The Regulation 11 list has been compiled by the Planning Inspectorate on behalf of the Secretary of State in its duty to notify the consultation bodies in accordance with Regulation 11(1)(a) of the EIA Regulations and, whilst it can inform the Applicant's own consultation, it should not be relied upon for that purpose</i></p>	

PINS Comments on the Programme Document 28 October 2024

1	Website	<i>The Applicant must ensure that the Programme Document (PD) is hosted and maintained on the Applicant's website.</i>	The Programme Document was hosted and maintained on the Applicant's website.
2	Confirmation of dates and timeframes	<i>The PD sets out that Statutory Consultation was due to take place in Q3 2024. The PD should be updated to provide the confirmed dates.</i>	The updated Programme Document specified that the statutory consultation took place from 8 October 2024 to 19 November 2024.
3		<i>The [AoCM] is included in the timetable, at Quarter 4 2025,</i>	The updated Programme Document specified that the

Ref. No.	Topic	Advice	Applicant Response
		<i>but it would be helpful if the timeframe could be narrowed.</i>	AoCM would be provided in January 2025.
4		<i>The application submission is included in the timetable as Quarter 1 2025; it would be helpful if the timeframe could be narrowed.</i>	The Applicant kept the Planning Inspectorate informed of the intended submission date
5		<i>The PD does not provide any timescales for the submission of draft documents for the Inspectorate's review, or confirmation of what documents will be submitted. The PD should be updated to provide an accurate date for this submission, allowing a six week period for the Inspectorate's review, ensuring sufficient time before the application submission date to demonstrate regard to the Inspectorate's comments.</i>	The Applicant provided updates to PINS regarding documents to be submitted in draft for review within project update meetings and in correspondence. The updated Programme Document also confirmed that draft documents would be submitted in January 2025.
6		<i>It would be helpful if the PD could provide approximate timescales for project update meetings with the Inspectorate. It would also be helpful to list any future meetings with key stakeholders to enable those parties to deploy resources effectively.</i>	The Applicant updated the Programme Document to specify further detail on project update meetings with PINS and noted that the Applicant will agree a programme for additional meetings with PINS in the lead-up to submission.
7	Bilingual publication	<i>Is the Applicant intending to publish a bilingual version of the PD on its website?</i>	A Welsh version of the Programme Document was originally published on the Applicant's website on 14 January 2025.

