



Planning Inspectorate  
Arolygiaeth Gynllunio

**Application by Uniper UK for an order granting development consent for the Connah's Quay Low Carbon Power Project (EN010166)**

**Agenda for compulsory acquisition hearing 1 (CAH1):**

Notification of the date, time, and venue for this compulsory acquisition hearing 1 (CAH1) was provided in annex C to the Examining Authority's (ExAs) [Rule 8](#) letter [PD-010] dated 20 January 2026.

| Hearing  | Date and Time  | Location  |
|--|--|---|
| <b>Compulsory acquisition hearing 1 (CAH1)</b> | <b>Wednesday 18 March 2026</b><br><b>Hearing starts at 1400hrs</b><br>Registration and seating available at venue from 1330hrs and virtual registration process from 1345hrs | Village Hotel - Chester St David's<br>St. David's Park, Ewloe, Deeside CH5 3YB<br>and<br>By virtual means using Microsoft Teams<br><br>Full instructions on how to join online or by telephone will be provided in advance to those who have pre-registered |

## Agenda

1. Welcome, introductions, arrangements for the hearing
2. Purpose of the compulsory acquisition hearing
3. Main issues

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| <b>3.1.</b> | <b>The Applicant's case for Compulsory Acquisition (CA) and Temporary Possession (TP)</b> <ul style="list-style-type: none"><li>• The Applicant will be asked to present and justify its case for CA and TP by addressing the following points:</li><li>• Identification of the powers sought and their purposes.</li><li>• Relevant draft Development Consent Order provisions.</li><li>• How the relevant statutory and policy tests under the Planning Act 2008 (PA2008) (including s122, s123, s127 and s138) and Department for Communities and Local Government guidance related to compulsory acquisition would be met.</li><li>• The Applicant's strategy / criteria for determining whether to seek powers for CA of land, CA of rights or TP of land.</li><li>• Consideration of alternatives to CA / TP.</li><li>• Human rights considerations.</li></ul> |
| <b>3.2.</b> | <b>The Applicants Update as a consequence of the upcoming change request</b> <ul style="list-style-type: none"><li>• The Applicant will be asked to explain the implications of the upcoming change request in terms of the CA and TP provisions sought and how they meet the tests of the PA2008.</li></ul>   |
| <b>3.3.</b> | <b>Site specific matters</b> <ul style="list-style-type: none"><li>• The Applicant will be asked to provide an update on the progress of negotiations with Affected Persons (AP) and the timetable for their conclusion.</li><li>• APs will be asked to briefly set out any outstanding concerns in relation to CA / TP for the land in which they have an interest that have not been addressed by the Applicant.</li><li>• The ExA will ask questions of the Applicant and APs about negotiations and matters arising from written and oral submissions relating to land rights, unless objections have been withdrawn.</li></ul>  |
| <b>3.4.</b> | <b>Statutory Undertakers</b> <ul style="list-style-type: none"><li>• The Applicant will be asked to:<ul style="list-style-type: none"><li>○ Summarise any outstanding matters arising from representations by Statutory Undertakers.</li><li>○ Summarise whether the relevant tests for the exercise of power pursuant to s127 and s128 of PA2008 would be met in the event that agreement is not reached with all statutory undertakers.</li></ul></li></ul>  |

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|             | <ul style="list-style-type: none"> <li>• Any Statutory Undertaker or other relevant body in attendance and wishing to speak in relation to an objection or issue raised that is relevant to the effects of the Proposed Development on its undertaking, apparatus or land will be invited to put oral submissions to the ExA.</li> <li>• The ExA may ask questions of the Statutory Undertaker or other relevant body, and the Applicant, about matters arising from written and oral submissions.</li> </ul> |
| <b>3.5.</b> | <b>Crown Land</b> <ul style="list-style-type: none"> <li>• The ExA will ask the Applicant (and any Crown authorities present) to provide an update on matters relating to Crown land and s135 of PA2008.</li> </ul>   |
| <b>3.6.</b> | <b>Funding</b> <ul style="list-style-type: none"> <li>• The ExA will ask the Applicant to summarise, and advise of any updates to, the Funding Statement.</li> </ul>  |

**4. Review of issues, actions arising and next steps**

**5. Any other business**

**6. Close of the hearing**

## **Purpose of CAH**

The main purposes of the CAH are:

- To enable the ExA to inquire into the Applicant's case for CA of land or rights over land and / or to take TP of land.
- To discharge the ExA's duty to hear any APs who request to be heard.
- To enable the ExA to consider whether relevant legal and policy test applicable to CA / TP proposals have been met.
- To address any related matters.

## **Attendees**

The ExA would find it helpful if the following parties could attend this Hearing.

- The Applicant
- Any Affected Persons - who wish to discuss CA / TP matters.
- Statutory Undertakers - including Flintshire County Council (as lead local flood and local highways authority).
- Tata
- Any Crown authorities - who wish to discuss matters relating to Crown land.

However, this does not indicate that other parties will not be able to contribute. All Interested Parties (IP) are invited to attend and make oral representations on the matters set out in the Agenda, subject to the ExA's ability to control the Hearing.

The ExA has sought to provide sufficient detail to assist the parties to prepare for the Hearing. The details set out above are indicative and the ExA may find it necessary to include additional Agenda items or to amend the order in which the items are dealt with.

Anyone wishing to attend the hearing in person, who has not already advised the case team of this, should do so as soon as possible.

The event will be livestreamed and a link for watching the livestream will be posted on the [project webpage](#) of the National Infrastructure Planning website closer to the hearing date. IPs and members of the public who wish to observe the hearing can therefore view and listen to the hearing using the livestream, or view and listen to the recording, after it has concluded.

## **Registration process**

Parties who have registered to speak (both in person and virtually) will receive a joining instruction email shortly before the hearing which will include a link to the virtual event on Microsoft Teams, and a telephone number should they need to participate by telephone. To enable the hearing to start on time at **1400hrs** those attending virtually should join promptly at **1345hrs** to ensure that all virtual attendees can complete the registration process in good time.

## **Procedure at ISH**

Guidance under the Planning Act 2008 and the Infrastructure Planning (Examination Procedure) Rules 2010 provides that it is for the ExA to probe, test and assess the evidence through direct questions of persons making oral representations at hearings. Questioning at the hearing will be led by the ExA. Cross questioning of a

person giving evidence by another person will only be permitted if the ExA decides it is necessary to ensure representations are adequately tested or that an IP has had a fair chance to put its case.

The hearing will finish as soon as the ExA deems that all those present have had their say and that all matters have been covered. If there are additional matters to be dealt with, it may be necessary to defer some matters to written questions. The evidence presented orally at OFH1 should be included in post-hearing submissions and submitted by **Deadline 4** (31 March 2026).

### **Welsh language**

We welcome contributions in Welsh during the examination. Translation facilities will be present at any hearings held, to allow those present to make contributions in Welsh, if they wish to do so.

Rydym yn croesawu cyfraniadau yn Gymraeg yn ystod yr arholiad. Bydd cyfleusterau cyfieithu yn bresennol mewn unrhyw wrandawiadau a gynhelir, er mwyn caniatáu i'r rhai sy'n bresennol wneud cyfraniadau yn Gymraeg, os ydynt yn dymuno gwneud hynny