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Connah's Quay Low Carbon Power

Draft Statement of Common Ground between Uniper UK Limited and National Gas Transmission plc (Tracked)

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Planning Act 2008 (as amended)

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1. Introduction

1.1 Purpose of this Document

- 1.1.1 This Statement of Common Ground (SoCG) has been prepared to support the application (the Application) for the Connah's Quay Low Carbon Power Project (the Proposed Development) made by Uniper UK Limited (the Applicant). The Application was submitted to the Secretary of State for a Development Consent Order (DCO) (the Order) under section 37 of the Planning Act 2008 in July 2025. The Application was accepted for examination on 28 August 2025, and the Examination commenced on 13 January 2026.
- 1.1.2 This SoCG does not seek to replicate information which is available elsewhere within the Application documents.
- 1.1.3 SoCGs are an established means in the planning process of allowing all parties to identify and so focus on specific issues that may need to be addressed during the examination. This SoCG has been produced to confirm to the Examining Authority (ExA) where agreement has been reached between the parties and where matters are under discussion or where agreement has not been reached. The SoCG will be progressed during the ~~pre-examination and examination periods~~ period to reach a final position between the Parties and to clarify if any issues remain unresolved. This SoCG will be revised and updated as appropriate and/or required by the ExA at relevant examination deadlines.

1.2 Parties to this Statement of Common Ground

- 1.2.1 This SoCG has been prepared between (1) the Applicant and (2) National Gas Transmission Plc (National Gas) (jointly referred to as the Parties).

The Applicant:

- 1.2.2 The Applicant is a UK-based company, wholly owned by Uniper SE (Uniper) through Uniper Holding GmbH. Uniper is a European energy company with global reach and activities in more than 40 countries. With around 7,500 employees, the company makes an important contribution to security of supply in Europe, particularly in its core markets of Germany, the UK, Sweden, and the Netherlands. In the UK, Uniper owns and operates a flexible generation portfolio of power stations, a fast-cycle gas storage facility and two high pressure gas pipelines, from Theddlethorpe to Killingholme and from Blyborough to Cottam.

Uniper is committed to investing around €8 billion (~£6.9 billion) in growth and transformation projects by the early 2030s and aims to be carbon-neutral by 2040. To achieve this, the company is transforming its power plants and facilities and investing in flexible, dispatchable power generation units. Uniper is one of Europe's largest operators of hydropower plants and is helping further expand solar and wind power, which are essential for a more sustainable and secure future. Uniper is gradually adding renewable and low-carbon gases such as biomethane to its gas portfolio and is developing a hydrogen portfolio with the aim of a long-term transition. The company plans to offset any remaining CO2 emissions by high-quality CO2-offsets.

National Gas:

- 1.2.3 National Gas owns and operates the national gas network and provides gas transmission and metering services in the UK. National Gas has a licence to operate the national gas transmission network. This complex matrix of pipelines transports gas from its points of entry to power stations, industrial plants, storage facilities and to local Gas Distribution Networks. National Gas is under a statutory duty (under section 9 of the Gas Act 1986) to, inter alia, develop and maintain an efficient and economical network for the conveyance of gas.
- 1.2.4 The Application includes provisions which would, if granted, authorise the Applicant to carry out works in and in close proximity to land and assets belonging to National Gas and to use such land temporarily and to acquire permanent interests in such land.
- 1.2.5 It is National Gas's position that nothing in the Application shall permit any works that interfere with National Gas's easement rights, restrict operational access, or compromise the safe operation of the gas transmission pipeline. Any works within or near the easement may only proceed in accordance with National Gas's technical, operational, and safety standards, and only with National Gas's prior written consent.

1.3 The Proposed Development

- 1.3.1 The Applicant is seeking a DCO for the construction, operation (including maintenance) and decommissioning of a proposed low carbon Combined Cycle Gas Turbine (CCGT) Generating Station fitted with Carbon Capture Plant (CCP) (the 'Connah's Quay Low Carbon Power (CQLCP) Abated Generating Station') and supporting infrastructure (collectively 'the Proposed Development').
- 1.3.2 The CQLCP Abated Generating Station would comprise up to two CCGT with CCP units (and supporting infrastructure) achieving a net electrical output capacity of more than 350 megawatts (MW; referred to as MWe for electrical output) and up to a likely maximum of 1,380 MWe (with CCP operational) onto the national electricity transmission network.
- 1.3.3 Through a carbon dioxide (CO₂) pipeline, comprising existing and new elements, the Proposed Development would make use of CO₂ transport and storage networks owned and operated by Liverpool Bay CCS Limited, currently under development as part of the HyNet Carbon Dioxide Pipeline project (referred to as the 'HyNet CO₂ Pipeline Project'), that will transport CO₂ captured from existing and new industries in North Wales and North- West England, for offshore storage. The captured CO₂ will be permanently stored in depleted offshore gas reservoirs in Liverpool Bay.
- 1.3.4 For the purposes of the electrical connection, National Grid Electricity Transmission plc (NGET), which builds and maintains the electricity transmission networks, is responsible for the operation and maintenance of the existing 400 kV NGET Substation.
- 1.3.5 A description of the Proposed Development, including details of maximum parameters, is set out in **Chapter 4: The Proposed Development** of the **Environmental Statement (ES) (EN010166/APP/6.2.4)**. At this stage in the

development, the design of the Proposed Development incorporates a necessary degree of flexibility to allow for ongoing design development.

1.4 Terminology

1.4.1 Section 3 summarises the issues that are 'agreed', 'not agreed' or are 'under discussion'.

1.4.2 These terms are used as follows:

- "Agreed" indicates where the issue has been resolved;
- "Under discussion" indicates where these points will be the subject of ongoing discussion wherever possible to resolve, or refine, the extent of disagreement between the parties; and
- "Not Agreed" indicates a final position where the Parties have agreed to disagree.

2. Record of Engagement

2.1.1 A summary of all meetings and correspondence that has taken place between the Parties in relation to the Application is outlined in **Table 1**. This includes email correspondence between the Parties to discuss sharing of information, arrangement of meetings and where appropriate to comment on draft documentation. **Table 1** reflects the key meetings and emails of note.

Table 1: Record of Engagement

Date	Form of Correspondence and Attendees	Key Topics Discussed and Key Outcomes
7 January 2025	Email from the Applicant to National Gas	Sharing a copy of the protective provisions to be included in Part 1 of the draft DCO.
7 January 2025	Email from National Gas to the Applicant	Requesting confirmation of red line boundary.
22 January 2025	Email from the Applicant's consultant Aecom to National Gas	Providing detail of red line boundary.
11 March 2025	Email from National Gas's solicitors to the Applicant's solicitors	Introduction and request for undertaking covering fees related to protective provisions.
14 May 2025	Email from the Applicant's solicitors to National Gas's solicitors	Providing the required undertaking and requesting copy of provisions.
28 May 2025	Email from National Gas's	Confirming hope to

Date	Form of Correspondence and Attendees	Key Topics Discussed and Key Outcomes
	solicitors to the Applicant's solicitors	provide copy of requested provisions shortly.
3 June 2025	Email from the Applicant's solicitors to National Gas's solicitors	Following-up on when National Gas's protective provisions will be provided.
23 June 2025	Email from National Gas's solicitors to the Applicant's solicitors	Requesting confirmation as to undertaking covering SoCG.
1 July 2025	Email from the Applicant's solicitors to National Gas's solicitors	Providing the required undertaking confirmation.
1 July 2025	Email from National Gas's solicitors to the Applicant's solicitors	Providing copy of requested protective provisions.
1 August 2025	Email from the Applicant's solicitors to National Gas's solicitors	Providing mark-up of draft protective provisions and confirming this reflects the provisions to be placed on the face of the Draft DCO.
14 August 2025	Email from the Applicant's solicitors to National Gas's solicitors	Following-up to check whether there are any comments on the protective provisions shared.
15 August 2025	Email from National Gas's solicitors to the Applicant's solicitors	Confirmed awaiting instructions.
26 August 2025	Email from the Applicant's solicitors to National Gas's solicitors	Following-up to check whether there are any comments on the protective provisions shared.
4 September 2025	Email from the Applicant's solicitors to National Gas's solicitors	Following-up to check whether there are any comments on the protective provisions shared.
16 September 2025	Email from the Applicant's solicitors to National Gas's solicitors	Following-up to check whether there are any comments on the protective provisions

Date	Form of Correspondence and Attendees	Key Topics Discussed and Key Outcomes
		shared.
19 September 2025	Email from National Gas's solicitors to the Applicant's solicitors	Confirmed awaiting instructions and noted end of relevant representation period.
23 October 2025	Email from the Applicant's solicitors to National Gas's solicitors	Following-up to check whether there are any comments on the protective provisions shared.
30 October 2025	Email from National Gas's solicitors to the Applicant's solicitors	Providing updated version of protective provisions with mark-up.
5 February 2006	Email from the Applicant's solicitors to National Gas's solicitors	Providing updated version of protective provisions with mark-up.
2 March 2026	Email from National Gas's solicitors to the Applicant's solicitors	Providing updated version of protective provisions with mark-up.
<u>25 March 2026</u>	<u>Email from the Applicant's solicitors to National Gas's solicitors</u>	<u>Providing updated version of protective provisions with mark-up.</u>
<u>27 March 2026</u>	<u>Email from the Applicant's solicitors to National Gas's solicitors</u>	<u>Providing updated version of the side agreement with mark-up.</u>
<u>30th March 2026</u>	<u>Emails between the Applicant and National Gas</u>	<u>Requesting detailed asset plans which National Gas provided</u>
<u>10 April 2026</u>	<u>Email from National Gas's solicitors to the Applicant's solicitors.</u>	<u>Providing updated version of protective provisions with mark-up.</u>

3. Areas of Discussion between the Parties

3.1.1 Table 2 below details the areas of discussion and matters that are agreed, under discussion and not agreed between the Parties.

Table 2: Areas of discussion between the Parties

Ref.	Subject	Relevant Application Document	Applicant Position	National Gas Position	Status	Likelihood of resolution
1	Protective Provisions	Draft DCO (EN010166/APP/3.1)	The Draft DCO should include provisions for the protection of National Gas.	The Draft DCO should include provisions for the protection of National Gas.	Agreed	N/A
2	Protective Provisions	Draft DCO (EN010166/APP/3.1)	The drafting of the protective provisions on the face of the Draft DCO (EN010166/APP/3.1) is to be agreed with National Gas.	<p>National Gas is continuing to negotiate and engage with the Applicant in order to agree protective provisions as soon as possible.</p> <p>National Gas considers that bespoke protective provisions are required in respect of its assets, and any other National Gas infrastructure located within the current Order Limits, or in close proximity to the authorised development and associated works. These bespoke protective provisions are required to ensure</p> <ul style="list-style-type: none"> that all NGT interests and rights, including rights of access to its apparatus including Feeder Mains and any other Above-Ground Installations (AGI) are protected; that appropriate protection for apparatus including Feeder Mains, AGI's and any other retained apparatus is maintained during and after construction of the Authorised Development in accordance with both the protective provisions and the relevant safety standards. <p>As a responsible statutory undertaker, National Gas must meet its statutory obligations and ensure that any development does not impact in any adverse way upon those statutory obligations. The current protective provisions proposed by the Applicant are not sufficient as they do not contain the robust protections that National Gas requires. National Gas is liaising with the Applicant in relation to the protective provisions for inclusion within the DCO along with any supplementary agreements which may be required.</p>	Under discussion	High
3	DCO Articles and Requirements	Draft DCO (EN010166/APP/3.1)	The Draft DCO includes articles and requirements which are appropriate for the Proposed Development.	National Gas has no objection to the drafting of the articles and requirements in the Draft DCO, National Gas reiterates the importance however of the Applicant agreeing to the Protective Provisions.	Agreed	N/A

4. Approvals

4.1 The Applicant

Signed: _____

Name: _____

Position: _____

Date:

Signed: _____

Name: _____

Position: _____

Date: _____

4.2 National Gas

Signed: _____

Name: _____

Position: _____

Date: _____

