

Planning Act 2008
Statement on Section 106
Interested Party Ref: [REDACTED]
ExA Ref: EN010166



**Connah's Quay Low Carbon Power
NATIONALLY SIGNIFICANT INFRASTRUCTURE PROJECT
FLINTSHIRE COUNTY COUNCIL**

Interested Party Ref: [REDACTED]

**Statement on Section 106
Submitted at Deadline 6 – Friday 29 May 2026**

Proposal:	Application by Uniper UK Limited for a Development Consent Order
Prepared by:	[REDACTED], Senior Planning Officer, Flintshire County Council
Date:	29 May 2026

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

The Interested Party Flintshire County Council's (FCC) Statement on Section 106

Dated: 29 May 2026 Deadline 6

The Interested Party Flintshire County Council's (FCC) is required to provide final signed and dated Section 106 (in clean and tracked versions) at Deadline 6.

Statement

The draft Section 106 Agreement is not agreed.

SAC Management Contribution

The Section 106 can be agreed in principle in so far as it relates to the SAC Management Contribution (subject to obtaining authority to enter into it) and clarification regarding minor detail on the plan and terms of amendments to the breakdown of works to the SAC Area.

The Council would be able to carry out the additional pond work per year, but this would require an increase in the ranger man days to 3 to account for this change, which adds an additional £275 to the cost, which equates to £20,625 for aquatic works and bringing the total to £64,543.

This information has been provided to the Applicants solicitor on 29 May 2026.

Saltmarsh Management Contribution

In terms of the proposed additional contribution for management of the Saltmarsh owned by the Council we cannot agree the details. We received the latest revised draft Section 106 Agreement on the 28 May 2026.

Changes proposed in relation to the Saltmarsh Management Contribution are linked to a Management Plan and are below:

- 1) The Saltmarsh Management Contribution has been increased to from £13,440 (proposed on the 18 May) to £135,315 (clause 1.1) (proposed on the 28 May).
- 2) An obligation has been added on Uniper to submit to the Council for approval a Nitrogen Management Plan that will set out the measures to mitigate the nitrogen deposition impacts of the Project, on which the Saltmarsh Management Contribution should then be spent (clauses 1.1 and 4.1).

There is a significant increase in the funds being offered from that under discussion on the 18 May 2026 and whilst the Authority can understand why a Nitrogen Management Plan is proposed, as it seems to be a method to address uncertainty over what is needed, there is a significant concern as to whether the Council will be able to deliver a plan given it is yet to have sight of it. Further to this we are unsure of the scale of work required by the Council.

There is a significant differential between the original sum offered and it seems to load responsibility for nitrogen mitigation onto the Council. For the avoidance of doubt there has been no direct contact from Uniper to the Council or from Natural Resources Wales on this matter and the proposed significant financial uplift in contribution.

Any queries regarding should be directed to:

[REDACTED]

Senior Planning Officer

North Wales Minerals and Waste Planning Service

Place and Growth Portfolio

Flintshire County Council

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