

To:

Our Ref: EN010166

Uniper UK Limited
The Crown Estate / The King's Most Excellent Majesty
in Right of His Crown
Ministry of Defence
The National Assembly for Wales
Natural Resources Wales
Flintshire County Council
Natural England
Network Rail Infrastructure Limited
National Grid Electricity Transmission PLC
National Gas Transmission PLC
Tata Steel UK Limited
Royal Mail Group Limited
SP Energy Networks
EirGrid Interconnector Designated Activity Company

8 October 2026

Dear Sir or Madam,

Planning Act 2008 and The Infrastructure Planning (Examination Procedure) Rules 2010

Application by Uniper UK Limited ("the Applicant") for an Order granting Development Consent for the proposed Connah's Quay Low Power Project ("the Proposed Development")

REQUEST FOR INFORMATION

1. Following the completion of the Examination on 9 June 2026, the Examining Authority submitted a Report and Recommendation in respect of its findings and conclusions on the above application to the Secretary of State on 9 September 2026. In accordance with section 107 of the Planning Act 2008, the Secretary of State has three months to determine the application.
2. There are issues on which the Secretary of State would be grateful if the **Applicant, The Crown Estate / The King's Most Excellent Majesty in Right of his Crown, Ministry of Defence, The National Assembly for Wales, Natural Resources Wales, Flintshire County Council, Natural England, Network Rail Infrastructure Limited, National Grid Electricity Transmission PLC, National Gas Transmission PLC, Tata Steel UK limited, Royal Mail Group Limited, SP Energy Networks, and EirGrid Interconnector Designated Activity Company** could provide updates or information as appropriate.

Habitual Regulations Assessment

Conclusions on Likely Significant Effects (LSE)

3. The Secretary of State requests that **Natural England** (“NE”) provides its final views on the potential impacts of atmospheric pollution from construction activities on English units of affected European sites, raised in RR-026, REP3-051, REP4-072 and unresolved in REP7-028.
4. The Secretary of State requests that **NE** provides its views on the further information on operational stack ammonia emissions submitted by the Applicant [REP6-088] at deadline 6.
5. The Secretary of State requests that **NE** provides its final views on the potential for the Proposed Development to affect features of the Dee Estuary Special Protection Area (“SPA”) and Ramsar site through impacts to bird flight lines from barriers to movement, as discussed in the Applicant’s submission REP3-059.
6. The Secretary of State requests that **Natural Resources Wales** (“NRW”) provides its views on the potential for noise disturbance from barge movements to affect the Dee Estuary SPA and Ramsar site in response to the Applicant’s submission REP7-037.
7. The Secretary of State requests that **NRW** provides its views on how these barge movements could impact benthic habitats in the River Dee and Bala Lake Special Area of Conservation (“SAC”) in response to the Applicant’s submission REP7-037.
8. The Secretary of State requests that the **Applicant** provides an updated in-combination assessment to include the additional projects of the Knauf Mineral Rock Wool Facility and the Arrow Bio Water Recycling Facility. This should address points raised by NE [REP7-041] and NRW [REP7-042] related to this matter.
9. The Secretary of State requests that **NE** provides its final views on the area of Atlantic salt meadow affected by nitrogen deposition in the Applicant’s in-combination assessment of LSE, as discussed in REP6-088 and marked as unresolved in REP7-029.
10. The Secretary of State requests that **NE** provides its final views on the point sources for ammonia included in the Applicant’s in-combination assessment of likely significant effects, as discussed in REP6-088 and marked as unresolved in REP7-029.

Impacts on Atlantic salt meadow

11. The Secretary of State invites **NRW** and **Flintshire County Council** (“FCC”) to provide any final comments on the latest outline Saltmarsh Implementation and Monitoring Plan (“oSIMP”) [REP7-023] including on the potential for the proposed measures to compensate for the impacts of habitat loss on Atlantic salt meadow and any suggested amendments.
12. The Secretary of State requests that the **Applicant** provides a revised oSIMP that specifies any additional management measures needed to mitigate any potential

effects from nitrogen deposition on the Saltmarsh Creation Area (“SCA”) during operation of the Proposed Development. It should also address any outstanding comments from NRW [REP7-042] provided in relation to the Applicant’s response to RIES Q.36.

13. The Secretary of State requests the **Applicant**, **NRW** and **NE** provide their views on proposed drafting for Part 2 to Schedule 16 of the draft Development Consent Order (“DCO”) (provided at Annex A below) including in respect of steering group membership, the content and discharge of the oSIMP, the maintenance period of the compensation measure, and the monitoring and reporting process.
14. The Secretary of State requests that the **Applicant** provides further details on saltmarsh soil storage and reinstatement alongside the results of the scarce plant survey conducted in the areas of temporary and permanent loss of Atlantic salt meadow, as advised by NRW [REP4-062].
15. The Secretary of State notes NRW’s advice [REP4-091] that the Applicant has made no changes to the predicted area of affected Atlantic salt meadow following the proposed change to stack heights that will lead to a reduction in the individual and in-combination nitrogen deposition process contribution from the proposed development. **NRW** is requested to confirm it is content with this approach.
16. The Secretary of State requests **NRW** and **FCC** to provide their final positions on the Saltmarsh Management Contribution and Nitrogen Management Plan including on the potential for the proposed measures to compensate for the impacts of increased nitrogen deposition on Atlantic salt meadow, the suitability of proposed monitoring arrangements and any recommended amendments.
17. Without prejudice to her final decision, the Secretary of State requests that the **Applicant** provides a Deed of Development Consent Obligations signed by all relevant parties to effectively secure its proposed compensation measures for the impacts of increased nitrogen deposition on Atlantic salt meadow. If a signed Deed is not yet available, the Secretary of State requests that the Applicant submits a draft Deed of Development Consent Obligations accompanied by an in-principal letter of support from FCC along with an update as to the status of negotiations to date and detailed proposals for completion of the Deed. The **Applicant** should provide a draft Nitrogen Management Plan to support these Deeds. Should neither option be considered possible the **Applicant** and **FCC** are requested to explain why not.
18. In addition, and on a without prejudice basis, the **Applicant** is requested to provide a draft DCO schedule and an outline Compensation Implementation and Monitoring Plan to cover its proposed compensation measures for the impacts of increased nitrogen deposition on Atlantic salt meadow. This should include the following:
 - Proof of the Applicant’s funds and a relevant funding schedule to be agreed with FCC.
 - Details as to how the proposed compensatory measures would provide optimal conditions.

- Details on why the sites are ecologically suitable for the proposed compensation.
- Implementation timetables and programmes.
- Details as to any consents, licences, and approvals needed for implementation.
- Ongoing management and maintenance of the compensation measures and sites.
- Details of access and biosecurity of the compensation sites.
- Further detail on the methodology for baseline and ongoing post implementation monitoring of the compensatory measures.
- Details of the success criteria, including thresholds for determining compensation success and the trigger thresholds for adaptive management measures.
- Details of the annual reporting process to the Secretary of State and environmental data sharing.
- Explicit consideration of the management measures required to mitigate any potential indirect effects from nitrogen deposition during operation of the proposed development on other qualifying features of the Aber Dyfrdwy/ Dee Estuary SAC, SPA and Ramsar site.

Impacts to Functionally Linked Land ("FLL")

19. The Secretary of State notes the request for updated ornithology survey data by NE in REP6-097 that includes data from Deeside Naturalist Society ("DNS"). She also notes the Applicant's response to RIES Q.15 [REP6-088] which explains that this data does not cover the Order limits. NRW's comments on RIES Q.15 [REP7-042] acknowledge the confirmation regarding the DNS data and suggests that having considered the information in Appendix 11D: Ornithology Technical Appendix [REP6-029] NRW is now satisfied with the baseline ornithology data provided by the Applicant.
20. **NRW** is requested to provide its final position on this matter and confirm if the baseline ornithology data is now adequacy for it to rule out functional linkage between the main development area and the Dee Estuary SPA and Ramsar site for all features except Curlew. **NRW** should provide its final conclusions regarding adverse effects on the integrity of the Dee Estuary SPA and Ramsar site.
21. Noting NRW's position in REP6-097, **NE** is invited to confirm if those data resolve its concerns regarding FLL and adverse effects on the integrity of the Dee Estuary SPA and Ramsar.
22. The **Applicant** is requested to confirm the DNS data does not cover the Order limits. The **Applicant** is also requested to present detailed and summary versions of the Aspect Ecology data (along with any other ornithology data collected as part of the management plan for the existing Connahs Quay Power Station) both spatially and in tabular form, to differentiate between counts inside (on the development fields) and outside (in compartments 1 and 2) the Order limits. If possible, BTO WeBS data from core sector 69426 should also be presented in the same format. This information is required to further inform the Secretary of State's appropriate assessment of the impacts to the Aber Dyfrdwy/Dee Estuary SPA and

Ramsar site and assist her in establishing which qualifying ornithological features may be present within the Order limits in significant numbers (i.e. exceeding 1% of the SPA/Ramsar population) and consequently whether mitigation and/or compensation for those qualifying features is necessary.

23. Relatedly, the **Applicant** is requested to update its Report to Inform Habitats Regulations Assessment ("RIHRA") to provide explicit consideration of all qualifying ornithology features of the Aber Dyfrdwy/Dee Estuary SPA and Ramsar site. This should include a definition of 'regular use' in relation to functional linkage, preferably in agreement with NRW and NE. Where any of the data indicate a feature has been observed using the Order limits in significant number on any occasion this should be highlighted and clearly addressed in consideration of LSE and site integrity. The updated RIHRA should clearly specify for each feature whether the Applicant considers there is LSE. For each feature where there is LSE the **Applicant** should identify and assess the impacts to this feature in the appropriate assessment.
24. Where, following the updates to the baseline ornithology data and RIHRA requested above, the Applicant cannot rule out impacts to SPA features that utilise the Order limits in numbers exceeding 1% of the SPA population, the **Applicant** is requested to submit an updated 'without prejudice' derogations case in respect of those features, including any relevant outline plans.
25. The Secretary of State requests that **NRW, NE** and **FCC** provide their final views on the proposed compensation measures at Gronant Fields, including on the potential for the proposed measure to compensate for impacts to curlew from the loss of FLL, whether the proposals conflict with other conservation objectives at the site and whether **NRW** it is satisfied with the updated definition of 'in perpetuity' in the updated oCIMP [REP7-021].
26. The Secretary of State requests the **Applicant, NRW** and **NE** provide their views on proposed drafting for Part 1 to Schedule 16 of the draft DCO (provided at Annex B below).

Impacts on old sessile oak woods with Ilex and Blechnum in the British Isles

27. The Secretary of State requests that the **Applicant** provides an updated 'without prejudice' derogation case to include the increased nitrogen deposition effect on the old sessile oak woods of the Deeside and Buckley Newt Sites SAC. This should include consideration of alternatives, Imperative Reasons of Overriding Public Interest and details of proposed compensatory measures.
28. Without prejudice to her final decision, the Secretary of State requests that the **Applicant** provides a Deed of Development Consent Obligations signed by all relevant parties to effectively secure its proposed compensation measures for the impacts of increased nitrogen deposition on old sessile oak woods. If a signed Deed is not yet available, the Secretary of State requests that the Applicant submits a draft Deed of Development Consent Obligations accompanied by an in-principal letter of support from FCC along with an update as to the status of negotiations to date and detailed proposals for completion of the Deed. If a signed Deed is not yet

available, the Secretary of State requests that the Applicant submits a draft Deed of Development Consent Obligations accompanied by an in-principal letter of support from FCC along with an update as to the status of negotiations to date and detailed proposals for completion of the Deed. The **Applicant** should provide a draft Nitrogen Management Plan to support these Deeds. Should neither option be considered possible the Applicant and FCC are requested to explain why not.

29. In addition, and on a without prejudice basis, the **Applicant** is requested to provide a draft DCO schedule and an outline Compensation Implementation and Monitoring Plan to cover its proposed compensation measures for the impacts of increased nitrogen deposition on Oak woodland. This should include the following: Proof of the applicant's funds and a relevant funding schedule to be agreed with FCC.

- Details as to how the proposed compensatory measures would provide optimal conditions.
- Details of the measures/ activities to be undertaken with the financial contribution including implementation timetables and programmes.
- Details as to any consents, licences, and approvals needed for implementation.
- Ongoing management and maintenance of the compensation measures and sites.
- Details of access and biosecurity of the compensation sites.
- Further detail on the methodology for baseline and ongoing post implementation monitoring of the compensatory measures.
- Details of the success criteria, including thresholds for determining compensation success and the trigger thresholds for adaptive management measures.
- Details of the annual reporting process to the Secretary of State and environmental data sharing.

Invasive Non-native Species ("INNS")

30. The Secretary of State notes the Applicant's commitment in the Framework Construction Environment Management Plan [REP7-013] to provide an updated Invasive Species Management Plan prior to construction activities. The **Applicant** is requested to highlight the mechanism that will secure this commitment.

Noise and visual disturbance

31. The Secretary of State notes that the responses of birds to noise and visual disturbance will be monitored during construction. The **Applicant** is requested to provide an updated framework Construction Environmental Management Plan which sets out clearly defined trigger thresholds for noise disturbance to ornithology features of the Aber Dyfrdwy/Dee Estuary SPA and Ramsar site and presents an outline adaptive management process should these be exceeded.

Waterborne pollution

32. The Secretary of State requests that the **Applicant** updates the RIHRA to provide further information on and assessment of waterborne pollution to qualifying features of European sites. This should include an assessment of the polluting substances, the potential concentration (the credible worst-case scenario) of those substances at the point of impact, the effects on water quality, and the impacts of those effects on the identified and relevant qualifying habitats or features. This should also include detail of any mitigations.

Additional matters

33. The Secretary of State requests that **NRW** provides its views on the Applicant's final approach [CR1-020, CR1-118, REP4-017, and REP6-025] to determining both HRA and Environmental Impact Assessment impacts from atmospheric pollution, including greenhouse gases, following Change Request 4 to reduce stack heights.
34. **NRW**, **NE** and **FCC** are invited to provide any additional comments on the Notice of a proposed without prejudice HRA derogation in Wales [REP7-032] and including the proposed compensation measures and any related outline plans or draft documents.
35. The Secretary of State invites **NE** and **NRW** to provide comment on any other outstanding HRA matters related deadline 7 submissions.

Environment Impact Assessment

Implications of HRA updates

36. The **Applicant** is requested to provide commentary on any implications to its EIA as a result of the responses to the above HRA questioning. Without prejudice to the Secretary of State's decision, this should consider the scenario where the Saltmarsh Creation Area, Gronant Fields measures, Saltmarsh Management Contribution and financial contribution for management at Deeside and Buckley Newts SAC (or equivalent measures), are taken forward as compensation not mitigation.

Traffic and Transport

37. The Secretary of State requests that the **Applicant** provides its views in response to FCC's comments in respect of traffic and transport in the final Statement of Common Ground [REP7-025] regarding its assessment methodology, assessment outcomes, and residual effects after mitigation. This should include reference to the modelling, impacts, and proposed efficacy of mitigation for receptors on Kelsterton Road, particularly. Updated plans should be provided where appropriate.

Net Benefit for Biodiversity ("NBB")

38. The **Applicant**, **FCC** and **NRW** are requested to provide their final positions on the NBB provision including on any potential conflicts with the 'without prejudice'

compensation proposals at Gronant Fields and other habitat creation/biodiversity requirements.

Land Rights and Related Matters

39. **The Crown Estate, The National Assembly for Wales, the Ministry of Defence,** and the **Applicant** are requested to provide updates on the status of negotiations regarding the section 135 consent sought by the Applicant in relation to the following plots detailed in REP6-004 and REP6-013:

- Land plots 7/3, 7/4, 7/5, 7/6, 7/22 relating to the Flint AGI site, in which the **Ministry of Defence** has a third-party interest.
- Land plot 6/3 a section of public highway in which **The National Assembly for Wales** is the freeholder and the applicant is seeking Compulsory Acquisition (“CA”) subsurface rights.
- Numerous land plots in **the King's Most Excellent Majesty in Right of His Crown** for which a range of land rights are sought ranging from CA of land, CA of rights and Temporary Possession of land.

40. Please advise whether agreement is expected to be reached and confirm when the consent is expected to be granted if so.

41. The **Applicant** is requested to provide an update on the status of negotiations in relation to the voluntary agreements for the following affected persons:

- **Trustees of J.A. Thomas Deceased (Ann Louise Ratcliffe, Carole Jan Petryszyn, Geoffrey Alun Ratcliffe)**
- **Frances Jones, Glyn Jones, Kevin Glyn Jones**
- **Essity UK Limited**
- **Flintshire County Council**
- **Tata Steel UK Limited**
- **Unknown Land plots: Numerous**

42. The **Applicant** and the following **statutory undertakers** are requested to provide an update on the status of negotiations in relation to its protective provisions, including any updates to drafting of protective provisions:

- **Network Rail Infrastructure Limited**
- **National Grid Electricity Transmission PLC**
- **National Gas Transmission PLC**
- **Tata Steel Uk Limited**
- **Royal Mail Group Limited**
- **SP Energy Networks**
- **EirGrid Interconnector Designated Activity Company**

DEADLINE FOR RESPONSE

43. The deadline for response is **23:59 on 29 October 2026.**

44. Responses should be submitted **by email only** to ConnahsQuay@planninginspectorate.gov.uk.
45. Responses will be published on the Connah's Quay Low Carbon Power Project page of the National Infrastructure Planning website **as soon as possible after 29 October 2026**:
<https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/EN010166>
46. This letter is without prejudice to the Secretary of State's consideration of whether to grant or withhold development consent for the Proposed Development or any part of the project. Nothing in this letter is to be taken to imply what the eventual decision might be or what final conclusions the Secretary of State may reach on any particular issue which is relevant to the determination of the application.

Yours faithfully,



James Dawkins

Head of Planning

Department for Energy Security & Net Zero

Annex A – draft Part 2 to Schedule 16 of the draft DCO (linked to paragraph 13 above)

PART 1

**Dee Estuary / Aber Dyfrdwy Special Area of Conservation / Special Protection Area /
Ramsar site: delivery of measures in respect of saltmarsh**

1. In this Part of this Schedule—

“SIMP” means the Saltmarsh Implementation and Monitoring Plan for the delivery of measures to compensate for the loss of Atlantic salt meadow as a result of the authorised development and which shall generally accord with the outline SIMP;

“compensation measure” means the measure to enable the retreat of saltmarsh through modification of existing embankments to compensate for the loss of Atlantic salt meadow as a result of the authorised development;

“SSG” means the Saltmarsh Steering Group which shall be established to inform, through consultation, the undertaker in the scope and delivery of the SIMP; and

“outline SIMP” means the Outline Saltmarsh Implementation and Monitoring Plan identified in the table at Schedule 14 (documents and plans to be certified) and which is certified as such by the Secretary of State for the purposes of this Order in accordance with article **Error! Reference source not found.** (certification of plans, etc.).

2.—(1) No stage of Work No. 5 may commence until a plan for the work of the SSG has been submitted to and approved in writing by the Secretary of State.

(2) The plan submitted pursuant to sub-paragraph (1) must include:

- (a) terms of reference of the SSG;
- (b) the membership of the SSG, having regard to the requirements in sub-paragraph (3);
- (c) details of the schedule of meetings, timetable for preparation of the SIMP, and reporting and review periods; and
- (d) the dispute resolution mechanism and confidentiality provisions.

(3) The undertaker must invite representatives from the relevant statutory nature conservation body and the relevant local planning authority for the area in which the compensation measure is to be delivered to participate in the SSG.

(4) The SSG must be consulted on the proposed SIMP to be approved pursuant to paragraph 8(1) prior to the submission to the Secretary of State.

3.—(1) No stage of Work No. 5 may commence until the SIMP has been submitted to and approved in writing by the Secretary of State, in consultation with relevant statutory nature conservation body and the relevant local planning authority for the area in which the compensation measure is to be delivered.

(2) The SIMP must be in general accordance with the outline SIMP and include the following—

- (a) details of the aims and objectives of the plan;
- (b) details of the extent and condition of the existing pioneer saltmarsh and Atlantic salt meadow vegetation communities intended to colonise the locations where the compensation measure will be delivered;
- (c) details of the locations where the compensation measure will be delivered and why they are ecologically suitable to meet the aims and objectives of the plan;
- (d) details of the design and cross-sections for the managed realignment;
- (e) details of any consents, licences and approvals required for implementation;
- (f) details of any habitat and water management measures to meet the aims and objectives of the plan;

- (g) details of access to, and biosecurity of, the locations where the compensation measure will be delivered;
- (h) details of ongoing monitoring and reporting of the effectiveness of the compensation measure including—
 - (i) survey methods;
 - (ii) survey programmes for hydrology, topography, and habitat;
 - (iii) success criteria;
 - (iv) adaptive management measures and thresholds used to trigger any adaptive management;
 - (v) sharing of monitoring data with the relevant Local Environmental Records Centre(s); and
 - (vi) timescales for monitoring reports to be delivered to the SSG and the Secretary of State under paragraph 9.
- (i) an implementation timetable including details as to how earthworks of the managed realignment required to enable the retreat of saltmarsh will be delivered before loss of Atlantic salt meadow as a result of the authorised development.
- (j) details as to how the SIMP has had regard to the output of consultation with the SSG and the provision of a signed SSG agreement log.

(3) The SIMP must be implemented by the undertaker (or at its expense) as approved, unless otherwise agreed in writing by the Secretary of State, in consultation with relevant statutory nature conservation body and the relevant local planning authority for the area in which the compensation measure is to be delivered.

(4) The compensation measure as approved in the SIMP must be maintained by the undertaker (or at its expense) for the lifetime of the authorised development and only decommissioned following approval in writing by the Secretary of State in consultation with the relevant statutory nature conservation body and the relevant local planning authority for the area in which the compensation measure is to be delivered.

4. Unless otherwise agreed in writing by the Secretary of State, the results of any monitoring required pursuant to the SIMP must be made publicly available and submitted at least annually as a report to the Secretary of State and members of the SSG. If the undertaker, or on receipt of a monitoring report, the Secretary of State, determines that the compensation measure delivered has been ineffective at meeting the aims and objectives of the SIMP the undertaker must provide proposals agreed by the SSG for any adaptive management measures to address this. Any proposals to address the ineffectiveness of the compensation measure must thereafter be implemented by the undertaker (or at its expense) as approved in writing by the Secretary of State.

5. The SIMP approved under this Part of this Schedule includes any amendments that may subsequently be approved in writing by the Secretary of State. Any amendments to or variations of the approved SIMP must be in general accordance with the outline SIMP and may only be approved where it has been demonstrated to the satisfaction of the Secretary of State that it is unlikely to give rise to any new or materially different environmental effects from those considered in the outline SIMP.

Annex B – draft Part 1 to Schedule 16 of the draft DCO (linked to paragraph 26 above)

PART 1

Dee Estuary / Aber Dyfrdwy Special Protection Area / Ramsar site: delivery of measures in respect of functionally linked land

1. In this Part of this Schedule—

“CIMP” means the Curlew Implementation and Monitoring Plan for the delivery of measures to compensate for the loss of curlew habitat on functionally linked land as a result of the authorised development and which shall generally accord with the outline CIMP;

“compensation measure” means the measure to create and maintain replacement curlew habitat to compensate for the loss of curlew habitat on functionally linked land as a result of the authorised development;

“CSG” means the Curlew Steering Group which shall be established to inform, through consultation, the undertaker in the scope and delivery of the CIMP; and

“outline CIMP” means the Outline Curlew Implementation and Monitoring Plan identified in the table at Schedule 14 (documents and plans to be certified) and which is certified as such by the Secretary of State for the purposes of this Order in accordance with article **Error! Reference source not found.** (certification of plans, etc.).

2.—(1) No stage of Work No. 1 or any site clearance works required in connection with Work No. 1 may commence until a plan for the work of the CSG has been submitted to and approved in writing by the Secretary of State.

(2) The plan submitted pursuant to sub-paragraph (1) must include:

- (a) terms of reference of the CSG;
- (b) the membership of the CSG, having regard to the requirements in sub-paragraphs (3) and (4);
- (c) details of the schedule of meetings, timetable for preparation of the CIMP, and reporting and review periods; and
- (d) the dispute resolution mechanism and confidentiality provisions.

(3) The undertaker must invite representatives from the following organisations to participate as core members of the CSG—

- (a) the relevant statutory nature conservation body; and
- (b) the relevant local planning authority for the area in which the compensation measure is to be delivered.

(4) The undertaker must invite representatives from the following organisations to participate as advisory members of the CSG—

- (a) the Royal Society for the Protection of Birds; and
- (b) the Deeside Naturalists’ Society.

(5) The CSG must be consulted on the proposed CIMP to be approved pursuant to paragraph 3(1) prior to the submission to the Secretary of State.

3.—(1) No stage of Work No. 1 or any site clearance works required in connection with Work No. 1 may commence until the CIMP has been submitted to and approved in writing by the Secretary of State, in consultation with the relevant statutory nature conservation body and the relevant local planning authority for the area in which the compensation measure is to be delivered.

(2) The CIMP must be in general accordance with the outline CIMP and include the following—

- (a) details of the aims and objectives of the plan;

- (b) details of the location where the compensation measure will be delivered and any features, landscaping and planting thereof and why it is ecologically suitable to meet the aims and objectives of the plan;
- (c) details of any consents, licences and approvals required for implementation;
- (d) details of any habitat and water management measures to meet the aims and objectives of the plan;
- (e) details of access to, and biosecurity of, the location where the compensation measure will be delivered;
- (f) details of ongoing monitoring and reporting of the effectiveness of the compensation measure including—
 - (i) survey methods;
 - (ii) survey programmes for curlew, terrestrial invertebrates, hydrology, and habitat;
 - (iii) success criteria;
 - (iv) adaptive management measures and thresholds used to trigger any adaptive management;
 - (v) sharing of monitoring data with the relevant Local Environmental Records Centre(s); and
 - (vi) timescales for monitoring reports to be delivered to the CSG and the Secretary of State under paragraph 4.
- (g) an implementation timetable including details as to how the compensation measure will be delivered before loss and disturbance of curlew habitat on functionally linked land as a result of the authorised development; and
- (h) details as to how the CIMP has had regard to the output of consultation with the CSG and the provision of a signed CSG agreement log.

(3) The CIMP must be implemented by the undertaker (or at its expense) as approved, unless otherwise agreed in writing by the Secretary of State in consultation with the relevant statutory nature conservation body and the relevant local planning authority for the area in which the compensation measure is to be delivered.,

(4) The compensation measure as approved in the CIMP must be maintained by the undertaker (or at its expense) for the lifetime of the authorised development and only decommissioned following approval in writing by the Secretary of State in consultation with the relevant statutory nature conservation body and the relevant local planning authority for the area in which the compensation measure is to be delivered.

4. Unless otherwise agreed in writing by the Secretary of State, the results of any monitoring required pursuant to the CIMP must be made publicly available and submitted at least annually as a report to the Secretary of State and members of the CSG. If the undertaker, or on receipt of a monitoring report, the Secretary of State, determines that the compensation measure delivered has been ineffective at meeting the aims and objectives of the CIMP the undertaker must provide proposals agreed by the core members of the CSG for any adaptive management measures to address this. Any proposals to address the ineffectiveness of the compensation measure must thereafter be implemented by the undertaker (or at its expense) as approved in writing by the Secretary of State.

5. The CIMP approved under this Part of this Schedule includes any amendments that may subsequently be approved in writing by the Secretary of State. Any amendments to or variations of the approved CIMP must be in general accordance with the outline CIMP and may only be approved where it has been demonstrated to the satisfaction of the Secretary of State that it is unlikely to give rise to any new or materially different environmental effects from those considered in the outline CIMP.