

2 September 2024

EN070008

David Wallis
Lead Panel Member
Examining Authority for the Viking CCS Pipeline

Dear Mr Wallis

Stallingborough Energy Project Limited – Deadline 5 Submission and Response to Examining Authority Question

1. UPDATE ON THE PROGRESS OF DISCUSSIONS WITH THE APPLICANT

- 1.1 Further to the procedural decision of the Examining Authority [PD-019] to accept Stallingborough Energy Project Limited (SEPL) as an Interested Party, we write to provide an update on the status of discussions with the Applicant since our letter of 29 July 2024.
- 1.2 SEPL attended a virtual meeting with the Applicant on Friday 23 August 2024 and provided further details about the proposed Grange Energy Park. These discussions were positive, and actions were identified that will assist in identifying how the projects can co-exist.
- 1.3 A further virtual meeting took place between SEPL's solicitors and the Applicant's solicitors on 27 August 2024, to discuss in more detail the need for an interface agreement to set out a process for how the projects can be developed in conjunction, and to coordinate activities in the event construction timescales coincide.
- 1.4 SEPL has demonstrated to the Applicant that Island Green Power (IGP) is an established solar developer and that the Grange Energy Park is progressing rapidly, in line with IGP's expertise and experience. SEPL considers that an interface agreement is an appropriate and established way of dealing with the interactions between energy projects.
- 1.5 SEPL is providing the Applicant with a plan identifying its preferred route for the pipeline within the Order limits (noting that this will be subject to ground condition surveys). SEPL's position is that identifying a more refined route now will enable the design of the Grange Energy Park to be progressed and ensure that the interactions between the projects can be identified and discussed in greater detail. SEPL's solicitors have informed the Applicant's solicitors that they are able to prepare the initial draft of the interface agreement and it is SEPL's intention for this to be agreed as soon as practicable. SEPL will provide an update at the next Examination deadline.

2. RESPONSE TO EXAMINING AUTHORITY WRITTEN QUESTION

- 2.1 Question 2.5.22 in the Second Written Questions [PD-021] asks SEPL, IGP and DDM Agriculture (the land agent representing the landowner of plots 7/10, 8/1 and 8/2) to explain the delay in SEPL registering as an interested party.

- 2.2 SEPL has reviewed the timeline of the Grange Energy Park project against that of the Viking CCS Pipeline application. The period to register as an interested party ran from 24 November 2023 to 15 January 2024, during which time SEPL was carrying out initial assessment work to inform its decision to progress the Grange Energy Park and prepare its application for a screening opinion for the project. The application for a screening opinion was submitted on 20 February 2024, after the registration period had ended. However, DDM Agriculture did register the landowner as an interested party and noted in the relevant representation [RR-090] that there had been no consultation by the Applicant regarding the potential future development of the pipeline corridor.
- 2.3 SEPL understands that it was DDM Agriculture's intention to negotiate a property agreement with the Applicant on behalf of the landowner that would be tailored to the proposed future use of the land for solar. It was also the intention that such negotiations would need to take into account SEPL's comments on the property agreement as under the terms of the option agreement the landowner is not able to enter into any property agreements without SEPL's consent.
- 2.4 The screening opinion for Grange Energy Park was issued by North East Lincolnshire Council on 5 July 2024. At this time, SEPL carried out a review of the Grange Energy Park project. This review found that the draft Heads of Terms, proposed by the Applicant to the landowner in May 2024, did not recognise or mention SEPL's option agreement or solar development proposals over plots 7/10, 8/1 and 8/2, and its interest was also not included in the Book of Reference [REP4-005].
- 2.5 SEPL then became aware that the Applicant had not been provided with details of the option agreement, with DDM Agriculture focusing on protecting the landowner's interest in the development potential of the land. Neither the landowner, DDM Agriculture nor SEPL had appreciated that the significant backlog and subsequent delay to registrations being processed at the Land Registry would have resulted in greater reliance by the Applicant on the landowner's response to the land interest questionnaire sent by the Applicant that pre-dates SEPL's option agreement. SEPL has been informed by the Land Registry that its application to register the option agreement is likely to be registered in November 2024 at the earliest.
- 2.6 Having identified this omission, SEPL sought to register as an interested party and undertake urgent discussions with the Applicant. SEPL is grateful to the Applicant for its engagement over the last couple of weeks and is confident that agreement will be reached to manage and support the co-existence of the projects.

Stallingborough Energy Project Limited

part of Island Green Power