

Viking CCS Pipeline

8.22 Statement of Common Ground – Uniper – Revision A (Clean)

Document Reference: EN070008/EXAM/8.22

Applicant: Chrysaor Production (U.K.) Limited,
a Harbour Energy Company
PINS Reference: EN070008
Planning Act 2008 (as amended)
The Infrastructure Planning (Applications: Prescribed Forms
and Procedure) Regulations 2009 - Regulation 5(2)(q)
Date: September 2024

This Statement of Common Ground has been agreed between Chrysaor Production (UK) Limited and Uniper UK Gas Ltd on the day specified below

Signed:

Print Name:

Job Title:

Date:

Duly Authorised for and on behalf of Uniper UK Gas Ltd

Signed: *Paul Davis*

Print Name: Paul Davis

Job Title: Viking CCS Onshore Development Manager

Date: 19/09/2024

Duly Authorised for and on behalf of Chrysaor Production (UK) Limited

Revision History

Revision	Revision date	Details
Rev 1.0	19/09/2024	FINAL

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1 Introduction

1.1 Overview

- 1.1.1 This Statement of Common Ground ('SoCG') has been prepared by Chrysaor Production (UK) Ltd (the 'Applicant') in conjunction with Uniper UK Gas Ltd ('Uniper') (each a 'Party' and together, the 'Parties') in respect of the Viking CCS Pipeline project (the 'Proposed Development').
- 1.1.2 The SoCG sets out the matters of agreement between the Applicant and Uniper and also explains those matters which, at the time of writing, remain unresolved between the Parties. The agreements to date have been reached through consultation and continuing discussions between the parties through online meetings.

1.2 The Role of Uniper UK Gas Ltd (Uniper)

- 1.2.1 In the UK, Uniper owns and operates a flexible generation portfolio of seven power stations, a fast-cycle gas storage facility and two high pressure gas pipelines, from Theddlethorpe to Killingholme and Blyborough to Cottam, in the northeast of England. Additionally, Uniper have significant long-term regasification capacity at the Grain LNG terminal in Kent, to convert LNG back to natural gas.
- 1.2.2 The Theddlethorpe to Killingholme gas pipeline (20" dia., circa 52km) was constructed in 1991 and designed to provide gas to the Uniper power plant at Killingholme. A spur line connection, made to a pre-installed tee at Thornton Curtis in 1991/92, provided an additional connection from the National Gas Thornton Curtis facility, thereby allowing supplies of gas from the NGG system into the Uniper distribution system. The Thornton Curtis connection is approximately 2 km from the Killingholme site.
- 1.2.3 Following decommissioning of the Theddlethorpe Gas Terminal ('TGT'), the pipeline has been positively disconnected with supplies taken from the Thornton Curtis NTS connection only, however the installed pipeline is utilised for gas storage for the Killingholme site.
- 1.2.4 Uniper is a statutory consultee for the proposed Viking CCS pipeline under Section 42 of the Planning Act 2008.

1.3 Purpose of this Statement of Common Ground

- 1.3.1 The purpose of this document is to summarise the agreements reached between the parties on matters relevant to the examination of the application and to assist the Examining Authority ('ExA'). It also sets out the matters that remain unresolved at the time of writing, but which both Parties are working positively toward resolving.
- 1.3.2 The SoCG has been prepared with regard to the guidance in 'Planning Act 2008: examination of applications for development consent' (Department for Communities and Local Government, March 2015).
- 1.3.3 The Theddlethorpe to Killingholme gas pipeline is located within the order limits at various locations along the route.

1.4 Uniper UK Gas Limited & the Book of Reference

- 1.4.1 Paragraph 2.1.2 of the Book of Reference **[AS-045]** ("BoR") states Part 1 of the BoR "contains the names and addresses for service for every person who is known, after making

diligent inquiry, to be an owner, lessee, tenant or occupier of the plot (known as Category 1 persons) or, is interested in or, has the power to sell, convey or release the land (known as Category 2 persons)".

1.4.2 In respect of Part 1, Uniper UK Gas Limited is listed in the following Category in respect of the following plot references –

Plot Ref.	Category
11/13	Category 2
18/9	Category 1 (Owner)
	Category 1 (Occupier)
19/2	Category 1 (Owner)
	Category 1 (Occupier)
19/5	Category 1 (Owner)
	Category 1 (Occupier)
19/9	Category 1 (Owner)
	Category 1 (Occupier)
19/12	Category 1 (Owner)
	Category 1 (Occupier)
19/16	Category 1 (Owner)
	Category 1 (Occupier)
19/18	Category 1 (Owner)
	Category 1 (Occupier)
19/19	Category 1 (Lessee or Tenant)
	Category 1 (Occupier)
19/23	Category 1 (Lessee or Tenant)
	Category 1 (Occupier)
19/27	Category 1 (Lessee or Tenant)
	Category 1 (Occupier)
19/31	Category 1 (Lessee or Tenant)
	Category 1 (Occupier)
19/34	Category 1 (Lessee or Tenant)
	Category 1 (Occupier)
19/38	Category 1 (Lessee or Tenant)
	Category 1 (Occupier)
19/41	Category 1 (Lessee or Tenant)
	Category 1 (Occupier)
19/44	Category 1 (Lessee or Tenant)
	Category 1 (Occupier)
20/3	Category 1 (Lessee or Tenant)
	Category 1 (Occupier)
20/5	Category 1 (Lessee or Tenant)
	Category 1 (Occupier)
20/13	Category 1 (Lessee or Tenant)
	Category 1 (Occupier)

20/17	Category 1 (Lessee or Tenant)
	Category 1 (Occupier)
20/20	Category 1 (Lessee or Tenant)
	Category 1 (Occupier)
20/23	Category 1 (Lessee or Tenant)
	Category 1 (Occupier)
20/26	Category 1 (Lessee or Tenant)
	Category 1 (Occupier)
20/29	Category 1 (Lessee or Tenant)
	Category 1 (Occupier)
21/2	Category 1 (Lessee or Tenant)
	Category 1 (Occupier)
21/5	Category 1 (Lessee or Tenant)
	Category 1 (Occupier)
33/12	Category 1 (Lessee or Tenant)
	Category 1 (Occupier)
34/2	Category 1 (Lessee or Tenant)
	Category 1 (Occupier)
34/7	Category 1 (Lessee or Tenant)
	Category 1 (Occupier)
34/9	Category 1 (Lessee or Tenant)
	Category 1 (Occupier)
35/25	Category 1 (Lessee or Tenant)
	Category 1 (Occupier)
35/29	Category 1 (Lessee or Tenant)
	Category 1 (Occupier)
35/30	Category 1 (Lessee or Tenant)
	Category 1 (Occupier)

- 1.4.3 Part 2 of the BoR lists those persons who the Applicant considers fall within Category 3 (as defined by section 57 of the 2008 Act) being a person who, if the DCO were made, would or might be entitled to make a claim under section 10 of the Compulsory Acquisition Act 1965, a Part 1 claim under the Land Compensation Act 1973, or a claim under section 152(2) of the 2008 Act.
- 1.4.4 Uniper UK Gas Limited is named in Part 2 in respect of land in the following plots –
11/13, 19/19, 19/23, 19/27, 19/31, 19/34, 19/38, 19/41, 19/44, 20/3, 20/5, 20/13, 20/17, 20/20, 20/23, 20/26, 20/29, 21/2, 21/5, 33/12, 34/2, 34/7, 34/9, 35/25, 35/29, 35/30.
- 1.4.5 Part 3 of the BoR contains the names of all those entitled to enjoy easements or other private rights over land (including private rights of navigation over water) which it is proposed shall be extinguished, suspended or interfered with.
- 1.4.6 Uniper UK Gas Limited is named in Part 3 in respect of plot 11/13.

1.4.7 The remainder of this SoCG is structured as follows:

- Section 2 – Summary of consultation and discussions; and
- Section 3 - Position of the parties

1.5 Status of this Statement of Common Ground

1.5.1 This SoCG is currently in final form.

2 Summary of Consultation and Discussions

Introduction

2.1.1 In addition to the consultation undertaken as part of statutory consultation, there have been a number of meetings and correspondence relating to the Proposed Development. Details of various meetings and key correspondence are set out in Table 2-1 Record of meetings and correspondence with Uniper. Table 2-1 below.

Table 2-1 Record of meetings and correspondence with Uniper.

Date of meeting/ correspondence	Description of meeting/correspondence
13 th September 2022	Land Interest Questionnaire issued
25 th January 2023	Teleconference presentation on Viking CCS Pipeline project
17 th February 2023	Further Land Interest Questionnaire issued
8 th March 2023	Teleconference catch up on Viking CCS Pipeline project & progress
11 th April 2023	Further Land Interest Questionnaire issued
16 th May 2023	Email issue of the Draft Order Limits
31st August 2023	Email query regarding protective provisions
24th October 2023	Email issue of draft protective provisions
19 th January 2024	Telecom and email correspondence on DCO application acceptance and requirement for issue of SoCG. Uniper to clarify with Legal representatives
7 th March 2024	Email correspondence on progress of legal requirement for SoCG
11 th March 2024	Email correspondence from Uniper and request for draft SoCG
12 TH March 2024	Telecom between Noel Cunningham and Lucy Berry (Uniper - Lands) including issue of draft SoCG and providing Harbour solicitor details
21 st March 2024	Email correspondence to Uniper on progress of SoCG
24 TH April 2024	Email correspondence to Uniper on progress of SoCG
13 th May 2024	Email correspondence to Uniper on progress of SoCG
7 th June 2024	Email correspondence to Uniper on progress of SoCG
27 th June 2024	Email correspondence Uniper legal representatives to contact Harbour legal representatives. Harbour legal representatives details provided.
8 th July 2024	Email correspondence from Uniper requesting latest shapefile and advising legal made contact.
9 th July 2024	Email correspondence from Harbour with latest shapefile
30 th August 2024	Email correspondence from Harbour with v4 of SoCG for review
12 th September 2024	Email correspondence from Harbour with final tracked version for review and signing
18 th September 2024	Email correspondence confirming SoCG is being reviewed for submission in draft tomorrow

3 Position of the Parties

3.1.1 Table 3-1 sets out the position of the parties relating to the following topics:

- General protective provisions for Uniper
- Notification of HSSE risk with regards to Uniper asset(s).

3.1.2 To provide clarity, each of the matters for which a position has been attributed have been colour coded as follows:

Agreed	The matter is agreed between the parties, or there are no significant disagreement such that the matter is considered closed.
Not agreed - no material impact	The matter is not agreed between the parties; however the outcome of the approach taken by the Applicant or Uniper is not considered to result in a material impact to the assessment conclusions. Discussions on this matter have concluded.
In discussion	This matter is neither 'agreed' or 'not agreed'. Technical work is being undertaken with the aim of achieving agreement, though the risk of disagreement remains.
Not agreed	The matter is not agreed between the parties and the outcome of the approach taken by the Applicant or Uniper is considered to result in a materially different impact to the assessment conclusions.

Table 3-1 Position of the Parties

ID	Matter	Detail	Related documents and their references	Comments from the Parties	Agreed / Not Agreed
General Matters					
UNI1	Engagement	While the pre-application engagement undertaken by the applicant was proactive and professional, further work is needed to ensure the BoR [AS-045] and Compulsory Acquisition Tracker [AS-030] record accurately the interests which exist for each of the identified plots.	N/A	Applicant: Agreed Uniper: Agreed	Agreed
UNI2	Project Information	Details of the project, including its need, have been provided.	N/A	Applicant: Project information was notified through statutory consultation and correspondence during pre-application period. Uniper: Agreed.	Agreed
Protective Provisions					
UNI3	Protective Provisions	The protective provisions included in Part 1, Schedule 9 of the draft DCO (Revision A) [AS-008] ensure that appropriate protection and safeguarding measures for Uniper’s assets and interests are in place. Both parties agree that appropriate protection is in place for Uniper and that Uniper will not suffer serious detriment to the carrying on of its undertaking as a result of the Project	N/A	Applicant: The Applicant is continuing to engage with Uniper on protective provisions to be included within the DCO and intends to submit an update to the Examining Authority prior to the conclusion of the Examination. Uniper: as detailed in Uniper’s response to (ExQ1), Uniper considers the PPs included in Part 1 of Schedule 9 to the draft DCO would be detrimental to Uniper’s undertaking. Uniper has provided the Applicant with a draft of its preferred PPs and discussions in respect of these are ongoing. Uniper is committed to working with the Applicant to secure mutually acceptable PPs and will update the ExA in respect of these discussions before the end of the Examination.	In Discussion
UNI4	Land Referencing	As stated in Section 1.4 of this SoCG, the BoR [AS-045] identifies Uniper UK Gas Limited in Parts 1, 2 and 3. Similarly, the Compulsory Acquisition Tracker [AS-030] refers to Uniper UK Gas Limited’s interests in certain plots of land. It is essential that each reference is correct.		Applicant: The Applicant has discussed the land referencing further with Uniper and it is agreed between the parties that the plots referred to in section 1.4 of this SoCG are accurate. Uniper: Agreed	Agreed

4 References

There are no documents referenced at present.