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Mr Jake Stephens
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By email: netzeroteessideproject@planninginspectorate.gov.uk

Dear Mr Stephens

EN010103 - THE NET ZERO TEESIDE PROJECT

REQUEST BY THE APPLICANTS IN RESPECT OF THE TIMING OF THE PRELIMINARY MEETING/EXAMINATION

I write on behalf of the Applicants, Net Zero Teesside Power Limited and Net Zero North Sea Storage Limited, to advise the Examining Authority (ExA) of their intention to seek changes to the Net Zero Teesside (NZE) Development Consent Order Application (the DCO Application), which was accepted for examination on 16 August 2021, and consequently to request a delay to the start of the Examination.

Since submission of the DCO Application, the Applicants have continued to engage with Interested Parties with a view to addressing their comments and agreeing common ground, while also continuing with detailed project development. The Applicants have further progressed work on the optionality around certain elements of the NZE Project, notably relating to the connections corridors. The Applicants also intend to request other changes, to reduce the Order limits and make other minor updates or changes to the Project. The changes are not considered, individually or cumulatively, to lead to the Project being different in substance to that which was originally applied for in July 2021.

The changes sought to the DCO Application would reflect design evolution or refinement on the Project, seek to respond to comments received from Interested Parties, deliver improvements to the Project and reduce its impacts.

The changes would involve the Applicants making a formal change request to the ExA accompanied by information on the proposed changes and by updated application documents and additional information as required. The Applicants acknowledge that the proposed changes may be considered to be material by the ExA and therefore intend to carry out non-statutory consultation on those changes prior to making the formal change request.



The change request would be made in accordance with Planning Inspectorate's Advice Note 16 and all relevant guidance.

The timetable proposed by the Applicants for the change request is outlined below (references to "Steps" are to those set out in Figure 1 of Advice Note 16). The Applicants are mindful of the need to allow the examination of the DCO Application to proceed in a timely manner and have considered that in setting out the draft timetable below. The Applicants cannot move to Step 1 earlier than indicated below due to the need to finalise the changes, assess them in environmental and land terms, and prepare the information required to support the non-statutory consultation on them and subsequent formal change request.

- **Step 1 (21 February 2022)** – The Applicants formally notify the ExA of their intention to make the proposed changes. The formal notification of the ExA would be accompanied by information identifying the proposed changes; the rationale for why they are needed; the implications of the changes in terms of matters such as EIA and the compulsory acquisition of land; the approach to be taken in terms of consulting on the changes; and confirmation of the intended timetable for Steps 2 to 6 set out in PINS Advice Note 16.
- **Step 2 (2 March 2022)** – The ExA provides advice to the Applicants on the procedural implications of the proposed changes and the nature of consultation proposed. Whilst this is a relatively short period to provide a response, the Applicants note that the activities are intended to occur during the pre-examination period (with the Applicants requesting a delay to the Preliminary Meeting), and that a broad approach to consultation is anticipated as set out at Step 3 below.
- **Step 3 (10 March 2022)**– The Applicants undertake non-statutory consultation on the proposed changes. The Applicants intend to consult all those with an interest in the Order limits (not just those directly impacted by the proposed changes) and carry out publicity (such as newspaper notices) about the consultation. The consultation will include information on the proposed changes; the rationale and need to make the changes; the environmental implications; changes to the Order limits; and on how to respond to the Applicants on the consultation. It is proposed to run the consultation up to 14 April 2022.
- **Step 4 (28 April 2022)** – subject to considering the consultation responses received, the Applicants make a formal written change request to the ExA asking the ExA to examine the changed application. This would include a description of the proposed changes, including any new/altered works; the rationale and need to make the changes; a schedule of application documents detailing those updated, replaced, supplemented and or retained; a track change draft DCO and Explanatory Memorandum; information on engagement of/compliance with 'The Infrastructure Planning (Compulsory Acquisition) Regulations 2010'; updated environmental information; a Consultation Report and copies of responses received to the consultation; and revised versions of application documents.

In view of the proposed timetable above for the change request, including the Applicants' intention to consult on the changes and provide an opportunity for consultees to comment upon them, the Applicants would request that the Preliminary Meeting is arranged for **mid-May 2022**. This would provide the time required for the steps outlined above and also a period for the ExA to consider the change request and to take this into account in its Rules 8 and 9 letter.

I would be grateful if you could pass the Applicants' request in respect of the timing of the Preliminary Meeting and Examination onto the ExA for consideration. Please do not hesitate to contact me if you require any further information.

Yours sincerely



Geoff Bullock
Partner
DWD – on behalf of NZT Power Limited & NZNS Storage Limited