



9<sup>th</sup> May 2022

Our Ref: KCP/

Planning Inspectorate  
Temple Quay House  
Temple Quay  
Bristol  
BS1 6PN

Your Ref:

Dear Sirs

**REPRESENTATION FOR THE APPLICATION FOR DEVELOPMENT CONSENT BY NET ZERO TEESIDE POWER LIMITED “NZE POWER” AND NET ZERO NORTH SEA STORAGE LIMITED “NZN STORAGE” FOR THE NET ZERO TEESIDE PROJECT – APPLICATION NUMBER EN010103**

**REGISTRATION IDENTIFICATION NUMBER:- 20029931**

**COMPULSORY PURCHASE HEARING – 10<sup>TH</sup> MAY 2022**

We act as agents and surveyors for NPL Waste Management Limited, who are affected by the above referred to Development Consent Order (“DCO”) Application.

NPL Waste Management Limited have been approached by the Net Zero Teeside Project (“DCO Applicant”) to complete an Option Agreement to Lay a Pipeline across their land, attaching the Pipeline to an existing pipebridge in Plot 4. The DCO Applicants are seeking as part of the DCO, to exercise their rights permanently within the area coloured in blue on the attached plan, where the CO2 gathering Pipeline is proposed to be attached to the existing pipebridge, which is within the Order Land and to be granted compulsory purchase rights for the same.

Furthermore, the DCO Applicant is seeking to exercise permanent rights over NPL Waste Management Limited’s rights to win and work their mineral rights over Plots 1, 3, 4, 5, 6, 8, 10, 12, 14, 15, 16, 17 and 18, thus extinguishing NPL Waste Management Limited’s ability to win and work those minerals.

NPL Waste Management Limited object to the above referred to application affecting their property for the following reasons and would like the Planning Inspectorate to take these points into consideration when deciding whether to award compulsory purchase rights to the DCO Applicant and would appreciate the Planning Inspectorate’s due consideration to these points.





1. Plot 4 – New Rights to be Compulsorily Acquired

NPL Waste Management Limited own mine shafts and workings within this Plot, for which they are required statutorily (under the Mines Regulations 2014) to inspect and maintain and if required undertake maintenance works at any time. In order to comply with their statutory duties, it is necessary for NPL Waste Management Limited to be able to have unrestricted and unobstructed use of the area coloured in yellow on the attached plan at any time.

For the above referred to reason, it is essential that the Planning Inspectorate do not grant exclusive permanent rights compulsorily over the area coloured in yellow on the attached plan for the benefit of the DCO Applicant, unless the rights of NPL Waste Management Limited take precedent over these rights.

2. Plots 1, 3, 4, 5, 6, 8, 10, 12, 14, 15, 16, 17, 18 – New Rights to Extinguish Rights to Win and Work Mines and Minerals

NPL Waste Management Limited own rights to win and work the minerals in Plots 1, 3, 4, 5, 6, 8, 10, 12, 14, 15, 16, 17, 18. If the DCO Applicant is awarded compulsory rights to extinguish those rights within the above referred to Plots, NPL Waste Management Limited will no longer be able to win and work them.

The DCO Applicant has confirmed to NPL Waste Management Limited that the above referred to rights that they are seeking are not actually required for the Project, but refuse to remove them from the Book of Reference and Statement of Reasons.

We see no reason why the Planning Inspectorate should grant compulsory rights to the DCO Applicant to be able to extinguish these mineral rights, when this right is not actually required by the DCO Applicant and would not hinder the Project if removed from the proposed rights in the Book of Reference and Statement of Reasons.

3. Contamination

NPL Waste Management Limited have been in discussion with the DCO Applicant regarding the proposed works in Plot 4. The DCO Applicant is refusing to remove any contamination found by the DCO Applicant whilst undertaking its' proposed operations. NPL Waste Management Limited consider that should the DCO Applicant unearth contaminated materials as part of their works, they should remove them.

4. Financial Ability

A further explanation as to who the DCO Applicant is and their financial capability to pay compensation and remove the apparatus at the end of the term is required. In addition, sight





of the allowance made in the Funding Statement for compensation for compulsory rights to NPL Waste Management Limited would be helpful.

Until the above referred to matters are clarified and addressed to the satisfaction of NPL Waste Management Limited, NPL Waste Management Limited hereby reconfirm their objection to the Net Zero Teeside Project and Development Consent Order Application and the grant of compulsory rights over their property and rights.

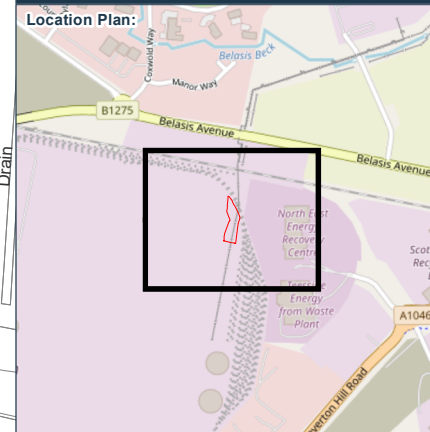
I would ask you to please note that the DCO Applicants have written to my clients and offered protective provisions but they are deficient in addressing the matters referred to above.

NPL Waste Management Limited hope that the Planning Inspectorate are able to address the above referred to points in order to ensure that NPL Waste Management Limited's interests are protected.

**Yours sincerely**  
**for Fisher German Priestner Limited**

**Miss K Claire Priestner BSc(Hons) MRICS FAAV**  
**Managing Director**





- Key:**
- Site Boundary
  - Indicative CO2 Pipeline
  - Land Take - Rights
  - Land Take - Temporary

Site Boundary Area: 2.96 ac  
 CO2 Pipeline: 218.46m  
 Alternative CO2 Pipeline: N/A  
 Gas Pipeline: N/A  
 Land Take - Rights: 0.33 ac  
 Land Take - Temporary: 0.37 ac

Coordinate System: British National Grid  
 Projection: Transverse Mercator  
 Datum: OSGB 1936

**Grantor:**  
 NPL Waste Management Limited

**Coords:** 447,802 522,715

**Scheme Name:**  
 BPE001 - NetZero Teesside

**Drawing Name:**  
 Heads of Terms Plan

**Drawing No:** 204482\_PLN\_HOT\_74.1

Rev	Date	Description
-	27.04.2022	First Issue

<b>Drawn:</b>	AL
<b>Approved:</b>	JP/HP
<b>Sheet No:</b>	1 of 1
<b>Sheet Size:</b>	A3



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Scale: 1:1250

Drawing Location: C:\Users\andrew.lambel\Dalcour Maclaren\NetZero Teesside - Geomatics\02 Working Data\2\_HoT\_Plans\2022-02-22 - Full Set Refresh (Master)\20220222\_204482\_PLN\_HOT\_74.1\_NPL\_Waste.mxd