

Net Zero Teesside Project

Planning Inspectorate Reference: EN010103

Land at and in the vicinity of the former Redcar Steel Works site, Redcar and in Stockton-on-Tees, Teesside

The Net Zero Teesside Order

Document Reference: 8.27 – Statement of Common Ground with Suez Recycling and Recovery UK Ltd



Applicants: Net Zero Teesside Power Limited (NZN Power Ltd) & Net Zero North Sea Storage Limited (NZNS Storage Ltd)

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GLOSSARY

Abbreviation	Description
Applicants	Together NZT Power and NZNS Storage
Application (or DCO Application)	The application for a DCO made to the SoS under Section 37 of PA 2008 in respect of the Proposed Development, required pursuant to Section 31 of the PA 2008 because the Proposed Development is a NSIP under Section 14(1)(a) and Section 15 of PA 2008 by virtue of being an onshore generating station in England or Wales of electrical capacity of more than 50 megawatts, and which does not generate electricity from wind, and by the Section 35 Direction
DCO	A Development Consent Order made by the relevant Secretary of State pursuant to the PA 2008 to authorise a NSIP. A DCO can incorporate or remove the need for a range of consents which would otherwise be required for a development. A DCO can also include powers of compulsory acquisition
ExA	Examining Authority
Land Plans	The plans showing the land that is required for the Proposed Development, and the land over which interests or rights in land are sought as part of the Order
NZT Power	Net Zero Teesside Power Limited
NZNS Storage	Net Zero North Sea Storage Limited
NZT	Net Zero Teesside - the name of the Proposed Development.
Order	The Net Zero Teesside Order, being the DCO that would be made by the Secretary of State authorising the Proposed Development, a draft of which has been submitted as part of the Application

Order Land	The land which is required for, or is required to facilitate, or is incidental to, or is affected by, the Proposed Development and over which powers of compulsory acquisition are sought in the Order
Order Limits	The limits of the land to which the Application relates and shown on the Land Plans and Works Plans within which the Proposed Development must be carried out and which is required for its construction and operation
PA 2008	The Planning Act 2008 which is the legislation in relation to applications for NSIPs, including preapplication consultation and publicity, the examination of applications and decision making by the Secretary of State
Proposed Development (or Project)	The development to which the Application relates and which requires a DCO, and as set out in Schedule 1 to the Order
Site (or Proposed Development Site)	The land corresponding to the Order Limits which is required for the construction and operation of the Proposed Development
SoCG	Statement of Common Ground
Work No.	Work number, a component of the Proposed Development, described at Schedule 1 to the Order
Works Plans	Plans showing the numbered works referred to at Schedule 1 to the Order and which together make up the Proposed Development

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1.0 INTRODUCTION

1.1 Overview

- 1.1.1 This Statement of Common Ground (Document Ref. 8.27) has been prepared by Net Zero Teesside Power Limited and Net Zero North Sea Storage Limited (the ‘Applicants’) in conjunction with Suez Recycling and Recovery UK Limited (“Suez”) in respect of the Net Zero Teesside Project (the ‘Proposed Development’).
- 1.1.2 The SoCG sets out the matters of agreement between the Applicants and Suez and also explains those matters which, at the time of writing, remain unresolved between the parties.
- 1.1.3 The agreements to date have been reached through consultation and continuing discussions between the parties, including interface meetings and regular face to face discussions.

1.2 Suez Interests

1.3 Land at Haverton Hill

- 1.3.1 Freehold interest in land at Suez’s Haverton Hill energy from waste (efw) plant.

1.4 The Purpose and Structure of this Document

- 1.4.1 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 explains the matters which remain unresolved at the time of writing, but which both parties are working positively toward resolving. As such, it is expected that further iterations of the SoCG will be submitted to the ExA throughout the Examination and prior to the making of any Development Consent Order (‘DCO’) for the Proposed Development.
- 1.4.2 The SoCG has been prepared with regard to the guidance in ‘Planning Act 2008: examination of application for development consent’ (Department for Communities and Local Government, March 2015).
- 1.4.3 The SoCG is structured as follows:
- Section 2 – sets out consultation and related discussions held between the Applicants and Suez.
 - Section 3 – sets out the matters discussed and agreed to date.
 - Section 4 – sets out matters to be agreed and the proposed way forward.

2.0 SUMMARY OF CONSULTATION AND DISCUSSIONS

2.1 Overview

2.1.1 This section provides a summary of how the Applicants have consulted Suez on the Proposed Development and also sets out the discussions that have taken place between the parties.

2.2 Consultation

2.2.1 **Table 2.1** (below) provides a summary of how the Applicants have consulted Suez and how Suez have responded to that consultation.

Table 2.1: Summary of Consultation

Consultation Stage/Date	Suez Response
Stage 1 Consultation (non-statutory) – 2 nd October to 19 th November 2019	N/A
Stage 2 Consultation (statutory) – 7 th July to 18 th September 2020	N/A
Section 42 Update Consultation – 8 th December 2020 to 25 th January 2021 (further targeted consultations held 12 th February to 16 th March 2021 & 26 th March to 3 rd May 2021)	N/A
Consultation on proposed changes to DCO Application – 10 th March to 14 th April 2022	N/A

2.3 Discussions

2.3.1 A summary of the discussions that have taken place between the parties is set out in the **Table 2.2**. Where appropriate, email follow-up has taken place to provide each party with information to support the progression of discussions.

Table 2.2: Summary of Discussion

Meeting Date	Meeting Type	Topics Discussed
07/01/21	Introduction Meeting	Proposed Development introduction.
26/05/21	Teams Meeting	HOT negotiations.
15/06/21	Site Meeting	Suez, DM, BP – overview and routing.
27/07/21	Teams Meeting	HoTs discussions
27/09/21	Teams Meeting	HoTs discussions
29/10/21	Teams Meeting	HoTs discussions
18/11/21	Teams Meeting	HoTs negotiations.

3.0 MATTERS AGREED

3.1 Overview

3.1.1 This section sets out the matters agreed between the parties.

3.2 Principle of the Proposed Development

3.2.1 The parties agree that there is an urgent need for the Proposed Development in order to provide low carbon electricity and the means to decarbonise other existing and proposed emitters in Teesside. Suez does not object to the location of the various elements of the Proposed Development which are relevant to its land and operations.

3.3 Heads of Terms

3.3.1 The Applicants and Suez have successfully concluded negotiations in relation the Heads of Terms for an Option Agreement and Easement for apparatus and Temporary compound areas required for the proposed development. The legal agreement to give effect to the Heads of Terms are being negotiated.

3.4 Existing Operations at Suez's Energy from Waste Plant

3.4.1 Suez raised concerns regarding their ongoing operations at the EfW plant and the future development plans for the rail sidings within their freehold ownership.

3.4.2 Protective provisions will provide for co-operation between the parties in relation to their respective operations and potential interactions.

3.4.3 Protective provisions were initially sent to Suez in May 2021 and are currently being progressed by both parties.

4.0 MATTERS TO BE AGREED

4.1 Overview

4.1.1 This section sets out matters to be agreed between the parties and the proposed way forward.

4.2 Legal Agreement

4.2.1 Legal documents to give effect to the agreed HOTs are being progressed between the Applicants and Suez.

4.1 Protective provisions

4.1.1 Parties are negotiating bespoke protective provisions, however they are not yet agreed.