

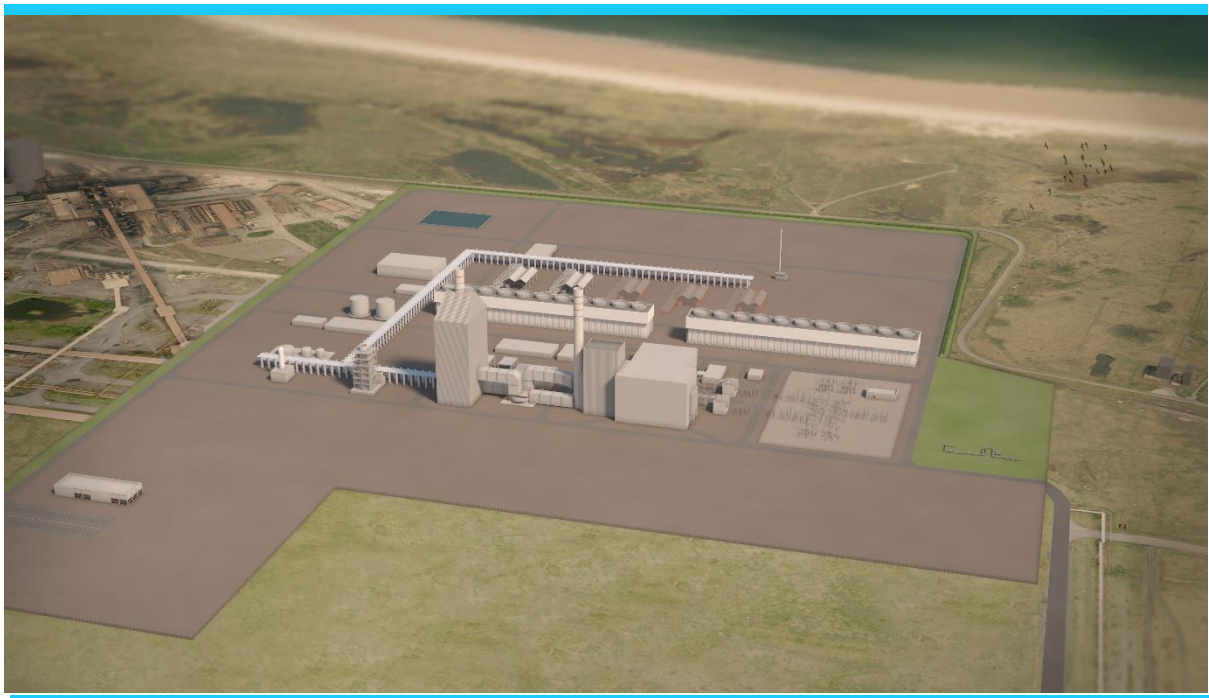
# Net Zero Teesside Project

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: 8.3 – Statement of Common Ground with South Tees Development Corporation, Tees Valley Combined Authority and Teesworks Limited



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

Date: May 2022

## DOCUMENT HISTORY

Document Ref	8.3		
Revision	1.0		
Author			
Signed		Date	26 May 2022
Approved By			
Signed		Date	26 May 2022
Document Owner			

## GLOSSARY

Abbreviation	Description
AD Guidance	Guidance on associated development applications for major infrastructure projects' (April 2013)
AGI	Above Ground Installation
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
Associated Development	Defined under S.115(2) of PA 2008 as development which is associated with the principal development and that has a direct relationship with it. Associated development should either support the construction or operation of the principal development or help address its impacts. It should not be an aim in itself but should be subordinate to the principal development
BEIS	Department for Business, Energy, and Industrial Strategy
CCP	Carbon capture plant
CCGT	Combined cycle gas turbine
CCUS	Carbon capture usage and storage
CEMP	Construction and Environmental Management Plan
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
EIA	Environmental Impact Assessment - the assessment of the likely significant environmental effects of a development, undertaken in accordance with the EIA Regulations
EIA Regulations	Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (as amended) setting out how the environmental assessment of NSIPs must be carried out and the procedures that must be followed
Electricity Generating Station (or CCGT / Low Carbon Electricity Generating Station)	A new electricity generating station fuelled by natural gas and with a gross output capacity of up to 860 megawatts
EPC Contractor	Engineering, Procurement and Construction contractor who will undertake the detailed engineering design, procurement and deliver the construction of the Proposed Development
ES	Environmental Statement, documenting the findings of the EIA
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
Limits of Deviation	The limits shown on the Works Plans within which the Proposed Development may be built
NSIP	Nationally Significant Infrastructure Project that must be authorised by the making of a DCO under PA 2008
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.
Open Space Land	The parts of the Order Land which are considered to be open space for the purposes of section 132 of the PA 2008 and as shown hatched blue on the Land Plans
Option Agreement	This refers to the voluntary agreement the parties are negotiation for the lease of the main site.
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
PCC Site	Power, Capture and Compression Site - the part of the Site that will accommodate the Electricity Generating Station, along with the CCP and high-pressure compressor station
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
Requirements	The 'requirements' at Schedule 2 to the Order that, amongst other matters, are intended to control the final details of the Proposed Development as to be constructed and to control its operation, amongst other matters to ensure that it accords with the EIA and does not result in unacceptable impacts
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
Section 35 Direction	The direction under section 35 of the PA 2008 dated 17 January 2020 from the SoS that the Specified Elements together with any matters/development associated with them should be treated as development for which development consent under the PA 2008 is required
SoS	The Secretary of State - the decision maker for DCO applications and head of Government department. In this case the SoS for the Department for Business, Energy, and Industrial Strategy
Specified Elements	Those elements of the Proposed Development that, by virtue of the Section 35 Direction, are to be

	treated as development for which development consent under the PA 2008 is required being: the CO2 gathering network, including the CO2 pipeline connections from the proposed CCGT Electricity Generating Station and industrial facilities on Teesside to transport the captured CO2 (including the connections under the tidal River Tees), a high-pressure carbon dioxide compressor station to receive captured CO2 from the CO2 gathering network, and a section of the CO2 transport pipeline for the onward transport of the captured CO2 to a suitable offshore geological storage site
STDC	South Tees Development Corporation (STDC), Tees Valley Combined Authority (TVCA) and Teesworks Limited, collectively referred to as STDC
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

---

## CONTENTS

<b>1.0</b>	<b>Introduction .....</b>	<b>1</b>
<b>2.0</b>	<b>Summary of Consultation and Discussions.....</b>	<b>3</b>
<b>3.0</b>	<b>Table of Issues and Matters.....</b>	<b>10</b>

## TABLES

Table 2.1:	Summary of Consultation .....	3
Table 2.2:	Summary of Management Meetings .....	4
Table 2.3:	Summary of Commercial Meetings .....	5
Table 2.4:	Summary of Technical Meetings.....	6
Table 2.5:	Summary of Land Remediation Meetings.....	9
Table 3.1:	General .....	1
Table 3.2:	Environmental Statement.....	4
Table 3.3:	Utility, Services and Easement.....	8
Table 3.4	DCO .....	13
Table 3.5	Streets, rights of way and accesses .....	16
Table 3.6	Compulsory acquisition and temporary possession powers.....	17
Table 3.7	Other .....	18
Table 3.8	Alternatives .....	21

---

## 1.0 INTRODUCTION

### 1.1 Overview

- 1.1.1 This Statement of Common Ground (Document Ref. 8.3) has been prepared by Net Zero Teesside Power Limited and Net Zero North Sea Storage Limited (the 'Applicants') in conjunction with South Tees Development Corporation (STDC), Tees Valley Combined Authority (TVCA) and Teesworks Limited (Teesworks) 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 STDC, TVCA and Teesworks 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 STDC Interests

- 1.2.1 South Tees Development Corporation is a Mayoral Development Corporation responsible for approximately 4,500 acres (1,820 hectares) of land to the south of the River Tees, in the Borough of Redcar and Cleveland. The majority of this land was acquired by STDC under the South Tees Development Corporation (Land at the former Redcar Steel Works, Redcar) Compulsory Purchase Order 2019. The object of a development corporation is to secure the regeneration of the land in respect of which it is designated, and deliver a number of large scale regeneration projects of national importance across the whole landholding, which has recently been allocated 'Freeport' status to attract inward investment. The Teesworks site is the largest regeneration opportunity in the UK, and STDC owns a number of plots within the Order Limits of the Project.
- 1.2.2 TVCA is The Tees Valley Combined Authority was created in April 2016. Its purpose is to drive economic growth and job creation in the area. It is a partnership of five authorities; Darlington, Hartlepool, Middlesbrough, Redcar & Cleveland and Stockton-on-Tees, working closely with the Local Enterprise Partnership, wider business community and other partners to make local decisions to support economic growth. The South Tees Development Corporation is a sister company to the Tees Valley Combined Authority, with some shared resources and a common goal of creating jobs and increased prospects for the region's residents. The Tees Valley Mayor is the chair of both organisations and, as such, can provide a common approach to achieving the ambitious agenda set out in the Strategic Economic Plan to create 25,000 new jobs by 2026.
- 1.2.3 Teesworks Limited is a joint venture between the public and private sector with a controlling commercial interest across all land holdings owned by STDC/STDL. Teesworks is leading the development facilitating the leasehold disposal of multiple

development plots, supporting a number of green sectors including Carbon Capture (NZT), Hydrogen Generation Projects, Giga Factories and an Offshore Wind Cluster.

### **The Purpose and Structure of this Document**

- 1.2.4 The purpose of this document is to summarise the agreement 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.
- 1.2.5 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).
- 1.2.6 The SoCG is structured as follows:
- Section 2 – sets out consultation and related discussions held between the Applicants and STDC, TVCA and Teesworks.
  - Section 3 – sets out the matters and whether each is agreed or remains under discussion.
  -



## 2.0 SUMMARY OF CONSULTATION AND DISCUSSIONS

### 2.1 Overview

2.1.1 This section provides a summary of how the Applicants have consulted STDC, Teesworks and TVCA (referred to collectively as ‘STDC’ for the remainder of this SoCG unless otherwise specified) 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 STDC and how STDC has responded to that consultation.

**Table 2.1: Summary of Consultation**

Consultation Stage/Date	STDC Response
Stage 1 Consultation (non-statutory) – 2 <sup>nd</sup> October to 19 <sup>th</sup> November 2019	Meetings held between representatives of STDC and the Applicants on the Proposed Development. STDC also responded to earlier Statement of Community Consultation issued in May-2020
Stage 2 Consultation (statutory) – 7 <sup>th</sup> July to 18 <sup>th</sup> September 2020	17.9.20: Outlined their in-principle support for the Proposed Development, while expressing concern with: <ul style="list-style-type: none"> <li>• lack of detail available for the consultation documentation, including on land requirements;</li> <li>• extent of land required for NZT’s connection corridors</li> <li>• risk of proposals being contrary to local plan and STDC master plan, and the relevance and importance of the of the STDC CPO which was in compliance with the master plan;</li> <li>• sterilisation of necessary development land within the Teesworks site</li> <li>• issues with PEIR</li> </ul>
Section 42 Update Consultation – 8 <sup>th</sup> December 2020 to 25 <sup>th</sup> January 2021 + further targeted Consultation Feb-March 2021 26 March to 3 May 2021	25.1.21: Expressed their in-principle support for the Proposed Development and highlighted previous consultation responses, including a response on “draft” proposed order limit changes on 10 November 2020.  STDC noted the following key concerns, in addition to the vagueness of the materials which it had already commented upon: <ul style="list-style-type: none"> <li>• Utility infrastructure corridors</li> <li>• Highway access corridors</li> <li>• Understanding NZT’s programme</li> <li>• the need to agree mechanisms that avoid recourse to compulsory acquisition powers</li> <li>• the need to progress important legal documentation</li> </ul>

	30.4.21: Reiterated its in-principle support for the project but noting that STDC maintain their objection to the project due to the order limits, and impact on STDC's ownership and delivery of its regeneration programme. Reiterating previous concerns.
Consultation on proposed changes to DCO Application – 10 <sup>th</sup> March to 14 <sup>th</sup> April 2022	<p>14.4.22: Broadly supports the proposed changes and reductions in optionality and land take but would observe that due to the level of detail in the consultation materials it remains unclear which land plots are being removed and/or where land rights being sought may be changing. Similarly the environmental effects of the changes are unclear to STDC until it has been able to review the update/addendum to the Environmental Statement.</p> <p>STDC's position remains that further changes to the Project (i.e. in additional to those already proposed) are required by NZT to satisfactorily address STDC's concerns regarding the impact on the regeneration of the Teesworks site.</p>

## 2.3 Discussions

2.3.1 A summary of the discussions that have taken place between the parties and their legal representatives at different times is set out in the tables below which are split broadly between the different workstreams. Where appropriate, email follow-up and side discussions have taken place to provide each party with information to support the progression of more formal discussions.

### 2.3.2 Management Meetings

**Table 2.2: Summary of Management Meetings**

Meeting Date	Meeting Type	Topics Discussed
March 2020	Management Site Visit	General Overview of site
Sept 2021	Steering Group Meeting	Meeting between the Applicant, STDC and TVCA to review principles of the development, open issues and agree way forward
Oct 2021	Steering Group Meeting	Meeting between the Applicant, STDC and TVCA to review principles of the development, open issues and agree way forward
Oct 2021	Senior Management Meeting	Progress on commercial aspects of lease agreement.
Nov 2021	Senior Management Meeting	Progress on matters outstanding to conclude Option Agreement
Dec 2021	Commercial	Heads of terms for Option Agreement and Option Lease subject to resolution of outstanding issues (Lane-Houchen letter signed)

### 2.3.3 Commercial Meetings

**Table 2.3: Summary of Commercial Meetings**

<b>Meeting Date</b>	<b>Meeting Type</b>	<b>Topics Discussed</b>
May 2020	Commercial and legal all parties call	Call in relation to heads of terms for option and lease, land ownership, remediation, utility corridors and construction laydown
July 2020	Commercial	To discuss heads of terms for option and lease
Aug 2020	Commercial and legal all parties call	Call in relation to heads of terms for option and lease
Aug 2020	Commercial and legal all parties call	Call in relation to heads of terms for option and lease
Oct 2020	Commercial and legal all parties call	Call in relation to heads of terms for option and lease
Feb 2021	Commercial and legal all parties call	Call in relation to option and lease and survey access licence
Mar 2021	Commercial and legal all parties call	Call in relation to exclusivity agreement, connection corridor easements, underlying land ownership, option and lease and survey access licence
Apr 2021	Commercial and legal all parties call	Call in relation to exclusivity agreement, survey access licence, option and lease, connection corridor easements, construction laydown lease, DCO red line boundary, interface between commercial and technical meetings
Apr 2021	Commercial and legal all parties call	Call in relation to exclusivity agreement, survey access licence, option and lease and connection corridors easements
Apr 2021	Commercial and legal all parties call	Call in relation to option and lease, construction laydown lease and survey access licence
Apr 2021	Commercial and legal all parties call	Call in relation to option and lease, exclusivity agreement and survey access licence
May 2021	Commercial and legal all parties call	Call in relation to option and lease and exclusivity agreement
May 2021	Commercial and legal all parties call	Call in relation to option and lease, exclusivity agreement and connection corridor easements
May 2021	Commercial and legal all parties call	Call in relation to option and lease
May 2021	Commercial and legal all parties call	Call in relation to option and lease
June 2021	Commercial and legal all parties call	Call in relation to option and lease

June 2021	Commercial and legal all parties call	Call in relation to option and lease
June 2021	Commercial and legal all parties call	Call in relation to option and lease
June 2021	Commercial and legal all parties call	Call in relation to option and lease
Aug 2021	Commercial and legal all parties call	Call in relation to option and lease
Aug 2021	Commercial and legal all parties call	Call in relation to option and lease
Dec 2021	Commercial meeting	Meeting to resolve outstanding issues on option and lease
Jan 2022	Commercial and legal all parties call	Call in relation to option and lease
Jan 2022	Commercial and legal all parties call	Call in relation to option and lease
Feb 2022	Commercial, legal and technical all parties meeting/call	All parties pre-consultation meeting/call
Mar 2022	Commercial	To discuss option and lease
Mar 2022	Commercial, legal and technical all parties meeting	All day meeting in Teesside in relation to option and lease
Apr 2022	Commercial and technical	To discuss electrical supplies/connection and outfall technical/commercial interfaces
May 2022	Commercial and technical	To discuss electrical supplies/connection and outfall technical/commercial interfaces
May 2022	Commercial, legal and technical all parties meeting/call	Meeting/call in relation to option and lease
May 2022	SoCG	SoCG shared with STDC

In addition to the meetings listed in the above table, there has been regular contact between the legal teams to discuss the detailed provisions of the option and lease documentation.

#### 2.3.4 Technical Meetings

**Table 2.4: Summary of Technical Meetings**

Meeting Date	Meeting Type	Topics Discussed
Around Sept 2019	Introductory Site Visit	Site visit

Feb 2020	Technical on-site	Water supply options and water discharge options
May 2020	Technical	General Project Update, Initial discussion on plot size needs, civil risks, land restoration, utilities, next steps
May 2020	Geotech Workshop 1 -	History of region and STDC land area geology, available information, further investigations
June 2020	Initial Technical	Project Progress/Updates, land restoration and remediation, near term schedule
June 2020	Initial Technical	Project land needs, power facilities and early assessment of utilities and impacted STDC areas.
July 2020	General Context	STDC Inductions, COVID Rules on STDC site, Interfaces with existing utilities and way forward
Aug 2020	Technical on-site	Multi-discipline site visit (land area, remediation, utilities)
Aug 2020	Consenting	DCO and PEIR update
Sept 2020	Consenting	PEIR Feedback
Oct 2020	Consenting	DCO and PEIR update
Nov 2020	Consenting	DCO Red Line Boundary
Nov 2020	Consenting	DCO Application, ES Chapters, biodiversity, HRA, CEMP
Nov 2020	Consenting	DCO Application, ES Chapters, biodiversity, HRA, CEMP
Nov 2020	Initial Interfaces	Outfall, Water Supply, Gas route, CO2 routes, electrical connections effluent, sewage
Dec 2020	Project Interfaces	Outfall, Water Supply, Gas route, CO2 routes, electrical connections effluent, sewage, site access, traffic, early works programme, GI, remediation, biodiversity, HRA, CEMP, air quality, Teesworks Design guide, interfaces with Teesworks developments, telecoms
Jan 2021	Interfaces -	Regular discussion of interfaces progress
Jan 2021	Interfaces	Regular discussion of interfaces progress
Feb 2021	Interfaces	Regular discussion of interfaces progress
Feb 2021	Interfaces on-site	Project Update, Schedule, Land and Freeport interactions, Plant Layout and plot needs, Construction interfaces, Utilities, Outfall tie-in options
Mar 2021	Interfaces	Regular discussion of interfaces progress
Mar 2021	Interfaces	Regular discussion of interfaces progress
Mar 2021	Technical on-site	Project Schedule, Interfaces with remediation scope, site drive around, traffic entrances discussion
Mar 2021	Interfaces	Regular discussion of interfaces progress
Apr 2021	Interfaces	Regular discussion of interfaces progress
Apr 2021	Existing Outfall	Discussion with STDC and Oceaneering
Apr 2021	Interfaces	Regular discussion of interfaces progress
May 2021	Interfaces	Regular discussion of interfaces progress
May 2021	Existing Outfall	Discussion with STDC and Oceaneering

June 2021	Interface- on-site	Regular discussion of interfaces progress, Easement, Land needs & STDC Utility diversions discussion
July 2021	SoCG	Initial SoCG discussion in particular land parcels and interfaces with STDC Development land; STDC comments that SoCG preference is for a tabular format
July 2021	Land Parcels on-site	1 <sup>st</sup> land Parcels discussion relating to the Applicants' DCO
Aug 2021	Land Parcels on-site	2 <sup>nd</sup> (follow-up) land Parcels discussion relating to the Applicants' DCO
Aug 2021	Interface on-site	Utilities
Sept 2021	Interface	Regular discussion of interfaces progress
Sept 2021	Interface	Regular discussion of interfaces progress
Oct 2021	Interface	Regular discussion of interfaces progress
Oct 2021	Existing Outfall	Review STDC's objections to the outfall
Oct 2021	Interface	Regular discussion of interfaces progress
Oct 2021	Pipelines – on-site	Technical options review and assessment for Outfall, CO <sub>2</sub> Export, Tees crossing CO <sub>2</sub> Gathering & Nat Gas
Nov 2021	Interface	Regular discussion of interfaces progress
Nov 2021	Existing Outfall	Meeting to discuss potential implications of STDC's indication they are considering moving the outfall (and 'Red Main Road')
Nov 2021	Interface – on-site	Integrated Schedule and Utilities Diversions
Nov 2021	Interface	Regular discussion of interfaces progress plus review of Teesworks Utilities Tie-in RFP responses
Dec 2021	Technical interface	Electrical tie-ins and other issues
Dec 2021	Interfaces	Connections and tie-ins, Integrated Schedule, Logistics, Park & ride, Tod Point connections, Technical data requests, SoCG and key discussion points & Relevant Reps.
Jan 2022	Interface	Regular discussion of interfaces progress
Feb 2022	Electrical on-site	Electrical substation, potential tie-ins, Power connections concerns and site walk around for other utilities
Feb 2022	Interface	Regular discussion of interfaces progress
Mar 2021	Electrical	Electrical substation, potential tie-ins, Power connections concerns and site walk around for other utilities
Mar 2022	Pre-consultation briefing	Applicants' consultation on proposed changes to the DCO Application
Mar 2022	Existing outfall – inspection and licensing	Weekly <u>recurring</u> meeting to agree the scope, timing, and licensing for NZT to undertake an internal inspection of the existing outfall

Mar 2022	Electrical	Electrical substation, potential tie-ins, Power connections concerns and site walk around for other utilities
April 2022	Existing outfall – inspection and licensing	Weekly <u>recurring</u> meeting to agree the scope, timing, and licensing for NZT to undertake an internal inspection of the existing outfall
May 2022	Existing outfall – limit of connection	Establish boundary conditions regards extent of existing system that can be tied into, agreements on way forward

### 2.3.5 Land Remediation Meetings

**Table 2.5: Summary of Land Remediation Meetings**

Meeting Date	Meeting Type	Topics Discussed
16 April 2021	Scheduling meeting	Discuss comments on the initial demolition strategy provided by STDC
7 May 2021	Strategy meeting	Initial discussion on the NZT remediation strategy and to understand the current planning permission regulatory status for the STDC project including the NZT area.
21 July 2021	Scoping Meeting	Criteria, approach, planning, programme schedule, workshops proposed
28 July 2021 – 15 Dec 2021	Weekly STDC – NZT remediation development meeting	Weekly meeting set up by STDC to allow parties to align on the development of the remediation specification, site engagement / procurement of services,
19 January 2022 – 30 Mar 2022	Weekly STDC – NZT alignment meeting	Recurring NZT site remediation weekly call with aim of resolving final comments on remediation specifications ahead of STDC planning application submission and procurement process
25 Aug 2021	Workshop(s) on-site	Civils focussed, followed by soil/water focus, NZT civil engineer site visit
9 Sep 2021	Remediation workshop	Align on the NZT site, and formation of platform, and follow up session from the civil engineering workshop conducted on the 25th of August 2021.

---

### **3.0 TABLE OF ISSUES AND MATTERS**

This section sets out the issues between the Applicants and STDC, TVCA and Teesworks. Table 3.1 below summarises the following:

- Relevant issue,
- The Applicants current position,
- STDC, TVCA and Teesworks current position
- Status of negotiations (i.e. agreed, under discussion, not agreed)



**Table 3.1: General**

No.	Relevant Issue	The Applicants Position	STDC, TVCA and Teesworks Position	Status
1	Proposed Development	The principle of and the urgent need for the Proposed Development is agreed	No further comment	Agreed
2	PCC Site	The proposed location and size of the PCC site within the Teesworks site is agreed in principle	No further comment	Agreed
3	Option Agreement	<p>On 21 December 2021 a letter between the Applicants and the Mayor on behalf of TVCA was signed to affirm the common commitment of both parties to conclude the Option Agreement and associated documentation in accordance with the principles set out in the letter.</p> <p>The content of the letter is agreed and endorsed by STDC and Teesworks.</p>	No further comment	Agreed
4	Option Agreement	<p>The detail of the commercial principles agreed in the letter are confidential between the parties, however, by way of summary the following key principles were agreed in the letter – subject to further discussion and resolution of detailed matters:</p> <ul style="list-style-type: none"> <li>Lease rate, subject to independent review and benchmarking and confirmation of acceptance by BEIS</li> <li>Project liabilities and caps on liabilities</li> </ul>	<p>No formal agreement has been entered into as yet.</p> <p>Whilst the content of the letter is agreed, these were commercial principles and are subject to further discussion and resolution of detailed matters, and completion of agreements. STDC would qualify the Applicant’s comments on the following points in particular</p> <ul style="list-style-type: none"> <li>The general approach to be taken in relation to provisions of the option and lease that</li> </ul>	Under Discussion / Not Yet Agreed

		<ul style="list-style-type: none"> <li>• The approach to be taken in relation to provisions of the option and lease that would be relevant in the context of financing of the project</li> <li>• STDC’s obligation to carry out site remediation works and STDC’s and the Applicants’ respective responsibilities for payment of the cost of those works</li> <li>• The approach to the drawdown of leases</li> <li>• The basis upon which the lease of the construction and laydown area will be dealt with</li> <li>• The provision of and fee structure for site utilities including raw and potable water, sewerage and outfall</li> <li>• The provision of and fee structure for site power</li> <li>• That the Applicants have the right to undertake capital works for electrical infrastructure subject to the agreement of the landlord acting reasonably</li> <li>• The basis upon which the easements for CO2, natural gas, nitrogen and effluent water and the substation lease will be granted</li> </ul>	<p>would be relevant in the context of financing of the project is subject to agreement on the detailed provisions, not yet concluded.</p> <ul style="list-style-type: none"> <li>• STDC’s has agreed in principle to carry out site remediation works, subject to planning approval and conclusion of a formal agreement between the parties (not yet concluded), and STDC’s and the Applicants’ respective responsibilities for payment of the cost of those works; including milestones for payments made by NZT to STDC.</li> <li>• The provision of and fee structure for site utilities including raw and potable water, sewerage and outfall, is subject to agreement on detailed matters.</li> <li>• Provision of a park and ride by STDC is subject to agreement on terms.</li> </ul>	
--	--	--	--	--

		<ul style="list-style-type: none"> <li>• That a park and ride will be provided by STDL and the basis upon which it will be provided</li> <li>• That Teesworks would set up an appropriately resourced and dedicated team to deliver all elements of their obligations to the Applicants' project</li> <li>• That the parties would continue to work together in good faith to resolve all outstanding matters</li> </ul>		
5	Supplementary Planning Document and Master Plan	<p>The Applicants consider that the Proposed Development is compliant with the STDC Masterplan objectives and South Tees Supplementary Planning Document (May 2018). The Applicants' position is more fully set out in the updated Planning Statement submitted at Deadline 1.</p> <p>With respect to Development Principles STDC1 and STDC2, the Applicants have inserted protective provisions in the draft DCO that are intended to ensure there is no undue disruption to STDC in bringing forward other development proposals and securing the comprehensive redevelopment of the Teesworks site.</p>	<p>STDC maintain that that the scheme fails to comply with the STDC Masterplan objectives, which were enshrined into the South Tees Supplementary Planning Document (May 2018), adopted by RCBC, and which sets an overarching principle to deliver comprehensive development of the STDC area and to resist development that has the potential to stymie or prevent further phases of development (Development Principles STDC1 and STDC2)</p> <p>This is because there remains uncertainty as to the Applicants' use of compulsory powers over Teesworks, and the constraints this could impose on the Teesworks site.</p>	Under Discussion / Not Yet Agreed

		The Applicants continue to be open to discussion with STDC on the arrangements for the integrated development of the Teesworks site.		
6	Land Referencing	The Applicants are aware some corrections are required to the Book of Reference. These are under review and will be subject to a future update of the Book of Reference during Examination.	<p>STDC retain interests in certain plots under the ad medium filum rule, particularly plot 274. The Applicant needs to reflect such interests in its Book of Reference.</p> <p>There are minor discrepancies in the names of the relevant STDC entities in the Book of Reference.</p> <p>The address of STDC (and related entities) was updated recently, including at companies house. These changes need to be reflected in the Book of Reference.</p>	Under Discussion / Not Yet Agreed

**Table 3.2: Environmental Statement**

7	Baseline Environmental Information & Approach to EIA	It is agreed that data and information has been shared between the parties on the approach to the EIA and availability of baseline data on ecology, protected species, air quality, cultural heritage and noise effects. It is agreed that, for the EIA topics reviewed by STDC, the assessment methodologies and conclusions are appropriate and reflect the current site baseline conditions	No further comment at this stage.	Agreed
---	--	--	-----------------------------------	--------

		and adequately characterise the potential effects of the Proposed Development.		
8	Combined & Cumulative Effects	The approach taken to assessing combined and cumulative effects in the EIA has been discussed and agreed between both parties. In particular, due regard has been had to approved and planned developments both on the Teesworks site and in the wider area, specifically relating to transport, air quality, habitats and construction effects. An approach has also been agreed between the parties and Natural England regarding the sensitivity of the adjacent Teesmouth and Cleveland Coast SPA/ Ramsar site to nitrogen deposition effects.	No further comment at this stage.	Agreed
9	Combined & Cumulative Effects	It is agreed that no significant cumulative effects have been identified to result from the Proposed Development and the developments being progressed by STDC based on expected construction timescales. It is also agreed that the parties will continue to collaborate and communicate on development timescales and construction management to manage the interactions between the various developments as they proceed.	No further comment at this stage.	Agreed
10	Biodiversity & Landscaping	The approach taken to assessing biodiversity value of the current Proposed Development Site and how this needs to align with the STDC wider biodiversity strategy for Teesworks has been	No further comment at this stage.	Agreed

		discussed and agreed by the parties, and it is further agreed that the intention is to achieve biodiversity net gain for the Proposed Development, through planting, landscaping and other measures.		
11	Biodiversity & Landscaping	A draft of what is now the Indicative Landscape and Biodiversity Strategy (APP-079) was shared with STDC for review and comment. The Strategy demonstrates that biodiversity net gain could be achieved within the permanent land take of the Proposed Development Site boundary and without the need for additional land within the Teesworks site. Teesworks' Environment and Biodiversity Strategy is being developed to provide solutions on and off the Teesworks site for providing biodiversity mitigation and compensation, where necessary, to off-set for loss resulting from development.	No further comment at this stage.	Agreed
12	Construction Environmental Management Plan (CEMP)	It is agreed that construction effects associated with the Proposed Development will be managed through the use of a Construction Environmental Management Plan (CEMP), to be prepared by the appointed main contractor(s) through Requirement 16 of Schedule 2 of the DCO. A Framework CEMP has been submitted as part of the DCO Application (APP-246). The final CEMP approved under requirement 16 must be in accordance with the Framework CEMP. The	No further comment at this stage on the principle of a CEMP and its structure, though STDC requires to be consulted on the contractor's CEMP in due course.	Agreed (subject to comments in column to the left)

		Framework CEMP has been shared with STDC and it is agreed that this adequately covers the key points needed at this stage, recognising that a detailed construction programme and timeline is required to enable STDC to provide its full agreement.		
13	Integrated programme of construction works	It is agreed that an integrated programme of construction works needs to be developed and managed by the Applicants and STDC in order to manage the timing and interaction between development works across the Teesworks site.	No further comment at this stage. The principle of an integrated programme is agreed, but STDC has not seen any detail at this stage and so reserves its position in that respect.	Agreed (subject to comments in column to the left)
14	Construction Traffic Management Plan	<ol style="list-style-type: none"> <li>1. See the Applicants' position at point 28 (Access on Tees Dock Road) below with respect to alternative routes for construction traffic. The Applicants will continue to engage with STDC to discuss this matter.</li> <li>2. The Applicants have noted STDC's concerns and have commenced sensitivity studies that are expected to confirm the conclusions in Chapter 16 of the ES. The number of car movements is subject to final selection of the execution strategy by the EPC contractors. It will be subject to compliance with the Construction Traffic Management Plan to be approved by the</li> </ol>	<p>STDC has two concerns:</p> <ol style="list-style-type: none"> <li>1. The routes for construction traffic. As set out in STDC's RR at para 6.12, "There is no rationale for limiting HGV construction traffic to access / egress Teesworks via Tees Dock Road. There is no assessment of alternative access opportunities including an obvious alternative to Tees Dock Road: that being the use of the northern-most point of access into Teesworks at the main roundabout access from the Trunk Road (the 'Steel House roundabout access')."</li> </ol> <p>The Applicants are required to update its plan to account for the reasonable alternative for traffic identified by STDC.</p>	Under Discussion / Not Yet Agreed

		<p>planning authority and which must be in accordance with Chapter 16 of the ES and the Framework Construction Traffic Management Plan.</p>	<p>2. The number of vehicles referred to in the Applicants' traffic assessment. As set out in STDC's RR at para 6.15, STDC requires Chapter 16 to the ES to be reviewed and updated to ensure that the correct number of vehicle movements is reflected. STDC understand the actual number of movements is closer to 1500, as per the number of parking spaces required for park and ride.</p>	
--	--	---	--	--

**Table 3.3: Utility, Services and Easement**

15	Raw water supply (Work No. 4)	<p>The Applicants have provided protective provisions in Part 19 of Schedule 12 of the DCO for the benefit of Teesworks Limited. These include arrangements for the approval of works details with Teesworks Limited in advance of commencing development (including Work No. 4) at the Teesworks site, and co-operation arrangements including information sharing that will facilitate Teesworks development proposals coming forward alongside the Proposed Development. The Applicants will continue to discuss the terms of the protective provisions with STDC.</p> <p>It has been agreed that, subject to contract, STDC will provide a tie-in point to the existing</p>	<p>As per the Applicants comment, the agreements are not yet in agreed form and remain in negotiation. Without such agreement being entered into prior to the close of examination, STDC requires controls in the DCO to prevent the Applicants from making such connections over STDC land without STDC consent. The risk in not including such requirements would be detrimental to STDC's existing and new development proposals.</p> <p>STDC clarifies that: it has been agreed that, <b>subject to agreement over the connection route and extent of the easement corridor</b>, STDC will provide a tie-in point to the existing NWL supplied potable water connection on the fence-</p>	Under Discussion / Not Yet Agreed
----	-------------------------------	---	---	-----------------------------------



		<p>Northumbrian Water Limited ('NWL') supplied raw water connection on the fence-line of the Proposed Development. The basic fee structure for this service has been agreed as per the letter in point 4 (Option Agreement). The agreements to be entered into between the parties will establish the terms on which the raw water supply would be provided by STDC and would regulate the use of the Applicants' powers in the DCO. The agreements are not yet in agreed form and remain under negotiation.</p>	<p>line of the Proposed Development. The basic fee structure for this service has been agreed in <b>principle but this matter remains under discussion in terms of commercial details.</b></p>	
16	Potable water supply (Work No. 4)	<p>See point 15 in respect of the protective provisions that apply to the Work Nos in the DCO that are located at the Teesworks site.</p> <p>It has been agreed, subject to contract, that STDC will provide a tie-in point to the existing NWL supplied potable water connection on the fence-line of the Proposed Development. The basic fee structure for this service has been agreed as per the letter in point 4 (Option Agreement). It has been agreed that the agreements to be entered into between the parties will establish the terms on which the potable water supply would be provided by STDC and would regulate the use of the Applicants' powers in the DCO. The</p>	See point 15	Under Discussion / Not Yet Agreed

		agreements are not yet in agreed form and remain under negotiation.		
17	Sewerage	<p>See point 15 in respect of the protective provisions that apply to the Work Nos in the DCO that are located at the Teesworks site.</p> <p>It has been agreed that STDC will provide a tie-in point on the fence-line of the Proposed Development to a new designed STDC sewage system that will ultimately connect into the existing NWL sewage connection. The basic fee structure for this service has been agreed as per the letter in point 4 (Option Agreement). It has been agreed that the agreements to be entered into between the parties will establish the terms on which the sewage connection would be provided by STDC and would regulate the use of the Applicants' powers in the DCO. The agreements are not yet in agreed form and remain under negotiation.</p>	See point 15	Under Discussion / Not Yet Agreed
18	Existing Outfall (Work No. 5A)	<p>See point 15 in respect of the protective provisions that apply to the Work Nos in the DCO that are located at the Teesworks site.</p> <p>Use of existing shafts A or B (and the connecting underground horizontal outfall tunnel) has been challenged by STDC due to concerns regarding future development of the relevant land. The</p>	STDC do not agree to the current route of the outfall forming Work 5A due to sterilisation of development on that land. STDC is currently in detailed discussions for development on this land, representing a significant national economic growth project and NZT's proposals risk impacting those discussions.	Under Discussion / Not Yet Agreed

		<p>parties have agreed that the Applicants will undertake a study to understand if it is possible to make a new connection to the outfall at another location.</p> <p>Following the completion of the study, the parties will need to discuss the preferred approach and commercial arrangements for securing the alternative route. The tie-in location at the fenceline of the PCC Site would be subject to confirmation during design development.</p> <p>The Applicants have not yet agreed to use the existing outfall with STDC due to outstanding technical and commercial issues.</p>	<p>STDC has not yet agreed to an alternative design and route of the pipework for the outfall and require discussions on this, including which party will undertake the works.</p>	
19	Onsite Power Supply Connection	<p>It has been agreed that STDC is able to supply either 66 kV or 11 kV power to the Proposed Development for the following:</p> <ul style="list-style-type: none"> <li>• Construction power;</li> <li>• Commissioning &amp; start-up power; and</li> <li>• Back-up/standby power, as contingency in the event of other main supply system failures.</li> </ul> <p>The Applicants and STDC have identified a range of technical arrangements for each of these supplies. The Applicants and STDC are in dialogue</p>	<p>No further comments at this stage.</p>	<p>Under Discussion / Not Yet Agreed</p>

		seeking to reach final agreement prior to July 2022.		
20	Electrical Cable Route & Easement (Work No.3A)	<p>It has been agreed that the parties will work together to determine a suitable route for the cables. The Electrical Connection (Work No. 3A) is intended to run through the proposed STDC utilities corridor, wherever they are on a common routeing, through to the new Tod point substation (Work No. 3B).</p> <p>Final routing is subject to final design sizing, commercial agreement between the parties, and Network Rail crossings agreements.</p>	No further comments at this stage.	Under Discussion / Not Yet Agreed
21	Other Easements / Direct Connections (Work No. 2A, 5C, 6)	<p>The Applicants are in discussion with STDC on a voluntary agreement for easement corridors. In the absence of an agreement being entered into, the Applicants require the compulsory acquisition powers within the Draft DCO and have proposed protective provisions that it considers address STDC's concerns. These include arrangements for the approval of works details with Teesworks Limited in advance of commencing development (including Work Nos. 2A, 5C and 6) at the Teesworks site, and co-operation arrangements including information sharing that will facilitate Teesworks development proposals coming forward alongside the Proposed Development.</p>	<p>STDC is prepared to grant utility easements to NZT. Options for easements need to be entered into and compulsory acquisition powers removed from the scope of the DCO or satisfactorily controlled by protective provisions. Since easements can be granted by agreement, compulsory acquisition powers are not required.</p>	Under Discussion / Not Yet Agreed

		The Applicants will continue to discuss the terms of the protective provisions with STDC.		
--	--	---	--	--

**Table 3.4 DCO**

22	Schedule 2	<p>The parties agree that Schedule 2 of the DCO will be updated to require that STDC is consulted pursuant to the discharge of the following requirements:</p> <ul style="list-style-type: none"> <li>• Requirement no. 11: Surface and foul water drainage</li> <li>• Requirement no. 12: Flood risk mitigation</li> <li>• Requirement no. 13: Contaminated land and groundwater</li> <li>• Requirement no. 16: Construction environmental management plan</li> <li>• Requirement no. 18: Construction traffic management plan</li> <li>• Requirement no.19: Construction workers travel plan</li> <li>• Requirement no. 23: Piling and penetrative foundation design</li> <li>• Requirement no. 24: Waste management on site – construction wastes</li> </ul>	This is agreed, subject to (i) these amendments being made to the dDCO at the next available deadline, and (ii) STDC reserving its right to request such a role on other requirements, which it will address in its written representation.	(i) Agreed (ii) Under Discussion / Not Yet Agreed
23	Article 2 “permitted	The permitted preliminary works (“PPW”) involve largely non-intrusive works that the Applicants are permitted to carry out, where appropriate	It is not yet clear to STDC what impact the “permitted preliminary works” will have on Teesworks.	Under Discussion /

	preliminary works”	before discharging certain requirements. The list of PPW is prescriptive and if any other works are required, that would require the consent of the planning authority who will need to be satisfied that they do not give rise to new or materially different environmental effects from those assessed in the ES. There is precedent for this approach in other DCOs for energy infrastructure including gas fired power stations such as the Eggborough Gas Fired Generating Station Order 2018 and The Immingham Open Cycle Gas Turbine Order 2020. PPW are not excepted from the scope of protective provisions which therefore apply to them as for other relevant parts of the authorised development.	<p>STDC require these works to either be controlled by the protective provisions or a DCO requirement, or for the Applicants to provide details of their scale, timing and location by entering into an agreement with it.</p> <p>The risk to STDC is that its own existing or future developments may be impacted by these works of unknown scale.</p> <p>STDC notes the Applicants’ position here, and will address the matter further in STDC’s written representation.</p>	Not Yet Agreed
24	Article 8 – transfer of benefit	The Draft DCO provides that the powers are for the benefit of the Applicants and may be transferred to statutory undertakers in certain circumstances (Article 8). The justification for these provisions is that in such cases, the transferee or lessee will either be of an appropriate regulatory standing, or there are no outstanding actual or potential compulsory acquisition compensation claims, and there is therefore no need for regulatory oversight of any transfer. In other circumstances, the consent of the Secretary of State is required for the transfer/lease. Any statutory undertaker who is	<p>STDC require the Applicants to identify the statutory undertakers it intends to transfer the benefit of the DCO to, over STDC land. This is in accordance with precedented DCOs.</p> <p>The risk to STDC is that unknown third party statutory undertakers may begin exercising powers over its land.</p> <p>STDC notes the Applicants’ position here, and will address the matter further in STDC’s written representation.</p>	Under Discussion / Not Yet Agreed

		<p>the beneficiary of a transfer under Article 8 would be subject to the same obligations under the DCO as the undertaker (the Applicants). There is precedent for these arrangements in the Immingham Open Cycle Gas Turbine Order 2020 and The Hornsea Three Offshore Wind Farm Order 2020. The Applicants have also identified the statutory undertakers within the Order Limits, as set out in the Book of Reference.</p> <p>Separately the Applicants intend to make amendments to article 8(7)(iv) in order to provide certainty as to the procedure for the nomination of a party by STDC, for the transfer of Work No. 5A to STDC.</p>		
25	Article 12 – Construction and maintenance of new or altered means of access	See point 28 (Access on Tees Dock Road)	STDC objects to the Applicants’ construction of a new access on Tees Dock Road as there is a reasonable alternative available, via the Steel House roundabout access. This should be removed from the scope of the Order limits.	Under Discussion / Not Yet Agreed
26	Vertical limits of deviation	STDC has requested that vertical limits of deviation are secured in relation to pipelines across the Teesworks site, to ensure that they are beneath the surface and allow development on the surface. The Applicants agreed to consider	STDC note that the Applicants’ proposals still involve use of utilities beneath Teesworks. STDC note that compulsory acquisition powers remain within the draft DCO. In order to avoid sterilisation of the wider Teesworks site, STDC	Under Discussion / Not Yet Agreed

		<p>this in relation to Options 1A and 1B for Work No. 2A (Gas Connection – the ‘long tunnel’) &amp; Option 1 for Work No. 6 . As this has now been removed from the scope of the DCO Application the Applicants do not consider that this is now relevant.</p> <p>Work Nos. 2A, 3A, 5C, 6 and 8 remain within the Teesworks site, and are all to be located close to or at the surface. The Applicants are content to discuss STDC’s request further to understand what it is seeking and in which areas.</p>	<p>require vertical limits of deviation to be inserted into the DCO, preventing the Applicants’ proposals from interfering with STDC’s own development proposals.</p> <p>STDC notes the Applicants’ position here, and will address the matter further in STDC’s written representation.</p>	
27	Protective Provisions	<p>The terms of the protective provisions included in the Draft DCO are not yet agreed. In particular it is not agreed that the Applicants’ powers of compulsory acquisition should be controlled via the protective provisions.</p>	<p>STDC is reviewing the latest draft Protective Provisions sent by the Applicants. STDC require the use of compulsory acquisition powers at Teesworks (if they are retained in the DCO) to be controlled via the protective provisions, as per the protective provisions offered by the Applicants to York Potash, National Grid and Network Rail.</p>	Under Discussion / Not Yet Agreed

**Table 3.5 Streets, rights of way and accesses**

28	Access on Tees Dock Road	<p>The Applicants continue to discuss with STDC alternative access routes from the Teesport Estate to the Teesworks site. Any alternative</p>	<p>As above (Points 14 and 25), STDC objects to the Applicants’ construction of a new access on Tees Dock Road (set out in Part 2 to Schedule 5 to the draft Order). This land belongs to STDC and</p>	Under Discussion /
----	--------------------------	---	--	--------------------



		would need to be addressed and secured within a voluntary agreement.	should not be constructed on in order to ensure the integrity of the wider STDC site. STDC has suggested an alternative route along the public highway which the Applicant should adopt.	Not Yet Agreed
--	--	--	--	----------------

**Table 3.6 Compulsory acquisition and temporary possession powers**

29	Permanent acquisition	As set out in point 4 (Option Agreement), the letter between the Applicants and the Mayor on behalf of the Tees Valley Combined Authority contained an acknowledgement that the parties would continue to work together in good faith to resolve all outstanding matters. The Applicants and STDC continue to progress towards voluntary agreement for the main site and substation site, and consider that powers of compulsory acquisition are required in the absence of agreements being in place.	STDC oppose any compulsory acquisition of its interests. STDC's own developments risk being sterilised if the Applicants obtain compulsory acquisition powers in their current form. STDC would note that the Applicants' intention is to acquire a leasehold interest in the site, which would not be capable of being granted under compulsory acquisition powers.  STDC require an amendment to the protective provisions so that no powers may be exercised over STDC land without STDC consent.	Under Discussion / Not Yet Agreed
30	Permanent rights	As set out in point 4 (Option Agreement), the letter between the Applicants and the Mayor on behalf of the Tees Valley Combined Authority contained an acknowledgement that the parties would continue to work together in good faith to resolve all outstanding matters.	As above (Point 29)  STDC is open to entering into easements with the Applicants, however the Applicants have not progressed easements at a speed acceptable to STDC.	Under Discussion / Not Yet Agreed

		The Applicants and STDC continue to progress towards voluntary agreements for easements of gas, electrical, water, CO2 and other connections, and access.		
31	Temporary possession	<p>The land of which the Applicants require temporary possession for the purposes of construction of the Proposed Development has been agreed in some areas but not in others.</p> <p>The Applicants and STDC continue to progress towards voluntary agreement for these areas and/or suitable alternatives.</p>	As above (Point 29)	Under Discussion / Not Yet Agreed

**Table 3.7 Other**

32	Impact on STDC private wire network	An assessment has been carried out by the Applicants relating to the potential fault levels that might be incurred as a result of the Proposed Development tying-in to the Tod Point Substation. Following issue of this technical report to STDC in November 2021 the Applicants consider this matter adequately addressed.	STDC require this matter to be urgently resolved by the Applicant as without an agreement, and with compulsory acquisition powers within the DCO, there is a risk to the integrity of STDC's private wire network.	Under discussion / Not Yet Agreed
33	Impact on STDC private wire network	An assessment has been carried out by the Applicants relating to the potential parallel paths on STDC's 66kV system (66kV Parallel Path) that might be incurred as a result of the NZT main 275kV connection to the Tod Point Substation. It	STDC require this matter to be urgently resolved by the Applicant as without an agreement, and with compulsory acquisition powers within the DCO, there is a risk to the integrity of STDC's private wire network.	Under discussion / Not Yet Agreed

		<p>has been confirmed that the risk of 66kV Parallel Path exists at STDC today, and although increased by the Applicants' connection, is anticipated to occur to a greater extent in the future as the National Grid and STDC systems evolve, with or without the Applicants connecting at Tod Point. Nevertheless, the Applicants and STDC have identified a range of technical operating scenarios and potential modifications to mitigate and manage this risk.</p> <p>The final details with respect to the 66kV Parallel Path are not yet finalised and agreed, the Applicants and STDC are in dialogue seeking to reach final agreement prior to July 2022.</p>	<p>STDC's would clarify the Applicant's response as follows: "...potential parallel paths on STDC's 66kV system (66kV Parallel Path) that <b>would</b> be incurred as a result of the NZT main 275kV connection to the Tod Point Substation. It has been confirmed that the risk of 66kV Parallel Path exists at STDC today, and although increased to <b>unacceptable levels</b> by the Applicants' connection, is anticipated to occur to a greater extent in the future as the National Grid and STDC systems evolve, with or without the Applicants connecting at Tod Point..."</p>	
34	Stockpiling of tunnel arisings;	<p>Spoil from the construction of the CO2 Export Pipeline and the replacement outfall (if required) would be temporarily stockpiled within the Order Limits pending re-use or removal. The split between re-use on site or removal for re-use elsewhere or disposal has not yet been confirmed and will determine how much is required to be stockpiled on site and for how long.</p> <p>The removal of the new build tunnel option, following acceptance by the ExA on 6<sup>th</sup> May 2022, will substantially reduce the volume of spoil requiring management and disposal. It is also</p>	<p>STDC's relevant representation questioned the lack of detail on the quantity, location and duration of storage of arisings from the tunnel boring activities (in addition to wider waste management impacts from the overall construction phase) and how this may impact availability of Teesworks' land for other development.</p> <p>STDC require the Applicant to clarify these issues which could impact STDC land. STDC notes the Applicants' latest position here, and will address</p>	Under discussion / Not Yet Agreed

		<p>expected that the rate of generation of spoil from the proposed works will be such that it can be managed and – if required – disposed of off-site without significant stockpiling being required</p>	<p>the matter further in STDC’s written representation.</p>	
35	Remediation agreement	<p>The Applicants and STDC have jointly developed remediation specifications, which have formed the basis for STDC’s planning application under the T&amp;CP Act.</p> <p>The commercial aspects and principles related to payment for the remediation are mature and are being handled as part of the ongoing option agreement discussions.</p> <p>To this end the Applicants are open to reaching a commercial agreement in order to commence remediation.</p>	<p>STDC require an agreement to be entered into on these matters.</p> <p>STDC and the Applicants have jointly progressed remediation design. The parties have jointly discussed remediation, and a planning application has been submitted by STDC. However, no commercial agreement has yet been agreed, which is a precursor to STDC undertaking any remediation works.</p>	Under discussion / Not Yet Agreed
36	Interface agreement	<p>The Applicants and STDC are pursuing an Interface Agreement that is designed to set out a suite of documents that must be either shared with STDC, consulted upon with STDC, or that would require STDC’s approval. The Applicants have been working on a draft Interface Agreement following STDC’s proposal and are close to being in position to share this with STDC for comment.</p>	<p>STDC require an interface agreement to be entered into with the Applicants, in order to avoid other developments, including those relating to the Freeport, from being prejudiced by the NZT scheme.</p>	Under discussion / Not Yet Agreed

		The Applicants consider that the protective provisions adequately protect STDC in the absence of an interface agreement.		
--	--	--	--	--

**Table 3.8 Alternatives**

37	Plots 290, 291, 298, 299 – Construction access	<p>These plots are within the Order Limits to secure a route from RBT to the PCC site for transportation of AILs (Work No. 10). During the Application phase, this route was selected as it offered a direct route, with existing infrastructure.</p> <p>The Applicants are in discussions with STDC on alternative access routes within STDC’s land interests. These discussions are ongoing and are proposed to be captured in the Option Agreement.</p> <p>To ensure deliverability of the Proposed Development the Applicants need to secure a route for AILs from RBT to the PCC site within the DCO. The current route minimises environmental impact through use of existing infrastructure and by taking the most practical direct route.</p>	STDC recognise the need for construction access from Redcar Bulk Terminal to transfer large components to the PCC site. Should this access be available during the period of construction, STDC is content for it to be used. However, the Freeport site is subject to other development proposals. If the access along these plots is not longer available, STDC requires the Applicants to make use of an alternative access the main site rather than taking powers which sterilise the Freeport. The DCO and supporting documents need to clearly make provision for this.	Under discussion / Not Yet Agreed
38	Plots 291, 298, 299, 309 –	These plots are within the Order Limits to facilitate pipeline stringing during the execution of the landfall scope of Work No.5B & 8. The final	STDC require land for pipeline stringing to removed from the scope of the Order limits.	Under discussion /

	Pipeline stringing area	execution methodology for this work is subject to further engineering assessment but the Applicants can confirm that this area can be reduced as it is no longer required for the purposes of Work No. 9A.	<p>STDC’s understanding from the Applicant is that this land is no longer required for this purpose.</p> <p>On the basis of the Applicants’ comments, which STDC welcomes, STDC needs to understand the extent of the reduction and requests an amendment to be put forward to the DCO and supporting plans at the earliest opportunity.</p>	Not Yet Agreed
39	Plot 292, 293, 295 – Temporary land for construction including Park and Ride and Laydown	<p>These plots are within the Order Limits to facilitate delivery of the Proposed Development and form part of Work No. 9A. The plots were identified for construction laydown, facilities and car parking during the construction and commissioning stages.</p> <p>Plots 292, 293 &amp; 295 have been retained within the Order Limits to provide equivalent car parking capacity adjacent to the main site unless and until a voluntary agreement is reached on use of a Park and Ride, and STDC has demonstrated deliverability of the Park and Ride scheme to support the Proposed Development.</p> <p>Following further design development, the Applicants have confirmed that they can reduce the extent of this Order Land for the purposes of Work No. 9B.</p>	<p>STDC consider more temporary land has been included in the proposals than necessary and require this area to be removed and/or reduced. In particular STDC is preparing a park and ride solution for NZT employees accessing the Teeswork site. STDC understands that NZT has confirmed this area of land can be reduced.</p> <p>On the basis of the Applicants’ comments, which STDC welcomes, STDC needs to understand the extent of the reduction and requests and amendment to the DCO and supporting plans at the earliest opportunity.</p>	Under discussion / Not Yet Agreed

40	Plots 308, 297 – Existing Outfall	<p>These plots are within the Order Limits to provide a suitable connection route from the PCC site to the existing outfall (shafts A &amp; B). The Applicants are in discussion with STDC on alternative connection routes for the existing outfall.</p> <p>As per point 18 (Existing Outfall) above, the use of the existing outfall has not yet been agreed due to technical and commercial matters. These plots are included within the Order for temporary use, and the powers can be transferred to Teesworks under Article 8. The Applicants’ use of the existing outfall is dependent on resolving technical matters and securing a voluntary agreement with STDC, if this is not achieved the Applicants would proceed with Work No. 5B only.</p>	<p>As above, STDC object to the alignment of the outfall and considers that a reasonable alternative exists.</p>	<p>Under discussion / Not Yet Agreed</p>
41	Plot 279 – Tees Dock Road	<p>See response to point 28 (Access to Tees Dock Road)</p>	<p>On plot 279, STDC has made clear there is an alternative route which the Applicants should be using for access instead of this plot. However, it seems that the alternative route has not been included within the Applicant’s Order limits.</p> <p>STDC require the Applicant to remove the Tees Dock Road access from the scope of the DCO and amend their DCO to include the alternative access. The Applicant has verbally agreed to remove this element of the scheme.</p>	<p>Under discussion / Not Yet Agreed</p>