



OUR REF T2783.4-01/CWI/FCG
YOUR REF EN010103
23 August 2022

The Planning Inspectorate
National Infrastructure Planning
Temple Quay House
2 The Square
Bristol
BS1 6PN

Dear Planning Inspectorate

**The Proposed Net Zero Teesside Project (EN010103) (the “Project”)
Deadline 6 Submission**

- 1.1 As set out in our previous submissions, we act on behalf of Teesside Gas Processing Plant Limited (“**TGPP**”) and Teesside Gas & Liquids Processing (“**TGLP**”) in relation to the development consent application by Net Zero Teesside Power Limited and Net Zero North Sea Storage Limited (together the “**Applicants**”) for the Project (the “**Application**” or the “**DCO**”). TGLP and TGPP’s interests are managed by North Sea Midstream Partners (“**NSMP**”) and they will hereafter be referred to for ease of reading as NSMP.
- 1.2 On behalf of NSMP, we enumerated various concerns relating to the Project in our Deadline 5 submission. We now provide a brief update in respect of a number of issues.
- 1.3 In paragraphs 1.3 – 1.5 and paragraph 3 of our Deadline 5 submission, we highlighted NSMP’s concerns regarding the proposal within the DCO to utilise the sole access road to NSMP’s gas processing plant (the “**Access Road**”) for both operational and construction traffic related to the Project. In paragraph 1.5, we indicated that the Applicants had advised NSMP that they were in discussions with an adjacent landowner in order to secure an alternative means of access for construction traffic. NSMP are not aware of the progress that has been made in discussions with the adjacent landowner in that respect.
- 1.4 As set out in our Deadline 5 submission, NSMP have substantial concerns over potential impacts to the Access Road and the potential risk to NSMP’s ability to maintain safe and continuous operation of its facilities, as well as potential damage to the same. In particular, NSMP’s position is that any construction access for areas inside the adjacent landowner’s site or otherwise outside of NSMP’s freehold must be by way of the adjacent landowner’s site, not via the Access Road.
- 1.5 The Applicants now state that, regardless of the agreement with the adjacent landowner and contrary to NSMP’s previous understanding, the Applicants are only seeking construction access over the

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Access Road within NSMP's freehold in Plot 106 for traffic relating to construction in Plot 105, not for any other Project construction outside of NSMP's freehold, including construction in Plots 110 and 112. While NSMP do not see any construction access over NSMP's freehold or Plot 108 for construction in areas outside of NSMP's freehold as necessary or appropriate, NSMP welcome this clarification.

- 1.6 NSMP request that the DCO is clarified to reflect the position that construction access is not being sought by way of Plot 105 or 106 for any construction outside of NSMP's freehold. In any event, the infrastructure currently in place on Plot 105 precludes any access by construction vehicles from Plot 105 into Plot 110.
- 1.7 NSMP's position is further that any construction access which is agreed for Plot 105 via the Access Road must be subject to stringent safeguards, including but not limited to a robust liability and indemnity regime, a comprehensive agreed construction and traffic management plan, compliance by the Applicants with all site rules and regulations, and maintenance of site security at all times. In addition, any construction laydown area should be outwith NSMP's freehold given the small size of Plot 105 and space constraints within NSMP's site.
- 1.8 NSMP are also concerned that the access position remains subject to amendment and clarification by the Applicants at this stage in the DCO process. It is critical to NSMP that the Applicants finalise their position on access. This is a matter which needs to be resolved swiftly so that NSMP can effectively evaluate the full impact of the Project on their operations and also engage effectively in the Examination process going forward. NSMP continue to engage with the Applicants on this issue.
- 1.9 NSMP continue to liaise with the Applicants in relation to the terms of the voluntary acquisition of rights in respect of Plot 105.
- 1.10 In addition, it is likely that protections will be required by NSMP in respect of their other rights within the order limits as set out in our Deadline 5 submission. In particular, NSMP are concerned about potential damage or adverse impact of Project works on land, roads, pipelines or other infrastructure owned, operated or used by NSMP or over which NSMP has rights.
- 1.11 NSMP are also engaging with the Applicants over changes to the DCO and NSMP's involvement therein which could assist in managing wider concerns regarding the construction of the Project. They have made proposals to the Applicants in this respect.
- 1.12 It is noted that a further draft of the DCO is likely to be submitted at Deadline 6 and this will be reviewed by NSMP and further comments lodged at Deadline 7.

Yours faithfully



For and on behalf of Shepherd and Wedderburn LLP