



UNCLASSIFIED

Net Zero DCO

**RESPONSE TO UPDATED DRAFT DCO AND COMPULSORY
ACQUISITION SCHEDULE**

On behalf of

ANGLO AMERICAN CROP NUTRIENTS LIMITED

(REF: 20029897)

DEADLINE 9

06 OCTOBER 2022



1. INTRODUCTION

- 1.1 Relevant representations were submitted on behalf of Anglo American Woodsmith Limited and York Potash Limited on 15 December 2021 (RR-014). The representations referred to the support, in principle, of the Net Zero Project but also objected to the granting of powers of compulsory acquisition in respect of the Anglo American land/rights and expressed concern regarding the lack of detail in available in respect of certain elements of the scheme and the consequent difficulties in understanding the potential impact of the Net Zero Project on the Woodsmith Project.
- 1.2 Written representations updating and expanding upon the relevant representations were submitted for Deadline 2 (REP2-073). The written representations also clarified that Anglo American Woodsmith Limited had changed its name to Anglo American Crop Nutrients Limited and is, along with the other relevant companies, to be generically known as “Anglo American”.
- 1.3 Further representations (REP3-016) were submitted in response to the draft DCO submitted on behalf of NZT at Deadline 2 (REP2-002) and included comments on the contents of the Compulsory Acquisition Schedule (REP2-014). An update and response to Second Written Questions was submitted at Deadline 6 (REP6-126).
- 1.4 These submissions:
 - provide an update on the continuing discussions between the Applicant and Anglo American.
 - update the Examining Authority regarding the application for a non-material change to the York Potash DCO which was the subject of question Gen – 2.3 in the Examining Authority’s Second Written Questions.

2. UPDATE ON DISCUSSIONS

- 2.1 With the agreement of Anglo American the Applicant included revised protective provisions in Schedule 3 and Part 17 of Schedule 12 of the updated draft DCO (REP8-003). These protective provisions are not currently agreed but were included in the updated Draft DCO to give the Examining Authority comfort that progress is being made. Their acceptance is subject to the caveats set out in the three bullet points included by the Applicant in entry 5 of the updated Compulsory Acquisition Schedule (REP8-052).



- 2.2 Agreement on the protective provisions is contingent upon the completion of a Side Agreement which is currently under discussion. The Side Agreement is substantially agreed subject only to finalisation of the Property Agreements referred to in the agreement and which are the subject of ongoing discussions.
- 2.3 It is anticipated that the Side Agreement will be completed shortly and will incorporate the necessary. If that does not prove to be the case and it is not possible to reach full agreement, Anglo American, hopefully in conjunction with the Applicant, will supply to the Examining Authority the protective provisions which it believes would be appropriate for inclusion with the DCO within the timescale of the Examination.

3 UPDATE ON APPLICATION FOR NON MATERIAL CHANGE

- 3.1 The York Potash Harbour Facilities (Amendment) Order 2022 was made on 25 August 2022 and came into force on 26 August 2022.
- 3.2 The Amendment Order is in the form requested and as described in section 4 of Anglo American's Written Representations (REP2-073), it reduces the extent of details to be approved before development can commence and will enable Anglo American to press on with the construction of the quay whilst it finalises details of the conveyor.