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06.10.22

Our Ref: 0006-P1A4.5NTLLET014

Planning Act 2008 (as amended) – Section 55

Application by Net Zero Teesside Power Limited and Net Zero North Sea Storage Limited for an Order granting Development Consent for the Net Zero Teesside (“NZT”) project

Planning Inspectorate Reference: EN010103

Unique Reference: NZTP – AFP048, NZTP – AFP049, NZTP – AFP050

Deadline 9 – *Various matters*

I refer to the above application for an Order granting development consent made under section 37(2) of the Planning Act 2008 (PA2008) received by the Planning Inspectorate on 19 July 2021 and accepted for examination on 16 August 2021.

The application seeks development consent to authorise the construction, operation, and maintenance of the NZT Project (specifically a carbon dioxide pipeline) on land at and in the vicinity of the former Redcar Steel Works Site, Redcar and in Stockton-on-Tees, on Teesside.

North Tees Land Limited (“NTLL”), North Tees Limited (“NTL”) and North Tees Rail Limited (“NTRL”), together North Tees Group (“NTG”) hold various interests within the site boundary in relation to the application by the Promoters for a development consent order (“the DCO”).

As per the deadline matters 9 set in the examination timetable for the DCO, NTG are responding to the Examining Authority (ExA) with the following points.

1. NTG would like to notify the ExA of a wish to speak at Issue Specific Hearing 5 (“ISH5”) on the 18th October 2022 regarding the draft Development Consent Order.

It must be noted that NTG are unable to make thorough, detailed representations regarding the draft Development Consent Order by Deadline 9 (6th October 2022) and will follow up with a detailed written submission as part of the post hearing submissions at Deadline 11 (26th October 2022). NTG are disappointed that the Applicant has not reflected the changes discussed during the negotiations of the voluntary agreements in the draft Development Consent Order following significant time investment from ourselves. NTG have therefore not been left with sufficient time to review and comment on the dDCO in detail but will do so by ISH5 and Deadline 11 respectively. As an interim position, NTG must stress to the ExA that Schedule 12 Part 26 as drafted is wholly inadequate and we will follow up in writing as laid out above. NTG’s position is very similar to that of Sembcorp in relation to the nature of the landholding effected by the DCO. Following the lack of progression on the voluntary agreement, NTG will focus

on providing a detailed response on the protective provisions by way of marking-up the dDCO Schedule 12 Part 26.

2. NTG would like to notify the ExA of a wish to speak at Compulsory Acquisition Hearing 3 on 19th October 2022.
3. NTG unfortunately have no update and have not been provided an updated Statement of Common Ground from the Applicant. Correspondence from the Applicant has been unhurried with re-established demands.
4. NTG have an ASI on 20th October for the reasons laid out below:
 - a. The ASI undertaken 12th May did not include the NTG respective landholdings and interests and the constraints, complexity and nature of the land may not be understood.
 - b. NTG see no reason whatsoever why the Planning Inspectorate would grant compulsory rights to the DCO to a right of perpetuity to lay a CO2 pipeline in wholly inappropriate areas (emergency access/ egress) and restrict other established rights. NTG's view is that the order land for permanent rights to be acquired is simply wholly unnecessary for the Project requirements.
 - c. The land to be accessed is a mixture of industrial/ operational and vacant land with potential hazards and as such it is necessary for health and safety to be complied with. Operational rules necessitate an accompanied visit.
 - d. The presence of NTG is necessary in order to identify and explain the particular features of the site, its use and specific constraints.
5. It is NTG's view that the site boundary/ easement area is simply too large and in part, inappropriate. Therefore, the sterilisation area is too large, and the extent is excessive for the NZT Project requirements. As per the 026_ARDG_TCCC_LP APPLICATION DOCUMENT REREFERENCE NO. 4.2 LAND PLANS SHEET 4 OF 14, the width of plots 124a and 128 is in excess of 90 metres, which in NTG's view is wholly excessive and inappropriate for a 22-inch pipe within a 1 metre easement. Furthermore, the Applicant (through the DCO) has been unwilling to accommodate flexibility for future estate requirements such as the re-routing of estate roads from A to B to C to A to C as shown on the Figure below. Therefore, the sterilisation is unnecessary and excessive. The rights sought extend well beyond the pipezone areas as per our Deadline 7 response (Our Ref: 0006-P1A4.5NTLLET013) see Drawings 007&008 and there has been no or little engineering or technical justifications given for the proposals.

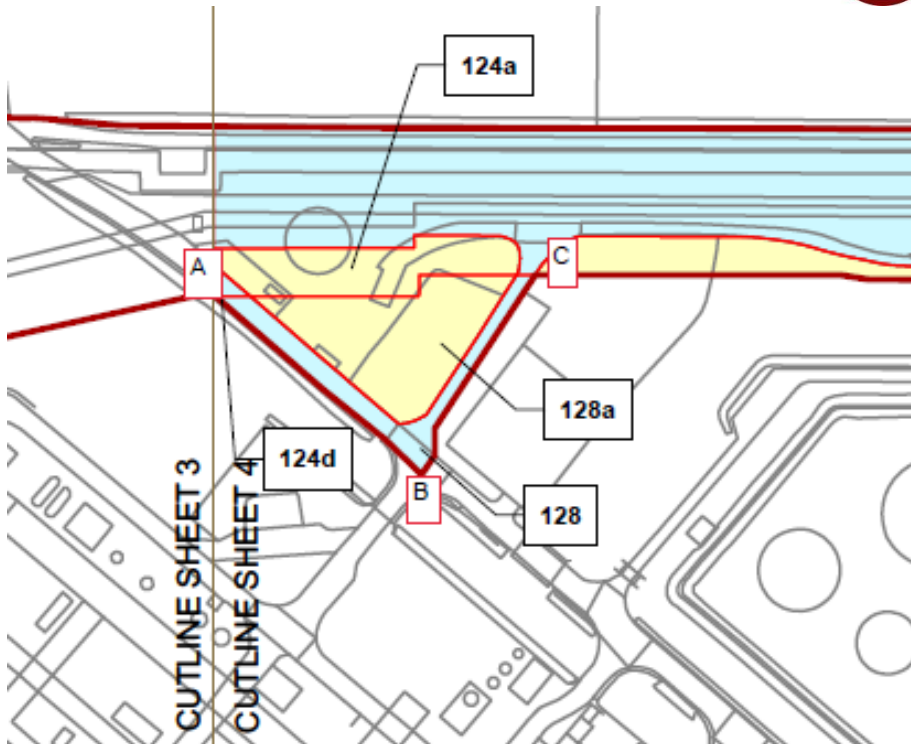


Figure 1. DCO land plan extract.

6. As outlined and highlighted from the outset, the nature of the rights being sought are too extensive, wide ranging and in part, inappropriate in the circumstances. There simply cannot be a compelling case for the compulsory acquisition of rights nor a right to extinguish existing easements in pipeline corridors where this will negatively impact NTG, NTG's tenants or limit its or their future developments. A compulsory purchase of rights is simply inappropriate in an established commercial pipeline corridor with pre-existing policies and procedures for work where commercial terms can be readily agreed where there is full engagement by the developer.

NTG hereby strongly reconfirm their objection to the Net Zero Teesside Project and Development Consent Order Application and the grant of compulsory rights over their property and rights.

Kind Regards.

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