

National Infrastructure Planning
Net Zero Teesside DCO Case Team

BY EMAIL:
NetZeroTeessideProject@planninginspectorate.gov.uk

Your Ref
Unique Reference: 20029934
Our Ref
RAQ/TGH/203316.0001
Date
7 November 2022

Dear Sir or Madam

Application by Net Zero Teesside Power Limited and Net Zero North Sea Storage Limited (NZN) for an Order Granting Development Consent for the Net Zero Teesside Project (the Project)

Deadline 13 - South Tees Development Corporation (STDC)

STDC submits the following documents at Deadline 13:

- (1) STDC's preferred form of protective provisions for inclusion in the made Order, tracked against the latest version of the draft DCO – this replaces the version of STDC's preferred protective provisions shared with the Examining Authority at Deadline 12 [REP12-165];
- (2) Clean version of STDC's preferred form of Protective Provisions, for adopting should the Examining Authority choose to recommend STDC's Protective Provisions for inclusion in the as made DCO.

STDC has considered the amendments made to the protective provisions by the Applicants at Deadline 12 in their revised draft DCO [REP12-004]. STDC is pleased to note that some of its most recent amendments have been accepted by the Applicants, including:

- the removal of the 'STDC area plan' from the definition of the "STDC area" – which STDC supports as no such plan had been produced or shared (paragraph 256);
- the Applicants' commitment to provide STDC proactively with details of its proposed works programme and further particulars (paragraph 266(a)(i)); and
- the removal of the "all" reasonable endeavours obligation on STDC (paragraph 277).

However, STDC notes that a number of matters remain outstanding. STDC has therefore submitted a revised set of its preferred protective provisions, updated to reflect the outstanding matters where it does not agree with the Applicants. In particular, STDC continues to resist use of compulsory acquisition powers over its interests as such powers would give rise to significant interference with STDC's estate,

Registered Office

One Bartholomew Close
London
EC1A 7BL
DX 339401 London Wall

50/60 Station Road
Cambridge
CB1 2JH
DX 339601 Cambridge 24

The Anchorage
34 Bridge Street
Reading, RG1 2LU
DX 146420 Reading 21

Grosvenor House
Grosvenor Square
Southampton, SO15 2BE
DX 38516 Southampton 3

T +44 (0)345 222 9222

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as set out in STDC's Deadline 12 submission [REP12-166]. A proportionate control to address this has been included in STDC's preferred form of protective provisions at paragraph 260B.

STDC requests that the Examining Authority recommends to the Secretary of State that the DCO, if made, contains STDC's version of the protective provisions.

STDC reserves its right to comment further on submissions made by the Applicants at Deadline 13 by the close of examination.

Finally, for the avoidance of doubt STDC confirms its support for the Examining Authority's acceptance of the Applicants' change request which removed Work No. 5A from the scope of the DCO.

Yours faithfully

[Redacted signature block]

BDB Pitmans LLP

[Redacted contact information]