

Date: 24 March 2023  
Your Ref: EN010103  
Our Ref: 13626



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Mr David Wagstaff OBE  
Deputy Director, Energy Infrastructure Planning  
Delivery  
Department for Energy Security & Net Zero  
1 Victoria Street  
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**By email: [netzeroteessideproject@planninginspectorate.gov.uk](mailto:netzeroteessideproject@planninginspectorate.gov.uk)**

Dear Mr Wagstaff

**APPLICATION REF: EN010103 – THE NET ZERO TEESIDE PROJECT**

**SECRETARY OF STATE’S REQUEST FOR FURTHER INFORMATION AND UPDATES IN RESPECT OF THE NET ZERO TEESIDE DEVELOPMENT CONSENT ORDER (‘THE NET ZERO TEESIDE ORDER’) APPLICATION**

**LAND AT AND IN THE VICINITY OF THE FORMER REDCAR STEEL WORKS SITE (TEESWORKS SITE), REDCAR AND IN STOCKTON-ON-TEES**

I write on behalf of the Applicants, Net Zero Teesside Power Limited and Net Zero North Sea Storage Limited, in response to the Secretary of State’s request for further information and updates dated 10<sup>th</sup> March 2023 relating to the Net Zero Teesside Development Consent Order (‘DCO’) Application.

In response to the Secretary of State’s request, the following updated Application Documents accompany this letter:

1. Application Guide (Document Ref. 1.2, Rev. 16.0) – new and updated documents highlighted in yellow.
2. Book of Reference (Document Ref. 3.1, Rev. 7.0) – clean and track versions.
3. Compulsory Acquisition Schedule (Document Ref. 9.5, Rev. 12.0) – clean and track versions.
4. Sembcorp Protection Corridor Protective Provisions Supporting Plans (Document Ref. 4.20, Rev. 1.0).

The above documents can be downloaded using the following link to a secure fileshare site:



**[Request for Further Information](#)**

In response to the Secretary of State’s request for further information and updates, the Applicants respond as follows.

***Compulsory Acquisition (“CA”) and Related Matters***

**Paragraph 4** – The Applicants and The Crown Estate (‘TCE’) have made good progress with discussions since the close of the Examination and are now close to agreeing the final terms of a deed of



undertaking which would provide TCE with sufficient assurance as to the way in which compulsory acquisition powers in the final draft DCO [REP12-003] may be exercised in respect of third party interests in TCE land. The terms of the agreement will also regulate the exercise of other provisions in the DCO applying in relation to TCE land, or rights benefitting TCE.

Together the Applicants anticipate that the requisite consents from TCE under Section 135(1) and 135(2) of the Planning Act 2008 will be secured before the statutory deadline for a decision on the Application (10<sup>th</sup> May 2023) and sufficiently far in advance of that date that the Secretary of State will have a reasonable opportunity to take the confirmation of TCE consent into account in making the final DCO (should he decide to grant the Application). The Applicants will continue to progress discussions with TCE so that confirmation of its consent can be provided as soon as possible.

**Paragraph 5** – The Applicants have submitted an updated Book of Reference (Document Ref. 3.1, Rev. 7.0) and Compulsory Acquisition Schedule (Document Ref. 9.5, Rev. 12.0) as requested. Following completion of Examination, the Applicants have updated the table template for the Compulsory Acquisition Schedule. This update is limited to the removal of column 10 ('Statement of Common Ground?'). These references have been captured in column 3 ('Examination Library References') for completeness and so that additional space is available in the table to provide the Secretary of State with an update on discussions with affected parties.

**Paragraph 6** – The Applicants have provided an update on protective provisions listed in Annex A within the updated Compulsory Acquisition Schedule (Document Ref. 9.5, Rev. 12.0).

#### ***Nutrient Nitrogen Modelling***

**Paragraph 7** – The Applicants are aware of the Environment Agency's ('EA') letter of 7<sup>th</sup> November 2022 setting out its update on nutrient neutrality. This letter was submitted by the EA to the Examining Authority after the close of Examination, therefore it was not considered within the Examining Authority's Recommendation Report.

The Applicants have been in contact with the EA on this matter. The EA has confirmed that it will be responding to the Secretary of State's request for an update on nutrient neutrality and that its response will be consistent with the comments made in its letter of 7<sup>th</sup> November 2022.

#### **Additional Submission**

The Applicants and Sembcorp Utilities (UK) Limited emailed the Planning Inspectorate on 9<sup>th</sup> December 2022 providing an updated set of protective provisions that had been agreed between the parties. Both parties invited the Secretary of State to treat these as replacing the protective provisions in Part 17 of Schedule 12 of the final DCO submitted at Deadline 12 [REP12-003].

The updated protective provisions refer to a plan entitled the "*Sembcorp Protection Corridor protective provisions supporting plans*". This is a new plan that must be certified in Schedule 14 of the DCO in order to give effect to the updated protective provisions for the benefit of Sembcorp Utilities (UK) Limited (if the Secretary of State decides to make a DCO that includes those updated protective provisions).

It should be noted that the new Sembcorp Protection Corridor protective provisions supporting plans (Document Ref. 4.20) are a different document to the "*Sembcorp Pipeline Corridor protective provisions supporting plans*". The Sembcorp Pipeline Corridor protective provisions supporting plans have already been submitted into the Examination [REP12-029] and are included as a certified

document in Schedule 14 of the final DCO submitted at Deadline 12 [REP12-003]. Both plans are required:

1. The Sembcorp Protection Corridor protective provisions supporting plans to give effect to the updated protective provisions for the benefit of Sembcorp Utilities (UK) Limited; and
2. The Sembcorp Pipeline Corridor protective provisions supporting plans to give effect to the protective provisions for Sabic UK Petrochemicals Limited and Huntsman Polyurethanes (UK) Limited.

It should also be noted that the Sembcorp Pipeline Corridor protective provisions supporting plans already submitted into the Examination [REP12-029] is only one plan, and the proposed changes set out in the Table below therefore reflect this (i.e. the deletion of plural “plans”).

This request to include the “Sembcorp Protection Corridor protective provisions supporting plans” has necessitated a further update to the Application Guide which is also a certified document in Schedule 14 of the final DCO submitted at Deadline 12 [REP12-003]. As set out above, an updated Application Guide has been enclosed with this response. This version should now be included as the Application Guide to be certified under Schedule 14 of the final DCO (if made by the Secretary of State).

Part 16 (Protective provisions for the benefit of Sabic UK Petrochemicals Limited) and Part 23 (Protective provisions for the benefit of Huntsman Polyurethanes (UK) Limited) of Schedule 12 of the final DCO submitted at Deadline 12 [REP12-003] also include the following definition:

*“pipeline corridor” means the land identified as the pipeline corridor on the Sembcorp Pipeline Corridor protective provisions supporting plans;”*

No definition of ‘Sembcorp Pipeline Corridor protective provisions supporting plans’ has been included in Part 16 or Part 23 of Schedule 12 of the final DCO submitted at Deadline 12 [REP12-003]. The same definition of ‘Sembcorp Pipeline Corridor protective provisions supporting plans’ should be included in the definitions section of Part 16 and Part 23 of Schedule 12 as was included in Part 17 of Schedule 12 of the final DCO submitted at Deadline 12 [REP12-003], with amendments only to reflect that this is one ‘plan’ not ‘plans’.

To give effect to the changes above, the Applicants have summarised the changes that are required to the final DCO submitted at Deadline 12 [REP12-003] in the table below.

Finally, please note that as an updated Book of Reference has also been submitted as part of this response, the table below also includes an update to Schedule 14 of the DCO so that this latest version is included as a certified document (superseding the previous version of the Book of Reference carrying Examination Library Reference REP12-008).

**Summary of changes to the final DCO submitted at Deadline 12 [REP12-003]**

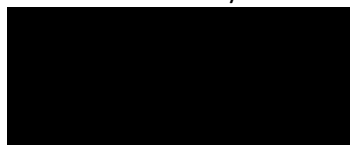
Provision in final DCO submitted at Deadline 12 [REP12-003]	Change Required in final DCO if made by SoS
Paragraph 187 of Part 16 of Schedule 12	Change definition of “pipeline corridor”:

	<p>“pipeline corridor” means the land identified as the pipeline corridor on the Sembcorp Pipeline Corridor protective provisions supporting plans;</p>
Paragraph 187 of Part 16 of Schedule 12	<p>Insert new definition below the definition of “SABIC”:</p> <p>“Sembcorp Pipeline Corridor protective provisions supporting plan” means the plan which is certified as the Sembcorp Pipeline Corridor protective provisions supporting plan by the Secretary of State under article 45 (certification of plans etc) for the purposes of this Order;</p>
Part 17 of Schedule 12	<p>Replace with new Part 17 of Schedule 12 submitted by the Applicants on 9<sup>th</sup> December 2022;</p>
Paragraph 304 of Part 23 of Schedule 12	<p>Change definition of “pipeline corridor”:</p> <p>“pipeline corridor” means the land identified as the pipeline corridor on the Sembcorp Pipeline Corridor protective provisions supporting plans;</p>
Paragraph 304 of Part 23 of Schedule 12	<p>Insert new definition below the definition of “relevant work”:</p> <p>“Sembcorp Pipeline Corridor protective provisions supporting plan” means the plan which is certified as the Sembcorp Pipeline Corridor protective provisions supporting plan by the Secretary of State under article 45 (certification of plans etc) for the purposes of this Order;</p>
“Application Guide” row in Table 13 of Schedule 14	<p>Change revision number to “16” and date to “March 2023”.</p>
“Book of Reference” row in Table 13 of Schedule 14	<p>Change revision number to “7” and date to “March 2023”.</p>
N/A	<p>Add new row in Table 13 of Schedule 14:</p> <p>In column (1) Document Name insert: “Sembcorp Protection Corridor protective provisions supporting plans”  In column (2) Document Reference insert: “4.20”  In column (3) Revision Number insert: “1”</p>

	In column (4) Date insert: "22 March 2023"
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I would be grateful if you could confirm receipt of this submission. Please do not hesitate to contact me if I can help in any way to clarify any matters associated with the change request.

Yours sincerely



**Geoff Bullock**  
**Partner**  
**DWD – on behalf of NZT Power Limited & NZNS Storage Limited**