

Mr David Wagstaff OBE  
Deputy Director, Energy Infrastructure Planning  
Department for Energy Security and Net Zero  
1 Victoria Street  
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Your Ref  
Unique Reference: 20029934;  
EN010103

Our Ref  
RAQ/TGH/203316.0001

Date  
30 May 2023

BY EMAIL: netzeroteessideproject@planninginspectorate.gov.uk

Dear Sir

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

**Response to the Secretary of State's consultation letter dated 16 May 2023**

We write further to the Secretary of State's letter of 16 May 2023. STDC previously wrote to the Secretary of State on 5 May 2023 with comments on the Applicant's proposed changes which had been shared in advance with STDC (copy letter appended). We should be grateful if you confirm safe receipt of this correspondence.

STDC continues to support the changes to the Project which reduce the impact on STDC's estate.

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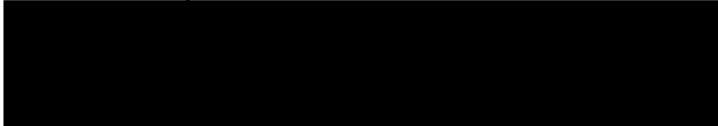
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STDC has now reviewed the plans accompanying the Applicant's non-material change request dated 27 April 2023 and can confirm that it is satisfied with the scope of changes.

Yours faithfully



**BDB Pitmans LLP**

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enc            STDC letter dated 5 May 2023

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Unique Reference: 20029934;  
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5 May 2023

BY EMAIL:  
NetZeroTeessideProject@planninginspectorate.gov.uk

Dear Sir

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

**Update on Status of Objection – South Tees Development Corporation (STDC)**

Further to STDC's letter of 24 March 2023, STDC can confirm that it has now entered into an option agreement with the Applicants for the main site.

As a result of this agreement, STDC hereby withdraws its objections to the Project insofar as they relate to electrical connections. These objections concerned the impact of the Project on STDC's private wire network and were referred to by STDC at paragraph 5.1 of its Final Summary of Outstanding Objections and Closing Submissions [REP12-166], and at rows 47/48 ("Impact on STDC private wire network") of table 3.7 of the Statement of Common Ground [REP12-123] submitted at Deadline 12.

STDC has been provided with a copy of the letter that the Applicants submitted to the Secretary of State on 27 April 2023, which included a formal change request to remove the Tees Dock Road access from the scope of the Project (as originally set out in *Notification of Further Proposed Changes - Oct 2022* [REP11-011]). STDC confirms that it is strongly supportive of this change – indeed one of STDC's principal remaining grounds of objection at the conclusion of the examination was the inclusion of the Tees Dock Road access in the proposals.

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STDC wishes to make the following comments on the Applicants' change request dated 27 April 2023:

Appendix 1: Schedule of Changes required to final draft DCO [REP12-003] to the Applicants' letter of 27 April 2023:

1. *Schedule 5, Access, Table 5 (Those parts of access to be maintained by the street authority):*

STDC understand that this change should relate to Part 2 of Schedule 5, which is currently numbered Table 3 rather than 5 in the draft DCO [REP12-003].

2. *Schedule 9, (Land of Which Temporary Possession May Be Taken), Table 8:*

STDC supports the removal of plot numbers 274 and 279 from the scope of the DCO. Corresponding amendments should be made to the Access and Rights of Way Plans, Land Plans and Book of Reference which the Applicants note have been included with the change request.

3. *Schedule 12, Part 20 (Protective provisions for the benefit of South Tees Development Corporation) paragraph 256:*

STDC supports the Applicants' changes to the draft protective provisions as a consequence of the removal of the Tees Dock Road access. This includes the deletion of "southern access route land" from the definition of "proposed land", a deletion which did not appear in STDC's preferred protective provisions but which STDC agrees with.

In addition, should the Applicants' request to remove plots 274 and 279 be accepted, the following consequential amendment should be made to STDC's preferred protective provisions at paragraph 260A:

260A. *The undertaker must not under any circumstances exercise the powers under Article 14 or any other provision of this Order to create a means of access between the Tees Dock Road and any land owned or held by the Teesworks entity ~~plots 274 and 279 as shown on the land plans.~~*

STDC's preferred protective provisions otherwise remain those submitted at the close of the examination period on 10 November 2022 (subject to the two amendments noted above). STDC's preferred protective provisions were uploaded to the Planning Inspectorate's website in clean and tracked changes format on 17 November 2022.<sup>1</sup> They include, in particular, a new paragraph 260B to control the use of compulsory acquisition and temporary possession powers over STDC's land and interests (and those of its associated parties, STDL and Teesworks Limited).

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<sup>1</sup> STDC: Additional submission – additional submission accepted at the discretion of the Examining Authority – Preferred Protective provisions – Tracked (17.11.2022); available at <https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010103/EN010103-002673-STDC%20-%20Preferred%20PPs%20End%20of%20Examination%20TRACK%20-%2010%20Nov%202022.pdf>



4. *Part 20 (Protective provisions for the benefit of South Tees Development Corporation) paragraph 234(d):*

STDC believes that the Applicants are referring to paragraph 264(1)(d) rather than 234 of Schedule 12, Part 20 of the draft DCO [REP12-003]. However, the SoS should note that STDC continues to object to the principle of this paragraph, and maintains that the entire sub-paragraph should be omitted, for the reasons set out in STDC's tracked change version of the protective provisions referred to above.

For the avoidance of doubt, all other STDC objections and representations contained in [REP12-166] and as set out at the end of the examination remain unchanged.

Yours faithfully



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