



Hearing Transcript

Project:	EN070009 - H2Teesside
Hearing:	Issue Specific Hearing
Date:	28 August 2024

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H2TEESSIDE_ISH1_SESSION2_280824

Thu, Aug 29, 2024 9:26AM • 1:38:58

00:05

So hopefully you had sufficient time to for a quick refresher. So I propose that we will resume the hearing. It is now 335,

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I

00:23

so I'm now going to go to bullet point so item 3.2,

00:28

on the agenda regular regarding coordination with other consented and proposed ncips in the vicinity.

00:36

Just for I do carry on, I can I just check that Mr. Abrahamzili and Mr. Philpot are both back, if you just put your camera on.

00:45

Thank you very much. Thank you very much. I'm sure other people are back in time, but obviously these are directed directly to you. So I just wanted to double check for before I went on, so

00:56

we know there's an overlap between the consented net zero T side and the proposed high green proposals. Can the applicant explain how this overlap in the foundry site has impacted on the order limits and if the time scales of the three projects has any additional impact on the H 2t side proposal? Please.

01:19

Thank you, sir Mr. On behalf of the applicant,

01:24

if it's okay, I'll start with the NZT proposed development first, and I will then move on to hymn. So with regards to the NZT project, there are a number of connections, outgoing and also incoming connections that are proposed between the HTTP side and NZT and NEP projects, as set out in the examination library document, LPP, dash, 010, work plans, namely work plans. Work Number two, the natural gas infrastructure. Work Number three, the power import infrastructure.

02:00

Work Number four and five, the the both import and also discharge infrastructure respectively.

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Work numbers seven, which is the CO to export infrastructure,

02:16

with regards to these connections at the time of the the the application of the HTTP submission of the HD side TC application, because of the as a result of the design maturity on on both sides, in terms of HTTP site design maturity, and also NZT project design maturity, we included the impact of the NZT

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project main site to enable sufficient

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flexibility with regards to the final termination point of these connections and the associated above ground installations and substations.

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We have been closely working with the NZT project and as a result of this, as part of the now submitted change request, the examination library document PTA,

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019, we have been able to significantly

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reduce the physical overlap area with the NZP project in relation to those to those work number packages that I was describing earlier, and we will continue to close the work with density project

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as as part of design on both projects

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to enable the final engineering client points to be identified and also construction to be to be collaboratively brought forward

03:45

Sorry, I just like to just point to principle the there hasn't been a change request made, there's been a notification of a change made, and we've already said that we're not going to be discussing that now, because there is no change request. But just for completeness, I think what you're suggesting is that that the order limits were set

04:06

and already design refinement has potentially allowed you to change those order limits. Is that or be be able to propose a change to the order limits? Is that

04:17

what you're

04:19

suggesting Correct? Yeah, and that's

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mistakenly changed. Referring to change multiplication, which is an examination, hopefully most of us know, but I think it was just a point of principle for the recording, as much as anything. So yes, please go on to

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high green. With regards to high green, there is a number of, as you were alluding earlier, physical as well as temporal overlap between the two projects, the

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as a function of when, if the hype

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project, as it set out in the federal Ventana Country Planning application. So depending on what it's brought forward before the HTTP side project, as currently.

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Proposed, or if there's a delay, the extent of the

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fiscal overlap changes. And if I may explain that very briefly, so if the high Green Project, as it's proposed in the in the Town and Country Planning application were to be delayed such that it goes beyond the operation, commencement of operations on H to T side. We do, we need to make sure that we set up fencing facilities as part of H to T site to ensure that from a process safety risk to the public and adjacent facilities, to make sure that the risks are within the H to T site fence line

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and so the risks outside of the pension are as low as reasonably possible.

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The because of that,

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that uncertainty, with regards to the

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that temporal correlation, we've included flexibility data account for that, and we've also included flexibility with regards to, as we're talking about earlier, if the different parts, parts of the infrastructure were to both within the but still within the wider work number packages, so name the work number one, A, one and one, a, two, to also provide enough flexibility for

06:21

that as well.

06:23

Thank you. I think that's, again, that's that's been helpful. There will be a question in the first round of questions about overlap and explaining a bit more and and for, just for, uh,

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time scales. Now, I won't ask you to go into any more detail with high green as it stands, but there will be a question for, for some more detail about how they those overlaps have impacted a bit further, but what you've set out is very useful so far.

06:47

Mr. Henderson, the relevant rep from South tees group, states that some of the order limits fall outside the scope of the original the option agreement being negotiated.

07:01

I'm not asking you to talk about that now, if you don't want to. But is that something that you are still progressing with the applicant

07:10

Tom Henderson for the South tees group. So yes, that's something we'll we'll take offline and discuss separately with the with the applicant at this stage, the other main part of my submissions today, so relate to this point. So convenient, I was going to bring I was going to bring you in for any further comments. So please do

07:28

well. So related to the earlier comments, we're also concerned to understand and minimize the impact on the T's works estate of not just the HTT side proposal, but how it operates in combination with with other major schemes, particularly net zero T side that we talked about, and high green. And again, we're trying to understand whether the applicant has actively looked to rationalize the impact on the estate by using the same corridors for utilities running to and from the main site and the same means of access for construction and operation. We've noticed in the application that the shared area plan,

08:03

which is document reference a P, P, zero to zero. And that document is helpful insofar as it goes, but in our view, it doesn't go far enough. What what we would like to see is that the applicant would prepare a

document which addresses the overlaps and interfaces more widely. So what we would envisage is a plan, or perhaps a set of plans, which overlays

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the respective order limits, shows the overlaps in land acquisition powers, either obtained or being sought, and depicts

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the Indicative designs for the two or three schemes within those order limits, so that we can actually get a full understanding of the spatial extent of the impact on the teas, works, estate. And in addition to that spatial element, we think the document could also usually address the temporal aspects. In other words, perhaps a table which lays out the construction programs for the two, two or three schemes, so that we can understand exactly when activity will be happening, not just on one scheme, but on the combined schemes. And we are aware in other in other DCO promotions of a of an interrelate relationship document or similar, which we can draw to your attention. We think such a document would be helpful here. Obviously, if the information already exists in the application, we haven't seen it, then we'll be gladly signposted to it. But in the absence of that, we would ask through you for an additional document to cover the information I've asked for.

09:32

Thank you, Mr. Henderson, I think it's something we had in mind ourselves to ask as well, and I'm just going to, I'm just going to ask

09:40

the applicant to respond to any of those points. But as well as that, I'm just going to elaborate on a point that Mr. Henderson have made, which was going to be a follow up question for me, which is about the interrelation of pipelines and service corridors from those three projects, and if there is any redundancy in them, or where there is any overlap, or how they are in.

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Potentially propose to work together. And I think Mr. Henderson preempted that question. So

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Mr. Philpott, if you'd like to make any response to Mr. Henderson, and potentially

10:11

you or Mr. Ibrahim ZD to cover those the point about shared pipeline and service corridors.

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So yes, how would Philpot on behalf of the applicant? I'll ask Mr. Ibram Z to deal with that latter point. I was simply going to say, in response to Mr. Henderson, we've heard the request, and we understand that that's something you think you might find helpful as well. So I was going to suggest that we put in a we put together a note which deals with those overlaps, and hopefully that will provide the information that Mr. Henderson was seeking, and also helpfully assist you and your colleagues and understanding

that that point, I think it'd be very helpful. Is something that we were seeking to understand further in our first written questions about the impact of those three proposals on the order limits. So I think it would help us and Mr. Henderson, so thank you for that offer. So just a brief comment, Mr. Ibrahim zalia, about the shared pipelines.

11:12

Thanks, Mr. Elder, perhaps on behalf of the applicant. So with regards to the pipeline infrastructure associated with the three projects. The each of those projects will have to have their own separate infrastructure, including the hydrogen the two hydrogen

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pipelines that are proposed to be brought forward, one as part of the HBT, which is the project we're discussing here, and it's all around. It's also our understanding is that high green is also bringing forward a new hydrogen pipeline. I won't at this point, I won't go into the detail of that. We'll set up the reasoning for that in the note. But very briefly, the the to the hybrid hydrogen pipeline will be to a different spec in terms of the final period of the product compared to the HD side hydrogen pipeline. So because of that, the pipelines are having to be kept separate. That said, we have been working closely with the sales groups technical teams with regards to understanding the primary and secondary service corridors as proposed by the southeast group

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and in the change notification as referring to earlier.

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And I take your point, but I'll mention this point that which is the examination library document, PDA, 019,

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we have the reduced order limits also take into account the discussions, the detailed discussions we've been having with some with the subsidies groups, technical teams with regards to reducing the order limits and making sure that they align with the primary and secondary service corridors as proposed by the southeast group. And we'll set up the details of those in the in the not as well. Many thanks, Mr. Philpott,

13:02

so yes, just very briefly in terms of the timing of these notes, I've just, we've just been considering the timing of the notes as a team, and we're particularly in in light of your comment that there will be a written question which touches on these matters, and the response to written questions will be at deadline two, rather than putting something in a deadline one that then gets superseded at the next deadline. It might be more efficient if we we get on with it, see your written question, and then hopefully we can deal with both in one document. Yeah, happy with that. And I can see Mr. Butler nodding as well. So I think that's a sage nod that says that we're happy with that.

13:40

Okay, thank you. Any any other interested parties

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would like to ask a question or

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many points about the three projects overlap?

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Thank you in that case, actually moved on to bullet point two, probably just a small technical one. Mr. Ibrahimzadi,

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how will the main site, ordinance, datum, level that is being proposed in the

14:09

in the design access statement, be managed alongside the needs of net zero and high green. Obviously, they're all adjacent. There's statements about, you know, the site being left at 7.1 meters, AOD, and the the maximum level of the site being eight meters AOD, is there any, as I presume, that they the any impact of the level of the site has been allowed for in the order limits and alongside the other two projects that we've been talking About.

14:38

Thanks so Mr. On behalf of the applicant, the you are to the the ground levels, about in terms of state. Term for the three proposed projects are very similar to each other in terms of within a couple of meters of each other, and any connections between proposed by the three.

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Different projects between these projects so they are deliverable within the order limits.

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I won't dwell on that point, and further, I'll see if there's any follow up questions. I would also, I think, part of the question covered whether there's also any limits of impact on the limits of deviation. I would also like to note that the limits of deviations when set up in deviation in the application, but the connections between the projects are deliverable and are part of the design within the auto limits as they brought forward. Thank you. I that's what I expected you to say. But I just need to clarify that point. Is there any follow

15:41

up comments from any other interested parties, just on that very technical note?

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No. Thank you very much. I think my next point, I think we probably have covered already,

15:56

Mr. Ibrahim, Zadi, I was just, I'll ask it anyway, the design access statement, again, explains that connections will be needed, and there'll be needed to be flexibility between the sites on the foundry. And I was simply going to ask if this is dictated anything in terms of the order limits. But I think we've had a discussion already about the connections between the sites and the potential the change notice. So unless you want to mention anything specifically about the connections between the three, the service connections, I'm going to propose that I've had enough information from you already. On that point

16:35

I've

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not heard the information. But as you see, what's been discussed,

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just opening out to other IPs.

16:46

Okay, that's fine. So bullet point four, I think we're going to get a bit more detail about the impact on the York potash consented DCO.

16:56

So initial question to the applicant, and I'm pretty sure Anglo American you want to miss, Knowles you want to follow up at some point, I just want to ask the question about how the design of HT size has been undertaken to consider minimize or avoid impacting the York potash consented DCO and Mr. Philbot. If you wanted to, you put your camera on. I wondered if you are hoping to make a initial introduction to this point, indeed. So Harry with Phil, but on behalf of the applicant, I'll ask Mr. Ibrahim zidi to address the design issues specifically. But by way of introduction, I was going to say it's important to keep in mind that there are legal measures that will be adopted to achieve those objectives, which are particularly important here when you're dealing with the your potash consented DCO, and the nature of the interactions with that project. And so this is a situation where there is a close parallel between the nature of the interaction of this project with that consented DCO and the net zero T side project and its DCO, and so we're able to benefit from the work that was done in relation to that interaction and how that then manifested itself through provision in the order and otherwise so as with that

18:26

project, there will be a need for mutual obligations to ensure that the works that occur in the area where the projects overlap are properly coordinated. And as I understand it, in relation to these two projects that will be of particular importance, so the the net zero Teesside development consent order, the made order provides a very good starting point because it contains

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both sides of Those mutual obligations. So it includes protective provisions to benefit Anglo American the purposes of that order to protect its legitimate interests in ensuring that its project

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isn't unduly affected. But similarly, it includes

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the

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equivalent provisions which are effectively inserted into the York potash development consent order by, in that case, the net zero t site DCO. In this case, it would be the H 2t site DCO. And that achieves mutuality. And so at the moment, you'll have seen in the explanatory memorandum, which is a PP zero 28 the approach to achieving mutuality, and the fact that this is the same approach as was taken for net zero T side. So you currently have a

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placeholder for.

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For the

20:02

protected provisions that would be inserted into the York potash TCO in due course, you'll also get draft protective provisions to benefit Anglo American as the other side of that mutual set of provisions. And so it may be useful if we provide you, because you'll see reference to both by ourselves and, no doubt, other parties, with a copy of the made net zero T side, DCO, so that you've got that as a reference point. And you'll see there how that works. And the equivalent provisions that will be included here are, of course, subject to negotiation between the parties, and I don't want to sort of preempt all of that, but I just wanted to set that legal context before passing on the considerations of design, because in practice, that will be a key part of ensuring that the two projects are able to coexist And to do so in a sensible and coordinated way. Thank you. That's that's really helpful. I'm

21:07

just gonna ask Mr. Butler, do you have any points the comments on what Mr. Philbot has just said? Are you happy to continue?

21:14

No, I'm relatively happy. I just just really think that

21:21

a lot of these issues are outstanding right at the start, or clearly open at the start. And although six months seems like a very long time to to enable these things to take place, there needs to be some

urgency behind it right from beginning. So I'm keen for all parties to get together and to resolve these these issues as soon as possible in the examination, because I'm aware of

21:47

other examinations where these things have sort of gone on, and by the close of the examination, they haven't been resolved. And then we have to come to a conclusion ourselves and and and impose a position effectively.

22:00

And I'd much prefer the parties to come to their own agreement on these things as early in examination as possible. And I know that the Secretary of State would be keen to do that as well. Thank you.

22:12

Thank you. So that that message is understood, it's in our interests as much as it is in Anglo American's interest to achieve that. And so with that, hopefully, with that mutuality of interest and the background of the net zero T side DCO, hopefully the parties will be able to avoid giving you too many things to arbitrate on at the end of the process. That's certainly our objective. Thank you. Thank you, Mr. Football. I think because of that explanation, I think rather than asking Mr. Hibernzadi to give us an overview of the how they approach the design in the York potash in association with that, I think I'm going to ask Miss Knowles in now to to respond to Mr. Philpott comments, but also to raise any issues they have about the design and approach

23:03

that we can then particularly look at, rather than having a generalistic view from Mr. Ibramzadi. So

23:10

Ms Knowles, thank you. Tabitha Knowles, on behalf of Anglo American. Firstly, just as context, Anglo American is responsible for the delivery of the woodsmith project, which comprises a mine for the winning and working of the only known UK resource for poly halite and its ongoing handling and transportation of the national and international marketplace. The woodsmith project as a whole includes a materials handling facility and a mineral transport system portal, which was approved under planning permission, as well as the harbor facilities, which is subject to the York pot hash harbor facilities. DCO, the woodsmith project as a whole is currently under construction. Anglo American has no objection to the principle of the proposed development, and acknowledges that meaningful discussions have now started to take place. However, Anglo American has concerns about Project overlaps, a lack of available detail and a lack of clarification on the proposed resolution and management of these complexities. The specifics of our concerns are set out in Anglo Americans relevant representation which was submitted, reference RR, 010,

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in particular, please refer to sections 1.4

24:28

and section four of the document.

24:32

We note as well that Anglo American is yet to see. Site of certain documents for review, the draft statement of common ground, a draft side agreement, draft heads of terms for any required pipeline options and a proposed amends to the York potash DCO and its protective provisions, which has just been discussed now. These have not been shared, but we are optimistic that regular communications between both parties is, however, capable of ensuring that the.

25:00

Applicant's proposals and the woodsmith project, including the York potash DCO, can be aligned. We support the applicant's suggestion of taking a lead from the approach taken for the net zero T side DCO examination. In particular, I'd like to flag the principal, which was confirmed in the recommending report with respect to the York potash DCO and the net zero T side DCO of agreeing to appropriate provisions to be included within the DCO in order to ensure that the two nsips can be delivered and neither one prejudices prejudices the other. Thank you.

25:35

Thank you.

25:39

Mr. Philpot. Have you got any any thing you'd like to say in response to to miss Knowles before I then ask Mr. Ibrahimzadi for a quick update on the design.

25:51

No sir. Thank you, Mr. We've read the relevant representations which reflected in what said, and we'll respond to those at the appropriate juncture in due course. Thank you. So Mr. Ibn Zari, I really don't need a lot of detail, but if there's anything that would be helpful to know in terms of how you've approached the design with in terms of minimizing caches, that's fine if, if there's nothing particular that will help this discussion, certainly knowing, as Miss Knowles has just said, that discussions are ongoing, then I'm happy for us to move on.

26:25

Thanks, sir Mr. On behalf of the applicant, one point, I think it would be useful for me to practice that as MS Moss was alluding to earlier, we have been in technical engagement with Anglo Americans technical teams to undertake joint design reviews of the proposed development. So one of the things we have been identified, been able to identify as part of the HD side, proposed infrastructure that cannot coexist with the

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the the Overland, compare proposed as part of the to your voltage. DCO is an above ground installation that we were proposing as part of

27:09

work number 2b

27:13

which is the natural gas pipeline above ground installation. So again, I'll make a quick reference to the fact that that is one of the changes we are removal of that above ground installation which was clashing with the output actually this year, is one of the changes we're looking to bring forward as part of

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the change, notification, examination, library, reference, PTA,

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019,

27:37

thank you very much. That's probably, I know, preempting something in the future, but it's quite probably a helpful statement with your discussions with Miss Knowles and the team there.

27:49

Is there, I know this was a very specific thing about for for Miss Knowles and Anglo American. Is there anything that any other IP would like to raise in the regard of that item?

28:02

No, okay, that's fine. So

28:06

Mr. Phil, but I think just for the next question, I think this might just be a legal discussion rather than a wide discussion. There are a few other n sips that are emerging in the vicinity. Can you explain if any coordination and consideration has been made during consultation in regard to these emerging

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ncips, and if discussions are happening specifically with regard to those emerging N sips.

28:34

Well, so it's more a question, if I may say, so of fact as to the discussions that have taken place and what's emerging. So I'm going to ask Mr. Ibrahim Zadi to deal with that. If there are any legal issues arising, I'll pick them up. That's fine. I knew I was going to choose one of you incorrectly at some point. Mr. Ibrahimzadi, thanks. So,

28:53

Mr. On behalf of the applicant, so we have been the general answer is that yes, as far as information is reasonably available on the public domain and is known to us. We have been taken into account for any other proposed

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developments in the area, including ncips,

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if I were to like an example. So the proposed sustainable aviation, aviation fuel plant life has green fuels, so we have been in close coordination with them with regards to understanding the extent of their proposed

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order limits and their understanding of our proposed order limits. So we are working closely with their technical teams. There are interface design, interface

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points that we're looking to resolve jointly. But there's no principle points that would mean that the two projects cannot coexist,

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the other one, the other insect that I will we are aware of,

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and based on the information that's on the public domain, I'm hoping to again, there is no, we don't say any principle.

30:00

Lines as to why these projects cannot coexist, but I will also flag that there's limited information available, and that's the key side, flexible recas port, the LNG import.

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And said that I'm referring to promotes on the public. We understand that the developer of that project are still to go through pre application consultation process, and we are looking to forward to seeing that come through. But from the information we've seen today, which is minimal, we haven't been able to identify any in principle points that would mean that the projects cannot coexist.

30:36

Thank you very much. That's really helpful. Do I have any other interested parties that would like to comment on either of these two emerging MCPS or any others that we haven't discussed.

30:52

So if I may, Harry would be just to add to what you've heard already, you've heard about the two projects we're aware of, and are understanding the position in respect of them. It's also reasonable to infer that if any of those other emerging projects have significant concerns about the impact of this project upon them, one would expect that they would raise those matters and identify their concerns for the benefit of this examination, we're not aware of any, but it's a reasonable inference. You've got evidence, of course, of other people who are promoting projects or have existing projects or existing infrastructure, who have taken that step. And it's a reasonable difference to expect others to do the same if, if we're wrong in our understanding,

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I think you're absolutely right, Mr. Philpott, and the discussion was again about kind of design approach and coordination, as opposed to

31:53

objections and legal matters. But your point is absolutely valid and and we know that there has been some commentary from others, so which will obviously see your responses to in your responses to the relevant reps. So thank you. Thank you for that.

32:10

So is there any other comments from other IPS just to finish that question? So Mr. Innes, you, you're very welcome.

32:20

Thank you, sir. Colin is on behalf of the nsmp entities.

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I suppose I'm really coming at this from the position of an existing development that continues to operate

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before going on to raise specific matters. There is, I think, helpful context to understand the nature of the operation, and I'll be brief on this, but the gas processing plant which the entities which I represent own and operate, has the capacity to process up to 19 million cubic meters of gas per day. Now, in terms of the Planning Act, 2008

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the threshold for ancient is 4.5 million cubic meters per day. I think that just gives a context for scale of this particular operation. A second key part of this operation is that it operates at 99.5%

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availability. It's an important facility that is available to support the UK energy security.

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The gas processing plant is also an upper tier control of major accident hazards site, and therefore has to be operated in accordance with the COMA regulations to 15

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as a major gas processing facility, and of its scale, its of natural importance. Any negative impacts on the gas processing plants operation would have a considerable potential impact on the UK's energy security. Furthermore, being a gas processing plant, it also has a highly secure facility, and maintaining the highest standards of safety and security at all times is extremely important.

34:14

Against that background. In terms of this particular DCO, a number of the potential works interface with this facility, including work two, A, six, A, one, six, b1, eight and 10, a, one.

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And the first issue that my clients have to face is understanding the potential impact that these works could have on the operation of the plant and equipment, and in that context, we do have a number of outstanding asks and requests of the applicant in order for us to be able to understand the potential impacts. And these have been raised with the applicant, and we.

35:00

Await response. And I suppose, echoing Mr. Henderson's point, we would like at this stage, an intensity of engagement from the applicant in relation to these matters, because they're essential in working through the next stages of the process.

35:20

The second point I want to make, generally is that whilst the element of design can in some circumstances, overcome issues of concern in the context of this type of overlap the design, it is very unlikely the design, a detailed design, will come forward during the examination. And in essence, against that background, the fundamental issues is how those interfaces can be effectively managed going forward. And it's also very clear from the very detailed nature of those that it's unlikely that a requirement can really deal with them, so the only way in which these matters can be adequately resolved in examination are through the application of appropriate protective provisions, or alternatively, through a side agreement between the affected party and the applicant. I just want to highlight one aspect which is particularly important in that we have recently been through same entities, the NZ, T, DCA,

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and we attended hearings,

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compulsory acquisition hearings, attended meetings and had an extensive engagement with the applicant, which was at times intense and at times domain. But the end result was we were unable to agree protective provisions during the examination process,

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to highlight that the Secretary of State is the examination process. Did write to the parties and expressed concern about the fact that there was failure to agree at these matters in relation to clearly, what the Secretary of State saw was important assets and that ones which should properly be considered at the end of the day, even during the extended period during Secretary of State's determination, the protective provisions could not be agreed. And those contained ultimately in the DCO are those which were ultimately arbitrated between the parties by the Secretary of State. Now, I would hope that in the there's some element of lessons to be learned from that process, in relation to what we face in terms of this examination, is that these matters do have to be intensively dealt with as

early as possible. And I think echoing some of the comments that have already made today that that will require fairly urgent and intensive negotiation. In terms of Mr. Mr. Philpott's

38:12

identification of net zero protected provisions, we again would very welcome the fact that that appears to now be the starting point.

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But in terms of your engage that really is it, the potential provision is the part which is discussed and examined before the examination. But there may also have to be other agreements which also have to potentially be agreed out with it.

38:36

But I say, I think at this point, we're just highlight in that that particular matter, and I suppose it does need to keep under review, because I say we had a similar discussion at various points of that DCA examination, and it didn't reach the conclusion. But let's say we're, we're hopeful and prepared to work with with the applicant. Seek to achieve it, but it is a very important part in relation to this examination, given the very important nature of some of the other interests which are located in proximity of this development. Thank you. Thank you. Mr. Ennis, I think it's covered some of the points that we might be covering at other points, but it's thank you for your for your commentary and your update. Mr. Mr. Philpot, you've got anything you'd like to respond to?

39:22

Yes, so very only, very briefly. I mean, essentially the points that this Innis has explained first points as to the nature and importance of his client's facility has set out and relevant representations in terms of the protective provisions, as is indicated, there was a process that was undertaken in relation to the net zero Teesside DCO examination and decision in order to deal with the differences between the parties that existed over the appropriate provision. We're not, of course, as in that case, starting from a blank sheet as.

40:00

Said earlier, we have the benefit of all of that learning and experience, and there is again a mutuality of interest in achieving a sensible set of agreed provisions as early as possible. So I'm not sure there's much to be gained by articulating any issues that are not aware of what those are that may be between the parties, because that's a matter in the first place for negotiation, and if that does not produce agreement, then you'll see that articulated through the written documents, and there'll be a chance to consider the differences in due course. But

40:37

for our part, as I've said, we're quite optimistic that with the benefit of

40:44

net zero Teesside and the learning from that process will be rather quicker this time around. But we're not naive. But equally, we are, I think, reasonably optimistic on the on the back of that,

40:58

just to be clear, we we will continue to push on this point. In any event, there is a question in the first written questions that alludes to the Secretary of State states letter that Mr. Innes has just referred to

41:12

and being generally aware of the secretary of state's position in regard to to what happened in that instance. And the question effectively asks for

41:24

people to make sure that they're there, they're prompt in those meetings and meet reaching those agreements in regard to both protective revisions and any side agreements or heads of terms that may be necessary. I mean, clearly we don't need to see side agreements or heads of terms necessarily, but most certainly, we do need to be certain that protective provisions are advanced as quickly as they can and on without prejudice basis in terms of discussions at subsequent hearings for the development consent order. So it's something we're alive to, and just to give assurance to all parties that it's something that we won't we won't let go of, because clearly,

42:07

as with net zero Teesside,

42:10

the Secretary of State made a very clear message, or gave a very clear message with regard to continuing negotiations post the close of the examination. And if we can at all avoid that in this instance, it would be welcomed. Thank you. Thank you, sir. Thank you Mr. Butler and thank you Mr. Philpott and Mr. Innes. I think, I think Mr. Butler's been really clear on that point. So I think if we can, if we can be avoid raising those same issues again for the remainder of this

42:44

here hearings based on time and the fact that we've made a clear statement that we do understand the position that IPs are in and and we don't. We do understand the applicant's response. So So thank you, Mr. Butler and Mr. Philpott for for concluding that part of the discussion.

43:02

Bullet point three, italics. Three was really just to mop up any other proposed developments that weren't N sips in the vicinity, and again, in the in the interest of time, I'm probably going to suggest that I would be expecting a very similar response from the applicant about other developments,

43:22

as I would have been had received from ncips. And we've also had a number of comments from relevant reps about their own potential

43:32

developments, both, you know, on their own existing land and potential planning applications. I'm expecting those to be responded to in the relevant reply from the applicant. So unless anybody has a particular burning desire to raise something now about other developments that aren't 10 sips in the vicinity, I'm proposing to substantially move on and not cover three italics, three in any detail. Now,

43:57

Mr. Hale, Mr. Philpott, so yes, on behalf of the applicant, we're content stated approach. Thank you. Thank you very much. In which case we got on to Item four, about the progress of design. And again, I think we've covered a number of these points already, so I'm going to very try very hard not to repeat those points, but I will bring back Mrs. Gilly, who, who i i asked very to be very patient and and reiterate her point at this juncture. So

44:27

a number of relevant reps, a number of interested parties, have expressed, as Mrs. Goody did earlier, that they have a difficulty in in replying to the the the applicant application because of the level of detail of the design.

44:47

Basically, can you? Can you just reiterate your your point again? Because I think you're probably you, and unless any other IPS have anything to add, I think, from what you said before, I think your your commentary probably support.

45:00

Towards most other IPS commentary as well. So if you could do that again, I'll be very grateful. Okay, yes. Sarah Gilly, on behalf of BOC limited,

45:11

obviously, our written rep, the relevant representation submitted on behalf of our clients, covered off a lot of the detail on our client and its interest in this project. But in summary, BOC is the largest provider of industrial, medical and gas, special gasses in the UK and Ireland. The DCA site is located in an area where BOC owns and operates an important part of its infrastructure network, comprising apparatus and pipelines with supply of gasses to a large variety of customers across a wide range of industries. This is critical infrastructure, which BOC has statutory and regulatory or obligations to maintain and repair, not only for safety but to ensure resilience in national fuel security and supply.

45:54

The Book of reference identifies 243, plots across 812 entries as land that BOC owns or has an interest in, and which and in respect of which powers to acquire land or to create or extinguish rights are sought for the purposes of nearly all the works proposed in the order, whilst our client supports the project, in principle, it must maintain its objection to the DCO on the basis that there has been insufficient information provided in the DCO application, and also engage with the applicant on the project design and construction to enable BOC to properly identify and understand the impacts, and therefore to understand exactly what mitigation may be required

46:36

and whether this can be secured through the DCO and within the proposed order limits,

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we must note that today, our client has not had any response from the applicant to bocs requests to agree specific protective provisions within the DCO which are necessary to ensure that its infrastructure operations and business continuity are not compromised. Examples of matters we need to understand include particularly where works overlap BOC plots on the main site and its associated connections. Will bocs pipelines require removal, relocation or diversion, and if so, where to and will this require a stopping up or interruption of bocs gas supplies? If or for? If so, for how long? We note that the applicant has explained that the level of design detail undertaken to date will has not been able to identify the exact size and footprint of the main HPF site, and so this is of concern. In terms of addressing this point,

47:34

we also need to understand whether some plots could be removed from the compulsory purchase acquisition of rights so as to avoid a disproportionate impact on bocs interests, where the applicants pipes are proposed in existing pipe corridors, including those identified as already being congested. How can the applicant be sure that these can be satisfactorily accommodated? The pipeline statement refers to this being established through dialog with other existing users, but this has not happened with our client.

48:03

Okay? Finally, oh, sorry. Sorry, yeah, sorry. Finally, at the level of design undertaken to date, how can the applicant ensure bocs existing interests and rights will not be compromised alongside the new rights required by HST side, if it transpires that design mitigation solutions are required to avoid disruption to bocs assets and operations. How can we be assured that these can be secured through the current DCO and the proposed order limits? So therefore, in order to remove our objection, our client requires direct engagement now with the applicant on design and construction, so as to voice so as to understand exactly how bocs infrastructure will be impacted. This is necessary to inform what agreements and protective provisions will need to be included in the order to ensure they are fit for our client's purpose and sufficient to protect its interests as it's now been covered. Such agreements must be agreed before the end of the examination, so we call on the applicant to expedite its engagement with us and our clients. Thank

48:57

you very much, Mrs. Guilty. I think a number of those points we have covered. I think the point that I was very interested in hearing from you again was about design development and your ability to to satisfactorily respond

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based on the level of design. And I, I suppose the the question of the applicant is

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in the fact that you're going to have to reply to these comments in your responses to the relevant reps, whether there's anything now that you'd like to explain

49:29

about how we can be, how you you will be able to approach these detailed discussions with with with these very complicated matters, based on The level of design that we have at the moment. We have at the moment, yes, on behalf of the applicant, a few points I want to make at this stage. First is this that the level of design detail in this application is consistent with what is provided for other applications for ncips.

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Of this kind, and reflects the level of design detail that was provided for Net Zero Teesside.

50:08

The reason for the level of design detail at the point of application has been explained in the design and access statement, and you've heard more from Mr. Ibrahim Zadi today about that, but it is in the nature of ncips and projects such as this that detailed design tends to be undertaken at a later stage, and that the development that's described and authorized in the development consent order is authorized and described by reference to work numbers, order limits and parameters that is standard practice, the development consent order, and by its nature, is intended to provide an outline consent which authorizes the principle of the scheme and sets parameters within which the impacts of the scheme can be assessed and the detailed design can, in due course, be developed, and it provides a procedure for the subsequent assessment and approval of detailed designs at local level. All of that is standard and is reflected in the application here, and our position certainly is that interested parties have sufficient information on the design to enable them to participate effectively in the decision making process that will result in a development consent order that does those things. And the same is true for those whose interests in the application are focused on environmental effects, including the statutory consultees, because that is what the use of the Rochdale envelope is designed to achieve, and what it does achieve in practice. In other words, the level of detail is appropriate to this this stage of the process of authorization and what it is approving, and it's consistent with what would normally be provided for an energy and sip of this kind. But it's also important

52:12

to distinguish between the level of design detail that is now available and the level of the level of detail available as to precisely how the development will be implemented, which is an important question in an environment such as this. So for projects of this type, involving, say, the installation of pipelines in an existing industrial location, interested parties are understandably concerned to understand where the authorized pipelines will be installed within the corridors that are provided on the worst plans for this purpose, and what will be the process for ensuring that affected interested parties are adequately informed about and involved in the management of the works of installation. But those matters tend to be governed by a combination of provisions on the face of the order and private contractual agreements, including, obviously in particular, protected provisions now in the case of BAC, because they're the example that I have to respond to today, and protective provisions are in progress there.

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But there is also a supply agreement being negotiated, because my understanding is that BOC intends to supply the development with oxygen and nitrogen.

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And therefore there is a necessary interaction between the two projects and the pipelines that is positively desired by BOC as a potential supplier and by the applicant as the potential off taker of the oxygen and nitrogen, and so that

54:04

mutuality of commercial interest drives the need for an understanding of how the two projects will interact, and provides an incentive for both parties to achieve that. Now I'm told that we have asked voc for details as to where their infrastructure is located to facilitate those matters that the so far that has not been provided. Now, today may not be the day to go into all those ins and outs, but just take that as an example. That's not so much a matter of needing design detail at this stage, it's a matter of setting up a sensible framework to work out those details, such as exactly where things will go, how the projects, how the project will interact with existing infrastructure, whereas not you.

55:00

One doesn't need more design detail at this stage. One simply needs a process and effective set of provisions to govern that, and that will be provided where to the extent necessary, either on the face of the order and or in a private agreements between the parties. So there's no difficulty in terms of the level of detail, design detail of allowing parties to participate in the examination, because clearly, if there are any elements that are left over

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where

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an interested party is not content with the protected provisions as they've been put forward by the applicant, the examination process allows them an opportunity, not only to articulate those concerns, but to put forward alternative provisions that they say should be included. That is part and parcel of the process, and there is enough information for parties to be able to do that, to ensure that their interests are protected and they have no difficulty in responding to the application and engaging effectively in the examination of its merits.

56:17

Thank you, Mr. Philpott, and I can see that Mr. Ibrahim zadis Hand is also up, so maybe that he has something else to add, sir, on behalf of the applicant. Yep, I was just about to call him in. So thank you. That's very helpful. Mrdi,

56:33

thank you, sir. On behalf of the applicant. I just want to quickly build on what Mr. Philpott was describing earlier there, and also bring the potential an important point that we are looking forward to receiving the information about existing infrastructure that Mr. Philpott was describing earlier

56:56

from Mrs. Kelly and the POC team. One thing I did want to point that with regards to the interaction between the main site, the level of detail, design detail on the main side, and POCs infrastructure, I think it's an important point to highlight that,

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based on what's on, the information that's available on the public domain, are The applicants. Understanding is that the POC infrastructure that that used to go to where

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the Steel Works used to be, which is now obviously been demolished, and which is where the proposed HD side main site and also the adjacent NZT power plant is going, that

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that now out of service and defunct. You'll see infrastructure was being, was supplying the old still works with oxygen and nitrogen, which is not not in existence. I thought that important point to flag that the interest what the infrastructure was supplying is not there anymore. So and any reason to go into that area would involve

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an interaction with regards to supply was h to T side.

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I think that, I think that's a matter of detail that I'm sure you'll follow up with BOC.

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I'm I'm

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grateful for Mr. Philpott response, bearing

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in mind, this was a discussion about principle, rather than than detail for an individual

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company. Is there any other IP that would like to comment on this, about the principle of this point, about the level of design, or are we content to move on?

58:38

Mr. Henderson,

58:42

thank you, sir. Tom Henderson for the southeast group. I just wanted to just make a brief response to the submission to Mr. Philpott. I mean, the points about the level of design detail are acknowledged. I just wanted to underscore that I think

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there's a separate issue as to whether the amount of flexibility that you then build around the level of design available is excessive or not, and that's really where our submissions are coming from in the main so the question that we are seeking to scrutinize and find answers to is this issue of noting the level of design information that is in the application. Does that justify the extent of the order limits that we've seen? We've made points about that, both in this hearing and in writing, and that's something we'll look to follow up on throughout the examination. Thank you for that point, Mr. Philpott, come back on that. Are you happy to just note that comment?

59:36

So grateful for the acknowledgement point about the level of detail, and we'll We obviously understand that we need to justify the flexibility that we have sought, and we'll seek to do that during the examination. Thank you very much. Okay, the next bullet points on Item four italics I are really Mr. Sims, before we move on, can I just cover one thing off?

59:58

We've got a number of.

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Question is still remaining. I think by my count, there's something like 12 in this. This this section, Item four,

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items five and then onwards, are relatively Swift, like or likely to be relatively Swift.

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I'm conscious that we have to put a message out if we're counseling. Tomorrow's issue specific hearing by five o'clock. So I'm asking generally, I think, I think we're going to extend beyond five o'clock based on the speed that we're going. If we don't, then all well and good, but if we do, then I need to clarify with people whether or not they have an issue with extending beyond five o'clock to say, Hi half five or six o'clock. Does anybody have any issue about that? And if so, can they let me know now please. So

1:00:48

on behalf of the applicant, we have no issue. Indeed. We prefer to carry on and complete if you and your colleagues are able to, rather than and have everyone come back for a second day.

1:01:00

Okay, Miss Mrs. Gilly, you put your camera on for a short while. Do you want to say anything?

1:01:06

No, the preference would be to carry on until it's concluded today. Okay, well, that's, I think that's our preference as well. So on that basis, what we'll do is we will say that we will continue till we conclude today, and we will Council tomorrow's reserve hearing date so that we can get that message out. And thank you very much for your understanding. With regard to that, we will try and keep it as focused and move forward as quickly as possible, though, so hopefully we will still be relatively on track, but I think we're going to go over five o'clock, so thank you, but we'll continue. Mr. Simms, thank you, Mr. Butler. And thank you everybody for that clarification. I think, as I've just was just about to say, I think bullet points two and three about further design work and anticipated further design work on updating of the works plans, I think we put, we've, substantially covered that in in various ways. So unless anybody has got any particular points to raise about whether further design work has been undertaken and whether there's and we anticipate updating the works plans I'm proposing to to move forward on those two points. Mr. Philpott simply to confirm that we're content to take those two points Israel, I don't think we had anything new to reveal to you in response to those, so I don't think there's anything to be gained by going over them. Thank you very much. That's very helpful checking for anybody else.

1:02:37

And very much the bullet point for about the development being a first of its kind in terms of scale impacts on the level of detailed design, it was a subtly different question. But I think, as I thought we might do, we have covered that in previous points. So again, happy to move on from the last bullet point on. For italics. I

1:03:02

for italics. Two, we've started to touch on about the location of the pipeline. So again, I'm expecting some repetition, so I will keep this as focused as I can do, but I would like an explanation from the applicant about the process of adding existing pipelines and new pipelines to existing corridors

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and cover things like, is there a responsible body? Is there a set design code for the area? What's the local process and what design requirements have led to the order limits being as they are? If you could cover that, that would be fantastic. Thank you.

1:03:38

So Harry would Thorpe, but on behalf of the applicant, and if I can deal with this, hopefully at the right level of detail, but if not, I think it's something we might want to take away and provide more detail on in writing. Possibly there are, in effect, two processes that there is the, what one might describe as the legal processes, including any steps in particular that's required by the development consent order, including any protected provisions and by private agreements. And the second is the engineering process, the physical process of how that works. And I suspect you will have seen from say, the relevant representations have been put in by semcore that they have their own detailed process that they undergo for their own pipeline corridor, and they explain in their relevant representations the way in which they manage the corridor and they balance the competing requirements and legal obligations and effectively what one then sees in the protective provisions is a substitute means of achieving an

equivalent level of control and protection, or similar level of control and protection on the face of the order, allowing for the fact that there are powers of compulsion that allowed that. Essentially.

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Ensure that the applicant can be certain that they can get on and put their pipelines in,

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but then the protective provisions guard against them doing that in a way that writes roughshod over the existing series of controls and provisions. Now it may be that today is not the day to get into the detail of what those protected provisions were but as I indicated, through the net zero Teesside development consent order, that process was undertaken, you'll find and we'll provide you with the copy of that order, and you'll see the protections there. And we're envisaging essentially a similar approach here,

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in order to ensure that the important interests to which people like Sempor Refer in their relevant representations are adequately and appropriately protected, whilst ensuring the project can still go ahead. So I'm wary of trying to go into too much detail on an area which is subject to negotiation, but hopefully that provides you with an overview of how it works from the sort of legal process, and how that substitutes essentially for what would be the normal process if there was no DCO and it was simply an arm's length commercial negotiation. Yeah, I think we just, we're just conscious that it may potentially have been different because of the zone that we're in, or whether there's any local agreements or design procedures overarching but I think that's been that's really helpful. I think it's really just a matter of kind of understanding whether we're whether covering the those existing pipeline infrastructure requirements, because there's been quite a lot of, as you will have seen, commentary about capacity and so on and so forth. It was really making sure that those individual discussions were happening, and it was an individual by individual basis that will come together to make a whole at some point. So I think that's been a helpful discussion. I'm sure we'll see that in the protective provisions and discussions going forward. Is there any other comments or questions from other IPS regarding the process for adding, bearing in mind, we've already said that we we're not covering protective provisions in any further detail of this, of this hearing.

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Okay, thank you. A lot of these questions kind of, kind of, do follow on, following that there's again, we've mentioned

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bullet point two. We've mentioned that there's a number of comments about availability and capacity and design of new pipelines in existing infrastructure. I'd just like the applicant to explain how the design has progressed with regard to understanding that availability, notwithstanding the comments you've made, Mr. Philpott about the protective provisions and the outline design doing what the outline design does at for a DCO about it's more about Sure. You know. How sure are you that those pipeline routes actually are available, and therefore the order limits might not have to change if they simply aren't available. That's really what

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so understood. This is a an area where Mr. Ibrahimzadi will provide the sort of factual and engineering response. Thank you, Mr. Ibrazadi, on behalf of

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the applicant, the

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way they were right at the old limits for the with regards to the existing pipeline corridors and the proposed addition pipeline those corridors is that we today, we've completed pre feed level of work with our with our engineering contractors, and as part of that, we have performed a number of surveys covering the entirety of the order limits. And so one of the objectives of the surveys about two main objectives, A, to ensure that there is a space available, and also B, to ensure that the pipeline we're proposing is construct constructable within that space that's available, and as part of through that process, and also as part of engagement with the landowners and other interested parties, we've been able to

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we've been able to arrive at a place where we're comfortable that in the title of the existing pipeline corridors, as they proposed in the order limits, there is

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sufficient space available for the new hydrogen pipeline. There is instances where that will include use of existing pipe supports, either concrete supports, or the type of support. But there's also instances where that will include

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new support to be built, whether they're bridges or culverts or new concrete supports, and there's sufficient allowance indoor limits for those to be built. And I'd also like to point out that we have so as part of that process, we have performed a number of constructivist reviews to make sure that we.

1:10:00

Can safely construct the pipeline within the proposed order limits. Was our prefit contractor as well as we performed a an identical exercise was a another independent, sorry particles pipeline construction contractor to make sure that the auto limits, as they presented a lot, sufficient space to be able to route and construct the pipeline

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that I mean. I

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thank you for those comments. I think

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we'll be very interested to see your detailed responses to the relevant representations, because I understand what you've said about the surveys and your surety from your own surveys, but that that isn't reflected in quite a few of the relevant representations, and I think we will, we will be very keen to see some detailed responses to those particular points in the that have been made by interested parties. And this is, this is partly to understand whether, going back to Mr. Philpott, very early comment about the main site, whether, whether the the project is constructible within the design limits.

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But we're very conscious of what has been raised by by interested parties and their relevant reps about those capacity and practical comments in the in the pipeline and service corridors.

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I don't think I'm going to delve into that anymore, because I think I've made our point in our question, is there any other interested parties that,

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bearing in mind, we have seen relevant reps about these so so we do, we do have those. Is there any other points that any other interested party would particularly like to make about capacity and availability of pipelines that hasn't been covered or won't be covered.

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Mr. Pennell,

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thank you, sir. Just

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the inverse of the topic we've just been talking about, which is, we have advice from our discussions with the project that

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in the pre feed work and surveys have been constructed, have been done. But

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the reason that in our case, a new pipeline bridge is required is because the

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parties have been advised that the existing pipe bridge doesn't have any capacity. So as we get into the process, it'd be interesting to understand whether that we've simply taken that advice as we've been told this or, or whether this is whether we've conducted detailed surveys in that matter, I think it's, I think it just goes back to the point that Mr. Butler made about the need for confirming a number of things as early as possible. I think it sounds like although, although Mr. Philpott explained about the level of detailed design, I think this is one of those areas where, where, you know, it would help to

understand whether there is a fundamental issue with capacity, and therefore the the order limits might need to be changed, or whether there's a discussion that could be held with with a company like yourselves, and other places to overcome that. So thank you for your thank you for your observation.

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I'm

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just going to ask the next question before I ask for any other any summary from from the applicant, because it was really just about whether, in the in the event that there simply wasn't capacity, whether other alternatives had been considered. But I think we've covered that in our discussion about the order limits, and also what Mr. Ibrahim and zardia has just said about survey and their own surety. So

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is there any, is there any final comment on this that you'd like to make, Mr. Philpott,

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in terms of

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existing capacity, and Mr. Penn's comment,

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certainly not at this stage, as you've heard, we're my clients are confident that they have undertaken sufficient surveys to achieve constructability, and whilst there may be people who question whether or not we've justified the need for new infrastructure and whether things could be accommodated within existing pipeline corridors, we're confident that through the order limits that we've set, the powers We've taken, we've been able to achieve what we have sought consent for. We'll pick up matters of detail in response to individual representations, right, rather than trying to deal with them piecemeal. Now, yeah, and I think it goes back to your very first offer of a of a plan with a schedule showing order limits and why? Why order limits and land extent? This isn't a CA hearing the land extent is required at certain places on the pipeline corridor. I think it's something that will be very, very beneficial to answer a number of questions that that have been raised in in items we covered before and what we've covered now. So.

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So thank you for that. I

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just wanted to cover in bullet point six.

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So bullet point five, which regarding whether the applicant has taken sufficient consideration of consultation comments regarding locations of pipes. Again, I think we have covered that in some of our

sufficiently in some of the replies that we've had to previous points. So I'm not proposing to have a further discussion about consultation responses, because I think that we've had a number of comments that have shown where we are and the information that we've got for us at the moment, and it will be covered in further negotiations and consultation, I do

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want to cover bullet point six, which is about the multi user pipe tunnel under the river tees. A number of

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interested parties have raised a significant, what they believe is quite a significant issue about the capacity of pipelines underneath the river, discussions about a third crossing that that that haven't materialized, certainly within the application and

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and the potential of more pipeline crossings, restricting future space to allow further crossings, and therefore reducing the potential for further development. I'm sure

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it'll be covered in response to the relevant reps, but it would be, I would be interested to know from the applicant where they are with the potential for a new pipeline tunnel and

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any particular reason it isn't included in the application.

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So yes, Harry wood Philpott on behalf of the applicant, and I'll take the lead on this matter.

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So the proposed development is applied for, clearly does not include a new multi user pipe tunnel corridor and no changes proposed to be made to the application to incorporate any such development. The proposed development does include a hydrogen pipeline under the river tees to meet the operational needs of the H 2t side development, and that's part of Work Number six, the hydrogen distribution network being worse for the transport of hydrogen gas, etc. And if anything more than that was going to be proposed to cater for other developments, other uses, we would need to show that it was associated development, in other words, development associated with the principal development. And as you'll be aware, that would require a direct relationship between the principal development, and it would have to satisfy the guidance that the government has put out about that. So that would be a first

1:18:02

point that would have to be established. But we've not proposed it. We don't need it for the purpose of our development, for any of those reasons, and therefore, because we're not proposing it unless there is some specific provision in legislation or policy that makes it necessary to consider an alternative, which did include such a tunnel that would not be a relevant consideration unless exceptional

circumstances exist to make it so, and the planning courts recently made that clear in the case of substation action, say, East Suffolk versus Secretary of State. We can provide a copy of that, if that would be helpful, as part of our

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post hearing submissions. Yes, please and no such exceptional circumstances are considered to exist in this case, but in any event, even if

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so, you and your colleagues were persuaded

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by an interested party to treat such an alternative as a material consideration, it would then be necessary to assess whether it was likely to be important and the weight to give to it by reference to the principles on dealing with alternatives in NPS en one which provides very specific guidance on this

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matter. And I won't go through all of those now, but clearly they are intended to limit the circumstances in which alternatives will be treated and are likely to be important and material considerations, and anyone urging consideration of an alternative upon the examining authority must ensure that they specifically address those policy tests and.

1:20:00

Now, so far as then, the implications of not providing it, I'm going to ask Mr. Ibrahim Zadi to deal with the second element of this agenda item, which is, if it shouldn't be considered as part of the proposed development, whether it could reduce future pipeline options below the river tees, which is then the matter that falls for consideration. So I'll pass over to Mr. Ebrahimzadi at that stage. So if I may

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very grateful. Thank

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you, Mr. On behalf of the applicant,

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the examining authority may already be aware of this, but I think just in case, it useful for me to highlight that with regards to pipeline infrastructure, there are to establish crossing areas

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on the Revit keys. These are broadly known as the northern and southern crossing areas, again,

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from the dating back to the tunnels, the two tunnels that were constructed during ici times the proposed order the next four HDT side involved construction of the new crossing, either in using MicroPort tunnel

technology or horizontal directional drilling technology to build a new Greenfield tunnel in what's known as the northern crossing area. And I'd just like to point out that there is a with regards to any new crossing at this area, making any future crossings

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impossible or feasible. I'd just like to point out, for example, there's a tension that there are already seven existing crossings in this area that have been put in at different times. All the data back all the way to the the first ici tunnel. Some of them are tunnels. Some of them are horizontal, directional drills. I think the point is right, that each new crossing makes the following

1:22:07

crossing incrementally more difficult. But I think there's a point to be made that there are already seven existing crossings, and we're not

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for the proposed stage to Teesside tunnel. We're not, we're not saying that's impossible, which is saying that's that's increasingly more difficult compared to completely Greenfield area. And our reasoning is that the same train of salt and logic would apply to any Poland tunnels in the future as make them incrementally more difficult, but not impossible.

1:22:42

Okay, thank you very much.

1:22:45

Thank you both. Is there any interesting party that would like to comment on

1:22:52

what Mr. Philpott or Mr. Ibrahim zali have said?

1:22:59

Okay,

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thank you for those responses, as

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I say, I'm sure it will be covered in more detail in your responses to the relevant

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reps that we're expecting. And I would,

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I would urge you know a reasonable amount of detail in that response, as it has been picked up by a number of

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interested parties, and we'd be very interested to have a bit more detail in that response.

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So my final bullet point on for for Item 4.2, is, again, probably just a

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to cover off this question, there's a number of locations where the Indicative pipeline is shown on the extremity of the boundary, possibly even touching the order limits. And I know you covered this very briefly, Mr. Ibram Zadi, earlier, but can you explain how it is intended to construct pipelines in these locations where, where there's almost seems to be no room between the Indicative pipeline and the order limits, and how confident you can be on your ability to do this within the order limits.

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Thanks. So Mr. On behalf of the applicant, I think there's, there's possibly a couple of points to cover there. I think the first point,

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and I will mention, is that, as I was talking about earlier, having been through the prepaid level design and also the constructability processes and also the site surveys that I was talking about earlier, we have been able to get our ourselves comfortable with the current order limits, and also the fact that we think we can't construct these pipelines within the order limits. So that said, there's a in, I think the couple of points to cover here is that there's probably an admin point here as well, in that in the.

1:25:00

The the application,

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document, examination library, document a PP zero to six, indicative hydrogen distribution network plans, as in the we have from the Indicative pipeline alignment, which, as we've discussed, will be subject to movement within the auto limits as design progresses within the

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work plans as they have defined the I think possibly one question to make is that the we could have should have chosen a similar line to show the Indicative pipeline routings. I think there's probably an admin point there is that because of the thickness of thinking the pipeline routes. It appears, though, that they write on the

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on the order limits. Whereas I was zooming into a GIS software to geospatial information system software earlier, where it's it can clearly be seen, but there's,

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in the worst instance, there's at least a few meters of several meters of setup from the order of the limits. I think I'll just make that,

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make that point. The other point I was going to make that there is a in a typical green field pipeline construction scenario, would expect what's known as the construction right away to be symmetrical in that the trench where the pipeline will be late, if it's a very pipeline, to this, the extent of the construction right away to be symmetrical

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in relation to the center line, as the trench as the center line where there are, which is the case for the HD subdural limits as well, but where there are technical

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and or environmental

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restrictions, it is common practice to have asymmetrical construction right of ways. So that's also part of the picture that I just wanted to flag that in in parts of the network where

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the pipelines appear to be closer to the order limits compared to the rest

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of the order the

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rest of the order limits, we will be looking to utilize asymmetrical construction rights of ways to build those pipelines within the technical and environmental constraints available. Yeah, yeah. I think, I think absolutely get your point about Greenfield pipeline routes and and was probably expecting that answer from you and understand about those constraints. I think the the circular discussion that started right at the beginning of this, this hearing, and as it kind of ended at that point, is I understand why you're saying that the thickness of the line. You know, you can't show a 450 mil pipe on a scale of this drawing without it being either disappearing or not relevant. But if you can manage in certain areas with one meter to the order limit, and you can construct in that the potential. Next question is, so therefore, why do you need such extreme, such wide order limits elsewhere? If you can manage it in that location? And I think that goes back to what you're going to be providing us via Mr. Philpott kind offer

1:28:18

we will be looking in, you know, we want to be looking in detail about, you know, those order limits and why you can construct something with one or two meters space in one location, but you need 40 meters space in another location. So I think that's why it's really important that we have some genuine reflection on that, that offer from Mr. Philpott of explaining why the order limits are what they are, I think,

is something we'd be very interested in understanding much more detail. But thank you for your explanation. It

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is helped in that discussion,

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just because we're going to be moving on from the pipelines, is there anything that any interested party wants to comment on in terms of pipelines that we haven't covered and is unlikely to be substantially covered in responses to your already submitted relevant representations.

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Okay,

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Mr. Philpott, just give you one last chance to respond on anything we've discussed about the pipelines, and because we have had quite

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a

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quick joint through pipelines, but there's been some detail as well. Is there anything you'd like to summarize more? Are you happy to move on?

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So, generally, happy to move on? I would simply say that, from our point of view, it's been extremely helpful to have this opportunity to understand the areas where you feel you need more detail so that we can target our efforts so we're grateful for everything that's been useful. Yeah, yeah, genuinely why we wanted to have this issue specific hearing today, because I think it's it will reflect on on other discussions further down the line. So thank you for that, that reflection as well,

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very quickly on.

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Bullet points for three

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there's just a quick question about whether detailed, whether further design refinements were going to be likely during the examination or after the examination that we would want to know about. But to be totally honest, I think your

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submission procedure, deadline, a of a potential change notification has covered that. I suppose it's just an opportunity to say, we do you think you'll be expecting further detailed design refinements that will potentially come into updated works plans, or something that might give us a little bit more detail that we've been talking about.

1:30:48

Sir Harry wood, Phil, but on behalf of the applicant, I'm not expecting, on the base of my instructions so far that we're going to be putting in additional changes. I mean, never say never. But I'm certainly not aware of any more that are planned. Nor will be expecting that the level of detail that would be shown on the plans will be different. One would hope that as discussions between the parties

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progress, that there will be a greater understanding of one another's positions, and that might lead to progress, but that's more likely to be in the form of protected provisions and agreements, rather than the greater level of design detail in the application and the on the face of the order.

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Thank you. And I think potentially, some of the discussions we've had will be reasonably good for reflections prior to a potential ca hearing, which I know that we've we've strayed off of, and we've done very well to keep off of, but there will definitely be some overlap between some of the questions we've asked here and the potential impact at the CA hearing. So I think it's been useful to have that discussion as well, so that we've got an understanding and further discussions can be had before that time window in November that we've we've discussed. I'm

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going to ask this question to Mr. Butler, if that's okay, the last bullet point in four, three is just about the detailed design process in the DCO. Have you got any particular questions about that? Are you happy to cover that in the DCO hearing or in further questions? Mr. Butler, no, it's it's covered in further written question or first written questions, to be honest with you. So I think we can move on, unless anybody desperately wants to talk about

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it. So whilst I always love to talk about the DCO, I think all I would be envisaging is giving you a tour of provisions you're already familiar with, and so it's probably more effective to wait for written questions on that.

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Thank you very much.

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So Item five, impact of changes and additional submissions. Mr. Butler, in his introduction, explained about our changes to this part of the agenda. Item, so we're just going to cover very briefly the additional submission that was made. So prior to publishing the draft timetable, the examining authority was aware of potential for a the applicant to make a change request submission. However, such a

submission has not transpired prior to this issue. Specific hearing taking place in formal change request is not likely until the 16th of October, so there's no need to pursue pursue this aspect of the agenda item.

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So turning to the additional submission accepted into the examination prior to the hearing, these were listed as part of the procedural decisions in our rule six letter, and the applicant submitted a number of documents. I'm very happy to recite the documents that were submitted, but they are all available on the examination library and on the website, and we did explain them earlier, the draft timetable allowed for comments in regard to the documents and correspondence received and accepted as additional submissions, by virtue of this procedural decision at deadline one we also discussed this morning adding responses to these additional submissions received at procedural deadline, a to deadline, one which we we mentioned this morning, as I've said, so, we would just like to ask if the applicant or interested parties would like to make any comment now on any of those additional submissions. So

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Mr. Philpott, on behalf of the

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applicant. So no particular comments to make, just to deal with the way in which it's been framed in the agenda item. None of these reflect any change in design approach, nor do they make other changes more likely. So I don't put anything specific which would enlighten you further on this matter. Thank you very much. And

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same comment to any interested parties about the additional submissions that were received from the applicant.

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Thank you.

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Just before we move on to.

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Any other matters. I just wanted to make sure that and apologies for not doing this. At the end of Agenda Item four, I thought I covered all the requests from interested parties to speak as Agenda Item four, but I don't think I gave the opportunity for anybody to make sure that they hadn't been missed. So apologies for going back. And I shall do that now. So if any interested parties had anything on agenda item four that I didn't give them opportunity to speak to, if you'd like to say now,

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no, thank you very much. So you've heard enough of me, I think, for the last few hours. So I'm going to hand over to Miss Bennett Matthews to take us through the last few items of the agenda.

1:35:50

Thank you. Thank you, Mr. Simms Agenda Item number six, any other matters? Are there any other matters relating to this issue, specific hearing into the scope of the development, including its relationship to the extent of the order limits and progress of development design, which haven't been covered.

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I'd ask for any response from the applicants.

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Madam, no, we don't have any other points to raise under this item.

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Thank you. Can I ask for any comments or response from the interested parties?

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No, I've had no response. I'll move on to item number seven,

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in terms of action points. There's been a number of action points from this meeting, so I think perhaps the best thing to do is to publish yet some points from today's

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from today's hearing issue specific hearing in the next day or two,

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if there is, if there is no other relevant business. May I remind you that the timetables for this examination requires that the parties provide any close hearing documents on or before the deadline one on the timetable, which is Tuesday the 17th of september 2024

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and just moving back to Mr. Butler,

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to the final agenda.

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Okay, so the final agenda item is just the close of the hearing, and I'd like to thank you very much for your participation in this hearing today, which has been extremely helpful and useful for us. Digital recordings of the proceedings today will be available as soon as possible on the project page of the national infrastructure website in additional requests that you submit, right, right, submitting writing the points that you have made here today for publication on the website. And the deadline for that will be written submissions by deadline one Tuesday, 17th of september 2024

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unless it's modified by the rule eight letter

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following this issue specific hearing, there is no longer a need to use the reserve date, as we've already discussed, and there's no need to advertise it more widely than we've already done so.

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And in that case, I'll just move on to the next item, next point.

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So once again, I'd like to thank you here all today watching the those watching the live stream and those watching the Digital recording for their interest in the application. I'd specifically like to ask all those parties that have actually attended this virtual event today and taken time to do so. The time is now 13 minutes past seven, and I declare this issue specific here during regarding the scope of the Development The development, including its relationship to the extent of the order limits and the progress of design for the proposed h 2t side project. Closed. Thank you very much for all your involvement. Applause.