

## H2TEESSIDE DCO APPLICATION

BOC LIMITED Interested Party Reference number: 20049365

### SUMMARY OF ORAL REPRESENTATION – Issue Specific Hearing 1 28/08/2024

Baker Rose Consulting LLP is speaking on behalf of BOC Limited, the largest provider of industrial, medical and special gases in the UK and Ireland.

An explanation of our client and its interests in this Project is set out in relevant representation reference 016 but in summary the DCO application site is located in an area where BOC owns and operates an important part of its infrastructure network, comprising apparatus and pipelines, for the supply of gases to a large variety of customers across a wide range of industries. This is critical infrastructure which BOC has statutory and regulatory obligations to maintain and repair not only for safety but to ensure resilience in national fuel security and supply.

The Book of Reference identifies 243 plots across 812 entries as land that BOC owns or has an interest in; 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 there has been insufficient information provided in the DCO application / and or through engagement with the Applicant on the Project design and construction to enable BOC to properly understand the impacts; and therefore to understand exactly what mitigation may be required, and whether this can be secured through the DCO and within the proposed Order Limits. We must note that to date our client has not had any response from the Applicant to BOC's 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 numerous Works overlap BOC plots on the main site and its associated connections, will BOC's pipelines require removal or relocation or diversion, if so where to and will this require a stopping up or interruption of BOC's gas supplies, if so for how long?;

Could some plots be removed from the proposed compulsory purchase / acquisition of rights so as to avoid a disproportionate impact on BOC's interests?

Where the Applicant's pipes are proposed in existing pipe corridors, including those identified as already being congested, how can the Applicant be sure these can be satisfactorily accommodated? - the Pipeline Statement refers to this being established through dialogue with other existing users but this has not happened with our client; finally

At the level of design undertaken to date how can the Applicant ensure that BOC's existing interests and rights will not be compromised alongside the new rights required by H2Teesside for the operation and construction of its Project? If it transpires that design mitigation solutions are required to avoid disruption to BOC's assets and operations how can we be assured these can be secured through the current DCO and the proposed Order limits?

In order to remove its objection our Client requires direct engagement with the Applicant on design and construction methods so as to understand exactly how BOC's infrastructure will be impacted. This is necessary to inform what agreements and specific Protective Provisions will need to be included within the Order, which are fit for our client's purpose and sufficient to protect its interests.