

H2Teesside Project

Planning Inspectorate Reference: EN070009

Land within the boroughs of Redcar and Cleveland and Stockton-on-Tees, Teesside and within the borough of Hartlepool, County Durham

The H2Teesside Order

Document Reference: 9.12: Statement of Common Ground between H2 Teesside Limited and the UK Health Security Agency

The Planning Act 2008



Applicant: H2 Teesside Ltd

Date: September 2024

The Planning Act 2008
**The Infrastructure Planning (Applications:
Prescribed Forms and Procedure)
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The H2Teesside Order 202[]

**Statement of Common Ground between H2 Teesside Limited and the UK
Health Security Agency**

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STATEMENT OF COMMON GROUND

**This Statement of Common Ground has been prepared and agreed by (1) H2 Teesside Ltd.
and (2) the UK Health Security Agency**

Signed.....

[Name]

[Position]

on behalf of H2 Teesside Ltd.

Date:

Signed.....

[Name]

[Position]

on behalf of the UK Health Security Agency

Date:

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1.0 INTRODUCTION AND PURPOSE

1.1 Introduction

1.1.1 This Statement of Common Ground ('SoCG') relates to an application (the 'Application') made by H2 Teesside Limited (the 'Applicant'), to the Secretary of State for Energy Security and Net Zero for a Development Consent Order ('DCO') under Section 37 of the Planning Act 2008 (the 'PA 2008') for the H2Teesside Project.

1.1.2 The Application has been accepted for examination. The Examination commenced on 29 August 2024.

1.1.3 The Examining Authority's ('ExA') Rule 8 letter (Annex B) dated 30 August 2024 confirms that the Applicant should prepare a SoCG with the UK Health Security Agency ('UKHSA') in respect of the Proposed Development.

1.2 Parties to the SoCG

The Applicant and the Proposed Development

1.2.1 The Applicant is a private limited company aiming to develop and operate the H2Teesside project, which is an approximately 1.2-Gigawatt Thermal ('GWth') Carbon Capture & Storage ('CCS') enabled Hydrogen Production Facility (the 'Production Facility') and associated connections ('the Proposed Development') on land in Redcar and Cleveland, Stockton-on-Tees, and Hartlepool (hereafter referred to as the 'Proposed Development Site'). The Proposed Development will support the decarbonisation of UK-produced natural gas in Teesside for use in industrial applications, thus helping to achieve national targets in relation to net zero. It will also be a key contributor to restoring manufacturing jobs in the Tees Valley.

1.2.2 The Proposed Development Site covers an area of approximately 508 hectares ('ha') and is located primarily within the administrative boundaries of Redcar and Cleveland Borough Council (RCBC) and Stockton-on-Tees Borough Council ('STBC'). The Hydrogen Pipeline Corridor (refer to Figure 4-4 of the ES [APP-087]) extends further north-west to also include land within the administrative boundary of Hartlepool Borough Council ('HBC').

1.2.3 The Hydrogen Production Facility will be located at the Main Site within the Teesworks development site, as shown in Figure 4-1 of the ES [APP-084].

The Role of the UKHSA

1.2.4 The UKHSA is a government agency in the UK, charged with England-wide public health protection and infectious disease capability.

1.2.5 The UKHSA's role in relation to the DCO process derives from the PA 2008 Act and secondary legislation made under the same.

1.2.6 The UKHSA is a consultee under Sections 42 and 56 of the PA 2008, meaning applicants must consult with the UK Health Security Agency before submitting an application and once an application has been accepted for examination.

1.2.7 The UKHSA's interests with regard to the Proposed Development relate to the potential human health and wellbeing impacts of the development on nearby sensitive receptors in the vicinity of the Proposed Development Site.

1.3 The Purpose and Structure of this Document

1.3.1 The purpose and possible content of SoCGs is set out in paragraphs 58 to 65 of the Ministry of Housing, Communities and Local Government guidance entitled 'Planning Act 2008: examination of applications for development consent' (April 2024). Paragraph 58 of that guidance explains the basic function of SoCGs as follows:

"A statement of common ground is a written statement prepared jointly by the applicant and another party or parties, setting out any matters on which they agree. As well as identifying matters which are not in real dispute, it is also useful if a statement identifies those areas where agreement has not been reached. The statement should include references to show where those matters are dealt with in the written representations or other documentary evidence."

1.3.2 SoCGs are therefore a useful and established means of ensuring that the evidence at the DCO examination phase focuses on the material differences between the main parties, and so aim to help facilitate a more efficient examination process.

1.3.3 The purpose of this SoCG is therefore to summarise the agreements reached between the parties on matters relevant to the Examination of the Application and to assist the ExA. It also explains the matters which remain unresolved at the time of writing, but which both parties are working positively toward resolving. As such, it is expected that further iterations of the SoCG will be submitted to the ExA throughout the Examination and prior to the making of any DCO for the Proposed Development.

1.3.4 The SoCG has been prepared with regard to the above guidance and is structured as follows:

- Section 2 – sets out the engagement and related discussions held between the parties.
- Section 3 – sets out the matters discussed and agreed to date.
- Section 4 – sets out the matters that are under discussion and to be agreed and the proposed way forward, where relevant.
- Section 5 – sets out the matters, if any, where there is disagreement.

2.0 ENGAGEMENT WITH THE UK HEALTH SECURITY AGENCY

2.1 Summary of Engagement

2.1.1 A summary of the key engagement that has taken place between the Applicant and the UKHSA is detailed in **Table 2.1** below.

Table 2.1: Engagement between the Applicant and the UKHSA

DATE	FORM OF ENGAGEMENT	DOCUMENT REF. (IF ANY)	DETAILS
9 May 2023	Scoping Opinion	See Appendix 1E: Scoping Opinion Responses [APP-188]	<p>A written representation in response to the Inspectorate's consultation in relation to the application of the Scoping Opinion to the Planning Inspectorate ('PINS') submitted by the Applicant on 6 April 2023.</p> <p>UK HSA provided a range of technical feedback to help inform the DCO Application. Key topics raised in the PINS Scoping Opinion included:</p> <ul style="list-style-type: none"> • Recommendation for minimisation / mitigation approaches within a project. • Statement of key determinants of health and wellbeing to be assessed in the ES. • Recommendation for assessment of mental health through risk perception / understanding risk of Proposed Development and for direct consultation with public regarding hydrogen. • Recommendation for more quantitative assessment of construction phase to understand impacts for socio-economic and human health factors.
14 September 2023	First Consultation (statutory consultation) in	See Consultation	The Applicant issued a Section 42 letter to the UKHSA on 14

DATE	FORM OF ENGAGEMENT	DOCUMENT REF. (IF ANY)	DETAILS
	accordance with Section 42 of the PA 2008.	Report [APP-030]	<p>September 2023 consulting it on the Proposed Development.</p> <p>The UKHSA provided a range of technical feedback to help inform the DCO Application. Key topics raised in response to the consultation included:</p> <ul style="list-style-type: none"> • A request that the Applicant ensures emissions of the CO₂ removal process are adequately recognised and a risk assessment is carried out. • A statement of key determinants of health and wellbeing to be assessed in the ES. • The UKHAS reiterated point raised in Scoping Opinion regarding perception of risks from novel technologies. • A recommendation that consultation is undertaken to assess levels of local concern of novel technology. • Queried the change made to number of construction workers through design evolution. • A recommendation for more quantitative assessment of construction phase to understand impacts for socio-economic and human health factors specifically relating to housing availability, affordability and impacts on local services.
13 December 2023	Second Consultation (statutory and non-statutory) in accordance with	Consultation Report [APP-030]	The Applicant issued a Section 42 letter to the UKHSA on 13 December 2023 consulting it on a number of changes to the Proposed Development as a result of further design development and technical

DATE	FORM OF ENGAGEMENT	DOCUMENT REF. (IF ANY)	DETAILS
	Section 42 of the PA 2008.		work undertaken and also responses received to the First Consultation.
4 September 2024	Consultation on proposed changes to the DCO Application.	n/a	A letter was issued to the UKHSA on 4 September 2024 consulting it on a number of proposed changes to the DCO Application.

3.0 MATTERS AGREED

3.1.1 Table 3.1 below sets out the matters agreed between the parties.

Table 3.1: Matters Agreed between the Applicant and the UKHSA

MATTER AGREED	AGREED POSITION
<p>Physical activity and active travel / access to open space</p>	<p>The UKHSA advised at the pre-application consultation stage that that Public Rights of Way (‘ProW’) usage results should be used to review the existing allocation of sensitivity and final assessment of significance to each of the affected PRoW or long-distance paths. Also that there should be continued local consultation in order to identify any additional effective mitigation measures that could ensure continued use of the affected paths, e.g. diversions or managed crossings. Furthermore, the ES should include details of a PRoW management plan that identifies specific mitigation and enhancements proposed during the construction and operational phases of the Proposed Development.</p> <p>Schedule 2 of the draft DCO [AS-013] includes a requirement (Requirement 5 ‘Public rights of way’) that will secure the submission to and approval by the relevant planning authority of a ProW management plan prior to the relevant section of PRoW being temporarily diverted or closed. This is in line with the approach taken on other DCO projects and is appropriate as post-consent the detailed construction methodology and impacts will be known and appropriate measures can then be put in place in liaison with the relevant planning authority.</p> <p>The PRoWs identified in the ES were assigned a ‘Medium’ sensitivity, meaning there are limited comparable and accessible alternatives and the magnitude of impact was assessed as ‘Low’.</p> <p>The Proposed Development’s effect on users of PRoW is considered to be ‘Not Significant’. This is due to the short term nature of the effect (6 months) and a commitment that the affected PRoWs will not be closed concurrently to allow for a route of access for users throughout the construction period. Taking this into account, further mitigation with regard to ProW during the construction phase is not proposed.</p>

MATTER AGREED	AGREED POSITION
	<p>No ProW mitigation measures are required during the operational phase.</p> <p>Full details of the methodology used to conduct the socio-economics assessment of the Proposed Development is provided in Section 18.3 of ES Chapter 18 'Socio-Economics' [APP-071].</p> <p>It is agreed between the parties that Requirement 5 provides an appropriate mechanism by which to secure the management of ProW affected by the Proposed Development during the construction phase.</p>

4.0 MATTERS UNDER DISCUSSION

4.1.1 This section sets out the matters under discussion between the parties and the proposed way forward. **Table 4.1** provides a summary of the issues raised between the parties.

Table 4.1: Summary of Matters under Discussion between the Applicant and the UKHSA

SOCG ID	MATTER	APPLICANT POSITION	UKHSA POSITION
1.	Air emissions	The Applicant will continue to engage with the UKHSA on this matter as the Proposed Development progresses, noting that the Proposed Development involves a closed loop amine system, meaning there will be no amine emissions.	The UKHSA’s position is that all emissions to air from the Proposed Development should be subject to appropriate risk assessment. The Applicant has confirmed that the Proposed Development involves a closed loop amine system with no amine emissions to air during normal operation. No further detail on the carbon-capture mechanism has been provided at this stage. The UKHSA’s position is that carbon-capture technology continues to be a developing field, and that neither the effectiveness of the proposed closed loop system, or the detail of emissions associated with abnormal operation of the carbon capture system, has been detailed in Application documentation.

5.0 MATTERS NOT AGREED

5.1.1 Table 5.1 provides a summary of the matters not agreed between the parties.

Table 5.1: Summary of Matters Not Agreed

SOCG ID	MATTER	APPLICANT POSITION	UKHSA POSITION