

# 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 H2 Teesside Order

Document Reference: 8.7 Examination Progress Tracker

The Planning Act 2008



**Applicant: H2 Teesside Ltd**

Date: September 2024

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## DOCUMENT HISTORY

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## 1.0 INTRODUCTION AND PURPOSE

- 1.1.1 This Examination Progress Tracker relates to an application (the ‘Application’) made by H2 Teesside Limited (the ‘Applicant’), to the Secretary of State for Energy and Net Zero for a Development Consent Order (‘DCO’) under Section 37 of the Planning Act 2008 (the ‘PA 2008’) for the H2Teesside Project (the ‘Proposed Development’).
- 1.1.2 The Application has been accepted for examination. The Examination commenced on 29 August 2024.
- 1.1.3 This Examination Progress Tracker has been prepared by the Applicant in response to the Examining Authority’s (‘ExA’s’) letter dated 31 July 2024 (‘The Infrastructure Planning (Examination) Rules 2010 – Rules 6, 9 and 13’) (the ‘**Rule 6 letter**’), and was confirmed by the ExA’s letter dated 30 August 2024 (‘The Infrastructure Planning (Examination) Rules 2010 – Rule 8 and 9’) (the ‘**Rule 8 letter**’)
- 1.1.4 The ExA set out in Annex F of the Rule 6 letter the following requirements:
- “The ExA has made a Procedural Decision to request from the Applicant an Examination Progress Tracker, in the form of a table, reporting on what it considers are the principle, and other notable issues in the Examination.*
- The ExA would like the Applicant to set this out by issue and/or sub issue, the IP(s) [Interested Parties] which have raised them, the summary of the concern(s)/objection(s) and the progress being made (if any), and the updated position and any progress to resolution. The Applicant could consider “traffic-lighting” the table for ease of reference.*
- The ExA would like this tracker to include progress on negotiations on outstanding concerns.”*
- 1.1.5 The Rule 8 letter outlines the milestones of the Examination Progress Tracker, summarised as follows:
- **Deadline 1 (DL1):** An Examination Progress Tracker. This should be prepared by, and submitted by the Applicant.
  - **Deadline 2 (DL2):** Comments/responses to the Applicant’s Examination Progress Tracker submitted at DL1. The Applicant will note comments/responses received (if any).
  - **Deadline 3 (DL3):** The Applicant will update the Examination Progress Tracker submitted at DL1.
  - **Deadline 4 (DL4):** Comments/responses to the Applicant’s Examination Progress Tracker submitted at DL3. The Applicant will note comments/responses received (if any).
  - **Deadline 5 (DL5):** The Applicant will update to the Examination Progress Tracker submitted at DL3.

- **Deadline 6 (DL6):** Comments/responses to the Applicant’s Examination Progress Tracker submitted at DL5. The Applicant will note comments/responses received (if any).
- **Deadline 7 (DL7):** The Applicant will submit the final Examination Progress Tracker.

1.1.6 The initial Examination Progress Tracker, in the form of a table, as requested by the ExA, is set out at Section 2.0.

1.1.7 The status of the issues within the Examination Tracker is based on a Red, Amber, Green (‘RAG’) rating as follows:

	<b>Currently subject to disagreement</b>
	<b>Subject to further/on-going discussion</b>
	<b>Agreed</b>

## 2.0 EXAMINATION PROGRESS TRACKER

2.1.1 **Table 2-1** provides a summary of the principal/notable issues raised by Interest Parties and the status of those issues.

**Table 2-1: Examination Progress Tracker**

REF.	TOPIC	PRINCIPLE / NOTABLE ISSUE(S)	INTERESTED PARTY(IES)	SUMMARY OF COMMENTS	PROGRESS BEING MADE (IF ANY)	UPDATED POSITION (WHERE RELEVANT)	RAG RATING
1.	Land requirements	Order Limits and asset/land protection	Landowners	Landowners raised concerns about the extent of the Order Limits and seek protections through DCO Protective Provisions.	See the Applicant's responses to the Relevant Representations ('RRs') submitted at Deadline 1. The Applicant is in ongoing discussions with all parties who have submitted RRs, as set out in the Land Rights Tracker.		
2.	Biodiversity/nature conservation	Habitats Regulations Assessment ('HRA')	Natural England ('NE')	Details of the HRA assessment and its conclusions including Nutrient Neutrality.	The Applicant has held a meeting with NE since submission of its RR, where good progress was made on the issues raised by NE – see draft Statement of Common Ground ('SoCG') with NE. The Applicant has also		

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					<p>provided a response to NE's comments in its response to RRs submitted at Deadline 1. The Applicant will be submitting an updated HRA in due course.</p> <p>Discussions with NE will continue as the Examination progresses.</p>		
3.	Environmental enhancements	Securing benefits	Natural England ('NE') and Environment Agency ('EA')	Discuss the potential to secure environmental enhancements that contribute to achieving net gain.	The Applicant will continue to discuss this matter with NE and the EA as part of its overall strategy in relation to net gain.		
4.	Flood risk	Flood Risk Assessment ('FRA')	Environment Agency ('EA')	Details of the FRA and its conclusions	The Applicant has held a meeting with the EA since submission of its RR, where good progress was made on the issues raised by the EA – see draft SoCG with the EA.		
5.	Consents and DCO Requirements	Clarification for disapplication of consents and	Environment Agency ('EA')	The EA has asked for clarification about the permits/consents			

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		justification for DCO Requirements		the Applicant seeks to disapply and also justification for the inclusion of DCO Requirements	The Applicant has also provided a response to the EA's concerns in its response to RRs submitted at Deadline 1. Discussions with EA will continue as the Examination progresses.		
7.	Marine Licensing Exemption	Application to the Proposed Development	Marine Management Organisation ('MMO')	MMO is still considering if the Article 35 exemption can be applied.	The Applicant has signposted the MMO to relevant information for it to consider if the exemption can apply.		