



SHEPHERD+ WEDDERBURN

WRITTEN REPRESENTATION ON BEHALF OF

Northern Gas Processing Limited (IP 20049396), Teesside Gas and Liquids Processing
(IP 20049393), Teesside Gas Processing Plant Limited (IP 20049397)

IN CONNECTION WITH THE Application by H2 Teesside Limited for an Order Granting
Development Consent for the H2 Teesside Project

Introduction

- 1.1 This written representation is submitted in accordance with Deadline 2 of the examination timetable for the application by H2Teesside Limited (the “**Applicant**”) for an Order under the Planning Act 2008 granting Development Consent for the H2Teesside Project (the “**Project**”).
- 1.2 This written representation is made on behalf of:
 - 1.2.1 Northern Gas Processing Limited (IP 20049396) (RR-028);
 - 1.2.2 Teesside Gas and Liquids Processing (IP 20049393) (RR-030); and
 - 1.2.3 Teesside Gas Processing Plant Limited (IP 20049397) (RR-031).
together, the “**NSMP Entities**”.
- 1.3 As outlined in relevant representations and during Issue Specific Hearing 1 (“**ISH1**”), the NSMP Entities have overlapping concerns and interests in the Project, due to the nature of the ownership arrangements of the Teesside Gas Processing Plant (the “**Gas Processing Plant**”).

2. Need for Protective Provisions and other protections

- 2.1 The importance of the NSMP Entities’ interests which are impacted by the Project have been outlined in detail in their relevant representations, during ISH1 and in their written summaries of oral submissions (REP1-040, REP1-046, REP1-047). In particular, the significance of the Gas Processing Plant, as key national energy infrastructure which meets the threshold for a ‘Nationally Significant Infrastructure Project’ under the Planning Act 2008, has been canvassed.
- 2.2 We do not propose to repeat that information in detail in this written representation. However, it is reiterated, for completeness, that it is crucial the NSMP Entities’ ability to exercise their rights at Teesside are not impeded by the Project, to ensure the safe operation and maintenance of the Gas Processing Plant.
- 2.3 As outlined during ISH1, in the context of the nature of interests at play, the NSMP Entities’ view is that their concerns cannot be addressed through detailed design or through a requirement in the DCO alone. Rather, the development of appropriate protective provisions or a side agreement with the Applicant is required.
- 2.4 To that end, the NSMP Entities are developing a suite of protective provisions, based on the protective provisions developed for Net Zero Teesside Development Consent Order (“**NZT DCO**”), which they consider would address their concerns.
- 2.5 Additionally, the NSMP Entities consider the inclusion of requirements reflecting those included in the NZT DCO, which provide for engagement with the NSMP Entities, are necessary. Aspects of the Project will involve activities occurring outside of the NSMP Entities’ sites, but which could impact their ongoing operation. Where that occurs, the NSMP Entities seek to be consulted and to have the ability to make relevant representations regarding the discharge of requirements. It is hoped that, by ensuring consultation is required in advance, issues are able to be resolved at an early stage.
- 2.6 Requirements which the NSMP Entities consider would be appropriate include, for example, requirements that the NSMP Entities are consulted on in respect of the detailed design of specified works, and in respect of a construction traffic management plan, and that a local liaison group is established, to which the NSMP Entities must be invited. These requirements are all included in the NZT DCO.
- 2.7 The NSMP Entities consider that their concerns can be resolved through the agreement of appropriate protective provisions, in conjunction with the inclusion of requirements in the DCO relating to engagement with the NSMP Entities.

- 2.8 The NSMP Entities are anticipating engaging in intensive discussions with the Applicant regarding these protective provisions and DCO requirements and hope agreement can be reached in due course, such that the NSMP Entities are in a position to withdraw from these proceedings.

Shepherd & Wedderburn LLP

03.10.2024