

# 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: 8.11.6 Response to ExQ1 Compulsory Acquisition and Temporary Possession

Planning Act 2008



**Applicant: H2 Teesside Ltd**

Date: October 2024

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## APPENDICES

### APPENDIX 1: INDICATIVE PLAN OF OVERLAP OF PROJECTS IN TEESSIDE

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## **1.0 INTRODUCTION**

### **1.1 Overview**

1.1.1 This document has been prepared on behalf of H2 Teesside Limited (the 'Applicant'). It relates to an application (the 'Application') for a Development Consent Order (a 'DCO'), that was submitted to the Secretary of State for Energy Security and Net Zero ('DESNZ') on 25 March 2024, under Section 37 of 'The Planning Act 2008' (the 'PA 2008') in respect of the H2Teesside Project (the 'Proposed Development').

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

### **1.2 The Purpose and Structure of this document**

1.2.1 The purpose of this document is to set out the Applicant's responses to the Examining Authority's ExQ1 on Compulsory Acquisition and Temporary Possession, which were issued on 4 September 2024 [PD-008]. This document contains a table which includes the reference number for each relevant question, the ExA's comments and questions and the Applicant's responses to each of those questions, and is followed by appendices where they are referred to in the responses.

**Table 1-1 Applicant’s Responses to ExQ1 Compulsory Acquisition and Temporary Possession**

EXQ1	QUESTION TO:	QUESTION:	RESPONSE
Q1.6.1	Applicant	<p>The accuracy of the Book of Reference (BoR), Land Plans and points of clarification. Explain how the BoR <a href="#">[AS-012]</a> complies with the guidance published by the former Department for Communities and Local Government – Planning Act 2008 (PA2008): Guidance related to procedures for the CA of land Annex D.</p>	<p>The Book of Reference (BoR) [REP1-004] has been prepared pursuant to Regulations 5(2)(d) of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (“the APFP Regulations”). It describes all the land, and identifies all the interests, affected by the Order.</p> <p>The key ways in which the BoR (and Land Plans) align with this guidance are as follows:</p> <p><b>Accuracy and Clarity of Information:</b> In accordance with Annex D, the BoR provides a clear and accurate identification of all land parcels affected by the compulsory acquisition proposal. Each plot is accompanied by relevant details, including plot numbers, CA powers, area size in square metres and the extent of land interests. This ensures that all parties involved can easily identify how their interests may be affected.</p> <p><b>Classification of Interests:</b> The BoR categorises the land in accordance with the required five parts, as specified in Annex D:</p> <p>Part 1: (Regulation 7(1)(a)) contains the names and addresses for service of owners, lessees, tenants or occupiers of land (Category 1 persons) or those who have an interest in the land or have the power to sell or convey the land or release the land (Category 2 persons) where it is proposed that under the DCO the land shall be subject to i) powers of compulsory acquisition; ii) rights to use land; or iii) rights to carry out protective works to buildings.</p> <p>Part 2: (Regulation 7(1)(b)) contains the names and addresses of those persons within Category 3 (those persons who might be entitled to make a relevant claim if the DCO were to be made and fully implemented).Part 3: (Regulation 7(1)(c)) contains the names and addresses of those entitled to enjoy easements or other private rights over the land where these would be extinguished, suspended or interfered with as a result of the provisions in the DCO.</p> <p>Part 4: (Regulation 7(1)(d)) identifies land which is proposed to be used for the purposes of the Order and in which there is a Crown interest.</p> <p>Part 5: (Regulation 7(1)(e)) identifies plots where the acquisition of which could be subject to special parliamentary procedure or which is special category land or replacement land for land being compulsorily acquired.</p> <p><b>Due Diligence:</b> The process of preparing the BoR has included thorough research and consultation, ensuring that reasonable efforts have been made to identify landowners and other interested parties in line with the requirements of the legislation and Annex D. Where ownership remains unknown, we have documented these parcels and outlined the steps being taken to ascertain ownership. This is set out in paragraphs 7.2.16-7.2.22 of the Consultation Report (APP-030).</p> <p><b>Compliance with Statutory Procedures:</b> In addition to aligning with the guidance in Annex D, the BoR has been prepared in accordance with all relevant statutory procedures under</p>

EXQ1	QUESTION TO:	QUESTION:	RESPONSE
			<p>the PA2008. This includes ensuring proper notice is given to affected persons, and that all details provided in the BoR are up-to-date and accurate at the time of submission.</p>
Q1.6.2	<b>Applicant</b>	<p>The accuracy of the BoR, Land Plans and points of clarification.          Please confirm that the BoR <a href="#">[AS-012]</a> accurately sets out the various plots and interests. Please identify any inaccuracies that have come to light since the submission of the application and any further updates that need to be made at this stage.</p>	<p>The Applicant confirms that the BoR (and Land Plans) were prepared with due diligence and set out the various plots and interests to the best of our knowledge at the time of submission. The BoR includes all known landowners, occupiers, and parties with legal interests in the land, categorised as per the relevant statutory requirements.</p> <p>However, since the submission of the application, the following inaccuracies have come to light:</p> <p><b>Missing plot from Part 5:</b> Plot 15/243 is classified as ‘Special Category Land’ and was not included in Part 5 of the BoR.</p> <p><b>Missing Party Qualifiers:</b> The Party qualifier was missing for The Church Commissioners for England (in respect of mines and minerals) for several plots, and for Sembcorp Utilities (UK) Limited (in respect of Subsoil) on plot 5/10 and (in respect of caution against first registration) on plot 15/110.</p> <p>These inaccuracies have been reviewed, and steps have been taken to rectify them. The Applicant has updated the BoR [REP1-004] to reflect the correct information, and has submitted a revised version at Deadline 1to ensure the document remains accurate and complete.</p> <p>At this stage, no additional significant updates are required beyond those noted above, but we will continue to review the information and make further amendments as necessary to ensure that the BoR remains as accurate as possible throughout the examination process.</p>
Q1.6.3	<b>Applicant</b>	<p>The accuracy of the BoR, Land Plans and points of clarification.          What assurance and evidence can the Applicant provide of the accuracy of the land interests identified as submitted. Additionally, please indicate whether there are likely to be any changes to the land interests, including the identification of further owners/ interests or monitoring and update of changes in interests?</p>	<p>The Applicant can provide assurance that the land interests identified in the submitted BoR [REP1-004] have been prepared through diligent land referencing. The process has involved comprehensive land referencing exercises such as Land Registry searches and refreshes, use of public data records, Land Interest Questionnaires (LIQs) and continued engagement with stakeholders. These steps have ensured that the BoR reflects the most accurate and up-to-date information available at the time of submission.</p> <p>To further assure accuracy, the Applicant has undertaken the following steps:</p> <p><b>Land Registry Checks:</b> Regular searches of Land Registry records have been conducted to identify registered land interests. These searches began in October 2022 and were refreshed in June 2023, and in March 2024. Additional searches of Land Registry records were conducted between these dates as the project design evolved and new areas were identified. This ensures that any recent changes in land ownership or interests are captured in the BoR.</p>

EXQ1	QUESTION TO:	QUESTION:	RESPONSE
			<p><b>LIQs and engagement with Landowners and Interested Parties:</b> The Applicant has engaged with landowners and other parties who have a legal interest in the land to confirm the details provided in the BoR.</p> <p><b>Continued Monitoring and Updates:</b> Through ongoing land referencing, the Applicant will continue to monitor any changes in land interests, including further consultations with stakeholders and periodic Land Registry refreshes. This process ensures that any new landowners or parties with an interest are identified, and any updates are incorporated into the BoR.</p> <p>With regard to potential changes, the Applicant acknowledges that land interests may evolve over the course of the project due to transactions, transfers, or the identification of additional parties with an interest. As such, it is anticipated that there may be updates to the BoR during the examination process to reflect this. The Applicant is committed to ensuring that the BoR remains accurate and will submit updates if and when additional land interests are identified or changes occur.</p> <p>Since the submission of the DCO, there has been 3 significant Land Registry updates:  <b>Storelectric Limited</b> – The company is in project discussions relating to land with Sabic UK Petrochemicals Limited and has been included as a Category 2 interest across multiple plots in the BoR.</p> <p><b>National Gas Transmission plc</b> – Has notified the Applicant of apparatus that was missing from the BoR plots 2/32, 2/34, 2/35, 2/36, 4/94 and 4/95. This information has been added to the BoR.</p> <p><b>Azelis UK Limited</b> – The company has notified the Applicant that it no longer has an interest in the land and so it has been removed from the BoR.</p>
Q1.6.4	<b>Applicant</b>	<p>The accuracy of the BoR, Land Plans and points of clarification.</p> <p>The BoR <a href="#">[AS-012]</a> states that the Applicant has made diligent inquiry for persons in Category 1 and 2, as defined under S57 of PA2008. Please comment on the reliability and accuracy of the BoR in the light of those inquiries.</p>	<p>The Applicant can confirm that diligent inquiries have been made to identify persons falling within Category 1 and 2 as defined under Section 57 of the PA2008, and these efforts are reflected in the BoR.</p> <p>In carrying out these inquiries, the Applicant has undertaken the following steps to ensure reliability and accuracy:</p> <p><b>Land Registry Searches:</b> The Applicant has conducted thorough searches of Land Registry data to identify registered landowners (Category 1) and those with an interest in the land or the power to sell or convey the land (Category 2). This information has been cross-checked, verified wherever possible and refreshed to ensure it is up to date and accurate.</p> <p><b>Engagement with Stakeholders:</b> The Applicant has engaged in direct consultations with known landowners, tenants, and other interested parties. This outreach included Land</p>



EXQ1	QUESTION TO:	QUESTION:	RESPONSE
			<p>Interest Questionnaires (LIQs), phone calls, written correspondence and notices to confirm details and gather any further information on individuals or entities with a legal interest in the land.</p> <p><b>Public Notices:</b> Where land interests were uncertain or unregistered, public notices were issued to encourage any unidentified parties to come forward. This provided an additional safeguard in ensuring that all relevant persons were captured in the BoR.</p> <p>Based on these diligent inquiries, the Applicant considers the information in the latest version of the BoR to be reliable and accurate. However, the Applicant acknowledges that land interests may evolve over time due to sales, transfers, or other changes. To address this, the Applicant will continue monitoring land interests and will update the BoR as necessary to reflect any new information or corrections that come to light during the examination process.</p>
Q1.6.5	<b>Applicant</b>	<p>The accuracy of the BoR, Land Plans and points of clarification.</p> <p>Please provide further details of the process for identifying Category 3 persons and if the Applicant considers these inquiries are complete. Are there any other persons who might be entitled to make a relevant claim if the draft DCO were to be made and fully implemented and should therefore be added as Category 3 parties to the BoR.</p>	<p>The process for identifying Category 3 persons, as defined under Section 57(4) PA2008, involved a thorough assessment of potential claimants who may be entitled to compensation due to the implementation of the DCO. This includes those who may not have a direct legal interest in the land but could be affected by its compulsory acquisition or the exercise of other powers within the DCO.</p> <p>The Applicant has conducted a comprehensive impact assessment, which included a detailed evaluation of both environmental and property impacts, to identify potential effects of the project on surrounding properties and businesses. These assessments carefully considered any potential loss or damage that could give rise to compensation claims under the Compensation Code. Based on the findings, the assessments concluded that no parties are currently entitled to make a relevant claim under the Compensation Code if the DCO were to be made and fully implemented.</p> <p>The Applicant has included all parties with a relevant Right of Access over the Order Plots in Part 2 of the BoR as Category 3 interests. This approach was adopted to ensure consistency with the Net Zero Teesside DCO Application where, during the examination, an interested party requested that all access rights be classified under Category 3. To align with this precedent, maintain clarity and to account for potential claimants under S10, the Applicant has applied the same classification in this instance.</p>
Q1.6.6	<b>Applicant</b>	<p>The accuracy of the BoR, Land Plans and points of clarification.</p> <p>The BoR [AS-012] details the parcels of land in unknown ownership. Please confirm that this is an up to date list of those plots of land where ownership still remains unknown and indicate whether and, if so, what further steps are intended to be carried out to ascertain the ownership of these unregistered parcels of land?</p>	<p>The Applicant can confirm that the list of parcels of land in unknown ownership, as detailed in the BoR [REP1-004], is up to date as of 9 September 2024. The list reflects the most current information regarding plots of land where ownership remains unregistered or unknown.</p> <p>To further address this issue, we intend to take the following steps to ascertain the ownership of these unregistered parcels of land:</p>



EXQ1	QUESTION TO:	QUESTION:	RESPONSE
			<p><b>Continued Investigation:</b> We will conduct ongoing investigations, including reviewing/refreshing land registry data, and any other relevant legal documents ascertained from stakeholders that may help to clarify ownership.</p> <p><b>Public Notices:</b> As part of a belt and braces approach, we have erected unknown land notices at unregistered land plot locations in conjunction with the change notification consultation to invite any potential land interests to come forward with evidence of ownership. These are being maintained on site.</p>
Q1.6.7	<b>Affected Persons/ IPs</b>	<p>The accuracy of the BoR, Land Plans and <b>points of clarification.</b>          Are any Affected Persons or IPs aware of any inaccuracies in the BoR <a href="#">[AS-012]</a>, SoR <a href="#">[APP-024]</a> or Land Plans <a href="#">[AS-003]</a>? If so, please set out what these are and provide the correct details.</p>	n/a
Q1.6.8	<b>Applicant</b>	<p>The scope and purpose of the CA Powers sought.          In the SoR <a href="#">[APP-024]</a> the terms ‘rights’, ‘easements’ and ‘covenants’ are all variously mentioned, please explain what the differentiation is between these terms in the context of the Application.</p>	<p>‘Rights’ is used as a wide generic term to encompass property rights which may exist in the land such as easements, wayleaves, covenants. In the context of the DCO application it can be used to refer to rights already in existence or it can also mean new rights that the Applicant requires to construct and operate the different elements of the project.</p> <p>An easement is a right over land, benefitting one piece of land owned by one person that is enjoyed over other land which is owned by a third party. In the context of the DCO application, the Applicant is seeking compulsory acquisition powers in order to obtain rights (i.e. easements) for the passage of its apparatus and to enable it to be accessed for maintenance.</p> <p>The term ‘restrictive covenant’ rather than ‘covenant’ is used in the Statement of Reasons <a href="#">[APP-024]</a>. A ‘restrictive covenant’ involves one party restricting the use of or activities on its land for the benefit of another party’s land. In the context of this application, the Applicant is seeking powers to impose restrictive covenants on land belonging to third parties in order to protect its apparatus and other assets once these have been constructed.</p>
Q1.6.9	<b>Applicant</b>	<p>The scope and purpose of the CA Powers sought.          Paragraph 6.1.17 of the SoR <a href="#">[APP-024]</a> states that Articles 23 and 26 of the draft DCO <a href="#">[AS-013]</a> give the Applicant the Power to override easements and other rights.          Please provide details of the rights that are anticipated to be extinguished.          Please confirm that all parties or people with rights to be extinguished have been identified and detail how negotiations are being undertaken with people who are not listed in the Schedule of Negotiations and Powers Sought <a href="#">[APP-029]</a>.          Please explain how rights will be reestablished for people who will continue to require them after the construction phase is complete.          Please detail if and how rights holders will be consulted on temporary and/ or permanent alternative routes etc when rights are suspended or extinguished.</p>	<p>The Applicant’s aim is that the interfaces with other parties’ rights and land can be addressed through agreements, rather than relying on the use of compulsory acquisition powers pursuant to the DCO. Those powers are however required in order to ensure that the Proposed Development can be delivered.</p> <p>In respect of point i), At this stage, due to the ongoing design progress, the Applicant is unable to provide specific examples of rights that will need to be extinguished. The Applicant is committed to avoiding the extinguishment of rights wherever possible, and to suspend rights only where interference is necessary to facilitate the construction of the project. If, in circumstances, the extinguishment of rights becomes unavoidable, the Applicant will look to provide equivalent replacement rights where feasible to minimise disruption to affected parties and/or provide compensation.</p>

EXQ1	QUESTION TO:	QUESTION:	RESPONSE
			<p>In respect of point ii), At this time, no specific parties have been identified whose rights will be extinguished. For parties not listed in the Schedule of Negotiations and Powers Sought, if and when they are identified, the Applicant will follow a similar process of engagement and negotiation the parties are fully informed and fairly compensated where necessary.</p> <p>In respect of point iii), for those persons who have had rights suspended during the construction period, these will only remain suspended and unenforceable for as long as the Applicant remains in possession of the land (as set out in Article 26(4)). Once the Applicant ceases to be in possession of the land then the rights would no longer be suspended and would be re-established.</p> <p>In respect of point iv), Where interference is necessary, rights holders will be consulted on both temporary and permanent alternative routes or solutions, with the Applicant seeking to minimise disruption, and the Applicant's preferred route is to enter into a voluntary agreement. Feedback from rights holders will be considered, and the Applicant will maintain clear communication to ensure that any arrangements meet the needs of those affected.</p>
Q1.6.10	<b>Applicant</b>	<p>The scope and purpose of the CA Powers sought.</p> <p>The SoR [APP-024], paragraphs 6.1.14 and 6.1.15, refers to Article 25 of the draft DCO [AS-013] and provides a description of the land which is subject to the acquisition of rights or the imposition of restrictive covenants:</p> <p>Please provide an indication of the anticipated content and/ or an initial draft of any restrictive covenants intended to be imposed.</p> <p>Should a requirement for consultation with relevant owners/ occupiers as regards the drafting of any such restrictive covenants be imposed?</p>	<p>The Applicant is in negotiation with relevant owners / occupiers about the interface between the Proposed Development and their apparatus and land/rights. Consultation about any restrictive covenants or similar restrictions within voluntary agreements required forms part of these negotiations, which will continue even after the DCO is granted if they have not yet been concluded, and so it would not be appropriate nor is it necessary for a requirement for consultation to be imposed.</p>
Q1.6.11	<b>Applicant</b>	<p>The scope and purpose of the CA Powers sought.</p> <p>The Explanatory Memorandum (EM) [APP-028], paragraph 3.6.17, indicates that Article 28 would enable the Applicant to choose instead of acquiring the whole of the land, to acquire only the subsoil underneath, or airspace over the land. Please indicate the circumstances in which this power might be used, and the anticipated purposes of any land so acquired, referencing individual plots as necessary?</p>	<p>As set out in paragraph 3.6.17 of the Explanatory Memorandum [APP-028], article 28 gives the Applicant the flexibility to compulsorily acquire or acquire rights in subsoil or airspace in land, rather than in the whole of the freehold so as to acquire only the smaller interest and reduce the impact on the landowner.</p> <p>Examples of the circumstances in which this power might be used include where electrical cables, pipes or other apparatus may either be laid underground or oversail the land. In those cases, the Applicant may decide to acquire the subsoil freehold or rights in the subsoil to minimise land-take but still enable the apparatus to pass through the ground and allow rights for the Applicant to access and maintain the equipment.</p> <p>However, the Proposed Development is currently at a stage in its development that it is not certain precisely where apparatus will run (and land acquisition would only be required) underground or above ground, with the Work Nos. in Schedule 1 of the draft Development Consent Order [AS-013] drafted to provide this flexibility.</p> <p>Deciding whether to acquire the subsoil freehold or subsoil rights or acquiring the full freehold or rights in the whole of the land will depend on a) the particular circumstances 'on the ground' where apparatus is to be located, and b) the apparatus and land uses which</p>

EXQ1	QUESTION TO:	QUESTION:	RESPONSE
			<p>the Applicant proposes. This level of detail will be known when detailed design has been completed by the Applicant.</p>
Q1.6.12	<b>Applicant</b>	<p>The scope and purpose of the CA Powers sought.            Please detail what would happen to rights acquired if and when the pipeline were to be decommissioned and how is this secured in the draft DCO?</p>	<p>In paragraph 4.9.3 of ES Chapter 4: Proposed Development [APP-056], the Applicant has assumed that in the event of decommissioning of the project that the hydrogen pipeline and utility connections would be capped in and remain in-situ if underground, while above ground infrastructure would be decommissioned and removed. This process would be controlled and managed by the Decommissioning Environmental Management Plan (DEMP) which is secured by Requirement 28 of the draft Development Consent Order [AS-013]. As the question implicitly notes, it is not known if or when the Proposed Development would be decommissioned.</p> <p>If the Applicant has acquired the necessary rights to place the apparatus on third party land by agreement, then what happens to the Applicant's rights at the point of decommissioning would most likely be governed by the terms of those agreements. In that scenario, it would not be appropriate for a DCO requirement to interfere with what has been agreed between the parties privately.</p> <p>If the Applicant has acquired land or rights as a result of the exercise of its powers under the DCO, then these will remain post-decommissioning of the apparatus.</p> <p>As with any other property or land rights, the Applicant could decide to surrender these rights or keep those rights, depending on what the circumstances are at the point the apparatus is decommissioned. This would be a decision based on the prevailing circumstances in 25 years' time or longer and which it is not possible to predict at this time. Consequently, it would be inappropriate for the DCO to control the disposal of these rights post-decommissioning.</p>
Q1.6.13	<b>Applicant</b>	<p>The scope and purpose of the CA Powers sought.            Please confirm that all matters ancillary to the development contained within Schedule 5 of the PA2008 are included within the scope for the CA powers sought if relevant.</p>	<p>The Applicant can confirm that all relevant matters ancillary to the development contained in Schedule 5 to the Planning Act 2008 are included within the scope for the compulsory acquisition powers sought.</p>
Q1.6.14	<b>Applicant</b>	<p>The scope and purpose of the CA Powers sought.            With respect to the powers of Temporary Possession (TP) sought under Articles 32 and 33 of the draft DCO [AS-013] and to assist with the consideration of whether the extent of the land to be used temporarily is no more than is reasonably required for the purposes of the development to which the development consent will relate, please provide further details to justify the extent of the land sought to be used temporarily. For each area explain why such a size is required and the justification for the extent of the plots proposed to accommodate them.</p>	<p>The Applicant has undertaken an extensive exercise to establish the land required to undertake the necessary construction works to facilitate the Proposed Development. Schedule 11 of the DCO outlines the purposes for which each area can be used, as listed below and with justification provided for the extent of the plots.</p> <ul style="list-style-type: none"> <li>• <b>Temporary use to facilitate carrying out of Work No. 6 (Hydrogen Distribution Network):</b> This is explained further in the technical note on pipeline corridors provided in response to ISH1-APP1 (Document reference 8.13).</li> <li>• <b>Temporary use to facilitate carrying out of Work No. 6A.2 (underground and overground pipelines of up to 600mm nominal bore diameter for the transport of hydrogen gas connecting to Work No. 6B.2 which is the above ground installation connecting Work No. 6A.2 to Cowpen Bewley Natural Gas AGI; and):</b> This is explained further in the technical note on pipeline corridors provided in response to ISH1-APP1 (Document reference 8.13).</li> </ul>

EXQ1	QUESTION TO:	QUESTION:	RESPONSE
Q1.6.15	<b>Applicant</b>	<p>The scope and purpose of the CA Powers sought.</p> <p>A number of the plots appear to overlap or are the same as those for which CA and TP has been included within the consented NZT DCO however there is no reference in the BoR to the developer of that project having rights over those plots in any category (as a single example, refer to plots 15/158 and 15/159). Please explain why this is the case</p>	<ul style="list-style-type: none"> <li>• <b>Temporary use to facilitate carrying out of Work No. 6A.3 (underground and overground pipelines of up to 600mm nominal bore diameter for the transport of hydrogen gas connecting to Work No. 6B.3 which is the above ground installation connecting Work No. 6A.3 to Northern Gas Networks AGI at Saltholme Brinefields):</b> The majority of these areas have been proposed to be removed in Change Notification Report [PDA-019] and hence haven't been discussed further here.</li> <li>• <b>Temporary use to facilitate carrying out of Work No.8 (oxygen and nitrogen gas connections):</b> This is explained further in the technical note on pipeline corridors provided in response to ISH1-APP1 (Document reference 8.13).</li> <li>• <b>Temporary use as construction compound, laydown, construction use and access required to facilitate construction of the authorised development:</b> The areas for use as construction compounds have been delineated on the basis of consultation with landowners and the availability of suitable vacant land and/or historical use of the land for construction and temporary laydown purposes. The size and locations of the required areas was determined on the basis of a series of site surveys and constructability reviews involving the Applicants Construction and Engineering teams and Land Agents to ensure proximity to the pipeline route, the required area for laydown of the construction materials, line pipe for example, site offices, and to accommodate storage of the plant required during construction. Accessibility by road for heavy equipment was important as was the topography of the land as relatively flat terrain is more suitable for material handling and storage. The main construction compound near the Main Site was determined to be of suitable size for the project during constructability reviews based on total quantity of materials and work force there at any one time and taking into account the construction schedule. A similar sized area is located north of the Tees to act as the main hub north of the river, to minimise traffic impacts and journey times from the south side of the river. Smaller satellite compounds support construction of specific branches of the hydrogen network, allowing local storage of plant and equipment, reducing journey times and traffic impact. Regarding construction access these areas have been delineated on the basis of desk-top and site survey during the pre-FEED stage to identify suitable means of access into the construction areas for heavy machinery. This has been limited to land required to facilitate suitable access routes.</li> <li>• <b>Temporary use to facilitate access to and highway improvements in relation to the authorised development:</b> These areas have been delineated on the basis of desk-top and site survey during the pre-FEED stage to identify suitable means of access into the authorised development.</li> </ul> <p>The Book of Reference (BoR) outlines all parties with an interest in the land where this is registered on their title or has been identified via contact or desktop referencing. The developer of Net Zero Teesside (NZT) project will not have a property interest in the land affected by the DCO by virtue of having development consent alone. Where a party has agreed a voluntary agreement with NZT and has subsequently completed an agreement,</p>

EXQ1	QUESTION TO:	QUESTION:	RESPONSE
		and why in many cases the same plots are being acquired for this Proposed Development.	this will be registered to the title. However, the Applicant also notes that these may not appear immediately on the title due to the processing times of His Majesty's Land Registry. The Applicant will undertake a title refresh at Deadline 5 of the examination in order to capture any additional parties, including that of NZT to ensure the accuracy of the BoR. There are a number of areas of land where the same plots are included within the H2Teesside Order Land as was included in Net Zero Teesside Order 2024. This is because H2Teesside needs to be able to be brought forward as its own project, separately to NZT, and with its own land rights. Given each project will have its own apparatus and different purposes for these plots, H2Teesside requires these areas to be included in its Order limits in order to have its own separate property rights for its relevant connections to ensure that it can secure the benefit of the supplies provided by those connections.
Q1.6.16	<b>Applicant</b>	The scope and purpose of the CA Powers sought. Paragraph 6.1.23 of the SoR [APP-024] details two areas of 'White Land'. One of these is shown Land Plan [AS-003] Sheet 19 of 21. When referenced against the Works Plans, sheet 43 of 44 details a requirement for access over this land. Please explain why this particular section of road is not deemed to need CA of rights or extinguishment of existing rights.	The Applicant is not seeking any powers over the areas of 'White Land' as stated in paragraph 6.1.23 of the Statement of Reasons [APP-024] and on the Land Plans [AS-003]. During the statutory consultation these plots had been included as part of the Proposed Development. However, in response to feedback received from the landowners and Cowpen Bewley village, further design work was undertaken and the Applicant was in a position to determine that it no longer required these plots. This design work was completed immediately prior to the submission of the DCO Application. Consequently, as stated in the Change Notification Report [PDA-019] at paragraphs 2.3.5, 2.4.6 to 2.4.8, the 'White Land' plots will be removed entirely as part of the Applicant's change request. Please also see the Applicant's response to ExA FWQ 1.1.1.
Q1.6.17	<b>Applicant</b>	The scope and purpose of the CA Powers sought. Paragraph 11 of the CA Guidance states that " <i>...The Secretary of State (SoS) will need to be satisfied that the land to be acquired is no more than is reasonably required for the purposes of the development...</i> " Please detail how the ExA can be satisfied that this is the case, please reference locations where pipeline corridors appear to exceed the guideline construction widths required as detailed in the SoR [APP-024].	This explanation has been provided in the technical note on pipeline corridors provided as an action arising from Issue Specific Hearing 1 (ISH1) (Document reference 8.13).
Q1.6.18	<b>Applicant</b>	Whether there is a compelling case in the public interest for the CA of the land, rights and powers that are sought by the draft DCO. The SoR [APP-024] paragraph 13.1.6, states that the Applicant considers the substantial public benefits from the proposed CA would outweigh the private loss that would be suffered by those whose land or interests will be acquired, and therefore justifies interference with such land or rights. However, whilst section 7.0 outlines the benefits delivered by the Proposed Development and its objectives, there is little mention of any consideration given to private loss. Please provide further explanation in relation to the following: What assessment, if any, has been made of the effect upon individual Affected Persons and their private loss that would result from the exercise of CA powers in each case. If no such exercise has been undertaken, please explain why it is considered unnecessary to do so in this case?	The Applicant acknowledges the concerns regarding the balance between public benefits and private loss, as raised by the Examining Authority. While the Statement of Reasons outlines the substantial public benefits of the Proposed Development, and although a specific case-by-case assessment of each affected persons private loss has not been documented in the SoR, the effect on individual affected persons and their private loss has been considered throughout the design and consultation process. The Applicant has undertaken efforts to minimise private loss as far as reasonably possible, ensuring that disruption to landowners and occupiers is reduced. However, where private loss is unavoidable, such loss will be addressed through compensation.



EXQ1	QUESTION TO:	QUESTION:	RESPONSE
		<p>What is the clear evidence that the public benefit would outweigh the private loss and how has that balancing exercise between public benefit and private loss been carried out?</p>	
Q1.6.19	<p><b>Applicant</b></p>	<p>Whether there is a compelling case in the public interest for the CA <b>of the land, rights and powers that are sought by the draft DCO.</b>          For the avoidance of doubt, what are all the factors that are regarded as constituting evidence of a compelling case in the public interest for the CA powers sought for this NSIP and where, giving specific paragraph references, are these set out in the submitted documentation?</p>	<p>Paragraph 7.1.1 of the Statement of Reasons [APP-024] sets out factors that form the compelling case in the public interest for the Proposed Development. Chapter 7 of the Statement of Reasons also provides a summary of the justification for the use of powers of compulsory acquisition that is made by the Planning Statement [APP-031] and Project Need Statement [APP-033].</p> <p>The factors regarded as constituting evidence of a compelling case in the public interest for the compulsory acquisition powers sought are as follows:</p> <p><b>The Proposed Development meets an urgent need for new low carbon hydrogen production</b></p> <p>Chapter 2 of the Project Need Statement explains how there is a need for low carbon infrastructure, including the dangers posed and urgent action required in the face of climate change (paragraph 2.1.1), the Government’s commitments and targets to bring greenhouse gas emissions to net zero (section 2.2) and the need for low carbon infrastructure including hydrogen production to achieve this (sections 2.3 and 3.4). It also sets out hydrogen’s role in supporting greater energy security in the UK (section 3.5).</p> <p>The Proposed Development would be one of the UK’s largest blue hydrogen production facilities with a capacity of up to 1.2 gigawatts (‘GW’) thermal, representing more than 10% of the Government’s hydrogen production target of 10 gigawatts by 2030, which would be an important contribution toward delivering the Government’s ambitions. This equates to the production of approximately 160,000 tonnes of low carbon hydrogen per annum (paragraph 1.2.7 of the Project Need Statement, paragraph 5.11.1 and paragraph 8.2.1 (first and second bullet points) of the Planning Statement).</p> <p><b>The Proposed Development is an essential part of decarbonising the power and industrial sectors, by providing the development of a low carbon hydrogen distribution network that enables decarbonisation of industrial emitters, helping the UK meet net zero targets</b></p> <p>Sections 3.3 and 3.4 of the Project Need Statement explains the Government’s ambition for industry to switch from fossil fuels to electricity and hydrogen as part of the pathway to net zero.</p> <p>Paragraph 5.11.1 of the Planning Statement also summarises how the Proposed Development is well-located to contribute significantly to industrial decarbonisation on Teesside.</p> <p>While paragraph 8.2.1 (particularly bullet point 3) of the Planning Statement summarises the Government policy and how the Proposed Development would produce low carbon hydrogen which could be transported across the Teesside industrial cluster relatively easily and at low cost and potentially act as a catalyst for use of low carbon hydrogen in the cluster.</p>

EXQ1	QUESTION TO:	QUESTION:	RESPONSE
			<p><b>The Proposed Development is a form of economic development that is suitable in its local context</b></p> <p>Paragraph 7.1.51 of the Statement of Reasons sets out the various benefits that the Proposed Development would deliver to Teesside and why Teesside is an appropriate location for the project in practical terms.</p> <p>Sections 5.2 and 5.3 of the Project Need Statement and paragraphs 7.1.54 to 7.1.57 of the Statement of Reasons sets out how the Proposed Development would create jobs both in the construction and operational phases of the development; help local industries to decarbonise their operations to safeguard existing jobs and businesses in Teesside and attract new businesses seeking to use low carbon hydrogen produced at scale to the region as well as provide contributions to socio-economic development initiatives in Teesside to bolster skills in clean energy projects.</p> <p>The benefits of the Proposed Development for Teesside is also set out in paragraph 8.2.1 (bullet points five, six, seven, nine and ten) of the Planning Statement including positively contributing to the regeneration of Teesworks and working to secure biodiversity enhancements off-site.</p> <p><b>The Proposed Development minimises or mitigates adverse impacts to an acceptable degree</b></p> <p>Section 8.3 of the Planning Statement explains the likely significant adverse effects of the Proposed Development in the Environmental Statement and in section 8.4 provides a summary and conclusion of weighing the benefits and significant adverse effects of the Proposed Development against each other.</p> <p><b>The Proposed Development is compliant with National Policy Statements EN-1, EN-4 and EN-5 and in accordance with other decision-making factors in section 104 of the Planning Act 2008</b></p> <p>Chapter 6 of the Planning Statement provides the assessment of the Proposed Development against planning policy, including conformity with the National Policy Statements (particularly at section 6.2 and paragraph 7.1.1).</p>
Q1.6.20	<b>Applicant</b>	<p>Whether there is a compelling case in the public interest for the CA of the land, rights and powers that are sought by the <b>draft DCO</b>.</p> <p>The SoR [APP-024] outlines the steps the Applicant has taken to acquire land by negotiation and the status of those negotiations is set out in the Schedule of Negotiations and Powers Sought [APP-026]. Please provide further details, with examples where available:</p> <p>Whether such engagement has helped to shape the proposals and enabled the Applicant to make changes to designs, including the extent of land-take, to minimise the private loss.</p> <p>Please provide detail, where available, of any direct and indirect impacts thereby identified.</p>	<p>The Applicant has engaged in extensive dialogue with landowners and stakeholders throughout the development process, and these consultations have helped shape the proposals and refine the design. Below are specific examples of how engagement has influenced the project:</p> <ul style="list-style-type: none"> <li>Refinement of Order Limits at Cowpen Bewley: Following discussions with local landowners, concerns were raised regarding the proximity of the proposed development to residential dwellings and land take. In response, the Applicant adjusted the order limits to address these concerns.</li> <li>Greatham Creek Crossing: Landowners expressed concerns regarding the width of the order limits at the Greatham Creek crossing, as well as the potential risks related to salt</li> </ul>



EXQ1	QUESTION TO:	QUESTION:	RESPONSE
Q1.6.21	<b>Applicant</b>	<p>Whether there is a compelling case in the public interest for the CA of the land, rights and powers that are sought by the draft DCO.</p> <p>What weight has the Applicant attached to the compensation that would be available to those entitled to claim it under the relevant provisions of the national Compensation Code in its assessment of private loss?</p>	<p>cavern on the crossing. Based on these discussions, the design was refined to narrow the order limits and reduce the potential risks to the aquifers.</p> <ul style="list-style-type: none"> <li>• Venator Site Consultation: Engagement with Venator, a potential offtaker, and other adjacent stakeholders, including the Environment Agency (EA), led to further refinement of the redline boundary.</li> </ul> <p>Overall, and as part of the ongoing stakeholder engagement process, the Applicant has taken a proactive approach in consulting with affected parties and as a result, changes were made in several other areas of the redline boundary. This engagement has been essential in reducing the extent of land required for the project and ensuring that the Proposed Development is sensitive to the needs and concerns of landowners and stakeholders. The Applicant is currently consulting on further potential changes to the DCO Application and which in some cases reflect continued engagement with stakeholders.</p> <p>The Applicant has given appropriate weight to these compensation provisions, taking into account that affected parties would be fairly compensated in accordance with the national Compensation Code. This has been fully accounted for within the Property Cost Estimate which has been taken account of within the Funding Statement [APP-025], which also includes consideration of compensation for land take and rights, disturbance, Section 10 and Part One claims and Blight.</p>
Q1.6.22	<b>Applicant</b>	<p>Whether all reasonable alternatives to CA have been explored.</p> <p>The CA Guidance, paragraph 25, state that applicants should seek to acquire land by negotiation wherever practicable. As a general rule, authority to acquire land compulsorily should only be sought as part of an order granting development consent if attempts to acquire by agreement fail.</p> <p>Please demonstrate the Applicant’s compliance with this aspect of the CA Guidance.</p> <p>Has the Applicant offered full access to alternative dispute resolution techniques for those with concerns about the CA of their land or considered other means of involving those affected? If so please explain these.</p>	<p>The Applicant has actively sought to negotiate with all affected land interests in order to acquire the land and rights necessary for the Proposed Development through voluntary agreements.</p> <p>As demonstrated in the Schedule of Negotiations and Powers Sought [APP-026], the Applicant has engaged in discussions with all affected parties to seek voluntary agreements for the use of their land, and these are ongoing.</p> <p>All affected landowners and interested parties have been encouraged to engage third-party consultants, such as legal advisors or land agents, to provide advice on the land negotiations and any protective provisions. This ensures that landowners have the necessary support and information to engage effectively in the negotiations.</p> <p>While the Applicant has not directly provided formal access to dispute resolution, Alternative Dispute Resolution (ADR) options, such as mediation, can be considered if requested by a landowner. The Applicant is open to considering such methods on a case-by-case basis to help address specific concerns raised by landowners or where the Applicant considers that ADR may help to unlock a particular issue.</p> <p>In the scenario where negotiations conclude without a voluntary agreement being entered into, the Applicant is confident that all reasonable alternatives would have been explored and that the use of CA powers under the DCO would be justified and in the public interest.</p>
Q1.6.23	<b>Applicant</b>	Whether all reasonable alternatives to CA have been explored.	The Applicant has actively engaged with all affected landowners with the objective of reaching voluntary agreements for the acquisition of the necessary rights. Two rounds of

EXQ1	QUESTION TO:	QUESTION:	RESPONSE
		<p>In the light of the DCLG Guidance related to procedures for the CA of land (CA Guidance), paragraph 8:            How can the ExA be assured that all reasonable alternatives to CA (including modifications to the scheme) have been explored?            Set out in summary form, with document references where appropriate, what assessment/ comparison has been made of the alternatives to the proposed acquisition of land or interests therein in each case.</p>	<p>formal consultations were held, including with affected parties, the first on 14 September 2023 and the second on 13 December 2023. In addition, numerous meetings with landowners have been offered and conducted to address individual concerns and explore alternatives to compulsory acquisition. Where practical, the Applicant has made local adjustments to design to accommodate landowner concerns.</p> <p>In relation to the second point, the Applicant has employed a variety of alternatives, as part of the overall process of designing the Proposed Development and ensuring that it is deliverable and in determining the powers that are sought for each plot. The Schedule of Negotiations and Powers Sought (APP-026) sets out the powers required for each plot, which were determined following detailed plot by plot workshops during the course of the development of the Application. That has included reducing the areas of land included within the Order Limits, seeking only the necessary interest in land (for instance where new rights are sufficient, rather than all interests in land), and the Applicant is negotiating protective provisions and side agreements with various parties which account for their apparatus and interests in land where appropriate. The Applicant has not identified any areas where it does not need any interest in land at all (or where appropriate, possession of the land during construction) – fundamentally land interests or possession is required to construct, maintain and operate the Proposed Development, and without this it would not be deliverable, and also could not be funded.</p>
Q1.6.24	<b>Applicant</b>	<p>Whether all reasonable alternatives to CA have been explored.            Further to paragraph 1.1.25 of the SoR [APP-024] please give a detailed explanation of the need to CA freehold for all of the plots detailed as such and explain what alternatives have been assessed to CA.</p>	<p>Throughout the consultation process and prior to submission, the Applicant has undertaken detailed reviews of all plots required as part of the Proposed Development. The Applicant has, wherever possible, avoided the requirement for freehold acquisition, but there are a number of cases where this is required for technical or engineering reasons and where an alternative does not provide sufficient rights or reflect the way in which the relevant land will be possessed. The Applicant has been and is in negotiations with the affected parties to secure voluntary agreements for the associated land and / or rights. The Applicant would use CA rights as a last resort if a voluntary agreement could not be agreed between the parties, but requires such powers to ensure that the Proposed Development can be delivered.</p> <p>The requirement for freehold acquisition has only been requested where every other option has been exhausted. For example, freehold acquisition is sought for the main site (Work No. 1) - the project cannot proceed with other acquisition types which would be insufficient and would not reflect the way in which the land would be possessed (via a secure, fenced area of which sole possession would be required at all times). Similarly, freehold acquisition is also required for areas identified as requiring above ground infrastructure to house items which include but are not limited to valves, metering equipment and connection to third party infrastructure. Freehold acquisition is also required for the tunnel heads and open space replacement land. The land requirements for each site is outlined within the Book of Reference [REP1-004]. The Applicant has taken due consideration whether these could be acquired by securing new rights, however, as the Applicant requires full control of these sites, the Applicant does not believe that any of the</p>

EXQ1	QUESTION TO:	QUESTION:	RESPONSE
			<p>land identified for freehold acquisition could be suitably secured using other types of acquisition.</p> <p>For other permanent infrastructure (such as pipeline and cable connections) and land uses (such as access), the Applicant has sought the power to acquire new rights over land. These new rights are required permanently, alongside the freehold acquisition of relevant areas as noted above.</p> <p>For all other areas the Applicant has sought power to possess land for the purposes of construction – an alternative to compulsory acquisition - and the DCO requires the Applicant to return this land to the landowner once it is no longer required.</p>
Q1.6.25	<b>Applicant and relevant IPs.</b>	<p>Whether all reasonable alternatives to CA have been explored.</p> <p>The RR <a href="#">[RR-013]</a> of Navigator Terminals Limited, paragraph 2.13.2, details discussions that have been held regarding the potential for a pipeline tunnel under the River Tees, this is also referenced variously by other RRs. Please explain if these discussions are still proceeding and detail of how they could impact the CA requirements of the Proposed Development.</p>	<p>Discussions are ongoing between the Applicant and Navigator Terminals Limited in respect of bespoke Protective Provisions, but there are no current discussions in respect of the potential for a shared pipeline tunnel under the River Tees referenced in relevant representations including the Navigator Terminals Limited’s Relevant Representation <a href="#">[RR-013]</a>. The Applicant set out its position in detail in respect of the potential shared pipeline tunnel in Issue Specific Hearing 1, as set out under point 6 of agenda item 4(ii) in the Summary of Applicant’s Oral Submissions at the Issue Specific Hearing (ISH1) <a href="#">[REP1-008]</a>. In summary, the Proposed Development as applied for does not include a new multi-user corridor and no change is proposed to incorporate any such development. The project includes a hydrogen pipeline crossing under the River Tees to meet the operational needs for H2Teesside and if the pipe was to cater for other developments or uses, it would need to be established that this was nevertheless Associated Development (i.e. development associated with the principal development). That would require a direct relationship with the principal development and assessment against the core principles set out in the Government’s Guidance on associated development applications for major infrastructure projects.</p>
Q1.6.26	<b>Applicant</b>	<p>Whether all reasonable alternatives to CA have been explored.</p> <p>Please explain what, if any, account has been taken of responses to pre-application consultation (both in relation to statutory and non-statutory consultation) in the location and design of the scheme in considering whether there are reasonable alternatives to CA.</p>	<p>Please refer to the examples provided within the Applicant’s response to Q1.6.20 and other questions which also address alternatives to CA (in the various senses of ‘alternative’, being not just the land powers sought but also other measures and processes).</p>
Q1.6.27	<b>Applicant</b>	<p>Whether <b>adequate funding is likely to be available.</b></p> <p>In the light of the CA Guidance, paragraph 18, what evidence is there to demonstrate that adequate funding is likely to be available to enable the CA within the statutory period following any DCO being made?</p>	<p>As set out in the Funding Statement (<a href="#">[APP-025]</a>):</p> <ul style="list-style-type: none"> <li>• project development costs incurred prior to FID (including land assembly costs) will be funded by ADNOC and bp;</li> <li>• construction costs (including land assembly costs post-FID) will be funded from a combination of equity and public funding sources;</li> </ul>

EXQ1	QUESTION TO:	QUESTION:	RESPONSE
			<ul style="list-style-type: none"> <li>• Subject to FID and shareholder agreements being in place, bp and ADNOC will share the costs and liabilities in relation to the Proposed Development.</li> </ul> <p>Adequate funding will be available to enable the CA within the statutory period (five years beginning on the date on which the Order is made) as:</p> <ul style="list-style-type: none"> <li>• As large international energy companies, bp and ADNOC have the financial resources to fund and/or finance the project, and</li> <li>• their investment will be supported by the Low Carbon Hydrogen Agreement (“LCHA”). The Department for Energy Security and Net Zero (“DESNZ”) selected H2Teesside to proceed to negotiations for support in March 2023. Following this phase of negotiation, DESNZ agreed a statement of principles for the Proposed Development in Summer 2024 to allow the project to enter the final stage of negotiations for a LCHA and Net Zero Hydrogen Grant funding. These agreements are expected to be executed following completion of FEED and receipt of DCO approval.</li> </ul>
Q1.6.28	<b>Applicant</b>	<p>Whether adequate funding is likely to be available.</p> <p>Please summarise the evidence relied upon to support the conclusion that there is a reasonable prospect that the scheme, if granted consent, would actually be taken forward and in what time period?</p>	<p>The Applicant notes this question, and considers it should be addressed in the context of the relevant Guidance (‘Guidance related to procedures for the compulsory acquisition of land’) – paragraph 17 states that “as much information as possible about the resource implications of both acquiring the land and implementing the project” should be provided – this is therefore an important consideration for the Secretary of State, but they are not required to conclude with certainty that the Proposed Development will proceed nor that there is certainty on the availability of funding. For the reasons set out above (FWQ 1.6.27) and in this answer, the Applicant considers that it has provided ample evidence as to the Proposed Development’s funding position to enable the Secretary of State to conclude that the Guidance has been complied with.</p> <p>The Proposed Development has a strong foundation of support and strategic alignment with project partners and UK government’s net zero target and related policy. The factors below collectively demonstrate the scheme’s substantial progress to date and readiness to proceed in the anticipated time frame (Table 5-1) [APP -057].</p> <ul style="list-style-type: none"> <li>• <b>Significant Financial Commitment by Project Partners</b></li> </ul> <p>bp and ADNOC have already committed significant resources to the development of the project, including feasibility studies, engineering design and stakeholder management. The capital investment demonstrates project partners’ commitment to the project, and the project’s position is further bolstered by potential government funding under the Low Carbon Hydrogen Agreement (LCHA). (Please refer to the response to Q1.6.27 for further details on the availability of funding for the project.)</p> <ul style="list-style-type: none"> <li>• <b>Strategic Integration into the East Coast Cluster</b></li> </ul>

EXQ1	QUESTION TO:	QUESTION:	RESPONSE
			<p>H2Teesside is a vital member / component of the East Coast Cluster which was designated as one of two of the UK's first CCUS clusters under the UK government's 'Track 1' cluster sequencing programme. This cluster aims to decarbonize the industrial regions of Teesside and the Humber by capturing and storing CO2. H2Teesside's inclusion in this cluster highlights its strategic importance in UK's decarbonisation plan and government's commitment to support its development.</p> <ul style="list-style-type: none"> <li>• <b>Alignment with Project Partners Low-Carbon Strategies</b></li> </ul> <p>Both bp and ADNOC view low carbon hydrogen as a critical part of their respective decarbonisation strategies. By developing the project, project partners demonstrate their commitment to not only to sustainable energy development but also to supporting the UK's broader decarbonisation goals.</p> <p>Commitment to H2Teesside is evidenced by the project's integration into the East Coast Cluster, active collaboration with DESNZ on the LCHA, significant early investments and its alignment with bp and ADNOC's low carbon strategy.</p>
Q1.6.29	<b>Applicant</b>	<p>Whether adequate <b>funding is likely to be available.</b></p> <p>The Funding Statement [APP-025] indicates that the scheme has a most-likely estimate of £2,300 million for Phase 1 and £2,200 million for Phase 2 to cover all costs to deliver the Proposed Development. This estimate includes an allowance for compensation payments relating to the CA of land interests in, and rights over, land and the TP and use of land. It also takes into account potential claims under Part 1 of the Land Compensation Act 1973, Section 10 of the Compulsory Purchase Act 1965 and Section 152(3) of the PA2008. How can the ExA be satisfied as to the reliability of that estimated figure, and what is its degree of accuracy?</p>	<p>The Applicant and their agents Dalcour Maclaren, have given appropriate consideration to the relevant compensation provisions to ensure that all compensation potentially payable to affected parties is taken into account and that funding is available. These provisions have been fully accounted for within the Property Cost Estimate (PCE), which forms a key part of the Funding Statement. The PCE derives from a detailed review of anticipated costs for acquiring land and rights on a case-by-case basis, whether for temporary, permanent rights, or freehold acquisition.</p> <p>This includes allowances for compensation relating to the acquisition of land and rights, disturbance claims, as well as claims under Section 10 of the Compulsory Purchase Act 1965, Part 1 of the Land Compensation Act 1973, and Blight claims.</p> <p>Dalcour Maclaren have significant expertise and experience in assessing compensation and costs for similar projects, and their assessment underpins the confidence that the figures provided accurately represent the likely funds required to deliver the Proposed Development. Given the detailed nature of this assessment and the experience of the professionals involved, the ExA can be assured of the reliability and accuracy of the estimated figures.</p> <p>The remaining costs relate to the development of the project that are developed by the engineering contractor. These are Class 4 cost estimates that were subsequently validated by bp internal cost estimation engineers who based their insights on experience and lessons learned from recent projects in comparable geographies and sectors. Capital cost are estimated using a methodology congruent with the stage of design development.</p> <p>The cost estimate was necessarily developed at a point in time, based on a defined set of data, and therefore includes a prudent assumption to allow for design and development</p>



EXQ1	QUESTION TO:	QUESTION:	RESPONSE
			<p>changes during FEED. The possibility of such changes in the cost estimate is recognized, understood, and expected for a first-of-its-kind project at this stage of its lifecycle. Increases in cost estimates due to the inherent uncertainty will be appropriately managed, as these are already considered within the prudent allowance.</p>
Q1.6.30	<b>Applicant</b>	<p>Whether adequate funding is likely to be available.          The Funding Statement [APP-025] paragraph 4.1.5 states that there is potentially direct government funding support available for the Proposed Development. Please give further details of the funding stream, including if this has changed or is likely to change since the submission of the application and if the project delivery is reliant on this funding. Please also explain what would happen if the funding was not available.</p>	<p>Government funding support is available under the Low Carbon Hydrogen Agreement (LCHA) which is being developed by the UK Government. The LCHA is a contract designed to support UK hydrogen producers by helping to cover the higher costs of producing low-carbon hydrogen compared to traditional higher-carbon fuels.</p> <p>The LCHA offers Contracts for Difference (CfD) style support to low carbon hydrogen producers. It provides the producer price certainty for each qualifying unit of hydrogen it sells, and aims to encourage investment in low-carbon hydrogen production, ultimately helping the government reach its target of up to 10GW of hydrogen capacity by 2030. The agreement will be a contract between the Government and hydrogen producers such as H2Teesside Ltd, offering financial support to make low-carbon hydrogen more viable and attractive for developers.</p> <p>Additionally, government funding is available through the Net Zero Hydrogen Fund (NZHF) Strand 4 that will provide capital expenditure (CAPEX) support for CCUS-enabled projects that require revenue support through the hydrogen business model. The support provided under the LCHA and NZHF is integral to ensure the project's financial sustainability, given the substantial development work and emerging nature of hydrogen infrastructure. Without government funding, the project's economic viability and overall structure would need to be reassessed. Since the submission, H2Teesside's negotiations with the Government to secure the required funding have been progressing well, with a Statement of Principles agreed in summer 2024, a significant step forward. The Applicant remains confident that the necessary Government support will be provided and that this will help to ensure the project's successful implementation and contribution to the UK's net zero targets.</p>
Q1.6.31	<b>Applicant</b>	<p>Whether adequate funding is likely to be available.          Whilst the Funding Statement indicates that the costs of meeting any valid blight claim will be met by the Applicant, please confirm that the resource implications of a possible acquisition resulting from a blight notice have been taken account of in the overall cost estimate.</p>	<p>In preparing the property costs estimate which fed into the overall cost estimate for the project, it has been assessed that there will be no blight claims arising from the Proposed Development. This is based on the understanding of the nature of the project and that its associated land acquisition will not result in any significant reduction in property values or saleability for affected landowners, and taking into account the nature of the impacted interests and whether there are any interests which are likely to be able to make a blight claim. However, the development has allocated a contingency within the cost estimate to cover unforeseen costs, which would be sufficient to address any such claims.</p>

EXQ1	QUESTION TO:	QUESTION:	RESPONSE
Q1.6.32	<b>Applicant</b>	<p>Whether adequate funding is likely to be available.</p> <p>The Funding Statement [APP-025] details the organisational structure of BP Plc along with audited accounts, however there is limited information regarding the project partners, Abu Dhabi National Oil Company. It is accepted that 2.1.9 explains that this information is confidential, however, please explain how the ExA can be assured of the ability and commitment to funding the Proposed Application.</p>	<p>The Applicant has addressed the position of ADNOC below, and notes the relevance of the above responses in relation to funding and the advanced negotiations for a Low Carbon Hydrogen Agreement (“LCHA”) with the UK Government.</p> <p>bp and ADNOC have a partnership agreement, bp 75% and ADNOC 25%, relating to the Proposed Development. Under this agreement bp and ADNOC are jointly funding the development of the project.</p> <p>bp and ADNOC have already demonstrated their commitment to the project through expenditure of significant sums by completing early engineering work and contracting with Technip and Costain to complete the engineering work required prior to Final Investment Decision.</p> <p>Both ADNOC and bp are working to drive the global energy transition and see this partnership as an ongoing opportunity to contribute to the advancement of low carbon fuels while ensuring the project aligns with their sustainable development goals.</p> <p>ADNOC is one of the world’s largest companies. As set out in the Funding Statement [APP-025], ADNOC exhibits significant financial strength characterised by its substantial production capacity and proven reserves.</p> <p>As a wholly state-owned enterprise of the Emirate of Abu Dhabi, ADNOC operates with the strong financial support and backing of the Government of Abu Dhabi. This ownership structure provides ADNOC with a significant advantage in terms of financial stability and access to capital. The Government of Abu Dhabi, through its various sovereign wealth funds such as the Abu Dhabi Investment Authority (ADIA) and Mubadala Investment Company, manages assets exceeding \$1 trillion. This financial strength and stability underpin ADNOC’s capacity to support and fund large-scale projects like H2Teesside. The ADIA is one of the world’s largest sovereign wealth funds, with assets under management estimated to be between \$700 billion and \$800 billion.</p>
Q1.6.33	<b>Applicant</b>	<p>Whether the purposes of the proposed CA justify interfering with the human rights of those with an interest in the land affected</p> <p>What degree of importance has been attributed to the existing uses of the land proposed to be acquired in assessing whether any interference would be justified, and why?</p>	<p>The land subject to compulsory acquisition (CA) supports a wide variety of uses, from private farm and amenity land to commercial enterprises (including development land), and the Applicant recognises the impact that any interference as a result of the Proposed Development may have on these interests.</p> <p>The importance of these assets to individual owners, occupiers and users has been carefully considered in the assessment of whether such interference with property rights is justified. This started at the most fundamental level, considering the location and routing of the project which has been influenced by the suitability of the different areas of land. The Applicant has also considered a number of constraints, including environmental considerations, existing infrastructure, and the limited availability of suitable land. In the context of the local area, there are limited options available in terms of routing for linear infrastructure, and the Applicant has sought to use existing corridors in part specifically so</p>



EXQ1	QUESTION TO:	QUESTION:	RESPONSE
			<p>as to reduce impacts. The Applicant recognises that existing infrastructure corridors do not exist for all its proposed connections, and for these it has consulted on and sought to reduce the impacts of the selected route.</p> <p>Nevertheless the Applicant recognises that the DCO's powers of compulsory acquisition would have a significant impact on a landowner's ability to deal with their land, or in some cases (where freehold acquisition is sought) would deprive them of the land completely. In balancing the public interest in delivering the project against the rights of affected landowners, the Applicant is satisfied that the interference with property rights is legitimate and proportionate. The project serves a compelling public need (as explained in the Project Need Statement [APP-033] and the Statement of Reasons [APP-024]), which must be weighed against the rights of those affected. The Applicant has confirmed that it has the ability to procure financial resources to pay compensation where it would be due (as set out in the Funding Statement [APP-025]) and accommodation works can be provided to address impacts (such as ensuring temporary access routes are maintained if required during construction).</p>
Q1.6.34	<b>Applicant</b>	<p>Whether the purposes of the proposed CA justify interfering with the human rights of those with an interest in the land affected.</p> <p>The SoR [APP-024], section 11 states that the Applicant acknowledges that the scheme may have an impact on individuals. Both Article 1 of the First Protocol and Article 8 of the European Convention on Human Rights are detailed in the SoR in the context of the exercise powers of CA sought through the draft DCO.</p> <p>Please identify all those properties where it is anticipated that Article 8 rights may be a relevant consideration and indicate whether any agreement has been reached with those owners/ occupiers affected in this way?</p> <p>Please explain separately for each property the necessity and justification for seeking the application of CA or TP powers and how that would comply with Article 8?</p>	<p>The Applicant notes that the 'Planning Act 2008 Guidance related to procedures for the compulsory acquisition of land' at paragraph 10 says that when determining whether the purposes of an Order justifying compulsory acquisition powers are legitimate and sufficient to justify interference with the human rights of those with an interest in the land affected, regard must be given to the provisions of Article 8 of the Convention Rights 'in the case of acquisition of a dwelling'. There are no proposals for the H2Teesside project to acquire any dwellings or areas used as part of a dwelling such as a garden, and the Applicant is also not aware of any private rights which attach to any dwelling and could be impacted by the powers in the DCO, so Article 8 rights are not a relevant consideration when considering the request for compulsory acquisition powers.</p>
Q1.6.35	<b>Applicant</b>	<p>Whether the purposes of the proposed CA justify interfering with the human rights of those with an interest in the land affected.</p> <p>The SoR [APP-024], paragraph 11.1.8, states that the Applicant has considered the potential infringement of the Convention rights in consequence with the CA powers in the order and the balance between that and public benefits of the Proposed Development. Please explain more precisely the factors which have been placed in the balance (including references to any paragraphs of the relevant NPS and Government Guidance), the weight attributed to those factors and how this exercise has actually been undertaken?</p>	<p>Chapter 11 of the Statement of Reasons [APP-024] sets out the Applicant's considerations in respect of the balance between the potential infringement of Convention rights as a result of the exercise of compulsory acquisition powers in the DCO and the public benefits of the Proposed Development.</p> <p>There are no references to Convention rights in the relevant National Policy Statements (EN-1, EN-4 or EN-5). However, the "General Considerations" section of the 'Planning Act 2008 Guidance related to procedures for the compulsory acquisition of land' published by the Department for Communities and Local Government in September 2013 sets out at paragraph 10 how:</p> <p><i>'The Secretary of State must ultimately be persuaded that the purposes for which an order authorises the compulsory acquisition of land are legitimate and are sufficient to justify interfering with the human rights of those with an interest in the land affected. In particular, regard must be given to the provisions of Article 1 of the First Protocol to the European</i></p>

EXQ1	QUESTION TO:	QUESTION:	RESPONSE
Q1.6.36	<b>Applicant</b>	<p>Whether the purposes of the proposed CA justify interfering with the human rights of those with an interest in the <b>land affected</b>.</p> <p>The SoR [APP-024], paragraph 11.1.18 states that the Applicant considers that there is a compelling case in the public interest for the exercise of such powers of compulsory acquisition and that they consider that it would be appropriate and proportionate for the SoS to make the Order, including the CA powers sought.</p> <p>How has the proportionality test been undertaken?</p>	<p><i>Convention on Human Rights and, in the case of acquisition of a dwelling, Article 8 of the Convention.</i></p> <p>See the response to FWQ 1.6.34 above in relation to Article 8.</p> <p>The guidance is clear that regard must be given to the provisions of Article 1 of the First Protocol to the European Convention on Human Rights and that the Secretary of State must be persuaded that the purposes for authorising the compulsory acquisition of land are legitimate and are sufficient to justify interfering with the human rights of those with an interest in the land affected.</p> <p>The Applicant set out a summary of the provisions of Article 1 of the First Protocol to the European Convention on Human Rights in paragraph 11.1.3 of the Statement of Reasons, while paragraph 11.1.7 sets out when an infringement of Article 1 of the First Protocol is authorised by the law, which is so long as:</p> <ul style="list-style-type: none"> <li>• the statutory procedures for making the Order are followed and there is a compelling case in the public interest for the inclusion of powers of compulsory acquisition in the Order; and</li> <li>• the interference with the convention right is proportionate.</li> </ul> <p>The different factors considered in the balance between the potential infringement of the Convention rights and the public interest are set out in paragraph 11.1.8. The Applicant refers to the ‘very significant public benefits arising from the making of the Order for the Proposed Development’ set out in both the Project Need Statement [APP-033] and the Planning Statement [APP-031] being weighed against the impact on those whose interests may be affected by the Proposed Development.</p> <p>The Applicant has set out the elements comprising the compelling case in the public interest for the compulsory acquisition powers in its response to ExA’s FWQ 1.6.19. When considering the weight to apply to these when considering the balance against Convention rights, where relevant the Applicant has used the same weighting as it applied when considering these factors in the paragraph 8.2.1 of the Planning Statement [APP-031]. This includes giving substantial weight to the need for low carbon hydrogen infrastructure as established in NPS EN-1 paragraphs 3.4.12 to 3.4.22.</p> <p>As stated in paragraph 11.1.8 of the Statement of Reasons, the Applicant’s position is that these benefits can only be realised if the DCO includes compulsory acquisition powers to enable the Proposed Development to be constructed and operated, and the purpose for which the land is sought is legitimate.</p> <p>The broad approach to proportionality in the context of Convention rights is set out in caselaw in <i>Bank Mellat v HM Treasury (No 2) [2013] UKSC 39</i>. The test being:</p> <ul style="list-style-type: none"> <li>• whether the objective is sufficiently important to justify the limitation of a fundamental right;</li> <li>• whether the measures taken to meet the objective are rationally connected to the objective;</li> <li>• whether a less intrusive measure could have been used; and</li> </ul>

EXQ1	QUESTION TO:	QUESTION:	RESPONSE
		<p>Explain further the proportionate approach which has been taken in relation to each plot?</p>	<ul style="list-style-type: none"> <li>whether, having regard to these matters and to the severity of the consequences, a fair balance has been struck between the rights of the individual and the interests of the community.</li> </ul> <p>In respect of the first point, the Applicant would refer the ExA to the compelling case in the public interest for compulsory acquisition powers for the Proposed Development in the Planning Statement [APP-031], Project Need Statement [APP-033] and summarised in the Statement of Reasons [APP-024]. The elements comprised in the compelling case and the specific paragraph references to application documents are set out in the response to FWQ 1.6.19 above.</p> <p>In respect of the second point, the ‘measures’ in this case are the proposed compulsory acquisition powers as set out in the draft Development Consent Order (DCO) [AS-013]. It is clear on the face of the draft DCO that the powers sought relate to the objective of constructing and operating a low carbon hydrogen production facility and distribution network.</p> <p>In respect of the third point, the nature of the Proposed Development is such that it is necessary to construct apparatus on third party land and obtain rights to protect and maintain that apparatus during its operation. As explained in paragraph 1.1.44 of the Statement of Reasons, while the Applicant is seeking to acquire the necessary land and rights by agreement, it requires the powers of compulsory acquisition sought in order to provide certainty that it will have all the land required to construct and operate the Proposed Development. Without that the Proposed Development is not likely to come forward.</p> <p>The Applicant has undertaken a pre-FEED (Front End Engineering and Design) process to understand the sizing and footprints of infrastructure that make up the extent of Work No. 1 and in the case of the pipelines to understand the extent of space available in the existing corridors and any technical and environmental restrictions. The Order limits have been determined by taking these elements into account. As such, the Order limits represent the least intrusive extent to which powers are required to deliver the Proposed Development based on the current level of design.</p> <p>The Applicant has also provided a note explaining the varying widths of the pipeline corridors and how they have influenced the Order limits at Deadline 2 (Document reference 8.13).</p> <p>In relation to the fourth point, the Applicant’s position is that a fair balance has been struck as in this case notwithstanding the interference with personal rights. The provision of significant low carbon hydrogen infrastructure in the light of the climate emergency and the Government’s commitments to transitioning to net zero in combination with the other socio-economic benefits the Proposed Development would bring to Teesside are very much in the interests of the community and justify the interference with individual rights in this case.</p>
Q1.6.37	<b>Applicant</b>	<p>Whether the purposes of the proposed CA <b>justify interfering with the human rights of those with an interest in the land affected.</b></p>	<p>The Applicant is a private company not a ‘public authority’ nor ‘a person who is not a public authority but who exercises public functions’ and so section 149 of the Equality Act 2010</p>

EXQ1	QUESTION TO:	QUESTION:	RESPONSE
		In relation to the Applicant's duties under section 149 of the Equalities Act 2010: Please explain how the Applicant has had regard to its public sector equality duty in relation to the powers of CA sought and where this can be identified in the Application. Have any Affected Persons been identified as having protected characteristics?	and the public sector equality duty do not apply to it. Notwithstanding this, the Applicant is not aware of any Affected Persons as having protected characteristics.
Q1.6.38	<b>Applicant</b>	Special Category Land and Crown Land. With respect to the ten Crown land interests (plots 1/13, 1/14, 1/15, 1/18, 1/18a, 1/21, 1/22, 8/28, 8/29 and 8/34) listed in Part 4 of the BoR [AS-012], please advise when it is expected that the necessary consent from the appropriate Crown authority to the CA of its affected land will have been obtained.	The Applicant is confident that it will voluntarily secure all necessary rights and consents from the Crown Authority prior to the close of Examination as both parties are in discussions on the rights required to deliver the Proposed Development. The Applicant is aware that the Secretary of State requires a consent under section 135 PA08 from the Crown Estate and is in discussions with them to obtain this.
Q1.6.39	<b>Applicant and IPs</b>	Special Category Land and Crown Land. Please give details of why the replacement land identified, plot numbers 4/94 and 4/95, is considered to be appropriate, or inappropriate, in exchange for that sought to be acquired.	The Applicant conducted a comprehensive review to identify a suitable replacement land site, taking into account the open space land being lost (or over which rights are sought). The chosen site, adjacent to the existing open space within Cowpen Bewley Woodland Park, was deemed optimal. Its location provides direct access from the A1185, offering significant logistical advantages for tree planting and maintenance. Furthermore, its proximity to the community of Billingham facilitates seamless integration into the park for local residents and current users with existing access routes already present. It will therefore be no less advantageous to the public as the existing open space land, and through the operation of article 29, it will be no less advantageous to those who hold existing land interests. The replacement land options were also discussed with STBC prior to submission, who did not object to this site being brought forward as replacement land.
Q1.6.40	<b>Applicant</b>	Special Category Land and Crown Land. Please give an explanation for the need for CA for each of the plots on Open Space land including reference to these specific aspects: <ul style="list-style-type: none"> <li>• Please explain the need for the extent of CA for plot 4/30 and whether following detailed design or further consideration of location for a pipeline crossing of the railway this area could be reduced. Please also explain why the whole plot could not be returned to being open space following completion of construction.</li> <li>• Please explain the need to utilise the Cowpen Bewley Access Track Open Space, primarily shown as plot 4/24 when there is an existing access to the compound, has consideration been given to upgrading or changing the access from the road?</li> <li>• Please give further explanation as to how the order boundary and extent of freehold CA proposed has been established with regard to the permanent AGI when limited detailed design has been undertaken.</li> </ul>	Plots 4/5, 4/6, 4/25, 4/28 and 4/29 are required for the permanent acquisition of the freehold in order to construct and operate the Cowpen Bewley Woodland Park Above Ground Installation (AGI) as part of the Proposed Development's hydrogen distribution network. Plot 4/30 requires the permanent acquisition of new rights. Plots 4/4 and 4/24 are Cowpen Bewley Access Track Open Space and the Applicant is seeking to compulsorily acquire new rights for the purposes of constructing, maintaining and operating the Cowpen Bewley Woodland Park AGI. In respect of point i), the extent of Plot 4/30 is currently required as the final locations of both the Cowpen Bewley Woodland Park AGI and the location of the pipeline crossing the railway line are yet to be confirmed. This will be further refined as part of the detailed design process. Please see the Technical Note – Order Width Limit Explanatory Note submitted by the Applicant at Deadline 2 for more information (Document reference 8.13). Paragraph 9.1.27 of the Statement of Reasons [APP-024] explains that while the hydrogen pipeline passing through plot 4/30 is to be buried it will be necessary for the Applicant to remove trees and to prevent their re-growth over the hydrogen pipeline. This area of Cowpen Bewley Woodland Park will therefore be altered by the nature of the works and



EXQ1	QUESTION TO:	QUESTION:	RESPONSE
Q1.6.41	<b>STBC, Northern Gas Networks, and other IPs</b>	<p>Special Category Land and Crown Land.</p> <p>The SoR [APP-024], paragraph 9.1.47 states that the Applicant considers that The Cowpen Bewley Access Track Open Space, when burdened with proposed access rights proposed to be subject to CA, will not be any less advantageous to persons in whom it is vested and therefore the test under section 132(3) of the PA2008 is satisfied. Please state if this is considered to be correct or if this is contested.</p>	<p>ongoing restrictions, and whilst the Applicant may be able to permit some public access, the extent or amenity of this may be reduced. The Applicant has therefore decided to provide replacement open space for plot 4/30 alongside the other permanent freehold acquisition plots. The replacement land provision is therefore a worst case and is likely to represent an ‘over-provision’ compared to the open space position in plot 4/30 after the works and which may lose some value but not be entirely lost.</p> <p>In respect of point ii), The Cowpen Bewley Access Track Open Space is required to provide access to the Cowpen Bewley Woodland Park AGI. During construction, there will be a limited period of interruption to public access for safety but following construction the Cowpen Bewley Access Track Open Space will be available for use by the public as it is at present. Plot 4/24 is an existing track through the woodland and presents a route to access the works area without causing disruption to continued operation of the existing gas AGI.</p> <p>In respect of point iii), the Order limits and the extent of the freehold compulsory acquisition powers proposed at the location of the AGI is the result of the pre-FEED design process that has been undertaken prior to the DCO submission, and ensures that the Proposed Development will have a viable and feasible connection following detailed design and continued discussions with the relevant parties.</p> <p>The Applicant notes that this question is addressed to others but highlights that the use that it proposes on this land is for the same purposes that those tracks are currently used – i.e. to access the AGI (as expanded). During operation the Applicant’s access is anticipated to be infrequent, for the purposes of maintenance.</p>
Q1.6.42	<b>RCBC and other IPs</b>	<p>Special Category Land and Crown Land.</p> <p>The SoR [APP-024], paragraph 9.1.62 states that the Applicant considers that Coatham Marsh Open Space Land, when burdened with proposed access rights proposed to be subject to CA, will not be any less advantageous to persons in whom it is vested and therefore the test under section 132(3) of the PA2008 is satisfied. Please state if this is considered to be correct or if this is contested.</p>	<p>The Applicant notes that the Coatham Marsh Open Space Land is required for the installation and on-going maintenance of sub-surface water connection infrastructure. Maintenance of Work No. 4 (which the permanent rights will facilitate) will principally be by way of occasional walkover, consisting of mainly non-intrusive inspections. However, no restrictions on access to the Coatham Marsh Open Space Land are expected during these inspections. Intrusive maintenance will only occur if faults occur in the infrastructure, or maintenance necessitates replacement of infrastructure. Maintenance will be short in duration and infrequent and will not require the fencing of large linear areas.</p>
Q1.6.43	<b>Applicant</b>	<p>Special Category Land and Crown Land.</p> <p>Please detail what investigations have been carried out to ensure all potential common land right holders have been sought. The SoR [APP-024] details in paragraph 9.1.62 in relation to Coatham Marsh Open Space Land and paragraph 9.1.41 in relation to The Cowpen Bewley Access Track Open Space that there are no common rights holders, please confirm how all locations have been assessed in addition to these listed.</p>	<p>In relation to Special Category Land searches, the Applicant has undertaken a series of thorough investigations for the full extent of the Order Limits to ensure that any common land right holders were identified. The key steps in this process include:</p> <p><b>Common Land and Open Space Searches:</b> The Applicant conducted searches of local authority Common Land and Public Open Space using Local Plans to identify any land within the Order limits that is designated as Special Category Land.</p>

EXQ1	QUESTION TO:	QUESTION:	RESPONSE
			<p><b>Land Registry Searches:</b> Land Registry searches were carried out to identify the registered ownership and any recorded rights over parcels of land that could be classified as common land. This helped to ensure that any relevant common land or Open Space was identified.</p>
Q1.6.44	<b>Applicant</b>	<p>The acquisition of Statutory Undertakers' land – s127 PA2008.</p> <p>The SoR [APP-024], paragraph 9.1.66, states that adequate protection for statutory undertakers' assets will be included within the Protective Provisions (PPs) in the draft DCO. The Applicant therefore considers that the statutory undertakers will not suffer serious detriment to the carrying on of the undertaking as a result of the CA of the land or as a result of the acquisition of rights over land.</p> <p>Have any PPs and/ or asset protective agreements between the various parties been agreed. If not, please identify any outstanding areas of disagreement?</p> <p>For each Statutory Undertaker or operator of thirds party assets, please explain why the PPs set out in Schedule 12 of the draft DCO are considered to provide adequate protection and why the Applicant considers that the land and rights can be acquired without serious detriment to the carrying on of the undertaking.</p> <p>For each of the Statutory Undertakers listed in the SoR paragraph 9.1.64 please indicate the nature and purpose of the works to be carried out on their land and whether s127, s138 or both applies to the powers sought in respect of their interest.</p>	<p><u>PPs/Asset Protective Agreements</u>          The current status of negotiations of protective provisions and asset protective agreements for statutory undertakers is specified in the Land Rights Tracker.(Document Ref. 8.3).</p> <p><u>PPs in the Draft DCO</u>          The Applicant is in negotiations with a number of affected statutory undertakers to agree bespoke protective provisions and asset protective agreements based on the preferred provisions of these statutory undertakers. The status of these is specified in the Land Rights Tracker. Negotiations are ongoing to resolve the objections of Statutory Undertakers and the Applicant is committed to these discussions.</p> <p><u>Nature and Purpose of Works and Applicability of S127 and/or S138</u>          Paragraph9.1.64 of the Statement of Reasons [APP-064] identifies the parties who operate apparatus within the Order Limits, or are statutory undertakers who own land or apparatus. Section 127 or 138 would only apply to the latter parties, who are as follows:</p> <ul style="list-style-type: none"> <li>• National Gas Transmission PLC;</li> <li>• National Grid Electricity Transmission PLC;</li> <li>• Network Rail Infrastructure Limited;</li> <li>• Northern Gas Networks Limited;</li> <li>• Northern Powergrid (Northeast) PLC;</li> <li>• Northumbrian Water Limited;</li> <li>• On Tower UK 5 Limited;</li> <li>• Openreach Limited;</li> <li>• Virgin Media Limited; and</li> <li>• Vodafone Limited.</li> </ul> <p>The Applicant will provide a document at Deadline 3 setting out the works taking place in the land of, or potentially affecting apparatus of, each statutory undertaker. The document will also set out how the protective provisions ensure that the relevant tests in sections 127 and 138 are met.</p>
Q1.6.45	<b>STG</b>	<p>Objections to the grant of powers of CA and TP.</p> <p>The RR of the STG [RR-003] paragraph 3.25 states that '<i>...Were the compulsory powers in the DCO granted (in their current form), the South Tees Group is at risk of not being able to bring forward other development proposals for the site</i>' and suggest that this may not meet the test that '<i>...there is compelling evidence that the public benefits that would be derived from the CA will outweigh the private loss that would be suffered by those whose land is to be acquired...</i>' Paragraph 2.23 explains that the amount of land shown to be acquired would lead to large areas of sterilization. Please give further</p>	n/a

EXQ1	QUESTION TO:	QUESTION:	RESPONSE
		<p>details of the plots and/ or areas that this is relevant to and the status of negotiations in this regard.</p>	
Q1.6.46	<b>Applicant and STG</b>	<p>Objections to the grant of powers of CA and TP.            The RR of the STG [RR-003] paragraph 3.4 states that the Order Limits shown are outside the scope of the option agreement for the Proposed Development. Please can STG explain the consequences of this and how this impacts the proposal. Can the Applicant please comment on this concern raised by the RR.</p>	<p>The option agreement referred to by the STG relates to Phase 1 of the Proposed Development – the initial focus - and acknowledges that the Order Limits also include Phase 2 of the Proposed Development.-</p> <p>The Applicant is in discussions with the STG about appropriate agreements, including protective provisions, relating to the whole of the Proposed Development.</p>
Q1.6.47	<b>Anglo American</b>	<p>Objections to the grant of powers of CA and TP.            In the RR of Anglo American [RR-010], at paragraph 4.2.1, it is suggested that acquiring land or rights by CA cannot be fully justified if that land is secured by virtue of a previously consented DCO/ NSIP. Please explain further the reasoning behind this statement and if it is believed that there can be no acquisition of this land whether by CA or negotiation. Please also give an update on negotiations with the Applicant.</p>	n/a
Q1.6.48	<b>Applicant and Anglo American</b>	<p>Objections to the grant of powers of CA and TP.            In the RR of Anglo American [RR-010] paragraph 4.4 details a number of specific interfaces which they consider raise concerns regarding their assets and operations. Please provide further details of how these issues are being resolved and how they may impact on the land requirements of the Proposed Development.</p>	<p>The response below follows the headings in paragraph 4.4 of the RR for Anglo American [RR-010] and addresses each interface in turn:</p> <p><u>YP DCO Conveyor route with proposed H2T hydrogen pipeline route (area identified on Figure 1/interface area 3 in paragraph 4.4 of the RR of Anglo American [RR-010]):</u>            The applicant is discussing the routing of the H2T hydrogen pipeline with the aim of ensuring that this can co-exist with the Anglo American DCO Conveyor route.</p> <p><u>AGI Facility – launch of pigging station and pipe route (area identified in Figure 1, Plot 15/69 in paragraph 4.4 of the RR of Anglo American [RR-010]):</u>            The Applicant is currently consulting on removal of the AGI Facility in plot 15/69, and will consider responses to the consultation before deciding how to proceed with its formal change application.</p> <p><u>Construction laydown area and intersecting plot (area identified in Figure 2/interface area 4 in paragraph 4.4 of the RR of Anglo American [RR-010]):</u>            The Applicant notes that it is currently consulting on the reduction of the Order Limits at two locations within the Wilton International Site near Lazenby, as part of its potential set of changes to the DCO application. The Applicant’s Change Notification (Doc. Ref. PDA-019) provides the following detail on these proposed reductions at this location:  <i>“...To the north the extent of the proposed work area for the Temporary Construction Compound (Work No. 9) will be reduced and part of the internal road will no longer form part of the Order Limits.</i></p>



EXQ1	QUESTION TO:	QUESTION:	RESPONSE
			<p>2.4.22 To the south of the Wilton International Site, two parcels of land will be removed from the Order Limits to the north and south of an internal access road to reduce the extent of the work area for the Hydrogen Distribution Network Pipeline corridor (Work No. 6A.1).</p> <p>2.4.23 These changes are a result of refinement in construction methodology following discussions with relevant stakeholders including Anglo American.”</p> <p>The Applicant will be considering responses to its consultation on potential changes, including to the above, and then submitting its formal change request application to the ExA as appropriate.</p> <p><u>AA Conveyor interface on the Wilton Site (area identified in Figure 2 and detailed in Figure 3 in paragraph 4.4 of the RR of Anglo American [RR-010]):</u></p> <p>The applicant has consulted with Anglo American to remove the areas identified within Figure 2 and is discussing the routing of the H2T hydrogen pipeline with the aim of ensuring that this can co-exist with the Anglo American DCO Conveyor route in the area detailed within Figure 3.</p> <p>Redcar Bulk Terminal (“RBT”) frontage area on the Tees (area identified on Figure 4/ interface area 1 in paragraph 4.4 of the RR of Anglo American [RR-010]):</p> <p>The applicant is consulting with Anglo American to agree Protective Provisions and which would take account of the proposed uses of the River frontage by both projects.</p> <p><u>Area identified for the construction of a micro tunnel (Land plans plot number 11/67 within Figure 5, interface area 2 in paragraph 4.4 of the RR of Anglo American [RR-010]):</u></p> <p>The applicant is consulting with Anglo American to agree interfaces between the Order limits and the Anglo American DCO limits. The Applicant has also included a new article in the Draft DCO to deal with the interaction with Anglo American’s environmental permit. The Applicant considers that a suitable engineering solution can be devised to avoid interaction between its micro-tunnel and the Anglo American dredging pocket.</p>
Q1.6.49	<b>Applicant</b>	<p>Objections to the grant of powers of CA and TP.</p> <p>The RR of CF Fertilisers UK Ltd <a href="#">[RR-011]</a> suggests at paragraph 3.2 that the Proposed Development “...does not explicitly provide for capacity to be retained within the pipeline corridor for future pipeline infrastructure”. Please explain in this location and any other existing pipeline corridor how future development will not be impacted.</p>	<p>The pipeline corridor has a long history of the addition of new pipelines over many years. The Applicant will survey the pipeline corridor and, considering the location and routing of existing and proposed pipelines, seek to place the pipeline in the most suitable location. This will include consideration of siting to allow the addition of further pipelines where possible e.g. the pipeline would be sited adjacent to existing pipelines, not leaving unnecessary gaps, wherever possible. The Applicant would liaise with the operator of the pipeline corridor in relation to the siting of its pipeline.</p>
Q1.6.50	<b>Applicant</b>	<p>Objections to the <b>grant of powers of CA and TP.</b></p> <p>In the RR of Ineos Nitriles (UK) Ltd <a href="#">[RR-012]</a> at paragraph 3.4, it states that they wish to see an alternative location for a temporary construction compound. Please explain the status of these negotiations and if this is being considered, what the impact would be on the land requirements and Order Limits.</p>	<p>Paragraph 2.6 of INEOS Nitriles (UK) Limited’s RR <a href="#">[RR-012]</a> is copied below for ease of reference which we believe to be the matter referred to in this question:</p> <p>“2.6 In addition to this, land is also sought for a temporary construction compound and accessway (plots 10/22 and 10/23). Whilst the principle of using part of INEOS’ site for such purposes would be supported, INEOS has concerns that the part of the site selected is not practicable without significant impacts to its own development proposals. INEOS has already been in discussions with the Applicant to relocate the construction activities here to</p>

EXQ1	QUESTION TO:	QUESTION:	RESPONSE
			<p><i>the “Dow land” being that part of the site which is currently leased to Dow Chemicals – the Applicant is in discussion with Dow Chemicals accordingly.”</i></p> <p>The Applicant is in tripartite discussions with INEOS Nitriles and Dow Chemicals to consider the feasibility of relocating the temporary construction compound. A private treaty agreement is under discussion and heads of terms are under negotiation which all parties have reviewed.</p>
Q1.6.51	<b>Applicant and Navigator Terminals Ltd</b>	<p>Objections to the grant of powers of CA and TP.</p> <p>The RR of Navigator Terminals Ltd <a href="#">[RR-013]</a> states at paragraph 2.4 that it has proposals for development on areas of underdeveloped land which may be impacted by the Proposed Development. Please detail how this issue is being progressed with the Applicant and if changes to the design are anticipated and if they are likely to impact on the CA requirements and Order Limits.</p>	<p>The Applicant and Navigator Terminals are engaging on technical and practical matters in relation to areas of Navigator Terminal’s undeveloped land, which is subject to development proposals. Discussions relate to Protective Provisions, and phasing of the Proposed Development and Navigator’s proposals. Changes to the Order limits or land requirements within the current Order Limits are not anticipated by the Applicant.</p>
Q1.6.52	<b>PD Teesport Ltd (PDT)</b>	<p>Objections to the grant of powers of CA and TP.</p> <p>In the RR of PDT <a href="#">[RR-014]</a>, at paragraph 2.2 it is stated that <i>‘the harbour area is particularly complicated from a land interest perspective with a vast number of businesses relying upon the Port’s activities, historic rights and infrastructure...and PDT must seek to protect these broader interests in the continuing operations of the Port’</i>. Please detail in what regard PDT proposes to protect these businesses in the examination process and are any of these businesses not registered as IPs in their own right.</p>	n/a
Q1.6.53	<b>PDT</b>	<p>Objections to the grant of powers of CA and TP.</p> <p>In the RR of PDT <a href="#">[RR-014]</a>, at paragraph 2.8 it is stated that <i>“If the relevant land is not removed then PDT considers that material determinant (sic) may be caused to its undertaking, within the meaning set out in section 127 of the 2008 Act.”</i>. Please clearly detail the land this refers to and also detail what options are being proposed which are alternatives to that currently shown in the Proposed Development.</p>	n/a
Q1.6.54	<b>Redcar Bulk Terminal Ltd</b>	<p>Objections to the grant of powers of CA and TP.</p> <p>In their RR, Redcar Bulk Terminal Ltd <a href="#">[RR-022]</a> highlight a number of reasons for objecting to the inclusion of CA powers impacting their land and operation; it is also stated that the removal of certain plots is considered to be required. Please provide details of the plots which are considered to need removing from the Application and the reason for this.</p>	n/a
Q1.6.55	<b>Applicant</b>	<p>General, Detailed or Other Matters.</p> <p>Land Plans <a href="#">[AS-003]</a> Sheet 3 of 21 implies three options for pipeline locations to the north of Salthome Power Station, with the Indicative Hydrogen Distribution Network Plan 1 of 16 showing the current Option A. Please explain when the preferred location of the pipeline will be established and when non-required land will be known. If this is</p>	<p>Please see the Applicant’s response to ISH AP1 on this point, which deals with this corridor widths (Document reference 8.13). The Applicant is anticipating being able to determine the final route for this corridor prior to the end of Examination.</p>

EXQ1	QUESTION TO:	QUESTION:	RESPONSE
		<p>expected to be after the close of the examination, please explain the process for reducing the land requirements and how this is secured in the draft DCO. If the land as shown is not for options, please explain the need for these three corridors.</p>	
Q1.6.56	<b>Applicant</b>	<p>General, Detailed or Other Matters.            In the light of the CA Guidance, paragraph 19, please demonstrate:            How potential risks or impediments to implementation of the scheme have been properly managed?            The account taken of any other physical and legal matters pertaining to the application, including the need to obtain any operational and other consents applicable to this type of development.</p>	<p>The Applicant has properly managed potential risks or impediments to the implementation of the Proposed Development by ensuring that the Order limits account for the environmental and technical constraints that have come to light during the pre-FEED design process and the Environmental Impact Assessment prior to the DCO submission.            The Applicant has also considered other physical and legal matters pertaining to the application, including the need to obtain operational and other consents as relevant. The Statement of Reasons [APP-024] at paragraph at 10.1.1 sets out a summary of the key additional consents that are required. The full list of additional consents is set out in chapter 2 of the Other Consents and Licences Statement [APP-037]. This document also states that the Applicant is not aware of any reason why any of these consents would not be obtained.</p>
Q1.6.57	<b>Applicant</b>	<p>General, Detailed or Other Matters.            The SoR [APP-024] section 10, refers to the Consents and Agreements Position Statement [APP-037] which identifies the other consents, licenses, permits and agreements that are required for the scheme to be implemented. Please indicate whether there are any changes to the status and/ or timeframe for each consent, licence, permit, and agreement listed within that Statement since the application was submitted.</p>	<p>An updated Other Consents and Licences Statement has been submitted into Examination alongside this document (Document reference 5.7). The document provides the current position with regards to the relevant consents, licences, permits and agreements listed.             The Applicant will update the Other Consents and Licences Statement as required throughout the Examination.</p>
Q1.6.58	<b>Applicant</b>	<p>General, Detailed or Other Matters.            There are a number of locations which are shown on the Works Plans [AS-005] and Hydrogen Distribution Network Plans [AS-008] as being part of the over or underground distribution network and are shown on the land plans as requiring only TP. Please explain why these areas are shown as part of the distribution network but are only temporary. (as an example only, reference plot number 5/97 shown on Hydrogen Distribution Network Plan 7 of 16 and works plan Sheet 17 of 44).</p>	<p>The areas identified, as an example, in Work No 6 as requiring only temporary possession are those areas that are temporarily required to enable construction of the Hydrogen Distribution Network. These are to be used for construction laydown or access to be used only during construction. There is no permanent infrastructure to be installed in these areas and therefore no requirement for permanent rights to be acquired, however, these areas are required on a temporary basis to enable the construction of the permanent infrastructure.             The use of temporary possession areas are controlled by Schedule 11 in the DCO – for instance the first row states that for the listed plots the purpose for which temporary possession may be taken is “Temporary use to facilitate carrying out of Work No. 6”. Use for any other purpose would be outwith the powers in the DCO. The last row in Schedule 11 contrasts with the first, permitting use of the relevant plots for purposes relating to the “authorised development” (i.e. as a whole), as these plots would be construction areas relating to any or all Work Numbers.</p>

EXQ1	QUESTION TO:	QUESTION:	RESPONSE
Q1.6.59	<b>Applicant</b>	<p>General, Detailed or Other Matters.</p> <p>The Teesworks and Seal Sands indicative pipeline route shown on Hydrogen Distribution Network Plan [AS-008] 8 and 9 of 16 appears, in parts, to be at the extremity of the red line boundary. Please confirm that the pipeline will be located in a way that does not require a change to the red line boundary or additional land acquisition. This situation is also seen for the Wilton International pipeline shown on drawing 14 of 16 (this is not necessarily and exhaustive list of locations where this occurs).</p>	<p>The Applicant has submitted at Deadline 2 a 'Technical Note – Order Width Explanatory Note' (Document reference 8.13) in response to ExA's questions at Issue Specific Hearing 1 (ISH1) which addresses these points.</p>
Q1.6.60	<b>Applicant</b>	<p>General, Detailed or Other Matters.</p> <p>Hydrogen Distribution Network Plan [AS-008] 10 of 16 and sheet 11 of the Land Plans [AS-003] both detail the extent of land required for construction on the pipe network below the River Tees. Please explain the need for the extent of land both for the river itself and on the banks. Please also explain if this will be reduced further following detailed design. (please note this question is in addition to the early question relating to alternative options for pipelines below the River Tees)</p>	<p>The extent of the land rights and works powers sought for the river crossing is a result of the complexity of the new river crossing. There are several existing crossings of the River Tees that the detailed design will need to consider. In addition, the Applicant is planning to perform Ground Investigation on the riverbank and in-river in 2025 to inform the design of the river crossing. The final easement of the river crossing will be based on the as-constructed alignment taking into account the above considerations.</p>
Q1.6.61	<b>Applicant</b>	<p>General, Detailed or Other Matters.</p> <p>Land Plan [AS-003] Sheet 15 of 21 and Works Plans [AS-005] Sheet 22 of 44 show a large area of land in the vicinity of the A1085 Trunk Road roundabout and the railway line. The indicative location of the pipelines does not indicate how this extent of land will be used, however there is a substantial area shown as required for electrical connections and natural gas connection. Please explain the requirement for permanent acquisition of land rights over the entire area, including land which is remote from indicative works. Please explain when the preferred location of the pipeline, electrical connections and gas connections will be established and when non-required land will be known. If this is expected to be after the close of the examination, please explain the process for reducing the land requirements and how this is secured in the draft DCO.</p>	<p>The Applicant is currently consulting, following the submission of the Change Notification Report (PDA-019), on proposed changes to remove substantial areas from the Order limits in this area.</p> <p>The Applicant is also in discussions with the relevant Interested Parties, including South Tees Group (STG), regarding the infrastructure routing in this area.</p> <p>The Applicant expects that the final routing in this area would be known before the close of the examination, and the Order limits and draft DCO would reflect this before the close of the examination.</p>
Q1.6.62	<b>Applicant, relevant IPs</b>	<p>General, Detailed or Other Matters.</p> <p>Please detail any land which, following acquisition of rights or freehold and extinguishment of existing right, will be inaccessible, severed, have no access or will be economically unviable.</p>	<p>The Applicant has designed the Proposed Development considering the current use of the affected land and has sought to minimise severance and disruption as far as possible. The Applicant has identified possible severance in the following locations:</p> <p>Plot 3/18 - the current outline of the Order limits severs this plot from the remainder of the freehold interest owned by National Grid Electricity Transmission (NGET). The plot is outside NGET's operational boundary and on the perimeter of their freehold. However, the Applicant remains in active discussions with NGET regarding the precise location of the Above Ground Installation (AGI) which will be situated within plot 3/19. The Applicant is seeking to limit the physical size of the AGI as much as possible, and the Applicant will seek to avoid severance and minimise impact on access.</p>

EXQ1	QUESTION TO:	QUESTION:	RESPONSE
			<p>Plots <b>11/56, 11/66</b> - There are a number of existing pipelines and access along the northern edge of the freehold interest held by Navigator Terminals Seal Sands Ltd. As far as possible the Tunnel Head arising from the required river crossing will take account of the existing easements and keep severed areas to a minimum.</p>
<p>Q1.6.63</p> <p>Q1.6.64</p>	<p><b>Applicant</b></p> <p><b>Applicant</b></p>	<p>General, Detailed or Other Matters.          Please provide a plan which shows all access roads, private roads and other rights of way which will be subject to extinguishment of existing rights or will have rights changed. For each of these roads. Please detail who currently has rights of access over these. Please also detail how access will be provided for those who require it, please reference RR comments where they have been made regarding access.</p> <p>General, Detailed or Other Matters.          Please provide a plan which shows the interface and overlap of all consented and future known developments in relation to the Proposed Development and an explanation of the overlap of CA and TP rights. Please also detail how NZT, HyGreen and H2Teesside will be constructed and operated to minimise the amount of CA and TP required.</p>	<p>The Applicant does not anticipate permanently extinguishing existing rights over access roads, private roads or other rights of way. Where new rights are being sought by the Applicant over such roads these are anticipated to co-exist with existing rights. See also the response to Q1.6.9 above in relation to extinguishment / suspension of rights.</p> <p>The Applicant has provided a plan at Appendix 1 of this document 'Indicative Plan of overlap of Projects in Teesside' which details the Nationally Significant Infrastructure Projects proposed or recently consented where there is an overlap with the proposed H2Teesside Project. The majority of the data on this plan is sourced from publicly available sources (including PDF documents) and as such, has required digitisation and meaning that there may be slight discrepancies in the locations. There are a number of projects that the Applicant is aware of where location data is not available. These include: H2 Northeast and Tees CCPP</p> <p>The NetZero Teesside/Northern Endurance Partnership development, was granted development consent on 16 February 2024 which granted compulsory acquisition powers.</p> <p>The plan shows where consented and future development boundaries overlap and the Applicant has sought regular dialogue with the promoters of the respective developments so as to discuss and seek to align on programme, co-existence and other practical matters.</p> <p>Where possible, the Applicant will reduce TP areas by utilising a working methodology which supports collaboration between projects. An example of the Applicant's efforts is the proposed sharing of site compounds with NZT/NEP and HyGreen as opposed to providing for and requiring the use of separate sites.</p>
<p>Q1.6.65</p>	<p><b>Applicant</b></p>	<p>General, Detailed or Other Matters.          Please justify the land take for the temporary construction compounds detailing the need for the size, quantity and location. Please explain how alternatives were assessed and the reason for selecting those shown.</p>	<p>The Applicant would refer the ExA to the answer provided for question 1.6.14 regarding the extent of the areas with temporary rights for construction compounds being not of excessive size for the project.</p> <p>The Applicant plans to have one main compound south of the Tees, at the main H2Teesside plant, and one main construction compound north of the Tees. The Applicant also plans to have one smaller satellite compound on each of the pipeline branches.</p>



EXQ1	QUESTION TO:	QUESTION:	RESPONSE
			<p>The main compound at the H2Teesside facility size was selected to have space for the following: earthworks storage and treatment area, modules and material receiving area, batching plant, covered storage, workshops and stores, fuel, parking, offices and welfare, security and vehicle holding area. Note that the compound north of the Tees considered storage of line pipe for the hydrogen pipeline instead of modules for the H2Teesside plant.</p> <p>The satellite compound sizes were more dependent on land availability, but at a minimum to include the following: offices and welfare, car parking, general storage including pipe, plant and fuel.</p> <p>Alternatives were assessed by considering the availability of vacant land of sufficient size, proximity to the construction areas and taking account of consultation with landowners. The locations selected for construction compounds were those that aligned with the above requirements.</p>
Q1.6.66	<b>Applicant</b>	<p>General, Detailed or Other <b>Matters</b>.          Paragraph 9.1.77 of the SoR [APP-024] states that there are ‘overlaps’ with the proposed HyGreen Project which is being promoted by BP. It is unclear from this paragraph what the overlap is, why it is required and if there are area sought for CA for the Proposed Development which may be needed for HyGreen or not be required if HyGreen does not progress. Please give further details, including use of plans, to detail the overlap and differing requirements as they relate to the Proposed Development.</p>	<p>The Applicant has submitted an ‘Interrelation Report’ into examination at Deadline 2, alongside this document, to explain the interrelation between H2Teesside and HyGreen and how this relates to the Order limits (Document reference 8.14).</p>
Q1.6.67	<b>Applicant</b>	<p>General, Detailed or Other <b>Matters</b>.          Paragraph 3.1.34 of the SoR [APP-024] states that there are various options for connections in relation to the East Coast Hydrogen Project. Paragraph 3.1.35 signposts to Figure 4.3 for options, however this figure does not detail options for these connections. Please provide a plan which details these options and explain the potential impact of CA requirements and how these options may change the BoR and in what timescale this may occur.</p>	<p>Please see the responses to FWQs 1.2.6 to 1.2.8 which explains the different options that are being considered to connect to Project Union (part of East Coast Hydrogen Project), the national natural gas transmission system and local natural gas distribution pipelines. Those responses explain where these connections are to be made, and as such it is not considered that a plan is necessary. Those answers also explain that the option to be chosen will be informed by decisions yet to be made by Government and technical considerations being led by other parties.</p> <p>In respect of CA requirements, it is noted that the connection to the Billingham AGI is not required solely for this opportunity – that leg will also connect to industrial facilities in the Billingham area. As such, even if that option is not chosen for these purposes, that leg (and its associated CA requirements) will still be needed.</p> <p>The Cowpen Bewley leg and its associated CA requirements are only required for the opportunities relating to Project Union, the national natural gas transmission system and the local natural gas distribution system.</p>
Q1.6.68	<b>Applicant</b>	<p>General, Detailed or Other <b>Matters</b>.</p>	<p>The Applicant confirms that the Indicative Electrical Connection Plan [APP-014] shows the indicative route for each of the three alternatives being considered.</p>

EXQ1	QUESTION TO:	QUESTION:	RESPONSE
		<p>Paragraph 3.1.37 of the SoR <a href="#">[APP-024]</a> states that there are various options for electrical connections to the main site. Paragraph 3.1.38 signposts to Figure 4-6 <a href="#">[APP-089]</a> for the options. Please confirm that the work area for electrical connection shown on the Indicative Electrical Connection Plan <a href="#">[APP-014]</a> encompasses all potential connection options and further, please explain when the assessment required to refine these options and reduce the land area required will be completed.</p>	<p>It is envisaged that the final electrical supply connection route will be determined before the close of the examination.</p> <p>The Applicant is currently consulting on a Change Notification Report [PDA-019] that includes removal of substantial areas of land from the Order limits that currently relate to the electrical connection corridors.</p>



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## **APPENDIX 1: INDICATIVE PLAN OF OVERLAP OF PROJECTS IN TEESSIDE**