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To all Interested Parties, Affected Persons,  
Statutory Parties and Other Persons invited  
to the Preliminary Meeting

Your Ref:

Our Ref: EN070009

Date: 9 December 2024

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Dear Sir/ Madam

**Planning Act 2008 (as amended) and The Infrastructure Planning (Examination Procedure) Rules 2010 (EPR) – Rules 8(3) and 13**

**The Infrastructure Planning (Compulsory Acquisition) Regulations 2010 (CA Regulations) – Regulations 10 to 16 (inclusive)**

**Application by H2 Teesside Limited for an Order Granting Development Consent for the H2Teesside Project**

**Notice of variation to the Examination Timetable following acceptance of change request for examination, including notification of Hearings, Initial Assessment of Issues/ Meeting; and Written Representations**

The Examining Authority (ExA) has previously accepted for examination the Applicant's proposal to amend its Development Consent Order (DCO) application [[PD-012](#)], including the proposed provision for the Compulsory Acquisition (CA) of additional land and rights over additional land [[CR1-043](#)]. The Applicant certified that the proposed provision in the Change Request (CR) have been publicised in accordance with Regulations 7 and 8 of the CA Regulations [[OD-008](#)].

Thirteen further Relevant Representations (RR) were received in respect of the Applicant's CR and these can be found under [Examination Library](#) references [[RR-038](#)] to [[RR-050](#)] (inclusive).

On Monday 3 December 2024, in accordance with Regulation 11 of the CA Regulations, the ExA made an initial assessment of the issues arising in connection with the CR proposed provisions and decided that the issues remain as set out in Annex C to the ExA's Rule 6 letter of 31 July 2024 [[PD-005](#)], as there were no new issues identified arising from the RRs submitted in regard to the CR proposed provisions. As such the ExA decided it was not necessary to hold a meeting to discuss how the proposed provisions, as set out in the CR, should be examined.

Irrespective of this, the proposed provisions within the CR will be examined by Written Representations (WR) and by holding further hearings. Annex A of this letter sets out the revised Examination Timetable which is necessary to accommodate the required deadlines following the acceptance of the Applicant's CR proposed provisions to amend the DCO application for examination.

## Written Representations

All Interested Parties (IP) are invited to submit WRs on the Applicant's proposal to amend its DCO application. Please note that submissions should relate specifically to the proposed changes set out in the CR. There is no need to repeat representations already made.

In addition, any additional Affected Persons (AP) are invited to submit WRs on the DCO application as a whole. For clarity, an additional AP is/ are persons with an interest in the land subject to the Applicant's proposed provision, as set out in the CR, and which is deemed to constitute additional land for the purposes of the CA Regulations. WRs can cover any relevant matter and are not restricted to the matters set out in Annex C to the ExA's Rule 6 letter of 31 July 2024 [PD-005]. Any person, other than the Applicant, who submits a WR must identify those parts of the application with which they agree and those parts with which they do not agree, explaining the reasons why.

Any WRs should be submitted by (Wednesday 8<sup>th</sup> January 2025 (Deadline (DL) 5A) in the revised Examination Timetable at Annex A of this letter). Any WRs and any further written submissions requested during the Examination that exceed 1500 words, should also be accompanied by a summary which should not exceed 10% of the original text. The summary should set out the key facts of the written submission and must be representative of the submission made.

This letter responds to the Applicant's CR submission [CR1-043], dated 17 October 2024, and varies the examination timetable as set out below.

## Amendments to the Examination Timetable

The ExA has made the procedural decision to amend the Examination Timetable, as set out at Annex A of the ExA's Rule 8 letter [PD-007] dated 30 August 2024, and as amended by its previous Rule 8(3) letter [PD-014] dated 24 October 2024, by:

- i) Inserting a new DL at Item 14 of DL5A of Wednesday 8 January 2025 that includes a DL for receipt by the ExA of:
  - Comments on RRs received that concern the Applicant's proposed provision for the CA of additional land.
  - WRs (including summaries of all WRs exceeding 1500 words) about the proposed provisions from the Applicant, Additional AP(s); Additional IPs; or IPs.
  - Notification of a wish to speak at an Open Floor Hearing (OFH).
  - Notification from any Additional AP(s) of a wish to speak at CA Hearing (CAH) 2 (CAH2).

- Notification by any Statutory Parties, who is/ are affected as a result of the Applicant's proposed provision for the CA of additional land, who have not submitted a RR of their wish to be considered as an IP.
- ii) In the light of the insertion of Agenda Item 14, re-numbering all Item numbers below Item 14 accordingly.
- iii) Inserting a new DL at Item 18 of DL6A of Wednesday 22 January 2025 that includes a DL for receipt by the ExA of:
- Written summaries of oral submissions made at any Hearings held during the week commencing 13 January 2025.
  - Responses to Action Points arising from Hearings held during the week commencing 13 January 2025.
  - Any other post-hearing submissions requested by the ExA.
- iv) In the light of the insertion of Agenda Item 18, re-numbering all Item numbers below Item 18 accordingly.
- v) Item 19 - DL7 amend the second bullet point to read "Comments on any submissions received at DL5, DL5A, DL6 and DL6A, including any additional AP(s); additional IP(s); or IP(s), as well as any RRs or WRs made pursuant to the CR proposed provision(s)." Also immediately below this bullet point, add the following bullet point "Response to Applicant's comments on RRs received at DL5A." All remaining bullet points listed against DL7 remain unaltered.

No other changes to the Examination Timetable have been made at this time.

Please note that should the ExA consider it necessary to issue any further written questions, whether they relate to the Applicant's accepted proposed changes or not, we will do so under Rule 17 of the EPR.

The Examination Timetable from Item 13 onwards can be found at **Annex A** of this letter, with the above additions in **bold** and underlined.

### **Rule 13 of the EPR - Notification of Hearings and Regulations: 14 (Hearings about Specific Issues); 15 (CAH) and Regulation 16 (OFH) of the CA Regulations**

The ExA's Rule 8 letter [[PD-007](#)], dated 30 August 2024, notified of dates reserved for Hearings, if required, being 9 January 2025, 10 January 2025 and week commencing Monday 13 January 2025. The varied timetable, attached at Annex A of this letter, details Hearings during the week commencing Monday 13 January 2025 and no longer includes Hearing dates on Thursday 9 January 2025 or Friday 10 January 2025. As such this letter provides formal notice of Hearings commencing Monday 13 January 2025, which are also being provided for the benefit of any additional IPs and additional APs following the acceptance of the Applicant's CR for examination. This notification also includes a reserve date for Hearings of Thursday 16 January 2025, should a reserve date be necessary (ie in the event of a Hearing not closing or because a Hearing has had to be deferred).

Please note that with the exception of:



- Notification of a wish to speak at an OFH or
- Notification from any Additional AP(s) of a wish to speak at CAH2,

any IP or AP wishing to speak at any of the ISHs or CAH2, as listed below, will need to register to speak no later than DL5 (Wednesday 18 December 2024).

For any IP wishing to speak at an OFH or any Additional AP(s) wishing to speak at CAH2, notification of a wish to speak needs to be registered no later than DL5A (Wednesday 8 January 2025).

Requests to participate should be made by email ([h2teesside@planninginspectorate.gov.uk](mailto:h2teesside@planninginspectorate.gov.uk)) or by using the “[Have your say](#)” tab. When registering you will need to ensure you provide all the information requested (see further below).

**Notification of Hearings**, all of which are to be held virtually:

<b>Date</b>	<b>Hearing</b>	<b>Start time</b>	<b>Venue and joining details</b>
<b>Monday 13 January 2025</b>	<b>Compulsory Acquisition Hearing 2 (CAH2)</b> (See note 1 below)	<b>Virtual Arrangements Conference from:</b> 9:30am  <b>Virtual Hearing starts:</b> 10:00am	<b>Virtual means using Microsoft Teams</b>  Full instructions on how to join online or by telephone will be provided in advance to those who have pre-registered.
<b>Tuesday 14 January 2025</b>	<b>Issue Specific Hearing 3 (ISH3)</b> regarding Environmental matters (See note 2 below)	<b>Virtual Arrangements Conference from:</b> 9:30am  <b>Virtual Hearing starts:</b> 10:00am	<b>Virtual means using Microsoft Teams</b>  Full instructions on how to join online or by telephone will be provided in advance to those who have pre-registered.
<b>Wednesday 15 January 2025</b>	<b>Issue Specific Hearing 4 (ISH4)</b> regarding The Development Consent Order (See note 3 below)	<b>Virtual Arrangements Conference from:</b> 9:00am  <b>Virtual Hearing starts:</b> 9:30am	<b>By virtual means using Microsoft Teams</b>  Full instructions on how to join online or by telephone will be provided in advance to those who have pre-registered.

<b>Wednesday 15 January 2025</b>	<b>Open Floor Hearing 1 (OFH1)</b>	<b>Arrangements Conference from:</b> 1:30pm  <b>Virtual Hearing starts:</b> 2:00pm	<b>Virtual means using Microsoft Teams</b>  Full instructions on how to join online or by telephone will be provided in advance to those who have pre-registered.
<b>Thursday 16 January 2025</b>	<b>Reserve Hearing Date.</b>  <b>Date reserved for any of the above mentioned Hearings, if required, in the event any of these hearings do not close on the date specified above or are deferred</b>	<b>Virtual Arrangements Conference, if required, from:</b> 9:30am  <b>Virtual Hearing, if required, starts:</b> 10:00am	<b>By virtual means using Microsoft Teams</b>  Full instructions on how to join online or by telephone will be provided in advance to those who have pre-registered.

**NOTES:**

- (i) CAH2 includes an agenda item that will allow any Additional IP or Additional AP, as a result of the accepted CR, to make oral representations on the matters previously discussed at CAH1.
- (ii) ISH3 includes an agenda item that will allow any Additional IP or Additional AP, as a result of the accepted CR, to make oral representations on the matters previously discussed at ISH1.
- (iii) ISH4 includes an agenda item that will allow any Additional IP or Additional AP, as a result of the accepted CR, to make oral representations on the matters previously discussed at ISH2.
- (iv) Full instructions on how to join Hearings online or by telephone will be provided in advance to those who have pre-registered.
- (v) If any of the above Hearings are no longer required then notification will be published as soon as practicable on the [project webpage](#) of the National Infrastructure Planning website, providing reasonable notice to Interested Parties of the decision to cancel.
- (vi) The Applicant is reminded of its duty to notify and publicise hearings under Rule 13(6) and 13(7) of The Infrastructure Planning (Examination Procedure) Rules 2010.

For CAH2, ISH3, ISH4 and the OFH the ExA has publish provisional draft agendas with this letter. Irrespective of this, the ExA may choose to update one or more of these agendas, prior to the Hearings to which they relate and should it choose to do so, the updated agenda(s) will be published on the project webpage at least five working days in advance of the relevant hearings date. However, the actual agenda on the day of each hearing may be subject to change at the discretion of the ExA.

Please note:

- ISH4, regarding the DCO, is schedule to start at 9:30am on Wednesday 15 January 2025, with the arrangements conference for that Hearing starting at 9.00am the same day. This is 30 minutes earlier than either CAH2 or ISH3.
- The OFH is schedule to start at 2:00pm on Wednesday 15 January 2025, with the arrangements conference for the OFH commencing at 1.30pm the same day.

Should you simply wish to observe the hearings then you do not need to register as you will be able to either:

1. watch a livestream of the event (a link to the livestream will be made available on the project webpage shortly before the event is scheduled to begin); and/ or
2. watch the recording of the event which will be published on the project webpage shortly after the event has finished.

Any request to speak/ participate in a hearing **must include** the following information:

- Name and unique IP reference number (found at the top of any letter or email from the Planning Inspectorate).
- Email address (if available) and contact telephone number.
- Name and unique IP reference number of any person/ organisation that you are representing (if applicable).
- Confirmation of the hearing(s) you wish to participate in, the agenda item(s) on which you wish to speak and/ or brief details of the topic(s) that you would like to raise.
- For CAH2: the plot number(s) of the relevant land provided in the Book of Reference and the Land Plans.
- The Examination Library reference number (with paragraph/ page number where appropriate) of any documents you wish to refer to.
- Any special requirements you may have to enable participation.

Please contact the Case Team using the contact details at the top of this letter if you require any support to attend a hearing.

### Hearings already undertaken

In accordance with the CA Regulations, any additional IPs and Additional APs should be afforded the opportunity to make oral representations in relation to the following Hearings that have already been held:

Held on Wednesday 28 August 2024:

- **Issue Specific Hearing 1** on: i) the scope of the development and its relationship to the extent of the Order Limits; and ii) progress of development design.

Held on Wednesday 13 November 2024.

- **Compulsory Acquisition Hearing 1**

Held on Thursday 14 November 2024.

- **Issue Specific Hearing 2** on the draft DCO.

The video recordings and transcripts from the above hearings are available under the '[Documents](#)' tab on the '[project webpage](#)'.

This letter notifies all IPs and APs of the further hearings and provides at least 21 days notice in advance of them taking place, including any hearing(s) to allow additional IPs and additional APs to make oral representations in relation to previous hearings.

The revised Examination Timetable at **Annex A** of this letter also sets out the date by which any additional IP(s) must request to participate in the OFH, and any additional AP(s) must request to participate in the CAH2.

### **Procedure at hearings**

The Examination will principally be a written process, supplemented where necessary by various types of hearings and important information about the process and hearing procedures can be found using the weblink below:

<https://www.gov.uk/government/collections/national-infrastructure-planning-advice-notes>.

In addition to the above, guidance on 'What to expect at a Nationally Significant Infrastructure Project event' and 'Registering to speak at, or attend, a Nationally Significant Infrastructure Project event' can be found using the weblinks listed below:

- [What to expect at a Nationally Significant Infrastructure Project event](#); and
- [Registering to speak at, or attend, a Nationally Significant Infrastructure Project event](#)

The procedure to be followed at hearings is set out in Rule 14 of the EPR. The ExA is responsible for the oral questioning of a person giving evidence and the process affords very limited scope to allow cross-questioning between parties.

### **Hearing livestream and recording**

<https://infrastructure.planninginspectorate.gov.uk>



A link to a livestream for each hearing will be made available on the project webpage shortly before any hearing is due to open. The livestream is available to anybody who wishes to observe a hearing in real time.

All hearings are recorded, and the recordings will be made available on the project webpage as soon as practicable after the close of the hearing. The recordings allow any member of the public who is interested in the application and the Examination to find out what has been discussed.

### **Availability of Examination documents**

The application documents and RRs are available on the project webpage. All further documents submitted in the course of the Examination will also be published under the '[Documents](#)' tab of the project webpage.

If you have any questions about the content of this letter, please contact the Case Team on the details above.

Yours faithfully

*Christopher Butler*

**Lead Panel Member (Examining Authority)**

This communication does not constitute legal advice.  
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### **Annexes**

- Annex A – Amended Examination Timetable
- Annex B – Information regarding Hearings
- Annex C – Compulsory Acquisition Hearing 2 - Preliminary Agenda
- Annex D – Issue Specific Hearing 3 (Environmental Matters) - Preliminary Agenda
- Annex E – Issue Specific Hearing 4 (Development Consent Order) - Preliminary Agenda
- Annex F - Open Floor Hearing - Preliminary Agenda



## The Infrastructure Planning (Examination Procedure) Rules 2010 (as amended) – Rule 8(3)

### Varied timetable

12	<b>Accompanied Site Inspection 3 (ASI3)</b>	<b>Tuesday 17 December 2024</b>
<b>13</b>	<p><b>Deadline (DL) 5 (DL5)</b> Deadline for receipt by the <b>Examining Authority (ExA)</b> of:</p> <ul style="list-style-type: none"> <li>• Responses to <b>Second Written Questions (ExQ2)</b> (if required).</li> <li>• Comments on any other submissions received at DL4, including any updated <b>draft Development Consent Order (dDCO)</b>.</li> <li>• Updated <b>Book of Reference (BoR)</b> and Schedule of Changes to the BoR in clean and tracked versions (if required).</li> <li>• Applicant's second update to the Land Rights Tracker (Compulsory Acquisition (CA)/ Temporary Possession (TP) Schedule).</li> <li>• An updated dDCO in clean, tracked and Word versions (if required).</li> <li>• An updated Schedule of Changes to the dDCO (if required).</li> <li>• An updated Application Guide (Application Document Tracker) (if required) in clean and tracked versions.</li> <li>• Update to the Applicant's Examination Progress Tracker submitted at DL3.</li> <li>• A statement of progress on <b>Statement of Common Ground (SoCG)</b> that remain outstanding and submission of SoCG completed since DL4 (if required).</li> <li>• Statement of Commonality for SoCG (if required).</li> <li>• Updated tracking documents, if required, in regard to any relevant developing/emerging: <ul style="list-style-type: none"> <li>- <b>National Policy Statements (NPSs)</b>;</li> <li>- New policy intentions related to critical infrastructure;</li> <li>- <b>National Planning Policy Framework (NPPF)</b>; and</li> <li>- <b>National Development Management Policies (NDMP)</b>.</li> </ul> </li> <li>• Notification of wish to speak at the Issue Specific Hearing(s) <b>(ISH) or CA Hearing(s)</b></li> </ul>	<b>Wednesday 18 December 2024</b>

	<p><b>(CAH)</b> scheduled for week commencing 13 January 2025, if any <b><u>ISH(s) or CAH(s)</u></b> are required.</p> <ul style="list-style-type: none"> <li>• Any further information requested by the ExA.</li> </ul>	
<b><u>14</u></b>	<p><b><u>Deadline 5A (DL5A)</u></b></p> <p><b><u>Deadline for receipt by the ExA of:</u></b></p> <ul style="list-style-type: none"> <li>• <b><u>Comments on Relevant Representations (RRs) received that concern the Applicant's proposed provision for the CA of additional land.</u></b></li> <li>• <b><u>Written Representations (WRs) (including summaries of all WRs exceeding 1500 words) about the proposed provisions from the applicant, additional Affected Person(s) (AP); additional Interested Party (IP); or IPs.</u></b></li> <li>• <b><u>Notification of a wish to speak at an Open Floor Hearing (OFH).</u></b></li> <li>• <b><u>Notification from any Additional AP(s) of a wish to speak at CAH 2 (CAH2).</u></b></li> <li>• <b><u>Notification by any Statutory Parties, who is/ are affected as a result of the Applicant's proposed provision for the CA of additional land, who have not submitted a RR of their wish to be considered as an IP.</u></b></li> </ul>	<b><u>Wednesday</u></b> <b><u>8 January 2025</u></b>
<b><u>15</u></b>	<p><b>If required, dates/ weeks reserved for hearings:</b></p> <ul style="list-style-type: none"> <li>• Issue Specific Hearing(s).</li> <li>• Compulsory Acquisition Hearing(s).</li> <li>• Open Floor Hearing(s).</li> </ul>	<b>Week commencing</b> <b>13 January 2025</b>
<b><u>16</u></b>	<p><b><u>Deadline 6 (DL6)</u></b></p> <ul style="list-style-type: none"> <li>• Comments on responses to ExQ2 (if required).</li> <li>• Comments on the Applicant's second update to the Land Rights Tracker (CA/ TP Schedule).</li> <li>• Updated tracking documents, if required, in regard to any relevant developing/emerging: <ul style="list-style-type: none"> <li>- NPSs;</li> <li>- New policy intentions related to critical infrastructure;</li> <li>- NPPF; and</li> <li>- NDMP.</li> </ul> </li> <li>• Comments/ Responses to the Applicant's Examination Progress Tracker submitted at DL5.</li> </ul>	<b>Monday</b> <b>13 January 2025</b>

<b><u>17</u></b>	<b>Publication by the ExA of:</b> <ul style="list-style-type: none"> <li>• The ExA's schedule of changes to the dDCO (if required).</li> <li>• Report on Implications for European Sites (RIES) (if required).</li> </ul>	<b>Thursday 16 January 2025</b>
<b><u>18</u></b>	<b><u>Deadline 6A (DL6A)</u></b> <ul style="list-style-type: none"> <li>• <b><u>Written summaries of oral submissions made at any Hearings held during the week commencing 13 January 2025.</u></b></li> <li>• <b><u>Responses to Action Points arising from Hearings held during the week commencing 13 January 2025.</u></b></li> <li>• <b><u>Any other post-hearing submissions requested by the ExA.</u></b></li> </ul>	<b><u>Wednesday 22 January 2025</u></b>
<b><u>19</u></b>	<b>Deadline 7 (DL7)</b> <ul style="list-style-type: none"> <li>• Comments on any submissions received at DL5, <b><u>DL5A</u></b>, DL6 and <b><u>DL6A</u></b>, <b><u>including any additional AP(s); additional IP(s); or IP(s), as well as any RRs or WRs made pursuant to the Change Request proposed provision.</u></b></li> <li>• <b><u>Response to Applicant's comments on RRs received at DL5A.</u></b></li> <li>• Comments on the RIES (if required).</li> <li>• Comments on the ExA's proposed schedule of changes to the dDCO (if required).</li> <li>• Finalised SoCGs.</li> <li>• Final Statement of Commonality for SoCG.</li> <li>• Final BoR in clean and tracked versions.</li> <li>• Final Statement of Reasons in clean and tracked versions.</li> <li>• Schedule of Changes to the BoR in clean and tracked versions.</li> <li>• Applicant's final update to the Land Rights Tracker (CA/ TP Schedule), together with an agreed position statement on the Lands Rights Tracker, setting out where the Applicant and relevant Interested Parties agree or disagree with the various elements of its content, which is signed by both parties confirming their respective positions.</li> <li>• Final Application Guide (Application Document Tracker), in clean and tracked versions.</li> <li>• Final Examination Progress Tracker.</li> <li>• Final update to tracking documents, if required, related to any relevant developing/emerging: <ul style="list-style-type: none"> <li>- NPSs;</li> </ul> </li> </ul>	<b>Thursday 6 February 2025</b>

	<ul style="list-style-type: none"> <li>- New policy intentions related to critical infrastructure;</li> <li>- NPPF; and</li> <li>- NDMP.</li> <li>• Applicant's Final Preferred Development Consent Order (DCO) in the SI template validation report and a validated copy of the DCO.</li> <li>• Applicant's preferred DCO in word format.</li> <li>• Final Schedule of Changes to the dDCO.</li> <li>• Any further information requested by the ExA (if required).</li> </ul>	
<b><u>20</u></b>	<p><b>Deadline 8</b> Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• Comments on any submissions received at DL7.</li> <li>• Updated LIRs (if required).</li> <li>• Closing submissions.</li> <li>• Any further information requested by the ExA (if required).</li> </ul>	<p><b>Thursday</b> <b>20 February 2025</b></p>
<b><u>21</u></b>	<p>The ExA is under a duty to complete the Examination of the application by the end of the period of 6 months.</p> <p>Please note that the ExA may close the Examination before the end of the six month period if it is satisfied that all relevant matters have been addressed and discussed.</p>	<p><b>Friday</b> <b>28 February 2025</b></p>

### Submission times for Deadlines

The time for submission of documents at any Deadline in the timetable is 23:59 on the relevant Deadline date, unless instructed otherwise by the ExA.

### Publication dates

All information received will be published on the [project webpage](#) as soon as practicable after the Deadlines for submissions.

### Report on the Implications for European Sites (RIES)

Where an applicant has provided a No Significant Effects Report or a Habitats Regulations Assessment (HRA) Report with the application, the ExA may decide to issue a RIES during the Examination. The RIES is a factual account of the information and evidence provided to the ExA on HRA matters during the Examination up to the date of the publication of the RIES, for the purposes of enabling the Secretary of State, as competent authority, to undertake its HRA. It is not the ExA's opinion on HRA matters. Comments on

the RIES will be invited by the ExA and any received will be taken into account as part of the ExA's Recommendation to the Secretary of State. The ExA may also raise questions in the RIES to confirm or clarify matters that remain outstanding.

The Secretary of State may rely on the consultation on the RIES to meet its obligations under Regulation 63(3) of The Habitats Regulations 2017 and/or Regulation 28 of The Offshore Marine Regulation.

## Hearings

### Purpose of Hearings

Please refer to the Planning Inspectorate's Advice for members of the public: [The stages of the NSIP process and how you can have your say](#) for information about the purpose of Open Floor, Issue Specific and Compulsory Acquisition Hearings.

### Registration and requests to participate in Hearings

The ExA's Rule 8 letter [[PD-007](#)], dated 30 August 2024, as amended by its previous Rule 8(3) letter [[PD-014](#)] dated 24 October 2024, notified of dates reserved for Hearings, if required, being 9 January 2025, 10 January 2025 and week commencing Monday 13 January 2025. The varied timetable, attached at Annex A of this letter, details Hearings week commencing Monday 13 January 2025 and no longer includes Hearing dates on Thursday 9 January 2025 or Friday 10 January 2025. As such this letter provides formal notice of Hearings commencing Monday 13 January 2025, which are also being provided for the benefit of any additional Interested Party (IP) and additional Affected Person (AP) following the acceptance of the Applicant's Change Request (CR) for examination. This notification also includes a reserve date for Hearings of Thursday 16 January 2025, should a reserve date be necessary (ie in the event of a Hearing not closing or because a Hearing has had to be deferred).

Please note that with the exception of:

- Notification of a wish to speak at an OFH or
- Notification from any additional AP(s) of a wish to speak at CAH2,

Any IP or AP wishing to speak at any of the ISHs or CAH2 listed below will need to register to speak no later than DL5 (Wednesday 18 December 2024).

For any IP wishing to speak at an OFH or any additional AP(s) wishing to speak at CAH2 notification of a wish to speak needs to be registered no later than DL5A (Wednesday 8 January 2025).

Requests to participate should be made by email [h2teesside@planninginspectorate.gov.uk](mailto:h2teesside@planninginspectorate.gov.uk) or by using the "[Have your say](#)" tab.

Any request to participate in a Hearing should include the following information:

- Name and unique reference number (found at the top of any letter or email from the Planning Inspectorate);
- email address (if available) and contact telephone number;
- name and unique reference number of any person/ organisation that you are representing (if applicable);
- for blended events, confirmation of whether you will participate virtually or in-person;
- confirmation of the Hearing(s) you wish to participate in, the agenda item(s) on which you wish to speak and/ or brief details of the topic(s) that you would like to raise;

- for Compulsory Acquisition Hearings, the plot number(s) of the relevant land provided in the Book of Reference and the Land Plans; and
- the Examination Library reference number (with paragraph/ page number where appropriate) of any documents you wish to refer to.

Joining instructions for Hearings will be issued by the Case Team via email shortly before the Hearing dates.

Should you require any support or assistance to attend virtually, please contact the Case Team.

If you simply wish to observe any of the Hearings then you can either:

1. Watch a livestream of the event - a link to the livestream will be made available on the [project webpage](#) shortly before the event is scheduled to begin; and/ or
2. Watch the recording of the event which will be published on the [project webpage](#) shortly after the event has finished.

## Attendees

We would find it helpful if the following parties could attend:

- Compulsory Acquisition Hearing 2 (CAH2) – As listed in Annex C;
- Issue Specific Hearing 3 (ISH3) – As listed in Annex D.
- Issue Specific Hearing 4 (ISH4) – As listed in Annex E.

## Hearing Agendas

Provisional agendas and general arrangement details for the Hearings are contained within the annexes of this letter (See: Annex C for the agenda for CAH2; Annex D for the agenda for ISH3; Annex E for ISH4; and Annex F for the OFH). Updated agendas for these Hearings, if required, together with any additional information regarding arrangements for the Hearings will be published on the [project webpage](#) at least five working days before the Hearings. However, the actual Agendas on the day of each Hearing may be subject to change at our discretion.

## Procedure at Hearings and Post Hearing submissions

The procedure to be followed at Hearings is set out in The Infrastructure Planning (Examination Procedure) Rules 2010.

Participation in a Hearing will be subject to the Examining Authority's (ExA) powers of control. It is for the ExA to determine how the Hearings will be conducted, including the time allowed at the Hearing for the making of a person's representations. The Hearings will be managed in the interests of ensuring fair access to the Hearings for all parties, and to ensure that the submissions of all invited persons are fully heard within the allotted time. For the Issue Specific Hearing, IPs may be invited to make oral representations on the specific issues being examined at the Hearing as set out in the Agenda.

All Hearings are recorded. The recordings and transcripts will be made available on the [project webpage](#) as soon as practicable following the Hearing. The recordings allow any member of the public who is interested in the application and the Examination to find out what has been discussed at a Hearing. It is therefore important to note that anyone speaking at the Hearing will need to introduce themselves, including any organisation or groups that they represent, **each time they speak** to ensure that someone listening to the recording after the Hearing is clear who was speaking.

As the recordings are retained and published, they form a public record that can contain personal information to which the General Data Protection Regulation (GDPR) applies. Please refer to our [Privacy Notice](#) for further information. Participants must do their best to avoid making public any information which they would otherwise wish to be kept private and confidential. If there is a need to refer to such information, it should be in written form. Although this will also be published, personal and private content can be redacted or removed before it is made publicly available. Any person who is unclear on this point should ask the Case Team for guidance before they place personal and private information into the public domain.

The Planning Inspectorate's practice is to publish the recordings and transcripts and retain them for a period of five years from the Secretary of State's decision on the Development Consent Order. If you actively participate in the Hearing, it is important that you understand that you will be recorded and that the recording and transcript will be made available in the public domain.

The evidence presented orally at Hearings should be included in post Hearing submissions and submitted at the relevant deadline in the [Examination timetable](#), as amended by the Rule 8(3) letter and Annex A above.





## Planning Inspectorate

**Planning Act 2008 – Section 92; The Infrastructure Planning (Examination Procedure) Rules 2010 – Rule 13; and The Infrastructure Planning (Compulsory Acquisition) Regulations 2010 - Regulation 15.**

**Application by H2 Teesside Limited for an Order Granting Development Consent for the H2Teesside Project**

### **Preliminary Agenda for Compulsory Acquisition Hearing 2 (Virtual):**

<b>Hearing</b>	<b>Date and Time</b>	<b>Location</b>
<b>Compulsory Acquisition Hearing 2 (CAH2) and to allow any Additional Interested Party or Additional Affected Person, as a result of the accepted Change Request (CR), to make oral representations on the matters previously discussed at CAH1</b>	<b>Monday</b> <b>13 January 2025</b>  <b>Virtual Arrangements Conference from:</b> 9:30am  <b>Hearing starts:</b> 10:00am	By virtual means using Microsoft Teams.  Full instructions on how to join online or by telephone will be provided in advance to those who have pre-registered.

Please note that the following agenda is indicative and may be amended by the Examining Authority (ExA) at the start of the hearing session.

1	<p><b>Welcome, introductions, arrangements and purpose of the Hearing.</b></p> <p>The ExA will welcome participants, lead introductions, and go through some housekeeping matters. The ExA will also explain the purpose of the Hearing.</p>
2	<p><b>Applicant to provide an update to its case for Compulsory Acquisition (CA) and Temporary Possession (TP) in the light of its accepted CR.</b></p>
2(i)	<p>In the light of the accepted CRs, Applicant to take up to 10 minutes to provide an update of:</p> <ul style="list-style-type: none"> <li>• its overall approach to CA and TP in the context of the relevant tests under the Planning Act 2008 and DCLG Guidance (<i>Planning Act 2008, Guidance related to procedures for the CA of land, DCLG, September 2013</i>);</li> <li>• the purpose, structure and content of the Book of Reference, the Statement of Reasons and the Funding Statement; and</li> <li>• the powers sought and the overall case for them being granted.</li> </ul>

2(ii)	The ExA may ask further questions.
<b>3</b>	<b>Change Request</b>
3(i)	The Applicant to provide a summary of the CR, including, but not restricted to: <ul style="list-style-type: none"> <li>• the need for and impact of the change;</li> <li>• additional and reduction in land required to be compulsorily acquired;</li> <li>• impact on TP; and</li> <li>• consultation approach, feedback and any changes made pursuant of the consultation.</li> </ul>
3(ii)	In accordance with Regulation 15(2) of the Infrastructure Planning (CA) Regulations 2010, the ExA will invite any additional Affected Person (AP), and/ or additional Interested Party (IP) to make oral representations on the proposed provision for the CA of additional rights over land set out in the Applicants' accepted CR; this will include any Additional Affected Persons.
3(iii)	The ExA may ask further questions or invite more oral submissions.
<b>4</b>	<b>Individual objections, issues and voluntary agreements</b>
4(i)	The Applicant will be asked to provide a brief update on the progress of negotiations into CA and TP of land and rights since CAH1, and deadlines for conclusions of any associated voluntary agreements.  Each AP registered to speak will be asked to provide an update of its objection/ concern and summary of negotiations.
4(ii)	The ExA may ask further questions or invite more oral submissions.
<b>5</b>	<b>Update following CAH1 and the ExA's Second Written Questions</b>
5(i)	Diligent enquiry: <ul style="list-style-type: none"> <li>• The Applicant is to summarise the steps to be taken to identify any unknown parties or interests during the Examination, if this has changed since CAH1.</li> <li>• The Applicant is to provide further update of diligent enquiries since CAH1, especially regarding its approach to identifying "Unknown Ownerships".</li> </ul>
5(ii)	Statutory Undertakers land.  The Applicant will be asked to summarise any outstanding land and rights matters and matters relating to Protective Provisions for Statutory Undertakers if not previously discussed.  Any Statutory Undertaker or other relevant body in attendance and wishing to speak in relation to an objection or issue raised that is

	relevant to the effects of the Proposed Development on its undertaking, apparatus or land will be invited to put oral submissions to the ExA.
5(iii)	The Applicant is to provide an update with regard to Crown Interests?
5(iv)	The Applicant is to provide an update on progress regarding Special Category Land. Any AP affected by the change to Cowpen Bewley Open Space land may provide an update.
5(v)	The ExA may ask further questions.
6	<b>Any other CA or TP Matters/ Any Other Business</b>
7	<p><b>Action points arising from the Hearing.</b></p> <p>Applicant is to provide a summary of Action Point arising out of CAH2.</p> <p>The ExA:</p> <ul style="list-style-type: none"> <li>• will ask other Interested Parties for any comments or observations in relation to the Applicant's list of Action Points; and</li> <li>• consider that list of Action Points against its own notes regarding Action Points</li> </ul>
8	<b>Close of the Hearing</b>

## Purpose of the CAH2

CAH2 is being held for the ExA to examine the Applicants case for CA and TP and for APs, who have registered to speak, and the Applicant to make oral representations about those matters. Please note that the ExA will not accept representations at CAH2 in the form of video or audio recordings.

The Hearing will be a virtual event. Participants may join online using the Microsoft Teams platform. Should you wish to observe virtually in real time, then you will be able to access a public livestream on the project webpage of the National Infrastructure Planning website. For those who choose to observe CAH2 later, after the Event has closed, a digital recording of the event will be made available as soon as reasonably possible. This will also be published on the project webpage of the National Infrastructure Planning website. Any APs/ IPs wishing to respond to any matters raised from observing CAH2 (real time or otherwise) should do so in accordance with the details specified in our letter and Annex B above.

## Agenda and Participation at the CAH2

This preliminary agenda is for guidance only. It is not designed to be exclusive or exhaustive. The ExA may add other issues for consideration, may alter the order in which issues are considered and will seek to allocate sufficient time to each issue to allow proper consideration of them. Any lack of discussion of a particular issue at a hearing does not preclude further examination of this issue, including the asking of further written questions.

Subject to the ExA's power of control over the conduct of the CAH2, it will invite relevant parties to make an oral submission at the appropriate point in the agenda. Every effort will be made to ensure that the issues will be discussed on the day that they are scheduled for. Should the consideration of these issues take less time than anticipated, the ExA may conclude the CAH2 as soon as all relevant contributions have been made and all questions asked and responded to.

If there are additional matters to be dealt with or there are submissions that take a considerable amount of time, there may be a need to continue the session for longer on the day. Alternatively, it may be necessary to prioritise matters and defer others to further written questions. Guidance under the Planning Act 2008 and the Infrastructure Planning (Examination Procedure) Rules 2010 provides that it is for the ExA to probe, test and assess the evidence through direct questions of persons making oral representations at Hearings. Questioning at the Hearing will be led by the ExA. Cross questioning of a person giving evidence by another person will only be permitted if the ExA decides it is necessary to ensure representations are adequately tested or that an AP has had a fair chance to put its case.

Further information on how to participate in a Nationally Significant Infrastructure Event can be found using the following link: [Registering to speak at, or attend, a Nationally Significant Infrastructure Project event.](#)

**Attendees:** APs who have pre-registered.

In addition to the Applicant, the following APs/ IPs are invited to participate by the ExA to make an oral submission concerning CA/ TP:

- Air Products (Air Products Public Limited Company (Plc); Air Products (BR) Limited (Ltd); Air Products Renewable Energy Ltd; and Air Products Chemicals Teesside Ltd);
- Anglo American;
- BOC Ltd;
- CATS North Sea Ltd/ Kellas Midstream Ltd;
- CF Fertilisers UK Ltd;
- Hartlepool Borough Council;
- Industrial Chemicals Ltd;
- H2NorthEast Ltd;
- INEOS Nitriles (UK) Ltd;
- Lighthouse Green Fuels Ltd;
- National Grid Electricity Transmission Plc;
- National Gas Transmission Plc;
- Natara Global Ltd;
- Navigator Terminals Ltd;
- Northern Powergrid Plc;
- Northumbrian Water Ltd;
- NSMP Entities (Northern Gas Processing Ltd/ Teesside Gas Processing Plant Ltd/ Teesside Gas and Liquids Processing);
- PD Teesport Ltd;
- Mrs S. Peel;

- Redcar Bulk Terminal Ltd;
- Redcar and Cleveland Borough Council;
- SABIC UK Petrochemicals Ltd;
- Sembcorp Utilities (UK) Ltd;
- South Tees Group;
- Stockton-on-Tees Borough Council; and
- Venator Materials Ltd.

Irrespective of the above list, all APs/ IPs are invited to attend and make oral representations on the matters set out in the agenda, subject to the ExA's ability to control the Hearing.

The ExA has sought to provide sufficient detail to assist APs/ IPs to prepare for CAH2. The details set out above are indicative and the ExA may find it necessary to amend the agenda by including additional agenda items; amending agenda items, including the order in which items are dealt with; or excluding agenda items.

Please Note: In order to ensure timely publication of this preliminary agenda, it was drafted prior to Deadline 5 (Wednesday 18 December 2024). Consequently, the ExA may need to adjust this preliminary agenda no later than 5 days prior to CAH2 taking place or at the meeting to allow for responses or additional submissions received after Deadline 5.

## Timing

The Event will be open 30 minutes prior to the start of CAH2 to enable a prompt start. The ExA will keep to the agenda as much as possible and CAH2 will finish as soon as the ExA deems that all those present have had their say and that all matters have been covered. However, anyone who is not able to provide all their oral submissions by the close of the hearing should follow it up in writing prior to the next Deadline, which will be Deadline 6A (Wednesday 22 January 2025). CAH2 is not expected to go beyond 5pm.

If you are joining online as an active participant, please follow the joining instructions for the virtual event carefully and connect to the Hearing in good time. In common with traditional Hearings, the event will start on time irrespective of any late arrivals, for whom access may not be possible.

## Registration Process

APs/ IPs who have registered to speak (both in person and virtually) will receive a Joining Instruction email shortly before the Hearing which will include a link to the virtual event on Microsoft Teams, and a telephone number should they need to participate by telephone. To enable the Hearing to start on time at 10.00am those attending virtually should join promptly at 9.30am to ensure that all virtual attendees can complete the Registration Process in good time.

Full instructions on how to join online or by telephone will be provided in advance of the meeting to those who register to participate.



## Planning Inspectorate

**Planning Act 2008 – Section 91; The Infrastructure Planning (Examination Procedure) Rules 2010 – Rule 13; and The Infrastructure Planning (Compulsory Acquisition) Regulations 2010 - Regulation 14.**

**Application by H2 Teesside Limited for an Order Granting Development Consent for the H2Teesside Project.**

**Preliminary Agenda for Issue Specific Hearing 3 into Environmental Matters (Virtual):**

<b>Hearing</b>	<b>Date and Time</b>	<b>Location</b>
<b>Issue Specific Hearing (ISH) 3 (ISH3) into Environmental Matters and to allow any Additional Interested Party or Additional Affected Person, as a result of the accepted Change Request (CR), to make oral representations on the matters previously discussed at ISH1.</b>	<p><b>Tuesday</b> <b>14 January 2025</b></p> <p><b>Virtual Arrangements</b> <b>Conference from:</b> 9:30am</p> <p><b>Hearing starts:</b> 10:00am</p>	<p>By virtual means using Microsoft Teams.</p> <p>Full instructions on how to join online or by telephone will be provided in advance to those who have pre-registered.</p>

Please note that the following agenda is indicative and may be amended by the Examining Authority (ExA) at the start of the hearing session.

1.	<p><b>Welcome, introductions, arrangements for the Hearing:</b></p> <p>The ExA will welcome participants, lead introductions and address housekeeping matters. The public livestream and recording will start.</p>
2.	<p><b>Purpose of the Issue Specific Hearing:</b></p> <p>The ExA will explain the purpose of the hearing and the range of topics which will be covered.</p>
3.	<p><b>Change Request</b></p> <p>In accordance with Regulation 14(2) of the Infrastructure Planning (Compulsory Acquisition) Regulations 2010, the ExA will give an opportunity for any Additional Interested Party or Additional Affected Person, as a result of the accepted CR submitted by the Applicant to amend its Development Order Consent application, to make oral representations on the matters previously discussed at ISH1.</p>

4.	<p><b>The details and the impact of the CR accepted into the Examination.</b></p> <p>The ExA will ask questions of the Applicant in relation to the following:</p> <p>The Applicant will be asked to explain the substantive changes to the design approach as set out within the most recent CR accepted into the Examination and whether these could potentially lead to further changes in design.</p>
5.	<p><b>Air Quality and Emissions</b></p> <p>The ExA will ask the Applicant to:</p> <ul style="list-style-type: none"> <li>• Explain its approach to the assessment of ammonia and acid emissions/ depositions from vehicles in regard to the impact on the Teesmouth and Cleveland Coast Special Protection Area (SPA) and Site of Special Scientific Interest (SSSI) (See Natural England's (NE) Relevant Representation (RR) <a href="#">[RR-026]</a>, Written Representation (WR) <a href="#">[REP2-072]</a> and its Deadline (DL) 4 submission <a href="#">[REP4-028]</a> under NE Key Issues: NE10 (Matter 1) and NE28.</li> <li>• Provide a detailed explanation of how it has addressed the concerns of NE as raised in RR <a href="#">[RR-026]</a>, WR <a href="#">[REP2-072]</a> and its DL4 submission <a href="#">[REP4-028]</a> under NE Key Issue NE12, in relation to the "Close Loop" Carbon Capture process and treatment of amine and non-amine emissions including the handling of maintenance phases and any unplanned events that might lead to temporary releases.</li> <li>• Explain the controls and measures to be implemented for venting or emergency emissions during maintenance with reference to NE's RR <a href="#">[RR-026]</a>, WR <a href="#">[REP2-072]</a> and its DL4 submission <a href="#">[REP4-028]</a> under NE Key Issue NE12.</li> <li>• Explain the assessment and approach to waste emissions and the potential impact on protected sites, in particular minimal waste, amine and non-amine wastes or other waste or emissions having regard to the issues raised by NE in its RR <a href="#">[RR-026]</a>, WR <a href="#">[REP2-072]</a> and its DL4 submission <a href="#">[REP4-028]</a> under NE Key Issue NE12.</li> <li>• Explain its approach in relation to NE Key Issues NE17 (Nitrogen Deposition) (Matter 1) and NE18 (Operational Emission of Amine and Amine Degradation Products) (Matter 1) and how it is seeking to address the concerns of NE.</li> <li>• Explain what progress there has been in regard to NE's Key Issue NE29 (Teesmouth &amp; Cleveland Coast SSSI and National Nature Reserve - Scope of pollutants considered in the construction and operational assessments) and NE31 (Teesmouth &amp; Cleveland Coast SSSI and National Nature Reserve Air Quality Impact of pollutants at SSSIs, including SSSIs underlying European designations) providing a timescale for progress in relation to this matter.</li> </ul>

	<p>The ExA will ask NE and any other Interested Parties for comment, observations or their views related to the above matters at any appropriate point during this item and the ExA may ask questions.</p>
6.	<p><b>Biodiversity, Ecology and Nature Conservation, including Ornithology and Marine Ecology</b></p> <p>The ExA wishes to explore/ examine the following matters:</p> <ul style="list-style-type: none"> <li>• NE maintain that further specific information is required regarding the treatment, pathways and composition of effluent streams (both aerial and liquid) before it can agree with the conclusion of No Adverse Effect on Integrity (AEOI) in relation to its Key Issues NE18 and NE20. NE advise that these impacts remain to be assessed alongside any exacerbating effects of reduced water availability before any mitigation measures can be identified and agreed. The ExA will ask the Applicant to advise on progress concerning/ resolving these matters, explaining what is being done to address/ satisfy NE in this regard, and providing timescales for reaching such resolution/ agreement on these matters.</li> <li>• With regard to Impacts to Teesmouth and Cleveland Coast SPA/Ramsar/SSSI and Functionally Linked Land (FLL), NE maintains it is concerned in regard to the applicant's methodology when considering impacts from the development on protected bird species and assemblages and advises it cannot agree with the applicant's conclusion of no AEOI, as presented in the Report to Inform an HRA. (See NE's Key Points: NE2, NE5, NE6, NE7 &amp; NE8).</li> </ul> <p>NE also advises the scale of the loss of FLL was unclear (NE Key Point: NE3) with it pointing out although direct loss of habitat from the Teesmouth and Cleveland Coast SPA is to be avoided by utilising Horizontal Directional Drilling (HDD), there remains the potential for direct loss of habitat in the event of HDD collapse.</p> <p>The Applicant will be asked to provide the ExA with an update in regard to progress on the NE Key Points listed above, including whether reaching a resolution is possible within the remaining Examination period and, if so, the expected timescales for such resolution.</p> <ul style="list-style-type: none"> <li>• The ExA has noted NE's Key Action Points NE14 (Clarification of the in combination assessment process) and NE19 (Teesmouth and Cleveland Coast SPA/Ramsar Site (Construction and Operation) In-combination assessment) and that it "<i>...has taken an action to review and confirm what project information is needed to achieve the requested, additional in combination assessment work.</i>" [REP4-028]. The ExA would ask NE for an update in regard to the above and a timeline for clarification on this matter. The Applicant will be asked to respond.</li> <li>• The ExA notes NE's DL4 submission [REP4-028] and its update regarding NE's Key Points NE15 (Internationally Designated Sites –</li> </ul>



	<p>Process followed in the Habitats Regulation Assessment) and NE26 (North Northumberland Coast Special Area of Conservation (SAC), The Humber Estuary SAC and the Wash and North Norfolk Coast SAC - Noise disturbance – Seals). The ExA will ask the Applicant for an update in regard to these NE Key Points, including whether reaching a resolution within the remaining Examination period is possible and, if so, the expected timescales for such resolution.</p> <ul style="list-style-type: none"> <li>• The ExA notes NE’s current position regarding its Key Points NE34 (Biodiversity Net Gain (BNG)) and NE35 (Soils/ Best and Most Versatile land) and would ask the Applicant to provide an update on progress in regard to these Key Points, including whether reaching a resolution within the remaining Examination period is possible and, if so, the expected timescales for such resolution.</li> <li>• The ExA notes that none of NE’s submissions [<a href="#">RR-026</a>], [<a href="#">REP2-072</a>] or [<a href="#">REP4-028</a>] appears to include NE’s Key Point NE30 and would seek clarification from NE in this regard.</li> </ul> <p>The ExA will ask NE and any other Interested Parties for comment, observations or their views related to the above matters at any appropriate point during this item and the ExA may ask questions.</p>
7.	<p><b>Climate Change</b></p> <ul style="list-style-type: none"> <li>• In the light of Climate Emergency Planning and Policy’s DL4 submission [<a href="#">REP4-038</a>], the ExA would ask the Applicant for a detailed explanation of the 95% capture rate of the Proposed Development, including its assessment and the evidence basis, and in particular the assumptions relating to the 5% unabated carbon dioxide emissions.</li> <li>• The EA will be asked to explain the mechanism by which the EP will ensure the monitored carbon capture rate does not exceed the 95% threshold.</li> <li>• The ExA notes the draft SoCG with the Environment Agency (EA) [<a href="#">REP4-019</a>], which if signed/ dated, would confirm it is agreed that the 95% capture rate will be monitored by the Environmental Permit. However, irrespective of previous submissions on this matter, including oral submissions at ISH2, the ExA would ask the Applicant to further explain why the proposed Development should be distinguished from other similar Development Consent Orders, such as Net Zero Teesside (NZT) and Keadby 3 (both Combined Cycle Gas Turbine), where: <ul style="list-style-type: none"> <li>i) the required Carbon Capture Rate was included in Article 2 (interpretation) of the Development Consent Order (DCO). See Article 2 (interpretations) ‘Carbon Capture Plant’ in relation to the NZT DCO) and Article 2 (interpretations) ‘Carbon Capture and Compression Plant of the Keadby 3 DCO;</li> </ul> </li> </ul>

	<p>ii) a Requirement (Requirement 31 related to NZT and Requirement 33 related to Keadby 3) was included within the DCO that prevented critical elements of the Proposed Development not being brought into commercial use without other critical elements related to Carbon Capture and its transportation also being brought into commercial use.</p> <p>The ExA may ask the EA and any other Interested Parties for comment, observations or their views related to the above matters at any appropriate point during this item and the ExA may ask questions.</p>
8.	<p><b>Geology, Hydrogeology and Land Contamination</b></p> <p>The ExA will ask the Applicant and relevant Local Authority/ Authorities to provide an update with regard to the EA's observations [REP3-010] concerning land registered under Part 2A of the Environmental Protection Act 1990 in the location formerly referred to as the Seal Sands Chemical Company and the implications of this in relation to the Proposed Development. This update must include an update in regard to any discussions with Stockton-on-Tees Borough Council (STBC) and or other relevant bodies.</p> <p>The ExA may ask the EA and any other Interested Parties for comment, observations or their views related to the above matters at any appropriate point during this item and the ExA may ask questions.</p>
9.	<p><b>Design, Landscape and Visual Considerations.</b></p> <p>The ExA will ask the Applicant to:</p> <ul style="list-style-type: none"> <li>• Outline the impact of the Change Request accepted into the examination in regard to the landscape and visual assessments, including the selection of viewpoints and the effectiveness of the photomontages entered into the Examination.</li> <li>• Explain and provide an update on the progress of the design process to date.</li> <li>• Explain the measures incorporated into the Proposed Development to secure the highest possible design quality, including the effectiveness of Requirement 3 of the draft DCO in securing a high quality of design and enhancement to the environmental quality of the surrounding area.</li> <li>• Explain the effectiveness of Requirement 4 of the draft DCO to ensure a high quality and effective landscaping and biodiversity scheme.</li> </ul> <p>The ExA may ask relevant Local Planning Authorities (Redcar and Cleveland Borough Council (RCBC), STBC and Hartlepool Borough Council (HBC), as well as the South Tees Development Corporation (STDC) and any other Interested Parties for comment, observations or their views related to the above matters at any appropriate point during this agenda item and the ExA may ask questions.</p>

10.	Any other business.
11.	<p>Action points arising from the Hearing.</p> <p>Applicant is to provide a summary of Action Points arising out of ISH3.</p> <p>The ExA:</p> <ul style="list-style-type: none"> <li>• will ask other Interested Parties for any comments or observations in relation to the Applicant's list of Action Points; and</li> <li>• consider the list of Action Points against its own notes regarding Action Points.</li> </ul>
12.	<ul style="list-style-type: none"> <li>• Close of ISH3</li> </ul>

### Purpose of ISH3

The main purpose of ISH3 is to undertake and facilitate questioning of certain topics, matters arising from the application documentation and representations relating to Environmental Matters, including matters relating to Climate Change, Air Quality and Biodiversity/ Ecology, as well as in relation to Landscape and Visual Consideration.

Please note that the ExA will not accept representations at ISH3 in the form of video or audio recordings.

### Attendance at the hearing

The ExA would find it helpful if the following parties could attend this hearing:

- Applicant, including its representatives in a position to discuss the matters on the agenda;
- RCBC;
- STBC;
- HBC;
- STDC;
- EA;
- Climate Emergency Planning and Policy;
- NE; and
- Any other Interested Parties, with an interest in the Environmental Matters on this agenda.

However, this does not indicate that other parties will not be able to contribute. All IPs are invited to attend and make oral representations on the matters set out in the Agenda, subject to the ExA's ability to control the Hearing.

The ExA has sought to provide sufficient detail to assist the parties to prepare for the Hearing. The details set out below are indicative and the ExA may find it necessary to include additional Agenda items or to amend the order in which the items are dealt with.

Anyone wishing to speak at the Hearing, who has not already advised the Case Team of this, should do so as soon as possible.

The Hearing will be a virtual event. Participants may join online using the Microsoft Teams platform. Should you wish to observe virtually in real time, then you will be able to access a public livestream on the project webpage of the National Infrastructure Planning website. For those who choose to observe ISH3 later, after the Event has closed, a digital recording of the event will be made available as soon as reasonably possible. This will also be published on the project webpage of the National Infrastructure Planning website. Any Interested Party wishing to respond to any matters raised from observing ISH3 (real time or otherwise) should do so in accordance with the details specified in our letter and Annex B above.

## Timing

The ISH3 is scheduled to take place on **Tuesday 14 January 2025 at 10.00am**. The ExA will keep to the agenda as much as possible and ISH3 will finish as soon as the ExA deems that all those present have had their say and that all matters have been covered. ISH3 is not expected to go beyond 5pm. However, anyone who is not able to provide all their oral submissions by the close of the hearing should follow it up in writing prior to the next Deadline, which will be Deadline 6A (Wednesday 22 January 2025).

If you are joining online as an active participant, please follow the joining instructions for the virtual event carefully and connect to the Hearing in good time. In common with traditional Hearings, the event will start on time irrespective of any late arrivals, for whom access may not be possible.

Please Note: In order to ensure timely publication of this preliminary agenda, it was drafted prior to Deadline 5 (Wednesday 18 December 2024). Consequently, the ExA may need to adjust this preliminary agenda no later than 5 days prior to CAH2 taking place or at the meeting to allow for responses or additional submissions received after Deadline 5.

## Registration Process

Parties who have registered to speak will receive a Joining Instruction email shortly before the Hearing which will include a link to the virtual event on Microsoft Teams, and a telephone number should they need to participate by telephone. To enable the Hearing to start on time at **10.00am** those attending virtually should join promptly at **9.30am** to ensure that all virtual attendees can complete the Registration Process in good time.

## Procedure at ISH

Guidance under the Planning Act 2008 and the Infrastructure Planning (Examination Procedure) Rules 2010 provides that it is for the ExA to probe, test and assess the evidence through direct questions of persons making oral representations at Hearings. Questioning at the Hearing will be led by the ExA. Cross questioning of a person giving evidence by another person will only be permitted if the ExA decides it is necessary to ensure representations are adequately tested or that an IP has had a fair chance to put its case.



## Planning Inspectorate

**Planning Act 2008 – Section 91; The Infrastructure Planning (Examination Procedure) Rules 2010 – Rule 13; and The Infrastructure Planning (Compulsory Acquisition) Regulations 2010 - Regulation 14.**

**Application by H2 Teesside Limited for an Order Granting Development Consent for the H2Teesside Project.**

**Preliminary Agenda for Issue Specific Hearing 4 into the Development Consent Order (Virtual):**

Hearing	Date and Time	Location
<b>Issue Specific Hearing 4 (ISH4) into the Development Consent Order (DCO) and to allow any Additional Interested Party or Additional Affected Person, as a result of the accepted Change Request (CR), to make oral representations on the matters previously discussed at ISH2</b>	<b>Wednesday 15 January 2025</b>  <b>Virtual Arrangements Conference from: 9:00am</b>  <b>Hearing starts: 09:30am</b>	By virtual means using Microsoft Teams.  Full instructions on how to join online or by telephone will be provided in advance to those who have pre-registered.

Please note that the following agenda is indicative and may be amended by the Examining Authority (ExA) at the start of the hearing session.

1	<b>Welcome, introductions, arrangements and purpose for the Hearing.</b>
2	<b>Change Request</b>  In accordance with Regulation 14(2) of the Infrastructure Planning (Compulsory Acquisition) Regulations 2010, the ExA will give an opportunity for any Additional Interested Party or Additional Affected Person, as a result of the accepted CR submitted by the Applicant to amend its Development Order Consent application, to make oral representations on the matters previously discussed at ISH2.
3	<b>Articles and Schedules of the draft DCO</b>  The Applicant will be asked to provide a very brief overview of how the CR has resulted in alterations to the draft DCO. The ExA will then ask questions, as relevant, seeking responses where appropriate from the Applicant, the Local Authorities and other Interested Parties (IP), who have registered to



	<p>speak. These IPs will also be invited to ask questions of clarification in relation to DCO Articles and Schedules.</p>
4	<p><b>Schedule 2 of the draft DCO – Requirements</b></p> <p>The Applicant will be asked to provide an overview of the Requirements, as amended by the CR. The ExA will then ask questions, seeking responses where appropriate from the Applicant, the Local Authorities, and any other IPs who have registered to speak. These IPs will also be invited to ask questions of clarification in relation to the draft DCO requirements.</p>
5	<p><b>Article 44 of the draft DCO – Certification of Plans</b></p> <p>The Applicant will be asked to explain any changes to this Article as a result of the CR and whether the plans and documents listed in draft DCO [REP4-004] represents the complete list to be certified. The ExA will seek views as to whether the list is complete and if not, what additional documents would need to be included.</p>
6	<p><b>Consents, licences and other agreements</b></p> <p>In the light of the accepted CR and irrespective of the Applicant’s Oral submission made during ISH2, the Applicant will be asked to provide:</p> <ul style="list-style-type: none"> <li>• An overview of consents, licences and other agreements required in order to undertake the Proposed Development, as previously outlined in ISH2.</li> <li>• Progress and timescales for completion of such consents, licences and other agreements, including an update concerning any agreement(s) being sought under section 111 of the Local Government Act 1972, (such as Planning Performance Agreements) and/ or Planning Obligations/ Section 106 or other Agreements. In the event of such agreement(s) being sought the ExA will ask about predicted timescales for finalising such documents.</li> </ul> <p>In addition to the above the ExA will also seek:</p> <ul style="list-style-type: none"> <li>• Clarification concerning exemption from requiring a Deemed Marine Licence and how the ExA can be satisfied that no Deemed Marine Licence will be required, especially when considering the two conditions set out in Article 35 of The Marine Licensing (Exempted Activities) Order 2011.</li> </ul> <p>The ExA may ask any Interested Party for comment, observations or their views related to the above matters at any appropriate point during this agenda item and the ExA may ask questions.</p>
7	<p><b>Any other business and Action points arising from the Hearing.</b></p> <p>Any other business relevant to ISH4</p> <p>Applicant is to provide a summary of Action Point arising out of ISH4.</p> <p>The ExA:</p>

	<ul style="list-style-type: none"> <li>• will ask other IPs for any comments or observations in relation to the Applicant's list of Action Points; and</li> <li>• consider that list of Action Points against its own notes regarding Action Points.</li> </ul>
8	<b>Close of the Hearing</b>

## Purpose of ISH4

The main purpose of ISH4 is to undertake and facilitate questioning of certain topics, matters arising from the application documentation and representations relating to the Development Consent Order.

Please note that the ExA will not accept representations at ISH4 in the form of video or audio recordings.

## Attendees

The ExA would find it helpful if the following parties could attend ISH4.

- Air Products (Air Products Public Limited Company (Plc); Air Products (BR) Limited (Ltd); Air Products Renewable Energy Ltd; and Air Products Chemicals Teesside Ltd);
- Anglo American;
- BOC Ltd;
- CATS North Sea Ltd/ Kellas Midstream Ltd;
- CF Fertilisers UK Ltd;
- Environment Agency;
- Hartlepool Borough Council;
- Industrial Chemicals Ltd;
- INEOS Nitriles (UK) Ltd;
- Lighthouse Green Fuels Ltd;
- Marine Management Organisation;
- National Grid Electricity Transmission Plc;
- National Gas Transmission Plc;
- National Highways;
- Natara Global Ltd;
- Navigator Terminals Ltd;
- Northumbrian Water Ltd;
- NSMP Entities (Northern Gas Processing Ltd/ Teesside Gas Processing Plant Ltd/ Teesside Gas and Liquids Processing);
- PD Teesport Ltd;
- Redcar Bulk Terminal Ltd;
- Redcar and Cleveland Borough Council;
- SABIC UK Petrochemicals Ltd;
- Sembcorp Utilities (UK) Ltd;
- South Tees Group; and
- Stockton-on-Tees Borough Council

However, this does not indicate that other parties will not be able to contribute. All IPs are invited to attend and make oral representations on the matters set out in the Agenda, subject to the ExA's ability to control the Hearing.

The ExA has sought to provide sufficient detail to assist the parties to prepare for the Hearing. The details set out below are indicative and the ExA may find it necessary to include additional Agenda items or to amend the order in which the items are dealt with. Anyone wishing to speak at the Hearing, who has not already advised the Case Team of this, should do so as soon as possible.

The Hearing will be a virtual event. Participants may join online using the Microsoft Teams platform. Should you wish to observe virtually in real time, then you will be able to access a public livestream on the project webpage of the National Infrastructure Planning website. For those who choose to observe ISH4 later, after the Event has closed, a digital recording of the event will be made available as soon as reasonably possible. This will also be published on the project webpage of the National Infrastructure Planning website. Any Interested Party wishing to respond to any matters raised from observing ISH4 (real time or otherwise) should do so in accordance with the details specified in our letter and Annex B above.

## Timing

The ISH4 is scheduled to take place on **Wednesday 15 January 2025 at 9.30am**. The ExA will keep to the agenda as much as possible and ISH4 will finish as soon as the ExA deems that all those present have had their say and that all matters have been covered. ISH4 is not expected to go beyond 12.30pm. However, anyone who is not able to provide all their oral submissions by the close of the hearing should follow it up in writing prior to the next Deadline, which will be Deadline 6A (Wednesday 22 January 2025).

If you are joining online as an active participant, please follow the joining instructions for the virtual event carefully and connect to the Hearing in good time. In common with traditional Hearings, the event will start on time irrespective of any late arrivals, for whom access may not be possible.

Please Note: In order to ensure timely publication of this preliminary agenda, it was drafted prior to Deadline 5 (Wednesday 18 December 2024). Consequently, the ExA may need to adjust this preliminary agenda no later than 5 days prior to CAH2 taking place or at the meeting to allow for responses or additional submissions received after Deadline 5.

## Registration Process

Parties who have registered to speak (both in person and virtually) will receive a Joining Instruction email shortly before the Hearing which will include a link to the virtual event on Microsoft Teams, and a telephone number should they need to participate by telephone. To enable the Hearing to start on time at **9.30am** those attending virtually should join promptly at **09.00am** to ensure that all virtual attendees can complete the Registration Process in good time.

## Procedure at ISH



Guidance under the Planning Act 2008 and the Infrastructure Planning (Examination Procedure) Rules 2010 provides that it is for the ExA to probe, test and assess the evidence through direct questions of persons making oral representations at Hearings. Questioning at the Hearing will be led by the ExA. Cross questioning of a person giving evidence by another person will only be permitted if the ExA decides it is necessary to ensure representations are adequately tested or that an IP has had a fair chance to put its case.



# Planning Inspectorate

**Planning Act 2008 – Section 93; The Infrastructure Planning (Examination Procedure) Rules 2010 – Rule 13; and The Infrastructure Planning (Compulsory Acquisition) Regulations 2010 - Regulation 16.**

**Application by H2 Teesside Limited for an Order Granting Development Consent for the H2Teesside Project.**

**Preliminary Agenda for Open Floor Hearing (Virtual):**

<b>Hearing</b>	<b>Date and Time</b>	<b>Location</b>
<b>Open Floor Hearing 1 (OFH1)</b>	<b>Wednesday 15 January 2025</b>  <b>Virtual Arrangements</b> <b>Conference from: 1:30pm</b>  <b>Hearing starts: 2:00pm</b>	By virtual means using Microsoft Teams.  Full instructions on how to join online or by telephone will be provided in advance to those who have pre-registered.

Please note that the following agenda is indicative and may be amended by the Examining Authority (ExA) at the start of the hearing session.

1.	<b>Welcome, introductions and arrangements for the hearing.</b>
2.	<b>Purpose of the hearing.</b>
3.	<b>Confirmation of Interested Parties (IP) who have notified the ExA of a wish to be heard at the OFH and the order in which they will be heard.</b>  Current list of IPs who have notified the ExA of a wish to make an Oral submission at the OFH: <ul style="list-style-type: none"> <li>• BoC Limited (Ltd) [REP1-028];</li> <li>• Natara Global Ltd [REP1-036]; and</li> <li>• Venator Materials Ltd [REP1-050]</li> </ul>
4.	<b>Oral submissions</b> <ul style="list-style-type: none"> <li>• Oral submissions of IPs who have notified of a wish to be heard.</li> <li>• Oral submissions from other IPs wishing to be heard, if required.</li> </ul>
5.	<b>Action Points arising</b> - Applicant to provide a summary of any Action Points. The ExA:

	<ul style="list-style-type: none"><li>• will ask other IPs for any comments or observations in relation to the Applicant's list of Action Points; and</li><li>• consider that list of Action Points against its own notes regarding Action Points.</li></ul>
6.	<b>Any other business and closure of the hearing</b>