

Fieldfisher LLP ("FF") represent BOC Limited ("BOC"). We are instructed by BOC to advise them in relation to the proposed application by H2 Teesside Limited (the "Applicant") for an order granting Development Consent for the H2 Teesside Hydrogen Project (the "Application").

FF submitted Written Representations on 3 October 2024 on behalf of BOC in relation to the Application. FF (with support by Baker Rose Consulting LLP) also attended and participated at the Compulsory Purchase Hearing on 13 November 2024 (the "CAH1"). BOC's position remains as described in the previous Written Representations and expressed at the CAH1. BOC continue to have no objection to the Application in principle, provided that appropriate protective provisions are inserted on the face of the Order or a side agreement is agreed and entered into.

As at the date of these Written Representations, while the Applicant and BOC are having some constructive practical discussions, no appropriate protective provisions have been agreed. FF are waiting for a revised draft of the protective provisions from the Applicant's Solicitor. To the extent that no protective provisions are agreed between the parties, BOC will need to ask the Inspectorate to amend the Order to include protective provisions drafted by FF on behalf of BOC in order to adequately safeguard its assets.