

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

Compulsory Acquisition Hearing 2 (CAH2)

Date: Monday 13 January 2025

Venue: Virtual Meeting, via Microsoft Teams

Action Points

| No | Party | Action | Deadline |
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| CAH2-AP1 | Applicant | Supplementary Funding Statement - confirmation as to whether there are considered to be any major additional risk and/ or liabilities that could change the cost envelope and in this respect, what has been considered in the risk profiling? | DL6A |
| CAH2-AP2 | Applicant | On works comparison plans Figure 8d, Change 8, the pipeline at the southern end of Dabholm Gut, pipe is shown outside of Order limits, is this just diagrammatic? Applicant also to check all of the plans of similar issues in the light of previous concerns on this matter being raised by the Examining Authority and confirm that all proposed works are within the Order Limits. | DL6A |
| CAH2-AP3 | Applicant | Plot 11/138 - New plot in land used by ITS group appears to show overlap with outbuildings, has this been discussed with all owners, occupiers and tenants? Should the plot be drawn around the buildings rather than through them? (See sheet 3 of the supplemental land plans). The Applicant to take away to receive instructions. The Applicant was also asked to check all of the Land Plans for similar issues, for example in the Billingham area there is a cooling tower which seems to be affected by the same issue. | DL6A |
| CAH2-AP4 | Applicant | Applicant to submit a proposed timeline related to the prospective change request it referenced. | ASAP – No later than Friday |

| No | Party | Action | Deadline |
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| | | | 17 January 2025 |
| CAH2-AP5 | Applicant | Applicant to provide commentary on the scenario that in the failure to satisfy National Grid Electricity Transmission PLC regarding the Saltholme Substation site, what happens in that event. | DL6A |
| CAH2-AP6 | National Gas Transmission PLC | Provide a full copy of its preferred Protective Provision. | DL6A |
| CAH2-AP7 | Applicant | Applicant to respond to whether the Book of Reference needs to be updated to reflect the Crown Land referenced in PD Teesport's Deadline 5 submission. | DL6A |
| CAH2-AP8 | Applicant | Applicant to provide further justification as to why plot 4/24 is required. | DL6A |
| CAH2-AP9 | Applicant | In regard to Agenda Item 5(viii) the Applicant offered to provide a note regarding the types of rights that could be affected and examples of such instances where such rights could be impacted. | DL6A |
| CAH2-AP10 | Applicant | Regarding the Change Request, Applicant to clarify whether the area of land remaining following change 2.F, which is shown on works plans 18 as relating to Work No. 6 should be shown as Works No. 9. | DL6A |
| CAH2-AP11 | Applicant | Applicant to provide an explanation in relation to Compulsory Acquisition (CA) of Highway Authority Land, including in relation to other powers that may be used, and how such powers/ CA of Highway Authority Land would impact the Highway Authority. | DL6A |
| CAH2-AP12 | Applicant | Applicant to provide a note on how those without specific Protective Provisions are protected in the Development Consent Order, including a review of Construction Traffic Management Plan/ Construction Environmental Management Plan about what can be said in terms of managing impacts to accesses. | DL6A |
| CAH2-AP13 | Applicant | Applicant to provide a written response to the position of Phase 2 of the proposed Development in response to the Examining Authority's (ExA) note set out below. | DL6A |

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| | | <p>ExA's note:</p> <p>"The main site, excluding for now the requirements for work on the NetZero Teesside part of the site, has been earmarked for phase 1 and phase 2 and includes the main plant, ancillary buildings, access roads and storage spaces. It has been confirmed that the precise design of the layout of the site is yet to be completed, but we do have a comprehensive indication of the likely layout included in the application documents. It was clarified at CAH1 that the location of phase 2 is subject to possible change, including use of the area where the HyGreen project is being promoted. Although planning consent for HyGreen has yet to be granted, at present we are unaware of what other scenario there is for that project not going ahead. If the HyGreen project did not proceed, the Applicant wishes to have compulsory acquisition rights over the area of the Foundry earmarked for HyGreen, possibly, but not necessary solely, to retain the optionality for phase 2 to use that area of land. The Applicant submitted an Interrelationship report at DL2 which listed the unknown factors for not being able to conclude the location of phase 2 before the close of the Examination as "favourable ground investigation results; satisfactory completion of demolition and remediation works; and compliance with applicable legislation, regulations, national and international design standards with regards to separation distances"</p> <p>We asked questions about these factors in our 2nd round of written questions. It appears that design standards for separation distances are well established, and the Applicant confirms that if HyGreen proceeds, phase 2 will be able to be constructed in the remaining part of the Foundry site. So, it seems that the</p> | |

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| | | <p>remaining unknown issue is ground conditions. STG have clarified that they have a duty to remediate the site and will work with any promoter, as they have to date. Although there may be more challenges with the north site, there is no indication that remediation cannot be undertaken.</p> <p>Does the Applicant have any further explanation of the need for the area where the HyGreen project is shown, as it is clear that:</p> <p>a) if the HyGreen development proceeds that area of land will not be available to the Applicant;</p> <p>b) if the HyGreen development does not proceed, the proposed development can be delivered without use of that land; and</p> <p>c) the status of this land is significant, as detailed by South Tees Group, due to it's development potential for other nationally important developments and that granting compulsory acquisition rights may blight the land.</p> | |

Issue Specific Hearing 3 (ISH3) (regarding Environmental matters)

Date: Tuesday 14 January 2025

Venue: Virtual Meeting, via Microsoft Teams

Action Points

| No | Party | Action | Deadline |
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| ISH3-AP1 | Applicant | Provide the process diagram presented at the Hearing | DL6A |
| ISH3-AP2 | Applicant | Provide the Hynet Hydrogen Production Facility Permit | DL6A |
| ISH3-AP3 | Applicant | Submit Report on the Site of Special Scientific Interest (SSSI) position | DL7 |
| ISH3-AP4 | Applicant | As and when the Environment Agency (EA) Permit Consultation starts, the published material to be submitted into Examination at the next deadline. | As soon as possible, assuming available |

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| | | | prior to the Examination close. |
| ISH3-AP5 | Applicant | To set out position on the enforcement of Environmental Permits, in response to Climate Emergency Planning and Policy's (CEPP) submissions on this point. | DL7 |
| ISH3-AP6 | Applicant | Updated Habitats Regulation Assessment to be submitted, incorporating relevant technical notes (including in relation to Natural England's Key points: NE2, NE5, NE6, NE7, NE8 and NE26) | DL6A |
| ISH3-AP7 | Applicant | To provide an update on discussions in respect of voluntary biodiversity enhancements. | DL8, unless available prior to DL8. |
| ISH3-AP8 | Applicant | Ms Aldous' summary of position on Birds to form part of Applicant's Summary of Oral Submissions. | DL6A |
| ISH3-AP9 | Applicant | Respond to EA's comments at Deadline 6 on the Seal Sands Ground Conditions issue | DL6A |
| ISH3-AP10 | CEPP | To submit response to EA's Hearing submission, Applicant's Deadline 5 submissions, and to the ISH3 agenda items. | DL6A |

Issue Specific Hearing 4 (ISH4) (DCO)

Date: Wednesday 15 January 2025

Venue: Virtual Meeting, via Microsoft Teams

Action Points

| No | Party | Action | Deadline |
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| ISH4-AP1 | Applicant | Applicant to set out position on how payment of commuted sums for replacement special category land will be secured. | DL6A |
| ISH4-AP2 | Applicant | Applicant to confirm if Natural England's concerns in respect of Horizontal Directional Drilling (HDD) collapse has any implications or relevance to the Applicant's reliance on using the Deemed Marine Licence Exemption proposed to | DL6A |

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| | | be used under Article 35 of the Marine Licensing (Exempted Activities) Order 2011, especially when considering the two conditions set out in that Article. | |