

The Planning Inspectorate  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol  
BS1 6PN

Your Ref: H2TS-AFP107  
Our Ref: EXA.NOR081.68  
Doc No: 47356732v1  
Date: 06 February 2025

For electronic submission through PINS webpage

Dear Sirs

**H2 Teesside Project - Application for Development Consent - Planning Act 2008**  
**Reference: EN07009**  
**Our Client: Northumbrian Water Limited (Interested Party Number H2TS - AFP107)**  
**Applicant: H2 Teesside Limited**  
**Subject: Update to Examining Authority - Comments on submissions received by the Examining Authority at Deadline 6A**

We are instructed by Northumbrian Water Limited ("NWL") in relation to the application for a Development Consent Order ("DCO") in respect of the H2 Teesside Project (the "Project").

We write to provide comments on submissions received by the Examining Authority at Deadline 6A, as invited by the Examining Authority, and to provide an update more generally as regards discussions between the Applicant and NWL.

As noted in the Summary of the Applicant's Oral Submissions At CAH2 submitted at Deadline 6A (document reference REP6a-018) Protective Provisions in a form acceptable to NWL were supplied by Ward Hadaway to the Applicant's solicitors for review on 28 November 2024 and it was hoped that agreement on suitable protections could be reached prior to the end of the Examination Period. However, to date, no comments have been received from the Applicant's advisers in response to NWL's protective provisions.

Given the late stage in the proceedings we would be obliged if the Examining Authority carefully notes that the provisions for the protection of NWL's assets that were included at Deadline 6A by the Applicant at Schedule 39 of the draft DCO (document reference REP6a-007) are not in a form that has been agreed by NWL, not are they in a form that would be acceptable to our client, and as such NWL's objection to the DCO is maintained and cannot be withdrawn at this stage.

Yours faithfully

  
Ward Hadaway LLP

@wardhadaway.com