

# 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: 8.44.23 – Protective Provisions Statement – Other Updates

Planning Act 2008



**Applicant: H2 Teesside Ltd**

Date: February 2025

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## **1.0 INTRODUCTION**

### **1.1 Background**

- 1.1.1 This document sets out a statement on the position of the Protective Provisions between the Applicant and Interested Parties who are not the subject of individual update documents.

## 2.0 PROTECTIVE PROVISIONS – OTHER UPDATES

**Table 2-1: Protective Provisions – Other Updates**

PARTY	UPDATE
BOC Limited	<p>Since the last DL, BOC Limited, the Applicant and their respective representatives have had additional productive meetings regarding proposed protective provisions.</p> <p>Commercial agreement on the draft agreement was reached between the parties on 17 February 2025, subject to the resolution of two minor points of detail concerning the execution and completion arrangements for the agreement.</p> <p>The Applicant will provide a further update at DL8.</p>
CATS North Sea Limited and Kellas Midstream Limited (“CATS”)	<p>CATS and the Applicant have had regular interface meetings since the previous DL. CATS are seeking additional protective provisions from those contained in the Net Zero Teesside Order although it has been confirmed that there is no technical rationale for these. The Applicant has requested that specific and relevant precedents for these additions be demonstrated but none have yet been provided.</p> <p>The Applicant is nevertheless considering the most recent version of the travelling draft to establish where agreement may be possible and the Applicant has also instructed its solicitors to engage further with CATS’ solicitors to establish a potential way forward.</p> <p>The Applicant will provide a further update to the ExA on or before DL8.</p>
Greenergy Limited	<p>The Applicant understands that Greenergy Limited has withdrawn its objection to the Proposed Development.</p>
H2Northeast Limited	<p>The Applicant’s solicitors are preparing a draft engagement agreement to capture the interaction and information sharing desired by H2Northeast Limited going forward. Protective provisions are not proposed for inclusion in the dDCO itself as these will be secured by way of a commercial side agreement.</p>

<p>Industrial Chemicals Limited</p>	<p>On 5 February 2025 the Applicant provided Industrial Chemicals with proposed protective provisions and is awaiting comments. On 17 February 2025 the Applicant followed up Industrial Chemicals for its comments on the protective provisions.</p> <p>Given the nature of Industrial Chemicals’ concerns only relate to maintaining access along Huntsman Drive and Seaton Carew Road, and the parties have agreed the principles of the protective provisions, the Applicant expects the protective provisions can be resolved before the end of examination.</p>
<p>Flavour Specialities Limited (Natara Global Limited)</p>	<p>The Applicant has had further meetings with Natara to narrow down the substantive issues. A further joint meeting is scheduled on 19 February 2025 with a view to finalising the scope of any required protective provisions.</p> <p>Following this meeting, the Applicant envisages that an additional schedule setting out the proposed protective provisions for inclusion in the dDCO will be lodged with the ExA on or before DL8.</p>
<p>Norsea Pipeline Limited</p>	<p>No protective provisions are required to be included in the dDCO.</p>
<p>Teesside Gas &amp; Liquids Processing, Teesside Gas Processing Plant Limited and Northern Gas Processing Limited (“NSMP Entities”)</p>	<p>The Applicant is pleased to inform the ExA that the protective provisions in favour of the NSMP Entities are now in agreed form.</p> <p>In addition, on 17 February 2025 the NSPM Entities’ solicitors confirmed to the Applicant’s solicitors that the remaining proposed amendments to the draft requirements in schedule 2 of the dDCO are in acceptable form. These amendments have been incorporated in the DL7A dDCO.</p> <p>The Applicant understands that the NSMP Entities will be in a position to withdraw their objection in early course once the DL7A dDCO containing the agreed protective provisions and requirements has been published.</p> <p>There are certain minor commercial matters outstanding between the parties, but the Applicant does not envisage that any further amendments to the dDCO or submissions to the ExA will be required in order to address these.</p>

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Vodafone	The Applicant has been in communications with Vodafone and has confirmed the inclusion of Schedule 17 in the draft DCO - Protective Provisions for the Protection of Operators of Electronic Communications Code Networks. The Applicant has noted to Vodafone that it would be happy to discuss bespoke protective provisions if Vodafone consider such to be necessary but has not received feedback on this from Vodafone to date.
Net Zero Teesside Power (NZT Power)	The Applicant has included Protective Provisions for the protection of Net Zero Teesside Power (NZT Power). The Applicant has a meeting scheduled week commencing 17 <sup>th</sup> Feb to discuss these Protective Provisions with Net Zero Teesside Power (NZT Power).
Net Zero North Sea Storage Ltd (NEP)	The Applicant has included Protective Provisions for the protection of Net Zero North Sea Storage Ltd (NEP). The Applicant has a meeting scheduled week commencing 17 <sup>th</sup> Feb to discuss these Protective Provisions with Net Zero North Sea Storage Ltd (NEP).