

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 H2Teesside Order

Document Reference: 9.9: Statement of Common Ground between H2 Teesside Limited and Teesworks Limited, South Tees Developments Limited, Steel River Power Limited and South Tees Development Corporation (together 'South Tees Group')

The Planning Act 2008



Applicant: H2Teesside Ltd

Date: February 2025

The Planning Act 2008

The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

The H2 Teesside Order 202[]

Statement of Common Ground between H2 Teesside Limited and South Tees
Group

Planning Inspectorate Reference	EN070009
Application Document Reference	9.9
Author	bp
Approved By	

Revision	Date	Status of Version
0	17.09.24	Draft
1	21.10.24	Draft
2	13.12.24	Draft
3	17.02.25	Final

STATEMENT OF COMMON GROUND

This Statement of Common Ground has been prepared and agreed by (1) H2 Teesside Ltd. and (2) Teesworks Limited, South Tees Developments Limited, Steel River Power Limited and South Tees Development Corporation (together 'South Tees Group')

Signed.....

[Name]

[Position]

on behalf of H2 Teesside Ltd.

Date:

Signed.....

[Name]

[Position]

on behalf of South Tees Group

Date:

CONTENTS

1.0 INTRODUCTION AND PURPOSE	1
1.1 Introduction.....	1
1.2 Parties to the SoCG.....	1
1.3 The Purpose and Structure of this SoCG.....	2
2.0 ENGAGEMENT WITH SOUTH TEES GROUP	3
2.1 Summary of Engagement	3
3.0 MATTERS.....	5
3.1 Overview	5

TABLES

Table 2-1: Engagement between the Applicant and South Tees Group

Table 3-1: Summary of Matters

Table 3-2: Detailed Matters

1.0 INTRODUCTION AND PURPOSE

1.1 Introduction

1.1.1 This Statement of Common Ground ('SoCG') relates to an application made by H2 Teesside Limited (the 'Applicant'), to the Secretary of State for Energy and Net Zero for a Development Consent Order under Section 37 of the Planning Act 2008 (the 'PA 2008') for the H2Teesside Project.

1.1.2 The Application has been accepted for examination. The Examination commenced on 29 August 2024.

1.1.3 The Examining Authority's ('ExA') Rule 8 letter (Annex B) dated 30 August 2024 confirms that the Applicant should prepare a SoCG with South Tees Group in respect of the Proposed Development.

1.2 Parties to the SoCG

The Applicant

1.2.1 The Applicant is a private limited company aiming to develop and operate the H2Teesside Project, which is an approximately 1.2-Gigawatt Thermal ('GWth') Carbon Capture and Storage ('CCS') enabled Hydrogen Production Facility and associated connections (together the 'Proposed Development') on land in Redcar and Cleveland, Stockton-on-Tees, and Hartlepool (hereafter referred to as the 'Proposed Development Site'). The Proposed Development will support the decarbonisation of UK-produced natural gas in Teesside for use in industrial applications, thus helping to achieve national targets in relation to net zero. It will also be a key contributor to restoring manufacturing jobs in the Tees Valley.

1.2.2 The Proposed Development Site covers an area of approximately 508 hectares (ha) and is located primarily within the administrative boundaries of Redcar and Cleveland Borough Council ('RCBC') and Stockton-on-Tees Borough Council ('STBC'). The Hydrogen Pipeline Corridor (refer to Figure 4-4 in ES Volume II) [APP-087] extends further north-west to also include land within the administrative boundary of Hartlepool Borough Council ('HBC').

1.2.3 The Hydrogen Production Facility will be located at the Main Site within the Teesworks development site, as shown in Figure 4-1: Proposed Development Site Boundary (including location of the Main Site) (ES Volume II) [APP-084].

The South Tees Group

1.2.4 The South Tees Group is the owner of Teesworks. The Teesworks site forms part of the UK's largest freeport, and at 4,500 acres, of which roughly 2,000 comprise developable land, it is Europe's largest brownfield site, situated on the previous location of the now-defunct Teesside steel manufacturing facilities to the south of the River Tees, in the Borough of Redcar and Cleveland.

1.2.5 The Applicant and South Tees Group are collectively referred to in this SoCG as 'the parties'. The parties have been, and continue to be, in direct communication in respect of the Proposed Development.

1.3 The Purpose and Structure of this SoCG

1.3.1 The purpose and possible content of SoCGs is set out in paragraphs 58 to 65 of the Ministry of Housing, Communities and Local Government guidance entitled 'Planning Act 2008: examination of applications for development consent' (April 2024). Paragraph 58 of that guidance explains the basic function of SoCGs as follows:

"A statement of common ground is a written statement prepared jointly by the applicant and another party or parties, setting out any matters on which they agree. As well as identifying matters which are not in real dispute, it is also useful if a statement identifies those areas where agreement has not been reached. The statement should include references to show where those matters are dealt with in the written representations or other documentary evidence."

1.3.2 SoCGs are therefore a useful and established means of ensuring that the evidence at the DCO examination phase focuses on the material differences between the main parties, and so aim to help facilitate a more efficient examination process.

1.3.3 The purpose of this SoCG is therefore to summarise the agreements reached between the parties on matters relevant to the Examination of the Application and to assist the Examining Authority ('ExA'). It also explains the matters which remain unresolved at the time of writing, but which both parties are working positively toward resolving. As such, it is expected that further iterations of the SoCG will be submitted to the ExA throughout the Examination and prior to the making of any DCO for the Proposed Development.

1.3.4 The SoCG has been prepared with regard to the above guidance and is structured as follows:

- Section 2 – sets out the engagement and related discussions held between the parties.
- Section 3 – sets out the positions with regard to the matters between the parties.

2.0 ENGAGEMENT WITH SOUTH TEES GROUP

2.1 Summary of Engagement

2.1.1 A summary of the key engagement that has taken place between the Applicant and South Tees Group is detailed in **Table 2.1** below.

Table 2-1: Engagement between the Applicant and South Tees Group

DATE	FORM OF ENGAGEMENT	DETAILS
12.01.22	Virtual Meeting	Initial meeting between the parties to discuss land agreements for low carbon hydrogen production plant on Teesworks site
Various dates	Face to Face Meetings and Virtual Meetings	Various technical and commercial meetings held between the parties since the initial meeting at weekly frequency to negotiate land agreements, connection corridor routings and widths, utility connections, demolitions and remediation programs. Too many meetings to list in a table that have taken place approximately over the last three years. The most recent two meetings are listed below in addition to consultation details.
14.09.23	First Consultation (statutory consultation) in accordance with Section 42 of the PA 2008.	The Applicant issued a Section 42 letter to South Tees Group on 14 September 2023 consulting South Tee Group on the Proposed Development.
13.12.23	Second Consultation (statutory and non-statutory) in accordance with Section 42 of the PA 2008.	The Applicant issued a Section 42 letter to South Tees Group on 13 December 2023 consulting them on a number of changes to the Proposed Development as a result of further design development and technical work undertaken and also responses received to the First Consultation.
04.09.24	Consultation on proposed changes to the DCO Application.	A letter was issued to South Tees Group on 4 September 2024 consulting them on a number of proposed changes to the DCO Application.
12.09.24	Virtual Meeting	Technical interface meeting between the parties on remediation progress.

H2 Teesside Ltd

Statement of Common Ground between H2 Teesside Limited and SouthTees Group limited

Document Ref: 9.9

DATE	FORM OF ENGAGEMENT	DETAILS
16.09.24	Virtual Meeting	Commercial meeting between the parties
18.09.24	Virtual Meeting	Meeting to discuss the extent of the Order Limits.
10.10.24	Virtual Meeting	Meeting to progress on SoCG and timing of issue of side agreement
16.10.24	Virtual Meeting	Meeting to discuss SoCG and receipt of draft side agreement (issued by Applicant 15 October 2024)
21.10.24	Virtual Meeting	Meeting to discuss SoCG, side agreement and Deadline 3 submissions.
10.11.24	Virtual Meeting	Meeting to discuss DCO drafting.
15.11.24	Virtual Meeting	Meeting to discuss the extent of the Order Limits.
18.11.24	Virtual Meeting	Meeting to discuss the extent of the Order Limits.
19.11.24	Virtual Meeting	Meeting to discuss the extent of the Order Limits.
November 2024 – February 2025	Virtual Meetings and In Person Meetings	A number of meetings to discuss Protective Provisions, Side Agreement, and the extent of the Order limits.

3.0 MATTERS

3.1 Overview

3.1.1 This section provides a summary of the matters between the parties and the status of discussions and where agreement has been reached.

Table 3.1: Summary of Matters

SoCG ID	Matter	Document ref (if relevant)	South Tees Group Position		Agreed/Ongoing/ Not agreed
1	Scope of Land		<p>Whilst the South Tees Group has liaised with the Applicant to reach commercial agreements for H2T’s use of land in which it has an interest, and it welcomes the Applicant’s Change Requests’ reductions to the scope of its land acquisition [CR1-044 / REP7-011], the South Tees Group does not consider that the remaining Phase 2 land, the ‘Red Main’ plot 13/11 or the proposed pipeline corridor linking the main site to adjacent RBT land should remain within the Order Limits. For the reasons set out by the South Tees Group at Compulsory Acquisition Hearing 1 [REP4-056], these elements conflict with alternative development proposals being brought forward by STG and are not justified in the context of the relevant tests (including those relating to</p>	<p>The Applicant position is as follows (reflecting the Second Change Application Report and Examination submissions):</p> <ul style="list-style-type: none"> the use of ‘Red Main’ is for AIL access to the Proposed Development from RBT. Its use is therefore of fundamental criticality to the delivery of the Proposed Development. If STG wishes to divert that AIL access route, it can do so pursuant to the diversion work mechanisms in the Protective Provisions; the pipeline corridor is to link to a proposed offtaker on RBT land, providing hydrogen as part of the on-going decarbonisation and 	Not agreed

H2 Teesside Ltd

Statement of Common Ground between H2 Teesside Limited and SouthTees Group limited

Document Ref: 9.9

SoCG ID	Matter	Document ref (if relevant)	South Tees Group Position		Agreed/Ongoing/ Not agreed
			<p>compulsory acquisition). STG considers that these areas of land should be removed from the Order Limits. See below comments in relation to specific elements of the project.</p> <p>STG disagrees with the Applicant's position regarding the pipeline and the section 35 direction. The "diversion works" process can allow for DCO amendments, as set out in STG's preferred form protective provisions submitted at Deadline 7A.</p>	<p>regeneration of Teesside. There is nothing to prevent development being brought forward north of that pipeline, and its construction can be managed in co-ordination with STG. The impact of the pipeline is to require a slightly smaller development on the retained STG land, not to sterilise it. As the pipeline is development within the ambit of the section 35 Direction, it can only be amended via the DCO regime, as such it is not considered appropriate for it to form part of the 'diversion work' mechanisms in the Protective Provisions; and</p> <ul style="list-style-type: none">the remaining Phase 2 land will deliver 5% (being half of the overall Proposed Development) of the Government's hydrogen production target for 2030, and, in line with the Need Statement, has a compelling case in the public interest; particularly when compared against the unknown of a potential future development of which there is no	

H2 Teesside Ltd

Statement of Common Ground between H2 Teesside Limited and SouthTees Group imited

Document Ref: 9.9

SoCG ID	Matter	Document ref (if relevant)	South Tees Group Position		Agreed/Ongoing/ Not agreed
				<p>information. The Teesworks site is an industrial regeneration site, ready for a Hydrogen Production Facility to help fulfil those regeneration aims – STG are simply trying to put forward a competing proposal for the same parcel of land against one that has a compelling case. It is also noted that the retained Phase 2 land will form the construction compound area for the Phase 1 Main Site, and so its complete removal from the Order limits would not be acceptable.</p> <p>The Applicant will make further submissions on this if necessary at Deadline 8 and/or 9 in response to STG’s Deadline 7A submissions.</p>	
2	Impact on Highway Network and Access		<p>There were also concerns with the potential impact of the proposed works on the highway network and on means of access to the Teesworks site.</p> <p>Following the updated cumulative assessment issued by the Applicant at Deadline 5 [REP5-015], the South Tees Group considers that all necessary and</p>	Noted.	Agreed

H2 Teesside Ltd

Statement of Common Ground between H2 Teesside Limited and SouthTees Group limited

Document Ref: 9.9

SoCG ID	Matter	Document ref (if relevant)	South Tees Group Position		Agreed/Ongoing/ Not agreed
			relevant committed projects are accounted for in terms of cumulative impacts on the highway network.		
3	Interactions with Pre-existing Works and Proposals		<p>The Applicant's Interrelation Report [REP2-038] does not appear to explain if, and how, it has coordinated its requirements with the South Tees Group's ongoing development of the main site, nor has it necessarily liaised sufficiently with the South Tees Group to ensure their respective proposals in the Teesworks site do not conflict. Because the Applicant has maximised its own design flexibility at the expense of precision, and has as yet not shared detailed information about the justification for the details of its H2T Project, the South Tees Group cannot determine the true impact of the Applicant's proposals on its own interests. The South Tees Group has requested the Applicant update the report accordingly [REP3-024] but the Applicant has stated it does not intend to do so [REP4-013].</p>	<p>In making the Second Change, the Applicant has fully limited its flexibility to one Phase 2 location. It did so following the feedback of STG as to the need to co-ordinate with potential other developments.</p> <p>The Applicant therefore considers that it has met this concern from STG.</p> <p>In respect of item (i) – see ID1 above.</p> <p>In respect of item (ii) – the Applicant has been and is continuing to work with STG to resolve its concerns on HSE inner consultation zones. However, it notes that:</p> <ul style="list-style-type: none"> no such zones have yet been produced by the HSE such that it can be said with any certainty at this stage that STG retained land will be encroached to a 'very significant degree'; 	Not agreed

SoCG ID	Matter	Document ref (if relevant)	South Tees Group Position		Agreed/Ongoing/ Not agreed
			<p>Although the Applicant’s second change request [REP7-011] reduced the land to be acquired in the Phase 2 area of the main site, this did not go far enough to ensure the Proposed Development does not interact with or adversely impact upon other significant development projects coming forward in the same area. In particular, two key objections remain:</p> <p>(i) as mentioned above at SoCG ID1, there remains a clash between the Proposed Development and other development being progressed by STG; and</p> <p>(ii) as outlined at Deadline 7 [REP7-062] and set out more fully in STG’s Deadline 7A submission, the prospective HSE inner consultation zone for hazardous development is expected to encroach onto STG’s retained land to a very significant degree outside the Order Limits at the Foundry</p>	<ul style="list-style-type: none"> the Applicant has shared the information that is able to share at this stage in project development in relation to how HSE land use planning works, noting that HSE will ultimately confirm the extent of consultation zones (and so until that is provided it would be sensible to assume the worst case scenario for planning purposes); its DCO application has included an Indicative Hydrogen Production facility drawing, and the issue of HSE consultation zones has only come to the fore in recent weeks; and these discussions are happening in the context that discussions in respect of H2T (a blue hydrogen production facility that was inevitably going to require COMAH/HSC considerations) have been on-going for an extensive period of time (and whilst the Applicant is aware that STG was undertaking discussions with 	

H2 Teesside Ltd

Statement of Common Ground between H2 Teesside Limited and SouthTees Group imited

Document Ref: 9.9

SoCG ID	Matter	Document ref (if relevant)	South Tees Group Position		Agreed/Ongoing/ Not agreed
			<p>site, restricting the scope of development that can take place. This only became clear very recently notwithstanding repeated requests for information having been made of the Applicant by South Tees Group over a period of months once it became clear that the Applicant's HyGreen project, notwithstanding it continuing to pursue planning permission for the same, would likely not be proceeding.</p> <p>As such, although "no such zones have yet been produced by the HSE such that it can be said with any certainty at this stage that STG retained land will be encroached to a 'very significant degree'", the Applicant will, in the view of STG, have sufficient knowledge of its own proposals and project to be</p>	<p>Hygreen, that is a separate project to the Proposed Development and the Applicant cannot comment on its programme or ability to progress), meaning that STG would have been aware throughout that this could be an issue.</p> <p>The Applicant will provide a full response on this matter at Deadline 8, including why imposing a Protective Provision on this matter is not appropriate and how it is possible for adjacent developments to co-exist with the Proposed Development.</p> <p>Although some progress has been made between the parties, the Applicant has put forward its preferred set of Protective Provisions at Deadline 7A with commentary on why it considers STG's position is not appropriate on those matters of drafting that are still in dispute.</p>	

H2 Teesside Ltd

Statement of Common Ground between H2 Teesside Limited and SouthTees Group imited

Document Ref: 9.9

SoCG ID	Matter	Document ref (if relevant)	South Tees Group Position		Agreed/Ongoing/ Not agreed
			<p>able to offer more information than has been shared thus far. Indeed, the Applicant itself, having been pushed on the matter, advised STG in recent discussions to assume the worst – i.e. that the inner consultation zone would extend across all of STG’s remaining land at the Foundry, which is completely unacceptable to STG and has been made clear to the Applicant on several occasions. For the Applicant to suggest that STG should somehow have been aware, and presumably therefore accepting, of the issue in the context of a blue hydrogen production facility is something of an oversimplification and obfuscation of what has become a significant issue.</p>		

H2 Teesside Ltd

Statement of Common Ground between H2 Teesside Limited and SouthTees Group imited

Document Ref: 9.9

SoCG ID	Matter	Document ref (if relevant)	South Tees Group Position		Agreed/Ongoing/ Not agreed
			<p>STG reserves its right to comment further on this matter at Deadline 8.</p> <p>Absent these matters being fully addressed, the South Tees Group objects to the Proposed Development outright and considers the consent should not be granted. In any event the South Tees Group considers that any consent would not be deliverable by the Applicant as a result of other critical national development being pursued by South Tees Group on the neighbouring Foundry site.</p> <p>To address point (i) above, the Order limits should be amended to omit Phase 2 and remove all works which are located on the Foundry site. To address point (ii), protective provisions would be required which impose a constraint on detailed design / operation such that no HSE inner zone would be located on South Tees Group's retained land.</p> <p>The parties have not agreed one set of protective provisions, so STG is</p>		

H2 Teesside Ltd

Statement of Common Ground between H2 Teesside Limited and SouthTees Group imited

Document Ref: 9.9

SoCG ID	Matter	Document ref (if relevant)	South Tees Group Position	Agreed/Ongoing/Not agreed	
			submitting its own preferred form at Deadline 7A.		
4	Protective Provisions		<p>The H2T proposals risk sterilising the Teesworks site and negatively impacting the South Tees Group's pre-existing and ongoing development plans, but the Applicant did not initially offer bespoke Protective Provisions in the application draft of the DCO, in contrast with the consented NZT DCO. The South Tees Group strongly believes that these protections are required for this project as well, and submitted its own preferred form of protective provisions at Deadline 5 for consideration by the Applicant and the Examining Authority.</p> <p>Since that time, the South Tees Group continued to negotiate appropriate protective provisions with the Applicant.</p> <p>As above at SoCG ID3, the parties have not agreed one set of protective provisions so STG is submitting its own preferred form at Deadline 7A, with commentary on how these differ from</p>	<p>Although some progress has been made between the parties, the Applicant has put forward its preferred set of Protective Provisions at Deadline 7A with commentary on why it considers STG's position is not appropriate on those matters of drafting that are still in dispute.</p>	Not agreed

H2 Teesside Ltd

Statement of Common Ground between H2 Teesside Limited and SouthTees Group imited

Document Ref: 9.9

SoCG ID	Matter	Document ref (if relevant)	South Tees Group Position		Agreed/Ongoing/ Not agreed
			<p>the version in the Applicant’s draft DCO [REP7-018]. The version STG is submitting at Deadline 7A includes an additional paragraph relating to the HSE consultation zones issue mentioned in STG’s Deadline 7 submission [REP7-062] and set out in its Deadline 7A submissions.</p> <p>The remaining points of difference represent STG’s final PP position for the examination.</p>		
5	Local Development Planning Policies		<p>The South Tees Group sought to have the Local Plan constitute an “important and relevant consideration” for the purposes of examining and deciding the H2T DCO application under section 104 of the 2008 Act.</p> <p>Having regard to the Applicant’s response, STG considers this point agreed.</p>	<p>Section 4.0 (paragraph 4.2.5) of the Applicant’s Planning Statement [APP031] confirms that the policy framework for examining and determining applications for development consent, such as that for the Proposed Development, is provided by National Policy Statements (‘NPSs’) and that these are the primary policy used by the Secretary of State to examine and determine such applications. Section 4.7 (paragraph 4.7.3) acknowledges that other matters that the Secretary of State may consider important and relevant in determining</p>	Agreed

H2 Teesside Ltd

Statement of Common Ground between H2 Teesside Limited and SouthTees Group imited

Document Ref: 9.9

SoCG ID	Matter	Document ref (if relevant)	South Tees Group Position		Agreed/Ongoing/ Not agreed
				<p>applications for development consent can include local development plan policy. Local development plan policy, including relevant policies of the Redcar and Cleveland Local Plan (adopted May 2018) and the development principles of the South Tees Supplementary Planning Document (adopted May 2018), and the Proposed Development’s compliance with those policies and development principles, is considered in detail within Table 6.5 of the Policy Assessment Tables [APP-032]. The Applicant has had regard to relevant local development plan policy notwithstanding that the NPSs, notably EN-1, are the primary policy against which to assess the Proposed Development.</p>	
6	Land and Works		<p>Chapter 4 of the Environmental Statement [APP-056] is clear that the area is covered by some works is larger than required and that the Applicant is making use of the “Rochdale Envelope” principle, whereby it requires additional flexibility for its Project to be carried forward into</p>	<p>The Applicant has used the Rochdale envelope approach to determine the Order Limits as design development is ongoing and limited ground investigation has taken place in the connection corridors. Part of the first Change Request [CR1-044] was made to</p>	Not agreed

H2 Teesside Ltd

Statement of Common Ground between H2 Teesside Limited and SouthTees Group limited

Document Ref: 9.9

SoCG ID	Matter	Document ref (if relevant)	South Tees Group Position		Agreed/Ongoing/ Not agreed
			<p>the post-consent implementation phase. The South Tees Group draws the Examining Authority’s attention to the Planning Act 2008, Guidance on the pre-application process (DLUHC, April 2024)³ (the Pre-Application Guidance) which notes that use of the Rochdale Envelope is by now well-established but also states that taking this approach “will therefore increase the amount of evidence required to be submitted in support of the application.” The Applicant has not provided sufficient justification for its excessive land requirements for the Project, most notably around utilities corridors. The South Tees Group notes the Applicant’s Order Limit reductions in its second change request [REP7-011] and the South Tees Group’s position regarding the Applicant’s remaining land-take at the Foundry site is set out more fully in its Deadline 7A submission.</p>	<p>deal with STG concerns and removed some of the land that was previously included in the main site.</p> <p>The Applicant has now reduced the Main Site Order limits even further in its Second Change Application. Its position on the remaining Main Site land is set out at ID1 above, the Second Change Application Report and will be expanded upon at Deadline 8 and/or 9. in response to STG’s concerns.</p> <p>The Applicant has explained its approach to the pipeline corridors in [REP2-039], but in any event does not consider that the land requirements are ‘excessive’. They reflect the stage of development of the Proposed Development and the need to account for other party’s assets, pursuant to their Protective Provisions, including future assets being brought forward by NZT.</p>	

H2 Teesside Ltd

Statement of Common Ground between H2 Teesside Limited and SouthTees Group imited

Document Ref: 9.9

SoCG ID	Matter	Document ref (if relevant)	South Tees Group Position		Agreed/Ongoing/ Not agreed
7	Land and Works		<p>The H2T Order Limits include land falling outside the scope of the option agreement negotiated with the Applicant and covering roughly the main site area required for Phase 1 of the H2T project.</p> <p>The parties did not reach agreement about the Applicant's compulsory acquisition powers at the Foundry site. STG's position is set out in its Deadline 7A submission.</p>	<p>The Applicant's position on this is set out in its Deadline 7A STG Protective Provisions Position and Statement and will be set out in response to STG's submissions at Deadline 8 and/or 9.</p>	Not agreed
8	Land and Works		<p>It appears that many plots along the highways to the southeast of the main Teesworks site in which the South Tees Group has interests are already subject to the acquisition of rights or temporary possession under the NZT DCO. The overlap between projects is unclear and it is unclear from the Applicant's documentation how this impact on land has been minimised, and how the overlapping works will be managed to minimise disruption and sterilisation.</p> <p>Although NZT and H2T are separate projects, STG considers that they are</p>	<p>The Applicant refers to [REP2-038] which outlines the interactions between the Proposed Development, NZT and Hygreen and how the Proposed Development seeks to minimise its impacts on these other developments. The Proposed Development and NZT project will have a number of connections between them, and these plots are required to facilitate those connections. The Applicant and NZT are in discussion with regards to the interfaces relating to these connections, but this will ultimately be a commercial</p>	Not agreed

H2 Teesside Ltd

Statement of Common Ground between H2 Teesside Limited and SouthTees Group imited

Document Ref: 9.9

SoCG ID	Matter	Document ref (if relevant)	South Tees Group Position		Agreed/Ongoing/ Not agreed
			interrelated given BP's role on both projects and the clear overlap of personnel working on both projects.	matter between the parties. It is important to emphasise that NZT is an entirely separate project from H2T. Following Final Investment Decision on NZT, there will be completely separate commercial imperatives for the two projects which will need to be negotiated.	
9	Utilities Corridors		<p>The South Tees Group's view is that the Applicant is seeking permanent rights over utility corridors which are wider than reasonably required, may not align with NZT or existing on-site corridors in the same area, and are not justifiable. The Applicant should only be seeking compulsory acquisition powers over the minimum amount of land required for the Project, whereas the proposed utilities corridors as shown in the current Works Plans (CR1-007) often cover large swathes that the Applicant justifies with the Rochdale Envelope principle.</p> <p>STG's preferred form of protective provisions, initially submitted at Deadline 5, contain a prior approval mechanism to</p>	<p>The Applicant has set out the constraints it is working under in determining pipeline corridor in the Order Width Explanatory Note. For those areas not included in that note, the Applicant will still need to take account of current and future assets (including NZT/NEP), the requirements of Protective Provisions and ground conditions in the detailed design phase. The corridors therefore give the Applicant the flexibility to overcome these constraints and deliver the Proposed Development.</p> <p>Although some progress has been made between the parties, the Applicant has put forward its preferred set of Protective Provisions at Deadline 7A</p>	Not agreed

H2 Teesside Ltd

Statement of Common Ground between H2 Teesside Limited and SouthTees Group limited

Document Ref: 9.9

SoCG ID	Matter	Document ref (if relevant)	South Tees Group Position		Agreed/Ongoing/ Not agreed
			<p>maintain its control over the scope of the Applicant's powers in this regard.</p> <p>As above at SoCG ID3 and ID4, the parties continued to negotiate protective provisions after Deadline 5, but have not agreed one set of protective provisions so STG is submitting its own preferred final form at Deadline 7A.</p> <p>STG considers that, in the circumstances, it is appropriate for the protective provisions to require its consent to the Applicant's land powers.</p>	<p>with commentary on why it considers STG's position is not appropriate on those matters of drafting that are still in dispute.</p>	
10	Utilities Corridors		<p>Land is also proposed to be acquired for multiple energy supply connection alternatives (paragraph 4.3.25 of the Environmental Statement), pipelines for potential gas supplier connections as potential replacements for specific onsite Project features (paragraph 4.3.10) and potential alternatives for hydrogen transmission routing and connections (paragraph 4.3.23). The South Tees Group welcomes the Applicant's reduction to the land required for the utilities corridors at the main Teesworks site with</p>	<p>The Applicant has been engaging with STG's technical teams to discuss and agree suitable corridors for H2Teesside connections. These are reflected in the Change Notification (PDA-019). Plot 15/243 (and nearby plots) are required for raw water import connections.</p> <p>The Applicant refers to its response in SOCG ID 9 above.</p>	Not agreed

H2 Teesside Ltd

Statement of Common Ground between H2 Teesside Limited and SouthTees Group limited

Document Ref: 9.9

SoCG ID	Matter	Document ref (if relevant)	South Tees Group Position		Agreed/Ongoing/ Not agreed
			<p>is reflected in the Applicant's Change Request [CR1-007].</p> <p>The South Tees Group expects that its future development plans and full benefits of the freeport designation will be further protected via its preferred form protective provisions as submitted at Deadline 5, rather than via DCO drafting.</p> <p>STG refers to its responses at SoCG IDs 3, 4 and 9 regarding protective provisions negotiations and its preferred form as submitted at Deadline 7A. Its position relating to the proposed pipeline corridor linking the main site to RBT land [REP7-003] is set out more fully in its Deadline 7A submission.</p>		
11	Scope of Land		The South Tees Group anticipated that its concerns regarding the extent of its land included within the Project's Order limits for utilities would be addressed via the Applicant's change requests [CR1-004] [REP7-062], as well as STG's preferred form protective provisions as submitted	Please see the Applicant's responses to those same SoCG IDs.	Not agreed

H2 Teesside Ltd

Statement of Common Ground between H2 Teesside Limited and SouthTees Group imited

Document Ref: 9.9

SoCG ID	Matter	Document ref (if relevant)	South Tees Group Position		Agreed/Ongoing/ Not agreed
			<p>at Deadline 5. However, this was not the case.</p> <p>STG refers to its responses at SoCG IDs 3, 4, 9 and 10 regarding protective provisions negotiations.</p>		
12	Consent Mechanism		<p>The South Tees Group anticipates that its concern about a consent mechanism for exercise of works or land powers can be addressed with its preferred form protective provisions as submitted at Deadline 5.</p> <p>The South Tees Group refers to its responses at SoCG IDs 3, 4, 9, 10 and 11 above re protective provision drafting and the appropriateness of requiring STG's consent for the Applicant to use its land powers.</p>	The Applicant's position on this is set out in its Deadline 7A submissions, and it considers that STG's consent should not be required for land powers.	Not agreed
13	Alternatives to Compulsory Purchase		STG refers to its responses at SoCG IDs 3, 4, 9, 10, 11 and 12 regarding protective provisions negotiations.	The Applicant refers to its response to SOCG ID 9 above.	Not agreed

H2 Teesside Ltd

Statement of Common Ground between H2 Teesside Limited and SouthTees Group imited

Document Ref: 9.9

SoCG ID	Matter	Document ref (if relevant)	South Tees Group Position		Agreed/Ongoing/ Not agreed
14	Streets, Rights of Way and Accesses		<p>The proposed access in and around plot 15/237 was initially unacceptable to South Tees Group due to interference with planned NZT park and ride.</p> <p>STG has considered the Applicant’s SoCG response [REP3-008] and the Net Zero Teesside Order 2024, and this point is now agreed between the South Tees Group and the Applicant.</p>	<p>The Applicant needs to retain this plot as this is an existing pipeline route leading to an existing raw water offtake point. The Applicant also notes that the extent of the Order Limits at this location reflect those in The Net Zero Teesside Order 2024.</p>	Agreed
15	Streets, Rights of Way and Accesses		<p>Use of access routes permitted by DCO must be conditional on the potential for routes to change as a result of developments or permissions on the Teesworks site.</p> <p>The South Tees Group has provided wording to secure this result in its preferred form protective provisions as submitted at Deadline 5.</p> <p>STG refers to its responses at SoCG IDs 3, 4, 9, 10, 11, 12 and 13 regarding protective provisions negotiations.</p>	<p>The Applicant’s position on this matter is set out in its preferred set of Protective Provisions at Deadline 7A with commentary on why it considers STG’s position is not appropriate on those matters of drafting that are still in dispute.</p>	Not agreed
16	Draft DCO		<p>Updated drafting required as set out in [RR-003] to Articles 2, 8, 10 – 14, 16, 19,</p>	<p>Please see detailed points and responses in Table 3-2 below. On</p>	Protective provisions – not agreed

H2 Teesside Ltd

Statement of Common Ground between H2 Teesside Limited and SouthTees Group limited

Document Ref: 9.9

SoCG ID	Matter	Document ref (if relevant)	South Tees Group Position		Agreed/Ongoing/Not agreed
			<p>25, 39, 43, Part 5, Schedule 2 and Schedule 5.</p> <p>The Applicant has addressed the South Tees Group’s primary concerns about preliminary protective works and articles 8 and 25 at Deadline 4 with updated DCO drafting [REP4-004]. STG also welcomes being included as a consultee in DCO requirement 15.</p> <p>The South Tees Group has submitted its preferred form of protective provisions at Deadline 5, which it anticipates will address its concerns about the remaining articles.</p> <p>STG refers to its responses at SoCG IDs 3, 4, 9, 10, 11, 12, 13 and 15 regarding protective provisions negotiations. Other detailed points and responses are set out in Table 3-2 below.</p>	<p>Protective Provisions, see its response to the same SoCG IDs.</p>	<p>Other DCO drafting matters - agreed</p>
17	Existing Environment		<p>The sensitive receptors referenced in ES Chapter 3 relate to residential properties and ecological designations. However, the existing industrial uses within the Teesworks Masterplan area have not been included, such as the Northumbrian</p>	<p>Following Statutory Consultation, the Northumbrian Water Bran Sands offices were included as a receptor within the noise assessment, presented in 6.2.11 ES Vol 1, Chapter 11: Noise and Vibration [APP-063]. Northumbrian</p>	<p>Agreed</p>

H2 Teesside Ltd

Statement of Common Ground between H2 Teesside Limited and SouthTees Group limited

Document Ref: 9.9

SoCG ID	Matter	Document ref (if relevant)	South Tees Group Position		Agreed/Ongoing/ Not agreed
			<p>Water Bran Sands Regional Effluent Treatment Works, whereby workers could be sensitive to air-borne pollutants or the buildings / equipment / plant could be sensitive to vibration. We request that all sensitive receptors within the Teesworks' Masterplan area be considered in the ES.</p>	<p>Water Bran Sands offices are included as NSR H7. Table 11-34 identified no likely significant effects for this NSR during construction, operation or decommissioning.</p> <p>Industrial use receptors are covered by Health and Safety regulations and would not normally be included in an EIA for air quality.</p>	
18	Traffic and Transport		<p>The South Tees Group initially considered that the construction and operational phases of the Lackenby project have the potential to overlap with that of the H2Teesside scheme and therefore should have been included within the cumulative assessment.</p> <p>STG has reviewed the Applicant's updated cumulative assessment as submitted at Deadline 5 [REP5-015] and is satisfied that it is now comprehensive and up-to-date (ie., in respect of the range of committed developments that are accounted for within it, including at and around the Teesworks area), and considers the conclusions being reached</p>	<p>The referenced planning consent (ref R/2020/0820/ESM) will be constructed between 2028 and 2031, with operation commencing in 2031. The planning consent does not provide construction traffic numbers generated by the site, as the operation phase is anticipated to generate significantly more traffic, and the effects during construction are assessed to be not significant. The Proposed Development is anticipated to see construction between 2025 and 2030, with low levels of operational traffic after 2030. The operational traffic has not been assessed in terms of cumulative impact, due to low numbers. There is therefore no crossover of the</p>	Agreed

H2 Teesside Ltd

Statement of Common Ground between H2 Teesside Limited and SouthTees Group limited

Document Ref: 9.9

SoCG ID	Matter	Document ref (if relevant)	South Tees Group Position		Agreed/Ongoing/ Not agreed
			in respect of cumulative highway / transport effects, and mitigation identified to manage those effects including a construction management plan, to be reasonable and acceptable to STG.	significant traffic impacts of the two planning consents. Consultation should remain ongoing, with relevant mitigation implemented where necessary during construction and operation. The network peak hours can be taken as being 0800 to 0900 and 1600 to 1700, and with reference to Table 15A-40 and 15A-41 of 6.2.15 ES Vol 1 Chapter 15 Traffic and Transport [APP-068], in the weekday AM peak the construction phase will add 31 vehicles to Links 2 and 4 and 4 vehicles to link 11. This is not then considered to result in a severe highway impact based on the criteria set out in that chapter. In the weekday PM peak, there will be a total of 80 trips to links 2 and 4 and 9 vehicle trips to link 11. The impact on links 2 and 4 have then been considered further with a capacity assessment of the A1085 Trunk Road / Teesworks Steel House Gate roundabout being included within Section 15A.7 of the Transport Assessment [APP-210] which concluded that it would continue to operate within capacity at the year of peak	

H2 Teesside Ltd

Statement of Common Ground between H2 Teesside Limited and SouthTees Group imited

Document Ref: 9.9

SoCG ID	Matter	Document ref (if relevant)	South Tees Group Position		Agreed/Ongoing/ Not agreed
				<p>construction, 2026, which is before the 2028-2031 construction period assumed for R/2020/0820/ESM. The Applicant has submitted a Framework Construction Workers Travel Plan [APP-049] and Framework Construction Traffic Management Plan [REP2-013] with the ES, both of which will be form the basis of a Final Construction Workers Travel Plan and Final Construction Traffic Management Plan to support in mitigating any Traffic and Transport effects. It is assumed that all construction compounds to the south of the River Tees will be accessed via the A1085 Trunk Road / Teesworks Steel House Gate roundabout.</p> <p>In the updated Cumulative documentation submitted at Deadline 5 (particularly REP5-034) the Applicant’s position remains the same.</p>	
19	Cumulative Assessment		The South Tees Group requested that a detailed and up to date review of likely cumulative schemes be undertaken and	The cut-off date for the Cumulative Assessment was 01/11/2023 (paragraph 23.3.19 in Chapter 23 Cumulative and Combined Effects [APP-076]). The planning application for	Agreed

H2 Teesside Ltd

Statement of Common Ground between H2 Teesside Limited and SouthTees Group limited

Document Ref: 9.9

SoCG ID	Matter	Document ref (if relevant)	South Tees Group Position		Agreed/Ongoing/ Not agreed
			<p>that any omissions in the current long list of schemes be addressed.</p> <p>STG has reviewed the Applicant's updated cumulative assessment as submitted at Deadline 5 [REP5-015] and is satisfied that it is now comprehensive and up-to-date (ie., in respect of the range of committed developments that are accounted for within it, including at and around the Teesworks area), and considers the conclusions being reached in respect of cumulative highway / transport effects, and mitigation identified to manage those effects including a construction management plan, to be reasonable and acceptable to STG.</p>	<p>R/2023/0793/ESM was submitted on 24/11/2023, after the cut-off date in the Cumulative Assessment. At Deadline 5, the Applicant submitted various documents that updated the Applicant's cumulative impact assessment [REP5-015-REP5-016, REP5-019-REP5-021, REP5-024-REP5-034] to account for Interested Party comments and the passing of time, and development R/2023/0793/ESM has been accounted for in that assessment.</p>	
20	Noise and Vibration		<p>Chapter 11 Noise and Vibration suggests a range of mitigation or enhancement measures may be required, including placing limits on noise emissions from plant and equipment at source secured via Requirements of the draft DCO. Review of the draft Requirements indicates that the control of noise during</p>	<p>No operational noise Requirement is needed as the ES has concluded that no likely significant effects are expected to arise during the Operational phase, with embedded measures that will be secured through the Environmental Permit considered. As such, no</p>	Agreed

H2 Teesside Ltd

Statement of Common Ground between H2 Teesside Limited and SouthTees Group limited

Document Ref: 9.9

SoCG ID	Matter	Document ref (if relevant)	South Tees Group Position		Agreed/Ongoing/Not agreed
			operation is omitted from the list of draft Requirements.	additional mitigation needs to be secured via the DCO. See also the response to SWQ 2.9.9 [REP5-045].	
21	CEMP		We note that a Construction Environmental Management Plan (CEMP) will be prepared prior to construction and a Framework CEMP [APP-043] has been prepared as part of the Environmental Statement. The South Tees Group supports this approach and considers it important that it is centrally involved in the preparation of any CEMP and have the opportunity to input into it prior to its finalisation.	There is a Requirement securing the preparation and approval of a CEMP contained in the Draft DCO [AS-013].	Agreed
22	Waste Water Treatment		The ES states that an Effluent Treatment Plant will be constructed, which will consist of an oily water separator, neutralisation sump, storm water sump and any other suitable treatment to meet agreed discharge standards. All oily water effluents produced by the Hydrogen Production Facility will be sent to the oily water separator. For post separation, there are currently two options	Case 1B (Minimalised Liquid Waste from the ETP) is no longer proposed by the Applicant, as such Case 2B (discharge of effluent to Tees Bay via the NZT outfall) will be progressed. Therefore, effluent will be treated to an appropriate level associated with the use of Best Available Technique and disposed of via the NZT outfall that is to be built as part of the NZT DCO development.	Agreed

H2 Teesside Ltd

Statement of Common Ground between H2 Teesside Limited and SouthTees Group limited

Document Ref: 9.9

SoCG ID	Matter	Document ref (if relevant)	South Tees Group Position		Agreed/Ongoing/ Not agreed
			<p>considered where the liquid effluent will be sent. The first option is to send liquid effluent to Minimum Liquid Discharge Plant on the main site, that may consist of ultrafiltration and Closed-Circuit Reverse Osmosis. This plant will produce a stream of clean water that will be reused in the hydrogen production plant and a brine stream that will be tankered from site to a suitable third-party disposal site. The second option is to treat this effluent to an appropriate level associated with the use of Best Available Technique and disposed of via the NZT outfall that is to be built as part of the NZT DCO development. Any solids will be sent for disposal offsite.</p> <p>There is limited information on the potential quantity of brine steam that will be tankered offsite for disposal by a third party or the quantity of any solids that will be sent for disposal. The South Tees Group requires further detail in respect of both options in order that it can understand the potential for highways impacts associated with both options.</p>		

H2 Teesside Ltd

Statement of Common Ground between H2 Teesside Limited and SouthTees Group limited

Document Ref: 9.9

SoCG ID	Matter	Document ref (if relevant)	South Tees Group Position		Agreed/Ongoing/Not agreed
23	HSE consultation zones for hazardous development		<p>STG noted in its Deadline 7 submission [REP7-062] that one of the substantive barriers to reaching a side agreement with the Applicant was that the Health and Safety Executive's ("HSE's") consultation zones for hazardous development¹ – specifically the eventual contours of its inner zone – would sterilise land on the Teesworks site, by reason of the HSE potentially advising against future planning applications.</p> <p>This is discussed more fully in STG's Deadline 7A submission. STG has also drafted a new protective provisions into its preferred form, also submitted at Deadline 7A, to seek to address this risk should development consent be granted.</p> <p>If a satisfactory, clear commitment to avoid an inner zone on STG's retained land cannot be given, STG is put in</p>	<p>The Applicant is continuing to discuss this matter with STG.</p> <p>It will set out its position on this matter (including that a protective provision is not appropriate) in its Deadline 8 submissions</p>	Not agreed

¹ <https://www.hse.gov.uk/landuseplanning/methodology.htm>

H2 Teesside Ltd

Statement of Common Ground between H2 Teesside Limited and SouthTees Group imited

Document Ref: 9.9

SoCG ID	Matter	Document ref (if relevant)	South Tees Group Position	Agreed/Ongoing/Not agreed
			position where it must object to the development outright.	

Table 3-2: Detailed Matters

Matter	Summary South Tees Group Position	South Tees Group Position	Applicant Position	Agreed/Ongoing/Not agreed
Draft DCO	<p>Updated drafting required as set out in [RR-003] to Articles 2, 8, 10 – 14, 16, 19, 25, 39, 43, Part 5, Schedule 2 and Schedule 5.</p> <p>South Tees Group will submit its</p>	<p>Article 2 – South Tees Group’s concerns with the definition of permitted preliminary works (PPW) to be managed with sufficient protective provisions to ensure works are appropriately controlled and coordinated.</p> <p>The South Tees Group has submitted its preferred form of protective provisions at Deadline 5.</p> <p>STG refers to its responses at SoCG IDs 3, 4, 9, 10, 11, 12, 13, 15 and 16 above</p>	<p>Please see the Applicant’s submissions on the Protective Provisions at Deadline 7A.</p>	<p>Protective provisions – not agreed</p> <p>Other DCO drafting matters - agreed</p>

H2 Teesside Ltd

Statement of Common Ground between H2 Teesside Limited and SouthTees Group imited

Document Ref: 9.9

	preferred form of protective provisions.	regarding protective provisions negotiations.		
		Article 8 - South Tees Group is content with the Applicant's updated drafting that includes of a notification requirement in Article 8 in the DCO submitted at Deadline 4 [REP4-004].	The Applicant has amended the dDCO so that, similar to the approved NZT DCO, the drafting in Article 8 includes a requirement to notify STDC and Teesworks Limited where the transfer or grant relates to the STDC area.	Agreed
		Articles 10 to 14 - South Tees Group's concerns with the these articles are to be managed with sufficient protective provisions to ensure the Applicant's powers will not harm the operation of the Teesworks site. The South Tees Group refers to its responses at SoCG IDs 3, 4, and 9, 10, 11, 12, 13, 15 and 16 above regarding protective provisions negotiations and	The Applicant is confident that protective provisions can be agreed to allay STG's concerns and ensure the powers relating to street works and access works will not harm the operation of the Teesworks site without amendments to drafting in articles 10 to 14. This is reflected in Schedule 30 of the dDCO at Deadline 5 [REP 5-006]. The Applicant also notes Requirement 34 which provides for details of highways access to be approved by the LPA in consultation with STG.	Not agreed

H2 Teesside Ltd

Statement of Common Ground between H2 Teesside Limited and SouthTees Group imited

Document Ref: 9.9

		has submitted its preferred form of protective provisions at Deadline 7A.		
		<p>Article 16 - South Tees Group's concerns with the article to be managed with sufficient protective provisions to temper the Applicant's temporary and general powers under articles 13 and 16 to ensure the Applicant's powers will not harm the development and operation of the Teesworks site.</p> <p>The South Tees Group has submitted its preferred form of protective provisions at Deadline 5.</p> <p>STG refers to its responses at SoCG IDs 3, 4, and 9, 10, 11, 12, 13, 15 and 16 above regarding protective provisions negotiations and has submitted its preferred form of protective provisions at Deadline 7A.</p>	<p>Since the submission of STG's Relevant Representation, the Draft Development Consent Order [REP2-005] has been amended so that traffic regulation measures powers in article 16(2) are subject to consultation with "the chief officer of police in whose area the road is situated" and "written consent of the traffic authority".</p> <p>The Applicant is confident that protective provisions can be agreed that allay STG's concerns and ensure the powers will not harm the development and operation of the Teesworks site as part of the process of finalising Schedule 30.</p>	Not agreed
		Article 19 The South Tees Group's concerns about the scope of this article	The Applicant is confident that protective provisions can be agreed that allay STG's concerns and ensure the powers will not harm the development and operation of the Teesworks	Not agreed

H2 Teesside Ltd

Statement of Common Ground between H2 Teesside Limited and SouthTees Group imited

Document Ref: 9.9

		<p>to be managed with sufficient protective provisions.</p> <p>STG refers to its responses at SoCG IDs 3, 4, and 9, 10, 11, 12, 13, 15 and 16 above regarding protective provisions negotiations and has submitted its preferred form of protective provisions at Deadline 7A.</p>	<p>site as part of the process of finalising Schedule 30.</p>	
		<p>Part 5 – Powers of acquisition – The South Tees Group’s concerns about Part 5 powers of acquisition and possession to be managed with sufficient protective provisions.</p> <p>STG refers to its responses at SoCG IDs 3, 4, and 9, 10, 11, 12, 13, 15 and 16 above regarding protective provisions negotiations and has submitted its preferred form of protective provisions at Deadline 7A.</p>	<p>The Applicant is confident that protective provisions can be agreed which address STG’s concerns however the Applicant considers that it is not appropriate for the Protective Provisions to require STG’s consent to the use of land powers.</p>	<p>Not agreed</p>
		<p>Article 25 - Article 25(2) (Compulsory acquisition of rights etc.) South Tees Group’s concerns about specifying statutory undertakers’ rights over the Teesworks site have been addressed by</p>	<p>Noted</p>	<p>Agreed</p>

		the Applicant’s additional DCO drafting in article 25(2) and (3) [REP4-004].		
		<p>Article 39 - More information was requested about the Applicant’s intended use of this article, and the South Tees Group requested that the Applicant put in place adequate controls or sufficient protective provisions to ensure the Applicant cannot rely upon this article to avoid implementing essential mitigation or other commitments from a different consent.</p> <p>Having regard to the Applicant’s response [REP3-008], STG is content with the position.</p>	<p>The power is to regulate the interface between overlapping planning permissions by preventing enforcement action from being taken in circumstances where multiple permissions have been granted over the same area and development carried out under one permission has made it impossible for another development to proceed. It is not the Applicant’s intention to rely on this article to avoid implementing essential mitigation or other commitments from a different consent.</p>	Agreed
		Article 43 The South Tees Group’s concerns about the ‘deemed consent’ provision to be managed with sufficient protective provisions.	<p>The Applicant would note that the drafting in article 43 of the H2T dDCO is the same as the equivalent article in NZT Order (article 44).</p>	Not agreed

		<p>The South Tees Group has submitted its preferred form of protective provisions at Deadline 5.</p> <p>STG refers to its responses at SoCG IDs 3, 4, and 9, 10, 11, 12, 13, 15 and 16 above regarding protective provisions negotiations and has submitted its preferred form of protective provisions at Deadline 7A.</p>	<p>The Applicant’s Deadline 7A submissions on the Protective Provisions deals with this matter.</p>	
		<p>Schedule 2 – Requirements, Schedule 13 – Procedure for Discharge of Requirements– the South Tees Group notes and welcomes that the draft H2T DCO replicates the consultation role as established for STDC in the NZT DCO. Otherwise, the South Tees Group comments as follows on specific requirements:</p> <p>Missing requirements – several requirements that were included in the NZT DCO are omitted from the H2T DCO, but the South Tees Group’s primary concern is with the lack of a</p>	<p><u>‘Missing’ Requirements point</u></p> <p>The Applicant has inserted a requirement in paragraph 34 of Schedule 2 of the dDCO [REP5-006] that addresses STG’s concerns regarding the approval of the design of accesses.</p> <p><u>Requirement 33</u></p> <p>The Applicant would note that the revised version of the dDCO submitted at Deadline 2 [REP2-005] significantly limits the applicability of Requirement 33. The Applicant refers to its response to ExQ2.9.8 in [REP5-045] but also confirms that in the DCO submitted at DL6A, the</p>	<p><u>Agreed</u></p>

		<p>requirement covering design and approval for means of vehicular access. This has now been addressed with the Applicant’s new requirement 34, added at Deadline 4 [REP4-004].</p> <p>Requirement 33 – Disapplication of requirements discharged under The Net Zero Teesside Order 2024 – The South Tees Group welcomes the Applicant’s narrowing the scope of Requirement 33 at Deadline 2 [REP2-005]. Its concerns about the effects of the current drafting remain as set out in its written summary of oral submissions from ISH2 [REP4-057]. STG welcomes the changes the Applicant made to dDCO Requirement 33</p>	<p>Applicant amended the drafting of Req 33 to accommodate these points as follows:</p> <ul style="list-style-type: none">• replacing “relevant part of” with “the requirements in the relevant paragraph of” in Req 33(1)(a), (b) and (c); and• amending Req 33(1)(c)(ii) to: “also to be utilised in the form as discharged pursuant to The Net Zero Teesside Order 2024 for the purposes of the authorised development”.	
--	--	---	--	--