

Net Zero Teesside Project

Planning Inspectorate Reference: EN010103

Land at and in the vicinity of the former Redcar Steel Works site, Redcar and in Stockton-on-Tees, Teesside

The Net Zero Teesside Order

Document Reference: 9.3 – Written Summary of Oral Submission for Issue Specific Hearing 2 (ISH2)

The Planning Act 2008



Applicants: Net Zero Teesside Power Limited (NZN Power Ltd) & Net Zero North Sea Storage Limited (NZNS Storage Ltd)

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1.0 INTRODUCTION

1.1 Overview

1.1.1 This Written Summary of Oral Submission for Issue Specific Hearing 2 ('ISH2') (Document Ref. 9.3) has been prepared on behalf of Net Zero Teesside Power Limited and Net Zero North Sea Storage Limited (the 'Applicants'). It relates to the application (the 'Application') for a Development Consent Order (a 'DCO'), that has been submitted to the Secretary of State (the 'SoS') for Business, Energy and Industrial Strategy ('BEIS'), under Section 37 of 'The Planning Act 2008' (the 'PA 2008') for the Net Zero Teesside Project (the 'Proposed Development').

1.1.2 The Application was submitted to the SoS on 19 July 2021 and was accepted for Examination on 16 August 2021. A change request made by the Applicants in respect of the Application was accepted into the Examination by the Examining Authority on 6 May 2022.

1.2 Description of the Proposed Development

1.2.1 The Proposed Development will work by capturing CO₂ from a new the gas-fired power station in addition to a cluster of local industries on Teesside and transporting it via a CO₂ transport pipeline to the Endurance saline aquifer under the North Sea. The Proposed Development will initially capture and transport up to 4Mt of CO₂ per annum, although the CO₂ transport pipeline has the capacity to accommodate up to 10Mt of CO₂ per annum thereby allowing for future expansion.

1.2.2 The Proposed Development comprises the following elements:

- **Work Number ('Work No.') 1** – a Combined Cycle Gas Turbine electricity generating station with an electrical output of up to 860 megawatts and post-combustion carbon capture plant (the '**Low Carbon Electricity Generating Station**');
- **Work No. 2** – a natural gas supply connection and Above Ground Installations ('AGIs') (the '**Gas Connection Corridor**');
- **Work No. 3** – an electricity grid connection (the '**Electrical Connection**');
- **Work No. 4** – water supply connections (the '**Water Supply Connection Corridor**');
- **Work No. 5** – waste water disposal connections (the '**Water Discharge Connection Corridor**');
- **Work No. 6** – a CO₂ gathering network (including connections under the tidal River Tees) to collect and transport the captured CO₂ from industrial emitters (the industrial emitters using the gathering network will be responsible for consenting their own carbon capture plant and connections to the gathering network) (the '**CO₂ Gathering Network Corridor**');
- **Work No. 7** – a high-pressure CO₂ compressor station to receive and compress the captured CO₂ from the Low Carbon Electricity Generating Station and the CO₂

Gathering Network before it is transported offshore (the '**HP Compressor Station**');

- **Work No. 8** – a dense phase CO₂ export pipeline for the onward transport of the captured and compressed CO₂ to the Endurance saline aquifer under the North Sea (the '**CO₂ Export Pipeline**');
- **Work No. 9** – temporary construction and laydown areas, including contractor compounds, construction staff welfare and vehicle parking for use during the construction phase of the Proposed Development (the '**Laydown Areas**'); and
- **Work No. 10** – access and highway improvement works (the '**Access and Highway Works**').

1.2.3 The electricity generating station, its post-combustion carbon capture plant and the CO₂ compressor station will be located on part of the South Tees Development Corporation ('STDC') Teesworks area (on part of the former Redcar Steel Works Site). The CO₂ export pipeline will also start in this location before heading offshore. The generating station connections and the CO₂ gathering network will require corridors of land within the administrative areas of both Redcar and Cleveland and Stockton-on-Tees Borough Councils, including crossings beneath the River Tees.

1.3 The Purpose and Structure of this document

1.3.1 The purpose of this document is to provide a Written Summary of the Oral Submission for Issue Specific Hearing 2 ('ISH2'), held at 10am on 11 May 2022.

1.3.2 This document is structured as follows:

- Section 2 – Written Summary of Oral Submission for ISH2.

2.0 WRITTEN SUMMARY OF ORAL SUBMISSION – ISSUE SPECIFIC HEARING 2

2.1 Written Summary of Oral Submission – ISH2

2.1.1 The Applicant’s summary of ISH2 is provided in **Table 2.1** below:

Table 2.1: Summary of Oral Submission ISH2

No.	Agenda	Summary of Oral Submission
1.	<p>Item 1</p> <p>Welcome, introductions and arrangements for the Issue Specific Hearing</p>	N/A
2.	<p>Item 2</p> <p>Purpose of the Hearing</p>	N/A
3.	<p>Item 3</p> <p>Articles and Schedules of the dDCO (excluding Schedules 2, 12, 13 and 14)</p> <ul style="list-style-type: none"> The Applicants will be asked to provide a very brief overview of each part of the DCO. The ExA will then ask questions in respect 	<p>Nick McDonald (“NM”), appearing on behalf of the Applicants, makes the following submissions:</p> <p>The latest version of the Draft Order is that submitted on 28 April 2022 as part of the Applicants’ request to make changes to the DCO Application (Doc. Ref. 2.1 / AS-136). That made the amendments required to the Draft Order only in relation to the Proposed Development changes, and the Order is otherwise the same as Revision 2 dated October 2021 (AS-004).</p>

	<p>DCO powers, seeking responses where appropriate from the Applicants, Redcar and Cleveland Borough Council (RCBC), Stockton-on-Tees Borough Council (STBC). The Marine Management Organisation (MMO), the Environment Agency (EA), Natural England (NE) and other Interested Parties (Ips). IPs will also be invited to ask questions of clarification in relation to DCO Articles and Schedules</p>	<p>The Draft Order is in the form of a statutory instrument, as required, and adopts a similar structure to many DCOs which have been made previously. It includes provisions and drafting which are required to enable the Proposed Development to be constructed, commissioned and operated and which is similar to that in many previous DCOs, adapted and updated where required.</p> <p>The Draft Order is split into 6 parts with 48 main articles, and has 15 schedules setting out matters of detail referred to in the articles. NM briefly outlines the main provisions in the Order, referring to the schedules where relevant.</p> <p><u>Part 1 – Preliminary</u> Part 1 contains 3 articles, providing for the final Order’s name and the date it will come into force, Article 2 defining a number of terms which are used in the Order and Article 3 dealing with electronic communications.</p> <p><u>Part 2 – Principal powers</u> Part 2 contains the principal powers, with Article 4 providing development consent for the authorised development, and Articles 5 and 6 providing powers for its maintenance and operation. Schedule 1 to the Order sets out the ‘authorised development’, split into Work Numbers and which are shown on the Works Plans (Doc. Ref. 4.4 / AS-148).</p> <p>Articles 7 and 8 identify that it is principally the undertaker who has the benefit of the Order (split between Projects A and B), and also set out how and to whom the benefit of the Order can be transferred.</p> <p>Article 9 gives effect to the modification and application of various statutory provisions which interact with the Proposed Development, either set out in the Article itself or in Schedule 3 to the Order.</p>
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		<p><u>Part 3 – Streets</u> Part 3 sets out the powers in relation to streets, within Articles 10 to 16, to allow the undertaker to carry out works to streets and within streets, to temporarily stop up streets, public rights of way and access land, to enter in agreement with street authorities and to manage traffic. Schedules 4 to 6 set out details in relation to the streets Articles, such as specific streets or public rights of way to which works are proposed or where temporary stopping up may be required.</p> <p><u>Part 4 – Supplemental powers</u> Part 4 contains various ancillary powers required in relation to the authorised development, to allow the discharge of water, works to trees, protective works to buildings, surveys and investigations, and to deal with the removal of any human remains which may be found.</p> <p><u>Part 5 – Powers of acquisition</u> Part 5 contains the powers and provisions relating to land, and in particular permit the undertaker to compulsorily acquire or take temporary possession of the Order land. The way in which the powers can be exercised and in relation to which land is controlled by the drafting in the Articles, the related detail in Schedules 7 to 9, and as delineated on the Land Plans (Doc. Ref. 4.2 / AS-146). Part 5 contains a number of other Articles which set out how and when the powers of compulsory acquisition or to take temporary possession can be used, including in relation to statutory undertakers.</p> <p><u>Part 6 – Miscellaneous and general</u> Part 6 includes the other provisions required in the Order:</p> <ul style="list-style-type: none">• The granting of deemed marine licences (37), themselves set out in Schedules 10 and 11 (relating to Projects A and B respectively);• Articles dealing with Crown land (43) and requiring financial security to be put in place before any powers of compulsory acquisition are exercised (48);
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		<ul style="list-style-type: none">• An article to give effect to protective provisions (41) and which are contained in Schedule 12;• Those relating to the application of landlord and tenant law (38), operational land for the purposes of the 1990 Act (39), statutory nuisance (40), a saving for Trinity House (42), certification of documents (45) (as set out in Schedule 14), notices (46), and procedures for approvals/disputes (44 and 47). <p>In response to questions from the ExA on the Articles of the draft DCO, NM and HPQC respond as follows (or confirm the position below where the Applicants agreed to revert in writing):</p> <ul style="list-style-type: none">• The statement in the preamble to the Order relating to open space is normal to include at this stage, and is required by section 132(2) of the Planning Act 2008.• The reference to “Hartlepoons” is correct in being referred to in the plural in the name of the Tees and Hartlepoons Port Authority Act 1966.• Include “the 2009 Act” within Article 2. It is defined in Schedule 10 and appears in the definition of deemed marine licences. <i>Post-Hearing Note: The Applicants agree with the proposed change to include the definition of the “2009 Act” in Article 2. As pointed out by the ExA at ISH2, there is a reference to the “2009 Act” in Article 37 of the draft DCO. Article 2(1) specifies that the definitions apply “in this Order” and therefore Article 37 must be interpreted by reference to Article 2. The Applicants will make this change in the draft DCO to be submitted at Deadline 2.</i>• The definition of apparatus in article 2 has been updated to reflect the infrastructure that may be required to be placed in streets in relation to the authorised development.
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		<ul style="list-style-type: none">• The Applicant is reviewing the comments of the Marine Management Organisations (“MMO”) on the draft DCO (and Schedules 10 and 11 in particular) and is updating the document in accordance with discussions with them. <i>Post-Hearing Note: the Applicants sent a table of responses to the MMO’s comments on the DML drafting points in Schedule 10 and Schedule 11 of the DCO, will discuss these further with the MMO as necessary and will make the relevant updates in the draft DCO to be submitted at Deadline 2.</i>• The definition of “Date of Final Commissioning” is one used in previous power generation DCOs. NM believes the definition of “Emergency” has also been used before. <i>Post-Hearing Note: The Applicants would direct the ExA to The Immingham Open Cycle Gas Turbine Order 2020, which utilises the same drafting of the definitions of “Commissioning” and “Emergency” and has been accepted by the Secretary of State. The Applicants would also direct the ExA to The Abergelli Power Gas Fired Generating Station Order 2019, which contains an almost identical definition of “commissioning” and has been accepted by the Secretary of State. The Applicants have reviewed the use of the “date of final commissioning” in the DCO and consider that this will need to be either amended, or an additional definition inserted in Article 2, in order to provide an effective trigger for compliance with all of the Articles and Requirements which use the term. The Applicants will make any necessary amendments in the draft DCO to be submitted at Deadline 2.</i>• NM will review consistency points, between the use of “worker travel plan” and “workers travel plan”. <i>Post-Hearing Note: The Applicants will amend the DCO at Deadline 2 to refer to “construction worker travel plan” (singular) to match the name of the framework document submitted with the Application (APP-333).</i>• Article 2 “Indicative landscaping and biodiversity strategy”. Update to ‘landscape’ and/ or check for consistency. NM: any required updates will be included in the
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		<p>revised Draft DCO to be submitted at Deadline 2. <i>Post-Hearing Note: The Applicants have reviewed Article 2 and Requirements 4 and 16 in Schedule 2.</i></p> <p><i>Requirement 4(1) correctly specifies that a “landscaping and biodiversity protection plan” must be submitted and approved by the planning authority prior to the commencement of each part of the authorised development. This plan applies generally to securing the planning authority’s approval for any protective landscaping and biodiversity arrangements throughout the construction period. Paragraph 4(4) correctly specifies that no part of Work Nos 1 or 7 may be commissioned until a “landscaping and biodiversity management and enhancement plan” for that part has been submitted and approved by the planning authority. This plan applies specifically to securing the planning authority’s approval for management and enhancement measures prior to the commissioning (and subsequent operation) of the generating station and CO2 compressor station. Paragraph 16(2) correctly specifies that the Construction Environmental Management Plan submitted to and approved by the planning authority must be in accordance with the framework construction environmental management plan and the indicative landscaping and biodiversity strategy.</i></p> <p><i>Notwithstanding that the drafting at paragraphs 4(1), 4(4) and 16(2) of Schedule 2 is correct, the Applicants have identified the following matters that will be updated in the draft DCO to be submitted at Deadline 2: Paragraph 4(7) specifies that only the plan submitted pursuant to paragraph 4(1) (the protection plan) needs to be in accordance with the “indicative landscaping and biodiversity strategy” submitted as part of the DCO application (APP-079). The “indicative landscaping and biodiversity strategy” encompasses measures for protection but also management and enhancement. Accordingly both the “protection plan” under paragraph 4(1) and the “management and enhancement plan” under paragraph 4(4) should be in accordance with the “indicative landscaping and biodiversity strategy”. The</i></p>
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		<p><i>Applicants also submitted an updated Landscaping and Biodiversity Plan Rev 2 - Apr 22 (AS-189) as part of its change application in April 2022, which was accepted by the Examining Authority pursuant to its procedural decision dated 6 May 2022. The updated Landscaping and Biodiversity Plan Rev 2 – Apr 22 relates to the “indicative landscaping and biodiversity strategy” and accordingly should be secured in the Order. This replaces the original Landscaping and Biodiversity Plan (APP-067). In Schedule 14 (documents and plans to be certified) the reference to “indicative landscape and biodiversity strategy” is to be changed to the “indicative landscaping and biodiversity strategy”.</i></p> <ul style="list-style-type: none"> • The Draft DCO does not adopt limits of deviation because the development consented under the Order must be carried out within the numbered areas shown on the Works Plans [AS-148], as secured by article 4. In response to a question from Tom Henderson appearing for STDC, HPQC confirms the Applicants will comment on any requirement for Limits of Deviation in their response to STDC’s Relevant Representation (see Document Ref. 9.6). • HPQC makes comment on the definition of “maintain”, which is frequently debated in Examinations. The key point is that the permitted activity must stay within the concept of maintenance, if it goes beyond the concept of maintenance then it will fall out of the definition. The definition is also constrained by reference to a significant adverse effect in the Environmental Statement. • NM confirms the Applicants will check and confirm to the ExA in their post-hearing note whether the definition of “undertaker” ought to include decommissioning. <i>Post-Hearing Note: The Applicants have assessed the likely significant environmental effects of decommissioning of the Proposed Development in the Environmental Statement. However, in line with a number of DCOs, development consent is not sought for the decommissioning of the Proposed Development and</i>
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		<p><i>therefore the definition of the “undertaker” in Article 2 should not refer to “decommissioning”.</i></p> <ul style="list-style-type: none">• In respect of the deemed Marine Licences (Schedules 10 and 11) the intention is that these sit separately from the DCO and so definitions relevant to the deemed Marine Licences should sit in those draft Licences rather than refer to Article 2 of the draft DCO.• NM believes the definition for “electronic communication” has appeared in other DCOs but the Applicant will confirm in writing to the ExA in the post hearing note. <i>Post-Hearing Note: The Applicants would direct the ExA to The South Humber Bank Energy Centre Order 2021, which utilises similar drafting of the electronic communications provision and has been accepted by the Secretary of State.</i>• In respect of Article 4, NM confirms this approach has been used in other DCOs, provides clarity in terms of the powers granted in the DCO in terms of Project A and Project B, and that the Applicants can provide more examples (in addition to those provided in the Explanatory Memorandum [AS-127]) in the post-hearing note. HPQC confirms this approach was taken on the Hinkley Connection DCO. <i>Post-Hearing Note: The Applicants do not consider that splitting the authorised development into two projects (Project A and Project B) creates potential problems. The definitions of Project A and Project B referred to in Articles 4(1) and 4(2) respectively are clear as to which parts of the authorised development described in Schedule 1 and shown on the Works Plans fall within the parameters of each project (or both projects where there is shared infrastructure). The construction and operation of the infrastructure would in turn be managed through arrangements between the undertaker responsible for Project A and the undertaker responsible for Project B. There is precedent for having more than one party where a development consent order authorises development that comprises infrastructure</i>
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		<p><i>that is capable of being operated independently. This is common in DCOs for offshore wind farm development where regulatory requirements specify that generation and transmission assets must be operated by separate electricity licence holders, a similar concept to the split between the emitter (NZT Power) and CO2 collection, transport and storage (NZNS Storage) in this case. With respect to the National Grid (Hinkley Point C Connection Project) Order 2016, there were two undertakers for the electrical connection works, comprising National Grid and Western Power Distribution (South West) plc. The Applicants do not consider that including two undertakers presents any issue from an enforcement perspective with both the planning authority and beneficiaries of the protective provisions having the right to enforce the terms of the Order against the party or parties who benefit from development consent for each part or parts of the development or the undertaker which has (if relevant) breached the terms of the Order.</i></p> <ul style="list-style-type: none"> • NM confirms there is a functional link between Project A and Project B, and that the construction schedule for the two is combined, as outlined at ISH1. The Applicants agree to provide a supplementary response to the ExA as to whether the DCO ought to contain specific provision to ensure both Projects will be built and operated. <i>Post-Hearing Note: There is no provision in the draft DCO to ensure that both projects “will happen together”. Furthermore, the Applicants do not consider it is necessary for a provision to be inserted in the draft DCO that imposes that requirement. Set out below is the general position in relation to this matter, followed by an explanation of the amendments to Requirement 31 that the Applicants intend to make (to ensure that the capture and transport of CO2 from the generating station is enabled), and information on the wider cluster/emitter process which is relevant to this question.</i> <p><i>A planning consent is just that, a permission to build a development and not a requirement to do so. The Applicants are not aware of any statutory or policy</i></p>
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		<p><i>requirement that would suggest the DCO should include a ‘build out’ obligation so that different elements of the authorised development must come forward together. The Applicants are also not aware of any such precedent, either generically or specifically in relation to power or CCUS projects.</i></p> <p><i>Specifically in relation to requirements, NPS-EN1 states that they should be necessary, relevant to planning, relevant to the development to be consented, enforceable, precise and reasonable in all other respects. NPS-EN1 also states that requirements should comply with ‘The use of conditions in planning permissions: Circular 11/95’ or its successor. The National Planning Practice Guidance (the NPPG, updated 23 July 2019) now sets out the Government’s policy for conditions, stating the same tests as those above in NPS EN-1. The NPPG also specifically notes some types of conditions which “should not be used”, stating that “Conditions requiring a development to be carried out in its entirety will fail the test of necessity by requiring more than is needed to deal with the problem they are designed to solve. Such a condition is also likely to be difficult to enforce due to the range of external factors that can influence a decision whether or not to carry out and complete a development.”</i></p> <p><i>Specifically in relation to the generating station (Work No. 1A), the Applicants do however propose to amend Requirement 31 (currently titled ‘Carbon dioxide storage consent’) so that there is certainty in terms of the ability of the CO2 from the CCGT to be captured and stored. The Applicants will amend Requirement 31 so that it prohibits any part of the authorised development (Project A or Project B) from commencing development, save for the permitted preliminary works, until details of the following have been submitted to and approved by the relevant planning authority (the latter two are new provisions compared to the current draft DCO)— a) evidence that a CO2 storage licence has been granted; (b) evidence that an Environmental Permit is in place for Work No. 1; and (c) evidence of any pipeline</i></p>
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		<p><i>works authorisation required by section 14 of the Petroleum Act 1998 for offshore pipeline works.</i></p> <p><i>The Environmental Permit will contain operational controls over the generating station (in relation to matters such as the capture of CO2 and the rate of that capture). The DCO should not and does not need to duplicate those.</i></p> <p><i>The Applicants also propose drafting in Requirement 31 that specifies that Work No. 1A (the generating station) may not be brought into commercial use without Work No. 1C, 7 and 8 also being brought into use. This prohibits the undertaker from operating the generating station without also constructing and bringing into use the CCGT capture plant, the high-pressure compression station and the onshore section of the CO2 export pipeline. Whilst Work Nos. 7 and 8 are part of Project B, they are required to enable the CO2 captured from the generating station (and other emitters) to be transported and stored. Work No. 8 (the CO2 export pipeline) of course cannot be brought into use unless the offshore section of the export pipeline and CO2 storage are also constructed and in use, so that is inherently secured too.</i></p> <p><i>These amendments to Requirement 31, alongside the environmental permitting regime, ensure that the generating station will only come forwards as one from which the CO2 will be captured and transported for permanent storage.</i></p> <p><i>In relation to the CO2 Gathering Network (Work No. 6), there are provisions to be included in the agreements between a cluster and Government (Carbon Capture Usage and Storage – An update on the business model for Transport and Storage – Annexes A to D, January 2022) relating to: a licence being granted for a specified transport and storage network area (which in this case would include the Teesside area); obligations to offer access to CO2 emitters to the network; and availability of</i></p>
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		<p><i>the transport and storage network once operational. There will also be a 'T&S Code' which amongst other matters will set out the procedure for emitters to connect to and access the CO2 transport and storage network.</i></p> <p><i>The Applicants therefore consider that, in addition to there being no statutory or policy requirement for the DCO to include a provision requiring the CO2 Gathering Network to come forward in tandem with the generating station, there will in any case be a separate regime which governs and controls the bringing forward of the transport and storage network, and which encompasses the onshore gathering network (Work No. 6).</i></p> <ul style="list-style-type: none">• <i>The Applicants confirm it will come back to the ExA in the post-hearing note as to whether Article 5 ought to contain a part (3) covering works not caught by the deemed Marine Licences. Post-Hearing Note: The Applicants do not consider that a third limb is required. The maintenance of the authorised development is authorised in the marine environment except to the extent that the works comprise marine licensable activities that require a licence under the Marine and Coastal Access Act 2009. Under paragraph 3 of the deemed marine licences in Schedules 10 and 11, the licensed activities are authorised in relation to "the construction, <u>maintenance</u> and operation of—" the Work Numbers that are located in the marine environment, namely: 1) In respect of Project A, Work Numbers 2A, 5A and 5B; and 2) in respect of Project B, Work Numbers 5A, 5B, 6 and 8."</i>• <i>NM explains Article 8 in conjunction with Work Number 5A and agrees to review the drafting regarding the phrase "may nominate". Post-Hearing Note: The Applicants will amend the reference to "may nominate" to require that there is a written notification for nominating a transfer to a party other than STDC. The Applicants will make the change in the draft DCO to be submitted at Deadline 2.</i>
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		<ul style="list-style-type: none">• The Applicants will confirm in writing whether “displayed” should apply to Article 12(4)(e). <i>Post-Hearing Note: The Applicants agree that the wording after “displayed” has general effect in respect of limbs a) to e). The wording should be moved down a line in the paragraph in order that it has general effect. The Applicants will make the changes in the draft DCO to be submitted at Deadline 2.</i>• The Applicants agree to review the timing consistency between Article 13 and Article 16 of the draft DCO. <i>Post-Hearing Note: Requirement 16(1) authorises the undertaker to carry out traffic regulation measures prior to the date that is 12 months after the “date of final commissioning”. The Applicants are reviewing the definition of “date of final commissioning” which is used in Article 16(1) and which will need to be either amended, or an additional definition inserted in Article 2, in order to provide an effective trigger for compliance with all of the Articles and Requirements to which it relates. The Applicants will make the changes in the draft DCO to be submitted at Deadline 2.</i>• NM explains in relation to Article 13 that the Applicants are seeking approval to the principle of restrictions in relation to the access land now, and that therefore 13(4)(c) provides for consultation with Natural England but not a control. NM also noted requirement 5 (Schedule 2) which requires the submission, approval and implementation of a management plan in relation to any proposed access land restrictions.• Article 16(1) and Explanatory Memorandum 3.4.1. Clarify timings. <i>Article 16(1) authorises the undertaker to carry out traffic regulation measures prior to the date that is 12 months after the “date of final commissioning”. The Applicants are more broadly reviewing the use of the “date of final commissioning” in the DCO and consider that this will need to be either amended, or an additional definition inserted in Article 2, in order to provide an effective trigger for compliance with all</i>
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		<p><i>the Articles and Requirements to which it relates. The Applicants will make the amendments in the draft DCO to be submitted at Deadline 2.</i></p> <ul style="list-style-type: none"> • In respect of Article 20 NM explains that it does not specify that consents ‘must not be unreasonably withheld or delayed’ as Article 44 deals generally with the giving of consents. • In respect of Article 32(4)(a) the Applicants consider the period of 28 days to be reasonable to enable the prompt delivery of the Project. HPQC confirms Hinkley Point C Connection had a period of 14 days. The Applicant agrees to provide more examples in the post-hearing note. <i>Post-Hearing Note: The 28-day or shorter period is well established under other DCOs accepted by the Secretary of State including: Article 29(2) of the National Grid (Hinkley Point C Connection Project) Order 2016 authorises a minimum of 14 days’ notice, Article 29(3) of The Cleve Hill Solar Park Order 2020 authorises a minimum of 28 days’ notice, Article 27(3) of The Norfolk Vanguard Offshore Wind Farm Order 2022 authorises a minimum of 28 days’ notice, Article 27(3) of The East Anglia TWO Offshore Wind Farm Order 2022 authorises a minimum of 28 days’ notice and Article 29(3) of The Thurrock Flexible Generation Plant Development Consent Order 2022 authorises a minimum of 28 days’ notice.</i> • The Applicants agree to review Article 44 in terms of whether it should specifically state whether it applies, or not, to the deemed Marine Licences. It will also review whether the term ‘consenting authority’ should be defined in Article 44 or Article 2. <i>Post-Hearing Note: The Applicants agree that Article 44(6) which defines the “consenting authority” should be deleted and the same definition added to Article 2 (Interpretation). The term “consenting authority” is not given a different meaning elsewhere in the DCO in order to necessitate a bespoke definition to be included in Article 44. The Applicants will make the changes in the draft DCO to be submitted at</i>
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		<p><i>Deadline 2. The definition of “consenting authority” does not include the MMO in order for the Article to apply in respect of an approval under the deemed Marine Licences in Schedule 10 and 11. The Applicants do not therefore propose any amendment in relation to that aspect.</i></p> <ul style="list-style-type: none"> • The Applicants will fill in the text in the Explanatory Note at the end of the draft DCO. <i>Post Hearing Note: The Applicants will make the changes in the draft DCO to be submitted at Deadline 2.</i> <p>In response to questions from the ExA on the Schedules of the draft DCO, NM responds as follows:</p> <ul style="list-style-type: none"> • Schedule 1 - The Applicants will review the terms CCGT and CCP cooling infrastructure in Work No. 1B for whether they ought to be defined, noting that the terms relate to the text on the Works Plans. <i>Post Hearing Note: The Applicants will add definitions of “CCGT” and “CCP” to Article 2 (Interpretation) of the DCO.</i> • Schedule 15 – Dr Richard Lowe, for the Applicants, explains why no minimum stack height is proposed, for the reason that if the Project is able to utilise a lower absorber tower height, a lower stack height could also be used. HPQC states that the Applicants will be required to satisfy the Environment Agency in order to obtain the required environmental permit. To impose a minimum height now could end with a net environmental effect that is not as good as it could otherwise be. The Applicants agree to review the Kemsley Paper Mill (K4) CHP Plant and provide comment on that DCO. <i>Post Hearing Note - Regarding the use of a minimum stack height, as outlined in the Environmental Statement Chapter 4 [APP-086] the Rochdale Envelope approach has been applied because the detailed design of the First Of A Kind plant has not yet been completed. Therefore a worst case</i>
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		<p><i>(maximum) height, width and length of the absorber tower has been identified to enable landscape and visual assessments to be completed. The dimensions of that absorber tower are such that this leads to some downwash effects that affect the dispersion of the plume from the stack on top of the tower and this has been used to set an appropriate stack height such that the emissions are adequately dispersed so as to not give rise to significant effects. Following detailed design of the plant it may be possible to reduce the height, width and/ or length of the absorber tower. Depending on the licensor selection it may also be possible to reduce the emission concentrations of pollutants from the absorber – at this stage worst case emission levels have been assessed so as to present a conservative assessment. Therefore the final design of the plant could allow a lower stack height to be used whilst still achieving the same – or lower - effects on air quality to those presented in the ES. Setting a minimum stack height at this stage could therefore mean that the height thus specified ends up being higher than necessary to achieve the same environmental outcomes. Therefore the use of a minimum stack height is not considered appropriate given that it would be based on a maximum height of the absorber tower.</i></p> <ul style="list-style-type: none"> • That there are a variety of control mechanisms to secure the installation of cables and pipelines, such as that Schedule 1 specifies the method to be used, or through detailed design, and that the Construction Environmental Management Plan needs to be approved by the relevant planning authority and implemented as approved.
4.	<p>Item 4</p> <p>Schedule 2 of the dDCO – Requirements and Schedules 13 Procedure for Discharge of Requirements</p>	<p>Geoff Bullock (“GB”), for the Applicants, agree to provide an overview of the Requirements in a post-hearing note, as follows:</p> <p>Schedule 2 to the draft Order (Document Ref. 2.1) [AS-136] sets out the ‘requirements’ that are proposed to control the construction, commissioning, operation and decommissioning of the authorised development. The requirements are one of the key</p>

	<ul style="list-style-type: none"> • The Applicants will be asked to provide an overview of the Requirements. The ExA will then ask questions, seeking responses where appropriate from the Applicants, RCBC, STBC, the MMO, the EA, NE and other IPs. IPs will also be invited to ask questions of clarification in relation to DCO Requirements. • The ExA will ask IPs and particularly RCBC and STBC whether the relevant planning authorities have any concerns in principle with the proposed approaches taken to the discharge of requirements, or for managing appeals or disputes under the dDCO. 	<p>mechanisms for ensuring that the mitigation assumed for the purposes of assessing the likely significant environmental effects of the authorised development (as reported within the Environmental Statement (ES) (Document Refs. 6.2 / [APP-081 to 107]) is secured.</p> <p>A number of requirements (with the exception of Requirements 3(10) ‘Detailed design (in respect of Work No 9); 4 ‘Landscaping and biodiversity protection management and enhancement; 13 ‘Contaminated land and ground water (only allows for geotechnical surveys and other investigations for the purpose of assessing ground conditions); 14 ‘Archaeology’; and 15 ‘Protected species’) allow for “Permitted Preliminary Works” (PPWs) to take place prior to their discharge. PPWs are defined at article 2 ‘Interpretation’ of the draft Order and include various surveys, the preparation of facilities for the use of contractors, temporary means of enclosure, and other works agreed by the relevant planning authority, provided these do not give rise to new or materially different environmental effects from those reported in the ES. The definition of PPWs within the draft Order broadly aligns with the definitions used in numerous Orders that have been made by the Secretary of State.</p> <p>Various requirements allow for their discharge in relation to a “part” of the authorised development. This for example, allows for the submission and approval of details for a particular part of the authorised development, if the detailed design and construction programme for that part is ahead of other parts of the development, thereby providing the undertaker with the scope and flexibility to proceed with certain parts of the development while the details for other parts are still being finalised. This will assist with the timely delivery of the development and is consistent with the approach that has been taken to the discharge of requirements within a large number of other Orders.</p> <p>Requirement 1 ‘Commencement of the authorised development’ requires the authorised development to be commenced within five years of the date the Order comes into force</p>
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		<p>and for the undertaker to give the relevant planning authority 14 days’ notice of its intention to commence the development.</p> <p>Requirement 2 ‘Notice of start and completion of commissioning’ requires the undertaker to give the relevant planning authority 14 days’ notice of the intended start of commissioning and the intended date of final commissioning.</p> <p>Requirement 3 ‘Detailed design’ requires the submission and approval by the relevant planning authority of the detailed design of the authorised development (Work Nos. 1, 2A, 2B, 3, 4, 5, 6, 7, 8 and 9). It also secures the design parameters at Schedule 15 of the draft Order in relation to Work Nos. 1, 3 and 7.</p> <p>There are a significant number of requirements that control the construction of the authorised development and/or require the submission and approval of details by the relevant planning authority prior to the commencement of the development or the relevant parts of the development and/or the carrying out of certain works or implementation of schemes and plans prior to construction.</p> <p>These include Requirements 4(1) to (3) ‘Landscape and biodiversity protection management and enhancement’; 5 ‘Public rights of way and access to land’; 6(1) ‘External lighting’; 7(1) ‘Highway accesses’; 8(1) and (2) ‘Means of enclosure’; 10 ‘Fire prevention’ (in respect of Work Nos. 1 or 7); 11 ‘Surface and foul water drainage’; 12(1) and (2) ‘Flood risk mitigation’; 13 ‘Contaminated land and ground water’; 14 ‘Archaeology’; 15 ‘Protected species’; 16 ‘Construction environmental management plan’; 17 ‘Protection of highway surfaces’; 18 ‘Construction traffic management plan’; 19 ‘Construction workers travel plan’; 20 ‘Construction hours’; 21 ‘Control of noise and vibration – construction’; 23 ‘Piling and penetrative foundation design’ (in respect of Work Nos. 1 or 7); 24 ‘Waste management on site – construction wastes’; 27 ‘Aviation warning lighting’ (in respect of Work No. 1); 28 ‘Air safety’ (in respect of Work Nos. 1 or 7).</p>
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		<p>A number of the requirements control the commissioning and operation of the authorised development and/or require the submission and approval of details by the relevant planning authority prior to the commissioning or operation of the development, and/or the carrying out of certain works or implementation of schemes and plans prior to commissioning or operation, including Requirements 4(4) to (8) 'Landscape and biodiversity protection management and enhancement' (also requires the replacement of shrubs/trees within 5 years after planting); 6(1) 'External lighting'; 7(3) 'Highway accesses'; 8(3) and (4) 'Means of enclosure'; 9 'Site security'; 10(2) 'Fire prevention'; 11(5) 'Surface and foul water drainage'; 12(3) 'Flood risk mitigation'; 22 'Control of noise – operation' (in respect of Work Nos. 1 or 7)'; 25 'Restoration of land used temporarily for construction'.</p> <p>Requirement 26 'Combined heat and power' ensures that the authorised development is Combined Heat and Power (CHP) Ready and prevents Work No. 1A entering commercial use until the relevant planning authority has given notice it is satisfied that the undertaker has provided the necessary space within the design of the development. It also requires the undertaker to maintain the space during operation of the development and for periodic reviews of the potential for CHP and the export of heat to take place.</p> <p>Requirement 29 'Local liaison group' requires the undertaker to establish a group to liaise with local residents and organisations prior to the commencement of development and which is to run throughout the construction phase until completion of commissioning, unless otherwise agreed by the majority of members of the local liaison group.</p> <p>Requirement 30(1) 'Employment, skills and training plan' prevents any part of the authorised development commencing until a plan detailing arrangements to promote employment, skills and training development opportunities for local residents during construction of the development has been submitted to and approved by the relevant planning authority. The plan must be implemented and maintained during the</p>
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		<p>construction programme. The Requirement (31(2)) also prevents any part of Work No. 1 being commissioned until a plan detailing arrangements to promote employment opportunities during operation has been submitted to and approved by the relevant planning authority. That plan must be implemented and maintained during operation.</p> <p>Requirement 31 'Carbon dioxide storage consent' prevents any part of the authorised development being commenced (other than PPWs) until evidence has been provided to the relevant planning authority that the necessary carbon dioxide storage consent is in place.</p> <p>Requirement 32 'Decommissioning' secures the submission of a decommissioning environmental management plan and its approval by the relevant planning authority. The plan must be submitted within 12 months of the date that the undertaker decides to decommission any part of the authorised development.</p> <p>Requirement 33 'Requirement for written approval' confirms that the approval or agreement of the relevant planning authority or another person required must be provided in writing.</p> <p>Requirement 34 'Approved details and amendment to them' requires all details submitted for approval to the relevant planning authority to reflect the principles set out in the documents certified under article 45 'certification of plans etc.' and that the approved details are to be taken to include any amendments subsequently approved by the relevant planning authority.</p> <p>Requirement 35 'Amendments agreed by the relevant planning authority' clarifies that where the words "unless otherwise agreed by the relevant planning authority" appear in the requirements, any such approval or agreement may only be given in relation to non-</p>
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		<p>material amendments that will not give rise to any materially new or materially different environmental effects from those assessed in the ES.</p> <p>GB responds to questions from the ExA on the Requirements of the draft DCO, as follows:</p> <ul style="list-style-type: none">• Requirement 2 – the Applicants will consider whether 14 days is an appropriate time period. <i>Post Hearing Note: The Applicants accept that the 14-day period is longer than is required and would propose that the maximum period for notifying the relevant planning authority is in any event within seven days from the date that commissioning started. The 7 day period was used in other DCOs including within Requirement 3 of The Immingham Open Cycle Gas Turbine Order 2020 and Requirement 3 of Eggborough Gas Fired Generating Station Order 2018.</i>• Requirement 3 – the Applicants will consider whether any additional parties such as the highway authority ought to be a named consultee. HPQC noted that consultation pursuant to requirements is at the discretion of the relevant planning authority and therefore even where a requirement does not specify consultation with a person, the relevant planning authority is able to consult other relevant bodies as appropriate.• Requirement 4 – the Applicants will consider whether there is clarity on the landscaping and biodiversity plans and strategies referenced. <i>Post-Hearing Note: The ExA is directed to the Applicants’ Post-Hearing Note in response to the ExA’s question on Article 2 (indicative landscaping and biodiversity strategy”) in Item 3 (Articles and Schedules of the dDCO (excluding Schedules 2, 12, 13 and 14)) above.</i>• Requirement 5 – the Applicants will consider the need to include Natural England as a consultee. <i>Post-Hearing Note: The Applicants do not propose to include Natural England as consultee in Requirement 5. The Applicants are already obliged under</i>
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		<ul style="list-style-type: none">• Requirement 19 – the Applicants agree to provide confirmation in the post-hearing note of why the construction worker travel plan must be implemented within 3 months of commencing development - <i>Post-Hearing Note: the purpose of the three month period is due to worker numbers initially being relatively low and therefore the three month period would allow numbers to build up, and (given the low numbers) would not cause unacceptable environmental effects. As construction worker numbers build up, that will be relevant to effectively implementing the travel plan including the undertaker having the benefit of more information from the contractors on the number on construction workers and related travel arrangements. There is precedent for the three-month implementation in Requirement 21 of Schedule 2 of the Eggborough Gas Fired Generating Station Order 2018.</i>• Requirement 20 – the Applicants agree the reference in 20(2)(a) ought to be to requirement 21 and not to requirement 22. <i>Post-Hearing Note: The Applicants agree that the reference in R20(2)(a) should be to Requirement 21. R20(2)(a) relates to disapplying the construction working hours in R20(1) where activities do not exceed controls over noise and vibration during the construction period (which are set out in R21). R22 relates to controls over operational phase noise and vibration and is not relevant. The Applicants will make the changes in the draft DCO to be submitted at Deadline 2.</i>• Requirements 21 and 22 – the Applicant agrees to consider wording to explicitly relate to Chapter 11 of the Environmental Statement [APP-093]. <i>Post-Hearing Note: The Applicants will update R21 and R21 so that the schemes that must be submitted must be in accordance with the principles set out in Chapter 11 of the ES. The Applicants will make the changes in the draft DCO to be submitted at Deadline 2.</i>
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		<p>Requirement 22, and Requirement 26 – the Applicants agree to review whether the reference to “following commissioning” ought to be “date of final commissioning”. <i>Post-Hearing Note: The Applicants do not consider that the “date of final commissioning” is appropriate as R22 relates to the submission of a scheme to control noise in respect of WN1 (the generating station) and WN7 (the compressor station). The Applicants are more broadly reviewing the use of the “date of final commissioning” in the DCO and consider that this will need to be either amended, or an additional definition inserted in Article 2, in order to provide an effective trigger for compliance with all of the Articles and Requirements to which it relates. The Applicants will make the amendments in the draft DCO to be submitted at Deadline 2.</i></p> <ul style="list-style-type: none">• R23. Review whether it is in accordance with Chapter 11 of the ES and the Framework CEMP. <i>Post-Hearing Note: The Applicants will update R23 so that the method statement must be in accordance with the principles set out in Chapter 11 of the ES and the Framework CEMP. The Applicants will make the changes in the draft DCO to be submitted at Deadline 2.</i>• Requirement 24 – the Applicants agree to include reference to the construction site waste management plan being in accordance with the principles of the Framework Construction Environmental Management Plan.• Requirement 25(2) – the Applicants agree to review the 3-year period to restore temporarily used land and to confirm whether this period is consistent with other provisions of the draft DCO. <i>Post-Hearing Note: The Applicants note that the undertaker is required under Article 31(4) to return land used temporarily for the carrying out of the authorised development within one year of the final date of commissioning (or such longer period as the relevant planning authority may</i>
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		<p><i>approve). The Applicants will amend Requirement 25(2) to align with the period permitted under Article 31(1). The Applicants are more broadly reviewing the use of the “date of final commissioning” in the DCO and consider that this will need to be either amended, or an additional definition inserted in Article 2, in order to provide an effective trigger for compliance with the Articles and Requirements to which it relates. The Applicants will make the amendments in the draft DCO to be submitted at Deadline 2.</i></p> <ul style="list-style-type: none">• Requirement 31 – HPQC confirms the Applicants are considering the relevant representation submitted by Client Earth and asks for the opportunity to respond in writing, which is agreed by Sam Hunter Jones appearing for Client Earth and by the ExA. In terms of the narrower point of whether Requirement 31 ought to cover the transmission pipeline as well as the storage consent, HPQC confirms that as this requirement embraces operation, operation is not possible without the pipeline. <i>Post-Hearing Note: The Applicants will amend Requirement 31 so that the no part of the authorised development may commence, save for the permitted preliminary works, until details of the following have been submitted to and approved by the relevant planning authority—</i> <p><i>(a) evidence that a CO2 storage licence has been granted;</i> <i>(b) evidence that an Environmental Permit is in place for Work No. 1; and</i> <i>(c) evidence of any pipeline works authorisation required by section 14 of the Petroleum Act 1998 for offshore pipeline works.</i></p> <p><i>The Applicants will propose drafting in Requirement 31 which secures that the land required for Work No. 1C and Work No. 7 will be available. This drafting is intended to mimic the requirement to safeguard land for carbon capture readiness in the Carbon Capture Readiness (Electricity Generating Stations) Regulations 2013.</i></p>
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		<p><i>Furthermore, the Applicants will propose drafting in Requirement 31 that specifies that Work No. 1A may not operate without Work No. 1C, 7 and 8 also being operational.</i></p> <ul style="list-style-type: none">• Requirement 32 – the Applicants agree to review the terms of requirement 32, noting the relevant representations received in relation to it. <i>Post-Hearing Note: The Applicants propose to amend the Requirement 32 to specify that a decommissioning environmental management plan must be submitted to the relevant planning authority for approval within 12 month of permanent cessation of use of the relevant part of the authorised development. This provides an objective deadline for the Applicants to submit the plan in relation to each part of the authorised development. The Applicants will make the changes in the draft DCO to be submitted at Deadline 2.</i>• In terms of Schedule 13, the Applicants confirm it has sought comments on it from the local planning authorities and will discuss it with them as required, and will consider the Examining Authority’s comments in relation to the paragraphs 2 and 4. <i>Post-Hearing Note: The Applicants consider that the structure of Schedule 13 is legally robust and no amendments are required. The ExA had asked whether there should be a link between paragraph 2 (Applications made under requirement) and paragraph 4 (fees). The Applicants do not consider that necessary as the terms of both paragraphs must be complied with by the Applicants in full, and therefore there is no requirement to make paragraph 2 “subject to” paragraph 4. Any failure to pay the fees under paragraph 4 would be a breach of the Order, enforceable by the relevant planning authority. The Applicants would direct the ExA to Schedule 10 of the Immingham Open Cycle Gas Turbine Order 2020 where the wording for the discharge of requirements is the same and has previously been accepted by the Secretary of State.</i>
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		<ul style="list-style-type: none"> • STDC change of address. <i>Post-Hearing Note: The Applicants will update the definition of “STDC” in Article 2 of the Order to refer to the new registered address. The Applicants will make the changes in the draft DCO to be submitted at Deadline 2.</i> • STDC said it had assurances in technical discussions pre-submission that pipeline corridors would be buried so as not to sterilise surface land. <i>Post-Hearing Note: The Applicants have addressed this point in its response to the STDC Relevant Representation (see Document Ref. 9.6).</i> • Schedule 10 and 11 (DMLs) – can “pre-construction surveys” be deleted from the meaning of “commence” as the MMO have queried. <i>Post-Hearing Note: The Applicants agree that reference to pre-construction surveys should be deleted. There are no pre-construction surveys that would need to be carved out of the definition of “commence”. The Applicants will make the changes in the draft DCO to be submitted at Deadline 2.</i>
5.	<p>Item 5</p> <p>Schedule 12 of the dDCO – Protective Provisions</p> <ul style="list-style-type: none"> • To understand the need to obtain an update on progress between parties regarding protective provisions; an explanation of any important differences of view and a timescale for resolution (Schedule 12). 	<p>HPQC explained that the draft Development Consent Order (“dDCO”) [AS-136] contains 19 sets of protective provisions at Schedule 12.</p> <p>Two are for the protection of particular types of statutory undertakers (Electricity, Gas, Water and Sewerage Undertakers (Part 1); and Electronic Communications Code Networks (Part 2)). 17 are for the protection of particular named entities (Parts 3 to 19).</p> <p>In addition, the Applicants are currently in discussion with 4 additional parties with a view to adding further protective provisions to Schedule 12:</p> <ul style="list-style-type: none"> • Ineos UK SNS Ltd • Teesside Windfarm Ltd

		<ul style="list-style-type: none"> • Low Carbon Ltd • Huntsman Polyurethanes (UK) Ltd <p>It is anticipated that protective provisions for these parties will be included within the Deadline 2 version of the dDCO.</p> <p>Negotiations are taking place in respect of the draft protective provisions in the current dDCO, with no comments having been received on 11, and 10 either largely agreed and/or negotiations at a well advanced stage.</p> <p>It was explained that the negotiations on protective provisions are proceeding in parallel with negotiation of the need for and contents of side agreements with some parties, to sit alongside the protective provisions, and negotiation for the acquisition of land interests.</p> <p>Updates on negotiations will be provided to the Examining Authority (“ExA”) throughout the examination. At Deadline 1 the Applicants anticipate that updates will be provided through comments on Relevant Representations (where appropriate), Statements of Common Ground (“SoCG”) and the Status of Negotiations Schedule.</p> <p>The Applicant confirms in response to a submission from Sembcorp, that they are reviewing Sembcorp’s relevant representation and protective provisions in line with Sembcorp’s comments in respect of the Wilton International Site and in the context of the Dogger Bank Offshore Wind Farm Development Consent Order.</p>
6.	<p>Item 6</p> <p>Schedule 14 of the dDCO – Documents and Plans to be Certified</p>	<p>HPQC confirmed that the Applicants have included within Schedule 14 of the draft DCO those application documents to which reference is made in the draft Order, and that this list would be kept under review during the examination in order to reflect any relevant changes.</p>

	<ul style="list-style-type: none"> To review the documents to be certified and seek views as to whether the list is complete and if not, what additional documents would need to be included. 	<p>So far as the Applicant is aware, no party has suggested that the current list ought to be expanded to include other documents.</p>
<p>7.</p>	<p>Item 7</p> <p>Consents, Licences and Other Agreements</p> <ul style="list-style-type: none"> The Applicants will be asked to provide an update of progress and timescales for completion. The ExA will then ask questions, including discussing whether any need for and progress on any planning obligation and/or side agreements and if there is an indicative timescale for finalising them. 	<p>HPQC agreed to provide an update on the status of the other consents and licences in a post-hearing note.</p> <p><i>Post Hearing Note: The status of the majority of the Consents and Agreements set out in Document 5.10 – Other Consents and Licences [APP-077] remain unchanged with the following updates:</i></p> <ol style="list-style-type: none"> <i>The environmental permit application was submitted to the EA in October 2021 and discussions have been ongoing since then. The application is being evaluated for being Duly Made and some clarifications have been requested of the Applicant by the EA relating to emissions to water and use of auxiliary boilers. A response to these questions has been submitted to the EA in April 2022 and that information is being considered by the assigned permitting officer.</i> <i>Offshore pipeline consent. The ESIA is in preparation and will be determined by OPRED under The Offshore Oil and Gas Exploration, Production, Unloading and Storage (Environmental Impact Assessment) Regulations 2020. The ESIA is due to be submitted in Q3 2022</i> <i>Offshore storage permit and licence. NEP have already been awarded a store licence. This covers appraisal activity. A Store Permit is to be applied for in Q4 2022, which requires a Store Development Plan to be submitted and accepted by the North Sea Transition Authority (NSTA) (formerly the OGA).</i>

8.	<p>Item 8</p> <p>Statements of Common Ground relevant to the DCO</p> <ul style="list-style-type: none"> The ExA will ask the Applicants to provide an update on Statements of Common Ground relevant to the DCO. 	<p>HPQC confirmed the Applicants have been actively engaging with the 31 parties identified in Annex I to the Rule 6 Letter with a view to agreeing SoCG, and with the additional three parties identified at the Preliminary Meeting. The Applicants would also engage with Ørsted to seek to develop and agree a SoCG in respect of the relationship between the issues being considered in the examination into its application for the Hornsea Project 4 offshore windfarm and the application before this ExA.</p>
9.	<p>Item 9</p> <p>Review of Issues and actions arising</p>	N/A
10.	<p>Item 10</p> <p>Any other business</p>	N/A
11.	<p>Item 11</p> <p>Closure of the Hearing</p>	N/A