

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: 8.11 – Statement of Common Ground with Northern Powergrid (Northeast) PLC and Northern Powergrid Limited



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

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GLOSSARY

Abbreviation	Description
Applicants	Together NZT Power and NZNS Storage
Application (or DCO Application)	The application for a DCO made to the SoS under Section 37 of PA 2008 in respect of the Proposed Development, required pursuant to Section 31 of the PA 2008 because the Proposed Development is a NSIP under Section 14(1)(a) and Section 15 of PA 2008 by virtue of being an onshore generating station in England or Wales of electrical capacity of more than 50 megawatts, and which does not generate electricity from wind, and by the Section 35 Direction
CEMP	Construction and Environmental Management Plan
DCO	A Development Consent Order made by the relevant Secretary of State pursuant to the PA 2008 to authorise a NSIP. A DCO can incorporate or remove the need for a range of consents which would otherwise be required for a development. A DCO can also include powers of compulsory acquisition
ES	Environmental Statement, documenting the findings of the EIA
ExA	Examining Authority
Land Plans	The plans showing the land that is required for the Proposed Development, and the land over which interests or rights in land are sought as part of the Order
NZT Power	Net Zero Teesside Power Limited
NZNS Storage	Net Zero North Sea Storage Limited
NZT	Net Zero Teesside - the name of the Proposed Development.

Order	The Net Zero Teesside Order, being the DCO that would be made by the Secretary of State authorising the Proposed Development, a draft of which has been submitted as part of the Application
Order Limits	The limits of the land to which the Application relates and shown on the Land Plans and Works Plans within which the Proposed Development must be carried out and which is required for its construction and operation
PA 2008	The Planning Act 2008 which is the legislation in relation to applications for NSIPs, including preapplication consultation and publicity, the examination of applications and decision making by the Secretary of State
Proposed Development (or Project)	The development to which the Application relates and which requires a DCO, and as set out in Schedule 1 to the Order
Requirements	The 'requirements' at Schedule 2 to the Order that, amongst other matters, are intended to control the final details of the Proposed Development as to be constructed and to control its operation, amongst other matters to ensure that it accords with the EIA and does not result in unacceptable impacts
SoCG	Statement of Common Ground
Work No.	Work number, a component of the Proposed Development, described at Schedule 1 to the Order
Works Plans	Plans showing the numbered works referred to at Schedule 1 to the Order and which together make up the Proposed Development

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1.0 INTRODUCTION

1.1 Overview

1.1.1 This Statement of Common Ground (Document Ref. 8.11) has been prepared by Net Zero Teesside Power Limited and Net Zero North Sea Storage Limited (the ‘Applicants’) in conjunction with Northern Powergrid (“NPg”) in respect of the Net Zero Teesside Project (the ‘Proposed Development’).

1.1.2 The SoCG sets out the matters of agreement between the Applicants and Northern Powergrid and also explains those matters which, at the time of writing, remain unresolved between the parties.

1.1.3 The agreements to date have been reached through consultation and continuing discussions between the parties, including interface meetings and regular face to face discussions.

1.2 Northern Powergrid Interests

Northern Powergrid is a statutory consultee and electricity undertaker. Northern Powergrid have various interests with the proposed order limits of the Applicants’ DCO application. These are principally in and around the Carbon Dioxide Gathering Network (Work No. 6) on both North and South Tees, and the HGV access route from Tees Dock Road under Work No. 10.

1.3 The Purpose and Structure of this Document

1.3.1 The purpose of this document is 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 Development Consent Order (‘DCO’) for the Proposed Development.

1.3.2 The SoCG has been prepared with regard to the guidance in ‘Planning Act 2008: examination of application for development consent’ (Department for Communities and Local Government, March 2015).

1.3.3 The SoCG is structured as follows:

- Section 2 – sets out consultation and related discussions held between the Applicants and Northern Powergrid.
- Section 3 – sets out the matters discussed and agreed to date.
- Section 4 – sets out matters to be agreed and the proposed way forward.

2.0 SUMMARY OF CONSULTATION AND DISCUSSIONS

2.1 Overview

2.1.1 This section provides a summary of how the Applicants have consulted Northern Powergrid (NPG) on the Proposed Development and also sets out the discussions that have taken place between the parties.

2.2 Consultation

2.2.1 **Table 2.1** (below) provides a summary of how the Applicants have consulted Northern Powergrid and how Northern Powergrid have responded to that consultation.

Table 2.1: Summary of Consultation

Consultation Stage/Date	Northern Powergrid Response
Stage 1 Consultation (non-statutory) – 2 nd October to 19 th November 2019	N/A
Stage 2 Consultation (statutory) – 7 th July to 18 th September 2020	No response
Section 42 Update Consultation – 8 th December 2020 to 25 th January 2021 (further targeted consultations held 12 th February to 16 th March 2021 & 26 th March to 3 rd May 2021)	NPg are in early stage discussions with the Applicants. NPg do not fully understand the implications of the Proposed Development. NPg confirm that, as a statutory utility duty bound and obliged to ensure our electricity network is not compromised Northern Powergrid will require all rights of access and protection of assets to remain uninterrupted and a clear undertaking that any variations and any associated costs will be met by any prospective developer and we reserve the right to decline any request for variation.
Consultation on proposed changes to DCO Application – 10 th March to 14 th April 2022	No response

2.3 Discussions

2.3.1 A summary of the discussions that have taken place between the parties is set out in **Table 2.2**. Where appropriate, email follow-up has taken place to provide each party with information to support the progression of discussions.

Table 2.2: Summary of Discussions

Meeting Date	Meeting Type	Topics Discussed
Sep 2021	Correspondence	Proposed Development boundary line drawing provided to NPg.
Oct 2021	Correspondence	NPg provided shape files detailing locations of its assets within the Proposed Development.
Dec 2021	Interface Meeting	Proposed Development overview, interface points, NPg key points of interest, context on level of work to relocate NPg assets.
Mar 2022	Telephone call	NPg confirmed its willingness to engage with the Applicant. NPg will identify an engineer(s) who will represent it during discussions.
April 2022	Telephone call	NPg are currently in the process of identifying the engineer(s) who will represent it during discussions.
May 2022	Teams Meeting	Proposed Development overview update, NPg were requested to review interfaces and validate its asset locations, arrangements for a technical meeting and further follow up meeting.

3.0 MATTERS AGREED

3.1 Overview

3.1.1 This section sets out the matters agreed between the parties.

3.2 Principle of the Proposed Development

3.2.1 There is an urgent need for the Proposed Development, relating both to the provision of low carbon electricity and the need to provide for the collection, compression and transport of carbon dioxide from a range of emitters in the Teesside area.

3.3 Applicant's application change request

3.3.1 Both the Applicant and NPg agree that following the change request submitted by the Applicant on 28th April 2022, and accepted into the Examination on 6 May 2022, the Applicant has significantly reduced the impact of the Proposed Development on NPg apparatus.

3.4 Protective Provisions

3.4.1 Both the Applicant and NPg are keen to engage and intend to seek a voluntary agreement on Protective Provisions though currently no matters have been agreed.

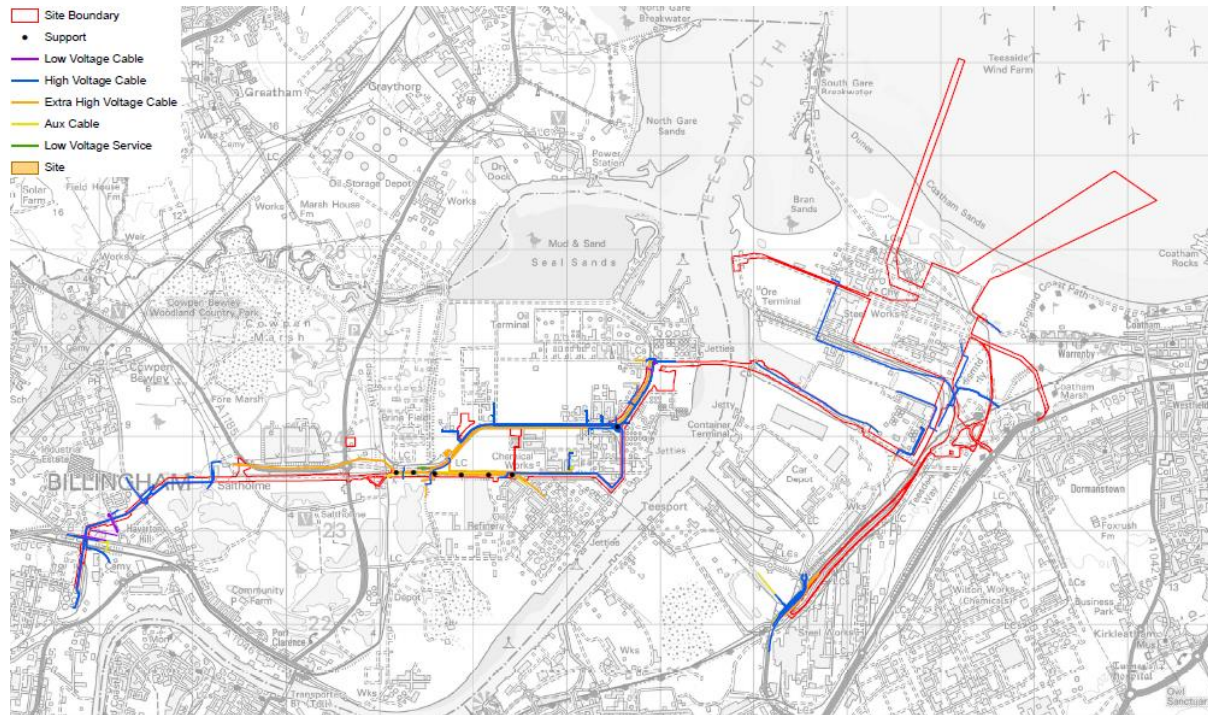
3.5 NPg Access Requirement

3.5.1 During construction the Applicant proposes to utilise NPg existing Control of Work / Permit to Work procedures to ensure access is maintained and NPg are fully cognisant of where, when and what works are to take place.

3.5.2 The CO₂ gathering pipeline will be very similar to the existing infrastructure already in the corridor and will seek to take a similar approach to other assets in the corridor. Should existing pipeline road crossings not be suitable, the Applicant will, during detailed design, explore options for appropriate road crossings in mutually agreeable locations, to minimise any potential impact.

3.6 NPg Existing Apparatus

3.6.1 Both the Applicant and NPg have agreed to continue with engagement during the design of the Proposed Development in order to minimise and/or mitigate the impact it will have on NPg existing apparatus. The initial physical interfaces between NPg apparatus and the Applicants Order Limits are illustrated below:



4.0 MATTERS TO BE AGREED

4.1 Overview

4.1.1 This section sets out matters to be agreed between the parties and the proposed way forward.

4.2 Protective Provisions

4.2.1 The basis for the NPg protective provisions in the draft NZT DCO were those NPg accepted for the Drax Power (Generating Stations) Order 2019. The Applicant's legal team has been in contact with NPg since April 2021 (and NPg's legal representatives, Weightmans, since June 2021) in relation to the negotiation of protective provisions for the protection of NPg's operations and assets. These discussions are ongoing, and parties are working to agree appropriate provisions for inclusion in the DCO. The Applicant is confident of reaching mutually acceptable Protective Provisions and looks forward to receiving comments from NPg on the draft provisions currently proposed.

4.3 Access Requirements

4.3.1 Having reviewed the draft DCO documents, NPg still have concerns relating to how NPg will be able to access and maintain their apparatus located within the Site during and post the Proposed Development works. NPg are not satisfied that the DCO affords them the necessary rights to access and maintain their apparatus in such areas. Discussions are ongoing with the Applicant's legal team in respect of NPg's access to the Site and parties are working to agree the necessary rights of access. NPg require 24-hour access to their apparatus to be secured and for this to be agreed with the Applicant prior to NPg removing its objection to the DCO Application.