



**Application by Net Zero Teesside Power Limited and Net Zero North Sea Storage Limited for the Net Zero Teesside Project**  
**The Examining Authority's written questions and requests for information (ExQ1)**  
**Issued on 19 May 2022.**

The following table sets out the Examining Authority's (ExA's) first round of written questions and requests for information – ExQ1. Questions are set out using an issues-based framework derived from the Initial Assessment of Principal Issues provided as **Annex C** to the Rule 6 letter of 11 April 2022. Questions have been added to the framework of issues set out there as they have arisen from representations and to address the assessment of the application against relevant policies.

Column 2 of the table indicates which Interested Parties (IPs) and other persons each question is directed to. The ExA would be grateful if all persons named could answer all questions directed to them, providing a substantive response, or indicating that the question is not relevant to them for a reason. This does not prevent an answer being provided to a question by a person to whom it is not directed, should the question be relevant to their interests.

Each question has a unique reference number which starts with an alphabetical code and then has an issue number and a question number. For example, the first question on general matters is identified as GEN.1.1. When you are answering a question, please start your answer by quoting the unique reference number.

If you are responding to a small number of questions, answers in a letter will suffice. If you are answering a larger number of questions, it will assist the ExA if you use a table based on this one to set out your responses. An editable version of this table is available in [Microsoft Word](#).

**On 28 April 2022 the Applicants submitted a formal change request in respect of the DCO application. Full details can be found on the [project page on the National Infrastructure Planning website](#) with [Examination Library](#) references AS-047 to AS-195. As the following written questions were largely prepared before the change request was submitted some of the references in the questions do not correspond with those in the documents submitted as part of the change request. Nevertheless, in responding, parties are asked to use the updated document references where appropriate.**

**Responses are due by Deadline 2: 9 June 2022.**



## Abbreviations used:

<b>AELs</b>	Associated Emission Levels
<b>AOD</b>	Above Ordnance Datum
<b>AP(s)</b>	Affected Person(s)
<b>AS(s)</b>	Additional Submission(s)
<b>BoR</b>	Book of Reference
<b>BAT</b>	Best Available Techniques
<b>BEIS</b>	Business, Energy and Industrial Strategy
<b>CA</b>	Compulsory Acquisition
<b>CCGT</b>	Combined Cycle Gas Turbine
<b>CCC</b>	Climate Change Committee
<b>CCR</b>	Carbon Capture Readiness
<b>CCS</b>	Carbon Capture and Storage
<b>CCUS</b>	Carbon Capture Usage and Storage
<b>CEMP</b>	Construction Environmental Management Plan
<b>CHP</b>	Combined Heat and Power
<b>CO</b>	Carbon monoxide
<b>CO<sub>2</sub></b>	Carbon dioxide
<b>CIEEM</b>	Chartered Institute of Ecology and Environmental Management
<b>CHP</b>	Combined Heat and Power
<b>COMAH</b>	Control of Major Accidents and Hazards
<b>DAS</b>	Design and Access Statement



<b>DCO</b>	Development Consent Order
<b>dDCO</b>	Draft Development Consent Order
<b>EA</b>	Environment Agency
<b>EIA</b>	Environmental Impact Assessment
<b>EM</b>	Explanatory Memorandum
<b>ES</b>	Environmental Statement
<b>ExA</b>	Examining Authority
<b>HBC</b>	Hartlepool Borough Council
<b>HDD</b>	Horizontal Direct Drilling
<b>HE</b>	Highways England
<b>HGV</b>	Heavy Goods Vehicle
<b>HRA</b>	Habitats Regulations Assessment
<b>HRSG</b>	Heat Recovery Steam Generator
<b>HSE</b>	Health and Safety Executive
<b>IP(s)</b>	Interested Party (Parties)
<b>LCA</b>	Landscape Character Assessment
<b>LIR</b>	Local Impact Report
<b>LLFA</b>	Lead Local Flood Authority
<b>LVIA</b>	Landscape and Visual Impact Assessment
<b>LWS</b>	Local Wildlife Site
<b>m</b>	metre
<b>MMO</b>	Marine Management Organisation
<b>MBT</b>	Micro-Bored Tunnels



<b>MLWS</b>	Mean Low Water Springs
<b>MEA</b>	mono-ethanolamine
<b>NE</b>	Natural England
<b>NDMA</b>	N-nitrosodimethylamine
<b>NH<sub>3</sub></b>	Ammonia
<b>NO<sub>2</sub></b>	Nitrogen dioxide
<b>NO<sub>x</sub></b>	Nitrogen oxides
<b>NPPF</b>	National Planning Policy Framework
<b>NSIP</b>	Nationally Significant infrastructure Project
<b>NWL</b>	Northumbrian Water Limited
<b>NZT</b>	Net Zero Teesside
<b>NPSs</b>	National Policy Statements
<b>PC</b>	Process contribution
<b>PEC</b>	Predicted environmental concentration
<b>PM<sub>10</sub></b>	Particulate matter less than 10 micrometres in diameter
<b>PCC</b>	Power Capture and Compression
<b>PRoW</b>	Public Rights of Way
<b>R</b>	Requirements
<b>RCBC</b>	Redcar and Cleveland Borough Council
<b>RPAs</b>	Relevant Planning Authorities
<b>RR</b>	Relevant Representation
<b>SAC</b>	Special Area of Conservation
<b>SoCGs</b>	Statements of Common Ground



<b>SPA</b>	Special Protection Area
<b>SSSI</b>	Site of Special Scientific Interest
<b>STBC</b>	Stockton-on-Tees Borough Council
<b>STDC</b>	South Tees Development Corporation
<b>TPA</b>	Tonnes per annum
<b>WFD</b>	Water Framework Directive
<b>WSI</b>	Written scheme of investigation
<b>WwTW</b>	Wastewater Treatment Works
<b>ZTV</b>	Zone of Theoretical Visibility

## The Examination Library

References in these questions set out in square brackets (eg [APP-010]) are to documents catalogued in the Examination Library. The Examination Library can be obtained from the following link: <https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010103/EN010103-001182-NZT%20EL.pdf>

## Citation of Questions

Questions in this table should be cited as follows:

Question reference: issue reference: question number, eg GEN.1.1 – refers to question 1 in this table.



ExQ1	Question to:	Question:	Sembcorp Utilities (UK) Ltd Response
<b>GENERAL AND CROSS-TOPIC QUESTIONS</b>			
GEN.1.14	Applicants	<p>Paragraph 7.3.14 of the DAS [APP-070] states that typical construction working widths for the pipelines and cables will vary from 5m to 35m dependent on the constraints present. Similarly, paragraph 5.3.24 of the ES [APP-087] states that the working width required for open cut pipeline construction is generally around 35 m which is the typical working width required to facilitate ease of construction but can be narrowed in places where other constraints exist.</p> <p>The Applicants are asked to provide further explanation for the variation from 5m to 35m and why 35m is seen as a generally appropriate width.</p>	<p>It is Sembcorp's understanding (based upon information provided by the Applicants) that these rights are sought primarily in order to enable the provision of an up to 22inch CO2 transportation pipeline. Given the size of this proposed development, the proposed extent of the CA powers over the Sembcorp Pipeline Corridor (typically up to a width of 30 to 35 metres) is manifestly excessive.</p> <p>Sembcorp further understands that, elsewhere along the route, the Applicants are seeking only a 1 metre wide easement strip. Whilst there may well be good reasons for the width of the easement strip to be extended in certain places, the Applicants have as yet provided no reasoned justification for the extensive scope of the powers sought over the Sembcorp Pipeline Corridor. Absent such explanation, the powers sought by the Applicants in the dDCO are excessive.</p> <p>Please refer to paragraphs 56 to 59 of Sembcorp's DL2 Written Representation for further details.</p>
GEN.1.38	Sembcorp Utilities (UK) Ltd	<p>Sembcorp Utilities (UK) Ltd [RR-034] refers to a number of proposed projects at Wilton International.</p> <p>i) Provide details of the proposed battery storage including its location and timescales for an application (DCO or Planning Application?) and construction; and</p>	<p>i) In summary, it is envisaged that an up to 360MW battery storage solution, to be connected to National Grid at Greystones A and/or B substation, would be provided on the Wilton site. This is likely to be developed in 2 phases – an initial 150-160MW, with the balance of storage capacity provided in phase 2.</p>

**ExQ1: 19 May 2022**

**Responses due by Deadline 2: 9 June 2022**

ExQ1	Question to:	Question:	Sembcorp Utilities (UK) Ltd Response
		ii) Provide further information as to how the proposed battery storage and other projects and existing business at Wilton International could be affected by the Proposed Development.	<p>The development would be located at Wilton Plot 9 as shown on the enclosed site location plan reference MB-001-M-SLP1. This is located within the southwest quadrant of the Wilton complex adjacent to the A1053 road. Please note that the final location and layout are yet to be determined pending the completion of preliminary surveys.</p> <p>The site lies within an area covered by a development management regime based on the Wilton Instrument of Consent ("<b>IoC</b>") granted in 1946. As such, the development benefits from deemed consent under the provisions of the IoC and is not required to be the subject of a full planning application.</p> <p>Pre-construction surveys are currently taking place with groundbreaking planned for Aug / Sept 2022.</p> <p>Target energisation is Q4, 2023 with grid connection offer in place from Jan 2024. Sembcorp is in positive discussions to bring forward grid connection start date to Oct 2023, to align with target energisation.</p> <p>ii) Changes in the proposed Project following dialogue between Sembcorp and the Applicants, which have removed the land to the west of Greystones and one of the National grid substations, Sembcorp no longer anticipates that the Project will have a material direct impact upon the battery storage development.</p>



ExQ1	Question to:	Question:	Sembcorp Utilities (UK) Ltd Response
			<p>With respect to other major projects which are currently being planned or under development at Wilton or which are otherwise serviced by the Sembcorp Pipeline Corridor, these include:</p> <p><b>1) SABIC (SABIC UK Petrochemicals Ltd) – conversion of the Olefins 6 plant</b></p> <p>Olefins 6 – located at Wilton – is Europe’s second-largest cracker. This plant was commissioned by ICI in circa 1979, and 'cracks' raw material gases and liquids at temperatures of around 1,000 degrees centigrade before cooling them to below -180 degrees centigrade to produce ethylene, propylene and butadiene. These form the prime building blocks for other chemical and plastics plants, including SABIC's own low density polyethylene plant at Wilton.</p> <p>The conversion scheme is a sizeable investment (circa £850million), but once complete the cracker will run on a hydrogen or hydrogen ethane gas mix. This is expected to reduce the facility’s carbon footprint by up to 60% in the first phase, making it one of the world’s lowest carbon-emitting crackers. The conversion is expected to create and safeguard more than 1,000 jobs.</p> <p>The fuel mix is and will be supplied by pipeline through the Sembcorp Pipeline Corridor. The current ethane storage tank is on SABIC's North Tees site,</p>

ExQ1	Question to:	Question:	Sembcorp Utilities (UK) Ltd Response
			<p>and it is then fed back, through Sembcorp's No2 tunnel beneath the River Tees and the Sembcorp Pipeline Corridor, into the Wilton site and to the cracker.</p> <p><b>2) Anglo American / York Potash processing and export plant</b></p> <p>Now part of Anglo American's 'Woodsmith Project, the York Potash ("YP") scheme entails the development of a large potash mine near Whitby, linked to a processing plant being constructed at Wilton by a 37km long tunnel containing an underground conveyor which is currently under construction. The total economic value of the Woodsmith Project is expected to be similar to that of the NZT Project.</p> <p>The potash ore will be dried and the polyhalite / potash extracted at the Wilton processing plant. The ore is crushed and turned into granules which results in a more uniform fertiliser product that spreads and dissolves more predictably in the field. The granules will then be shipped out via a new specialised storage and port facility to be developed by YP on the Tees at Bran Sands. Up to 10 million tonnes a year of product could be distributed with loading equipment capable of moving up to 20 million tonnes of polyhalite a year. Export product will be transported from Wilton to the port facility by overland pipe conveyor.</p>

ExQ1	Question to:	Question:	Sembcorp Utilities (UK) Ltd Response
			<p>The planned date for commercial export by YP in circa 2026, and target commencement of construction of the overland conveyor in next couple of years are likely to clash directly in terms of timing and location with proposed timing of NZT works if authorised by the dDCO.</p> <p>If YP is unable to export and sell its fertiliser on the currently planned timescales as a result then this will of necessity impact the Woodsmith Project programme and delay the realisation of the substantial economic and trade benefits.</p> <p><b>3) Tees Valley Lithium</b></p> <p>Tees Valley Lithium ("TVL") is a proposed lithium hydroxide producer which would be based at Wilton. As such it complements proposals to create a Gigafactory (EV battery assembly) hub as part of the strategy for the re-development and rejuvenation of the adjacent former steelworks site.</p> <p>Lithium hydroxide is a vital component required by battery, electric vehicle battery, manufacturers. As such, it represents a different but important aspect of achieving net zero and safe, secure supply to battery suppliers / gigafactories. Powered by renewable offshore wind and dedicated to low waste, TVL will be a 100% certified green energy operation from day zero.</p>

**ExQ1: 19 May 2022**

**Responses due by Deadline 2: 9 June 2022**

ExQ1	Question to:	Question:	Sembcorp Utilities (UK) Ltd Response
			<p>TVL will be Europe's first independent lithium chemical processing hub, importing high value feedstock from around the world and supplying battery grade lithium hydroxide to Europe. By importing high-grade primary lithium sulphate, TVL will significantly reduce the impact of shipping and disposing of large tonnages of waste which is currently contained in low-grade spodumene concentrates. The refining process developed by TVL also eliminates the use of fossil fuels and direct emissions providing a saleable product with a low entrained carbon footprint.</p> <p>TVL has stated that its state-of-the-art facility will supply the equivalent of 15% of European demand by 2030 and is expected to generate US\$1.5 billion sales annually at current prices, create over 500 jobs during construction and 250 high value full-time jobs during operation. Accordingly, it is a key part of realising the Government's levelling up agenda and will place both Wilton and the wider NEPIC cluster at the forefront of the global market.</p> <p>Whilst negotiations are ongoing, it is envisaged that TVL will be granted an appropriate package of rights including to use the Sembcorp Pipeline Corridor which provides access to the steelworks site and for the import or export of raw materials / product using pipelines. TVL envisages that all non-lithium hydroxide outputs will be on-sold to neighbouring businesses or recycled back into the environment in benign forms The connectivity provided by the</p>

ExQ1	Question to:	Question:	Sembcorp Utilities (UK) Ltd Response
			<p>Sembcorp Pipeline Corridor to the rest of the NEPIC chemical cluster and the Teesside Freeport is a highly important consideration in this regard.</p> <p><b>4) CF Fertilisers</b></p> <p>CF Fertilisers ("<b>CFF</b>") produce NH3 based fertiliser at Billingham. To do so, they rely upon feedstocks supplied through and have existing apparatus in the Sembcorp Pipeline Corridor.</p> <p>CFF are currently looking at routeing a new gas pipeline from Billingham back to the TGPP gas plant using the Sembcorp Pipeline Corridor.</p> <p>Please refer also to paragraphs 43 to 50 and 65 to 71 of Sembcorp's DL2 Written Representation for further explanation of the potential consequential impacts of the Project on businesses which utilise the Sembcorp Pipeline Corridor, Wilton and Billingham.</p>
<p><b>AIR QUALITY AND EMISSIONS</b></p> <p><b>BIODIVERSITY AND HABITATS REGULATIONS ASSESSMENT</b></p> <p><b>CLIMATE CHANGE</b></p> <p><b>COMBINED AND CUMULATIVE EFFECTS</b></p> <p><b>COMPULSORY ACQUISITION AND TEMPORARY POSSESSION</b></p>			
CA.1.7	All Affected Persons (APs)	A number of RRs and Additional Submissions (ASs) [including but not limited to RR-001, RR-010, RR-012,	It is not apparent from the Applicants' Statement of Reasons why it is necessary for them to seek powers

**ExQ1: 19 May 2022**

**Responses due by Deadline 2: 9 June 2022**

ExQ1	Question to:	Question:	Sembcorp Utilities (UK) Ltd Response
		<p>RR-013, RR-014, RR-016, RR-017, RR-018, RR-019, RR-021, RR-022, RR-028, RR-030, RR-031, RR-032, RR-033, RR-034, RR-038 and AS-046] set out comments in relation to CA and TP.</p> <p>Over and above what has already been submitted in the RR's, are any APs aware of:</p> <ul style="list-style-type: none"> <li>i) any reasonable alternatives to any CA or TP sought by the Applicant; or</li> <li>ii) any areas of land or rights that the Applicant is seeking the powers to acquire that they consider are not needed?</li> </ul>	<p>to acquire compulsorily the full package of rights over the Sembcorp Pipeline Corridor in perpetuity. For example, the table in Schedule 7 of the dDCO intimates that many of the rights sought relate to access, landscaping and maintenance. Such matters are transitory and could equally well be addressed by suitable temporary rights over the relevant land. It is simply not necessary for perpetual rights to be obtained.</p> <p>CA of such rights over the Sembcorp Pipeline Corridor is not, in any event, required, since the Applicants can obtain the rights they need directly from Sembcorp, in common with other users of the Corridor.</p> <p>Please refer to paragraphs 51 to 72 of Sembcorp's DL2 Written Representation for further details.</p>
CA.1.8	<p>Air Products (Chemicals) Teesside Ltd</p> <p>Anglo American Woodsmith Limited</p> <p>CATS North Sea Ltd</p> <p>CF Fertilisers UK Ltd</p>	<p>A number of APs in their RRs and ASs [including but not limited to RR-001, RR-010, RR-012, RR-013, RR-014, RR-016, RR-017, RR-018, RR-019, RR-021, RR-022, RR-028, RR-030, RR-031, RR-032, RR-033, RR-034, RR-038 and AS-046] set out comments in relation to CA and TP however in numerous instances it is unclear where their operations or rights are located.</p> <p>Please could the APs listed and any others who have commented:</p>	<ul style="list-style-type: none"> <li>i) Please refer to the enclosed plan reference GIS-00-L-03076 ("<b>Sembcorp Land Plan</b>").</li> <li>ii) The land tinted yellow on the Sembcorp Land Plan denotes the Sembcorp Pipeline Corridor. This is owned and operated by Sembcorp as pipeline authority and used for the running of sundry apparatus and infrastructure, including support racks, stanchions, pipe supports, pipebridges, cable supports, cable bridges and cable trees upon which pipelines, tubes, cables, wires and other conducting media may be located, drains, bridges, ducts,</li> </ul>

**ExQ1: 19 May 2022**

**Responses due by Deadline 2: 9 June 2022**

ExQ1	Question to:	Question:	Sembcorp Utilities (UK) Ltd Response
	<p>Exolum Seal Sands Ltd Huntsman Polyurethanes (UK) Ltd Ineos Nitriles (UK) Ltd Ineos UK SNS Ltd North Tees Land Ltd (and North Tees Ltd and North Tees Rail Ltd) National Grid Electricity Transmission plc National Grid Gas plc Northern Powergrid (Northeast) plc Northumbrian Water Limited (NWL) NPL Waste Management Ltd</p>	<p>i) supply a plan, overlaid with the NZT Order land, showing the location of their operations and plots affected; and ii) where possible, identify the general use of each affected plot.</p>	<p>culverts, access tracks, trenches, embankments and other civil structures.</p> <p>Please refer to paragraph 25 of Sembcorp's DL2 Written Representation for further details.</p> <p>The land edged blue and labelled 'Wilton' on the Sembcorp Land Plan comprises the Wilton International complex which is owned and operated by Sembcorp. This is used as one of the UK's leading multi-occupancy industrial and manufacturing sites. Wilton contains major petrochemical process plant and hosts diversified businesses in a variety of fields including energy generation, plastic recycling and process research together with office accommodation and production research facilities.</p> <p>Please refer to paragraphs 3 to 13 of Sembcorp's DL2 Written Representation for further details.</p>

**ExQ1: 19 May 2022**

**Responses due by Deadline 2: 9 June 2022**

ExQ1	Question to:	Question:	Sembcorp Utilities (UK) Ltd Response
	PD Teesport Ltd Redcar Bulk Terminal Ltd SABIC Sembcorp Utilities (UK) Ltd		
CA.1.21	Sembcorp Utilities (UK) Ltd	RR-034 refers to concerns relating to Sembcorp's pipeline corridors amongst other matters. Can Sembcorp: <ol style="list-style-type: none"> <li>i) Clarify which of Sembcorp's pipeline corridors affected (indicate them on a plan), and the occupiers which might be affected;</li> <li>ii) Provide further information as to why you consider the Proposed Development's easement corridors for the Order Limits are substantially wider than required;</li> <li>iii) Explain further your comment '<i>Compulsory acquisition of rights by Net Zero Teesside will inevitably disrupt the carefully constructed legal provisions that exist between Sembcorp and its pipeline customers</i>';</li> <li>iv) Explain further your comments regarding a 'compelling case: '<i>given the economic importance of Wilton International, there can be no compelling case for powers of compulsory acquisition over any part of it, whether of land or rights in land. Nor can there be a compelling case for the</i></li> </ol>	i) Please refer to the enclosed Sembcorp Land Plan. The Sembcorp Pipeline Corridor is shown tinted yellow. <p>Above ground pipeline operators / with apparatus in the Corridor include:</p> <ul style="list-style-type: none"> <li>• Sabic UK Petrochemicals Ltd</li> <li>• CF Fertilisers</li> <li>• BOC, including for the supply of:                             <ul style="list-style-type: none"> <li>• nitrogen – this is critical principally for fire suppression and to make most plants COMAH compliant</li> <li>• hydrogen – supplied from its North Tees plant mainly to Huntsman at Wilton</li> </ul> </li> <li>• Ineos (Inovyn)</li> <li>• Methanex</li> <li>• Navigator Terminals</li> <li>• Huntsman</li> <li>• NWL (Northumbrian Water Ltd) – recovered water, water and effluent</li> </ul>



ExQ1	Question to:	Question:	Sembcorp Utilities (UK) Ltd Response
		<p><i>compulsory acquisition of rights nor a right to extinguish existing easements in pipeline corridors where this will negatively impact Wilton International or limit its future development</i>;</p> <p>v) Provide an update on your negotiations with the Applicants to acquire easement rights as opposed to powers of commercial acquisition; and</p> <p>vi) Provide comments on Part 16 of Schedule 12 of the dDCO (Protective Provisions).</p>	<ul style="list-style-type: none"> <li>• Lucite</li> <li>• Ensus</li> <li>• Inter Terminals (Exolum)</li> <li>• Air Products / Millennium (EfW plant at North Tees)</li> </ul> <p>And below ground:</p> <ul style="list-style-type: none"> <li>• Sembcorp – 8 and 24 inch gas pipelines, including that proposed for use to supply gas to the NZT Project</li> <li>• BOC</li> <li>• CATS NSL (formerly BP CATS) – supplies gas from offshore fields to the CATS NSL gas processing facility (cleaning) and then on into the national transmission system (NTS)</li> <li>• Breagh</li> <li>• Northern Gas Networks</li> <li>• Northern Power Grid</li> <li>• Sabic</li> </ul> <p>ii) Please refer to the response to ExQ1 GEN.1.14 above and paragraphs 56 to 61 of Sembcorp's DL2 Written Representation.</p> <p>iii) Please refer to paragraphs 26 to 28, 44 to 50 and 69 to 71 of Sembcorp's DL2 Written Representation.</p>

ExQ1	Question to:	Question:	Sembcorp Utilities (UK) Ltd Response
			<p>iv) Please refer to paragraphs 55 to 72 of Sembcorp's DL2 Written Representation.</p> <p>v) Sembcorp issued draft documentation to the Applicants on 25 May 2022.</p> <p>It is currently working with WSP Golder (formerly Golder Associates) to confirm the feasibility of using the No 2 Tunnel beneath the River Tees for the proposed CO2 pipeline. This includes looking at factors such as degradation, any requirements for future bracing and movement, plus the potential impact of projects above it (such as the York Potash port development and potential demolition of an NWL jetty). This feasibility study is being undertaken in the context of the proposed lifespan of the Project.</p> <p>It is also necessary for legal due diligence to be completed and Sembcorp still awaits an undertaking from the Applicants in respect of the cost associated with this work.</p> <p>vi) Sembcorp has been in correspondence with the Applicants via their respective solicitors in relation to the protective provisions that are included in Part 16 of Schedule 12 of the dDCO (“PPs”). Sembcorp’s solicitors have provided a marked-up version of the protective provisions that suggest a number of amendments. The amendments aim to improve the standard of protection in the protective</p>

ExQ1	Question to:	Question:	Sembcorp Utilities (UK) Ltd Response
			<p>provisions so that it is in line with a previous DCO that also affected Wilton International, The Dogger Bank Teesside A and B Offshore Wind Farm Order 2015 (“<b>Dogger Bank DCO</b>”).</p> <p>Part 6 of Schedule 12 of the Dogger Bank DCO contains protective provisions in favour of the owners and occupiers of Wilton. Sembcorp submits that the Dogger Bank DCO therefore establishes a precedent for the standard of protection that should apply to Wilton. Given that the impacts are effectively the same in the case of the Net Zero Teesside Project, the protective provisions in this case should reflect those that have been previously granted by the Secretary of State in the Dogger Bank DCO.</p> <p>Sembcorp’s main concerns in relation to the PPs may be summarised as follows:</p> <ul style="list-style-type: none"> <li>i. the definition of “Sembcorp Operations” should not be restricted to the Order limits, as the operations that could be affected extend outside of the Order limits;</li> <li>ii. where the Applicant is exercising powers granted by the Order, the PPs should include requirements that: <ul style="list-style-type: none"> <li>a. it must not in the exercise of the powers acquire, appropriate, extinguish or suspend any rights in Sembcorp’s land if the authorised</li> </ul> </li> </ul>

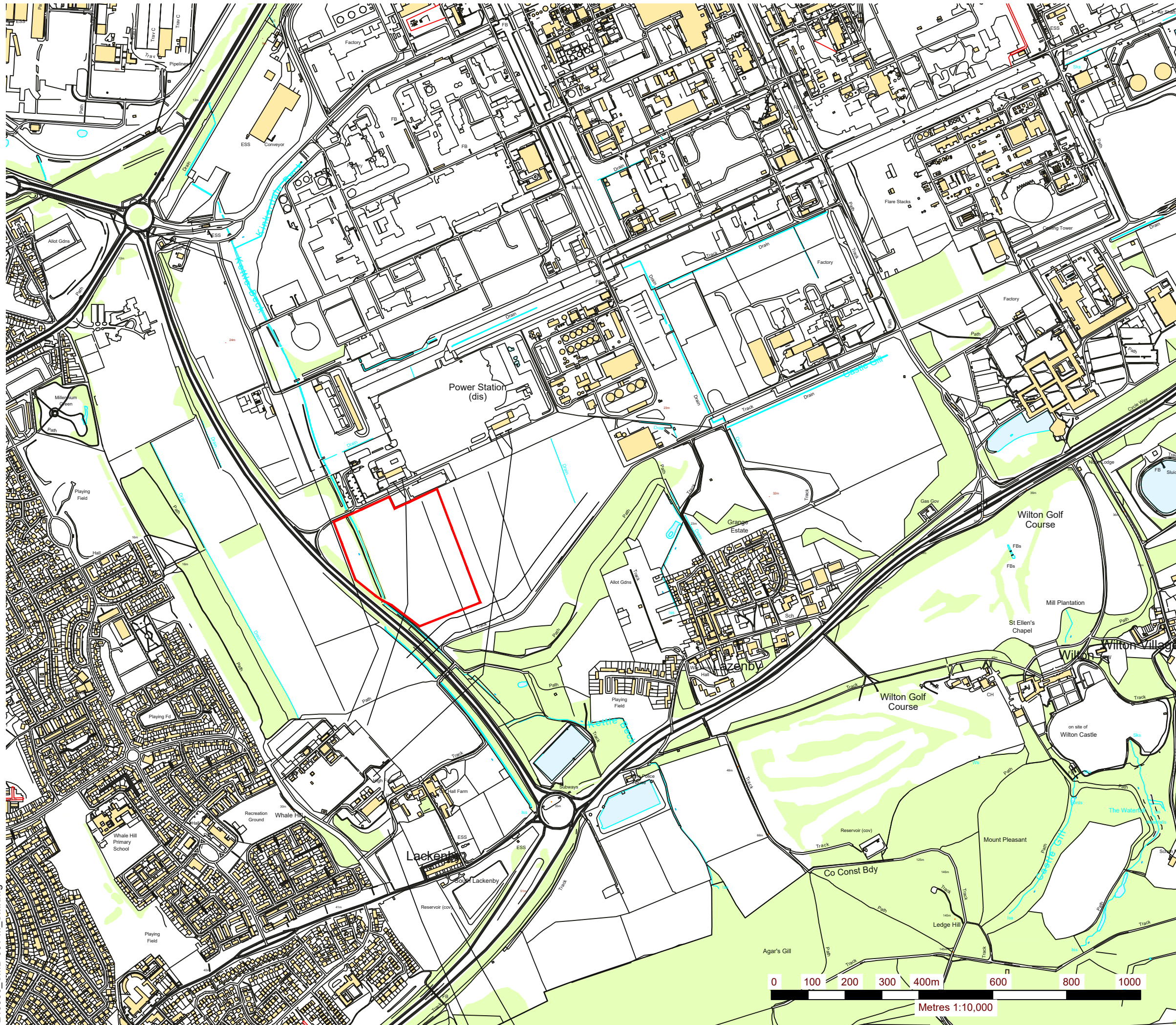
ExQ1	Question to:	Question:	Sembcorp Utilities (UK) Ltd Response
			<p>development can reasonably and practicably be carried out without such acquisition, appropriation, extinguishment or suspension; and</p> <ul style="list-style-type: none"> <li>b. in any event, it must not exercise powers of compulsory acquisition and other analogous powers in relation to Sembcorp's land without Sembcorp's written consent;</li> <li>iii. protection must be included in relation to the apparatus of Sembcorp and its customers that is sited on land acquired by the Applicants, and provision made for the replacement of apparatus in appropriate cases;</li> <li>iv. provision must be made for the Applicants to have suitable insurance in place before commencing works on Sembcorp's land;</li> <li>v. provision must be made for the Applicants to reimburse Sembcorp's reasonable expenses arising from the Applicants' works; and</li> <li>vi. the Applicants must provide Sembcorp with a suitable indemnity against loss or damage caused by the authorised development.</li> </ul>
CA.1.24	All APs	Do any APs have any concerns that they have not yet raised about the legitimacy, proportionality or necessity of the CA or TP powers sought by the Applicant that would affect land that they own or have an interest in?	The dDCO proposed by the Applicants envisages extensive powers to acquire compulsorily rights over the Sembcorp Pipeline Corridor and, just as importantly, to extinguish the existing rights enjoyed by Sembcorp and its customers.

ExQ1	Question to:	Question:	Sembcorp Utilities (UK) Ltd Response
			<p>Sembcorp has particular concerns as to:</p> <ol style="list-style-type: none"> <li>a. the extent of the proposed powers of compulsory acquisition of rights of the Sembcorp Pipeline Corridor; and</li> <li>b. the Applicants' articulation of the public interest insofar as the Project would affect the Sembcorp Pipeline Corridor and, by extension, Wilton and the wider NEPIC cluster.</li> </ol> <p>Please refer to paragraphs 51 to 72 of Sembcorp's DL2 Written Representation for further details.</p>
<p><b>DESIGN, LANDSCAPE AND VISUAL DEVELOPMENT CONSENT ORDER</b></p> <p><b>GEOLOGY, HYDROGEOLOGY AND LAND CONTAMINATION</b></p> <p><b>HISTORIC ENVIRONMENT</b></p> <p><b>MAJOR ACCIDENTS AND NATURAL DISASTERS</b></p> <p><b>TRAFFIC AND TRANSPORT</b></p>			
TT.1.1	Applicants Sembcorp Utilities (UK) Ltd Anglo-American Woodsmith Project	It would be necessary to travel through Sembcorp operated routes and Anglo-American managed land to access the Natural Gas Connection and CO <sub>2</sub> Gathering Network south of the River Tees. Figure 16-2 [APP-173] also shows that this would be the access for HGVs to and from the site. Please could all identified parties provide an update on whether this access is likely to be granted?	In principle, Sembcorp would be willing to grant access along appropriate Sembcorp operated routes and to the existing track at Bran Sands / the end of its land ownership if needed to access the Teesworks / STDC / Applicants' power station and CO <sub>2</sub> compression site.

**ExQ1: 19 May 2022**

**Responses due by Deadline 2: 9 June 2022**

<b>ExQ1</b>	<b>Question to:</b>	<b>Question:</b>	<b>Sembcorp Utilities (UK) Ltd Response</b>
			<p>This is subject to any physically imposed restrictions such as height (clearance under bridges) and weight / axle loads (over existing culverts) plus compliance with usual Wilton site security requirements for entry and traffic safety standards.</p> <p>The Applicants have not to date specifically approached Sembcorp in order to seek such rights of access.</p>



LEGEND  
 Application Boundary

# Heatons

Planning Environment Design

SITE	
Wilton	
PROJECT	
BESS	
DRAWING TITLE	
Site Location Plan	
DATE	REFERENCE
Sept 2021	SMB-001-M-SLP1
SCALE	STATUS
1:10,000 @ A3	<b>FINAL</b>



Heatons The Arc, 6 Mallard Way, Pride Park, Derby, DE24 8GX

210930\_SMB-001-M\_SM.dwg