

National Infrastructure Planning
Temple Quay House
2 The Square
Bristol
BS1 6PN

By email: NetZeroTeessideProject@planninginspectorate.gov.uk

Our ref: JLW/185618.1

7 July 2022

Dear Sir / Madam

**The Net Zero Teesside Project EN010103 (“the Project”)
Deadline 4 Submission on behalf of Redcar Bulk Terminal Limited (“RBT”)**

We write on behalf of RBT further to their Deadline 3 submission [REP3-028] and the Applicants response to RBT’s Written Representation [REP3-12].

RBT’s responses to the Applicants comments on RBT’s Written Representation [REP3-12] are as follows.

1.) Reference to the agreement of Heads of Terms

NZT refer throughout their comments to Heads of Terms that were signed between NZT and RBT on 15 June 2022. The legal agreement which is intended to reflect these Heads of Terms is still being negotiated and has not been signed or completed.

Therefore RBT still objects to the powers of temporary possession and compulsory acquisition over land within which RBT holds an interest and remains concerned as to how powers sought under the DCO will be exercised (if granted) inside and outside of RBT’s Terminal operational area.

As explained in RBT’s Written Representation [REP2-095], the negotiations advanced by NZT were solely concerned with the commercial use of RBT’s Terminal facilities for the importation of construction modules. As is acknowledged by NZT themselves, discussions on the other plots identified in the Compulsory Acquisition Schedule [REP1-044], within which RBT holds an interest, were discussed for the first time at a meeting requested by RBT on 17 June 2022. No Heads of Terms or other agreement has been reached in respect of these plots and the position concerning the interference with RBT’s interests within these Plots is unresolved.

2.) Protective Provisions

In respect of Protective Provisions, RBT’s position is that temporary possession powers sought over Plots 222 and 223 are not required within the DCO if the commercial agreement anticipated by the Heads of Terms is completed.

Further to the meeting with NZT on 17 June 2022, the full impact on RBT’s interests outside of the Terminal is still unknown. This not only concerns matters of interrupting access by road and rail but interference with utility cables, pipelines and media connections which benefit RBT and are critical to RBT’s operations.

The Protective Provisions proposed by NZT do not address interference with utility cables, pipelines or media connections over the Plots within which RBT holds an interest. The position of RBT is that equivalent rights and replacement connections must be provided where they will be interfered with by the Project, to prevent the disruption of any of these services to RBT.

As a number of RBT’s interests are over land owned by STDC, it is presently unknown what arrangements NZT is making with STDC, which have relevance to not only easements granted to RBT but also interference to RBT’s utility cables, pipelines and media connections.

Overall, RBT's position is that, if Plots 222 and Plots 223 are removed, Protective Provisions are required only in respect of their interests impacted outside of the Terminal. As these impacts are not yet quantified, RBT cannot yet prepare or negotiate Protective Provisions which deal with these interests outside of the immediate Terminal area.

Attached is a further set of annotated plans which show RBT's utilities and media connections, to assist in the identification of them by the Examining Authority. As also stated in RBT's Deadline 3 submission [REP3-028], these annotations are only indicative. They have not been prepared as overlay plans which precisely scale against the land plans.

These show the following utilities and media connections marked as follows:

1. Industrial Water (**Green**)
2. Potable Water
 - a. Back Up Potable Water Pipeline (**Dark Blue**)
 - b. Main Potable Water Pipeline (**Light Blue**)
 - c. Water Pipeline on RBT land (**Indigo**)
3. High Voltage Electricity Cable (**Magenta**)
4. Communication Cables (**Orange**)

In respect of RBT's Deadline 3 submission [REP3-028], it appears that the annotations made electronically to the land plans have been stripped from the documents uploaded to the NZT Project Page. These are re-attached to this letter using hardcopy scans.

Yours sincerely,

[Redacted Signature]

Direct Dial: [Redacted]
Mobile: [Redacted]
E-mail: [Redacted]

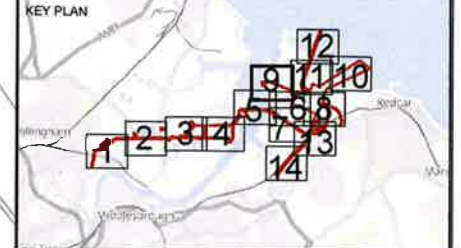
RBT's Utility and Media Connections

These show the following utilities and media connections marked as follows:

1. Industrial Water (**Green**)
2. Potable Water
 - a. Back Up Potable Water Pipeline (**Dark Blue**)
 - b. Main Potable Water Pipeline (**Light Blue**)
 - c. Water Pipeline on RBT land (**Indigo**)
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4. Communication Cables (**Orange**)

The Net Zero Teesside Order 2022

Regulation 5(2)(i) - Infrastructure Planning
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- Key**
- Order Land - the area within which powers of compulsory acquisition and to take temporary possession can be exercised
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 - Special Category Land - Open Space

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Clients: NZT Power Limited & NZNS Storage Limited

Designer: ardent infrastructure and regeneration

Project: NET ZERO TEESSIDE PROJECT

Drawing Title: APPLICATION DOCUMENT REFERENCE NO. 4.2
LAND PLANS
SHEET 9 OF 14

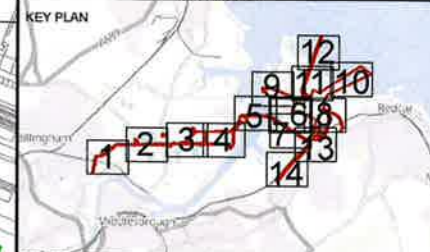
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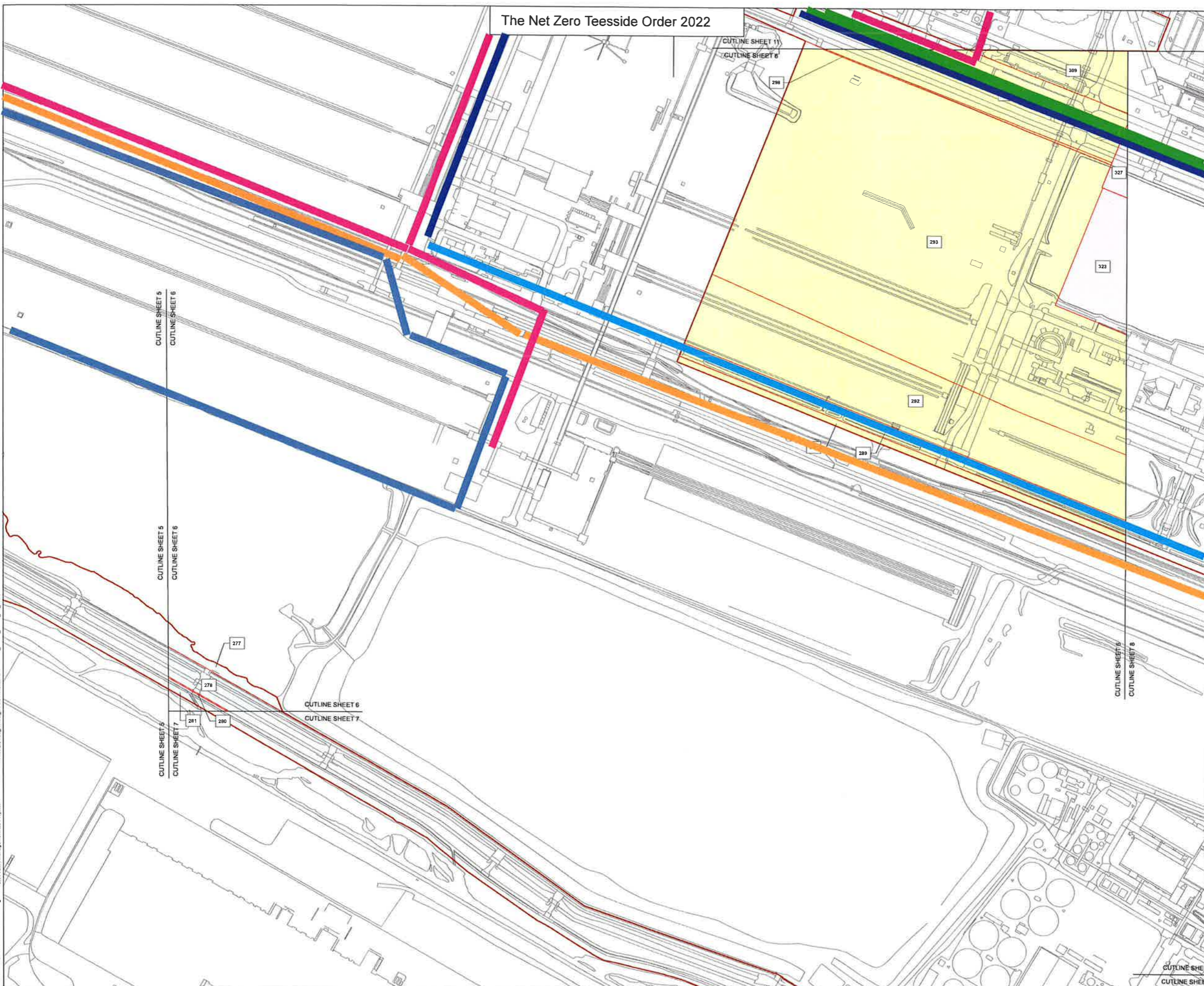
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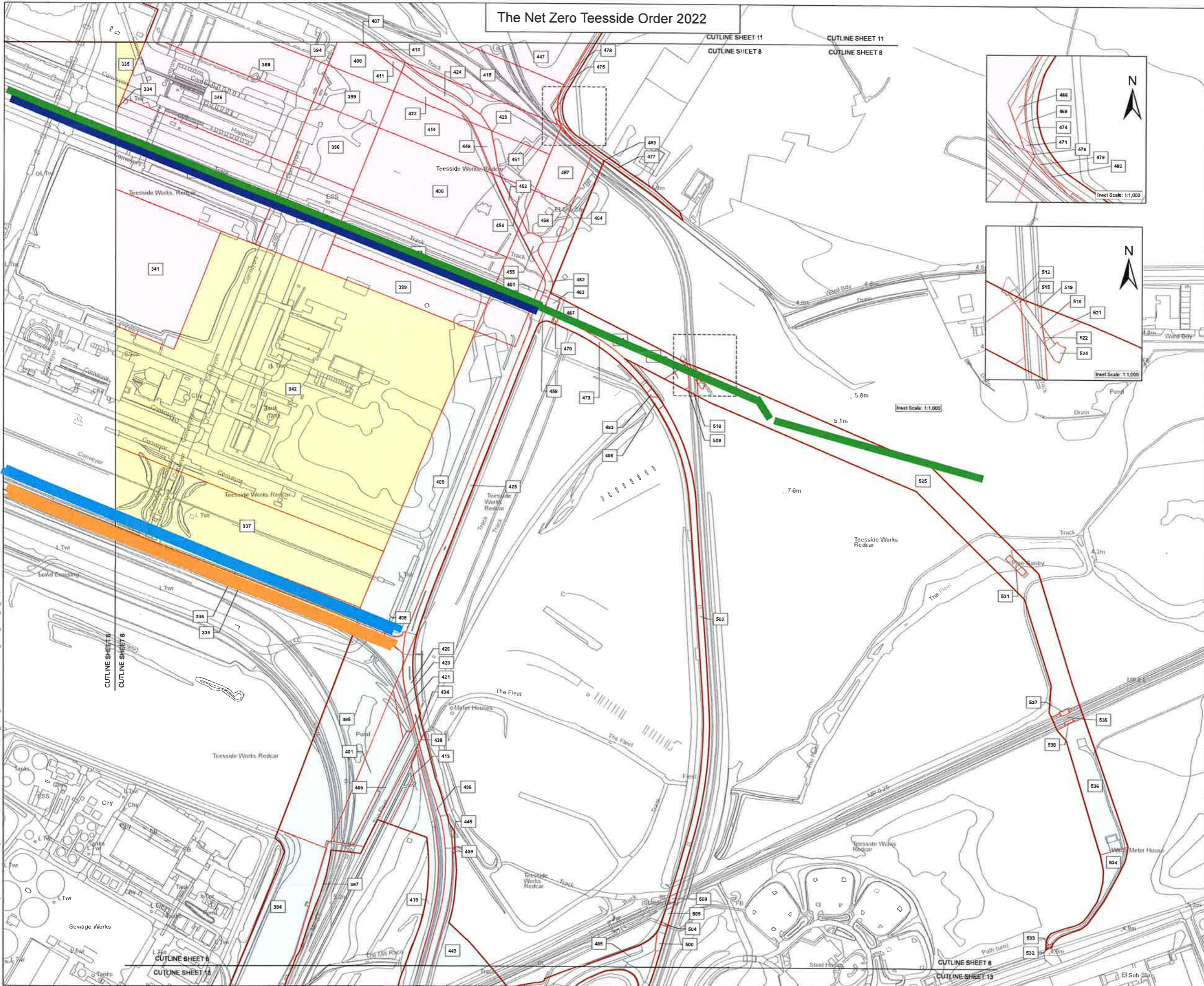
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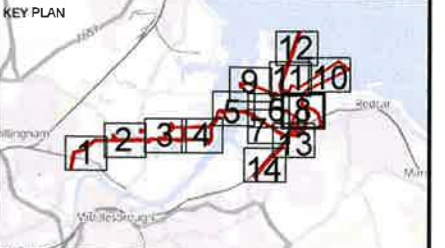
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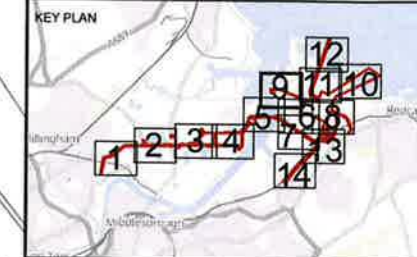
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RBT's Terminal operational area (edged blue)

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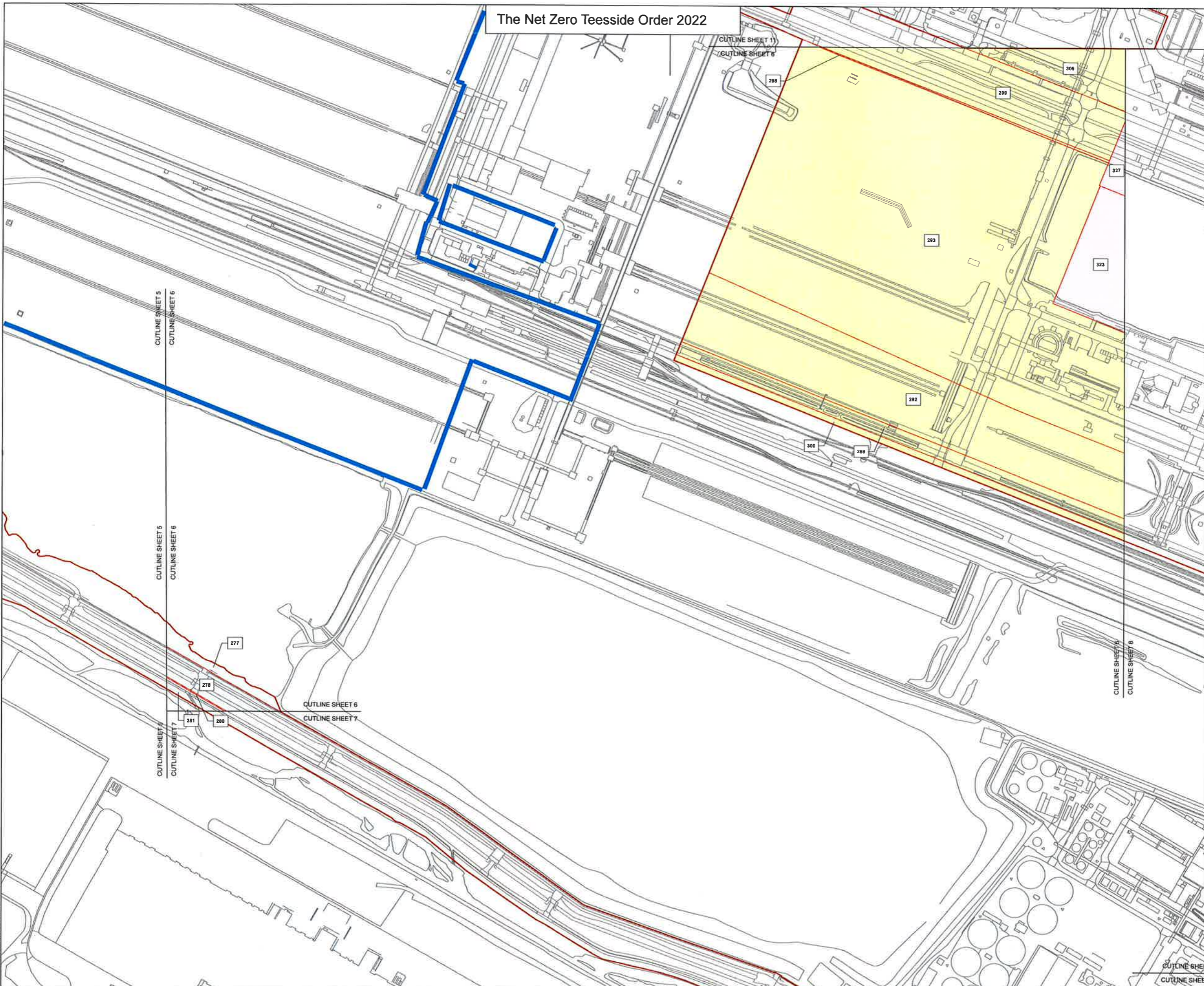
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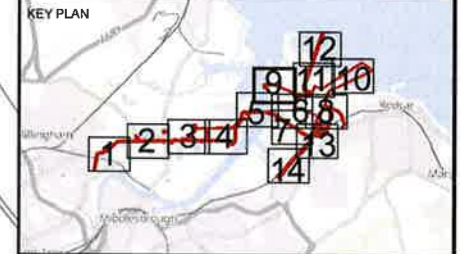
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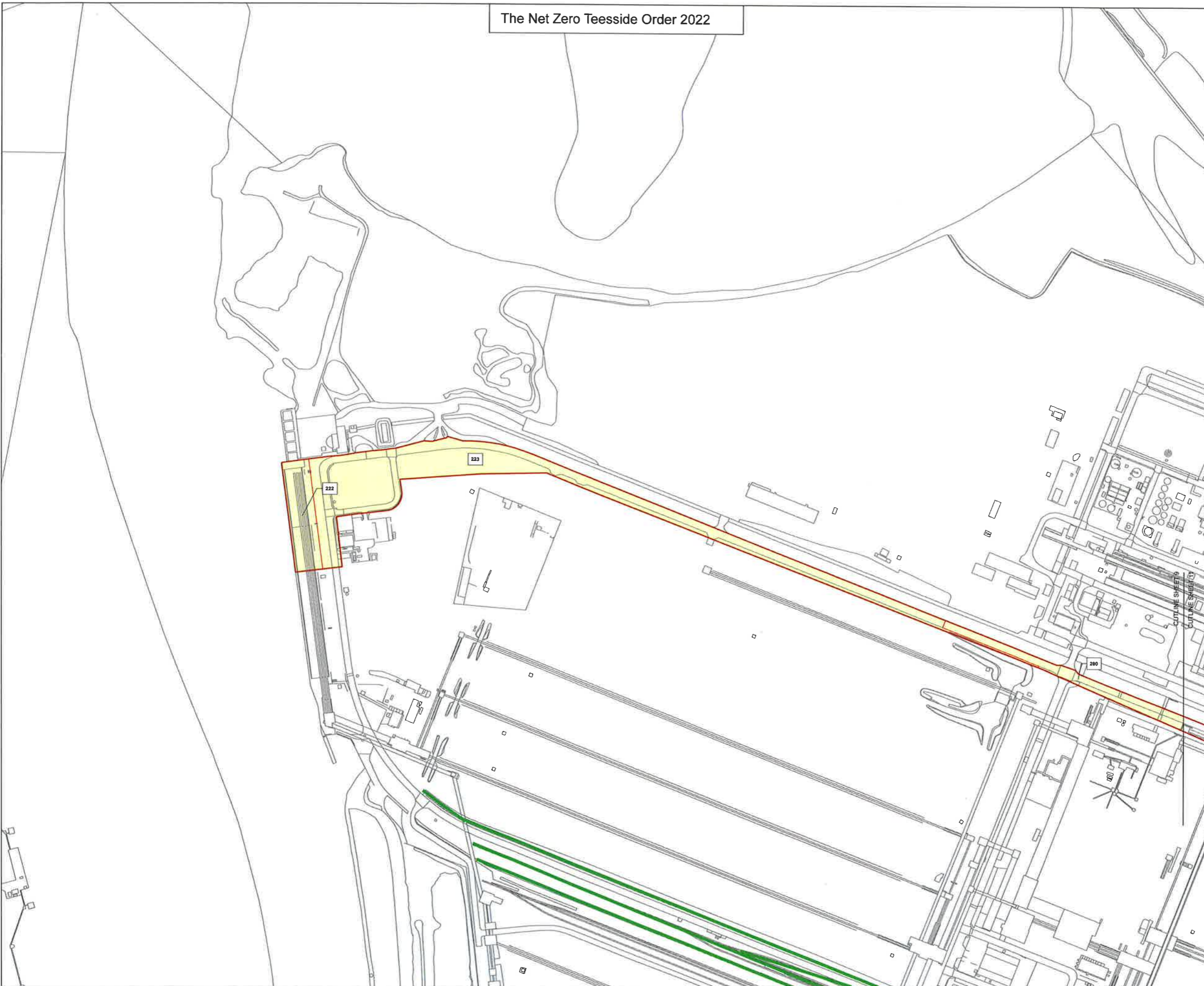
RBT's rail accesses (marked green)

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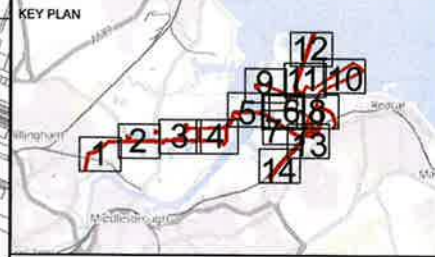
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Designer: ardent infrastructure and regeneration

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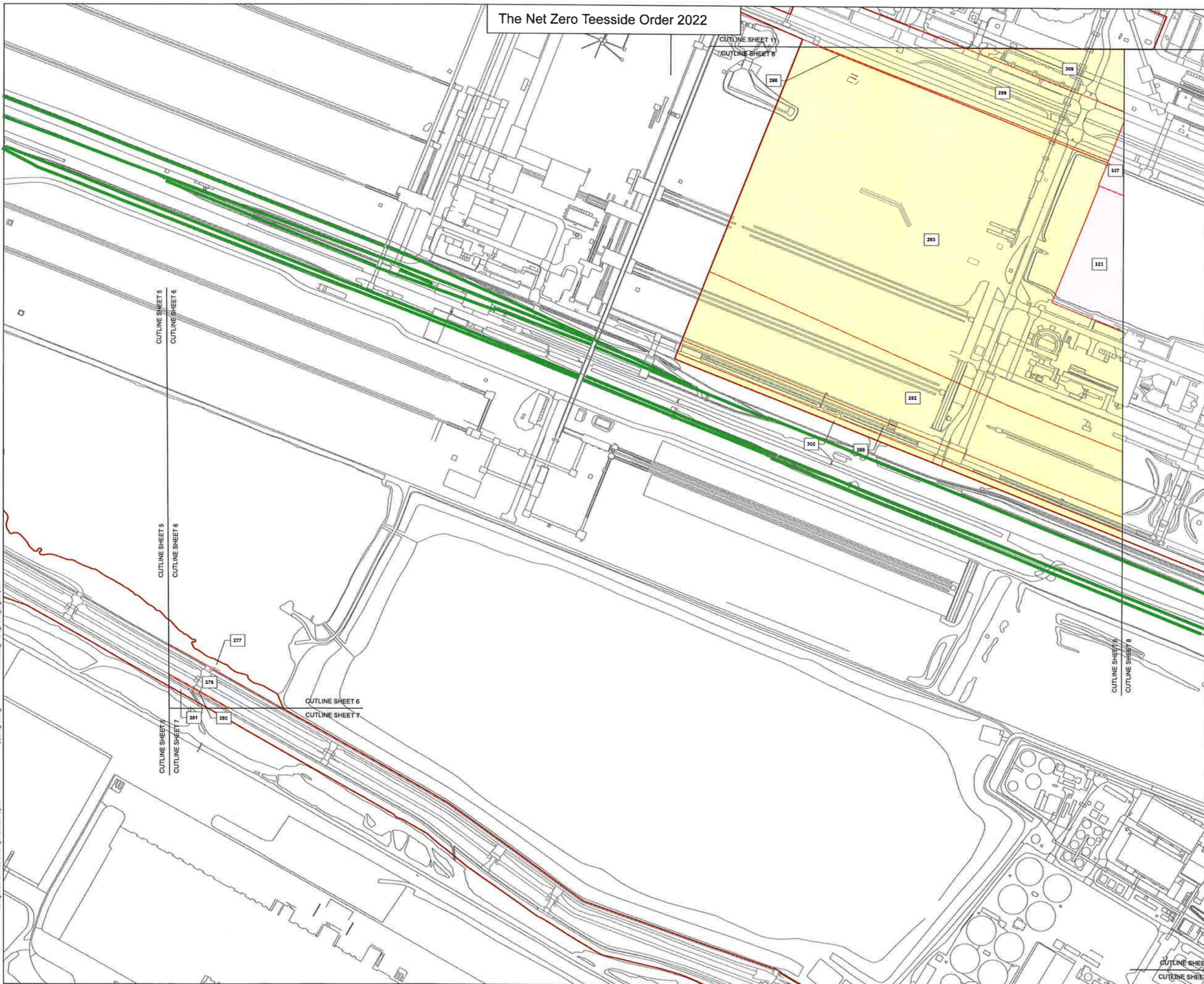
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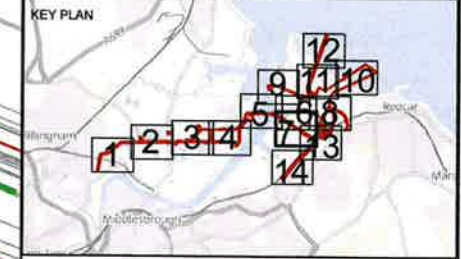
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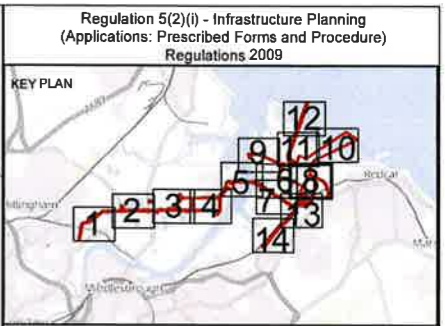
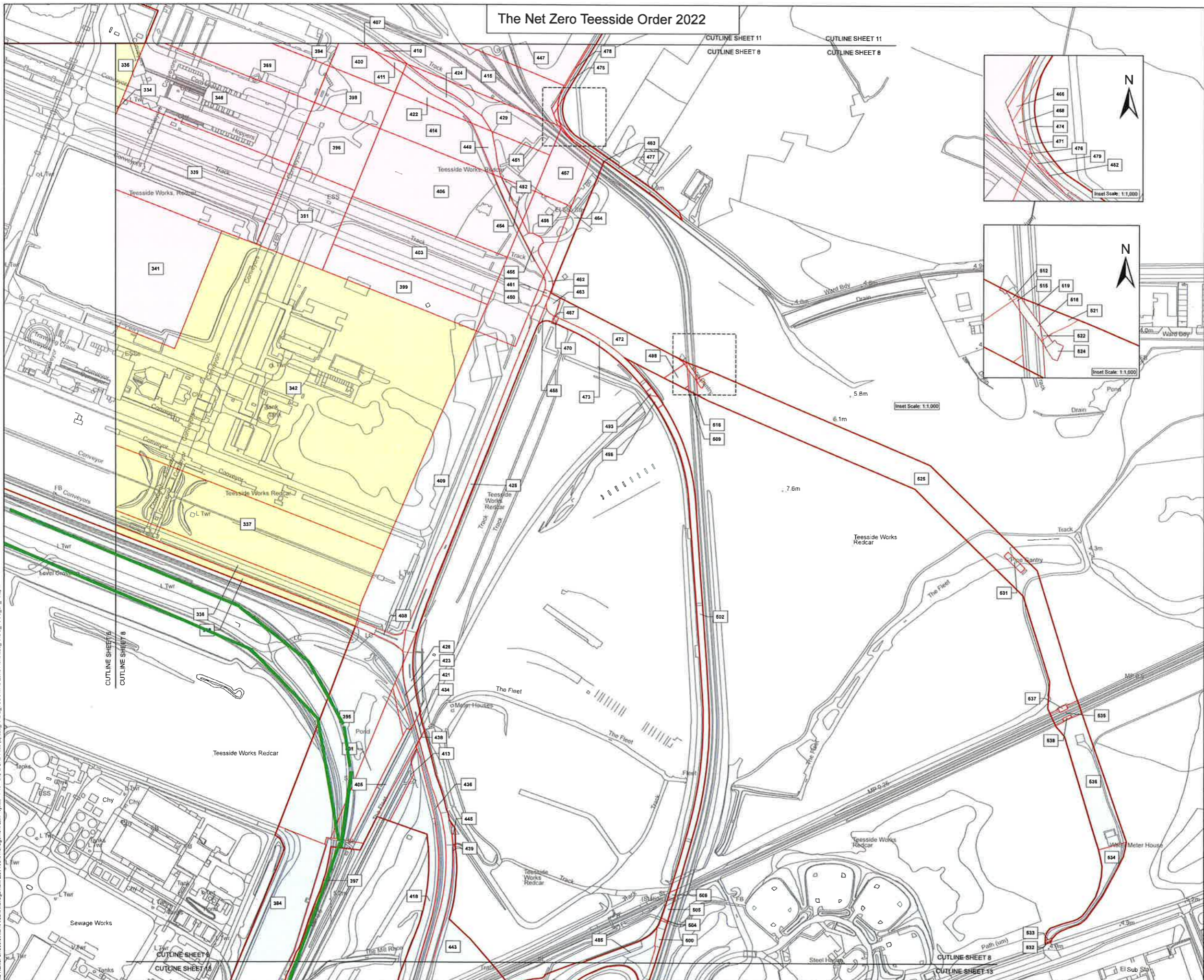
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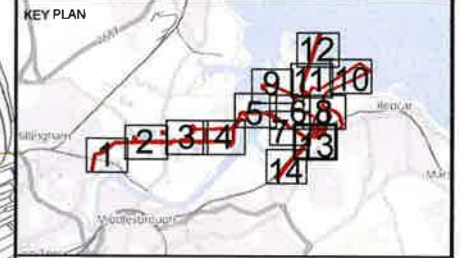
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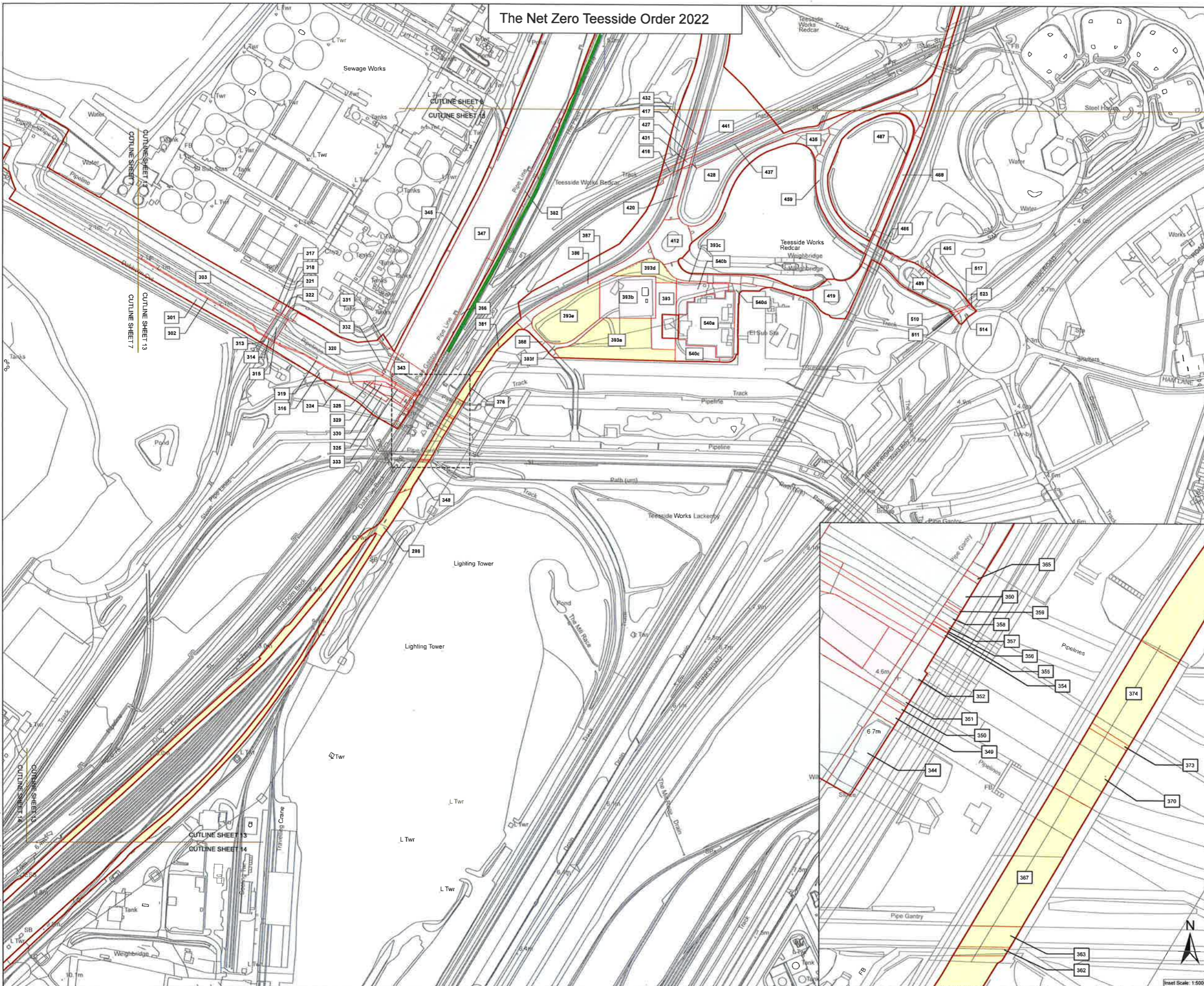
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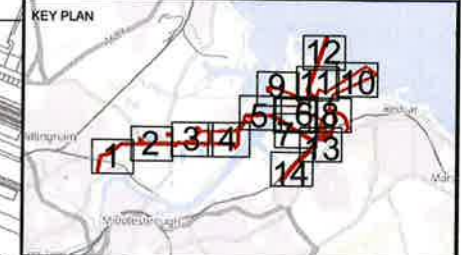
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Clients	NZE Power Limited & NZNS Storage Limited		
Designer			
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RBT's road accesses (marked blue)

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Client: Net Zero Teesside

Client: **NZT Power Limited & NZNS Storage Limited**

Designer: ardent
INFRASTRUCTURE AND REGULATION

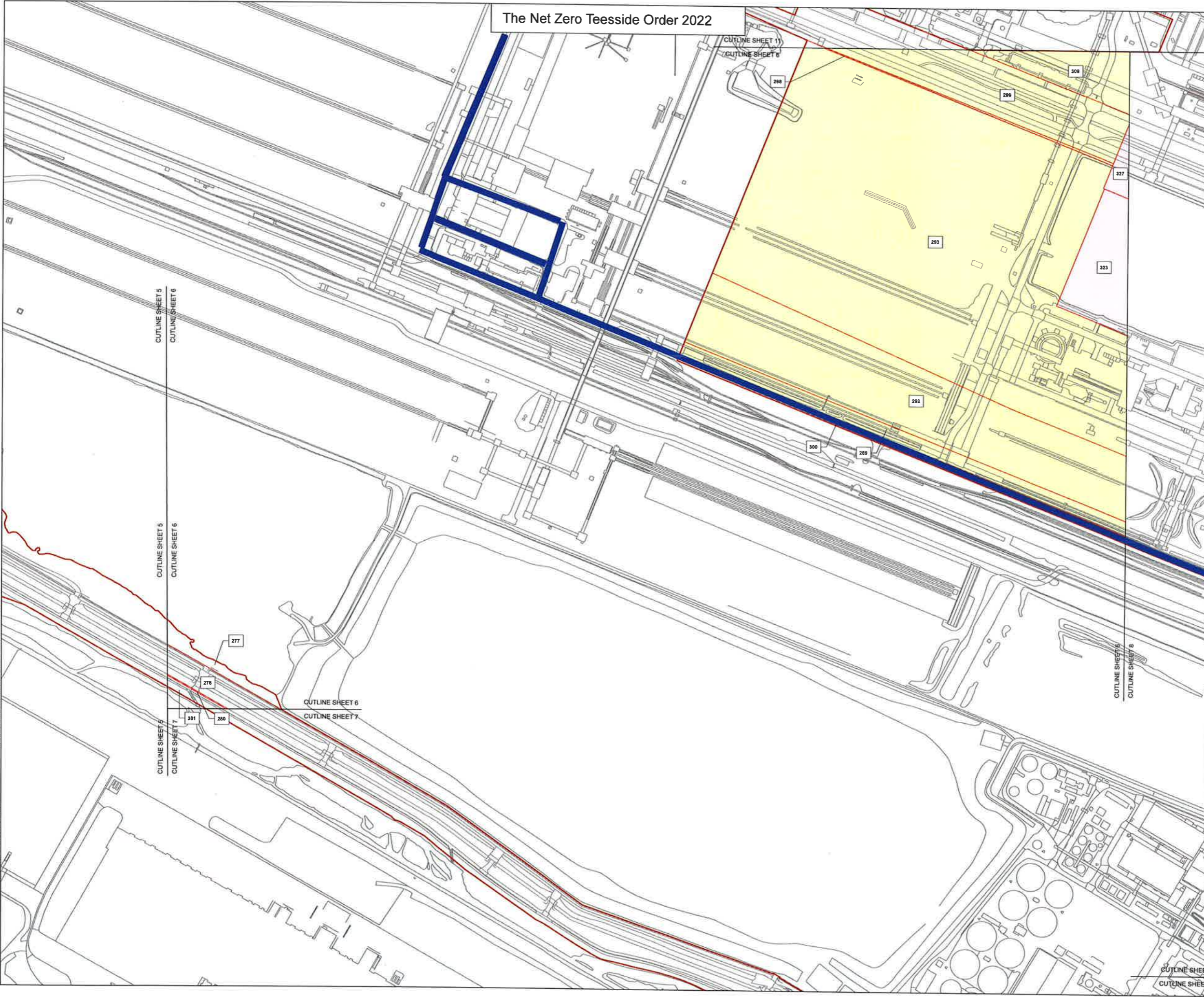
Project: **NET ZERO TEESSIDE PROJECT**

Drawing Title: **APPLICATION DOCUMENT REFERENCE NO. 4.2
LAND PLANS
SHEET 6 OF 14**

Status: FOR INFORMATION		Revision: 03
Scale: 1:2,500 @ A1	Spatial Reference System: British National Grid	Date: April 2022
Drawn By: N.HENRYS	Checked By: J.WITHINGTON	Approved By: L.HARTIGAN
Drawing reference: 026_ARDG_TCCC_LP		

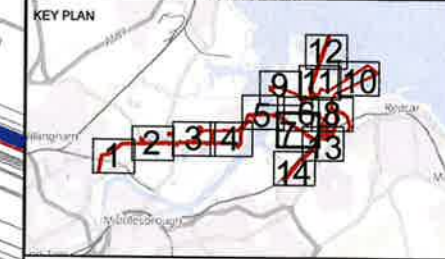
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The Net Zero Teesside Order 2022

Regulation 5(2)(i) - Infrastructure Planning
(Applications: Prescribed Forms and Procedure)
Regulations 2009



- Key**
- Order Land - the area within which powers of compulsory acquisition and to take temporary possession can be exercised
 - Order Land - New Rights to be compulsorily acquired and in relation to which it is proposed to extinguish easements, servitudes and other private rights.
 - Order Land - Freehold to be compulsorily acquired and in relation to which it is proposed to extinguish easements, servitudes and other private rights.
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Client: Net Zero Teesside

Clients: **NZT Power Limited & NZNS Storage Limited**

Designer: ardent
infrastructure and regeneration

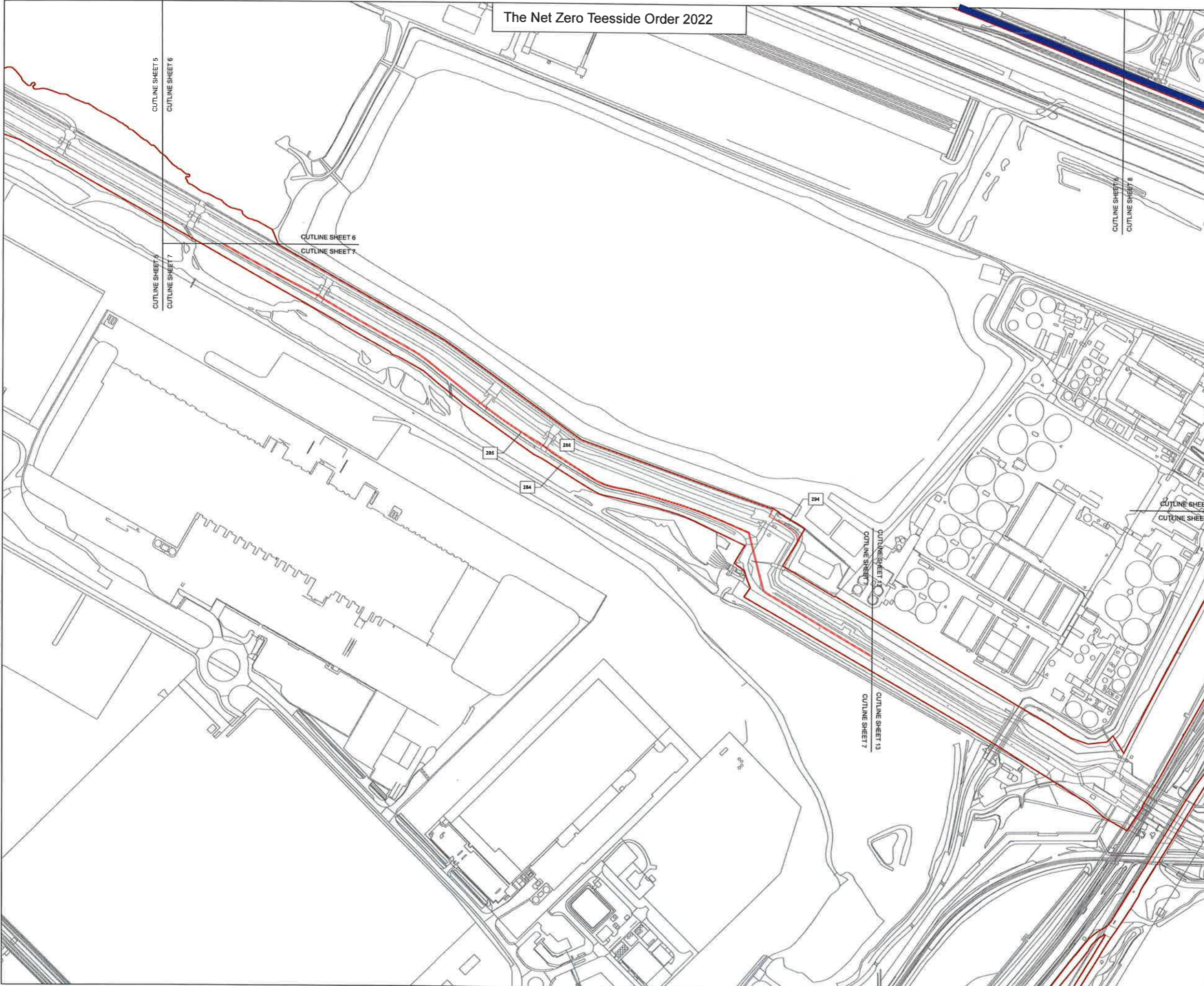
Project: **NET ZERO TEESSIDE PROJECT**

Drawing Title: **APPLICATION DOCUMENT REFERENCE NO. 4.2
LAND PLANS
SHEET 7 OF 14**

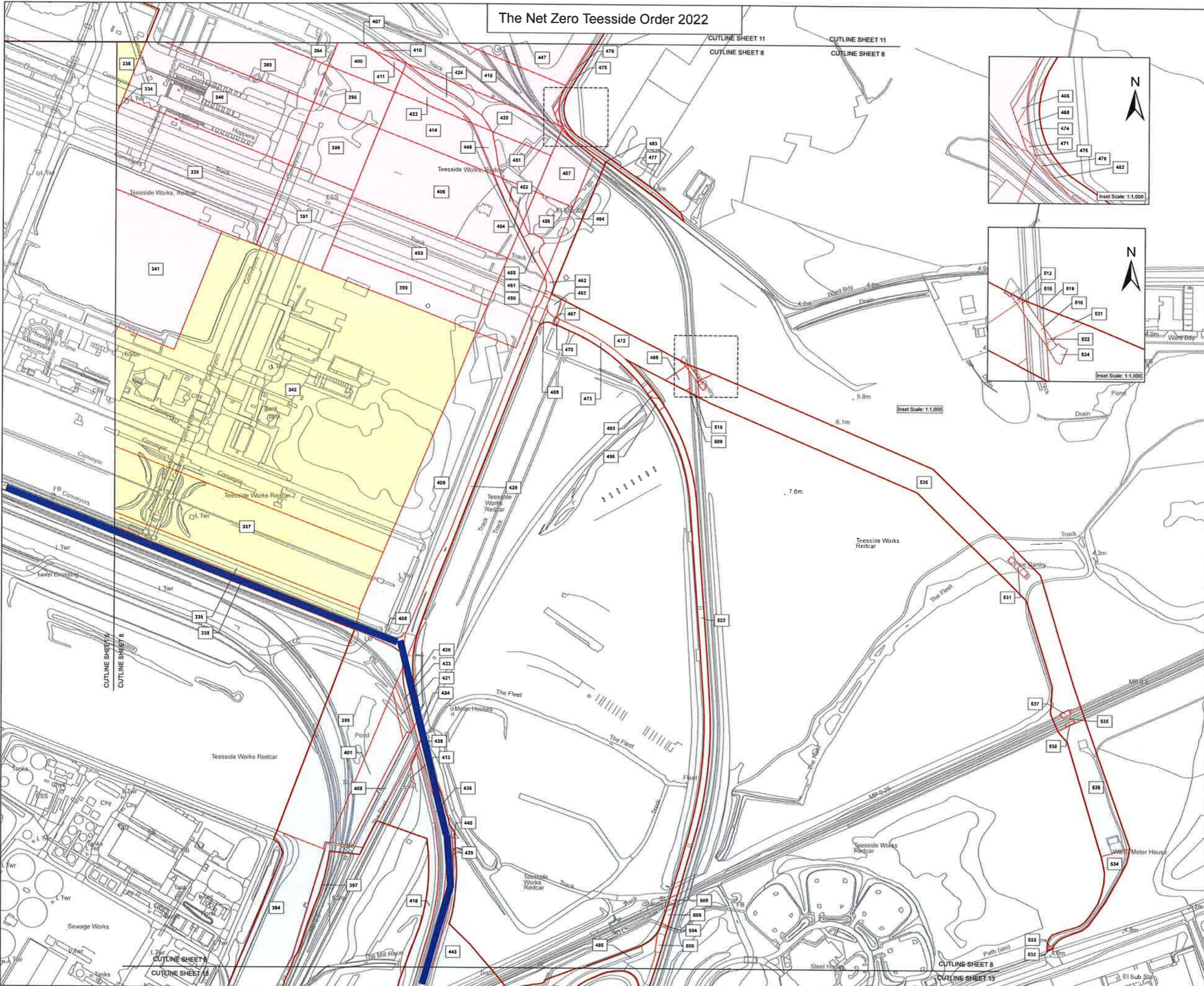
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The Net Zero Teesside Order 2022



Regulation 5(2)(i) - Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009



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Client: Net Zero Teesside

Clients: **NZT Power Limited & NZNS Storage Limited**

Designer: ardent
infrastructure and renewables

Project: **NET ZERO TEESSIDE PROJECT**

Drawing Title: **APPLICATION DOCUMENT REFERENCE NO. 4.2
LAND PLANS
SHEET 8 OF 14**

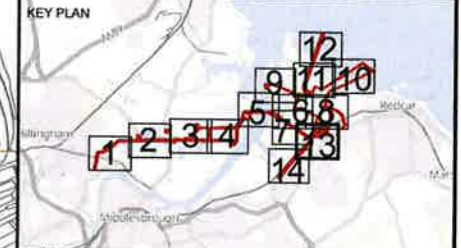
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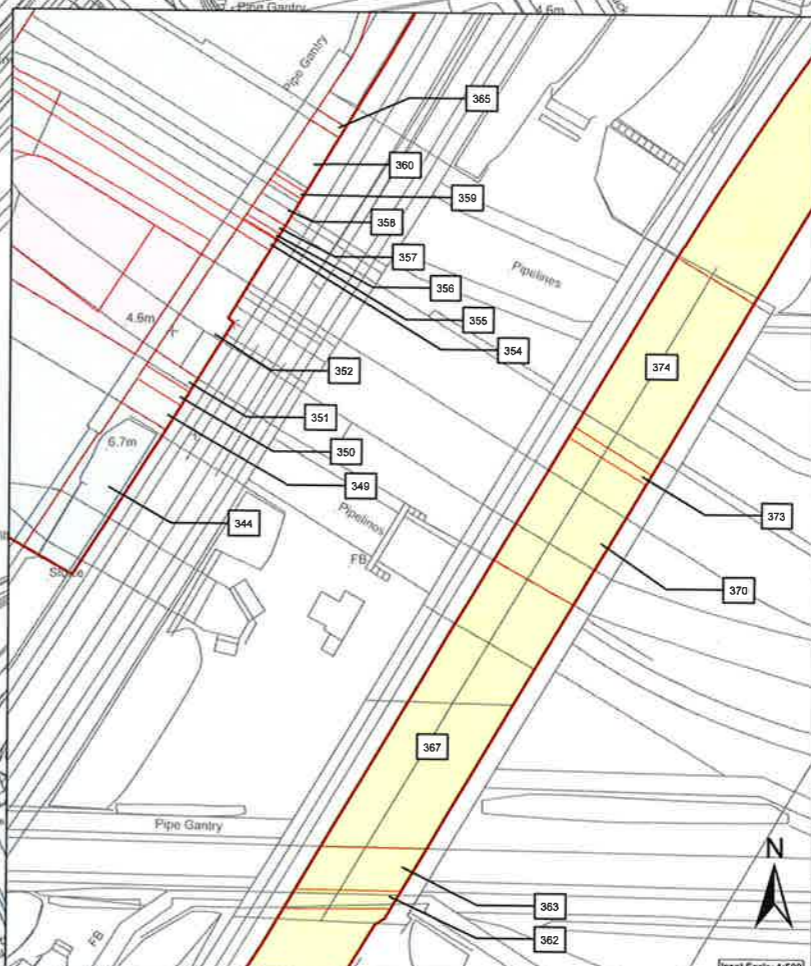
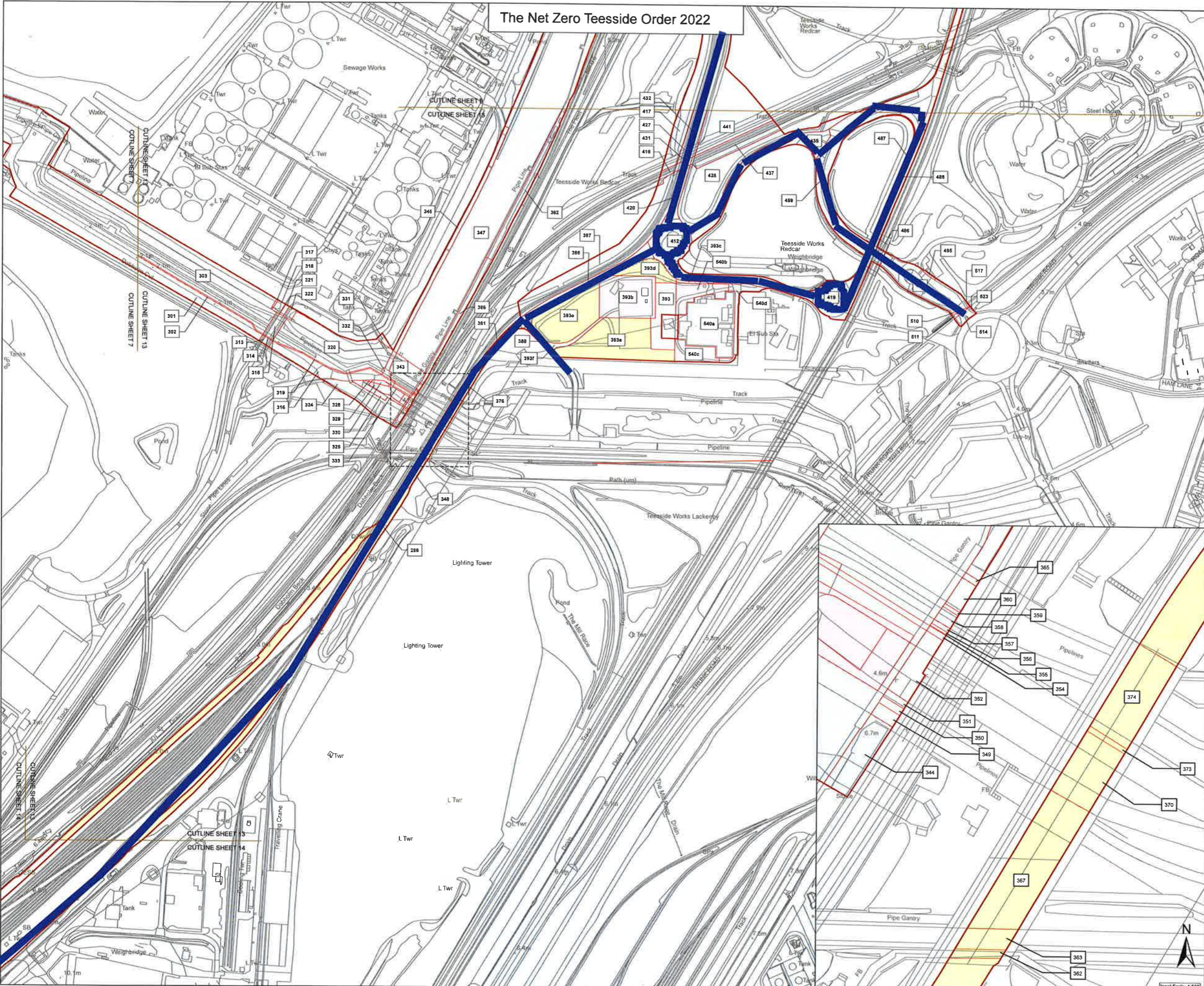
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The Net Zero Teesside Order 2022

Regulation 5(2)(f) - Infrastructure Planning
(Applications: Prescribed Forms and Procedure)
Regulations 2009



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Clients: **NZT Power Limited & NZNS Storage Limited**



Project: **NET ZERO TEESSIDE PROJECT**

Drawing Title: **APPLICATION DOCUMENT REFERENCE NO. 4.2 LAND PLANS SHEET 13 OF 14**

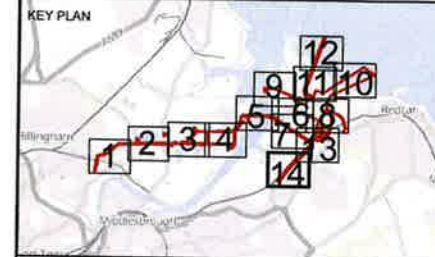
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Scale: 1:2,500 @ A1		Date: April 2022
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The Net Zero Teesside Order 2022

Regulation 5(2)(i) - Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009



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Client: **Net Zero Teesside**

Clients: **NZT Power Limited & NZNS Storage Limited**



Project: **NET ZERO TEESSIDE PROJECT**

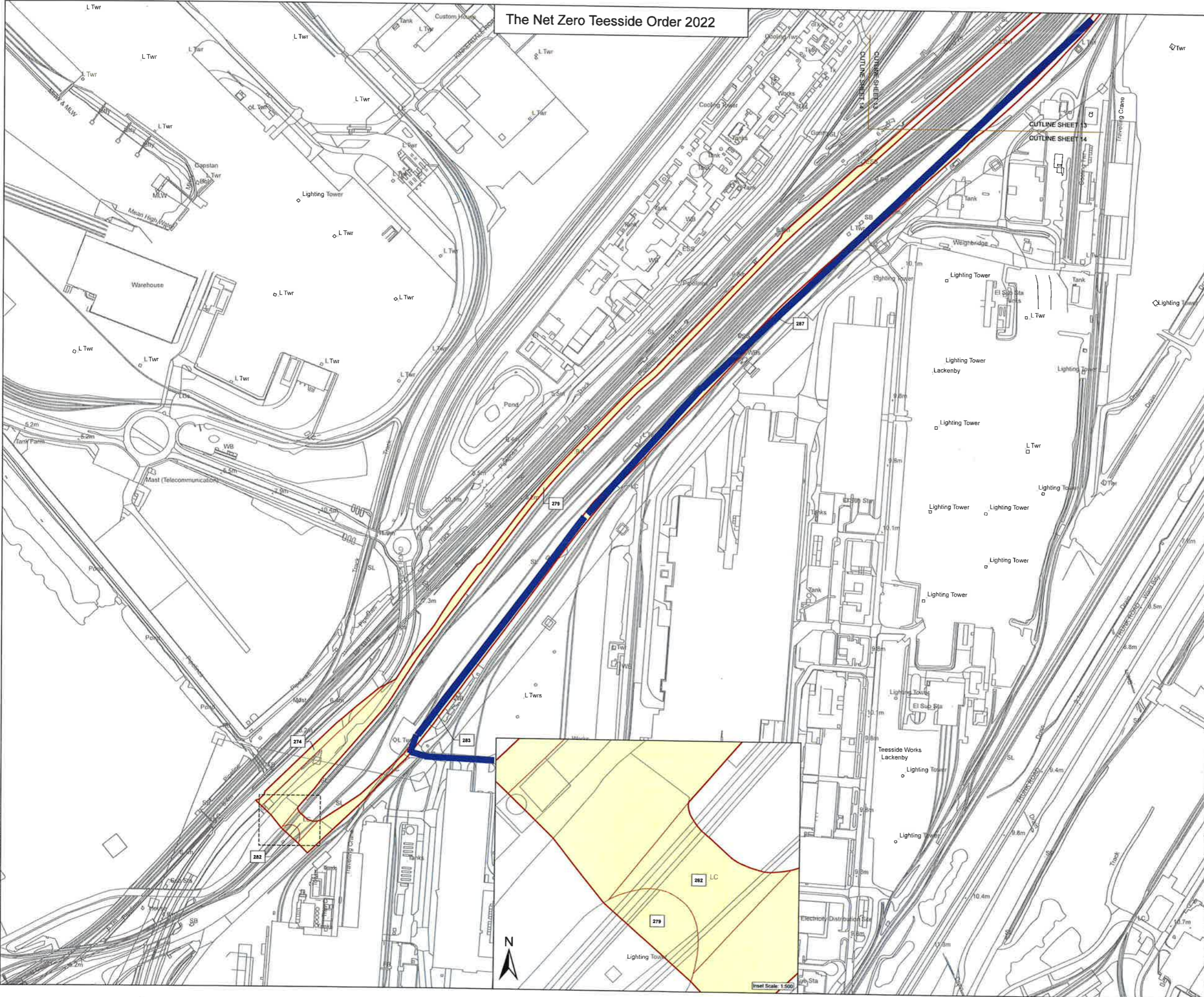
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Status: FOR INFORMATION	Revision: 03
Scale: 1:2,500 @ A1	Date: April 2022
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