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: 9.32 – Applicants' Comments on Deadline 6 Submissions

Planning Act 2008

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

Date: September 2022

DOCUMENT HISTORY

Document Ref	9.32		
Revision	1.0		
Author	Jack Bottomley (JB)		
Signed	JB	**Date**	01.09.22
Approved By	Jack Bottomley (JB)		
Signed	JB	**Date**	01.09.22
Document Owner	bp		

GLOSSARY

Abbreviation	Description
AOD	Above ordnance datum
AS-	Additional Submissions
BAT	Best Available Techniques
BEIS	The Department for Business, Energy and Industrial Strategy
CCGT	Combined Cycle Gas Turbine
CCUS	Carbon Capture, Utilisation and Storage
CEMP	Construction and Environmental Management Plan
CTMP	Construction Traffic Management Plan
CO_2	Carbon dioxide
CPO	Compulsory Purchase Order
dB	Decibels
DCO	Development Consent Order
dDCO	Draft Development Consent Order
EIA	Environmental Impact Assessment
EPC	Engineering, Procurement and Construction
ES	Environmental Statement
ETS	Emissions Trading Scheme
ExA	Examining Authority
FEED	Front end engineering and design
FRA	Flood Risk Assessment
Ha	Hectares
HDD	Horizontal Directional Drilling
HIA	Hydrogeological Impact Appraisal
HoT	Heads of Terms
kV	Kilovolts
MHWS	Mean High Water Springs
MLWS	Mean Low Water Springs
Mt	Million tonnes

NATS	National Air Traffic Services
NSIP	Nationally Significant Infrastructure Project
NWL	Northumbria Water Lagoon
NZT	The Net Zero Teesside Project
NZT Power	Net Zero Teesside Power Limited
NZNS Storage	Net Zero North Sea Storage Limited
PA 2008	Planning Act 2008
PCC	Power Capture and Compressor Site
PDA-	Procedural Deadline A
PINS	Planning Inspectorate
RCBC	Redcar and Cleveland Borough Council
RR	Relevant Representation
SBC	Stockton Borough Council
SEL	Sound Exposure Level
SPA	Special Protection Areas
SoCG	Statement of Common Ground
SoS	Secretary of State
STDC	South Tees Development Corporation
SuDS	Sustainable urban drainage systems
UXO	Unexploded Ordnance
WFD	Water Framework Directive

CONTENTS

1.0 INTRODUCTION

1.1 Overview

1.1.1 This document, 'Applicant's Comments on Deadline 6 Submissions' (Document Ref. 9.32) 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 (the 'ExA') on 6 May 2022. A further change request was submitted to the ExA at Deadline 6 on 23 August 2022.

1.2 Description of the Proposed Development

1.2.1 The Proposed Development will work by capturing CO_2 from a new the gas-fired power station in addition to a cluster of local industries on Teesside and transporting it via a CO_2 transport pipeline to the Endurance saline aquifer under the North Sea. The Proposed Development will initially capture and transport up to 4Mt of CO_2 per annum, although the CO_2 transport pipeline has the capacity to accommodate up to 10Mt of CO_2 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 CO_2 gathering network (including connections under the tidal River Tees) to collect and transport the captured CO_2 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 **'CO_2 Gathering Network Corridor'**);

- **Work No. 7** – a high-pressure CO_2 compressor station to receive and compress the captured CO_2 from the Low Carbon Electricity Generating Station and the CO_2 Gathering Network before it is transported offshore (the **'HP Compressor Station'**);
- **Work No. 8** – a dense phase CO_2 export pipeline for the onward transport of the captured and compressed CO_2 to the Endurance saline aquifer under the North Sea (the **'CO_2 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 CO_2 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 CO_2 export pipeline will also start in this location before heading offshore. The generating station connections and the CO_2 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 summarise the Applicants' comments on the submissions made by Interested Parties at Deadline 6 (23 August 2022). The document is structured to provide comments on the following Interested Parties' Deadline 6 submissions:

- Section 2 – Anglo American
- Section 3 – British Telecommunications Plc
- Section 4 – CATS North Sea Limited
- Section 5 – ClientEarth
- Section 6 – Sembcorp Utilities UK Limited
- Section 7 – EDF Energy Renewables Limited and Teesside Wind Farm Limited
- Section 8 – Environment Agency
- Section 9 – INEOS Nitriles (UK) Limited
- Section 10 – Marine Management Organisation
- Section 11 – Natural England
- Section 12 – North Tees Limited
- Section 13 – Orsted Hornsea Project Four Limited
- Section 14 – PD Teesport Limited

- Section 15 – Teesside Gas & Liquids Processing and Teesside Gas Processing Plant Limited
- Section 16 – South Tees Development Corporation
- Section 17 – The Crown Estate
- Section 18 – UK Health Security Agency.

2.0 ANGLO AMERICAN

2.1.1 The Deadline 6 submission by Anglo American [REP6-126] includes an update on discussions and responses to the ExA's Second Written Questions (SWQs).

2.2 Applicants' Comments

2.2.1 Update on discussions: The Applicants note Anglo American's comments and confirm that good progress has been made on a side agreement and protective provisions. Property agreements continue to be progressed between the parties.

2.2.2 Response to GEN.2.3: The Applicants are in regular discussion with Anglo American and both parties continue to update each other on technical matters to support co-operation and with the objective of co-existing.

2.2.3 Response to BIO.2.8: The Applicants note Anglo American's response. The Applicants updated the Habitats Regulations Assessment Report [REP6-045/046] at Deadline 6. The update included a revised assessment of the in-combination effects with the York Potash project (electronic page numbers 79-80).

2.2.4 The Applicants can confirm that the side agreement and protective provisions under discussion are aimed at ensuring that the two developments can be delivered and operated together. The Applicants are confident that agreement will be reached during Examination.

3.0 BRITISH TELECOMMUNICATIONS PLC

3.1.1 The Deadline 6 submission by British Telecommunications Plc ('BT') [REP6-127] includes a response to the Applicants' request for information sent on 27 July 2022.

3.2 Applicants' Comments

3.2.1 The Applicants note the response by BT to the Applicants' letter dated 27 July 2022. The Applicants confirm that the two sites noted in BT's response are not within the Order Limits and are not affected by the NZT Project.

3.2.2 BT also recommend that the Applicants contact Openreach in respect of ductwork and cabling. The Applicants confirm they have contacted Openreach to enquire after any assets potentially affected by the NZT Project. The Applicants have not yet received a response from Openreach. The Applicants included Openreach in some plots within the Book of Reference at Deadline 6 [REP6-007 and REP6-008] as explained in its response to CA.2.15 (Applicants' Response to Examining Authority's Second Written Questions [REP6-122])

4.0 CATS NORTH SEA LIMITED

4.1.1 The Deadline 6 submission by Cats North Sea Limited ('CNSL') [REP6-128] includes responses to the ExA's SWQs.

4.2 Applicants' Comments

4.2.1 Response to CA.2.9 i: As outlined by the Applicants, plot 112 represents a practical and strategic location for the Natural Gas supply connection. The Applicants' Proposed Development will utilise the existing Sembcorp south pipeline. A connection to the National Transmission System (NTS) is still required and the proposed connection point ensures the Applicants minimised land take and impact on affected parties.

4.2.2 The Applicants would clarify that as per paragraph 3.1.4 in the Gas Connection Statement [AS-192], the Applicants have considered alternative gas supplies, in addition to the supply from the National Grid Gas Plc (NGG) NTS. The Applicants have held discussions with CNSL on a commercial agreement for gas supply and in support of these discussions, there is an ongoing technical study being executed by CNSL's contractor. The location of the Applicants' proposed AGI in plot 112 would therefore benefit from the close proximity to the CATS terminal.

4.2.3 The Applicants' Order Limits were developed to ensure a deliverable scheme, while minimising land take. Given this, the Applicants proposed route to plot 112 would be via plot 108 and 103. This route utilises a common access road (plots 108 and 103) from Seal Sands Road to access Work Nos. 2A and 2B in both CNSL and NSMP Order Land. This represents a shortest practical route to Work No. 2B from Seal Sands Road compared to the alternative access road via the main CATS terminal entrance. The Applicants are continuing with negotiations on a voluntary agreement with CNSL, the basis of this agreement could include for the Applicants to access plot 112 via the CATS terminal main entrance, but notwithstanding that the Applicants' position is that its proposed access route within the Order limits is appropriate, safe and justified.

4.2.4 Response to CA.2.9 ii: The Applicants welcome CNSL's response and will continue to work with CNSL and PDT to secure a voluntary agreement.

5.0 CLIENTEARTH

5.1.1 The Deadline 6 submission by ClientEarth [REP6-129] includes responses to information submitted at Deadline 5 and a response to the ExA's SWQs.

5.2 Applicants' Comments

5.2.1 Paragraph 1: no comment.

5.2.2 Paragraphs 2 – 3: The environmental permit will apply to the operation of both the generating station and the carbon capture plant. Both the operation of the generating station and the operation of the carbon capture plant are Schedule 1 listed activities in the Environmental Permitting (England and Wales) Regulations 2016 and therefore the permit will regulate the operation of both activities. The wording provided by the Environment Agency in their deadline 5 response [REP5-032] therefore applies to the operation of the generating station and carbon capture plant as a whole, not just to the carbon capture plant.

5.2.3 Paragraph 4: Under the environmental permit, operation of the generating station and carbon capture plant must be in accordance with the use of BAT to prevent or control emissions or releases to the environment.

5.2.4 Paragraph 5: For the foregoing reasons, the Applicants' position remains as set out at pages 15 and 16 of their Written Summary of Oral Submissions for Issue Specific Hearing 3 (ISH3) [REP5-025]. It does not consider that there are any gaps in the drafting of the NZT dDCO that need to be filled by these definitions or any other drafting. As well as being duplication or unnecessary, as previously outlined, the Applicants also remain concerned that wording could be introduced into the DCO drafting that contradicts or conflicts with the controls that will be applied in the environmental permit, particularly as the definition of BAT for the use of carbon capture will continue to evolve as the industry matures, plants gain operational data and innovation is applied.

5.2.5 It is clear across all industrial sectors that emissions controls are progressively being tightened and improved through innovation and application of best practice, as has occurred in the reduction in emission limits for pollutants to air and water from all industries and in particular power generation over the last 20 years. Such improvements are implemented through variations to environmental permits and the use of permit improvement conditions over time, as the definition of BAT changes. Inappropriate drafting enshrined within the DCO could therefore conflict with that progressive improvement that is likely to occur through the environmental permitting regime.

5.2.6 ClientEarth further assert: *the Applicants have not suggested that requiring the captured carbon dioxide to be exported to the wider offshore storage network in the DCO would result in duplication*.

5.2.7 ClientEarth appear to be conflating two separate issues. The Applicants' position with respect to duplication of consenting regimes relates to the control over the capture of CO_2 from the generating station under the DCO and environmental

permitting regimes. That must be distinguished from the need for a control under the DCO over the transport and storage of CO_2 (i.e. CO_2 that has already been captured). The Applicants' position on the latter issue is not to do with the duplication of consenting regimes. It is that this matter is already satisfactorily addressed by the drafting under Requirement 31(1) of the dDCO. Specifically, that all of the components of the Proposed Development (WN1C, 7 and 8) required to capture and support transportation and storage of the CO2 must be brought into commercial use on or before the CCGT (WN1A) can become operational. The Applicants consider this to be an effective control alongside the environmental permitting controls over the generating station itself (as more fully set out above).

5.2.8 For completeness, the Applicants have already explained why they consider it inappropriate for a DCO Requirement to be imposed that requires that captured emissions "must" be "stored permanently in the proposed offshore geological site". The offshore consents will already secure the arrangements for the permanent storage of CO_2, and such consents must be secured before any part of the development authorised by the NZT dDCO may commence (with the exception of permitted preliminary works) (see Requirement 31(2)). Furthermore, there may be opportunities to beneficially utilise the captured CO_2 in a way that does not lead to eventual emissions into the atmosphere and it is considered that the proposed additional wording could stifle innovation into such opportunities.

5.2.9 For a full summary of the Applicants' position with respect to the controls under the dDCO over the transportation and storage of captured CO_2, the Examining Authority is directed to pages 12 – 13 of the Applicants' Comments on Relevant Representations [REP1-045] and pages 30 – 34 of its response to ClientEarth's Written Representation in the Applicants' comments on Written Representations [REP3-012].

5.2.10 Paragraph 6: as set out in the response to DCO.2.13 in the Applicants' Response to the Examining Authority's Second Written Questions [REP6-121] the only difference between the drafting in the dDCO for NZT and the dDCO for Keadby 3 is the inclusion of the definitions in Article 2, namely the definitions of 'carbon capture and compression plant'; 'commercial use'; and 'commissioning'. The Applicants do not consider that there are any gaps in the drafting of the NZT dDCO that need to be filled by these definitions or any other drafting. The simple fact that these definitions were included in the draft Keadby 3 Order by that Applicant does not in itself demonstrate that they are required (let alone appropriate) in order to embed a minimum capture rate and conveyance of the captured carbon for transport and storage with respect to the NZT project. Nothing in ClientEarth's D5 response [REP5-030] or D6 response [REP6-129] demonstrates otherwise.

5.2.11 Paragraph 7: no comment.

6.0 SEMBCORP UTILITIES UK LIMITED

6.1.1 The Deadline 6 submission by Sembcorp Utilities UK Limited ('Sembcorp') [REP6-130] includes responses to the ExA's SWQs.

6.2 Applicants' Comments

6.2.1 Response to GEN.2.9: Refer to the Applicants response to GEN.2.9 in the Applicants' Response to the ExA's Second Written Questions [REP6-121].

6.2.2 Response to GEN.2.13: The Applicants note Sembcorp's response, and the Applicants agree with the technical basis of their response. With regards to the decommissioning of any buried apparatus, the Applicants agree that where it cannot be safely removed and therefore left in situ that there will still be steps required by the Applicants to ensure that the apparatus is safely abandoned.

6.2.3 With regards to the proposed amendments to R32, the decommissioning and environmental management plan is intended to be the mechanism for the undertaker to confirm and agree with the relevant planning authority as to what parts of the Proposed Development (above or below ground) are to be removed, or remain in-situ (subject to appropriate measures). Subject to some minor alterations to the drafting, the Applicants are content to accept the changes to the drafting of Requirement 32 proposed at page 9 of the Sembcorp's Deadline 6 submission. The Applicants will make the updates in the draft DCO to be submitted at Deadline 8.

6.2.4 Response to CA.2.5 i: The Applicants note Sembcorp's preliminary points in response to CA.2.5. The Applicants agree that in general construction activities require more land than that needed for maintenance and repairs. This was used as a basis for developing the Order Limits and associated rights sought along the Sembcorp pipeline corridor. New rights have been sought for the pipeline easement of Work No. 6 and access required for continued inspection and maintenance.

6.2.5 Para 1.2.1: The Applicants agree that the rationale for a pipeline entering or exiting from the corridor is to provide services to adjacent facilities. The Applicants raised this point to illustrate that at this stage it is not possible to select the final pipeline routing for Work No. 6 end to end. Detailed site surveys have been undertaken by the Applicants to support detailed engineering. It will only be following conclusion of engineering that the final routing will be confirmed. Therefore, the Applicants require flexibility to route the pipeline within the corridor, taking account of various factors, including seeking to minimise impacts and/or interactions with existing apparatus.

6.2.6 Para 1.2.3: The Applicants would refer the ExA to their response to Action 6 of CAH2 [REP5-026, electronic page numbers 7-8]. The temporary possession powers secured under the DCO would end after one year beginning with the date of final commissioning of Work No. 6. Such temporary possession powers are not sufficient to along ongoing access and the Applicants would not secure sufficient rights to maintain and operate the pipeline.

6.2.7 For clarity the strip of Order Land on the outside edge of the exiting access track referred to in paragraph 1.2.3 is 1m. The Applicants consider that this 1m is justified and proportionate in the event the pipeline is installed on the outside of the existing pipelines and supports.

6.2.8 Para 1.2.4: The ethane pipeline referred to by Sembcorp is an 8" bore pipeline, in comparison to the proposed 550mm bore (~22") for Work No. 6. There are additional design and construction constraints that the Applicants will need to address due to the large bore pipeline. This presents a number of challenges with selecting a final route for the pipeline easement, such as available space between or adjacent to existing apparatus and potential new supports/structures if existing infrastructure is unable to support the pipeline.

6.2.9 Para 1.2.7: The Applicants maintain their position that given the uncertainty that remains on the final routing of the pipeline that the extent of rights is justified. The extent of rights acquired will be limited wherever possible and based on the final routing for Work No. 6 and associated access to construct, commission, maintain and operate it.

6.2.10 Para 1.2.8: The Applicants' intention was not to imply that instances of pipelines crossing between the north and south piperacks are frequent. The purpose of this paragraph was to provide the ExA with broad context on the existing condition and to highlight that the Applicants expect their pipeline to have to cross in a similar manner. This is a key consideration in the development of the Order Limits, following pre-FEED and FEED site surveys the Applicants have identified a number of constraints that would require the pipeline to transfer from the north to the south piperack (or vice versa).

6.2.11 Para 1.2.9: The Applicants confirm that they have requested to be part of the notification group maintained by Sembcorp. Prior to the Applicants securing the voluntary agreement with Sembcorp and reserving a proposed routing, Sembcorp may notify the Applicants of new requests but the Applicants influence through consultation would be limited.

6.2.12 Para 1.2.10: The Applicants' position is that Appendix 1: Justification of Pipeline Widths in Written Summary of CAH2 [REP5-026], provides the context and basis of the existing condition of the Order Land. The Applicants have then provided justification for the extent and type of rights sought under the draft DCO.

6.2.13 Para 1.2.11: The Applicants selected the cross sections A through D to provide the ExA with a number of examples along the Sembcorp pipeline corridor. The examples used were instances where the width of the Order Limits are wide, partly due to two existing piperacks and access tracks and represent a worst case. The Applicants didn't select cross sections where there is a single piperack and access track as in these instances the width of the Order Limits is narrower.

6.2.14 Para 1.3.3: The Applicants are aware of the existing 3m easement for the Sembcorp 24 inch gas pipeline, as well as those used for the Breagh and Northern Gas Networks pipelines. The Applicants are continuing to progress with FEED engineering, including

a Quantitative Risk Assessment, which will contribute to the final determination of easement width. The Applicants will also consider the factors outlined in paragraphs 1.32-1.34 [REP5-026].

6.2.15 Para 1.3.6: The Applicants disagree that the Sembcorp land within the Order Limits will be "blighted" and that development will "effectively be prevented in the interim". In addition to demonstrating why the extent of land is required within the Sembcorp Pipeline Corridor (and elsewhere), the Applicants recognise that there is a need to secure arrangements that will protect Sembcorp's interests and minimise or avoid land sterilisation. In this regard, the Applicants have provided protective provisions in Part 16 of Schedule 12 of the DCO for the benefit of Sembcorp which include arrangements for the approval of works details in advance of commencing development, and co-operation arrangements including information sharing that will facilitate development proposals coming forward alongside the NZT development. This supplements the broader protections for apparatus to be replaced and equivalent rights granted where the NZT development affects any existing development that may come forward before it.

6.2.16 The Applicants agree that in principle the inspection and maintenance arrangements (including coordination with third party users) could be secured by private agreement. However, to date no such agreement has been entered into between the parties. In the absence of this, and in order to ensure the deliverability of the Proposed Development, the Applicants' position is that such powers must be retained within the DCO. Such inspection and maintenance powers must be exercised subject to compliance with the protective provisions which control the nature and timing of such activities and provide for the payment of related expenses to Sembcorp, as well as indemnity protection should they cause any disruption to Sembcorp's operations. These measures provide an effective safeguard in the absence of a private agreement. Response to CA.2.5 ii: The Applicants' position remains as set out in item 4 of their Written Summary of CAH2 [REP5-026]. New rights by compulsory acquisition would be required to secure the ongoing access to the CO2 Gathering Network pipeline. Under the powers granted by the DCO, the temporary possession powers would cease after one year beginning with the date of final commissioning. Therefore, the Applicants would no longer be able to rely on the temporary possession powers for ongoing maintenance, even if it is intermittent in nature. Arbitrarily selecting a period now to limit the extent of new rights presents significant risks to the Applicants' ability to comply with their regulatory obligations (in particular as CO2 transport and storage operator) and of fundamental importance could also curtail the benefits of the Proposed Development.

6.2.17 Response to CA.2.5 iii: The Applicants will add Sembcorp as a consultee on R13(3) (permanent drainage systems) and R18(1) (construction traffic management plan). With respect to the participation in local liaison groups and handling of complaints, the Applicants have already committed to these measures under the protective provisions for the benefit of Sembcorp. The Examining Authority is directed to paragraphs 190 – 193 of Part 16 of Schedule 12 of the draft DCO.

6.2.18 The Applicants do not propose to make any changes to R37 (consultation with Sembcorp Utilities (UK) Limited), subject to the one point noted below. Establishing who may be interested in matters related to the discharge of a DCO Requirement, and the nature and extent of any consultation with such parties, is a standard duty of planning authorities. The position is no different here. The expectation must be that the relevant planning authority will consult Sembcorp where it is named as a consultee on the DCO Requirement and where there is a possibility it may be interested in the matters to which the discharge of part or all of that Requirement relates. The wording under R37(1) already sets a low bar for consultation with Sembcorp: "which in the relevant planning authority's opinion *could* affect Sembcorp's operations". R37(2) provides a further safeguard: *"The undertaker and Sembcorp must provide information to the relevant planning authority on the location and nature of Sembcorp's operations following a request by the relevant planning authority".* The purpose of this provision is to ensure that the relevant planning authority is furnished with the information it needs in order to determine when Sembcorp may have an interest in relevant works and therefore the discharge of a Requirement (or part of it). The Applicants note that Sembcorp is also able to unilaterally provide information on its interests and operations to the relevant planning authority, even where not requested pursuant to Requirement 37(2). Together the Applicants consider that R37 provides a reasonable and proportionate restraint on the extent of consultation whilst safeguarding Sembcorp's interests.

6.2.19 The Applicants accept that Sembcorp may have cause to be consulted on the discharge of a Requirement by virtue of an impact it may have on Sembcorp's interests outside of the Order Limits. The Applicants will amend Requirement 37 so that Sembcorp must also be consulted where matters submitted for approval could affect Sembcorp's operations outside of the Order Limits. The Applicants will make this change in the dDCO to be submitted at Deadline 8.

6.2.20 Response to CA.2.5 iv: The Applicants note Sembcorp's response and have no further comment at this time.

6.2.21 Response to CA.2.16: The Applicants note Sembcorp's submission at deadline 6 responding to the ExA's Second Written Question CA.2.16 [REP6-130].

6.2.22 The Applicants have consulted with Virgin Media Limited throughout the pre-application and application process, including issuing them with a request for information, a s42 notice as detailed in the Consultation Report [APP-068] and with a s56 notice. The Applicants have also provided Virgin Media Limited with a grid reference for the location of the Proposed Development and some supplementary maps, sent in October 2020.

6.2.23 The Applicants have received no substantive response from Virgin Media Limited. Given the lack of confirmation from Virgin Media Limited that it has apparatus within the Order Limits and the lack of specific information on the location of any such apparatus, the Applicants cannot include it in the Book of Reference. The Applicants note that they have included protection in the draft DCO (Part 2, Schedule 12) [REP6-002] for the protection of operators of electronic communications code networks,

which protect the apparatus of any such operator and which would include Virgin Media Limited.

6.2.24 Response to DCO.2.2: Refer to the Applicants' response to DCO.2.2 in the Applicants' Response to the ExA's Second Written Questions [REP6-121].

7.0 EDF ENERGY RENEWABLES LIMITED AND TEESSIDE WIND FARM LIMITED ('EDF')

7.1.1 The Deadline 6 Submission by EDF [REP6-131] includes a written representation.

7.2 Applicants' Comments

7.2.1 The Applicants note EDF's submission and concerns with the Proposed Development. The Applicants' solicitors continue to engage with EDF's representatives on the protective provisions and are confident that these will be agreed within examination.

7.2.2 The Applicants have scheduled a technical discussion with EDF's representatives on 6 September 2022. The Applicants will use the discussion to assess EDF's concerns and share further details on the Proposed Development. Following this technical meeting, if any revised drafting to the protective provisions is required, the Applicants will address this.

8.0 ENVIRONMENT AGENCY

8.1.1 The Deadline 6 submissions by the Environment Agency ('EA') [REP6-132 and REP6-133] include comments on Deadline 5 submissions and responses to the ExA's SWQs.

8.2 Applicants' Comments

8.2.1 Response to GEN.2.7: the Applicants have no further comment.

8.2.2 Response to GEN.2.14: the Applicants have no further comment.

8.2.3 Response to AQ.2.2: the Applicants have no further comment.

8.2.4 Response to AQ.2.3: the Applicants have no further comment.

8.2.5 Response to BIO.2.10: the Applicants confirm that the updated Water Framework Directive Assessment supported by an updated discharge modelling report will be submitted at Deadline 8.

8.2.6 Response to CC.2.7: the Applicants note the EA's comment on use of alternative energy sources throughout the lifetime of the plant.

8.2.7 Response to DCO.2.9: the Applicants' position is as set out in its response to DCO.2.9 (see p50 of the Applicants' Response to the Examining Authority's Second Written Questions [REP6-121]).

8.2.8 Response to DCO.2.10: the Applicants have committed to include the EA as a consultee on Requirement 32 in its response to DCO.2.10 (see p50 of the Applicants' Response to the Examining Authority's Second Written Questions [REP6-121]).

8.2.9 Response to GH.2.1: The Applicants have addressed the EAs comments at Deadline 5 on Requirement 13 in its response at Deadline 6 [REP6-121] (see pages 9 and 10).

8.2.10 Response to GH.2.2: Requirement 13 (contaminated land and groundwater) provides a comprehensive process for the remediation of contaminated land across the full extent of the site. A full explanation of Requirement 13 was provided by the Applicants in its Written Summary of Oral Submission for Issue Specific Hearing 4 (ISH4) [REP027] (see pages 8 – 9).

8.2.11 In summary, Requirement 13 specifies that no part of the authorised development may commence (save for geotechnical surveys and other investigations for the purpose of assessing ground conditions) until a contaminated land scheme has been submitted to and approved by the relevant planning authority. The contaminated land scheme must set out full details of the process for identifying contaminated land, remediating it, and for carrying out ongoing monitoring. Whilst Requirement 13 applies generally, it also recognises that parts of the site are already undergoing land remediation works by STDC pursuant to planning permissions granted by the local planning authority. In these circumstances, the need to remediate land and carry out ongoing monitoring is not disapplied or subject to "unknown remediation" measures. Rather R13(7) and (8) allow the undertaker to adopt the land contamination scheme approved pursuant to a condition of a planning permission and comply with the obligations contained therein *instead of* submitting a new

scheme under Requirement 13(1). This is subject to prior approval from the relevant planning authority.

8.2.12 R13(9) specifies that where remediation works have already been completed at the point works authorised by the DCO are due to commence, a validation report can be submitted to the relevant planning authority for approval demonstrating the land is no longer contaminated and that accordingly no land contamination scheme needs to be submitted before works may begin. The purpose of this provision is to avoid the need to follow the steps for the identification and remediation of contaminated land where those have already been undertaken pursuant to a planning permission.

8.2.13 Taken together, Requirement 13 provides a comprehensive safeguard for dealing with contaminated land. No development can be carried out without complying with a contaminated land scheme including remediation and monitoring measures. That applies whether such scheme is secured under R13 or by a separate planning permission, and whether the remediation works are to be carried out by a landowner or the undertaker. Requirement 13 also specifies that any ongoing monitoring requirements, whether secured under a scheme pursuant to R13 or pursuant to a condition of a planning permission, must be complied with by the undertaker. These procedures are simply intended to allow for the continuity of land remediation works where they may have already begun, and to avoid duplication of the process for the submission and approval of land contamination schemes, or for the carrying out of remediation works, where those steps have already been completed.

8.2.14 Response to MA.2.1: the Applicants have no further comment.

8.2.15 Response to WE.2.1: the Applicants have no further comment.

8.2.16 Response to WE.2.2: see the Applicants' comment on the EA's response to BIO.2.10 above.

8.2.17 Response to WE.2.4: the Applicants have no further comment.

8.2.18 With respect to the representation made by the EA dated 23 August 2022 [REP6-133] on the Draft DCO, the Applicants have proposed substantial updates to Requirement 13 (Contaminated land and groundwater) and Requirement 16 (Construction environmental management plan) in order to address the matters raised by the EA. The updates are substantially the same as those proposed by the EA subject to changes to align with the principles of drafting statutory instruments, as well as other changes to address matters raised by the Examining Authority in its Second Written Questions [PD-016]. Updates were also made to Requirement 23 (Piling and penetrative foundation design) and Requirement 25 (Restoration of land used temporarily for construction) following comments made by the EA at Deadline 5 [REP5-032]. These updates were presented at p9 – 12 in the Applicants' Comments on Deadline 5 Submissions [REP6-122]. The Applicants shared the draft updates to the Requirements with the EA on 31 August 2022 and await the EA's comments.

8.2.19 With respect to the representation made by the EA dated 23 August 2022 [REP6-132] on the Framework CEMP, the Applicants agree that the Final CEMP can be updated

to reflect the Agency's comments outlined in REP5-032, that Table 5A-4 and references to CLR 11 are also updated.

8.2.20 The Applicants note the EA's comments on the Applicants' Deadline 5 Submission - 9.24 - Written Summary of ISH4 August 2022 [REP5-027].

8.2.21 The Applicants note the EA's comments on the meeting with the Applicants on 20th July 2022. In relation to the last bullet point in the Agency's comments, the Applicants wish to clarify that additional ground investigation information and risk assessments will be in the form of Supplementary Ground Investigation Interpretative Report(s) rather than an update to the Ground Investigation Interpretative Report submitted at Deadline 2 [REP2-043].

9.0 INEOS NITRILES (UK) LIMITED

9.1.1 The Deadline 6 submissions by INEOS Nitriles ('INEOS') [REP6-134 and REP6-135] include a response to the ExA's SWQs.

9.2 Applicants' Comments

9.2.1 Response to GEN.2.13: For proposed drafting of R32 of the dDCO, refer to the Applicants' response in paragraph 6.2.2 above.

9.2.2 With regards to the decommissioning fund, the Applicants would refer the ExA to their response for GEN.2.13 in the Applicants' Response to the ExA's Second Written Questions [REP6-121]. The CO2 Gathering Network pipeline (Work No. 6) would be a regulated asset and subject to the agreed business model for transportation and storage (T&S) of CO2. That business model is a separate regulatory regime and which will govern and constrain the agreed charging mechanisms as T&S operator (including in relation to a decommissioning fund), and it is not appropriate or necessary for additional controls to be included in the DCO for securing the decommissioning fund.

10.0 MARINE MANAGEMENT ORGANISATION

10.1.1 The Deadline 6 submissions by the Marine Management Organisation ('MMO') [REP6-136] includes responses to the ExA's SWQs.

10.2 Applicants' Comments

10.2.1 Response to DCO.2.12 – the Applicants make no comment. The MMO's position is aligned with that set out by the Applicants in its response to DCO.2.12 (see p51 of the Applicants' Response to the Examining Authority's Second Written Questions [REP6-121]).

10.2.2 With respect to the points raised at paragraph 1.2 of the MMO's Deadline 6 Submission [REP6-136]:

10.2.3 Point i): the Applicants welcome confirmation from the MMO that the EA is added as a consultee on condition 23 (UXO clearance methodology) in Schedules 10 and 11 of the DCO. The Applicants intend to make this update in the next draft DCO to be submitted at Deadline 8.

10.2.4 Point ii): no further comment.

10.2.5 Point iii): the Applicants have addressed the matters raised in the response with respect to the DML drafting and await further comment from the MMO. As set out in its response to DCO.2.12 (see p51 of the Applicants' Response to the Examining Authority's Second Written Questions [REP6-121]). The Applicants sent the MMO an updated table of all of the MMO's comments on the DML drafting since the DCO application was accepted, and details of how those comments have been addressed in the DML's submitted as part of the dDCO at Deadlines 2, 4 and 5. The Applicants await the MMO's full response.

10.2.6 Point iv): the Applicants intend to define "UXO" as confirmed in point iv) of its response to DCO.2.12.

10.2.7 With respect to paragraph 1.3, of the MMO's Deadline 6 Submission [REP6-136], the Applicants make no further comment.

11.0 NATURAL ENGLAND

11.1.1 The Deadline 6 submissions by Natural England ('NE') [REP6-137] includes an update on discussions and responses to the ExA's SWQs.

11.2 Applicants' Comments

11.2.1 The Applicants do not agree with NE's response to AQ.2.2 and refer NE to the Applicants' response to AQ.2.2 submitted at Deadline 6 [REP6-121]

11.2.2 The Applicants note NE's response to BIO.2.1.

11.2.3 The Applicants note NE's response to BIO.2.2.

11.2.4 The Applicants note NE's response to BIO.2.3.

11.2.5 The Applicants note NE's response to BIO.2.10.

11.2.6 The Applicants note NE's response to BIO.2.11 and refer NE to the updated HRA submitted at Deadline 6 [REP6-044 and REP6-045] paragraphs 6.1.24 to 6.1.27 and HRA Appendix F: Coastal Processes Note on Rock Armour

11.2.7 The Applicants note NE's response to GH.2.7 and refer NE to the updated HRA submitted at Deadline 6 [[REP6-044 and REP6-045] paragraphs 6.1.56 to 6.1.57. Preliminary information on a potential HDD drilling methodology and pollution control measures was submitted by the Applicants at Deadline 6 [Appendix GH.2.6 in REP6-121]. The Applicants also welcome that NE will find it acceptable for information relating to frac-out to be detailed in the final CEMP and discharged under Requirement 16.

11.2.8 The Applicants note NE's response to WE.2.1: the Applicants confirm that an updated Habitat Regulations Assessment, supported by an updated discharge modelling report, will be submitted at Deadline 8.

12.0 NORTH TEES LIMITED

12.1.1 The Deadline 6 submissions by North Tees Limited ('NTG') [REP6-138] includes responses to the ExA's SWQs and other matters.

12.2 Applicants' Comments

12.2.1 Response to CA.2.12: The Applicants have no comment at this time and will review the plans to be submitted by NTG at Deadline 7.

12.2.2 Response to CA.2.13: Refer to the Applicants' previous submissions -

- Case for compulsory acquisition rights - Refer to the Applicants' response to NTG's written representation (electronic page number 68-69) in Applicants Comments on Written Representations [REP3-012]
- Justification of pipeline widths – Refer to the Applicants' Appendix 1 in Written Summary of CAH2 [REP5-026]
- Length of rights sought – Refer to the Applicants response to Action 6 from CAH2 (electronic page number 7-8) in Written Summary of CAH2 [REP5-026]

12.2.3 Response to DCO.2.11: The Applicants included protective provisions for the benefit of North Tees Limited, North Tees Rail Limited and North Tees Land Limited in the draft DCO submitted at Deadline 4 [REP4-002]. The protections include the Applicants submitting works details for NTG's approval prior to commencing any works that would have an effect on the operations or access to any land owned by NTG. This provides NTG with an appropriate role in the design, routing and construction of the CO2 Gathering Network pipeline (Work No. 6). The Applicants note that NTG's response does not provide any specific drafting to be included in the draft DCO. In relation to parts of the response addressing compulsory acquisition powers, see the Applicants' response to CA.2.13 immediately above.

12.2.4 Response to Other Matters: These are addressed to the ExA and the Applicants have no further comment.

13.0 ORSTED HORNSEA PROJECT FOUR LIMITED

13.1.1 The Deadline 6 submissions by Orsted [REP6-139] includes responses to the ExA's SWQs.

13.2 Applicants' Comments

13.2.1 Response to DCO.2.14: The Applicants' refer the Examining Authority ("ExA") to their response to question DCO2.15 at Deadline 6 [REP6-121] (including by reference to bp's submissions into Deadline 8 of the Hornsea Project Four DCO examination [Appendix DCO.2.14 in REP6-121]) which addresses the substance of Orsted's response to this question, including in relation to the potential need for The Crown Estate's ("TCE") consent to inclusion of the provision.

13.2.2 Paragraphs 2.6 to 2.10 of bp's submission to Deadline 8 of the Hornsea Project Four examination ([REP6-121], electronic page [232]) address TCE's equivalent representations in that examination, and reflect the Applicants' position in relation to TCE's representations on Article 49 and Orsted's comments on the same. The Applicants are liaising with TCE in relation to the same.

13.2.3 Response to DCO.2.15: The Applicants have no further comment.

13.2.4 Response to DCO.2.17: The Applicants consider their previous submissions, including in response to this question address Orsted's comments in respect of parts (i) and (iii) to this question and do not have anything further to add.

13.2.5 In respect of part (ii) and Orsted's suggestion that the inclusion of Article 49 represents a 'material change' to the DCO:

13.2.6 Article 49 does not authorise a change to the Proposed Development subject to the DCO application. Its narrow purpose and effect is as explained in paragraphs 3.7.15 to 3.7.18 of the updated Explanatory Memorandum submitted at Deadline 5 [REP5-005], with the justification for its inclusion previously addressed, as noted in commenting against Orsted's submissions to the other components to this question.

13.2.7 It is perfectly common for new drafting to be proposed in draft DCOs during their examination, and Article 49 was first included in Version 4 of the DCO at Deadline 2 (before being further updated in Version 6 at Deadline 5), providing Orsted with ample opportunity to comment in response (which they have clearly utilised), allowing the ExA to have regard to such submissions in considering the matter in this examination.

13.2.8 For completeness, and having regard to PINS Advice Note 16 and paragraph 2.1 in particular, the 'change' is neither substantial nor does noes it result in the Proposed Development being in substance different from that which was originally applied for. It also does not generate new or different likely significant effects, nor involve any extension to the Order land under the DCO.

13.2.9 Response to DCO.2.18: In response to part (ii) of this question, Orsted append an opinion from Richard Harwood QC which makes various submissions in relation to how and why the NZT DCO application's ES must assess the impacts of the wider

CCUS project on Hornsea Project Four. The Applicants will provide a full response to this aspect of the Opinion at Deadline 8; however, in the interim, refers the ExA to the Applicants' response to question COM2.2 at Deadline 6, which is relevant to these submissions and which signposts the Applicants' submitted assessment of the impacts of the offshore elements of the NEP Project on Hornsea Project Four (see Annex 1 to Applicants response to Orsted HP4 D3 Submission July 2022 [REP4-030]).

13.2.10 To address the more narrow submissions made in relation to the need for protective provisions to be included in the DCO for the benefit of Hornsea Project Four, which Orsted contend in the response to part (ii) of this question are required because broadly –

i) the Hornsea Project Four DCO has not yet been made;

ii) it is possible that the making of the Hornsea Project Four DCO will be after the NZT DCO (notwithstanding their current respective timelines);

iii) the provisions in the Hornsea Project Four DCO do not, in any case, preclude the carbon storage licensee from carrying out works in the 'overlap zone'; and

iv) it is not appropriate to leave the issue to the consenting regime for the offshore elements of the Endurance Store as those applications have not been made and so there is no proposal to include any such additional protection.

13.2.11 The Applicants addressed the substance of these submissions at ISH3, both orally and in the subsequent written summary of its submissions at the same [REP5-025, electronic page 21 to 23]. The Applicants do not propose to repeat the same submissions, but to summarise briefly in response to those numbered summary points above:

i) The examination period for Hornsea Project Four closed on 22 August 2022, meaning it is approximately 3 months ahead of the NZT DCO in the consenting process and falls to be determined by the same SoS. There is no known reason why the determination of Hornsea Project Four would be delayed until after the NZT DCO, meaning that the SoS would almost certainly be determining the NZT DCO with the full context of the Hornsea Project Four DCO decision (and the Applicants have explained previously how that will impact on consideration of the interface issue in this DCO [REP5-025, electronic page 22]).

ii) The Applicants have also made submissions to address the alternative scenario where there is a material delay to the Hornsea Project Four DCO such that the NZT DCO fell to be determined first [REP2-060, electronic page 13, paragraphs 6.2.13 to 6.2.17].

iii) In the scenario where the Hornsea Project Four DCO has been made with Orsted's protective provisions included, it follows that bp's

provisions/submissions will have been rejected and so the interface agreement remains in full force and effect. In such circumstances, the Carbon Entity (being the carbon storage licensee) would be unable to carry out its activities in the overlap zone unless and until an agreement has been reached with the Wind Entity (being Orsted) as to appropriate mitigation/compensation. Without prejudice to the submissions made by bp into the Hornsea Project Four examination regarding the interface agreement (and repeated, where relevant, in this examination regarding Article 49), in the scenario described above, the interface agreement would clearly provide the 'supplementary' protection Orsted argue is necessary. It is also noted that Orsted did not raise this potential deliverability issue/concern in the Hornsea Project Four examination.

iv) The NZT DCO does not authorise any works in the overlap zone. It does not follow that because the applications for the offshore consents which will authorise the works in the overlap zone have not been made, that protections must thus be secured in the NZT DCO. Those applications must necessarily follow to enable such works to occur, and it is at this point which Orsted can make the necessary submissions, including to the SoS, as to any protections/conditions they consider appropriate and necessary to include in the offshore consents at that point time. Orsted also submit that the resolution of the interface issue is best achieved through the thorough and transparent DCO process. This is what will be achieved through the determination of the Hornsea Project Four DCO application and, per the Applicants' previous submissions [including REP5-025, electronic pages 12 and 22], there is no benefit in duplicating the substance of the same in this examination.

14.0 PD TEESPORT LIMITED

14.1.1 The Deadline 6 submissions by PD Teesport Limited ('PDT') [REP6-140 and REP6-141] includes responses to the ExA's SWQs.

14.2 Applicants' Comments

14.2.1 Response to CA.2.9: The Applicants note PDT's response and will continue to engage directly with CNSL on securing a sub-lease for the Proposed Development.

14.2.2 Response to SET.2.2: The Applicants welcome PDT's confirmation that the scope of the Navigational Risk Assessment is adequate and appropriate. As confirmed by the Applicants in their response to SET.2.2 [REP6-121], the Applicants will include these matters in the next version of the SoCG.

15.0 TEESSIDE GAS & LIQUIDS PROCESSING AND TEESSIDE GAS PROCESSING PLANT LIMITED ('NSMP')

15.1.1 The Deadline 6 submissions by NSMP [REP6-142] includes a written representation.

15.2 Applicants' Comments

15.2.1 The Applicants note NSMP's representation. The Applicants are continuing to engage with NSMP on both land agreements and protective provisions. The Applicants would also refer to the Applicants' response to NSMP's Deadline 5 submission in Applicants' Responses to Deadline 5 Submissions [REP6-122], and where necessary the Applicants have provided further responses to NSMP's Deadline 6 points below.

15.2.2 In response to paragraphs 1.1-1.2: The Applicants have no further comment.

15.2.3 In response to paragraphs 1.3-1.9: The Applicants acknowledge NSMP's concerns with regards to continued safe operation of its facilities. The Applicants will continue to engage with NSMP on a technical basis to address NSMP's concerns. The Applicants are confident that adequate protection can be provided for, and will seek to agree these between the parties, to address these concerns and provide NSMP with sufficient protection to mitigate the impact on its facilities. With regards to progress on the alternative access via a voluntary agreement, see paragraph 4.2.1 above.

15.2.4 In response to paragraph 1.10: The draft protective provisions shared with NSMP were included in Appendix A2 of Applicants' Comments on Deadline 5 Submissions [REP6-122] include protection for NSMP pipelines. NSMP will also benefit from protections included in parts 13 and 20 of Schedule 12 of the dDCO [REP6-002]. The Applicants have received comments from NSMP on the draft protective provisions and will be responding shortly after Deadline 7.

15.2.5 In response to paragraph 1.11: The Applicants continue to discuss proposals made by NSMP on the dDCO. The Applicants will continue to keep the ExA updated on these matters.

15.2.6 In response to paragraph 1.12: The Applicants have no further comment.

16.0 SOUTH TEES DEVELOPMENT CORPORATION

16.1.1 The Deadline 6 submissions by the South Tees Development Corporation ('STDC') [REP6-143 & REP6-144] includes comments on Deadline 5 submissions and responses to the ExA's SWQs.

16.2 Applicants' Comments

16.2.1 Response to Comments on the Applicants draft DCO [REP5-002/3]: The Applicants disagree that STDC must be informed before the transfer of powers under the Order. The Applicants are already required to notify STDC within 10 working days of the transfer and therefore STDC will "know who has powers over its land" very shortly after such powers are transferred. The Applicants consider this approach to be reasonable and proportionate.

16.2.2 Response to GEN.2.6: The Applicants have no further comment at this time.

16.2.3 Response to GEN.2.20: The Applicants note STDC's response and are aligned to the basis of their response.

16.2.4 Response to BIO.2.6: Refer to the Applicants' response to BIO.2.6 in Applicants' Response to the ExA's Second Written Questions [REP6-121].

16.2.5 Response to CA.2.6 i: The Applicants note STDC's response and outstanding concerns. Both parties continue to progress with the voluntary agreements and the Applicants remain confident that these agreements will be signed during examination. The Applicants agree that the next update to the SoCG will be following the conclusion of main option agreement.

16.2.6 Response to CA.2.6 ii: The Applicants note STDC's response and suggestion for additional data with regards to easement widths. The Applicants are assessing this and will provide a further response at Deadline 8.

16.2.7 With regards to the other easement corridors not addressed within the Applicants submission. The water supply route (Work No. 4) was developed and selected based on the existing pipelines supplying the Teesworks site. The Applicants' view is that the width of this corridor is justified as the final routing of the pipelines would be impacted by the existing aboveground and belowground infrastructure related to the existing pipelines. The Applicants' preference remains to secure a supply agreement with STDC to utilise the existing infrastructure. This corridor is now also subject to the lift and shift mechanism for the Water Connection Land within the Part 19 of Schedule 12 in the dDCO [REP6-002] and therefore STDC benefits from additional controls for the use of compulsory acquisition powers.

16.2.8 Response to CA.2.6 iii: The Applicants note STDC's response. The Applicants included additional protections for the benefit of STDC in the dDCO at Deadline 4 [REP4-002]. These provisions included a lift and shift mechanism aimed at addressing STDC's concerns with Order Land subject to temporary possession rights. The Applicants' view is that this mechanism provides STDC with sufficient controls to minimise and/or mitigate impact to its wider development of the Teesworks site. The Applicants have since received comments from STDC on these amendments and

responded to STDC ahead of Deadline 6. The parties remain in discussion on the proposed drafting.

16.2.9 Response to CA.2.7: Refer to the Applicants' response to CA.2.7 in the Applicants' Response to the ExA's Second Written Questions [REP6-121].

16.2.10 Response to DCO.2.2: The Applicants have no further comment.

16.2.11 Response to GH.2.4: The Applicants have no further comment.

16.2.12 Response to HE.2.4: Refer to the Applicants response to HE.2.4 in the Applicants' Response to the ExA's Second Written Questions [REP6-121].

16.2.13 Response to TT.2.2: The Applicants have no further comment.

17.0 THE CROWN ESTATE

17.1.1 The Deadline 6 submissions by The Crown Estate ('TCE') [REP6-145] includes responses to the ExA's SWQs.

17.2 Applicants' Comments

17.2.1 Response to DCO.2.14: The Applicants' refer the ExA to their response to question DCO.2.15 at Deadline 6 [REP6-121], which appended bp's submissions into Deadline 8 of the Hornsea Project Four DCO examination [Appendix DCO.2.15 in REP6-121]).

17.2.2 As TCE acknowledge in their Deadline 6 response (responding to this question DCO 2.14), Article 49 of the NZT DCO largely mirrors the drafting proposed by bp in its protective provisions for the Hornsea Project Four examination and as a result, TCE's comments in response mirror those which they submitted in relation to the equivalent drafting in that examination.

17.2.3 Paragraphs 2.6 to 2.10 of bp's submission to Deadline 8 of the Hornsea Project Four examination (PINS ref. EN010098 [REP8-025, page 6]) address TCE's representations in that examination and similarly reflect the Applicants' position in relation to the submissions regarding Article 49.

17.2.4 The Applicants are liaising with TCE in relation to the same.

18.0 UK HEALTH SECURITY AGENCY

18.1.1 The Deadline 6 submissions by the UK Health Security Agency ('UKHSA') [REP6-146] includes responses to the ExA's SWQs.

18.2 Applicants' Response

18.2.1 Response to MA.2.4: the Applicants note the UKSHA's response and welcome their feedback. The Applicants have no further comment at this time.

18.2.2 Response to MA.2.5: the Applicants note the UKSHA's response and welcome their feedback. The Applicants have no further comment at this time.