



## **Application by Net Zero Teesside Power Limited and Net Zero North Sea Storage Limited for the Net Zero Teesside Project**

### **The Examining Authority's third written questions and requests for information (ExQ3)**

**Issued on 13 October 2022.**

The following table sets out the Examining Authority's (ExA's) third round of written questions and requests for information – ExQ3. Questions are set out using the same issues-based framework as ExQ1 [PD-012] and ExQ2 [PD-016], 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.3.1. 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](#).

**Responses are due by Deadline 11: Wednesday 26 October 2022.**

## Abbreviations used:

<b>AP(s)</b>	Affected Person(s)
<b>BoR</b>	Book of Reference
<b>CA</b>	Compulsory Acquisition
<b>CCGT</b>	Combined Cycle Gas Turbine
<b>CEMP</b>	Construction Environmental Management Plan
<b>CO<sub>2</sub></b>	Carbon dioxide
<b>CIAS</b>	Cleveland Industrial Archaeology Society
<b>CNSL</b>	Cats North Sea Limited
<b>D</b>	Deadline
<b>DAS</b>	Design and Access Statement
<b>DCO</b>	Development Consent Order
<b>dDCO</b>	Draft Development Consent Order
<b>DIN</b>	Dissolved Inorganic Nitrogen
<b>EA</b>	Environment Agency
<b>ES</b>	Environmental Statement
<b>ExA</b>	Examining Authority
<b>ExQ1</b>	Examining Authority's First Written Questions
<b>ExQ2</b>	Examining Authority's Second Written Questions
<b>HBC</b>	Hartlepool Borough Council
<b>HDD</b>	Horizontal Direct Drilling
<b>HSE</b>	Health and Safety Executive



<b>IP(s)</b>	Interested Party (Parties)
<b>LIR</b>	Local Impact Report
<b>NE</b>	Natural England
<b>NORM</b>	Naturally Occurring Radioactive Material
<b>NSIP</b>	Nationally Significant Infrastructure Project
<b>NWL</b>	Northumbrian Water Limited
<b>PCC</b>	Power Capture and Compression
<b>R</b>	Requirement
<b>RCBC</b>	Redcar and Cleveland Borough Council
<b>RPAs</b>	Relevant Planning Authorities
<b>RR</b>	Relevant Representation
<b>SoCG</b>	Statement of Common Ground
<b>SoR</b>	Statement of Reasons
<b>STBC</b>	Stockton-on-Tees Borough Council
<b>STDC</b>	South Tees Development Corporation
<b>TGPP</b>	Teesside Gas Processing Plant/ Teesside Gas and Liquids Processing
<b>TP</b>	Temporary Possession
<b>WFD</b>	Water Framework Directive
<b>WSI</b>	Written scheme of investigation

## 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.3.1 – refers to the first question under the third round of questions for General and Cross Topic Questions in this table.

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**ExQ3: 13 October 2022****Responses due by Deadline 11: 26 October 2022**

ExQ2	Question to:	Question:
<b>GENERAL AND CROSS-TOPIC QUESTIONS</b>		
GEN.3.1	Applicants	<p>'Other Consents and Licences' [REP2-007] includes reference to a number of other consents, licences and permits that would be required for the Proposed Development.</p> <p>The Applicants are asked to:</p> <ul style="list-style-type: none"> <li>i) Provide a final update on progress with obtaining these consents, licences and permits by the end of the Examination; and</li> <li>ii) Include a section providing an update on these consents, licences and permits in any final Statements of Common Ground (SoCG) that are being drafted with the relevant consenting authorities.</li> </ul>
GEN.3.2	Applicants Redcar and Cleveland Borough Council (RCBC) Stockton-on-Tees Borough Council (STBC)	<p>The most recent updated List of Developments [REP8-047 and REP9-013] include a number of additional relevant development proposals in the vicinity of the Order Limits and updates to the status of previously known proposals.</p> <p>The Applicants are asked to:</p> <ul style="list-style-type: none"> <li>i) At Deadline (D) 11, provide a final review of the tables and figures to include relevant planning applications submitted or determined since production of the most recent lists and confirm whether any such updates would affect the conclusions reached in the Environmental Statement (ES) in particular with regard to cumulative effects;</li> </ul> <p>The Relevant Planning Authorities (RPAs) are asked to:</p> <ul style="list-style-type: none"> <li>ii) By D12, to confirm if the final review is comprehensive, provide details of any additional relevant major planning applications which have since been submitted, and provide updates to the status of the referenced planning applications as necessary including when a decision has been made and if approved, whether that development has commenced.</li> </ul>
GEN.3.3	Environment Agency (EA) Applicants	<p>The Examining Authority (ExA) understands [REP5-032 and REP9-027] that the Environmental Permit is likely to require 95% carbon capture as a minimum over a year, with the exception of periods of time when the Combined Cycle Gas Turbine (CCGT) is exempt from operating in carbon capture mode. However, there is a lack of clarity around the control of timing of the CCGT in unabated mode. In the EA's latest submission [REP9-027], examples of when this is necessary are given which includes 'if the transport and storage network is not available' and 'if required to provide additional generation in times of stress'.</p>

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ExQ2	Question to:	Question:
		i) Is it the case that the circumstances allowing operation in unabated mode are closely defined in the Environmental Permit? ii) Would there be timescales associated with the unabated periods? iii) Is there anything in the Environmental Permit to stop the CCGT running in unabated mode continuously?
GEN.3.4	Applicants	<p>At D5 the EA [REP5-032] requested clarification from the Applicants as to whether the CO<sub>2</sub> export pipeline (during ongoing maintenance) would be pigged from the oil and gas reservoir towards shore, therefore resulting in Naturally Occurring Radioactive Material (NORM) waste arriving at the proposed installation for appropriate disposal off-site.</p> <p>The Applicants are asked to provide clarification on this matter and if necessary, update the Other Consents and Licences document [REP2-007] to reflect the position.</p>

**AIR QUALITY AND EMISSIONS**

The ExA does not wish to ask any further questions on this topic at this point in the Examination.

**BIODIVERSITY AND HABITATS REGULATIONS ASSESSMENT**

The ExA does not wish to ask any further questions on this topic at this point in the Examination.

**CLIMATE CHANGE**

The ExA does not wish to ask any further questions on this topic at this point in the Examination.

**COMBINED AND CUMULATIVE EFFECTS**

The ExA does not wish to ask any further questions on this topic at this point in the Examination.

**COMPULSORY ACQUISITION, TEMPORARY POSSESSION and OTHER LAND AND RIGHTS CONSIDERATIONS**

CA.3.1	Affected Persons (APs)	Are any APs aware of any further inaccuracies in the Book of Reference (BoR) [REP6-007], Statement of Reasons (SoR) [REP6-009] or Land Plans [REP6-014]? If so, please set out what these are and provide the correct details.
CA.3.2	Applicants	Further to the Applicants' responses to ExQ1 CA.1.5 [REP2-016] and ExQ2 CA.2.2 [REP6-121], are any further land or rights acquisitions required before the Proposed Development could become operational?

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ExQ2	Question to:	Question:
CA.3.3	Applicants	An updated 'Guide to Land Plan Plots' was provided at D6 [REP6-011]. Can the Applicants ensure that an updated version is provided together with any updated Land Plans further to any forthcoming change request?
CA.3.4	Sembcorp Utilities (UK) Ltd	Can Sembcorp provide any comments as to the following: i) D6 Submissions (section 6.0) [REP7-009]; ii) Updated 'Justification of Corridor Widths' [REP8-051]; The latest version of the Draft Development Consent Order (dDCO) [REP8-003] which is of relevance to Sembcorp including the definitions, Requirements (R) 11, 18 and 37, the Protective Provisions at Part 16 and plans to be certified at Schedule 14; and iii) Provide an update on discussions in relation to voluntary agreements, and indicate whether these are likely to be successfully concluded before the close of the Examination and if so whether the objection to CA of the listed plots is likely to be withdrawn before the close of the Examination; and iv) Provide a set of preferred Protective Provisions by D12 should agreement not be reached by Deadline 11.
CA.3.5	Teesside Gas Processing Plant/ Teesside Gas and Liquids Processing (TGPP)	TGPP in their D9 submission [REP9-035] references the potential deletion of plot 106. Could TGPP: i) Provide further explanation for this request and why a new Work number should be created in order to grant access rights over plot 106 at this late stage in the process; and ii) Provide an update on the voluntary agreement with a likely timescale for it to be finalised.
CA.3.6	Anglo American	Could Anglo American provide comments on the Applicants' justification for corridor widths [REP8-051] and Shared Areas Plan [REP8-008], and an update on the side agreement with a likely timescale for it to be finalised.
CA.3.7	CATS North Sea Limited (CNSL)	Initial representations from CNSL [REP3-012, REP4-032 and REP6-121] related to the proposed CA of plot 112 and possible alternatives. Could CNSL clarify whether they retain their concerns in relation to plot 112 and whether a voluntary agreement is likely to be concluded prior to the close of the Examination.
CA.3.8	All APs	All APs are asked to provide an update on the negotiations regarding the acquisition of plots



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ExQ2	Question to:	Question:
		where there were concerns regarding the operational viability for the current users. Indicate whether these are likely to be successfully concluded before the close of the Examination and if so whether the objection to Compulsory Acquisition (CA) and/or Temporary Possession (TP) of these plots is likely to be withdrawn before the close of the Examination.
CA.3.9	Applicants	The Applicants are asked to provide an update on the status of Unregistered/ Unknown plots listed for the CA of land and rights as noted in the CA Schedule [REP9-022] as plot 468 for CA of land, and plots 274, 362, 48, 49, 50, 51, 52, 64, 6a for the CA of rights.
CA.3.10	Applicants	The Applicants are asked to ensure that any name changes, changes in rights and any further information in relation to unregistered/ unknown plots are accounted for in the final BoR and CA Schedule.
<b>Statutory Undertakers</b>		
CA.3.11	BT Telecommunications plc Openreach Limited Vodafone Limited Cornerstone Telecommunications Infrastructure Limited Telefonica Applicants	<p>The ExA has not received responses to question CA.2.15 of ExQ2 [PD-016] from the listed telecommunications operators.</p> <p>The Applicants' response [REP6-121] confirms that Openreach are now included in the updated BoR [REP6-007], and as no comments have been received Part 2 of Schedule 12 of the dDCO [REP8-003] will remain as drafted in order to protect any further unknown telecommunications operators.</p> <p>Could each of the operators listed:</p> <ul style="list-style-type: none"> <li>i) Confirm whether they have any assets or interests within the Order Limits and if so, provide details of their location; and</li> <li>ii) Confirm if they are satisfied with the protective provisions set out in Part 2 of Schedule 12 of the dDCO, and if not satisfied provide comments accordingly.</li> </ul> <p>Could the Applicants:</p> <ul style="list-style-type: none"> <li>i) Explain any further efforts made to make contact with the listed telecommunications Statutory Undertakers to whom Part 2 of the dDCO may apply, and to explain what approach the ExA should take if no responses are received before the end of the Examination;</li> </ul>
CA.3.12	National Grid Electricity Transmission plc	The Applicants' Written Summary of Oral Submissions for CAH2 [Item 7, REP5-026] confirms the statutory undertakers to whom standard protective provisions set out in Parts 1 and 3 of

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ExQ2	Question to:	Question:
	National Grid Gas plc Network Rail Infrastructure Limited Northern Gas Networks Limited Northern Powergrid Plc Northumbrian Water PD Teesport	Schedule 12 of the dDCO [REP8-003] would apply, and bespoke protective provisions at Parts 10, 11, 13, 25 and 26 which apply to statutory undertakers who are listed in the BoR [REP6-007].  i) Could the listed Statutory Undertakers set out any outstanding concerns with the protective provisions; and  ii) If the protective provisions are not satisfactory provide your preferred alternative wording.  iii) Are the Applicants and Statutory Undertakers aware of any additional statutory undertakers to whom protective provisions should apply?
CA.3.13	Applicants	Could the Applicants:  i) Provide a progress report on negotiations with each of the Statutory Undertakers listed in the BoR [REP6-007] and in Item 7 of the Written Summary of Oral Submissions for CAH2 [REP5-026]; and  ii) Provide an indication of whether these negotiations will be completed before the close of the Examination and if they won't provide a progress report on the preparation of the section 127 case that will need to be submitted by the Applicants including a timescale for when this would be submitted into the Examination.
<b>Crown Consent</b>		
CA.3.14	Applicants	Following the additional response to ExQ2 CA.2.19 [REP9-020], the Applicants are asked to provide a further update on progress made regarding obtaining Crown consent and the likelihood of this being achieved before the close of the Examination.  Should this matter not be resolved the ExA will require a full and final submission setting out how the Proposed Development could proceed if Crown consent is not forthcoming at D13.
<b>Funding</b>		
CA.3.15	Applicants	The Applicants are asked to provide an update to the Funding Statement [AS-201] at D13, including whether there have been any changes to the funding arrangements since the Application was submitted, and in respect of changes to the Order Limits.
<b>DESIGN, LANDSCAPE AND VISUAL</b>		

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ExQ2	Question to:	Question:
DLV.3.1	RCBC	<p><i>Note: This question partly repeats ExQ2 DLV.2.1 [PD-016], as no answer was received from RCBC at D6 or D9.</i></p> <p>At ISH4 [EV8-001 to 006], the ExA highlighted the increasing emphasis on good design, which is not only set out in National Policy Statements but in a variety of other national publications and in relation to other Nationally Significant Infrastructure Projects (NSIPs). The ExA pointed out the recommendations in the National Infrastructure Commission Design Principles Document for a design champion, and use of design review panels. Reference was made to 'iconic' structures and a 'strong visual beacon' as noted in the Teesworks Design Guide [REP2-055] design typology C5 (p.39). The ExA noted that the Power Capture and Compression (PCC) site could be considered a 'gateway' site and put to the Applicants that its prominence requires further thought and justification. The site has the potential to become a local landmark as the blast furnace has been, and that this is highlighted by its exposed coastal location and the 'first of a kind' status of the Proposed Development.</p> <p>The Applicants' response to ExQ2 DLV.2.1 confirms that they do not consider the use of a design panel/ champion nor the use of a 'landmark' type structure to be necessary for a number of reasons, and that they consider R3 to provide RCBC with sufficient post-consent control of detailed design matters.</p> <p>The final SoCG with RCBC notes at points 17 and 22 that design/ landscape and visual impact is considered acceptable, and that an appropriate mechanism for minimising adverse impacts will be secured through R3 of the dDCO. However, it makes no reference to whether RCBC's opinion on whether the use of a design panel/ champion in post-consent review of final design is appropriate or necessary.</p> <p>Can RCBC provide comment:</p> <ul style="list-style-type: none"><li>i) Do the amendments to R3 in terms of reference to the Design and Access Statement (DAS) provide a sufficient basis to secure a high quality detailed design of the development of the PCC site;</li><li>ii) Should a 'landmark' type structure be encouraged;</li><li>iii) Would consultation with South Tees Development Corporation (STDC) on R3 ensure that the Teesworks Design Guide and Masterplan are sufficiently taken account of in consideration of the final design; and</li></ul>

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ExQ2	Question to:	Question:
		iv) Does RCBC have the necessary expertise and resources to take on the design approval post-consent, or would an external design review be necessary? If so, indicate what additional support you believe would be required and from whom such support should come.
DLV.3.2	Hartlepool Borough Council (HBC)	<p><i>Note: This question partly repeats ExQ2 DLV.2.5 [PD-016], as no answer was received from HBC at D6 or D9.</i></p> <p>Viewpoints 1 to 4 indicate views from the Hartlepool area [APP-181 to APP-191 and APP-217 to APP-222]. At ISH4, the ExA raised concerns in particular with the visuals from the promenade at Seaton Carew (viewpoint 2). The Applicants provided amended visuals at D6 [REP6-093 to REP6-095].</p> <p>Could HBC provide comments on the following:</p> <ul style="list-style-type: none"> <li>i) Are you satisfied that viewpoints 1 to 4 are representative of typical views of sensitive receptors in these locations?</li> <li>ii) Did HBC have sight of these viewpoints in advance of submission of the Application, and if so, did you raise any issues? and</li> <li>iii) Provide any further comments you may have on the aforementioned visuals and Chapter 17 of the ES [APP-099] in terms of landscape and visual effects on the Hartlepool area.</li> </ul>
DLV.3.3	Applicants	Figure 17-21 [REP6-095] is a repeat of Figure 17-20 [REP6-094]. Please submit the correct photomontage for Figure 17-21 (Seaton Carew Viewpoint 2).
<b>DEVELOPMENT CONSENT ORDER</b>		
DCO.3.1	RCBC STBC	<p><i>Note: This question partly repeats ExQ2 DCO.2.4 [PD-016], as no answer was received from RCBC or STBC at D6 or D9.</i></p> <p>The RPAs are each asked to provide a statement as to how they would resource the discharge of the DCO requirements, and whether they foresee any issues with being able to carry out the discharges effectively in accordance with the procedures and timescales set out in Schedule 13.</p>
<b>GEOLOGY, HYDROGEOLOGY AND LAND CONTAMINATION</b>		

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ExQ2	Question to:	Question:
GH.3.1	RCBC	<p><i>Note: This question partly repeats ExQ2 GH.2.1 [PD-016], as no answer was received from RCBC at D6 or D9.</i></p> <p>RCBC's Local Impact Report (LIR) [REP1-046] stated that to ensure full characterisation of the site the standard Contaminated Land Condition should be applied to any planning permission granted. The Applicants have since amended R13 in relation to 'Contaminated land and groundwater' [REP5-002].</p> <ul style="list-style-type: none"><li>i) RCBC is asked to comment on R13 and to indicate whether or not this meets its original request to apply their standard condition.</li><li>ii) If it does not meet your concerns, proposed amendments to R13 should be provided by D11 and the Applicants' response provided at D12.</li></ul>
GH.3.2	RCBC STBC	<p><i>Note: This question partly repeats ExQ2 GH.2.2 [PD-016], as no answer was received from RCBC or STBC at D6 or D9.</i></p> <p>Details of additional site investigation, conceptualisation and risk assessment has been provided [APP-092, APP-293, APP-294, REP4-027]. It is the ExA's understanding that STDC has applied for permission to undertake additional works in 2022. It is also our understanding from SoCGs that discussions are being held between the parties in respect of all of the above.</p> <p>Please provide comment on whether or not after remediation and in the context of R13, as a minimum land in your respective authorities is unlikely of being capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990.</p>
GH.3.3	RCBC STBC	<p><i>Note: This question repeats ExQ2 GH.2.2 [PD-016], as no answer was received from RCBC or STBC at D6 or D9.</i></p> <p>Services are likely to be affected by differential movement allowance needs to be made to install flexible connections for water and gas lines to accommodate ground movement Paragraph 10.6.70 of ES Appendix 10A [APP-292]. These are secured via R3, R34 and Schedule 14 of the DCO. The local authorities are responsible for approving the works.</p> <p>Are the local authorities satisfied that the requirements in the DCO will provide them with sufficient detail and control over this aspect?</p>

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ExQ2	Question to:	Question:
GH.3.4	NE	<p>The Applicants provided an update to the Construction Environmental Management Plan (CEMP) at D9 [REP9-007] to include Horizontal Directional Drilling (HDD) contingency planning. The ExA notes that in the latest SoCG [REP8-044], Natural England (NE) confirmed that it would be acceptable for control of HDD operations to be detailed in the final CEMP and discharged by R11 of the DCO.</p> <p>Is NE satisfied that the wording of the latest CEMP [REP9-007] ensures that the risks from HDD operations, including frac-out would be appropriately managed? If not, please explain why.</p>
<b>HISTORIC ENVIRONMENT</b>		
HE.3.1	RCBC STBC HBC	<p><i>Note: This partly repeats ExQ2 HE.2.3 [PD-016], as no answer was received from RCBC STBC or HBC at D6 or D9.</i></p> <p>The Applicants' response to ExQ1 HE.1.1 [REP4-028] provides details on the scope of archaeological investigation, and states that construction activity would not impact buried archaeological remains and that therefore mitigation set out in a Written Scheme of Investigation (WSI) is not required. The response also includes the WSI for marine archaeology. The updated Framework CEMP [Table 5A-12, REP9-007] includes procedures for reporting, protection and management of unexpected archaeological discoveries.</p> <p>Historic England's response to ExQ2 HE.2.3 [REP9-028] confirms it is for the RPA's archaeological advisors to confirm if archaeological works landward of Mean Low Water are not required.</p> <p>Could all RPAs (in consultation with the relevant archaeology service as necessary) confirm their satisfaction with this approach, or if they require any further information or clarification?</p>
HE.3.2	Applicants	<p>Historic England's response to ExQ2 HE.2.3 [REP9-028] comments on Schedule 11, Condition 15 of the dDCO and notes that the (offshore) geophysical survey extended only partially into the Order Limits, and that the data was sourced from a survey for Teesside Offshore Wind Farm, so the majority of the site within the Order Limits has not been subject to archaeological investigation. The Written Scheme of Investigation (WSI) for Marine Archaeology [Appendix B, REP4-028] acknowledges the presence of a palaeo-channel within the Order Limits, which is described as being of medium value.</p> <p>Could the Applicants provide a response to Historic England's comments regarding the</p>

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ExQ2	Question to:	Question:
		methodology of the outline WSI and, if necessary, an amended version?
HE.3.3	RCBC	<p><i>Note: This partly repeats ExQ2 HE.2.4 [PD-016], as no answer was received from RCBC at D6 or D9.</i></p> <p>Development Principle STDC8 of the South Tees Area SPD [REP2-054] 'Preserving Heritage Assets' supports proposals which contribute to the development of an industrial heritage trail. Paragraph 3.67 of the SPD notes that this will likely be handled as a discrete project placed under the direct control of RCBC working with local heritage groups. The Applicants and STDC provided comments at D6 [REP6-121 and REP6-144].</p> <p>Can RCBC provide any further information regarding its role in future plans for an industrial heritage trail?</p>
HE.3.4	RCBC	<p><i>Note: This partly repeats ExQ2 HE.2.5 [PD-016], as no answer was received from RCBC at D6 or D9.</i></p> <p>RCBC [REP2-094] indicated that guidance from Cleveland Industrial Archaeology Society (CIAS) would be recommended in relation to R14 of the dDCO. Commenting on the response, the Applicants [REP3-011] noted that CIAS is not a statutory consultee but a local society that makes records of industrial sites and equipment, carries out historical research and works to help the preservation of business records and physical relics. The Applicants commented further [REP6-121] that it would not require amendment and that the RPA has discretion as to who to consult.</p> <p>i) Can RCBC confirm that they are content with the current wording of R14 and that consultation of CIAS can be undertaken without amendment of the Requirement.</p>
HE.3.5	RCBC	<p><i>Note: This partly repeats ExQ2 HE.2.6 [PD-016], as no answer was received from RCBC at D6 or D9.</i></p> <p>ExQ1 HE.1.4 iv) asked whether the Applicants' assessment of impacts to the setting of nearby designated heritage assets in ES Chapter 18 (paragraphs 18.6.14 to 18.6.24) was sufficient, and whether their significance has been adequately identified and assessed. RCBC in their response [REP2-094] stated that 'there is potential for greater impact on setting, for example even from</p>

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ExQ2	Question to:	Question:
		<p>Huntcliff overlooking Saltburn'. In response to ExQ2 HE.2.6 the Applicants provided an assessment of significance of the three Listed buildings at Marsh Farm, Warrenby [REP7-010].</p> <p>Could RCBC:</p> <ul style="list-style-type: none"> <li>i) Explain further their response regarding Saltburn; and</li> <li>ii) Provide comments specific to the group of Grade II listed buildings at Marsh Farm, and confirm whether they are in agreement with the Applicants' assessment of significance [REP7-010].</li> </ul>
<b>MAJOR ACCIDENTS AND NATURAL DISASTERS</b>		
MA.3.1	Health and Safety Executive (HSE)	<p>Can the HSE comment on the Applicants' approach to the assessment of major accidents as set out in ES Chapter 2 Major Accidents and Natural Disasters 2 [APP-104] in the context of the Proposed Development comprising elements of novel technology.</p> <p>Does the HSE consider that the Applicants have identified and assessed the potential risks associated with the carbon capture, transport and storage component?</p> <p>Paragraph 4.4.23 of the ES [AS-019] states that a Major Accident Prevention Document will be produced during the design process and that the HSE will be consulted on this. Is the HSE content with this approach?</p> <p>Are there any other issues in relation to this matter that the HSE would like to bring to the ExA's attention?</p>
<b>NOISE AND VIBRATION</b>		
NV.3.1	RCBC STBC	<p><i>Note: This question repeats ExQ2 NV.2.2 [PD-016], as no answer was received from RCBC or STBC at D6 or D9.</i></p> <p>Noise and vibration from trenchless technologies for water supply and discharge corridors have been scoped out on the basis that there are significant distances to receptors and works of a minor nature compared to PCC [paragraph 11.6.22 of APP-093 and REP2-016]. In addition, there is potential that vibration impacts could cause to occupants of the office spaces in the industrial developments (paragraph 11.5.9). For this reason, issues in relation to vibration will be covered in the final CEMP.</p> <p>Are the Local Authorities content with this approach?</p>



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ExQ2	Question to:	Question:
<b>PLANNING POLICY AND LEGISLATION</b>		
PPL.3.1	Applicants RCBC STBC	Sections 3.3, and 4 and 5 of the Planning Statement [REP1-003] refer to the local and national policy context. The Applicants and RPAs are asked to confirm if they are aware of any additional local or national policy or guidance which has been issued since production of the Planning Statement in May 2022. If so, provide details of relevance to and implications for the Proposed Development.
<b>POPULATION AND HUMAN HEALTH</b>		
The ExA does not wish to ask any further questions on this topic at this point in the Examination.		
<b>SOCIO-ECONOMICS AND TOURISM INCLUDING MARINE USERS</b>		
SET.3.1	RCBC	<p><i>Note: This is a repeat of ExQ2 HE.2.6 [PD-016], as no answer was received from RCBC at D6 or D9.</i></p> <p>Section 19 of the Applicants' response to D2 submissions [REP3-011] provides comment on RCBC's answer to ExQ1 SET.1.6 [REP2-094] in relation to Redcar Town Football Club. Are RCBC satisfied with the response, or do they have any further comment to make on this matter?</p>
<b>TRAFFIC AND TRANSPORT</b>		
TT.3.1	RCBC	<p><i>Note: This question repeats ExQ2 TT.2.1 [PD-016], as no answer was received from RCBC at D6 or D9.</i></p> <p>In its D2 response [REP2-094] RCBC said that they would now prefer junction surveys over three days within the period Tuesday to Thursday, with a fortnight duration automatic traffic counter process to establish the baseline traffic flows. The Applicants responded [REP3-011] stating that the methodology was standard and had been agreed between the parties in January 2020. RCBC is asked to provide an update on its position in light of the Applicants' response.</p>
TT.3.2	RCBC	<i>Note: This question repeats ExQ2 TT.2.2 [PD-016], as no answer was received from RCBC at</i>

**ExQ3: 13 October 2022****Responses due by Deadline 11: 26 October 2022**

ExQ2	Question to:	Question:
		<i>D6 or D9.</i>  Additional traffic modelling has been provided at the behest of RCBC [REP3-013 and REP4-026]. Does RCBC have any comments to make on the modelling and subsequent conclusions?
<b>WATER ENVIRONMENT</b>		
WE.3.1	Northumbrian Water Limited (NWL) Applicants	<p>The latest correspondence that the ExA is aware of between NWL and the Applicants is recorded in the SoCG received at D5 [REP5-020].</p> <ul style="list-style-type: none"><li>i) NWL and the Applicants are asked to provide an update on the status of discussions regarding the provision of water supply and wastewater treatment.</li><li>ii) The suitability of Bran Sands for wastewater treatment is based on a simulated waste water sample provided to NWL in 2021. Please confirm that this sample is still considered representative and that NWL still conclude that there are no significant issues posed with processing the waste stream.</li><li>iii) The SoCG records that conservative foul water volumes for discharges were shared with NWL in July 2022 and that these were going to be assessed. Has it been confirmed that Marske-by-the-sea Sewage Treatment Works is capable of treating the domestic foul water discharges?</li></ul>
WE.3.2	EA Applicants	<p>At D6 [REP6-133], the EA stated that they had reviewed the draft Net Zero Water Quality Assessment and that the approach outlined and the impacts were acceptable. However, the EA is unable to 'sign off' this assessment until it has clarity on the matters raised in its written comments provided to the Applicants and had sight of the updated effluent dispersion modelling report, which was due at D7. This was not provided. A Briefing Paper was submitted at D8 [REP8-050]. This included an outline to the discharge modelling and referred to this supporting an updated Water Framework Directive (WFD) assessment. An updated dispersion modelling report was submitted at D9 [REP9-015], but this was not accompanied by an updated assessment as expected. The latest SoCG [REP8-042] between the EA and the Applicants states that in September 2022 'the Applicant has requested a meeting with the EA to discuss nutrient modelling updates'.</p> <p>Please provide:</p>

**ExQ3: 13 October 2022****Responses due by Deadline 11: 26 October 2022**

ExQ2	Question to:	Question:
		<ul style="list-style-type: none"><li>i) An update on discussions between the Applicants and the EA in relation to the WFD and related Environmental Permit(s)</li><li>ii) An estimate of timescales to complete these discussions</li><li>iii) Confirmation that the 'Water Quality Assessment' (60675797, 14 June 2022) in the appendices to the 'Nutrient Nitrogen Briefing Paper' [REP9-015] is the same as that referred to by the EA in REP6-133. Is this also the 'preliminary modelling' on which the EA provided comments in August 2022 as referred to in REP8-042?</li><li>iv) The EA's assessment of the most recent dispersion modelling report [REP9-015], including whether or not it is fit for purpose, whether it represents a reasonable worst case, and the estimate of error and accuracy in the model.</li><li>v) Has the EA had sight of an updated modelling report that was due, but not provided, at D7?</li><li>vi) Has the EA had sight of an updated WFD assessment based on an updated water quality assessment?</li></ul> <p>In 'matters to be agreed' the SoCG [REP8-042] it says 'the EA consider that the potential for process water discharges including DIN to have adverse effects on WFD and site integrity of the adjacent designated sites and needs to be considered further'.</p> <ul style="list-style-type: none"><li>vii) What are the other discharges referred to that could cause adverse effects, apart from Dissolved Inorganic Nitrogen (DIN)?</li><li>viii) Is the EA satisfied that these other potential pollutants have been adequately considered?</li></ul> <p>It is understood from the SoCG [REP8-042] that the EA provided detailed comments on the preliminary modelling on 22 August 2022.</p> <ul style="list-style-type: none"><li>ix) Please provide a copy of these comments.</li></ul>
WE.3.3	NE Applicants	<p>The latest SoCG between the Applicants and NE [REP8-044] states that there has been on-going correspondence, including a meeting on 15 September 2022, between the parties regarding the approach to nutrient neutrality, including the discharge modelling. The SoCG between the EA and the Applicants [REP8-042] records that comments on the preliminary modelling were received from NE on 19 August 2022. The update to the Nutrient Nitrogen Briefing Paper submitted by the Applicants to the ExA at D9 [REP9-015] is subsequent to this.</p>

**ExQ3: 13 October 2022****Responses due by Deadline 11: 26 October 2022**

ExQ2	Question to:	Question:
		<p>Please provide:</p> <ul style="list-style-type: none"><li>i) An update on discussions between the Applicants and NE in relation to nutrient neutrality</li><li>ii) An estimate of timescales to complete these discussions</li><li>iii) Confirmation that the 'Water Quality Assessment' (60675797, 14 June 2022) in the appendices to the 'Nutrient Nitrogen Briefing Paper' [REP9-015] is the 'preliminary modelling' on which NE provided comments in August 2022 [REP8-042]?</li><li>iv) NE's assessment of the most recent dispersion modelling report [REP9-015], including whether or not it is fit for purpose, whether it represents a reasonable worst case, and the estimate of error and accuracy in the model.</li><li>v) Has NE had sight of an updated modelling report that was due, but not provided, at D7?</li><li>vi) Please provide a copy of the comments made by NE to the Applicants regarding the preliminary modelling on 19 August 2022.</li></ul>