

17 April 2025

H2 Teesside Case Team
The Planning Inspectorate (Via Email)
Temple Quay House
2 The Square
Bristol
BS1 6PN

Dear Sir/ Madam,

Representation by Deloitte LLP on behalf of North Tees Group Limited – Interested Party Reference H2TS- AFP101

Application by H2 Teesside for an Order Granting Development Consent for the H2 Teesside Project (EN070009)

This representation relates to the application by H2Teesside (the “Applicant”) for an order under the Planning Act 2008 granting Development Consent for the H2 Teesside Project (the “Project”) for a carbon capture enabled hydrogen production facility and hydrogen distribution network.

This representation is made on behalf of North Tees Limited. North Tees Limited related group companies include North Tees Land Limited, North Tees Landfill Sites (Cowpen) Limited, North Tees Rail Limited and North Tees Waste Management Cowpen Limited (“NTL”) in its capacity as both a Category 1 and 2 Person with an Interest in the Land.

NTL have reviewed the submissions made by the Applicant at Deadline 9, including update Protective Provisions as it relates to North Tees interests as well as the Protective Provisions agreed between the H2 Teesside Project and Sembcorp in respect of the Sembcorp Protection Corridor, also known as the “Linkline Corridor”, is owned by NTL and is included within the Applicant’s proposed Order Limits.

Sembcorp Protection Corridor

In its Deadline 7 Submissions NTL expressed concern about the lack of inclusion of protective provisions, at that time, for the benefit of the Sembcorp Protection/Linkline Corridor and any owner and operators of it. It was in the absence of any such protective provisions in the public domain, that NTL prepared and submitted its own draft provisions

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based on the agreed protective provisions between the Applicant and Sembcorp in the Net Zero Teesside DCO (Reference EN010103).

It is acknowledged that protective provisions have now been agreed between H2 Teesside and Sembcorp for the benefit of the owners and operators of the Sembcorp Protection Corridor which includes NTL as an owner of part of that corridor.

On this basis, NTL will not now be seeking to negotiate any amendments to those protective provisions in respect of the Sembcorp Protection Corridor and will not be seeking its own protective provisions in that respect.

Protective provisions for the remainder of NTLs interests

The addition of specific provisions relating to the monitoring of boreholes and access via Huntsman Drive are welcomed, however, the draft protective provisions provided, do not go far enough to address NTL's concerns (as set out in the attached Deadline 7 written representations) in respect of its land interests that will be affected by the H2 Teesside Project.

As set out in its Deadline 7 written representation it is critical that protective provisions for the benefit of NTL's landholdings (in respect of common access roads, rail lines, rights to lay service media over land that is owned operated, managed, and controlled by NTL) are included in the H2 Teesside DCO and sufficiently protect both its land and any infrastructure that may interact with the H2 Teesside Project.

NTL is not just a commercial landowner. NTL have continued to develop the NTL estate over a significant number of years improving the land through the reclamation of land to form development platforms, coordinated management of environmental matters, coordinated provision of infrastructure, completion of mitigation measures and further land acquisition. That development is part of an active development plan, which is being pursued to transition to estate into the UK's first Green Energy Chemicals and Fuels Hub.

It is crucial that the ability of the NTL entities to exercise their rights in respect of the land included in the H2 Teesside Project are not impeded by it. This position is akin to others such as SABIC for whom protection is sought where its land and infrastructure interacts with projects such as this.

NTL are not seeking anything over and above what has already been agreed with other parties with other comparable affected interests.

NTL is supportive in principle of the H2 Teesside project and recognises its importance in the energy transition agenda both on Teesside and Nationally. NTL is keen to work with the Applicant to realise its own ambitions for the wider NTL landholding and the re-industrialisation of Teesside whilst ensuring that any interactions between H2 Teesside and the future development of the NTL estate and its infrastructure are suitably managed.

Following receipt of updated protective provisions, these have been reviewed and amended (as Appendix 1) inline with the draft provision submitted at Deadline 8 in respect of NTL's affected interests.

It is imperative that protective provisions as attached are considered in a meaningful way by H2 Teesside to ensure the current and future operation of NTL facilities and its future development ambitions are not prejudiced.

NTL have sought to assist the Applicant in providing draft protective provision in line with those agreed with others.

If no further progress is made regarding these matters, we respectfully request that the ExA considers making the suggested changes to the dDCO at this submission to address the matters raised.

It is crucial to NTL's current operations and future development ambitions that it's rights of access and freehold ownership are maintained in the fullest extent possible.

Yours faithfully


Deloitte LLP

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Appendix 1 NTL Revised Protective Provisions