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By email only: H2Teesside@planninginspectorate.gov.uk

Date: 27 June 2025

Our ref: 50303/24/HS/AW/33907500v1

Your ref: EN070009: 20049353 Anglo American

Dear Mr Wheadon

H2 Teesside EN070009: Information Request from the Secretary of State, 13th June 2025

We write on behalf of our client, Anglo American Woodsmith (Teesside) Limited; Anglo American Woodsmith Limited; and Anglo American Crop Nutrients Limited (collectively ‘Anglo American’), registered as an Interested Party for the H2 Teesside DCO Examination (20049353).

Following the close of the Examination on 28 February 2025 and the Examining Authority’s issue of a Recommendation on 28 May 2025, the Secretary of State has issued a request on 13 June 2025 for additional information from the Applicant and a number of Interested Parties, including Anglo American. This letter is submitted in response to that.

Protective Provisions – Paragraph 9(c)

Regarding paragraph 9(c) of the Protective Provisions submitted by Anglo American (REP8-046), Anglo American refers the Secretary of State to paragraph 2.11 of its Closing Submissions (REP8-046) which explains why Anglo American considered the inclusion of paragraph 9(c) necessary and justified. To the extent that there is any safety risk at the interface of the H2 Teesside Project with the Woodsmith Project, jeopardising the safe delivery of either Project, Anglo American considers it essential that any such risk is fully mitigated. For that reason, Anglo American would need to consider fully what the proposed alteration to paragraph 9(c) would be or, in the event of removal of paragraph 9(c), the opportunity to consider the safety implications.

Anglo American is however of the view that should all of the remaining protective provisions in the form submitted by it in Appendix 2 to its Closing Submissions (REP8-046) remain as per that submission, the protections offered by the provisions as a whole (and particularly by paragraph 6) would facilitate safe interface of the two Projects. Therefore, on the basis that it is only paragraph 9(c) of the Protective Provisions submitted by Anglo American in Appendix 2 to its Closing Submissions (REP8-046) that is altered or removed and the remainder of those provisions are retained as submitted

by Anglo American, Anglo American would be inclined not to strongly object to any alteration or removal of paragraph 9(c). This view is strictly on the basis that the remainder of the protective provisions as submitted by Anglo American (REP8-046) are retained.

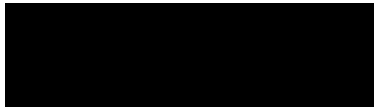
Side Agreement

Regarding the progress of the Side Agreement, Anglo American and H2 Teesside have had recent productive discussions aimed at resolving the remaining points of contention. The Side Agreement is currently with H2 Teesside for further progression, and both sides have agreed to finalise this, along with any necessary Property Agreements proposed by H2 Teesside, by the end of July. Accordingly, Anglo American is unable to provide any further update at this stage until it receives the proposed draft Property Agreements and a revised markup of the Side Agreement.

Concluding Remarks

Anglo American trusts that this update provides sufficient information to the Secretary of State in response to these queries. Should any additional clarification be needed, Anglo American remains open to providing subsequent updates as required.

Yours sincerely



Hugh Scanlon

Senior Director

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Copy Eversheds Sutherland