Written Representation on behalf of North Surrey Green Party
to the Examining Authority of the Planning Inspectorate
with regards to Southampton to London Pipeline Project
by Esso Petroleum Company Limited
Ref. EN070005

Summary

It is North Surrey Green Party's representation that this application by Esso breaches UK Government's international and legal commitments to reduce carbon emissions. A new 12" aviation fuel pipeline from Fawley Refinery to Heathrow will increase the flow of fossil fuels by 44% over the existing pipeline. Moreover, the existing pipeline has been declared both adequate to meet Esso's current supply commitments and safe to continue to operate. The very subject of this application is unnecessary. The sole purpose of any new pipeline is to enhance Esso's profits at the expense of the health and wellbeing of local residents and the local environment. The construction of this pipeline will cause significant damage to the environment, loss of habitat and a reduction in carbon sequestration. For which there is no obligation upon Esso to limit or restore its destruction of the environment.

Breach of UK Government's International and Legal Commitments

It is North Surrey Green Party's (NSGP) submission that treaty and international protocol commitments should also be within the purview of the Examining Authority when reviewing this application. Namely, the UK Government's commitment to reduce carbon emissions to ensure that global temperature rise is no greater than 1.5C from global temperatures in 1750. This commitment being made to the UNFCCC at COP21 on 12 December 2015, the 2015 Paris Agreement. Moreover, this commitment was reinforced by the UK Government's further commitment to implement the Paris Agreement as agreed at COP24 held in Katowice, Poland, in December 2018.

Under the *UK Low Carbon Transition Plan*, the British government has legally committed to reduce carbon emissions by 80% by 2050.

> *"The 2008 Climate Change Act made Britain the first country in the world to set legally binding 'carbon budgets', aiming to cut UK emissions by 34% by 2020 and at least 80% by 2050 …"* [UK Low Carbon Transition Plan, 2009]

To meet this challenge the government established intermediate targets. Such that by 2020, Britain is to have reduced its carbon emissions by 18% of the level in 2008.

Moreover, the *UK Low Carbon Transition Plan* clearly states that Britain will introduce "a target to limit UK aviation emissions to below 2005 levels by 2050, despite forecast growth in passenger demand …" Whereas, in January 2009 the British government announced its support for the expansion of Heathrow, which was further supported by Parliament in June 2018. This support came with a caveat to reduce carbon emissions. As aging aircraft are replaced with more fuel-efficient aircraft, we are promised a reduction in carbon emissions by the aviation industry.

> *"An EU government and industry body, the Advisory Council for Aeronautics Research in Europe, has set targets for aircraft manufacturers to reduce carbon dioxide emissions from new aircraft by 50% per passenger kilometre and reduce emissions of nitrogen oxides (another greenhouse gas) by 80%, relative to a 2000 base."* [UK Low Carbon Transition Plan, 2009]

Therefore, we should see less demand for fuel, not a 44% increase. But increasing the supply of aviation fuel to Heathrow promises to increase carbon emissions, not reduce them.

The existing 10" pipeline from Esso's Fawley Refinery, near Southampton, to the Heathrow West London Terminal is "adequate" and does not show imminent signs of failure. The so-called replacement pipeline, as covered by this application, is larger at 12" internal diameter to provide a 44% increase in fuel supply. Esso has stated that it is their intention with this pipeline to increase the supply of aviation fuel to Heathrow. This will further give rise to both direct and indirect increases in carbon emissions, in breach of the UK Government's commitments at Paris in 2015 and at Katowice in 2018. The increased fuel supply will facilitate an increase in the number of flights, which in turn will increase road traffic in and around Heathrow creating even more carbon emissions and toxic air pollution. More flights mean more passengers means more local traffic and more toxic air pollution.

The increase in internal diameter from 10" to 12" must be questioned. This represents a 44% increase in the amount of aviation fuel that will be supplied to Heathrow. As we know from a recent BBC *Panorama* programme ['*Can flying go green?*', 11 November 2019], the overabundance of cheap aviation fuel at Heathrow allows British Airways (BA), and other airlines, to fill up their fuel tanks increasing the aircraft's weight and the amount of carbon dioxide emitted – heavier aircraft burn more fuel. Flying from Heathrow to Italy carrying nearly three tonnes of extra fuel produced over 600kgs of additional carbon dioxide but saves less than £40 over the cost of refuelling in Italy. This practice of "fuel tankering" by BA produced an additional 18,000 tonnes

of carbon dioxide in 2018. Esso's existing 10" pipeline helps to facilitate this detrimental practice. We need to reduce the supply of aviation fuel, not increase it by 44%.

NSGP contends that this application breaches Britain's obligations to reduce carbon emissions and should be recommended for rejection by the Secretary of State.

Existing Pipeline

The existing 10" pipeline was completed in 1972 and carried heavy heating oil until its service was reassigned in the 1980s to transport aviation fuel to Heathrow.

Esso offer three options to deal with the aging of this pipeline: to do nothing, to replace it with a stream of 100 road tankers or to build a new pipeline. The option to do nothing is disingenuous. Esso will keep the existing pipeline in operation and maintain it while it remains in service.

Esso have stated that they wish to replace this pipeline because of the increasing cost of inspections and maintenance. However, according to the '*Preliminary Environmental Information Report'*, "[t]he existing pipeline is working adequately, …" [para.1.2.2]. This statement is later repeated in the '*Environmental Statement – Non-Technical Summary*' [para.1.1.2]. If this pipeline is working adequately, then it must be meeting Esso's existing commitments. However, Esso has also stated that they need the new pipeline to meet their current commercial commitments ['*Preliminary Environmental Information Report*', para.1.2.4].

As far as the general public is aware, and Esso has not stated otherwise, the existing pipeline has not leaked since it was put into service. Therefore, we can assume that the integrity of the existing pipeline is still intact. Also, Esso has failed to produce any evidence of corrosion of the pipes and has further stated that the existing pipeline continues to be "able to be safely operated" ['*Statement of Reasons – Application Document: 4.1*', [para.3.2.6].

For a lot less than the cost of a whole new pipeline, Esso can replace all the equipment with moving parts along the existing pipeline, pumps and valves, which may be subject to wear. These items of equipment will form part of the capital budget for any new pipeline. The static parts of the pipeline, the pipes, would only need to be replaced if corroded to a level that they are imminently liable to rupture. Moreover, only the section of pipeline that may be corroded would need to be replaced. With no evidence presented from internal inspection that the pipeline is corroded, we can assume that it can remain in safe operation for many years to come.

In the '*Statement of Reasons – Application Document: 4.1*', Esso states:

> *"Although the pipeline itself does not give rise to significant local employment, … The pipeline installation will give rise to limited local economic benefits, including through employment and supply opportunities."* [para.3.2.10]

By not replacing the existing pipeline, Esso can increase local employment opportunities through "requiring inspections and maintenance" ['*Statement of Reasons*', para.3.2.6]. At the Heathrow end of the pipeline, any more employment and supply opportunities will be bought at the expense and cost of the health of the residents of the Borough of Spelthorne, and the associated cost to the National Health Service (NHS).

Moreover, it would seem that the protection and preservation of the existing pipeline has been so successful that Esso propose to re-use the existing cathodic protection system on the new pipeline, if approval is granted. But we hope that the application will be rejected.

Esso assumes that business at Heathrow and toleration of carbon pollution will continue as normal for the next 60 years, the design-life of the new pipeline. This leads Esso to reject preserving and

maintaining the existing pipeline, '*Environmental Statement – Non-Technical Summary*' [para.4.2.1]. However, this does not recognise the UK Government's commitment to reduce carbon emissions. This will require a major reduction in air traffic at Heathrow and a significant reduction in the demand for aviation fuel. This has not been factored into Esso's planning of future demand.

In order to meet the limit of only a 1.5C rise in global temperatures, ExxonMobil (Esso) must cut oil production by 55% ['*Balancing the Budget: Why deflating the carbon bubble requires oil & gas companies to shrink*', Carbon Tracker, 1 November 2019]. Furthermore, at the current rates of production, proven oil reserves will expire in 50 years, which will leave a dry and very expensive pipeline between Southampton and Heathrow. Oil production will not be able to sustain the existing pipeline let alone Esso's 44% increase in demand for Heathrow.

It is interesting to note that there are no plans to replace the adjacent 12" vehicle fuel pipeline, which is of a similar age.

The Road Tanker 'Red Herring'.

Esso's second option is to flood the roads with some 100 road tankers, belching out carbon emissions and toxic air pollution. This option was obviously raised to frighten the public at the consultation events. It somehow assumes that the existing pipeline has ceased to function. Whereas it still functions safely and adequately. And that should the existing pipeline fail then it could not be repaired in a timely manner, if at all. Thus, Esso will have to find at short notice 100 road tankers to rumble up and down the M3.

One would hope that as a diligent and competent operator that Esso maintains sufficient stock in its storage facility at Heathrow to supply Heathrow in the event of a shutdown of the existing pipeline.

This is blatant scaremongering to try and persuade the public that this application is necessary, when there is a safe and perfectly adequate pipeline already in service.

A New 12" Pipeline

By increasing the internal diameter of a new pipeline from 10" to 12", Esso propose to increase the potential flow of aviation fuel to Heathrow by 44%. And should the existing pipeline not be decommissioned, but kept in service, the flow of fuel will increase by 144% - sufficient to meet any forecast increase in demand associated with Heathrow Airport Limited building a third runway.

As well as facilitating the direct increase in carbon emissions by fuelling more flights out of Heathrow, a new pipeline will also increase carbon emissions by increasing the local traffic with passengers and service vehicles to meet those flights.

Whereas this may not directly affect people living along the proposed route of the pipeline, the Borough of Spelthorne at the northern end of the pipeline is the most polluted borough in Surrey and will suffer the impact of increased air pollution.

Furthermore, not only will a new pipeline increase carbon emissions but construction works will destroy mature trees and vegetation essential for carbon sequestration, the removal of carbon from the atmosphere. It is to be expected that any trees and vegetation removed will be burnt releasing their stored carbon into the atmosphere. Although Esso may have written that they will try to avoid the destruction of tree and vegetation, it is expected even where there may be

preservation orders in place. There is no binding commitment by Esso to replace any trees destroyed during construction. A new pipeline will leave us with increased carbon emissions and a reduction in ability to absorb carbon dioxide, a double whammy.

Destruction of trees and vegetation is also the destruction of natural habitat, with subsequent loss of wildlife. Sections 41 and 42 of the current *draft Development Consent Order* (dDCO) give Esso *carte blanche* to destroy whatever trees, even if subject to a Tree Preservation Order, hedgerows and vegetation they like without any legal controls. There is no obligation upon Esso to avoid the destruction of habitat during growing and nesting seasons. There is no obligation, legal or otherwise, upon Esso to restore any habitat that it may destroy. Esso could bulldoze and grub up with impunity. Simply, if Esso 'believes' such destruction is necessary, then it is permitted. There need to be legal restriction imposed within any DCO to ensure that wilful destruction of habitat is not permitted. Also, Esso must be liable to sanction should it not restore to its original condition any habitat that may be damaged during construction works.

There will be considerable disruption during construction works, particularly through the Borough of Spelthorne where the proposed route of the pipeline passes straight down the middle of residential roads, for example Woodthorpe Road, Ashford. The pipeline will pass within a few metres of residents' front doors. The route also passes in front of Ashford Station. The disruption, congestion and fundamental inconvenience will last for several months. A much smaller excavation in Ashford this summer lasted for 12 weeks and caused severe harm to businesses in the centre of Ashford. It is anticipated that Esso's construction work will also cause a severe loss of trade for businesses in town. Will Esso provide a compensation scheme for losses caused by the construction of a new pipeline for which the sole motivation is their profit? Are local businesses expected to subsidise Esso with their loss of trade?

Moreover, there are serious safety concerns with the construction of the pipeline in an urban environment. Over and above the general safety of the public during the construction works with the movement of heavy equipment and lifting of heavy items. It is expected that Esso will join the several sections of pipe together by welding. These welds must be thoroughly inspected before the construction trench is closed. Inspection will be by radiography. An open radioactive source will be used to detect any flaws or defects in the welding. Esso has not presented a safe procedure for how they will conduct radiography close to peoples' homes and businesses, and the public thoroughfare. Whereas ultrasonic examination may be used to inspect welding for any flaws, this system will not operate in the trench.

Conclusion

The Examining Authority must conclude that increasing carbon emissions is in breach of the British government's international obligations and is sufficient ground to recommend rejection of the application. Also, should it been deemed that Esso's profits are more important that public health and the declared Climate Emergency, then approval must be delayed until such time as Esso provide a safe procedure for inspecting the integrity of the pipeline. Moreover, we must have legally binding assurances that the existing 10" pipeline will be decommissioned, and its materials recovered, cleaned and recycled. Also, that all environmental damage will be restored to its original state at Esso's cost.

The proposed pipeline has been designed to increase and perpetuate the burning of fossil fuels and to continue the increase in carbon emissions.