



Application by Esso Petroleum Company, Limited for the Southampton to London Pipeline Project
The Examining Authority's written questions and requests for information (ExQ1)
Issued on Wednesday 16 October 2019

Responses are due by Deadline 2: Thursday 14 November 2019

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RESPONSE TO THE WRITTEN QUESTIONS BY SURREY COUNTY COUNCIL

Emailed to: southamptontolondonpipeline@planninginspectorate.gov.uk

SUBMITTED: 12 November 2019



SURREY COUNTY COUNCIL – CONTROL SHEET

V1	17 October 2019	Circulation of questions.
V2	4 November 2019	Comments from Transport Development Planning, Property, Ecology, Heritage, Community Protection Transport and Environment.
V3	5 November 2019	LLFA, Environment.
V4	7 November 2019	Final draft.
V5	8 November 2019	Final Version

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ABBREVIATIONS USED:

AWL	Affinity Water Ltd	GLVIA3	Guidelines for Landscape and Visual Impact Assessment 3	REAC	Register of Environmental Actions and Commitments
BoR	Book of Reference	HRA	Habitats Regulations Assessment	RR	Relevant Representation
CA	Compulsory Acquisition	INNS	Invasive Non-Native Species	SAC	Special Area of Conservation
CEMP	Construction Environmental Management Plan	LEMP	Landscape and Ecological Management Plan	SANG	Suitable Alternative Natural Greenspace
CIEEM	Chartered Institute of Ecology and Environmental Management	LLFA	Lead Local Flood Authority	SDNP	South Downs National Park
CoCP	Code of Construction Practice	LoNI	Letter of No Impediment	SFDS	Surface and Foul Water Drainage System
CTMP	Construction Traffic Management Plan	MCHLG	Ministry of Housing, Communities and Local Government	SoS	Secretary of State
DCLG	Department for Communities and Local Government	MoD	Ministry of Defence	SPA	Special Protection Area
Draft DCO	Draft Development Consent Order	NE	Natural England	SPZ	Source Protection Zones
EA	The Environment Agency	NFU	National Farmers Union	SSSI	Site of Special Scientific Interest
EM	Explanatory Memorandum	NJUG	National Joint Utilities Group	SWT	Surrey Wildlife Trust
EPS	European Protected Species	NPPF	National Planning Policy Framework	TCPA1990	Town and Country Planning Act 1990
ES	Environmental Statement	NPS	National Policy Statement	TPO	Tree Preservation Order
ExA	Examining Authority	NSIP	Nationally Significant Infrastructure Project	USI	Unaccompanied Site Inspection
FRA	Flood Risk Assessment	PA2008	Planning Act 2008	WFD	Water Framework Directive
GHG	Greenhouse Gases	PINS	Planning Inspectorate	WSI	Written Scheme for the investigation of areas of archaeological interest
GLA	Greater London Authority	PWS	Private Water Supply		

ExQ1: 16 October 2019**Responses due by Deadline 2: Thursday 14 November 2019**

ExQ1	Question to:	Question:	
ALTERNATIVES AND GENERAL QUESTIONS			
Alternatives			
<i>Please note that questions regarding alternatives for Queen Elizabeth Country Park and Turf Hill can be found in the separate question section for these areas below.</i>			Surrey County Council Response
ALT.1.1	<i>Do Nothing Scenario</i> The Applicant	Chapter 4 of the Environmental Statement (ES) [APP-044] states that a do-nothing scenario would lead to increased maintenance and eventual shutdown. Explain why both would be the case.	x
ALT.1.2	<i>Inline Renewal</i> The Applicant	Chapter 4 of the ES [APP-044] states that the existing pipeline is not able to be replaced in short sections "within the necessary timescales". The Examining Authority (ExA) is not clear why timescales exist which prevent inline replacement of the existing pipeline. What they are and why they are necessary. Respond.	x
ALT.1.3	<i>Inline Replacement</i> The Applicant	Explain whether inline replacement was considered alongside construction of new sections of pipeline, as opposed to a complete replacement.	x
ALT.1.4	<i>Trenchless Techniques at Fordingbridge Park</i>	i) Explain whether trenchless techniques were considered for construction of the Proposed Development at Fordingbridge Park.	Similar query raised in respect of Abbey Rangers Football Club. Can Trenchless Techniques be used at Abbey Rangers. Comments received from Fisher German on the 24 th October stating

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	The Applicant	ii) If they were considered explain why they were discounted. iii) Consider trenchless techniques for the said areas given the effect on tree loss.	that partial Trenchless Techniques being considered.
ALT.1.5	<i>Trenchless Techniques and Narrow Working Width</i> The Applicant	<p>Chapter 7 of the ES [APP-047] references good practice measures and includes reducing the working width to 15m adjacent to the Maultway and to reduce impacts to woodland at Turf Hill. Paragraph 7.4.161 of the Planning Statement [APP-132] states that a 10m width can be used when crossing through boundaries between fields where these include hedgerows, trees or watercourses, where feasible.</p> <p>i) Explain why a reduced working width could not be utilised more extensively for open cut working and how was feasibility determined.</p> <p>ii) Alternatively, explain why trenchless crossing was not considered to avoid areas of high tree loss.</p>	
ALT.1.6	<i>Trenchless Techniques</i> The Applicant	<p>Paragraph 7.4.159 of the Planning Statement [APP-132] also states that the feasibility of using trenchless techniques to avoid protected hedgerows and protected trees has been considered throughout the design development of the project. The conclusion was reached that it was not feasible to use trenchless techniques to avoid these features along the route because of the number of protected hedgerows and trees, which would result in</p>	X

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		<p>additional engineering, environmental, social, planning and cost/scheduling challenges and impacts.</p> <p>Explain and justify the basis on which this conclusion was reached.</p>	
ALT.1.7	<i>Cove Brook Flood Storage Area</i> The Applicant	<p>The Register of Environmental Actions and Commitments (REAC), which is contained within Chapter 16 of the ES [APP-056], indicates the proposed method of crossing the Cove Brook Flood Storage Area. The Environment Agency (EA) in its Relevant Representation (RR) [RR-239] has identified that these measures may result in structural weakness to the embankment, which could in turn increase the likelihood of embankment failure which would in turn risk life.</p> <p>Respond to this and explain why a trenchless crossing method has not been proposed at the Cove Brook Flood Storage Area.</p>	x
ALT.1.8	<i>River Thames Flood Defence Scheme</i> The Applicant	<p>The EA in its RR [RR-239] states that the Proposed Development would conflict with the EA's proposed River Thames Flood Defence Scheme.</p> <p>Set out the discussions that have taken place between the Applicant, the EA and the landowner with regards to this matter, beyond those outlined in the RR, and how could the matter be resolved.</p>	x

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ExQ1	Question to:	Question:	
General Questions			
GQ.1.1	<i>Description of Development</i> The Applicant	<p>The Application describes the Proposed Development as a replacement pipeline. However, the Proposed Development is a new pipeline in its own right, thus the description could be deemed to be misleading.</p> <p>Comment as to whether clarification is needed and whether/how decommissioning would need to be secured in the draft Development Consent Order (draft DCO).</p> <p>N.B – There is an overlap between this question and questions CA.1.17 and DCO.1.29 and you may therefore wish to provide a combined response to these questions.</p>	x
GQ.1.2	<i>Leakages</i> The Applicant	Provide information with regards to the number of leaks that have occurred to the current pipeline over the last 10 years.	X
GQ.1.3	<i>Start and Finish Points</i> The Applicant	The indicative start and finish points and the location of the Order Limits shown on the Works Plans [AS-046], [AS-047] and [AS-048] are not defined by grid reference and are only capable of being located on the ground by means of scaling off the works plans and by reference to existing on site features shown on the Ordnance Survey base of the works plans. There are also no definitions of the maximum sizes or heights of the pipeline marker posts and cathodic protection test posts.	x

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		Provide this information.	
GQ.1.4	<i>Updates on Development</i> All Relevant Planning Authorities	Provide an update of any planning applications that have been submitted, or consents that have been granted, since the Application was submitted that could either effect the proposed route or would be affected by the Proposed Development.	As of 6 November 2019 - No planning applications submitted or granted that would affect the proposed route or would be affected
GQ.1.5	<i>Further Information</i> Brett's Aggregates Ltd	<ul style="list-style-type: none"> i) Provide further details of concerns raised in the Relevant Representation (RR) [RR-184] that the Proposed Development does not take account of a consented conveyer belt that would need to be installed in order to enable sand and gravel extraction from Queen Mary Quarry Reservoir in relation to the alignment of the Proposed Development. ii) Reference is made to Representation 1, 2 and 4 but there appears to be no Representation 3. Confirm whether Representation 3 exists and if so, provide it. iii) Reference is also made to a map, but no map was provided with the RR. Confirm if a map should have been submitted and if so, provide a copy. 	X
GQ.1.6	<i>Brett Aggregates Ltd</i> The Applicant	Respond to RR-184 in respect to conflict between the route of the Proposed Development and its operations.	X

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GQ.1.7	<i>Further Information</i> Runnymede Borough Council	Provide the dates for when the Chertsey Agricultural Show is held and over how many days the event is held.	x
GQ.1.8	<i>Further Information</i> Eastleigh Borough Council	Provide further details of the “numerous development proposals” mentioned in the RR [RR-237] that aren’t covered by the Planning Statement [APP-131].	x
GQ.1.9	<i>Affinity Water</i> The Applicant	Affinity Water Ltd (AWL) in its RR [RR-219] have raised concerns that the depth of the Proposed Development and their water mains are very similar, which would be in contravention of Affinity Water guidance. AWL have suggested that the Proposed Development should be at a lower level as this could also address concerns regarding leaks/contamination. Respond.	x
GQ.1.10	<i>Affinity Water</i> The Applicant	AWL in its RR [RR-219] have raised concerns that the proposals to install cathodic protection on the Proposed Development could adversely affect AWL’s cast iron and spun water mains. Respond.	x
GQ.1.11	<i>Other Consents and Permits</i> The Applicant	Paragraph 1.7.2 of the Planning Statement [APP-132] confirms that other consents and permits would be required by the Proposed Development.	x

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ExQ1	Question to:	Question:	
		State in a table format what these are and provide an update on progress or signpost where in the application documentation this information can be found.	
GQ.1.12	<i>Logistical Hubs</i> The Applicant	i) Provide an update on whether planning applications have been submitted for the proposed logistics hubs as suggested in paragraph 1.9.2 of the Planning Statement [APP-132]. ii) Explain the implications, if these applications were consented, for the draft DCO [AS-059] given that the proposed logistics hubs form part of this Application. iii) Explain whether a scenario exists whereby the logistical hubs could be implemented under the Town and Country Planning Act 1990 (TCPA1990) as opposed to this Order, and thus be subject to different and perhaps less onerous restrictions.	x
GQ.1.13	<i>National Policy</i> The Applicant	Explain the applicability of National Policy Statement (NPS) EN-4 for the Proposed Development given that the proposal would be for the distribution of aviation fuel.	The County Council has declared a climate emergency in recognition of the issues facing our planet. The Government requires that all greenhouse gas emissions are reduced to net zero by 2050. The County Council is currently reviewing how it can contribute to help ensure that this low carbon future is achieved. Our reliance on fossil fuels and hydrocarbons will rightly reduce with a much greater emphasis on renewable and sustainable energy sources. This will however take time and there will still be a role for hydrocarbons during the transition. Aviation emissions will be taken into account in the

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			Government's net zero by 2050 target along with all other sources. If the pipeline is not replaced, there will still be a demand for fuel. This would be most likely to be met by HGVs, the use of which is likely to result in an increase in greenhouse emissions.
GQ.1.14	<i>NPS Mitigation</i> The Applicant	Explain how the mitigation measures suggested within NPS EN-4 in relation to noise and vibration (2.20.7), biodiversity (2.21.5, 2.21.6), water quality and resources (2.22.6, 2.22.7), and soil and geology (2.23.7, 2.23.8), are secured by the draft DCO either in terms of the inherent design of the Proposed Development or as a result of requirements to the draft DCO.	x
GQ.1.15	<i>Trenchless Crossing Techniques</i> The Applicant	<ul style="list-style-type: none"> i) Explain maximum possible length that a trenchless crossing can be. ii) Explain the circumstances that would prevent or restrict the use of trenchless crossings. iii) If known, explain the current longest length of trenchless crossing proposed and where. <p>N.B – You may wish to combine the response to this question with GQ.1.16 below</p>	x
GQ.1.16	<i>Trenchless Crossing Techniques</i> The Applicant	Appendix 8.2 of the ES [APP-103] provides an assessment of where trenchless techniques are to be used. The ExA considers that a plan showing these areas is necessary.	x

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		<ul style="list-style-type: none"> i) Provide the criteria used to select trenchless over open cut; ii) Provide a cost per metre for open cut versus trenchless; iii) Provide a plan of trenchless crossing areas; or iv) Signpost where this can be found in the Application; and v) Explain how this is secured in the draft DCO [AS-059]. <p>N.B – You may wish to combine the response to this question with GQ.1.15 above</p>	
GQ.1.17	<i>Local Authority Boundary Map</i> The Applicant	Provide a plan showing the existing and proposed route with the Relevant Planning Authority boundaries or signpost where such a plan exists in the Application documents.	x
GQ.1.18	<i>Land Contamination</i> The Independent Educational Association Limited	With reference to concerns raised in RR-095 regarding potential land contamination of the site (point 5), provide further details with particular reference to how the site was remediated and how the Proposed Development would affect it.	x
GQ.1.19	<i>Climate Change</i> The Applicant	Chapter 3 of the ES [APP-043] states that the above ground components are, through design and materials, resilient to climate change effects.	x

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ExQ1	Question to:	Question:	
		Explain how this conclusion has been reached and which effects have been considered.	
GQ.1.20	<i>Pipeline Diameter</i> The Applicant	Explain why the proposed pipeline is 5cm larger in diameter than the existing pipeline.	x
GQ.1.21	<i>Working Width</i> The Applicant	<p>Paragraph 4.1.17 of the Planning Statement [APP-132] states that the working width for the route is typically 30m but that “where the new pipeline is routed adjacent to Esso’s existing pipelines a 36m wide Order Limit is designed to provide flexibility for detailed routing and construction methodologies for pipeline installation adjacent to these existing pipelines”.</p> <p>Clarify where there is more than one existing Esso pipeline and explain why a greater working width is required adjacent to existing pipelines.</p>	x
GQ.1.22	<i>Working Width</i> The Applicant	<p>Paragraph 4.9.1 of the Planning Statement [APP-132] states that once the pipeline is installed and operational it will be protected by an easement strip that extends 3m either side of the pipeline.</p> <p>Confirm that the Limits of Deviation do not extend to within 3m of the Order Limits at any point along the proposed route.</p>	x
GQ.1.23	<i>Temporary Fencing</i> The Applicant	Paragraph 4.6.8 of the Planning Statement [APP-132] indicates that where temporary fencing around working areas is in close proximity to residential	x

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		<p>properties, the fence may also serve to provide acoustic and visual screening.</p> <p>Clarify what type of fencing is proposed and whether the acoustic and visual screening is an incidental benefit or necessary mitigation.</p>	
GQ.1.24	<p><i>Missing Text</i></p> <p>The Applicant</p>	<p>Paragraph 13.3.9 of the Planning Statement [APP-132] appears to have text missing at the start of page 379.</p> <p>Clarify and provide it.</p>	x
GQ.1.25	<p><i>Agriculture</i></p> <p>The Applicant</p>	<ul style="list-style-type: none"> i) Explain whether any Best and Most Versatile (BMV) land be affected/lost as a result of the Proposed Development. ii) If it would be affected/lost confirm whether this be on a temporary or permanent basis. If permanent provide details of how much BMV would be lost. iii) Confirm whether the Proposed Development would result in any severance issues for farms along the proposed route. iv) Explain how short and long-term breaches of Agri-Environment schemes caused by the Proposed Development be dealt with and who would take responsibility for dealing with any breaches, the applicant or the signatory of the scheme, if it is the 	x

ExQ1	Question to:	Question:	
		<p>signatory is the Applicant proposing to provide any support/advice.</p> <p>v) If this information has been provided, signpost where in the Application documents it can be found.</p>	
BIODIVERSITY AND HABITATS REGULATIONS ASSESSMENTS			
<i>Please note that questions regarding biodiversity for Queen Elizabeth Country Park and Turf Hill can be found in the separate question section for these areas below.</i>			
BIO.1.1	<p><i>Landscape and Ecological Management Plan</i></p> <p>The Applicant</p>	<p>Requirement 12 of the draft DCO [AS-059] requires the submission and approval of a Landscape and Ecological Management Plan (LEMP) in accordance with the REAC, which is contained within Chapter 16 of the ES [APP-056]. The LEMP would contain, amongst other things, details of the reinstatement of hedgerows and trees. Although the Applicant relies heavily on the measures contained within the LEMP to mitigate biodiversity and wildlife effects, no outline document is before the Examination.</p> <p>i) Justify the approach that no outline submission is before the ExA, particularly as the final LEMP would need to be approved by numerous relevant planning authorities.</p> <p>ii) In the absence of outline contents, explain how the ExA and the relevant planning authorities can be satisfied, that measures in the LEMP would deliver the mitigation that the conclusions that the submitted ES relies upon.</p>	X

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		<p>iii) Provide an Outline LEMP, listing measures that would be secured, drawings to be prepared, detailing consultation that would be undertaken and with whom, and the inter-relationship of ecology and landscape.</p> <p>iv) If an Outline LEMP is provided, explain whether it should form a Certified Document in Schedule 11 of the draft DCO [AS-059].</p> <p>N.B – There is significant overlap between this question and LV.1.1. The Applicant (and any other Interested Parties) may wish to address the issue in a combined response to both questions.</p>	
BIO.1.2	<i>Landscape and Ecological Management Plan</i> All Relevant Planning Authorities	<p>Comment on the absence of an Outline LEMP in the Examination and whether it is agreed that such a document could be submitted as part of the discharge of Requirement 12 of the draft DCO [AS-059].</p> <p>N.B – There is overlap between this question and LV.1.2 you may therefore wish to provide a combined response to both questions.</p>	<p>For clarity, SCC favours the option;</p> <p>Provide an Outline LEMP, listing measures that would be secured, drawings to be prepared, detailing consultation that would be undertaken and with whom, and the inter-relationship of ecology and landscape.</p>
BIO.1.3	<i>Methodology</i> The Applicant	<p>In respect of the assessment of dust on ecological receptors:</p> <p>i) Explain whether the methodology applied in the ES [APP-047] is suitable to assess the effects on distinct ecological features,</p>	X

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		<p>and whether there is potential undervaluation of the sensitivity of ecological features when relying on level of designation or legal protection rather than their susceptibility to dust impacts from the Proposed Development.</p> <p>ii) Include reference in your response to any advice received from ecological experts or relevant stakeholders.</p>	
BIO.1.4	<p><i>Pre-Construction Surveys</i> The Applicant</p>	<p>With reference to pre-construction biodiversity surveys (measure G33 in the REAC [APP-056] and Code of Construction Practice (CoCP) [APP-128]), explain the trigger for whether "<i>existing baseline survey data needs to be updated or supplemented</i>" for individual receptors and who would be responsible for determining this.</p>	x
BIO.1.5	<p><i>Bird Surveys</i> The Applicant</p>	<p>Paragraph 2.3.5 of the Bird Factual Report [APP-090] confirms that only desk study work has been undertaken for birds, with no specific field surveys undertaken. Explain the extent to which they consider the findings of the assessment of impacts to birds are reliable in absence of this level of effort.</p>	x
BIO.1.6	<p><i>Post-Construction Monitoring</i> The Applicant</p>	<p>Chapter 7 of the ES [APP-047] states that a programme of post-construction monitoring and objectives/targets for designated ecological sites, would be agreed and implemented in accordance with DCO requirements (ref. G47 in CoCP/REAC), although specific details of this are not provided.</p>	SCC agrees with this requirement

ExQ1	Question to:	Question:	
		<p>i) Provide further details of which designated ecological sites are intended to be monitored; for what purpose; how the effectiveness of the proposed measures would be monitored; and in the event that proposed measures should fail or underperform, the triggers for any remedial/adaptive measures.</p> <p>ii) Explain which bodies would be involved in agreeing the monitoring and objectives/targets for designated sites.</p>	
BIO.1.7	<p><i>Environmental Investment Programme Report</i></p> <p>The Applicant</p>	<p>The EA in its RR [RR-239] notes the absence of an "Environmental Investment Programme Report" from the Application documents (which it understood from pre-application discussions with the Applicant would demonstrate environmental net gain commitments) and requests confirmation from the Applicant as to whether the Proposed Development would deliver a net gain. A similar point is raised by Natural England (NE) in [AS-030].</p> <p>Respond.</p>	X
BIO.1.8	<p><i>Relevant Permissions and Permits</i></p> <p>The Applicant</p>	<p>Fish rescues are proposed at any watercourse crossings that would require isolation and dewatering (as per mitigation measure G49 in the CoCP [APP-128]). The EA note that appropriate permissions would be required from the EA for this and a suitable contractor appointed. The need for such permissions is not acknowledged in the</p>	x

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		<p>Application documentation [G49, APP-128], whereas the need for other types of wildlife licence is – e.g. [G43, APP-128] explains that appropriate wildlife protected species licences would be sought from NE.</p> <p>Respond, ensuring that the need to obtain appropriate fish rescue licences from the EA and to appoint a suitable contractor is reflected in the CoCP.</p>	
BIO.1.9	<i>Fish Management</i> The Applicant	<ul style="list-style-type: none">i) Explain how dewatering and over pumping works would not prevent movement of fish species.ii) Explain how provision of appropriate screening during any over pumping would be secured through the draft DCO, to prevent the entrainment and death of eels and fish.	x
BIO.1.10	<i>Fish Management</i> The Applicant	<p>The assessment of construction disturbance to fish presented in ES paragraphs 7.5.755 to 7.5.759 [APP-047] appears to have been undertaken on a qualitative basis. To support the assessment conclusion that the effect would be “of minor adverse significance”, explain further:</p> <ul style="list-style-type: none">i) How underwater noise, vibration and lighting levels have been predicted, with reference to the different types of construction activities.	x

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		<p>ii) What assumptions have been made regarding the thresholds at which disturbance would occur.</p> <p>iii) Has the assessment been informed by any relevant scientific literature?</p> <p>Taking account of these points, the Applicant is also requested to comment on whether there is a need for timing restrictions for trenchless crossings to protect salmonids, as referenced in the EA's RR [RR-239].</p>	
BIO.1.11	<i>Survey Methodology</i> The Applicant	<p>Paragraph 7.2.4 of Chapter 7 of the ES [APP-047] states that a desk study involved the collection of existing records within a minimum 1km radius from the Order Limits.</p> <p>Explain the basis on why the 1km radius was chosen.</p>	x
BIO.1.12	<i>Survey Methodology</i> The Applicant	<p>Paragraph 7.2.27 of Chapter 7 of the ES [APP-047] states that the criteria for determining the value of ecological receptors shown in Table 7.4 have been adapted from the Chartered Institute of Ecology and Environmental Management (CIEEM) Guidelines.</p> <p>Explain the criteria adapted and in what way.</p>	x
BIO.1.13	<i>Biodiversity Net Gain</i> The Applicant	<p>In Table 7.6 of Chapter 7 of the ES [APP-047] reference is made to meetings with NE and Surrey Wildlife Trust (SWT) on 23/24 July 2018. Bullet</p>	x

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		<p>point 3 refers to NE's advice that the project should seek to deliver a "biodiversity net gain". Similarly, in its RR [RR-239] the EA reiterates its ambition for the project to deliver an overall net gain in biodiversity in line with recent updates to the National Planning Policy Framework (NPPF) and in line with the Government's 25 Year Environment Plan. Rushmoor Borough Council in its RR [RR-293] also sets out an expectation for the Applicant to demonstrate biodiversity net gain.</p> <p>i) Explain the response to these requests and if a biodiversity net gain has not been secured, why not.</p> <p>ii) Bullet point 4 of Table 7.6 refers to potential habitat enhancement opportunities at Bourley and Long Valley Site of Special Scientific Interest (SSSI). Explain where these are secured in the draft DCO [AS-059].</p>	
BIO.1.14	<i>Referencing Error</i> The Applicant	Confirm that paragraph 7.5.191 of Chapter 7 of the ES [APP-047] should reference A7.1.145 instead of A7.1.96 in the Figure in Appendix 7.1.	x
BIO.1.15	<i>Biodiversity Opportunity Area</i> The Applicant	<p>In Appendix 7.10 of Consultation Report – Route Release [APP-038] reference is made to Sub-Option F1c affecting a Biodiversity Opportunity Area.</p> <p>i) On what basis has the Biodiversity Opportunity Area been designated and over what area does it exist.</p>	x

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		ii) Provide these details on a map.	
Trees			
BIO.1.16	<i>Tree Survey Work</i> The Applicant	Respond to the National Trust's RR [RR-091] which raises concerns regarding the tree survey work, with particular reference to highlighting those trees that would need to be removed in relation to the Hinton Ampner Estate and Joan's Acre Wood specifically.	x
BIO.1.17	<i>Additional Information</i> The Applicant	Respond to Surrey Heath Borough Council's RR [RR-093] which raises comments regarding request for additional information regarding the potential impact of trees that would need to be felled.	x
BIO.1.18	<i>Ancient Woodland</i> The Applicant	Confirm that there would be a buffer zone of 15m around all areas of Ancient Woodland during construction and if this is not the case, what measures would be proposed to ensure that these areas would not be subject to noise or dust pollution during construction [RR-287]. N.B – There is an overlap between this question and questions BIO.1.20 and LV.1.23 you may therefore wish to provide a combined response to these questions.	X
BIO.1.19	<i>Veteran Trees</i> Woodland Trust	The Woodland Trust in its RR [RR-287] states that two trees recognised as veteran on the Ancient Tree Inventory could be affected by the Proposed Development.	X

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		Provide details of where and what these trees are and how best they could be protected.	
BIO.1.20	<i>Buffer Zones</i> Woodland Trust Natural England	<p>The respective RRs [RR-287] and [AS-030] refer to the need for a buffer when working near Ancient Woodland. However, the size of the suggested buffer differs.</p> <p>Confirm the correct size and on what basis/guidance this size is calculated.</p> <p>N.B – There is an overlap between this question and questions BIO.1.18 and LV.1.23 you may therefore wish to provide a combined response to these questions.</p>	X
BIO.1.21	<i>Tree Surveys</i> The Applicant	<p>Paragraph 7.3.90 of the ES [APP-047], which is within the section of the ES considering bats, refers to ground level tree assessments of approximately 1,300 trees. Reference is also made to the assessment of 582 trees within 10m of the Order Limits.</p> <p>i) Explain the basis on which the 1,300 trees were identified and over what area did they extend.</p> <p>ii) Of the 582 trees within 10m of the Order Limits, explain how many are within the Order Limits themselves, and where such information is recorded.</p>	x

ExQ1: 16 October 2019**Responses due by Deadline 2: Thursday 14 November 2019**

ExQ1	Question to:	Question:	
BIO.1.22	<i>Further Information</i> Natural England	<p>In NE's additional submission [AS-030] dated 26 July 2019 it is stated that the proposal would avoid all Ancient Woodland. It goes on to state that the Applicant is "going to be running in close proximity to other areas of woodland" and that "there is a proposal in a few circumstances to run within 15 metres of that woodland potentially encroaching on root protection".</p> <p>i) Identify the said woodland. ii) Comment on the extent of other woodland/trees which would be removed as a result of the Proposed Development.</p>	x
BIO.1.23	<i>Tree Replacement</i> The Applicant	<p>i) Where replacement trees are proposed, explain on what basis replacement trees have been determined in terms of species and age. ii) Explain how they would be secured through the draft DCO [AS-059].</p>	x
Invasive Non-Native Species (INNS)			
BIO.1.24	<i>Survey Work</i> The Applicant	<p>Chapter 7 of the ES [APP-048] confirms that a desk study was used to identify Invasive Non-Native Species (INNS), with no specific surveys undertaken (although incidental records of INNS have been noted during botany and ecological surveys).</p> <p>In the absence of specific survey data for INNS, explain the confidence which can be placed in</p>	x

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ExQ1	Question to:	Question:	
		measures including G42 in the REAC [APP-056] and the CoCP [APP-128] in identifying and controlling the spread of plant INNS.	
BIO.1.25	<i>On-Site Storage and Reuse of Soils</i> The Applicant	<p>Rushmoor Borough Council in its RR [RR-293] raises concerns around the on-site storage and reuse of soil associated with INNS. The Council considers that any soil associated with INNS should be disposed of off-site as contaminated waste and that an INNS Strategy should be prepared and agreed before works commence.</p> <p>Comment on the potential need for these measures and explain how any such commitments would be secured through the draft DCO.</p>	x
BIO.1.26	<i>Animal INNS</i> The Applicant	<p>Animal INNS are not considered within ES Chapter 7 [APP-048], on the basis that the Applicant considers the Proposed Development "has extremely limited potential to contribute to their introduction or spread" (paragraph 7.3.71 [APP-047]). It is noted that reference is made to a signal crayfish recorded at Frimley Bridge in Appendix 7.5: Aquatic Ecology Factual Report [APP-085]. It is also unclear from the REAC/CoCP what measures are proposed should any animal INNS be encountered, including any biosecurity measures.</p> <p>i) Justify the statement made at paragraph 7.3.71 with reference to the specific works that are proposed.</p>	x

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ExQ1	Question to:	Question:	
		ii) Clarify the point on animal INNS being encountered and explain how any such mitigation measures would be put in place and how these would be secured and delivered in the draft DCO.	
Protected Species			
BIO.1.27	<i>Bats</i> The Applicant	Field surveys for bats have been limited to within 10m of the Order Limits. Provide further justification for the selected survey area and confirm how this relates to the Zone of Influence for the Proposed Development.	X
BIO.1.28	<i>Bats</i> Natural England	<p>Due to the current uncertainties around which individual trees would require felling to facilitate construction of the Proposed Development, the Applicant explains that the need for a European Protected Species (EPS) licence for bats would be determined by pre-construction surveys of those trees which require felling and have moderate or high potential to support bat roosts [APP-087 and APP-101]. Measure G174 of the REAC [APP-056] and CoCP [APP-128] refers to surveys prior to their removal.</p> <p>Considering the recommended approach to obtaining EPS licences in the Planning Inspectorate's Advice Note 11 (Annex C), confirm whether any necessary letter of no impediment (LoNI) for bats can be provided given the Applicant's approach.</p>	x

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ExQ1	Question to:	Question:	
BIO.1.29	<i>Bats</i> The Applicant National Trust	<p><u>To the Applicant:</u> Respond to the National Trust's [RR-091] concern that the bat survey information in relation to Hinton Ampner has not considered the trees that project out from Joan's Acre Wood which contain a rare bat species.</p> <p><u>To National Trust:</u> Provide details of the species of bat involved.</p>	<u>x</u>
BIO.1.30	<i>Great Crested Newts</i> The Applicant	Respond to the points raised by Surrey Heath Borough Council in its RR [RR-093], regarding the mitigation proposed for impacts to great crested newts in the Windlemere Suitable Alternative Natural Greenspace (SANG) area.	X
BIO.1.31	<i>Great Crested Newts</i> The Applicant	<p>Pond 57a in area 692 is proposed as a receptor area for translocated great crested newts. However, this pond has been established by allowing natural colonisation only.</p> <p>Provide information as to where the great crested newts would be translocated from and if these are to be located at a distance greater than 500m from the pond, how this could affect the existing colonies within the pond.</p>	X
BIO.1.32	<i>Great Crested Newts</i> The Applicant	Froyle Wildlife in its RR [RR-190] highlight a number of errors in the Application documentation specifically in respect to great crested newts.	x

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ExQ1	Question to:	Question:	
		Respond to these concerns.	
BIO.1.33	<i>Water Vole and Otter</i> The Applicant	Confirm whether a watching brief for signs of water vole and otter would be maintained during construction and if so, how would this be secured through the draft DCO [AS-059].	x
BIO.1.34	<i>Water Bourne Wildlife</i> The Applicant	<p>For open-cut crossings, timing restrictions would need to apply. The tributary of the River Hamble (WCX007), ditch leading to the tributary of the River Hamble (WCX006), Caker Stream (WCX012) and Ryebidge Stream (WCX021) would be subject to constraints between October to December and March to May [paragraph 7.5.747, APP-047]. The EA [RR-239] considers that the timing restrictions should apply for October to May inclusive to protect the egg and fry stages of life.</p> <p>The tributary of Cove Brook (WCX047) would be subject to constraints between March and May [paragraph 7.5.747, APP-047]. The EA [RR-239] considers that the timing restrictions should apply between March and July inclusive.</p> <p>Commit to the extended timing restrictions as recommended by the EA and if not, why not. Any such commitment should be reflected in updated versions of the relevant documents (including the CoCP [APP-128] and the REAC [APP-056] (ref. G171)).</p>	x

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ExQ1	Question to:	Question:	
BIO.1.35	<i>Reptiles</i> The Applicant	ES Appendix 7.11: Reptile Factual Report [APP-092] includes Figures 7.11.1 and 7.11.2. No key appears to have been provided for either of these Figures. Explain what the Figures are showing.	x
BIO.1.36	<i>Colony Bog and Bagshot Heath SSSI</i> The Applicant	Paragraph 7.5.182 of the ES [APP-047] states that the Order Limits within the Colony Bog and Bagshot Heath SSSI encompass a total area of 14.50ha. Paragraph 7.5.197 indicates that narrow width working within the SSSI would reduce the area of habitats impacted within the Order Limits from 15.24ha to 7.73ha. i) Explain why the total area (14.50ha) is smaller than the area impacted (15.24ha). ii) Explain whether the narrow working width applies to all of the SSSI and if not, why not. iii) Explain whether the narrow working width applies to all SSSIs crossed by the proposed pipeline and if not, why not.	x
Habitat Regulations Assessment (HRA)			
BIO.1.37	<i>In-Combination Effects</i> The Applicant	The HRA report [APP-130] concludes that visual, dust and noise impacts would not act in-combination with impacts from proposals to expand the Heathrow Airport. The ExA understands that these proposals are in earlier stages of development and	X

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ExQ1	Question to:	Question:	
		<p>that detailed information may not yet be available on which to base the assessment.</p> <p>Explain what information has been used in order to support the conclusions reached and what (if any) assumptions have been made.</p>	
BIO.1.38	<i>Screening Stage</i> Natural England	Confirm agreement with the Applicant's screening stage assessment as presented in the HRA report [APP-130] and [APP-131] for each of the eight European sites considered and for each effect that a likely significant effect is excluded. For example, it is noted that a number of effects are screened out on the basis of: the small scale, temporary nature of the works; existing screening and/or levels of disturbance; and the size of the European site compared to the receiving environment.	X
BIO.1.39	<i>Nutrient Run-Off</i> The Applicant	<p>Table 4.1 of the HRA report [APP-130] and [APP-131] identifies in respect to the Solent Special Protection Area (SPA), Special Area of Conservation (SAC) and Ramsar site the potential for generation of nutrient run-off during construction. However, this is not described in any detail in the screening assessment (Appendix D).</p> <p>Confirm whether the Proposed Development is likely to result in the release of additional nutrients into the system/ European sites.</p>	X

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ExQ1	Question to:	Question:	
BIO.1.40	<i>Nutrient Run-Off</i> Natural England	<p>i) Given the location of the Proposed Development in proximity to European sites within the Solent (the Solent SPA, SAC and Ramsar site), confirm whether the issues raised in the recent European Court of Justice (CJEU) 'Dutch case' C-293/17¹ and addressed in NE's advice on achieving nutrient neutrality for new development in the Solent region are applicable in this case.</p> <p>ii) Identify any concerns with regards to the Proposed Development and the Applicant's assessment of likely significant effects on the Solent European sites.</p>	X
BIO.1.41	<i>Thames Basin Heaths SPA</i> Natural England	Confirm agreement with the conclusions of the Applicant's screening assessment for the Thames Basin Heaths SPA, including that the effect of physical disturbance (habitat loss) during construction is not significant on the basis that effects would be small scale and temporary, and that construction generated dust and emissions would result in insignificant/ <i>de minimis</i> effects.	X
BIO.1.42	<i>Thames Basin Heaths SPA</i> Natural England	Confirm agreement with the assessment and conclusions presented in Section 5 of the HRA report [APP-130] with regards to the Thames Basin Heaths SPA, with particular reference as to whether you	X

¹ <http://curia.europa.eu/juris/liste.jsf?language=en&num=C-293/17&td=ALL>

ExQ1: 16 October 2019**Responses due by Deadline 2: Thursday 14 November 2019**

ExQ1	Question to:	Question:	
		agree with the Applicant's approach, assumptions and conclusions with regards to displacement effects that would arise from other developments within SANGs.	
BIO.1.43	<i>Thames Basin Heaths SPA</i> The Applicant	Respond to the points raised in Surrey Heath Borough Council's RR [RR-093] with regards to the potential adverse effects on the integrity of the Thames Basin Heaths SPA that would result from the Proposed Development's effect on the two SANGs (St Catherine's Road and Windlemere) within the borough.	X
BIO.1.44	<i>Hydrological Changes</i> The Applicant	With reference to Table D.8 of the HRA report [APP-130] explain why no pathway for hydrological changes and resulting effects is considered to exist for European dry heaths.	X
BIO.1.45	<i>Spread of INNS</i> The Applicant	<p>i) With reference to paragraph 4.2.6 and Table D.8 of the HRA report [APP-130] and the statement of low potential for likely significant effects, clarify whether there is a potential for likely significant effects arising from the spread of INNS, ground contamination and air quality changes, or whether it determines on the basis of objective information, that these effects would be <i>de minimis</i>.</p> <p>ii) Confirm whether you are relying on mitigation measures to dismiss likely</p>	X

ExQ1: 16 October 2019**Responses due by Deadline 2: Thursday 14 November 2019**

ExQ1	Question to:	Question:	
		significant effects associated with such effects.	
BIO.1.46	<i>Embedded Measures</i> The Applicant	Clarify whether the embedded measures referred to in ES Chapter 16, including the REAC [APP-056] and in the CoCP [APP-128] are relevant to the conclusions regarding screening of likely significant effects for all relevant European sites and qualifying features.	X
BIO.1.47	<i>Displaced Visitors Calculations</i> The Applicant	Explain how the HRA has determined the likely numbers of displaced visitors from the SANGs to the Thames Basin Heaths SPA, and whether the worst-case scenario has considered seasonal use of the SANGs by visitors.	X
BIO.1.48	<i>Non-Trenched Construction Techniques</i> The Applicant	<p>Paragraph 5.8.17 of the HRA report [APP-130] refers to the use of non-trenched construction techniques, which would result in the pipeline installation taking longer.</p> <ul style="list-style-type: none"> i) Confirm whether there are any trenchless crossings located within SANGs relevant to the Thames Basin Heaths SPA and provide a figure at an appropriate scale to show the crossing locations. ii) Direct the ExA to the figures/drawings showing the proposed narrow working areas within SANGs. 	X

ExQ1: 16 October 2019**Responses due by Deadline 2: Thursday 14 November 2019**

ExQ1	Question to:	Question:	
BIO.1.49	<i>Alternative Use of SANGs</i> The Applicant	i) Provide the evidence used to support the assumptions made regarding alternative use of SANGs and open-access land. ii) Provide a statement as to whether there is uncertainty attached to these assumptions and if so, what other measures should be applied to improve certainty.	X
BIO.1.50	<i>Alternative Use of SANGs</i> The Applicant	The HRA [APP-130] and [APP-131] states that the visitor impact cannot be quantified due to the lack of visitor data. However, Rushmoor Borough Council in its RR [RR-293] advocate that this can be done using their adopted formula. Provide an accurate calculation of visitor numbers using this formula.	X
BIO.1.51	<i>Alternative Use of SANGs</i> The Applicant	Rushmoor Borough Council in its RR [RR-293] argued that the Application documents do not provide adequate information to enable an Appropriate Assessment to be undertaken in respect of the magnitude of displacement caused by the impact on the SANG network and habitat loss within the Thames Basin Heaths SPA. Respond.	X
BIO.1.52	<i>St Catherine's Road SANG</i> The Applicant	The HRA report [APP-130], including Figure 9.2, states that the boundary and size of St Catherine's	X

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ExQ1	Question to:	Question:	
		<p>Road SANG is not known and/or pending confirmation.</p> <p>i) Explain whether the location and size of this SANG has been established since submission of the draft DCO application.</p> <p>ii) If so, provide the details and if not, provide the timescale for when this information would be available.</p>	
BIO.1.53	<i>St Catherine's Road SANG</i> Surrey Heath Borough Council	Confirm the boundary, location and size of the St Catherine's Road SANG.	X
BIO.1.54	<i>Construction Works</i> The Applicant	<p>Paragraph 6.6.13 of the HRA report [APP-130] states that an area of Northern Atlantic wet heaths with <i>Erica tetralix</i> lies outside of the Limits of Deviation and would not be affected by trench excavation.</p> <p>Clarify if the assessment has considered other construction works within the Order Limits.</p>	X
BIO.1.55	<i>Use of Existing Access Tracks</i> The Applicant	<p>Paragraph 6.8.5 of the HRA report [APP-130] states that "To reduce vegetation loss and to protect soils, the existing access tracks would be utilised as haul routes where practicable."</p> <p>i) Confirm where such measures are secured through the REAC/CoCP.</p>	X

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ExQ1	Question to:	Question:	
		ii) Explain how it would be determined how existing tracks would be used and who would be responsible. iii) Comment on whether the conclusions reached in the HRA would be affected if such measures were "not practicable".	
BIO.1.56	<i>Thursley, Ash, Pirbright and Chobham SAC</i> Natural England	i) Confirm agreement with the Applicant's assessment and conclusions presented in Section 6 of the HRA report [APP-130] with regards to the Thursley, Ash, Pirbright and Chobham SAC. In particular, are you in agreement with the Applicant's approach (including habitat survey and Conceptual Site Models), assumptions and conclusions with regards to no adverse effects on the integrity of this European site. ii) Confirm agreement with the proposed mitigation measures and whether they are appropriately clear and sufficiently secured to ensure no adverse effects on the integrity of the SAC.	X
BIO.1.57	<i>Construction Activities</i> The Applicant	With reference to mitigation measure G38 in the CoCP [APP-128]: i) Explain what would constitute "potentially disturbing construction works" and what works (if any) would be permitted in the	X

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ExQ1	Question to:	Question:	
		<p>SPA during the period 1 February to 30 September.</p> <p>ii) Update measure G38 in the CoCP [APP-128] and the REAC [APP-056] to explicitly include reference to the areas where seasonal constraints would apply (stated to be Figures 9.9, 9.10 and 9.11 in the HRA report [APP-130] and [APP-131]) and seek to agree the proposed timings of seasonal constraints with NE.</p>	
BIO.1.58	<i>Construction Activities</i> The Applicant	Clarify why there are no seasonal restrictions to the proposed works in the north-eastern section of Bourley and Long Valley SSSI.	X
BIO.1.59	<i>Topsoil</i> The Applicant	With reference to REAC/CoCP measure HRA4 and the legend to the Figures in Appendix B to the HRA report [APP-130], confirm where in the HRA report it identifies the areas where topsoil stripping would not be reduced to a minimum extent within European sites and SSSI. What is the minimum extent and how is it defined?	X
BIO.1.60	<i>Regeneration Work Example</i> The Applicant	<p>The HRA report [APP-130] references the following article in support of the natural regeneration measure HRA1: South East Water, 2018. Wildlife corridor in Swinley Forest heralded an environmental success. [Online] Available at: https://corporate.southeastwater.co.uk/news-info/wildlife-corridor-inswinley-forest-heralded-an-environmental-success [Accessed April 2018].</p>	X

ExQ1	Question to:	Question:
		<p>The hyperlink to this article does not work. It is assumed there is an error in the hyperlink and that the Applicant is referring to this article: https://corporate.southeastwater.co.uk/news-info/wildlife-corridor-in-swinley-forest-heralded-an-environmental-success/</p> <p>Please confirm this.</p> <p>This article states that "In preparation, a mix of local wildflower, grass and heathland seeds were collected and stored in controlled conditions until reseedling could take place in autumn 2015. The success of this re-seeding programme became fully evident in July this year."</p> <ul style="list-style-type: none">i) It is not apparent from the HRA report that a similar programme of seed collection and preparation is planned for the Proposed Development. Confirm whether this would be the case or whether it would be entirely natural regeneration with no intervention.ii) This article is also referenced in support of the statement that "Full regeneration to acid grassland and pioneer heathland is anticipated to occur within the short term (i.e. within five years following construction) (South East Water, 2018)." However, it is not explicitly stated in this article that full regeneration, as proposed

ExQ1: 16 October 2019**Responses due by Deadline 2: Thursday 14 November 2019**

ExQ1	Question to:	Question:	
		<p>by the Applicant, would occur within five years. Expand.</p> <p>iii) It is also apparent that a programme of monitoring has been undertaken for the aforementioned project. Does the Applicant intend to monitor the success of the restoration post-completion, and/or would remedial measures be proposed if remediation is not as planned? This is not apparent within the HRA report [APP-130] and [APP-131]. However, reference to monitoring is included in measures G47 and G4 of the REAC/CoCP. Confirm whether monitoring is to take place and provide further details of this monitoring.</p>	
BIO.1.61	<i>Missing Evidence</i> The Applicant	<p>A number of errors and missing information in the HRA report [APP-130] and [APP-131] and in related documents has been identified. Could the Applicant address the following points:</p> <p>i) It is noted that Table 2.1 of the HRA report [APP-130], the REAC [APP-056], CoCP [APP-128] and draft DCO [AS-059] repeatedly refer to the SSSI Working Plans contained in "Annex B to the HRA report". However, there is no Annex B to the HRA report, and it is assumed that these references are to "Appendix B" of the HRA report. Revise references to Annex B in all relevant documents to ensure they are directing to the correct Appendix in the HRA report.</p>	X

ExQ1	Question to:	Question:
		<p>ii) It is noted that the Highways England 2009 guidance referred to in the HRA report [APP-130] is missing from the references. Provide this reference.</p> <p>iii) It is noted that there is information missing from Appendix D Table D.8 [APP-130] and therefore the text for footnotes d to i is missing. Provide a complete version of the HRA report.</p> <p>iv) Paragraph 5.7.8 of the HRA report [APP-130] states that "The occurrence of potential supporting habitat relative to the Order Limits through the SSSI [Bourley and Long Valley SSSI] is also presented in Figure 9.6." However, no habitat information is shown within this SSSI on this figure. Confirm if this information is missing and if so, provide a revised Figure 9.6.</p> <p>v) It is noted that there is no Section 5.6 within the HRA report [APP-130]. Additionally, paragraph 5.7.7 refers to information contained in paragraphs 5.6.8 to 5.6.28, which are absent. Confirm whether there is text missing from the HRA or if this is a typographical error.</p> <p>vi) Condition status information for Eelmoor Marsh SSSI is absent from Section 5.3 and Table 5.1 of the HRA report [APP-130]. Provide this information.</p> <p>vii) Please clarify the brown hatched areas shown on the Figures in Appendix B to the HRA report [APP-130], as the legend does not appear to include these features. In</p>

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ExQ1	Question to:	Question:	
		<p>addition, the green hatched areas on the figures are described as "Mitigation areas (within Order Limits)". No reference is made to mitigation areas in the HRA report and their purpose. Clarify.</p> <p>viii) The ExA is aware from the Natura 2000 data form and Citation for the Solent and Southampton Water SPA, that the qualifying waterfowl assemblage numbers are stated to be 51,361 individuals. However, Table 4.1 and screening matrix D.1 of the HRA report [APP-130] states this to be 53,948. Confirm with NE the correct figure for the qualifying assemblage at this site, which is to be used for HRA purposes.</p>	
BIO.1.62	<i>Missing Evidence</i> Rushmoor Borough Council	Paragraph 2.2.0 of the RR [RR-293] states that you consider that there is not adequate information provided for the ExA to undertake an Appropriate Assessment. Please expand on why you consider this to be the case and what information you consider needs to be submitted in order for the ExA to be able to undertake an Appropriate Assessment.	X
COMPULSORY ACQUISITION/TEMPORARY POSSESSION			
CA.1.1	<i>Update Table</i> The Applicant	At the Preliminary Meeting held on Wednesday 9 October 2019 [EV-002], the ExA requested an update table to be regularly provided on the progress of negotiations for Compulsory Acquisition (CA) of the Freehold of land, of new rights over existing land and of temporary possession of land.	X

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ExQ1	Question to:	Question:	
		Confirm acceptance of this request.	
CA.1.2	<i>Compulsory Acquisition Table</i> The Applicant	The Applicant is requested to complete columns 7 to 11 of the attached Compulsory Acquisition Objections Schedule found at Appendix A to these questions, and make any additional, or delete any, entries that it believes would be appropriate, giving reasons for any additions or deletions.	X
CA.1.3	<i>Protective Provisions</i> The Applicant Statutory Undertakers	<p>The Book of Reference (BoR) [AS-011] includes a number of Statutory Undertakers with interests in land.</p> <ul style="list-style-type: none"> i) Provide a progress report on negotiations with each of the Statutory Undertakers listed in the Book of Reference, with an estimate of the timescale for securing agreement from them. ii) State whether there are any envisaged impediments to the securing of such agreements. iii) State whether any additional Statutory Undertakers have been identified since the submission of the Book of Reference as an Application document. <p>A number of Statutory Undertakers have requested that their Protective Provision wording should be used as opposed to that which is currently contained within the draft DCO [AS-059].</p>	X

ExQ1: 16 October 2019

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ExQ1	Question to:	Question:	
		iv) Provide copies of the preferred wording.	
CA.1.4	<p><i>Availability of Funding</i></p> <p>The Applicant</p>	<p>The Applicant is reminded that the Department for Communities and Local Government (as it then was) Guidance related to procedures for CA (September 2013) states that: <i>"Applicants should be able to demonstrate that adequate funding is likely to be available to enable compulsory acquisition within the statutory period following the order being made, and that the resource implications of a possible acquisition resulting from blight notice have been taken account of."</i></p> <p>i) Confirm whether the Funding Statement [APP-030] identifies the CA costs separately from the project costs or explains how the figure for CA costs was arrived at. If it doesn't explain why not? and confirm whether this information can be provided.</p> <p>ii) Clarify the anticipated cost of CA, how this figure was arrived at, and how these costs would be met.</p>	X
CA.1.5	<p><i>Crown Land</i></p> <p>The Applicant</p> <p>Ministry of Defence</p>	<p>The Ministry of Defence (MoD) in its RR [RR-200] and [AS-039] raise concerns regarding CA over its land. MoD land is Crown Land. As set out in s135 of the PA2008, the DCO will only be able to authorise the CA of new rights of Crown Land if the MoD (on behalf of the SoS) provides consent for this. If the MoD do not consent, the new rights sought over</p>	X

ExQ1: 16 October 2019**Responses due by Deadline 2: Thursday 14 November 2019**

ExQ1	Question to:	Question:	
		<p>their land will have to be excluded from the scope of CA authorised by the DCO.</p> <p>Respond to the comments made by the MoD and indicate whether consent for land to be CA for new rights is forthcoming.</p>	
CA.1.6	<i>Crown Land</i> The Applicant	<p>Consent is also required for any other provision in the DCO which relates to Crown Land or rights benefiting the Crown in accordance with s.135(2) PA2008. Among other things this includes consent for any Temporary Possession sought over Crown Land.</p> <p>Indicate whether consent for any provisions affecting MoD land or rights is forthcoming.</p>	X
CA.1.7	<i>Crown Land</i> The Applicant	<p>The BoR [AS-011] indicates that CA for freehold is required for Plot 917. The Applicant appears to be seeking to CA the interest of the Crown in plot 917. The ExA finds that is not permissible in accordance with s.135 of the PA2008 for consent to be sought in the DCO for CA over Crown Land irrespective of any consent. The Applicant must remove this interest from the scope of CA they are seeking authorisation for in article 20 of the draft DCO.</p> <p>Respond, and remove Class 1 from the Book of Reference entry for plot 917 and include wording in Article 20 of the draft DCO [AS-059] to ensure that</p>	X

ExQ1: 16 October 2019**Responses due by Deadline 2: Thursday 14 November 2019**

ExQ1	Question to:	Question:	
		all interests held by or on behalf of the Crown are excluded from the scope of CA for which consent is sought.	
CA.1.8	<i>Additional Information</i> The Environment Agency	Annotate Land Plan Sheet 11b [AS-045] showing the overlap in land required by the Proposed Development and the EA for the River Thames Scheme.	X
CA.1.9	<i>Additional Information</i> The Independent Educational Association Limited	i) Provide information on the consented planning permission for a new assembly hall and the planning application for 'redevelopment' referred to in the RR [RR-095] that would be affected by the proposed compulsory acquisition of this land. ii) Annotate the relevant Land Plan [AS-042], [AS-043] and [AS-044] to show the footprint and extent of these proposals in relation to the proposed pipeline.	X
CA.1.10	<i>Easements</i> Notcutts Limited	Provide further explanation of concerns over easements and how they affect the land and the route of the Proposed Development as expressed in the RR [RR-167].	X
CA.1.11	<i>Shepperton Quarry</i> The Applicant	i) Explain why the amount of land needed at Shepperton Quarry (See Brett Aggregate's RR RR-184]) could not be narrowed. ii) Explain if the adjoining industrial estate was considered as a potential site for the	X

ExQ1: 16 October 2019**Responses due by Deadline 2: Thursday 14 November 2019**

ExQ1	Question to:	Question:	
		proposed logistics hub and if so, why it was discounted.	
CA.1.12	<i>Absence of Information</i> Ministry of Defence	Provide further details of the considered discrepancies and potential errors in the Land Plans and Book of Reference identified in the RR [RR-200].	X
CA.1.13	<i>Absence of Information</i> The Applicant	Respond to the National Farmers Union's (NFU) RR [RR-267] requesting further information with regards to construction compounds.	X
CA.1.14	<i>Book of Reference</i> The Applicant	<p>In the explanatory paragraphs in the Book of Reference [AS-011] the Applicant describes the temporary possession powers as being "<i>more particularly described in articles 31-32 and schedule 9 of the Order</i>". Temporary possession powers are granted by Article 29 and 30 and relate to schedule 7 of the draft DCO [AS-059].</p> <p>The ExA is also concerned by what is meant by the "<i>temporary possession powers to which the land tinted pink, blue, brown and yellow relate</i>". Paragraph 5(d) of the Book of Reference says that the land tinted yellow is the land which the undertaker may take temporary possession of and on the land plans the temporary possession land is shown in yellow.</p> <p>Clarify.</p>	X

ExQ1: 16 October 2019**Responses due by Deadline 2: Thursday 14 November 2019**

ExQ1	Question to:	Question:	
CA.1.15	<i>Works Plans</i> The Applicant	<p>The Works Plans [AS-046], [AS-047], and [AS-048] contain areas of white land, which are unexplained in the legend. The ExA consider Works Plans should be fully explanatory and indicate all land and its intended works.</p> <p>Amend the Works Plans, and fully annotate each area of land with a Work No.</p>	X
CA.1.16	<i>Works Plans</i> The Applicant	<p>The ExA notes that the Works Plans Sheets 1, 23, 36, 49 and 52 contain areas of white land which although indicated for temporary possession, it is not clear what their intended purpose is particularly as they appear not to be required for access purpose.</p> <p>Provide this clarity.</p>	X
CA.1.17	<i>Existing Pipeline</i> The Applicant	<p>Provide a copy of the consent for the existing pipeline which shows the decommissioning requirements.</p> <p>N.B – There is an overlap between this question and questions GQ.1.1 and DCO.1.29 and you may therefore wish to provide a combined response to these questions.</p>	X
CA.1.18	<i>Existing Pipeline</i> The Applicant	<p>Respond to numerous RRs in respect to whether existing rights over land in connection with the</p>	X

ExQ1: 16 October 2019**Responses due by Deadline 2: Thursday 14 November 2019**

ExQ1	Question to:	Question:	
		existing pipeline would be extinguished once decommissioned.	
DRAFT DEVELOPMENT CONSENT ORDER			
DCO.1.1	<i>General Provisions</i> The Applicant	A number of Articles contain provisions deeming consent to have been granted in the absence of a response from the consenting authority. The ExA notes that no evidence has been advanced that such consenting authorities agree with the draft DCO [AS-059]. Provide this assurance.	X
DCO.1.2	<i>Part 1 Article 2 – the Land and Compensation Act 1961</i> The Applicant	A number of Articles make provision for " <i>compensation to be determined, in case of dispute, under Part 1 of the 1961 Act</i> ". Part 1 of the 1961 Act only relates to compensation for compulsory acquisition. The ExA considers that in order for there to be certainty that it would apply in other situations (e.g. the temporary use of land under Articles 29 and 30 of this Order, modification should also be included as with the other compensation provisions in Schedule 6 of the draft DCO [AS-059]. Respond.	X
DCO.1.3	<i>Part 1 Article 2 - Definition of "Commence"</i> The Applicant	The Explanatory Memorandum (EM) [APP-028] states that it is envisaged that works which are de-minimis and have minimal potential for adverse effects are excluded from the definition of commence. It is not clear from the draft DCO [AS-	X

ExQ1	Question to:	Question:	
		059] that the works excluded from the definition of commence are limited in this way. Respond.	
DCO.1.4	<i>Part 1 Article 2 - Definition of "Maintain"</i> The Applicant	<p>The definition of maintain includes "divert", and Part 2 Article 4 restricts such works to within the Order Limits. The ExA nevertheless is concerned that maintenance works could result in a lateral diversion of the authorised development from the route for which development consent is sought. The Applicant's assertion that this Article accords with s21 of the PA2008 is questionable as the ExA considers a diversion beyond the limits of lateral deviation granted by a DCO requires development consent if the pipeline has not yet been constructed. If it has been constructed whether development consent is required depends on the length of the pipeline being diverted.</p> <p>i) Confirm that the term "divert" requires such diversion to be within the lateral Limits of Deviation as well as those within the Order Limits; and if so</p> <p>ii) Amend the DCO accordingly; or</p> <p>iii) Provide a justification for the current position.</p>	X
DCO.1.5	<i>Part 1 Article 2 - Definition of "Maintain"</i> The Applicant	While the ExA accepts the need for the Applicant to undertake maintenance works, the ExA is nevertheless concerned that the definition as worded is not sufficiently precise. This is specifically the case where such maintenance works would be	X

ExQ1: 16 October 2019**Responses due by Deadline 2: Thursday 14 November 2019**

ExQ1	Question to:	Question:	
		<p>allowed “<i>insofar as such activities are unlikely to give rise to any materially new or materially different environmental effects from those assessed in the environmental statement</i>”. As currently worded, the ExA is concerned that maintenance activities could exceed the Rochdale Envelope of the ES.</p> <ul style="list-style-type: none">i) Explain what is meant by “<i>materially new or materially different</i>”. How is this distinguished between “<i>new or different</i>”.ii) Explain where “<i>materially new or materially different</i>” is defined in the draft DCO [AS-059].iii) Who would be the arbiter or assessor that such maintenance works were “<i>new or different</i>” as opposed to “<i>materially new or materially different</i>”, and how would this be secured in the draft DCO.iv) Explain whether the relevant planning authority would have any role in checking whether maintenance works, individually or collectively, would be “<i>materially new or materially different</i>” and how would this be secured in the draft DCO.v) Explain how the definition as worded would prevent the whole of the pipeline being replaced as maintenance works.	
DCO.1.6	<i>Part 2 Article 3(2) – Development consent etc.</i>	The ExA is unclear what enactments might apply to land within the Order Limits which affect the authorised development or how this Article provides clarity in this respect.	X

ExQ1: 16 October 2019**Responses due by Deadline 2: Thursday 14 November 2019**

ExQ1	Question to:	Question:	
	<i>granted by this Order</i> The Applicant	Respond.	
DCO.1.7	<i>Part 2 Article 4(2)(c) – Maintenance of the authorised development</i> The Applicant	The wording of the said sub-paragraph differs sharply and conflicts with the definition of “maintain” in Part 1 Article 2. This Article uses the words “materially new or materially worse adverse effects”. Correct this wording to reflect the definition of “maintain”.	X
DCO.1.8	<i>Part 2 Article 6(2) – Limits of deviation</i> The Applicant	The ExA is concerned by the tailpiece in Article 6(2). i) Justify the level of flexibility sought, in particular why and in what circumstances it will be necessary to permit amendment to the maximum limits of vertical deviation by the SoS at a later date. ii) Explain why it is appropriate to permit amendments to the Limits of Deviation other than by applying to amend the Order in accordance with the provisions of PA2008. iii) Explain what process is in place for the SoS to determine whether exceeding the vertical limits would not give rise to any materially new or materially worse adverse environmental effects.	X

ExQ1: 16 October 2019

Responses due by Deadline 2: Thursday 14 November 2019

ExQ1	Question to:	Question:	
DCO.1.9	<i>Part 2 Article 6(2)</i> – <i>Limits of deviation</i> The Applicant	The wording of the said sub-paragraph differs sharply and conflicts with the definition of “maintain” in Part 1 Article 2. This Article uses the words “materially new or materially worse adverse effects”. Correct this wording to reflect the definition of “maintain”.	X
DCO.1.10	<i>Part 2 Article 7 - Benefits of Order</i> The Applicant	Explain the circumstances in which Article 7(2) is likely to apply.	X
DCO.1.11	<i>Part 3 Article 9 – Power to alter layout, etc. of streets. and Part 3 Article 10 – Street works</i> The Applicant All Relevant Local Highway Authorities	The ExA considers that the explanation contained within the EM [AS-061], which centres on the need for consent from the highway authority, is insufficient justification for such wide powers conveyed within the Article. <u>To the Applicant:</u> i) Provide justification for the wide powers sought in these Articles. <u>To All Relevant Local Highway Authorities:</u> ii) Provide a response as to the appropriateness of the powers sought by these Articles.	ii) From discussions thus far, SCC does not anticipate that the Applicant will need to utilise powers in article 9 for any permanent changes. However SCC believes that any temporary measures under article 9 and any measures listed under article 10 should be ultimately governed by adherence to SCC’s South East Permit Scheme Council Order, whereby the details of all elements of all works required in each street are individually approved upon the ‘granting’ of the permit received for such works and any ‘conditions’ placed on each granted permit, thereby replicating the powers that SCC has as the Highway Authority for all other works on our Highway Network. We believe the powers sought in Article 10 – without requiring our consent, could prevent us from fulfilling our ‘Network Management Duty’ Under the Traffic Management Act 2004.

ExQ1: 16 October 2019**Responses due by Deadline 2: Thursday 14 November 2019**

ExQ1	Question to:	Question:	
DCO.1.12	<i>Part 3 Article 11 – Application of the 1991 Act</i> The Applicant	Justify the need to modify the 1991 Act other than for reasons of precedent as set out in the EM [AS-061].	Surrey CC would prefer that the provisions of the 1991 Act listed in para 11 (3) were not dis-applied and that our South East Permit Scheme Order was followed, which provides the means to consider such issues and act 'reasonably' recognising the nature and timescales of the applicant's project. We are unclear on why the applicant wishes the works in question to be treated as 'Major Highway Works'.
DCO.1.13	<i>Part 3 Article 13 – Use of private roads</i> The Applicant	The ExA is concerned that the Article as worded would allow for unprecedented and unrestricted access to private roads. Justify the need for such wide powers and explain whether this Article ought to be tied into a phasing plan such that the powers in the Article would not be used for any longer than necessary.	Whilst private streets are not the responsibility of SCC as the Highway Authority, we would suggest that reference should be added to restrict access through such streets to a designated timeframe in some way as suggested here by the ExA.
DCO.1.14	<i>Part 3 Article 14 – Access to works</i> The Applicant	Paragraph 6.70 of the EM [AS-061] states that the consent of the street authority is required to form and layout of means of access and Paragraph 6.71 states that Article 14(2) contains a deemed consent provision. Article 14 contains no subparagraph (2) of the DCO does not contain any requirement for consent from the street authority. Respond and amend.	SCC would like to see the intent of paras 6.70 & 6.71 of the EM included in article 14 of the DCO itself.
DCO.1.15	<i>Part 3 Article 14 – Access to works</i>	Comment on the provision contained within Part 3 Article 14 of the draft DCO [AS-059].	SCC requires this to be conditional upon form, layout and details first being agreed and permitted through the SCC Street Works permit process.

ExQ1: 16 October 2019**Responses due by Deadline 2: Thursday 14 November 2019**

ExQ1	Question to:	Question:	
	All Relevant Planning Authorities		
DCO.1.16	<i>Part 4 Article 17 – Discharge of water</i> All Relevant Planning Authorities	Comment on the provision contained within Part 4 Article 17 of the draft DCO [AS-059].	Surrey County Council has provided recommended draft protective provisions and draft requirements including this issue and is awaiting a response from the applicant.
DCO.1.17	<i>Part 4 Article 19(8) – Authority to survey and investigate the land</i> The Applicant	The ExA considers inadequate justification has been advanced in the EM [AS-061] for the need for this provision. Provide this justification.	X
DCO.1.18	<i>Part 5 Article 22(1) – Compulsory acquisition of rights and restrictive covenants</i> The Applicant	The ExA wants to be assured that this Article would not enable the creation of undefined new rights or restrictive covenants and must ensure that either a Schedule detailing each of these rights or restrictions is included in the draft DCO, or the description of each right and restriction is clearly set out in the BoR [AS-011]. Provide this reassurance or amend accordingly.	X
DCO.1.19	<i>Part 5 Article 24(10) – Private rights over land</i> The Applicant	Paragraph 6.113 of the EM [AS-061] states that Article 24(10) is included to ensure that any existing rights owned by the Applicant (Esso) in, on, under or over the Order land are not discharged by this Article. However, Article 24(10) refers to rights of the “undertaker” and not Esso. The ExA is not clear how this provision is intended to work if the benefit	X

ExQ1: 16 October 2019**Responses due by Deadline 2: Thursday 14 November 2019**

ExQ1	Question to:	Question:	
		<p>of the Order were transferred in accordance with Article 8(2) which provides that references to the undertaker in the Order include references to a transferee or lessee.</p> <p>Respond.</p>	
DCO.1.20	<i>Part 5 Article 24(11) – Private rights over land</i> The Applicant	<p>The ExA considers that this provision has not been adequately justified or indeed what it is seeking to achieve. The ExA considers inadequate justification has been advanced as to how the provision in this Article is permissible in accordance with s120(5) of the Planning Act 2008.</p> <ul style="list-style-type: none">i) Provide evidence in the form of legal submissions regarding the lawfulness of including this provision in the draft DCO [AS-059] including the intention of the provision and justification for it.ii) Explain its effect and how it is intended to work in practice.iii) Consider the need to amend the Acquisition of Land Act and/or Part 11 of the TCPA1990 (the definition of a Statutory Undertaker for the purpose of s.127 and s.138 are derived from this legislation) to enable the undertaker to be treated as a statutory undertaker for the purpose of s.127 and s.138 of the Planning Act 2008.	X

ExQ1: 16 October 2019**Responses due by Deadline 2: Thursday 14 November 2019**

ExQ1	Question to:	Question:	
DCO.1.21	<i>Part 5 Article 31(1) – Crown rights</i> The Applicant	While the ExA accepts the purpose of the Article, the words “to take” should be removed as no power exists for any party to take Crown Land. Remove this wording.	
DCO.1.22	<i>Part 5 Article 32 – Special category land</i> The Applicant	The ExA considers that neither the EM, nor the BoR, adequately set out the plots in question which fall under this Article or what powers are sought over them. It is also unclear which of these plots the Applicant is seeking CA for freehold land. Provide this clarity.	X
DCO.1.23	<i>Part 6 Article 35 – Disapplication and modification of legislative provisions</i> The Applicant	The Article seeks to disapply the provisions of the Neighbourhood Planning Act 2017 (2017 Act) in respect to Articles 29 (temporary use of land for carrying out the authorised development) and 30 (temporary use of land for maintaining the authorised development). The Applicant’s position as set out in the EM [AS-061] that the disapplication is necessary for certainty given the absence of regulations providing any detail is noted. However, the Government’s overall approach is understood namely to provide protections for those affected by the use of temporary possession powers. The ExA is concerned that the provisions within the 2017 Act which, amongst other things, specify an absolute period of temporary possession, have not been adequately justified to be dis-applied. i) Provide this justification; or	X

ExQ1: 16 October 2019**Responses due by Deadline 2: Thursday 14 November 2019**

ExQ1	Question to:	Question:	
		ii) Amend accordingly.	
DCO.1.24	<i>Part 6 Article 35 (2) - Disapplication and modification of legislative provisions</i> The Applicant	This Article cannot include a provision to disapply the provisions under the Water Resources Act 1991, the Environmental Permitting Regulations 2016 and the local legislation and byelaws without the express consent of the relevant consenting body (i.e. the EA the relevant drainage boards and the relevant local authorities). Provide an update as to obtaining that consent.	X
DCO.1.25	<i>Part 6 Article 36(12)(a) – Removal of human remains</i> The Applicant	Other than the Applicant's assertion in the EM [AS-061] of precedent being set in the Crossrail Act, the ExA is not clear adequate justification has been advanced for the need for the provision and why the interred period is set at 100 years. i) Provide this justification; or ii) Amend accordingly.	X
DCO.1.26	<i>Part 6 Article 38 – Operational land for purposes of the Town and Country Planning Act 1990</i> The Applicant	Explain the permitted development rights in the TCPA1990 that would be made available to the Proposed Development under this provision.	X
DCO.1.27	<i>Part 6 Article 39 – Planning permission</i> The Applicant	The ExA is concerned by the provisions in this Article. The powers conveyed in this Article could potentially enable amendments to be made to the authorised development without application under	X

ExQ1: 16 October 2019**Responses due by Deadline 2: Thursday 14 November 2019**

ExQ1	Question to:	Question:	
		<p>the PA2008, thus circumventing the statutory process.</p> <p>i) Justify the inclusion of this Article; or</p> <p>ii) Amend or remove accordingly.</p>	
DCO.1.28	<i>Part 6 Article 41 – Felling or lopping</i> The Applicant	<p>The ExA considers the Article is incomplete. The ExA considers that where it is known that specific hedgerows need to be removed, they should be listed in a Schedule and this Article should be amended to refer to the Schedule. Furthermore, an additional paragraph should also be added to this Article to the effect that any other hedgerows should only be removed once the prior consent of the local planning authority has been obtained.</p> <p>Respond, and amend accordingly.</p>	X
DCO.1.29	<i>Missing Schedule on Decommissioning of the Existing Pipeline</i> The Applicant	<p>The ExA notes the Applicant's assertion in the ES [APP-044] that the decommissioning of the existing pipeline is controlled under a previous consent and in the Planning Statement [APP-132] reference is made to decommissioning being undertaken under the Pipelines Act 1962. However, nothing in this Order would prevent the Applicant from failing to do so, and the ExA is concerned that a scenario exists where both the existing and proposed pipelines could operate in unison, and in that circumstance the SoS cannot be certain of the full environmental effects.</p>	X

ExQ1: 16 October 2019

Responses due by Deadline 2: Thursday 14 November 2019

ExQ1	Question to:	Question:
		<p>i) Provide details of how decommissioning would be carried out under the Pipelines Act 1962.</p> <p>ii) Justify the current approach.</p> <p>iii) Should the draft DCO include a Requirement which prevents the existing pipeline from operating once the proposed pipeline has been commissioned? If so:</p> <p>iv) Insert a Requirement which prevents the pipeline from operating until the existing pipeline has been decommissioned or ceases operating.</p> <p>N.B – There is an overlap between this question and questions GQ.1.1 and CA.1.17 and you may therefore wish to provide a combined response to these questions.</p>
DCO.1.30	<p><i>Schedule 2 Requirement 3 – Stages of the authorised development</i></p> <p>The Applicant</p> <p>All Host Relevant Planning Authorities</p>	<p>The ExA is concerned by this Requirement as it considers there is a lack of clarity in how it is worded and how it would operate in practice.</p> <p><u>To the Applicant:</u></p> <p>i) Explain how this Requirement would function when dealing with multiple authorities.</p> <p>ii) Explain whether it is the intention for <u>all</u> stages or Work Nos to be approved before development commences, or just individual stages and Work Nos with individual host authorities.</p> <p>iii) If the former, explain when and how these stages will be identified.</p> <p>The Local Planning Authorities would be responsible for determining applications submitted in respect of the requirements of the DCO according to the definition of 'relevant planning authority' given in provision 2 of the DCO. None of the applications for the discharge of requirements in respect of land use planning matters would come to the County Council in its capacity as County Planning Authority as none relate to minerals or waste development.</p>

ExQ1: 16 October 2019

Responses due by Deadline 2: Thursday 14 November 2019

ExQ1	Question to:	Question:	
		<p>iv) If the latter, explain whether this approach differs with the definition of "commence" in Part 1 Article 1 of the draft DCO [AS-059] or that all stages and all relevant Requirements must be approved by all host authorities prior to commencement (except in the circumstances outlined).</p> <p><u>To the Host Local Authorities and National Park Authority:</u></p> <p>i) Comment on the effectiveness of this Requirement.</p>	
DCO.1.31	<p><i>Schedule 2 Requirement 4 – Scheme design</i> The Applicant</p>	<p>The ExA is concerned that this Requirement is vague.</p> <p>For the Applicant:</p> <p>i) Justify the appropriateness of the stated Work Nos to be "<i>in general accordance</i>" with "<i>indicative layout drawings</i>".</p> <p>ii) Explain how this Requirement relates to the proposed Limits of Deviation.</p> <p>iii) Provide accurate and precise wording.</p>	X
DCO.1.32	<p><i>Schedule 2 Requirement 5 – Code of construction practice</i> The Applicant</p>	<p>i) Comment on whether the CoCP, which is defined in Article 1 of the draft DCO, cannot be changed in the manner allowed for by the Requirement once the Secretary of State has approved it because it is a certified document as defined in Schedule 11 of the draft DCO.</p>	X

ExQ1	Question to:	Question:	
		ii) Explain whether the tailpiece allows for an unlimited and unchecked amendments to the CoCP.	
DCO.1.33	<i>Schedule 2 Requirement 6(2) – Construction environmental management plan</i> The Applicant All Relevant Planning Authorities	<p>Requirement 6 of the draft DCO [AS-059] states that the Construction Environmental Management Plan (CEMP) must be substantially in accordance with the Outline CEMP. However, the Outline CEMP [APP-129] contains scant and in some cases no details regarding the plans and measures set out in Requirement 6(2)(d). The ExA is concerned that in discharging the Requirement, relevant planning authorities would be determining information and evidence which is not before the Secretary of State, and subsequently the CEMP will be a substantial departure from the Outline CEMP.</p> <p><u>To the Applicant:</u></p> <p>i) Respond and justify the current approach.</p> <p><u>To All Relevant Planning Authorities:</u></p> <p>ii) Comment on the above.</p>	<p>The Local Planning Authorities would be responsible for determining applications submitted in respect of the requirements of the DCO according to the definition of 'relevant planning authority' given in provision 2 of the DCO. None of the applications for the discharge of requirements in respect of land use planning matters would come to the County Council in its capacity as County Planning Authority as none relate to minerals or waste development.</p>
DCO.1.34	<i>Schedule 2 Requirement 6(2) – Construction environmental management plan</i> The Applicant All Relevant Planning Authorities	<p>Requirement 6(2)(d)(vi) makes provision for a Community Engagement Plan to form part of the CEMP. The ExA places considerable importance on the need for such a plan to ensure effective engagement with the local community prior to and during construction. However, the ExA considers that a Community Engagement Plan or Local Liaison Officer should form a separate Requirement in draft DCO.</p>	<p>The Local Planning Authorities would be responsible for determining applications submitted in respect of the requirements of the DCO according to the definition of 'relevant planning authority' given in provision 2 of the DCO. None of the applications for the discharge of requirements in respect of land use planning matters would come to the County Council in its capacity as County Planning Authority as none relate to minerals or waste development.</p>

ExQ1: 16 October 2019

Responses due by Deadline 2: Thursday 14 November 2019

ExQ1	Question to:	Question:	
		Respond.	
DCO.1.35	<p><i>Schedule 2 Requirement 8(3) – Hedgerows and trees</i></p> <p>The Applicant All Relevant Planning Authorities</p>	<p>Requirement 8(3) of the draft DCO [AS-059] states that any hedgerow or tree planting which is removed, uprooted, destroyed, dies or becomes seriously damaged or defective within a three-year period must be replaced.</p> <p>Comment on the adequacy of the Requirement and on the time period allowed for reinstatement and management.</p>	<p>SCC recommends the adoption of a five-year period to give greater certainty that the reinstatement can be achieved with minimum loss of tree and hedgerow planting.</p>
DCO.1.36	<p><i>Schedule 2 Requirement 18 – Application made under Requirements</i></p> <p>The Applicant</p>	<p>i) Justify the time period of 28 days for determination of a Requirement, which the ExA is concerned is unreasonably short.</p> <p>ii) Justify the approach that consent is deemed to have been given should the relevant authority not determine an application within its required period, as opposed to consent not have been given.</p>	X
DCO.1.37	<p><i>Schedule 2 Requirement 20 – Further information</i></p> <p>The Applicant All Relevant Planning Authorities</p>	<p><u>To the Applicant:</u></p> <p>i) Justify the time period of two business days from receipt of the application that the relevant planning authority has for requesting further information, which the ExA is concerned is unreasonably short.</p> <p><u>To All Relevant Planning Authorities:</u></p> <p>ii) Comment on the above.</p>	<p>SCC agrees that 2 days is too short. Suggest 14 days.</p>

ExQ1: 16 October 2019**Responses due by Deadline 2: Thursday 14 November 2019**

ExQ1	Question to:	Question:	
DCO.1.38	<i>Schedule 2 Part 2 – Procedure for Discharge of Requirement</i> All Relevant Planning Authorities	Comment on the Requirements in Schedule 2 Part 2 of the draft DCO [AS-059] in particular regard to the timescales given and the deemed consent provisions.	Surrey County Council has provided recommended draft protective provisions and draft requirements including this issue and are awaiting a response from the applicant.
DCO.1.39	<i>Schedule 9 – Protective provisions</i> The Applicant Environment Agency Statutory Undertakers	<p>i) Provide an update as to the acceptability of the Protective Provisions contained in Schedule 9 of the draft DCO [AS-059].</p> <p><u>To the Environment Agency:</u></p> <p>ii) Provide a copy of the model Protective Provisions that is proposed for Schedule 11.</p>	Surrey County Council has provided recommended draft protective provisions and draft requirements including this issue and are awaiting a response from the applicant.
DCO.1.40	<i>Schedule 11 – Documents to be Certified</i> The Applicant	<p>The ExA considers the following should be added to the list of certified documents in Schedule 11 of the draft DCO [AS-059]:</p> <ul style="list-style-type: none"> • Guide to the Application (of updated documents). • Outline Landscape and Ecology Management Plan (if to be provided). • Outline Construction Traffic Management Plan (if to be provided). • Outline Surface and Foul Sewage Drainage System (if to be provided). • Outline Written Scheme of Investigation (if to be provided). 	X

ExQ1	Question to:	Question:	
		Amend the draft DCO accordingly.	
FLOOD RISK, WATER RESOURCES AND GEOLOGY			
<i>Please note that questions regarding flood risk, water and geology for Queen Elizabeth Country Park and Turf Hill can be found in the separate question section for these areas below.</i>			
FR.1.1	Surface and Foul Drainage System The Applicant	<p>Requirement 9 of the draft DCO [AS-059] requires the submission and approval of a Surface and Foul Water Drainage System (SFDS) in accordance with the REAC, which is contained within Chapter 16 of the ES [APP-056]. No Outline document is before the Examination, and the ExA finds this questionable given the Applicant's reliance on it as means to mitigate drainage matters.</p> <ul style="list-style-type: none"> i) Justify the approach that no outline submission is before the ExA, particularly as it must be approved by numerous relevant planning authorities. ii) Explain how the ExA, host local authorities and National Park Authority can be satisfied, and take any confidence that its measures would be capable of adequately mitigating traffic matters. iii) Provide an Outline SFDS listing measures that would be secured; drawings to be prepared; and detailing consultation that would be undertaken and with whom. iv) If an Outline SFDS is to be provided, explain whether it should form a Certified 	

ExQ1: 16 October 2019**Responses due by Deadline 2: Thursday 14 November 2019**

ExQ1	Question to:	Question:	
		Document in Schedule 11 of the draft DCO [AS-059] and update accordingly.	
FR.1.2	<i>Surface and Foul Drainage System</i> All Relevant Planning Authorities The Environment Agency	Comment on the absence of an Outline SFDS in the Examination and whether it is agreed that such a document could be submitted as part of the discharge of Requirement 9 of the draft DCO [AS-059].	We do not feel that an outline SFDS is required before submission of documents for ordinary watercourse consent applications as these sites will all need to be assessed individually and we will need all of the required information within Surrey County Council's draft provisions to be able to complete these assessments.
FR.1.3	<i>Baseline Data</i> The Environment Agency Lead Local Flood Authorities (LLFA)	i) Confirm whether the baseline data included within Chapter 8 of the ES [APP-048] and the accompanying appendices are acceptable. ii) If issues with the baseline have been identified, state what these are.	SCC can confirm that the information provided in the baseline is acceptable.
FR.1.4	<i>Buffer Zones</i> The Applicant	Mitigation ref. G39 in the REAC [APP-056], which is contained within Chapter 16 of the ES [APP-056], states that "appropriate buffer zones would be established within Order Limits adjacent to identified watercourses". Explain how "appropriate" buffer zones would be determined and secured through the DCO.	X
FR.1.5	<i>Assessment of Groundwater Resources</i> The Applicant	Confirm the extent to which the assessment of impacts to groundwater resources is robust having regard to assumptions in relation to highest winter groundwater levels. The response should address	X

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ExQ1	Question to:	Question:	
		the potential for shallower groundwater levels than those reported, having regard to limitations in establishing the highest winter groundwater levels.	
FR.1.6	<i>Site Surveys</i> The Applicant	Paragraph 1.2.18 of Appendix 8.6 [APP-107] states that due to site surveys being undertaken during prolonged hot dry weather worst case "conditions had to be inferred from site observations and using desk-based techniques". Describe the desk-based techniques, and any assumptions made and used, to develop the worst-case scenario conditions for Water Framework Directive (WFD) watercourses.	X
FR.1.7	<i>Silt Discharge</i> The Applicant	Direct the ExA to the assessment of the potential impacts arising from silt discharge, as requested within the Scoping Opinion ID 4.2.6 [AS-018] or provide confirmation that the impact from silt discharge would not result in significant effects.	X
FR.1.8	<i>Spills and Leakages</i> The Applicant	Explain how the assessment of the effects has addressed impacts associated with potential spills and leakages to groundwater as requested within the Scoping Opinion ID 4.2.7 [AS-018] or provide confirmation that the impact from spills and leakages to groundwater would not result in significant effects.	X
FR.1.9	<i>Groundwater Abstraction</i> The Applicant	Provide the thresholds and criteria used to classify the risk to groundwater abstraction from flow and infiltration rates as "low", "moderate", "high" and	X

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ExQ1	Question to:	Question:	
		"very high" as stated in Table 8.4.1 of Appendix 8.4 [APP-105].	
FR.1.10	<i>Water Framework Directive</i> The Applicant	Provide the thresholds and criteria used to classify the risk of WFD water bodies deterioration as "low", "medium" or "high" as stated in paragraph 1.5.11 of Appendix 8.6 [APP-107].	X
FR.1.11	<i>Groundwater and Surface Water</i> The Applicant	Confirm what timescale has been used with regards to the short-term impacts on groundwater and surface water and whether this timescale applies to all activities that could result in impacts to surface water.	X
FR.1.12	<i>Mitigation of Watercourses</i> The Applicant	Paragraph 8.5.29 of Chapter 8 of the ES [APP-048] states "with the implementation of good practice measures, no significant effects are anticipated on receiving watercourses". However, no assessment to determine the efficacy of the best practice measures has been included within the ES. State what confidence can be given to the efficacy of the mitigation measures stated in Paragraph 8.5.29 [APP-048].	X
FR.1.13	<i>Riparian Vegetation</i> The Applicant	Explain what measures are in place to avoid impacts which result in the loss of riparian vegetation which may undermine riverbank stability in the long term.	X

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ExQ1	Question to:	Question:	
FR.1.14	<i>Caker Stream</i> The Applicant	Clarify how the likely significance of effect has been determined, in light of the methodology described, for the Caker Stream receptor considering it is assigned a "medium" sensitivity/ value and a "medium" magnitude of change (for sediment process, flow process, knickpoint formation, and bed and bank disturbance) but the likely significance of effects is stated as "minor".	X
FR.1.15	<i>Beech Farm</i> The Applicant	With regards to the unknown location of water abstraction at Beech Farm (1110), the Applicant states a "worst case scenario" will be assumed but no further details are provided. Provide a detailed description of the worst-case scenario characteristics.	X
FR.1.16	<i>Location of Private Water Supplies</i> Hart District Council East Hampshire District Council The Applicant The Environment Agency	i) Provide an update on whether the request for the location of Private Water Supplies (PWS) have been provided to the Applicant. ii) Provide a view on how the absence of this information might affect the Applicant's assessment in ES Chapter 8 [APP-048] and ES Appendix 8.4: Groundwater Abstraction Assessment [APP-105].	X
FR.1.17	<i>Private Water Supplies</i> The Applicant	The mitigation measures proposed to prevent significant effects arising to PWS in the event of a "significant spill during construction" are outlined in Paragraph 8.6.2 of ES Chapter 8 [APP-046].	X

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ExQ1	Question to:	Question:	
		<p>However, no information on what constitutes a significant spill has been outlined.</p> <p>Provide the clarification for the circumstances under which the mitigation measures would be implemented and/or provide a definition of what is meant by the term "significant spill" given that the term is not defined in the ES.</p>	
FR.1.18	<i>Private Water Supply</i> The Applicant	<p>In its RR [RR-239] the EA notes that whilst the proposed pipeline would not pass through any Source Protection Zones (SPZ) mapped as SPZ1, it needs to be established that it would not have an adverse effect on private water supply abstractions. In addition, the pipeline would pass through areas of SPZ2, which are regarded as highly sensitive to the pollution of groundwater. Moreover, the EA raises concerns about the value/sensitivity assessments within Chapter 8 of the ES [APP-048] and other concerns about the effect on groundwater.</p> <p>Respond.</p>	X
FR.1.19	<i>Water Supplies</i> The Applicant	<p>Paragraphs 4.6.23 and 4.6.24 of the Planning Statement [APP-132] refer to the need to hydrostatic test the proposed pipeline.</p> <ul style="list-style-type: none"> i) Confirm how much water would be required to carry out the hydrostatic test. ii) The Planning Statement refers to it being "sourced locally". Provide further detail on 	X

ExQ1	Question to:	Question:	
		<p>what this means and confirm whether this would include the use of PWS.</p> <p>iii) Confirm that if water would be sourced locally that supply for other users would be maintained.</p> <p>iv) If it cannot be sourced locally the Planning Statement states that it would be tankered in. Confirm how many tankers would be required and are these movements included in the Transport Assessment [APP-135] and if not, if they were included how would they affect the conclusions of the Transport Assessment.</p>	
FR.1.20	<p><i>Construction Environmental Management Plan</i></p> <p>The Applicant</p>	<p>Reference G130 of Table 8.12 of the ES [APP-048] notes that the measures will be included within the CEMP but no further information within the Outline CEMP [APP-129] has been provided.</p> <p>i) If settlement lagoons are required, provide a plan/ figure illustrating the anticipated location and dimensions of the settlement lagoons.</p> <p>ii) Provide a description of the "mitigation measures for all work or compound areas located within flood risk areas", which is relied upon but not specified in the ES.</p> <p>iii) Regarding reference G39 of Table 8.12 [APP-048], provide further information on how the buffer zones would be established.</p> <p>iv) Provide a robust justification, with reference to the sequential test, for</p>	X

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ExQ1	Question to:	Question:	
		locating any construction compound or logistic hub in Flood Zone 2. For example, it is noted that the construction compound in proximity to the M3 junction 3 is situated in Flood Zone 2 (as shown on the Flood Risk Assessment Figure A2 Sheet 11 of 14 [APP-134]).	
FR.1.21	<i>Monitoring of Well Water</i> The Applicant	<p>It is noted that in the event of a significant spill event, if requested, monitoring of well water would be undertaken for a determined period of time as stated in the ES Chapter 8 at paragraph 8.6.2 [APP-048].</p> <p>Explain how the “determined period of time” will be determined and state the monitoring measures that would be included.</p>	X
FR.1.22	<i>Assessment of Effects</i> The Applicant	Chapter 8 of the ES [APP-048] concludes “ <i>following the implementation of the flood risk mitigation included in Section 8.6, there are considered to be no significant effects for flood risk, with all risks reduced to minor or negligible.</i> ” However, it also states that “ <i>while the project includes measures to mitigate against the exacerbation of existing levels of flood risk during its construction phase, a residual risk of flooding remains for extreme events, as explained the FRA</i> ” [APP-134]. The ExA considers the statements conflict with each other on the level of risk from flooding caused by the Proposed Development.	SCC is happy with this statement and see no issues. It will be up to the applicant to find ways to mitigate any residual increases in flood risk as much as possible during the timescale of the works and present this in the application process.

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ExQ1	Question to:	Question:	
		Respond.	
FR.1.23	<i>Climate Effects</i> The Applicant	<p>Item 9 in the Applicant's letter of 29 July 2019 [AS-016] states that the EA and the Applicant has agreed that climate change allowances do not need to be factored into the assessment for fluvial and pluvial flood sources. It is indicated that this would be addressed in the Statement of Common Ground with the EA. In the EA's RR [RR-239] it is stated that climate change allowances do not need to be considered for short-term, temporary works subject to two conditions, namely that there would be no permanent structures or land raising and that sites would not be in place for longer than 18 months. The EA raises concerns that the FRA does not provide sufficient surety of these conditions.</p> <p>Provide evidence that these conditions can be met.</p>	X
FR.1.24	<i>Flood Risk</i> The Applicant	<p>In respect of flood risk, the EA in its RR [RR-239] seeks details of the construction and detailed design method to be submitted prior to the commencement of works. In addition, concerns are raised about the adequacy of the flood risk assessments provided for haul roads, access roads, logistic hubs and construction compounds; consideration of Flood Zone 3b; watercourse crossing reports; open-cut crossings of culverted watercourses; and permitting issues.</p> <p>Respond.</p>	X

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ExQ1	Question to:	Question:	
FR.1.25	<i>Sewage Management</i> The Applicant	Paragraph 7.3.25 of the Planning Statement [APP-132] states that there has been extensive engagement with the EA and NE and also engagement with all of the relevant sewage and water undertakers. Provide evidence of this engagement with responses from these Statutory Parties.	X
FR.1.26	<i>Farming</i> The Applicant	Explain whether the Proposed Development would result in the disruption of any PWS that are used for agricultural purposes (including irrigation and water for animals). If so, what alternative arrangements (e.g. tankering) are proposed to ensure water supplies would be maintained for the duration of any disruption.	X
HISTORIC ENVIRONMENT			
HE.1.1	<i>Written Scheme of Investigation</i> The Applicant	Requirement 11 of the draft DCO [AS-059] requires the submission and approval of a written scheme for the investigation of areas of archaeological interest (WSI). No Outline WSI document is before the Examination. i) Justify the approach that no outline submission is before the ExA particularly as it must be approved by numerous relevant planning authorities.	

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ExQ1	Question to:	Question:	
		<p>ii) Explain how the ExA and relevant planning authorities can be satisfied and take any confidence that its measures would be capable of adequately mitigating archaeological finds.</p> <p>iii) Comment on Historic England's RR [RR-243] that the absence of the Outline WSI may preclude archaeological finds from being designed out.</p> <p>iv) Provide an Outline WSI, listing measures that would be secured, drawings to be prepared, detailing consultation that would be undertaken and with whom, and the inter-relationship of landscape and ecology.</p> <p>v) If an Outline WSI is to be provided, explain whether it should form a Certified Document in Schedule 11 of the draft DCO [AS-059] and update accordingly.</p>	
HE.1.2	<p><i>Written Scheme of Investigation</i></p> <p>All Relevant Planning Authorities</p>	<p>Comment on the absence of an Outline WSI in the Examination and whether it is agreed that such a document could be submitted as part of the discharge of Requirement 11 of the draft DCO [AS-059].</p>	<p>It is understood by Surrey CC that the archaeological mitigation is to be set out within several sequential documents:</p> <ul style="list-style-type: none"> • Archaeological Mitigation Strategy (AMS). A high level overview of the archaeological strategy. An AMS dated May2019 has been submitted to the examination. • Outline WSI. To detail the archaeological strategies to be used across the pipeline route.

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ExQ1	Question to:	Question:	
			<ul style="list-style-type: none">• Location or Technique specific WSIs – provide the detailed method statement for each area of work. <p>Surrey CC has previously reviewed a draft version of the Archaeological Mitigation Strategy (AMS) (March 2019), and provided comments and requested amendments, which do not appear to have been taken on board and included within the revised (May 2019) document, submitted to the examination. Whilst the content of the AMS itself is fine, the contested information relates to Annex A of the document which contains the specific details of areas identified for initial archaeological investigation. It is the view of Surrey County Council that these initial areas are wholly inadequate in order to categorise the archaeological impact of the pipeline, and to allow for the mitigation measures described within the AMS to be successfully deployed. In addition, certain known 'Areas of High Archaeological Potential' do not appear to be included for initial archaeological investigation which is contrary to the strategy described.</p> <p>Previous correspondence with the applicant has focused on this issue – to agree on which areas should be subject to trial trench evaluation in advance of construction in the first instance, and understanding the rationale for including or discounting each section of the pipeline. While the discussions were making positive moves forward, none of this appears to be reflected in</p>

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ExQ1	Question to:	Question:	
			<p>the current submissions to the Examining Authority.</p> <p>Based on the currently submitted information, Surrey CC is not satisfied that there are appropriate safeguards to mitigate the potential destruction of significant archaeological remains. In the first instance, and prior to the production of an Outline WSI, it is strongly recommended the AMS should be finalised to the approval of all parties – it may be a way forward that this should reflect only the high level strategy which has already been agreed and Annex A which references to the unresolved specific details (such as proposed trial trench areas) be removed, so that these details may be agreed as per the sequential addition of detail in the WSI's to follow.</p> <p>The Outline WSI will need to include such information – to confirm the locations where archaeological work is required, and its precise nature across all stages of the project (trial trench evaluation (and subsequent mitigation), Watching Brief, Strip Map and Sample excavation, etc), and then specify the over-arching methodology for each type of work. The document should make clear the rationale for the selection of each methodology (or why no archaeological work has been deemed necessary in some areas). It is expected that this information will more closely be aligned with the information presented to Surrey CC in respect of more recent archaeological mitigation discussions. The more site-specific details such</p>

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ExQ1	Question to:	Question:	
			<p>as trench plans would then be detailed within area-specific or methodology-specific WSIs.</p> <p>It is considered best practice that an Outline WSI is produced as early as possible for comment and approval at the examination stage, in this case this would be particularly advantageous given the present lack of agreed details. However, if necessary and provided that the Archaeological Mitigation Strategy is amended as per my comments above, I am satisfied that the requirement 11 of the DCO provides a sufficient safeguard to ensure that an appropriate Outline WSI is produced and agreed at an appropriate point in the development timescale.</p> <p>On a separate note, regarding Development Consent Order, Requirement 11, it is suggested that point 5 be amended to say <i>suitably qualified and Registered person or body</i>.</p>
HE.1.3	<i>Stephens Castle Down</i> The Applicant	Respond to Historic England's concerns as raised in its RR [RR-243] that compounds and pits may physically impact on Roman remains particularly in the absence of an Outline WSI.	X
HE.1.4	<i>World War Crash Sites</i> The Applicant	Respond to Historic England's concerns as raised in its RR [RR-243] that crash site remains should be classified as high significance and not as a low-priority risk as set out in Chapter 9 of the ES [APP-049].	SCC supports the views of Historic England that aircraft crash sites should be classified as high significance.

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ExQ1	Question to:	Question:	
HE.1.5	<i>Mitigation</i> The Applicant	In the absence of an Outline WSI, update the ExA on discussions with the relevant planning authorities on mitigation for archaeology, as highlighted by Surrey County Council in its RR [RR-281].	SCC AE See row below:
Significant discussions regarding archaeological mitigation between Jacobs (on behalf of ESSO) and Surrey County Council (SCC) to date:			
12-02-2019	Meeting: Jacobs present baseline assessments and general mitigation strategy to SCC archaeologists for initial information and feedback.		
05/03/2019	draft Archaeological Mitigation Strategy received by SCC. Further supporting information (GIS shapefiles requested).		
20/03/2019	additional supporting AMS information received by SCC.		
28/03/2019	SCC comments sent in response to AMS. Requested more holistic approach to include full range of archaeological approaches in the strategy, not just trial trench evaluation in isolation but also areas for watching brief, strip map sample, or where no archaeological work planned, and rationale. Additional sites identified where trial trench evaluation will be necessary.		
18/07/2019	revised trial trenching strategy received by SCC.		
06/08/2019	SCC feedback sent. Request additional information with supporting rationale and higher trial trench sampling sizes – or alternate methodologies to be considered if this is not possible.		
05/09/2019	further revisions to trial trenching strategy received by SCC.		
11/09/2019	Meeting: Jacobs and SCC to discuss most recent revision of the mitigation strategy. Largely much agreement but some minor changes sought and SCC requested more/clearer information on the rationale for methodology selection at each section before final approval.		
18/09/2019	email from Jacobs to confirm further revisions due shortly to trial trench layout and areas in consideration of ecology etc.		

ExQ1	Question to:	Question:	
LANDSCAPE AND VISUAL			
<i>Please note that questions regarding landscape and visual for Queen Elizabeth Country Park and Turf Hill can be found in the separate question section for these areas below.</i>			
LV.1.1	<i>Landscape and Ecological Management Plan</i> The Applicant	<p>Requirement 12 of the draft DCO [AS-059] requires the submission and approval of a LEMP in accordance with the REAC, which is contained within Chapter 16 of the ES [APP-056]. The LEMP would contain, amongst other things, details of the reinstatement of hedgerows and trees. Although the Applicant relies heavily on the measures contained within the LEMP to mitigate landscape matters, no outline document is before the Examination.</p> <p>i) Justify the approach that no outline submission is before the ExA particularly as the final LEMP would need to be approved by numerous relevant planning authorities.</p> <p>ii) In the absence of outline contents, explain how the ExA and the relevant planning authorities can be satisfied, that measures in the LEMP would deliver the mitigation that the conclusions of the submitted ES rely upon.</p> <p>iii) Provide an Outline LEMP, listing measures that would be secured; drawings to be prepared; detailing consultation that would be undertaken and with whom; and the inter-relationship landscape and ecology.</p> <p>iv) Provide a schedule detailing the areas or lengths of Potential Ancient Woodland,</p>	x

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ExQ1	Question to:	Question:	
		<p>trees covered by area, and individual Tree Preservations Orders (TPOs), woodlands, hedgerows and important hedgerows that are proposed to be reinstated following completion of construction and the areas or lengths of off-site planting.</p> <p>N.B – There is overlap between this question and BIO.1.1. The Applicant (and any other Interested Parties) may wish to address the issue in a combined response to both questions.</p>	
LV.1.2	<i>Landscape and Ecological Management Plan</i> All Relevant Planning Authorities	<p>Comment on the absence of an Outline LEMP in the Examination and whether it is agreed that such a document can be submitted as part of the discharge of Requirement 12 of the draft DCO [AS-059].</p> <p>N.B – This question is repeated in BIO.1.2. The Relevant Planning Authorities may wish to address the issue in a combined response to both questions.</p>	<p>The Local Planning Authorities would be responsible for determining applications submitted in respect of the requirements of the DCO according to the definition of 'relevant planning authority' given in provision 2 of the DCO. None of the applications for the discharge of requirements in respect of land use planning matters would come to the County Council in its capacity as County Planning Authority as none relate to minerals or waste development.</p>
LV.1.3	<i>Definition of Vegetation</i> The Applicant	<p>Appendix C of the CoCP [APP-128] covers the replacement planting of vegetation and states that replacement planting will be secured through the LEMP. However, vegetation does not appear to be defined anywhere within the CoCP or within the draft DCO [AS-059].</p> <p>Confirm that trees and hedgerows are included in the term "vegetation" as used in the CoCP.</p>	X

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ExQ1	Question to:	Question:	
LV.1.4	<i>Baseline Data</i> The Applicant	<p>Notable trees are recorded in the ES Appendix 10.2 [APP-115] as being defined as Category A and B trees in accordance with British Standard 5837:2012.</p> <p>Confirm that all category A and B trees within 15m of the Order Limits were recorded as notable trees or whether any other parameters were used in defining notable trees, such as species, diameter height or overall height.</p>	X
LV.1.5	<i>Baseline Data</i> The Applicant	<p>Figure 10.4 of the ES [APP-064] show the existing views of the route. With few exceptions, the vegetation is in leaf. Paragraph 10.2.26 describes a winter survey being undertaken in early 2018, and states "<i>The findings of the winter landscape survey were used to help influence the developing design and inform the choice of Representative Viewpoints.</i>"</p> <p>i) Explain why these winter photographs, which were used to help influence the design and confirm representative viewpoints, were not submitted into the Examination; or</p> <p>ii) Provide these photographs.</p>	X
LV.1.6	<i>Methodology</i> The Applicant	Chapter 6 of the ES [APP-046] states the matrix approach used for determining the impact significance. However, there are no definitions of the	X

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ExQ1	Question to:	Question:	
		<p>significance criteria negligible, minor, moderate or major which are set out in Illustration 6.1, which is recommended by Guidelines for Landscape and Visual Impact Assessment 3 (GLVIA3). Paragraph 6.4.10 states "A <i>significant effect in relation to the EIA Regulations</i> is taken to mean a moderate or higher adverse or beneficial significance. Effects of minor or negligible significance are not considered to be significant effects on the environment but are used to acknowledge that there would be some differences from the baseline conditions."</p> <p>Provide definitions of the significance criteria presented in Illustration 6.1 applicable to the assessment of landscape and visual effects.</p>	
LV.1.7	<i>General Arrangement Plans</i> The Applicant	<p>The locations of the important hedgerows identified in the ES Appendix 7.2 [APP-082] and TPOs are illustrated in the General Arrangement Plans [APP-022] to [APP-024]. However, these plans show no details of notable trees and the locations of Ancient Woodland Inventory sites and Potential Ancient Woodland sites. There is also no information provided on the referenced TPOs.</p> <p>i) Justify the omission; or ii) Provide these details.</p>	X
Tree Management			
LV.1.8	<i>Tree Removal</i> The Applicant	<p>The ExA is not clear from the CoCP [APP-128], which is secured by Requirement 8, if the draft DCO</p>	X

ExQ1	Question to:	Question:	
		<p>[AS-059] or any other document identify the number of trees that would need to be removed for the Proposed Development to be constructed.</p> <ul style="list-style-type: none"> i) Confirm whether all trees within the Order Limits would need to be removed. ii) Confirm the total number of trees to be removed during the construction of the Proposed Development, in particular at Fordingbridge Park. iii) Confirm whether the use of trenchless techniques would harm or result in the loss to any tree. iv) Confirm how and where tree replacement would occur, including details of number, species and age of replacement trees. 	
LV.1.9	<p><i>Identification of Trees</i></p> <p>The Applicant</p>	<p>Appendix 10.2 of the ES [APP-115] sets out a schedule of notable tree and Figure 10.3: ES Landscape Constraints and Representative Viewpoints [APP-064] does include notable trees categories A and B. However, the ExA considers the schedule does not assist in knowing the exact location of the category A or B trees within the Order Limits. The ExA considers that plans illustrating the location of affected trees should be provided.</p> <ul style="list-style-type: none"> i) Provide these plans. ii) Assess the quality of the identified trees within the schedule. 	X

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ExQ1	Question to:	Question:	
LV.1.10	<i>Tree Replacement Planting</i> The Applicant	<p>Chapter 10 of the ES [APP-050] identifies no compensatory planting or offsetting for the loss of trees covered by a TPO where a moderate effect at Year 15 is identified. Whilst it would not be possible to replace TPO trees lost on a 'like for like' basis, no additional planting of specimen trees off site, for example, is proposed. The tree planting and hedge infilling referred to in the ES and in Figure 7.5 [APP-061] is not stated as being mitigation for TPO trees that would be lost. The ExA is concerned with this approach.</p> <p>Justify the stance that no replacement or compensatory planting is required for TPO lost trees where a moderate effect is identified at Year 15.</p>	X
LV.1.11	<i>Tree Protection</i> The Applicant	Confirm whether tree protection fencing, as set out in the REAC which is contained within Chapter 16 of the ES [APP-056] for notable trees, would also be provided for TPO trees and woodland, and other trees and woodland, hedgerows and important hedgerows and their root protection areas where they extend within the Order Limits which may be at risk of damage during the construction period.	X
LV.1.12	<i>Tree Protection</i> The Applicant	The REAC [APP-056] states that notable trees (Ref G86 in Table 16.2), where they are at risk of damage, would be supervised by the Environmental Clerk of Works, and that such a person would be supported by an appropriately qualified arboriculturalist.	X

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ExQ1	Question to:	Question:	
		<ul style="list-style-type: none">i) Confirm whether the provisions of the REAC would also apply to TPO trees and veteran and ancient trees; andii) Confirm whether the Environmental Clerk of Works would be supported by an appropriately qualified arboriculturalist in respect to notable trees.	
LV.1.13	<i>Tree Protection</i> The Applicant	<p>The REAC (Ref: G95 Table 16.2) [APP-056] refers to the contractor considering and applying, where practicable, the relevant protective principles set out in the National Joint Utilities Group Guidelines (NJUG) for the Planning, Installation and Maintenance of Utility Apparatus in Proximity to Trees ('NJUG Volume 4' (2007)). The arboricultural assessment of notable trees was carried out with reference to British Standard 5837:2012. The NJUG Guidelines do not appear to contain any recommendations on tree protection fencing, whereas the British Standard has a comprehensive recommendation on this and other related issues, although tree protection zones are similar in each document.</p> <ul style="list-style-type: none">i) Explain why British Standard 5837:2012 is not being used.ii) Explain whether use of British Standard 5837:2012 would result in a better environmental outcome for trees likely to be affected by the Proposed Development.	X

ExQ1	Question to:	Question:	
Planting Mitigation			
LV.1.14	<i>Planting Mitigation</i> The Applicant	<p>Chapter 10 of the ES [APP-050] describes generic mitigation measures for proposed planting that are also confirmed in the REAC, which is contained within Chapter 16 of the ES [APP-056]. ES Figure 7.5 [APP-061] shows proposed mitigation planting of hedgerow infilling and tree planting at a scale of 1:10,000. However, there is no clear definition of the extent of proposed mitigation planting, for example on the Works Plans [AS-046], [AS-047] and [AS-048].</p> <p>The ExA is concerned that the probability of temporary or long-term significant effects arising from the removal of existing vegetation is at present unclear. The loss of vegetation is not quantified by individual trees, lengths of hedgerow or areas of woodland, and the landscape and visual effects of vegetation removal is not shown by annotated photograph or photomontage.</p> <ul style="list-style-type: none"> i) Provide a schedule detailing the 'worst case' areas of lengths, as appropriate, of individual trees, hedgerows or areas of woodland that are expected to be removed to accommodate the Proposed Development from each section of the pipeline corridor. ii) Annotate the extents or lengths to be removed on the Works Plans [AS-046], [AS-047] and [AS-048]. 	X

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ExQ1	Question to:	Question:	
LV.1.15	<i>Planting Mitigation</i> The Applicant	<p>Potential impacts on landscape character are considered in Chapter 10 of the ES [APP-050] during construction, at Year 1 and at Year 15 post construction, which assumes mitigation planting is established. However, in some paragraphs the assessment of effects at Year 15 seems to be at odds with the text which describes the effects, for example at paragraph 10.5.43: "<i>Whilst reinstatement planting would have established to restore the landscape, it would not be possible to fully reinstate distinctive, mature vegetation and notable trees within 15 years. In year 15 post construction, the potential magnitude of impact would be small, and the significance of effect would be minor.</i>" There is no statement on the height that reinstatement planting is expected to have reached after 15 years, an important omission where the mitigation planting would be relied upon in the assessment of residual effects at Year 15.</p> <p>Confirm what heights have been assumed for the proposed replacement planting in the assessment of the effects at Year 1 and Year 15 following completion of construction activities.</p>	X
LV.1.16	<i>Planting Mitigation</i> The Applicant	i) Explain whether there has been any assessment for the potential for die back to retained trees due to compaction from adjacent construction activities and windthrow to retained woodlands and plantations where these are crossed by the pipeline corridor.	X

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ExQ1	Question to:	Question:	
		ii) Explain whether any mitigation measures would be implemented to address these issues.	
LV.1.17	<i>Planting Mitigation</i> The Applicant	<p>The REAC (Ref G87 Table 16.2) [APP-056] states that “<i>vegetation clearance, retention, protection and replanting/reinstatement drawings would be produced prior to the construction phase. The contractor(s) would implement these plans including agreed mitigation where practicable</i>”. Chapter 10 of the ES [APP-050] states that “<i>In order to consider a reasonable worst case, the assessment of potential impacts assumes loss of all trees and shrub vegetation within the Order Limits except where the good practice measures set out in Table 10.13 and reduced working widths identified within the REAC dictate otherwise</i>”. The REAC (Ref G91 Table 16.2) also states that “<i>the contractor(s) would retain vegetation where practicable and in accordance with, as a minimum, the vegetation retention drawings.</i>”</p> <p>The ExA is concerned with the approach taken by the Applicant and the use of the words “where practicable”. The wording would weaken the commitment to mitigation measures set out in the ES, REAC and draft DCO [AS-059] and could result in significantly greater long-term landscape and visual effects than assessed in the ES, for example, if the Order Limits were kept free of trees.</p>	X

ExQ1	Question to:	Question:	
		<ul style="list-style-type: none"> i) Confirm the circumstances in which it would not be practicable to implement the vegetation retention, protection and replanting or reinstatement; ii) Explain why the Applicant has not fully committed to provide replacement planting; iii) Explain whether there is uncertainty as to the extent of mitigation possible in practice; and iv) Confirm whether the ES [APP-050] has presented a worst-case assessment. 	
LV.1.18	<i>Planting Mitigation</i> The Applicant	<p>The REAC (Ref: LV1 of Table 16.3) [APP-056] proposes native trees and hedgerow to be planted within areas identified as tree planting and hedge infilling in ES Figure 7.5 [APP-061]. Chapter 10 of the ES [APP-050] states <i>"this is a holistic approach to partly offset the envisaged loss of trees from the overall pipeline installation project."</i></p> <ul style="list-style-type: none"> i) Confirm whether the measures discussed here apply equally to REAC ref G87 in Table 16.2 in respect to vegetation clearance. ii) Explain the degree to which the extent of planting as illustrated in Figure 7.5 of the ES [APP-061] was determined and the agreements reached with relevant Interested Parties and Statutory Bodies. 	X

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ExQ1	Question to:	Question:	
		<ul style="list-style-type: none"> iii) Explain the detailed design process that will lead to the implementation of the proposed planting. iv) Explain who will be consulted on and approved the proposed extent of planting, species, densities and heights of planting. v) Provide details of monitoring and aftercare measures proposed to be applied to reinstated features, mitigation planting and tree and hedgerow infilling and how these will be secured in the draft DCO [AS-059]. 	
LV.1.19	<i>Planting Mitigation</i> The Applicant	<p>The REAC (Ref: G97 of Table 16.2) [APP-056] proposes the use of native shrub planting where woodland vegetation is lost and trees cannot be replaced due to the restrictions of pipeline easements.</p> <ul style="list-style-type: none"> i) Confirm whether Local Authorities, the National Park Authority, NE and local wildlife trusts will be invited to, or have made comments on the proposed species for replacement shrub, hedgerow, tree and woodland planting. ii) Confirm how grass seed mixes would be selected. 	X
LV.1.20	<i>Planting Mitigation</i>	The REAC (Ref: G92 Table 16.2) [APP-056] states that a three-year aftercare period would be	As with DCO 1.35, SCC recommends the adoption of a five-year period to give greater certainty that the reinstatement can be achieved

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ExQ1	Question to:	Question:	
	All Relevant Planning Authorities	<p>established for all mitigation planting and reinstatement.</p> <p>Comment on the appropriateness of this measure and time length proposed.</p>	with minimum loss of tree and hedgerow planting.
Other Matters			
LV.1.21	<i>Working Width</i> The Applicant	<p>The ExA acknowledges the working width is defined in Chapter 3 of the ES [APP-043]. The REAC [APP-056] records the sections of the route where there is a commitment to reduce the working width as mitigation. However, the General Arrangement Plans [APP-022], [APP-023] and [APP-024] are for the most part unchanged. An illustration of this is reference to General Arrangement Plans drawing sheet 28, where the REAC makes a commitment to a 15m working width, but the Order Limit is annotated at 26.1m.</p> <ul style="list-style-type: none"> i) Explain the anomalies. ii) Explain how the locations within the Order Limits will be determined. iii) Explain how the assumptions, if any, have been made in the assessment of effects as the locations of narrow working areas. 	X
LV.1.22	<i>Working Width</i> The Applicant	<ul style="list-style-type: none"> i) Confirm the working widths for the proposed pipeline corridor sections: NW/11/13; NW15; NW20; NW23/24; NW30; and NW33. 	X

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ExQ1	Question to:	Question:	
		ii) Explain how the reduced working width areas would be secured in the draft DCO [AS-059].	
LV.1.23	<i>Working Width</i> The Applicant	<p>The Forestry Commission indicated [AS-028] that discussions are taking place with the Applicant in respect of a methodology for working within tree root zones of Ancient Woodland and the need for a 15m buffer zone to be established.</p> <p>Update this position and how discussions have progressed with the Forestry Commission, the Woodland Trust and NE.</p> <p>N.B – There is an overlap between this question and questions BIO.1.18 and BIO.1.20 you may therefore wish to provide a combined response to these questions.</p>	X
LV.1.24	<i>Working Width</i> The Applicant	Explain the criteria used to determine when a narrow working width would be used and why it is not proposed in public parks such as Queen Elizabeth Country Park and Fordingbridge Park, but it is proposed at Turf Hill.	X
LV.1.25	<i>Viewpoints</i> All Relevant Planning Authorities	<p>i) Confirm acceptance of the representative viewpoints as set out in Appendix 10 of the ES [APP-114]; or</p> <p>ii) If not accepted, explain why.</p>	The County Council is not a relevant Planning Authority under the definition given in provision 2 of the DCO and has no locus to comment in landscape matters in this context.

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ExQ1	Question to:	Question:	
PEOPLE AND COMMUNITIES			
<i>Please note that questions regarding people and communities for Queen Elizabeth Country Park and Turf Hill can be found in the separate question section for these areas below.</i>			
PC.1.1	<i>Community Receptors</i> All Relevant Planning Authorities	Confirm that the study area applied to community receptors (500m from the Order Limits) in Chapter 13 of the ES [APP-053] is adequate.	This is a matter best left to local planning authorities as they have a detailed knowledge and understanding of the communities in their areas and are therefore better placed to comment on the appropriateness of the defined area.
PC.1.2	<i>Effects on Tourism</i> The Applicant	Respond to the concerns raised by the National Trust [RR-091] about the lack of recognition of the impact that the proposal would have on tourism, or signpost where in the Application documentation this information could be found.	X
Noise and Vibration			
PC.1.3	<i>Baseline Assessment</i> The Applicant	Explain what or if any agreement has been reached with relevant planning authorities regarding the baseline assessment of noise and vibration effects, particularly given that background noise surveys do not appear to have been undertaken at key receptor locations.	X
PC.1.4	<i>Assumptions on Effects</i> The Applicant	Explain the assumption that disruption to people and communities as identified in Chapter 13 of the ES [APP-053] is unlikely to occur as a result of significant effects from noise and vibration, landscape and visual impacts or traffic and transport impacts alone.	X

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ExQ1	Question to:	Question:	
PC.1.5	<i>Update Requirements</i> The Applicant	<p>i) Provide an update on the progress of the Construction Traffic Management Plan (CTMP), noise and vibration management plan, and dust management plan relied upon in the assessment as part of the embedded mitigation measures for the Proposed Development.</p> <p>ii) To what extent have these been discussed with the relevant planning authorities or other parties responsible for their discharge.</p> <p>iii) Provide further detail on the form of any monitoring proposed in relation to the measures in the REAC [APP-056], including frequency, responsibilities, and details of any remedial actions in the event that measures are not performing as anticipated.</p>	X
PC.1.6	<i>Construction Environmental Management Plan</i> The Applicant	<p>Requirement 6 of the draft DCO [AS-059] requires the submission of a CEMP to be submitted and approved by the relevant planning authority. Documents to form part of the CEMP are set out in Requirement 6(2)(d) of the draft DCO. Requirement 6(2)(d)(viii) requires the submission of a Noise and Vibration Management Plan. However, details contained within the Outline CEMP [APP-129] are scant at best.</p> <p>Substantiate the Outline CEMP to provide more information on the Noise and Vibration Management</p>	X

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ExQ1	Question to:	Question:	
		Plan, including details of the measures expected to result in the "moderate" degree of noise reduction described in Section 6.1.5 of Appendix 13.3 of the ES [APP-121].	
PC.1.7	<i>Noise Effects from Tree Loss</i> The Applicant	<p>Trees are known to help screen and filter noise. The Proposed Development would result in the loss of a significant number of trees.</p> <p>i) Explain whether the noise assessments, particularly for Fordingbridge Park, Queen Elizabeth Country Park, Stakes Lane and Brewers Close, allow for the loss of these trees.</p> <p>ii) If they did not, explain why not and whether the results of those assessments differ if the tree loss was included in the assessment.</p> <p>N.B – There is an overlap between this question and questions PC.1.11 and PC.1.13 you may therefore wish to provide a combined response to these questions.</p>	X
PC.1.8	<i>Working Hours</i> The Applicant All Relevant Planning Authorities	<p>The proposed hours of work are 4 hours longer than a standard working day and would operate 6 days a week [APP-128].</p> <p><u>To the Applicant:</u></p> <p>i) Advise why the extended working hours would be required.</p>	v.) SCC expects all works permissions to be granted through the process set out in our South East Permit Scheme Council Order and this allows for reduced or extended working hours on a street-by-street basis, dependent upon various factors such as traffic management and associated level of disruption but also considering

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ExQ1	Question to:	Question:	
		<p>ii) Confirm that there would be no working on public as well as bank holidays.</p> <p>iii) What action is proposed to minimise the effect of deliveries and construction on the living conditions of residential properties particularly between the hours of 07:00 and 09:00.</p> <p>iv) Paragraphs 1.1.30 and 1.1.31 of the CoCP [APP-128] list a number of circumstances where working outside of these hours/days would be required. Explain the frequency that this may occur and what measures are proposed to inform residents when this does occur and what measures are proposed to minimise any harm to living conditions that may occur as a result of these alternative working hours.</p> <p><u>To All Relevant Planning Authorities:</u></p> <p>v) Comment on the working hours proposed.</p>	<p>environmental health considerations (District & Borough Council function). In order to expedite works completion we may request that the applicant works on Sundays and bank holidays in some circumstances were and when appropriate. As such our preference would be that hours of work were agreed on a permit-by-permit/street-by-street basis to allow sufficient flexibility dependent on circumstances, as opposed stated fixed hours of work.</p>
Air Quality			
PC.1.9	<i>Air Quality Effects</i> The Applicant	<p>i) Provide further justification for the assumption that air quality effects can be ruled out of the assessment of community disruption, and why this approach differs from that taken for other environmental effects e.g. noise and vibration where residual effects (following the application of embedded mitigation measures in the REAC) are used to inform the assessment.</p> <p>ii) Explain to what degree has consultation informed the approach to the assessment.</p>	X

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ExQ1	Question to:	Question:	
PC.1.10	<i>Air Quality Effects</i> The Applicant	Explain the implications to the air quality assessment of unexpected reduction in the effectiveness of the good practice measures proposed, taking into account probability and severity of any reduction. As part of this, set out the specific good practices measures that apply to each impact assessed.	X
PC.1.11	<i>Tree Loss</i> The Applicant	<p>i) Explain whether the air quality assessments undertaken for this scheme allow for the loss of these trees.</p> <p>ii) If they did not, explain why not and would the results of those assessments differ if the tree loss was included in the assessment.</p> <p>N.B – There is an overlap between this question and questions PC.1.7 and PC.1.13 you may therefore wish to provide a combined response to these questions.</p>	X
Human Health			
PC.1.12	<i>Noise Effects</i> The Applicant	The assessment of effects on Human Health (Appendix 13.4, [APP- 122]) states in Paragraph 1.5.16 that although adverse noise effects can impact on health, the short duration of works in each location leads to a conclusion of no significant effects on human health. The method for determining significance is not provided.	X

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ExQ1	Question to:	Question:	
		Clarify how the conclusion of no significant effects on human health from noise impacts has been reached, including any criteria applied for determining the significance of effects.	
PC.1.13	<i>Noise Effects</i> The Applicant	<p>The assessment of effects on Human Health (Appendix 13.4, [APP-122]) considers the short-term effects of noise from construction on human health. However, the Proposed Development would result in the removal of a significant number of trees which in some locations (such as Queen Elizabeth Country Park, Fordingbridge Park and alongside the railway embankment in Stake Lane) provide an important filter for noise and air quality as well as a visual screen.</p> <p>i) Explain whether the long-term effects of the loss of these trees on human health has been considered.</p> <p>ii) if they were, signpost to where in the documentation this information can be found.</p> <p>iii) If these effects were not assessed, explain why not and what would be the outcome on the long-term effects on human health if they were.</p> <p>N.B – There is an overlap between this question and questions PC.1.7 and PC.1.11 you may therefore wish to provide a combined response to these questions.</p>	X

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ExQ1	Question to:	Question:	
PC.1.14	<i>Noise Levels</i> The Applicant	Indicate how the predicted increase in decibel levels have been determined from the traffic data with reference to any guidance used and an explanation of the baseline applied.	X
PC.1.15	<i>Methodology</i> The Applicant	<p>i) Explain to what degree has Human Health been considered as part of the methodology of the other technical assessments listed in Paragraph 1.2.14 of Appendix 13.4 of the ES [APP-122] when reaching a conclusion of no significant effects.</p> <p>ii) Explain how robust the assumption in Paragraph 1.2.26 of Appendix 13.4 [APP-122] is which states that no significant effects on human health can arise if significant effects are excluded by these assessments.</p>	X
PC.1.16	<i>REAC</i> The Applicant	Indicate which measures in the REAC [APP-056] have been taken into account in the Human Health assessment. In particular indicate which measures in the REAC have been considered in the assessment of community disruption, including those related to air quality, traffic and transport, and noise and vibration.	X
PC.1.17	<i>Greenspaces</i> The Applicant	Chapter 13 of the ES [APP-053] considers the effects on greenspaces in relation to access, severance or availability in Appendix 13.4 (Human	x

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ExQ1	Question to:	Question:	
		<p>Health Technical Note) [APP-122]. Table 1.2 of Appendix 13.4 sets out the NHS Rapid Health Impact Assessment Tool criteria which have been applied to the assessment. Against the criteria 'access to open space and nature' Table 1.2 states that this is assessed in Chapter 12 Land Use [APP-052] and Chapter 13 People and Communities [APP-053] and significant effects discussed in the Technical Note. However, no further discussion is provided.</p> <ul style="list-style-type: none"> i) Provide detail as to what impacts are anticipated on these receptors and what mitigation is proposed. ii) Provide an assessment of residual effects and a determination of their significance. Explain how human health impacts have been considered in the assessment. iii) Set out how consultation with stakeholders has informed the assessment. 	
PC.1.18	<i>Landfill Routing</i> The Environment Agency	Respond to the issues raised by RR-182 regarding the routing of the Proposed Development through an inert landfill site and how this would affect the current Environmental Permit for the site.	x
PC.1.19	<i>Scope of Assessment</i> The Applicant	The NHS Hounslow Clinical Commissioning Group in its written submission [AS-031] raises concerns about the health impact of the proposal particularly arising from construction activity and from the risk of major accidents and natural disasters. In particular, it is stated that the proposal has not been	x

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ExQ1	Question to:	Question:	
		properly assessed with respect to the use of Greater London Authority (GLA) data to assess the baseline conditions. Respond.	
Leisure and Recreation			
PC.1.20	<i>Effects on Sports Grounds</i> The Applicant	Concerns have been raised by the Independent Educational Association Limited in its RR [RR-095] that the Proposed Development would prevent the future use of sports grounds. Confirm if the existing pipeline runs under any sports ground/playing fields and if there have been any incidents in relation to the pipeline that have prevented these facilities from being used for sport.	x
PC.1.21	<i>Effects on Sports Grounds</i> The Applicant	The Proposed Development would run through a number of playing fields and sports pitches. i) Confirm if the Proposed Development would result in the permanent loss of any playing fields or sports pitches. ii) Where the route of the Proposed Development would run through a playing field or sports pitch, explain how long it would be unavailable for use including the time needed for construction and reinstatement/reseeding.	x

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ExQ1	Question to:	Question:	
		iii) Where a playing field or sports pitch would be unavailable, what alternative provision would be made for the duration of the closure.	
PC.1.22	<i>Effects on Sports Grounds</i> Sport England	<p>Paragraphs 16.4.1 to 16.4.70 of the Planning Statement [APP-132] describe 17 priority open spaces where the construction of the replacement pipeline was considered to have potential impacts needing detailed assessment.</p> <p>i) Explain whether there has been engagement with the Applicant.</p> <p>ii) If so, explain the advice provided with regards to the potential effect of the Proposed Development on sports provision, with particular reference to development on playing fields and sports pitches.</p> <p>iii) If not, comment on the potential effects that the Proposed Development may have on sports provision with particular reference to playing fields.</p>	x
PC.1.23	<i>Effects on Sports Grounds</i> The Applicant	Respond to the comments made by Abbey Rangers in its written submission [AS-065] regarding the potential effect of the proposal on their facilities and the sports opportunities that they provide.	x

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ExQ1	Question to:	Question:	
PC.1.24	<i>Chertsey Meads</i> The Applicant	Respond to Runnymede Council's RR [RR-212] regarding the effects of construction on access to and use of Chertsey Meads.	x
PC.1.25	<i>Effects on Golf Courses</i> The Applicant	Table 16.3 of the Planning Statement [APP-132] identifies 7 golf courses within the Order Limits which would be affected by the Proposed Development. Table 12.5 in the ES indicates that there are 5 golf courses in the study area. Clarify.	x
Housing			
PC.1.26	<i>Hartland Village</i> Hart District Council	St Edward Homes [RR-225] and [AS-040] have raised a concern that the location of a proposed logistics hub and site compound area would prevent the delivery of housing at the site. Respond.	x
PC.1.27	<i>Hartland Village</i> The Applicant	<ul style="list-style-type: none"> i) Provide a plan overlaying the location of the proposed logistics hub/construction compound with the indicative masterplan for Hartland Village. ii) Respond to St Edward Homes comments [RR-225 and AS-040] as to why the proposed logistics hub would prevent the development of Hartland Village. 	x
PC.1.28	<i>Hartland Village</i>	Set out the proposed phasing for Hartland Village, including indicative commencement and completion	x

ExQ1	Question to:	Question:	
	St Edward Homes	dates for each phase and explain why the proposed logistics hub/construction compound would prevent the delivery of 745 houses given the proposed location of the logistics hub/construction compound on the eastern part of the site.	
QUEEN ELIZABETH COUNTRY PARK AND TURF HILL			
<i>Please note that in addition to these specific sections there are a limited number of questions relating to both Queen Elizabeth Country Park and Turf Hill located in other sections.</i>			
Queen Elizabeth Country Park			
QE.1.1	<i>Play Provision</i> The Applicant	<p>Sheet 34 of the Works Plans [AS-048] would appear to necessitate the removal of the play area in Queen Elizabeth Country Park:</p> <ul style="list-style-type: none"> i) Confirm if it would be necessary to remove or temporarily close the play area during the proposed construction period. ii) If it would need to be closed or removed, what alternative provision would be made for play for the duration of the construction period. iii) If the play area is to be removed, would it be reinstated after the Proposed Development has been completed and if not, what alternative/replacement provision is proposed and where would this be located. iv) Confirm that the reinstatement of the play provision is secured in the draft DCO [AS-059]. 	x

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ExQ1	Question to:	Question:	
QE.1.2	<i>Tree Removal</i> The Applicant	Confirm the total number of trees to be removed during the construction of the proposed pipeline route at Queen Elizabeth Country Park.	x
QE.1.3	<i>Location of Route</i> The Applicant	<p>A large number of RRs have raised concerns about the route for the Proposed Development across Queen Elizabeth Country Park. On their Unaccompanied Site Inspection (USI) the ExA observed this to be a well-used space with a busy children's play area and significant number of mature trees that contributed positively to the character of the area. The ExA is concerned about the route of the Proposed Development across this space and the potential effects it would have on local communities. Chapter 4 of the ES gives no assessment of the alternative routes considered to specifically avoid this public space.</p> <p>i) Explain whether other route locations were considered to avoid the use of this community open space.</p> <p>ii) Explain why the working width was not minimised here, as at other locations where trees and hedges are to be retained to limit the land take and minimise loss of trees.</p>	x
QE.1.4	<i>Tree Survey</i> The Applicant	Respond to the concerns raised in RR-102 regarding inaccuracies in the data submitted with regards to the plotting of the tree groups in Queen Elizabeth	x

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ExQ1	Question to:	Question:	
		Country Park, Farnborough in Appendix 10.2 [APP-115].	
QE.1.5	<i>Trenchless Techniques</i> The Applicant	i) Explain whether trenchless techniques were considered for construction of the Proposed Development at Queen Elizabeth Country Park. ii) Explain why they were discounted. iii) Consider trenchless techniques for the said areas given the effect on tree loss.	x
QE.1.6	<i>Access to Open Space during Construction</i> The Applicant	i) Confirm whether public access to Queen Elizabeth Country Park would be restricted/prevented during construction ii) If so, confirm for how long it would be unavailable and whether alternative provision would be provided. iii) Explain whether access would be able to be maintained if a trenchless technique was used.	x
Turf Hill			
TH.1.1	<i>Tree Removal</i> The Applicant	Confirm the total number of trees to be removed during the construction of the proposed pipeline route at Turf Hill.	x
TH.1.2	<i>Tree Removal</i> The Applicant	A large number of RRs have expressed concern that the Applicant's decision to re-route the proposed pipeline in Turf Hill was done without adequate consultation and would result in the loss of a significant number of trees. Chapter 10 of the ES	x

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ExQ1	Question to:	Question:	
		<p>[APP-064] makes no reference to the effects of the loss of trees in this location.</p> <ul style="list-style-type: none">i) Explain how and where the landscape and visual effects of the loss of trees at Turf Hill Park have been assessed in the ES [APP-064].ii) If they have not been assessed, explain whether an absence of an assessment undermines the conclusions of the ES; oriii) If such assessment has been undertaken and not provided, submit it into the Examination.	
TH.1.3	<i>Route Change</i> The Applicant	<p>A large number of RRs have raised concerns that the route for the Proposed Development across the area of bridleway at Turf Hill was done so at the last moment and without consultation with local residents. The Applicant states that the route changed as a result of the need to avoid sand lizard populations on the original proposed route.</p> <p>When the sand lizards became an issue, explain whether other route locations were considered to avoid use of the bridleway.</p> <p>N.B – There is overlap between this question and TH.1.7 you may therefore wish to provide a combined response to both questions.</p>	x

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ExQ1	Question to:	Question:	
TH.1.4	<i>Trenchless Techniques</i> The Applicant	i) Explain whether trenchless techniques were considered for construction of the Proposed Development at Turf Hill. ii) Explain why they were discounted. iii) Consider trenchless techniques for the said area given the effect of tree loss.	x
TH.1.5	<i>Coleville Gardens and Herons Court</i> The Applicant	<p>Paragraph 13.3.10 of the Planning Statement [APP-132] states that the proposed route utilises a track along the southern edge of the housing area in Coleville Gardens and Herons Court to “avoid particularly sensitive protected habitat alongside the existing pipeline” with the route refinement shown in Illustration 13.3. Paragraph 13.7.11 and Appendix 7.10 of the Consultation Report [APP-038] also provide an outline of how the proposed route was chosen.</p> <p>Explain why alternatives to these routes were rejected.</p>	x
TH.1.6	<i>Sand Lizards</i> The Applicant	<p>Paragraphs 7.3.127 to 7.3.131 of the ES [APP-047] address rare reptiles and specifically the sand lizard. Desk studies indicate that the sand lizard is present at Chobham Common SSSI/National Nature Reserve (NNR) and Colony Bog and Bagshot Heath SSSI, specifically Unit 5 of the SSSI known as Turf Hill. It is stated that the route passes through the Turf Hill unit of the SSSI, although the habitats within the Order Limits are unsuitable for the species as they are dominated by plantation Scots pine.</p>	x

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ExQ1	Question to:	Question:	
		<ul style="list-style-type: none"> i) Clarify why no field surveys were undertaken in respect of rare reptiles, when surveys were undertaken of common reptiles. ii) Explain whether field surveys would have helped to establish how far the species extended. 	
TH.1.7	<i>Sand Lizards</i> The Applicant	<p>Paragraph 7.5.196 of the ES [APP-047] states that "vegetation clearance would be required in advance of construction works...to facilitate the movement of construction plant and to displace wildlife from the working area (e.g. reptiles)".</p> <p>Explain why it would not be possible to relocate sand lizards in the vicinity of Turf Hill to another location.</p> <p>N.B – There is overlap between this question and TH.1.3 you may therefore wish to provide a combined response to both questions.</p>	x
TH.1.8	<i>Sand Lizards</i> The Applicant Natural England	<p>Numerous RRs relating to the Turf Hill area of Lightwater refer to advice in a report from NE that resulted in the need to re-route the Proposed Development due to the presence of sand lizards.</p> <p>The Applicant and NE are required to provide a copy of any advice from NE which led to the identification of proposed route, being a combination of options</p>	x

ExQ1: 16 October 2019**Responses due by Deadline 2: Thursday 14 November 2019**

ExQ1	Question to:	Question:	
		F1a and F1b, as outlined in Appendix 7.10 of the Consultation Report [APP-038].	
TH.1.9	<i>Sand Lizards</i> The Applicant Natural England	In Chapter 7 of the ES [APP-047] there is a reference in Table 7.6 to meetings on 18-19 October 2018 with NE to discuss, among other sites, the Colony Bog and Bagshot Heath SSSI and Turf Hill. Explain why there is no reference to this further advice in the additional submission [AS-030] provided to the Examination, dated 26 July 2019.	x
TH.1.10	<i>Sand Lizards</i> Natural England Surrey Heath Borough Council	Numerous RRs have referred to the fact that the Sand Lizards were 'recently' reintroduced into the Turf Hill/Lightwater area. Provide details of this programme including: the reason why they were reintroduced; when they were reintroduced; the areas which were repopulated; and the numbers that were introduced.	x
TH.1.11	<i>Colony Bog and Bagshot Heath SSSI</i> The Applicant	Figure A7.1.145 [APP-081] is a site plan of the Colony Bog and Bagshot Heath SSSI. Reproduce the Figure showing the boundaries of the subsites, and in particular the Turf Hill subsite, more clearly.	x

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ExQ1	Question to:	Question:	
TH.1.12	<i>Bats</i> The Applicant	<p>Numerous RRs have mentioned the presence of bats in the trees that would need to be removed to enable the route in the Turf Hill/Lightwater area.</p> <p>i) Given the late change in the route, explain whether any bat surveys were undertaken for this area.</p> <p>ii) If so, provide a copy or signpost where in the application documentation that this information can be found.</p>	x
TH.1.13	<i>Flooding</i> The Applicant	<p>Numerous RRs relating to the Turf Hill area of Lightwater refer to an existing flooding problem in the area and the possibility of flooding occurring as a result of the removal of trees along the bridleway to the rear of Colville Gardens and Herons Court.</p> <p>i) Confirm whether there are known flooding problems in this area and if so, provide details.</p> <p>ii) Reference where the removal of trees in this area has been assessed in the FRA and demonstrate what the impact of their removal would be on adjoining residential properties.</p>	x
TH.1.14	<i>Environmental Assessment</i> The Applicant	<p>i) Confirm the environmental effects from the route change at Turf Hill have been assessed in the ES.</p> <p>ii) If they have, signpost where this assessment can be found; or</p>	x

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ExQ1	Question to:	Question:	
		iii) If not, provide the assessment and indicate whether this affects the conclusions of significant effects in the ES.	
SAFETY AND SECURITY			
SS.1.1	<i>Blast Zones and Leakages</i> The Applicant	Respond to [RR-024] and [RR-199] and the points raised in respect to health and safety, including blasts, leakages and the reliance on the biodegrading qualities of diesel to conclude low risk.	x
SS.1.2	<i>Emergency Planning</i> The Applicant	Respond to [RR-281] in respect to emergency planning and Surrey County Council's concerns that the multi-agency measures are in place to respond to pipeline incidents and to confirm the statutory responsibility for the "Major Hazards Pipeline Plan".	x
SS.1.3	<i>MoD Land</i> The Applicant	Respond to the MoD's concerns raised in their RR [RR-200] and Additional Submission [AS-039] and at the Preliminary Meeting [EV-002] in relation to the ability for them to maintain their operations.	x
SS.1.4	<i>MoD Land</i> The MoD	In the written submission [AS-039] and at the PM [EV-002] it is indicated that there may be a requirement for a closed hearing. Due to the implications for the Examination timetable, the ExA would wish to be notified of any forthcoming request by Deadline 1, Thursday 24 October 2019. Provide a response by the required Deadline.	x

ExQ1: 16 October 2019

Responses due by Deadline 2: Thursday 14 November 2019

ExQ1	Question to:	Question:	
SS.1.5	<i>Construction Effects</i> The Applicant	Large sections of the proposed route would be publicly accessible. In response to concerns raised at the Preliminary Meeting [EV-002], explain what procedures and processes are proposed to ensure the safety of the general public during construction or signpost where in the Application documentation this information can be found.	x
SCOPE OF DEVELOPMENT AND ENVIRONMENTAL IMPACT ASSESSMENT			
EIA.1.1	<i>Design Parameters</i> The Applicant	<p>The Proposed Development includes permanent above ground facilities comprising a pigging compound, valves, a pressure transducer, cathodic protection transformer rectifier cabinets, cathodic protection test posts, industry standard marker posts, colour-coded flight marker posts, installation of a replacement booster pump at Alton Pumping Station and modification of an existing pigging station at the West London Terminal Storage Facility.</p> <p>i) Confirm what design parameters e.g. maximum heights and widths, have been assumed for these elements of the Proposed Development in the assessment of effects and how these relate to design details secured through the draft DCO [AS-059].</p> <p>ii) Confirm how the parameters of the pipeline e.g. wall diameter, wall thickness, and installation depth set out in the ES would be secured through the draft DCO [AS-059].</p>	x

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ExQ1	Question to:	Question:	
EIA.1.2	<i>Permanent Lighting</i> The Applicant	<p>The Proposed Development includes permanent lighting at the proposed pigging compound.</p> <p>Confirm what assumptions have been made on the height, design and hours of operation of such lighting and confirm where this lighting would be secured in the draft DCO [AS-059].</p>	x
EIA.1.3	<i>Working Width</i> The Applicant	<p>Chapter 3 of the ES [APP-043] defines the working width of the pipeline corridor as being 36m where adjacent to Esso's existing pipeline, 30m where the replacement pipeline moves away from the existing pipeline, and a greater (undefined) width where geology requires.</p> <p>Confirm what these geological requirements are, what would be the maximum working width of corridor that would be required as a result, whether these would be contained within the Order Limits and whether a worst-case assessment of potential environmental effects relating to this issue is presented in the ES.</p>	x
EIA.1.4	<i>Logistic Hubs</i> The Applicant	<p>The construction of the Proposed Development includes logistics hubs and temporary construction compounds with office, welfare and security facilities.</p> <p>Confirm the maximum sizes and heights for structures as assessed in the ES and confirm how</p>	x

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ExQ1	Question to:	Question:	
		these parameters relevant to the worst-case assessment in the ES would be secured through the draft DCO.	
EIA.1.5	<i>Trench Backfilling</i> The Applicant	<p>Chapter 3 of the ES [APP-043] states that after pipe laying the trench would be backfilled with subsoil arisings and compacted. At paragraph 3.4.70 a commitment is made to the restoration of existing sub surface drainage, such as field drains, and the loosening of sub soil. However, these measures are not reflected in the REAC [APP-056] or CoCP [APP-128].</p> <p>Clarify how measures to render the pipeline corridor suitable for agricultural purposes or the reinstatement of planting following completion of construction would be secured, with reference to the draft DCO, the REAC and CoCP.</p>	x
EIA.1.6	<i>Decommissioning the Existing Pipeline</i> The Applicant	<p>Noting that decommissioning of the existing pipeline has not been identified as an "other development" for the purposes of the ES cumulative assessment [APP-055], [APP-125] and [APP-127], confirm the following:</p> <p>v) ES Chapter 3 [APP-043] explains that "an appropriate decommissioning strategy" would be implemented for the existing pipeline. a) When is such a strategy likely to be implemented and is there any potential that this could overlap temporally with the Proposed Development; and b) If</p>	x

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ExQ1	Question to:	Question:	
		vi) the existing pipeline would be left in situ what types of impact are likely to occur from its decommissioning; and In light of the Applicant's answers to a) and b) above, whether there is any potential for decommissioning of the existing pipeline to result in cumulative effects together with the Proposed Development	
EIA.1.7	<i>Cumulative Effects</i> All Relevant Planning Authorities	i) Comment on the long list of other developments that have the potential to lead to inter-project cumulative effects at Appendix 15.1 of the ES [APP-125]. ii) Confirm that potential inter-project cumulative effects have been fully assessed in the ES.	SCC The Long List refers only to Planning Permission SP/12/01132/SCC which relates to the development of a quarry on land at Manor Farm, from which the extracted mineral would be transported by conveyor to the nearby Queen Mary Quarry for processing. No reference is made to the permitted Homers Farm quarry at West Bedfont (Planning Permission SP/14/00141/SCC and Planning Application SP19/01476/SCC), for which the current application seeks an extension of time for mineral working and restoration to 30 September 2024 (it is assumed in Chapter 11 of the ES that the mineral working would be completed before the pipeline installation commences). For the Manor Farm Quarry Appendix 15.2 to the ES includes an assessment of the potential for inter-project cumulative effects. No such assessment is provided in respect of the Homers Farm quarry site, and it is recommended that such an assessment be provided in light of the

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ExQ1	Question to:	Question:	
			proposed extension of time for the quarry (Planning Application SP19/01476/SCC)
EIA.1.8	<i>Cumulative Effects</i> All Interested Parties	Confirm the ES [APP-055] to [APP-127] and the HRA report [APP-130] and [APP-131] have adequately assessed the cumulative or in-combination effects that could arise from other development, plans and projects along the proposed route.	<p>See comments for question EIA 1.7 in respect of minerals sites and inter-project cumulative effects as covered in the ES.</p> <p>For the HRA, review of Appendix E (In-Combination Assessment) indicates that account has been taken of the proposed Garden Village at Longcross and the associated provision of a SANG on land at Chertsey Common. It is noted that the reference to planning ref. RU.17/0793 (Longcross South, Chertsey) on page 115 of Appendix E indicates that permission has been granted (a date of 2014 is referenced) – that is not the case as planning ref. RU.17/0793 relates to an EIA Scoping Opinion that was adopted in respect of the proposed development in 2017. The confusion may have arisen due to the associated Longcross North development, which covers land to the north of the M3 motorway, was granted planning permission in 2014 under reference RU.13/0856. To date we are not aware that an application has been submitted to Runnymede BC for the Longcross South scheme.</p> <p>Review of Appendix E to the HRA also revealed that no reference is made to the adopted Surrey Waste Plan or the emerging Surrey Waste Local Plan (for which the EiP hearings stage has recently been completed). The adopted Plan and the emerging Plan both allocate an area of land off Kitsmead Lane at Longcross, immediately to the east of the proposed Longcross Garden Village site, for waste related development. Both</p>

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ExQ1	Question to:	Question:	
			the adopted SWP and the emerging SWLP have been subject to plan level HRA, which concluded in each case that no significant impacts were likely in respect of the Chobham Common SSSI component of the Thames Basin Heaths SPA and the Thursley, Ash, Pirbright & Chobham SAC. For completeness Appendix E to the HRA should take account of the SWP and the SWLP.
EIA.1.9	<i>Carbon Assessments</i> The Applicant	<ul style="list-style-type: none">i) Explain how the carbon assessment has informed the ES including the assessment of effects on people and communities. The assessment of greenhouse gas (GHG) emissions is focussed solely on CO₂ and no explanation is given as to why other GHG emissions are not considered. Can the Applicant explain why impacts to climate from other GHGs associated with the Proposed Development are not assessed in the ES.ii) Explain the information source used to provide the values given for tonnes of CO₂ so that it can be understood how these values have been derived.iii) Explain the relevance of the use of 2017 CO₂ emissions values in the assessment and how the results of the assessment relate to the UK Carbon Budgets (for both construction and operation of the Proposed Development), which are based on 1990 emissions. Please explain how the results may be affected by the 2019 update on progress against the Carbon Budgets and	X

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ExQ1	Question to:	Question:	
		the commitment made to net-zero carbon emissions.	
EIA.1.10	<i>Methodology of Carbon Assessments</i> The Applicant	Explain the methodology used to determine the significance of effects applied to the carbon emissions assessment.	X
EIA.1.11	<i>Works 2A to 2O</i> The Applicant	With reference to the 'indicative' locations of Works 2A and 2O, explain whether a situation could arise where the final location of these works would result in a likely significant effect beyond that which has been assessed in the ES.	X
EIA.1.12	<i>Works 2A to 2O</i> The Applicant	<p>Works 2A to 2O states that the respective areas for valves and associated works are located at indicative points on the respective Works Plans [AS-046], [AS-047] and [AS-048].</p> <ul style="list-style-type: none"> i) Clarify whether such indicative locations will be defined. ii) Explain the maximum dimensions that have been assumed for these Works. iii) Clarify if these maximum dimensions are or should be secured in the draft DCO [AS-059]. 	X
EIA.1.13	<i>Works 3A to 3C</i> The Applicant	Works 3A to 3C states that the respective above-ground installation and pipework, valves and vessels at the existing compounds are located at indicative points on the respective Works Plans [AS-046], [AS-	X

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ExQ1	Question to:	Question:	
		<p>047] and [AS-048]. Chapter 3 of the ES [APP-043] indicates that permanent lighting will be required at Work 3A; however, there is no mention of this in the draft DCO [AS-059].</p> <ul style="list-style-type: none"> i) Clarify whether such indicative locations will be defined. ii) Explain the maximum dimensions that have been assumed for these Works. iii) Clarify if these maximum dimensions are or should be secured in the draft DCO [AS-059]. iv) Confirm whether permanent lighting would be required and if so, make an additional Requirement for it. 	
EIA.1.14	<p><i>Works 4A to 4AE and 5A to 5T</i></p> <p>The Applicant</p>	<p>Works 4A to 4AE and 5A to 5T states that the respective areas for temporary compounds are located at indicative points on the respective Works Plans [AS-046], [AS-047] and [AS-048].</p> <ul style="list-style-type: none"> i) Clarify whether such indicative locations will be defined. ii) Explain the maximum dimensions that have been assumed of these works. iii) Clarify if these maximum dimensions are or should be secured in the draft DCO [AS-059]. 	X
EIA.1.15	<p><i>Works 6A to 6C and 7A to 7C</i></p> <p>The Applicant</p>	<p>Works 6A to 6C and 7A to 7C states that the respective areas for the temporary logistics and construction materials storage hubs are located at</p>	X

ExQ1: 16 October 2019

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ExQ1	Question to:	Question:	
		<p>indicative points on the respective Works Plans [AS-046], [AS-047], and [AS-048].</p> <ul style="list-style-type: none"> i) Clarify whether such indicative locations will be defined. ii) Explain the maximum dimensions that have been assumed of these works. iii) Clarify if these maximum dimensions are or should be secured in the draft DCO [AS-059]. iv) Detail how long the proposed hubs would be in place for and how their removal would be secured by the draft DCO. 	
EIA.1.16	<p><i>Works 8A to 8CY, 9A to 9AV, 10A to 10J and 11A to 11E</i></p> <p>The Applicant</p>	<p>Clarify that Works 8A to 8CY, 9A to 9AV, 10A to 10J and 11A to 11E state that the respective areas for permanent construction accesses are all defined by 'indicative' locations shown on the Works Plans [AS-046], [AS-047] and [AS-048].</p> <p>Clarify whether such indicative locations are contained within the Order Limits.</p>	X
TRAFFIC AND TRANSPORT			
TT.1.1	<p><i>Construction Traffic Management Plan</i></p> <p>The Applicant</p>	<p>Requirement 7 of the draft DCO [AS-059] requires the submission and approval of a Construction Traffic Management Plan (CTMP) in accordance with the REAC which is contained within Chapter 16 of the ES [APP-056]. Although the Applicant relies on the measures contained within the CTMP to mitigate transport effects, no outline document is before the Examination.</p>	<p>It is usual practice for Heads of Terms of CTMP's to be submitted and agreed prior to the determination of a development proposal, whether that be the subject of a planning application or a DCO. SCC would therefore expect at least a generic version to be agreed as part of the DCO. At the moment, there is no confidence that the measures would be capable</p>

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ExQ1	Question to:	Question:	
		<ul style="list-style-type: none"> i) Justify the approach that no outline submission is before the ExA, particularly as it must be approved by numerous relevant Highway and Planning authorities. ii) Explain how the ExA and relevant planning authorities can be satisfied and take any confidence that its measures would be capable of adequately mitigating traffic matters. iii) Provide an Outline CTMP, listing measures that would be secured, drawings to be prepared, and detailing consultation that would be undertaken and with whom. iv) If an Outline CTMP is to be provided, explain whether it should form a Certified Document in Schedule 11 of the draft DCO [AS-059] and update accordingly. 	of mitigating the construction traffic impacts. SCC agree with the ExA in respect of iii)
TT.1.2	<i>Construction Traffic Management Plan</i> All Relevant Highway and Planning Authorities	Comment on the absence of an Outline CTMP in the Examination and whether it is agreed that such a document can be submitted as part of the discharge of Requirement 7 of the draft DCO [AS-059].	Please see above – ie SCC would expect an outline CTMP as required in iii) above.
TT.1.3	<i>Removal of Spoil</i> The Applicant	<ul style="list-style-type: none"> i) Confirm whether any vehicle movements associated with the removal of excavated spoil from the pipeline construction corridor, as confirmed by Table 1.2 of Appendix 13.1 [APP-119], have been 	X

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ExQ1	Question to:	Question:	
		<p>allowed for in the assessment of traffic movements during the construction period.</p> <p>ii) Clarify the likely traffic generation that would arise from the removal/ deposition of such waste.</p>	
TT.1.4	<p><i>Study Areas</i> The Applicant</p> <p>All Relevant Highway and Planning Authorities</p>	<p><u>To the Applicant:</u></p> <p>i) Confirm that the Traffic and Transport assessment study area [APP-135] is established relevant to the locations of the proposed logistics hubs, construction compounds and where works are within roads which are anticipated to exceed four weeks in duration.</p> <p><u>To All Relevant Highway and Planning Authorities:</u></p> <p>i) Explain whether the extent of the study area for this assessment is acceptable.</p>	SCC confirms that the study area is acceptable.
TT.1.5	<p><i>Missing Appendix</i> The Applicant</p>	Provide Appendix 3 (Transport Assessment Scoping Report) to the Transport Assessment [APP-135].	X
TT.1.6	<p><i>Screening process</i> The Applicant</p>	Explain the screening processes undertaken with the relevant Highways Authorities for excluded the locations listed in Appendix 8 [APP-135] from the assessment	X
TT.1.7	<p><i>Road Work Disruption</i> The Applicant</p>	i) With particular reference to Tables A2.1 and A2.2 in the Transport Assessment [APP-135] explain the certainty and levels	X

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ExQ1	Question to:	Question:	
		<p>of sensitivity to the Assessed Locations used throughout the assessment.</p> <p>ii) It is noted in Footnote 1 in Table A2.2 that St. Catherine's Road is assumed to be completed at a slower rate than other urban locations. It is therefore assumed in the scoping exercise missing from Appendix 3 that there has been a similar assessment of all streets and highways that would be affected by the works. If not include the assessment that has been done in response to this question.</p> <p>iii) Confirm an apparent error in Table A2.2 Balmoral Drive column 4 which should read 375 and not 37.</p>	
TT.1.8	<i>Methodology</i> The Applicant	Explain further the methodology outlined in Section 4 of the Transport Assessment [APP-135] with respect to whether the future baseline without the Proposed Development can be considered to represent a realistic worst-case for the assessment of journey times and collisions from traffic management and diversion impacts.	X
TT.1.9	<i>Assumptions on Road Diversions</i> The Applicant	Justify the assumptions made in the assessments contained within the Transport Assessment [APP-135] as stated in paragraph 6.1.1 and used throughout the assessment regarding severe traffic effects and road diversions and explain the apparent discrepancy between Appendix 13.1 [APP-119] and Appendix 13.2 paragraph 1.6.22 [APP-120] in this regard.	X

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ExQ1	Question to:	Question:	
TT.1.10	<i>Construction Activity</i> The Applicant	Explain when the worst-case for construction activity is anticipated to be and how this has been established with respect to the anticipated phasing and duration of the construction works.	X
TT.1.11	<i>Heavily-Trafficked Roads</i> The Applicant and All Relevant Highway and Planning Authorities	<p>Paragraph 1.1.4 of the Planning Statement [APP-132] refers to the selection criteria for when trenchless as opposed to open cut techniques would be used. Amongst other things this includes 'heavily trafficked roads.</p> <p><u>To the Applicant:</u></p> <p>i) Explain the criteria which determined roads which are deemed to be 'heavily trafficked'</p> <p><u>To All relevant Highway and Planning Authorities:</u></p> <p>ii) Confirm the roads selected as being correct.</p> <p>iii) Explain whether additional roads could be defined as 'heavily trafficked' and should benefit from trenchless crossings and if so, why.</p>	<p>ii) Yes, the roads being selected for Trenchless Crossing are the correct ones on SCC's network.</p> <p>iii) SCC does not consider that it can be justified to undertake Trenchless Crossings for other roads on their network.</p>
TT.1.12	<i>Cove Road</i> The Applicant	RR-118 suggests that the change in route for the Cove Road section may have been undertaken for financial rather than technical reasons as it would enable the use of open cut as opposed to trenchless	X

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ExQ1	Question to:	Question:	
		<p>techniques even though this would potentially cause more disruption to road users.</p> <p>Respond.</p>	
TT.1.13	<p><i>Ashford Road and Woodthorpe Road</i></p> <p>The Applicant</p>	<p>With particular reference to both Ashford Road and Woodthorpe Road confirm the following:</p> <ul style="list-style-type: none"> i) How residents, businesses and other users of Ashford Road and Woodthorpe Road would be affected during construction works and over what period of time. ii) The alignment of the Order Limits and the Limits of Deviation. iii) Whether the works would be contained entirely within the carriageway. iv) Whether tree removal is necessary and over what period of time would the trees be removed. v) How on street parking and access arrangements would be managed during construction. 	X
TT.1.14	<p><i>Logistical Hubs</i></p> <p>The Applicant</p>	<p>Table 4.1 of the Planning Statement [APP-132] provides an estimate of the average number of two-way vehicle movements per working day at each proposed logistics hub.</p> <p>Provide an hourly breakdown.</p>	X

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ExQ1	Question to:	Question:	
TT.1.15	<i>Construction Traffic Routing</i> All Relevant Planning Authorities	i) Comment on the extent to which the local community (including local businesses, schools and farms) might be affected by the construction traffic routeing, diversions and related arrangements as proposed by the Applicant. ii) Comment on the suitability of the local road network for the size, quantity and type of construction traffic which is proposed would use it.	i.) There will be affects upon the local community arising from construction traffic, diversions and related arrangements, but provided these can be properly managed through the Permitting system, to avoid clashes/conflicts with vehicle routing and other works, these will be minimised. If they are not managed through the Permitting system, there is the potential for greater than necessary impact upon local businesses, schools and farms. ii.) SCC does not have any particular concerns over the suitability of the local road network to accommodate anticipated site traffic, provided we're able to coordinate the Applicant's works around other known network impacts.
TT.1.16	<i>Rural Road Network</i> All Relevant Highways Authorities	i) Given the rural nature of the road network on the lower part of the route, comment on whether the road network is capable of taking the volume of traffic and loads proposed and would not be damaged as a result of the use by construction traffic; and ii) Explain who would be responsible for its repair if the road network were to be damaged by construction traffic. iii) Comment on the adequacy of mitigation proposed by the Applicant in the ES.	i) Provided loads do not exceed any weight restrictions in place on the road network there is no reason to believe that the volume of traffic and loads proposed would damage the road network in SCC, provided vehicles are driven appropriately (i.e. not driving on verges/footpaths etc). ii) Should any damage to the road network be identified which had been caused by the Applicant's construction traffic, we would expect that SCC's Highway Contractors would complete any remedial works required and we would

ExQ1	Question to:	Question:	
			<p>recoup any costs incurred during such repairs from the Applicant.</p> <p>iv) Appendix 13.1 : 'Traffic & Transport Technical Note' of the ES does not set out any mitigation.</p> <p>We note the Planning Statement commitment to compile photographic records during route survey and setting out of works and to make detailed records of the roads in the vicinity of the route as well as taking photographic records of features that are likely to be affected by the project. Mitigation measures could follow.</p>
TT.1.17	<i>Access to Properties</i> The Applicant	<p>Explain how, during construction, parking, access (vehicular and pedestrian) for residents, businesses and emergency services would be managed and maintained where the Order Limits run along an existing road. If this information has been provided, signpost where in the Application documents it can be found. Make particular reference to the arrangements for Nash Close, Cove Road, Stake Lane, Brewers Close, Cabrol Road, Ship Lane, Ringwood Road, Balmoral Drive, St Catherine's Road, Frith Hill Road and Canford Drive.</p>	X
TT.1.18	<i>Balmoral Drive Diversion</i> Surrey County Council	<p>In paragraph 3.1.7 of the Transport Assessment [APP-135] and other places in the assessment it is stated by the Applicant that the closure of Balmoral Drive to traffic while works are undertaken and the requirement for a diversion is at the request of the Highway Authority.</p>	<p>Both Esso and Surrey CC agreed early in discussions that it would be better to close the road. It is not possible to achieve the minimum distance to allow traffic to access the road. For a standard road (such as Balmoral Drive) 2.5m would be required and this can't be achieved due</p>

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ExQ1	Question to:	Question:	
		Explain the reasoning for this closure.	<p>to the activities proposed. Also, because Esso are directionally drilling there will be a need to keep the traffic down to an absolute minimum at the junction, and a road closure will mean that only three way, as opposed to 4 way, lights will be required.</p> <p>iii) Appendix 13.1 : 'Traffic & Transport Technical Note' of the ES does not set out any mitigation. We note the Planning Statement commitment to compile photographic records during route survey and setting out of works and to make detailed records of the roads in the vicinity of the route as well as taking photographic records of features that are likely to be affected by the project. Mitigation measures could follow.</p>
TT.1.19	<p><i>Balmoral Drive Diversion</i></p> <p>The Applicant</p>	<p>In paragraph 3.1.8 of the Transport Assessment [APP-135] the Balmoral Drive diversion route is detailed. This omits Field Lane.</p> <p>i) Explain why parts of the assessment only include Buckingham Way and Frimley Green Road and not the whole route.</p> <p>ii) Explain why later tables starting with Table 5.2 have Buckingham Way and Frimley Green Road separate from row entitled Balmoral Drive diversion route.</p>	X
TT.1.20	<p><i>Bus Journey Times</i></p> <p>The Applicant</p>	<p>i) Explain why in Table 4.4 of the Transport Assessment [APP-135] reference is made to change in peak hour journey times, then changes in bus route distance of</p>	x

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ExQ1	Question to:	Question:	
		<p>more than 400 meters is used in the assessment of impact on bus users as set out in paragraph 4.2.9. and outputted into Table 8.9.</p> <p>ii) Explain how in paragraph 10.1.3 at the third bullet point the statement that bus services may experience delays of up to two minutes is evidenced.</p>	

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