

Southampton to London Pipeline Project

Deadline 2

Draft SoCG with The Health and Safety Executive
Application Document: 8.4.33

Planning Inspectorate Reference Number: EN070005

Revision No. 1.0

November 2019





Southampton to London Pipeline Project

Statement of Common Ground Between: Esso Petroleum Company, Limited and The Health and Safety Executive

Date: October 2019

Application Document Reference: B2325300-JAC-000-COE-REP-000415



Signed	
Printed Name	Tim Sunderland
Position	SLP Project Executive
On behalf of	Esso Petroleum Company, Limited
Date	

Signed	
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Position	
On behalf of	Health and Safety Executive
Date	

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1. Introduction

1.1 Purpose of Document

- 1.1.1 A Statement of Common Ground (SoCG) is a written statement produced as part of the Application process for a Development Consent Order (DCO) and is prepared jointly between the applicant for a DCO and another party. It sets out matters of agreement between both parties, as well as matters where there is not an agreement. It also details matters that are under discussion.
- 1.1.2 The aim of a SoCG is to help the Examining Authority manage the Examination Phase of a DCO application. Understanding the status of the matters at hand will allow the Examining Authority to focus their questioning, and provide greater predictability for all participants in examination. A SoCG may be submitted prior to the start of or during Examination, and then updated as necessary or as requested during the Examination Phase.

1.2 Description of the Project

- 1.2.1 Esso Petroleum Company, Limited (Esso) launched its Southampton to London Pipeline Project in December 2017. The project proposes to replace 90km of its 105km aviation fuel pipeline that runs from the Fawley Refinery near Southampton, to the West London Terminal storage facility in Hounslow. In spring 2018, Esso held a non-statutory consultation which helped it to select the preferred corridor for the replacement pipeline. In autumn 2018, it held a statutory consultation on the preferred route for the replacement pipeline. In early 2019, it held a second phase of statutory consultation on design refinements.

1.3 This Statement of Common Ground

- 1.3.1 This SoCG has been prepared jointly by Esso as the applicant and the Health and Safety Executive (HSE) as a prescribed consultee as defined in the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009.
- 1.3.2 For the purpose of this SoCG, Esso and HSE will jointly be referred to as the “Parties”. When referencing HSE alone, it will be referred to as “the Consultee”.
- 1.3.3 Throughout this SoCG:
 - Where a section begins ‘matters agreed’, this sets out matters that have been agreed between the Parties.
 - Where a section begins ‘matters not agreed’, this sets out matters that are not agreed between the Parties.
 - Where a section begins ‘matters subject to ongoing discussion’, this sets out matters that are subject to further negotiation between the Parties.

1.4 Structure of the Statement of Common Ground

- 1.4.1 This SoCG has been structured to reflect matters and topics of relevance to the Consultee in respect of Esso's Southampton to London Pipeline Project.
- Section 2 provides an overview of the engagement to date between the Parties.
 - Section 3 provides a summary of areas that have been agreed.
 - Section 4 provides a record of areas that have not yet been agreed.
 - Section 5 provides a list of ongoing matters (if any) that will be agreed or not agreed by the Parties during examination.
 - Section 6 provides a record of relevant documents and drawings

2. Record of Engagement Undertaken to Date

2.1 Pre-application Engagement and Consultation

2.1.1 The table below sets out the consultation and engagement that has been undertaken between the Parties prior to the submission of the DCO application.

Date	Format	Topic	Discussion Points
04/12/2017	Correspondence	Project introduction	The project sent a letter to the Consultee with: <ul style="list-style-type: none"> Map of current route Project timeline Project introduction
19/03/2018	Correspondence	Launch of non-statutory (Corridor) consultation	The project sent the Consultee a notification of launch letter (as a potential future statutory consultee). The Consultee did not respond to the consultation.
27/06/2018	Correspondence	Initial Working Route	Project update regarding Initial Working Route release.
06/09/2018	Correspondence	Launch of first statutory (Preferred Route) consultation	The project sent the Consultee a notification of launch letter (as a statutory consultee).
19/10/2018	Correspondence	Statutory Consultation Response	The Consultee responded to the Preferred Route consultation. See Appendix A.
19/12/2018	Correspondence	Meeting Preparation	Email providing background to proposed telephone call on 11/01/2019 to discuss major accidents section of the Environmental Statement (ES) and the project's approach to assessment.
11/01/2019	Correspondence	Meeting	Teleconference to introduce the Consultee to the work being undertaken for the ES in relation to major accidents.
18/01/2019	Correspondence	Launch of second statutory (Design Refinements) consultation	The project sent the Consultee a notification of launch letter (as a statutory consultee).
23/01/2019	Correspondence	Statement of Common Ground and Land Use Planning Advice	Email confirming that from a land use planning perspective, HSE would not advise against this project as it is a fuel pipeline and will not attract HSE land use planning zones. HSE also confirm that they will not enter in to a SoCG as this is not part of their regulatory function.

Date	Format	Topic	Discussion Points
19/02/2019 and 22/02/2019	Correspondence	Statutory Consultation Response	The Consultee responded to the Design Refinements consultation. See Appendix B.
27/03/2019	Correspondence	Final route release	The project issued a letter to the Consultee announcing the final route.

2.2 Engagement Following Submission of Application

2.2.1 The table below sets out the consultation and engagement that has been undertaken between the Parties since the submission of the DCO application.

Date	Format	Topic	Discussion Points
04/07/19	Correspondence	Detailed Engineering Timeline	The project emailed the Consultee to provide a high-level summary of the Detailed Engineering Timeline leading to the award of the DCO.

3. Matters Agreed

3.1.1 The table below sets out the matters agreed in relation to different topics.

Examining Authority's Suggested Theme	Topic	Matter agreed
	General	The project and the Consultee have met at appropriate times since the project launch in December 2017. The Consultee is satisfied that the consultation and engagement conducted by the project has been robust and meaningful and in accordance with the requirements of the Planning Act 2008.
	General	The Consultee is satisfied with the approach of consulting on corridors and then a route.
	General	The Consultee is satisfied with the statutory consultation on the pipeline route – both during the Preferred Route and Design Refinements consultation. The project acknowledges the Consultee's consultation responses. The Consultee gave its full opinion and comments regarding the pipeline route in its statutory consultation responses.
	General	The Consultee has no objection to proposed Order Limits and Limits of Deviation that define the proposed pipeline route, as proposed in the project's application for development consent.
	General	The Consultee are satisfied that their concerns regarding the major accident hazard sites and major accident hazard pipelines are being addressed.
	General	The Consultee are satisfied that the Project is not a major accident hazard pipeline.
	General	The Consultee would not advise against the Project as it is a fuel pipeline and will not attract HSE LUP zones.
	General	The Consultee would not advise against this National Significant Infrastructure Project to replace the Southampton to London pipeline.
	General	The project has undertaken an assessment of the vulnerability of the project to an accident at sites categorised and identified by HSE as major accident installations, sites or pipelines.
	General	The Consultee agrees that the pipeline does not constitute a MAHP as defined by the Pipelines Safety Regulations 1996 (PSR) and therefore the Project is not required to inform the

		Copnsultee of the intention to construct, commission and operate the Southampton to London pipeline.
	General	The Project recognises the general requirements of PSR and will design, construct, test, commission and operate the pipeline to current relevant standards.
The extent and severity of hazards on local populations	N/A	The Consultee agrees that the extent and severity of hazards on local populations is not covered by legislation applicable to the Consultees role in accordance with PINs advice note 11.
Other issues related to the interests of the HSE	N/A	HSE not raised comments on this theme.

4. Matters Not Agreed

4.1.1 The table below sets out the matters not agreed in relation to different topics.

Examining Authority's Suggested Theme	Topic	Matter not agreed

5. Matters Subject to On-going Discussion

5.1.1 The table below sets out the matters subject to ongoing discussion.

Examining Authority's Suggested Theme	Topic	Matter subject to ongoing discussion

6. Relevant documents and drawings

6.1 List of relevant documents and drawings

6.1.1 The following is a list of documents and drawings upon which this SoCG is based.

Application Reference	Title	Content	Date
EN070005 Document 6.1	Environmental Statement Non-Technical Summary	Overview of the Environmental Statement	14 May 2019
EN070005 Document 6.2	Environmental Statement	Report of the Environmental Impact Assessment	14 May 2019
EN070005 Document 6.3	Environmental Statement Figures	Illustrative material to support the Environmental Statement	14 May 2019
EN070005 Document 6.4	Environmental Statement Appendices	Additional data and evidence to support the Environmental Statement	14 May 2019
EN070005 Document 7.1	Planning Statement	Assessment of the application against National Policy Statements EN-1 Energy and EN-4 Oil and Gas Pipelines	14 May 2019

A.1 Appendix A

A.1.1 Response to Preferred Route consultation

Thank you for your letter of the 6th September 2018 regarding the above sent to my email account. Please could any further correspondence be sent to the dedicated NSIP email above instead.

HSE's land use planning advice

Will the proposed development fall within any of HSE's consultation distances?

According to HSE's records there are three major accident hazard sites and three major accident hazard pipelines within the proposed location scheme of the pipeline for this nationally significant infrastructure project:

Major accident hazard sites:

1. HSE ref H4652; operated by Igas Energy PLC incorporating Star Energy Ltd
2. HSE ref H0417' operated by SCJ Eurafne Ltd
3. HSE ref H0893; operated by Esso Petroleum Company Ltd, West London Terminal (acknowledging that this is operated by the proposer)

Major accident hazard pipelines:

1. HSE ref 8025; Miltons Farm to Horseil Common
2. HSE ref 8015; Staines bypass to Lalehan
3. HSE ref 80532 Lordswood/Purbrook (P006)

HSE's Land Use Planning advice would be dependent on the local of areas where public may be present and so it is possible that HSE may advise against this proposal.

Hazardous Substance Consent

The presence of hazardous substances on, over or under land at or above set threshold quantities (Controlled Quantities) will probably require Hazardous Substances Consent (HSC) under the Planning (Hazardous Substances) Act 1990 as amended. The substances, alone or when aggregated with others for which HSC is required, and the associated Controlled Quantities, are set out in The Planning (Hazardous Substances) Regulations 2015 as amended.

Hazardous Substances Consent would be required to store or use any of the Named Hazardous Substances or Categories of Substances at or above the controlled quantities set out in schedule 1 of these regulations.

Further information on HSC should be sought from the relevant Hazardous Substances Authority.

Explosive sites

HSE has no comment to make as there are no licensed explosive sites in the vicinity

Pipelines

As the 4 documentation indicates that the pipeline does not constitute a MAHP as defined by the Pipelines Safety Regulations 1996 (PSR), Esso are not required to inform HSE of the intention to construct, commission and operate this pipeline. However, Esso would be expected to recognise the general requirements of PSR and design, construct, test, commission and operate the pipeline to current relevant standard.

Electrical Safety

No comment from a planning perspective.



Please note that any further communication on this project can be sent directly to the HSE designated email account for NSIP application the details of which can be found at the top of this letter for hard copy correspondence should be sent to:

[editor's note: personal details removed]

A.2 Appendix B

A.2.1 Response to Design Refinements consultation

As this is a fuel pipeline and not carrying crude, HSE's updated advice is:

From a land use planning perspective HSE would not advise against this National Significant Infrastructure Programme to replace the Southampton to London pipeline.

As previously commented the pipeline crosses other major accident hazard pipeline routes and consideration should be given to these:

The applicant will be required to liaise with pipeline operators, both major hazard and no-major hazard, to ensure that damage does not occur and that cathodic protection (CP) systems are suitably designed in order to minimise interference with other systems.

[Editor's note: attachment]

Major accident hazard pipelines:

1. HSE ref 8025; Miltons Farm to Horsell Common
2. HSE ref 8015; Staines bypass to Laleham
3. HSE ref 80532 Lordswood / Purbrook (P006)