



Meeting note

Project name	Southampton to London Pipeline Project
File reference	EN070005
Status	Final
Author	The Planning Inspectorate
Date	15 August 2018
Meeting with	Esso Petroleum Company, Limited
Venue	Temple Quay House
Meeting objectives	Project update
Circulation	All attendees

Summary of key points discussed and advice given

Introduction

Esso (the Applicant) and the Planning Inspectorate (the Inspectorate) case team introduced themselves and their respective roles. The Inspectorate outlined its openness policy and ensured those present understood that any issues discussed and advice given would be recorded and placed on the Inspectorate's website under s51 of the Planning Act 2008 (PA2008). It was made clear that any advice given did not constitute legal advice upon which the Applicant (or others) can rely.

Determining the application under s104

The Applicant advised that they consider the proposed development falls under section 14(1)(g) of PA2008 as the construction of a pipe-line other than by a gas transporter. Under the thresholds set out in s21(1) and (2) of PA2008, the Applicant confirmed that the pipeline is a cross-country pipe-line; which, but for s33(1) of PA2008, would require authorisation under the Pipe-lines Act 1962 and; that both ends of the project are within England. The Applicant advised that they consider that the National Policy Statement (NPS) for Overarching Energy (EN-1) and the NPS for Oil and Gas Supply and Storage (EN-4) are relevant to the determination of the project.

It was noted that paragraph 1.8.2 of EN-4 states that the NPS only covers pipelines which transport 'natural gas or oil' and it was discussed whether this covered aviation fuel. The Applicant explained that aviation fuel is a type of hydrocarbon product and that oil is classed as a hydrocarbon product. The Inspectorate advised the Applicant to clearly set out their case for the project being considered in accordance with EN-4 and therefore under s104 of PA2008, although it was noted that EN-4 would still very likely be relevant and important if the project is determined under s105 of PA2008.

Post meeting note: the Applicant considers that the wording in paragraph 2.19.1 of EN-4 clarifies the above:

The gas and oil pipeline networks extend between storage and distribution facilities, and provide an important transport mechanism for natural gas, petrol, gas oil, heating oil, diesel and aviation fuel. Nationally significant pipelines are those described in section 1.8 of this NPS.

The Applicant indicates that they will be proceeding on that basis.

Project update

The Applicant advised that they released their initial working route for the proposed development on 27 June 2018. The Applicant is now developing their preferred route following feedback from their non-statutory consultation and will be consulting on this in their statutory consultation commencing in September 2018. The Applicant advised that there may still be some sub-options at the point of the DCO application being made, but there will be fewer than there are currently as the route is refined.

The Applicant has consulted on their Statement of Community Consultation (SoCC). One local authority suggested the use of social media for the Applicant's consultation. The Applicant has suggested that local authorities use their own social media channels and the Applicant will provide suggested material. The Inspectorate advised there is a risk that responses to the consultation may then be sent to local authorities rather than the Applicant; however, the Applicant explained that they will provide clear contact details for local authorities to include in their social media posts. The Inspectorate advised the Applicant to clearly set out in the Consultation Report how any responses to the draft SoCC have been taken into account.

The Applicant's scoping request was submitted to the Inspectorate on 26 July 2018. The Inspectorate noted that the Applicant's statutory pre-application consultation would start soon after the Applicant is due to receive the scoping opinion and queried whether the Applicant would be able to take any scoping responses into account in the Preliminary Environmental Information Report (PEIR). The Applicant advised that they are aware of the risk and are holding workshops with key consultees to the scoping report in advance of the statutory consultation so that they can raise any concerns they may have with the scoping report. They have also asked consultees to send a copy of any response they send to the Inspectorate to the Applicant at the same time.

The Inspectorate advised that there is no specific guidance on the drafting of PEIR but some guidance is included within [Advice Note Seven](#) and in DCLG's guidance on the pre-application process. The Inspectorate commented that the Applicant may wish to consider, whether it would be helpful to provide information on the proposed mitigation and design they are relying on for conclusions of no likely significant effects, where presented in the PEIR, as part of information that is reasonably required for the consultation bodies to develop an informed view of the likely significant environmental effects of the development.

The Applicant advised that there may be some targeted consultation after the statutory consultation period as information became available after the cut-off date for preparation of the consultation material. The Applicant is preparing for this.

The Applicant advised that there are currently 4650 plots of land in the Book of Reference. There are approximately 100 plots of open space land. The Applicant advised that there may be two different definitions of open space in the DCO application due to the different definitions in the Act and the NPS. The Inspectorate asked the Applicant to consider whether this was necessary.

The Applicant advised that they will be drafting Statements of Common Ground (SoCG) with the local authorities and key environmental bodies. The Applicant enquired whether they would be expected to complete SoCGs with parish councils. The Inspectorate advised that, if the application is accepted for Examination, this would be at the discretion of the Examining Authority.

AoB

The Applicant advised that they intend to submit a draft Development Consent Order and Explanatory Memorandum to the Inspectorate for review. The Inspectorate advised that it is useful to also submit some example draft Works Plans. The Inspectorate requested that the Applicant highlight in a cover letter any key issues they would like the Inspectorate to look at. The Inspectorate advised the Applicant to give at least three weeks' notice of submission of draft documents and to allow six weeks in their programme for the Inspectorate to provide comments.