

Southampton to London Pipeline Project

Deadline 4

Responses to ExA's Further Written Questions -
General Questions (GQ)

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**Southampton to London Pipeline Project
Response to the Examining Authority's Further Written Questions –
General Questions (GQ)**



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1 Response to the Examining Authority's Further Written Questions – General Questions (GQ)

Table 1.1: Applicant response to Question

ExQ2	Question:	Applicant response to Question:
GQ.2.1	<p>In its written responses to D3 [REP3-012] and [REP3-013], the Applicant stated that a substantially more informative Outline CEMP and CoCP would be submitted at D4.</p> <p>Amongst other responses, Surrey Heath Borough Council, Spelthorne Borough Council and Runnymede Borough Council in their joint D3 response [REP3-044] state that a Construction Method Statement (CMS) would need to be submitted for their specific “hotspot” sites in their respective</p>	<p>1.1 In answer to i) and ii), the Applicant has prepared construction methodologies that explain how works would be undertaken in woodland, schools and other land use types (Document Reference 6.4 Appendix 16.1 (3)). These are applicable for the whole of the proposed pipeline route and provide details on how construction would occur in each of these locations. These would be secured through the Code of Construction Practice (CoCP) with the latest version provided at Deadline 4, (Document Reference 6.4 Appendix 16.1 (3)).</p> <p>1.2 In addition, the Applicant has prepared Site Specific Plans for ‘hotspot’ areas (Document Reference 8.57 – 8.63). These have been prepared for sites where there are a number of sensitive features and receptors present that would need to be taken into account when determining the final alignment of the pipeline and deciding on specific construction working arrangements at that site.</p> <p>1.3 In answer to iii), the Applicant has reviewed the response from Rushmoor Borough Council (REP3-039). The sensitive sites listed in the introduction are covered by either a construction methodology (Document Reference 6.4 Appendix 16.1 (3)) for example for schools and playing fields or a Site Specific Plan (Document Reference 8.57 and 8.60), for Queen Elizabeth Park and Southwood Country Park. The content list set out in (REP3-039) has been considered by the Applicant when developing the Site Specific Plans. In relation to the specific sections set out in (REP3-039):</p> <ul style="list-style-type: none"> <i>Introduction:</i> The Site Specific Plans describe the location and the proposed areas of works. The Site Specific Plans do not include a description of the ecological impacts, as these are documented in Environmental Statement Chapter 7 (Application Document APP-047). The



ExQ2	Question:	Applicant response to Question:
	<p>areas which would need to deal with a number of matters. This document, they say, could be a standalone document or be appended to the updated Outline CEMP or CoCP to be submitted at D4.</p> <p>i) Confirm that CMS(s) will be submitted and if so, for some or all of the proposed pipeline route.</p> <p>ii) If not, how will those matters be addressed in the updated Outline CEMP or CoCP.</p> <p>iii) Explain whether the updated Outline CEMP will cover the matters raised by Rushmoor Borough Council in its D3 submission [REP3-039].</p> <p>iv) Provide a response to Surrey Heath</p>	<p>ES concluded that the project is not likely to result re would be no significant effects on ecology (see Table 7.48).</p> <ul style="list-style-type: none"> • <i>Programme:</i> The Site Specific Plans contain details about programme phases that would be expected to occur. It also talks about the other constraints that would be considered when developing the programme, for example ecological seasonal constraints. • <i>Design:</i> In addition to the narrow working locations being shown on the works plans and described within the CoCP, the Site Specific Plans contain details about the narrow working at the site specific locations. The Outline CEMP contains details of the further surveys that would be undertaken on the project as a whole. The Applicant considers that as the builder and operator of the proposed pipeline, it needs to be responsible for the final alignment of the pipeline at each location. The final routing will need to take into account safe construction methods and operational requirements, for example distance from the existing pipeline or other services. However, the Applicant will continue its engagement with the relevant planning authorities to explain the chosen construction methodology and how the refinement of the final route will be chosen. The Applicant is not intending to seek agreement from the relevant planning authorities on the final alignment due to the liability associated with this decision. • <i>Drainage and hydrology:</i> The Outline Water Management Plan (WMP) sets out the measures that the Applicant proposes for managing temporary construction drainage; hydrological flow; pollution risks; and silt egress during construction. The Outline WMP includes the installation of stanks to reduce the risk of changes to groundwater flow as a result of the pipeline construction and operation and also setting buffers around watercourses taking into account sensitive features. The Site Specific Plans with waterbodies contain details as to how these would be managed.



ExQ2	Question:	Applicant response to Question:
	<p>Borough Council's D3 submission [REP3-047] that the Outline CEMP should also include a Soil Handling Management Plan and Pollution Incident Control Plan.</p> <p>v) Confirm or provide an Outline Noise Management Plan (NMP) as part of the Outline CEMP at D4.</p>	<ul style="list-style-type: none"> • <i>Implementation:</i> The CEMP and associated appendices set out how general commitments made in Esso's Register of Environmental Actions and Commitments (REAC) will apply across the project. • <i>Enforcement:</i> The CoCP will be certified during the examination process (requirement 5). The Outline CEMP (including associated appendices) and Outline LEMP will also be certified during examination (requirement 6 and 12 respectively). The final CEMP and LEMP will need to be in accordance with the Outline CEMP and LEMP and would be issued to the relevant planning authorities for approval. • <i>Supporting provisions:</i> The Applicant has reviewed the supporting provisions proposed within (REP3-039) and has the following responses: <ul style="list-style-type: none"> ➢ <i>A new DCO Requirement on tree and hedgerow protection:</i> The Applicant considers this to be addressed by the Outline LEMP. ➢ <i>Additional provisions in Requirement 7: Construction traffic:</i> The Applicant has amended the requirement to include wording about the highways authorities consulting the relevant planning authorities on the Construction Traffic Management Plan (CTMP). The Outline CTMP sets out the proposed measures to reduce impacts on local roads during the works. ➢ <i>New DCO Requirement on the Provision of Suitable Alternative Natural Green Space (SANG).</i> The Applicant considers the project to have a short term temporary impact on SANG (Habitats Regulation Assessment (HRA) Report (Application Documents APP-130 and APP-131)) therefore it does not consider the need to provide new or alternative SANG as part of the project. ➢ <i>A new requirement to secure investigation protection, mitigation and short medium and long term management to alleviate impacts on protected and priority habitats and species:</i> The Applicant considers the measures set out and secured within the CoCP and the relevant European Protected Species (EPS) licences cover the scope of this requirement.



ExQ2	Question:	Applicant response to Question:
		<p>The ES has concluded that with the measures set out in the CoCP and within the EPS licences that there would be no significant effects on priority habitats and species.</p> <ul style="list-style-type: none"> ➤ <i>A new requirement to secure migration for and long term management of sporting facilities.</i> The Applicant is in discussion with the relevant landowners over the reinstatement of sporting facilities through the negotiations on the land agreements. Measures for reinstatement of sporting facilities are also set out within the Outline LEMP. Therefore, the Applicant does not consider a new requirement to be required. <p>1.4 In answer to iv), the Outline CEMP (Application Document APP-129) contained a list of appendices that would be prepared prior to construction. These included a Soil Management Plan and an Emergency Action Plan. In response to the comments raised during Examination, the Applicant has further populated the Outline CEMP (Document Reference 8.51) and associated appendices.</p> <p>1.5 The Applicant has produced an Outline Soil Management (Document Reference Appendix F 8.51), which contains details of how soil would be handled during construction, in line with Surrey Heath Borough Council's suggestion of producing a Soil Handling Plan. The Applicant has called it an Outline Soil Management Plan, as the scope is broader than just handling soil and includes how soil would be stored and managed.</p> <p>1.6 The Applicant has produced an Emergency Action Plan (Document Reference Appendix A 8.51) to document how a pollution event would be managed if it was to occur. The Applicant considers this document to cover the same function as the Pollution Incident Control Plan referenced in the Surrey Heath Brough Council's submission (REP3-047).</p> <p>1.7 In answer to v) and Outline Noise and Vibration Management Plan has been prepared by the Applicant and is submitted at Deadline 4 (Document Reference Appendix E 8.51).</p>



ExQ2	Question:	Applicant response to Question:
GQ.2.2	<p>Chapter 10 of the Environmental Statement (ES) [APP-050], and as illustrated by the Applicant in its response to ExA WQs [REP2-045] and [REP2-046], states that as a worst- case scenario, all trees and vegetation would be removed within the Order limits except where the good practice measures set out in Table 10.13 and reduced working widths identified within the Register of Environmental Actions and Commitments (REAC), which is contained within Chapter 16 of the ES [APP-056] dictates otherwise. At the ISH on Tuesday 3 December 2019 [EV-009a] and [EV-</p>	<p>1.1 First, the Applicant would note that its “worst-case scenario” approach to environmental impact assessment is appropriate and in accordance with standard practice. In this regard, the Annex to the Inspectorate’s Advice Note 7 confirms that: <i>“The Applicant should ensure that a parameter-based assessment considers the worst case scenario which the Proposed Development could have (in terms of environmental impacts) to ensure that it is robustly assessed. This approach is generally consistent with the Rochdale Envelope principle (see R v Rochdale MBC ex parte Tew (1999) and R v Rochdale MBC ex parte Milne (2000)) which is a way of dealing with uncertainty in preparing development applications.”</i> The Applicant therefore stands by its approach to the assessment and considers that there is a fundamental distinction between the assessment of effects, on the one hand, and mitigation for those effects, on the other. The Landscape Ecological Management Plan (LEMP) is concerned with the latter.</p> <p>1.2 In response to i), the Applicant has produced an Outline LEMP (Document Reference 8.50) to provide further detail about the commitments it has made with regards to vegetation retention, protection and reinstatement. The Outline LEMP provides samples of the reinstatement figures (Appendix B) at two locations based on an indicative pipeline alignment, to show the level of detail that would be included in the final LEMP. The final LEMP including the final reinstatement figures, would be submitted to the relevant planning authorities for approval. The Applicant has also provided examples of the retention and removal figures (Document Reference 8.66), which would be submitted to the relevant planning authorities for information.</p> <p>1.3 The sample figures, using the indicative alignment of the pipeline route, demonstrate the Applicant’s intention that not all vegetation within the Order Limits would need to be removed. However, until a final pipeline alignment is developed, the Applicant cannot confirm exactly which vegetation and trees would be affected. The Applicant requires the flexibility to determine the final pipeline alignment and has sought appropriate powers (article 6: limits of deviation) to reflect this.</p> <p>1.4 In response to i and ii), the Applicant has responded to the concerns raised at the ISH about specific locations by producing Site Specific Plans for key locations. These currently comprise</p>



ExQ2	Question:	Applicant response to Question:
	<p>009b], the ExA stated that it considered this approach too general and vague, and it failed to acknowledge that the proposed pipeline route deviated through some sensitive locations, which the Applicant described as “hotspot” sites. Rushmoor Borough Council’s position as expressed at the Hearing considers that the worst-case scenario particularly at the “hotspot” sites would be unacceptable in planning terms.</p> <p>“Hotspot” sites were identified as being: Tweseldown Racecourse; Southwood Country Park and Cove Brook; Queen Elizabeth Country Park; Frith Hill;</p>	<p>Southwood Country Park and Cove Brook, Queen Elizabeth Country Park, Turf Hill and Fordbridge Park. The Applicant is also preparing a Site Specific plan for Ashford Town Centre at the request of Spelthorne Borough Council, in a meeting on 14 January 2020. This will be submitted to the Examining Authority at Deadline 5 in the examination timetable. The Site Specific Plans will include key constraints relevant to the design and construction of each site, using information obtained through site surveys.</p> <p>1.5 The Site Specific Plans set out in more detail how the Applicant intends to install the pipeline at each of these locations. The Site Specific Plans also show the vegetation and trees that are likely to be affected during installation and how the Applicant is proposing to reinstate each site. The Site Specific Plan have been submitted at Deadline 4 (Document Reference 8.57 to 8.63)</p> <p>1.6 The Outline LEMP (Document Reference 8.50) is structured so that it sits alongside the Code of Construction Practice (Document Reference 6.4 Appendix 16.1 (3)) and the Outline CEMP (Document Reference 8.51), as shown on Illustration 1.1 in the CoCP. The CoCP contains the commitments for the embedded design measures, narrow working and trenchless crossings, all of which would avoid or reduce the impacts of construction on natural habitats and open spaces.</p> <p>1.7 The Outline LEMP structure is based on the proposed contents list provided by South Downs National Park Authority (SDNPA) in REP3-061. The Applicant considers that most of the items in the contents list have been set out in the Outline LEMP at this stage. Where details cannot be provided at this stage, a note is added to explain that this information would be provided in the final LEMP submitted to the relevant planning authorities for approval.</p> <p>1.8 The only part of the contents list provided by the SDNPA (REP3-061) that the Applicant has not addressed in the Outline LEMP is Section 7, covering operational mitigation measures and the appendix containing the vegetation retention and removal drawings. In terms of the operational mitigation measures, good practice measures in relation to light, noise, dust, spoil and soil storage (set out in Section 7 of REP3-061) are all covered within the Outline CEMP (Document Reference 8.51) and are therefore not duplicated in the Outline LEMP. Commitments in relation</p>



ExQ2	Question:	Applicant response to Question:
	<p>Turf Hill; Fordbridge Park and Chobham Common.</p> <p>Accordingly, the ExA stated that the submission of a comprehensive and detailed Outline LEMP was necessary to assess the specific effects and mitigation necessary specifically for the identified “hotspot” areas. The Applicant stated that it would comply with this request and would submit such documents at D4, 30 January 2020. In anticipation of the submission of the Outline LEMP:</p> <p>i) Indicate here briefly, how the Outline LEMP will address the concerns raised by the Examining Authority</p>	<p>to invasive non-native species are included in the Outline LEMP. Samples of the Vegetation Retention and Removal Plans are provided as a separate document to the Outline LEMP, as these would be submitted to the relevant planning authority for information only.</p> <p>1.9 The Outline LEMP contains the good practice measures that the Applicant has made in relation to vegetation (including trees) retention, protection, removal and reinstatement. It also outlines how the measures would be secured and funded.</p> <p>1.10 Rushmoor Borough Council (REP3-042) requests the Outline LEMP to contain an assessment of the impacts on the project on sensitive ecological sites and open spaces. The Applicant does not consider this to be the purpose of the LEMP as this would duplicate the purpose of the Environmental Statement and Habitats Regulation Assessment Report, which perform that function. The purpose of the LEMP is to provide details about how measures identified within the ES would be implemented.</p> <p>1.11 REP3-042 provides a list of ecological and recreational hotspots proposed by the local authorities and these have been considered when developing the list of both the construction methodologies and the Site Specific Plan.</p> <p>1.12 REP3-042 suggests that additional surveys should help inform the findings of the LEMP. The Applicant agrees with this suggestion and a series of surveys are planned prior to construction using methodologies set out in the survey methodology set out in the Scoping Report (Additional Submission AS-019). The ecological survey methodologies have been discussed with Natural England, who has confirmed in the Statement of Common Ground with the Applicant (REP1-005) <i>‘that the scope and methods of the ecological surveys are appropriate’</i>.</p> <p>1.13 The Outline CEMP (Document Reference 8.51) provides a list of the locations where the Applicant is intending to undertake further surveys and the results of these surveys would be considered as part of developing both the final CEMP and the final LEMP.</p>



ExQ2	Question:	Applicant response to Question:
	<p>(ExA) and Interested Parties (IPs).</p> <p>ii) Explain whether the Outline LEMP will undertake site specific surveys for those sites identified by the Applicant at ISH as “hotspots”, namely: Queen Elizabeth Country Park; Fordbridge Park; Turf Hill; Chobham Common and Southwood Country Park. If not, why not.</p> <p>iii) Explain whether the Outline LEMP will also undertake site specific surveys for Tweseldown Racecourse and Frith Hill, both of which are extensively tree covered and where open trenching is proposed. If not, why not.</p>	<p>1.14 REP3-042 also suggests that the LEMP should outline how land is secured and measures would be funded. Temporary possession of the land in order to undertake the measures set out within the Outline LEMP would be obtained through the dDCO (article 29). The planting and reinstatement would be funded and undertaken by the Applicant in accordance with the Outline LEMP. The Applicant has also committed to undertaking five-years of aftercare in relation to the planting (Commitment G92 secured within the CoCP and Requirement 8 of the dDCO). At the end of the five years, when planting would be established, it would be handed back to the relevant landowner.</p> <p>1.15 REP3-042 states that the Outline LEMP should provide further details on the Natura 2000 and SSSI network. The Applicant does not agree with this suggestion, as the assessment of impacts on Natura 2000 sites is already provided within the HRA Report (Application Documents APP-130 and APP-131) and the impact on SSSIs is provided in ES Chapter 7 (Application Document APP-047). Both of these documents set out the good practice measures in relation to habitat sites and these are secured as commitments within the CoCP is (Document Reference 6.4 Appendix 16.1 (3)), and are also set out within the Outline LEMP (Document Reference 8.50).</p> <p>1.16 REP3-042 suggests that the Outline LEMP will require a site specific assessment of the impacts on SANGs, including paragraphs 5.8.8 to 5.8.29. The Applicant does not agree with this approach, as the impact assessment on SANGs is covered within the HRA Report (Application Document APP-130).</p> <p>1.17 REP3-042 provides further details as to what the Local Authorities would expect to see in the Site Specific Plan. These details have been considered by the Applicant when developing the Site Specific Plan.</p> <p>1.18 The Applicant has met with some of relevant planning authorities to discuss the contents of the LEMP and will undertake further discussions once the relevant planning authorities have had an</p>



ExQ2	Question:	Applicant response to Question:
	<p>iv) Explain whether the Outline LEMP will cover the matters and sites specifically raised by Rushmoor Borough Council, Spelthorne Borough Council, Surrey Heath Borough Council and Runnymede Borough Council in their joint response at D3 [REP3-042] and by SDNPA [REP3-061] in respect to the Outline LEMP.</p>	<p>opportunity to fully review and comment on the Outline LEMP and other documents submitted by the Applicant at Deadline 4.</p> <p>1.19 The Applicant is not intending to produce a Site Specific Plan for Chobham Common, as the information about the construction method and reinstatement is provided within the Habitats Regulation Assessment (HRA) Report (Application Document APP-130 and APP-131).</p> <p>1.20 In answer to iii), the Applicant is not intending to undertake site specific surveys for Tweseldown Racecourse as the Order Limits do not impact any trees within this area. The Order Limits do cross a small woodland belt to the north of Tweseldown but this is already subjected to Narrow Working (NW11) following discussions with Natural England and the local Wildlife Trust. The narrow working is secured in Annex A of the CoCP (Document Reference 6.4 Appendix 16.1 (3)).</p> <p>1.21 The Applicant is not intending to undertake site specific surveys for Frith Hill, a military training ground owned and operated by the Ministry of Defence, as the Order Limits are subject to Narrow Working and the Applicant has committed to utilising the existing Frith Hill Road within its working area. The Applicant has also reached agreement with the MOD's ecology and forestry advisers on reinstatement which would include a number of measures to improve the biodiversity and training value of the woodland. This is being taken forward as part of the separate Environmental Improvement Programme.</p> <p>1.22 In response to iv, the answers provided above explain whether the Outline LEMP covers the matters and sites raised by Rushmoor Borough Council, Spelthorne Borough Council, Surrey Heath Borough Council and Runnymede Borough Council in their joint response at D3 (REP3-042) and by SDNPA (REP3-061) in respect to the Outline LEMP. As stated above, the Outline LEMP based on the contents list provided by SDNPA at Deadline 3 (REP3-061) and has broadly covered the scope that they suggested should be included.</p>



ExQ2	Question:	Applicant response to Question:
		<p>1.23 As outlined above, REP3-042 provides a list of ecological and recreational hotspots proposed by the local authorities and these have been considered when developing the list of both the construction methodologies and the site-specific plans.</p>
<p>GQ.2.3</p>	<p>It is clear from ExA WQ TT.1.2 [PD-008] and the various relevant responses that there is concern over the lack of a detailed Construction Traffic Management Plan (CTMP). In addition, at the Issue Specific Hearings on 27 November [EV-006b], 3 December [EV-009a] and [EV-009b] and 4 December [EV-010a] and [EV-010b], the ExA stated that it considered that the REAC [APP-056] and [REP2-010], is insufficient to understand the effects of the Proposed Development on traffic management and accordingly, an Outline</p>	<p>1.1 The Applicant confirms that it is submitting an Outline Construction Traffic Management Plan (CTMP) as part of the Deadline 4 submission (Document Reference 8.49). At this stage, it is important to acknowledge the outline nature of the CTMP, recognising that it would be finalised in detail prior to construction of the project commencing and in agreement with the local highway authorities.</p> <p>1.2 In response to i), the Outline CTMP sets out the Applicant's proposals to manage construction traffic and management of general traffic and Public Rights of Way that may be impacted by the project.</p> <p>1.3 In response to ii), the Outline CTMP addresses the concerns raised by Spelthorne Borough Council and Highways England. It was developed in such a way as to be the basis for a finalised CTMP, once one or more contractors are appointed. This will enable the document to reflect the agreed approach with highway authorities and detailed construction methods. While it does not set out assumptions used for the project, it identifies where project assumptions used to date can be found.</p> <p>1.4 The Outline CTMP is based upon relevant commitments, which are listed and cross-referenced throughout the document to demonstrate where they are addressed and developed. The Outline CTMP includes how the Applicant would work to national standards and guidance to complete the construction of the project within the public highway, including outlining how this would include engagement with blue light services. In its Local Impact Report (REP1-021), Spelthorne Borough Council requested that several items be added to Requirement 7 of the draft DCO. All these items are addressed in the Outline CTMP and, where necessary, would be further developed in the finalised CTMP, and so an amendment to the requirement is not necessary.</p>



ExQ2	Question:	Applicant response to Question:
	<p>CTMP would be needed. The Applicant stated that it would comply with these requests and would submit such a document at D4, 30 January 2020.</p> <p>i) Indicate here briefly, how the Outline CTMP addresses the concerns raised by the ExA and IPs.</p> <p>ii) Respond to the comments made by Spelthorne Borough Council [REP3-045] and Highways England [REP3-034] in respect to the content of the Outline CTMP and also the wording of Requirement 7 of the dDCO [REP3-006].</p>	



ExQ2	Question:	Applicant response to Question:
GQ.2.4	<p>The ExA notes the submission at D3 of Alignment Sheets of Narrow Working Width(s) [REP3-023], [REP3-024] and [REP3-025] which are intended to illustrate areas within the Order Limits of where NWW be deployed.</p> <p>i) Confirm whether the watermark “PROVISIONAL” indicates that the shown NWW are preferred areas only, and it may ultimately be realigned elsewhere in the Order limits when constructed.</p> <p>ii) That being the case, what is the purpose of the plans if they cannot be certified.</p>	<p>1.1 7. In response to i), the Applicant confirms that all narrow working areas are only provisional (in terms of their position but not their width). Because the narrow working width could be located anywhere within the Order Limits it is difficult to visually represent the lateral extent of narrow working on the Alignment Sheets. Therefore the narrow working width is shown in an illustrative preferred location based upon a provisional pipeline alignment. The lateral location of this narrow working width could be located elsewhere and the definitive criteria for narrow working are set out in Annex A of the COCP.</p> <p>1.2 In response to ii), the Applicant has provided the plans for information only, at a greater, more detailed scale than the DCO plans. The Applicant will be moving into the detail design phase of the works should the DCO be granted and the Alignment Sheets have been produced at this early stage to help inform the ExA and are also being used as part of the Invitation to Tender which the Applicant is in the process of negotiating with the contracting industry.</p> <p>1.3 In response to iii), the Applicant has not reduced the Limits of Deviation for the following reasons:</p> <ul style="list-style-type: none"> • There may be unknown buried obstructions which negate the ability to route the pipeline in the location assumed on the narrow working area. • Ecological constraints such as badger setts may require the narrow working route to be revised. <p>1.4 In other words, it is the width rather than the location within the Limits of Deviation that is being committed to, with a potential alignment being shown on the Alignment Sheets.</p>



ExQ2	Question:	Applicant response to Question:
	<p>iii) If this is not the case, and the areas of NWW as shown in the Alignment Sheets of Narrow Working Width(s) document are precise, explain why the Limits of Deviation has not been narrowed to the NWW area.</p>	
<p>GQ.2.5</p>	<p>The ExA notes the submission at Deadline 3 of Crossing Plans [REP3-026] which are intended to illustrate some provisional detail of trenchless crossings. Explain how in the case of the plan relating to TC039 the possible bailey bridge solution noted on the plans for the pre-welded pipe stringing to cross Buxton Road and the access road to HMP</p>	<p>1.1 The draft DCO (Document Reference 3.1(5)) includes powers to construct a range of further works in connection with the numbered works described in Schedule 1 of the draft DCO (Document Reference 3.1(5)). This includes <i>inter alia</i> a power to carry out works to alter the layout of streets (Schedule 1, lettered work (e)) and to carry out “<i>such other works ... as may be necessary or expedient for the purposes of, or for purposes associated with or ancillary to, the construction ... of the authorised development</i>” (Schedule 1, lettered work (q)).</p> <p>1.2 Further, article 9 confers a power upon the Applicant, with the consent of the street authority, to temporarily alter the layout of streets within or outside the Order limits for the purposes of constructing the authorised development. Without limitation to the scope of that power, the Applicant is authorised <i>inter alia</i> to temporarily “<i>alter the level of a street</i>” (article 9(2)(b)).</p> <p>1.3 The Applicant therefore considers that this potential bridge solution is secured and is capable of being delivered within the current drafting of the draft DCO.</p> <p>1.4 The Applicant does, however, recognise that this solution is also likely to require a permit from Surrey County Council under its permit scheme – in fact, article 9 of the draft DCO submitted at Deadline 4 now confirms that the power conferred by that article does not apply where the</p>



ExQ2	Question:	Applicant response to Question:
	<p>Bronzefield could be secured and delivered within the current drafting of the dDCO [REP3-006].</p>	<p>Applicant is carrying out activities pursuant to a permit granted under the scheme – and would therefore seek to secure an appropriate permit from Surrey County Council at the relevant time.</p>
<p>GQ.2.6</p>	<p>Explain, how the effect of the proposal on farming would be managed with particular reference to:</p> <p>i) Timing of construction works and how this would accommodate the needs of seasonally dependent agricultural operations such as harvesting, sowing, lambing and calving.</p> <p>ii) Disruption to field drainage and water supplies which may require diversion or repair would be managed.</p>	<p>1.1 In response to i), The construction schedule has yet to be developed in detail, as this will be undertaken during the detailed design stage. The Applicant will be liaising very closely with all affected farmers and landowners regarding construction entry dates including detailed pre entry meetings, however, it is unlikely that conflict with seasonally dependent field scale operations or livestock husbandry can be avoided. The Voluntary agreement offered to all Landowners contains extensive compensation provisions in the event of a potential impact to farming activities.</p> <p>1.2 In response to ii), The Applicant refers to the response provided at Deadline 2 (Application Document 8.6.06) FR1.16 and FR.1.26 and also the Code of Construction Practice (Document Reference 6.4 Appendix 16.1 (3)) commitments G82 (“<i>drainage surveys would be undertaken prior to construction</i>”) and G84 (“<i>Existing water supplies for livestock would be identified pre-construction. Where supplies would be lost or access compromised by construction works, temporary alternative supplies would be provided. Water supplies would be re-instated following construction</i>”). In addition, the voluntary agreement, offered to landowners, contains the following working methods that the applicant is required to follow:</p> <ul style="list-style-type: none"> • “So far as is reasonably practicable, that the Applicant will ensure that the minimum of damage and disturbance to land drains and natural drainage is caused in the exercise of the Rights”. • “The Company will be responsible for reinstating all land drains existing immediately before the Construction Works or Maintenance Works and which have been damaged in the exercise of the Rights and in particular the Company will where the interest of the drainage



ExQ2	Question:	Applicant response to Question:
	<p>iii) The measures that would be proposed to minimise compaction of soil due to tracking of vehicles and where compaction would occur what reinstatement measures are proposed.</p> <p>iv) The measures that would be proposed to deal with the effect of the Proposed Development on commitments made by farmers/landowners etc with regard to agri-environment schemes.</p> <p>v) The measures that would be proposed to reduce the risk of disease transmission and transfer of invasive weeds associated with vehicle movements</p>	<p><i>of the land will best be served lay the Pipeline underneath the land drains which it is necessary to cross and of the existence of which the Company shall have knowledge. All land drains cut or disturbed during the excavation will be strawed and prominently and durably marked at suitable positions adjacent to the trench immediately following their location and their locations will be shown in a drainage log of which a copy will be furnished to the Grantor and copy to the occupier. The methods to be employed in reinstating the field drainage system will be agreed with the occupier or the Grantor (whichever may be the responsible party) and will include the laying of header drains in advance of the main works where agreed to be necessary or failing agreement where recommended by an expert acceptable to the parties. Where drainage works are required only skilled agricultural drainers will be employed”.</i></p> <ul style="list-style-type: none"> • <i>“The Company will ensure that the efficiency of any land drainage systems or natural drainage interfered with in the exercise of the Rights is not impaired”.</i> <p>1.3 In response to iii), Due to the onward moving nature of pipe laying there is not a great deal of repeat trafficking by heavy vehicles over the same area of ground, subsequently compaction is not a particular issue for this project. In addition the ground pressure from tracked plant is often less than the wheeled vehicles used in agriculture.</p> <p>1.4 The Applicant has set out the measures proposed to reduce impacts on soil in the Outline Soil Management Plan provided at Deadline 4. This includes measures to reduce compaction of soil and also how compacted soil would be reinstated. Furthermore, in the voluntary agreement offered to all landowners the Applicant identifies that;</p> <ul style="list-style-type: none"> • <i>Where relevant, as part of any Construction Works or Maintenance Works, the top soil will be stripped from the area of the Working Strip except from such parts of the Working Strip as may be agreed with the occupier and such parts as will be used for the temporary storage of the topsoil itself. All topsoil excavated from any trench or Working Strip area will be kept apart from all other excavated material, suitably managed to suppress weeds and will not be</i>



ExQ2	Question:	Applicant response to Question:
	<p>along access tracks and within the Order limits.</p> <p>vi) How would field boundaries be secured during construction.</p> <p>vii) Where in the dDCO [REP3-006] or control documents would these measures be secured.</p> <p>OR signpost where in the application documentation this information can be found.</p>	<p><i>run over by any machinery. Unless otherwise agreed the top 305 millimetres or a greater depth not exceeding 610 millimetres as required by the occupier of subsoil will be loosened with an agricultural cultivator before the replacement of any top soil removed. Agricultural land will be reinstated to a condition as nearly as possible equivalent to that subsisting before the commencement of the works and free of introduced litter of any kind and reasonably practicable steps will be taken so that top soil will be left in a loose friable and workable condition to its original full depth over the whole Working Strip.</i></p> <p>1.5 In response to iv), The Applicant refers to its response provided at Deadline 2 (REP2-039) to GQ.1.25 Para 1.7 – 1.8. Further within the voluntary agreement offered to all landowners the Applicant identifies that;</p> <ul style="list-style-type: none"> <i>The Company will pay reasonable compensation for the loss suffered or repayment made of any grants, subsidies or area payments or payments under the Basic Payment Scheme (or any similar or analogous scheme established under domestic legislation) provided that the Grantor has taken all reasonable endeavours to maintain or retain (as appropriate) such grants, subsidies or payments.</i> <p>1.6 In response to v), the Outline Landscape and Ecological Management Plan (Section 4.1) sets out the need for site specific requirements to be identified for works within areas identified with the potential presence of Schedule 9 plant species, other invasive species or of disease such as ash die back. This is accordance with Commitment G42 which states that “<i>The contractor(s) would provide a suitable method statement to set out how identifiable areas with the potential presence of Schedule 9 plant species or other invasive species would be demarcated, and how any affected soils would be appropriately managed throughout the works</i>”. In addition, the voluntary agreement, offered to landowners, contains the following working methods that the applicant is required to follow;</p> <ul style="list-style-type: none"> <i>“Whenever an area has been declared an infected area on account of foot-and-mouth disease fowl pest swine fever or other notifiable disease any work connected with the</i>



ExQ2	Question:	Applicant response to Question:
		<p><i>Pipeline involving entry on the land will be suspended unless there are exceptional circumstances in which case the approval of the Department for Environment, Food and Rural Affairs (Defra) (or successor department) will first be obtained. Nothing in this clause shall prevent the Company entering on the land forthwith and without giving notice or obtaining any approval in order to remedy a breach or leak in the Pipeline following which the Company will observe all Defra's spread-of-disease regulations in force at the time".</i></p> <ul style="list-style-type: none"> • <i>"The Company in conjunction with the owners and occupiers directly affected by the Pipeline operations will take such reasonable precautions as may be necessary to avoid the spreading of notifiable soil borne pests and diseases or other soil borne pests and diseases as may be notified to the Company by the occupier prior to entry. In particular the Company will abide by the guidelines from time to time issued by Defra for precautions against the spread of such pests and diseases".</i> <p>1.7 In response to vi), The Applicant refers to the response provided at Deadline 2 (REP2-050) SS.1.5. In addition, the voluntary agreement, offered to landowners, contains the following working methods that the applicant is required to follow;</p> <ul style="list-style-type: none"> • <i>"The Company will make suitable alternative arrangements for rights of way affected by the exercise of the Rights. Fences lights and barriers will be provided as necessary for the protection of members of the public and animals".</i> • <i>"unless otherwise agreed with the Grantor, the Working Strip and any gaps in the field boundary made by the Company in the exercise of the Rights will be closed by temporary fencing which shall be suitable fencing adequate for the purpose and, if stock is kept in the adjoining field, will be a stock-proof fence".</i> • <i>"unless otherwise agreed with the Grantor, the Working Strip and any gaps in the field boundary made by the Company in the exercise of the Rights will be closed by temporary</i>



ExQ2	Question:	Applicant response to Question:										
		<p><i>fencing which shall be suitable fencing adequate for the purpose and, if stock is kept in the adjoining field, will be a stock-proof fence”.</i></p> <p>1.8 In response to vii), The Applicant refers to the signposting set out above to the previous responses and also how these same issues are mitigated in the terms of the Voluntary Agreements</p>										
<p>GQ.2.7</p>	<p>Provide a brief update on the progress on other consents, licences and agreements (other than s106) and an indicative timescale for when the Applicant hopes to have these agreed. Including but not limited to:</p> <p>i) Crossing Agreements referred to in National Grids D2 response [REP2- 072/073].</p> <p>ii) the technical and business clearances referred to in Network Rails D2 response [REP2- 075].</p>	<p>1.1 The Applicant is continuing to seek agreement on other consents, agreements and licences required for the project. As mentioned in the table appended to answer GQ.1.11, letters of no impediment have been obtained from Natural England for all licences required from them except for a bat licence, which cannot be prepared until detailed design is undertaken (an approach that Natural England endorses).</p> <p>1.2 In answer to (i), the Applicant does not agree with National Grid that separate crossing agreements are needed. The dDCO and protective provisions schedule it contains provide a framework for dealing with interactions and so further crossing agreements are unnecessary. The Applicant awaits National Grid's response on this issue.</p> <p>1.3 In answer to (ii), the Applicant has received all the necessary technical clearances, as follows:</p> <table border="1" data-bbox="752 981 2072 1335"> <thead> <tr> <th data-bbox="752 981 1393 1066">Trenchless crossing reference and location</th> <th data-bbox="1393 981 2072 1066">Clearance obtained on</th> </tr> </thead> <tbody> <tr> <td data-bbox="752 1066 1393 1134">TC008 Alton</td> <td data-bbox="1393 1066 2072 1134">29 Aug 2019</td> </tr> <tr> <td data-bbox="752 1134 1393 1203">TC015 Nash Close</td> <td data-bbox="1393 1134 2072 1203">12 Sep 2019</td> </tr> <tr> <td data-bbox="752 1203 1393 1272">TC020 Blackwater (two crossings)</td> <td data-bbox="1393 1203 2072 1272">12 Sep 2019</td> </tr> <tr> <td data-bbox="752 1272 1393 1335">TC031 Chertsey</td> <td data-bbox="1393 1272 2072 1335">12 Sep 2019</td> </tr> </tbody> </table>	Trenchless crossing reference and location	Clearance obtained on	TC008 Alton	29 Aug 2019	TC015 Nash Close	12 Sep 2019	TC020 Blackwater (two crossings)	12 Sep 2019	TC031 Chertsey	12 Sep 2019
Trenchless crossing reference and location	Clearance obtained on											
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TC031 Chertsey	12 Sep 2019											



ExQ2	Question:	Applicant response to Question:							
	<p>iii) the Environment Agency in their D2 response [REP2-065].</p>	<table border="1"> <tr> <td data-bbox="757 363 1395 432">TC041 Ashford</td> <td data-bbox="1395 363 2074 432">12 Sep 2019</td> </tr> <tr> <td data-bbox="757 432 1395 501">TC016, TC017, TC018 Farnborough</td> <td data-bbox="1395 432 2074 501">3 Dec 2019</td> </tr> <tr> <td data-bbox="757 501 1395 568">Trial trenching at Station Road, Ashford</td> <td data-bbox="1395 501 2074 568">3 Dec 2019</td> </tr> </table>	TC041 Ashford	12 Sep 2019	TC016, TC017, TC018 Farnborough	3 Dec 2019	Trial trenching at Station Road, Ashford	3 Dec 2019	<p>1.4 In answer to (iii), the status of the issues listed at the Environment Agency's Executive Summary in its D2 response are:</p> <ul style="list-style-type: none"> • Cove Brook Flood Storage Area – this is confirmed; • River Thames Scheme – discussions on going; • DCO – discussions on going with the aim of reaching acceptable protective provisions; • Flood Risk concerns – the Applicant believes these to be resolved; • Fisheries issue – site meeting taking place on 30 January; • Water Framework Directive – data received from the Environment Agency on 27 January 2020 being assessed; and • Groundwater, hydrology, contamination – discussions on going.
TC041 Ashford	12 Sep 2019								
TC016, TC017, TC018 Farnborough	3 Dec 2019								
Trial trenching at Station Road, Ashford	3 Dec 2019								
<p>GQ.2.8</p>	<p>The draft Statement of Common Ground (dSoCG) submitted by the Applicant [REP2-035] is different from the dSoCG submitted by Surrey Heath Borough</p>	<p>1.1 The Applicant has been working with Surrey Heath Borough Council to complete and agree a Statement of Common Ground (SOCG).</p> <p>1.2 In the run up to Deadline 2, the Applicant shared an updated draft of the SOCG on 14 November 2019 with its lead contact at the council.</p>							



ExQ2	Question:	Applicant response to Question:
	<p>Council [REP2-094]. It is assumed work is in progress to sign a final SoCG. The ExA requests an explanation as to why these documents dated the same month are different and which one represents the current position.</p>	<p>1.3 However, later that day the council responded to say that they were not in agreement that this reflected their understanding of the position. The council provided a revised draft of the SOCG, based on a previous version, but unfortunately this was not acceptable to the Applicant.</p> <p>1.4 The Applicant explained to the council that, in this instance, the Applicant would make it clear in the Statement of Commonality that the draft SOCG reflected its understanding only and that the Applicant would continue to work on the SOCG to resolve the concerns that the council have.</p> <p>1.5 The Council clearly wanted the Examining Authority to be aware of its view on the document and submitted it directly.</p> <p>1.6 The Applicant has met the Council on two occasions since the Examination Hearings – on the 9 December 2019 and 23 January 2020 – to progress an agreed draft of the SOCG which the Applicant aims to submit at Deadline 5.</p>
<p>GQ.2.9</p>	<p>The Access and Public Rights of Way Plans [AS-055] sheet 36 appears to be missing from the submitted set.</p> <p>Submit sheet 36.</p>	<p>1.1 Sheet 36 is provided as an Appendix below (Appendix GQ.2.9.1).</p>

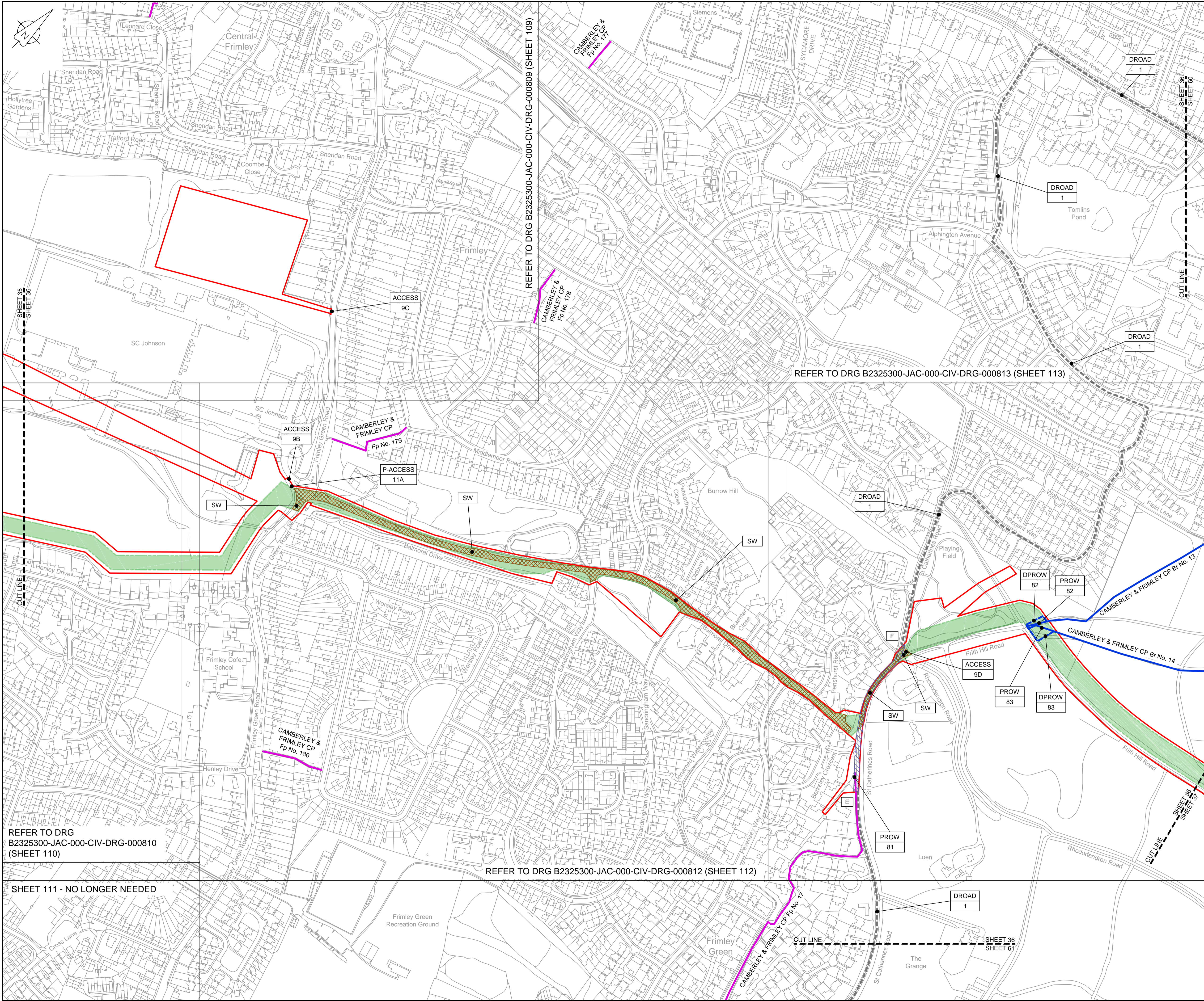


ExQ2	Question:	Applicant response to Question:
GQ.2.10	<p>At the ISH held on Tuesday 3 December [EV-009a] and [EV-009b], the Applicant confirmed that site works, and the temporary construction compounds were required for a period of up to two years. The Applicant's response to Action Point 18 [REP3-013] also confirmed that work within SANGs and within Queen Elizabeth Country Park would not extend for more than two years.</p> <p>Signpost and confirm where and how this is secured in the dDCO [REP3-006].</p>	<p>1.2 The two-year limitation on construction works applies to works within the Suitable Alternative Natural Greenspaces and Queen Elizabeth Country Park. It is not a general limitation which applies to construction works across the whole of the route of the authorised development.</p> <p>1.3 The Applicant proposes that this two-year limitation would be contained in the Code of Construction Practice (CoCP) and this has now been added to the revised version of the CoCP submitted at Deadline 4, (Document Reference 6.4 Appendix 16.1 (3)).</p> <p>1.4 Compliance with the CoCP is secured by Requirement 5 of the draft DCO (Document Reference 3.1 (5)).</p>



2 Appendix

Appendix GQ.2.9.1: Access and Right of Way Plan - Sheet 36



LOCATION PLAN
SCALE 1:500,000

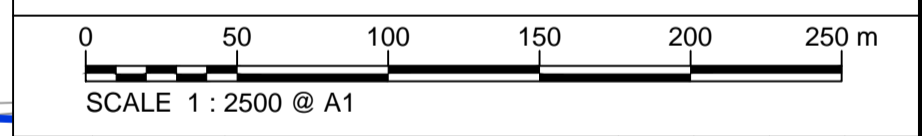
NOTES
1. THIS DRAWING IS IN METRES UNLESS STATED OTHERWISE.

LEGEND

	ORDER LIMITS
	LIMITS OF DEVIATION
	STREET WORKS (SW)
	ROAD/PROW TO BE STOPPED UP
	PROW BYWAY
	PROW BYWAY - TEMPORARY DIVERSION
	PROW RESTRICTED BYWAY
	PROW FOOTPATH
	PROW FOOTPATH - TEMPORARY DIVERSION
	PROW BRIDLEWAY
	PROW BRIDLEWAY - TEMPORARY DIVERSION
	TEMPORARY ROAD DIVERSION

	DESCRIPTION
	ID or WORK NUMBER (if applicable)
	PUBLIC RIGHT OF WAY
	DIVERSION OF PUBLIC RIGHT OF WAY
	DIVERSION OF ROAD
	TEMPORARY CONSTRUCTION ACCESS
	PERMANENT ACCESS
	ROAD/PROW STOPPING UP POINT

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C01	09/05/19	DCO SUBMISSION	DS	JA	ND	PH
C02	09/09/19	SHEETS 10, 11 AND 54 REVISED TO WITHDRAW A2b SUB-OPTION	BT	JA	ND	NJ
Rev	Rev. Date	Purpose of revision	Drawn	Checked	Rev'd	Appr'd

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Client: Esso Petroleum Company, Limited
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Project: Southampton to London Pipeline Project

Drawing title
ACCESS & RIGHTS OF WAY PLAN
SHEET 36
REGULATION 5 (2)(K)

Drawing status: **Fit for Stage Approval**

Scale	1:2500	DO NOT SCALE
Jacobs No.	B2325300	Rev
Client no.		C02

Drawing number
B2325300-JAC-000-CIV-DRG-000746

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REFER TO DRG
B2325300-JAC-000-CIV-DRG-000810
(SHEET 110)

SHEET 111 - NO LONGER NEEDED

REFER TO DRG B2325300-JAC-000-CIV-DRG-000812 (SHEET 112)

REFER TO DRG B2325300-JAC-000-CIV-DRG-000813 (SHEET 113)

REFER TO DRG B2325300-JAC-000-CIV-DRG-000809 (SHEET 109)

CAMBERLEY & FRIMLEY CP Fp No. 177

CAMBERLEY & FRIMLEY CP Fp No. 178

CAMBERLEY & FRIMLEY CP Fp No. 180

PROW 81

ACCESS 9D

PROW 83

DPROW 83

ACCESS 9B

PROW 82

DPROW 82

DROAD 1

ACCESS 9A

PROW 82

DPROW 82

DROAD 1

DROAD 1

DROAD 1

DROAD 1

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SHEET 35

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