

Southampton to London Pipeline Project

Deadline 5

Signed SoCG with The Environment Agency
Application Document: 8.4.01

Planning Inspectorate Reference Number: EN070005

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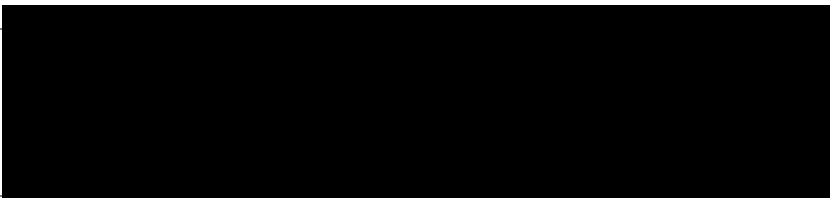
Southampton to London Pipeline Project

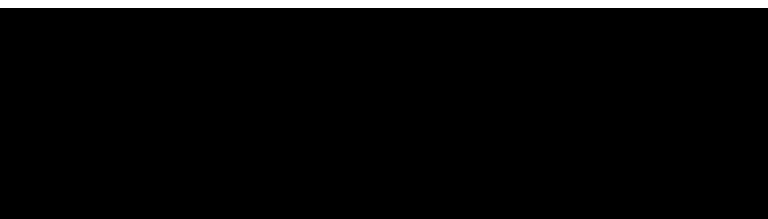
Statement of Common Ground Between: Esso Petroleum Company, Limited and the Environment Agency

Date: February 2020

Application Document Reference:



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Position	Project Executive
On behalf of	Esso Petroleum Company, Limited
Date	12/02/2020

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1. Introduction

1.1 Purpose of Document

1.1.1 A Statement of Common Ground (SoCG) is a written statement prepared jointly by the applicant for a Development Consent Order (DCO) and another party. It sets out matters of agreement between both parties, as well as matters where there is not an agreement and matters which are under discussion.

1.1.2 The aim of SoCGs is to provide a clear record of the issues discussed and the stage each issue is at during the discussion. The SoCG can be used as evidence of these discussions in representations to the Planning Inspectorate as part of their examination of the DCO application.

1.2 Description of the Project

1.2.1 Esso Petroleum Company, Limited launched the Southampton to London Pipeline Project late in 2017. The project proposes to replace 90km of the 105km aviation fuel pipeline that runs from the Fawley Refinery near Southampton, to the West London Terminal storage facility in Hounslow. Esso recently completed the public consultation on their preferred route for the replacement pipeline. This was the project's second public consultation.

1.2.2 More information can be found on our website [www.slppproject.co.uk].

1.3 This Statement of Common Ground

1.3.1 This SoCG has been prepared in respect of the scheme by Esso Petroleum Company Limited (Esso) as the Applicant, and the Environment Agency as a prescribed consultee.

1.3.2 Esso is a brand of ExxonMobil, which has operated in the UK for over 120 years. In the early days ExxonMobil imported high quality lamp oil to the UK market. Today their focus on quality fuels remains, but operations are far more extensive. Esso owns and operates the UK's largest refinery at Fawley, which provides fuel for more than 800,000 retail customers every day at Esso-branded service stations. An underground distribution pipeline network transports fuel from Fawley to Esso's fuel terminals at Avonmouth, Birmingham, Hythe, Purfleet, West London and also for use at the UK's busiest airports.

1.3.3 The Environment Agency is an executive non-departmental public body, sponsored by the Department for Environment, Food and Rural Affairs with the stated purpose "to protect or enhance the environment, taken as a whole". Within England it is responsible for:

- Regulating major industry and waste;



- Treatment of contaminated land;
- Water quality and resources;
- Fisheries;
- Conservation and ecology; and
- Managing the risk of flooding from Main Rivers, reservoirs, estuaries and the sea.

1.3.4 Throughout this SoCG:

- Where a section begins 'matters agreed', this sets out matters that have been specifically agreed between the Environment Agency and Esso.
- Where a section begins 'matters not agreed', this sets out matters that are not agreed between the Environment Agency and Esso.
- Where a section begins 'matters subject to ongoing discussion', this sets out matters that are subject to further negotiation between the Environment Agency and Esso.

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 Environment Agency in respect of the Southampton to London Pipeline Project.

- Section 2 provides an overview of the engagement to date between the Environment Agency and Esso.
- 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 note of matters which are subject to ongoing discussion.
- 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 that has been undertaken between Esso and the Environment Agency prior to the submission of the DCO application.

Date	Format	Topic	Discussion Points
04/12/2017	Letter	Project launch	Esso's Project Executive wrote to the Environment Agency to launch the project.
11/12/2017	Letter	Project launch	Esso's Project Executive wrote to the Environment Agency to introduce the project's Land Agents, Fisher German.
07/02/2018	Workshop	Project overview	Attended by Environment Agency Principal Planning Officer, Solent and South Downs Area, with others in attendance: <ul style="list-style-type: none"> • Scheme overview • Environmental constraints • Timescales and future engagement
19/03/2018	Letter	Corridor Consultation launch	Esso's Project Executive wrote to the Environment Agency to launch the corridor consultation.
27/03/2018	Information Sharing	Person with Interest in Land	Environment Agency's Estates Officer, completed a Person with Interest in Land questionnaire on behalf of the Environment Agency.
09/04/2018	Meeting	Groundwater/ Land quality/ Water quality	Environment Agency's Strategic Planning Specialist (Thames), Principal Planning Officer (Solent and South Downs Area), and three other EA officers: <ul style="list-style-type: none"> • Route optioneering • Pipeline construction and integrity • Scoping and survey strategy • Data requests • EIA approach • Environment Agency role going forward
25/04/2018	Letter	Environmental Survey Strategy	The Environment Agency wrote to Esso to provide detailed advice on the project's survey strategy. In addition, the EA stated that they were satisfied with the approach being taken to avoid sensitive groundwater

Date	Format	Topic	Discussion Points
			receptors whilst acknowledging that this would not be possible in all areas.
02/05/2018	Email	Ground investigation locations	The project sent the EA's Strategic Planning Specialist (Thames) and Principal Planning Officer (Solent and South Downs Area) draft proposed Ground Investigation locations covering all proposed corridors, by email for comment.
09/05/2018	Email	Ground investigation locations	EA replied to the email dated 02/05/2019 with a series of queries.
17/05/2018	Meeting	Surface water/ Flood risk/ Water Framework Directive	<p>Attended by the EA's Strategic Planning Specialist (Thames), Principal Planning Officer (Solent and South Downs Area) and five other EA officers:</p> <ul style="list-style-type: none"> • Project update • Data request • Survey strategy • Scoping • River Thames Scheme • Flood risk and surface water quality • Geomorphology, Water Framework Directive and Aquatic Ecology • Watercourse crossings
25/05/2018	Letter	Response to Route Corridor Consultation	<p>EA wrote to respond to the Corridor Consultation:</p> <ul style="list-style-type: none"> • Corridor preference • Key issues
30/05/2018	Letter	Preferred corridor announcement	Esso's Land and Pipeline Technical Lead wrote to the Environment Agency to announce the preferred corridor.
14/06/2018	Workshop	Initial Working Route Announcement	<p>Attended by EA's Principal Planning Officer (Solent and South Downs Area) with other organisations in attendance:</p> <ul style="list-style-type: none"> • Consultation feedback • Scoping • Initial Working Route • Cumulative effects with Heathrow Expansion • Survey methodology • Watercourse crossings • Ground investigation works

Date	Format	Topic	Discussion Points
			<ul style="list-style-type: none"> Water Framework Directive Assessment
27/06/2018	Letter	Initial Working Route	Esso's Land and Pipeline Technical Lead wrote to the Environment Agency to announce the Initial Working Route.
02/07/2018	Email	Ground investigation locations	The project sent EA responses to the queries received 09/05/2019.
09/07/2018	Meeting	Land quality and groundwater	<p>Attended by the EA's Strategic Planning Specialist (Thames)), Principal Planning Officer (Solent and South Downs Area) and Groundwater, Hydrology & Contaminated Land Technical Specialist (Thames):</p> <ul style="list-style-type: none"> Project update Data request Pipeline design, integrity and monitoring Land quality Groundwater – presentation of assessment approaches for water supplies and Groundwater Dependent Terrestrial Ecosystems (GWDTE)
23/07/2018	Email	Ground investigation locations	The EA provided detailed comments on the draft GI locations to reply to the project emails dated 02/05/2018 and 02/07/2018.
26/07/2018	Email	Scoping	The project emailed the EA's Strategic Planning Specialist (Thames) and Principal Planning Officer (Solent and South Downs Area) the submitted EIA Scoping Report, requested comment, and invited the EA to Scoping Workshops in August 2018.
24/08/2018	Consultation response	Response to Planning Inspectorate Scoping Consultation	<p>Environment Agency's consultation response to the Scoping consultation, provided via the Planning Inspectorate:</p> <ul style="list-style-type: none"> Route Construction techniques Ecology Flood risk Groundwater Habitat Regulations Assessment
24/08/2018	Email	Ground investigation locations	Project responded to the EA response dated 23/07/2018.

Date	Format	Topic	Discussion Points
31/08/2018	Teleconference	Land quality	Phone call between the project and Rob Devonshire, EA Thames Region permitting team, to discuss: <ul style="list-style-type: none"> • Thames region permitting • Authorised and historic landfills • Mineral waste permitting
06/09/2018	Letter	Preferred route consultation launch	Esso's Land and Pipeline Technical Lead wrote to the Environment Agency to launch the Preferred Route Statutory Consultation.
06/09/2018	Meeting	Water Framework Directive/ Geomorphology/ Aquatic ecology	Attended by the EA's Strategic Planning Specialist (Thames), Principal Planning Officer (Solent and South Downs Area), the Fisheries & Biodiversity Officer (Thames), and Planning Advisor (Solent & South Downs): <ul style="list-style-type: none"> • Project update • Data request • Scoping Opinion • Surface water • Construction methodology • Aquatic ecology • Geomorphology
12/09/2018	Meeting	Flood Risk Assessment	Attended by EA's Strategic Planning Specialist (Thames) and Technical Specialist – Flood Risk Assessment (Thames): <ul style="list-style-type: none"> • Project update • Scoping Opinion • Flood Risk Assessment (FRA) methodology
18/09/2018	Email	Ground investigation locations	EA provided advice to respond to project email dated 24/08/2019.
16/10/2018	Consultation response	Response to preferred route consultation	<ul style="list-style-type: none"> • Crossing techniques • Biodiversity • Flood risk
11/10/2018	Meeting	River Thames Scheme	Meeting attended by SLP project with two EA staff and two EA-appointed consultants, to discuss routeing of and interactions between the SLP and RTS projects.
19/11/2018	Meeting	Herts & North London area	Attended by EA's Strategic Planning Specialist (Thames) and five other EA officers:

Date	Format	Topic	Discussion Points
			<ul style="list-style-type: none"> • Land quality and groundwater - presentation of dewatering assessment methodology at river crossing points • Aquatic ecology and geomorphology • FRA
24/01/2019	Meeting	Flood Risk Assessment	<p>Attended by Strategic Planning Specialist (Thames) and two other EA officers: Draft FRA Report contents and conclusions:</p> <ul style="list-style-type: none"> • Programme for Environment Agency pre-application review of Draft FRA Report • FRA approach and assessment criteria • Potential effects and proposed mitigation • Floodplain storage • Design refinements • Role of Lead Local Flood Authorities <p>Also discussed:</p> <ul style="list-style-type: none"> • Protected provisions • Biodiversity enhancement
11/02/2019	Meeting	Thames FAS	Meeting with Brett Aggregates and the EA re. any interaction with Thames Flood Alleviation Scheme (FAS).
14/02/2019	Consultation response	Response to design refinement consultation	<ul style="list-style-type: none"> • Construction methodology • Permitted landfills and regulated facilities • Temporary logistics hubs
Feb – May 2019	Correspondence	Land interests, Draft DCO and Protective provisions	Various correspondence between SLP and the EA in relation to land interests, the Draft Development Consent Order and Protective provisions.
20/03/2019	E-mail	Two areas of EA land interest	E-mail from SLP project to EA with two areas of EA land interest.
28/03/2019	Correspondence	Final route release	The project issued a letter to the EA announcing the final route and offering a meeting if required.

Date	Format	Topic	Discussion Points
29/03/2019	Letter	FRA update meeting, Cove Brook FSA	Letter from EA's Strategic Planning Specialist (Thames): <ul style="list-style-type: none"> Agreed the minutes of FRA meeting 24/01/2019; Comments on proposal to cross Cove Brook Flood Storage Area (FSA), including crossing method and storage of materials.
03/04/2019	Consultation response	Response to Draft FRA	Email from EA's Strategic Planning Specialist (Thames) with comments on the Draft FRA, including: <ul style="list-style-type: none"> Specific flood risk comments; Fisheries and biodiversity.
02/05/2019	Site visit	Cove Brook FSA	Site visit to Cove Brook FSA for project team with two EA officers to discuss issues arising from the proposed crossing of the FSA and embankment dam.
13/05/2019	E-mail	EA land interest issues	E-mail from EA to SLP project responding to EA land interest issues.

2.2 Engagement Following Submission of Application

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

Date	Format	Topic	Discussion Points
19/06/2019	E-mail	Borehole drilling query for Littleton Lane	E-mail from SLP project to EA with borehole drilling query for Littleton Lane, Shepperton, Brett Aggregates (landfill) site.
12/07/2019	Letter	Permit variation	Letter (ref: WA/2019/126850/01-L01) from EA to SLP Project. Permit variation yet to be agreed between EA and operator (CQA Plan not agreed).
29/07/2019	Meeting	Relevant Representations, Statement of Common Ground	Meeting to discuss EA comments on the Application and SOCG.
16/08/2019	Meeting	River Thames Scheme interaction meeting	Representatives for EA, Esso and Bretts Aggregates regarding River Thames Scheme interaction.

Date	Format	Topic	Discussion Points
19/09/2019	Meeting	Relevant Representations, Statement of Common Ground	Meeting to discuss EA comments on the Application and progress a SOCG, including: <ul style="list-style-type: none"> • Cove Brook Flood Storage Area • River Thames Scheme • Legal matters • Flood risk • Groundwater and land contamination, including active landfill permitting • Biodiversity and fisheries
11/10/2019	Email	Minutes of Meeting and SoCG	Email – SLP project to EA: Minutes of 19 September 2019 meeting, six Technical Notes and the draft SoCG.
4/11/2019	Telephone call	Protective Provisions	Call by the EA to SLP project. Legal discussions surrounding the protective provisions within the draft DCO.
13/11/2019	Letter	Protective Provisions	Environment Agency's proposed amendments to the protective provisions within the draft DCO.
29/11/2019	Meeting	Flood risk and Biodiversity	Meeting to discuss the following flood risk issues: <ul style="list-style-type: none"> • Cove Brook • Stockpiles in high risk areas • Compounds in Flood Zone 3 Also, to discuss watercourses where fish may be present.
12/12/2019	Meeting	Water Framework Directive	Meeting to provide final clarification on the Water Framework Directive.
27/01/2020, 29/01/2020	Emails	SOCG, Water Framework Directive	Emails relating to the draft SOCG. EA also supplied data on non-Heavily Modified Water Bodies (HMWB) mitigation measures to the project for consideration.
30/01/2020	Site visit	Fish	Site visit and meeting at five locations where the project crosses watercourses where fish may be present.
11/02/2020	Conference call	Protective provisions	Call to discuss outstanding matters relating to protective provisions.
13/02/2020	Conference call	Flood risks	Call to discuss outstanding matters relating to flood risks.
14/02/2020	Meeting	Landfill permitting	Future planned meeting to discuss landfill permitting with the EA and a landfill operator along the route.

2.2.2 Although not considered to be an examination issue, the Parties will continue to engage on the voluntary Environmental Investment Programme and intend for the broad scope of this programme to be agreed shortly.

3. Matters Agreed

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

Examining Authority's suggested theme	Ref	Topic	Matter agreed
Development Consent Order	EA-DCO-01	Route	That, when considering all factors, the selection of the final pipeline Order Limits are appropriate.
Water environment effects, including flood risk and effects on flood alleviation and storage schemes, watercourses and waterbodies, and drainage matters	EA-WEE-01	Watercourse crossings	That the Environment Agency has had the opportunity to influence decisions regarding watercourse crossing techniques.
Water environment effects	EA-WEE-02	Watercourse crossings	That the Environment Agency agrees with the Project's proposals to use trenchless crossing techniques at the Ford Lake Stream, River Wey, Basingstoke Canal SSSI, River Blackwater, Cove Brook, Halebourne, River Thames, Queen Mary Reservoir Intake Canal, Staines Reservoir Aqueduct, and also at the Chertsey Bourne and River Ash.
Water environment effects	EA-WEE-03	Watercourse crossings	That the commitment to only utilise a 10m width when crossing through boundaries between fields where these include hedgerows, trees or watercourses (O1) is appropriate.
Flood Risk Assessment	EA-FRA-01	Cove Brook Flood Storage Area	That the Environment Agency agrees with the Project's decision to use trenchless crossing techniques to cross the dam at the Cove Brook Flood Storage Area, and that agreement will be required on the detailed proposals prior to construction.
Flood Risk Assessment	EA-FRA-02	Flood Risk Assessment – climate change	Following the changes to the number and location of logistics hubs, the EA are

			satisfied that there are no outstanding concerns relating to the treatment of climate change in the assessment for fluvial and pluvial flood risk during construction.
Flood Risk Assessment	EA-FRA-03	Flood Risks – impacts	That the operational phase of the development will have no impact on fluvial flood risk.
Flood Risk Assessment	EA-FRA-04	Flood Risks – impacts	That the storage of excavated material and the location of launch and reception pits for trenchless crossings have been located outside of Flood Zone 3 where possible.
Biodiversity and fisheries	EA-BIO-01	Aquatic ecology	<p>That open cut methods for crossing four watercourses would be acceptable, subject to Commitment G171 being amended to:</p> <p>The ditch leading to the tributary of the River Hamble (WCX006) would be subject to constraints between 1st October to 15th May. The tributary of the River Hamble (WCX007) would be subject to constraints from 1st October to 31st December and 15th March to 15th May providing a redd survey is undertaken downstream at the end of December or beginning of January and no redds are found; should redds be found then the full timing restriction of 1st October to 15th May will be required. The Caker Stream (WCX012) and Ryebidge Stream (WCX021) would be subject to constraints between 1st October to 28th February. Any open cut crossing or in-channel works will only take place outside of the stated exclusion period. All dates are inclusive.</p>
Land contamination and groundwater	EA-LCG-01	Groundwater assessment - GWDTEs, Source Protection Zones, Working at depth	That the methodologies used for the prediction and assessment of effects of the project on Groundwater Dependent Terrestrial Ecosystems (GWDTEs), Source Protection Zones and in relation to working at depth, are appropriate.
Enhancement measures	EA-EMS-01	Environmental Investment Programme	That although not considered to be an Examination issue, the Parties will continue to engage on the voluntary Environmental Investment Programme and intend for the broad scope of this programme to be agreed shortly.



<p>Land contamination and groundwater including source protection zones, groundwater dependent ecosystems, and existing landfill</p>	<p>EA- LCG-02</p>	<p>Groundwater assessment, EIA and Ground Investigations</p>	<p>That the groundwater assessments and ground investigations have been provided to the satisfaction of the Environment Agency.</p>
<p>The effectiveness of mitigation measures including the content of the Construction Environmental Management Plan, Code of Construction Practice and Register of Environmental Actions and Commitments</p>	<p>EA- MTG-01</p>	<p>Mitigation measures</p>	<p>That the Environment Agency agrees that suitable environmental mitigation measures have been committed to by the project. That the commitments will be secured by DCO Article 5 Code of Construction Practice and Article 6 Outline Construction Environmental Management Plan. That both of these documents have been updated at DCO Deadline 4 to include specific additional commitments requested by the Environment Agency.</p>



4. Matters Not Agreed

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

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	Ref	Topic	Matter subject to ongoing discussion
Water environment effects, including effects on flood alleviation schemes	EA-WEE-02	River Thames Scheme	The interaction between the SLP project and the Environment Agency's River Thames Scheme is subject to ongoing detailed discussions between the Environment Agency and the project.
Flood Risk Assessment	EA-FRA-05	Flood Risk Assessment	EA are still finalising their flood risk comments and cannot confirm agreement with this at this stage.
Biodiversity and fisheries	EA-BIO-01	Aquatic ecology	The SLP project's review of the EA's position on the timing constraints for the tributary of Cove Brook (WCX047) is ongoing.
Water Framework Directive compliance	EA-WFD-01	Water Framework Directive Compliance Assessment	EA are finalising their WFD comments and cannot confirm agreement with this at this stage The EA provided data on 27 January 2020 in relation to Water Framework Directive non-HMWB mitigation measures. The project provided a Technical Note to respond on 11 February 2020, which the EA is currently reviewing.
Environmental permits, consents and licences	EA-EPC-01	Permits, consents and protective provisions	Permitting (notably active landfill Permit variation) and protective provisions are still under discussion. A meeting has been booked with all parties on 14 th February 2020 to progress the landfill permitting issue.



			The Applicant would apply for and run the project in compliance with all permits and consents.

6. Relevant documents and drawings

6.1 List of relevant documents and drawings

The following is a list of documents and drawings upon which this Statement of Common Ground is based.

Application Reference	Title	Content	Date
APP-048	Environmental Statement (ES) Chapter 8 Water	Report of the Environmental Statement	14 May 2019
APP-062	Environmental Statement Chapter 8 Figures	Illustrative material to support the Environmental Statement	14 May 2019
APP-102	ES Appendix 8.1 Groundwater Baseline	Additional data and evidence to support the Environmental Statement	14 May 2019
APP-103	ES Appendix 8.2 Detailed Trenchless and Targeted Trench Assessments	Additional data and evidence to support the Environmental Statement	14 May 2019
APP-104	ES Appendix 8.3 Groundwater Dependent Terrestrial Ecosystems	Additional data and evidence to support the Environmental Statement	14 May 2019
APP-105	ES Appendix 8.4 Groundwater Abstraction Assessment	Additional data and evidence to support the Environmental Statement	14 May 2019
APP-106	ES Appendix 8.5 Potential Effects on Groundwater	Additional data and evidence to support the Environmental Statement	14 May 2019
APP-107	ES Appendix 8.6 Water Framework Directive Compliance Assessment	Additional data and evidence to support the Environmental Statement	14 May 2019
APP-134	Flood Risk Assessment	Flood Risk Assessment	14 May 2019
N/A	Technical Note: Environment Agency – Works within Flood Zone 3	Additional information submitted to the Environment Agency to support the SoCG.	October 2019
N/A	Technical Note: Environment Agency – Crossing Assessments	Additional information submitted to the Environment Agency to support the SoCG.	October 2019
N/A	Technical Note: Environment Agency – Source Protection Zone Assessment	Additional information submitted to the Environment Agency to support the SoCG.	October 2019
N/A	Technical Note: Environment Agency – Groundwater Dependent Terrestrial Ecosystems Assessment and Private Supplies	Additional information submitted to the Environment Agency to support the SoCG.	October 2019

Application Reference	Title	Content	Date
N/A	Technical Note: Environment Agency - Fish	Additional information submitted to the Environment Agency to support the SoCG.	October 2019
N/A	Technical Note: Environment Agency – Working at Depth	Additional information submitted to the Environment Agency to support the SoCG.	October 2019
REP2-010	ES Appendix 16.1 Code of Construction Practice	Additional data and evidence to support the Environmental Statement – updated at Deadline 2, including to secure the trenchless crossing of Cove Brook Flood Storage Area	November 2019
REP2-012	Deadline 2 Submission - 8.4.01 - Signed SoCG with The Environment Agency	A signed Statement of Common Ground with the Environment Agency reflecting the positions of the SLP project and the EA at Deadline 2.	November 2019
REP2-065	Environment Agency Written Representation	Outstanding issues and queries from the Environment Agency at Deadline 2 regarding the SLP project.	November 2019
REP3-022	Deadline 3 Submission - 8.29 - Change Request - Temporary Logistics Hubs	The Applicant's formal written request for a change to the number of temporary logistics hubs required to support the main construction works.	December 2019
REP4-012	Deadline 4 Submission - 6.4 - Appendix 16.1 - Code of Construction Practice (clean) - Revision No. 3.0	The Applicant's additional submission in response to further written questions.	January 2020
REP4-036	Deadline 4 Submission - 8.51 - Outline Construction Environmental Management Plan (CEMP) - Revision No 1.0	The Applicant's additional submission in response to further written questions.	January 2020
REP4-038	Deadline 4 Submission - 8.51 - Appendix B: Outline Water Management Plan - Revision No. 1.0	The Applicant's additional submission in response to further written questions.	January 2020
REP4-059 REP4-060	Environment Agency - Deadline 4 Submissions	The Environment Agency's Response to the Examining Authority's written questions and requests for information, and submission on Protective Provisions.	January 2020
N/A	Technical Note: Environment Agency – Water Framework Directive	Additional assessment of whether the project would compromise the abilities of non-Heavily Modified Water Bodies achieving future objective status using data provided by the Environment Agency.	February 2020





1 Technical Note: Environment Agency – Water Framework Directive

1.1 Introduction

- 1.1.1 The Southampton to London Pipeline Project ('the project') submitted an application for Development Consent, including a supporting Environmental Statement (ES) in May 2019. Esso has undertaken a number of meetings with the Environment Agency as part of progressing the Statements of Common Ground.
- 1.1.2 In the meeting (12 December 2019), the Environment Agency Technical Specialist for the Water Framework Directive raised that there is a need to include the consideration of non-Artificial/Heavily Modified Water Bodies (A/HMWB) in the future objective test. -. The Environment Agency sent through this data to Esso on 27 January 2020. This has been reviewed within this Technical Note.

1.2 Current Assessment

- 1.2.1 The Water Framework Directive (WFD) Compliance Assessment was included in ES Appendix 8.8 (**Application Document APP-107**) and was submitted with the application for Development Consent in May 2019. The approach to the assessment had been discussed at meetings with the Environment Agency, in particular, on 6 September 2018.
- 1.2.2 The WFD Compliance Assessment included an appraisal of the WFD water body specific mitigation measures as per the WFD legislative requirements. This used the information provided by the Environment Agency for the A/HMWB and assessed whether the project would compromise the abilities of these being achieved. This is documented in Table 31 to 34 in ES Appendix 8.8. The project has limited operational effects and, therefore, would not affect the presence of or implementation of these mitigation measures.

1.3 Additional Data Assessment

- 1.3.1 An initial screening of the additional data provided by the Environment Agency in January 2020 for the non-A/HMWB can be found in Table 1.1. Where these WFD water bodies had already been assessed in the ES, these have not been included in the assessment undertaken in this Technical Note. The project has assessed the potential to affect future targets for the remaining WFD surface water bodies.

1.4 Conclusion

- 1.4.1 In addition to the assessment presented in the ES, Table 1.1 demonstrates that the project would not affect the meeting of future targets for any non-A/HMWB. Therefore, the project is considered compliant with the WFD legislation.



Table 1-1: Review of additional WFD water body specific mitigation measures provided on 27 January 2020

Specific Mitigation Measure	Is the Project Compliant?	Details
Upper Hamble (GB107042016280)		
A proposed PR19 scheme to reduce the phosphorous loading from Bishops Waltham WWTW.	Yes	Project would not alter the implementation of this specific mitigation measure.
Address diffuse pollution in the catchment.	Yes	The project has Commitment G39 which states that 'Appropriate buffer zones would be established within Order Limits adjacent to identified watercourses'. Therefore, it is not anticipated that the project would prevent these measures being carried out in the future or prevent any current practices that are in place.
Addressing barriers to fish in the downstream WFD water body.	Yes	The project would not lead to any new barriers to fish passage or alter any of the downstream catchment. The project would not prevent these measures being carried out in the future or prevent any current practices that are in place.
A PR14 habitat improvement scheme south of Bishop Waltham (work included removal of a weir and re-grading of bed to improve habitat for fish, removal of non-natives, native planting and castle crossings).	Yes	The project would not alter any works undertaken as part of the prescribed scheme or lead to any changes in the improved habitat.
Caker Stream (GB106039017730)		
No measures listed in the information provided.	-	-
North Wey (Alton to Tilford) (GB106039017830)		
Implement scheme to reduce the phosphorous loading from Bentley STW through setting a Permit standard of 0.6 mg/l as P.	Yes	Project would not alter the implementation of this specific mitigation measure.
Implement scheme to reduce the phosphorous loading from Farnham STW through setting a Permit standard of 0.1 mg/l as P. Techniques to reduce loading to this level are under development and will be reviewed in light of future findings.	Yes	Project would not alter the implementation of this specific mitigation measure.
Implement scheme to reduce the phosphorous loading from Alton STW through setting a Permit standard of 0.1 mg/l as P. Techniques to reduce loading to this level are under development and will be reviewed in light of future findings.	Yes	Project would not alter the implementation of this specific mitigation measure.



Specific Mitigation Measure	Is the Project Compliant?	Details
Hart (Crandall to Elvetham) (GB106039017090)		
Restore and enhance in-stream and marginal habitat with appropriate techniques, such as restoring river gravels, narrowing, installation of woody debris, bank re-profiling, removal of hard bank revetment, de-culverting and fencing.	Yes	The project has Commitment G39 which states that 'Appropriate buffer zones would be established within Order Limits adjacent to identified watercourses'. Following installation, the riparian vegetation and natural bed of the watercourse would be reinstated where crossed by open-cut techniques and/or haul roads. Therefore, it is not anticipated that the project would not prevent these measures being carried out in the future or prevent any current practices that are in place.
Undertake site inspection and where required give advice on private sewage treatment plants aiming to reduce point source pollution.	Yes	Project would not alter the implementation of this specific mitigation measure.
Application for a First Time Sewerage scheme for properties currently using septic tanks or small private plants in Bowling Alley Crandall, Crookham, Mill Lane, Ewshot, Dogmersfield Park and isolated properties.	Yes	Project would not alter the implementation of this specific mitigation measure.
Advisory campaign to improve maintenance and use of a management system. Could be targeted and/or local public information.	Yes	Project would not alter the implementation of this specific mitigation measure.
Advisory campaign using experts (consultants/package plant manufacturers) in order to improve maintenance practices of private septic tanks and treatment plants.	Yes	Project would not alter the implementation of this specific mitigation measure.
Installation of a constructed wetland at all small STWs within this catchment to improve quality of effluent discharged as well as providing improved habitat and adaptation to climate change scenarios	Yes	Project would not alter the implementation of this specific mitigation measure.
Offer water efficiency advice during routine compliance inspections	Yes	Project would not alter the implementation of this specific mitigation measure.
Run a targeted water efficiency campaign for all licensed abstractors in a waterbody.	Yes	Project would not alter the implementation of this specific mitigation measure.
Water company led water efficiency campaign	Yes	Project would not alter the implementation of this specific mitigation measure.
Reduce abstraction impact by 3 Ml/d if further investigation indicates need.	Yes	Project would not alter the implementation of this specific mitigation measure.



Specific Mitigation Measure	Is the Project Compliant?	Details
Investigate Boxalls Lane, Oak Park Golf Club and Itchell pumping station effect on biology.	Yes	Project would not alter the implementation of this specific mitigation measure. Survey data from the project can be provided upon request if this would support the ongoing implementation of this measure.
Effluent re-use, dual water use.	Yes	Project would not alter the implementation of this specific mitigation measure.
Implementation of best agricultural practice using the most appropriate mitigation measures (e.g. ADAS measures) to reduce diffuse sediment and nutrient pollution. To be delivered through workshops, on farm demonstrations, farm visits or projects.	Yes	The project would not alter the implementation of this specific mitigation measure. Where works are located near to a river, the project has Commitment G39 which states that 'Appropriate buffer zones would be established within Order Limits adjacent to identified watercourses'. Therefore, it is not anticipated that the project would prevent these measures being carried out in the future or prevent any current practices that are in place.
Creation of buffer strips to reduce sediments entering the river.	Yes	
Prohibit/control uses of certain substances/chemicals.	Yes	The project would implement the appropriate controls during construction to manage potential for spills entering the channel. Therefore, it is not anticipated that the project would prevent these measures being carried out in the future or prevent any current practices that are in place.
First time sewerage scheme.	Yes	Project would not alter the implementation of this specific mitigation measure.
Install treatment to reduce chemicals.	Yes	The project would implement the appropriate controls during construction to manage potential for spills entering the channel. Therefore, it is not anticipated that the project would prevent these measures being carried out in the future or prevent any current practices that are in place.
Targeted pollution prevention visits to specific locations to reduce phosphate loading (e.g. Garages, industrial estates, roads, construction sites, individual businesses such as petrol stations) where water quality data suggests industrial/urban diffuse.	Yes	Project would not alter the implementation of this specific mitigation measure.
Restrict plumbing and drainage modifications/installations by unqualified people.	Yes	Project would not alter the implementation of this specific mitigation measure.
Implement scheme to reduce the phosphorous loading from Crondall STW through setting a Permit standard of 0.5 mg/l as P. Techniques to reduce loading to this level are under development and will be reviewed in light of future findings.	Yes	Project would not alter the implementation of this specific mitigation measure.



Specific Mitigation Measure	Is the Project Compliant?	Details
Fleet Brook (GB106039017120)		
Undertake site inspection and where required give advice on private sewage treatment plants aiming to reduce point source pollution.	Yes	Project would not alter the implementation of this specific mitigation measure.
Advisory campaign using experts (consultants/package plant manufacturers) in order to improve maintenance practices of private septic tanks and treatment plants.	Yes	Project would not alter the implementation of this specific mitigation measure.
Installation of a constructed wetland at all small STWs within this catchment to improve quality of effluent discharged as well as providing improved habitat and adaptation to climate change scenarios.	Yes	Project would not alter the implementation of this specific mitigation measure.
Restore and enhance in-stream and marginal habitat with appropriate techniques, such as restoring river gravels, narrowing, installation of woody debris, bank re-profiling, removal of hard bank revetment, de-culverting and fencing.	Yes	Where watercourses within the WFD water body are crossed by open-cut techniques or haul roads, the riparian vegetation and natural bed of the watercourse would be reinstated following installation. Therefore, it is not anticipated that the project would prevent these measures being carried out in the future or prevent any current practices that are in place.
Install fish pass.	Yes	The project would not lead to any new barriers to fish passage or alter any of the downstream catchment. The project would not prevent these measures being carried out in the future or prevent any current practices that are in place.
Implementation of best agricultural practice using the most appropriate mitigation measures (e.g. ADAS measures) to reduce diffuse sediment and nutrient pollution. To be delivered through workshops, on farm demonstrations, farm visits or projects.	Yes	The project would not alter the implementation of this specific mitigation measure. Where works are located near to a river, the project has Commitment G39 which states that 'Appropriate buffer zones would be established within Order Limits adjacent to identified watercourses'. Therefore, it is not anticipated that the project would prevent these measures being carried out in the future or prevent any current practices that are in place.
Emergency overflow redesign and rebuild.	Yes	Project would not alter the implementation of this specific mitigation measure.
Increase in-channel morphological diversity.	Yes	Where other watercourses within the WFD water body are crossed by open-cut techniques or haul roads, the riparian vegetation and natural bed of the watercourse would be reinstated following installation. Therefore, it is not anticipated that the project would prevent these measures being carried out in the future or prevent any current practices that are in place.



Specific Mitigation Measure	Is the Project Compliant?	Details
Riparian management.	Yes	Following any crossings via haul roads or open-cut crossing, the riparian vegetation and natural bed of the watercourse would be reinstated. The project has Commitment G39 which states that 'Appropriate buffer zones would be established within Order Limits adjacent to identified watercourses'. Therefore, it is not anticipated that the project would prevent these measures being carried out in the future or prevent any current practices that are in place. Where the WFD water body is crossed by the trenchless crossing (TC012) there are not anticipated to be any direct impacts, therefore, no further assessment has been undertaken in this Technical Note.
Remediation of land contamination and/or Groundwater.	Yes	Project would not alter the implementation of this specific mitigation measure.
Restrict plumbing and drainage modifications/installations by unqualified people.	Yes	Project would not alter the implementation of this specific mitigation measure.
Upgrade existing private STW.	Yes	Project would not alter the implementation of this specific mitigation measure.
Identify and reduce input from misconnections.	Yes	Project would not alter the implementation of this specific mitigation measure.
Work jointly with Highways Agency / Local Authority to reduce sediment runoff. Target relevant major roads, Retrofitting SUDS - silt/oil traps etc. if relevant.	Yes	The project would not alter the implementation of this specific mitigation measure. During construction appropriate measures would be implemented to reduce sediment run-off from bare earth surfaces to the watercourses. Where works are located near to a river, the project has Commitment G39 which states that 'Appropriate buffer zones would be established within Order Limits adjacent to identified watercourses'. Therefore, it is not anticipated that the project would prevent these measures being carried out in the future or prevent any current practices that are in place.
Cove Brook (GB106039017130)		
Install appropriate measures to reduce the volume (or improve the quality) of leachate from contaminated land.	Yes	Project would not alter the implementation of this specific mitigation measure.
Bank alterations to give channel width variation and two-stage channels. Introduction of meanders in straightened river sections.	Yes	Relevant mitigation measures for this WFD water body concern improvements to channel morphology. Crossing of Cove Brook would be at TC016 and would not impact these mitigation measures. Where other watercourses within the WFD water body are crossed by open-cut techniques or haul roads, the riparian vegetation and natural bed of the watercourse would be reinstated following installation. Therefore, it is not anticipated that the project would not prevent these



Specific Mitigation Measure	Is the Project Compliant?	Details
		measures being carried out in the future or prevent any current practices that are in place.
Weir removal/lowering or installation of fish pass as required and habitat enhancement.	Yes	The project would not lead to any new barriers to fish passage or alter any of the downstream catchment. The project would not prevent these measures being carried out in the future or prevent any current practices that are in place.
Creation fish passes and habitat restoration to improve ecology and to target sources of diffuse pollution.	Yes	
Removal of concrete (slabs) channel, working with local greenway group and bvcp to enhance habitat for inverts and fish and provide flood relief. Concrete channel is downstream of restored floodplain section from SU855865591 to SU8568555710.	Yes	The project would not alter the implementation of this specific mitigation measure. Site work was undertaken along this length of channel and photos can be provided if required to support ongoing work on this mitigation measure.
Work jointly with Highways Agency / Local Authority to reduce sediment runoff. Target relevant major roads e.g. A331, Retrofitting SUDS - silt/oil traps etc. if relevant.	Yes	The project would not alter the implementation of this specific mitigation measure. During construction appropriate measures would be implemented to reduce sediment run-off from bare earth surfaces to the watercourses. Where works are located near to a river, the project has Commitment G39 which states that 'Appropriate buffer zones would be established within Order Limits adjacent to identified watercourses'. Therefore, it is not anticipated that the project would prevent these measures being carried out in the future or prevent any current practices that are in place.
Businesses and households should ensure all applies are connected to the right drain. For example, dish washer, washing machine etc are commonly just plumbed into the surface water drains.	Yes	Project would not alter the implementation of this specific mitigation measure.
Blackwater (Aldershot to Cove Brook confluence at Hawley) (GB106039017180)		
Restore and enhance in-stream and marginal habitat with appropriate techniques, such as restoring river gravels, narrowing, installation of woody debris, bank re-profiling, removal of hard bank revetment, de-culverting and fencing. Actions will be targeted.	Yes	Relevant mitigation measures for this WFD water body concern working with Highways Agency / Local Authority to reduce sediment run-off and restoring and enhancing in-stream and marginal habitat with appropriate techniques. The project has Commitment G39 which states that ' <i>Appropriate buffer zones would be established within Order Limits adjacent to identified watercourses</i> '. Following installation, the riparian vegetation and natural bed of the watercourse would be reinstated where crossed by open-cut techniques and/or haul roads. Therefore, it is not anticipated that the project would prevent these measures being carried out.



Specific Mitigation Measure	Is the Project Compliant?	Details
Reduce point source pollution at source.	Yes	Project would not alter the implementation of this specific mitigation measure.
Install treatment to reduce chemicals.	Yes	The project would implement the appropriate controls during construction to manage potential for spills entering the channel. Therefore, it is not anticipated that the project would prevent these measures being carried out in the future or prevent any current practices that are in place.
Work jointly with Highways Agency / Local Authority to reduce sediment runoff. Target relevant major roads e.g. A331. Retrofitting SUDS - silt/oil traps etc. If relevant.	Yes	The project would not alter the implementation of this specific mitigation measure. During construction appropriate measures would be implemented to reduce sediment run-off from bare earth surfaces to the watercourses. Where works are located near to a river, the project has Commitment G39 which states that 'Appropriate buffer zones would be established within Order Limits adjacent to identified watercourses'. Therefore, it is not anticipated that the project would prevent these measures being carried out in the future or prevent any current practices that are in place.
Targeted pollution prevention visits to specific locations to reduce BOD loading (e.g. Garages, industrial estates, roads, construction sites, individual businesses such as petrol stations) where water quality data suggests industrial/urban discharges.	Yes	Project would not alter the implementation of this specific mitigation measure.
Need to ensure that all discharges from urban areas are being discharged to the correct drainage system. For example, All car washes should be discharged to foul sewer under a consent from the local water authority.	Yes	Any new discharges have been designed to the appropriate standards. Project would not alter the implementation of this specific mitigation measure.
Undertake site inspection and where required give advice on private sewage treatment plants aiming to reduce point source pollution.	Yes	Project would not alter the implementation of this specific mitigation measure.
Advisory campaign using experts (consultants/package plant manufacturers) in order to improve maintenance practices of private septic tanks and treatment plants.	Yes	Project would not alter the implementation of this specific mitigation measure.
Installation of a constructed wetland at all small STWs within this catchment to improve quality of effluent discharged as well as providing improved habitat and adaptation to climate change scenarios	Yes	Project would not alter the implementation of this specific mitigation measure.



Specific Mitigation Measure	Is the Project Compliant?	Details
Ensure the implementation of best agricultural practice using the most appropriate mitigation measures (e.g. ADAS measures) and riparian improvements to reduce diffuse pollution. To be delivered through workshops, on farm demonstrations, farm visits.	Yes	The project would not alter the implementation of this specific mitigation measure. Where works are located near to a river, the project has Commitment G39 which states that 'Appropriate buffer zones would be established within Order Limits adjacent to identified watercourses'. Therefore, it is not anticipated that the project would prevent these measures being carried out in the future or prevent any current practices that are in place.
Creation of buffer strips to reduce land run off.	Yes	
Removal or easement of barriers to fish migration.	Yes	
Hale/Mill Bourne (Bagshot to Addlestone Bourne confluence near Chobham) (GB106039017930)		
Implement scheme to reduce the phosphate loading from Lightwater STW through setting a Permit standard of 0.5 mg/l. Ensuring that alternate technologies for nutrient removal have been considered and implemented where reasonable.	Yes	Project would not alter the implementation of this specific mitigation measure.
Chertsey Bourne (Chertsey to River Thames confluence) (GB106039017030)		
Undertake site inspection and where required give advice on private sewage treatment plants aiming to reduce point source pollution.	Yes	Project would not alter the implementation of this specific mitigation measure.
Application for a First Time Sewerage scheme for properties currently using septic tanks or small private plants.	Yes	Project would not alter the implementation of this specific mitigation measure.
Advisory campaign to improve maintenance and use of a management system. Could be targeted and/or local public information.	Yes	Project would not alter the implementation of this specific mitigation measure.
Advisory campaign using experts (consultants/package plant manufacturers) in order to improve maintenance practices of private septic tanks and treatment plants.	Yes	Project would not alter the implementation of this specific mitigation measure.
Increase in-channel morphological diversity.	Yes	Where the project crosses sensitive watercourses (e.g. The Bourne) crossings would be trenchless and therefore unlikely to impact on this mitigation measure. Where open-cut crossings are provided, the channel would be reinstated, including a natural bed.



Specific Mitigation Measure	Is the Project Compliant?	Details
Preserve and where possible enhance ecological value of marginal aquatic habitat, banks and riparian zone.	Yes	Where watercourses within this WFD water body are crossed by open-cut crossings and/or haul roads, the watercourses were identified as drainage ditches and would therefore provide limited scope for enhancement/improvement. Despite this, the project has Commitment G39 which states that 'Appropriate buffer zones would be established within Order Limits adjacent to identified watercourses'. Following installation, the riparian vegetation and natural bed of the watercourse would be reinstated. Therefore, it is not anticipated that the project would prevent these measures being carried out.
Basingstoke Canal (GB70610019)		
Improve Floodplain Connectivity.	Yes	The Basingstoke Canal WFD water body would be tunnelled underneath (TC013) and therefore there is no direct impact to the WFD water body. Due to the artificial nature of the channel there is not anticipated to be any groundwater connectivity. Therefore, there would not be any impact as a result of the project. No additional assessment required in this Technical Note.
Preserve and restore habitats.	Yes	
Removal of sediment.	Yes	
Preserve and where possible enhance ecological value of marginal aquatic habitat, banks and riparian zone / Retain marginal aquatic and riparian habitats (channel alteration).	Yes	
Re-meandering.	Yes	
Preserve and, where possible, restore historic aquatic habitats.	Yes	
Protect and maintain natural sediment processes.	Yes	
King George VI Reservoir water transfer (GB806100096)		
None provided.	-	This is Staines Reservoir Aqueduct (TC038) and would not be impacted by the project. No additional assessment required in this Technical Note.