Southampton to London Pipeline Project

Deadline 5

Draft SoCG with Portsmouth Water

Application Document: 8.4.06

Planning Inspectorate Reference Number: EN070005

Revision No. 2.0

February 2020

Southampton to London Pipeline Project

Statement of Common Ground

Between:

Esso Petroleum Company, Limited

and

Portsmouth Water

Date: February 2020

Application Document Reference: B2325300-JAC-000-CIV-REP-500012

Signed	
Printed Name	Tim Sunderland
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On behalf of	Portsmouth Water
Date	

Contents

1. Introduction

1.1 Purpose of Document

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

1.1.2 The aim of a SoCG is to help the Examining Authority manage the Examination Phase of a DCO application. Understanding the status of the matters at hand will allow the Examining Authority to focus their questioning, and provide greater predictability for all participants in examination. A SoCG may be submitted prior to the start of or during Examination, and then updated as necessary or as requested during the Examination Phase.

1.2 Description of the Project

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

1.3 This Statement of Common Ground

1.3.1 This SoCG has been prepared jointly by Esso as the applicant and Portsmouth Water as a Relevant Statutory Undertakers. Portsmouth Water supplies water to the Portsmouth and Havant areas.

1.3.2 For the purpose of this SoCG, Esso and Portsmouth Water will jointly be referred to as the “Parties”. When referencing Portsmouth Water alone, they will be referred to as “the Consultee”.

1.3.3 Throughout this SoCG:

- Where a section begins ‘matters agreed’, this sets out matters that have been agreed between the Parties.
- Where a section begins ‘matters not agreed’, this sets out matters that are not agreed between the Parties.
- Where a section begins ‘matters subject to ongoing discussion’, this sets out matters that are subject to further negotiation between the Parties.

1.4 Structure of the Statement of Common Ground

1.4.1 This SoCG has been structured to reflect matters and topics of relevance to the Consultee in respect of Esso's Southampton to London Pipeline Project.

- Section 2 provides an overview of the engagement to date between the Parties.
- Section 3 provides a summary of areas that have been agreed.
- Section 4 provides a record of areas that have not yet been agreed.
- Section 5 provides a list of ongoing matters (if any) that will be agreed or not agreed by the Parties during examination.
- Section 6 provides a record of relevant documents and drawings

2. Record of Engagement Undertaken to Date

2.1 Pre-application Engagement and Consultation

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

Date	Format	Topic	Discussion Points
04/12/2017	Letter and phone call	Pre-launch engagement	Project made an introduction to stakeholders whose position and comments on the project at an early stage could significantly impact the project.
11/12/2017	Correspondence	Project introduction	The project sent a letter to the Consultee regarding: • Map of current route • Project timeline • Project introduction
19/03/2018	Correspondence	Launch of non-statutory (Corridor) consultation	The project sent the Council two letters: 1) Notification of launch letter (as a potential future statutory consultee) 2) A notification letter as a landowner, with a Person with an Interest in Land questionnaire and land plans The Consultee did not respond to consultation at this stage.
30/05/2018	Correspondence	Preferred corridor announcement	The Consultee was sent two letters: 1) Letter as a key stakeholder regarding the preferred corridor that was selected 2) A landowner letter
07/06/2018	Meeting	Project update	Project introductory meeting – The project gave a presentation on the project and explained the DCO process. The Parties discussed: • pipeline design and integrity • environmental assessment: Data request, and approach to assessment
27/06/2018	Correspondence	Initial Working Route	Project update regarding Initial Working Route release.
20/08/2018	Correspondence	EIA Scoping Consultation	Received comments from the Consultee on the EIA scoping consultation.
06/09/2018	Correspondence	Launch of first statutory (Preferred Route) consultation	The project sent the Consultee two letters: 1) Notification of launch letter (as a statutory consultee) 2) A notification letter as a landowner, with a Person with an Interest in Land questionnaire and land plans (Both letters were in line with the Planning Act 2008.)

Date	Format	Topic	Discussion Points
18/09/2018	Correspondence	Statutory consultation response	A copy is enclosed as Appendix A.
18/01/2019	Correspondence	Launch of second statutory (Design Refinements) consultation	The project sent the Consultee two letters: 1) Notification of launch letter (as a statutory consultee) 2) A notification letter as a landowner (Both letters complied with the approach set out the in SoCC). The Consultee did not respond to consultation at this stage.
25/03/2019	Correspondence	Statement of Common Ground (SoCG)	The project sent a draft SoCG to the Consultee's DWSP Scientist.
27/03/2019	Correspondence	Final route release	The project issued a letter announcing the final route and offering a meeting if required.
17/04/2019	Correspondence	SoCG	The project received comments on SoCG from the Consultee.

2.2 Engagement Following Submission of Application

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

Date	Format	Topic	Discussion Points
05/07/2019	Correspondence	EIA Scoping Consultation	The project issued response to the Consultee's comments on the EIA Scoping Consultation.
26/07/2019	Correspondence	Relevant Representation	The Consultee submitted a Relevant Representation to the Planning Inspectorate and registered as an interested party.
21/08/2019	Correspondence	Statement of Common Ground	The project received comments on SoCG from the Consultee, regarding groundwater or solution features.
27/08/2019	Correspondence	Statement of Common Ground	Phone call with the Consultee's DWSP Scientist.to discuss received SOCG comments.
24/10/2019	Correspondence	Statement of Common Ground	The Consultee submitted further comments on the revised Statement of Common Ground.

Date	Format	Topic	Discussion Points
05/11/2020	Correspondence	Statement of Common Ground	Consultee and Applicant signed SoCG.
21/01/2020	**Correspondence**	**Technical Note**	**Applicant issued a technical note on source protection zone classification to Consultee**
03/02/2020	**Correspondence**	**Technical Note**	**Consultee submitted a response to Applicant on source protection zone.**

3. Matters Agreed

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

Examining Authority's suggested theme	Topic	Matter agreed	Reference
	General	It is agreed that the Consultee has no objections to the proposed pipeline route.	
	Engagement	Contact and consultation will be maintained with the Consultee during detailed design and ahead of construction.	
Water environment effects including flooding effects and risks and drainage **Water quality** **The effects on existing apparatus and infrastructure**	Construction	In submitting the project's plans to the Consultee, it will demonstrate that: • runoff across the site will be controlled by the use of a variety of methods including header drains, buffer zones around watercourses, on site ditches, silt traps and bunding. • there will be no intentional discharge of site runoff to ditches, watercourses, drains or sewers without appropriate treatment and agreement of the appropriate authority (except in the case of emergency). • the pipeline as laid will not lie within existing source protection zone 1 (SPZ 1) areas associated with licensed abstractions. • the inclusion of remotely operated valves to allow isolation of sections of the pipeline if required. • 24-hour remote monitoring of pipeline operation to detect leaks and enable remote shut down of the pipeline if required. • stockpiles in Flood Zone 3 or areas of High or Medium surface water flood risk do not exceed 25m	DCO requirements and REAC

		between breaks. Breaks in between stockpiles will be at least 5m. Breaks will be located opposite each other on either side of the excavation where practicable.	
	Crossings	The project has committed to ensuring that trenchless techniques are to be used for all crossings of trunk roads, motorways and railways.	See REAC
Water quality	CEMP	The project has committed to ensuring that the CEMP will follow the principles set out in the Outline CEMP and will set out the water mitigation and management measures and where they will need to be used. These measures will include, but not be restricted to, the following: • details of when de-watering will be likely; • measures to segregate construction site runoff from natural catchment runoff; • details of measures to attenuate runoff rates before discharging at controlled rates to receiving watercourses; • design of any holding or settlement lagoons or other treatment system required prior to discharge to the environment; • details of mitigation measures for all work or compound areas located within flood risk areas; • where construction activities will be located, preferably outside of the floodplain; and • details of any water abstraction and discharge points relating to the works.	See DCO requirements and REAC
Water quality **Water environment effects**	Pollution Prevention of Groundwater and solution features	The Contractor shall produce a Pollution Prevention and Control plan which will describe the methods to minimize pollution incidents at each location.	

including flooding effects and risks and drainage		The pollution prevention and control plan will be issued to the relevant planning authority for approval. The Contractor shall produce a construction management plan and drainage plans for pre-construction, construction and post construction. The project has committed, as referred to in section 3.1.1 Matters Agreed under the CEMP item, that it will follow the principles set out in the Outline CEMP and will set out water mitigation and management measures and where they need to be used. We have identified where the highest risk areas are with respect to solution features and the water good practice measures and mitigation would consider the solution features when siting the highest risk activities and would avoid these areas where practicable.	
The effects on existing apparatus and infrastructure	**Commissioning**	**The Consultee agrees it has no objection to water being abstracted from their mains during testing and commissioning of the pipeline with appropriate agreement, subject to the quantity and flow rate requested being practically achievable.**	
Protective Provisions		The Parties agree that no Protective Provisions are required.	

4. Matters Not Agreed

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

Examining Authority's suggested theme	Topic	Matter not agreed	Reference
Water quality	Source Protection Zone (SPZ) Assessment	The Consultee disagrees with the receptor classification determined from the Applicant's SPZ assessment, the response to the relevant representation response (Appendix B) **and the Applicant's technical note on the SPZ assessment**. The Consultee expected SPZ2 to be classified as high rather than medium.	Environmental Statement Technical Note

5. Matters Subject to On-going Discussion

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

Examining Authority's suggested theme	Topic	Matter subject to ongoing discussion	Reference
Water quality	Construction	Consultation has been requested by the Consultee prior to commencing work in areas of highest risk – Source Protection Zones. The Parties are hoping to agree an appropriate approach.	

6. Relevant documents and drawings

6.1 List of relevant documents and drawings

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

Application Reference	Title	Content	Date

7. Appendix A

7.1 Response to Preferred Route Consultation

Section: Section A: Boorley Green to Bramdean	**Question: 1.3 Please give your comments about section A as a whole or outside the sub-options, in particular information about specific locations.** **The following groups have been applied to this response:** L - Villages - Boorley Green, L - Villages - Bramdean, O - Respondent context, SA - Concern - Environment - water pollution/contamination, SA - Suggestion - Environment - mitigation Collation status: Collation complete **Response:** Portsmouth Water have taken the opportunity to review the (Autumn 2018) Preferred Route Consultation and wish to make the following comments. Section A – Boorley Green to Bramdean passes through the Source Protection Zone Two (SPZ2) for our Northbrook Public Water Supply. In the Source Protection Zone there are known solution features at the edge of the Lambeth Group Overlying the Chalk Principal Aquifer, therefore this area is particularly vulnerable to pollution and at risk from contamination. There are also mapped solution features across the catchment. We request that the presence of solution features and proximity to our sources is taken into account when considering the preferred options as pipelines within the SPZ at this location are potentially high risk due to the presence of solution features and interconnectivity of the underlying Chalk Aquifer. It is understood that ground conditions will be investigated as part of the EIA process and this is critical to inform the design, particularly in areas of high risk within our groundwater Catchment. **Question: 1.3.1 On which of the following main issues are your views based? (Please pick as many as apply)** Environment (including heritage and historic environment, landscape and visual effects and land use) **Question: 1.3.1.** **Question: 1.3.1**
Section: Your views on the consultation process	**Question: 11a. Materials – were the materials clear and easy to understand?** Very good **Question: 11b. Information – was enough information made available for you to respond?** Very good **Question: 11c. Promotion – was the consultation promoted well and to the right people?** Good

8. Appendix B

8.1 Relevant Representation

1. Portsmouth Water is an interested party as the pipeline route runs through the Source Protection Zone 2 of one of our large, strategically important groundwater abstractions used for public water supply. We do not agree that SPZ2s should be classed to be of MEDIUM value. They should be classified as HIGH value, especially in the Chalk where groundwater flow is karstic in nature.

2. We also do not agree that fuel leaks from the pipeline should be classed as having a negligible risk.

3. Portsmouth Water would wish to be consulted on the detailed CEMP and also review method statements for any contractors working within SPZ2 of our abstraction. A detailed written response is ready to be submitted.

8.2 Project response to Relevant Representation

1. It is standard Environmental Impact Assessment (EIA) practice to ascribe differing sensitivities (values) to the different SPZs, in order to distinguish between the different zones. This is because a change to the groundwater regime within SPZ1 close to the abstraction is more likely to affect the integrity of the source than a change experienced in SPZ3. Distinguishing between the different zones on the project during the route selection stage, made it possible for the commitment to O6 to avoid laying the pipeline within SPZ1 to be made. This commitment can be found in Table 16.1 of Chapter 16: Environmental Management and Mitigation of the ES (Application Document 6.2). The distinction between SPZs is also used by the Environment Agency when determining the activities allowed in different SPZs regardless of aquifer status.

   In the UK, guidance on EIA assessment for groundwater and assigning values to receptors is limited. The standard used on many projects, including SLP, is Table A4.3 in the Design Manual for Roads and Bridges - DMRB (Highways Agency, 2009), which is extracted in Table 1 below for reference. This makes no distinction to SPZs based on differing geological strata, as the SPZs would have been defined based on the geological and associated hydrogeological setting. However, as the Chalk is classified as a Principal Aquifer, this is designated as high sensitivity in the assessment regardless of SPZ.

Table 1: Extract of Importance of Groundwater taken from Table A4.3 in DMRB (Highways Agency, 2009)

Importance	Criteria	Aquifer description	SPZ
Very High	Attribute has a high quality and rarity on regional or national scale	Principal Aquifer providing a regionally important resource or supporting site protected under EC and UK habitat legislation	SPZ1
High	Attribute has a high quality and rarity on local scale	Principal Aquifer providing locally important resource or supporting river ecosystem	SPZ2
Medium	Attribute has a medium quality and rarity on local scale	Aquifer providing water for agricultural or industrial use with limited connection to surface water	SPZ3

Low	Attribute has a low quality and rarity on local scale	Unproductive strata	-

The DMRB importance criteria has four categories ranging from very high to low, whereas the equivalent four value categories used throughout the SLP ES is from high to negligible. General criteria for assigning value (sensitivity) to receptors for the SLP ES are provided in Table 6.1 of Chapter 6: Overview of Assessment Process (Application Document 6.2). The sensitivity criteria are independent of the type of development being proposed. The type of development and associated risks are captured in the magnitude of effect. This approach for ascribing SPZ values has been adopted on other pipeline projects including the West Cumbria Water Supplies Project – Thirlmere Transfer and in other Nationally Important Infrastructure Projects including the Western Rail Link to Heathrow Project.

2. Refer to DCO Chapter 14 Major Accidents for Esso's assessment on this matter and subject added to section 5.1.1 of this document Matters Subject to Ongoing Discussion.

3. Refer to section 5.1.1 of this document Matters Subject to Ongoing Discussion.

Technical Note: Portsmouth Water – Source Protection Zone Assessment

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) and Flood Risk Assessment in May 2019. Portsmouth Water submitted the following Relevant Representation (**RR-270**) to the Planning Inspectorate on 26 July 2019, which queried the methodology used within the ES for assessing Source Protection Zones (SPZ):

1.1.2 '*Portsmouth Water is an interested party as the pipeline route runs through the Source Protection Zone 2 of one of our large, strategically important groundwater abstractions used for public water supply. We do not agree that SPZ2s should be classed to be of MEDIUM value. They should be classified as HIGH value, especially in the Chalk where groundwater flow is karstic in nature. We also do not agree that fuel leaks from the pipeline should be classed as having a negligible risk.*

1.1.3 This technical note outlines the response from the project to the Portsmouth Water Relevant Representation, as part of agreeing the Statement of Common Ground.

1.2 Applicant Response

1.2.1 SPZs are designations around groundwater sources such as wells, boreholes and springs used for drinking water and are mapped for public drinking water supplies. Groundwater source catchments are divided into three main zones (inner (zone 1), outer (zone 2) and total catchment (zone 3)). The zones are used to identify the level of risk to the source from contamination from activities that may cause pollution in the area and have been developed by the Environment Agency. The closer the activity, the greater the risk.

1.2.2 Environmental Impact Assessment (EIA) involves assigning a sensitivity or value to the baseline environment (independent of the project) and then looking at the magnitude of impact from a proposed project. The combination of sensitivity and magnitude results in the likely significance of effects resulting from a project as set out in ES Chapter 6 (**Application Document APP-046**).

1.2.3 It is standard EIA practice to ascribe differing sensitivities (values) to the different SPZs, in order to distinguish between the different zones. This is because a change to the groundwater regime within SPZ1 close to the abstraction is more likely to affect the integrity of the source than a change experienced in SPZ3. Distinguishing between the different zones on the project during the route selection stage made it possible for the commitment to O6 (see the Register of Environmental Actions and Commitments – **APP-056**), to avoid laying the pipeline within the higher sensitivity SPZ1 to be made.

1.2.4 In the UK, guidance on EIA assessment for groundwater and assigning values to receptors is limited. The standard used on many projects, including this project, is

Table A4.3 in the Design Manual for Roads and Bridges - DMRB (Highways Agency, 2009), which is extracted in Table 1 below for reference. Although DMRB is designed for road schemes, it is a comprehensive guide for assessing environmental impacts on long linear projects and has been considered appropriate guidance for use on this project. The approach to the assessment was set out within the project's Scoping Report (**Document Reference – AS-019**).

1.2.5 The DMRB importance criteria has four categories ranging from very high to low, whereas the equivalent four value categories used throughout the project ES is from high to negligible to make the terminology consistent across the ES Chapters. SPZ2 are therefore placed in the second highest category in the project, as they are in the DMRB guidance. Further details on the overall approach to the EIA and general criteria for assigning value (sensitivity) to receptors for the project ES are provided in Table 6.1 of Chapter 6: Overview of Assessment Process (**Application Document APP-046**).

1.2.6 The sensitivity criteria are independent of the type of development being proposed. The type of development and associated risks are captured in the magnitude of effect. In the case of groundwater abstractions, this has included an assessment of the risk of contamination from a potential spill reaching an abstraction based on the infiltration and flow pathways presented in ES Appendix 8.4 (**Application Document APP-105**).

1.2.7 In addition to the SPZs defined by the Environment Agency, Portsmouth Water provided the Applicant with similar zones produced by the FlowSource modelling package. This defined three zones for the Northbrook abstraction: 50 day travel time (analogous to SPZ1); 70% of the total catchment zone (similar to SPZ2); and the total catchment zone (analogous to SPZ3). In the FlowSource model, the Order Limits are shown to pass through the 70% of the total catchment zone, for which a medium value would be appropriate. In addition, the assessment undertaken in Appendix 8.4 (**Application Document APP-105**) takes into account the karst features mapped by British Geological Survey, thereby factoring potential fast travel pathways.

1.2.8 For Northbrook, the abstraction was identified as being at potentially very high risk from any potential pollution event. As set out in ES Chapter 3 (**Application Document APP-043**), and included in the Register of Environmental Actions and Commitments (ES Ch 16) (**Application Document APP-056)**, the measures resulted in the magnitude of effect from a pollution event being negligible with a minor significant of effect as set out in ES Appendix 8.5 (**Application Document APP-106**). This is because the replacement pipeline is designed to limit the potential risk for release (for example, corrosion protection and inclusion of remotely operated valves) and as such the pollution risks are considered to be negligible. The assessment for the pipeline operational phase identified the following key embedded design measures which reduce the impacts in relation to Portsmouth Water abstractions:

- O8: The principles of inherent safe design have been incorporated into the design of the pipeline as per Esso design standards for fuel pipelines, relevant industry codes of practice and standards and the requirements of the Pipeline Safety Regulations 1996.

- O9: Inclusion of remotely operated valves to allow isolation of sections of the pipeline if required.
- O10: 24-hour remote monitoring of pipeline operation to detect leaks and enable remote shut down of the pipeline if required.
- A pipe wall thickness of 11.9mm which is greater than British Standard PD 8010 (British Standards Institution, 2019).

1.2.9 This approach for ascribing SPZ values has been adopted on other pipeline projects including the West Cumbria Water Supplies Project – Thirlmere Transfer and in other Nationally Significant Infrastructure Projects, including the Western Rail Link to Heathrow Project.

1.2.10 The Environment Agency have confirmed their acceptance to the approach. In their Written Representations submitted at Deadline 2, the Environment Agency state that, 'We are willing to accept the justification provided for the Source Protection Zone (SPZ) 'ranking' as set out in Table 1 in TN3 (Source Protection Zone assessment)'. The Environment Agency have also signed a Statement of Common Ground with the Applicant which states, '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.'

Table 1: Extract of Importance of Groundwater taken from Table A4.3 in DMRB (Highways Agency, 2009)*

Importance	Criteria	Aquifer Description	SPZ
Very High	Attribute has a high quality and rarity on regional or national scale	Principal aquifer providing a regionally important resource or supporting site protected under EC and UK habitat legislation	SPZ1
High	Attribute has a high quality and rarity on local scale	Principal aquifer providing locally important resource or supporting river ecosystem	SPZ2
Medium	Attribute has a medium quality and rarity on local scale	Aquifer providing water for agricultural or industrial use with limited connection to surface water	SPZ3
Low	Attribute has a low quality and rarity on local scale	Unproductive strata	-

* It should be noted that since production of the project ES, Highways England has updated its guidance with respect to assessing environmental impacts on the water environment (Highways England, 2019). In this updated guidance, the SPZs remain in the same importance categories.

1.3 Conclusion

1.3.1 The methodology for ascribing sensitivity to Source Protection Zones was taken from recognised DMRB guidance for EIA (Highways England, 2009). This approach has been taken on many other major infrastructure projects and still is considered appropriate for the project.

1.4 References

Highways Agency (2009) Design Manual for Roads and Bridges Volume 11 Environmental Assessment, Section 3 Environmental assessment techniques. Part 10, HD 45/09. Road Drainage and the Water Environment. November 2009.