

Southampton to London Pipeline Project

Deadline 5

Signed SoCG with National Grid

Application Document: 8.4.10

Planning Inspectorate Reference Number: EN070005

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February 2020





Southampton to London Pipeline Project

Statement of Common Ground

Between:

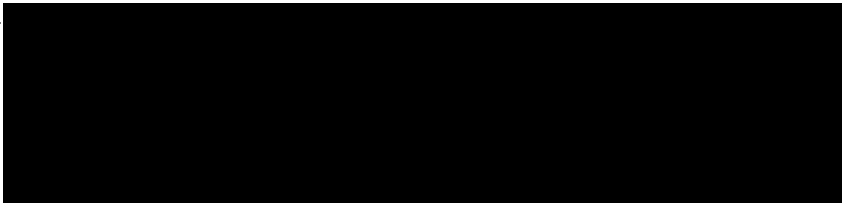
**Esso Petroleum Company, Limited
and**


National Grid

Date: February 2020

Application Document Reference: B2325300-JAC-000-CIV-REP-500008



Signed	
Printed Name	Tim Sunderland
Position	SLP Project Executive
On behalf of	Esso Petroleum Company, Limited
Date	13/02/2020

Signed	
Printed Name	Anne Holdsworth
Position	DCO Liaison Officer
On behalf of	National Grid
Date	13/02/2020



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1. Introduction

1.1 Purpose of Document

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

1.2 Description of the Project

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

1.3 Statement of Common Ground

- This SoCG has been prepared jointly by Esso as the applicant and National Grid as a Relevant Statutory Undertaker.
 - National Grid owns, manages and operates the national electricity and gas transmission network in Great Britain.
- 1.3.1 For the purpose of this SoCG, Esso and National Grid will jointly be referred to as the “Parties”. When referencing National Grid alone, they will be referred to as “the Consultee”.
- 1.3.2 Throughout this SoCG:
- Where a section begins ‘matters agreed’, this sets out matters that have been agreed between the Parties.
 - Where a section begins ‘matters not agreed’, this sets out matters that are not agreed between the Parties.



- Where a section begins 'matters subject to ongoing discussion', this sets out matters that are subject to further negotiation between the Parties.

1.4 Structure of the Statement of Common Ground

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

2. Record of Engagement Undertaken to Date

2.1 Pre-application Engagement and Consultation

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

Date	Format	Topic	Discussion Points
04/12/2017	Correspondence	Pre-go live engagement	Project introduction for stakeholders whose position and comments on the project at an early stage could significantly impact the project.
11/12/2017	Correspondence	Project launch	The project sent a letter to the Consultee regarding: <ul style="list-style-type: none"> • Map of current route • Project timeline • Project introduction
19/03/2018	Correspondence	Non-statutory (Corridor) consultation launch	The project sent the Consultee two letters: <ul style="list-style-type: none"> • Notification of launch letter (as a potential future statutory consultee) • A notification letter as a landowner, with a Person with an Interest in Land questionnaire and land plans <p>The Consultee did not respond to consultation at this stage.</p>
30/05/2018	Correspondence	Preferred corridor announcement	The project sent the Consultee a letter to announce the preferred corridor. The project also confirmed if the Consultee's assets were within preferred corridor.
27/06/2018	Correspondence	Initial Working Route	Project update regarding Initial Working Route.
15/08/2018	Correspondence	Consultation Response	The Consultee responded to the Statutory Consultation.
06/09/2018	Correspondence	Launch of first statutory (Preferred Route) consultation	Letter sent to inform of launch of first statutory (Preferred Route) consultation in line with Section 42 of Planning Act 2008.
09/10/2018	Correspondence	Statutory consultation	DCO Officer sent National Grid's response to statutory consultation. See Appendix A for copy of this response.
29/10/2018	Correspondence	Protective Provision	Esso sent the Protective Provision to National Grid for review and comment.
30/10/2018	Correspondence	Protective Provision	The Consultee's DCO Officer sent a copy of National Grid's template for protective provisions.



Date	Format	Topic	Discussion Points
08/01/2019	Correspondence	Protective Provision	Esso instructed VWV to start legal discussions on Protective Provisions with the Consultee's DCO Officer.
21/01/2019	Correspondence	Launch of the second statutory (Design Refinements) consultation	The project sent the Consultee two letters: <ul style="list-style-type: none"> Notification of launch letter (as a potential future statutory consultee) A notification letter as a landowner, with a Person with an Interest in Land questionnaire and land plans See Appendix B for a copy of the Consultee's consultation response.
31/01/19	Correspondence	Request Consultation Material	The Consultee requested the consultation material from the Applicant.
08/02/2019	Correspondence	Consultation Response	The Consultee responded to the Statutory Consultation.
08/03/2019	Correspondence	Protective Provision	VWV contacted the Consultee's DCO Officer to commence Protective Provision discussions.
22/03/2019	Correspondence	SoCG	The applicant issued draft SoCG to Consultee for review and comment.
27/03/2019	Correspondence	Final route announcement	The project sent the Consultee a letter and brochure to announce the final route.
01/04/2019	Correspondence	SoCG	Chased Consultee for comments on SoCG Consultee responded to say they needed to review the final alignment on GIS before submitting comments on SoCG. Applicant sent copy of final alignment (shp and DWF files).

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
12/07/2019	Relevant Representation	Relevant Representation	The Consultee submitted a Relevant Representation.
09/08/2019	Correspondence	SoCG	Chased Consultee for comments on SoCG
15/08/2019	Correspondence	DCO	Consultee emailed comments on Book of Reference and land plans querying a number of plots National Grid



Date	Format	Topic	Discussion Points
			Electricity Transmission (NGET) listed in relation to rights granted which are actually SSE
28/08/2019	Correspondence	SoCG	Chased Consultee for comments on SoCG
03/09/2019	Correspondence	SoCG	Chased Consultee legal representative for comments on SoCG. Consultee's responded to say they are waiting for a response from VWV in relation to the discussions between the parties regarding Protective Provisions.
05/09/2019	Telephone Call	Protective Provisions	VWV on behalf of the Applicant and BCLP for the Consultee discussed outstanding issues. VWV taking the Applicant's instructions on a number of outstanding points.
24/09/2019	Correspondence	Contact point	Consultee provided correspondence contact re: 'National Grid Assets'.
26/09/2019	Correspondence	SoCG	The Applicant chased Consultee's legal representative for comments on the SoCG. Consultee responded to say they were waiting for a response from VWV in relation to the discussions between the parties relating to Protective Provisions.
29/10/2019	Correspondence	SoCG	The Applicant chased Consultee's legal representative for comments on the SoCG. Consultee responded to say they were waiting for a response from VWV in relation to the discussions between the parties relating to Protective Provisions.
31/10/2019	Correspondence	Protective Provisions	E-mail from BCLP for the Consultee was sent to VWV for the Applicant. Returning Protective Provisions and asking for a response on the outstanding issues from the telephone call on the 05/09/2019.
04/11/2019	Correspondence	SoCG	BCLP sent comments on SoCG document 11/11/2019 Updated SocG issued to BCLP.
09/11/2019	Correspondence	Protective Provisions	Applicant sent BCLP amended protective provisions for review.
13/11/2019	Correspondence	Protective Provisions	BCLP returned comments on amended Protective provisions.
22/12/2019	Correspondence	Protective Provisions	Applicant sent BCLP further amended protective provision. 06/01/2020 BCLP acknowledged receipt of further amended protective provision. 28/01/2020 BCLP returned Consultee's comments on further amended Protective provisions.



Date	Format	Topic	Discussion Points
06/01/2020	Correspondence	Protective Provisions	BCLP acknowledged receipt of further amended protective provision
28/01/2020	Correspondence	Protective Provisions	BCLP returned Consultee's comments on further amended Protective provisions requesting a response by 11 th Feb to enable engagement with hearings w/c24th Feb and deadlines w/c 2 March, if unresolved issues remain between the parties
06/02/2020	Correspondence	Statement of Common Ground	Applicant sent Consultee revised SoCG for consideration.
10/02/2020	Correspondence	Protective Provisions	BCLP reminded Applicants that a response by 11 th February would assist engagement on outstanding issues in DCO process as well as preparation of SoCG.
12/02/2020	Correspondence	Protective Provisions	BCLP returned to Applicant the Consultee's instruction on covenant strength and capitalisation of protective costs.
12/02/2020	Correspondence	Statement of Common Ground	BCLP returned to Applicant suggested amendments on SoCG for consideration.

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
Protective Provisions	General	<p>It is agreed that the Consultee has no objections to the proposed pipeline alignment provided that:</p> <p>Adequate Protective Provisions for the protection of National Grid's retained apparatus will be included on the face of the Order. The Applicant has agreed to include Protective Provisions on the face of the Order, once agreed but has not yet reached agreement on the wording of the Protective Provisions. If Protective Provisions are not agreed by Deadline 6 the Consultee will submit its required wording to ExA but will continue to liaise with the Applicant to reach a fully agreed position.</p>	
	General	<p>It is agreed that contact and Discussion will be maintained with the Consultee during detailed design and ahead of construction.</p>	
Impact on existing apparatus Protective Provisions		<p>The Parties agree that the Applicant shall obtain the Consultee's approval to any works in the vicinity of the Consultee's apparatus, in accordance with the Protective Provisions that remain to be fully agreed between the Parties.</p> <p>All relevant parties shall be aware and understand the Health and Safety Executive's (www.hse.gov.uk) Guidance Note GS 6 "Avoidance of Danger from Overhead Electric Lines".</p>	



Any connection issues		The Parties agree there will be no connection issues.	
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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



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
Protective Provisions	Protective Provisions	As above the Parties have engaged on Protective Provisions and legal discussions are ongoing.	
Protective Provisions	Drafting of the Order – Transfer of Benefit Article	Whether the Consultee shall be given notice of the intended transfer of benefit of the Order (either with or without the SoS's consent). The Consultee considers that this is necessary so that it knows which entity may be working near their apparatus and so that the covenant strength of any such party giving an indemnity under the Protective Provisions can be considered.	
Protective Provisions	Protective Provisions	The need for insurance and surety provisions to be included in the Protective Provisions on the face of the Order. This is under discussion between the Applicant and the Consultee.	



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



Appendix A. Preferred Route Consultation Response

Land and Acquisitions

Anne Holdsworth
DCO Liaison Officer
Land and Acquisitions
Anne.Holdsworth@nationalgrid.com

www.nationalgrid.com

SUBMITTED ELECTRONICALLY:
INFO@SLPPROJECT.CO.UK

09 October 2018

Dear Sir/Madam

ESSO'S SOUTHAMPTON TO LONDON PIPELINE PROJECT – PREFERRED ROUTE STATUTORY CONSULTATION SECTION 42 PLANNING ACT 2008 (“THE ACT”)

This is a response on behalf of National Grid Electricity Transmission PLC (NGET) and National Grid Gas PLC (NGG)

I refer to your letter dated 6 September 2018 regarding the Proposed Development. Due to the close proximity of some of our assets, NGET wish to express their interest in further consultation while the impact on our assets is still being assessed.

In respect of existing NGET infrastructure, this will require appropriate protection for retained apparatus including compliance with relevant standards for works proposed within close proximity of its apparatus.

Where the Promoter intends to acquire land, extinguish rights, or interfere with any of NGET's apparatus, we will require appropriate protection and further discussion on the impact to its apparatus and rights.

National Grid infrastructure within / in close proximity to the order boundary

Gas Transmission

National Grid Gas has no gas transmission apparatus located within or in close proximity to the proposed order limits.

National Grid is a trading name for:
National Grid Electricity Transmission plc
Registered Office: 1-3 Strand, London WC2N 5EH
Registered in England and Wales, No 2386977

National Grid is a trading name for:
National Grid Gas plc
Registered Office: 1-3 Strand, London WC2N 5EH
Registered in England and Wales, No 2006000



National Grid house
Warwick Technology Park
Gallows Hill, Warwick
CV34 6DA

Electricity Transmission

National Grid Electricity Transmission has high voltage electricity overhead transmission lines, substations and underground cables within or in close proximity to the proposed order limits. The overhead lines, substations and underground cables form an essential part of the electricity transmission network in England and Wales. The details of the electricity assets are shown below:

Overhead Lines

- 4YC (400kV) overhead line route
- VB 400kV overhead line route
- ZH (275kV) overhead line route
- ZC (275kV) overhead line route
- VW (275kV) overhead line route

Substations

- Laleham 1 132kV Substation
- Laleham 2 275kV Substation

Underground cables

There are underground fibre cables within or in close proximity to the proposed order limits.

Specific Comments – Electricity Infrastructure:

- National Grid's Overhead Line/s is protected by a Deed of Easement/Wayleave Agreement which provides full right of access to retain, maintain, repair and inspect our asset
- Statutory electrical safety clearances must be maintained at all times. Any proposed buildings must not be closer than 5.3m to the lowest conductor. National Grid recommends that no permanent structures are built directly beneath overhead lines. These distances are set out in EN 43 – 8 Technical Specification for "overhead line clearances Issue 3 (2004)
- If any changes in ground levels are proposed either beneath or in close proximity to our existing overhead lines then this would serve to reduce the safety clearances for such overhead lines. Safe clearances for existing overhead lines must be maintained in all circumstances.
- The relevant guidance in relation to working safely near to existing overhead lines is contained within the Health and Safety Executive's (www.hse.gov.uk) Guidance Note GS 6 "Avoidance of Danger from Overhead Electric Lines" and all relevant site staff should make sure that they are both aware of and understand this guidance.
- Plant, machinery, equipment, buildings or scaffolding should not encroach within 5.3 metres of any of our high voltage conductors when those conductors are under their worse conditions of maximum "sag" and "swing" and overhead line profile (maximum "sag" and "swing") drawings should be obtained using the contact details above.

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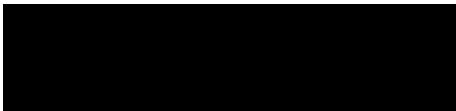


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- If a landscaping scheme is proposed as part of the proposal, we request that only slow and low growing species of trees and shrubs are planted beneath and adjacent to the existing overhead line to reduce the risk of growth to a height which compromises statutory safety clearances.
- Drilling or excavation works should not be undertaken if they have the potential to disturb or adversely affect the foundations or "pillars of support" of any existing tower. These foundations always extend beyond the base area of the existing tower and foundation ("pillar of support") drawings can be obtained using the contact details above.
- National Grid Electricity Transmission high voltage underground cables are protected by a Deed of Grant; Easement; Wayleave Agreement or the provisions of the New Roads and Street Works Act. These provisions provide National Grid full right of access to retain, maintain, repair and inspect our assets. Hence we require that no permanent / temporary structures are to be built over our cables or within the easement strip. Any such proposals should be discussed and agreed with National Grid prior to any works taking place.
- Ground levels above our cables must not be altered in any way. Any alterations to the depth of our cables will subsequently alter the rating of the circuit and can compromise the reliability, efficiency and safety of our electricity network and requires consultation with National Grid prior to any such changes in both level and construction being implemented.

I hope the above information is useful. If you require any further information please do not hesitate to contact me.

Yours sincerely



Anne Holdsworth

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Appendix B. Design Refinements Consultation Response

nationalgrid

National Grid house
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Land and Acquisitions

Anne Holdsworth
DCO Liaison Officer
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SUBMITTED ELECTRONICALLY:
INFO@SLPPROJECT.CO.UK

08 February 2019

Dear Sir/Madam

**ESSO'S SOUTHAMPTON TO LONDON PIPELINE PROJECT – PREFERRED ROUTE
STATUTORY CONSULTATION SECTION 42 PLANNING ACT 2008 ("THE ACT")**

This is a response on behalf of National Grid Electricity Transmission PLC (NGET) and National Grid Gas PLC (NGG)

I refer to your letter dated 19 January 2019 regarding the Proposed Development and design refinements. Due to the close proximity of some of our assets, NGET wish to express their interest in further consultation while the impact on our assets is still being assessed.

In respect of existing infrastructure, our earlier consultation response is unchanged and there are further comments below relating to the specific refinement locations where assets may be affected. As already stated, NGET will require appropriate protection for retained apparatus including compliance with relevant standards for works proposed within close proximity of its apparatus.

Where the Promoter intends to acquire land, extinguish rights, or interfere with any of NGET's apparatus, we will require appropriate protection and further discussion on the impact to its apparatus and rights.

National Grid infrastructure within / in close proximity to the order boundary

Gas Transmission

National Grid Gas has no gas transmission apparatus located within or in close proximity to the order limits and the proposed amendments.

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Overhead Lines

- 4YC (400kV) overhead line route
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- ZH (275kV) overhead line route
- ZC (275kV) overhead line route
- VW (275kV) overhead line route

Substations

- Laleham 1 132kV Substation
- Laleham 2 275kV Substation

Underground cables

There are underground fibre cables within or in close proximity to the proposed order limits.

In relation to the Design Refinements, we comment further as follows:

- *Section F Windle Brook Crossing*
The proposed refined route is shown in close proximity to the ZH overhead line and NGET wishes to be kept updated on any further amendments to the alignment at this location;
- *Section F Blind Lane*
The proposed refined route is shown in close proximity to the ZH overhead line and in particular to tower ZH320. NGET wishes to be kept updated on any further amendments to the alignment at this location; and
- *Section H Ashford Road*
The proposed refined route moves the realignment away from the Laleham Substations but remains in close proximity to the VW overhead line and in particular to towers VW055 and VW056. NGET wishes to be kept updated on any further amendments to the alignment at this location.

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Specific Comments – Electricity Infrastructure:

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- If any changes in ground levels are proposed either beneath or in close proximity to our existing overhead lines then this would serve to reduce the safety clearances for such overhead lines. Safe clearances for existing overhead lines must be maintained in all circumstances.
- The relevant guidance in relation to working safely near to existing overhead lines is contained within the Health and Safety Executive's (www.hse.gov.uk) Guidance Note GS 6 "Avoidance of Danger from Overhead Electric Lines" and all relevant site staff should make sure that they are both aware of and understand this guidance.
- Plant, machinery, equipment, buildings or scaffolding should not encroach within 5.3 metres of any of our high voltage conductors when those conductors are under their worse conditions of maximum "sag" and "swing" and overhead line profile (maximum "sag" and "swing") drawings should be obtained using the contact details above.
- If a landscaping scheme is proposed as part of the proposal, we request that only slow and low growing species of trees and shrubs are planted beneath and adjacent to the existing overhead line to reduce the risk of growth to a height which compromises statutory safety clearances.
- Drilling or excavation works should not be undertaken if they have the potential to disturb or adversely affect the foundations or "pillars of support" of any existing tower. These foundations always extend beyond the base area of the existing tower and foundation ("pillar of support") drawings can be obtained using the contact details above.
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- Ground levels above our cables must not be altered in any way. Any alterations to the depth of our cables will subsequently alter the rating of the circuit and can compromise the reliability, efficiency and safety of our electricity network and requires consultation with National Grid prior to any such changes in both level and construction being implemented.

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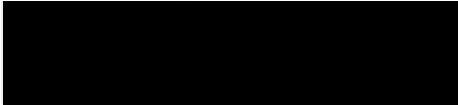


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