

Southampton to London Pipeline Project

Deadline 5

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Southampton to London Pipeline Project

Statement of Common Ground Between: Esso Petroleum Company, Limited and Southern Gas Networks Plc

Date: February 2020

Application Document Reference: B2325300-JAC-000-CIV-REP-500004



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

Signed	
Printed Name	
Position	
On behalf of	Southern Gas Networks Plc (“Southern Gas Networks”)
Date	

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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

- 1.3.1 This SoCG has been prepared jointly by Esso as the applicant and Southern Gas Networks as a Relevant Statutory Undertaker.

Southern Gas Networks is a statutory gas transporter for the southern section of the Southampton to London pipeline, from Boorley Green to the junction of the Maultway / Old Bisley road at Frimley, and the gas pipeline which crosses Chobham Common. Southern Gas Networks owns the 8” pipeline running parallel to the existing Esso aviation fuel and white oil line pipelines along this stretch. The new aviation fuel pipeline will also cross a number of Southern Gas Networks’ other assets.

- 1.3.2 For the purpose of this SoCG, Esso and Southern Gas Networks will jointly be referred to as the “Parties”. When referencing Southern Gas Networks 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: <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 Consultee was sent two letters: <ul style="list-style-type: none"> Letter as a key stakeholder regarding the preferred corridor that was selected A landowner letter
19/06/2018	Meeting	Project background	Initial meeting with the Consultee, providing background to the project.
27/06/2018	Correspondence	Initial Working Route	Project update regarding Initial Working Route release.
06/09/2018	Correspondence	Launch of the first statutory (Preferred Route) consultation	The project sent the Consultee two letters: <ol style="list-style-type: none"> Notification of launch letter (as a statutory consultee) 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.) <p>The Consultee did not respond to consultation at this stage.</p>
05/10/2018	Correspondence	Protective Provisions	Esso emailed a Property Solicitor with a request for the Consultee's Protective Provisions template. <p>The Consultee confirmed it had no Protective Provisions template, while also requesting Option Easement drawings which were presented from Esso.</p>

Date	Format	Topic	Discussion Points
29/10/2018	Correspondence	Protective Provisions	Esso issued the Protective Provisions to the Consultee's Property Solicitor - Part 1 for the protection of electricity, gas, water and sewage undertakers for review.
30/10/2018	Correspondence	Protective Provisions	The Consultee's Property Solicitor confirmed the Protective Provision were being reviewed and any further comments would be issued to Esso.
12/11/2018	Correspondence	Protective Provisions	The Consultee's Property Solicitor issued confirmation that he does not have any comments on the Protective Provisions.
26/11/2018	Meeting	Project update	<p>Presentation to Southern Gas Networks Asset Managers and Easement Officer. Attendees included:</p> <ul style="list-style-type: none"> • Network Officer • Asset Manager SE • Asset Manager South • SE Manager • Easement Manager <p>Provided an update on proposed order limit alignment and explained the DCO process.</p>
03/12/2018	Correspondence	Safety	Network Officer sent a copy of SW2 – SGN's Safety Management Framework – Work Instruction for Safe Working in the Vicinity of Pipelines & Associated Installations with maximum operating pressure.
07/12/2018	Correspondence	Preferred provisional alignment	The project issued via email the Preferred Provisional alignment (post consultation) in the form of a shape file to the Consultee (Head of Legal – Property, Network Officer & SE Manager).
10/01/2019	Correspondence	Protective Provisions	The project issued via email the Preferred Provisional alignment (post consultation) in the form of PDF plans to the Consultee's Head of Legal for Property inviting comments on Protective Provisions.
11/01/2019	Correspondence	Protective Provisions	The Consultee's Head of Legal - Property confirmed who the Consultee's new legal lead for SLP is and they are reviewing the Protective Provisions.
21/01/2019	Correspondence	Launch of the second statutory (Design Refinements) consultation	<p>The project sent the Consultee two letters:</p> <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>
05/03/2019	Meeting	Project Update Meeting	Presentation to Southern Gas Network Asset Managers and

Date	Format	Topic	Discussion Points
			<p>Easement officer. Attendees included:</p> <ul style="list-style-type: none"> • Network Officer • Asset Manager SE • Asset Manager South • SE Manager, SGN Legal • Easement Manager <p>Provided an update on alignment and discussion on Statement of Common Ground.</p>
05/03/2019	Correspondence	SoCG	Sent draft SoCG to Senior Property Solicitor for review and comment.
08/03/2019	Correspondence	Protective Provision	Undertaking emailed to the Consultee's appointed external legal advisors, CMS, to enable them to review and agree the Protective Provisions on the Consultee's behalf.
27/03/2019	Correspondence	Final route announcement	The project sent the Consultee a letter and brochure to announce the final route.

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
15/05/2019	Correspondence	SoCG	Chased the Consultee's legal for comments on draft SoCG.
19/07/2019	Correspondence	Protective Provisions	Consultee's Solicitor chased the Undertaking's technical consultant to ensure the Undertaking's solicitors responded to CMS on draft Protective Provisions
09/08/2019	Correspondence	SoCG	Issued revised SoCG to the Consultee's legal – revised to reflect Protective provision discussions have commenced but agreement not yet reached between both Parties. The Consultee confirmed receipt of document.
02/09/2019	Correspondence	SoCG	Chased the Consultee's legal for comments on draft SoCG.
04/10/2019	Correspondence	SoCG	Chased the Consultee's legal for comments on draft SoCG – Legal responded saying awaiting HP teams comments.
21/10/2019	Correspondence	Protective Provisions	Consultee's Solicitor chased the Undertaking's technical consultant to ensure the Undertaking's solicitors responded to CMS on draft Protective Provisions
01/11/2019	Correspondence	SoCG	Revised SoCG issued to Consultee for review and signature 06/11/2019 - Consultee responded confirming unsigned draft SocG can be submitted at deadline 2.



Date	Format	Topic	Discussion Points
06/11/2019	Correspondence	Protective Provisions	<p>Applicant issued amended protective provisions document to Consultee.</p> <p>08/11/2019 – Consultee sent marked up draft comments on protective provisions.</p> <p>22/12/2019 - Applicant issued amended protective provisions document to Consultee.</p> <p>09/01/2020 – Applicant issued amended form of Agreement to Consultee. Consultee acknowledged receipt of form of Agreement.</p> <p>16/01/2020 – Applicant chased Consultee for comments on form of Agreement.</p>
14/01/2019	Meeting	Cathodic Protection and progress Meeting	<p>Meeting with Consultee to discuss cathodic protection and project progress meeting.</p>
20/01/2020	Correspondence	Alignment	<p>Applicant issued PDFs of current SLP alignment to Consultee.</p>



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 objection to the proposed pipeline alignment.	
Impact on existing apparatus	Easement	<ul style="list-style-type: none"> It is agreed that for the purpose of the installation of the SLP pipeline there will be no change to the existing shared easement between the Consultee and the Applicant. It is agreed that there can be overlapping easements between the existing pipelines and the new aviation fuel pipeline. 	Agreed at meeting 26/11/2018
Impact on existing apparatus	Construction	<p>In submitting its plans to the Consultee pursuant to the protective provisions in the DCO, the Applicant will:</p> <ul style="list-style-type: none"> Maintain a 3m horizontal minimum clearance between the 8" Southern Gas Network gas pipeline running parallel to the existing 12" Esso pipeline and the new aviation fuel pipeline where feasible, namely in rural locations. Cross Southern Gas Network's high-pressure mains between 75 – 90 degrees and comply to T/SP/SSW22 procedures when excavating close to Southern Gas Network's gas pipelines. Undertake interaction testing pre and post construction to confirm the cathodic protection on Southern Gas Network's asset has not been affected. Test shall be carried out in accordance with standard industry guidelines. <p>Accurately peg out the alignment of the new pipeline prior to construction,</p>	Agreed at meeting 26/11/2018 Protective Provision



		especially where the aviation fuel line is to be laid on the west of the 8" gas main.	
Any connection issue		The Parties agree there will be no connection issues.	



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 Provision	Protective Provision	The Applicant has engaged with the Consultee on Protective Provisions and legal discussions are ongoing.	



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