



# The Planning Inspectorate

## Planning Act 2008 – section 91

### Application by Esso Petroleum Company, Limited for an Order granting Development Consent for the Southampton to London Pipeline Project

**Issue Specific Hearing 4:** Draft Development Consent Order

**Date:** Tuesday 25 February 2020, 10:00am

**Location:** The Village Hotel, Pinehurst Road, Farnborough  
GU14 7BF

All Interested Parties are invited to attend issue specific hearings but it would assist the running of the hearing if notice could be given to the Inspectorate's Case Team ([SouthamptontoLondonPipeline@planninginspectorate.gov.uk](mailto:SouthamptontoLondonPipeline@planninginspectorate.gov.uk)) of a wish to participate prior to the hearing.

Each Interested Party is entitled to make oral representations at hearings. However, this is subject to the Examining Authority's (ExA) power to control hearings.

The hearing venue will be open 30 minutes prior to the start of each hearing to enable a prompt start. Hearings will finish as soon as the ExA deems that all those present have had their say and that all matters have been covered.

The agenda is for guidance only. It is not designed to be exclusive or exhaustive. The ExA may add other issues for consideration, may alter the order in which issues are considered and will seek to allocate sufficient time to each issue to allow proper consideration of them. Any lack of discussion of a particular issue at a hearing does not preclude further examination of this issue, including the asking of further written questions.

Every effort will be made to ensure that the issues will be discussed on the days that they are scheduled for. Should the consideration of the issues take less time than anticipated, the ExA may conclude the Hearing as soon as all relevant contributions have been made and all questions asked and responded to.

If there are additional matters to be dealt with or there are submissions that take a considerable amount of time at any Hearing, there may be a need to continue the session for longer on the day. Alternatively, it may be necessary to prioritise matters and defer others to further written questions.

#### **Please Note:**

**In order to ensure timely publication of the agenda, this has been drafted shortly before the receipt of submissions for Deadline 5. As such, any references to documents may have been superseded by Deadline 5. Therefore, the ExA may need to adjust the agenda at the hearing to allow for responses received, and updated documents submitted, at D5.**

**Because of the room availability, please note the ExA must conclude the meeting by no later than 2:00pm.**

#### **Car Parking:**

**We have been advised by the Applicant that the car parking at the Village Hotel is managed by a third party and if someone forgets to register their car with the venue, the venue has no power to waive a fine. There will be a free parking code for delegates to use. The Applicant will have someone in reception to provide this number as attendees register their car number plate each day. It will be a different number each day. There is a machine in the hotel entrance or delegates can download the JUSTPARK app and use the code for free parking.**

#### **Agenda**

The main purpose of the Issue Specific Hearing 4 is to undertake an examination of the draft DCO Articles and Schedules [REP4-006].

In particular, to:

- Clarify issues around how the draft DCO is intended to work – what would be consented, the extent of the powers and what requirements, provisions and agreements are proposed;
- Identify any possible issues of prevention, mitigation or compensation which are not covered by the DCO as currently drafted; and
- Establish or confirm the views of other Interested Parties as to the appropriateness, proportionality or efficacy of the proposals.

**Please note that Protective Provisions will be examined at the Compulsory Acquisition Hearing 2 on Monday 24 February 2020 at 3.00pm.**

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## **Issue Specific Hearing 4: Draft Development Consent Order**

**Tuesday 25 February 2020, 10:00am**

**1. Welcome, introductions, arrangements for the hearing**

**2. Matters for Discussion**

- i) **Part 3 Articles 9 (Power to alter layout etc. of streets); 10 (street works); 12 (Temporary stopping up, alteration, diversion or restriction of streets and public rights of way); 14 (Access to works) and 15 (Traffic regulation)**

Notwithstanding the responses received at D4, the ExA remains concerned by the powers sought and the wording of these Articles particularly following the insertion of wording regarding the permit

scheme operated by Hampshire County Council and Surrey County Council.

**ii) Part 6, Article 41 (Felling or lopping)**

Whether, in light of the submissions at D4, this Article would adequately protect trees outside of the Order limits, whether an additional requirement for tree protection is necessary or whether this is adequately secured by the re-wording of Requirement 12 in the dDCO [REP4-006]

**iii) Schedule 2, Requirement 3 (Stages of the authorised development)**

The ExA considers a further discussion is required as to how this Requirement works in practice and to discuss the alternative wording advanced by the local authorities at D4.

**iv) Schedule 2, Requirement 14 (Construction hours)**

Whether the Requirement needs altering, tightening and generally changing.

**v) Schedule 2, new Requirement 17 (Site specific plans)**

The views of the IPs on the insertion of the new Requirement.

**3. Matters for Clarification**

**Part 2, Article 6(2)** – The acceptability of not applying the Limits of Deviation

**Part 6, Article 38** – The ExA requests clarification for the need for, and what specific permitted development rights are sought

**Schedule 2, Requirement 5** – The ExA is concerned over the acceptability of the tailpiece

**Schedule 2, Requirement 6** - Whether the removal of the list of documents is premature and the location of the Arboricultural Management Plan

**Schedule 2, Requirement 7** – Whether a list of documents supporting the CTMP ought to be listed.

**Schedule 2, Requirement 8** – Whether “vegetation” needs to be defined and whether Relevant Planning Authority includes the SDNPA.

**Schedule 2, Requirement 11** – Whether this Requirement is to be changed following the Applicant’s response at D4 [REP4-022].

**Schedule 2, Requirements 15 and 16** – SDNPA and Surrey Heath BC to explain why these Requirements as worded are considered to be imprecise and lack clarity.

**Schedule 2, Requirement 18** – The need for 56 days consultation over the provided 42 days.

**Schedule 2, Requirement 21** – Whether paragraph (1) should be redrafted.

**Schedule 2, Requirement 24** – Whether 5 business days is reasonable.

- i) **Decommissioning activities** – whether a decommissioning Requirement is necessary particularly regarding the remove of above ground infrastructure.
  
- ii) **Schedule 11** – The listing of a navigation document as part of the certified documents.

**Invited attendees:**

All IPs are welcome to attend the hearing. However, the ExA considers that representatives for the following parties should consider attending because the ExA believes that the material that they have submitted raises issues that may need to be explored at the hearing:

- The Applicant;
- Hampshire County Council;
- Runnymede Borough Council;
- Rushmoor Borough Council;
- South Downs National Park Authority;
- Spelthorne Borough Council;
- Surrey Heath Borough Council; and
- Surrey County Council.