

# **Comments on the draft Development Control Order submitted at Deadline 5**

**Application by ESSO Petroleum  
Company Ltd for an Order Granting  
Development Consent for the  
Southampton to London Pipeline Project**

**Application Reference EN070005**

**Interested Party Reference 20022787**

**Internal Reference 19/00432/PINS**

**Comments on the draft DCO**

**RBC maintain concerns in relation to the following Articles and Requirements:**

<p><b>Part 3, Article 9</b> Power to alter layout, etc of streets</p>	<p>RBC remains of the view that the Construction Management Plan should gain Local Authority Consent.</p>
<p><b>Article 14</b> Access to Works</p>	<p>We note the changes to this however maintain the comments made at D4 in response to DCO.2.1 in relation to specific sites owned by the Council.</p>
<p><b>Article 17</b> Discharge of Water</p>	<p>RBC remains concerned about this requirement as outlined in our oral and written submissions. Despite the response from the Applicant we remain of the view that appropriate safeguards need to be built into the DCO to ensure no contamination or hydrological changes as a result of the pipeline. Our response to DCO.2.1 still stands.</p>
<p><b>Article 41</b> Felling or Lopping</p>	<p>As mentioned in oral and written submissions this Article provides a broad power which might give rise to a risk to trees, including veteran trees. A requirement is needed to constrain this power. RBC submits that the local planning authority should be consulted and an arboriculture report prepared.</p>
<p><b>Articles 9(5), 10(3), 12(8), 15(7), 18(4), 21(1) and 24(2)(b)</b></p>	<p>For the reasons outlined at D4, the number of days should be 56 and not 42.</p>
<p><b>Requirement 3</b> Stages of authorised development</p>	<p>Our previous submissions remain: we feel that the wording proposed at D4 should be adopted so that the local planning authority or highways authority area can input and give their approval before the stages of the authorised development are finalised. Those authorities have the local knowledge needed to assist with this.</p>
<p><b>Requirement 7</b> Construction traffic</p>	<p>RBC continues to take the view that not only should it be consulted on the CTMP but that consent from RBC should be sought to ensure thorough consideration from both a county and local authority point of view.</p>
<p><b>Requirement 9</b> Surface and foul water drainage</p>	<p>As outlined previously, this requirement should refer to temporary works and not just permanent works.</p>
<p><b>Requirement 13</b> Protected Species</p>	<p>RBC notes that the proposed changes made at D4 and D5 to this requirement have not been adopted by the Applicant. RBC maintains the view that this requirement should be re-worded in the terms proposed in order to ensure protection for habitats and species.</p>
<p><b>Requirement 14</b> Construction Hours</p>	<p>RBC notes that the Applicant has amended this requirement however we remain concerned in relation to 14(4)(b) and (c) that those activities could be intrusive and could take place at any time of the day and night. We made a proposal regarding the re-wording of this requirement at D4.</p>

	Further, our position remains the same in relation to the interpretation of the words “reasonably necessary” and “exceptional basis”.
<b>Requirement 21</b> Register of Requirements	RBC remains of the view that the register should be established before the submission of requests for any approvals are given.
<b>Requirement 24</b> Further information	<p>RBC still considers that 15 working days is appropriate for the reasons outlined at D4. We appreciate that the period for determining the application is 42 days (which we have submitted should be 56 days in any case) and that the 5 days relates to requests for further information, however the point still remains that it is likely that we will need both internal and external consultation, and the fact that we are dealing with an unknown number of submissions, which might be complex.</p> <p>RBC considers the “and in any event within 21 days of receipt of the application” at the end of 24(3) unnecessary due to the specified timescales in the provision and beyond the control of the Authority as it cannot compel a requirement consultee to respond. It requests these words be deleted.</p> <p>(3) If the Requirement specifies that consultation with a requirement consultee is required, the relevant authority must issue the consultation to the requirement consultee within 2 business days of receipt of the application and must notify the undertaker in writing specifying any further information requested by the requirement consultee within 2 business days of receipt of such a request and in any event within 21 days of receipt of the application.</p>
<b>Requirements 29 and 30</b> Temporary use of land for carrying out the authorised development Temporary use of land for maintaining the authorised development	RBC maintains the view that the notice periods of 14/28 days is insufficient and it should be 3 months.