

**From:** [REDACTED]  
**To:** [Southampton to London Pipeline Project](#)  
**Cc:** [REDACTED]  
**Subject:** National Infrastructure Process: Examination of Southampton to London Pipeline  
**Date:** 17 March 2020 13:34:40  
**Attachments:** [The SLP - Response to the revised SSP for Turfhill Final.docx](#)  
[Decision for Inspectorate re IROPI Test for Applicant Final.docx](#)

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Dear Mr. Allen,

We have spent some considerable time exploring many of the documents filed following the Specific Hearings at the end of last month and we have attempted to comply with the ExA timetable and to keep the Inspectorate fully aware of the attempts of Heronscourt Residents and the Colville Gardens Residents Associations (RAs) to register our strong objections to what Esso is proposing for the pipeline route across Turfhill Park.

This culminated in our recent submissions at Deadline 6 and you have indicated that the newly created Deadline 6a is for responses to your earlier requests for information, exclusively from Natural England. Consequently, any further protests and attempts to provide cogent input to the Examination Process rest on submissions at Deadline 7, Thursday 2<sup>nd</sup> April, only 7 days before the completion of your Examination. This would appear to be far too late to explore and fully understand how the Applicant has approached and continues to approach and answer our valid concerns about the entire public process from so-called 'Consultation' to 'Termination' of the Examination of this replacement pipeline.

And we use the word 'replacement' advisedly since there are already two historic separate fuel lines across Turfhill Park, following routes that create absolutely no concern for anyone or anything living in the local area. But clearly using the current route, known as F1c through the Park, is not satisfactory for the Applicant who is adamant that they have every intention of pursuing their single minded and destructive approach to this and other areas affected by their current proposed pipeline F1a+. Their categorical refusal to consider or even assess other potential routes, even when questioned recently by our MP, creates suspicion in the minds of the RAs that there may already be serious problems with the functioning of the existing pipeline whose insulation is said to be failing and possibly causing corrosion and presumably other unseen problems with the pipeline. A completely new route would enable the existing pipelines to be mothballed out of service. On the other hand, perhaps the ease of access, the ambivalence of Surrey Heath Borough Council, the inadequate surveys of trees and wildlife were sufficient to seduce the Applicant to override the potential and inevitable complaints of the local residents?

We remain hopeful that the Inspectorate will view the latest version of the Applicant's Site Specific Plan for Turfhill Park filed for Deadline 6 as yet a further attempt by them to have the last word in the debate on their intentions. A tactic that has been used throughout the Examination process! They obviously assume that the revised Plan, including the minor selected but minor updates that the Inspectorate requested, subsumed into the technicalities of the Description of Works and Reinstatement absolves them of the need to provide adequate justification for adopting F1a+ rather than F1c or the Alternative route. Additional tree loss, root disturbance, compound siting, selective usage of Natural England advice, inadequate Statement of Common Ground (SOCG) with Affinity Water are just a few aspects of the Plan and the Examination that still remain unanswered.

Surely the ExA should **demand** that Esso carry out any of their requests! What authority does the Applicant have to ignore the requirements of the ExA since they, via the Inspectorate, is the Government's agent for ascertaining the facts in order that Ministers may make a well informed decision. How is this possible if the Applicant refuses or delays answers until after the conclusion of the Examination?

**If the Applicant is allowed to proceed without doing so, it must call into serious question the process and effectiveness of this Examination.**

As a result of these comments, we feel it is important at this stage to submit two papers on behalf of the local residents. The first is the Response to the revised Site Specific Plan for Turfhill Park and the second relates to the additional clarification of the Applicant's chosen route. We hope these are urgent and timely additions to ExA deliberations ahead of Deadline 7.

**As far as the RAs and Lightwater residents are concerned both these documents emphasise and support the need for the ExA to consider these urgently. They do contain strong arguments for the ExA not to approve the Applicant's route through F1a+.**

You are already aware of our frustrations at the legal constraints and process that bedevils your efforts to conduct a comprehensive Examination of this Project and point to our many covering comments supporting our formal submissions to the ExA. 'Common Sense' and 'Fairness' seem to be the major casualties in the drive by the Applicant to browbeat those involved and those affected into submission. The entire process seems overly bureaucratic whilst at the same time attempting to follow the Government's mantra to expedite approval for National Infrastructure Projects that are supposed to be in the country's interest. The process and the 6 month time restriction makes it virtually impossible for private interested parties to participate in any meaningful manner and for the ExA to pursue some of the important and necessary investigations that seem to have been hampered by an Applicant who is well-versed in the international process of executing major projects.

Reverting to some of the points that were made for Deadline 6:

### **Runway 3, Heathrow Airport**

At this late stage of the Examination, is the anticipated impact of the Court ruling that has left the expansion of Heathrow in serious trouble. We have been unable to check whether the original Application accepted for Examination contained any link to the Airports National Policy Statement (ANPS) which has recently been defeated in the Courts of Justice since it "did not take into account its commitment to the Paris Agreement on climate change."

If the replacement pipeline, as an important infrastructural project that is due to be signed off by both the Business Secretary and the Department of Transport, has similarly not taken climate change into consideration e.g., smaller and more fuel efficient aircraft, less usage of the Heathrow re-fuelling hub, tree and environmental destruction etc., will the architects of the recent Court case be able to mount a similar action against the Applicant/Government? Is this an aspect of the Southampton to London Pipeline that the Inspectorate will need to take into account as part of their Examination of the Project?

Despite asking the question we have yet to be advised whether the ExA are now obliged to ensure that both the Applicant and the Inspectorate have accepted that they will need to address this topic and how this will be progressed?

## **Natural England/Proposed and Alternative Routes**

Recent discussions have alerted the RAs to a situation that has not been raised to our knowledge, during any stage of the Examination, about the Inspectorate's remit to question the impact of the Applicant's new route F1a+ under the Department for Environment, Food and Rural Affairs Habitats Directive. We presume that without undertaking an independent survey in order to demonstrate that there is no alternative route to the one proposed, the Applicant is certainly not able to claim that their chosen route is not an **Imperative Reason of Overriding Public Interest** under the Directive? Is this correct?

Finally, in order to understand the final stages of this process could you advise what will be expected of the RAs ahead of Deadline 7 and can we be advised of what happens at the expiry of your Examination period in respect of:

- Outstanding or Unanswered Questions?
- Recommendations?
- Decisions?
- Appeal process?

Thank you for your consideration of the attached two submissions and also in anticipation of answers by you and the Case Team to our numerous other concerns.

Heronscourt Residents Association

Colville Gardens Residents Association

Lightwater Residents