

From: [Gordon, Clark](#)
To: [Southampton to London Pipeline Project](#)
Cc: [Newman, Steve](#)
Subject: Environment Agency update to BEIS SoS - SLP Project (EN070005)
Date: 17 September 2020 17:16:08
Attachments: [image006.png](#)
[Environment Agency update to BEIS SoS - SLP Project \(EN070005\).pdf](#)
[Draft updated Environment Agency Protective Provision \(track-changes\).pdf](#)

Dear Sir/Madam,

Environment Agency update to Business, Energy & Industrial Strategy Secretary of State (EN070005)

PINS Registration identification number: 20022740

Please find attached an update for the BEIS SoS on the EA's River Thames Scheme, further to our letter dated 19 August. We have also attached an updated Protective Provision, which is referenced in the letter.

If you have any queries about this response, please do not hesitate to contact me.

Kind regards,

Clark Gordon

Strategic Planning Specialist, Strategic Planning & Engagement (Thames)
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Gareth Leigh
Head of Energy Infrastructure Planning
Department for Business, Energy &
Industrial Strategy
1 Victoria Street
London
SW1H 0ET

Project: Southampton to London
Pipeline Project

Your ref: EN070005

Date: 17 September 2020

Dear Gareth,

Planning Act 2008 and The Infrastructure Planning (Examination Procedure) Rules 2010

Application by Esso Petroleum Company Limited (“the Applicant”) for an Order granting Development Consent for the proposed Southampton to London Pipeline Project and associated infrastructure (“the Pipeline Project”)

We are writing to provide you a further update to our letter dated 19 August 2020 which provided an update on our discussions with the applicant (Esso) regarding the SLP Project’s interaction with our proposed flood alleviation scheme – the River Thames Scheme (RTS).

We held a meeting with the applicant on 15 September so that they could update us on their latest design proposals for the pipeline in the RTS area around Littleton Lane and provide an update on potential costs to us. This is the first time that we have seen an indication of the likely costs to the RTS scheme resulting from the need to divert the SLP Project pipeline at a later date.

In our ‘deadline 7’ response to the Development Consent Order (DCO) application (dated: 2 April 2020) we provided the Examining Authority with an ‘RTS briefing note’ in which we proposed that the RTS scheme could be included within our Protective Provision in the DCO Order. Following the meeting with the applicant on 15 September, and the receipt of further legal advice on this matter, we would like to propose changes to our Protective Provision within the Order as shown on the track-change document attached with this letter. The result of these changes is that:

1. The definition of “specified work” also includes the installation of the pipeline in the area that interacts with the RTS so that our approval is required for works in this area.
2. We can impose conditions related to the protection or facilitation of the RTS, e.g. we can require the pipeline to be installed at a greater depth or in a specific location if required for the RTS.
3. The applicant is required to apply to amend the vertical limits of deviation if necessary.

We believe that these changes are necessary to ensure that the RTS scheme can proceed without unduly cost burdens at a future point. The RTS is substantively taxpayer-funded, with funding from scheme partners, including local authorities benefitting from the scheme. We must of course ensure that public funds are used appropriately in the development of the scheme. As it stands, the current situation leaves us with a risk of unknown costs being added to the RTS scheme at a later date, potentially risking the entire project. Although we have now been provided with draft costs by the applicant, these are subject to refinement and could rise further when the RTS scheme is ready to be built.

Separately, we have also asked the applicant today if they would be willing to enter into a side agreement with us to record as part of the DCO the work that has been carried out to date, the specifics and agree some principles as to how the two schemes will work together in the future. We await the applicant’s response to this request.

If you have any queries about this response, please do not hesitate to contact me.

Yours sincerely,

Clark Gordon
Strategic Planning Specialist
Environment Agency, Thames area

Att Draft updated Environment Agency Protective Provision (track-changes)

cc Steve Newman – Jacobs