



The Rt Hon Alok Sharma MP
Secretary of State
Department of Business, Energy and Industrial Strategy
1 Victoria Street
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secretary.state@beis.gov.uk

31 July 2020

Dear Secretary of State,

Re: Planning Act 2008 Application for Development Consent Order for Southampton to London Pipeline by Esso Petroleum Company, Limited

At the end of the Examination of our application for a Development Consent Order (DCO) for the Southampton to London Pipeline, we submitted a Summary of Case ([AS-093](#), also attached) to the Examining Authority. This summary set out our position on several of the matters considered during the Examination, such as alternative route alignments (including at Turf Hill in Lightwater), Queen Elizabeth Park in Farnborough and compulsory acquisition powers.

On 7 July 2020 you received from the Planning Inspectorate the report of the Examining Authority on our application.

I am writing now to update you on matters identified within the compulsory acquisition powers section of our Summary of Case which remained outstanding as at the close of Examination and how these have progressed since.

Crown Land Update

We reported that the Ministry of Defence (MoD) and Esso had agreed final wording for the voluntary land rights and the agreements had been engrossed for signing/sealing. Despite the Covid-19 pandemic having an impact on the signing, I can confirm that agreement for the pipeline easement has now been fully completed. Voluntary land rights for a valve compound in the form of an Option for Lease are also being sought from the MoD. This agreement has been engrossed and signed by both parties and is awaiting completion. It should be noted that whilst this valve compound is part of our project it is not fundamental for the construction and operation of the SLP as it sits alongside the pipeline easement that has already been completed.



We also reported that the Ministry of Justice (MoJ) and Esso had agreed all the terms of the voluntary land rights for a short section of public highway save for a requirement by the MoJ that its commercial tenant must also consent to the grant of land rights including the terms therein and the nature of the works. Our discussions with the commercial tenant are well advanced, however it transpires that formal authorisation from the MoJ needs to be granted to the commercial tenant before it can provide consent. It is hoped that the MoJ will authorise their commercial tenant to provide that consent soon, enabling the agreement to be completed.

S127 updates

The Summary of Case refers to our Section 127 case ([REP7-049](#)) which was submitted at deadline 7. In that document we noted that we did not expect to reach agreement with three statutory undertakers, namely Portsmouth Water, Affinity Water and Network Rail, who had made representations and had not withdrawn them, and submitted our case on the sufficiency of the protective provisions included in the final draft of the DCO.

I can advise that since the close of the Examination, Portsmouth Water have confirmed that they are satisfied with the protective provisions contained within the draft DCO. We are aware that Affinity Water have made late representations direct to the Secretary of State after the closure of Examination. We sought to engage with Affinity Water throughout the development of the project, however this is the first time that a Protective Provisions proposal has been put forward by them. We have therefore had no opportunity to consider the appropriateness of the Protective Provisions which in Affinity Water's view should be included in any made Order. It is of course for you to decide how to take account of these late submissions, but we would note the draft DCO already contains model protective provisions for the protection of a water undertaker's assets. In respect of Network Rail we note with interest the recent "minded to approve" letter in respect of the Hornsea Three DCO and in particular paragraph 18.13 of that letter, which is relevant to this case.

We also noted in the Summary of Case that it was anticipated that a further three representations would be withdrawn by the end of the examination. In the event only one of these was withdrawn (CLH Pipelines) leaving Thames Water and South East Power Networks outstanding. I can now confirm that agreement with Thames Water has been completed and it wrote to the Planning Inspectorate on 26 May confirming this. While discussions with South East Power Networks have progressed, an agreement with them has not yet been completed.

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Southampton to London
Pipeline Project

I trust you found this information helpful. I will write to you again to provide a further progress update on the outstanding compulsory acquisition powers items identified above.

Yours sincerely,

[REDACTED]
Tim Sunderland
Project Executive
Southampton to London Pipeline Project