

REPORT TITLE: MEMBER BRIEFING UPDATE – SOUTHAMPTON TO LONDON
PIPELINE PROJECT

23 MAY 2019

REPORT OF PORTFOLIO HOLDER: To be confirmed

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WARD(S): BISHOPS WALTHAM, UPPER MEON VALLEY & ALRESFORD &
ITCHEN

PURPOSE

The purpose of this paper is to inform the planning committee members of the background and current status of the Esso Southampton to London Pipeline National Strategic Infrastructure Project (NSIP) which is currently under consideration by Winchester City Council (WCC) and then to agree on a level of officer delegation, in consultation with the Portfolio Holder for Built Environment for future actions.

RECOMMENDATIONS:

1. That Members note the contents of this report.
2. In view of the nature of the proposal and the limited impact on the district, that Members agree to delegate to officers, in consultation with the Portfolio Holder for Built Environment the **full** role of responding to the planning inspectorate with regard to the Councils responsibilities as one of the host authority for the Esso Southampton to London Pipeline Project.

IMPLICATIONS:

- 1 COUNCIL STRATEGY OUTCOME
- 1.1 **Improving the quality of the Districts environment:** securing the best possible environmental outcome by active engagement in the NSIP process.
- 2 FINANCIAL IMPLICATIONS
- 2.1 None.
- 3 LEGAL AND PROCUREMENT IMPLICATIONS
- 3.1 None arising from this paper.
- 4 WORKFORCE IMPLICATIONS
- 4.1 A planning officer is acting as the main contact and drawing in other colleagues as required when formulating responses.
- 5 PROPERTY AND ASSET IMPLICATIONS
- 5.1 None.
- 6 CONSULTATION AND COMMUNICATION
- 6.1 The guidance specifically discourages the Council from initiating any consultation exercise. Esso have undertaken contacts with the public and these will continue into the examination stage.
- 7 ENVIRONMENTAL CONSIDERATIONS
- 7.1 None directly related to the decision sought by this report.
- 8 EQUALITY IMPACT ASSESSEMENT
- 8.1 None.
- 9 DATA PROTECTION IMPACT ASSESSMENT
- 9.1 None required.
- 10 RISK MANAGEMENT
- 10.1 None at this time.

Risk	Mitigation	Opportunities
<i>Property</i>	N/A	N/A
<i>Community Support</i>	N/A	N/A

<i>Timescales</i>	N/A	N/A
<i>Project capacity</i>	N/A	N/A
<i>Financial / VfM</i>	N/A	N/A
<i>Legal</i>	N/A	N/A
<i>Innovation</i>	N/A	N/A
<i>Reputation</i>	N/A	N/A
<i>Other</i>	N/A	N/A

11 SUPPORTING INFORMATION:

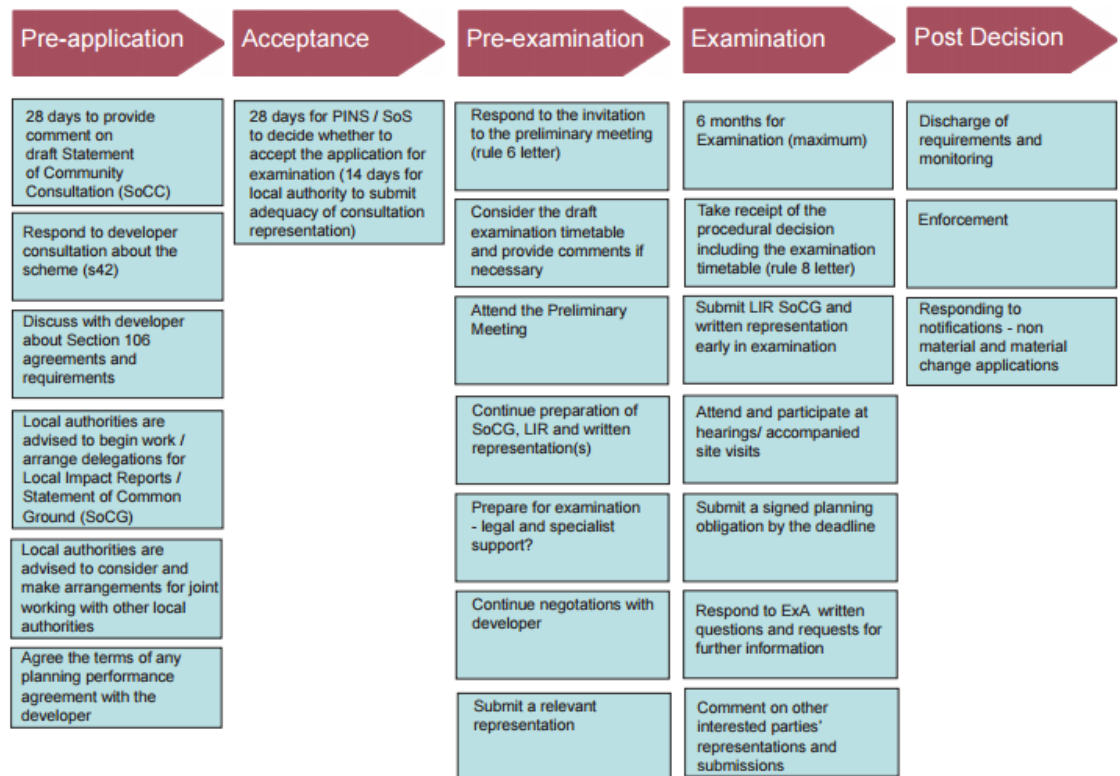
Background to National Strategic Infrastructure Projects

- 11.1 National Strategic Infrastructure Projects (NSIPs) are development proposal which are considered to have more than local implications. The Planning Act 2008 introduced the procedure under which projects relating to a certain type of development must be considered by the Secretary of State (SoS) for a decision. The precise SoS who deals with the project will reflect the type of scheme under consideration. Depending on the type of project concerned, an applicant can also make a request that the SoS deal with the project rather than the local planning authority. This new procedure was a response to the long delays that schemes had endured under the 1990 Planning Act. The Heathrow Terminal 5 inquiry is often quoted as an example of this. Whilst the Infrastructure Planning Commission (IPC) was the original body set up to act as the agent for government in processing the applications, this role has subsequently been transferred to the Planning Inspectorate (PINS).
- 11.2 If an NSIP is successful, a Development Consent Order (DCO) is issued. This is not a planning permission but a separate legal statutory instrument. Usually, the decision can include consents over a range of aspects and can also include compulsory purchase powers. When a DCO is issued, it is usually accompanied by requirements which are similar to planning conditions and address outstanding issues that have to be resolved. These requirements are submitted to the relevant local planning authority (LPA) for a decision. Any monitoring and enforcement are also the responsibility of the LPA. A link to the NSIP web page is set out in the background documents below.
- 11.3 The process of considering and making a decision on a NSIP goes though 5 distinct stages. The following is an extract from the advice note (The role of local authorities in the development consent process) which can be view via the following link:

https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/2015/03/Advice_note_2.pdf

This sets out these stages and the main actions within each stage.

The role of local authorities



- 11.4 The applicant is expected to drive the proposal in the pre application stage by developing the proposal and undertaking the required consultations with statutory bodies and the wider public. Local Planning Authorities are encouraged to engage with applicants at this stage to help shape and influence the nature of the proposal. Once the project is formally submitted, PINS becomes the central figure and they dictate the timetable. The acceptance and examination stages contain specific deadlines for actions by interested parties if they wish to see their views taken into account.
- 11.5 A fuel pipeline falls into the definition of schemes that would be classified as an NSIP. Therefore, it must be submitted to PINS for determination. It also meets the threshold that would require an Environmental Impact Statement to be submitted with any application. In July 2018 Esso submitted a scoping report to PINS seeking to identify the topics that would form the basis of an Environmental Impact Report. In September 2018 PINS responded with a scoping opinion that identified a range of topics.

The Southampton to London Pipeline Project.

- 11.6 Esso have identified that the existing 105km pipeline between Fawley and the London Storage facility at Hounslow that was installed between 1969-72 is getting towards the end of its life and needs replacing. This pipeline was originally consented under the Esso Petroleum Act 1961. Since the 1980s it has been used to supply aviation fuel to the London area. To put it in some sort of context, it would need a fleet of 100 road tankers making the round trip each day to move an equivalent amount of fuel. The first section of the pipeline up to Boorley Green has already been replaced leaving 90km to be completed. The extent of the pipeline means it crosses multiple local authority boundaries.
- 11.7 Through a design evolution procedure the corridor routes has been identified and then refined down to a single preferred route. Effectively, this parallels the existing pipeline. The corridor will be 30m wide to accommodate the storage piles of top soil and sub soil and provide a haul route, working area and the trench. Where the route crosses a field boundary formed by a hedge or trees the corridor width will be reduced to 10m to minimise the amount of vegetation lost. The gaps would be replanted. Once installed, a 3m easement strip either side of the pipeline will be instigated.
- 11.8 The pipeline which will consist of 30cm diameter pipes will be buried approximately 1.2m below the surface with the majority of the sections installed by using a simple open trenching method. The other sections where they cross sensitive locations or infrastructure such as certain roads would be formed by boring under the feature. The route includes a number of pumping stations and valve facilities which mean sections can be isolated if required. Monitoring facilities are to be installed as part of the operation. The new pipeline has a projected design life of 60 years.
- 11.9 The decommissioning of the existing pipeline is not part of the NSIP as it is already covered by the original consent.
- 11.10 Links to the applicant page on the NSIP web site and to the applicants own website are provided at the end of this report.

Engagement by Winchester City Council in the Process

- 11.11 Two elements of the proposal relate to land within the Winchester City Council area and need to be considered by the Planning Committee. They are firstly, a short section of the pipeline and secondly, the intention to form a temporary hub depot just north of the A31 west of Ropley Dean.

- 11.12 Whilst the section of the pipeline that crosses the Winchester City Council administrative area runs from Ford Lake (a tributary to the River Hamble) approximately 18km up to West Tisted where it then crosses into the East Hampshire district, the fact that the South Downs National Park Authority hold responsibility for the majority of that length means this Council only needs to consider the section from Ford Lake up to the B2177 Winchester Road west of Bishops Waltham. Attached as appendix A is a plan showing this specific section. This is a length of approximately 4 km or 4.5% of the total to be installed under the DCO. The details of the design for this section show that the pipeline would be installed by the open trenching method. Once installed, the above ground evidence of the presence of the pipeline will be minimal.
- 11.13 The second element relates to the temporary hub depot that will be located to the north of the A31 and west of Ropley Dean. It is located just inside the district boundary which runs down the eastern side of the depot and outside the national park area which lies to the south. Attached as appendix B is a plan showing the location of the depot. This location appears to have been chosen due to its road access. The depot will offer offices and welfare buildings with space for the storage of materials, a fabrication area and vehicle/plant repair facilities.
- 11.14 The LPA has been involved with the applicants in the pre application stage offering advice and reviewing the scheme as it has developed. The degree of officer involvement with the developer has reflected the nature of the proposal and the level of interest it has attracted. A lead Planning Officer has been identified to act as a hub, drawing in and co-ordinating responses from other colleagues within the Council to ensure a uniform and consistent response. Officers have engaged with the applicant by participating in meetings. One such update is scheduled for Tuesday 14 May 2019. A verbal update on any new information arising from that meeting will be given at the committee meeting.
- 11.15 The LPA has recently been notified by PINS that the formal application will be submitted to them by the 19th May 2019. That will trigger the acceptance stage actions by PINS which will consist of a request to all host authorities seeking confirmation within 14 days that the consultation exercise undertaken in the pre application stage was considered adequate. If PINS accept the submission then there will be a requirement to submit further responses in the pre examination stage and then participate in the examination stage.

Delegation Requirement

- 11.16 The proposal has limited impact within that section of the District outside the National Park. A combination of the case put forward of the need for a

replacement of the existing pipeline and the degree of the detail of work undertaken by the applicant on the submission has not resulted in this scheme raising any controversial issues. This is in contrast to the Aquind NSIP that is some 8 months behind this scheme in terms of the procedure forward the examination stage. Members will recall the report to the Planning Committee at the 25 April 2019 meeting on the Aquind project. That scheme involves a higher level of impacts during the construction and operational phases with the laying cables along highways and significant buildings at the Interconnector Station at Lovedean. Whilst the Councils formal response to Aquind will come in front of the committee for consideration, for the reasons outlined above, it is not considered necessary for members to spend time on considering the formal comment for the Esso proposal at the examination stages. It is therefore suggested that this matter is delegated in full to officers in conjunction with the Portfolio Holder for Built Environment. The proposed recommendation reflects this approach.

12 OTHER OPTIONS CONSIDERED AND REJECTED

12.1 None

BACKGROUND DOCUMENTS:-

Previous Committee Reports: None

Other Background Documents:-

<https://infrastructure.planninginspectorate.gov.uk/>

<https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/>

https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/2015/03/Advice_note_2.pdf

<https://infrastructure.planninginspectorate.gov.uk/projects/south-east/southampton-to-london-pipeline-project/?ipcsection=overview>

<https://www.slpproject.co.uk/>

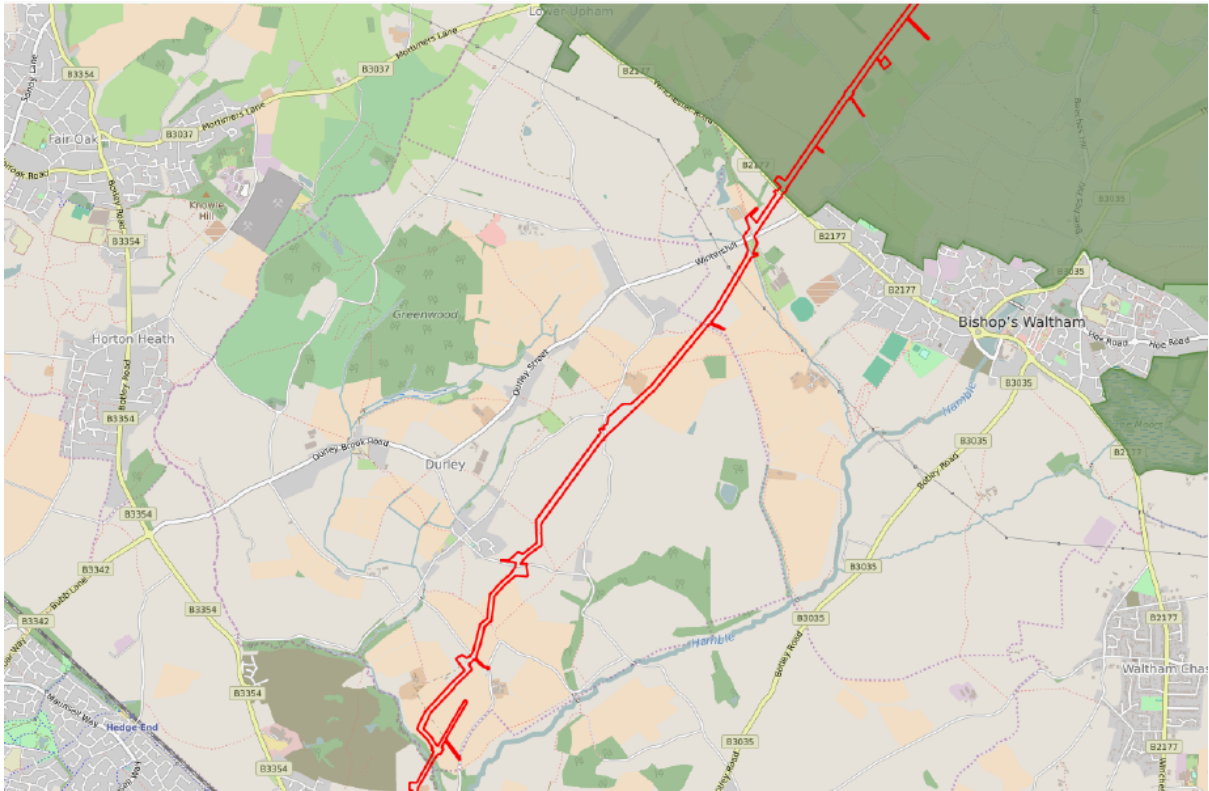
APPENDICES:

Appendix A Plan Showing the Pipeline corridor Entering the District at Ford Lake and then entering the National Park.

Appendix B Plan Showing the Ropley Dean Temporary Hub Depot Site and the Pipeline Corridor to the South.

APPENDIX A

Plan Showing the Pipeline corridor Entering the District at Ford Lake and then entering the National Park



APPENDIX B

Plan Showing the Ropley Dean Temporary Hub Depot Site and the Pipeline Corridor to the South.

