



Offshore Petroleum Regulator
for Environment & Decommissioning

D/4257/2020

IOG UK Ltd
Endeavour House
189 Shaftesbury Avenue
London
WC2H 8JR

04 February 2022

Dear [REDACTED]

**Department for Business, Energy
& Industrial Strategy**

Offshore Petroleum Regulator for
Environment & Decommissioning
AB1 Building
Wing C
Crimon Place
Aberdeen
AB10 1BJ

Tel [REDACTED]

www.beis.gov.uk
BST@beis.gov.uk

**THE OFFSHORE OIL AND GAS EXPLORATION, PRODUCTION, UNLOADING
AND STORAGE (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS
2020**

NOTICE UNDER REGULATION 12(3)

Southwark Pipeline Installation Project

The Offshore Petroleum Regulator for Environment and Decommissioning (“OPRED”) acting on behalf of the Secretary of State for Business, Energy and Industrial Strategy (“the Secretary of State”) has received further information relating to the above project.

OPRED hereby notifies you that the Secretary of State considers that the following further information (“the Further Information”) ought to be made public because the information is directly relevant to reaching a conclusion on whether the project is likely to have a significant effect on the environment:

- a) All Further Information provided in response to No. 2, No. 3, and No. 4, of the Regulation 12 (1) notice sent by OPRED to IOG on 10 December 2021.

In accordance with regulation 20, you are not required to disclose any information which is subject to an obligation of confidentiality by virtue of any law of any part of the United Kingdom.

The Secretary of State will be obliged to publish the Further Information on a public website in due course in accordance with Regulation 12(10). Please therefore provide OPRED with a copy of the Further Information that is suitable for publication as soon as possible. If and to the extent that you consider any of the Further Information to be subject to an obligation of confidentiality within the scope of Regulation 20, please ensure that the copy provided to OPRED for publication is not confidential.

Continuation 2

Publication of Regulation 12(5)(c) Notice

Under Regulation 12(8)(b), the Secretary of State hereby directs that IOG UK Ltd must publish the notice referred to in Regulation 12(5)(c) in:

- a) The Telegraph (being a newspaper with national circulation); and
- b) Hull Daily Mail and the Eastern Daily Press (being a newspaper / newspapers with local circulation in the area adjacent to the project)

IOG UK Ltd may also choose to publish the notice in additional newspapers.

Next Steps

The following paragraphs set out some guidance on next steps. However, it remains IOG UK Ltd's responsibility to ensure that it has fully complied with the requirements of Regulation 12. Failure to comply with any of the requirements could delay OPRED's consideration of the Environmental Impact Assessment (submitted to OPRED in the form of an Environmental Statement).

1) Service on Authorities

OPRED has previously served a notice under Regulation 11(1) on IOG UK Ltd dated 28 April 2021, specifying the authorities ("the Authorities") that the Secretary of State considers would be likely to be interested in the project due to their particular environmental responsibilities or local or regional competence.

Under Regulation 12(5)(a), IOG UK Ltd must now promptly serve the following on each of the Authorities:

- a) the Further Information; and
- b) a notice referring to the material previously served on that Authority and stating that further representations may be made to the Secretary of State by a date specified in the notice, which must be at least 30 days after the date on which the further information was served on that Authority.

Under Regulation 12(5)(b), once the Further Information and notice above have been served, IOG UK Ltd must notify the Secretary of State of the names of the authorities on whom IOG UK Ltd has served that Further Information and notice, and the date of such service. We would request that this notice be provided by email to OPRED's Business Support Team at BST@beis.gov.uk.

2) Publication for Consultation

Under Regulation 12(5)(c) IOG UK Ltd must promptly publish a notice ("the Regulation 12(5)(c) notice") containing the information set out in that regulation. A suggested template for the Regulation 12(5)(c) Notice is annexed to this letter.

Continuation 3

IOG UK Ltd must:

- a) publish the Regulation 12(5)(c) Notice and the Further Information on the same website as IOG UK Ltd previously published documents under Regulation 11(5) at least until the date three months after the date on which the Secretary of State publishes notice under Regulation 16(1) (notice of consent decisions);
- b) publish the Regulation 12(5)(c) Notice in the newspaper(s) identified in the Secretary of State's direction under Regulation 12(8)(b) above;
- c) during the consultation period specified in the Regulation 12(5)(c) Notice, provide one copy of the ES, the Further Information and the summary of the project by post or email in accordance with a request for such copies;
- d) provide a copy of the Regulation 12(5)(c) Notice to the Secretary of State promptly, and also provide, within a reasonable time, the names of the newspapers in which the notice was published and the dates of publication. We would request that this information be provided to OPRED's Business Support Team by email at BST@beis.gov.uk.

Following publication of the newspaper notice, we would also request that IOG UK Ltd provide hard or scanned copies of the relevant pages of the newspapers (to include the names of the newspapers and the dates of publication) and the address of the public website where the items are published. We would request that this information be sent to OPRED's Business Support Team by email (BST@beis.gov.uk) or by post (to the address given above).

Yours sincerely,

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[Redacted Signature]

Environmental Manager

The Offshore Petroleum Regulator for Environment and Decommissioning
For and on behalf of the Secretary of State for Business, Energy and Industrial
Strategy

PUBLIC CONSULTATION NOTICE

Oil / Gas Field Development / Gas Storage Project / Carbon Storage Project / Drilling project

The following template should be completed by the developer submitting the Environmental Statement and published in accordance with Regulation 12.

THE OFFSHORE OIL AND GAS EXPLORATION, PRODUCTION, UNLOADING AND STORAGE (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2020

«Project Name»

[Insert Developer name] has made an application for consent to the Oil and Gas Authority (“the OGA”) in relation to the above project. A notice was previously published under Regulation 11(3)(c) in respect of this application for consent and the accompanying Environmental Statement on [DATE OF PUBLICATION OF REGULATION 11(3)(c) NOTICE DD/MM/YYYY]. Further information is now available in respect of this project.

Summary of Project

[Insert Summary of Project, i.e. the summary required under Regulation 11(2). This must include the proposed location of the project, the proposed activities and the proposed timeline for those activities.]

Environmental Impact Assessment and Consent Process

In accordance with the above-mentioned Regulations, the project is subject to an environmental impact assessment procedure.

The OGA is responsible for deciding whether or not to grant consent for the project, but agreement to the grant of consent must be obtained from the Secretary of State for Business, Energy and Industrial Strategy (“the Secretary of State”) prior to consent being granted. The Secretary of State’s decision on whether or not to agree to the grant of consent is based on the environmental impact assessment for the project.

The range of possible decisions in response to the application of consent is:

- (a) the Secretary of State agrees to the OGA’s grant of consent following the Secretary of State’s conclusion regarding the environmental effects of the project, and the OGA grants consent, so the project may proceed;

Continuation 5

- (b) the Secretary of State refuses to agree to the OGA's grant of consent following the Secretary of State's conclusion regarding the environmental effects of the project, so the project may not proceed; or
- (c) the Secretary of State agrees to the OGA's grant of consent following the Secretary of State's conclusion regarding the environmental effects of the project, but the OGA does not grant consent, so the project may not proceed.

Where the Secretary of State agrees to the grant of consent, conditions that >>Developer<< must comply with may be attached to the agreement, including environmental conditions to avoid, prevent, reduce or offset any significant adverse effects on the environment, and measure to monitor such conditions.

Notice of the decisions of the Secretary of State and the OGA for the project will be published at: <https://www.gov.uk/guidance/the-2020-eia-regulations#environmental-impact-assessments-eia>, where information on the Secretary of State's decision to agree or refuse to agree to the grant of consent will also be made available.

Access to Further Information

Copies of this notice, the previous notice made under Regulation 11(3)(c), the summary of the project, the Environmental Statement, and the further information may be viewed and downloaded at [Insert Developer's relevant publicly accessible website address] and at <https://www.gov.uk/guidance/the-2020-eia-regulations#environmental-impact-assessments-eia>. Access shall remain at least three months after the date on which the Secretary of State publishes the notice under Regulation 16(1) (publication of consent decisions).

A copy of the Environmental Statement, summary of the project and the further information may also be obtained by post or email. Requests should be made to [Insert full postal address], by e-mail to >>Insert e-mail address<< or by telephone >>Insert telephone number<< by [Insert date using format DD/MM/YYYY, which must be no earlier than the date given below for representations to be made to the Secretary of State].

Public Consultation

Representations, comments or questions relating to the project may be made to the Secretary of State by [Insert date using format DD/MM/YYYY, which must be at least 30 days from the date on which the notice was last published]. All representations should quote reference number [Insert BEIS reference number] and may be made by letter or email to:

Business Support Team
Offshore Petroleum Regulator for Environment & Decommissioning
Department for Business, Energy and Industrial Strategy
AB1 Building
Crimon Place
Aberdeen
AB10 1BJ

BST@beis.gov.uk

[Regulation 12(5)(c)(ix) permits <<Developer>> to set out any other arrangements made for consulting the public. Where relevant, <<Developer>> must also provide this information within this Public Consultation Notice.]

Judicial Review

A person aggrieved by the grant of consent for a project may apply to the Court for leave / permission to apply for judicial review of the relevant decision or decisions. The United Kingdom has three separate legal systems; one each for England and Wales, Scotland and Northern Ireland. The rules for any application for leave / permission to apply for judicial review may vary depending on where that application is made, but it is important to note that there are time limits for making any application and judicial review may only be available if the applicant has standing / a sufficient interest in the subject matter of the application. Further information about the process for seeking judicial review can be obtained from the Administrative Court (for England and Wales), the Court of Session (for Scotland) or the Judicial Review Office (Northern Ireland).