

IN PARLIAMENT
HOUSE OF COMMONS
SESSION 2013–14

HIGH SPEED RAIL (LONDON – WEST MIDLANDS) BILL

Against the Bill – On Merits – Praying to be heard by counsel, &c.

To the Honourable the Commons of the United Kingdom of Great Britain and Northern Ireland in Parliament assembled.

THE HUMBLE PETITION of UNITED KINGDOM OIL PIPELINES LIMITED.

SHEWETH as follows:-

- 1 A Bill (hereinafter referred to as "the bill") has been introduced and is now pending in your honourable House intituled "A bill to make provision for a railway between Euston in London and a junction with the West Coast Main Line at Handsacre in Staffordshire, with a spur from Water Orton in Warwickshire to Curzon Street in Birmingham; and for connected purposes."
- 2 The Bill is presented by Mr Secretary McLoughlin, supported by the Prime Minister, the Deputy Prime Minister, Mr Chancellor of the Exchequer, Mrs Secretary May, Mr Secretary Vince Cable, Mr Secretary Duncan Smith, Mr Secretary Pickles, Mr Secretary Paterson, Mr Secretary Davey and Mr Robert Goodwill.
- 3 Clauses 1 and 2 set out the power to construct works, including the power to alter, or alter the position of, apparatus. Clauses 4 to 18 include provision for the compulsory acquisition of land and rights over land, the extinction of rights over land and the temporary possession of land. Clause 33 includes provisions relating to street works. Clause 47 sets out the power to compulsorily acquire land for regeneration and relocation. Clause 48 sets out the power to carry out reinstatement works. Clauses 51 and 52 include provisions to enter land for further high speed rail works.
- 4 Your Petitioner is United Kingdom Oil Pipelines Limited (hereinafter referred to as the Petitioner), a joint venture between BP Oil UK Limited, Shell UK Limited, Total Downstream UK plc and Chevron Limited (now owned by Valero Energy Corporation). Your Petitioner is the owner of a high pressure pipeline system transporting refined multi-product fuels (including gasoline, kerosene and diesel fuels) from bulk storage facilities on the River Thames and the Essar Refinery on the River Mersey to inland distribution terminals which the Bill may directly and specifically affect. The Bill would authorise the diversion of the Petitioner's pipelines.
- 5 Your Petitioner and its rights, interests and property are injuriously affected by the Bill, to which your Petitioner objects for reasons amongst others, hereinafter appearing.
- 6 Your Petitioner does not object in principle to the decision to construct the railway but does object to the compulsory acquisition of its rights, interests and property and the construction of works to, and in the vicinity of, its apparatus without appropriate protective provisions being in place.
- 7 The Bill does not contain any protective provisions that would apply to the Petitioner's pipeline system and the absence of such protective provisions will cause serious detriment to the Petitioner's pipeline system.
- 8 Your Petitioner has a statutory obligation under the Pipelines Safety Regulations 1996 to ensure that its apparatus is safe and can be accessed for routine inspection and maintenance and in the event of an emergency. The compulsory powers and works authorised by the Bill could result in your Petitioner being in breach of this statutory obligation. Protective provisions are therefore required to prevent the

compulsory acquisition of your Petitioners apparatus, rights and interests without agreement.

- 9 Protective provisions are also required so that advance notice of works that would or may affect its apparatus is given to your Petitioner. Your Petitioner must be able to impose reasonable requirements on the carrying out of such works to ensure the integrity of its apparatus is protected and to ensure your Petitioner is not obstructed from accessing its apparatus.
- 10 Your Petitioner's pipeline system supplies a significant proportion of the United Kingdom's ground fuels requirements (including motor fuels) together with over 40% of the fuel needs of Gatwick Airport and Heathrow Airport and any disruption to the pipeline system would have potentially significant impacts on the availability of motor fuels and the operation of these airports. Protective provisions are required to agree the timing of construction works that would affect the pipeline system with your Petitioner in order to minimise the risk of such disruption.
- 11 Where the Bill authorises your Petitioner's apparatus to be relocated, protective provisions are required to ensure your Petitioner will be granted sufficient rights to use and maintain such apparatus in order to comply with its statutory duties and ensure the safe operation of its pipeline system.
- 12 In order to protect your Petitioner from incurring extensive costs or exposing your Petitioner to third party liabilities as a result of the works authorised by the Bill an indemnity is required to ensure that such costs and liabilities can be recovered.
- 13 For the foregoing and connected reasons your Petitioners respectfully submit that, unless the Bill is amended as proposed above, clauses enabling the compulsory acquisition of rights, interests and property so far affecting your Petitioner, should not be allowed to pass into law.
- 14 There are other clauses and provisions of the Bill which, if passed into law as they now stand will prejudicially affect your Petitioner and their rights, interests and property and for which no adequate provision is made to protect your Petitioner and the clauses and provisions necessary for your Petitioner's protection and benefit are omitted therefrom.

YOUR PETITIONER therefore humbly pray your Honourable House that the Bill may not be allowed to pass into law as it now stands and that they may be heard by their Counsel, Agents and witnesses in support of the allegations of this Petition against so much of the Bill as affects the property, rights and interests of your Petitioner and in support of such other clauses and provisions as may be necessary or expedient for their protection, or that such other relief may be given to your Petitioner in the premises as your Honourable House shall deem meet.

AND your Petitioner will ever pray, &c.

JOHN BOWMAN
AGENT FOR UNITED KINGDOM OIL PIPELINES LIMITED

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