

From: [REDACTED]
Sent: 12 June 2024 19:47
To: objectionsgfps
Cc: [REDACTED]
Subject: Proposed Grangemouth Flood Protection Scheme - Objection on behalf of BOC Limited
Attachments: Letter of Objection to Grangemouth Flood Protection Scheme Final 12 June 24(27072600.1).pdf

 External email >

 First time sender >

 Discusses sensitive information >

 Contains topics of a financial nature >

I attach a letter of objection on behalf of BOC Limited.

I look forward to hearing from you on further procedure. In the meantime, please acknowledge safe receipt.

Regards

[REDACTED]

PARTNER
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Recommended in Planning and Environment

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Our ref: PFE/590747

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12 June 2024

Dear Sirs

BOC Limited
Gas Plant at Wholeflats Road, Grangemouth, FK3 9UY
Proposed Grangemouth Flood Protection Scheme (the "Scheme")
Letter of Objection

We act for BOC Limited ("BOC"), which operates the gas plant at Wholeflats Road, Grangemouth, FK3 9UY and holds other land interests in respect of gas pipelines leading from the gas plant.

On behalf of BOC, we hereby **object to the Scheme** for the reasons set out below.

Details of BOC's relevant property interests are included in the attached responses to the previous Requests for Information related to the Scheme.

BOC supplies nitrogen gas to customers located elsewhere in and around Grangemouth by way of a dedicated underground gas pipeline leading from the gas plant. The route of the pipeline is shown coloured yellow in Figure 1 in the appendix to this letter. Figure 2 in the appendix shows a close-up of the relevant section of pipeline of most concern. The existing route follows the verge generally to the south of the carriageway of Wholeflats Road and Inchyra Road.

Figure 3 in the appendix is an extract from Scheme Document (B2386100-JEC-S5-C04-XXX-DR-C-0013) (Cell 4 Operations Sheet 13). When compared with Figure 2 it can be seen that (i) the gas pipeline falls within the limit of land on which entry is required in connection with the Scheme and, moreover, (ii) the route of the proposed flood defence wall is very close if not identical to the route of the existing pipeline.

Figure 4 in the appendix is also an extract from Scheme Document (B2386100-JEC-S5-C04-XXX-DR-C-0013). This shows the foundations of the proposed flood defence wall extending to a depth of up to 25 metres below existing ground levels.

Given the location and nature of the proposed flood defence wall and the engineering operations which would be required to facilitate its installation, it would appear very unlikely that the existing pipeline could

co-exist with the proposed flood defence wall, at least not without significant disruption. BOC's engineers are willing to engage with the engineers advising the promoters of the Scheme to establish whether such coexistence is possible, but for the purposes of responding to the Scheme Notice at this stage they must assume that co-existence is not possible and that the pipeline will require to be diverted.

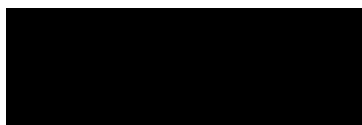
BOC's engineers and property professionals are also willing to engage with promoters of the Scheme to establish whether there are viable options for diverting the section of pipeline affected by the Scheme. The most obvious diversion route would be within the verge generally to the north of the carriageway of Wholeflats Road and Inchyra Road. Such diversion would require BOC being granted all necessary consents from Falkirk Council and the Scottish Ministers, and the promoters of the Scheme meeting the full costs of the diversion. The diverted pipeline would also require to be fully tested and commissioned prior to decommissioning of the existing pipeline such that the switch over avoids interruption of supply. While my clients are hopeful that such a diversion may be possible, for the purposes of responding to the Scheme Notice at this stage my clients must assume that there is not a viable diversion.

The pipeline in question provides a direct supply of nitrogen to BOC's customers. The contracts for such supply contain limited allowances for outages. Disruption or prevention of supply as a consequence of the Scheme would result in BOC incurring significant loss of revenue and potentially breach of contract claims from its customers.

The impact on the pipeline described above and the potential consequential operational and financial consequences are the most obvious adverse impact of the Scheme on BOC's operations. BOC's engineers are however still considering the details of the Scheme to establish there would be further impacts. BOC therefore reserve the right to make a supplementary submission in support of this objection should further impacts be established.

We look forward to hearing from you further.

Yours sincerely




Partner
Harper Macleod LLP

Direct Dial: 

Mobile: 

E-mail: 

Appendix to Letter of Objection by BOC Gases Limited and BOC Limited

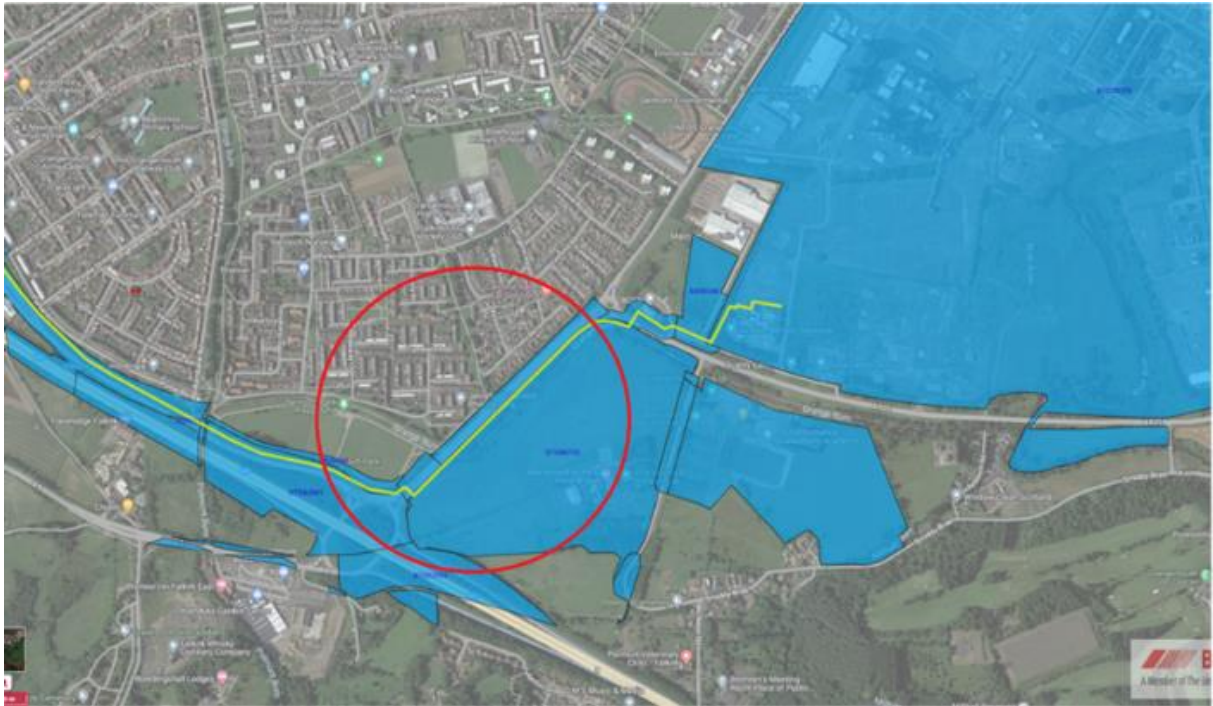
Figure 1**Figure 2**

Figure 3

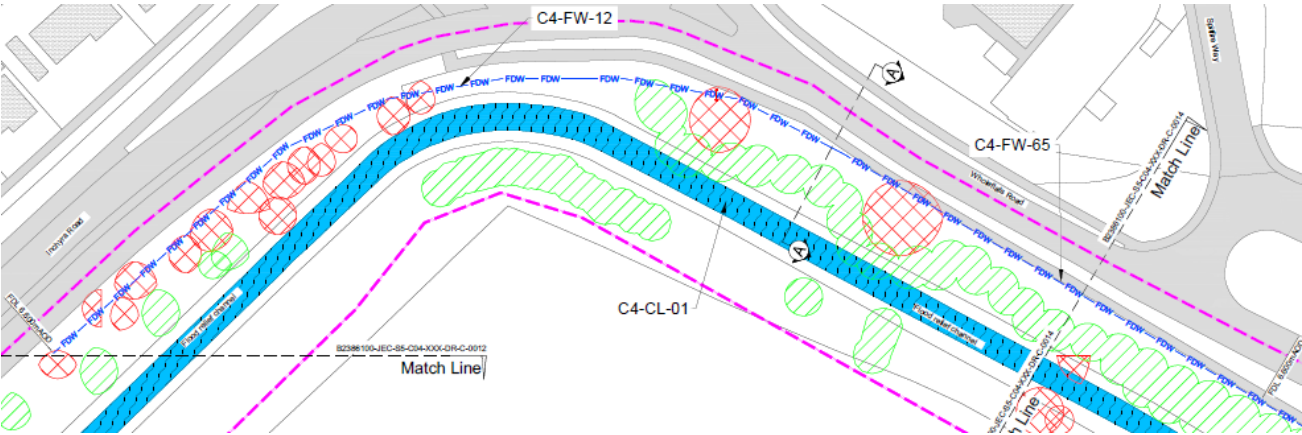


Figure 4

