



AQUIND Limited

AQUIND INTERCONNECTOR

Environmental Statement – Volume 1 – Chapter 5 Consultation

The Planning Act 2008

The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 – Regulation 5(2)(a)

The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017

Document Ref: 6.1.5

PINS Ref.: EN020022

AQUIND Limited

AQUIND INTERCONNECTOR

Environmental Statement – Volume 1 –
Chapter 5 Consultation

PINS REF.: EN020022

DOCUMENT: 6.1.5

DATE: 14 NOVEMBER 2019

WSP

WSP House

70 Chancery Lane

London

WC2A 1AF

+44 20 7314 5000

www.wsp.com

DOCUMENT

Document	6.1.5 Environmental Statement – Volume 1 – Chapter 5 Consultation
Revision	001
Document Owner	WSP UK Limited
Prepared By	G. Irvine
Date	7 November 2019
Approved By	L. Rich
Date	7 November 2019

CONTENTS

5.	CONSULTATION	5-1
5.1.	INTRODUCTION	5-1
5.2.	EARLY ENGAGEMENT (2017)	5-1
5.3.	NON-STATUTORY CONSULTATION (JANUARY-FEBRUARY 2018)	5-2
5.4.	TOWN AND COUNTRY PLANNING ACT ('TCPA') - EIA SCOPING CONSULTATION (SPRING 2018)	5-3
5.5.	SECRETARY OF STATE SCOPING (OCTOBER 2018)	5-4
5.6.	STATUTORY CONSULTATION (FEBRUARY TO APRIL 2019)	5-4
5.7.	TRANSBOUNDARY SCREENING (APRIL 2019)	5-6
5.8.	ENGAGEMENT POST STATUTORY CONSULTATION	5-7
5.9.	TARGETED CONSULTATION	5-8
5.10.	HOW THE PROPOSAL HAS RESPONDED TO THE CONSULTATION	5-8
5.11.	ENGAGEMENT POST APPLICATION SUBMISSION	5-9

REFERENCES

PLATES

Plate 5.1 – Evolution of the Order Limits during the consultation process	5-9
--	------------

APPENDICES

Appendix 5.1 - EIA Scoping Opinion General Responses Table

Appendix 5.2 - EIA Scoping Report

Appendix 5.3 - EIA Scoping Opinion

5. CONSULTATION

5.1. INTRODUCTION

- 5.1.1.1. This chapter outlines the approach to consultation and engagement with statutory environmental consultees and wider environmental stakeholders. It outlines the work undertaken to date, including scoping, and summarises key responses that have informed the scope and direction of the EIA.
- 5.1.1.2. A Consultation Report (document reference 5.1) has been submitted as part of the DCO Application, which explains and provides evidence of how the Applicant has complied with its duties to carry out pre-application consultation under the Planning Act 2008 ('PA 2008') ("Statutory Consultation") of the ES Volume 3 (document reference 6.3.5.1)). The Consultation Report includes details of the responses received in response to consultation under Section 42, 47 and 48 of the PA 2008, how the Applicant has had regard to them and how the Proposed Development has evolved as a result.
- 5.1.1.3. Engagement has been ongoing with environmental consultees throughout the progression of the EIA and DCO Application. The consultees are also prescribed consultees on the Proposed Development as defined in the PA 2008, although consultation undertaken as part of the EIA process is separate to that required under the PA 2008.
- 5.1.1.4. Each technical chapter of this ES includes a section titled 'Scoping Opinion and Consultation' and, in most cases, an appendix which summarises consultation relevant to the topic and the outcome of discussions. This includes the regard had to responses received to the EIA scoping and the Statutory Consultation as well as summarising ongoing engagement to progress the EIA.
- 5.1.1.5. The consultation and engagement undertaken has helped shape the scope of the EIA, the evolution of the Proposed Development and has helped to reduce potential effects on the community and the environment.

5.2. EARLY ENGAGEMENT (2017)

- 5.2.1.1. Engagement commenced in September 2016 with a meeting with the Marine Management Organisation ('MMO') to introduce the Proposed Development and marine licence requirements.

5.2.1.2. The Applicant introduced the Proposed Development to relevant local authorities in Spring 2017 and has continued engagement with them throughout the pre-application period. These are Winchester City Council ('WCC'), East Hampshire District Council ('EHDC'), Havant Borough Council ('HBC'), Portsmouth City Council ('PCC'), Hampshire County Council ('HCC') and South Downs National Park Authority ('SDNPA'). A map showing the parts of the Proposed Development against each local authority administrative boundary is in the Planning Statement (document reference 5.4). Meetings covered discussion on landscape and visual impacts for the Converter Station and traffic impacts during installation of the Onshore HVDC Cable Route.

5.3. NON-STATUTORY CONSULTATION (JANUARY-FEBRUARY 2018)

5.3.1.1. A non-statutory consultation was undertaken on the emerging Proposed Development between 3 January and 24 February 2018. This consultation is described in more detail in the Consultation Report.

5.3.1.2. The purpose of this non-statutory consultation was to introduce the Proposed Development to the local community and stakeholders.

5.3.1.3. The Proposed Development at that stage included a Marine High Voltage Direct Current ('HVDC') Cable Corridor from the UK/France Exclusive Economic Zone ('EEZ') boundary line to a proposed Landfall area in Eastney, a proposed onshore site boundary which included two potential converter station locations adjacent to a national grid substation in Lovedean, and a proposed cable corridor with optionality near the Converter Station location at Lovedean on Milton Road, Waterlooville to Lovedean progressing in one corridor down to the proposed landfall in Eastney, Portsmouth.

5.3.1.4. The consultation was supported by three consultation events held at suitable locations near the Proposed Development and meetings with local stakeholder groups. This included parish councils and commercial fisheries stakeholders (the latter to raise awareness of the Proposed Development and planned marine geophysical and geotechnical surveys).

5.3.1.5. Materials were produced for the events to help consultees understand the Proposed Development. They comprised a Non-Technical Summary, an information leaflet and exhibition boards available on the Proposed Development website throughout the consultation period. Feedback was invited through a feedback form.

5.3.1.6. More than 10,000 households and businesses were invited to attend the consultation events inviting them to provide feedback by 24 February 2018. A total of 239 people attended the consultation events to speak with the project team and share their feedback. A total of 49 feedback responses were received.

5.3.1.7. Feedback covered a range of topics including (amongst other things):

- Onshore elements - Converter Station (location, design, visual and noise impact), Underground cable route (timing, location and potential traffic disruption during cable installation), and why the landfall was in Portsmouth; and
- Marine elements – comments relating to the offshore elements (including the subsea cable route) included advice to consult with local wildlife organisations, comply with all relevant regulations and carry out surveys to be aware of any shipwrecks and associated ordnance, together with some concerns raised regarding the environmental impact of the Project.

5.3.1.8. The emerging Proposed Development evolved following feedback received from the non-statutory consultation and ongoing engagement, focussing on:

- Revisions to the marine cable corridor;
- Confirmation of the preferred Landfall at Eastney;
- Revisions and refinements to the onshore cable corridor from the Landfall to the Converter Station, including specific amendments to the site boundaries, and introduction of cable route options in parts of the corridor (especially in the Portsmouth area); and
- A single preferred location for the Converter Station, with greater detail about its proposed design and measures to mitigate its impact on the surrounding environment.

5.4. EIA SCOPING CONSULTATION (SPRING 2018)

5.4.1.1. Initially, the Applicant intended to obtain approval for the Proposed Development under the Town and Country Planning Act 1990 (HM Government, 1990) and the Marine Coastal Access Act 2009 (HM Government, 2009). The scope of the EIA process was therefore identified and agreed under these regimes, as outlined below.

5.4.1.2. On 20 February 2018, the Applicant submitted a request for a scoping opinion to the MMO under the Marine Works (Environmental Impact Assessment) Regulations 2007 (as amended) (HM Government, 2007) for the elements of the Project within the UK marine area and received a scoping opinion in June 2018.

5.4.1.3. On 22 February 2018 the Applicant submitted requests for scoping opinions under the Town and Country (Environmental Impact Assessment) Regulations 2017 (HM Government, 2017) to local planning authorities (EHDC, HBC, WCC and PCC) for the UK onshore elements of the Project.

5.4.1.4. Scoping opinions were received from EHDC, HBC, WCC and PCC in April and May 2018 and a scoping opinion from the MMO was received in June 2018. Responses to these scoping opinions have been taken on board in the preparation of the EIA and appendices to the technical chapters in this ES summarises the regard had to the responses made.

- 5.4.1.5. Engagement has continued with consultees as the Proposed Development evolved. For example, discussion with Natural England ('NE') on proposals for Horizontal Directional Drilling ('HDD') across Denmead Meadows/Kings Pond, discussion with the Environment Agency ('EA'), discussions with relevant highways authorities (HCC and PCC) and discussion with Environmental Health Officers on noise modelling and methodology for the Converter Station. Discussions had by the EIA specialists with consultees are summarised in the technical chapters of this ES.

5.5. SECRETARY OF STATE SCOPING (OCTOBER 2018)

During the development of the Project, it was concluded that the most appropriate consenting strategy for the Proposed Development would be to obtain a Development Consent Order ('DCO'). On 19 June 2018, the Applicant sought a Direction from the Secretary of State for Business, Energy and Industrial Strategy ('SoS') under Section 35 of the PA 2008 and on 30 July 2018, the SoS issued a Direction (PINS Ref: EN020022-000013) confirming that the Proposed Development be treated as development for which development consent under the PA 2008 is required and that the Proposed Development by itself is nationally significant.

- 5.5.1.1. In light of the Direction, the Applicant submitted a request to the SoS for a scoping opinion under Regulation 10(1) of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 ('EIA Regulations') on 29 October 2018 (HM Government, 2009). This was similar to the TCPA and MCAA scoping request but reflected a change in site boundary based on the evolution of the Proposed Development at the time. As part of the scoping process, PINS then issued a request for scoping responses from a prescribed list of consultees under Regulation 11(1)(a) of the EIA Regulations.
- 5.5.1.2. A Scoping Opinion on the scope of the EIA was received from PINS, on behalf of the Secretary of State, on 7 December 2018. The Scoping Report and Scoping Opinion can be found in Appendices 5.2 and 5.3, respectively. Appendix 1 of the Scoping Opinion lists the consultees that were contacted for scoping responses by PINS.
- 5.5.1.3. A summary of the general responses to the Scoping Opinion, regarding the EIA approach, introductory and concluding chapters, is available in the EIA Scoping Opinion and General Responses Table in Appendix 5.1 of the ES Volume 3 (document reference 6.3.5.1). Specialist responses, with respect to environmental topics and assessments, are appended to each of the technical chapters 6 to 28.
- 5.5.1.4. A summary of the scoping process of the EIA is provided in Chapter 4 (EIA Methodology) of the ES Volume 1 (document reference 6.1.4).

5.6. STATUTORY CONSULTATION (FEBRUARY TO APRIL 2019)

- 5.6.1.1. Between 27 February and 29 April 2019, the Applicant undertook Statutory Consultation under Sections 42, 47 and 48 of the PA 2008. This is described in detail in the Consultation Report.

- 5.6.1.2. In accordance with the PA 2008, a Statement of Community Consultation ('SoCC') was prepared which explained how the Applicant would consult with the local community on the proposed DCO Application. The SoCC was consulted on with the relevant local authorities (and informally with the MMO) under section 47(2) of the PA 2008 prior to it being made available for public inspection. Consultation with the local community under Section 47 of the PA 2008 was then undertaken in accordance with the SoCC. More information on this is set out in the Consultation Report.
- 5.6.1.3. A Preliminary Environmental Information Report ('PEIR') was submitted to PINS in February 2019 and supported the consultation. The PEIR contained preliminary environmental information regarding the likely significant environmental effects of the Proposed Development and was accompanied by a Non-technical Summary. This formed part of the formal consultation material, and views were sought on the information contained within the PEIR as part of the consultation.
- 5.6.1.4. Letters and consultation documentation were issued by the Applicant to all Section 42 consultees on 25 February 2019, and a series of meetings were held with key stakeholders.
- 5.6.1.1. In addition, at the request of the MMO, a number of non-statutory stakeholders were contacted to notify them of the consultation, public events and the opportunity to provide feedback. Details of who was contacted can be found in the Consultation Report.
- 5.6.1.2. As required under Section 48 of the PA 2008, the Applicant prepared a notice in accordance with Regulation 4 of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009, which was published in local and national newspapers, the London Gazette, Lloyd's List and a relevant fishing journal trade journal (Fishing News).
- 5.6.1.3. The Applicant hosted nine public exhibition events between March to April 2019 within close proximity of the area potentially affected by the Proposed Development. The events were publicised through a number of methods, including: direct communications to households and businesses in the Primary Consultation Zone, notices in the local press as well as relevant port and harbour locations and social media (Facebook) advertising, and the AQUIND consultation website.
- 5.6.1.4. In addition, all consultation documents were available to view at 10 deposit locations within the administrative areas of EHDC, HBC, PCC and WCC, and online via the Project's UK consultation website at www.aquindconsultation.co.uk. This website was originally published on 15 November 2017 prior to the initial non-statutory consultation.
- 5.6.1.5. The Applicant also held a number of meetings with local community groups throughout the consultation period to discuss the consultation proposals and answer questions from members of the local community.

- 5.6.1.6. All feedback received by the deadline of 29 April 2019 was considered by the Applicant. Postal responses were accepted up to three working days after the deadline. In some instances, responses were received after the deadline and these have also been considered.
- 5.6.1.7. 155 responses to the Statutory Consultation were received from the local community and general public (Section 47 and Section 48 respondents), and 45 responses were received from statutory consultees (Section 42 respondents).
- 5.6.1.8. A summary of the responses received from the Statutory Consultation, and the regard had by the Applicant to those responses, is set out in the Consultation Report.
- 5.6.1.9. Key themes within the comments received from the consultation included (in summary):
- Site selection – more understanding of the optioneering process and alternatives considered was requested;
 - Landscape and visual amenity relating to the proposed Converter Station, in particular further detail on design and more landscape mitigation was requested;
 - Highway disruption and traffic management during Onshore Cable installation, suggestions for traffic management and concerns around disruption;
 - Potential impacts from increased suspended sediments within the marine environment resulting from seabed preparation and installation activities;
 - Potential impacts to natural fish, recreational angling and commercial fish interests within the marine environment; and
 - Cumulative impacts, in particular managing construction of Onshore and Marine Cable Routes with other development in the area.
- 5.6.1.10. All responses have all been considered in the preparation of the ES and DCO Application. Further detail is set out in the technical chapters of the ES and Consultation Report.

5.7. TRANSBOUNDARY SCREENING (APRIL 2019)

- 5.7.1.1. The 2018 Scoping Report set out the methodology for the assessment of transboundary effects. Following receipt, PINS issued the transboundary screening notification/consultation under Regulation 32 of the EIA Regulations, and a number of EU Member States were consulted regarding the likely significant transboundary effects. To date, only Spain has informed PINS that it would like to be involved in the process with respect to the proposed DCO application. Germany and Denmark have confirmed they would not like to be involved in the process in April and May 2019 respectively. France, Belgium and the Netherlands, being the other EEA States contacted in April 2019, have not responded to the screening notification/consultation letter.

5.8. ENGAGEMENT POST STATUTORY CONSULTATION

- 5.8.1.1. Since the end of the statutory consultation period, the Applicant has continued to proactively consult with stakeholders to discuss formal responses to the consultation and provide updates on design progress of the Proposed Development.
- 5.8.1.2. Ongoing technical engagement has taken place with both statutory and non-statutory parties ahead of Application submission. The engagement has been in the format of teleconferences, meetings and workshops, as appropriate.
- 5.8.1.3. With regards to the onshore aspects of the Proposed Development, the Applicant has met with WCC, EHDC, PCC, HBC and HCC, and their respective environmental departments e.g. Environmental Health Officers and SDNPA. These meetings have focused on, but are not limited to, addressing specific environmental issues such as traffic and noise as a result of the installation works of the Onshore Cable Route and the Converter Station siting and design principles.
- 5.8.1.4. The Applicant has also met with statutory consultees to discuss specific sections of the Onshore Cable Corridor, for example with NE, to discuss biodiversity at Kings Pond Meadows and how construction methodologies will be adapted to mitigate impacts on the lowland meadows.
- 5.8.1.5. The Applicant has met with the EA on matters such as groundwater, surface water and flood risk, ground conditions and a Water Framework Directive Assessment. The Applicant recognises the benefit of collaborative engagement and facilitated a workshop between Portsmouth Water, East Solent Coastal Partnership ('ESCP'), EA and HCC to discuss water issues at the Converter Station and along the Onshore Cable Corridor.
- 5.8.1.6. In addition, the Applicant has engaged with statutory consultees to discuss specific construction activities proposed within the marine environment. For example, the MMO, NE, Joint Nature Conservation Committee ('JNCC'), Cefas and EA were engaged to discuss the best approach to be applied to the proposed dredging to clear sandwaves and the subsequent disposal of that dredged material. Further engagement was also undertaken with NE, JNCC and EA in relation to agreeing the approach taken to assessing any potential impacts on designated sites such as Special Areas of Conservation, Special Protection Areas or Ramsar sites in the draft Habitats Regulations Assessment ('HRA') as well as Marine Conservation Zones ('MCZ') in the draft MCZ assessment.
- 5.8.1.7. The Applicant also engaged with EA on the approach taken to assessing impacts on Water Framework Directive ('WFD') water bodies and protected areas in the draft Marine Water Framework Directive assessment.

- 5.8.1.8. Further engagement was undertaken to gain feedback from consultees including the MMO, NE, EA, JNCC, Historic England ('HE'), Trinity House, and Maritime and Coastguard Agency ('MCA') on the draft Deemed Marine Licence ('DML').
- 5.8.1.9. The Applicant also held additional separate meetings for commercial fisheries stakeholders and recreational angling stakeholders to update them on the project, the design and discuss any areas of concern. Non-UK fishing organisations (France, Belgium and the Netherlands) were also contacted to inform them of the consultation on the PEIR.
- 5.8.1.10. The Applicant has also sought a response from France and States of Alderney with respect to transboundary matters in connection with any specific identified impacts as considered as part of the HRA process (e.g. impacts on internationally designated sites).

5.9. TARGETED CONSULTATION

- 5.9.1.1. After the Statutory Consultation ended on 29 April 2019 the Applicant continued to refine the Proposed Development in response to the consultation and as more information became available from on-going survey work and engagement with consultees (in particular local planning and highway authorities).
- 5.9.1.2. As a result, some additional areas of land needed to be added to the Order Limits. This included addition of "slivers" to include land in the highway boundary as a result of discrepancies identified in areas of unregistered land and other land required for landscape mitigation. Bespoke targeted consultation was undertaken with relevant landowners and consultees between 3 September and 3 October 2019.
- 5.9.1.3. This process is described in more detail in the Consultation Report, including how the Applicant has considered responses received.

5.10. HOW THE PROPOSAL HAS RESPONDED TO THE CONSULTATION

- 5.10.1.1. A summary of alterations and refinements made to the Proposed Development as a direct result of the responses received is included in the Consultation Report. The evolution of the Proposed Development from non-statutory and statutory consultation, and during the pre-application period, through to DCO Application is shown in Plate 5.1. The Applicant has had regard to all relevant responses to the Statutory Consultation. In some areas flexibility has been retained due to results of the ongoing technical work undertaken in parallel with the consultation process.
- 5.10.1.2. Key refinements made to respond to consultation feedback are set out in the Consultation Report and include:
- Confirmation of HDD under Milton and Eastney Allotments which means Milton Road is no longer included in the Proposed Development for cable installation;
 - Confirmation of HDD under Denmead Meadows which means the highways options for cable installation through Denmead have been discounted;

- The preparation of landscape mitigation and design principles for the Converter Station prepared in consultation with WCC, EHDC and SDNPA including additional landscape mitigation; and
- Draft management plans which represented commitments in relation to the management of traffic during the cable installation period (including access to properties), management of traffic during the construction of the Converter Station (see Appendix 22.2 (Framework Construction Traffic Management Plan) of the ES Volume 3 (document reference 6.3.22.2)) and management of environmental impacts through Onshore and Marine Outline Construction Environmental Management Plans ('CEMP's) (document reference 6.9 and 6.5 respectively). These plans have had regard to comments made during the consultation and ongoing engagement process.

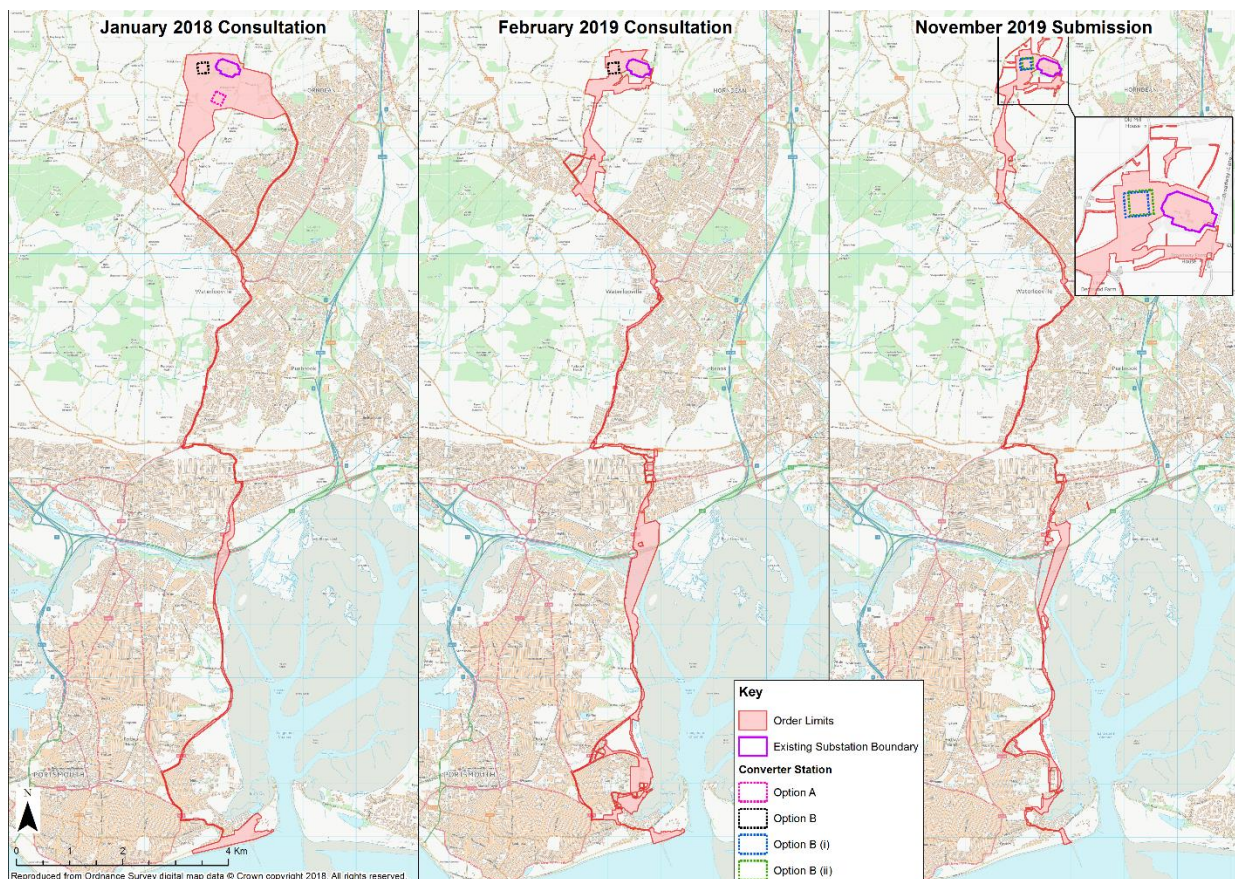


Plate 5.1 – Evolution of the Order Limits during the consultation process

5.11. ENGAGEMENT POST APPLICATION SUBMISSION

- 5.11.1.1. Discussions are still ongoing with a number of consultees and will continue post submission. The Applicant intends to agree Statements of Common Ground, where appropriate, with key stakeholders.

REFERENCES

HM Government. (1990). Town and Country Planning Act .

HM Government. (2007). The Marine Works (Environmental Impact Assessment) Regulations.

HM Government. (2008). Planning Act.

HM Government. (2009). Infrastructure Planning (Applications: Prescribed Forms and Procedures Regulations 2009 (as amended) (the APFP Regulations).

HM Government. (2009). Marine and Coastal Access Act .

HM Government. (2017). The Town and Country Planning (Environmental Impact Assessment) Regulations .

