



To:

Aquind Case Officer
National Infrastructure Planning
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Your ref: EN020022
Our ref: 20025191

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Sent by email only.

26 May 2020

The Infrastructure Planning (Examination Procedure) Rules 2010 – Rule 17

Application by AQUIND Limited for an Order Granting Development Consent for the AQUIND Interconnector Project

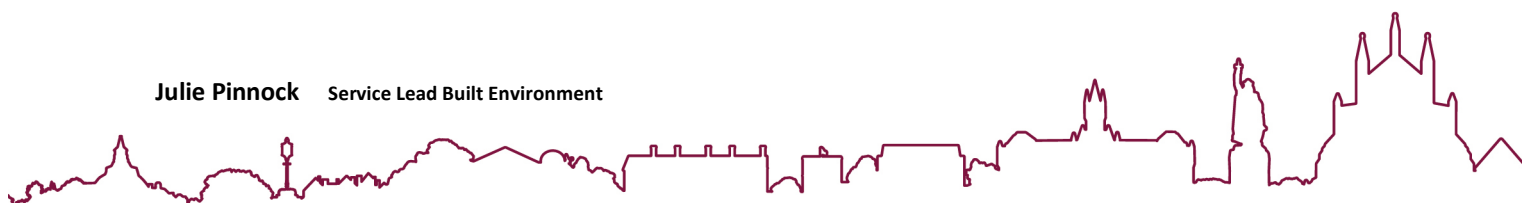
Dear Sir,

I refer to your letter dated 11 May 2020, described as a 'progress note' and which was circulated to all Interested Parties, Statutory Parties and Other Persons. The letter covers a number of matters but I wish to focus on the topic of the pre application consultation exercise. The letter contains the following observation:

We have received a number of representations in relation to the formal acceptance of the application for Development Consent by the Planning Inspectorate, and others in relation to the perceived adequacy of pre-application consultation by the Applicant. It may be useful for all parties to know that our current thinking is that both matters precede and therefore lie outside the remit of the Examination process, and it is therefore unlikely that we will consider them in detail during the Examination.

In its Adequacy of Response letter dated 28 November 2019 (document AoC-016) Winchester City Council (WCC) raised concerns over the adequacy of the pre application consultation exercise. This concern was discounted and in the letter dated 12 December 2019 (doc PD-001) the Planning Inspectorate stated that the application was accepted for examination. The Section 55 Checklist (doc PD-002) was the only explanation available that in any way sought to explain the reasons behind the acceptance decision. Having noted its contents, WCC had outstanding questions and therefore raised the matter again

Julie Pinnock Service Lead Built Environment



in its Relevant Representation (doc RR-198) and was intending to raise it at the Preliminary Meeting.

Given the above circumstances, WCC is therefore grateful that the Examination Panel has alerted us to the fact that consideration of this matter should precede the Examination. It is considered that there is sufficient time to raise this matter now with PINs as the application has not yet moved into the Examination Stage, a phase in the procedure which is clearly defined in Section 98 of the 2008 Planning Act. WCC is therefore taking this opportunity to seek clarification and a more detailed explanation of why PINS discounted its concerns over the pre application consultation exercise.

The concerns of the council relate to the way Aquind has sought to fulfil its duties under Section 47 of the act (duty to consult the local community). The WCC letter Adequacy of Response (doc AoC-016) sets out in detail the concerns and what are regarded as the failures to comply with Section 47.

To summarise, the council had concerns relating to the following:

- A failure to appreciate that the application area is not uniform in nature and needed different and potentially novel approaches to consultation across it.
- A failure to offer people reasonable access to hard copies of the details.
- A failure to reach out and engage with the local community across the whole of the area potentially impacted by the proposed development.
- A failure to explain to recipients of the consultation letter sent to the organisers of groups based at community centres in Denmead and Hambledon why they were being approached.
- The failure to reach out to the local business community.

The Council has been left confused by the apparent dismissal of its concerns in the Section 55 Checklist. In section 5 of the matrix, under the question "Have any Adequacy of Consultation Representations been received from 'A', 'B', 'C' and 'D' local authorities; and if so, do they confirm that the Applicant has complied with the duties under s42, s47 and s48?" it makes the following comment on the Winchester representations:

Winchester City Council states within its AoCR: "Overall, Winchester City Council considers that the applicant has complied with its duties under Sections 42, & 48 of the Planning Act 2008 (as amended). Regarding Section 47, the council has concerns over the extent of the engagement with the local community which it feels could have been more inclusive." The Council's concerns regarding the Denmead and Hambledon areas are noted, and there is applicable discussion in paragraph 8.4.1.4 of the Consultation Report (Doc 5.1).

We note the Council's concerns regarding a perceived lack of consultation with local businesses, and observation that it is felt that the consultation could have been more inclusive. The Council were consulted on the Statement of Community Consultation and the Applicant appears to have consulted in accordance with the commitments set out within the SoCC.

Aquinds consultation report (Doc 5.1) para 8.4.1.4 reported above states:

"It was subsequently realised that the distribution area did not include one stretch of the proposed onshore underground cable route along Hambledon Road. In addition, the public exhibition event held at Lovedean Village Hall (the venue nearest the area affected) was attended by a significantly higher number of individuals than the events held at Waterloo Community Centre and Milton Village Community Hall, thereby illustrating that the local community were well informed of the consultation. All these areas were included in the mailing area for the statutory consultation period in 2019 and all subsequent mailings", or an area of land potentially affected by the Proposed Development in the Denmead area. However, the Applicant does not believe this impacted the ability of the local community to participate in the consultation, due to the extensive publicity conducted through other channels as detailed below in the remainder of Chapter 8.

Doc 5.1 does not address all the specific concerns raised by WCC. Reading the above, if taken at face value, it appears to be saying notwithstanding any comments made by WCC, PINs accepts compliance with the regulations since Aquind undertook a consultation exercise in accordance with its written Statement of Community Consultation (SoCC). This is despite the fact that WCC considers the SoCC to be deficient for the reasons set out in its letter. In the circumstances and particularly with the concern raised by the local parish council a more thoughtful analysis of the points raised by WCC against the actions of Aquind was expected.

I am therefore inviting you to explain in more detail why the specific issues raised by WCC were discounted, before the application moves on into the Examination Stage.

Yours sincerely,

Julie Pinnock BA (Hons) MTP MRTPI
Service Lead Built Environment

Appendices to this letter which can be accessed as document AoC-016 in the Examination Library.

Copy of Winchester City Council Adequacy of Consultation Response

Appendix A Copy plan Zone of Theoretical Visibility

Appendix B WCC emails to Aquind regarding SoCC

Appendix C Plan showing locations where copies documents held and where events held

Appendix D Copy of plan showing Newlands Parish Council

Appendix E Copy of Denmead Parish Council minutes

Appendix F Copy of WCC response to PEIR