



AQUIND Limited

AQUIND INTERCONNECTOR

Statement of Common Ground between
AQUIND Limited and Southern Gas Networks
PLC

Agreed Draft

The Planning Act 2008

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1. INTRODUCTION

1.1. PURPOSE OF THE STATEMENT OF COMMON GROUND

1.1.1.1. A Statement of Common Ground ('SoCG') is a written statement produced as part of the application process for an application for a Development Consent Order ('DCO') and is prepared jointly by the applicant and another party. A SoCG sets out the matters of agreement between both parties, matters where there is not agreement and matters which are under discussion.

1.1.1.2. In this regard paragraphs 58 of the Department for Communities and Local Government's guidance entitled "Planning Act 2008: examination of applications for development consent" (26 March 2015) describes a SoCG as follows:

"A statement of common ground is a written statement prepared jointly by the applicant and another party or parties, setting out any matters on which they agree. As well as identifying matters which are not in real dispute, it is also useful if a statement identifies those areas where agreement has not been reached. The statement should include references to show where those matters are dealt with in the written representations or other documentary evidence."

1.1.1.1. The aim of a SoCG is to assist the Examining Authority to manage the examination of an application for a DCO by providing an understanding of the status of matters at hand and allowing the Examining Authority to focus their questioning. The effective use of a SoCG is expected to lead to a more efficient examination process.

1.1.1.2. A SoCG may be submitted prior to the start or during an Examination and updated as necessary or as requested during an Examination.

1.2. DESCRIPTION OF THE DEVELOPMENT

1.2.1.1. AQUIND Limited (the 'Applicant') submitted an application for the AQUIND Interconnector Order (the 'Order') pursuant to Section 37 of the Planning Act 2008 (as amended) (the 'PA2008') to the Secretary of State ('SoS') on 14 November 2019 (the 'Application').

1.2.1.2. The Application seeks development consent for those elements of the AQUIND Interconnector (the 'Project') located in the UK and the UK Marine Area (the 'Proposed Development').

1.2.1.3. The Project is a new 2,000 MW subsea and underground High Voltage Direct Current ('HVDC') bi-directional electric power transmission link between the South Coast of England and Normandy in France. By linking the British and French electric power grids it will make energy markets more efficient, improve security of supply and enable greater flexibility as power grids evolve to adapt to different sources of renewable energy and changes in demand trends, such as the development of electric vehicles. The Project will have the capacity to transmit up to 16,000,000 MWh

of electricity per annum, which equates to approximately 5 % and 3 % of the total consumption of the UK and France respectively.

1.2.1.4. The Proposed Development includes:

- HVDC Marine Cables from the boundary of the UK Exclusive Economic Zone to the UK at Eastney in Portsmouth;
- Jointing of the HVDC Marine Cables and HVDC Onshore Cables;
- HVDC Onshore Cables;
- A Converter Station and associated electrical and telecommunications infrastructure;
- High Voltage Alternating Current ('HVAC') Onshore Cables and associated infrastructure connecting the Converter Station to the Great Britain electrical transmission network, the National Grid, at Lovedean Substation; and
- Smaller diameter Fibre Optic Cables ('FOC') to be installed together with the HVDC and HVAC Cables and associated infrastructure.

1.3. THIS STATEMENT OF COMMON GROUND AND THE ROLE OF SGN

1.3.1.1. This SoCG has been prepared to show where discussions are ongoing between the Applicant and SGN during the pre and post DCO application consultation and in the course of the DCO Examination.

1.3.1.2. Southern Gas Networks PLC ('SGN') is a statutory gas transporter for the area where the onshore elements of the Proposed Development are located and owns and operates apparatus under, in, upon, over or along the limits for the draft Order (the 'Order Limits'). The Proposed Development will be located in proximity to SGN apparatus, and therefore SGN is concerned with securing the continued safe operation of that apparatus, which is essential to its undertaking, during the construction and subsequent operation of the Proposed Development.

1.3.1.3. This SoCG comprises a record of discussion and agreement which has been structured to reflect topics of interest for SGN on the Application.

1.3.1.4. Points that have not been agreed are the subject of discussion through iterative drafts of the SoCG and wherever possible resolutions to disagreements between the parties are being sought.

1.3.1.5. For the purpose of this SoCG the Applicant and SGN will be jointly referred to as the 'Parties'.

2. RECORD OF ENGAGEMENT UNDERTAKEN TO DATE

2.1.1.1. The table below sets out a summary of the key meetings and correspondence between the Parties in relation to the Proposed Development

Table 2.1 – Schedule of pre-application meetings and correspondence

Date	Form of Contact	Summary
01/10/2019	Correspondence	E-mails between solicitors regarding the protective provisions to be included in the Order.
04/12/2019	Meeting	Project introduction with planning, technical and legal input to discuss the Onshore Cable Route for the Proposed Development and the SGN apparatus within the Order Limits. The discussions also introduced how the protective provisions would be progressed between the Parties.
29/01/2020	Correspondence	Issuing of SGN-WI-SW-2 for safe working in the vicinity of >7bar pipelines to Applicant
30/01/2020	Meeting	Further meeting to discuss SGN technical guidance, review SGN assets in relation to the Order Limits and to discuss the methodology for crossing SGN apparatus with the Onshore Cables forming part of the Proposed Development
17/02/2019	Correspondence	Provision of draft form protective provisions with amendments suggested by the Applicant
04/06/2020	Correspondence	Provision by SGN of draft form protective provisions with suggested amendments. Enquiry made as to first draft SOCG.
31/07/2020	Correspondence	Provision of draft form protective provisions with amendments suggested by the Applicant
25/09/2020	Correspondence and phone call	Provision of draft form protective provisions with amendments suggested by SGN and brief

Date	Form of Contact	Summary
		discussion on these between the solicitors for the Parties.

3. SUMMARY OF TOPICS COVERED BY THE SOCG

3.1. TOPICS COVERED IN THE STATEMENT OF COMMON GROUND

3.1.1.1. The following topics discussed between the Parties are commented on further in this SoCG:

- Proposed Cable Route Alignment;
- Protective Provisions; and
- Impact on Existing Apparatus.

3.1.1.2. For the avoidance of doubt, matters not covered in this SoCG have not been discussed between the Parties as they have not been raised during the consultation undertaken to date between the Parties.

4. MATTERS WHICH ARE UNDER DISCUSSION

4.1. INTRODUCTION

4.1.1.1. This section of the SoCG describes the matter under discuss between the parties and intend to be agreed.

Table 4.1 – Matters agreed

Ref	Description of Matter	Agreed Position
Proposed Cable Route Alignment		
4.1	Cable route	<p>Southern Gas Networks PLC has currently raised no objection to the proposed Onshore Cable Route, but would note that within the flexibility the Applicant seeks within the defined "Onshore Cable Corridor" there may be certain alignments which are fundamentally unacceptable to SGN due to the presence of SGN apparatus and interests.</p> <p>The Applicant has provided for necessary flexibility within the Onshore Cable Corridor to allow for the final alignment of the Onshore Cable Route to be routed in an acceptable manner in response to constraints such as apparatus where present, including SGN apparatus. The Applicant is committed to continuing to engage with SGN in relation to the location of the Onshore Cables in proximity to SGNs apparatus, and it is expected the protective provisions to be entered into will provide SGN (discussed at 4.4 below) with the necessary protections to ensure their apparatus is not adversely affected by the construction or operation of the Proposed Development.</p>
Impact on existing apparatus		
4.2	Impact on existing apparatus	Article 33 (statutory undertakers) to the dDCO [APP-019] provides the Applicant with the ability to extinguish rights and remove or relocate apparatus belonging to Statutory Undertakers (including Southern Gas Networks PLC) and to construct the Proposed Development in such a way as to cross underneath or over the apparatus, subject to the agreement of protective provisions contained to be in Schedule 13 to the draft Order (APP-019).
4.3		Subject to the agreement of appropriate protective provisions and a private treaty, it is not considered the construction of the Proposed Development will unfairly prejudice or impact Southern Gas Networks PLC or have a detrimental impact on their undertaking.

Table 4.2 – Matters yet to be agreed

Ref	Description of Matter	Agreed Position
Protective Provisions		
4.4	Protective Provisions	The Applicant and Southern Gas Networks PLC are progressing the negotiation of protective provisions for inclusion in the Order and neither party currently anticipates any impediment to agreement being reached in relation to these as soon as is practicable during the course of the Examination.

5. SIGNATURES

Signed on behalf of the Southern Gas Networks PLC:

Printed name:

Position:

Date:

Signed on behalf of AQUIND Ltd:

Printed name:

Position:

Date