



**AQUIND Limited**

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# **AQUIND INTERCONNECTOR**

## **Statement of Commonality for Statements of Common Ground**

The Planning Act 2008

The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations  
2009

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**AQUIND Limited**

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Statement of Commonality for Statements of  
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**PINS REF.: EN020022**

**DOCUMENT: 7.5.1 STATEMENT OF COMMONALITY**

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## DOCUMENT

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## CONTENTS

<b>1.</b>	<b>INTRODUCTION</b>	<b>1-1</b>
<hr/>		
1.1.	PURPOSE OF THIS DOCUMENT	1-1
1.2.	STRUCTURE OF THIS REPORT	1-1
<b>2.</b>	<b>STRUCTURE OF STATEMENTS OF COMMON GROUND</b>	<b>2-3</b>
<hr/>		
2.1.	STRUCTURE OF STATEMENTS OF COMMON GROUND	2-3
2.2.	LIST OF STATEMENTS OF COMMON GROUND	2-4
<b>3.</b>	<b>STATUS OF STATEMENTS OF COMMON GROUND</b>	<b>3-8</b>
<hr/>		
3.1.	SUMMARY OF CURRENT STATUS	3-8
<b>4.</b>	<b>COMMONALITY</b>	<b>4-14</b>
<hr/>		
4.1.	SUMMARY	4-14
4.2.	PRINCIPAL MATTERS OUTSTANDING	4-16

## **TABLES**

Table 2.1 – List of SoCGs	2-4
Table 3.1 – Status of SoCGs at Deadline 3	3-9
Table 4.1 - Topics Covered across the SoCGs and the Current Status of that Matter for each Stakeholder	4-15

# 1. INTRODUCTION

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## 1.1. PURPOSE OF THIS DOCUMENT

1.1.1.1. This document has been prepared in order to provide the Examining Authority (ExA) with the emerging position on the Statements of Common Ground (SoCG) between the Applicant and relevant statutory consultees and other parties in relation to the AQUIND Interconnector project.

1.1.1.2. The Rule 6 Letter dated 3 July 2020 [PD-010] requires the submission of SoCGs requested by the ExA and a Statement of Commonality for SoCG at Deadline 1 (which was duly submitted on 6 October 2020) with updates at each subsequent deadline up to the submission of finalised SoCGs at Deadline 8 on 1 March 2021.

1.1.1.3. The original (now superseded) Rule 6 Letter dated 5 March 2020 [PD-005] stated that:

*“The aim of a SoCG is to agree factual information and to inform the ExA and all other parties by identifying where there is agreement and where the differences lie at an early stage in the examination process. It should provide a focus and save time by identifying matters which are not in dispute or need not be the subject of further evidence. It can also usefully state where and why there may be disagreement about the interpretation and relevance of the information. The reasons for the differences and interpretation of the implications of a difference can then be expanded in the evidence”*

1.1.1.4. The 5 March letter sets out the SoCGs requested by the ExA (as listed in Section 2 of this report).

1.1.1.5. The positions of the parties as recorded within the majority of the SoCGs will develop over the course of the Examination period. This report provides a summary of the position reached on each of the SoCGs at Deadline 2 (20 October 2020). The report also identifies where there are matters that are common to multiple stakeholders.

## 1.2. STRUCTURE OF THIS REPORT

1.2.1.1. The remainder of this report is as follows:

- Section 2 explains the purpose and structure of each SoCG document and provides a list of SoCGs prepared
- Section 3 sets out the status of each SoCG at Deadline 2

- Section 4 identifies where commonality exists between SoCGs with different parties and summarises the principle outstanding matters that are subject to further ongoing discussions.

## 2. STRUCTURE OF STATEMENTS OF COMMON GROUND

### 2.1. STRUCTURE OF STATEMENTS OF COMMON GROUND

- 2.1.1.1. The purpose and possible content of SoCGs is set out in paragraphs 58-65 of the Department for Communities and Local Government’s guidance entitled “Planning Act 2008: examination of applications for development consent” (26 March 2015). Paragraph 58 of that guidance explains the basic function of SoCGs:
- “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.”*
- 2.1.1.2. Each of the individual SoCGs includes a) an introduction to the SoCG and stakeholder, b) a record of the consultation undertaken to date c) a summary of the topics covered by the SoCG, d) tables setting out the matters relevant to that stakeholder and their status (i.e. agreed, ongoing or not agreed) and e) sign off sheet.
- 2.1.1.3. The onshore SoCGs and marine SoCGs adopt a slightly different format for the tables. The onshore SoCGs include a single table with a RAG column for the status of each matter and the marine SoCGs include different tables for agreed, ongoing and not agreed matters. The result is ultimately the same.
- 2.1.1.4. Three final signed SoCGs were submitted at Deadline 1 namely with Eastleigh Borough Council, the Environment Agency (on marine matters) and the Maritime and Coastguard Agency.
- 2.1.1.5. The remaining SoCGs include matters that are outstanding and subject to further discussion between AQUIND and that stakeholder. The drafts submitted at Deadline 1 either represented mutually agreed draft documents or have been prepared by the Applicant and are considered to accurately reflect the positions of the parties at that point in time.
- 2.1.1.6. At Deadline 2, only one updated SoCG was submitted, namely with National Grid Electricity Transmission plc. At Deadline 3, an updated SoCG for South Downs National Park Authority is submitted.
- 2.1.1.7. Discussions are continuing to progress with other SoCG parties and further updated draft SoCGs will be submitted at Deadline 4.

## 2.2. LIST OF STATEMENTS OF COMMON GROUND

- 2.2.1.1. The original Rule 6 letter [PD-005] provided a list of SoCGs requested by the Planning Inspectorate to be prepared between the Applicant. Table 2.1 provides a list of SoCGs that are currently being progressed and also identifying where parties on the list have either progressed combined SoCGs with other parties or where a SoCG was requested but may not be necessary.
- 2.2.1.2. Where an SoCG party was identified in the 5 March letter but an SoCG is not being progressed this is explained in Table 2.1.

**Table 2.1 – List of SoCGs**

<b>SoCG party as listed in the original Rule 6 letter</b>	<b>Position as at 3 November 2020 (Deadline 3)</b>	<b>Doc reference</b>
<b>Portsmouth City Council</b>	Single SoCG being progressed with Portsmouth City Council in all relevant capacities, and which also covers matters on behalf of East Coast Solent Partnership.	7.5.3
<b>Winchester City Council</b>	SoCG being progressed.	7.5.4
<b>Hampshire County Council (LPA and Highways separate)</b>	Single SoCG being progressed with Hampshire County Council in all relevant capacities (Hampshire County Council are not an LPA).	7.5.5
<b>East Hampshire District Council</b>	SoCG being progressed.	7.5.6
<b>Eastleigh Borough Council</b>	Final signed SoCG submitted at Deadline 1.	7.5.9
<b>South Downs National Park Authority</b>	SoCG being progressed. Further calls on 2 and 18 November.	7.5.7
<b>Havant Borough Council</b>	SoCG being progressed.	7.5.8
<b>Portsmouth City Council Highway Authority</b>	Single SoCG being progressed with Portsmouth City Council in all relevant capacities.	7.5.3
<b>Hampshire County Council Highway Authority</b>	Single SoCG being progressed with Hampshire County Council in all relevant capacities.	7.5.5



SoCG party as listed in the original Rule 6 letter	Position as at 3 November 2020 (Deadline 3)	Doc reference
<b>Highways England</b>	SoCG being progressed.	7.5.10
<b>Network Rail Infrastructure Ltd</b>	Discussions ongoing though considered SoCG likely to be unnecessary, with position to be confirmed via correspondence in due course.	n/a
<b>Natural England</b>	Separate SoCGs being progressed with Natural England in relation to onshore and marine matters. The Natural England SoCG relating to marine matters is a joint SoCG with the Joint Nature Conservation Committee.	7.5.11 / 7.5.12
<b>Joint Nature Conservation Committee</b>	Joint SoCG being progressed with Natural England (marine).	7.5.12
<b>Historic England</b>	SoCG being progressed (which covers both onshore and marine matters).	7.5.13
<b>Environment Agency</b>	Separate SoCGs being progressed with Environment Agency for onshore and marine matters. Final signed SoCG for marine matters submitted at Deadline 1.	7.5.14/ 7.5.15
<b>Marine Management Organisation</b>	SoCG being progressed.	7.5.16
<b>Maritime and Coastguard Agency</b>	Final signed SoCG submitted at Deadline 1.	7.5.17
<b>Sport England</b>	SoCG being progressed.	7.5.18
<b>East Solent Coastal Partnership</b>	Joint SoCG being progressed (with Portsmouth City Council and Portsmouth City Council Highway Authority)	7.5.3
<b>Trinity House</b>	SoCG not being progressed. Email confirmation from Trinity House on 21 April that SoCG not necessary.	n/a
<b>ESP Utilities Group Ltd</b>	No SoCG currently being progressed. Not likely to be required subject to agreeing protective	n/a

SoCG party as listed in the original Rule 6 letter	Position as at 3 November 2020 (Deadline 3)	Doc reference
	provisions. Discussions between the parties ongoing though consider no impediment to protective provisions being agreed.	
<b>GTC Infrastructure Ltd (GTC Electricity)</b>	No SoCG currently being progressed. Not likely to be required subject to agreeing protective provisions. Discussions between the parties ongoing though consider no impediment to protective provisions being agreed.	n/a n/a
<b>GTC Infrastructure Ltd (GTC Gas)</b>		
<b>National Grid Electricity Transmission plc</b>	SoCG being progressed.	7.5.19
<b>Portsmouth Water Ltd</b>	SoCG being progressed.	7.5.20
<b>Southern Gas Networks PLC</b>	SoCG being progressed.	7.5.22
<b>Southern Water Services Ltd – Sewer</b>	No SoCG currently being progressed. Not likely to be required subject to agreeing protective provisions. Discussions between the parties ongoing but consider no impediment to protective provisions being agreed.	n/a
<b>SSE PLC (Gas)</b>	Not believed to be any SSE gas assets affected and in ongoing discussions with SSE to confirm.	n/a
<b>SSE PLC (High Voltage)</b>	No SoCG currently being progressed. Not likely to be required subject to agreeing protective provisions. Discussions between the parties ongoing but consider no impediment to protective provisions being agreed.	n/a
<b>SSE PLC (Low Voltage)</b>	No SoCG currently being progressed. Not likely to be required subject to agreeing protective provisions. Discussions between the parties ongoing but consider no impediment to protective provisions being agreed.	n/a

SoCG party as listed in the original Rule 6 letter	Position as at 3 November 2020 (Deadline 3)	Doc reference
<b>RWE Renewables UK Limited</b>	SoCG not being progressed. Email confirmation received from RWE that SoCG not required.	n/a
<b>National Grid Gas plc</b>	No National Grid Gas assets affected. This is therefore not relevant.	n/a
<b>West Waterlooville Development Ltd / Grainger PLC</b>	SoCG being progressed.	7.5.21

2.2.1.3. The Applicant is also progressing discussions with other utilities operators not listed on the original Rule 6 letter (including CityFiber Holdings Ltd, Openreach, Virgin Media and Vodafone) to agree positions on protective provisions in relation to their assets.

## 3. STATUS OF STATEMENTS OF COMMON GROUND

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### 3.1. SUMMARY OF CURRENT STATUS

- 3.1.1.1. This section provides an update of the current status of each SoCG at each examination deadline, up to the submission of finalised SoCGs by not later than Deadline 8 (where SoCGs are finalised sooner they will be signed and submitted at the earliest possible deadline).
- 3.1.1.2. Table 3.1 identifies the high-level status of each of the SoCGs currently being progressed at Deadline 2 (and shows the status at Deadlines 1 and 2 and any updates at Deadline 3). The status of each SoCG have been categorised as follows:
- **Stakeholder discussions** – where the Applicant and the party are in discussions and an SoCG is proposed though no SoCG currently drafted<sup>1</sup>.
  - **SoCG in draft** – where a SoCG has been drafted (with matters recorded as agreed, ongoing and not agreed) and subject to further discussions to resolve 'ongoing items.
  - **Final signed SoCG** – where all matters have been progressed as either agreed or not agreed positions (or potentially where ongoing matters will not be concluded during the examination).
- 3.1.1.3. Further detail is provided where useful to provide additional context to the high level status. Some draft SoCGs have, for example, been confirmed as mutually agreed drafts prepared by both parties to reflect the status of discussions. Others have been drafted by AQUIND to seek to accurately reflect the matters discussed but have either not received specific comment by the other party or have not been ratified as a mutually agreed draft SoCG.

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<sup>1</sup> Note that at Deadline 3 this status does not apply to any stakeholders. All are either in discussions but no SoCG proposed, SoCG in draft or final signed SoCGs prepared.

**Table 3.1 – Status of SoCGs at Deadline 3**

Document Reference	Party	Onshore / Marine	Status at Deadline 1	Status at Deadline 2	Status at Deadline 3
7.5.3	Portsmouth City Council / East Coast Solent Partnership	Onshore	<p><b>SoCG in draft</b></p> <p>Latest draft SoCG prepared by AQUIND discussed at meeting held with PCC on 4 August 2020 (following issue of two previous drafts by AQUIND in March and July 2020). No formal comments on draft SoCG provided by PCC though the Applicant considers the draft to represent an accurate reflection of the status of matters discussed to date.</p>	<p><b>SoCG in draft</b></p> <p>No update to the SoCG submitted at Deadline 2. Focus on reviewing the Local Impact Report and Written Questions. Further schedule of meetings to be agreed between the Parties with the aim of submitting an updated draft of SoCG at Deadline 3.</p>	<p><b>SoCG in draft</b></p> <p>No update to the SoCG submitted at Deadline 3, but further monthly meetings to discuss topics including the Statement of Common Ground are in progress with one held on 26 October. Potential updated SoCG at Deadline 4.</p>
7.5.4	Winchester City Council	Onshore	<p><b>SoCG in draft</b></p> <p>A series of meetings held between the Applicant and WCC with a draft SoCG prepared by AQUIND based on list of key issues prepared by WCC. The draft SoCG has been subject to review an input by WCC (most recently on 1 October 2020) and confirmed as mutually agreed Deadline 1 draft (email correspondence 2 October 2020).</p>	<p><b>SoCG in draft</b></p> <p>No update to the SoCG submitted at Deadline 2. A series of meetings being scheduled between the Applicant and WCC later in October / November - in relation to design, carbon and transport and the Draft DCO - with updated versions of the SoCG to be submitted at Deadlines 3 and/or 4 following these discussions.</p>	<p><b>SoCG in draft</b></p> <p>No update to the SoCG submitted at Deadline 3. Meetings have been held regarding design and air quality, with further meetings scheduled for November. Likely to submit an updated SoCG at Deadline 4.</p>
7.5.5	Hampshire County Council	Onshore	<p><b>SoCG in draft</b></p> <p>An initial draft SoCG has been issued and discussed in early discussions prior to the completion of HCC's Local Impact Report. Minor comments from HCC received on 1 October 2020 through the SoCG will be updated further following Deadline 1 to reflect ongoing discussions (including HCC review of the supplementary Transport Assessment).</p>	<p><b>SoCG in draft</b></p> <p>No update to the SoCG submitted at Deadline 2 though discussions between the Parties progressing (including a meeting held on 15<sup>th</sup> October) with the intention to progress a revised draft for Deadline 3.</p>	<p><b>SoCG in draft</b></p> <p>No update to the SoCG submitted at Deadline 3. Meetings have been held to discuss the SoCG and surface water flooding/infiltration rates. SoCG to be updated and submitted following further meetings scheduled for early November to discuss the Supplementary TA, FTMS and CTMP.</p>
7.5.6	East Hampshire District Council	Onshore	<p><b>SoCG in draft</b></p> <p>A series of meetings have been held between the Applicant and EHDC with a draft SoCG prepared by AQUIND and subject to review an input by EHDC. Confirmed as mutually agreed Deadline 1 draft (via email correspondence 2 October 2020).</p>	<p><b>SoCG in draft</b></p> <p>No update to the SoCG submitted at Deadline 2. Further discussions on ongoing matters to be convened where necessary with updates to the SoCG to reflect progress at Deadlines 3 and/or 4.</p>	<p><b>SoCG in draft</b></p> <p>No update to the SoCG submitted at Deadline 3. Joint meeting with WCC regarding air quality held and a meeting to discuss written representations and the outstanding points in the SOCG is scheduled for early November. Following this an updated SoCG will likely be submitted at Deadline 4.</p>

Document Reference	Party	Onshore / Marine	Status at Deadline 1	Status at Deadline 2	Status at Deadline 3
7.5.7	South Downs National Park Authority	Onshore	<b>SoCG in draft</b> A series of meetings held between the Applicant and SDNPA with a draft SoCG prepared by AQUIND and subject to review an input by SDNPA. Confirmed as mutually agreed Deadline 1 draft following discussions on 2 October 2020).	<b>SoCG in draft</b> No update to the SoCG submitted at Deadline 2. SDNPA will be involved in further meetings relating to design following Deadline 2 with updates to the SoCG to reflect progress at Deadlines 3 and/or 4.	<b>SoCG in draft</b> Updated draft submitted at Deadline 3 following a meeting on 30 October, to reflect discussions had in relation to the draft DCO, planning obligations and outstanding points in the SoCG. Further engagement organised for November.
7.5.8	Havant Borough Council	Onshore	<b>SoCG in draft</b> A series of meetings held between the Applicant and HBC with draft SoCG prepared by AQUIND and subject to review an input by HBC. Confirmed as mutually agreed Deadline 1 draft (via email 1 October 2020).	<b>SoCG in draft</b> No update on the SoCG submitted at Deadline 2 though discussions progressing (including meeting in relation to noise issues was held on 14 <sup>th</sup> October) with further meetings proposed following Deadline 2. Intention to progress a revised draft for Deadline 3.	<b>SoCG in draft</b> No update to the SoCG submitted at Deadline 3. Joint meeting with WCC regarding air quality has occurred though SoCG will be updated following a further meeting to discuss written representations and the outstanding points in the SOCG is scheduled for early November.
7.5.9	Eastleigh Borough Council	Onshore	<b>Final Signed SoCG</b>	<b>N/A</b>	<b>N/A</b>
7.5.10	Highways England	Onshore	<b>SoCG in draft</b> A series of meetings held between the Applicant and Highways England with draft SoCG prepared by AQUIND and subject to review an input by Highways England including comments on 2 October 2020.	<b>SoCG in draft</b> No update on the SoCG submitted at Deadline 2. Discussions ongoing between the Parties (including a meeting on 8 <sup>th</sup> October) with relevant updates to be provided at Deadlines 3 and 4.	<b>SoCG in draft</b> No update to the SoCG submitted at Deadline 3. Progress is being made but further meetings in relation to protective provisions and traffic flows need to occur prior to updating the SoCG. Agreed with HE that an updated draft will be submitted at Deadline 4.
7.5.11	Natural England (Onshore)	Onshore	<b>SoCG in draft</b> A series of meetings held between the Applicant and Natural England in relation to onshore matters with a draft SoCG prepared by AQUIND discussed at meeting on 5 August 2020. Comments on draft SoCG provided by Natural England in September and most recently on 2 October 2020.	<b>SoCG in draft</b> No update to the SoCG submitted at Deadline 2, but discussions are being progressed between the parties with updates provided to reflect the position at Deadlines 3 and/or 4.	<b>SoCG in draft</b> No update to the SoCG submitted at Deadline 3. Discussions are continuing to progress in relation to outstanding matters regarding Denmead Meadows, Milton Common and the biodiversity metric with further material being produced. Aim of submitting an updated SoCG draft at Deadline 4.



Document Reference	Party	Onshore / Marine	Status at Deadline 1	Status at Deadline 2	Status at Deadline 3
7.5.12	Natural England (Marine) / Joint Nature Conservation Committee	Marine	<b>SoCG in draft</b> A series of meetings held between the Applicant and Natural England (in relation to marine matters) and JNCC with a draft SoCG prepared by AQUIND Draft reflects matters discussed though does not include comment on the draft SoCG by Natural England.	<b>SoCG in draft</b> No update to the SoCG submitted at Deadline 2. Natural England and JNCC are reviewing the Deadline 1 SoCG before providing further comments. Potential updated SoCG to then be submitted at Deadline 3.	<b>SoCG in draft</b> No update to the SoCG submitted at Deadline 3. Natural England and JNCC are continuing to review the draft SoCG prior to agreeing an updated draft – for potential submission at Deadline 4.
7.5.13	Historic England	Onshore / Marine	<b>SoCG in draft</b> A series of meetings held between the Applicant and Historic England (separately for onshore and marine matters) with draft joint SoCG prepared by AQUIND Both parties have agreed that the draft submitted at Deadline 1 represents an accurate reflection of discussions though Historic England will provide further comment in due course.	<b>SoCG in draft</b> No update to the SoCG submitted at Deadline 2. The key outstanding issues (in relation to Fort Cumberland) are subject to either review of material submitted by the Applicant at Deadline 1 which HE will review or outstanding marine matters that are subject of further discussion following Deadline 2. Updates will be provided to reflect the position at Deadlines 3 and/or 4.	<b>SoCG in draft</b> Further discussions have been held (meeting on 26 October) in relation to the only outstanding onshore issue (Fort Cumberland impact). No further updates in relation to marine matters. An updated SoCG to be issued to Historic England alongside meeting minutes to allow for further discussion and an updated SoCG will be submitted at Deadline 4.
7.5.14	Environment Agency	Onshore	<b>SoCG in draft</b> A series of meetings held between the Applicant and Environment Agency (in relation to onshore matters) with latest meeting on 11 September 2020. Draft SoCG prepared by AQUIND and issued to EA on 28 September 2020. Initial comments received from Environment Agency on 2 October reflected in Deadline 1 draft. Will be subject to further technical review by Environment Agency following Deadline 1.	<b>SoCG in draft</b> No update to the SoCG submitted at Deadline 2. Further discussions are being arranged to address outstanding matters, with a potential meeting on 10 November. Next iteration of the SoCG therefore likely to be submitted at Deadline 4.	<b>SoCG in draft</b> Status as at Deadline 2 – further discussions progressing in early November, prior to updating the SoCG for Deadline 4.
7.5.15	Environment Agency	Marine	<b>Final Signed SoCG</b>	N/A	N/A

Document Reference	Party	Onshore / Marine	Status at Deadline 1	Status at Deadline 2	Status at Deadline 3
7.5.16	Marine Management Organisation	Marine	<b>SoCG in draft</b> A series of meetings held between the Applicant and MMO and comments provided on early draft SoCG. Amended SoCG issued by AQUIND on 23 September. This is the draft submitted at Deadline 1 and represents an accurate reflection of discussions though does not include further comment from MMO.	<b>SoCG in draft</b> No update to the SoCG submitted at Deadline 2. MMO will provide further comments on the Deadline 1 draft of the SoCG which the Applicant will review and discuss further with the intention of submitting a further draft at Deadline 3.	<b>SoCG in draft</b> Feedback has been received from the MMO on outstanding items, and the Applicant is reviewing these. SoCG to be sent to MMO in early November for additional review, with an updated draft SoCG submitted at Deadline 4.
7.5.17	Maritime & Coastguard Agency	Marine	<b>Final Signed SoCG</b>	<b>N/A</b>	<b>N/A</b>
7.5.18	Sport England	Onshore	<b>SoCG in draft</b> A series of meetings held between the Applicant and Sport England with draft SoCG prepared by AQUIND issued to Sport England on 29 September for further discussion and comment following Deadline 1.	<b>SoCG in draft</b> No update to the SoCG submitted at Deadline 2. Discussions are being progressed and updates will be provided to reflect the position at Deadlines 3 and/or 4.	<b>SoCG in draft</b> No update to the SoCG submitted at Deadline 3. Progress is being made in relation to outstanding items. Updated draft SoCG likely to be submitted at Deadline 4.
7.5.19	National Grid Electricity Transmission plc	Onshore	<b>SoCG in draft</b> Various discussions progressed between the Applicant and with NGET during 2019/2020. Draft SoCG prepared by AQUIND issued to NGET on 1 October 2020 and subsequent correspondence. Further substantive comment from NGET to be provided post Deadline 1.	<b>SoCG in draft</b> Updated SoCG submitted at Deadline 2 following further discussions with NGET on 16 <sup>th</sup> October.	<b>SoCG in draft</b> Discussions between the Applicant and NGET have progressed further in relation to the outstanding matters and will be reflected in an updated SoCG at Deadline 4.
7.5.20	Portsmouth Water Ltd	Onshore	<b>SoCG in draft</b> A series of meetings held between the Applicant and Portsmouth Water most recently on 11 September 2020. Draft SoCG prepared by AQUIND issued to Portsmouth Water 23 September 2020 which Portsmouth Water provided comments on 5 October prior to Deadline 1.	<b>SoCG in draft</b> No update to the SoCG submitted at Deadline 2. Further discussions scheduled to address outstanding matters. Next iteration of the SoCG likely to be submitted at Deadline 4.	<b>SoCG in draft</b> As with Environmental Agency (onshore) above – discussions are due to progress in early November. Aim to submit an updated draft SoCG at Deadline 4.



Document Reference	Party	Onshore / Marine	Status at Deadline 1	Status at Deadline 2	Status at Deadline 3
7.5.21	West Waterloo Development Ltd / Grainger PLC	Onshore	<p><b>SoCG in draft</b></p> <p>Discussions progressed with Grainger and draft SoCG prepared by AQUIND and subject to subsequent discussion and comment by Grainger and accurately reflects the position at Deadline 1.</p>	<p><b>SoCG in draft</b></p> <p>No update to the SoCG submitted at Deadline 2 though matters largely agreed between the Parties. Updated SoCG to be submitted at Deadline 3.</p>	<p><b>SoCG in draft</b></p> <p>Previous feedback indicated conclusion of discussions but further meeting regarding Heads of Terms requested by Grainger, due to happen in early November. Potential updated draft SoCG submitted at Deadline 4.</p>
7.5.22	Southern Gas Networks PLC	Onshore	<p><b>SoCG in draft</b></p> <p>Discussions progressed with SGN and draft SoCG recently prepared by AQUIND. Both parties have agreed that the draft submitted at Deadline 1 represents an accurate reflection of discussions to date. SGN to provide additional comment in further discussions following Deadline 1.</p>	<p><b>SoCG in draft</b></p> <p>No update to the SoCG submitted at Deadline though discussions ongoing between the Parties (including a meeting on 9 October) with an aim to submit an updated draft at Deadline 3.</p>	<p><b>SoCG in draft</b></p> <p>A meeting was held in October to discuss HDD locations, with a further meeting organised for early November. Discussions are still ongoing regarding protective provisions and so a potential updated draft SoCG may be submitted at Deadline 4 or 5.</p>

## 4. COMMONALITY

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### 4.1. SUMMARY

4.1.1.1. This section of the report provides a broad summary of the topics covered in the twenty SoCGs (draft or finalised) submitted at Deadline 1 (as updated in the case of the National Grid SoCG at Deadline 2, and the South Downs National Park Authority at Deadline 3) and demonstrates where there is commonality in the topics or matters being discussed between the Applicant and the various parties.

4.1.1.2. Table 4.1 lists out the topics covered across the SoCGs and the current status of that matter for each stakeholder. Where a topic is not relevant to a particular stakeholder the cell is greyed out. Where the topic is relevant the status is shown as follows (which corresponds to the status tables in each individual SoCG):

	All matters agreed
	Some matters agreed / some matters ongoing
	All matters outstanding
	Some matters ongoing / some matters not agreed
	All matters not agreed

4.1.1.3. It should be noted that where a broad topic applies to more than one SoCG party the detailed matters discussed within that topic may not be directly comparable or related. For example, discussions under the Landscape and Visual heading could cover discussions relating to landscaping at the Converter Station and at the ORS building depending on the stakeholder. Table 4.1 is therefore only intended as a general guide.

4.1.1.4. Following the summary at Table 4.1, Section 4.2 outlines the principle outstanding matters which are subject to further discussion to reach an agreed position.



## **4.2. PRINCIPAL MATTERS OUTSTANDING**

4.2.1.1. The following section provides a brief summary of topic areas with the SoCG parties where matters are identified as being ‘subject to ongoing discussion’ or ‘not agreed’ at Deadline 2. The individual SoCGs submitted at Deadlines 1 and 2 provide further detail of the specific matters of discussion. The only additional SoCG submitted at Deadline 2 is for National Grid Energy Transmission PLC though discussions have and will continue to progress between the Applicant and the SoCG parties throughout the examination.

4.2.1.2. Three SoCGs, with Eastleigh Borough Council, the Environment Agency (on marine matters) and the Maritime and Coastguard Agency were submitted at Deadline 1 as final signed documents.

### **4.2.2. PORTSMOUTH CITY COUNCIL**

4.2.2.1. The draft SoCG with PCC has been prepared by AQUIND following discussions with PCC since early 2019. It is considered to represent an accurate reflection of discussions to date though does not include comment from PCC on the draft. Whilst a some matters are (subject to PCC formal confirmation) understood to be agreed there remain a number of outstanding matters remain ongoing including need for the proposed development, landscape and visual amenity, ecology, ground conditions, surface water and flood risk, heritage and archaeology, traffic and transport, air quality and noise, socio economic, human health, waste and material resources, the ORS, community fund, cumulative effects and the draft DCO.

4.2.2.2. These matters will be subject to further discussion between the Parties as the Examination progresses.

### **4.2.3. WINCHESTER CITY COUNCIL**

4.2.3.1. Agreement of common ground between the Applicant and WCC reached on various matters in recent discussions as reflected in the SoCG. This includes agreement on most issues relating to planning policy, landscape and visual amenity, ecology, air quality, cumulative effects and the OOCEMP.

4.2.3.2. The principal matters of ongoing discussion relate to detailed points of mitigation and assessment of residual effects for landscape and visual amenity, ecology, air quality, noise, traffic and transport and in relation to the need and benefits of the project, alongside the draft DCO.

4.2.3.3. These matters will be subject to further discussion as the Examination progresses and further meetings are due to take place in November to discuss carbon and transport and the draft DCO. Discussions in relation to design occurred in October.

#### **4.2.5. HAMPSHIRE COUNTY COUNCIL**

- 4.2.5.1. The SoCG submitted at Deadline 1 has been discussed between the Parties though will be updated further to reflect ongoing discussions (including HCC review of the supplementary Transport Assessment).
- 4.2.5.2. Matters agreed between the Parties include planning policy, the extent of the transport study area, aspects of mitigation, methodology in relation to ecology and the assessment of archaeology and historic environment.
- 4.2.5.3. Outstanding matters for further discussion relate to the converter station construction phase and operational phase, the cable route and route impact assessment, traffic management, other highways matters, DCO powers, landscape and visual amenity, noise and vibration, flooding and ecology.
- 4.2.5.4. Further discussions have been progressed following Deadline 1 including a meeting on 15 October, and a meeting on 27 October to discuss surface water flooding and infiltration rates. A further meeting to discuss infiltration rates is scheduled for 26 November, alongside meetings on 5 November regarding the Supplementary TA and 12 November regarding the FTMS and CTMP. A revised draft at Deadline 4 is intended to be submitted.

#### **4.2.6. EAST HAMPSHIRE DISTRICT COUNCIL**

- 4.2.6.1. Significant progress made on agreement of common ground between the Applicant and East Hampshire District Council (EHDC) in discussions as reflected in the SoCG (including agreement on most issues relating to planning policy, landscape and visual amenity, ecology, air quality, cumulative effects and the OOCEMP).
- 4.2.6.2. The principal matters of ongoing discussion relate to detailed points of mitigation and assessment of residual effects and in relation to the need and benefits of the project, noise and the draft DCO.
- 4.2.6.3. These matters will be subject to further discussion as the Examination progresses and reflected accordingly in updated drafts of the SoCG. It is anticipated following further discussions that an updated draft will be submitted at Deadline 4.

#### **4.2.7. SOUTH DOWNS NATIONAL PARK AUTHORITY**

- 4.2.7.1. Various matters have been agreed through productive discussions between the Parties, including in relation to planning policy, the need for development, methodology for landscape and visual amenity and certain aspects relating to the draft DCO.

4.2.7.2. Matters outstanding for further discussion include the landscape and visual amenity assessment, mitigation and conclusions, cumulative effects, the OOCEMP and other matters relating to the draft DCO. Key outstanding issues are to be discussed following Deadline 2 and reflected accordingly in updated drafts of the SoCG. An updated draft is submitted at Deadline 3 to reflect further discussions in relation to planning obligations and the draft DCO.

#### **4.2.8. HAVANT BOROUGH COUNCIL**

4.2.8.1. Significant progress made on agreement of common ground between the Applicant and Havant Borough Council in discussions as reflected in the SoCG (including agreement on issues relating to planning policy, needs and benefits of the development, landscape and visual amenity, ecology, air quality, socio economics and various matters in relation to the draft DCO.

4.2.8.2. The principal matters of ongoing discussion relate to noise, cumulative effects, the OOCEMP, remaining points of discussion on the draft DCO and in relation to alternatives. These matters will be subject to further discussion as the Examination progresses and further discussions in relation to noise have been held following Deadline 1 at a meeting on 14 October. The intention was to submit a revised draft at Deadline 3, but it is anticipated following further discussions that an updated draft will be submitted at Deadline 4.

#### **4.2.9. HIGHWAYS ENGLAND**

4.2.9.1. Matters agreed through discussions with between the Applicant and Highways England include planning policy, HDD construction traffic routing, some aspects relating to site access arrangements for HDD, duration of works, modelling and geotechnical works processes.

4.2.9.2. Outstanding matters which will be subject to ongoing discussion include abnormal loads, collision data some aspects relating to site access arrangements for HDD, management of construction traffic, traffic flow impacts, cumulative impacts and ongoing geo technical matters. Further discussions ongoing between the Parties (including a meeting on 8 October) with relevant updates to be provided through revised drafts of the SoCG.

4.2.9.3. Progress is being made but further meetings in relation to protective provisions and traffic flows need to occur prior to updating the SoCG. Agreed with HE that an updated draft will be submitted at Deadline 4.

#### **4.2.10. NATURAL ENGLAND (ONSHORE)**

4.2.10.1. Various matters have been agreed in discussions between the Parties including in relation to landscape and visual amenity and ecology methodology and assessment, soils and agricultural land use, air quality and alternatives (in relation to the alternative cross country route).

4.2.10.2. Ongoing matters of discussion included details of mitigation and residual effects in relation to visual amenity, the ecological assessment of Kings Pond / Denmead Meadows and Milton Common SINC, cumulative effects and the OOCEMP. These have now in part been resolved, but outstanding matters remain in relation to the impact on Denmead Meadows and Milton Common, and in relation to the application of the biodiversity metric. Accordingly, an updated SoCG draft will likely be submitted at Deadline 4.

#### **4.2.11. NATURAL ENGLAND (MARINE) / JOINT NATURE CONSERVATION COMMITTEE**

4.2.11.1. Although the draft SoCG submitted at Deadline 1 was not a mutually agreed draft (as it has not received formal comment from Natural England) a number of matters have been agreed through productive discussions between the Parties (not all of the matters are relevant to both Natural England and JNCC) including in relation to physical processes, marine water and sediment quality, intertidal and benthic habitats, fish and shellfish, marine mammals and basking sharks, marine ornithology, HRA, Marine Conservation Zone Assessment and some matters in relation to the Deemed Marine Licence.

4.2.11.2. The limited outstanding matters under discussion relate to further issues relating to the draft DCO (including Deemed Marine Licence). An update to the SoCG will likely be submitted at Deadline 4.

#### **4.2.12. HISTORIC ENGLAND**

4.2.12.1. The discussions with Historic England will continue to progress following though the draft SoCG submitted Deadline 1 reflects the current status of discussions at that time. This includes agreement on issues including various matters relating to onshore cultural heritage and archaeology (with some matters in relation to and marine archaeology with some matters. The key outstanding issues in relation to onshore matters (i.e. the setting of Fort Cumberland) are subject to review of material submitted by the Applicant at Deadline 1 which HE will review.

4.2.12.2. Additional discussions following Deadline 2 have occurred in relation to the setting of Fort Cumberland and the impact of the Optical Regeneration Station on this heritage asset with a further meeting held on 26 October. Discussions are ongoing in relation to the significance of the impact and as such an updated draft SoCG will be submitted at Deadline 4. Discussions regarding outstanding marine matters will progress with an update on these matters also expected at Deadline 4.

#### **4.2.13. ENVIRONMENT AGENCY (ONSHORE)**

4.2.13.1. Agreement of common ground between the Applicant and the EA (Onshore) reached in discussions as reflected in the SoCG (including agreement on most issues relating



to EIA methodology, predicted impacts and the proposed mitigation set out in the OOCEMP).

4.2.13.2. The principal matters of ongoing discussion relate to detailed points of the Surface Water Drainage and Aquifer Contamination Mitigation Strategy, including the principles of the temporary car park design and associated surface water drainage to mitigate risk of contamination to the Aquifer and Draft Piling Risk Assessment. Finally, the requirement of an infiltration survey to be undertaken to validate drainage design assumptions is being discussed.

4.2.13.3. These matters will be subject to further discussion as the Examination progresses with the next iteration of the draft SoCG likely to be submitted at Deadline 4.

#### **4.2.14. MARINE MANAGEMENT ORGANISATION**

4.2.14.1. The matters recorded in the SoCG with the MMO have been subject to extensive discussion during the pre and post submission period. Whilst the version submitted at Deadline 1 was not fully reviewed by the MMO it represented the Applicant's accurate understanding of the status of discussions. This includes a number of matters relating to physical processes, marine water and sediment quality, intertidal and benthic habitats, fish and shellfish, commercial fisheries, marine mammals and basking sharks, recreational angling and marine licencing.

4.2.14.2. The limited outstanding matters under discussion include contaminated sediments, herring spawning (which is subject to additional information prepared by the Applicant), underwater noise and in relation to the DCO and Deemed Marine Licence. MMO will provide further feedback on the Deadline 1 draft which will be reviewed by the Applicant and subject to further discussions will be submitted at Deadline 4.

#### **4.2.15. SPORT ENGLAND**

4.2.15.1. The draft SoCG submitted at Deadline 1 was prepared by the Applicant and was issued to Sport England on 29 September 2020 for comment and discussions following Deadline 1 (this draft does not yet therefore include comment from Sport England). Discussions with Sports England will continue to progress in relation to the assessment of effects contained within ES Chapter 25 (Socio-economics) (APP-140), ES Appendix 22.5 Illustrative Phasing of Works at Example Open Spaces (APP-473) and the Framework Management Plan for Recreational Impacts (submitted at Deadline 1). An updated SoCG to reflect progression of the discussions of these matters will be submitted at Deadline 4.

#### **4.2.16. NATIONAL GRID ELECTRICITY TRANSMISSION PLC**

4.2.16.1. NGET is interested in the Proposed Development as the owner of plot 1-27, as shown on the Land Plan (Aquind Interconnector Ltd, 2019), which the Applicant is seeking to acquire for Converter Station Option B(ii) and the licenced owner of electricity



transmission assets at Lovedean Substation and the HVAC onshore cables which form part of the Proposed Development.

4.2.16.2. The Parties are progressing discussions in relation to the DCO (including grid connection works, Converter Station options and landscaping)) and matters relating to land agreements and protective provisions. Some matters in relation to the DCO have now been agreed, in relation to AC cables and connection bays and the Work Order. An updated SoCG has been submitted at Deadline 2 to reflect this.

4.2.16.3. Discussions between the Applicant and NGET have progressed further in relation to the outstanding matters and will be reflected in an updated SoCG at Deadline 4. .

#### **4.2.17. PORTSMOUTH WATER**

4.2.17.1. A number of matters have been agreed between the Applicant and Portsmouth Water as reflected in the SoCG. This includes agreement on most issues relating to EIA methodology, predicted impacts and the proposed mitigation set out in the OOCEMP.

4.2.17.2. The principal matters of ongoing discussion relate to establishing the final agreement regarding the alternative onshore cable route, detailed points of the Surface Water Drainage and Aquifer Contamination Mitigation Strategy, including the principles of the temporary car park design and associated surface water drainage and details of the SuDS and Water Quality System. Also, the details of a generic method statement covering the construction of the converter station, HDD works, and onshore cable route will be prepared and agreed between the parties.

4.2.17.3. These matters will be subject to further discussion as the Examination progresses and it is likely that the next iteration of the draft SoCG will be submitted at Deadline 4.

#### **4.2.18. WEST WATERLOOVILLE DEVELOPMENT LTD/GRAINGER**

4.2.18.1. Grainger Plc. is interested in the Proposed Development as a landowner within the Order Limits.

4.2.18.2. Easements are sought on Plot 4-36 and 5-12 (owned by Grainger Plc.) and the Parties are progressing discussions in relation to the Heads of Terms. These discussion will continue as the Examination progresses.

4.2.18.3. Following Deadline 2, feedback indicated conclusion of discussions but a further meeting regarding Heads of Terms was requested by Grainger. This is scheduled to happen in early November and as such a potential updated draft SoCG will be submitted at Deadline 4.

#### **4.2.19. SOUTHERN GAS NETWORKS PLC**

4.2.19.1. The negotiation of protective provisions for inclusion in the Order are progressing 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.

- 4.2.19.2. 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. Further discussions have taken place regarding the HDD locations and the protective provisions for Southern Gas Networks PLC assets and as such an updated draft SoCG will be submitted at Deadline 4 or 5.

