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To: [Aquind Interconnector](#)
Cc: [Ian Maguire \(Ian.Maguire@portsmouthcc.gov.uk\)](#); [REDACTED] [Fiona Bell \(fiona.bell@port.ac.uk\)](#); [Daniel Hyde](#)
Subject: PINS Ref: EN020022 / Application by AQUIND Limited: Statement of Common Ground between Portsmouth City Council and the University of Portsmouth
Date: 03 November 2020 17:14:37
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[SoCG_PCC_UoP_FINAL_031120.pdf](#)

Dear Sir / Madam

We act on behalf of the University of Portsmouth in relation to the above.

In advance of Deadline 3, please find attached a completed Statement of Common Ground between Portsmouth City Council and the University of Portsmouth. You should be aware that the Applicant has not been provided with this Statement as it has been prepared to confirm the extent of agreement between the two interested parties. The Statement is intended to evolve in advance of the Examination Hearings once we have met with the Applicant. We will keep you updated on progress and report by Deadline 4.

In the meantime, we would be grateful if you could confirm receipt.

Many thanks,

Mark Harris

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APPLICATION BY AQUIND LIMITED

STATEMENT OF COMMON GROUND BETWEEN PORTSMOUTH CITY COUNCIL AND THE UNIVERSITY OF PORTSMOUTH

3rd NOVEMBER 2020

Introduction & Background

1. This Statement of Common Ground (SoCG) has been prepared between Portsmouth City Council (“PCC”) and the University of Portsmouth (“UoP”) to provide the Examining Authority and AQUIND Limited (“the Applicant”) an overview of the agreement between the two parties in relation to the site known as Langstone Campus, Portsmouth (“the Site”). It also identifies the areas of outstanding concern and clarification that need to be addressed by the Applicant.
2. This SoCG has been prepared jointly by PCC and UoP following ongoing discussions between the Parties and also receipt/review of the Applicant’s Deadline 1 and 2 responses as they relate to the Site which is primarily the following: the Applicant’s Response to Written Questions ExQ1 (Document Ref 7.4.1); the Position Statement in relation to the refinement of the Order Limits (Document Ref: 7.7.4); the Environmental Statement Addendum – Appendix 13 (Document Ref: 7.8.1.13); the Applicant’s Responses to Relevant Representations (Document Ref: 7.9.4); Applicant’s Comments on Responses to ExA First Written Questions (Document Ref: 7.4.2); Applicant’s Response to Written Representations (Document Ref: 7.9.5); and Applicant’s Response to Local Impact Reports (Document Ref: 7.7.13).
3. Agreement has been reached between PCC and UoP on the following matters:
 - (i) Lack of information on the Proposed Development.
 - (ii) Impact on recreational activity.
 - (iii) Proposed mitigation.
 - (iv) Development potential of the Campus site.
 - (v) Need for Furze Lane to be removed.
 - (vi) Alternative route at the eastern edge of the Campus site.
4. The following commentary also represents PCC and UoP’s response to the submissions made by the Applicant to Deadlines 1 and 2 as set out in the Documents listed above as they relate to UoP’s Langstone Campus and Sports Centre. The agreed position is explained further below.

Lack of Information

5. It is agreed that the Applicant has not provided sufficient information or detail on the rationale and operational impacts of the Proposed Development. The questions posed by UoP in their Written Representation (see UoP WR paragraph 26) remain largely unanswered. It is noted that some additional information has been provided in the Documents submitted and referred to above but further explanation and justification is still required.

6. It also agreed that the Applicant has not provided any explanation as to why the Order limit area to the east of the Campus site is so wide. The majority of the Order limits in the other parts of the Application are no more than the width of a normal highway boundary (circa 9.5m) and it is explained in the Applicant's submissions that working areas would be typically 4-5m wide where there are constraints such as sports pitches (see ES Addendum Appendix 13 paragraph 4.2.3.6). The 11m permanent easement and 23m construction cable corridor are excessive and exceed the test of necessity, and refinement of this requirement should have been undertaken prior to the submission of the application. This needs to be explained by the Applicant and the Order area east of the Campus buildings reduced accordingly to be consistent with the other Order areas.

Impact on Recreational Activity

7. It is agreed that the Proposed Development will have a significant impact on recreational activity on both the Sports Centre and the Campus site. The agreed extent of the impact is identified in both PCC's Local Impact Report and UoP's Written Representation.

Proposed Mitigation

8. It is noted that mitigation and management proposed is outlined in the ES Addendum Appendix 13 (Document Ref: 7.8.1.13) and specifically paragraphs 4.2.3.1 – 4.2.3.10. Based on our review, there is actually no mitigation proposed for the reasons explained below.
9. It is agreed between PCC and UoP that there remains insufficient detail on how the 16 week period for works and re-turfing has been arrived at. Without further explanation on the identified 16 week period, both Parties are concerned that this is unrealistic and an under estimate which will extend beyond the proposed April – September period. For example, what investigations have been made for the period which will need to be allowed for drainage works and soil to settle before the pitches can be re-turfed and then used.
10. The Impact Assessment makes no allowance for the impact that the loss of pitch capacity has on recreational activity and access to the pitches by UoP and other groups as outlined in their WR. As identified the UoP WR, this includes the organised events scheduled for the site which can be just as intensive in terms of usage as the term time activities that take place. It is not as simple as programming work to between April – September to reduce the impact.
11. The magnitude of the effect of temporarily losing football and rugby pitch capacity against the context of no capacity elsewhere in the city has also not been properly explained or the subject of mitigation by the Applicant in the application. If the teams that currently use the pitches are unable to play elsewhere due to a lack of alternative pitch capacity in the City (as identified In PCC's Impact Assessment), then there is the potential for those teams to lose players and revenue to other teams outside of the City boundary. This will affect their ability to continue once the pitches become available again. This also needs to consider the impact on UoP's business and plans for activity during April – September as identified in their WR.
12. It is noted that the Applicant intends to discuss the mitigation with PCC and UoP to provide temporary mitigation during the identified periods of disruption (see Document 7.8.1.13

paragraph 3.1.1.1 page 4 of 28). A meeting is to be arranged by UoP between the parties for w/c 9th November 2020 if possible.

Development Potential of the Campus Site

13. It is agreed between PCC and UoP that the previously-developed element of the Campus site has potential for development to support the City's future growth. This may be residential, academic, commercial or recreational. There will continue to be discussions between the parties on this as part of the Local Plan Review to work towards a land use allocation of the site. It is common ground between PCC and UoP that the maximum degree of flexibility should be retained in this area to enable any future development to be designed and delivered based on good design and opportunity, rather than artificially constrained by the private interests of the Applicant's proposal.

Need for Furze Lane to be removed

14. It is noted that the Applicant proposes the removal of the Furze Lane route from the Order. Until such time as this is confirmed by the Examining Authority, PCC and UoP wish to retain their objection based on the operational impacts outlined in their respective WRs specifically in relation to the Sports Centre and the highways impact of works on that route.

Alternative Route at the eastern edge of the Campus

15. It is noted that the Applicant has considered the feasibility of a route closer to the eastern boundary of the Campus site (see the ES Addendum Appendix 13 / Document Ref: 7.8.1.13 and specifically Plate 5 and paragraphs 4.2.3.1 – 4.2.3.10). The Applicant identifies that the use of such a route will have less of an impact on the pitches with only a direct impact on the northern rugby pitch with the two remaining pitches realigned. This needs to be the subject of further investigation as the plan provided by the Applicant is not sufficient to determine whether this is deliverable. We also understand that the Applicant is to issue an updated ES Addendum Appendix 13 which we will review upon publication.
16. This route remains the preferred option of PCC and UoP. It potentially has a lesser impact on the operations and interests of UoP and the development potential of the Site.
17. Before it can be agreed and proposed to the Examination as an acceptable and deliverable alternative, further information and justification does still need to be provided by the Applicant on the ongoing easements and rights that would be sought on a cable route in this area so that the long term effect on the Site can be understood and assessed fully by PCC and UoP. The effect on playing pitch capacity in the area, the magnitude of the temporary effects and the accuracy of the 16 week programme also needs to be further investigated by the Applicant for the reasons outlined in this Statement.

Next Steps

18. As stated, a meeting is to be arranged by UoP with PCC and the Applicant. The outcome of this meeting will be reported to the Examination.

**Prepared by Mark Harris
Planning & Environment Group
Freeths LLP**

Confirmed as an Agreed Statement of Common Ground by:

**Fiona Bell
Director of Estates & Campus Services
University of Portsmouth**



**Ian Maguire
Assistant Director Planning and Economic Development
Portsmouth City Council**