

## The Infrastructure Planning (Compulsory Acquisition) Regulations 2010

### AQUIND Interconnector Project - Proposed Provision for the Compulsory Acquisition of Additional Land

Regulation 6(1)			
Within 28 days (starting the day after receipt) the Secretary of State must decide whether or not to accept the proposed provision as part of the application.	Date received	28-day due date	Date of decision
	3 November 2020	1 December 2020	11 November 2020
Regulation 6(2)		Planning Inspectorate Comments	
Regulation 4 - Prescribed procedure for compulsory acquisition of land			
Regulations 5 to 19 prescribe the procedure for the purposes of the condition in subsection (4) of section 123 (land to which authorisation of compulsory acquisition can relate) and apply where—			
(a) it is proposed to include in an order granting development consent a provision authorising the compulsory acquisition of additional land;	<p>In its letter dated 3 November 2020 [<b>REP3-019</b>], the Applicant confirmed a request to include in an Order granting development consent a provision authorising the compulsory acquisition of additional land: <i>'We confirm that it was the Applicant's intention that the submission made for Deadline 1 should constitute a change to be accepted into the examination.'</i> The additional land is defined as Plot 8-03(a).</p> <p>The Applicant's accompanying note <i>'Proposed Non-material Changes to the Order Limits and Rights'</i> [<b>REP3-016</b>] states, <i>'One of Proposed Changes (Proposed Change I) will necessitate the compulsory acquisition of "additional land" as defined in The Infrastructure Planning (Compulsory Acquisition) Regulations 2010 (the CA Regulations). In addition, Proposed Changes N, O and P relate to changes to the nature of the rights sought over land within the Order limits.'</i></p>		
(b) a person with an interest in the additional land does not consent to the inclusion of the provision	<p>The Applicant's Compulsory Acquisition Schedule [<b>REP1-124</b>] shows that Plot 8-03(a) is owned by Portsmouth City Council and that Baffins Milton Rovers FC occupies the land. It goes on to state</p>		

	that, <i>'The Applicant has held a number of meetings with the tenant and further engagement is planned to progress a voluntary agreement.'</i>
<b>Summary – Regulation 4</b>	Regulations 5 to 9 of the Infrastructure Planning (Compulsory Acquisition) Regulations 2010 apply to the proposed provision.
<b>Regulation 5 - Proposed Provision</b>	
The applicant must send to the Secretary of State details of the proposed provision which must—	
(a) be in the form of a book of reference or, where a book of reference has been submitted to the Secretary of State, a supplement to that book;	The Applicant made a submission pursuant to Section 123(4) of the Planning Act 2008 and Regulation 5 of the Infrastructure Planning (Compulsory Acquisition) Regulations 2010. That submission included: <ul style="list-style-type: none"> <li>• A Supplemental Book of Reference [<b>REP1-125</b>].</li> </ul>
(b) be accompanied by— <ul style="list-style-type: none"> <li>(i) land plan identifying the land required as additional land, or affected by the proposed provision; and</li> <li>(ii) a statement of reasons as to why the additional land is required and a statement to indicate how an order that contains the authorisation of the compulsory acquisition of the additional land is proposed to be funded.</li> </ul>	The Applicant made a submission pursuant to Section 123(4) of the Planning Act 2008 and Regulation 5 of the Infrastructure Planning (Compulsory Acquisition) Regulations 2010. That submission also included: <ul style="list-style-type: none"> <li>• An Order limits amendment plan showing Plot 8-03(a);</li> <li>• A statement of reasons as to why rights over the Additional Land are required to be acquired in connection the Proposed Development; and</li> <li>• A statement to indicate how the Proposed Development is to be funded.</li> </ul>
<b>Summary – Regulation 5</b>	The Book of Reference is, as permitted by Regulation, is supplemental to that already submitted. Plans have been provided to identify the additional land together with the required report that explains how the compulsory acquisition of the additional land would be funded.

The information provided is considered to satisfy the requirements of Regulation 5.

**Lead member of the  
Examining Authority**

Andrew Mahon

*Andrew Mahon*

**Signed**

**Date:** 11 November 2020

**Case Manager**

Hefin Jones

*Hefin Jones*

**Signed**

**Date:** 11 November 2020