

**From:** [Barnard, Megan](#)  
**To:** [Aquind Interconnector](#)  
**Cc:** [Maguire, Ian](#); [Williams, David](#); [Samuels, Tristan](#)  
**Subject:** AQUIND - Portsmouth City Council - Deadline 4 Submission  
**Date:** 17 November 2020 18:29:12  
**Attachments:** [20201117 PCC Letter to PI re Deadline 4 Final.pdf](#)  
[RE Procedural Decision Letter of 11 Nov 2020.msg](#)

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Evening,

On behalf of Portsmouth City Council (PCC), please find attached submission for Deadline 4 in respect of the Application by AQUIND Limited for an Order granting Development Consent for the AQUIND Interconnector Project. We note your inclusion of the attached correspondence.

Grateful if you could confirm the likely publication date.

Kind regards, Meg

**Megan Barnard**  
**Head of PMO**  
**Programme Management Office (PMO)**  
Regeneration Directorate  
Portsmouth City Council  
Tel: 07909227274  
Email: [megan.barnard@portsmouthcc.gov.uk](mailto:megan.barnard@portsmouthcc.gov.uk)  
Web: [www.portsmouth.gov.uk](http://www.portsmouth.gov.uk)

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**From:** [Aquind Interconnector](mailto:Aquind.Interconnector)  
**To:** [Laven, Kieran](mailto:Laven,Kieran); [Aquind Interconnector](mailto:Aquind.Interconnector)  
**Cc:** [Jarvis, Martyn](mailto:Jarvis,Martyn); [Maguire, Ian](mailto:Maguire,Ian); [Chetwynd-Stapylton, Edward](mailto:Chetwynd-Stapylton,Edward); [Barnard, Megan](mailto:Barnard,Megan); [Nash, Vernon](mailto:Nash,Vernon)  
**Subject:** RE: Procedural Decision Letter of 11 Nov 2020  
**Date:** 17 November 2020 09:25:08  
**Attachments:** [image001.png](#)

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Dear Kieran,

Thank you for your e-mail; the contents of which are noted and have been brought to the Examining Authority's attention.

The Inspectorate is unable to provide any legal advice on this matter. However, it is an important matter which the Applicant will need to consider. As such, we will treat your e-mail as part of your Deadline 4 submission, which will be published on the project page shortly.

The attached link to the DCLG guidance will hopefully be helpful in relation to matters relating to Compulsory Acquisition: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/236454/Planning\\_Act\\_2008\\_-\\_Guidance\\_related\\_to\\_procedures\\_for\\_the\\_compulsory\\_acquisition\\_of\\_land.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/236454/Planning_Act_2008_-_Guidance_related_to_procedures_for_the_compulsory_acquisition_of_land.pdf).

Kind regards,

Hefin  
Hefin Jones  
Rheolwr Achos / Case Manager  
Cynllunio Seilwaith Cenedlaethol / National Infrastructure Planning  
Llinell Uniongyrchol / Direct Line: 0303 444 5944 / 07407877938  
Llinell Gymorth / Helpline: 0303 444 5000  
E-Bost / Email: [hefin.jones@planninginspectorate.gov.uk](mailto:hefin.jones@planninginspectorate.gov.uk)  
Wê / Web: <https://infrastructure.planninginspectorate.gov.uk>  
Twitter: [@PINSgov](https://twitter.com/PINSgov)

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**From:** Laven, Kieran <[Kieran.Laven@portsmouthcc.gov.uk](mailto:Kieran.Laven@portsmouthcc.gov.uk)>  
**Sent:** 13 November 2020 13:16  
**To:** Aquind Interconnector <[aquind@planninginspectorate.gov.uk](mailto:aquind@planninginspectorate.gov.uk)>  
**Cc:** Jarvis, Martyn <[Martyn.Jarvis@hsf.com](mailto:Martyn.Jarvis@hsf.com)>; Maguire, Ian <[Ian.Maguire@portsmouthcc.gov.uk](mailto:Ian.Maguire@portsmouthcc.gov.uk)>; Chetwynd-Stapylton, Edward <[Edward.CS@portsmouthcc.gov.uk](mailto:Edward.CS@portsmouthcc.gov.uk)>; Barnard, Megan <[Megan.Barnard@portsmouthcc.gov.uk](mailto:Megan.Barnard@portsmouthcc.gov.uk)>; Nash, Vernon <[Vernon.Nash@portsmouthcc.gov.uk](mailto:Vernon.Nash@portsmouthcc.gov.uk)>  
**Subject:** Procedural Decision Letter of 11 Nov 2020

Dear Sirs,

Portsmouth City Council ("PCC") writes in relation to the Examining Authority ("ExA")'s Procedural Decision Letter of 11 November 2020 pursuant to Rules 9 and 17, regarding allotment holders' interests.

PCC notes the ExA's direction that "Portsmouth City Council should provide full assistance to the Applicant by providing the necessary details to ensure that all relevant parties are properly included in the Book of Reference." PCC is keen to assist in this way to ensure that allotment holders are represented, but there is a concern that the General Data Protection Regulation ("GDPR") prevents PCC from sharing tenants' details with Aquind. Generally speaking, the GDPR requires consent of the data subject to share their data or, failing that, another clear, identifiable lawful basis in accordance with Article 6 of the GDPR for doing so. One such lawful basis is that processing is necessary for compliance with a legal obligation and we would therefore be grateful if the ExA could expand on any legal obligation that it might consider PCC to be under in this respect, and provide any further practical guidance.

This issue was raised with Aquind in a meeting on 12 November 2020. PCC suggested that if no appropriate legal obligation can be identified, a pragmatic solution may be for PCC to forward necessary correspondence to the allotment holders on Aquind's behalf. This would mean that entry into the Book of Reference is dependent on engagement by individuals choosing to reply. Aquind noted the issue and said it would consider it.

Please contact me if you require any further assistance or clarification.

Kind regards,

Kieran Laven

**Kieran Laven**  
**Solicitor - Planning & Highways**

Legal Services  
Civic Offices  
Guildhall Square  
Portsmouth  
PO1 2PX

Tel: 023 9283 4881

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DPC:76616c646f72

[Redacted]