

Date: 30 November 2020

**Aquind Interconnector application for a Development Consent Order
for the 'Aquind Interconnector' between Great Britain and France
(PINS reference: EN020022)**

Mr. Geoffrey Carpenter & Mr. Peter Carpenter (ID: 20025030)

**WRITTEN SUBMISSIONS IN RELATION TO ISSUE SPECIFIC
HEARING 1 INTO THE DRAFT DEVELOPMENT CONSENT ORDER**

Submitted in relation to Deadline 5 of the Examination Timetable

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AQUIND INTERCONNECTOR

DCO APPLICATION REFERENCE EN020022

MR. GEOFFREY CARPENTER & MR. PETER CARPENTER (ID: 20025030)

EXAMINATION - DEADLINE 5 (30 NOVEMBER 2020)

WRITTEN SUBMISSIONS IN RELATION TO ISSUE SPECIFIC HEARING 1 INTO THE DRAFT DEVELOPMENT CONSENT ORDER

	<p style="text-align: center;">Provision in of Draft DCO (version as submitted by the Applicant at Deadline 3)</p>	<p style="text-align: center;">Required Amendment</p>	<p style="text-align: center;">Justification for Required Amendment</p>
<p style="text-align: center;">1</p>	<p>Part 1 Interpretation Article 2(1) Definition of "marine HVDC cables"</p>	<p>DELETE the words "<i>accompanying</i>" and "<i>, and for commercial telecommunications uses</i>" from the definition, add "<i>such of, but no more, individual</i>", and "<i>and such communications between</i>", and substitute "<i>required for</i>" for "<i>accompanying</i>":</p> <p><i>"marine HVDC cables" means two 320 kilovolt HVDC cable circuits for the transmission of electricity which may be bundled as two pairs of cables or take the form of single cables, together with: (i) <u>such of, but no more, individual fibre optic data transmission cables as may</u></i></p>	<p>The inclusion of fibre optic telecommunication cables for commercial purposes cannot and does not satisfy the relevant legal tests for being "Associated Development".</p> <p>Please see the following documents for a fuller account of our position in relation to this:</p> <p>See column 4 of paragraphs 8 and 10 of Schedule 1 of document reference REP4-047; column 3 of paragraphs 2 and 7 of Schedule 2 of</p>

	Provision in of Draft DCO (version as submitted by the Applicant at Deadline 3)	Required Amendment	Justification for Required Amendment
		<i>be required for accompanying each HVDC cable circuit, for the purpose of control, monitoring, and protection of the HVDC cable circuits and such communications between the converter stations, and for commercial telecommunications uses; and (ii) one or more cable crossing;</i>	document reference REP4-047; and Schedule 4 of document reference REP4-047 Representations submitted for Deadline 4 by Mr. Geoffrey Carpenter and Mr. Peter Carpenter (Registration Identification Number: 20025030).
2	Part 1 Interpretation Article 2(1) Definition of "onshore HVDC cables"	DELETE the words ", and for commercial telecommunications uses" from the definition, add "such of, but no more, individual", substitute "required for" for "accompanying", and add "for such communications between": "onshore HVDC cables" means two 320 kilovolt HVDC cable circuits for the transmission of electricity together with: (i) <u>such of, but no more, individual fibre optic data transmission cables required for accompanying each HVDC cable circuit for the purpose of control, monitoring, and protection of the HVDC cable circuits and such communications between the converter stations, and for commercial telecommunications; and (ii) one or more cable crossing;</u>	The inclusion of fibre optic telecommunication cables for commercial purposes cannot and does not satisfy the relevant legal tests for being "Associated Development". Please see the following documents for a fuller account of our position in relation to this: See column 4 of paragraphs 8 and 10 of Schedule 1 of document reference REP4-047; column 3 of paragraphs 2 and 7 of Schedule 2 of document reference REP4-047; and Schedule 4

	Provision in of Draft DCO (version as submitted by the Applicant at Deadline 3)	Required Amendment	Justification for Required Amendment
			of document reference REP4-047 Representations submitted for Deadline 4 by Mr. Geoffrey Carpenter and Mr. Peter Carpenter (Registration Identification Number: 20025030).
3	Part 1 Interpretation Article 2(1) Definition of " <i>telecommunications building</i> "	DELETE the definition of " <i>telecommunications building</i> ": "telecommunications building" means telecommunications apparatus and ancillary equipment related to the termination of and for the commercial use of the fibre optic data transmission cables housed within a building;	The inclusion of fibre optic telecommunication cables for commercial purposes cannot and does not satisfy the relevant legal tests for being "Associated Development". The Telecommunications Buildings are exclusively required in relation to that commercial purpose and so are not otherwise required. Please see the following documents for a fuller account of our position in relation to this: See column 4 of paragraphs 8 and 10 of Schedule 1 of document reference REP4-047; column 3 of paragraphs 2 and 7 of Schedule 2 of document reference REP4-047; and Schedule 4 of document reference REP4-047 Representations submitted for Deadline 4 by Mr.

	Provision in of Draft DCO (version as submitted by the Applicant at Deadline 3)	Required Amendment	Justification for Required Amendment
			Geoffrey Carpenter and Mr. Peter Carpenter (Registration Identification Number: 20025030).
4	Part 1 Interpretation Article 2(1) definition of "undertaking"	DELETE the words " <i>and provision of telecommunications services</i> " from the definition: <i>"undertaking" mean the transmission of electricity and provision of telecommunications services by the undertaker as authorised from time to time;</i>	The inclusion of fibre optic telecommunication cables for commercial purposes cannot and does not satisfy the relevant legal tests for being "Associated Development". Please see the following documents for a fuller account of our position in relation to this: See column 4 of paragraphs 8 and 10 of Schedule 1 of document reference REP4-047; column 3 of paragraphs 2 and 7 of Schedule 2 of document reference REP4-047; and Schedule 4 of document reference REP4-047 Representations for Deadline 4 by Mr. Geoffrey Carpenter and Mr. Peter Carpenter (Registration Identification Number: 20025030).

	Provision in of Draft DCO (version as submitted by the Applicant at Deadline 3)	Required Amendment	Justification for Required Amendment
5	Part 2 Consent to transfer the benefit of Order Article 7(6)(c)	DELETE Article 7(6)(c) in its entirety: (c) in respect of the benefit of the Order in so far as it relates to the commercial telecommunications use of the fibre optic data transmission cables any person who Ofcom have directed the electronic communications code is to have effect in relation to pursuant to section 106 of the Telecommunications Act 2003;	<p>The inclusion of fibre optic telecommunication cables for commercial purposes cannot and does not satisfy the relevant legal tests for being "Associated Development".</p> <p>Please see the following documents for a fuller account of our position in relation to this:</p> <p>See column 4 of paragraphs 8 and 10 of Schedule 1 of document reference REP4-047; column 3 of paragraphs 2 and 7 of Schedule 2 of document reference REP4-047; and Schedule 4 of document reference REP4-047 Representations for Deadline 4 by Mr. Geoffrey Carpenter and Mr. Peter Carpenter (Registration Identification Number: 20025030).</p>

	Provision in of Draft DCO (version as submitted by the Applicant at Deadline 3)	Required Amendment	Justification for Required Amendment
6	Schedule 1 Authorised Development Paragraph 1 Work No. 2 (u)	DELETE Paragraph 1 sub-paragraph Work No. 2 (u): (u) up to 2 telecommunications buildings with a security perimeter fence including a security gate and in-between sterile zone and parking for up to 2 vehicles at any one time and associated fibre optic data transmission cables;	The inclusion of fibre optic telecommunication cables for commercial purposes cannot and does not satisfy the relevant legal tests for being "Associated Development". Please see the following documents for a fuller account of our position in relation to this: See column 4 of paragraphs 8 and 10 of Schedule 1 of document reference REP4-047; column 3 of paragraphs 2 and 7 of Schedule 2 of document reference REP4-047; and Schedule 4 of document reference REP4-047 Representations for Deadline 4 by Mr. Geoffrey Carpenter and Mr. Peter Carpenter (Registration Identification Number: 20025030).
7	Schedule 1 Authorised Development	DELETE and REPLACE with the words "(v) a temporary construction access road over plots 1-32"	We contend, as contained in the draft protective provisions submitted at Deadline 5, that such asserted permanent access way is unjustified can

	Provision in of Draft DCO (version as submitted by the Applicant at Deadline 3)	Required Amendment	Justification for Required Amendment
	Paragraph 1 Work No. 2 (v)	<p><i>and 1-51 subject to the terms of Part 8 of Schedule 13 to this Order":</i></p> <p><i>(v) an <u>temporary construction</u> access road over plots 1-32 and 1-51 subject to the terms of Part 8 of Schedule 13 to this Order;</i></p>	<p>only be temporary in nature and only be granted in relation to the construction of Works No. 2.</p> <p>Please see accompanying justification submitted within the transcript of submissions for Compulsory Acquisition Hearing 2 and the Proposed Protective Provisions submitted at Deadline 5 for full justification.</p>
8	<p>Schedule 1 Authorised Development</p> <p>Paragraph 1 Work No. 2 (w)</p>	<p>INSERT the word "<i>temporary construction</i>":</p> <p><i>"(w) works required to replace an 11 kilovolt overhead electricity line with an 11 kilovolt underground electricity cable to facilitate the safe passage of construction vehicles along the proposed <u>temporary construction</u> access road subject to the terms of Schedule 13 to this Order"</i></p>	<p>We contend that where plans and documents refer to the access road, the Examining Authority should be treating this area as a "Parameter Zone 1 Access Road 1" in line with Building Parameter Drawing Ref EN020022-2.6-PARA-Sheet2 or 3 /Rev 01, Document Ref: 2.6.</p> <p>We contend, as contained in the draft Proposed Protective Provisions submitted at Deadline 5, that such access is unjustified permanently and should only be temporary in nature for its purpose of enabling construction access and only apply</p>

	Provision in of Draft DCO (version as submitted by the Applicant at Deadline 3)	Required Amendment	Justification for Required Amendment
			<p>during the period of construction relating to Works No. 2 within the Land Plans Plot 1-32.</p> <p>Please see accompanying justification submitted within the transcript of submissions for Compulsory Acquisition Hearing 2 and the Proposed Protective Provisions submitted at Deadline 5 for full justification.</p>
9	<p>Schedule 2 Requirements</p> <p>Interpretation</p> <p>Paragraph 1(1)</p> <p>Definition of "<i>converter station and telecommunications building parameter plans</i>"</p>	<p>DELETE the words "<i>and telecommunications building</i>" within the description of the defined term and the words "<i>and telecommunications building</i>" from the definition:</p> <p><i>"converter station and telecommunications building parameter plans" means the document certified as the converter station and telecommunications building parameter plans by the Secretary of State under article 43 (Certification of plans, etc.) for the purposes of this Order;</i></p>	<p>The inclusion of individual fibre optic telecommunication cables for commercial purposes cannot and does not satisfy the relevant legal tests for "Associated Development". The Telecommunications Buildings are exclusively required in relation to that commercial purpose and so are not otherwise required.</p> <p>Please see the following documents for a fuller account of our position in relation to this:</p>

	Provision in of Draft DCO (version as submitted by the Applicant at Deadline 3)	Required Amendment	Justification for Required Amendment
			<p>See column 4 of paragraphs 8 and 10 of Schedule 1 of document reference REP4-047; column 3 of paragraphs 2 and 7 of Schedule 2 of document reference REP4-047; and Schedule 4 of document reference REP4-047</p> <p>Representations for Deadline 4 by Mr. Geoffrey Carpenter and Mr. Peter Carpenter (Registration Identification Number: 20025030).</p>
10	<p>Schedule 2 Requirements</p> <p>Converter station and optical regeneration station parameters</p> <p>Paragraph 5(1)</p>	<p>DELETE the words ""<i>and Telecommunications Building</i>":</p> <p>5.—(1) The buildings and equipment identified in Work No. 2 and listed in table WN2 may only be constructed within the relevant parameter plan zone listed in Table WN2 below and shown on the Converter Station and Telecommunications Building Parameter Plans; with reference EN020022-2.6-PARA-Sheet 2 in the event option b(i) is confirmed to be the location for the converter station in accordance with requirement 4; or with reference EN020022-2.6-PARASheet3 in the event option b(ii) is confirmed to be the location for the converter station in</p>	<p>The inclusion of fibre optic telecommunication cables for commercial purposes does not satisfy the relevant legal tests for being "Associated Development". The Telecommunications Buildings are exclusively required in relation to that commercial purpose and so are not otherwise required.</p> <p>Please see the following documents for a fuller account of our position in relation to this:</p>

	Provision in of Draft DCO (version as submitted by the Applicant at Deadline 3)	Required Amendment	Justification for Required Amendment			
		<p><i>accordance with requirement 4 listed in Schedule 7 to the Order, and in respect of any building in accordance with the maximum dimensions shown in that table for the building –</i></p>	<p>See column 4 of paragraphs 8 and 10 of Schedule 1 of document reference REP4-047; column 3 of paragraphs 2 and 7 of Schedule 2 of document reference REP4-047; and Schedule 4 of document reference REP4-047 Representations for Deadline 4 by Mr. Geoffrey Carpenter and Mr. Peter Carpenter (Registration Identification Number: 20025030).</p>			
11	<p>Schedule 2 Requirements</p> <p>Converter station and optical regeneration station parameters</p> <p>Paragraph 5(1)</p> <p>Table WN2</p>	<p>DELETE the row relating to the "<i>Telecommunications building</i>" component:</p> <table border="1" data-bbox="640 1034 1420 1142"> <tr> <td data-bbox="640 1034 960 1142"><i>Telecommunications building</i></td> <td data-bbox="960 1034 1189 1142">5</td> <td data-bbox="1189 1034 1420 1142">8 — 4 — 3</td> </tr> </table>	<i>Telecommunications building</i>	5	8 — 4 — 3	<p>The inclusion of fibre optic telecommunication cables for commercial purposes does not satisfy the relevant legal tests for being "Associated Development". The Telecommunications Buildings are exclusively required in relation to that commercial purpose and so are not otherwise required.</p> <p>Please see the following documents for a fuller account of our position in relation to this:</p>
<i>Telecommunications building</i>	5	8 — 4 — 3				

	Provision in of Draft DCO (version as submitted by the Applicant at Deadline 3)	Required Amendment	Justification for Required Amendment			
			<p>See column 4 of paragraphs 8 and 10 of Schedule 1 of document reference REP4-047; column 3 of paragraphs 2 and 7 of Schedule 2 of document reference REP4-047; and Schedule 4 of document reference REP4-047</p> <p>Representations for Deadline 4 by Mr. Geoffrey Carpenter and Mr. Peter Carpenter (Registration Identification Number: 20025030).</p>			
12	<p>Schedule 2 Requirements</p> <p>Converter station and optical regeneration station parameters</p> <p>Paragraph 5(1)</p> <p>Table WN2</p>	<p>DELETE the row relating to the "<i>Telecommunications building compound</i>" component:</p> <table border="1" data-bbox="640 1034 1417 1145"> <tr> <td data-bbox="640 1034 958 1145"><i>Telecommunications building compound</i></td> <td data-bbox="958 1034 1189 1145">5</td> <td data-bbox="1189 1034 1417 1145">30 — 10 —</td> </tr> </table>	<i>Telecommunications building compound</i>	5	30 — 10 —	<p>The inclusion of fibre optic telecommunication cables for commercial purposes cannot and does not satisfy the relevant legal tests for being "Associated Development". The Telecommunications Buildings are exclusively required in relation to that commercial purpose and so are not otherwise required.</p> <p>Please see the following documents for a fuller account of our position in relation to this:</p>
<i>Telecommunications building compound</i>	5	30 — 10 —				

	Provision in of Draft DCO (version as submitted by the Applicant at Deadline 3)	Required Amendment	Justification for Required Amendment			
			<p>See column 4 of paragraphs 8 and 10 of Schedule 1 of document reference REP4-047; column 3 of paragraphs 2 and 7 of Schedule 2 of document reference REP4-047; and Schedule 4 of document reference REP4-047</p> <p>Representations for Deadline 4 by Mr. Geoffrey Carpenter and Mr. Peter Carpenter (Registration Identification Number: 20025030).</p>			
13	<p>Schedule 2 Requirements</p> <p>Converter station and optical regeneration station parameters</p> <p>Paragraph 5(1)</p> <p>Table WN2</p>	<p>DELETE the row relating to the "<i>Telecommunications building security perimeter fence</i>" component:</p> <table border="1" data-bbox="640 986 1417 1131"> <tr> <td data-bbox="640 986 960 1131"><i>Telecommunications building security perimeter fence</i></td> <td data-bbox="960 986 1184 1131">5</td> <td data-bbox="1184 986 1417 1131">30 — 10 2.45</td> </tr> </table>	<i>Telecommunications building security perimeter fence</i>	5	30 — 10 2.45	<p>The inclusion of fibre optic telecommunication cables for commercial purposes cannot and does not satisfy the relevant legal tests for being "Associated Development". The Telecommunications Buildings are exclusively required in relation to that commercial purpose and so are not otherwise required.</p> <p>Please see the following documents for a fuller account of our position in relation to this:</p>
<i>Telecommunications building security perimeter fence</i>	5	30 — 10 2.45				

	Provision in of Draft DCO (version as submitted by the Applicant at Deadline 3)	Required Amendment	Justification for Required Amendment			
			See column 4 of paragraphs 8 and 10 of Schedule 1 of document reference REP4-047; column 3 of paragraphs 2 and 7 of Schedule 2 of document reference REP4-047; and Schedule 4 of document reference REP4-047 Representations for Deadline 4 by Mr. Geoffrey Carpenter and Mr. Peter Carpenter (Registration Identification Number: 20025030).			
14	Schedule 2 Requirements Converter station and optical regeneration station parameters Paragraph 5(1) Table WN2	<p>DELETE the description of the "Access Road" component, ADD "<u>Within Parameter Zone 1 Access Road, "</u>, and the words "<u>Temporary Construction Access Road subject to the terms of Schedule 13 to this Order</u>":</p> <table border="1" data-bbox="640 1098 1417 1388"> <tr> <td data-bbox="640 1098 913 1388"><u>Within Parameter Zone 1 Access Road, a Temporary Construction Access road subject to the terms of Part 8</u></td> <td data-bbox="913 1098 1162 1388">1</td> <td data-bbox="1162 1098 1417 1388">1,200 7.3 -</td> </tr> </table>	<u>Within Parameter Zone 1 Access Road, a Temporary Construction Access road subject to the terms of Part 8</u>	1	1,200 7.3 -	<p>We contend that where plans and documents refer to the access road, the Examining Authority should be treating this area as a Parameter Zone 1 Access Road in line with Building Parameter Plans, Sheet2 or 3, Plan Ref: EN020022-2.6-PARA-Sheet2 or 3, Document Ref: 2.6.</p> <p>We contend, as contained in the Proposed Protective Provisions submitted at Deadline 5, that such access should only be temporary in nature and only apply during the period of construction relating to Works No. 2.</p>
<u>Within Parameter Zone 1 Access Road, a Temporary Construction Access road subject to the terms of Part 8</u>	1	1,200 7.3 -				

	Provision in of Draft DCO (version as submitted by the Applicant at Deadline 3)	Required Amendment			Justification for Required Amendment
		<i>of Schedule 13 to this Order</i>			Please see accompanying justification submitted within the transcript of submissions for Compulsory Acquisition Hearing 2 and the Proposed Protective Provisions submitted at Deadline 5 for full justification.
15	Schedule 2 Requirements Detailed design approval Paragraph 6(1)(h)	INSERT the words " <i>temporary construction (subject to the terms of Schedule 13 to this Order)</i> ": <i>"(h) vehicular access, the <u>temporary construction access road (subject to the terms of Part 8 of Schedule 13 to this Order)</u>, parking and circulation areas;"</i>			We contend that where plans and documents refer to the access road, the Examining Authority should be treating this area as a Parameter Zone 1 Access Road. We contend, as contained Proposed Protective Provisions submitted at Deadline 5, that such access should only be temporary in nature and only apply during the period of construction relating to Works No. 2 Please see accompanying justification submitted within the transcript of submissions for Compulsory Acquisition Hearing 2 and the

	Provision in of Draft DCO (version as submitted by the Applicant at Deadline 3)	Required Amendment	Justification for Required Amendment
			Proposed Protective Provisions submitted at Deadline 5 for full justification.
16	<p>Schedule 2 Requirements</p> <p>Fencing and other means of enclosure</p> <p>Paragraph 11(3)</p>	<p>DELETE the words ", <i>the telecommunications buildings</i>" twice:</p> <p><i>(3) Any approved permanent fencing in relation to the converter station, the telecommunications buildings and the optical regeneration stations must be completed before the converter station, the telecommunications buildings or the optical regeneration stations as is relevant is brought into use and maintained for the operation lifetime of the converter station or the optical regeneration stations.</i></p>	<p>The inclusion of fibre optic telecommunication cables for commercial purposes cannot and does not satisfy the relevant legal tests for being "Associated Development". The Telecommunications Buildings are exclusively required in relation to that commercial purpose and so are not otherwise required.</p> <p>Please see the following documents for a fuller account of our position in relation to this:</p> <p>See column 4 of paragraphs 8 and 10 of Schedule 1 of document reference REP4-047; column 3 of paragraphs 2 and 7 of Schedule 2 of document reference REP4-047; and Schedule 4 of document reference REP4-047</p> <p>Representations for Deadline 4 by Mr. Geoffrey</p>

	Provision in of Draft DCO (version as submitted by the Applicant at Deadline 3)	Required Amendment	Justification for Required Amendment
			Carpenter and Mr. Peter Carpenter (Registration Identification Number: 20025030).
17	<p>Schedule 2 Requirements</p> <p>Contaminated land and groundwater</p> <p>Paragraph 13(1)</p>	<p>INSERT the words "<i>or of Stoneacre Copse outside the Order limits</i>":</p> <p>13.—(1) No phase of the authorised development landwards of MHWS within the area of a relevant planning authority may commence until a written scheme applicable to that phase in accordance with the onshore outline construction environmental management plan and surface water drainage and aquifer contamination mitigation strategy (in so far as relevant), to deal with the contamination of any land, including groundwater, within the Order limits landwards of MHWS <u>or of Stoneacre Copse outside the Order limits</u> which is likely to cause significant harm to persons or pollution of controlled waters or the environment has been submitted to and approved by the relevant planning authority in consultation with the Environment Agency and, to the extent it relates to the intertidal area, the MMO.</p>	<p>See paragraph 11.1 of document reference REP1-232 and column 3 of paragraph 26 of Schedule 2 of document reference REP4-047: Paragraph 16.6.1.8 of Chapter 16 of the Environmental Statement (document number 6.1.16) does not elaborate on what "effects" could be caused to Stoneacre Copse from increases in pollutants during the construction stage, nor is there a positive requirement in the draft DCO to remediate any contamination of land outside the Order Limits.</p>

	Provision in of Draft DCO (version as submitted by the Applicant at Deadline 3)	Required Amendment	Justification for Required Amendment
18	<p>Schedule 2 Requirements</p> <p>Contaminated land and groundwater</p> <p>Paragraph 13(3)</p>	<p>INSERT the words "<i>or of Stoneacre Copse outside the Order limits</i>":</p> <p><i>(3) If, during the carrying out of the authorised development contamination of any land, including groundwater, within the Order limits landwards of MLWS <u>or of Stoneacre Copse outside the Order limits</u> which is likely to cause significant harm to persons or pollution of controlled waters or the environment not previously identified is found to be present then the developer will halt the continuation of such part of the authorised development as is to be carried out in the area where the contamination has been identified and submit, and obtain approval from the relevant planning authority in consultation with the Environment Agency and, to the extent it relates to the intertidal area, the MMO for, a written scheme detailing how the contamination will be dealt with.</i></p>	<p>See paragraph 11.1 of document reference REP1-232 and column 3 of paragraph 26 of Schedule 2 of document reference REP4-047: Paragraph 16.6.1.8 of Chapter 16 of the Environmental Statement (document number 6.1.16) does not elaborate on what "effects" could be caused to Stoneacre Copse from increases in pollutants during the construction stage, nor is there a positive requirement in the draft DCO to remediate any contamination of land outside the Order Limits.</p>
19	<p>Schedule 2 Requirements</p>	<p>INSERT the words "<i>or of Stoneacre Copse outside the Order limits</i>":</p>	<p>See paragraph 11.1 of document reference REP1-232 and column 3 of paragraph 26 of Schedule 2 of document reference REP4-047: Paragraph 16.6.1.8 of Chapter 16 of the</p>

	Provision in of Draft DCO (version as submitted by the Applicant at Deadline 3)	Required Amendment	Justification for Required Amendment
	Contaminated land and groundwater Paragraph 13(4)	<i>(4) Any scheme submitted to deal with the contamination of any land, including groundwater, within the Order limits landwards of MHWS <u>or of Stoneacre Copse outside the Order limits</u> which is likely to cause significant harm to persons or pollution of controlled waters or the environment will include an investigation and assessment report, prepared by a specialist consultant approved by the relevant planning authority, to identify the extent of any contamination and the remedial measures to be taken to render the land fit for its intended purpose, together with a management plan which sets out long-term measures with respect to any contaminants remaining on the site.</i>	Environmental Statement (document number 6.1.16) does not elaborate on what "effects" could be caused to Stoneacre Copse from increases in pollutants during the construction stage, nor is there a positive requirement in the draft DCO to remediate any contamination of land outside the Order Limits.
20	Schedule 2 Requirements Restoration of land used temporarily for construction Paragraph 22	INSERT the words " <i>including the restoration of lost important species,</i> " and " <i>or restoration</i> ": 22. <i>The undertaker must confirm to the relevant planning authorities the date of the completion of the construction of the authorised development and any land within the Order limits landwards of MLWS which is used temporarily for construction of the authorised</i>	See paragraph 14.2 of document reference REP1-232 and column 3 of paragraph 32 of Schedule 2 of document reference REP4-047. In relation to reinstatement we asked the Applicant to explain how it has factored in the amount of time it would take to restore the loss of important species through re-landscaping and re-planting - NOT RESOLVED)

	Provision in of Draft DCO (version as submitted by the Applicant at Deadline 3)	Required Amendment	Justification for Required Amendment
		<p><i>development must be reinstated to its former condition including the restoration of lost important species, or such condition <u>or restoration</u> as the relevant local planning authority may approve, within not more than twelve months of the date of the completion of the construction of the authorised development.</i></p>	<p>The Applicant's response avoided and failed to address the point we make. Their response only referred to the carrying out of reinstatement work to land to restore its former condition, which may not be the same thing as actually restoring the land to its former condition.</p> <p>The Applicant was asked to clarify whether it is confirming it will take 12 months to restore the loss of important species. If so, Requirement 22 of the draft DCO should be amended to make it clear that the 12-month period includes the restoration of the loss of important species.</p>
21	<p>Schedule 2 Requirements</p> <p>Control of lighting during the operational period</p>	<p>No proposed drafting amendment is put forward but we invite the Examining Authority to request of the Applicant that it insert a definition of "<i>exceptional circumstances</i>" to provide clarity in respect of their scope and particular content.</p>	<p>See paragraph 12.3 of document reference REP1-232 and column 3 of paragraph 27 of Schedule 2 of document reference REP4-047.</p> <p>There is currently no definition of "<i>exceptional circumstances</i>" in Requirement 23 of the draft DCO in which operational external lighting is</p>

	Provision in of Draft DCO (version as submitted by the Applicant at Deadline 3)	Required Amendment	Justification for Required Amendment
	Paragraph 23		allowed. 'Exceptional' may mean anything to different persons.
22	Schedule 2 Requirements Decommissioning New Paragraph 26	<p>INSERT a new paragraph 26 relating to Decommissioning:</p> <p><u>Decommissioning</u></p> <p><u>26.—(1) Within 24 months of the converter station ceasing to be used, a plan for the full decommissioning, demolition and removal of the converter station must be submitted to the relevant planning authority for approval setting out a decommissioning programme, a full assessment of its impacts, and a plan for the mitigation of those impacts.</u></p> <p><u>(2) Subject to obtaining the necessary consents and approvals, the decommissioning, demolition and removal of the converter station must be implemented in accordance with the plan approved under paragraph (1).</u></p>	The Draft DCO does not contain any provisions, requirements or controls over when or how decommissioning will be carried out and how its impacts will be controlled or avoided. Full justification for decommissioning provisions is set out in paragraph 16.2 of document reference REP1-232 and column 3 of paragraph 35 of Schedule 2 of document reference REP4-047.

	Provision in of Draft DCO (version as submitted by the Applicant at Deadline 3)	Required Amendment	Justification for Required Amendment
	<p>Schedule 4 Land plans</p> <p>Drawing number EN020022-2.2-LP-Sheet1</p>	<p>AMEND Drawing number EN020022-2.2-LP-Sheet1 as it relates to our Clients' land in accordance with the proposed protective provisions for Little Denmead Farm.</p>	<p>See column 4 of paragraphs 8 and 10 of Schedule 1 of document reference REP4-047; column 3 of paragraphs 2 and 7 of Schedule 2 of document reference REP4-047; and Schedule 4 of document reference REP4-047</p> <p>Representations for Deadline 4 by Mr. Geoffrey Carpenter and Mr. Peter Carpenter (Registration Identification Number: 20025030).</p> <p>In relation to our Clients' land generally in relation to Schedule 4 Land plans these should be read and amended in the context of the Proposed Protective Provisions submitted at Deadline 5 and the full justification submitted with them as part of our transcript for Compulsory Acquisition Hearing 2.</p>
23.	<p>Schedule 5 Works plans</p>	<p>AMEND Drawing number EN020022-2.4WP-Sheet1 as it relates to our Clients' land in accordance with the</p>	<p>See column 4 of paragraphs 8 and 10 of Schedule 1 of document reference REP4-047; column 3 of paragraphs 2 and 7 of Schedule 2 of document reference REP4-047; and Schedule 4</p>

	Provision in of Draft DCO (version as submitted by the Applicant at Deadline 3)	Required Amendment	Justification for Required Amendment					
	Drawing number EN020022-2.4WP-Sheet1	Proposed Protective Provisions for Little Denmead Farm.	<p>of document reference REP4-047 Representations for Deadline 4 by Mr. Geoffrey Carpenter and Mr. Peter Carpenter (Registration Identification Number: 20025030).</p> <p>In relation to our Clients' land generally in relation to Schedule 5 Works plans these should be read and amended in the context of the proposed protective provisions submitted at Deadline 5 and the full justification submitted with them.</p>					
24	<p>Schedule 7 Parameter Plans</p> <p>Drawing Number EN020022-2.6-PARA-Sheet1</p>	<p>DELETE the words "<i>and Telecommunications Buildings</i>" from the Column headed <i>Drawing Title</i>:</p> <table border="1"> <tr> <td><i>EN020022-2.6-PARA-Sheet1</i></td> <td><i>02</i></td> <td><i>Converter Station and Telecommunications Buildings Parameter Plans Combined Options - Sheet 1 of 3</i></td> <td><i>1:1,250</i></td> <td><i>A1</i></td> </tr> </table>	<i>EN020022-2.6-PARA-Sheet1</i>	<i>02</i>	<i>Converter Station and Telecommunications Buildings Parameter Plans Combined Options - Sheet 1 of 3</i>	<i>1:1,250</i>	<i>A1</i>	<p>The inclusion of fibre optic telecommunication cables for commercial purposes does not satisfy the relevant legal tests for being "Associated Development". The Telecommunications Buildings are exclusively required in relation to that commercial purpose and so are not otherwise required.</p>
<i>EN020022-2.6-PARA-Sheet1</i>	<i>02</i>	<i>Converter Station and Telecommunications Buildings Parameter Plans Combined Options - Sheet 1 of 3</i>	<i>1:1,250</i>	<i>A1</i>				

	Provision in of Draft DCO (version as submitted by the Applicant at Deadline 3)	Required Amendment	Justification for Required Amendment					
		<table border="1"> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </table>						<p>Please see the following documents for a fuller account of our position in relation to this:</p> <p>See column 4 of paragraphs 8 and 10 of Schedule 1 of document reference REP4-047; column 3 of paragraphs 2 and 7 of Schedule 2 of document reference REP4-047; and Schedule 4 of document reference REP4-047 Representations for Deadline 4 by Mr. Geoffrey Carpenter and Mr. Peter Carpenter (Registration Identification Number: 20025030).</p>
25	<p>Schedule 7 Parameter Plans</p> <p>Drawing Number EN020022-2.6-PARA-Sheet1</p>	<p>AMEND Drawing Number EN020022-2.6-PARA-Sheet1 to remove the Telecommunications Buildings from it</p>	<p>The inclusion of fibre optic telecommunication cables for commercial purposes does not satisfy the relevant legal tests for being "Associated Development". The Telecommunications Buildings are exclusively required in relation to that commercial purpose and so are not otherwise required.</p>					

	Provision in of Draft DCO (version as submitted by the Applicant at Deadline 3)	Required Amendment	Justification for Required Amendment					
			<p>Please see the following documents for a fuller account of our position in relation to this:</p> <p>See column 4 of paragraphs 8 and 10 of Schedule 1 of document reference REP4-047; column 3 of paragraphs 2 and 7 of Schedule 2 of document reference REP4-047; and Schedule 4 of document reference REP4-047 Representations for Deadline 4 by Mr. Geoffrey Carpenter and Mr. Peter Carpenter (Registration Identification Number: 20025030).</p>					
26	<p>Schedule 7 Parameter Plans</p> <p>Drawing Number EN020022-2.6-PARA-Sheet2</p>	<p>DELETE the words "and Telecommunications Buildings" from the Column headed <i>Drawing Title</i>:</p> <table border="1" data-bbox="638 1161 1420 1385"> <tr> <td data-bbox="638 1161 831 1385"><i>EN020022-2.6-PARA-Sheet2</i></td> <td data-bbox="831 1161 896 1385"><i>02</i></td> <td data-bbox="896 1161 1218 1385"><i>Converter Station and Telecommunications Buildings Parameter Plans Option B(i) - Sheet 2</i></td> <td data-bbox="1218 1161 1352 1385"><i>1:1,250</i></td> <td data-bbox="1352 1161 1420 1385"><i>A1</i></td> </tr> </table>	<i>EN020022-2.6-PARA-Sheet2</i>	<i>02</i>	<i>Converter Station and Telecommunications Buildings Parameter Plans Option B(i) - Sheet 2</i>	<i>1:1,250</i>	<i>A1</i>	<p>The inclusion of fibre optic telecommunication cables for commercial purposes does not satisfy the relevant legal tests for being "Associated Development". The Telecommunications Buildings are exclusively required in relation to</p>
<i>EN020022-2.6-PARA-Sheet2</i>	<i>02</i>	<i>Converter Station and Telecommunications Buildings Parameter Plans Option B(i) - Sheet 2</i>	<i>1:1,250</i>	<i>A1</i>				

	Provision in of Draft DCO (version as submitted by the Applicant at Deadline 3)	Required Amendment					Justification for Required Amendment
				<i>of 3</i>			<p>that commercial purpose and so are not otherwise required.</p> <p>Please see the following documents for a fuller account of our position in relation to this:</p> <p>See column 4 of paragraphs 8 and 10 of Schedule 1 of document reference REP4-047; column 3 of paragraphs 2 and 7 of Schedule 2 of document reference REP4-047; and Schedule 4 of document reference REP4-047 Representations for Deadline 4 by Mr. Geoffrey Carpenter and Mr. Peter Carpenter (Registration Identification Number: 20025030).</p>
27	<p>Schedule 7 Parameter Plans</p> <p>Drawing Number EN020022-2.6-PARA-Sheet2</p>	<p>AMEND Drawing Number EN020022-2.6-PARA-Sheet2 to remove the Telecommunications Buildings from it</p>					<p>The inclusion of fibre optic telecommunication cables for commercial purposes does not satisfy the relevant legal tests for being "Associated Development". The Telecommunications Buildings are exclusively required in relation to</p>

	Provision in of Draft DCO (version as submitted by the Applicant at Deadline 3)	Required Amendment	Justification for Required Amendment					
			<p>that commercial purpose and so are not otherwise required.</p> <p>Please see the following documents for a fuller account of our position in relation to this:</p> <p>See column 4 of paragraphs 8 and 10 of Schedule 1 of document reference REP4-047; column 3 of paragraphs 2 and 7 of Schedule 2 of document reference REP4-047; and Schedule 4 of document reference REP4-047 Representations for Deadline 4 by Mr. Geoffrey Carpenter and Mr. Peter Carpenter (Registration Identification Number: 20025030).</p>					
28	<p>Schedule 7 Parameter Plans</p> <p>Drawing Number EN020022-2.6-PARA-Sheet3</p>	<p>DELETE the words "and Telecommunications Buildings" from the Column headed <i>Drawing Title</i>:</p> <table border="1" data-bbox="640 1267 1417 1378"> <tr> <td data-bbox="640 1267 831 1378"><i>EN020022-2.6-</i></td> <td data-bbox="831 1267 893 1378"><i>02</i></td> <td data-bbox="893 1267 1218 1378"><i>Converter Station and Telecommunications</i></td> <td data-bbox="1218 1267 1352 1378"><i>1:1,250</i></td> <td data-bbox="1352 1267 1417 1378"><i>A1</i></td> </tr> </table>	<i>EN020022-2.6-</i>	<i>02</i>	<i>Converter Station and Telecommunications</i>	<i>1:1,250</i>	<i>A1</i>	<p>The inclusion of fibre optic telecommunication cables for commercial purposes does not satisfy the relevant legal tests for being "Associated Development". The Telecommunications Buildings are exclusively required in relation to</p>
<i>EN020022-2.6-</i>	<i>02</i>	<i>Converter Station and Telecommunications</i>	<i>1:1,250</i>	<i>A1</i>				

	Provision in of Draft DCO (version as submitted by the Applicant at Deadline 3)	Required Amendment				Justification for Required Amendment
		<i>PARA-Sheet3</i>		<i>Buildings Parameter Plans Option B(ii) - Sheet 3 of 3</i>		<p>that commercial purpose and so are not otherwise required.</p> <p>Please see the following documents for a fuller account of our position in relation to this:</p> <p>See column 4 of paragraphs 8 and 10 of Schedule 1 of document reference REP4-047; column 3 of paragraphs 2 and 7 of Schedule 2 of document reference REP4-047; and Schedule 4 of document reference REP4-047 Representations for Deadline 4 by Mr. Geoffrey Carpenter and Mr. Peter Carpenter (Registration Identification Number: 20025030).</p>
29	<p>Schedule 7 Parameter Plans</p> <p>Drawing Number EN020022-2.6-PARA-Sheet3</p>	AMEND Drawing Number EN020022-2.6-PARA-Sheet3 to remove the Telecommunications Buildings from it				<p>The inclusion of fibre optic telecommunication cables for commercial purposes cannot and does not satisfy the relevant legal tests for being "Associated Development". The Telecommunications Buildings are exclusively required in relation to that commercial purpose and so are not otherwise required.</p>

	Provision in of Draft DCO (version as submitted by the Applicant at Deadline 3)	Required Amendment	Justification for Required Amendment
			<p>Please see the following documents for a fuller account of our position in relation to this:</p> <p>See column 4 of paragraphs 8 and 10 of Schedule 1 of document reference REP4-047; column 3 of paragraphs 2 and 7 of Schedule 2 of document reference REP4-047; and Schedule 4 of document reference REP4-047</p> <p>Representations for Deadline 4 by Mr. Geoffrey Carpenter and Mr. Peter Carpenter (Registration Identification Number: 20025030).</p>
30	<p>Article 13 and Schedule 8 Streets and public rights of way to be temporarily stopped up</p>	<p>No proposed drafting amendment is put forward regarding temporary stopping up.</p> <p>However, we highlight the contents of our proposed protective provisions, the effect of which would be to dis-apply these powers.</p>	<p>Please see our transcript for Compulsory Acquisition Hearing 2 which contains the justification for the draft Proposed Protective Provisions for Little Denmead Farm submitted at Deadline 5 .</p>

	Provision in of Draft DCO (version as submitted by the Applicant at Deadline 3)	Required Amendment	Justification for Required Amendment			
31	Schedule 10 Land of which temporary possession may be taken	<p>We highlight the contents of our Proposed Protective Provisions for Schedule 13, the effect of which would be to amend the table at Schedule 10 as follows:</p> <p>INSERT reference to the part of plot 1-32 in column 2 of the first row of the table at Schedule 10, that will not be the subject of a lease to the undertaker pursuant to the new part 8 of Schedule 13:</p> <table border="1" data-bbox="640 1150 1417 1367"> <tr> <td data-bbox="640 1150 898 1367"><i>(1) Purpose for which temporary possession may be taken</i></td> <td data-bbox="898 1150 1160 1367"><i>(2) Plot reference (as shown on land plans)</i></td> <td data-bbox="1160 1150 1417 1367"><i>(3) Land plans sheet number</i></td> </tr> </table>	<i>(1) Purpose for which temporary possession may be taken</i>	<i>(2) Plot reference (as shown on land plans)</i>	<i>(3) Land plans sheet number</i>	Please see our transcript for Compulsory Acquisition Hearing 2 which contains the justification for the Proposed Protective Provisions submitted at Deadline 5 for full justification.
<i>(1) Purpose for which temporary possession may be taken</i>	<i>(2) Plot reference (as shown on land plans)</i>	<i>(3) Land plans sheet number</i>				

	Provision in of Draft DCO (version as submitted by the Applicant at Deadline 3)	Required Amendment			Justification for Required Amendment
		Activities in connection with the construction of Work. No. 2	1-32 [insert relevant] sqm [of each plot], 1-34, 1-45, 1-46, 1-50, 1-54, 1-57, 1-60, 1-65, 1-66, 1-67, 1-68, 1-71, 1-73	Sheet 1	
32.	Schedule 13 (Protective Provisions)	Insert the new proposed Part 8 relating to protecting the interests of the Carpenters in Little Denmead Farm.			Please see our transcript submitted at Deadline 5 in relation to CAH 2.

	Provision in of Draft DCO (version as submitted by the Applicant at Deadline 3)	Required Amendment	Justification for Required Amendment			
33	Schedule 14 Certified documents	<p>DELETE the words "<i>and telecommunications building</i>" from the Column headed <i>Document title</i>:</p> <table border="1" data-bbox="640 655 1420 951"> <tr> <td data-bbox="640 655 949 951">Converter station and telecommunications building parameter plan – Regulation 5(2)(o)</td> <td data-bbox="949 655 1202 951">Application Document 2.6</td> <td data-bbox="1202 655 1420 951">002</td> </tr> </table>	Converter station and telecommunications building parameter plan – Regulation 5(2)(o)	Application Document 2.6	002	<p>The inclusion of fibre optic telecommunication cables for commercial purposes cannot and does not satisfy the relevant legal tests for being "Associated Development". The Telecommunications Buildings are exclusively required in relation to that commercial purpose and so are not otherwise required.</p> <p>In relation to our Clients' land generally in relation to Schedule 14 Certified documents these should be read and amended in the context of the proposed protective provisions submitted at Deadline 5 and the full justification submitted with them. As they state, the proposed draft protective provisions will take precedence over any other terms of the Order.</p>
Converter station and telecommunications building parameter plan – Regulation 5(2)(o)	Application Document 2.6	002				
34	In the event that our suggested amendments to delete references to the	Delete current provisions referring to the " <i>Telecommunications Building</i> " in the singular:	The inclusion of fibre optic telecommunication cables for commercial purposes cannot and does not satisfy the relevant legal tests for being "Associated Development". The			

	Provision in of Draft DCO (version as submitted by the Applicant at Deadline 3)	Required Amendment	Justification for Required Amendment
	Telecommunications Building in the draft DCO are rejected, we request that the Applicant confirm whether it should be referred to in the singular or plural.	<p>(a) Part 1 Article 2(1) Definition of "<i>telecommunications building</i>"</p> <p>(b) Schedule 2 paragraph 1(1) - Definition of "<i>converter station and telecommunications building parameter plans</i>"</p> <p>(c) Schedule 2 paragraph 5(1)</p> <p>(d) Schedule 2 paragraph 5(1) Table WN2</p> <p>(e) Schedule 14 Certified documents – Document title description</p> <p>Delete current provisions referring to the "<i>Telecommunications Buildings</i>" in the plural:</p> <p>(a) Schedule 1 paragraph 1 Work No. 2 (u)</p> <p>(b) Schedule 2 paragraph 11(3)</p> <p>(c) Schedule 7 Parameter Plans - Drawing title descriptions</p>	Telecommunications Buildings are exclusively required in relation to that commercial purpose and so are not otherwise required.
35	Requirement 22 of Schedule 2	INSERT the words "(such condition to be independently assessed by the undertaker and to be agreed and documented	See paragraph 6.7.2 of document reference REP1-232 and column 3 of paragraph 11 of Schedule 2 of document reference REP4-047.

	Provision in of Draft DCO (version as submitted by the Applicant at Deadline 3)	Required Amendment	Justification for Required Amendment
		<p>with the relevant landowner before the relevant construction commences)" as follows:</p> <p>The undertaker must confirm to the relevant planning authorities the date of the completion of the construction of the authorised development and any land within the Order limits landwards of MLWS which is used temporarily for construction of the authorised development must be reinstated to its former condition (such condition to be independently assessed by the undertaker and to be agreed and documented with the relevant landowner before the relevant construction commences), or such condition as the relevant local planning authority may approve, within not more than twelve months of the date of the completion of the construction of the authorised development.</p>	<p>Requirement 22 of Schedule 2 to the draft DCO does not state how the "former condition" is to be assessed and by whom, nor is there any requirement on the Applicant to agree with the relevant owner of land what the "former condition" is².</p>
36			<p>The effect of Articles 30 and 32 is not accurately reflected in the Land Plans (document number 2.2) or the Book of Reference (document number 4.3). Request that the relevant Land Plans and that the Book of Reference be amended to make it clearer that many more plots of land are under the threat of temporary possession. (REP1-232 Para 6.5.10</p>

	Provision in of Draft DCO (version as submitted by the Applicant at Deadline 3)	Required Amendment	Justification for Required Amendment
			Please see accompanying justification submitted with the Proposed Protective Provisions submitted at Deadline 5 for full justification.