



CHARTERED SURVEYORS & LAND AGENTS

Our Ref: HB/alc

17th December 2020

By Email Only: aquind@planninginspectorate.gov.uk

The Planning Inspectorate
National Infrastructure Planning
Temple Quay House
2 The Square,
Bristol, BS1 6PN



Email: henry@ianjuddandpartners.co.uk

Ian Judd & Partners LLP

**4 High Street,
Bishop's Waltham,
Southampton,
Hampshire SO32 1AB**

Tel: 01489 896422 Fax: 01489 896669

Dear Sirs

Submitted in Relation to Deadline 6

 - Robin Jefferies, Registration Identification: 200250045

Application by AQUIND Limited for an Order granting Development Consent for the AQUIND Interconnector Project (PINS reference: EN020022)

There has been a large number of additional documents submitted by the Applicant at Deadline 4 & 5, too many to allow sufficient time or resources to review all documents. We have below made comment on the key issues we have found:-

Document 7.6.1 - Compulsory Acquisition Schedule Tracked- Published at Deadline 4, identifies 73 parties who the Applicant claims they are "in negotiation" with, however only 2 have progressed to Legal Drafting and one further Agreed Heads of Terms.

Our client is listed as "Heads of term in negotiation", however the Applicant is not negotiating with Mr Jefferies. The Applicants stance to date can be power phased as "These are the terms accept them or we will rely on CPO Powers". They are unwilling to enter any form of discussion on how figures have been reached.

If 70 out of 73 affected parties have not been willing (to date) to agree terms and no parties have completed a Legal Option, it is a good indicator that the terms being offered by the Applicant are unreasonable and not acceptable to the "average" affected landowner. This is evidence that the Applicant has not sufficiently explored all reasonable alternatives to compulsory acquisition and they are solely relying on Compulsory Purchase Powers. The Applicant is being unreasonable with the terms offered and do not want to reach agreement, as they could get land "cheaper" by Compulsory Powers.

We strongly question if the Applicant has allowed sufficient funds within their £4.9million to compulsory purchases all the land they require.

Document Ref: 7.9.17 Applicant's Response to Deadline 3

In Response to Submissions Table 2.13 of the above document we make the following comments:-



Cont'd ...



Paragraph 7.3.6

The Applicant has confirmed that the Applicant's land is solely required for landscaping purposes and have only been proposed to appease South Downs National Park and that the only reason that these rights could not be granted under Landscaping Rights is to ensure that landscaping ecological enhancement remains undisturbed. It has a particularly poor argument taking the freehold ownership of Mr Jefferies property purely so that the landscaping and ecological enhancement remains undisturbed.

We still firmly believe that these rights could be achieved for landscaping rights only and that the Applicant does not need to compulsorily acquire the freehold from our Mr Jefferies. We argue that the landscaping and planting is to only offered by the Applicant to appease the South Downs National Park and Winchester Local Authority and little beneficial impact on the ecology and biodiversity and offer limited screening to a 20m high + industrial building and do not believe that Compulsory Purchase Powers should be used to acquire such land.

Para 5.3.8

If security fencing is provided around the Converter Site and the telecommunications building, we do not understand why a secondary fence is required around the entire property for a deterrent for trespassers as the land is only going to be used for landscaping purposes. It will not be possible to interfere with the apparatus which will be beyond a security fence. If the security fence is not sufficient to deter trespassers from entering the Converter Station and Telecoms building then there is little point of a second fence.

This is the first time we have been made aware of deer and rabbit fencing on the boundary of our property. Can the Applicant confirm sufficient budget to manage this fencing for the life time of the Scheme? It would be helpful for a specification of the fencing, as this has not been shared with Mr Jefferies to date.

The principal reason that the Applicant has stated to acquire the freehold of the landscaping area is so that the landscaping in the local areas remain undisturbed. However, with a deer and rabbit fence around the perimeter there will be no wildlife within these landscaping areas to be disturbed and therefore they do not need to acquire the freehold interest.

Para 5.3.9

We can confirm a virtual meetings was held on the 12th November 2020. However, no attempt was made by the Applicant to progress matters. It remains our opinion that the terms currently offered are significantly worse than what would be awarded at a CPO Tribunal and therefore Mr Jefferies has been put in a position by the Applicant where they are not capable of reaching an agreement, without going to Tribunal in the future and incurring further costs.

The Applicant's Agent is rude, belittling and dictates terms to Mr Jefferies' Agent. He is unwilling to negotiate and repeatedly stresses his reliance on CPO Powers. No progress was made at the meeting on 12th November 2020 and we have had no contact since.

Document 2.2 Land Plans

There have been changes made to Plots 1-29 splitting the plot into to 1-29, 1-29a, 1-29b and 1-29c. We have not been informed of this change before Deadline 5 and there has been no communication with Mr Jefferies. No justification has been given for this change. No revised Heads of Terms have been issued and yet again the Applicant and their Agents have failed to communicate with Mr Jefferies. Why was the split not proposed from the start of the DCO process? Further evidence the Applicant had not given full consideration to the Application when it was submitted.

At what point will the Applicant be able to provide a conclusive decision between option Bi and Bii? This late change provides further uncertainty for Mr Jefferies.

Unaccompanied site visits by Planning Inspectors:-

Further to the Open Floor Hearings on the 7th December 2020 in which a requested access for unaccompanied site visits was made, we welcome the inspectorate to [REDACTED] at your convenience.

The gates at [REDACTED] are locked when nobody is onsite, however Mr Jefferies or his representative can arrange to meet the Inspector on site to gain access at a prearranged time. There is parking available within the yards. If the Inspector wishes to view within any of the buildings, we would obtain consent from the occupiers of the buildings.

We would be grateful if you could confirm with our Agent Ian Judd & Partners and allow 48 hours' notice to ensure that we will be available to guide you round the property.

There are horses grazing within the fields at all times.

If you require any further information please do not hesitate to be in contact with our Agent.

Yours sincerely

[REDACTED]
Henry E R Brice BSc Hons MRICS FAAV
Partner
For Ian Judd and Partners LLP