



**AQUIND Limited**

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# **AQUIND INTERCONNECTOR**

Statement of Common Ground Between  
AQUIND Limited and Hampshire County  
Council

Agreed Draft

The Planning Act 2008

Document Ref: 7.5.5

PINS Ref.: EN020022

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**DATE: 25 JANUARY 2021**

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## DOCUMENT

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# 1. INTRODUCTION AND PURPOSE

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## 1.1. PURPOSE OF THE STATEMENT OF COMMON GROUND

1.1.1.1. A Statement of Common Ground ('SoCG') is a written statement produced as part of the application process for an application for a Development Consent Order ('DCO') and is prepared jointly by the applicant and another party. A SoCG sets out the matters of agreement between both parties, matters where there is not agreement and matters which are under discussion.

1.1.1.2. In this regard paragraph 58 of the Department for Communities and Local Government's guidance entitled "Planning Act 2008: examination of applications for development consent" (26 March 2015) hereafter referred to as DCLG Guidance) describes a SoCG as follows:

*"A statement of common ground is a written statement prepared jointly by the applicant and another party or parties, setting out any matters on which they agree. As well as identifying matters which are not in real dispute, it is also useful if a statement identifies those areas where agreement has not been reached. The statement should include references to show where those matters are dealt with in the written representations or other documentary evidence."*

1.1.1.1. The aim of a SoCG is to assist the Examining Authority to manage the examination of an application for a DCO by providing an understanding of the status of matters at hand and allowing the Examining Authority to focus their questioning. The effective use of SoCG is expected to lead to a more efficient examination process.

1.1.1.2. A SoCG may be submitted prior to the start or during an Examination and updated as necessary or as requested during an Examination.

## 1.2. DESCRIPTION OF THE PROPOSED DEVELOPMENT

1.2.1.1. AQUIND Limited (the 'Applicant') submitted an application for the AQUIND Interconnector Order (the 'Order') pursuant to Section 37 of the Planning Act 2008 (as amended) (the 'PA2008') to the Secretary of State ('SoS') on 14 November 2019 (the 'Application').

1.2.1.2. The Application seeks development consent for those elements of the AQUIND Interconnector (the 'Project') located in the UK and the UK Marine Area (the 'Proposed Development').

1.2.1.3. The Project is a new 2,000 MW subsea and underground High Voltage Direct Current ('HVDC') bi-directional electric power transmission link between the South Coast of England and Normandy in France. By linking the British and French electric power grids it will make energy markets more efficient, improve security of supply and enable greater flexibility as power grids evolve to adapt to different sources of

renewable energy and changes in demand trends such as the development of electric vehicles. The Project will have the capacity to transmit up to 16,000,000 MWh of electricity per annum, which equates to approximately 5 % and 3 % of the total consumption of the UK and France respectively.

1.2.1.4. The Proposed Development includes:

- HVDC Marine Cables from the boundary of the UK Exclusive Economic Zone to the UK at Eastney in Portsmouth;
- Jointing of the HVDC Marine Cables and HVDC Onshore Cables;
- HVDC Onshore Cables;
- A Converter Station and associated electrical and telecommunications infrastructure;
- High Voltage Alternating Current ('HVAC') Onshore Cables and associated infrastructure connecting the Converter Station to the Great Britain electrical transmission network, the National Grid, at Lovedean Substation; and
- Smaller diameter Fibre Optic Cables ('FOC') to be installed together with the HVDC and HVAC Cables and associated infrastructure.

### **1.3. THIS STATEMENT OF COMMON GROUND AND THE ROLE OF HCC**

1.3.1.1. This SoCG has been prepared jointly by the Applicant and Hampshire County Council ('HCC') in accordance with the DCLG Guidance and precedent examples of SoCG available on the Planning Inspectorate's ('PINS') website. The Applicant and HCC have agreed that the SoCG should be submitted in its current form at Deadline 7. Discussions will progress beyond Deadline 7 with regard to ongoing matters as outlined in the SoCG, relating to Transport, Protective Provisions, and mitigation. The Applicant and Hampshire are seeking to resolve all matters before the close of the Examination on the 8 March 2021.

1.3.1.2. HCC is interested in the Proposed Development as a Minerals and Waste Planning Authority, Highway Authority and Street Authority, including in relation to Public Rights of Way and as the Lead Local Flood Authority in respect of the parts of the Proposed Development located within their administrative boundary. In addition, HCC is an owner of land affected by the Proposed Development, but any compulsory acquisition considerations are outside of the scope of this SoCG. Other County matters include education and archaeology which may also be relevant to the Application.

1.3.1.3. HCC would be responsible for discharging many of the requirements of the Order associated with development in their administrative area should development

consent be granted for the Proposed Development. HCC would also be responsible for monitoring and enforcing many of the Order provisions and requirements.

1.3.1.4.

For the purpose of this SoCG the Applicant and HCC will be jointly referred to as the 'Parties'.



## 2. RECORD OF ENGAGEMENT UNDERTAKEN TO DATE

2.1.1.1. The table below sets out a summary of the key meetings and correspondence between the Parties in relation to the Proposed Development

**Table 2.1 – Schedule of pre-application meetings and correspondence**

<b>Date</b>	<b>Form of Contact</b>	<b>Summary</b>
10/01/2019	Meeting (Planning and Highways, including Winchester City Council, ('WCC') East Hampshire Council, ('EHC') Havant Borough Council, ('HBC') Portsmouth City Council, ('PCC') South Downs National Park Authority) ('SDNPA')	Preferred Converter Station location; Preliminary Environmental Information Report ('PEIR') for forthcoming statutory consultation; update on Cable Route options; land referencing (including Land Interest Questionnaires ('LIQ')); future engagement; Statement of Community Consultation ('SoCC').
22/01/2019	Meeting (Planning and Highways, including WCC, EHC, HBC, PCC, SDNPA)	PEIR and forthcoming statutory consultation / process; Cable Route options and rationale; Alternatives to limit impact of Cable Route on highway.
05/02/2019	Telecon (Planning and Highways, including WCC, EHC, HBC, PCC, SDNPA)	Deposit locations for Consultation Documents; Converter Station design and level of information in PEIR.
21/02/2019	Email	Archaeological Officer contacted to agree the rationale and scope of the Geophysical Survey.  The Written Scheme of Investigation (WSI) for this element was approved in April 2019 (email 30/04/19).  The HCC Archaeology and Historic Environment team provided archaeological

Date	Form of Contact	Summary
		advice to Local Planning Authorities (LPAs) in Hampshire, including HDC, HBC and PCC.
05/07/2019	Meeting (Highways) HCC	Onshore Cable Corridor and Street Works; Transport Assessment scope; Transport Sub Regional Transport Model scoping note (methodology and assumptions).
23/07/2019	Workshop Lead Local Flood Authority ('LLFA') / Drainage, including EA, Portsmouth Water and PCC LLFA / Drainage)	Update on Proposed Development and flood risk profile within the Order Limits; Surface water resources and Flood Risk Assessment ('FRA'); Permitting requirements; Potential constraints at Converter Station; Crossing of the East Solent Coastal Partnership ('ESCP') flood defences.
20/08/2019	Meeting	<p>Discussion with HCC County Archaeologist about the results of the Geophysical Survey. The proposed strategy for additional surveys and mitigation was discussed.</p> <p>Agreed that Stage 2 trial trenching could be conducted following submission of the DCO application on the proviso that the project can demonstrate a level of flexibility in terms of design.</p> <p>HCC indicated that further work along existing modern highways is unlikely to be required, except at more sensitive areas along the Onshore Cable Corridor.</p>
13/09/2019	Meeting (HCC and Highways England)	<p>Project Update;</p> <p>Proposals for Horizontal Directional Drilling ('HDD') under the A27;</p> <p>Street Works.</p>
07/01/2020	Meeting (HCC)	Update post submission.
14/02/2020	Meeting (HCC and Highways England)	<p>Update including discussions about Public Rights of Way ('PRoW') and drainage.</p> <p>Discussion on areas of key traffic and transport</p>

Date	Form of Contact	Summary
		concern to HCC including the DCO / requirements.
27/05/2020	Meeting HCC	<p>HCC identified a number of key highway issues which have been raised previously within the PIER and that will be further iterated within the LIR response. This included lack of detail regarding the construction access and construction traffic management concerns regarding forward visibility on Broadway Lane/Day Lane and the working widths for construction traffic. It was suggested the project team review what is being done at the IFA 2 at Chilling site. Matters relating to cable route details, link box location details, and impact assessment and mitigation factors were also discussed.</p> <p>HCC urged Aquind to consider use of its permit scheme and other adopted process including s278,s171 and the TRO processes and noted that HCC will be introducing a lane rental scheme within the next few years, including A3 London Road (and that PCC have introduced a scheme already</p>
05.08.2020	Meeting	<p>PW comments on the applicant response to Relevant Representation was discussed.</p> <p>Supplementary karst report was discussed and further explanation relating to HDD works and the method of dealing with unknown karst features were explained</p> <p>Proposed piling solution and piling risk assessment (draft) discussed.</p> <p>Proposed temporary car park and associated temporary surface water drainage discussed</p>

Date	Form of Contact	Summary
		<p>Converter station drainage system and SuDS explained.</p> <p>Explanation was provided relating to fire deluge system and how the surface water drainage system will be designed to account for its operation.</p>
11/09/2020	Meeting with HCC	<p>Proposed site level and associated Earthworks methodology discussed</p> <p>Construction water management and earthwork water management discussed</p> <p>Generic method statement and its table of contents discussed</p>
15/09/2020	Meeting HCC	<p>Informal meeting to introduce Amy Hallam to HCC.</p> <p>Discussed progression of SoCG and other issues including LIR. Agreed to further meeting once additional information had been shared after Deadline 1 to allow the parties time to consider the additional information.</p> <p>It was agreed that the parties have been working well and seeking to reach agreement but acknowledged that this would be ongoing. As such, this version of the SoCG will be superseded following further meetings.</p>
24/09/2020	Email Correspondence	<p>Draft SoCG issued to HCC</p> <p>HCC provided minor comments on the draft SoCG 1.10.2020</p>
15/10/2020	Meeting	<p>Meeting to discuss the progression of the application to date.</p> <p>Review of the SoCG and to agree a way forward to resolve outstanding issues.</p> <p>It was agreed that separate meetings between HCC and the Applicant to be arranged to</p>

Date	Form of Contact	Summary
		discuss in detail updated submissions including the FTMS, CTMP and LIR responses.
27/10/2020	Meeting	Meeting with HCC Engineers to discuss infiltration rates and further survey work to be undertaken.
05/11/2020	Meeting	Meeting with HCC Transport Planners to discuss the updated Supplementary Transport Assessment.
10/11/2020	Meeting	Meeting HCC, legal team and officers to discuss the required protective provisions.
12/11/2020	Meeting	Meeting with HCC Transport Planners to discuss the updated CTMP and FTMS
19/11/2020	Meeting	<p>Meeting with HCC to discuss the impact of the Proposed Development on Trees within the Highway.</p> <p>HCC Arboriculture Team provided comments on the AMS and explained the rationale behind the CAVAT system. It was agreed that separate offline discussions between HCC arboriculture team and WSP to be scheduled to progress discussions surrounding the CAVAT scheme, how it will be calculated and secured.</p>
23/11/2020	Meeting	<p>Meeting with HCC Transport Planners to provide an update on actions following previous meetings on the STA, FTMS, FCTMP.</p> <p>HCC agreed on the call that separate offline meetings are to be scheduled to discuss the need for mitigation to be provided for impacts on bus routes.</p>

Date	Form of Contact	Summary
		<p>HCC have requested that they need to secure ability to secure funding for “low cost” measures (lining and signing) to reduce accidents on diversion routes and cable corridor.</p> <p>Discussions are ongoing and were matters are agreed this has been clearly outlined in the SoCG.</p>
24/11/2020	Meeting	<p>Meeting with HCC Landscape Officer to discuss the landscaping proposals, particularly around the converter station.</p> <p>HCC recognised that Local Planning Authorities (LPAs) would lead with regard to providing input on the landscape and visual impact considerations. HCC will continue to seek to participate in such discussions, where appropriate to do so, in support of the LPAs.</p>
26/11/2020	Meeting	<p>Meeting with HCC Engineers to discuss findings of the infiltration assessments.</p> <p>Discussion with HCC LLFA has been undertaken. HCC are in agreement with the drainage principles set out in the Surface Water and Contamination Surface Water Drainage and Aquifer Contamination Strategy (Appendix 7 of the OCEMP REP4-006).</p>
7/12/2020	Meeting	<p>Meeting with HCC, PCC and Highways England to discuss transport matters within PCC and cross boundary transport matters.</p>
14/12/2020	Meeting	<p>Meeting with HCC and HSF to discuss s278 procedures.</p>

Date	Form of Contact	Summary
17/12/2020	Meeting	<p>Meeting with HCC PRoW team to discuss the schemes implications on the PRoW network within HCC.</p> <p>Discussions between the parties are ongoing with regard to use of HCC's approval process.</p>
05/01/2021	Meeting	<p>Meeting with HCC to discuss the location of the joint bays and the onshore installation of the cables.</p> <p>The Joint Bay Report was discussed, and HCC raised some queries with regard to the proposed locations of the JB. Reinstatement of the highway and implications on the Traffic Management Strategy.</p> <p>Discussions between the parties are ongoing.</p>
13.01.2021	Meeting	<p>Meeting with HCC to discuss ongoing transport matters, including reinstatement, s106 bus contributions, travel plan, FTMS.</p> <p>Discussions between the parties are ongoing.</p>
14/01/2021	Meeting	<p>Meeting with HCC to discuss Ecology matters to discuss the Applicant's submissions and signpost HCC to relevant information.</p> <p>Discussions held surrounding the how harm to biodiversity interests are being avoided/ mitigated, restoration of existing habitats, opportunities to maximise opportunities for biodiversity features and the rationale for the amount of biodiversity proposed to be lost.</p>
14/01/2021	Meeting	<p>A meeting with HCC, PCC and Highway England was held to discuss cross boundary strategic transport matters.</p> <p>It was agreed at this meeting that it was not considered to be necessary to prepare a</p>

Date	Form of Contact	Summary
		separate Triparty SoCG on transport and highways-related matters. Therefore, these will be dealt within the individual SoCGs with PCC, HCC and Highway England.



## 3. SUMMARY OF TOPICS COVERED BY THE SOCG

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### 3.1. TOPICS COVERED IN THE STATEMENT OF COMMON GROUND

3.1.1.1. The following topics discussed between the Parties are commented on further in this SoCG:

- Planning policy
- Alternative Cable Route opportunities
- Converter Station site access
- Converter Station Area Construction Phase
- Operation Phase
- Cable Route
- Transport study area
- Route impact assessment
- Traffic management requirements and anticipated impacts
- Additional highway matters
- Implementation Officer requirements
- Alternatives
- DCO powers
- Landscape
- Lead Local Flood Authority
- Ecology
- Archaeology and Historic Environment
- Scope of Section 106 Agreement

3.1.1.2. For the avoidance of doubt, matters not covered in this SoCG including Compulsory Acquisition have not been discussed between the Parties as they have not been raised by HCC during the consultation undertaken to date between the Parties.

## 4. CURRENT POSITION

### 4.1. PLANNING POLICY

Table 4.1 – Planning Policy

Ref.	Description of matter	Current Position	RAG
<b>Planning Policy</b>			
HCC 4.1.1	Role of NPS EN-1	It is agreed that the relevant National Policy Statement ('NPS') for the Proposed Development is the Overarching NPS for Energy (EN-1) (2011) which provides the primary policy basis for the determination of the application (as set out in the Planning Statement, Examination Library reference APP-108).	Agreed
HCC 4.1.2	Policy Framework	Local planning policies from the relevant authorities can be 'important and relevant' considerations for the SoS in determining the Application. The Development Plan for HCC comprises (as set out in Appendix 4 of the Planning Statement, Examination Library reference APP-112): <ul style="list-style-type: none"> <li>Hampshire Minerals and Waste Plan (2013);</li> <li>Minerals and Waste Safeguarding in Hampshire SPD (2016).</li> </ul>	Agreed

### 4.2. CONVERTER STATION SITE ACCESS

Table 4.2 – Converter Station Site Access

Ref.	Description of matter	Current Position	RAG
<b>Site Access (Substation)</b>			
HCC 4.2.1	Site Access	Discussions between the parties are ongoing with regard to site access from Broadway Lane.  HCC have concerns regarding forward visibility and that this will require further justification in addition to discussion relating to the substation internal road.  Whilst the design has progressed since submission and the visibility splays are now accepted, HCC have requested further detail with regard to the removal of the hedgerow and TRO sign locations, additional plans (Site Access Junction Plan) included in the Supplementary Transport Assessment (REP1- 142) has been submitted into the Examination. HCC have provided comments in response at Deadline 3 which were subsequently discussed between parties at meeting on the 12 November 2020.  The Applicant is currently reviewing HCC comments and will provide updated comments and drawings to HCC in due course.  The Applicant has recently commissioned a Road Safety Audit, which has been undertaken by independent consultants, and submitted in draft to HCC as the highway authority on 20 January 2021. The scope of the Audit includes the following:	Ongoing

Ref.	Description of matter	Current Position	RAG
		<ul style="list-style-type: none"> <li>○ Proposed passing places on Day Lane (as set out in REP6-073)</li> <li>○ Proposed junction upgrade at the junction of Day Lane / Broadway Lane (as set out in REP1-142); and</li> <li>○ Traffic management proposals for the management of HGV traffic accessing the Converter Station along Day Lane (as set out originally in REP1-142 and updated in REP6-073).</li> </ul> <p>HCC awaits the completion of the designer's response, and the formal submission of the Road Safety Audit at Deadline 7. Upon submission, HCC will review and provide its comments accordingly.</p>	

### 4.3. CONVERTER STATION CONSTRUCTION PHASE

**Table 4.3 – Converter Station Construction Phase**

Ref	Description of matter	Current Position	RAG
HCC 4.3.1	Construction Phase	<p>A Framework Construction Traffic Management Plan ('FCTMP') was submitted with the application (Examination Library reference APP-450) and covers the following topics as suggested by HCC: (all references are to APP-450)</p> <ul style="list-style-type: none"> <li>• Abnormal Indivisible Load ('AIL') movements (section 2.7.7 and Appendix 5);</li> <li>• Mud on roads (paragraph 3.6.1.3);</li> <li>• Turning of delivery vehicles to allow site egress in forward gear (5.2.1.2);</li> <li>• Contractor parking (3.2.1, 1.1.6 and section 4.3);</li> <li>• Construction traffic routes (Section 3.4);</li> <li>• Mitigation (Table 5, Sections 5.2 and 7.3).</li> </ul> <p>An updated Framework Construction Traffic Management Plan (FCTMP) (Examination Library reference REP1-068) was submitted at Deadline 1. HCC have reviewed the updated FCTMP and have requested further details with regard to :</p> <ul style="list-style-type: none"> <li>• The management of HGVs along Day Lane during the construction stage</li> <li>• Details of contractor parking at the Converter Station</li> <li>• Mitigation Strategy for the impact of construction traffic on the highway network.</li> <li>• Management of the Public Rights of Way Network with HCC</li> </ul> <p>Following the meeting between the Applicant and HCC on the 12 November 2020, the Applicant is updated the FCTMP which was submitted at deadline 6 (REP6-032). HCC is currently reviewing, and a meeting is scheduled for the 13/01/2020 to discuss revisions to this document. HCC have made further representation on matters relating to the FCTMP as submitted at deadline 6. The Applicant is considering these comments and will provide HCC with an updated position in due course.</p>	Ongoing

Ref	Description of matter	Current Position	RAG
HCC 4.3.2	Public Rights of Way (PRoW)	<p>A meeting between the Applicant and HCC to discuss the HCC's concerns with regard to the impact of the proposed development on the PRoW took place on the 16 December 2020. HCC raised concerns with regard to the disapplication of HCC's approval process for temporary works to the PRoW network. The Applicant is considering comments received and will provide HCC a response in due course.</p> <p>The Applicant's position on this matter remains that consent for the temporary closure for PRoW will be sought as part of the DCO (Article 13). As part of this there is wording in the DCO that requires the relevant street authority to be consulted. The relevant extract can be found below:</p> <p style="padding-left: 40px;">(5) The undertaker must not temporarily close, alter, divert or restrict;</p> <p style="padding-left: 80px;">(a) any street, public right of way or permissive path as mentioned in paragraph (4) without first consulting the relevant street authority; and</p> <p style="padding-left: 80px;">(b) any other street, public right of way or permissive path without the consent of the street authority which may attach reasonable conditions to any consent, but such consent may not be unreasonably withheld or delayed.</p> <p>Therefore, the Council will have advance knowledge of the PRoW being proposed for closure and when these will occur. It is not clear to the Applicant why it wouldn't be possible for HCC to communicate these works with members of the public in the usual way.</p> <p>HCC have provided the Applicant with additional comments on 20 January 2021 with regard to concerns regarding the way that the dDCO currently references the affected PRoW, impact on users of PRoWs which are outside of the order limits and communication of temporary closures to users of the PRoW that need further consideration. The Applicant is currently reviewing and will provide HCC with comments in due course.</p>	Ongoing
HCC 4.3.3	Vehicle Routing and Timing	<p>The FCTMP was submitted with the application (Examination Library reference APP-449) and sets out the Applicant's approach to vehicular movement management for the Converter Station and each section of the Onshore Cable Corridor. An Updated FTCMP (REP1-068) was submitted by the Applicant at Deadline 1. Following review by HCC the vehicle routing to the Converter Station has now been agreed between the parties.</p>	Agreed
HCC 4.3.4	FCTMP – HGV movements on Day Lane	<p>An updated FCTMP was submitted at Deadline 1 (Examination Library reference REP1-068), which provides further information on the control of HGVs. Following review, HCC is satisfied with the updated information provided.</p> <p>However, there remains an outstanding issue between Parties as to the management of Day Lane for construction traffic. This matter was discussed at a meeting on the 12 November 2020. The Applicant provided HCC with an amended proposal on the 11 November which was also submitted into the Examination at deadline 6.</p> <p>Since the submission of Deadline 6 material, the Applicant has discussed with Highways England the arrangements for the use of lay-bys shown in the Day Lane Technical Note (REP6-073) as part of a management strategy for the movement of HGV's towards the Converter Station construction site.</p> <p>Highways England has confirmed that the lay-bys are available for use by HGV's travelling to the Converter Station construction site as part of their wider journey, for example to undertake statutory breaks in accordance with Driver and Vehicle Standards Agency (DVSA) driver time requirements. Notwithstanding this, the Applicant understands that Highways England would not wish to see these lay-bys used as part of managed regime for HGV access.</p>	Ongoing

Ref	Description of matter	Current Position	RAG
		<p>Whilst the Applicant is not aware of any specific capacity issues affecting the lay-bys shown within the Day Lane Technical Note within the hours that external HGV's will travel to the site (between 0900-1700), it has agreed to amend the management strategy such that use of the lay-bys on the Strategic Road Network would not be promoted.</p> <p>Following discussions with HCC, it has been proposed that laybys at Hulbert Road, to the east of A3 (M) Junction 3 could be used as a waiting area for HGV's associated with the construction of the Converter Station. These laybys are existing HCC highway assets. HCC have confirmed that the northern layby could be used for this purpose and HGV's can be taken to the Converter Station construction site under escort. This will require the current ability for the travelling public to park at this facility to be suspended. This approach has also been discussed with Highways England who have confirmed it would allow their previous concerns to be resolved.</p> <p>Following on from the meetings outlined above, the Day Lane Technical Note (REP6-073) will be resubmitted at deadline 7 to include the outcomes of these discussions. The Highway Authority, whilst having informally discussed this proposed arrangement with the Applicant, have yet to be provided with the formal proposed arrangement for comment.</p>	
HCC 4.3.5	FCTMP – HGV movements on Anmore Road	<p>An updated FCTMP was submitted at Deadline 1 (Examination Library reference REP1-068), which provides further information on the control of HGVs. Following review, HCC is satisfied with the updated information provided.</p> <p>However, there remains an outstanding issue between Parties as to the management of Anmore Road for construction traffic. This matter was discussed at a meeting on the 12 November 2020.</p> <p>Further information on the management of traffic on Anmore Road was submitted at deadline 6 as part of the Framework Construction Traffic Management Plan ( REP6-032). Subsequently these updates have been discussed with HCC at the meeting on 13 January 2021. HCC have requested further clarity from the Applicant as to the need to use Anmore Road for construction traffic. The Applicant is currently reviewing and will provide a response at deadline 7.</p>	Ongoing
HCC 4.3.5	Asset Resilience	<p>Details as set out in Section 7.4 (specifically sections 7.4.1.1 to 7.4.1.2) of the FCTMP (Examination Library reference REP1-068) submitted with the Application outlines the mitigation measures to be provided by the Applicant.</p> <p>Following HCC's review of Section 7.4, further information has been requested regarding the process and timeframes associated with reinstatement of the highway where remedial measure are required. The Applicant will provide further information on this subject to HCC as soon as possible.</p> <p>Given the scale of the highway works, HCC have requested that the Applicant agree to half carriageway reinstatement to prevent extensive trenching in relation to asset resilience and highway safety. In accordance with the controls provided for by Article 12 of the dDCO (REP6-015) the Applicant's position is that it will be required to carry out reinstatement in accordance with the NRSWA. As such, reinstatement will be carried out in accordance with the relevant regulations and applicable guidance, including in respect of the reinstatement of opening in the highways and guarantees for reinstatement once carried out.</p>	Ongoing
HCC 4.3.6	Planned works	<p>HCC have previously referred to the installation of a new pedestrian crossing on Lovedean Lane which has now been installed. If necessary, in connection with the construction of the Proposed Development the crossing will be removed and reinstated to the existing HCC's standard.</p> <p>HCC have noted that the potential conflict with already committed works to be carried out at Ladybridge roundabout in connection with the West of Waterlooville Major Development Area and the Transforming Cities Fund needs to be explored further to ensure coordination and integration. The Applicant will continue to liaise with HCC with regard to timescales for programmed works within the highway that are due to come forward within HCC's administrative area.</p>	Ongoing
HCC 4.3.7	Temporary Construction	<p>Further to comments made by HCC at Deadline 5 regarding the design of temporary construction access junctions along the Onshore Cable Route, the Applicant and HCC have been in discussions regarding the standard detail proposed. Revised detail from the Applicant was submitted at Deadline 6.</p>	Agreed

Ref	Description of matter	Current Position	RAG
	Access Junctions	The revised detail drawing (AQ-UK-DCO-TR-LAY-001 is appended to the FCTMP at Appendix 1 (REP6-032) submitted at Deadline 6 is now agreed by HCC, subject to securing it through the S.278 agreement. .	
<b>HCC 4.3.8</b>	Abnormal Indivisible Loads	<p>Details relating to the management and control of Abnormal Indivisible Load (AIL) movements is contained within Section 2.8.8 of the FCTMP (REP1-068)-. Following comments made by HCC at Deadline 1, the Applicant has agreed to provide additional information to HCC regarding the proposed methodology for the temporary removal of street furniture that is required to facilitate deliveries of AILs to the Converter Station.</p> <p>This additional information was submitted by the Applicant at Deadline 6. HCC have reviewed this information and sought clarification from the Applicant on the method the Applicant will use to deliver the required highway alterations and how this is to be secured.</p> <p>Other matters relation to the Deadline 1 comments have been addressed.</p>	Ongoing

#### 4.4. OPERATIONAL PHASE

**Table 4.4 – Operational Phase**

Ref.	Description of matter	Current Position	RAG
<b>Operational Phase</b>			
<b>HCC 4.4.1</b>	Impact on highway network post completion	<p>Section 1.3.11 of the Transport Assessment (Examination Library reference APP-448) relates to the operation of the Converter Station, and states that “it is not anticipated that the proposed scheme will have an impact upon the function of the highway network when operational”. The Supplementary Transport Assessment ( REP1-142 also provides further detail on the operations of the Converter Station.</p> <p>Section 7.4 (specifically sections 7.4.1.1 to 7.4.1.2) of the FCTMP (Examination Library reference REP1-068) submitted with the Application relates to the condition of the highway, including pavements, requiring monitoring to establish whether construction activities result in a worsening of the condition of the highway and requiring reinstatement where it does.</p> <p>Requirement 10 of the DCO(Power to alter layout etc. of streets)relating to highway accesses ensures that highway accesses (including visibility splays) must be constructed and maintained in accordance with the approved details. The Applicant is awaiting HCC review and agreement of the submitted DCO including the requirements and FCTMP. Discussions with regard to HCC assets and how these are dealt with in the DCO are subject to ongoing discussions.</p>	Ongoing

#### 4.5. CABLE ROUTE

**Table 4.5 – Cable Route**

Ref.	Description of matter	Current Position	RAG
HCC 4.5.1	Access to residential properties during construction	<p>The updated FTMS (REP1-068) in Appendix 1 provides an Onshore Cable Route Construction Impacts on Access, Car Parking and Communication Strategy note which outlines the expected impacts on residential, business and public vehicle parking along the Onshore Cable Corridor during construction, the alternatives available and detail any further mitigation that might be required. This is secured in the DCO by Requirement 25 (Traffic management strategy).</p> <p>This matter was discussed during the meeting on the 12 November 2020. HCC also provided representations on this matter in their Deadline 3 response and the matter was raised in the December hearings.</p> <p>HCC continue to have concerns about the drafting of the document with regard to the definition of ‘vulnerable users’, particularly in ensuring that appropriate access to properties is maintained at all times. The Applicant is currently reviewing the FTMS in response, particularly Appendix 1. Further comments have been provided by HCC following the submission of the updated FTMS (REP6-030) at deadline 6 in relation to the drafting of the document during a meeting on 13 January 2021. The Applicant is currently reviewing, and it will seek to discuss amendments in response, where required, with HCC.</p>	Ongoing
HCC 4.5.2	Section 1 (Lovedean) Converter Station Area	<p>Details of the proposed Lovedean Converter Station Permanent Access Arrangement (Plate 21, pg. 37) can be found in the submitted Transport Assessment (Examination Library reference APP-448) and the Supplementary Transport Assessment (REP1-142).</p> <p>Further to recent discussions the principles of the access arrangements have now been agreed with HCC. Please refer to 4.2.1 of this SoCG for details with regard to the RSA.</p>	Agreed
HCC 4.5.3	Section 2 Anmore	<p>HCC agree that the construction of the Onshore Cable Corridor crossing of Anmore Lane and access to the field south of Anmore Lane.</p> <p>HCC have requested further information with regard to the temporary construction access requirements and the types of vehicles that will be accessing Anmore Lane. The Applicant subsequently provided HCC with drawings outlining the construction access requirements. HCC’s response at Deadline 5 seeks further information about the type of vehicles proposed to be used on the basis that the road is particularly narrow and consequential uncertainty about whether such vehicles can safely use this road.</p> <p>Please refer to 4.3.5 of this SoCG for details with regard to HGV movements on Anmore Road.</p>	Ongoing
HCC 4.5.4	Section 3 Cable Route Denmead/Kings Pond Meadow	<p>It is agreed that the details relating to Section 3 can be found at paragraphs 1.3.5.18-1.3.5.21 of the Transport Assessment (Examination Library reference APP- 448) and in Section 5 of the FTMS (Examination Library reference REP6-030) and the Applicant welcomes HCC review and confirmation that the proposed traffic management measures are acceptable.</p>	Ongoing
HCC 4.5.5	Section 4 Hambledon Road to Burnham Road	<p>It is agreed that details of the proposed alternatives can be found in the submitted ES Volume 1, Chapter 2, Consideration of Alternatives (Examination Library reference APP-117). It is further agreed that section 6 of the FTMS (Examination Library reference REP1-068) provides information in respect of the proposed suite of traffic management measures to be implemented in connection with the construction of this section of the Onshore Cable Corridor.</p> <p>HCC are seeking greater flexibility on the proposed timings of the road works, including measures for the A3 London Road. Discussions are ongoing between the Applicant, HCC and the relevant authorities on the proposed traffic management measures...</p>	Ongoing

Ref.	Description of matter	Current Position	RAG
HCC 4.5.6	Impact of Cable laying and Ladybridge roundabout	<p>Discussions are ongoing with the developer and HCC with regard to the impact on the Cable laying route and the Ladybridge roundabout.</p> <p>HCC have requested further detail relating to the traffic impact in the meeting of the 5<sup>th</sup> November and have asked for a proposal for mitigation with regards traffic management measures, communication strategy and other measures as appropriate to control and limit the impact of construction on the A3.</p> <p>The Updated FTMS (REP6-030) was submitted at deadline 6 and includes details of a framework signage strategy that will communicate upcoming and current construction works on the onshore cable route, therefore allowing the travelling public to make informed choices regarding routing and timing.</p> <p>A draft Travel Demand Management (TDM) Strategy was sent to HCC on 19 January 2021 without prejudice. This focuses on the travel behaviour change solutions that the Applicant considers can be delivered during the works on A3 London Road and A2030 Eastern Road and sets out an intent to work in partnership with local authorities and other local partners to deliver a comprehensive TDM Strategy to reduce peak hour traffic flows and impacts associated within the implementation of traffic management on these key corridors. Discussions between the parties are ongoing. HCC await formal submission of the TDM at Deadline 7 prior to formally reviewing and commenting on the strategy set out.</p>	Ongoing
HCC 4.5.7	Joint Bays	<p>Joint Bay locations are proposed within the Order Limits, including highway land. The ES Volume 2 – Figure 24.2 Illustrative Cable Route, HDD sites and Joint Bays for noise and vibration assessment (Examination Library reference APP-336) was produced for illustrative purposes only to provide context to the noise and vibration assessment. The illustration represents a scenario of how the Cable Route could be laid within the Cable Corridor, to facilitate a reasonable worst case noise and vibration assessment. HCC have raised further questions on this matter in their Deadline 3 response, and during the meeting held with the Applicant on the 12 November 2020. This was also raised in the December hearings where the Applicant agreed to provide additional information on potential joint bay locations, and where they definitely will not be located.</p> <p>A meeting between the Applicant and HCC took place on the 5 January 2021 to discuss Joint Bays. The Applicant provided a technical overview of the required depths of installation. HCC confirmed during the meeting that the depths proposed were considered to be acceptable and in line with best practise. In addition, the locations of joint bays as outlined in the Joint Bay Report (REP6- 070) were discussed, with the Applicant considering alternative locations [ joint bay locations within the report are illustrative]. An updated Joint Bay Report will be submitted at DEADLINE 7 .</p> <p>The Applicant is currently considering HCC’s comments and how this can be addressed in the FTMS.</p> <p>The precise alignment and locations of the Cable Route, HDD sites and Joint Bays are to be subject to approval by the relevant Local Planning Authority and Highway Authority through Requirement 6 of the DCO (Detailed design approval) (wording yet to be agreed) (Examination Library reference REP6-015).</p>	Ongoing
HCC 4.5.8	Link Boxes	<p>It is agreed that Link Boxes are proposed within the Order Limits, which includes highway land, and will be subject to approval from the relevant Local Planning Authority and Highway Authority through Requirement 6 of the DCO(Detailed design approval) ( wording yet to be agreed) (Examination Library reference REP6-015).</p> <p>The Applicant welcomes further comments from HCC and agreement on the approach to location of the joint bays in the detailed design process.</p>	Ongoing



## 4.6. TRANSPORT STUDY AREA

Table 4.6 – Transport Study Area

Ref.	Description of matter	Current Position	RAG
<b>Transport Study Area</b>			
HCC 4.6.1	Transport Study Area	It is agreed that the Transport Study Area as shown in Figure 22.1 EIA Traffic and Transport Study Area (Examination Library reference APP-316) for the purposes of the Transport Assessment is appropriate.	Agreed
4.6.2	Additional Transport surveys	The scope of the transport assessment and junction capacity assessments was agreed with HCC in the TA Scoping Note and discussions with HCC.	Agreed

## 4.7. ROUTE IMPACT ASSESSMENT

Table 4.7 – Alternative / Cable Route Opportunities

Ref.	Description of matter	Current Position	RAG
HCC 4.7.1	Clarification on route	<p>The Applicant has taken opportunities to take the Cable off the highway, where it has been possible and practicable to do so, for example:</p> <ul style="list-style-type: none"> <li>By using HDD under Kings Pond Meadow and through Denmead.</li> </ul> <p>HCC's Relevant Representation (Examination Library reference RR-093) sought further clarification required as to why the A3 and B2150 for Cable laying has been chosen.</p> <p>A number of alternative Onshore Cable Routes were considered and are identified in ES Chapter 2 (Consideration of Alternatives (Examination Library Reference APP-117) and the Supplementary Alternatives Chapter ( REP1-152 ) . The Applicant's reasons for not preferring a route off of the A3 and the B1250 are outlined in Section 8 of the Supplementary Alternatives Chapter. The report concluded that whilst the temporary impacts of the construction of the Proposed Development along the highway on traffic in this location were noted, it was acknowledged that the installation of the cable circuits off of the highway would provide for a quicker installation timeframe (which would have been a benefit for the Applicant by reducing the overall timescale to construct the Onshore Cable Route), balancing the various identified impacts against one another for each of the chosen route and the off highway route.</p> <p>HCC notes the consideration of alternatives to the applicant's preferred route, including the countryside route. Without prejudice to wider considerations, and from a Highway Authority perspective alone, HCC has highlighted the likely highway significant impacts arising from the proposal and has sought to secure mitigation to minimise these impacts. Discussions between the Parties with regard to the mitigation required are ongoing.</p>	Ongoing

#### 4.8. TRAFFIC MANAGEMENT REQUIREMENTS AND ANTICIPATED IMPACTS

Table 4.8 – Traffic Management

Ref.	Description of matter	Current Position	RAG
<b>Traffic Management</b>			
HCC 4.8.1	Traffic Management	<p>The FTMS (Examination Library reference REP1-068), together with the Requirements in the DCO (Examination Library reference REP6-015) set out the phasing of the development and how traffic will be managed, section by section, including at the Converter Station.</p> <p>Discussions are ongoing between the Applicant and HCC regarding the proposed traffic management measures, including the Requirements as drafted in the DCO and HCC's objective of securing flexibility to dictate night-time working or extended hours (REP6-015). The FTMS was updated and submitted at deadline 6 to include the framework strategy and updated access to properties note found at Appendix 1.</p>	Ongoing

#### 4.9. ADDITIONAL HIGHWAY MATTERS

Table 4.9 – Additional Highway Matters

Ref.	Description of matter	Current Position	RAG
<b>Additional Highway Matters</b>			
HCC 4.9.1	Transport legislation	Section 2.4 of ES Appendix 22.1, the Transport Assessment) (Examination Library reference APP-448) includes reference to the New Roads and Street Works Act (1991)	Agreed
HCC 4.9.2	Strategic Transport Implications	Discussions with regard to strategic transport implications are ongoing. However, the Applicant confirms that the wider scale impacts of traffic redistributing away from the construction works has been included within the Transport Assessment (APP -448) and Supplementary Transport Assessment (REP1-142), as discussed in section 2.9.2 (Traffic Assessment) and considers it can be mitigated adequately (where necessary) in connection with the construction of the Onshore Cables. Although HCC are supportive of the mitigation measures identified, they remain concerned that these measures alone are yet to be demonstrated to be sufficient to acceptably mitigate the potential impacts arising.	Ongoing
HCC 4.9.3	Planned Works	Whilst discussions with regard to planned works and potential conflicts of the Applicant's proposed works are ongoing, the Applicant considers that it has identified appropriate mitigation measures to ensure that the highway network is not unduly affected by construction, as set out in the submitted Framework Traffic Management Strategy (Examination Library reference REP1-068) and Appendix 22.2 (Framework Construction Management Plan) (CTMP) (REP1-070) which are secured by Requirements 17 FCTMP) , 18 (Construction Hours) and 19 (Traffic Management Strategy) within the draft DCO (REP6-015) which must be submitted to and approved by the relevant authorities. HCC are seeking further clarity on how the DCO would coordinate these planned works. This is particularly relevant to the proposed works at the Ladybridge roundabout where coordination with the vehicular access to be built in connection with the West of Waterlooville Major Development Area is required, Coordination will also need to be provided for how the works will interact with the Transforming Cities Fund work.	Ongoing
HCC 4.9.4	Highways Reinstatement	Article 12 of the draft Order (Examination Library reference REP6-015) provides that sections 70 (duty to reinstate) and 71 (materials, workmanship and standard of reinstatement) of the New Roads and Street Works Act 1990 is applicable in relation to the Proposed Development. These will require the reinstatement of all highways in accordance with the Specification for the Reinstatement of Openings in Highways issued by the Department for Transport through the Street Works (Reinstatement) Regulations 1992 (as amended). The Applicant considers that this secures the required level of	Ongoing

Ref.	Description of matter	Current Position	RAG
		<p>reinstatement for the highway following the installation of the Onshore Cables. HCC responded on this matter at deadline 3 , setting out highway safety concerns and asset resilience concerns regarding the proposed reinstatement under standard NRSWA requirements. HCC are therefore seeking agreement to reinstatement appropriate for the scale of works and the overall impacts on the highway network, to prevent the need for future resurfacing by the Highway Authority and further delay to the network and the travelling public as a result.</p> <p>The Applicant considered HCC’s comments submitted at Deadline 3 and it remained the position of the Applicant that it considered the applicable legislative requirements and statutory guidance provide for adequate reinstatement to be undertaken. HCC did not agree with this position. HCC considered that it is not unreasonable and reflects standard practice for additional reinstatement requirements to be provided by statutory undertakers above those set out in the Specification for Reinstatement of Openings in Highways.</p> <p>There has been further discussion between parties since Deadline 6, with a more flexible approach to providing for reinstatement under certain circumstances suggested by HCC for the Applicant to consider.</p> <p>The Applicant is reviewing their position, but this matter may be concluded to be a matter that parties cannot agree on.</p>	
4.9.5	Highway Boundary Plan	HCC have requested that a highway boundary plan with the order limits is provided. The Applicant has provided HCC with the highway boundary plan, as requested, on the 16 November2020. HCC are satisfied with the submission and have no further comment.	Agreed
4.9.6	Request for Indemnity	<p>HCC are seeking indemnity for diversion of the cables should it be required to facilitate, as yet unidentified, highway works in the future.</p> <p>The Applicant understands this request relates to concerns regarding minimum burial depths. Where minimum burial depths are appropriately confirmed, HCC recognise there is not a need for any such indemnity. The Applicant discussed their position in respect of minimum cable burial depths further with HCC during a meeting scheduled for the 5 January 2021. HCC agreed with the burial depths of between 900 – 1000mm outlined by the Applicant, however discussions with regard to Indemnity are ongoing in relation to specific areas of the route where there a known construction risks that may not be able to be designed out in relation to a large culvert south of Ladybridge Roundabout.</p>	Ongoing
4.9.7	Delay of Works	HCC have asked for further clarity as to how the Applicant will manage any potential delays in programmed works. The Applicant is currently considering HCC comments and will provide a response in due course.	Ongoing
4.9.8	Bus Operators	<p>The Applicant has undertaken a separate assessment document relating to bus journey times which HCC have acknowledged in their Deadline 3 Response.</p> <p>The Applicant has spoken with bus operators who have confirmed they have no major concerns with regard to impacts. HCC have advised the Applicant that the bus operators are currently reviewing their position in the light of further information submitted by the Applicant.</p> <p>HCC are concerned about the potential impact on the attractiveness of the bus routes as a result of increased delays. To mitigate this potential impact, HCC have tabled a scheme of mitigation to the Applicant. Discussions are ongoing between the Applicant and HCC with regard to this matter.</p>	Ongoing
4.9.9	Walking and Cycling Mitigation	HCC have asked for further detail with regard to the mitigation measures proposed as part of the FTMS (REP1-068) in relation to Pedestrians and Cyclists. Discussions between the Parties are ongoing.	Ongoing
4.9.10	Personal Injury Accident Data Assessments	The Applicant has provided an update to the assessment of Personal Injury Accident data within the Supplementary Transport Assessment submitted at Deadline 1. HCC provided a response within their deadline 5 submission. The Applicant is currently considering HCC’s submission., The Applicant	Ongoing

Ref.	Description of matter	Current Position	RAG
		submitted an Road Safety Note ( REP6-075) at deadline 6 in response to Hampshire’s deadline 5 comments on the road safety implications of traffic reassignment across the HCC network.	
4.9.11	Arboriculture	<p>The Applicant has provided comments regarding the highway trees and the mechanism for assessment and compensation can be found in the Applicant’s response to Local Impact Reports (REP2-013).</p> <p>Subject to agreeing wording within the S106 and amendments to the DCO to be agreed, the Applicant and HCC have agreed a mechanism for approving arboricultural method statements, powers to undertake agreed tree works and a mechanism to secure as required CAVAT payments (However, discussions between the Applicant and HCC are ongoing with regard to the method used to calculate the value of trees and the sum of monies to be paid). It is agreed that no mitigation planting will be provided directly by the applicant for lost HCC assets and no mitigation planting will be undertaken by the Applicant on HCC highway land.</p>	Agreed
4.9.12	Decommissioning	<p>The Applicant has confirmed that consent for decommissioning is not sought as part of the DCO and this will be dealt with in the future, with the appropriate consents obtained as required. This has been acknowledged by HCC in their Deadline 3 submission.</p> <p>However, HCC have requested that the wording for the definition of ‘maintain’ within the DCO be revised to remove reference to decommissioning. HCC also notes that the matter of providing an indemnity for decommissioning was raised at the December hearings. HCC is keen to understand the Applicant’s position on this matter, mindful of the potential risks to the public purse if no such reassurance was given.</p> <p>The Applicant is currently reviewing this matter and will provide a response shortly.</p>	Ongoing
4.9.13	S278	<p>The Applicant has confirmed in their response to HCC’s LIR (REP2-013) that they will engage and seek detailed approval for the access works. HCC have provided comments relating to highway dedication, mainly in relation to the site access.</p> <p>The Applicant has agreed to comply with HCC’s standard S278 design check process for the site access ( including temporary access) and enter into a S278 agreement secured through the s106.</p> <p>Following discussions between parties a copy of the draft s106 agreement will be submitted at deadline 7.</p>	Ongoing

#### 4.10. IMPLEMENTATION OFFICER REQUIREMENTS

**Table 4.10 – Implementation Officer Requirements**

Ref.	Description of matter	Current Position	RAG
<b>Implementation Officer Requirements</b>			
HCC 4.10.1	Implementation Officer Requirements	HCC consider that the proposals as set out by the applicant in the DCO for agreeing road space are likely to be resource intensive. Additional resources will therefore be needed to manage and coordinate the works and funds are likely to be sought from the applicant to undertake these additional tasks. As with the highway considerations, it is likely that additional resources required to oversee this work will need to be provided. HCC are seeking funds from the Applicant with regard to this matter.	Agreed

Ref.	Description of matter	Current Position	RAG
		The Applicant has agreed that it is amenable to entering into a PPA relating to discharge and enforcement of requirements in the event the DCO is granted and will progress discussions with HCC. Discussions on a PPA post consent are yet to commence between the Applicant and HCC.	

#### 4.11. DCO POWERS

Table 4.11 – DCO Powers

Ref.	Description of matter	Current Position	RAG
<b>DCO – Powers</b>			
HCC 4.11.1	DCO – Powers	<p>HCC’s Relevant Representation noted the Council’s preference for the Applicant to use the New Roads and Street Works Act 1991 (NRSWA),</p> <p>“The Council notes that the submitted DCO is seeking to disapply elements of the New Roads and Street Works Act 1991 (NRSWA) and the Traffic Management Act 2004 (TMA). The Council’s overriding concern is that its ability to manage and coordinate activities on the Highways is not unduly prejudiced, to ensure they are safely executed and the specification for the reinstatement of openings in Highways is complied with as required. As such, its preference is to retain the elements of the NRSWA and TMA that the applicant seeks to disapply, including the provision of the permit scheme that the Council operates. In the absence of such an agreement with the applicant, it will seek to ensure that there is suitable wording, and agreement about the extent and format of information to be provided, within the DCO to replicate the requirements of these Acts to ensure that the operation of the highways are effectively controlled and managed.”</p> <p>The draft DCO expressly provides at Articles 11 and 12 that the New Roads and Street Word Act 1991 (NRSWA) is applicable and that the undertaker is authorised to carry out the works in accordance with the relevant applicable requirements of that Act. Within the draft DCO (Examination Library reference REP6-015) there are a number of requirements that the Applicant considers would provide the necessary information and control that HCC would require to ensure highway safety and coordination of street works. Draft Requirement 10 (Highway Access) requires written details regarding means of access to be submitted to and approved by the relevant highway authority. Draft Requirement 17 (Construction Traffic Management Plan) requires traffic management plans for each phase of development to be submitted to and approved by the relevant highway authority. the Protective Provisions for the Protection of Highways and Traffic provide for each phase of development to be submitted to and approved by the relevant highway authority which would include anticipated duration and timing of the works as well as details of the advanced publicity to be conducted. In respect of the laying of the HVDC cables (Works No. 4), Requirement 19 states that a TMS will be submitted to the relevant highway authority not less than 3 months prior to the proposed dates of the commencement of that phase of works and that the undertaker must provide not less than 10 working days’ notice to the relevant highway authority prior to the implementation of the TMS.</p> <p>Whilst the Applicant considers that these requirements provide necessary control measures, the Applicant looks forward to ongoing discussions with HCC to ensure that the DCO includes sufficient and acceptable powers to lay the Cables within the highway and ensures appropriate provision for the protection of the highway.</p>	Ongoing

## 4.12. LANDSCAPE AND VISUAL AMENITY

Table 4.12 – Landscape and Visual Amenity

Ref.	Description of matter	Current Position	RAG
<b>Landscape and Visual Amenity</b>			
HCC 4.12.1	Landscape	Following a meeting on the 24 November 2020 between the Parties in which the landscaping proposals were discussed, HCC have reviewed the submission documents and are in agreement with the landscape comments submitted by Winchester City Council (WCC) and South Downs National Park Authority (SDNPA). HCC will continue to seek to participate in these discussions, albeit given the LPAs responsibilities on such matters, these will continue to be in supporting the LPAs in seeking to reach consensus with the Applicant.	Ongoing
HCC 4.12.3	Mitigation – Outline Landscape and Biodiversity Strategy	The Applicant considers that the measures set out in the Outline Landscape and Biodiversity Strategy (Examination Library reference APP-506) submitted with the Application and the extent of the mitigation in the Strategy relating to the Converter Station, mitigate impacts to an acceptable level. The Applicant duly notes HCC’s Relevant Representation (‘RR’) which states: <i>“Undeniable significant effect on both the landscape character and appearance on parts of the proposed route, particularly the Converter Station at Lovedean. Nevertheless, we note that the proposed mitigation appears to be in scale with the development and is capable of reducing the impact of the proposal in the landscape.”</i>	Agreed
HCC 4.12.4	Residual effects	The assessment of residual effects set out at Tables 15.10 and 15.11 of Chapter 15 of the ES is agreed.  The Applicant duly notes HCC’s Relevant Representation (‘RR’) which states: <i>“Undeniable significant effect on both the landscape character and appearance on parts of the proposed route, particularly the Converter Station at Lovedean. Nevertheless, we note that the proposed mitigation appears to be in scale with the development and is capable of reducing the impact of the proposal in the landscape.”</i>	Agreed
HCC 4.12.5	Converter Station Design	The Applicant notes HCC’s Relevant Representation (‘RR’), which states that in terms of design that HCC’s: seeks “further information on the details and justification for the proposal, including the bulk, size and siting of the building.” The Applicant directs HCC to their Relevant Representation response (RR-093) Examination Library Reference REP1-160. Details of and further information regarding the justification for the size, location and siting of the Converter Station are provided within the updated Design and Access Statement (REP1-031) and Outline Landscape and Biodiversity Strategy (REP1-034). In a meeting on the 24 November 2020, the Applicant provided HCC with links to the following documents: <ul style="list-style-type: none"> <li>• The Outline Landscape and Biodiversity Strategy (OLBS) (REP1-034)</li> <li>• Updated Design and Access Statement (DAS) (REP1-031)</li> <li>• Appendix 10 Tree Survey Schedule and Constraint Plans - Rev-002 (REP3-007)</li> </ul> The OLBS has been updated to provide further information with regard to landscaping matters, and the updated Design and Access Statement also provides further justification as to the design of the converter station. HCC continue to seek to participate in discussions on such matters, albeit given the LPAs responsibilities on such matters, these will continue to be in supporting the LPAs in seeking to reach consensus with the Applicant on design, landscape and visual impact matters. Outstanding matters include the colour palette for the main converter station, the preferred location for the building and proposed planting mitigation. The Applicant notes that the OLBS (REP6-038), DAS (REP6-025) and the indicative landscape mitigation plans for both Option B(i) (REP6-027 and REP6-028) and Option B(ii) (REP6-054) were updated at Deadline 6. Updates to the OLBS were in response to the findings of an ash dieback survey	Ongoing

Ref.	Description of matter	Current Position	RAG
		<p>and a review of the implications of ash dieback on future baseline, the detail of which is summarised in document 7.7.17 Request for Changes to the Order Limits (AS-054). The indicative landscape mitigation plans were revised to reflect changes to the Order limits and now includes two new areas of woodland in response to the ash dieback survey and further woodland planting to the south of Mill Copse. Amendments to the DAS relate to the inclusion of design and operational mitigation.</p> <p>The Applicant welcomes HCC review and confirmation that this matter is agreed.</p>	

#### 4.13. LEAD LOCAL FLOOD AUTHORITY AND FLOOD RISK

**Table 4.13 – Lead Local Flood Authority**

Ref.	Description of matter	Current Position	RAG
<b>Groundwater - General</b>			
HCC 4.13.1	Area of Study - Groundwater	The area of study identified in section 19.1.2 of ES Chapter 19 Groundwater (APP-134) is agreed.	Agreed
HCC 4.13.2	Baseline - Groundwater	The baseline environment identified in section 19.5 of ES Chapter 19 Groundwater (APP-134) is agreed.	Agreed
HCC 4.13.3	Assessment Methodology – Groundwater	It is agreed that section 19.4 of ES Chapter 19 Groundwater clearly outlines the approach to creating the baseline and assessing impacts of the development.	Agreed
HCC 4.13.4	Predicted Impacts – Groundwater	It is agreed that the predicted impacts as set out in section 19.6 of ES Chapter 19 Groundwater clearly outlines the impacts following embedded mitigation measures.	Agreed
HCC 4.13.5	Mitigation – Groundwater: Construction Management (Onshore Outline Construction Environmental Management Plan)	<p>Whilst the permitting process will be completed after detailed design the general principles in relation to the groundwater environment as per ES Chapter 19 Groundwater (APP-134) have been embedded into the OOCEMP (APP-505) and are acceptable in principle to HCC Lead Local Flood Authority.</p> <p>Recommended mitigation measures relevant to ES Chapter 19 Groundwater are detailed within the OOCEMP. Requirement 15 (Construction environmental management plan) of the draft DCO (REP6-015) requires the submission of a construction environment management plan, in accordance with the OOCEMP, therefore securing the measures for groundwater management during construction.</p> <p>Specific measures relevant to this SoCG are summarised hereafter in HCC 4.14.1.7.</p>	Agreed
HCC 4.13.6	Mitigation – Groundwater: Dewatering and	Dewatering permits may be required during construction as high groundwater levels are likely to be encountered at points along the cable route during trench excavation works. Dewatering permits may therefore be required (unless an exception applies). Permits will be applied for at the	Agreed

Ref.	Description of matter	Current Position	RAG
	groundwater flood risk management	<p>relevant time. ES Chapter 19 in Section 19.6.1.4. states that “the water management permitting, licenses and agreements will be completed by the appointed contractor, with the quantities of groundwater management determined at the detailed design stage.”</p> <p>The required groundwater dewatering quantities for trench construction will be determined at detailed design. The designer must ensure the discharge quantities are accurate or conservative to ensure no flood risk will be increased due to surplus groundwater encountered during construction. This applies to all sections (OOCEMP 6.4.3.2).</p> <p>These principles are supported by the HCC Lead Local Flood Authority.</p>	
<b>HCC 4.13.7</b>	Residual effects – Groundwater	It is agreed that section 19.8 and Table 19.7 of ES Chapter 19 Groundwater clearly identifies the residual effects of the Proposed Development.	Agreed
<b>Surface Water Resources and Flood Risk - General</b>			
<b>HCC 4.13.8</b>	Area of Study – Surface Water Resources and Flood Risk	The area of study identified in section 20.1.2 of ES Chapter 20 Surface Water Resources and Flood Risk (APP-135) is agreed.	Agreed
<b>HCC 4.13.9</b>	Baseline – Surface Water Resources and Flood Risk	<p>The baseline environment identified in section 20.5 of ES Chapter 20 Surface Water Resources and Flood Risk (APP-135) is agreed.</p> <p>It is also agreed that the identified sensitive receptors in section 20.6 have been adequately identified.</p>	Agreed
<b>HCC 4.13.10</b>	Assessment Methodology – Surface Water Resources and Flood Risk	It is agreed that section 20.4 of ES Chapter 20 Surface Water Resources and Flood Risk clearly outlines the approach to creating the baseline and assessing impacts of the development in line with advice from the EA (in section 20.3 and Appendix 20.1).	Agreed
<b>HCC 4.13.11</b>	Flood Risk Assessment	<p>The Flood Risk Assessment (APP-439), of which the assessment methodology including consideration of climate change, on and off-site impacts and proposed mitigations relevant to the flood risk environment, is supported by Hampshire County Council’s Lead Local Flood Authority. Proposed inbuilt design measures and other mitigation measures and included within the Design and Access Statement and OOCEMP (APP-505).</p> <p>Requirement 15 (Construction environmental management plan) of the draft DCO (REP6-015REP6-015) requires the submission of a construction environment management plan, in accordance with the OOCEMP, and Requirement 6 (Detailed design approval) of the draft DCO (REP6-015REP6-015) requires the design of the Proposed Development to be in accordance with the Flood Risk Assessment measures therefore securing the principles within the Flood Risk Assessment.</p>	Agreed
<b>HCC 4.13.12</b>	Predicted Impacts – Surface Water	It is agreed that the predicted impacts as set out in section 20.7 of ES Chapter 20 Surface Water Resources and Flood Risk clearly outline the impacts following embedded mitigation measures.	Agreed



Ref.	Description of matter	Current Position	RAG
	Resources and Flood Risk		
HCC 4.13.13	Mitigation – Surface Water Management: Converter Station Area (Construction)	Principles of temporary surface water run-off management during construction are detailed within the Surface Water Drainage and Aquifer Contamination Mitigation Strategy, Appendix 7 to the OOCEMP (APP-505). For further detail refer to HCC 4.14.3.1 to HCC 4.14.3.5.	For Information
HCC 4.13.14	Mitigation – Surface Water Management: Converter Station Area (Operation)	Principles of the surface water drainage strategy are provided in Section 2 of the Surface Water Drainage and Aquifer Contamination Strategy Appendix 7 to the OOCEMP (APP-505 Rev 002). For further detail refer to HCC 4.14.3.1 to HCC 4.14.3.5, noting the ongoing discussions in relation to infiltration testing (HCC 4.14.3.4)	For Information
HCC 4.13.15	Mitigation – Ordinary Watercourses, surface Water and Groundwater Flood Risk (Construction)	The principles for Ordinary Watercourse crossings are detailed in ES Appendix 20.3 (Watercourses Summary) (APP-308) section 20.7 (embedded mitigation) and 20.9 (mitigation and enhancement) of ES Chapter 20 and are replicated within section 5.8 of the OOCEMP (APP-505). The principles for management of surface water and groundwater flood risk along the Onshore Cable Route during construction are detailed in ES Chapter 19 and 20 and are replicated within section 5.7 & 5.8 of the OOCEMP (APP-505). Requirement 15 (Construction environmental management plan) of the draft DCO (REP6-015) requires the submission of a construction environment management plan, in accordance with the OOCEMP, therefore securing the measures for works affecting Ordinary Watercourses crossings during construction. These principles are supported by the HCC Lead Local Flood Authority.	Agreed
HCC 4.13.16	Ordinary Watercourse Consent	It is agreed that Ordinary Watercourse Consent is separate to, and in addition to any grant of DCO consent. Whilst the permitting process will be completed after detailed design the general principles in relation to the surface water resources and flood risk environment as per the Flood Risk Assessment (APP-439), ES Appendix 20.3 (Watercourses Summary) (APP-308), ES Chapter 20 Surface Water Resources and Flood Risk (APP-135) have been embedded into the OOCEMP (APP-505) are considered acceptable in principle to HCC LLFA. Whilst HCC LLFA cannot guarantee approval of permits until all permit application information, with full details of the proposed construction methodology, has been submitted; the Applicant and HCC LLFA are in agreement of the general principles to be adopted to ensure there is unlikely to be any impediment to a permit/exemption being provided to enable construction of the Proposed Development. Where appropriate, and where Environmental Permits are required, as detailed in the Other Consents and Licences document (APP-106), detailed information for the relevant Environmental Permitting will be submitted to HCC LLFA for review and approval and should follow the construction principles outlined within section 5.7 & 5.8 of the OOCEMP (APP-505).	Agreed

Ref.	Description of matter	Current Position	RAG
		The requirement to obtain relevant approval or exemption of Ordinary Watercourse Consent is detailed within the OOCEMP. Requirement 15 (Construction environmental management plan) of the draft DCO (REP6-015) requires the submission of a construction environment management plan and approval or exemption of Environmental Permits, in accordance with the OOCEMP, therefore securing the requirement to obtain approval or exemption of Environmental Permits prior to works in these locations.	
HCC 4.13.17	Residual effects – Surface Water Resources and Flood Risk	It is agreed that section 20.10 and Table 20.12 of ES Chapter 20 Surface Water Resources and Flood Risk (APP-135) is agreed.	Agreed
<b>Converter Station Area: Surface Water Drainage and Aquifer Contamination Mitigation Strategy (Appendix 7 to the OOCEMP)</b>			
HCC 4.13.18	Converter Station Area - Flood Risk	Pluvial flood risk is to be managed via the submission and approval of written details pursuant to Requirement 12 of the draft DCO ( <u>subject to agreement on wording of Requirement 12 being resolved</u> ) (REP6-015), which is required to accord with the Surface Water Drainage and Aquifer Contamination Strategy Appendix 7 to the OOCEMP ( REP1-087). Section 2 of that strategy covers the principles as discussed and agreed with PW and HCC LLFA. It is agreed that these principles are acceptable to the HCC LLFA with reference to the proposed drainage principles discussed hereafter in relation to protection against aquifer contamination.	Agreed
HCC 4.13.19	Converter Station Area - Construction Surface Water Management	Temporary surface water run-off management during construction has been discussed and agreed in principle by HCC LLFA (EA and PW) Information in this regard is included in Surface Water Drainage and Aquifer Contamination Mitigation Strategy Appendix 7 to the OOCEMP ( REP1-087), which requires the Applicant to develop a temporary surface water run-off management strategy including construction methodologies to ensure risk of flooding and contamination is controlled via appropriate mitigation measures. Recommended mitigation measures are detailed within the OOCEMP. Requirement 15 (Construction environmental management plan) of the draft DCO (REP6-015) requires the submission of a construction environment management plan, in accordance with the OOCEMP, therefore securing the measures for temporary management during construction.	Agreed
HCC 4.13.20	Converter Station Area - Operational Surface Water Management	There is no record of any known existing surface water drainage sewer network within the Converter Station Area or in close proximity to the Order Limits. The principles of the surface water drainage design have been discussed and agreed with HCC LLFA, the EA and PW and are included in sections 2.4 to 2.9 of the Surface Water Drainage and Aquifer Contamination Mitigation Strategy Appendix 7 to the OOCEMP ( REP1-087), noting the ongoing matter in relation to validating the design assumptions with regards to infiltration (see HCC 4.14.3.4). Written details regarding the detailed surface water drainage will be submitted to and approved by HCC LLFA in consultation with PW in accordance with Requirement 12 to the draft DCO (REP6-015).	Agreed
HCC 4.13.21	Converter Station Area - Infiltration Validation	The drainage strategy principle of discharge via infiltration is shown to be suitable for this project to manage surface water runoff generated at the Converter Station Area up to the 1 in 100 year rainfall event with a 40% allowance for climate change, following receipt of the infiltration test results undertaken week of 16/11/20. The review of infiltration rates has now confirmed that the rates through the chalk are sufficient for this site and that the more restrictive infiltration rate is the proposed treatment filter media. As such, soil specifications have been recommended to make the treatment filter media appropriate to the drainage design and ensure an appropriate flow rate can be achieved. Further discussion with HCC LLFA has been undertaken and agreement to these principles has been reached during a meeting on 26/11/20. It is agreed that the Surface Water Drainage and Aquifer Contamination Strategy will be updated with the information discussed and additional evidence will be provided at	Agreed

Ref.	Description of matter	Current Position	RAG
		<p>detailed design phase to cover the detailed documentation required and in addition to demonstrate that the 1:30 year event has a half-drain time less than 24 hours.</p> <p>Written details regarding the detailed surface water drainage will be submitted to and approved by HCC LLFA in accordance with Requirement 12 to the draft DCO (REP6-015).</p>	
<b>HCC 4.13.22</b>	Converter Station Area - Foul Drainage System	<p>There is no record of any known existing foul drainage network within the Converter Station Area or in close proximity to the Order Limits.</p> <p>The principles of the foul water drainage design have been discussed and agreed with the EA and PW and are included in section 3 of the Surface Water Drainage and Aquifer Contamination Mitigation Strategy Appendix 7 to the OOCEMP ( REP6-036).</p> <p>The design will be fully developed in accordance with section 4 of the Surface Water Drainage and Aquifer Contamination Mitigation Strategy Appendix 7 to the OOCEMP ( REP1-087). Written details regarding the foul water drainage will be submitted to and approved by HCC LLFA in consultation with PW in accordance with Requirement 12 to the draft DCO (REP6-015).</p>	Agreed

#### 4.14. ECOLOGY

Table 4.14 – Ecology

Ref.	Description of matter	Current Position	RAG
<b>Ecology</b>			
<b>HCC 4.14.1</b>	Area of study relevant to HCC	It is agreed that the parts of the Onshore Ecology assessment set out in Chapter 16 of the ES (Onshore Ecology) (Examination Library reference APP-131) relevant to HCC are Sections 1 (Lovedean (Converter Station Area)) to Section 4 (Hambledon Road (north)).	Agreed
<b>HCC 4.14.2</b>	ES Methodology – Study area	It is agreed (as noted in section 16.1.2 of Chapter 16) that the study areas for the Preliminary Ecological Appraisal ('PEA') for ecological features are appropriate.	Agreed
<b>HCC 4.14.3</b>	ES Baseline	It is agreed that the ecological baseline as set out at section 16.5 of Chapter 16 of the Environmental Statement represents an appropriate baseline for Sections 1 – 4 of the Environmental Statement	Agreed
<b>HCC 4.14.4</b>	Predicted Impacts	It is agreed that that the impacts in respect of ecological / environmental designations and species in relation to the Converter Station Area and Onshore Cable Corridor, as identified (including mitigation) at sections 16.6.1 and 16.6.2 of Chapter 16 of the ES represent an accurate reflection of the predicted impacts.	Agreed
<b>HCC 4.14.5</b>	Mitigation – Onshore Outline CEMP General Environmental Control Measures	The Onshore Outline CEMP (Examination Library reference APP-505) section 5.3 (Onshore Ecology), including precautionary methods of works and arboriculture, is agreed to represent an appropriate framework for guiding construction works in relation to the ecological matters identified	Agreed
<b>HCC 4.14.6</b>	Mitigation - Onshore Outline CEMP – Location Specific Construction Environmental Control Measures	The Applicant and HCC have discussed the proposed grassland seeding at the substation as part of the Outline Landscape and Biodiversity Strategy and following initial concerns expressed by HCC about the indicative seeding proposed. The Applicant highlighted to HCC that Requirement 7 of the draft DCO states that no works may commence until a detail landscaping scheme is approved by the relevant planning authority in consultation with South Downs National Park Authority. This therefore allows flexibility in approach to the seed mix applied as directed by HCC.	Agreed

Ref.	Description of matter	Current Position	RAG
		<p>The Applicant's ecologists and HCC's ecologist subsequently met on 14<sup>th</sup> January 2021 to discuss HCC's outstanding concerns. Following detailed discussions, HCC are reassured that the choice of grassland mix will be informed by advice from an agronomist and a detailed topographical survey to ensure the best chance of success of a grassland of high botanical quality, and that this will be subject to LPA approval.</p> <p>HCC therefore have no further concerns relating to this approach at this stage.</p>	
<p><b>HCC</b> <b>4.14.7</b></p>	<p>Mitigation - Onshore Monitoring Plan</p>	<p>HCC previously had concerns that the monitoring to inform management interventions at Denmead Meadows SINC etc. 'will be subject to landowner permission'. The objective of the application was is to maintain HPI-quality grassland into the long-term. Clarification on how this could be guaranteed if the landowner refuses access permission in the future was sought.</p> <p>HCC are in agreement that the 5 years maintenance plan is acceptable.</p> <p>The proposed management regime will cover Field's 3, 8 and 13 and allow the habitat to regenerate to its former condition post construction. It will comprise three years of management actions over five years in total, with management undertaken in years 1, 3 and 5 post construction. In addition to the above, there will be a yearly (i.e. years 1, 2, 3, 4 and 5 post construction) hay cut within Fields 3, 8 and 13, with arisings removed and disposed of away from Denmead Meadows to retain the nutrient status of the soils. The current 5-year proposal for post-construction habitat management will ensure habitats are restored to their pre-construction condition and residual effects of the Proposed Development mitigated. Beyond this time period there would be no influence of the Proposed Development on Denmead Meadows, as they would have been returned back to their existing land use and habitat types.</p> <p>Long-term management of the site would require agreements with the landowners of Denmead Meadows. This is outside the scope of the DCO application, and given there will be no residual effects, it is not considered necessary for there to be long term management or maintenance arrangements beyond 5 years to be secured through DCO powers. It would be unreasonable for the Applicant to be responsible for providing long term management that goes beyond restoring the land back to its existing condition.</p> <p>It is anticipated the Applicant will rely on Article 32 (temporary use of land for maintaining the authorised development) to implement the 5 year maintenance plan, with those powers being limited to an appropriate 5 year maintenance period for this purpose.</p> <p>These matters were discussed again between the Applicant's ecologists and HCC's ecologist on 14th January 2021, and it is understood that beyond five years (during which grassland will be fully restored), access and management is out of the control of the applicant. There is no obvious alternative solution on this point, and to that end HCC consider this agreed.</p>	<p>Agreed</p>

Ref.	Description of matter	Current Position	RAG
<b>HCC</b> <b>4.14.8</b>	Residual effects	<p>The assessment of residual effects, as set out in section 16.9 and table 16.9 of Chapter 16 of the ES, is generally agreed with. HCC acknowledges that the proposed gains in priority habitats are positive. However, the recently drafted Biodiversity Position Paper calculates (using the Biodiversity metric 2.0) the overall loss of biodiversity at -18.92% for all area-based habitats within the scheme. This net loss of biodiversity is considerable and raises uncertainty regarding the validity of the appraised 'negligible residual' effects stated in section 16.0 of chapter 16 of the ES, mainly to do with the loss of grassland habitat. HCC requests that the Applicant reviews its finding in this regard.</p> <p>The Applicant considers that the biodiversity assessments take into account all habitats present within the project boundary. This includes habitats that are identified as significant and those that are not. As a result, the Applicant contends that it is possible to conclude that a development has no significant residual effect while still resulting in a net loss in biodiversity. In addition, recreating any habitat, such as removing an area of semi-improved grassland land and then recreating it, results in a loss of units in the metric due to the time to target condition factor. This will lead to a loss of units even where the habitat is fully restored. This is considered by the Applicant to be the case for this project as the habitats identified as impacted by the project and resulting in the loss of biodiversity units are considered to be of low and medium distinctiveness, largely consisting of arable fields, modified grassland and poor semi improved grassland ( each of low value from a biodiversity point of view). Impacts on these habitats are assessed by the Applicant as not significant within the ES. However, they are still counted within the biodiversity assessment, resulting in the conclusion by the Applicant that there is no significant effect while also resulting in a loss of biodiversity units from low quality habitats. The Applicant welcomes HCC's consideration on the matter.</p> <p>At the meeting of the Applicant's ecologists with HCC's ecologist on 14<sup>th</sup> January 2021, HCC held further detailed discussions regarding the 18.92% loss of biodiversity calculated in the Biodiversity Position Paper.</p> <p>Further justification and evidence on this matter was provided to HCC in an email from the paper's author on 21/01/2021. This enabled HCC to have a clearer understanding of the calculations of biodiversity losses and how these relate to habitats on the ground. HCC understand that the workings of the Defra Biodiversity Metric 2.0 do not accommodate short-term losses well, and that such losses are amplified in the calculations by the metric's three risk factors when recreated habitats are inputted.</p> <p>HCC understand that some of the calculated loss relates to habitat which will rapidly be reinstated. Some further losses of medium and low distinctiveness habitats are expected, with an overall increase in high distinctiveness habitats.</p> <p>HCC are now satisfied with the habitat mitigation proposed, and with the overall gains in hedgerow and calcareous grassland Habitats of Principal Importance. This point is therefore considered to be agreed.</p>	Agreed
<b>HCC</b> <b>4.14.9</b>	Requirements	The draft DCO and Requirement 9 for a Biodiversity Management Strategy with mitigation and enhancement measures (requiring LPA approval) is agreed.	Agreed

#### 4.15. ARCHAEOLOGY AND HISTORIC ENVIRONMENT

Table 4.15 – Archaeology and Historic Environment

Ref.	Description of matter	Current Position	RAG
<b>Archaeology and Historic Environment</b>			
HCC 4.15.1	Archaeology and Historic Environment	The details submitted in ES Chapter 21 Heritage and Archaeology (Examination Library reference APP-136) are agreed. “The Council are generally satisfied with the information submitted in the Environmental Statement in relation to the three proposed strategies (greenfield, brownfield and highway) for addressing the archaeological potential within the route parameters.”	Agreed

#### 4.16. SCOPE OF SECTION 106 AGREEMENT

Table 4.16 – Scope of Section 106 Agreement

Ref.	Description of matter	Current Position	RAG
<b>Section 106 Agreement</b>			
HCC 4.16.1	Scope of Section 106 Agreement – Arboriculture	Both parties agree to the need to secure a Section 106 agreement. HCC currently consider that the scope of the agreement should seek to cover: CAVAT mechanism for funding replacement trees, use of S278 agreements, Travel Plan checking/monitoring and surety, mitigation for disruption to bus services (if justified), and to secure a PPA to cover design checking processes etc Any planning obligations must be in accordance with the legal tests in regulation 122 of the Community Infrastructure Levy Regulations 2010. The Applicant has agreed to the CAVAT mechanism of funding the replacement of trees and the use of S278 agreements a s106 agreement has been drafted and sent to HCC for review. A copy of the s106 and PPA as agreed between the parties will be submitted at Deadline 7.	Ongoing
4.16.2	Scope of Section 106 Agreement – Bus Operators	Both parties agree to the need to secure a s106 agreement. HCC currently consider that the scope of the agreement should seek to cover Travel Plan checking/monitoring and surety, mitigation for disruption to bus services (if justified). The Applicant is currently considering the information put forward by HCC with regard to the disruption to bus services. Discussion are ongoing and yet to be agreed between the Parties.	Ongoing

## 5. SIGNATURES

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Ref.	Hampshire County Council	AQUIND (the Applicant)
Signature		
Printed Name		
Title		
On behalf of	Hampshire County Council	AQUIND Limited
Date		

