



AQUIND Limited

AQUIND INTERCONNECTOR

Statement of Common Ground Between
AQUIND Limited and Hampshire County
Council

FINAL

The Planning Act 2008

Document Ref: 7.5.5

PINS Ref.: EN020022

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DATE: 1 MARCH 2021

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DOCUMENT

Document	Statement of Common Ground between AQUIND Limited and Hampshire County Council
Revision	006
Document Owner	WSP UK Limited
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Date	01 March 2021
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Date	01 March 2021

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1. INTRODUCTION AND PURPOSE

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."

1.1.1.3. 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.

1.1.1.4. 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 HAMPSHIRE COUNTY COUNCIL

1.3.1.1. This SoCG has been prepared jointly by the Applicant and Hampshire County Council ('HCC') ('the Parties') 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 8 and is an accurate reflection of matters of common ground, as well as those matters that are not agreed between the Parties at the close of the examination.

1.3.1.2. HCC is interested in the Proposed Development as a Minerals and Waste Planning Authority, Highway Authority and Street Works 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 its 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 will be responsible for discharging many of the requirements of the Order associated with development in its administrative area should development consent be granted for the Proposed Development. It will also be responsible for monitoring and enforcing many of the Order provisions and requirements.

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

Date	Form of Contact	Summary
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)	Project Update; Proposals for Horizontal Directional Drilling ('HDD') under the A27; Street Works.
07/01/2020	Meeting (HCC)	Update post submission.
14/02/2020	Meeting (HCC and Highways England)	Update including discussions about Public Rights of Way ('PRoW') and drainage. Discussion on areas of key traffic and transport

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 where 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 is 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
		<p>separate Triparty SoCG on transport and highways-related matters. Therefore, these will be dealt within the individual SoCGs with PCC, HCC and Highway England.</p>
04/02/2021	Meeting	<p>Meeting held to discuss a variety of documents prepared by the Applicant including the night-time working note. Transport Demand Management, the Day Lane Technical Note, Joint Bay access, the Road Safety Audit of the Day Lane works and the Converter Station Access, Bus Mitigation together with detailed discussions on the FCTMP and FTMS.</p> <p>Discussions between the Parties are ongoing.</p>
10/02/2021	Meeting	<p>A meeting between the Applicant and HCC to discuss ongoing matters in relation to the FCTMP/FTMS, Day Lane Technical Notes, RSA and other transport related matters.</p> <p>It was a positive meeting with progress made towards agreeing matters between the Parties. Further meetings in relation to bus mitigation and arboricultural matters are to be set up separately to resolve outstanding matters.</p>
11/02/2021	Meeting	<p>A meeting was held between HCC, Bus Operators (Stagecoach and First Group) and the Applicant to discuss the need for a bus mitigation fund.</p> <p>Following the meeting the Applicant accepts the 'in principle' need for a bus contingency fund but discussions between the Applicant, HCC and the Applicant is ongoing to determine the sum of monies required and the required trigger points.</p>

Date	Form of Contact	Summary
11/02/2021	Meeting	<p>A meeting between the Applicant and HCC Arboriculture to discuss HCC's suggested wording for inclusion within the DAS and CEMP in relation to arboricultural matters.</p> <p>Following this meeting a schedule of suggested changes was agreed with HCC and have been incorporated into the DAS and CEMP to be submitted at Deadline 8.</p>
22/02/2021	Meeting	<p>A meeting between the Applicant and HCC to agree the final wording of the s278 and s106 agreements.</p> <p>Discussions in relation to the bus mitigation fund progressed with the Applicant to provide further details regarding the calculation of the bus mitigation fund.</p>
23/02/2021	Meeting	<p>Discussions in relation to the bus mitigation fund progressed with the Applicant and HCC in agreement of the most appropriate way for this matter to be dealt with in the s106.</p>

3. SUMMARY OF TOPICS COVERED BY THE SOCG

3.1. TOPICS COVERED IN THE STATEMENT OF COMMON GROUND

3.1.1.1. The following topics discussed between the Parties are covered 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, topics not covered in this SoCG have not been discussed between the Parties as they have not been raised by HCC during the consultation undertaken to date.

4. CURRENT POSITION

4.1. PLANNING POLICY

Table 4.1 – Planning Policy

Ref.	Description of matter	Current Position	RAG
Planning Policy			
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): Hampshire Minerals and Waste Plan (2013); Minerals and Waste Safeguarding in Hampshire SPD (2016).	Agreed

4.2. CONVERTER STATION SITE ACCESS

Table 4.2 – Converter Station Site Access

Ref.	Description of matter	Current Position	RAG
Site Access (Substation)			
HCC 4.2.1	Site Access	HCC have raised a number of concerns throughout the examination process with regards access to the converter station site. This included matters relating to: <ul style="list-style-type: none"> • Visibility • Tracking • Signage • Provision of a road safety audit • Management and provision for access by HGV's <p>The applicant has satisfactorily addressed all design points as set out within the detailed responses from HCC within the iterations of the drawings provided to the examination.</p> <p>The Applicant has prepared a Road Safety Technical Note (REP6-071) which has been undertaken by independent consultants. This was submitted formally to the Examining Authority at Deadline 6. The scope of the Audit includes the following:</p>	Agreed

Ref.	Description of matter	Current Position	RAG
		<ul style="list-style-type: none"> • Proposed passing places on Day Lane (as set out in REP6-073) • Proposed junction upgrade at the junction of Day Lane / Broadway Lane (as set out in REP1-142); and • 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). <p>Following receipt of the Designers response to the Stage 1 Road Safety Audit, HCC confirmed on 12 February 2021 by email that matters relating to the highway works for the Converter Station Access and Day Lane passing bays are agreed.</p> <p>The site access plans as set out below are therefore approved in principle:</p> <ul style="list-style-type: none"> • Site Access GA AQD-WSP-UK-OS-DR-Z-200215 rev 06 • 30mph Speed Limit Extents AQ-UK-DCO-TR-LAY-011 • Tracking Drawing AQD-WSP-UK-OS-DR-Z-200224 • Day Lane Passing Places AQ-UK-DCO-TR-LAY-008 Rev C <p>Timing for the construction of the converter station access along with associated works to Day Lane have been secured within the DCO as a pre-commencement requirement. The works themselves have been secured within the s106 agreement with an obligation to follow HCC's standard s278 design check process for detailed design approval before entering into the draft form s278 agreement appended to the s106. It is agreed that prior to the new junction becoming operational that the Day Lane operation strategy shall be fully implemented.</p> <p>Following the ISH5 hearing matters have been addressed appropriately regarding the potential need for reinstatement of the Day Lane passing places with suitable provision secured within the draft s278 agreement appended to the s106.</p> <p>Any concerns relating to the internal road layout have been addressed by the applicant in as far as HCC have an interest given the service road is outside the highway limits.</p>	
4.2.2	Broadway Lane – Farm Access	<p>For the purposes of agreeing the provisions of the DCO in this context the Applicant has agreed with HCC to capture within the DCO the works relating to Broadway Lane farm access (within Work No.2 bb) as a pre-commencement requirement. The requirement will specifically confirm that Work No.2 including Work No.2 bb cannot 'begin', as that term is defined by Section 155 of the Planning Act 2008, until the CTMP in relation to those works has been submitted to and approved by the Highway Authority.</p> <p>A detailed CTMP will be produced and submitted to HCC outlining the use of the Broadway Lane farm access as a vehicular construction access for a limited duration (in the order of 3 – 6 months) serving a limited level of traffic prior to the opening of the main Converter Station Access.</p> <p>The Applicant and HCC agree that vehicular access to the Converter Station site via the Broadway Farm track is not of appropriate standard for unrestricted construction vehicles on an ongoing basis. There are detailed matters listed within the FCTMP (AS-074) and HCC's deadline 8 response which set out these concerns in more detail. The Highway Authority are agreeable to considering the use of the access for pre-commencement works as it would any planning related construction access request. This is dependent on further detail assessment work to be provided within the CTMP for this works area. If access</p>	Agreed

Ref.	Description of matter	Current Position	RAG
		cannot be agreed following the completion of this additional assessment work, the fallback position will be that the full S278 site access will need to be constructed for any pre-commencement works to take place. The Highway Authority will work with the applicant on a S278 design submission ahead of any planning decision in the interest of moving matters forward efficiently.	

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"> • Abnormal Indivisible Load ('AIL') movements (section 2.7.7 and Appendix 5); • Mud on roads (paragraph 3.6.1.3); • Turning of delivery vehicles to allow site egress in forward gear (5.2.1.2); • Contractor parking (3.2.1, 1.1.6 and section 4.3); • Construction traffic routes (Section 3.4); • Mitigation (Table 5, Sections 5.2 and 7.3). • Various amendment have been made to the draft document in relation to the matters covered and secured in the FCTMP. This have included the following: The management of HGVs along Day Lane during the construction stage • Details of contractor parking at the Converter Station • Mitigation Strategy for the impact of construction traffic on the highway network. • Management of the Public Rights of Way Network with HCC <p>HCC have provided the inspector with updated commentary on the outstanding matters between parties within our written representations. The Highway Authority have reviewed the final submitted draft on the 25th February 2021 and are satisfied that the document is appropriate for the works being undertaken. There are no outstanding matters which have not been addressed within the FCTMP (AS-074) with the details to be agreed on the submission of the full CTMP for each phase.</p>	Agreed
HCC 4.3.2	Public Rights of Way (PRoW)	<p>An initial meeting between the Applicant and HCC to discuss the impact of the proposed development on the PRoW took place on the 16 December 2020. HCC raised concerns to the disapplication of its approval process for temporary works to the PRoW network.</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>	Agreed

Ref	Description of matter	Current Position	RAG
		<p>(5) The undertaker must not temporarily close, alter, divert or restrict;</p> <p>(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>(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>HCC provided the Applicant with additional comments on 20 January 2021 regarding the way that the dDCO currently references the affected PRoW, the impact on users of PRoWs which are outside of the order limits, and communication of temporary closures to users of the PRoW.</p> <p>The Applicant has confirmed to HCC that any additional resourcing costs to HCC will be dealt with through the post- consent PPA. The Applicant has also provided further reassurance to HCC that the required diversions of footpaths will be in place during the construction period and will not result in any footpaths being 'dead -ended'.</p> <p>Updates to the PRoW note (REP1-145), originally submitted at deadline 1, will be updated to reflect subsequent discussions with HCC and submitted accordingly at Deadline 8.</p>	
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. Additional matters were raised by HCC in relation to vehicle routing for the joint bays, it is agreed that this has been suitably addressed by the Applicant for deadline 8.</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 had a number of comments on particular matters. This included, 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>Following the submission of Deadline 6 material, the Applicant discussed with Highways England the arrangements for the use of lay-bys as then 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 confirmed that the lay-bys as then proposed were 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 understood that Highways England would not wish to see these lay-bys used as part of managed regime for HGV access.</p> <p>Whilst the Applicant was 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 agreed to amend the management strategy such that use of the lay-bys on the strategic road network would not be promoted.</p>	Agreed

Ref	Description of matter	Current Position	RAG
		<p>Following discussions with HCC, it is now proposed that laybys at Hulbert Road, to the east of A3 (M) Junction 3, would 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 has confirmed that the northern section of this 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 in this area of the facility to be suspended. This approach has also been discussed with Highways England who confirmed it would enable its previous concerns to be resolved.</p> <p>Following on from the meetings outlined above, the Day Lane Technical Note (REP6-073) was resubmitted at Deadline 7 to include the outcomes of these discussions. The Highway Authority was provided with a draft update to the Day Lane Technical Note on 11 February 2021, relevant sections of this note have been included within the updated FCTMP (AS-074) in relation to transport;</p> <p>HCC made further requests for amendments to the strategy drafting at Deadline 7C. The final technical document was submitted to the examining authority ahead of Deadline 8 and the Highway Authority are to confirm to the ExA within the Deadline 8 response that all matters have been suitably addressed.</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.</p> <p>There remained 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. 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 requested further clarity from the Applicant as to the need to use Anmore Road for construction traffic.</p> <p>The Applicant has confirmed the need for the use of Anmore Road by construction traffic. Specific measures to ensure construction traffic can use this route without adverse impacts are set out within the updated FCTMP (AS-074) . HCC provided confirmation that the management measures proposed for Mill Road and Anmore Lane were acceptable within the Deadline 7c response (REP7c-019) to the ExA.</p>	Agreed
HCC 4.3.6	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 outlined the mitigation measures to be provided by the Applicant.</p> <p>Following HCC's review of Section 7.4, further information was 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 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 (REP7-013) the Applicant's position was that it would 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> <p>Nevertheless, the concerns of the Highway Authority remain regarding the ongoing impacts of extensive trenching of the A3 and B2150 on the asset and the potential maintenance cost implications to the Highway Authority. At the ISH4 hearing the matter of disapplication of section 58 of the New Roads and</p>	Agreed

Ref	Description of matter	Current Position	RAG
		Street works Act 1991 was raised. It has been agreed by all Parties that whilst the disapplication of s58 with regards to protection of services was understood as necessary for the development where there are existing s58/s58a protections to the surface the applicant will provide full or half carriageway reinstatement as appropriate and agreed with the Highway Authority during detailed design. This has been addressed and secured within the FTMS and the required information for submission at the detailed design stage.	
HCC 4.3.7	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 including routine maintenance, works at Ladybridge roundabout in connection with the West of Waterlooville Major Development Area, provision of the Phase 8 construction access for 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, in any post-consent period, with regard to timescales for programmed works within the highway that are due to come forward within HCC's administrative area.</p> <p>A key focus has been on the works at and around Ladybridge Roundabout as there are known engineering difficulties for all Parties in relation to the large culvert to the south of the roundabout. It is agreed that in other areas along the corridor that works will need to be coordinated but that engineering solutions will be achievable at Ladybridge Roundabout.</p> <p>Further details with regard to the design solutions and indemnity provision can be found at section 4.9.5 of this SoCG.</p>	Agreed
HCC 4.3.8	Temporary Construction Access Junctions	<p>Further to comments made by HCC at Deadline 5 regarding the design of temporary construction access junctions along the Onshore Cable Route, revised proposed standard details from the Applicant was submitted at Deadline 6.</p> <p>The revised detail drawing (AQ-UK-DCO-TR-LAY-001) is appended to the FCTMP at Appendix 1 (REP6-032) submitted at Deadline 6. This is now agreed by HCC, subject to securing it through the s278 agreement. Details will need to be submitted to the Highway Authority through the standard s278 approval process. Approval will be granted within the timescales set out within that process, and on agreement to the detailed locations the s278 minor works agreement appended to the s106 shall be finalised and entered in to.</p>	Agreed
HCC 4.3.9	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 agreed to provide additional information to HCC addressing these points. This additional information was submitted by the Applicant at Deadline 6. HCC subsequently reviewed this information and sought clarification on the method the Applicant will use to deliver the required highway alterations and how this would be secured.</p> <p>The Applicant has set out within the updated FCTMP (AS-074) the approach to securing these works, which would either be by way of a s278 or Minor Works Agreement. Please also see paragraph 4.9.13 of this SoCG for further details. Additional clauses have been added to the s106 agreement to make reference to the requirement to enter into a s278 agreement in respect of the AIL accommodation works. It is noted by all Parties that for works to Traffic Signal equipment this shall be via funding arrangement for works to be carried out by HCC signal's contractor.</p> <p>These matters are now agreed by the Parties</p>	Agreed

4.4. OPERATIONAL PHASE

Table 4.4 – Operational Phase

Ref.	Description of matter	Current Position	RAG
Operational Phase			
HCC 4.4.1	Impact on highway network post completion	<p>Section 1.3.11 of the Transport Assessment (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 (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. Discussions between the party and HCC with regard to the drafting of the DCO and the management of HCC’s assets have been extensive. The Parties agree that this matter, with the exception of the reinstatement works (see 4.3.5) has been suitably addressed within the drafting of the DCO, s278 and s106 agreements along with the FTMS (AS-072) and CTMP (AS-074).</p>	Agree

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>HCC raised 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 has updated the FTMS (AS-072) in response and added to the definition of ‘vulnerable users’ those residents with primary aged children. This has been agreed between all Parties.</p> <p>The FTMS (AS-072) submitted by the Applicant on the 25th February. now includes the Onshore Cable Route Construction Impacts on Access, Car Parking and Communication Strategy (Appendix 1 of the FTMS). The Applicant agrees to work with HCC in order to ensure vehicular access for residents who require access to their property but are not formally covered by the ‘vulnerable’ group provision, as appropriate. Compliance with the FTMS is secured in the DCO by Requirement 25 (Traffic management strategy).</p>	Agreed
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.</p>	Agreed

Ref.	Description of matter	Current Position	RAG
HCC 4.5.3	Section 2 Anmore	<p>Initial discussions between the Parties were in relation to the route options across Anmore Road, one of which would have included the laying of the cable along a significant section of Anmore Road. At Deadline 1 (REP1-133) the Applicant amended the redline boundary at Anmore Road to only accommodate a crossing of Anmore Road which removed the concerns of the Highway Authority relating to the extended impacts.</p> <p>Following submission by the Applicant of the Rights of Way and Access Plan and review of the access at Anmore Lane HCC 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 sought 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>Further information was submitted by the applicant at Deadline 7 which was responded on by HCC at Deadline 7c.</p> <p>It is noted that HCC provided further comments in respect of the use of Anmore Lane within its 7C submission (REP7c-019) which the Applicant has taken account of within the update to the CTMP (6.3.22.2) submitted on the 25th February. This included the restriction of HGV movements to the Anmore Road access to 4 two way movements per a day.</p> <p>It has been demonstrated to HCC that there are no significant unmitigated highway implications arising from the Onshore Cable Corridor being constructed via Anmore Lane. Suitable mitigation measures are set out within the CTMP (AS-074) e submitted on the 25th February.</p>	Agreed
HCC 4.5.4	Section 3 Cable Route Denmead/Kings Pond Meadow	<p>It is agreed that the details relating to Section 3 of the Onshore Cable Route can be found at paragraphs 1.3.5.18-1.3.5.21 of the Transport Assessment (APP- 448) and in Section 5 of the FTMS (REP6-030). Therefore, it is agreed that there are no significant adverse highway implications arising from the Onshore Cable Route and its construction in the vicinity of Denmead / Kings Pond Meadows. The Applicant believes that this matter is now agreed between the Parties.</p>	Agreed
HCC 4.5.5	Section 4 Hambleton Road to Burnham Road	<p>Please refer to Section 4.8.1 of this SoCG.</p>	Not Agreed
HCC 4.5.6	Impact of Cable laying and Ladybridge roundabout	<p>Considerable discussions have been had between the developer and HCC with regard to the impact on the Cable laying route and the Ladybridge roundabout.</p> <p>HCC requested further detail relating to the traffic impact in the meeting of the 5th November and 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>	Agreed

Ref.	Description of matter	Current Position	RAG
		<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 set out their position at Deadline 7c raising no further comments on the document, The TDM submitted at Deadline 7 (REP7-079) has been updated by the Applicant to reflect updates made to the FTMS and an updated version will be submitted at Deadline 8. The measures outlined in the TDM have been secured through requirement 25 of the draft DCO. Monitoring fees have been secured in the draft s106 and approval fees for the final document are to be secured through the PPA with HCC.</p>	
<p>HCC 4.5.7</p>	<p>Joint Bays /Link Boxes</p>	<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 Technical Note (REP6- 070) were discussed, with the Applicant considering alternative locations [joint bay locations within the report are illustrative]. An updated Joint Bay Feasibility Report (REP7-073) was submitted at Deadline 7.</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) (REP7-013).</p> <p>Given the unknowns surrounding the Joint Bay locations HCC in its deadline 7c submission (REP7c-019) suggested amendments to the Design and Access Statement (DAS) which would protect HCC’s interests with regard to the locations of the joint bays and link boxes. The Applicant provided HCC with amended text on 12 February 2021 which will be incorporated into the final Design and Access Statement (document reference 5.5) to be submitted at Deadline 8.</p> <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) (REP7-013).</p>	<p>Agreed</p>

4.6. TRANSPORT STUDY AREA

Table 4.6 – Transport Study Area

Ref.	Description of matter	Current Position	RAG
Transport Study Area			
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"> By using HDD under Kings Pond Meadow and through Denmead. <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. Following discussions between the Applicant and HCC, mitigation has been secured through the DCO, amendments to the DAS and CEMP, s278 and s106 agreements. The Applicant has worked proactively with HCC in order to reach agreement on a number of matters to agree mitigation measures that were necessary to minimise the impact of the development within HCC's administrative area. Whilst noting that there remain areas of potential mitigation to the transport impact that have been not been agreed between parties, as outlined</p>	Agreed

Ref.	Description of matter	Current Position	RAG
		elsewhere within this SoCG, it is agreed that the Applicant has provided sufficient information to inform further consideration by the Examining Authority as to why the highway route was chosen. HCC is content to leave this matter to be determined by the Examining Authority.	

4.8. TRAFFIC MANAGEMENT REQUIREMENTS AND ANTICIPATED IMPACTS

Table 4.8 – Traffic Management

Ref.	Description of matter	Current Position	RAG
Traffic Management			
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>There were subsequent discussions 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> <p>In response to the Applicant's night-time working note submitted at Deadline 7 (REP7-075), Portsmouth City Council, Havant Borough Council and HCC issued a joint note directly to the Applicant outlining their position on the matter. The authorities sought greater flexibility within the DCO to allow for out of hours working to be directed where considered necessary.</p> <p>The Application will be determined on the basis of the likely significant effects of the construction of the Authorised Development on the environment reported in the ES, taking into account the measures envisaged to avoid, prevent, reduce or, if possible, offset any identified significant adverse effects on the environment (with this information being required to be included in the ES in accordance Regulation 14 and Schedule 3 of the Infrastructure Planning (Environmental Impact Assessment) Regulation 2017). Any potential for the works to be directed in a manner which would give rise to greater effects than those reported in the Environmental Statement, in particular in relation to noise and vibration would be problematic from a perspective of regulatory compliance.</p> <p>In response to the request and in the spirit of seeking to reach a resolution on outstanding matters the Applicant confirmed that it would be amenable to including additional wording in respect of Requirement 18 (Construction Hours) to provide that directions may be provided in relation to works outside of the core working hours where it has been evidenced by the Highway Authority that the direction proposed will not cause impacts which fall outside the scope of the residual likely significant environmental impacts reported in the Environmental Statement. The following amended wording for Requirement was therefore tabled by the Applicant:</p> <p><i>c) works on a traffic sensitive street outside of core working hours where so directed by the relevant highway authority pursuant to a permit granted under the permit schemes in accordance with Article 9A of this Order following consultation by the relevant highway authority with the environmental health officer at the relevant planning authority under the terms of such scheme <u>to ensure that and where it has been evidenced by the relevant highway authority that</u></i></p>	Not agreed

Ref.	Description of matter	Current Position	RAG
		<p><u><i>the direction proposed will not cause impacts which fall outside the scope of the residual likely significant environmental impacts reported in the environmental statement.</i></u></p> <p>HCC recognises the limitations of the Applicant's ES but does not consider that this justifies that any direction for out-of-hours work has to be specifically evidenced by the relevant highway authority. If appropriate controls are put in place, occasional out of hours working would not result in any significant environmental effects. It is only significant effects which need to be assessed through the EIA process.</p> <p>The ESSO Southampton to London Pipeline DCO contained the following measures in respect of out of hours working:</p> <p><i>Construction hours</i></p> <p><i>"14.—(1) Subject to sub-paragraphs (2), (3) and (4), construction works must only take place between 0800 and 1800 on weekdays (except Public and Bank Holidays) and Saturdays, except in the event of an emergency.</i></p> <p>...</p> <p><i>(4) Nothing in sub-paragraph (1) precludes—</i></p> <ul style="list-style-type: none"> <i>(a) the receipt of oversize deliveries to site and the undertaking of non-intrusive activities;</i> <i>(b) start-up and shut-down activities up to an hour either side of the core working hours and undertaken in compliance with the CEMP; and</i> <i>(c) works on a traffic sensitive street where so directed by the relevant highway authority pursuant to a permit granted under the permit schemes and following consultation by the relevant highway authority with the relevant planning authority under the terms of such scheme."</i> <p>HCC considers that a similar provision should be inserted into the dDCO. If necessary the exception could be expanded to state:</p> <p><i>"works on a traffic sensitive street where so directed by the relevant highway authority pursuant to a permit granted under the permit schemes and following consultation by the relevant highway authority with the relevant planning authority under the terms of such scheme, and where the relevant planning authority is satisfied that there will be no new significant effects beyond those assessed in the Environmental Statement"</i>.</p> <p>This wording is considered by HCC to address the Applicant's concern, whilst giving flexibility to the highway authority in consultation with the relevant planning authority to permit out of hours working.</p> <p>The Applicant does not agree that this wording is appropriate to include within this DCO as outlined above.</p> <p>Therefore, this matter has not been agreed between parties.</p>	

4.9. ADDITIONAL HIGHWAY MATTERS

Table 4.9 – Additional Highway Matters

Ref.	Description of matter	Current Position	RAG
Additional Highway Matters			
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	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. Further amendments have been made to the FTMS and CTMP to address this issue. HCC is supportive of the mitigation measures identified and agree that the measures secured throughout the submission would work to minimise the impact of the works on the highway network. Due to the nature of the works, they will inherently cause delay to the highway users and network. These delays cannot be fully mitigated in highway terms. The impacts are also not 'balanced' by any additional highway benefit and therefore it is not within the Highway Authority's remit to determine if the inherent impacts of the development are acceptable when balanced against the benefits of the scheme.	Not agreed
4.9.3	Highway Boundary Plan	HCC requested that a highway boundary plan showing the order limits was provided. The Applicant has provided HCC with the highway boundary plan, as requested, on the 16 November 2020. HCC was satisfied with the submission and had no further comment.	Agreed
4.9.4	Request for Indemnity	<p>HCC sought indemnity for diversion of the cables should it be required to facilitate, identified and 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 given that the Highway Authority will be suitably resourced by the applicant to ensure that design and construction applies the agreed principles of design. 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 – 1000 mm outlined by the Applicant for the majority of the works.</p> <p>However, discussions with regard to indemnity continued in relation to a specific area of the route, involving a large culvert south of Ladybridge Roundabout, where there are known construction risks that may not be able to be designed out.</p> <p>As a result of these discussions between the Parties, the Applicant has agreed to include the necessary wording within Schedule 2 of the draft s106 agreement to indemnify for the works where there is the potential to affect the culvert at Ladybridge Roundabout. HCC is content that this matter is now resolved.</p> <p>With regard to Ladybridge roundabout, paragraph 3.3 of the draft s106 outlines the mechanism by which HCC can submit to the Applicant evidence of additional costs to the County Council in undertaking the delivery and the future maintenance of the Ladybridge Roundabout Development Works or the TCF Works and to agree the amount of such additional costs and the phasing for the payment of any such amount with the County Council.</p>	Agreed
4.9.5	Delay of Works	HCC has asked for further clarity as to how the Applicant will manage any potential delays in programmed works. The Applicant has outlined within the FTMS and CTMP that they will continue to liaise with HCC during the construction phase with regard to the programme of works. As identified	Not agreed

Ref.	Description of matter	Current Position	RAG
		in 4.8.1 of this statement, HCC is still concerned about the proposed removal of the ability to direct out-of-hours working as a key component of its suite of mechanisms that are ordinarily available to manage such delays.	
4.9.6	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>Following discussions with the HCC and the Bus Operators the Applicant is satisfied that the bus operators have been demonstrated the need for a bus delay contingency fund. Full details of what has been agreed between the Parties in relation to sum of monies to be paid can be found in Table 4.16.</p>	Agreed
4.9.7	Walking and Cycling Mitigation	<p>HCC has asked for further detail with regard to the mitigation measures proposed as part of the FTMS (REP1-068) in relation to Pedestrians and Cyclists. It will be incumbent on the Appointed Contractors to have regard for movement by walkers and cyclists with the final designs of the Traffic Management measures, as set out within the FTMS (AS-072) submitted on the 25th February.</p> <p>Wording has been included which makes it clear that where there are not standard details within Chapter 8 the contractor will need to engage appropriately to provide safe TM arrangements for cyclists in particular during bus lane closures.</p>	Agreed
4.9.8	Personal Injury Accident Data Assessments	<p>The Applicant 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 its Deadline 5 submission. The Applicant submitted a 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. Where required, updates to the FTMS (REP6-030) have been made in response to the Road Safety Note; an updated version of which has been submitted on the 25th February.</p> <p>HCC is satisfied with the Personal Injury Accident data. This matter is now agreed between the Parties and the measures secured within the note and the FTMS with regards to the Road Safety Liaison officer are suitable to address the concerns of the Highway Authority.</p>	Agreed
4.9.9	Arboriculture	<p>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 has been secured in the draft s106 within schedule 2.</p> <p>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> <p>HCC, within its Deadline 7c submission, outlined additional wording (REP7c-019) in relation to arboricultural matters that have been agreed with the Applicant for inclusion within the CEMP. This amendment has been included by the applicant within the CEMP and will be submitted at Deadline 8.</p>	Agreed
4.9.10	Decommissioning	<p>The Applicant 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 was acknowledged by HCC in its Deadline 3 submission.</p> <p>HCC also requested that the wording for the definition of 'maintain' within the DCO be revised to remove reference to decommissioning.</p>	Agreed

Ref.	Description of matter	Current Position	RAG
		The draft DCO submitted at Deadline 7 (REP7-013) confirms that the term decommissioning has been removed from the definition of maintain. This matter is now agreed between the Parties.	
4.9.11	S278	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. The Applicant has agreed to comply with HCC's standard s278 design check process for the site access (including temporary access and AiL accommodation works) and enter into a s278 agreement as secured through the s106. This will include any provisions required for accommodating any Abnormal Indivisible Loads (AIL). A draft s106 was submitted at Deadline 7 (REP7-058). Both Parties have agreed wording in relation to the s278 and s106 agreements and details submitted at Deadline 8, secured through the agreed draft s106 agreement to be submitted at Deadline 8.	Agreed

4.10. IMPLEMENTATION OFFICER REQUIREMENTS

Table 4.10 – Implementation Officer Requirements

Ref.	Description of matter	Current Position	RAG
Implementation Officer Requirements			
HCC 4.10.1	Implementation Officer Requirements	HCC considers that the proposals as set out by the applicant in the DCO for coordinating HCC input, discharging requirements, design checking, agreeing road space, site inspections and general management of the Highway Authority function are likely to be resource intensive. Additional resources will therefore be needed to manage and coordinate the works and funds are sought from the applicant to undertake these additional tasks. 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 have commenced between the Applicant and HCC and both Parties are working towards agreeing terms before the close of the examination. When such agreement has been secured, the Parties will advise the Examining Authority accordingly.	Agreed

4.11. DCO POWERS

Table 4.11 – DCO Powers

Ref.	Description of matter	Current Position	RAG
DCO – Powers			
HCC 4.11.1	DCO – Permit Scheme	HCC's Relevant Representation noted the Council's preference for the Applicant to use the New Roads and Street Works Act 1991 (NRSWA),	Agreed

Ref.	Description of matter	Current Position	RAG
		<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 is effectively controlled and managed.”</p> <p>The Applicant has now confirmed to HCC that the permit scheme will apply to street works associated with the Proposed Development, with its application to the Proposed Development being aligned with the need for compliance with the Framework Traffic Management Strategy (AS-072) (submitted on the 25th February)) which identifies the mitigations and controls in relation to works on the highway as is required in accordance with Regulation 14(2)(c) of the Infrastructure Planning (Environmental Impact Assessment) Regulation 2017. This is provided for at Article 9A of the draft DCO submitted at Deadline 7 (REP7-013).</p> <p>The Applicant has worked in a proactive manner with HCC to ensure that the DCO wording and the wording of other certified documents which include the Framework Construction Management Plan and the Framework Traffic Management Strategy includes sufficient and acceptable powers to lay the Cables within the highway and ensures appropriate provision for the protection of the highway. There remains outstanding issues about the ability of the Highway Authority to direct out of hours working which is covered in 4.8.1 of this statement. This matter is now otherwise agreed between the Parties.</p>	

4.12. LANDSCAPE AND VISUAL AMENITY

Table 4.12 – Landscape and Visual Amenity

Ref.	Description of matter	Current Position	RAG
Landscape and Visual Amenity			
HCC 4.12.1	Landscape	A meeting was held on the 24 November 2020 between the Parties in which the landscaping proposals were discussed. HCC has 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 recognises that there are differing perspectives between SDNPA and WCC, is satisfied with the proposals put forward by the Applicant and is content to leave this matter to the discretion of the ExA.	Agreed
HCC 4.12.3	Mitigation – Outline Landscape and	The Applicant considers that the measures set out in the Outline Landscape and Biodiversity Strategy (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.	Agreed

Ref.	Description of matter	Current Position	RAG
	Biodiversity Strategy	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>	
HCC 4.12.4	Residual effects	<p>The assessment of residual effects set out at Tables 15.10 and 15.11 of Chapter 15 of the Environmental Statement (APP-130) is agreed.</p> <p>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></p>	Agreed
HCC 4.12.5	Converter Station Design	<p>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."</p> <p>In a meeting on the 24 November 2020, the Applicant provided HCC with links to the following documents:</p> <ul style="list-style-type: none"> • The Outline Landscape and Biodiversity Strategy (OLBS) (REP1-034) • Updated Design and Access Statement (DAS) (REP1-031) • Appendix 10 Tree Survey Schedule and Constraint Plans - Rev-002 (REP3-007) <p>The OLBS was updated at Deadline 6 and will be revised further Deadline 8 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 and includes the latest design principles. HCC continued to participate in discussions, supporting the LPAs in seeking to reach consensus with the Applicant on design, landscape and visual impact matters. Outstanding matters include the preferred location for the building, proposed planting mitigation, and agreement over two new design principles relating to ash dieback and the retention of Day Lane's rural character.</p> <p>The Applicant notes that the OLBS (REP7-023), DAS (REP7-021) and the indicative landscape mitigation plans for both Option B(i) (REP7-025 and REP7-026) and Option B(ii) (REP7-061) were updated at Deadline 6 and 7 and will be revised further at Deadline 8. Updates to the OLBS were in response to the findings of an ash dieback survey 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) and updated in Environmental Statement Addendum 2 (REP7-067). 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. Amendments to the DAS relate to the inclusion of design and operational mitigation.</p> <p>HCC considers that the information put forward by the Applicant acceptable. This matter is now agreed between the Parties.</p>	Agreed

4.13. LEAD LOCAL FLOOD AUTHORITY AND FLOOD RISK

Table 4.13 – Lead Local Flood Authority

Ref.	Description of matter	Current Position	RAG
Groundwater - General			
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. 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 groundwater flood risk management	<p>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. Permits will be applied for at the 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 Lead Local Flood Authority.</p>	Agreed
HCC 4.13.7	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

Ref.	Description of matter	Current Position	RAG
Surface Water Resources and Flood Risk - General			
HCC 4.13.8	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
HCC 4.13.9	Baseline – Surface Water Resources and Flood Risk	The baseline environment identified in section 20.5 of ES Chapter 20 Surface Water Resources and Flood Risk (APP-135) is agreed. It is also agreed that the identified sensitive receptors in section 20.6 have been adequately identified.	Agreed
HCC 4.13.10	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
HCC 4.13.11	Flood Risk Assessment	The Flood Risk Assessment (APP-439) includes consideration of future climate change, on and off-site impacts and proposed mitigations relevant to the flood risk environment, is supported by the Lead Local Flood Authority. Proposed inbuilt design measures, and other mitigation measures, are included within the Design and Access Statement (“DAS”) and OOCEMP (APP-505). Requirement 15 (Construction Environmental Management Plan) of the draft DCO (REP7-013) requires the submission of a construction environment management plan, in accordance with the OOCEMP. Requirement 6 (Detailed design approval) of the draft DCO (REP7-014) requires the detailed design of the Proposed Development to be in accordance with the principles identified in the Flood Risk Assessment.	Agreed
HCC 4.13.12	Predicted Impacts – Surface Water Resources and Flood Risk	It is agreed that the predicted impacts, as set out in section 20.7 of ES Chapter 20 Surface Water Resources and Flood Risk (APP-135), clearly outline the impacts following embedded mitigation measures.	Agreed
HCC 4.13.13	Mitigation – Surface Water Management: Converter Station Area (Construction)	Principles of temporary surface water run-off management during construction are referenced within the Surface Water Drainage and Aquifer Contamination Mitigation Strategy which forms Appendix 3 of the DAS (REP7-032) and detailed within Section 5.7 and Section 6.3.4 to the OOCEMP (REP7-032) and the Source Protection Zone 1 Generic Method Statement which forms Appendix 7 to the OOCEMP (REP7-032). 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:	Principles of the surface water drainage strategy are provided in Section 2 of the Surface Water Drainage and Aquifer Contamination Strategy which forms Appendix 3 to the DAS (REP7-032). 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

Ref.	Description of matter	Current Position	RAG
	Converter Station Area (Operation)		
HCC 4.13.15	Mitigation – Ordinary Watercourses, surface Water and Groundwater Flood Risk (Construction)	<p>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 5.7 of the OOCEMP (REP7-032).</p> <p>The principles for the management of surface water and groundwater flood risk along the Onshore Cable Route during construction are detailed in ES Chapter 19 (APP-134) and ES Chapter 20 (APP-135) and are replicated within section 5.6 & 5.7 of the OOCEMP (REP7-032).</p> <p>Requirement 15 (Construction Environmental Management Plan) of the draft DCO (REP7-013) 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.</p> <p>These principles are supported by the Lead Local Flood Authority.</p>	Agreed
HCC 4.13.16	Ordinary Watercourse Consent	<p>It is agreed that Ordinary Watercourse Consent is separate to, and in addition to any grant of DCO consent.</p> <p>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). These are considered acceptable in principle to the LLFA at this stage. It is therefore agreed that, subject to full details of the proposed construction methodology being submitted in accordance with these principles, particularly the construction principles outlined within section 5.7 & 5.8 of the OOCEMP (REP7-032), there is unlikely to be any impediment to Ordinary Watercourse Consent being secured to enable construction of the Proposed Development.</p> <p>Where required Environmental Permits will be required as detailed in the Other Consents and Licences document (REP6-024). The requirement to obtain relevant approval or exemption of Ordinary Watercourse Consent and the construction principles 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.</p>	Agreed
HCC 4.13.17	Residual effects – Surface Water Resources and Flood Risk	Section 20.10 and Table 20.12 of ES Chapter 20 Surface Water Resources and Flood Risk (APP-135) is agreed.	Agreed
Converter Station Area: Surface Water Drainage and Aquifer Contamination Mitigation Strategy (Appendix 7 to the OOCEMP)			
HCC 4.13.18	Converter Station Area - Flood Risk	The potential pluvial flood risk arising from the proposed development is to be managed via the submission and approval of written details pursuant to Requirement 6 and Requirement 12 of the draft DCO (REP7-013) in relation to the sustainable drainage system operation and maintenance strategy. This is required to accord with the Surface Water Drainage and Aquifer Contamination Strategy as Appendix 3 to the DAS (REP7-021). Section 2 of that strategy covers the principles as discussed and agreed with the Environment Agency, Portsmouth Water and HCC LLFA.	Agreed

Ref.	Description of matter	Current Position	RAG
		It is agreed that these proposed drainage principles are acceptable to the LLFA with reference to protection against aquifer contamination.	
HCC 4.13.19	Converter Station Area - Construction Surface Water Management	<p>Temporary surface water run-off management during construction has been discussed and agreed in principle by LLFA (in consultation with the Environment Agency and Portsmouth Water).</p> <p>Information in this regard is referenced within the Surface Water Drainage and Aquifer Contamination Mitigation Strategy which forms Appendix 3 of the DAS (REP7-032). The temporary surface water run-off management is detailed within Section 5.7 and Section 6.3.4 to the OOCEMP (REP7-032) and the Source Protection Zone 1 Generic Method Statement which forms Appendix 7 to the OOCEMP (REP7-032). This 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. A number of recommended mitigation measures/ principles are detailed within Section 5.7 of the OOCEMP.</p> <p>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.</p>	Agreed
HCC 4.13.20	Converter Station Area - Operational Surface Water Management	<p>There is no record of any existing surface water drainage sewer network within the Converter Station Area or in close proximity to the Order Limits.</p> <p>The principles of the surface water drainage design have been discussed and agreed with LLFA, the Environment Agency and Portsmouth Water. These are included in sections 2.4 to 2.9 of the Surface Water Drainage and Aquifer Contamination Mitigation Strategy which forms Appendix 3 to the DAS (REP7-021). Matters in relation to validating the design assumptions with regards to infiltration are provided within HCC 4.14.21.</p> <p>Written details regarding the detailed surface water drainage will be submitted to and approved by the relevant local planning authority in consultation with the LLFA, (alongside Portsmouth Water and the Environment Agency) in accordance with Requirement 6 (drainage design principles) and Requirement 12 (drainage management plans) to the draft DCO (REP7-013).</p>	Agreed
HCC 4.13.21	Converter Station Area - Infiltration Validation	<p>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. 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 agreed in principle to provide for the treatment filter media which is appropriate to the drainage design and ensure that an appropriate flow rate can be achieved.</p> <p>These principles and specifications are agreed by the LLFA and are set out in the Surface Water Drainage and Aquifer Contamination Strategy (see REP7-021) Additional evidence will be provided at 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>	Agreed
HCC 4.13.22	Converter Station Area - Foul Drainage System	There is no record of any existing foul drainage network within the Converter Station Area or in close proximity to the Order Limits.	Agreed

Ref.	Description of matter	Current Position	RAG
		<p>The principles of the foul water drainage design have been discussed and agreed with the Environment Agency and Portsmouth Water and are included in section 3 of the Surface Water Drainage and Aquifer Contamination Mitigation Strategy which forms Appendix 3 to the DAS (REP7-021).</p> <p>The design will be fully developed in accordance with section 4 of the Surface Water Drainage and Aquifer Contamination Mitigation Strategy which forms Appendix 3 to the DAS (REP7-021).</p> <p>Written details regarding the detailed drainage will be submitted to and approved by the relevant planning authority in consultation with the LLFA, (alongside Portsmouth Water and the Environment Agency) in accordance with Requirement 6 (drainage design principles) and Requirement 12 (drainage management plans) to the draft DCO (REP7-013).</p>	

4.14. ECOLOGY

Table 4.14 – Ecology

Ref.	Description of matter	Current Position	RAG
Ecology			
HCC 4.14.1	Area of study relevant to HCC	It is agreed that the parts of the Onshore Ecology assessment set out in Chapter 16 of the Environmental Statement (ES, Onshore Ecology) (APP-131) relevant to HCC are Sections 1 (Lovedean (Converter Station Area)) to Section 4 (Hambledon Road (north)).	Agreed
HCC 4.14.2	ES Methodology – Study area	It is agreed (as noted in section 16.1.2 of Chapter 16) (APP-131) that the study areas for the Preliminary Ecological Appraisal ('PEA') for ecological features are appropriate.	Agreed
HCC 4.14.3	ES Baseline	It is agreed that the ecological baseline as set out at section 16.5 of Chapter 16 of the ES (APP-131) represents an appropriate baseline for Sections 1 – 4 of the ES.	Agreed
HCC 4.14.4	Predicted Impacts	It is agreed that that the impacts in respect of ecological and 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 (APP-131) represent an accurate reflection of the predicted impacts.	Agreed
HCC 4.14.5	Mitigation – Onshore Outline CEMP General Environmental Control Measures	The Onshore Outline Construction Environmental Management Plan (OOCEMP) (REP7- 032) 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
HCC 4.14.6	Mitigation - Onshore Outline CEMP	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	Agreed

Ref.	Description of matter	Current Position	RAG
	– Location Specific Construction Environmental Control Measures	<p>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.</p> <p>The Applicant's ecologists and HCC's ecologist subsequently met on 14th January 2021 to discuss HCC's outstanding concerns. Following detailed discussions, HCC is 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 has no further concerns relating to this approach at this stage and this matter is now agreed between the Parties.</p>	
HCC 4.14.7	Mitigation - Onshore Monitoring Plan	<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 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>The Applicant confirmed that the proposed management regime will cover fields 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 are expected to have returned back to their existing land use and habitat types.</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>HCC agrees that the proposed mitigation, including 5 years maintenance plan, is acceptable.</p>	Agreed
HCC 4.14.8	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 (APP-131), is generally agreed between the Parties. HCC acknowledges that the proposed gains in priority habitats are positive. However, the recently drafted Biodiversity Position Paper (REP6-087) calculates (using the Biodiversity metric 2.0) the overall net 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 (APP-131), mainly to do with the loss of grassland habitat.</p> <p>It is agreed 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</p>	Agreed

Ref.	Description of matter	Current Position	RAG
		<p>then recreating it, results in a loss of units in the metric due to the 'time-to-target-condition-risk-factor'. This will lead to a loss of units, as calculated through the metric, even where the habitat is fully restored.</p> <p>This is considered by the Applicant to be the case for this project as the habitats identified to be lost 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 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. HCC agrees with these findings, noting that biodiversity losses are amplified in the calculations by the metric's three risk factors when recreated habitats are inputted. It is also noted that whilst some losses of medium and low distinctiveness habitats are expected, there is expected to be an overall increase in high distinctiveness habitats.</p> <p>HCC is 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>	
HCC 4.14.9	Requirements	HCC agrees with Requirement 9 of the draft DCO 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
Archaeology and Historic Environment			
HCC 4.15.1	Archaeology and Historic Environment	The details submitted in ES Chapter 21 Heritage and Archaeology (-136) are agreed. HCC are 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

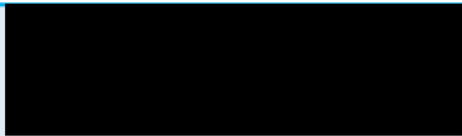

Table 4.16 – Scope of Section 106 Agreement

Ref.	Description of matter	Current Position	RAG
Section 106 Agreement			
HCC 4.16.1	Scope of Section 106 Agreement	Both parties have agreed the scope and form of the S106 agreement which secures the following matters:	Agreed

Ref.	Description of matter	Current Position	RAG
		<ul style="list-style-type: none"> • Bus mitigation fund; • AIL Street Works; • CAVAT Assessment and Compensation; • Converter Station Access Works; • Monitoring fees for the Traffic Demand Management Strategy; • Monitoring fees for the Travel Plan • Reasonable endeavours for the undertaker to discuss the detailed design requirements for Ladybridge Roundabout; and • Temporary Construction Access Works • Agreement for the undertaker for reimburse HCC any additional fees accrued to deliver the approved Ladybridge Roundabout scheme in the event that the proposed development increases the cost to deliver the scheme. <p>These matters are outlined further below.</p>	
4.16.2	Scope of Section 106 Agreement – Bus Mitigation	<p>A bus mitigation fund has been agreed between the two parties to cover the following matters:</p> <ul style="list-style-type: none"> • Bus Delay Mitigation Contingency Fund - £275,517.50. • Bus Delay Mitigation Fund - £1,102,070.00. • Patronage Marketing Contribution - £290,000.00. <p>The triggers for the payment of these monies have been agreed between the two parties and is secured under the agreed form of the S106 agreement.</p>	Agreed
4.16.3	Scope of Section 106 Agreement - Arboriculture	Both Parties agreed to the need to secure a s106 agreement for a CAVAT mechanism for funding replacement highway trees. An engrossment draft will be submitted at Deadline 8 accordingly	Agreed
4.16.4	Scope of Section 106 Agreement – AIL Street Works	Means temporary works to streets and street furniture for which the County Council is responsible to facilitate the movement of abnormal indivisible loads in connection with the construction of the Development and in conjuncture with the approved AIL report produced by Collett. The S106 secured agreement and approval for these works through our S278 process and to enter into a S278 minor works agreement if necessary to undertake the works. It is agreed all ITS works shall be funded by the applicant to be instructed by HCC and works to be completed via our traffic signals contractors.	Agreed
4.16.5	Scope of Section 106 Agreement – Traffic Demand Management Strategy	The S106 secures the required monitoring fee of £3,000 per annum to monitor and evaluate the Traffic Demand Management Strategy. The approval fees are to be secured within the PPA with HCC.	Agreed

Ref.	Description of matter	Current Position	RAG
4.16.6	Scope of Section 106 Agreement – Travel Plan	Secures the required monitoring fee of £3,000 per annum to monitor and evaluate the Travel Plan. It is agreed that the approval fee shall be secured through the PPA with HCC.	Agreed
4.16.7	Scope of Section 106 Agreement – Ladybridge Roundabout	Secures the requirement for the undertaker to undertake reasonable endeavours to engage on the detailed design requirements for Ladybridge Roundabout and to pay to HCC any costs accrued to deliver the approved scheme should the proposed development increase the cost of delivery. This also applies to increased maintenance costs for the culvert south of Ladybridge roundabout should these be increased as a result of the cable design.	Agreed
4.16.8	Scope of Section 106 – Converter Station Access Works	Secures the implementation of the converter station site access works and passing places on Day Lane prior to the commencement of development via a S278 agreement.	Agreed
4.16.9	Scope of Section 106 – Temporary Construction Access Works	Secures the implementation of the temporary access works via a S278 agreement prior to access being obtained at the proposed locations.	Agreed

5. SIGNATURES

Ref.	Hampshire County Council	AQUIND (the Applicant)
Signature		
Printed Name	Chris Murray	Kirill Glukhovskoy
Title	Head of Strategic Planning	Managing Director
On behalf of	Hampshire County Council	AQUIND Limited
Date	1 March 2021	1 March 2021

