



Department for
Business, Energy
& Industrial Strategy

1 Victoria Street
London
SW1H 0ET

Web: www.gov.uk/beis

To:

AQUIND Limited

cc: Any interested party

Our Ref: EN020022

Date: 2 September 2021

Dear Sir or Madam,

Planning Act 2008 and The Infrastructure Planning (Examination Procedure) Rules 2010

Application for Development Consent (“the Application”) by AQUIND Limited (“the Applicant”) for an Order granting Development Consent for the proposed AQUIND Interconnector (“the AQUIND Interconnector project”)

REQUEST FOR INFORMATION

1. Following the completion of the Examination on 8 March 2021, the Examining Authority submitted a Report and Recommendation in respect of its findings and conclusions on the above application to the Secretary of State on 8 June 2021.
2. There are issues on which the Secretary of State for Business, Energy & Industrial Strategy (“the Secretary of State”) would be grateful if the **Applicant** could provide information as appropriate.
3. In light of this request for further information, the Secretary of State has made the decision to extend the statutory deadline for taking the decision on the Application by six weeks. The statutory deadline has therefore been extended from 8 September 2021 to 21 October 2021. A statement confirming the new deadline for a decision will be made to the House of Commons and House of Lords in accordance with section 107(7) of the Planning Act 2008 as soon as possible.

Compulsory Acquisition

4. On 13 July 2021, the Secretary of State wrote a letter to the Applicant requesting further information on a number of matters. This letter included the following request:

'Without prejudice to the Secretary of State's decision on the proposed development, the Applicant is asked to provide a revised draft Development Consent Order excluding those elements which relate to commercial telecommunications, including as they may affect the compulsory purchase provisions.'

5. The Applicant responded on 23 July 2021 with a draft development consent order. Paragraphs 3.7 to 3.14 of the Applicant's response also provided some details regarding the effect of the exclusion of those elements related to commercial telecommunications on the compulsory purchase provisions in the draft Development Consent Order. The Secretary of State considers that further information regarding this matter is required.
6. Without prejudice to the Secretary of State's decision on the proposed development, the **Applicant** is asked to provide further information to justify the need for the extent of compulsory acquisition powers (both permanent and temporary) sought in relation to those plots of land that would be affected were those elements of the Application related to commercial telecommunications use be excluded from the Development Consent Order. In particular, the **Applicant** should provide:
 - Justification for the extent of the compulsory acquisition powers sought at the plots of land associated with the proposed optical regeneration site. This should include a revised plan that shows the land required for the optical regeneration buildings with any commercial telecommunications removed, the siting of those buildings, and any revised Order limits. In particular the Secretary of State notes that the Applicant has advised that the optical regeneration site will reduce in size by approximately two thirds should the equipment required for commercial telecommunications be removed. The Applicant should therefore confirm how many (if any) optical regeneration stations are required in those circumstances. The Applicant should also confirm if the impact on the Fort Cumberland car park is anticipated to change if the commercial telecommunications elements of the proposal were removed.
 - Justification for the extent of compulsory acquisition powers sought at the plots of land associated with the commercial telecommunications buildings on the site of the converter station. The Secretary of State notes that the Applicant has advised that these buildings would not be required should the equipment required for commercial telecommunications be removed. The Applicant should confirm the reasons as to why the full extent of land will still be required if those telecommunications buildings are removed from the development consent order.
7. The Secretary of State also notes that in the draft development consent order provided by the applicant there was no address for inspection of documents given

in the Explanatory Note to the draft order. The Applicant is asked to provide an appropriate address for inspection of documents should the order be made.

8. **Responses to the requested information should be submitted by email only to: aquind@planninginspectorate.gov.uk by 23.59 on 16 September 2021.**
9. Responses will be published on the AQUIND Interconnector project page of the National Infrastructure Planning website:
<https://infrastructure.planninginspectorate.gov.uk/projects/south-east/aquind-interconnector/> as soon as possible after **16 September 2021**.
10. This letter is without prejudice to the Secretary of State's consideration of whether to grant or withhold development consent for the AQUIND Interconnector or any part of the project. Nothing in this letter is to be taken to imply what the eventual decision might be or what final conclusions the Secretary of State may reach on any particular issue which is relevant to the determination of the application.

Yours faithfully

Gareth Leigh

Gareth Leigh

Head of Energy Infrastructure Planning