

Dear Hefin,

Thanks for your earlier response and for providing the guidance on the next stages of our submissions. We have started preparing for Deadline 6.

However, ahead of the ISH later this week, and in anticipation of you providing some of the agenda items for the hearing(s), we were anxious that some of the Applicant's claims remain on file without any strong rebuttal of some of their comments. Continual written reiteration of their position, however this is couched, either in legal or examination process terms, does not in our opinion, make it necessarily accurate! It also does not provide our Resident Associations with the satisfaction of an oral explanation by those that made the decision on all the aspects of the Application that you are currently examining!

As a case in point, we attach our response to the flawed Consultation Process which even now the Applicant remains totally unapologetic and adamant that those affected were uninterested in their planning process.

Our paper anticipates that the Inspectorate will be asking relevant questions about this as one of the many agenda items of the Hearings.

Many thanks for your assistance,

Kaye Squires
HCRA
CGRA
Lightwater Residents

Consultation with Heronscourt and Colville Gardens Residents' Associations

Reply to Applicant's Comments in Document REP4-080

The residents of Heronscourt [HC] and Colville Gardens [CG] and their Residents' Associations [HCRA and CGRA], are astonished to read the comments in the first six sections of this document. They seem to ignore completely the contents in the submissions by HCRA and CGRA to Deadlines 2, 3 and 4 of the Examination, where they comment in detail about the Applicant's consultation **as it applies to them**.

By ignoring these submissions, the Applicant infers that the residents of HC and CG have repeatedly **lied** to the ExA. This inference is strongly resented by the residents, and brings into question the integrity of the Application.

The attention of the ExA and the Applicant is drawn to documents REP2-123, REP2-124, and REP3-056, and in particular to Section 3 of REP2-123, where a detailed analysis of the Applicant's failure to consult with HCRA and CGRA can be found. Unfortunately, by their repeated allegations, the Applicant seems unable to process the **facts** contained in these documents, so the key points will now be repeated.

- **The Identification of Relevant Organisations and Bodies.** The Applicant diligently but randomly identified many organisations with which to consult early in the process. This list included many remote bodies where there would be negligible impact, irrelevant bodies who would have been puzzled by their involvement, and several voluntary organisations with barely peripheral interest. However it **did not** include HCRA and CGRA, both set up as Limited Companies 30 years ago [HCRA as the Lightwater Residents' Association]; a simple reference to Companies House would have revealed this information. As a result of this failure HCRA, CGRA and the individual residents of HC and CG **never** received any documents, e-mails or e-mail alerts from the Applicant *after the general circulations in September 2018*.
- **The Change of Route.** The Applicant refutes the suggestion that there was a late switch from Route F1c to Route F1a+. HCRA and CGRA fully **accept** that there were no communications stating that F1c was preferred, but **all** of those involved in late 2018, from County Councillors to individuals will state that a clear impression was given that the pipeline would follow the line of the two existing pipelines. It cannot be exaggerated that this impression was so strong that many bodies, representatives and individuals ceased their interest, satisfied that logic would prevail. For them, the selective communications, and for some, a contact vacuum in early 2019, gave rise to the shock when the route choice was announced,
- **Absence of Communications.** In REP4-080, the Applicant asserts that everyone received documents AS-12, APP-038 and AS-013. Not on the circulation list, these were **never received** by the residents of HC and CG, and they are prepared to swear to this fact on oath. However many times the Applicant states that they were sent, makes no difference to the **fact** that they were never received! It should be noted that the Applicant refers to many documents issued **after** the decision; this is not consultation; it is information!

- **The Mailing List.** Interestingly, in REP4-O80, Page 4, Bullet Point 1, the Applicant states that Heronscourt Odd numbers 11-37 and Colville Gardens All numbers 20-35 **were on the mailing list** for the booklet announcing the route selection. There is a huge difference between appearing on an [unseen] mailing list, and the booklet being sent out and received. This use of words is cynically selective and must be seen as being designed to misinform
- **The Applicants' Policy and the Location of HC and CG.** The applicant's policy is to inform every household within 50 metres of the pipeline route of the route selection. Even after all of the previous failures to inform and consult, **Heronscourt and Colville Gardens** are physically within 50 metres of F1a+. They did not suddenly spring up on January 1st 2019; they have been there for over 30 years! It should have been **blindingly obvious** to any sensitive organisation that they would be primarily impacted by the route selection, and they should have been marked out for **special** attention
- **The Residents' Reaction.** The reaction of the residents of HC and CG and very many users of Turfhill has been, initially one of surprise, then angry, vocal and demanding of attention, and this has persisted over a period of 10 months. Fundamental to this is the outrage at not being consulted. When Messrs Frost, Squires and Thompson visited Winnersh on May 15th, the day after the Application had been accepted, their reaction was not that of people coming to review a project; it was one of amazement at how the project had progressed. Given, the subsequent reaction, where was the social media traffic from January 1st 2019 until after the route was announced? These are small but significant signs that the consultation had failed.

The fact that the Applicant persists in refuting HCRA and CGRA assertions that they were not consulted, prompts the question "Why?" There can be several reasons for the abyss between the two claims:

(a) Omission. Someone in the Applicant's team had HC and CG on the mailing list but failed to send out the documents.

(b) Incompetence For all their initial diligence, the subsequent systems were inadequate, their checking of actions and details left gaps. Operating from a remote location, there was not a link to the geographic reality.

(c) Intent. This would be a serious allegation, but given the facts must be a consideration. The Applicant's sole decision to decide what was material and what needed consultation; The selective communication during the important decision phase and late explanation of the choice; The failure to observe the obvious, in respect of the proximity of HC and CG to the pipeline; The persistence in maintaining a picture of a "perfect consultation" and only addressing the issue in document REP4-080, 5½ months into the Examination.

By now it should be apparent to everyone, apart from the Applicant, that on the issue of the crossing of Turfhill, the Applicant has failed to consult with those directly impacted by the chosen route. This was especially significant during the period when the route decision was

made, and the Applicant's decision not to consult on what it arrogantly solely decided, what was "material"

This failure should be judged alongside the procrastination tactics of the Applicant, in taking up the precious and limited time available to the ExA. In response to Action 26 arising from the Issue Specific Hearing on December 3rd, 2019, the Applicant states that "*The change [of route] could nevertheless still be proposed and made during the remaining time within the Examination ----*" HCRA and CGRA have repeatedly **proposed** this change during the Examination. It is now for the Applicant to **make it!**